

Public Document Pack

Date of meeting Thursday, 3rd September, 2015
Time 7.00 pm
Venue Committee Room 1, Civic Offices, Merrial Street,
Newcastle-under-Lyme, Staffordshire, ST5 2AG
Contact Justine Tait

Finance, Resources and Partnerships Scrutiny Committee

AGENDA

PART 1 – OPEN AGENDA

- 1 Apologies**
- 2 DECLARATIONS OF INTEREST**
To receive Declarations of Interest from Members on items included in the agenda
- 3 MINUTES OF THE PREVIOUS MEETING** (Pages 3 - 6)
To consider the minutes of the previous meeting held on Monday 15th June 2015.
- 4 Constitution Review Working Group** (Pages 7 - 20)
- 5 Quarter One Financial and Performance Review** (Pages 21 - 32)
- 6 Newcastle Partnership Commissioning Prospectus** (Pages 33 - 36)
- 7 Portfolio Holder Question Time** (Pages 37 - 42)
- 8 WORK PLAN** (Pages 43 - 48)
To discuss and update the work plans to reflect current scrutiny topics
- 9 PUBLIC QUESTION TIME**
Any member of the public wishing to submit a question must serve two clear days' notice, in writing, of any such question to the Borough Council.
- 10 URGENT BUSINESS**
To consider any business which is urgent within the meaning of Section 100B (4) of the Local Government Act 1972.

Members: Councillors Fear, Hambleton, Huckfield, Loades, Pickup, Stubbs (Chair), Sweeney, Wallace (Vice-Chair), Waring, Wilkes and Williams

PLEASE NOTE: The Council Chamber and Committee Room 1 are fitted with a loop system. In addition, there is a volume button on the base of the microphones. A portable loop system is available for all other rooms. Should you require this service, please contact Member Services during the afternoon prior to the meeting.

Members of the Council: If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.

Meeting Quorums :- 16+= 5 Members; 10-15=4 Members; 5-9=3 Members; 5 or less = 2 Members.

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

FINANCE, RESOURCES AND PARTNERSHIPS SCRUTINY COMMITTEE

Monday, 15th June, 2015

Present:-	Councillor Mike Stubbs – in the Chair
Councillors	Hambleton, Huckfield, Loades, Pickup, Sweeney, Wallace, Waring, Wilkes and Williams
Officers	Chief Executive Democratic Services Manager Audit Manager Business Improvement Manager (Performance and Procurement)

1. **APOLOGIES**

Apologies were received from the Executive Director, Resources and Support Services.

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

3. **MINUTES OF PREVIOUS MEETING**

The minutes of the meeting held on Wednesday 21st January 2015 were agreed as a true and accurate record.

4. **CONSTITUTION REVIEW WORKING GROUP**

The Democratic Services Manager provided a brief overview of the Constitution Review Working Group and advised Members that if they wished for any areas to be explored in more detail to bring them to the attention of the Group. The next meeting had been arranged for Tuesday 14th July 2015.

The Members that previously sat on the Group were Councillors Mrs Braithwaite, Holland, Jones and Wallace.

The Chair suggested that all Group Leaders are asked to re-elect a Member from their party.

RESOLVED:-

That the Democratic Services Manager invites all Group Leaders to advertise the re-election of Members to the Working Group.

5. **FINANCIAL AND PERFORMANCE MANAGEMENT REPORT QUARTER 4 (MARCH) 2015**

Quarter Four Financial Position 2014/2015

The Committee received the quarter four financial position 2014/2015 and were advised it would be presented to the Audit and Risk Committee on Monday 6th July 2015.

Quarter Four Performance Review 2014/2015

The Committee received the Performance Management report to the end of Quarter 4 (March 2015). Five targets were off target.

Ref 1.7 The amount of residual waste per household

The forecasted annual target had not been met with a result of 426.8kgs for 2014/2015 which was an improvement of 430.23kgs for 2013/2014. The indicator was off target given the stretched target for 2014/2015 of 415kgs which equated to a quarterly target of 103.75 kgs.

Ref 1.8 Percentage of household waste sent for reuse, recycling and composting

The target was 55%, the result was 44.12%. This was partly due to the changes in household waste classification.

A Member asked what was the percentage impact on the target of the changes to reclassification of the definition of waste?

The Business Improvement Manager (Performance and Procurement) to provide the information.

Ref 2.6 Percentage of minor planning applications determined within time and Ref 2.7 Percentage of other planning applications determined within time

Ref 2.6 the target was 85%, the result was 70.6%.

Ref 2.7 the target was 92.5% which was above the national average, the result was 82%.

There had been reallocations of workloads, where appropriate, and the setting of revised timescales. In retrospect the targets had been set quite high.

It was asked if the “determined within time” period included the time taken for verification or did it commence after the verification took place?

The Business Improvement Manager (Performance and Procurement) to provide the information.

Ref 3.6 Number of people accessing leisure and recreational facilities

The target was 184,920, the result was 170,524. The shortfall of attendances could be attributed to the 50% closure of the gym and full closure of the

activity in the first quarter due to the replacement of the gym floor and the closure of the training pool.

Kidsgrove Sports Centre. The shortfall of attendances could be attributed to a number of pool closures.

Resolved:-

That the Business Improvement Manager (Performance and Procurement) to provide Members with the following information:-

- (a) What was the percentage impact on the target of the changes to reclassification of the definition of waste?
- (b) If the “determined within time” period included the time taken for verification or did it commence after the verification took place?

6. REVIEW OF CHANGES TO THE COMMITTEE ARRANGEMENTS

The Committee received the report on changes to committee arrangements submitted by the Chief Executive.

A review had been undertaken by a Local Government Association peer review team of the democratic decision-making structures of the Council. The Peer Review report made recommendations for a number of Committees to be merged, combined or disbanded. The specific recommendations were as follows:-

- i. Merge the Audit and Risk and Standards Committees
- ii. Disband the Staffing Committee
- iii. Disband the Joint Parking Committee
- iv. Disband the Member Development Committee
- v. To create the Constitution Working Group as a Committee of the Council and to title it the Constitution Review Committee

The comparative data highlighted that the number of Committees and Committee positions were very large when compared with similar District and Borough Councils benchmarked by the team. Interviews took place with a number of Members and Officers of the Borough Council.

There were two caveats; to retain the Health and Wellbeing Scrutiny Committee and, whilst the amalgamation of the Licensing and Public Protection had merit, some eminent legal authorities maintained that Parliament’s intention under the Licensing Act 2003 was to create a standalone Licensing Committee. This being the case it was prudent for the Council to retain the separate entities of a Licensing Committee and a Public Protection Committee but that identical nominations be made to the two Committees and that meetings be scheduled so that they ran sequentially on the same occasion.

It was proposed to accept the principle of Peer Review recommendation and to bring together the operation of two existing Committees but to retain the two legally distinct Committee roles.

It was asked that this Committee recommend to Council immediate transfer of power and duties of the Staffing Committee.

The Chair refused as it would disadvantage the Staffing Committee against the other Committees.

Members were concerned that the report had not been discussed and recommended that the report is presented to each Committee to seek Members views. Once collated a further report be submitted to Finance, Resources and Partnerships Scrutiny Committee then to Council.

Resolved:-

That the report is presented to each Committee to seek Members views with a further report being submitted back to this Committee then to Council.

7. **WORK PLAN**

Resolved:-

The Chair advised Members to start analysing other areas that fell under the remit of the Committee. Partnerships: Newcastle Partnership Strategic Board, Transformation Programme and Co-operative Council were requested as well as Information Technology Department, which fell under Risk Champion, and Human Resources.

8. **PUBLIC QUESTION TIME**

9. **URGENT BUSINESS**

Budget Scrutiny Café

Resolved:-

(a) That the Budget Scrutiny Café continued but to be renamed Budget Review.

(b) Alternate working of the Budget Review to be discussed at the next meeting.

