

10 February 2006

Dear Sir/Madam,

You are summoned to attend the meeting of the Borough Council of Newcastle-under-Lyme to be held in the **COUNCIL CHAMBER, CIVIC OFFICES, MERRIAL STREET, NEWCASTLE**, on **WEDNESDAY, 22 February 2006 at 7.00pm**.

B U S I N E S S

1. To approve as a correct record the minutes of the meeting held on 14 December 2005.
2. Mayor's Announcements (if any).
3. To consider the report of your officers on items requiring a decision (white paper).
4. To consider the reports (copies herewith) of the various Committees and for Members to make any comment thereon.
5. To consider a motion submitted by Members (yellow paper).
6. To receive from Members any petitions which they wish to present to the Council pursuant to Standing Order No. 17.
7. To consider any communications which pursuant to Standing Order No. 18 are, in the opinion of the Mayor, of an urgent nature and to pass thereon such resolutions as may be deemed necessary.

Yours faithfully

Town Clerk & Chief Executive

NOTICE FOR COUNCILLORS

1. Fire/Bomb Alerts

In the event of the fire alarm sounding, leave the building immediately, following the fire exit signs. Do not stop to collect person belongings, do not use the lifts.

Fire exits are to be found either side of the rear of the Council Chamber and at the rear of the Public Gallery.

On exiting the building Members, Officers and the Public must assemble at the front of the former Hubanks store opposite to the Civic Offices. DO NOT re-enter the building until advised to by the Controlling Officer.

2. Attendance Record

Please sign the Attendance Record sheet, which will be circulating around the Council Chamber. Please ensure that the sheet is signed before leaving the meeting.

3. Mobile Phones

Please switch off all mobile phones before entering the Council Chamber.

4. Tea/Coffee

Refreshments will be available at the conclusion of the meeting, or in the event of a break occurring, during that break.

5. Notice of Motion

A Notice of Motion other than those listed in Standing Order 19 must reach the Chief Executive ten clear days before the relevant Meeting of the Council. Further information on Notices of Motion can be found in Section 5, Standing Order 20 of the Constitution of the Council.

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COUNCIL

14 December 2005

Present:- The Worshipful the Mayor

(Councillor C Brooks) in the Chair

COUNCILLORS

Amos, Arthur, JP	Ince, Colin Norman
Astle, Mrs Margaret, CC	Jones, William Nigel
Astle, Raymond	Leech, David Awty, CC
Becket, David William	Lefroy, Jeremy John Elton
Beech, Mrs Ann Elizabeth	Lench, Mrs Mavis
Bentley, Martin Kenneth	Lewis, Mrs Melicha
Blaise, Mrs Betty	Maddox, Mrs Maureen
Blake, Mrs Elaine Elizabeth	Matthews, Ian John
Braithwaite, Mrs Eileen	Maxfield, Mrs Mary Cynthia
Burnett, Mrs Gillian	Moss, Mrs Mary
Butler, Mrs Sylvia Teresa	Myatt, Mrs Freda Dorothea
Chrzanowski, Edmund	Naylon, Mrs Wenslie
Clarke, David	Olszewski, Mark Joseph, JP
Clarke, Michael Ross CC	Phillips, Mrs Sheila Ann, JP
Cooper, John	Salt, Mrs Nora
Deakin, Mrs Glennis, CC	Simpson, Mrs Sandra Jean
Dolman, Michael John	Sinnott, William Arthur
Evans, John Stanley	Slater, Raymond André
Fear, Andrew Thomas	Speed, Mrs Olwyn Mary
Finnemore, Victor Clifford	Studd, Robin
Fox, Muffi	Tagg, Simon John
Foy, Michael	Tatton, John Arthur
Hailstones, Peter James, JP	Walklate, Miss June
Hambleton, Mrs Sandra CC	Whieldon, Peter Andrew
Hambleton, Trevor	Wilkes, Ian Frank
Holland, Charles Edward	Williams Mrs Gill
Howells, Robert Ashley, JP	Williams, John

602. APOLOGIES

Apologies were received from Councillors Clarke A A, Mrs Heames, Lawton, MacMillan and Miss Reddish.

603. MINUTES OF PREVIOUS MEETING

Resolved:- That the minutes of the meeting held on 26 October 2005 be approved as a correct record.

Councillor Holland declared a retrospective interest in resolution 446 of the General Purposes Committee held on 4 October 2005 and considered at the previous Council meeting.

C BROOKS
Chair

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PUBLIC PROTECTION COMMITTEE

10 November 2005

Present:- Councillor Mrs Blaise in the Chair

Councillors Mrs Butler, Mrs Deakin, Mrs Heames, Jones, Lawton, Mrs Lench, Matthews, Olszewski and Williams

604. * **ENVIRONMENTAL PROTECTION ACT 1990, SCHEDULE 3, SECTION 2 – ABATEMENT OF NOISE NUISANCE**

Officers reported on the current position in relation to negotiations to settle the outstanding appeal proceedings to the Crown Court.

Resolved:- (a) That unless the Environmental Health Officers are satisfied with a proposed scheme, the Council should proceed to a trial.

(b) That the draft settlement outlined in the report be approved and that authority be delegated to the Heads of Legal and Democratic Services and Community Services to settle the case should a satisfactory scheme be proposed.

(c) That the item be taken as an item of urgency pursuant to minute (8/06).

MRS B BLAISE
Chair

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CONSERVATION ADVISORY WORKING PARTY

15 November 2005

Present:- Councillor Mrs Lench in the Chair

Councillors Mrs Burnett, Foy and Miss Walklate

Representing Outside Bodies:- Messrs Davies, Prof Gomme and Seddon

605. * **MINUTES OF PREVIOUS MEETINGS**

Resolved:- That the minutes of the previous meeting held on 15 July, 2 August and 6 September 2005 be agreed as a correct record.

606. * **PLANNING APPLICATIONS**

Resolved:- (a) That the decisions on applications previously considered by this Working Party be received.

(b) That the following observations be made on the applications listed below:-

<u>App No</u>	<u>Proposed development and name of applicant</u>	<u>Comments</u>
05/881/FUL	Extension at 1 Leas Yard, Maer. Mrs Burnham.	Members stood by their original comments of the meeting held on 14 June 2005 – “no objections subject to careful control over materials and detailing to match existing”.
05/748/FUL & 05/749/LBC	Installation of terrestrial aerial at Dental Surgery. 12 King Street, Newcastle. Mr D Singh.	No objections.
05/1019/ADV	Non-illuminated projecting sign at Newcastle Library, Ironmarket, Newcastle. Newcastle-under-Lyme PCT.	No objections.
05/1025/FUL	Erection of 3 one-bedroom and 3 two-bedroom apartments. Land adjacent Grove House, 11a King Street, Newcastle. Cinderhouse Ltd.	Permit – subject to careful control over materials and detailing – especially windows and fenestration.

Conservation Advisory – 15/11/05

05/992/FUL

Variation of Condition 1 of planning permission 00/868/FUL relating to opening hours of premises so as to enable the public house to open in accordance with hours requested in the application made to the Licensing Authority under the Licensing Act 2003.

