

CABINET

Wednesday, 10th September, 2014

Present:- Councillor Mike Stubbs – in the Chair

Councillors Mrs Beech, Kearon, Turner, Williams, Mrs Shenton and Hambleton

19. DECLARATIONS OF INTEREST

There were no Declarations of Interest stated.

20. MINUTES

Resolved:- That the minutes of the meeting of the Cabinet, held on 23 July, 2014 be agreed as a correct record.

21. CONTAMINATED LAND STRATEGY

A report was submitted for Cabinet to consider the Newcastle-under-Lyme Contaminated Land Strategy 2014-19.

The Strategy had been updated and now complies with the latest statutory guidance.

It is estimated that there are around 700 potentially contaminated sites which would require investigation, which have been identified from various sources held by the Council. These sites would be prioritised and dealt with accordingly.

The Cabinet had the following Questions put to them:

Had the document been externally reviewed, and if not, would it be?

The report states that a site investigation must be carried out by a suitable person but there was no indication as to what qualifications that person should have?

The 'records' that were referred to were not complete prior to the 1990's. Was there any way that pre 90's records could be included?

What provision would there be in updating the risk to human health over time? Was there any situation where an update could be requested?

A perception of the Policy was that it lacked a lot of professional detail. Would there be access to monitoring reports for the public?

The Strategy would be reviewed and revised every five years and it would be a public document.

The Leader stated that the other questions needed to be picked by the relevant Scrutiny Committee and a list of written and a list of written answers provided. The Portfolio Holder for Safer Communities stated that he too had been asked similar questions and suggested that he submit a list of questions to combine with the others.

Resolved:- That the Newcastle-under-Lyme Contaminated Land Strategy 2014-19 be approved and adopted

22. PERFORMANCE MANAGEMENT REPORT

The Portfolio Holder for Finance and Resources introduced a report providing Members with an update on how the Council had performed during the first quarter of 2014/15. The results were appended to the report.

The Cabinet thanked the relevant Portfolio Holders and officers for their continued work in monitoring the Council's finances.

Resolved:- (i) That the contents be noted and it be agreed that the Council continue to monitor and scrutinise performance alongside the latest financial information for the same period.

(ii) That the comments made through the Scrutiny process and the responses from officers and others, be noted.

23. PROCUREMENT STRATEGY - 2014 TO 2017

A report was submitted for Cabinet to consider on the revised Procurement Strategy and Action Plan.

The aim of the strategy was to provide the framework in order to ensure a co-ordinated approach to sustainable procurement across the Council and beyond.

The Cabinet thanked The Council's Procurement Officer and his team for their hard work.

Resolved:- (i) That the revised Procurement Strategy 2014-17 be approved.

(ii) That the revised Action Plan (Section 6) of the revised Procurement Strategy 2014-17 be approved.

24. BANKING SERVICES CONTRACT 2015/16 TO 2017/18

The Portfolio Holder for Finance and Resources introduced a report on the Council's Banking Services Contract for 2015-18.

The Council's current banking services contract with the Co-Operative Bank would expire on 31 March, 2015.

Two suppliers submitted a Tender and it was Lloyds Bank who was found to be the best way forward.

As the Co-Operative Bank had expressed a wish to end the contract sooner, a request was made to give the Portfolio Holder and the Executive Director for Resources and Support Services delegated authority to agree an earlier start date subject to the agreement of the Banks.

It was suggested that a letter be sent to the Co-Operative Bank thanking them for their service over the years.

- Resolved:-**
- (i) That the award of the contract for the Council's banking services for a three year period from 1 April, 2015, with an option to extend on an annual basis for a further two years, be approved.
 - (ii) That delegated authority be given to the Portfolio Holder for Finance and Resources and the Executive Director for Resources and Support Services to agree an earlier start date subject to the agreement of the Co-Operative Bank and Lloyds Bank.

25. CHARGING POLICY

A report was presented to Cabinet regarding a revised Charging Policy in relation to charges made by the Council.

The Policy sets out the principles surrounding the making of charges to users of Council services and facilities.

The current Policy was approved by Cabinet on 3 December, 2008 and it was therefore appropriate to update it with whatever changes were required to reflect the present circumstances.

Members were pleased to see a section in the Policy aiming to reduce/eliminate cash payments.

- Resolved:-** That the Charging Policy be approved.

26. ICT CONSOLIDATION - RENEGOTIATION OF EXISTING SOFTWARE CONTRACT

The Portfolio Holder for Communications, Policy and Partnerships introduced a report on the Council's software contract.

Cabinet's approval was sought to enter into a contract with the current provider of the Council's principal proprietary software following a renegotiation of the current contract which has indicated a saving and would cause least disruption.

The Cabinet thanked the Council's Head of Customer and ICT Services for the outstanding work that had been put into this project.

- Resolved:-**
- (i) That Standing Orders Relating to Contracts be waived on the grounds of 2b in that:-

the goods or services to be purchased are offered to the Council at a price substantially less than the lowest price at which the Executive Director would reasonably expect by the invitation of tenders ordinarily to be able to purchase the said goods or services.

- (ii) That the Council awards a contract to the existing supplier of the Council's principal proprietary software that support a range of statutory and major services for a period from 1 October, 2014 to 31 March, 2019.