10. **DATE AND TIME OF NEXT MEETING**

Thursday 3rd September 2015, 7.00pm in Committee Room 1.

COUNCILLOR MIKE STUBBS
Chair

Report to the Finance, Resources and Partnerships Scrutiny Committee

3rd September 2015

Update from the Constitution Review Working Group



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Introduction

To provide the Committee with an update of the work being carried out by the Constitution Review Working Group.

Background

The Constitution Review Working Group last met on the 14th July 2015.

Outcomes

The following topics were considered at the meeting:

1. Procedure Rules for Committees.

The Group considered the procedure rules for Committees under Appendix 9 of the Constitution. The Group specifically considered the recent changes that had been made to section 3.1 (a) and 3.1 (b) regarding changing an earlier resolution. It was agreed that Officers would consider whether section 3.1 (b) was required and that an update be brought back to a future meeting.

2. Access to Information Rules.

The Group considered and agreed the updated access to information rules which are found at Appendix 11 of the Constitution. A copy of the document agreed by the Group is attached to this report.

3. Chief Officer Appointments, Dismissal, Review and Appeals Committee.

The Group agreed that in the future appointments to these groups should be made at Annual Council to allow Members to be adequately trained should any meetings be required.

4. Planning Committee Members' Protocol

The Head of Planning and produced an updated draft version of the Protocol and it was agreed that this be shared with the Legal Advisor from the City Council who was currently attending meetings of the Planning Committee. The Protocol would then be sent out to Members of the Group for consideration prior to the next meeting.

ACCESS TO INFORMATION
PROCEDURE RULES

Section 1 - General Provisions

1. Status

These Rules are for the most part not rules laid down by the Council itself, but a summary of the effect of the legal provisions about access to information and a description of how the provisions operate in practice within the Council and its organisation and what the Council expects to be done. In the event of any conflict between these Rules and the legal provisions, the legal provisions will prevail. They are to be found in the Local Government Act 1972 (as amended) and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

2. Additional Rights to Information

These Rules do not affect or detract from any other, more specific rights to information contained elsewhere in this Constitution or the law.

Section 2 – General Access Rules

3. Interpretation of this Section

In this Section of these Rules, unless the contrary appears, all references to a meeting or meetings are references to a meeting or meetings to which this Section applies.

The Press is defined in the widest terms including traditional print media, filming crews, hyper-local journalists and bloggers.

4. Rights to Attend and Record a Meeting

4.1 All meetings must be open to the public except in limited circumstances where the national rules require or allow the meeting to be closed to the public.

4.2 The Council is required to allow any member of the public to take photographs, film and audio-record the proceedings, and report on all public meetings without prior permission. The Council is also required to provide reasonable facilities for any member of the public to report on the meetings. Reasonable facilities should include space to view and hear the meeting, seats, and ideally a desk.

4.3 The Council must allow for reporting of meetings via social media of any kind. Therefore bloggers, tweeters, and for example Facebook, YouTube users and individuals with their own website, should be able to report on meetings.

4.4 Councillors are also able to tweet and blog during meetings provided that it is not disruptive and does not detract from the proper conduct of the meeting.

4.5 Any person can provide commentary during a meeting, as well as oral commentary outside or after the meeting. Oral commentary cannot be provided during a meeting as this would be disruptive to the order of the meeting.

5. Disruptive Behaviour

5.1 Any action or activity which disrupts the conduct of meetings or impedes other members of the public being able to see, hear or film etc the proceedings.

5.2 Any person taking photographs, filming or audio recording or using social media must not act in a disruptive manner or they will be excluded from the meeting.

6. Limits to what can be Tweeted or Recorded

6.1 The law of the land applies – including the law of defamation and the law on public order offences.

6.2 Freedom of speech within the law should also be exercised with personal and social responsibility – showing respect and tolerance towards the views of others.

7. Filming of Members of the Public, Children, Vulnerable and other Members of the Public who Object to Being Filmed.

7.1 As a courtesy to the public, staff and councillors, the Borough Council would like to receive “reasonable notice” in advance of a meeting if filming or photography is to take place. The Democratic Services Manager should be made aware of any intention to record, film or photograph a meeting, before the start of the meeting. The Democratic Services Manager will then be able to inform the relevant Chairman of what is to take place.

7.2 Where the council has been notified, the Chairman will, at the beginning of the relevant meeting, make an announcement that the meeting will be filmed, recorded or photographed and will ask if anyone objects to this.

7.3 The council is responsible for ensuring it protects children, the vulnerable and other members of the public who actively object to being filmed without undermining the broader transparency of the meeting. As such, the Chairman will advise those who wish to film or record of this fact and that they should act accordingly.

7.4 The council requires those participating in recording, filming or photography not to edit the recordings, film or photographs in a way that could lead to misinterpretation of the proceedings. Doing so may lead to restrictions on access to record, film or photograph future meetings. Any restrictions would be decided by the Monitoring Officer.

7.5 Those intending to bring large equipment, or wishing to discuss any special requirements are advised to contact the council’s Democratic Services Manager in advance of the meeting to seek advice and guidance.

7.6 It would be preferable if any filming or photography takes place from a fixed point, normally in the public gallery.

7.7 Any member of the public who attends a meeting and objects to being filmed should advise the borough council (in advance where possible) and it will strongly advise that they are not included in any filming, photography or recording.

7.8 Members of the public speaking at, or attending, council meetings (including asking questions or presenting petitions) must not be filmed if they have indicated that they do not wish to be included.

SECTION 3

8. Notices of Meeting

8.1 The Council will give at least five clear days notice of any meeting by posting details of the meeting at the Civic Offices, Merrial Street, Newcastle (the designated office). Notice of the meeting will also be published on the Council's website.

9. Access to Agenda and Reports before the Meeting

9.1 Agendas for meetings and reports that are available for public inspection will normally be available at the designated office at least five clear days before the meeting.

9.2 Where an item is added to the agenda within 5 days before the meeting is scheduled to take place, a revised agenda, public report and background papers must be published as soon as the item is added to the agenda. In some circumstances, the whole or part of a report may not be available for public inspection because it contains either confidential or exempt information. In this case, the report should bear the phrase 'not for publication' and state that it contains confidential information or set out the description of the exempt information.

10. Supply of Copies

10.1 On payment of a charge for postage and any other reasonable costs, the Council will supply to any person copies of any agenda and reports that are open to public inspection.

10.2 The Council will exclude from public access any reports that relate to items during the consideration of which a meeting is, in the opinion of the Proper Officer, likely not to be open to the public. If at the meeting, the reports are in fact considered when the meeting is open to the public, full public access will immediately be allowed to the reports.

11. Access to Minutes etc. after Meetings

11.1 The Council will keep publicly available copies of the following for six years after a meeting:

- (a) The minutes of the meeting or other record of the decisions it took, but excluding any minute or record relating to proceedings that took place or a decision that was made when the meeting was not open to the public or which discloses exempt or confidential information ;
- (b) A summary of any part of the proceedings of the meeting that was not open to the public, if the minutes open to inspection would not provide a reasonably fair and coherent record;
- (c) The agenda for the meeting; and
- (d) Reports relating to items considered when the meeting was open to the public.

12. Background Papers

12.1 Each report that is available for public inspection will contain a list of background papers. These are documents relating to the subject matter of the report that:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) which have been relied on to a material extent in preparing the report.

The list excludes any published works and any documents that disclose exempt or confidential information.

12.2 Public inspection of background papers

The Council will make available for public inspection for four years after the meeting one copy of each of the documents in the lists of background papers to the reports considered in public at the meeting.

13. Recording of Decisions of Public Meetings

13.1 The council must keep records of any executive decisions made as soon as reasonably practicable after any public meeting. The written records will reflect the following information:

1. Details of the decision and the date it was made;
2. reasons for the decision;
3. any other options considered and why those options were rejected;
4. details of any conflict of interest of an executive member of the decision-making body; and
5. note of dispensation granted by the Head of Paid Service in respect of any declared conflict of interest

13.2 These records will be made available at the Council's Offices and on the Council's website and will be available for inspection for 6 years beginning with the date of the meeting apart from background papers which can be inspected for 4 years.