No objections in principal, but concerns were raised over the possible increase in litter/vandalism and 'fear of crime'.

**MRS M LENCH
Chair**

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PLANNING COMMITTEE

22 November 2005

Present:- Councillor R A Howells in the Chair

Councillors Astle, Becket, Mrs Beech, Mrs Blake, Clarke A A, Clarke D, Clarke M R, Cooper, Evans, Fear, Fox, Hambleton, Mrs Heames, Holland, Leech, Mrs Maxfield, Mrs Moss, Mrs Myatt, Miss Reddish, Mrs Simpson, Slater, Studd, Tagg, Tatton, Wilkes, Mrs Williams and Williams

Councillor W Sinnott (Madeley Ward Councillor) in attendance during consideration of planning application 05/418/FUL.

607. * **DEEPENING OF QUARRY TO A MAXIMUM DEPTH OF 36M AOD
KNUTTON QUARRY, CHURCH LANE, KNUTTON
IBSTOCK. 05/886/CPO**

Resolved:- (a) That the County Council be advised that the Borough Council recommends refusal of this application for the following reasons:-

- (i) The proposal would be over extraction of the site resulting in continuing noise disturbance to local residents over a longer period and the prolongation of the adverse impact of associated vehicle movements on communities adjoining the highway network serving the site
- (ii) The development, by reason of its blighting effect and the long-term continuation of mineral extraction which it involves, would be contrary to the economic regeneration of Silverdale and the 3 Dales Vision.
- (iii) It has not been demonstrated that there is an overwhelming need for the further extraction of the mineral at this site.
- (iv) The provision of a larger and deeper lake feature would result in increased risks to residents and visitors to the area.

(b) That the County Council be advised of this Council's wish to have a joint member level meeting to discuss the future development of Silverdale as a whole.

Councillor Howells vacated the Chair during consideration of the following application, during which, in the absence of the Vice-Chair, Councillor M R Clarke was appointed as Chair.

Councillor M R Clarke in the Chair

608. * **DEMOLITION OF CLUB BUILDING AND ERECTION OF NEW CLUBHOUSE INCLUDING A FLAT AND REPLACEMENT BOWLING GREEN WITH ROAD AND ASSOCIATED SEWERS, NEW PARKING FACILITIES AND ERECTION OF 24 DWELLINGS
MADELEY WORKING MEN'S CLUB AND INSTITUTE, NEWCASTLE ROAD, MADELEY
BROOKLAND GREEN LTD. 05/418/FUL**

Resolved:- (a) That, subject to the completion, within 3 months, of a Planning Obligation securing a financial contribution of £21,600 (£900 per dwelling) towards off-site public open space provision/enhancement by the Parish Council, the provision of 6 units of affordable housing within the scheme and the provision of a pedestrian crossing on Newcastle Road and enhancement of the bus stop and provision of a bus shelter, the application be permitted subject to the following conditions:-

- (i) Phasing of the development to ensure the club building and bowling green are constructed prior to the residential development.
- (ii) Prior approval of facing materials.
- (iii) Prior approval of all boundary treatments including a requirement to fence off service road behind the New Road properties and to fence off the bowling green.
- (iv) Prior approval of surface materials.
- (v) Landscaping scheme.
- (vi) Drainage.
- (vii) Highways and parking matters.
- (viii) Conditions sought by the Environmental Health Division in respect of noise and light pollution etc.
- (ix) Security measures to club and bowling green.

(b) That following completion of the above planning obligation within the above period, the Head of Regeneration and Planning Services be authorised to refuse the application because without such an Obligation, the development would be contrary to policy on the provision of open space within residential development, the provision of housing for local needs and would not achieve a form of development that encourages a modal shift use of the private motor car.

(c) That any decision with regard to materials, landscaping and the position of the pedestrian crossing should be undertaken following consultation with the Chair of the Planning Committee and Madeley Parish Council.

Councillor Howells in the Chair

609. * **REDEVELOPMENT OF CLASS B1 BUSINESS SITE FOR RESIDENTIAL PURPOSES
CORONA PARK, SANDFORD STREET, CHESTERTON
NEW-TECH AIR SUSPENSIONS LTD. 05/659/OUT**

Resolved:- (a) That the application be refused for the following reasons:-

- (i) The proposed residential development of the site would be contrary to the requirements of Structure Plan Policy E8 and Local Plan Policy E11 resulting in the loss of a Class B1 (Business) employment site limiting the range quality of sites and premises available.
- (ii) The proposal would undermine the planning for housing strategy set out in the Regional Spatial Strategy in Policies CF1, CF3 and CF4 and the aims of Renew and lead to over-provision of new housing.
- (iii) The proposed residential development of the site will be contrary to the requirements of Local Plan Policies S10 and S12 because nuisance to the future residents is likely to be caused from the proximity of the site to nearby general industrial and other noise producing operations in the vicinity.
- (iv) Without any prejudice whatsoever to reasons for refusal 1, 2 and 3 above, the Local Planning Authority are unable to determine the effect of the proposal upon the amenity and character of the area, residential amenity and the interests of highway safety in the absence of details relating to (i) the siting, design and external appearance of the building(s), (ii) the means of access to the site, (iii) mitigation works in respect of ground contamination, (iv) foul and surface water drainage and (v) acoustic measures.

(b) That it being expedient to do so having regard to the Development Plan and to all other material considerations, the Head of Legal and Democratic Services be authorised to issue enforcement and all other notices and to take and initiate on behalf of the Council all such action and prosecution proceedings as are authorised by and under the Town and Country Planning Act 1990 to secure (i) the cessation of the authorised change of use of the building to include a fabrication workshop and vehicle workshop bays (B2 industrial use) and (ii) removal of the unauthorised roller shutter doors.

610. * **RESIDENTIAL DEVELOPMENT**
196 SCHOOL LANE, ASTON
MRS L WARRILOW. 05/908/OUT

Resolved:- That the application be refused for the following reasons:-

- (i) Sufficient sites have been identified to meet the strategic housing requirement. Strategic policy favours the Region's Major Urban Areas as the main focus for development. Within rural areas housing development should be generally restricted to meeting housing needs and/or to support local services. The proposal does not meet these objectives. Accordingly the proposal does not accord with Policies CF2, CF3, CF4 and RR1 of the West Midlands Regional Spatial Strategy and Policies H1 and H2 of the Structure Plan.
- (ii) The proposed development, because of its isolated location away from any public transport links, would undermine the aims and objectives of PPG13 that advises that housing development should be located, wherever possible, so as to provide a choice of means of travel to other facilities and promotes sustainable patterns of development. It would be contrary to the guidance in PPG3 that adopts a sequential and managed approach to the release of housing sites, giving priority to the development of previously developed land in sustainable locations. The development for the above reasons would be contrary to Policies D1, H1 and T1A of the Structure Plan and Policies S1 and H1 of the Local Plan.

