

## CABINET

Wednesday, 23rd July, 2014

**Present:-** Cllr Stubbs – in the Chair

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

### 1. **APOLOGIES**

There were no apologies.

### 2. **DECLARATIONS OF INTEREST**

Cllr Shenton and Cllr Williams declared an interest in item 10 on the agenda.

### 3. **MINUTES**

**Resolved:** That the minutes of the previous meeting held on 18<sup>th</sup> June 2014 be agreed as a correct record.

### 4. **COUNCIL PLAN 2014-16**

A report was submitted for Cabinet to consider the proposed new Council Plan (covering the period 2014-16) and to recommend that the Plan be presented to Council at its meeting on 17 September 2014. This followed a review of the Plan's outline by the Finance, Resources & Partnerships Scrutiny Committee (FRPSC) on 17 June 2014. Cabinet was also asked to recommend that the Plan be presented to FRPSC at its meeting on 1 September 2014 for further consideration.

**Resolved:**

(a) That Cabinet approves the draft Council Plan for 2014/16.

(b) That Cabinet recommends the Plan be presented to the Finance, Resources & Partnerships Scrutiny Committee on 1 September 2014, and to Full Council on 17 September 2014 for final adoption.

### 5. **FORMER KEELE GOLF COURSE**

A report was submitted to provide members with information about the outcome of a marketing exercise which sought to identify a range of potential options for the interim use of the former Keele Golf Course for a period of up to three years and to seek a decision from members about their preferred option for implementation. The report also sought to seek Member's approval to proposed actions relating to the previously agreed master-planning process.

Cllr Naylor had submitted the following questions:

1) The period of time offered for 'interim use' of the golf course has been set for three years. This is widely regarded as far too short for any body, company or institution to be able to offer anything much of value to the local community.

The task of reclaiming the land into any sort of useable condition could possibly take up at least half of that three years allowing very little time left to make headway with any new initiatives let alone any possibility of covering the costs of restitution of the abandoned hectares.

Could Cabinet re-consider this?

2) Could the local community be made aware of which 'local landowners' have been or will be consulted on the 'master plan' If this cannot be disclosed at this meeting can we know why?

The relevant portfolio holders responded:

That Cabinet could consider extending the 3 year period but there was a risk that this could prejudice any long term use of the site if any interim use became established.

In relation to the master plan discussions had been held with local landowners and a report would be brought to a later meeting. No agreements or deals had yet been made; the discussions had only been to establish a level of interest from local landowners.

Members reiterated that the reason for the recommendations was to return the property to use, thereby alleviating holding and other costs for a period of three years whilst a comprehensive master planning exercise was undertaken and concluded.

A Member queried whether the 6 week consultation period could be extended. The Executive Director (Regeneration and Planning) stated that this consultation exercise would inform the master plan and in that case yes the time scales could be extended if necessary. The Leader stated that he was prepared to extend the timescale provided that representations were not left until the last minute and that draft suggestions were put forward as soon as possible.

**Resolved:**

a) That officers be authorised, in consultation with the relevant Portfolio Holder(s), to undertake a community consultation exercise (for the purpose of informing the master plan) for a period of 8 weeks for initial expressions of interest, this timescale could then be extended to enable these expressions of interest to be expanded upon. The aim of the consultation would be to establish the potential scope for some form of community recreation use of the site in whole or in part on the basis described in the report and that the outcome reported back to the earliest available Cabinet meeting.

b) That in parallel with recommendation (a), officers be authorised to procure the most economically advantageous arrangement for short term grounds maintenance in consultation with the relevant Portfolio Holder.

c) That officers be authorised to agree, in principle, the terms and scope of a brief with relevant land owners to commission a master-planning exercise in

consultation with the relevant portfolio holder, and reported back to Cabinet for approval.

d) That the financial resources required as the Council's contribution to the master-planning exercise be sought in accordance with current Financial Regulations.

## **6. RECYCLING AND WASTE SERVICE 2016**

A report was introduced by the Portfolio Holder for Environment and Recycling. The report highlighted the processes associated with the development of the new Recycling and Waste Service from July 2016 onwards and considered a range of detailed recommendations to ensure that the new service could be commenced on time and successfully delivered. Risks were also highlighted associated with the provision of the proposed service.

Members thanked the officers and members who had been involved in the process for all the hard work involved.