14. Summary of public rights

14.1 For the purpose of providing a written summary of the right of the public to attend meetings and to inspect and copy documents, a copy of these Rules will be kept at the designated office and available to the public.

15. Exclusion of access by the public to meetings

15.1 All meetings of the Cabinet including meetings of its committees or sub-committees must be open to the public, except in limited defined circumstances where the national rules require or allow the meeting to be closed to the public.

15.2 The rules require a meeting of the Cabinet including meetings of its committees or sub-committees to be closed to the public in two specific circumstances:

1. If the presence of the public is likely to result in the council breaching a legal obligation to third parties about the keeping of confidential information; or
2. a lawful power is used to exclude the public in order to maintain orderly conduct or prevent misbehaviour at a meeting.

15.3 In addition, a meeting can also be closed to the public where the Cabinet so decides (by passing a resolution of its members) because exempt information would otherwise be likely to be disclosed. It is open to the Cabinet if it chooses to consider in public matters involving exempt information. There is no over-riding legal requirement forcing councils to discuss exempt information in private.

16. Confidential Information

16.1 Confidential information means:

1. information provided to the council by a Government department on terms which forbid the disclosure of the information to the public; and
2. information which is prohibited from being disclosed by any enactment or by a court order.

17. Exempt Information

17.1 The descriptions of exempt information are set out in Schedule 12A to the Local Government Act 1972. The descriptions are:

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes—
 - a. to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - b. to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

The qualifications to the list of exempt information are as follows:

A. Information falling within number 3 above is not exempt information by virtue of that paragraph if it is required to be registered under--

[the Companies Acts (as defined in section 2 of the Companies Act 2006)];
the Friendly Societies Act 1974;
the Friendly Societies Act 1992;
the Industrial and Provident Societies Acts 1965 [Co-operative and Community Benefit Societies and Credit Unions Acts 1965] to 1978;
the Building Societies Act 1986; or
[(f) the Charities Act 2011.

B. Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.

C. Information which— falls within any of numbers 1 to 7 above; and is not prevented from being exempt by virtue of number A or B above, is exempt information if, and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

18. Notification of Private meetings of the Council's Cabinet

18.1 Prior to holding a private meeting, the council will publish on its website and at its offices at least 28 clear days' notice of its intention to consider a matter in private and the reasons for the private meeting. This is to ensure that members of the public have reasonable opportunity to make representations as to why the proposed private meeting should not be held in private.

18.2 At least 5 clear days before the meeting, the council will confirm its intention to go ahead with the private meeting through another notice on its website and at its offices. This second notice will include details of any representations received and the council's response to them.

18.3 A private meeting can only be held without 28 days' notice after the agreement of the Chairman of the relevant Scrutiny Committee has been obtained that the meeting is urgent and cannot reasonably be delayed. In the absence of the Scrutiny Committee Chairman, the permission of the Council Chairman (or, in their absence, the Vice Chairman) must be obtained. If this agreement is granted the council will publish a notice about why the meeting is urgent and cannot be deferred. This notice will be available at Council offices and on the Council website. If agreement is not given then the meeting must either be held in public, or the council must comply with the 28 day notice requirements.

19. Interpretation

(1) Employee' means a person employed under contract of service;

'financial or business affairs' includes contemplated, as well as past or current activities

'labour relations matter' means:

(a) any of the matters specified in paragraphs (a) to (g) of Section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 (10) (matters which may be the subject of a trade dispute, within the meaning of the Act); or

(b) any dispute about a matter falling within paragraph (a) above;

and for the purposes of this definition the enactments mentioned in paragraph (a) above, with the necessary modifications, shall apply in relation to office holders under the authority as they apply in relation to employees of the authority;

'office holder', in relation to the authority, means the holder of any paid office appointments to which are or may be made or confirmed by the authority or by any joint board on which the authority is represented or

by any person who holds any such office or is an employee of the authority;

'registered' in relation to information required to be registered under the Building Societies Act 1986 (11), means recorded in the public file of any building society (within the meaning of that Act)

- (2) Any reference to 'the authority' is a reference to the principal council or, as the case may be, the committee or sub-committee in relation to whose proceedings or documents the question whether information is exempt or not falls to be determined
- (a) in the case of a principal council, to any committee or sub-committee of the council; and
 - (b) in the case of a committee, to:
 - (i) any constituent principal council
 - (ii) any other principal council by which appointments are made to the committee or whose functions the committee discharges; and
 - (iii) any other committee or sub-committee of a principal council falling within sub-paragraph (i) or (ii) above; and
 - (c) in the case of a sub-committee, to:
 - (i) the committee, or any of the committees, of which it is a sub-committee
 - (ii) any principal committee which falls within paragraph (b) above in relation to that committee.

Section 3 – Key Decisions

20. Meaning of 'Key' Decision

A 'key' decision means:

- 20.1 Any Cabinet decision (as opposed to a regulatory decision) which is likely to result in the Council incurring significant expenditure or the making of savings where there is:
- (a) A change in service provision that impacts upon the service revenue budget by £50,000 or more, or
 - (b) a contract worth £50,000 or more, or
 - (c) a new or un-programmed capital scheme of £50,000 or more, or
- 20.2 Any Cabinet decision which will have a significant impact in environmental, physical, social or economic terms on communities living or working in an area comprising two or more electoral wards.

21. Procedure before taking Key Decisions

21.1 The Council must publish with 28 clear days' notice any key decision that is intended to be made. The notice has to include details of the individual or cabinet body that will make the decision, the matter that is subject to a decision, other documents to be considered, and where these other documents are available.

21.2 This notice document must be available at the council's offices and on its website before the decision is made. Such decisions when made will be properly recorded with reasons and published for call in purposes even where made by Officers with delegated responsibility.

21.3 An Authority cannot take a key decision without giving 28 days' notice unless an urgent decision is required. The following requirements must be met:

- The relevant Scrutiny Committee Chairman is informed in advance and in writing (or all the members of the Overview and Scrutiny Committee) about what the decision is concerning;
- a notice about the key decision to be made is made available for inspection at the council's offices and published on the website; and
- 5 clear days elapse following the day a notice is published about the key decision to be made.

21.4 If there is a case of special urgency, for example an urgent decision on a negotiation, expenditure or contract, the decision must only be made if the agreement of the Scrutiny Committee Chairman is received. In the absence of the Scrutiny Committee Chairman, the permission of the Council Chairman (or in their absence the Vice Chairman) must be obtained. If agreement is given, a notice explaining why the decision is urgent and cannot reasonably be deferred, must be published and should be available at the council's offices and on the website as soon as reasonably practicable.

22. Executive decisions by individuals

22.1 Reports intended to be taken into account

Where an individual Cabinet Member or an officer receives a report which he or she intends to take into account in making a key decision, he or she shall not make the decision until the report has been available for inspection by the public for at least 5 clear days. He or she shall also ensure that the Chief Executive or an officer on his behalf makes the report available for inspection by the public as soon as is reasonably practical after the Member or officer receives it.

22.2 Copies of reports for Scrutiny Chair

Where a report has been submitted to an individual Cabinet Member or an officer with a view to it being considered by him or her when making a key decision, the person who submitted the report shall as soon as reasonably practicable supply a copy of it to the Chair of the Scrutiny Committee.

22.3 Background papers

The Chief Executive or an officer on his or her behalf shall, in any report required to be available for inspection by the public as provided above, ensure that there is included a list of the background papers for the report and that they also are available for inspection by the public.

23. Records of Decisions – Individual Members and Officers

23.1 The regulations require an officer to prepare a written statement of every executive decision which he or she takes, which must include a note of any executive member whom he has consulted in taking that decision.