- (iii) The development, because of its location in the open countryside, is contrary to Policies D4 and H11 of Structure Plan 1996-2011, Policy H1 of the Local Plan and the guidance within PPS7.
- (iv) The proposed development would cause unacceptable harm to the character of the surrounding countryside and the scenic quality of the locality, eroding the spacious quality of the existing low density development, contrary to Policy N20 of Local Plan and Policy NC1 of the Structure Plan and the guidance within PPS7 on development in the countryside and the safeguarding of the countryside for its own sake.
- (v) The proposal would be likely to result in increased highway dangers due to the proposed access to Plot 1, which affords restricted visibility, and inadequate provision for the turning of vehicles within the curtilage of Plot 1, which would result in drivers having to manoeuvre into School Lane. Therefore, the proposal would be contrary to Policy T13 of the Structure Plan and Policy T14 of the Local Plan.
- (vi) The applicant has failed to provide any justification for the removal of trees from the site and the removal of visually significant trees would be contrary to Policy NC13 of the Structure Plan and Policy N12 of the Local Plan.
- (vii) The applicant has failed to provide details regarding the proposed foul drainage system for the site and the LPA is therefore unable to assess the acceptability of the scheme in relation to Policy S7 of the Local Plan.
- (viii) The design and form of the proposed development is considered to be inappropriate to Aston and harmful to the setting of the Grade II Listed Building. ~Therefore the proposal would be contrary to Policies D2 and NC18 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011 and Policies S15 and B5 of the Newcastle-under-Lyme Local Plan 2011.

611. * **DWELLING AND DETACHED SINGLE GARAGE
LAND REAR OF 89 AND 91 LONDON ROAD, CHESTERTON
GLENDALE PROPERTY DEVELOPMENTS LTD. 05/1004/FUL**

Resolved:- That subject to no representations being received by 28 November 2005 that raise new issues not already referred to in the report and which otherwise cannot be addressed by appropriate conditions, the Head of Regeneration and Planning Services be authorised to permit the application subject to conditions relating to the following:-

- (i) Prior approval of materials.
- (ii) Development carried out in accordance with plans.
- (iii) Removal of permitted development rights.
- (iv) The car parking shall be laid out before the building is occupied.
- (v) A satisfactory means of drainage shall be provided.
- (vi) Any other conditions considered appropriate by the Head of Regeneration and Planning Services
- (vii) Highway conditions.

612. * **DEMOLITION OF CHURCH AND CHURCH HALL AND ERECTION OF
APARTMENT BUILDING COMPRISING 8 APARTMENTS
BASFORD METHODIST CHURCH HALL, BASFORD PARK ROAD, BASFORD
KELLY HOMES (STAFFS) LTD. 05/972/FUL**

Resolved:- (a) That subject to the prior completion, within 3 months, of a Planning Obligation securing the provision of bus passes for the first year of occupancy,

Permit subject to conditions relating to the following matters:-

- (i) Standard condition 1.
- (ii) Prior approval of facing materials.
- (iii) Prior approval of boundary treatments.
- (iv) Prior approval of surface materials.
- (v) Landscaping scheme.
- (vi) Drainage.
- (vii) Provision and retention of 14 parking spaces, turning area and servicing area.
- (viii) Communal parking.
- (ix) No gates.
- (x) Construction and specification of the access.
- (xi) Cycle parking provision.
- (xii) Closure of existing access.
- (xiii) Construction arrangements.
- (xiv) Provision of bin share within the site.

(b) That failing completion of the Planning Obligation within the above period, the Head of Regeneration and Planning Services be given delegated authority to refuse the application on the grounds that the residential development would not achieve a form of development that encourages a modal shift from use of the private motor car.

613. * **REMOVAL OF CONDITION ATTACHED TO PERMISSION 93/691/FUL WHICH PREVENTS THE DELIVERY OF GOODS TO THE SUPERMARKET BETWEEN 01.00 HOURS AND 06.00 HOURS MORRISONS, BROOK LANE, NEWCASTLE W M MORRISON SUPERMARKETS PLC. 05/939/FUL**

Resolved:- That the application be refused for the following reason:-

- (i) Deliveries between the hours of 1am and 6am have the potential to cause noise disturbance to nearby residents and no supporting evidence has been submitted to demonstrate otherwise.

614. * **INSTALLATION OF 13 NEW WINDOWS; REFURBISHMENT OF 3 EXISTING WINDOWS AND RE-OPENING OF FIRST FLOOR WINDOW OLD HALL, MAIN ROAD, BETLEY MR BENNION. 05/977/LBC**

Resolved:- That subject to the submission of drawings, for written approval showing the precise sizes, detailing and specification of all of the existing windows, including any mouldings, size of window panes, leading and window furniture together with a schedule of work specifying how each casement is to be removed to minimise damage to the surrounding structure and what repair works may be required to make good the building fabric, Listed Building Consent be granted subject to conditions relating to the following:-

- (i) Samples of type of wood to be used to create casements.
- (ii) Samples of joints and mouldings to be submitted.
- (iii) Approval of the details of any works to the timber framing to facilitate the removal and refitting of the casements.

- (iv) Details of new lead work in window panes, window furniture and colour of casements.

615. * **DRIVING TEST CENTRE
LAND OFF HOWLE CLOSE, NEWCASTLE
DRIVING STANDARDS AGENCY. 05/973/CD**

Resolved:- That the Driving Standards Agency be advised that the Borough Council has no objection to the application subject to the following:-

- (i) The requirements of the Environment Agency being satisfied.
- (ii) In line with Policy E9 of the adopted Local Plan, reserves of Etruria Marl underneath the site should be proved and any viable reserves extracted prior to development taking place.
- (iii) A nature conservation study being carried out prior to any decision being made to proceed with the development and that any recommendation of the study is implemented.
- (iv) The mesh perimeter fence is suitably coloured.
- (v) No development should take place until appropriate surveys have been carried out to establish whether the site is contaminated and that if necessary appropriate mitigation should take place in respect of any contamination found.
- (vi) There is a need to carry out a noise impact report regarding the business and implement any mitigation measures that are identified.

616. * **VARIATION OF CONDITION ATTACHED TO PERMISSION 00/868/FUL
RESTRICTING OPENING HOURS OF THE PREMISES
J D WETHERSPOON, 37 IRONMARKET, NEWCASTLE
J D WETHERSPOON PLC. 05/992/FUL**

Resolved:- That subject to there being no consultee responses or further representations received by 25 November 2005 which raise new issues not otherwise addressed in the officer's report, the Head of Regeneration and Planning Services be authorised to refuse the application for the following reasons:-

- (i) The variation in opening hours sought would, because of the proximity of the premises to other late opening bars and public houses, increase the risk of late night crime and disorder occurring, and would be contrary to provisions of the development plan for the locality including TC1 of the Staffordshire and Stoke-on-Trent Structure Plan 1996-2011, policies R6 and S11 of the Newcastle-under-Lyme Local Plan 2011.
- (ii) The variation in opening hours sought by reason of increasing street activity late at night would have the potential to cause noise disturbance to nearby residents and no supporting evidence has been submitted to demonstrate otherwise. The proposal is therefore contrary to Policies S10 and S12 of the Newcastle-under-Lyme Local Plan 2011, and this aims and objectives of PPG24.

617. * **EXTENSION
8 COURT LANE, WOLSTANTON
L HUGHES & P GOOSTADT. 05/969/FUL**

Resolved:- That the application be refused for the following reason:-

- (i) The development would have an overbearing effect on the residential amenity of the occupiers of the neighbouring dwelling, contrary to Policy S10 of the Newcastle Local Plan 2011 and SPG Space Around Dwellings.