It was confirmed that all staff transferred over by a TUPE agreement would be paid the living wage.

### **Resolved:**

- a) That Cabinet agree the structure of the new service, as recommended by the Cabinet Panel and as detailed within this report.
- b) That Cabinet approve the design of the new service as detailed within the report, to consist of weekly collections of recycling and food, fortnightly collections of residual waste and fortnightly collections of garden waste. Garden waste to operate for 46 week period, providing one free garden waste bin, and chargeable additional bins.
- c) That Cabinet agree to the Cabinet Panel being given delegated powers to develop and agree the detail of the service and monitor progress of key tasks to be undertaken in the run up to the new service commencement. This to include the specification and procurement of vehicles, treatment contracts, depot infrastructure, containers, material resale arrangements, collection schedules, working patterns and expansion of the range of materials collected.
- d) That at the end of the current contract for collection of dry recycling materials, this element of the service is integrated with the existing in-house collections team to form a comprehensive in-house collections service.
- e) That Cabinet note the outline costs of the new service and that budget provision is made as part of the budget preparation process for 2015/16 and 2016/17.
- f) That Cabinet agree the timetable as set out within this report.

**7. BUDGET PERFORMANCE AND MONITORING REPORT QUARTER 4**

A report was submitted to provide Cabinet with the Financial and Performance Review, Fourth Quarter, 2013/14.

The monitoring reports provided information about the corporate performance of individual council services, alongside financial information. This report was presented to Finance, Resources & Partnerships Scrutiny Committee meeting on 17 June 2014.

Members thanked the Head of Business Improvement, Central Services and Partnerships for his work on the report.

**Resolved:**

(a) That Members note the contents of the report and recommend that the Council continues to monitor and scrutinise performance alongside finances.

(b) That Members note the comments raised by Scrutiny and the responses from officers.

**8. REVIEW OF CUSTOMER CASE MANAGEMENT POLICY FOR UNACCEPTABLE CUSTOMER BEHAVIOUR**

The Portfolio Holder for Economic Regeneration, Business and Town Centres presented a report seeking Cabinet approval of the revisions to the Customer Case Management Policy.

The Customer Case Management Policy had been in place since May 2013. It enabled the Council to deal with customers who displayed unacceptable customer behaviour and actions in a fair and consistent way, through adhering to industry guidelines and best practice. A review of the existing Policy had been undertaken and as a result it had been revised and updated to ensure it continued to reflect Local Government Ombudsman best practice and guidelines, and accorded with Council requirements.

**Resolved:** That Cabinet approve the revisions to the Customer Case Management Policy.

**9. TERMS OF REFERENCE FOR THE GRANTS ASSESSMENT PANEL**

A report was submitted in relation to the terms of reference of the Grants Assessment Panel which were last submitted to the Cabinet for agreement in 2007 following a review of the Borough wide Community Chest Scheme.

The report sought to clarify the standing of the Grants Assessment Panel as a Cabinet Panel and to ensure that the appropriate delegations of authority are in place.

**Resolved:**

1. That the terms of Reference for the Grants Assessment Panel be agreed and that Cabinet request the Constitution Working Group consider them for inclusion in the Council's Constitution.

2. That authority be delegated to the Portfolio Holder for Leisure, Culture and Localism to make decisions in relation to the following grants:

- Community Chest, if required.
- Cultural Grants.
- Homelessness Grants.
- Small Grants.
- Other grants schemes as mandated by Cabinet.

3. That the portfolio Holder for Leisure, Culture and Localism be appointed as Chair of the Grants Assessment Panel.

10. **NEWCASTLE-UNDER-LYME SPORTS COUNCIL REVIEW OF GOVERNANCE ARRANGEMENTS**

A report was submitted setting out proposals to change the governance arrangements for the Newcastle under Lyme Sports Council, and to seek Cabinet's approval for these changes. The Cabinet first identified the need to review the governance arrangements of the Sports Council at its meeting in 22 May 2013. At its meeting on 2 April 2014, it affirmed this position and made specific recommendations as follows:

- The Cabinet requests that the Sports Council undertake a review of its governance arrangements and makes recommendations on alternative approaches which could reduce the cost of administering the allocation of grants.
- The Cabinet requests that this review also considers the mechanism by which those elected Members nominated to serve on the Sports Council provide stewardship of monies allocated by the Borough Council in accordance with the Council's Constitutional provisions.
- The Cabinet requests that the Sports Council come forward with proposals within the next three months.