The regulations state the following:

For an Officer

(4) As soon as reasonably practicable after an officer has made a decision which is an executive decision, the officer must produce a written statement which must include—

- (a) a record of the decision including the date it was made;
- (b) a record of the reasons for the decision;
- (c) details of any alternative options considered and rejected by the officer when making the decision;
- (d) a record of any conflict of interest declared by any executive member who is consulted by the officer which relates to the decision; and
- (e) in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service

For a Member

Recording of executive decisions made by individuals

(1) As soon as reasonably practicable after an individual member has made an executive decision, that member must produce or instruct the proper officer to produce a written statement of that executive decision which includes the information specified in paragraph.

(2) The statement referred to in paragraph (1) must include—

- (a) a record of the decision including the date it was made;
- (b) a record of the reasons for the decision;
- (c) details of any alternative options considered and rejected by the member when making the decision;
- (d) a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision; and
- (e) in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service..

23.2 The policy and practice of the Council is that the Chief Executive should be present or represented when an individual Cabinet Member makes an Cabinet decision and will assume responsibility on behalf of the Member for the production of the required record.

23.3 The requirement to record applies to all decisions taken by officers whilst acting under a specific express authorisation and to only three categories of decision taken whilst acting under a general authorisation. These categories cover decisions to “grant a permission or licence”; that “affect the rights of an individual” (i.e. to change an individual’s legal rights); or to “award a contract or incur expenditure which, in either case, materially affects that relevant local government body’s financial position”.

23.4 Officers take many administrative and operational decisions about how they go about their day to day work within the council’s or local body’s rules. These decisions will not need to be recorded.

24. Access to Information for Councillors

24.1 Councillors can inspect any document that contains material to be discussed at least 5 days before a public meeting is held. In case of a private meeting or decision made by an individual Cabinet member or officer, members can inspect the document within 24 hours of the conclusion of the meeting or the decision being made.

24.2 In addition, members of a scrutiny committee can ask for any document that contains business transacted at a meeting of the Cabinet, its committees or sub-committees or officer of the authority. The executive must provide the document within 10 days after it (the Cabinet) receives the request. In an instance where the Cabinet cannot release the whole or part of the document, it must provide the Member with a written explanation.

24.3 In addition to the rights conferred on councillors by the Regulations in relation to executive decision making, councillors also have statutory rights to inspect documents of the council and its committees under Part 5A of the Local Government Act 1972. Councillors may also request information held by their council under the Freedom of Information Act 2000 (or the Environmental Information Regulations 2004 in relation to environmental information). Councillors may have rights under the common law to inspect such documents held by their council as are reasonably necessary for them to perform their duties.

SECTION 4

25. The Forward Plan Instructions

The purpose of the Forward Plan is to give notice of key decisions; such a decision can be made by Cabinet or by an Officer under delegated powers. So it is not just about items which will be going to Cabinet

The Council produces the Forward Plan through Modern.gov. and all officers will need to use the online submission form to make this work. In order to submit items for the forward plan please could you now follow the instructions below and complete the required fields.

Go to the intranet and click 'Member/Committee Services'

Click 'Work to Do' in the left hand box

Enter your User name and password that you use to log onto to your computer in the morning.

Click 'Options' and 'Submit Plan item'

Follow on screen instructions

This will upload you items directly into Modern Gov.

AN ITEM MUST BE PUBLISHED ON THE FORWARD PLAN 28 CLEAR DAYS BEFORE THE DECISION IS TO BE MADE.

Submitting an Officer Decision made under delegated authority

The regulations require an officer to prepare a written statement of **EVERY** executive decision which he takes, which must include a note of any executive member whom he has consulted in taking that decision. This can also now be done through Modern.Gov on the intranet:

Go to the intranet and click 'Member/Committee Services'

Click 'Work to Do' in the left hand box

Enter your User name and password that you use to log onto to your computer in the morning.

Click 'Options' and 'Submit Officer Decision'

Follow on screen instructions

This will upload you items directly onto the website and it can be viewed under decisions.

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Classification: NULBC UNCLASSIFIED

1. FINANCIAL AND PERFORMANCE MANAGEMENT REPORT TO END OF QUARTER ONE (April-June) 2015

Submitted by: Executive Management Team

Portfolio: Policy, People & Partnerships
Finance, IT & Customer

Wards Affected: All

Purpose

To provide Finance, Resources & Partnerships Scrutiny (FRAPS) Committee with the Financial and Performance Review report - first quarter 2015/16.

Recommendations

- (a) That Members note the contents of the attached report and agrees to the recommendation that the Council continues to monitor and scrutinise performance alongside the latest financial information for the same period.

Reasons

The Financial and Performance Management monitoring reports provide information on a quarterly basis regarding the performance of individual council services, alongside related financial information on the organisation. This report will be presented to Cabinet on 16 September 2015.

1. Background

- 1.1 This quarterly report provides Members with a detailed update on how the Council has performed during the first quarter of 2015/16 by presenting performance data set within a financial context.
- 1.2 This report provides broad financial information (Appendix A) and also detailed analysis of performance (Appendix B) for the first quarter of 2015/16.
- 1.3 A summary of the overall performance picture is presented in section 3 of this report and members will note that performance is generally progressing well.

2. 2015/16 Revenue and Capital Budget Position

- 2.1 The Council approved a general fund revenue budget of £13,830,450 on 25 February 2015. Further financial information is provided in Appendix A.

3 Performance


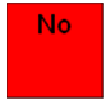
- 3.1 The latest performance information is reported and attached as Appendix B.
- 3.2 Any indicators failing to meet the set targets are reported, by exception, in the table found in section 3.6.
- 3.3 The information found in Appendix B is presented in four sections against each corporate priority and detailed results and progress towards identified outcomes for the Council is presented here as well.




3.4 The number of indicators monitored in this report for quarter one 2015-16 is 27 in total, and the proportion of indicators which have met their target during this period stands at 81%.

3.5 The report contains five columns designed to show achievement:

- The “Good is” column denotes whether ‘low’ or ‘high’ figures are good and allows the reader to analyse the results in detail;
- There are two columns included showing comparative quarterly performance for 2014-15 and 2015-16 – this allows the reader to gain some insight into annual trends;
- The fourth column shows the annual target for 2015-16 (in some cases a quarterly target may be provided when relevant and necessary) and;
- In the last column one set of symbols (icons) show whether performance is on target or not at this time.

3.6 Five indicators from Appendix B are off target this quarter and are reported by exception in the table below, together with commentary.

Exception Report Quarter 1, 2015 (April –June)						
Ref	Indicator	Result	Target	Status	Officer	Portfolio holder
1.7	The amount of residual waste per household	108.67 kgs (est)	415kgs (annual)		Trevor Nicoll	Councillor Beech
Comment	Slight improvement compared to quarter 1 in 2014-15, but still requires work. Promotion of the food waste collection service undertaken, including supply of liners to all Tuesday collections. Additionally stickers are being placed on all refuse bins, stating ‘NO FOOD WASTE’. As food waste amounts to 16% of the contents in residual waste, and trials so far are showing an uplift of 10% in food waste tonnage collected, this should have a positive impact on this target.					
2.6	Percentage of Minor Planning Applications determined within time	56.9%	75%		Guy Benson	Councillor Proctor
Comment	Performance with respect to this target during this quarter was poorer than in the preceding quarter, notwithstanding the return by the beginning of the quarter, from long term sickness, of a part-time officer in this small team. Due to the issue of already out of time applications from the preceding quarter it proved difficult to hold performance, and there has been a marked increase in the number of applications for Minor development as well. Proposals to address staff resourcing/capacity agreed by July Cabinet which should help to improve the Service’s performance in the latter part of 2015/16. In addition a Development Management Performance Action Plan submitted to Planning Committee 18 th August sets out these proposals along with further measures to address the under performance. Finally, members may wish to note that government has announced proposals to include performance on Minor applications within its performance regime.					