618. * **CHANGE OF USE, ALTERATION AND EXTENSION OF REDUNDANT AGRICULTURAL BUILDINGS TO SINGLE RESIDENTIAL UNIT WITH OFFICE AND WORKSHOP
THE BRADBURY'S, WINNINGTON
MR STRICKLEY. 04/1283/COU**

Resolved:- Permit, subject to the following conditions:-

- (i) Standard condition 1.
- (ii) No development shall commence until full and precise details of the following have been submitted to the Local Planning Authority for written approval:
 - (a) Details of any replacement facing or roofing materials.
 - (b) The proposed means of boundary treatments, means of enclosure, fences or walls.
 - (c) Surfacing materials throughout the site
 - (d) Specifications and materials to be used in lintels, windows casements, doors, new woodwork and/or joinery and flooring and ironwork.
- (iii) No outside lighting shall be provided without the prior written approval of the Local Planning Authority.
- (iv) The approved garaging facilities shall be retained for the parking of vehicles and ancillary domestic storage only.
- (v) Before the residential accommodation is first occupied a vehicle turning area shall be provided within the curtilage to a specification that is first to be approved in writing by the Local Planning Authority and thereafter the approved turning facilities shall be permanently maintained as such. Nothing shall be placed within the approved turning area that is likely to prevent vehicles from entering and leaving the site in a forward gear.
- (vi) No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a scheme of landscaping, which shall provide indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection during the course of development. All planting, seeding or turfing comprised in the approved scheme, shall be carried out in the first planting and seeding season after completion of the development, or within 12 months of the commencement of the development, whichever is the sooner and any trees or plants which within a period of 5 years from the completion of development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.
- (vii) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no extensions, external alterations or other development involving any of the buildings or within the curtilage of the site shall take place unless it has been subject of a prior express permission from the Local Planning Authority.

- (viii) The utility room/shed in Building 3 shall be used for purposes that are ancillary to the residential use of the dwelling on the site and shall not be used for any form of commercial purposes.
- (ix) Details of any structural or other alterations that are not included on the approved plans and are subsequently considered necessary to implement the proposals shall be submitted to the Local Planning Authority for approval prior to the commencement of development.
- (x) The existing hay barn at the rear of the site shall be carefully dismantled and all of its remains shall be removed from the site before any conversion works commence on the buildings.
- (xi) Access to the site shall be in the position shown on drawing number SH15763/04/05 Rev A dated November 2004 and received on 8 February 2005.
- (xii) Notwithstanding the submitted foul drainage details shown on Drawing number SH 15763/04/05 Rev A dated 4th November 2004 and received on 8 February 2005 no soakaway or septic tank shall be located a minimum of 4.5 metres or 9.0 metres respectively measured from the rear of the highway boundary.
- (xiii) Nothing shall be placed or allowed to remain on the site frontage which is within 2.0m of the carriageway edge and which exceeds 600mm in height above the level of the adjacent carriageway.
- (xiv) Concurrent with the proposed access being brought into use the existing site access shall be permanently closed and the access crossing reinstated as a highway verge in accordance with a scheme that is first to be submitted to the Local Planning Authority for written approval.

**619. * ERECTION OF A PAIR OF TWO SEMI-DETACHED HOUSES
1 LOWER OXFORD ROAD, BASFORD
STABLE HOMES 05/959/FUL**

Resolved:- Permit subject to submission of satisfactory amended plans and conditions relating to the following :-

- (i) Prior approval of materials.
- (ii) Retention of the boundary wall on Lower Oxford Road and Curzon Street at the existing height.
- (iii) Provision of the parking spaces and turning facilities prior to occupation.
- (iv) Prior approval of drainage details.
- (v) Tree retention and protection measures.
- (vi) Removal of permitted development rights.
- (vii) Construction methods for block paved areas.
- (viii) Dormer windows to have opaque glass.
- (ix) No development until window is repositioned.

**620. * VEHICULAR ACCESS
112 HIGH STREET, ALSAGERS BANK
MR P TAWN. 05/986/FUL**

Resolved:- Permit subject to the following conditions:-

- (i) Standard condition 1.
- (ii) Nothing being placed or allowed to remain on the proposed driveway frontage which is within 1m of the rear of the footway which exceed 600mm in height above the adjacent highway.

- (iii) Provision of gravel retention paving (minimum of 0.5m wide) and its retention for the life of the development.
- (iv) Notwithstanding the submitted plans the existing access shall be extended by a maximum of 4m in a southerly direction.
- (v) The access remaining ungated.

621. * **CONSERVATION AND HERITAGE FUND
REPLACEMENT OF WOODEN WINDOW CASEMENTS AND RENEWAL OF
MAIN ROOF AT LABURNUM COTTAGE, MAIN ROAD, BETLEY**

Consideration was given to an application for financial assistance from the Conservation and Heritage Fund towards the cost of replacing wooden window casements and providing a new roof at the above Grade II listed property.

Resolved:- That a grant of up to £2,212.00 be approved towards the cost of the works to the main roof, £1,792.00 for the rear wing roof and £1,030.72 towards the cost of the windows as outlined in the report and subject to the standard appropriate conditions.

622. * **COMMITTEE SITE VISIT DATES**

Consideration was given to a report suggesting that, where necessary, site visits by the Planning Committee be held on the following dates:-

Saturday 3 December 2005
Saturday 7 January 2006
Saturday 21 January 2006
Saturday 11 February 2006
Saturday 4 March 2006
Saturday 25 March 2006
Thursday 13 April 2006
Wednesday 10 May 2006

Resolved:- That the above dates be reserved for site visits by the Planning Committee.

623. * **URGENT ITEM**

In accordance with Section 100B(4) of the Local Government Act 1972, the Chair expressed the opinion that the following item should be taken as urgent business to enable the comments of this Committee to be forwarded to the Cabinet in time for its consideration of this matter.

624. * **MEMBERS PLANNING LIAISON GROUP**

The comments of this Committee were invited on a report to be considered by the Cabinet on 30 November 2005 about the issues surrounding the establishment of a Members Planning Liaison Group.

Resolved:- That Cabinet be advised of this Committee's support to the establishment of a Member led Planning Liaison Group as set out in the report and subject to the following comments:-

- (i) Members of the Group should be able to appoint 'substitutes' if they are unable to attend themselves.

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- (ii) That if the Group so requests, minor applications be also considered at its meetings.

R A HOWELLS
Chair

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AUDIT AND GENERAL PURPOSES COMMITTEE

29 November 2005

Present:- Councillor MacMillan in the Chair

Councillors Mrs Beech, Clarke M R, Hambleton, Mrs Lewis, Matthews, Olszewski, Mrs Phillips, Whieldon and Wilkes

625. * **MINUTES OF PREVIOUS MEETING**

Resolved:- That the minutes of the meeting of the Committee held on 4 October 2005 be approved as a correct record.