Although it is understood that the Sports Council has started work to consider these matters it is noted that the timescale set by Cabinet has not been achieved. To this end and to expedite this review, officers of the Council have considered the matter and developed some options which the Cabinet is asked to consider.

**Resolved:**

- a) That the Cabinet endorse the preferred option set out in the report to request the Council's Grant Assessment Panel to be responsible for disbursing the Council's sports grants

- b) That the Cabinet requests the Constitutional Review Group to consider the proposal to add co-opted non-voting members drawn from community representatives who have an expertise in matters of sport and sport development to the Grants Assessment Panel for the purpose of considering sports grants (Option D).
- c) That the existing support arrangements for the Sports Council – including provision of a honorary secretary and treasurer; administrative/democratic support and the provision of advice by Borough Council officers is discontinued. Cabinet is asked to note, however, the work currently being undertaken by the Sports Council itself in reviewing its work and governance (as outlined in this report).
- d) That the Cabinet approves these recommendations with a view to implementing the new arrangements from 1 November 2014 onwards.
- e) That the above recommendations be subject to agreement from the Portfolio Holder for Leisure and Culture and Localism following consideration of the recommendations from the on-going review currently being undertaken by the Sports Council.

#### **11. LOCAL ENTERPRISE PARTNERSHIP REGULATORY CHARTER**

A report was submitted to advise members of the Regulatory Charter, which has been developed through the Stoke-on-Trent and Staffordshire Local Enterprise Partnership (LEP) and had been agreed by National and other Local Regulators.

Newcastle-under-Lyme Borough Council as a member of the Stoke-on-Trent and Staffordshire LEP recognises that economic growth is dependent on private sector growth and is committed to helping businesses in the area to flourish.

The signing of the Regulatory Charter showed the commitment of regulatory services within the Council to use regulation to provide a level trading platform that was fair to all business; to communicate consistent accurate advice and support in regard to regulatory controls; and to target our enforcement and regulatory resources on those businesses that had no intention of complying with legislative requirements.

The Leader requested that thanks be passed on to those who had worked to prepare the Charter.

**Resolved:** That the report be noted and Cabinet endorse the implementation of the Regulatory Charter.

#### **12. URBAN NORTH STAFFS GREEN SPACE STRATEGY 2014**

A report was submitted to inform Cabinet of progress made with the implementation of the Urban North Staffordshire Green Space Strategy and the associated Action Plan over the last year.

Members were informed of the need to review the current Green Space Strategy to reflect changes in national planning policy, local government finance and projected resources to ensure the strategy remains fit for purpose for the future and is a robust evidence base for the proposed joint Local Plan.

Cllr Naylor requested whether local groups could be involved in helping to scope the review, to include working with local groups in Stoke and Stafford where interests and links overlapped or intersected.

The Executive Director (Planning and Regeneration) stated that a joint brief would be prepared with the city Council and that discussions were currently underway regarding the nature and extend of the piece of work that would be commissioned. There would be opportunities for local interest and community groups to feed into the process.

**Resolved:**

- (a) That the report be received and progress noted.
- (b) That authorisation is given to scope the review of the Green Space Strategy in line with the National Planning Policy Framework and report the resource implications of the review to a future meeting of the Cabinet.

**13. CREATING A LOCAL AUTHORITY OWNED TRADING COMPANY**

The Council Leader introduced a report seeking Cabinet approval to formally establish a wholly owned trading company for communications services.

The formation of the company would allow the council to explore trading in a way that maximised the potential of its resources as well as contributing to the medium term financial planning and wider efficiency agenda.

It was confirmed that there would be no job losses or degradation in the terms and conditions of the staff currently employed by the Council.

**Resolved:**

- a) That Cabinet approves establishing a local authority trading company which will be limited by shares and owned wholly by the council.
- b) That Cabinet approves the governance and board membership proposals outlined in the business case.

**14. REVISION OF THE CORPORATE COMPLAINTS, COMMENTS AND COMPLIMENTS POLICY**

A report was submitted to seek Cabinet approval of the revisions to the Council's Corporate Complaints, Comments and Compliments Policy.