Exception Report Quarter 1, 2015 (April –June)						
Ref	Indicator	Result	Target	Status	Officer	Portfolio holder
2.7	Percentage of Other Planning Applications determined within time	81.9%	85%		Guy Benson	Councillor Proctor
Comment	Performance with respect to this target was maintained during this quarter relative to that of the preceding quarter and although below target is significantly closer to the revised target. The measures described in the comment for 2.6 would be expected to address under achievement in this target too.					
4.3	Average number of days per employee lost to sickness	2.63 days (1.82 days long term and short term 0.81 days)	1.88 days		Sarah Taylor	Councillor Shenton
Comment	In Qtr. 1 we have seen the effect of an unusually large number of long term sickness cases, totalling 23 during the period. However, both short term and long term sickness cases are continuing to be pro-actively managed with HR and Occupational Health support and are monitored monthly at Executive Management Team and Departmental meetings.					
4.5	% Unmet demand (number of calls not answered as a % of total call handling volume)	12%	8%		Jeanette Hilton	Councillor Turner
Comment	Performance has been adversely impacted upon during the first quarter because of high sickness levels. This has been a challenging time but in order to achieve this unmet demand, Customer Service agents are supported by additional resource from Customer Support and secretarial support (part of the Business Admin Review) who are answering level 2 (switchboard) telephone calls.					

Officers consider that the performance against these indicators does not give rise to serious cause for concern at present, and the management of each of the service areas concerned continue to monitor and take steps to deal with under achievement of targets where possible and/or appropriate.

Further quarterly updates will be provided for Members in future reports.

- 3.7 Positive performance can be seen in a range of services and members will note that some services are affected by both seasonal and external factors. It should also be noted for consideration that some indicators have stretched targets set and local targets that are higher than the national ones.

4. Outcomes Linked to Sustainable Community Strategy and Corporate Priorities

4.1 All indicators link to corporate priorities set out in the Council Plan and/or Service Plans.

5. Legal and Statutory Implications

5.1 The Council has a duty to set targets for performance of a range of functions and needs to monitor these closely.

6. Equality Impact Implications

6.1 There are no differential equality issues arising directly from this monitoring report.

7. Financial and Resource Implications

7.1 Any positive variance for the full year on the General Fund Revenue Account will enable that amount to be transferred to the Budget Support Fund and will be available in future years for use as the Council considers appropriate. Conversely, if there is an adverse variance, the amount required to cover this will have to be met from the Budget Support Fund.

8. Major Risks

8.1 The ongoing changing market conditions represents the greatest risk to the revenue budget, particularly with regard to the impact it may have upon income receivable in relation to services where customers may choose whether or not to use Council facilities or in the case of the waste/recycling service where the volume of recycled materials is liable to fluctuate. The situation will be monitored through the normal budget monitoring procedures.

8.2 The capital programme will require regular monitoring to identify any projects which are falling behind their planned completion dates. This will be carried out by the Capital Programme Review Group, which meets on a monthly basis together with quarterly reports to Cabinet.

8.3 The above represents a high level view of risk. There are detailed risk registers available if members wish to see them.

9. List of Appendices

Financial information (Appendix A), and the Performance report (Appendix B) are attached.

10. Background Papers

Working papers held by officers responsible for calculating indicators.

11. Management sign off

Each of the designated boxes need to be signed off and dated before going to Executive Director/Corporate Service Manager for sign off.

	Signed	Dated
Financial Implications Discussed and Agreed		
Risk Implications Discussed and Agreed		
Legal Implications Discussed and Agreed		
H.R. Implications Discussed and Agreed		
ICT Implications Discussed and Agreed		
Report Agreed by: Executive Director/ Head of Service		

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Appendix 'A'

Financial Position Quarter One 2015/16

1. General Fund Revenue Budget

1.1 The Council approved a General Fund Revenue Budget of £13,830,450 on 25 February 2015. The actual position compared to this budget is continuously monitored by managers, EMT and Portfolio Holders in order to detect any significant variances of expenditure or income from the approved amounts contained in the budget.

2. Capital Programme

2.1 A Capital Programme totalling £9,390,300, covering the two years 2014/15 to 2015/16, was approved at the same Council meeting. Of this total, £5,564,000 was estimated to be spent in 2015/16.

3. Revenue Budget Position

3.1 At this point in the financial year, we would have expected to have spent approximately £5,594,913; we have actually spent £5,649,711. Therefore, as at the end of the first quarter, the general fund budget shows an adverse variance of £54,798.

3.2 The main reasons for the overall adverse variance to date are:

- a. The implementation of the staff related savings required to deliver the 2015/16 target of £50k is still in progress. Further meetings with the Trade Unions are scheduled for September.
- b. Jubilee 2 and Kidsgrove Sports Centre are both operating at net overspends primarily due to income shortfall. Officers are looking at ways to both retain current income levels and pursue additional income to eradicate the current shortfalls.
- c. Income from commercial rents is below the amount budgeted for. Active marketing of properties is continuing in order to try and secure new tenancies.

There are also a number of favourable variances, the main ones being:

- a. Employee costs in respect of a number of vacant posts and flexible retirements that have taken place across the Council.
- b. Additional interest income as a result of increased amounts available to invest following sales of land and buildings.

4. Capital Programme Position

- 4.1 The Capital Programme approved by Council in February 2015 has been updated to take account of slippage in 2014/15. Where planned expenditure did not occur last year, this has been added to the budget for 2015/16 (apart from any cases where costs have been reduced or expenditure will no longer be incurred). The revised budget for capital projects in 2015/16 totals £7,559,700.
- 4.2 £757,000 of the revised budget was expected to be spent by 30 June; the actual amount spent was £795,200 resulting in a variance as at the end of quarter one of £38,200.

5. Investment Counterparties









- 5.1 Investment counterparties with whom money is invested, as at 30 June 2015 are as follows (with the parent company shown in brackets, where applicable):

Halifax Bank of Scotland (Lloyds Bank)
Lloyds Bank
Barclays Bank
Nationwide Building Society
Coventry Building Society
Debt Management Account –Deposit facility
Heritable Bank (*Landsbanki*)








- 5.2 With regard to the Council's frozen investment in Heritable Bank, the total amount repaid now amounts to some £2,357,691, which is 94% of the total that was frozen. The Administrators have informed creditors that a further dividend may be paid but this is subject to the successful outcome of their claim against their parent bank, Landsbanki.

**Corporate Performance Scorecard
Quarter 1 2015-16**





Priority 1: A clean, safe and sustainable Borough

Outcomes: Our borough will be safer, cleaner and sustainable						
Ref	Indicator	Good is	Result 2014/15 Qtr 1	Result 2015/16 Qtr 1	Target 2015/16	Status
1.1	Percentage of food premises that have a zero or one national food hygiene rating.	Low	0.89% (7 out of 782 published premises)	1.66% (12 out of 722 published premises)	2.25%	
1.2	The percentage of food establishments which are broadly compliant with good hygiene law	High	95% (1,062 out of 1,118 premises)	92% (1040 out of 1125 premises)	85%	
1.3	The area of contaminated land that has been remediated or is determined suitable for use	High	Reported in Qtr 2		-	-
1.4	Number of incidents of violence with injury	Low	199	255	-	-
1.5	Number of incidents of anti-social behaviour	Low	1002	888	-	-
1.6	Number of incidents of serious acquisitive crime	Low	171	155	-	-
1.7	The amount of residual waste per household	Low	109.61	108.67	415kgs (annual)	
1.8	Percentage of household waste sent for reuse, recycling and composting	High	56.69%	54.68% (estimated value)	55%	
1.9	Levels of street and environment cleanliness (LEQ survey) free / predominantly free of litter, detritus, graffiti and fly-posting)	High	Survey in Qtr 2		91% 91% 97% 99%	
1.10	Number of community volunteer groups/hours spent caring for their local green spaces and neighbourhoods	High	2105.5 hrs	2062.5 hrs	1600 hrs	
1.11	Town Centre Vacancy Rate	Low	13.5%	11.9%	15%	
1.12	Percentage of investment portfolio (NBC owned) vacant	Low	8.4%	8.7%	12%	