626. * **ROLE AND RESPONSIBILITIES OF THE AUDIT AND GENERAL PURPOSES COMMITTEE**

A detailed report was submitted advising Members of the additional terms of reference and responsibilities that the Committee now had following the addition of Audit Committee responsibilities to its remit. The report was supplemented by a presentation outlining the changes.

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

(b) That further reports be brought to future meetings of the Committee, as set out in the report.

627. * **INTERNAL AUDIT – HALF YEARLY PROGRAMME AND REVISION OF PLAN**

A report was submitted advising Members of the half yearly performance against plan for Internal Audit. The report further requested approval to a revision of the Plan.

Resolved:- (a) That the Internal Audit Plan half yearly report on performance be received.

(b) That the revised 2005-06 Internal Audit Plan be approved.

(c) That detailed quarterly monitoring reports be submitted to future meetings.

628. * **SCALE OF FEES AND CHARGES**

Details of the proposed Scale of Fees and Charges for 2006/07, which were within the remit of the Committee, were submitted for approval.

Resolved:- That the fees and charges proposed for 2006/07, as set out in the appendix to the report, be approved.

J MACMILLAN
Chair

*Printed for information

THE CABINET

30 November 2005

Present:- Councillor Leech in the Chair

Councillors Mrs Astle, Bentley, Finnemore, Tatton and Williams

629. * **MINUTES OF PREVIOUS MEETINGS**

Resolved:- That the minutes of the previous meetings of the Cabinet held on 5 and 26 October 2005 be approved as a correct record.

630. * **JOINT WASTE MANAGEMENT BOARD**

Resolved:- That the minutes of the meeting of the above Board held on 7 October 2005 be received.

631. * **ITEMS WHERE CHIEF OFFICERS HAVE TAKEN POWER TO ACT**

Resolved:- That the list of items detailed where Chief Officers have taken power to act after consultation with the appropriate Cabinet Member/Chair of Committee be noted.

632. * **ITEMS CONSIDERED BY SCRUTINY COMMITTEE UNDER THE CALL-IN PROCEDURE**

Consideration was given to decisions of Scrutiny Committee following the call-in procedure on items previously considered by Cabinet as follows:-

(i) Progress in Implementing Decisions made by the Council in Setting the 2005/06 Budget.

(a) That the following recommendation be referred to the Members Development and Performance Review Sub-Committee:-

“That any decision taken by Full Council which, in the view of the Cabinet cannot be implemented for any reason, be referred back to the next Full Council after that Cabinet meeting so that Full Council can decide whether wither to rescind its earlier decision or to address the problems which have led Cabinet to the conclusion that it cannot be implemented.”

(b) That the following recommendation be referred to the Budget Task and Finish Working Party:-

“That in the light of the informed comments of the former Minister in the ODPM, the Cabinet asks officers to advise on how a ‘zero-based’ budget approach to the 2007 spending review might affect this Council and its budgetary processes.

- (ii) Homelessness, Housing Advice and Housing Register Contract Renewal.

That the decision of Cabinet be supported.

- (iii) Newcastle Carnival and Town Centre Promotions.

(a) That the decision of Cabinet be supported.

(b) That Cabinet be advised of this Committee's view that charitable organisations and other interested parties should be involved in discussions about town centre promotions through the creation of a Borough Promotions Working Party.

Resolved:- (a) That the recommendations of the Scrutiny Committee in respect of items (i), (ii) and (iii) be accepted.

(b) That the recommendation of the Scrutiny Committee in respect of item (iii) be not accepted as the Cabinet consider that the present arrangements are adequate.

633. * **INTEGRATED CAPITAL AND REVENUE BUDGET STRATEGY 2006/07 AND LATER YEARS**

Resolved:- That consideration of this matter be deferred to a Special Meeting of the Cabinet to be held on Thursday 15 December 2005 at 3pm.

634. * **INTEGRATED BUDGET & CAPITAL PROGRAMME 2005/06 TO 2007/08**

Resolved:- That consideration of this matter be deferred to a Special Meeting of the Cabinet to be held on Thursday 15 December 2005 at 3pm.

635. * **CALCULATION OF THE COUNCIL TAX BASE**

Consideration was given to a report outlining the requirement of the Council to calculate the 'Council Tax Base' for the Council and for each of the areas covered by Parish Councils, details of which were submitted.

Resolved:- (a) That the report for the calculation of the "Council's Tax Base" for 2006/07 be approved.

(b) That, in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the amounts calculated as the Council Tax Base for 2006/07 shall be as follows:-

Newcastle Borough Council	38,242
Kidsgrove Town Council	7,200
Loggerheads	1,931
Audley	2,624
Balterley, Betley and Wrinehill	559
Chapel and Hill Chorlton	183
Keele	338
Madeley	1,480
Maer	240
Silverdale	1,378
Whitmore	798

636. * RECOVERY OF COUNCIL TAX AND BUSINESS RATES – COURT COSTS

Consideration was given to proposals to increase the court costs associated with the recovery of Council Tax and business rates.

These had not been reviewed since 1988 and were considerably less than costs requested by other Local Authorities.

Resolved:- That costs of £40 be requested on the issue of a summons and £30 on being granted a liability order.

637. * TREASURY MANAGEMENT CONSULTANTS

Consideration was given to a report seeking approval to the reappointment of Messrs Butlers as treasury management consultants, the reasons for which were submitted.

The present contract was due to end on 31 March 2006.

Resolved:- That a further contract for treasury management consultancy be entered into with Butlers, for a period of three years commencing on 1 April 2006, at a cost of £15,000 per annum.

638. * ADOPTION OF INTERNAL AUDIT RECOMMENDATIONS 1 APRIL TO 30 SEPTEMBER 2005 (53/04)

Further to the above resolution details of measures taken to implement recommendations of the Council's Internal Audit Section were submitted.

Resolved:- That the action of the Officers be noted.

639. * DASHBOARD INDICATORS – PERFORMANCE MANAGEMENT REPORT TO 31 OCTOBER 2005

Resolved:- That Cabinet notes the performance of the dashboard indicators for the period to 31 October 2005.

640. * SCALE OF FEES AND CHARGES

Details of the proposed scale of fees and charges for 2006/07 for all activities under the control of the Cabinet were submitted for consideration.

Resolved:- That the Fees and Charges proposed for 2006/07 as set out in Appendix 12 (lavender paper) be approved and submitted to Scrutiny Committee for comment.

641. * CORPORATE IMPROVEMENT PLAN – REVIEW OF PROGRESS AS AT OCTOBER 2005

Consideration was given to a report outlining progress in achieving targets within the Council's Corporate Improvement Plan at October 2005.

Resolved:- That the progress achieved be noted and the report be approved.

642. * **DESIGN ISSUES IN NEWCASTLE TOWN CENTRE (548/06)**

A report was submitted seeking approval to obtaining assistance with the design aspects of the Town Centre Area Action Plan and continuing determination of planning applications within the area, the reasons for which were considered.

Resolved:- That a brief be drawn up on the basis set out in this report and tenders invited from appropriate companies.

643. * **ECONOMIC DEVELOPMENT STRATEGY**

Consideration was given to a proposed draft Economic Development Strategy which was intended to form the basis of the Borough Council's promotion of the economic development of the Borough for the period 2005/2010.

