

## COUNCIL

29 October 2008

**Present:-** The Worshipful the Mayor

(Councillor J Cooper) in the Chair

### COUNCILLORS

Bannister, James MacKenzie	Jones, William Nigel
Barber, Christian Stephen	Lewis, Mrs Barbara Mary
Bishop, Mrs Elizabeth Ellen	Maskery, Philip
Blake, Mrs Elaine Elizabeth	Matthews, Ian John
Braithwaite, Mrs Eileen	Maxfield, Mrs Mary Cynthia
Burgess, Mrs Silvia	Morris, Mrs Helen Mary
Burke, Mrs Yvonne Carmel	Myatt, Mrs Freda Dorothea
Clarke, David	Naylon, Mrs Wenslie
Cooley, Andrew Robin	Nixon, David Ernest
Cooper, Miss Julie Margaret	Reddish, Miss Marion Lynne
Cornes, Mrs Catherine Dylis, JP	Salt, Mrs Nora
Daniels, David Ephraim	Simpson, Mrs Sandra Jean
Fear, Andrew Thomas	Simpson, William Thomas
Foy, Michael	Slater, Raymond André
Gorton, Richard Lloyd, CC	Studd, Robin
Hailstones, Mrs Linda	Tagg, John Henry
Hailstones, Peter James, JP	Tagg, Simon John, CC
Hambleton, Mrs Sandra, CC	Walklate, Miss June
Hambleton, Trevor	Wemyss, Andrew Robert
Heames, Mrs Ann	Wilkes, Ian Frank
Holland, Stephen Alan	Williams Mrs Gill
Huckfield, Derrick	Williams, John
Johnson, Mrs Hilda	

386. **APOLOGIES**

Apologies were received from Councillors Becket, Mrs Beech, Mrs Bowyer, Heesom, MacMillan, Mrs Morrey, Mrs Moss, Miss Myatt, Richards, Mrs Shenton, Sweeney, Mrs Taylor, Tomkins and Whieldon.

387. **REPRESENTATION BY ASPIRE HOUSING**

Members received a presentation from Jane Price, Group Chair and Sinéad Butters, Group Chief Executive of Aspire Housing on the Company's achievements made in recent years and planned improvements for the future. One of their primary aims was to help young people to gain employment and as part of this strategy, had acquired another company, Project Management, which had already achieved success in this area. Members thanked Jane Price and Sinéad Butters for their very informative presentation.

**388. ALAN CAMPBELL – DEMOCRATIC SERVICES MANAGER**

The Mayor referred to the fact that this would be the last Council meeting that Alan Campbell, Democratic Services Manager, would be attending, having worked for the Council for over 35 years. Members paid tribute to his service and particularly his help and assistance organising elections and the advice given to newly elected members.

**Resolved:-** That the Council's appreciation of Mr Campbell's service be recorded.

**389. MINUTES OF PREVIOUS MEETING**

**Resolved:-** That the minutes of the meeting held on 24 September 2008 be approved.

**390. STATEMENT OF ACCOUNTS 2007/08**

A report was submitted which outlined a number of amendments, which were mainly of a technical nature, to the Council's Statement of Accounts following the recent audit of them. A summary of those amendments was included in a revised appendix to the report. Members asked what effect, if any, the Council's investment with the Heritable Bank would have on Council funding. It was reported that at this time, it was believed that all funds would be returned to the Council and would result in no effect at all.

**Resolved:-** That the amended Statement of Accounts 2007/08 be approved.

**391. REPORT OF THE MONITORING OFFICER – THE ROLE OF THE FULL COUNCIL**

A detailed report was submitted which gave a comprehensive description of changes to Council procedures previously agreed by Council. The changes affected many aspects of Council procedures but also re-affirmed existing methods of operation.

**Resolved:-** (a) That the report be received.

(b) That a small and concise handbook be prepared for use by Members at Council meetings which would help them understand the rules and procedures to be adopted at Council meetings.

**392. COMMITTEE MEMBERSHIP/COMMITTEE CHAIRS**

A report was submitted outlining proposed changes to the membership of some committees and chairs within the remit of the Conservative Group.

**Resolved:-** That the following changes be approved:-

(a) Councillor Sweeney become the Chair of the Cleaner, Greener and Safer Communities Overview and Scrutiny Committee and replace Councillor Tomkins as a member of that Committee.

- (b) Councillor Sweeney replace Councillor Tomkins as a member of the Co-ordinating Overview and Scrutiny Committee.
- (c) Councillor Bannister replace Councillor Sweeney as Vice Chair of the Audit and Risk Committee.