Priority 2 : Borough of Opportunity







Outcomes: Newcastle is a great place to live, work and do business						
Ref	Indicator	Good is	Result 2014/15 Qtr 1	Result 2015/16 Qtr 1	Target 2015/16	Status
2.1	Number of hours worked by volunteers in council co-ordinated activities (museum)	High	397 hrs	375hrs	375 hrs	
2.2	Percentage of minor adaptations delivered within four months (approval to payment for works under £5000)	High	90%	93%	75%	
2.3	Number of homelessness cases where positive action was successful preventing homelessness	High	234	152	600	
2.4	Average stall occupancy rate for markets	High	65%	79%	55%	
2.5	Percentage of Major Planning Applications determined within time	High	100%	88.9% (Cumulative)	70%	
2.6	Percentage of Minor Planning Applications determined within time	High	86%	56.9% (Cumulative)	75%	
2.7	Percentage of Other Planning Applications determined within time	High	95.2%	81.9% (Cumulative)	85%	


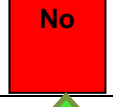

Priority 3 : A Healthy and Active Community

Outcomes: Everyone has the chance to live a healthy, independent life, access to high quality leisure and cultural facilities/activities and the opportunity to get involved in their community						
Ref	Indicator	Good is	Result 2014/15 Qtr 1	Result 2015/16 Qtr 1	Target 2015/16	Status
3.1	Number of parks which have Green Flag status	High	Report in Qtr 2		9	
3.2	Level of satisfaction with Council run parks and open spaces	High	Reported at a later date	70%	70%	
3.3	Number of people visiting the museum	High	15,435	17,590	60,000	
3.4	Number of referrals from GPs to organised sporting activity	High	91	74	n/a	n/a
3.5	Percentage of people referred for exercise by GPs whose health improves	High	-	%	n/a	n/a
3.6	Number of people accessing leisure and recreational facilities	High	154,131	165,660	670,00 (Qtr. 1-164,820)	

Priority 4 : A Co-operative Council, delivering high-quality, community driven services

Outcomes: Your council is efficient, open and innovative in its work, with services designed and delivered co-operatively and communities are strong and well supported

Ref	Indicator	Good is	Result 2014/15 Qtr 1	Result 2015/16 Qtr 1	Target 2015/16	Status
4.1	Percentage attendance at planned meetings by members	High	81%	88.2%	80%	
4.2	Percentage projected variance against full year council budget	Low	0%	0%	No variance	
4.3	Average number of days per employee lost to sickness	Low	1.5 days	2.63 days	1.88 days	No
4.4	Percentage of requests resolved at first point of contact	High	97%	97%	97%	
4.5	% Unmet demand (number of calls not answered as a % of total call handling volume)	Low	6%	12%	8%	No
4.6	Time taken to process Housing/Council Tax Benefit new claims and change events	Low	7.78 days	7.01days	10 days	
4.7	Percentage of Council Tax collected	High	27.4%	27.5%	24.12%	
4.8	Percentage of National non-domestic rates collected	High	26.9%	27.1%	25.11%	

Key	Performance information not available at this time or due to be provided at a later date.	n/a
	Performance is not on target but direction of travel is positive	
	Performance is not on target where targets have been set	
	Performance is on or above target.	

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Newcastle Partnership – Commissioning Prospectus
Report to Finance, Resources and Partnerships Scrutiny Committee - Sept 2015

Sarah Moore – Partnerships Manager
Simon Sowerby – Business Improvement Manager

Purpose of the Report

Following changes previously made to the governance of the Newcastle Partnership which focused on expanding the scope of the then Partnership Delivery Group (PDG) to include the commissioning role and being re-named as the Partnership Commissioning and Delivery Group (PCDG) in agreement with the Newcastle Partnership Strategic Board in September (chaired by the Leader of the Borough Council) and endorsed by Cabinet in October 2014; Further reports were subsequently presented to and approved by Cabinet in February and March 2015, to enable the Borough Council to become the accountable body for the Newcastle Partnership and to authorise the transfer of funding from the County Council to the Borough Council for the purposes of locality commissioning.

This report is intended to presents an overview to Members of the Finance, Resources and Partnerships Scrutiny Committee highlighting the progress on the delivery and ongoing development of the Newcastle Partnership Commissioning Prospectus 2015-17.

Background

The Newcastle Partnership recognises that more can be achieved by working together as partners than individually. Working in this way is not always easy, but over the years it has been extremely successful in terms of delivering positive outcomes for the Borough. As a result the Partnership has enjoyed reductions in levels of crime, including anti-social behaviour; improvements in the health of the Borough; and a range of different initiatives aimed at improving the local economy.

To further develop partnership working, the Newcastle Partnership agreed to pool a number of existing separate funding streams and commissioning procedures into a single practice, and to instigate a locality commissioning process. The Partnership launched the *Newcastle Partnership Commissioning Prospectus 2015-17* in December 2014, which set out a number of 'lots' and service outlines, inviting local service providers to submit delivery proposals to address two commissioning priorities, within the Borough:

- Enhancing economic growth
- Tackling vulnerability

These priorities and subsequent lots were developed by the Partnership having considered a range of data available and local information from partners. The sources of this data include Newcastle's Health and Wellbeing Profile, Enhanced District Profile (www.staffordshireobservatory.org.uk), Local Alcohol Profiles for England, District Physical Activity and Nutrition Profiles and the eJSNA (www.newcastle-staffs.gov.uk) Newcastle Borough Community Safety Indicators 2013/14, Newcastle-under-Lyme Police and Crime Plan 2014-17.

Progress to date

The closing date for the submission of service proposals to address the identified priorities within the 'Commissioning Prospectus' was 4th February, with the Partnership receiving a total of 55 applications across the 12 lots established. The total value of the applications received totalled £785,529 across 10 lots, as no applications were received for 2 of the 12 lots.

Following the co-ordination of a series of panel evaluations and subsequent moderation, a total of 16 projects were awarded, totalling £279,331.46 from an overall available budget of approx. £500k. An engagement process has been undertaken with each of the successful providers, where KPI's have been established; monitoring frequencies agreed and payment schedules in line with each communicated. This information along with the successful providers service proposal have all been appended to formal contracts which commenced from the 1st April 2015 and a complete list of these services is available on request.

As part of the Commissioning exercise there have been a number of 'lessons learned' by Officers, which have been recorded and captured as the process has progressed and will be used to inform improvements for the process in the future. For example, of the unsuccessful applications received, the main reason for proposals failing was the identification of shortfalls in project delivery against the published service outline or that the amount quoted by the prospective provider had exceeded the amount available, this is one particular area that the Partnership is keen to provide additional guidance on and support to prospective providers, as Officers begin future stages of the commissioning process.

Next steps

A multi-agency working group, co-ordinated by the Borough Council, continues to meet on a fortnightly basis to ensure that services from Round 1 (above) are delivered and are monitored effectively. The working group are also;

- Reviewing the lessons learned log;
- Reviewing the budget, including housekeeping of partners' contributions, expenditure to date, available budget for Round 2 and whether there is any further funding available or additional partner interest;
- Co-ordinating the contract monitoring arrangements and roles and responsibilities;
- Co-ordinating the contract monitoring reporting, which is to be collated by the Borough Council and reported by exception to Partnership Commissioning and Delivery Group.

The working group consists of Borough Council representatives from Business Improvement, Partnerships and Housing and Regeneration, the County Council District Commissioning Lead (DCL) and Public Health representatives. Support is also provided to the group by the Finance team at the Borough Council.