27. UPDATE ON THE HEALTH AND WELLBEING STRATEGY

A report was submitted to Cabinet regarding the Borough Health and Wellbeing Strategy.

The Strategy was approved for consultation in June 2013. In addition, an event was organised in October 2013 to look at a partnership approach for the delivery of health services in Newcastle.

The report stated that in 2015/16 a Better Care Fund would be introduced and Newcastle would have to rely on the County Council and the North Staffs Clinical Commissioning Group to fund the health priorities in the Borough's Health and Wellbeing Strategy.

- Resolved:-**
- (i) That the importance of the Health and Wellbeing Strategy and its' bearing on the delivery of council services be noted.
 - (ii) That the developing partnership approach and work to encourage all sectors of the local economy to consider their impact on health and wellbeing be endorsed.
 - (iii) That it be recognised that whilst health and wellbeing is a wide ranging and complicated area, it is weaved into all we do, but given our role in providing physical activity opportunities, confirm that the Council will lead on the production of a Borough Sport and Active Lifestyles Strategy.
 - (iv) That the consideration of health and wellbeing implications, where relevant, either directly or indirectly in all future reports be approved.
 - (v) That it be acknowledged that whilst some funding streams are looking vulnerable; confirm that Newcastle Borough Council will not be picking-up any shortfall.
 - (vi) That it be noted that the Better Care Fund (BCF) – referred to in this report and considered by Cabinet at its meeting in April 2014 – has been significantly changed by Central Government, thereby resulting in the need for a further sign off by this Council and the other districts/boroughs in Staffordshire. Cabinet will recall that the main reference to district/borough council responsibilities in the BCF is the Disabled Facilities Grant (DFG) – and it should be noted by Cabinet that this aspect of the BCF Plan for Staffordshire is largely unchanged in the revised Plan. Arrangements are being made for sign off and a separate report appears on this Cabinet agenda (September 2014)

28. PLANS FOR A BUSINESS IMPROVEMENT DISTRICT IN NEWCASTLE UNDER LYME

The Portfolio Holder for Economic Regeneration, Business and Town Centres introduced a report updating Members on the Newcastle Town Centre Partnership's plans to establish a Business Improvement District (BID) for the town centre.

The Portfolio Holder stated that the Town Centre Partnership had proved successful with a small decrease in empty shop premises, the arrival of new businesses and the Christmas lights displays.

Early next year it had been proposed to place a levy on top of the business rates. If the businesses agreed, it would make the Town Centre Partnership self-sufficient for the next five years.

The Town Centre Partnership had found a consultant who was gathering information from businesses in order to put together a prospectus of what they wish to do over the next five years.

The Borough Council would have a financial obligation if the BID was successful which would need to be included in the next five years' revenue budgets.

The Portfolio Holder was thanked for the work that had been done in the town centre with many changes already visible.

- Resolved:-**
- (i) That the requirements of the Council to provide NNDR information for the purposes of a Business Improvement District and to operate the ballot (and collection of levy if vote is successful) in line with the regulations covering BID ballots be noted.
 - (ii) That the Newcastle Town Centre Partnership's plans to consult local businesses on the introduction of a Business Improvement District be supported.
 - (iii) That the Portfolio Holder for Economic Development, Planning & Town Centres be authorised to vote at the Partnership Board to progress the Business Improvement District proposal to a ballot.
 - (iv) That a further report be received by the Cabinet after the Town Centre Partnership sets the levy so that the full financial implications can be calculated, enabling a full assessment of the business case and cost to the Council as a rate payer, prior to the ballot taking place.

29. BRADWELL CREMATORIUM

A report was received requesting the waiving of Standing Orders to enable the relining of cremators F2 and F3 at Bradwell Crematorium. Which is required to be carried out every five years.

The reason for wishing to waive the Standing Orders was to ensure continuity and officers agreed that it did represent value for money.

- Resolved:-**
- (i) That in view of the exceptional circumstances, Standing Orders applying to contracts contained in Part III of the Councils Constitution be waived on

the grounds referred to in section 2 (b) (iv). in that:
(the supply of goods, materials, or for the carrying
out of works or services) are proprietary, patented
or specialised goods or materials.

- (ii) That the Council awards the contract for the
relining of the cremators at Newcastle
Crematorium
to the manufacturer of the cremation units in the
sum of £71,551, to be met from the provision
made
within the Equipment Replacement Fund for this
type of work.

30. BETTER CARE FUND

A report was submitted for the Cabinet to consider, asking Members to approve the updated version of the Better Care Fund Plan for Staffordshire.

The Plan had had to be revised following changes in the Better Care Fund introduced by national government.

Concerns were raised regarding the Disabled Facilities Grant being incorporated into the Better Care Fund and only being safeguarded for one year.

The report made no real reference to what districts provide in the Fund. In addition, there was no safeguard to the Disabled Facilities Grant beyond year 1. In addition, it was felt to have no long term vision and had very little reference to Mr Goodwin's report.

The Leader would put these comments into a letter to the County Council and advise the Cabinet of any response received.

All Members of the Cabinet agreed not to sign up to the document.

- Resolved:-**
- (i) That the contents of the report be noted.
 - (ii) That the new Staffordshire Better Care Fund Plan be not endorsed.
 - (iii) That the Leader write to the County Council expressing the Cabinets concerns.

COUNCILLOR MIKE STUBBS
Chair