**393. ROSE COTTAGE, 183 HOLLOWAY LANE, ASTON (216/02)**

A report was submitted which requested approval for an offer to be made to the owner of the above property for its purchase and, if not accepted, the property be acquired compulsory.

**Resolved:-** That the officers take the action outlined in the report to acquire the property.

**394. REPORTS OF THE CHAIRS OF THE OVERVIEW AND SCRUTINY COMMITTEES**

The reports of the Chairs of the Overview and Scrutiny Committees were presented to Council for consideration. The Chair of the Co-ordinating Overview and Scrutiny Committee expressed concern over issues that had arisen following a recent visit to the Police Custody Suite. Members were assured that there had been no attempt to disrupt the work of the Committee, but had attempted to ensure that their work was within scope of the responsibilities they had power to influence.

Furthermore, Members were asked to consider a draft Council response to a white paper entitled Improving Local Accountability which had previously been circulated to Members.

**Resolved:-** (a) That the reports of the Overview and Scrutiny Committees be approved.

(b) That the draft response to the white paper entitled Improving Local Accountability be approved.

**395. PETITIONS**

Pursuant to Standing Order No 17, the Mayor received the following petition:-

From the residents of the Audley area requesting that Bate Wood pond be considered for legalised fishing.

**396. MOTION SUBMITTED BY COUNCILLOR R STUDD AND THE LIBERAL DEMOCRAT GROUP**

A motion was submitted by Councillor Studd in respect of the Sustainable Communities Act. Members gave full support to the proposals subject to minor changes to some wording.

**Resolved:-** That Newcastle-under-Lyme Borough Council:-

- (i) expresses its concern at the decline of local services and facilities, local economies and local communities because of central government's policies;

- (ii) notes that this combination of factors increases people's feelings of exclusion and lack of involvement; and
- (iii) further notes that local authorities and their communities know best on the solutions to local problems and so should determine how to promote thriving communities; and so
- (iv) supports the bottom up process in the Sustainable Communities Act designed to allow local authorities and their communities to drive the help that central government gives in reversing community decline and promoting thriving, sustainable communities;
- (v) notes that the Act became law in October 2007 with full cross party support and that this was a result of a 5 year campaign run by a coalition of over 90 national citizens organisations called Local Works;
- (vi) notes that the Act gives local authorities the power to:
  - improve the local economy
  - protect the environment
  - promotion of social inclusion, and
  - participation in civic and political activity
- (vii) notes that the Local Works campaign give a number of reasons for why a local authority should choose to use the Act, those reasons being –
  1. Assistance from government – Community decline is happening everywhere and local authorities are not able to prevent it on their own. They need government help. This Act gives government a legal duty 'to assist local authorities in promoting the sustainability of local communities'. So by 'opting in' local authorities are, in fact, signing up to receive that 'assistance'.
  2. Power to determine that assistance – The Act also gives local authorities (and their representative body, the Local Government Association) real power to determine the nature of the assistance that they receive from government, as explained more fully in our campaign broadsheet on implementing the Act.
  3. Strength in numbers – By opting in, local authorities can act in unison to put in proposals to government supported by their colleagues elsewhere. Joint suggestions by many authorities will make it even harder for the government to refuse to act on suggestions made by local authorities.
  4. Transferring functions and monies from central to local control – The Act also enables local authorities – and thus local authorities acting together – to request the transfer of functions from government or government agencies to themselves. Because decisions on these requests must be made by the LGA and the Secretary of State trying to reach agreement (i.e. in co-operation), this can be used to regain from central government control of many powers and spending that affect local areas.

5. Access to Central Spending Accounts Information – The requirement in the Act for the government to ‘open the books’ will mean that local authorities will know just how much extra money they can access if they push for a transfer of functions.
  6. Democratic citizen involvement – All politicians (and many local authority officers) talk a lot about lack of public involvement in democracy. The recent Power report showed that the more people think that their involvement matters, the more they are likely to get involved. The very ‘hassle’ required by this Act (reaching agreement with – not consulting – citizens’ panels) empowers citizens. Local authorities may well consider that this is a way of increasing citizen involvement; and
- (viii) resolves, when invited to by central government in October 2008, to use the Act by preparing and submitting proposals on how central government can help; and
- (ix) further resolves to –
- inform the local media of this decision;
  - write to local MPs, informing them of this decision;
  - write to Local Works (at Local Works, c/o Unlock Democracy, 6 Cynthia Street, London N1 9JF) informing them of their resolution to use the Act; and
  - Inform all elected councillors of any proposals that are forwarded to the Local Government Association.

**J COOPER**  
**Chair**