The working group is also responsible over the coming months for co-ordinating the second round of the Commissioning Prospectus, using the remaining budget of approx. £220k. In particular the group has;

- Identified future commissioning intentions/priorities for Round 2 and the timescales for use of this funding;
- Drafted the project plan and timescales;
- Made arrangements for the resourcing for delivery and;
 - Nominated a lead officer to co-ordinate queries
 - Modified the Application pack, eliminating any ambiguity and repetition, using lessons learned to inform amendments;
 - Agreed a standard approach to the scoring element linked to price;
 - Engaged with the market prior to launching the next prospectus.
- Launched Round 2 of Commissioning Prospectus 15/07/15;

The working group will also;

- Co-ordinate the evaluation on receipt (closing date 21.08.2015) of applications to deliver services;
- Negotiate terms and award contracts;
- Establish and agree performance management and monitoring.

- Prepare for the second year of the Commissioning Prospectus in terms of contract extensions if applicable and further commissioning opportunities for 2016-17 and beyond where funds are available.

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Councillor John Williams, Cabinet Member
Portfolio Holder - Town Centres, Business and Assets
Update to Finance, Resources and Partnerships Scrutiny Committee
Thursday 3rd September 2015

Land and Property Disposals

Land

Lyme Valley Road, Newcastle – waiting for final contracts to be signed off.

Gloucester Road, Kidsgrove – put on the market for sale.

Stafford Avenue, Clayton and St Edmunds Avenue, Porthill – waiting for planning permission.

Sandy Lane, May Bank, Market Drayton Road, Eccleshall Road, Loggerheads
– Consultants instructed to submit planning applications.

Deans Lane, Red Street – just finished consultation period; report to next Cabinet.

Sheldon Grove, Chesterton and Knype Way, Bradwell – out to consultation; report to October Cabinet.

Former Sainsburys site and Civic Offices, Newcastle – Officers finalising reports based upon advice from expert advisors. To be reported to Council shortly.

Property Sold

The Square, High Street, Newcastle
2-10 Hassall Street, Newcastle
Former Jubilee Baths
Property in Brunswich Street

Commercial Investment Account

8.7% vacant

Shops town centre

11% vacant

Interestingly, niche business has opened up in Fogg Street, including Rawr Café and next door to it; a shop is opening selling a wide variety of breads.

Shops and offices in Lancaster Building have higher vacancy because business rates are more than other properties.

Newcastle Business Improvement District (BID)

The Newcastle Business Improvement District (BID) will provide Newcastle town centre with a longer term funding model to sustain activities and improvements in the town centre that local businesses want (to enhance the fortunes of the town centre economy).

The Town Centre Partnership sought to balance the ambitions of businesses in the BID plan against the affordability of the levy and the requirement to ensure that the BID is able to deliver best value. The levy has been set to take into account the size of the businesses and to take account of whether they are inside or outside of the ring road.

Rateable value of Business	Levy Charge for Businesses inside the ring road	Levy Charge for Businesses within the BID area but outside of the ring road
£10,000 or more	1.5%,	1.0%
Between £2,999 and £10,000	£150	£100
Less than £3,000	Will not be charged but will be encouraged by the TCP to enter into a voluntary arrangement direct with the BID company so that they can benefit from the full range of services provided by the BID	

The liable person is the ratepayer liable for the occupied or empty properties.

The BID financial year will start on 1st April and the levy is to be paid in full in advance, the payment date being the 1st October in year one then 1st April in subsequent years. There will be an annual inflationary increase on all levy charges; this will be a minimum of 2% increase year on year or the inflation percentage as determined by the Consumer Price Index, whichever is greater. The Business Plan has been developed to take into account the levy collection rate and procedures have been agreed to confirm the approach to non-payment including reminders and enforcement procedures. The BID Company will be responsible for confirming to the Council debt write off.

The key buildings in the town centre which the Council pay business rates on are: Jubilee 2, the Civic Offices, Guildhall, the Depot, Lancaster Buildings, properties on Merrial Street and Fogg Street, the bus station, town centre car parks and market stalls. Some of these properties are part of the Council's commercial portfolio and are let to private businesses;, where this occurs the

private business will be liable for the BID levy, (if the property is empty then the Council is liable). The following financial assessment has been taken as a snapshot for the purpose of this report and there will be minor differences in the overall costs dependent on vacancy rates.

The cost to the Council as ratepayer based on current occupancy of the premises will be approx. £25,000 per annum.

The BID Business Plan which sets out the key objectives, activities and results to be delivered with the levy funding. The 3 strategic objectives, funding and projects are:

1) Promote Newcastle-under-Lyme

To develop and promote the strengths and characteristics of Newcastle-under-Lyme as a vibrant, university, market town and build awareness of its retail, leisure and professional service sectors and its College, locally and regionally.

The Business Plan allocates £396,000 over 5 years which will deliver projects on brand development, marketing, media campaigns, campaigns to co-ordinate key retail periods and trading opportunities, a loyalty scheme, professional services support, cultural and leisure opportunities, and greater association with colleges and University.

2) Develop the distinctive Newcastle Experience

To develop the distinctive, safe, attractive and appealing experience for visitors, students, residents and workers in Newcastle-under-Lyme to enjoy.

£676,700 is allocated over 5 years in the business Plan to deliver uniformed rangers to improve visitor support and business communication, develop a safe evening economy with the Police, work with car park operators to deliver services to meet business needs, improve pedestrian flow, develop specialist markets and events, support initiatives which improve the public realm.

3) Growth, Development and Investment

To build on the strengths of the businesses and organisations of Newcastle-under-Lyme, to support growth, development investment and a sense of business community.

The Business Plan allocates £128,500 over 5 years which will support businesses to work together to reduce costs, develop skills to improve performance, encourage investment and co-operate to build on the town's strengths and brand.

When Cabinet assessed the business case for the Council as a rate payer it considered both the benefits to the Council as a commercial business operator and the wider regeneration benefits to our residents and local businesses. These considerations were:

- Property Management

The Council manages a number of properties in the town centre (including the Street Market) and, like all landlords, needs to attract tenants which, in turn, will attract customers in sufficient volume and type to operate financially viable businesses. The Council has very limited resources to invest in marketing and media campaigns to promote the town to potential tenants and customers. It is also recognised that when companies come together they can often procure marketing more favourably. The BID marketing proposals to promote Newcastle town ensures that all businesses, including the Council, are able to benefit.

- Leisure and Culture

The Council delivers key leisure and cultural services in the town including J2 and the Museum / Art Gallery. Promotion of these facilities and increasing customer usage will support the delivery of these services. Similarly the Council has the newly refurbished market which operates 6 days a week, which has the potential to be enhanced through the development of specialist markets assisted by the BID.

- Skills Development

The BID identifies activities to develop a range of skills to improve business performance which in turn will improve customer service within town centre businesses and enhance their viability / sustainability. This should be welcomed by the Council and other businesses.

- Increasing the Customer Base

Viable and thriving town centres need a varied offer that can attract and keep a range of loyal customers. It is recognised through the market's customer research that we have an ageing loyal customer base and, whilst it is important to retain these, the Council needs to be actively seeking to attract new customers, particularly to support other economic development objectives such as attracting international students to live within the town centre. The BID seeks to engage with the colleges and Universities and to develop a broader offer to attract young customers to the town centre.

- Events

From a wider regeneration assessment it is worth comparing what has been achieved through the Town Centre Partnership and how the BID company could make events and marketing sustainable for the next 5 years. A significant part of the TCP funding has been allocated to delivering

events; a wide range of activities have been provided from the Lymelight Festival through to the Christmas Spectacular. The scale and nature of these events could not be provided by the Council and importantly are valued by our residents as they enhance the town centre offer.

- Marketing

Development of a brand and the range of promotional activities which the BID company could deliver will increase footfall from a more diverse customer base. The Council would not be able to deliver anything approaching this level of activity given its limited marketing resources.

- Professional Services

In the past, ST5 had one of the highest concentrations of professional service companies in the West Midlands outside of Birmingham and many small, but successful companies still operate on the edge of the town centre. These are important to the economic well-being of the Borough and the support offered through the BID levy will encourage future inward investment and job creation.