The existing Corporate Complaints, Comments and Compliments (3Cs Policy) has been in place since 2008. A review had been undertaken and as a result the Policy had been revised and updated to ensure it continued to incorporate best practice and guidance from the Local Government Ombudsman (LGO).

There were elements of the new Regulator's Code, April 2014 that affected local authorities' complaints processes and therefore need to be incorporated into this Policy. The revisions were hoped to improve the robustness of the Council's 3Cs Policy.

The Portfolio Holder for Regeneration, Business and Town Centres stated that all the changes were highlighted in italics in the attached appendix and highlighted them to members.

**Resolved:**

That Cabinet approve the revisions to the Corporate Complaints, Comments and Compliments Policy.

**15. KIDSGROVE SPORTS CENTRE**

The Portfolio Holder for Leisure, Culture and Localism introduced a report to enable the Council to set out its approach to developing sports and leisure facilities for Kidsgrove that were fit for the 21st century and provided an opportunity for the Kidsgrove community to access high quality facilities that were designed, built, operated and financed in a sustainable way.

Leisure facilities, and in particular swimming pool provision was important to residents of the Borough to ensure people had access to opportunities to maintain a healthy, fit and active lifestyle. If the recommendations were approved then Kidsgrove would continue to have access to modern swimming and fitness facilities, where otherwise there would be a significant gap in provision.

**Resolved:**

(a) That Cabinet approves the approach in principle to providing quality sports facilities in Kidsgrove as outlined.

(b) That cabinet requests the Active and Cohesive Communities Overview and Scrutiny Committee to scrutinise the business cases for the options outlined in the report and report back to Cabinet with a preferred option.

(c) That the Scrutiny Committee be asked to place particular emphasis on the strategic demand for leisure facilities in the area, partner involvement, capital and revenue funding issues and potential funding sources.

**16. PROPOSAL FOR SELECTIVE LICENSING**



The Portfolio Holder for Planning and Assets presented a progress report on the Council's proposal for Selective Licensing in the Galleys Bank area of Kidsgrove to address concerns about anti-social behaviour and general estate management.

The Galleys Bank area of Kidsgrove was reported to suffer from persistent and on-going anti-social behaviour. It was appropriate the Council, along with relevant partner agencies, considered the extent of the problems and sought to tackle the issues.

Members emphasised the importance of this issue and commended officers for undertaking this piece of work. Members were mindful that this was a pilot scheme and needed to be progressed carefully with partners but that it must be done properly.

The Leader declared an interest in the item and did not vote on the issue.

**Resolved:**

(a) That the evidence on anti-social behaviour be strengthened by collating and analysing further information and assessing the scope for corrective actions.

(b) That the Council seek to further understand residents' views on crime through a survey to be conducted jointly with the Police.

(c) That Cabinet authorise officers to work in parallel with the implementation of the above recommendations with relevant partner agencies to proceed with other projects particularly targeted at the privately rented properties on the estate and targeting anti-social behaviour as described in the report and appendix 1.

**17. PRIVATE HIRE VEHICLES AND HACKNEY CARRIAGE VEHICLE LICENCE FEES 2014/15 - TO FOLLOW**

The Portfolio Holder for Finance and Resources introduced a report in relation to an urgent decision that had been made regarding fees for private hire and hackney carriage vehicles.

**Resolved:** That the report be noted.

**18. CONTRACT FOR CORPORATE CLEANING SERVICES**

The Portfolio Holder for leisure, Culture and Localism introduced a report seeking approval to enter into a contract with Clean Image Ltd for cleaning services at Jubilee2, the Borough Museum and Art Gallery, Keele Cemetery, and Bradwell Crematorium. The Council had to ensure the cleanliness of the Council's operational buildings and maintain a safe and healthy environment for customers and staff.

The Leader highlighted his approval and pleasure that this was a further step towards the Council being accredited as a living wage council. Members agreed that this was something that the Council needed to be very proud about and thanked the officers who had put the work in to help achieve this.

**Resolved:**

- a) That Cabinet Approve the award of the two year contract for cleaning services to Clean Image Ltd. For the total contract sum of £158,628.
- b) That Cabinet approve the realignment of internal financial resources, as detailed section 5 of this report, to enable the Council to award the cleaning contract at the living wage.

**Chair**