Approval was sought for consultation purposes following which a further report would be submitted.

Resolved:- That the draft strategy be approved for consultation purposes and a further report be submitted to Cabinet to consider comments received.

644. * **RENEW NORTH STAFFORDSHIRE PROPOSALS FOR RELOCATION
OPTIONS FOR PEOPLE AFFECTED BY RENEW PROGRAMME
INTERVENTIONS**

Resolved:- That consideration of this matter be deferred to a Special Meeting of the Cabinet to be held on Thursday 15 December 2005 at 3pm.

645. * **AUDIT COMMISSION – PLANNING INSPECTION**

Members were informed of an Inspection of the Planning Service being undertaken by the Audit Commission during November/December 2005, details of which were submitted.

Resolved:- That the dates of the onsite inspection be noted.

646. * **MEMBERS PLANNING LIAISON GROUP (228/06)**

Members were reminded of the above resolution of the Planning Committee and gave consideration to proposals to establish a Member Liaison Group for planning purposes.

Resolved:- (a) That a Member Liaison Group be established on the basis outlined in the report for planning purposes and with immediate effect.

(b) That the framework of the Group be approved in accordance with the recommendations of the joint Member/Officer Group.

647. * **PARTIAL REVIEW OF THE REGIONAL SPATIAL STRATEGY**

A report was submitted on the programme for Regional Spatial Strategy Review and seeking support for the submission of the consultation response, prepared by the Officers, to the West Midlands Regional Assembly.

The Strategy had initially been adopted in 2004 and with the commencement of the Planning and Compulsory Purchase Act, had become part of the development plan.

Resolved:- That the consultation response form be agreed for submission to the West Midlands Regional Assembly.

648. * **BRITAIN IN BLOOM 2005 - RESULTS**

A report was submitted which indicated that the Borough Council had been awarded the Gold Award in the Small City Category in the Heart of England Region and achieved overall national winners status in the National Britain in Bloom Competition and been awarded the Silver Gilt Award.

In addition further awards had been given as follows:-

Urban Community Category	Silver Gilt – Meadows Residents Association
Small Neighbourhood Category	Outstanding Award – Cromer Street, May Bank
Certificate of Merit	Mr Selwyn Hattersley, Halmerend
Staffordshire Best Kept Village Competition	
Small Village (Newcastle Area)	1st Place – Halmerend
	2nd Place – Alsagers Bank
	3rd Place – Keele

Resolved:- (a) That all residents, employees and sponsors involved in the 2005 success be congratulated and thanked for their effort and commitment.

(b) That the Cabinet's congratulations and thanks be passed on to the village of Halmerend, the Meadows Residents' Association and Cromer Street residents.

649. * **PROPOSED CHILDREN'S PLAY AREA – BAMBER PLACE, CHESTERTON**

Consideration was given to a report seeking approval to the construction of a children's play area at the above location following the securing of funding from a private developer, details of which were submitted.

The estimated cost of the project was £50,000.

Resolved:- (a) That the proposed children's play area on land off Bamber Place, Chesterton be approved.

(b) That the Head of Assets and Amenity Services be authorized to invite tenders for the works and in consultation with the Portfolio Holder for Quality of Life to accept the lowest suitable tender within the financial limits indicated.

650. * **PROPOSED YOUTH RECREATIONAL FACILITIES – BRAMPTON RECREATION GROUND, CROSS HEATH**

A report was submitted seeking approval to the provision of young people's recreational facilities at the above location.

The results of a consultation exercise undertaken with residents was submitted.

The estimated cost of the scheme was £65,000 which would be met entirely from the capital sum obtained through a Section 106 Agreement.

Resolved:- (a) That the scheme of proposed youth recreational facilities at the Brampton Recreation Ground, Cross Heath be approved.

(b) That the Head of Assets and Amenity Services be authorized to invite tenders for the works and in consultation with the Portfolio Holder for Quality of Life, to accept the lowest suitable tender within the financial limits indicated.

651. * **MADELEY POOL – EMBANKMENT REPAIRS**

A report was submitted seeking approval to a scheme of embankment stabilisation at Madeley Pool and to provision being made in the Capital Programme for the works to proceed.

The reasons for the scheme were considered and it was indicated that the cost of the works was £40,000 inclusive of fees.

Resolved:- (a) That the scheme of embankment stabilization be approved and that the Head of Assets and Amenity Services be authorized to seek and accept the lowest suitable tender for the project within the financial limits indicated.

(b) That the sum of £40,000, inclusive of fees, be considered by Council for inclusion within the Approved General Fund Capital Programme for 2005/06.

652. * **CHESTERTON PARK BOWLS PAVILION (UPPER)**

A report was submitted outlining the position in respect of the above building and seeking approval, in principle, to the provision of a replacement pavilion in an appropriate location in the park.

Members were reminded that the previous pavilion had been the subject of an arson attack and subsequently demolished.

Details of the proposed uses of a new pavilion were submitted. The estimated cost of the pavilion was £120,000 of which some £54,000 was available from the Council's insurance claim on the previous building.

No funding had yet been identified to meet the shortfall.

In addition consideration was also given to proposals to relocate the children's play area in the park to improve its accessibility, security and relationship to other park facilities.

Resolved:- (a) That Cabinet approves in principle the replacement of the upper bowls pavilion in a more appropriate location in Chesterton Park.

(b) That Cabinet approves in principle the relocation of the children's play area and associated works.

(c) That a public consultation exercise be undertaken to establish community views on the options available and that a detailed scheme and costings be prepared for consideration at a future meeting of the Cabinet.

(d) That it be recommended to Council that the scheme be included in the General Fund Capital Programme.

(e) That a funding bid is made to RENEW to seek funding support.

(f) That should external funding be secured for any part of the estimated sum, this be used to reduce the Council's contribution to the scheme.

653. * **CEMETERY MEMORIAL SAFETY PROGRAMME**

A report was submitted informing the Cabinet of the completion of the current Cemetery Memorial Safety Programme together with proposals for a new programme of re-testing and its financial implications and revisions to the Memorial Safety Policy.

Resolved:- (a) That Cabinet reviews the recently completed Cemetery Memorial Safety Programme and considers a follow on programme to re-inspect all memorials over a 5-year period.

(b) That the financial implications of the project be considered for inclusion in the general fund capital programme in the sum of £70,000 spread over the next 5 years commencing in 2006/07.

(c) That the existing testing procedure involving a 30kg load be continued and the publicity measures contained in the report be approved.

(d) That update reports be received on progress on the safety testing work.

(e) That the Cabinet's thanks be extended to all staff involved in the Memorial Safety survey.

654. * **EQUESTRIAN DEVELOPMENT STRATEGY (547/05)**

Consideration was given to a report seeking adoption of the Equestrian Development Strategy following a consultation process.

Resolved:- That the Equestrian Development Strategy be adopted.

655. * **AIR QUALITY PROGRESS REPORT**

Consideration was given to a report detailing progress with the statutory review of air quality in the Borough and of the publication of the second Progress Report between subsequent rounds of review and assessment of air quality across the Borough.

Resolved:- That the information be received.