- Safety

The Council has proactively worked with partners to develop a safe environment, including the achievement of Purple Flag status but it needs to continue to build on this work. The BID company plans to work with partner agencies including the Police to support a safe evening economy and to support investment that builds on the strengths of the town. The Council seeks to maintain the public realm to ensure the town centre feels welcoming however it is acknowledged that the limited resources available make it difficult to invest in new facilities and environmental improvements. Voting for and payment of the levy will therefore deliver improvements that would otherwise not occur, including the potential of the BID company to bid for funding not available to the Council.

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Members: Ms Pickup, Stringer, Mrs Williams, Sweeney, Loades, Fear, Waring, Wilkes, Huckfield

FINANCE, RESOURCES AND PARTNERSHIPS SCRUTINY COMMITTEE WORK PLAN



Chair: Councillor Stubbs
Vice Chair: Councillor Wallace

Portfolio Holder(s) covering the Committee's remit:
Councillor Elizabeth Shenton (Policy, People and Partnerships)
Councillor Terry Turner (Finance, IT and Customer)
Councillor John Williams (Town Centres, Business and Assets)

Work Plan correct as at: Friday 21st August 2015

Remit:

Finance, Resources and Partnership Scrutiny Committee is responsible for:

- Communications and consultation
- Council structure and democracy and constitutional review
- Customer contact and customer service centres
- Member development and support
- Neighbourhood and locality working
- Partnerships: Newcastle Partnership Strategic Board
- Performance management and monitoring
- Revenues and benefits
- Putting people first
- Risk champion
- Transformation programme
- Accountancy
- Budget
- Capital and revenue expenditure
- Efficiency savings
- Financial monitoring
- Health and safety champion
- Human Resources
- Information and communication technology
- Procurement champion
- Treasury management
- Workforce development
- Co-operative Council

Date of Meeting	Item	Reason for Undertaking
15th June 2015 (agenda dispatch Friday 5th June 2015)	Financial and Performance Management Report to end of Quarter 4 (March) 2015	To provide Finance, Resources and Partnerships (FRAP) Scrutiny Committee with the Financial and Performance Review, Fourth Quarter 2014/2015
	Review of changes to the Committee arrangements	To update Members on the outcome of a review undertaken by a Local Government Association peer review team of the democratic decision-making structures of the Council.
	Constitution Review Working Group	To receive an update by the Democratic Services Manager
	Finance, Resources and Partnership Scrutiny Committee Work Plan	To discuss the work plan and potential topics that Committee Members would like to scrutinise over the forthcoming year
3rd September 2015 (agenda dispatch 21st August 2015)	Quarter One Financial and Performance Review	To provide Scrutiny with the Financial and Performance Review, Quarter One 2015/2016
	Newcastle Partnership Commissioning Prospectus	A report to be presented on the collective approach to delivering key services in the future. This is based on a clear single vision for the Borough; shared priorities and shared outcomes, allied to shared resources in terms of commissioning and delivery
	Constitution Review Working Group	It was resolved at the last meeting that Group Leaders are asked to re-elect Members to the Working Group, with an update being received on the recommendations that had been put forward.
	Portfolio Holder(s) Question Time	Opportunity for the Committee to question the Portfolio Holder(s) on their priorities and work objectives for the next six months and to address any issues or concerns that they may be facing
	Finance, Resources and Partnership Scrutiny Committee Work Plan	To discuss the work plan and potential topics that Committee Members would like to scrutinise over the forthcoming year
4th November 2015 (agenda dispatch 23rd October 2015)	Quarter Two Financial and Performance Review	To provide Scrutiny with the Financial and Performance Review, Quarter Two 2015/2016
	Medium Term Financial Strategy	An update to be provided on the Medium Term Financial Strategy for 2016/2017 and the following four years, indicating the projected budgets

Date of Meeting	Item	Reason for Undertaking
		for these years and the shortfall compared to available resources
	Review of changes to the Committee arrangements	To provide Members with feedback from each Committee regarding the review undertaken by a Local Government Association peer review team of the democratic decision-making structures of the Council
	Finance, Resources and Partnership Scrutiny Committee Work Plan	To discuss the work plan and potential topics that Committee Members would like to scrutinise over the forthcoming year
3rd December 2015 (agenda dispatch 20th November 2015)	Revenue Budgets 2016/17 – First Draft Savings Plan	To review progress on the completion of the revenue and capital budgets for 2016/2017 to enable a robust and affordable budget for 2016/2017 to be approved
	Capital Strategy Update	An update to be provided on how the Council deploys its capital resources in order to assist it to achieve its corporate and service objectives
	Asset Management Strategy Update	An update to be provided on the finance and resource implications of the Asset Management Strategy 2014-2017
	Scale of Fees and Charges	Review of the fees and charges which the Council makes in order to keep them in line with the cost of service provision and to establish the amounts to be included in the 2016/2017 budget
	Finance, Resources and Partnership Scrutiny Committee Work Plan	To discuss the work plan and potential topics that Committee Members would like to scrutinise over the forthcoming year
13th January 2016 (agenda dispatch 8th January 2016)	Budget Review	The Budget Review is an information gathering workshop and will give Members a chance to ask any questions relating to the budget setting process
	Quarter Three Financial and Performance Review	To provide Scrutiny with the Financial and Performance Review, Quarter Three 2015/2016
27th January 2016 (agenda dispatch 15th January 2016)	Treasury Management Strategy 2016/2017	To approve the Strategy to be followed by the Council in carrying out its treasury management activity in the forthcoming year 2016/2017

Date of Meeting	Item	Reason for Undertaking
	Revenue and Capital Budgets 2016/2017	To consider the final version of the Revenue and Capital Budget 2016/2017 before it is considered by Council on 24 th February 2016.
	Budget Review 13 th January 2016	To consider feedback received from the Budget Scrutiny Café held on the 13 th January 2016
	Finance, Resources & Partnership Scrutiny Committee Work Plan	To discuss the work plan and potential topics that Committee Members would like to scrutinise over the forthcoming year
14th March 2016 (agenda dispatch 4 th March 2016)	Portfolio Holder(s) Question Time	Opportunity for the Committee to question the Portfolio Holder(s) on their priorities and work objectives for the next six months and to address any issues or concerns that they may be facing
	Annual Work Plan	To review outcomes, recommendations, feedback and further action required on items submitted over the past twelve months
15th June 2016 (agenda dispatch 3 rd June 2016)	Financial and Performance Management Report to end of Quarter Four (March) 2016	To provide Finance, Resources and Partnerships (FRAP) Scrutiny Committee with the Financial and Performance Review, Fourth Quarter 2015/2016
	Finance, Resources & Partnership Scrutiny Committee Work Plan	To discuss the work plan and potential topics that Committee Members would like to scrutinise over the forthcoming year

Task and Finish Groups:	
Future Task and Finish Groups:	
Suggestions for Potential Future Items:	<ul style="list-style-type: none"> • Constitution Review Working Group – Future Work Plans • Co-operative Council • Partnerships: Newcastle Partnership Strategic Board • Transformation Programme

DATES AND TIMES OF CABINET MEETINGS:	Wednesday 10 th June 2015, 7.00pm, Committee Room 1
	Wednesday 22 nd July 2015, 7.00pm, Committee Room 1
	Wednesday 16 th September 2015, 7.00pm, Committee Room 1
	Wednesday 14 th October 2015, 7.00pm, Committee Room 1
	Wednesday 11 th November 2015, 7.00pm, Committee Room 1
	Wednesday 9 th December 2015, 7.00pm, Committee Room 1
	Wednesday 20 th January 2016, 7.00pm, Committee Room 1
	Wednesday 10 th February 2016, 7.00pm, Committee Room 1
	Wednesday 23 rd March 2016, 7.00pm, Committee Room 1
	Wednesday 8 th June 2016, 7.00pm, Committee Room 1

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