656. * **INTEGRATED WASTE MANAGEMENT STRATEGY REVIEW**

A detailed report was submitted reviewing the Council's Integrated Waste Management Strategy and in particular the specific targets for the Council together with current estimates of performance and proposals to improve the position.

Resolved:- (a) That the Council's Waste Strategy be reviewed and updated

(b) That further consideration be given to the implementation of Option 6 – Enhanced Weekly Waste Collections

(c) That the operational service rules be amended as set out in the report to prohibit the disposal of all dry recyclables through the normal (residual) waste collection service

(d) That a promotional campaign be implemented in respect of the selected approach

(e) That the Scrutiny Committee be consulted in respect of the Waste Strategy review and in particular the revision of the Waste Strategy to include Option 6 – Enhanced Weekly Waste Collections.

(f) That the People's Panel be consulted in respect of the Waste Strategy Review.

657. * **ANTI-SOCIAL BEHAVIOUR OFFICER**

A report was submitted seeking approval to the creation of a temporary post of Anti-Social Behaviour Officer until March 2008 and which would be primarily supported by Home Office Funding (April 2006 – March 2008).

The creation of the post would enable the Newcastle Community Safety Partnership to become more pro-active in its response to anti-social behaviour and criminal damage.

Resolved:- (a) That an Anti-Social Behaviour Officer be appointed on a full time, temporary basis.

(b) That the proposal be referred to the Audit & General Purposes Committee.

658. * **ROE LANE SPORTS PAVILION (1131/04)**

Further to the above resolution it was reported that tenders had been received for the improvements to the Roe Lane Sports Pavilion and car park drainage works.

The lowest suitable tenders received were as follows:-

	<u>Contractor</u>	<u>Amount</u>
Building works	Messrs Thurston Building Systems	£696,000
Drainage works	Messrs Derek Mawby Paving	£35,852

As the tenders were within the approved budget the Head of Assets and Amenity Services had awarded the contracts accordingly.

The works had commenced in November 2004 and were completed by the end of May 2005.

Resolved:- That the information be received.

659. * **CAR PARKING MACHINES**

A report was submitted seeking approval to the employment, on a permanent basis, of Securicor to continue to collect car park ticket machine cash and to the replacement of car park ticket machines.

It was indicated that the current machines were over 15 years old and it was becoming more difficult to obtain spare parts.

Members were informed of difficulties in repairing a particular machine during the course of the year which had resulted in a substantial loss of income to the Council.

Resolved:- (a) That a new ticket machine be purchased at an estimated cost of £3,000 to be met from the Renewal and Repairs Fund and to be used to provide an immediate replacement as required.

(b) That the ticket machine cash collections be undertaken on a permanent basis by Securicor.

(c) That a report on the replacement programme of all the car park ticket machines including the suitability of 'pay on foot' systems be submitted to a future meeting of the Cabinet.

660. * **SINGLE STATUS/JOB EVALUATION**

A report was submitted detailing progress on the implementation of the Single Status/Job Evaluation Agreement and in particular on the proposed appeals procedures.

Resolved:- (a) That the report be received and the services of the West Midlands Local Government Association analyst be approved as outlined in the report.

(b) That the report be submitted to the Audit & General Purposes Committee.

661. * **KNUTTON RECREATION CENTRE – REMEDIAL WORKS**

A report was submitted detailing tenders received for the above works, the lowest being received from Messrs Sneyd Building Contractors in the sum of £161,261. The works would be financed from the approved Capital Programme.

Resolved:- That the tender submitted by Messrs Sneyd Building Contractors in the sum of £161,261 be approved.

662. * **DISABILITY DISCRIMINATION ACT – ALTERATIONS TO CIVIC OFFICES**

Receipt was reported of tenders for the above works, the lowest being submitted by Messrs Sandy & Co in the sum of £350,999.50.

The works were to be funded from the Capital Budget approved for DDA works.

Resolved:- That the tender submitted by Sandy & Co in the sum of £350,999.50 be approved.

663. * **CENTRAL DEPOT, KNUTTON LANE, NEWCASTLE – REPLACEMENT WINDOWS**

Receipt was reported of tenders for the above works, the lowest being submitted by Messrs North Staffs Windows in the sum of £100,645.

The works would be funded from the Capital Budget allocation for stock condition work.

Resolved:- That the tender submitted by North Staffs Windows in the sum of £100,645 be approved.

664. * **ICT ADVISORY GROUP**

Resolved:- That the decisions of the ICT Advisory Group held on 24 November 2005 be approved.

665. * **BOROUGH MUSEUM AND ART GALLERY – REMEDIAL WORKS**

Receipt was reported of tenders for the above works, the lowest being submitted by Trenton Construction Co Ltd in the sum of £177,160.

The works would be funded from the provision for stock condition works within the approved Capital Programme.

Resolved:- (a) That the tender of Trenton Construction Co Ltd in the sum of £177,160 be accepted for the works as indicted.

(b) That security guarding be provided on the site during the contract period at an estimated cost of £6,000.

(c) That the total estimated cost of £183,160 be met from the provision for Stock Condition works within the approved Capital Programme.

666. * **BEST VALUE SERVICE REVIEWS 2005/06 – PUBLIC OPEN SPACE (538/06)**

Cabinet was informed that in accordance with the above resolution Scrutiny Committee had considered the Draft Improvement Plan for Public Open Space which had been prepared following completion of the Best Value Review.

Scrutiny Committee had supported the decision of Cabinet to approve the Draft Improvement Plan.

Resolved:- That the decision of Scrutiny Committee be noted.

667. * **DISCLOSURE OF EXEMPT INFORMATION**

Resolved:- That the public be excluded from the meeting during consideration of the following items by reason of the likely disclosure of exempt information as defined in paragraphs 1, 3, 5 and 7 in Part 1 of Schedule 12A of the Local Government Act 1972.

668. * **LAND AT LOWLANDS ROAD, RAVENSDALE**

Consideration was given to a proposal to use the services of the County Council to project manage the reclamation and servicing of Borough Council owned land at the above location and, in addition, to consider the acquisition of land at Peacock Hay to facilitate its early reclamation and redevelopment.

Resolved:- (a) That Advantage West Midlands be informed that the Borough Council agrees to their commissioning of Staffordshire County Council to design and project manage the reclamation and servicing of the Lowlands Road, Ravensdale site.

(b) That AWM be informed that the Borough Council are willing and prepared, in principle, to acquire the Peacock Hay site, subject to AWM being willing and able to put the Council in funds to acquire the site and to invest the necessary funds to prepare the site for development.

669. * **LAND AT SEAGRAVE STREET, NEWCASTLE**

Receipt was reported of a request to purchase an area of land at the above location to form part of the landscaped area in connection with their proposed development which was subject to planning permission being obtained.

Details of terms provisionally agreed for the sale were submitted.

Resolved:- That consideration of this matter be deferred until the planning application is determined.

670. * **LOCAL GOVERNMENT ACT 1988
APPLICATION FOR DISCRETIONARY RATE RELIEF – CHILDTALK,
1ST FLOOR, 12 HIGH STREET, KNOTTON**

Resolved:- That 5% discretionary relief be granted in addition to 80% mandatory relief.

**D A LEECH
Chair**

*Printed for information the Committee having/or taking power to act.

PUBLIC PROTECTION COMMITTEE

5 December 2005

Present:- Councillor Mrs Blaise in the Chair

Councillors Mrs Butler, Foy, Mrs Heames, Lawton, Mrs Lench, Matthews, Olszewski, Williams

671. * **SCALE OF FEES AND CHARGES 2006/07**

Details of the proposed scale of fees and charges which would become effective from 1 April 2006 were submitted.

Resolved:- That the scale of fees and charges be approved.

672. * **ENVIRONMENTAL PROTECTION ACT 1990 – SECTION 79(i)(g)
NOISE NUISANCE CAUSED BY AUDIBLE INTRUDER ALARM
(CASE EP3L) 2005**

It was reported that a noise abatement notice had been served on the occupier of a residential property. The notice had not been complied with and the necessary works had been carried out in default.

Resolved:- That all costs incurred in carrying out the works be received from the occupier of the property.

673. * **ENVIRONMENTAL PROTECTION ACT 1990 S.33
FLY-TIPPING WITHIN THE BOROUGH OF NEWCASTLE-UNDER-LYME
(CASE LA/02)**

It was reported that action had been taken in respect of an offence of fly-tipping in the Borough, and permission was sought to institute legal proceedings against the offender.

Resolved:- That subject to the Head of Legal and Democratic Services being satisfied with the evidence, legal proceedings be instituted against the individual responsible in the Magistrates Court.

674. * **DISCLOSURE OF EXEMPT INFORMATION**

Resolved:- That the public be excluded from the meeting during consideration of the following items by reason of the likely disclosure of exempt information as defined in paragraphs 4, 7 and 12 in Part 1 of Schedule 12A of the Local Government Act 1972.

675. * **NOISE ABATEMENT NOTICE – APPEAL TO CROWN COURT (122/06)**

A report was submitted on the outcome of proceedings in the Crown Court in respect of noise nuisance caused by the playing of a piano.

Resolved:- That the information be noted.

676. * **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976
PRIVATE HIRE DRIVER - APPLICATIONS**

(a) Mr CJH

Details of an application from CJH for a private hire driver's licence were submitted.

Resolved:- That CJH be granted a licence for a six months trial period following which the matter be brought back to Committee for further consideration.

(b) TJD

Details of an application for a private hire driver's licence from Mr TJD were submitted.

Resolved:- That the application be refused.

(c) Mr IE

Details of an application for a private hire driver's licence from Mr IE were submitted.

Resolved:- That the application be refused.

(d) Mr KM

Details of an application for a private hire driver's licence from Mr KM were submitted.

Resolved:- That the application be approved for the remainder of the current licensing period following which the matter be brought back to Committee for further consideration.

(e) Mr WN

Details of an application for a private hire driver's licence from Mr WN were submitted.

Resolved:- That the application be deferred until the next meeting of this Committee pending receipt of additional information.

**MRS B BLAISE
Chair**

*Printed for information

CONSERVATION ADVISORY WORKING PARTY

6 December 2005

Present:- Councillor Mrs Lench in the Chair

Councillors Mrs Burnett, Foy, Lefroy and Miss Walklate

677. * PLANNING APPLICATIONS

Resolved:- (a) That the decisions on applications previously considered by this Working Party be received.

(b) That the following observations be made on the applications listed below:-

<u>App No</u>	<u>Proposed development and name of applicant</u>	<u>Comments</u>
05/904/COU	Change of use from retail to restaurant. 9 Brunswick Street, Newcastle. Mr & Mrs D Hambleton	No objections.
05/1012/FUL	Air conditioning units. 5-9 High Street, Newcastle. Newcastle-under-Lyme PCT.	Refuse – concerns were raised about the impact of the units on the Conservation Area.
05/1055/COU	Conversion of farm building to office with associated external alterations. Lea Head Manor, Aston. Mr N Howle.	No objections to the conversion but Members objected to the rooflights in that they would be detrimental to the character and appearance of the Conversation Area.
05/1058/COU	Change of use from residential to offices and alterations to vehicular access. 98 Lancaster Road, Newcastle. Jackson Accountants.	Members requested that this application be deferred pending further information on the proposal.
05/1059/FUL	Rear conservatory. Chamberlain Court, Betley. Mr B Baldwin.	No objections.

Conservation Advisory – 06/12/05

05/1094/FUL

Replacement of existing flat
roof with pitched roof.
13 London Road, Newcastle.
Mr P Malanaphy.

No objections subject to
careful control over materials
and detailing.

MRS M LENCH
Chair

*Printed for information

AUDIT AND GENERAL PURPOSES COMMITTEE

6 December 2005

Present:- Councillor J MacMillan in the Chair

Councillors Clarke M R, Hambleton, Mrs Lewis, Matthews, Olszewski, Mrs Phillips, Whieldon and Wilkes

678. * **DISCLOSURE OF EXEMPT INFORMATION**

Resolved:- That the public be excluded from the meeting during consideration of the following items by reason of the likely disclosure of exempt information as defined in paragraphs 1 and 11 in Part 1 of Schedule 12A of the Local Government Act 1972.

679. * **SINGLE STATUS/JOB EVALUATION**

A report was submitted which advised Members of proposals to deal with the appeals that had been received from employees following receipt of their job evaluation points and new salary grades. The report further advised that it was intended to appoint a third independent analyst in order that all appeals would be considered by March 2006.

Resolved:- That the report be received.

680. * **REVIEW OF CASH COLLECTION – CIVIC OFFICES**

A report was submitted giving details of the reduction in the numbers of members of the public making payments in cash at the Civic Offices following increased use of the Direct Debit system and the introduction of Payment Cards. This decrease in customers has resulted in a review of staffing requirements. The report further gave details of requests for voluntary early retirement from two cashiers. With a reduced number of cashiers and reduced customer numbers it would be possible to relocate the payment facility within the Reception area.

Resolved:- (a) That the staffing proposals outlined in the report be approved.

(b) That the requests for voluntary early retirement from the holders of post numbers B103 and B105 be approved from 31 March 2006 with appropriate added years.

681. * **RESTRUCTURE OF THE STAFF ESTABLISHMENT IN THE REVENUES DIVISION – FINANCIAL SERVICES**

A report was submitted giving details of a review of the staffing establishment of the Revenues Division of Financial Services following the Job Evaluation exercise, the proposed introduction of a Corporate Contact Centre and requests for voluntary early retirement from 2 managers from the Division.

Audit & General Purposes – 06/12/05

Resolved:- (a) That the staffing proposals outlined in the report be approved.

(b) That the requests for voluntary early retirement from the holders of posts B39 and B41 be approved from 31 March 2006 with appropriate added years.

682. * ANTI-SOCIAL BEHAVIOUR OFFICER

A report was submitted seeking approval to establish a post of temporary Anti-Social Behaviour Officer until March 2008. It was further reported that this post would receive Home Office funding for two years and would supplement the work of the permanent post of Anti-Social Behaviour Officer which was recently mainstreamed into the Council's establishment.

Resolved:- That a post of Anti-Social Behaviour Officer (Temporary until 31 March 2008) be created with immediate effect at Grade 8.

683. * REGENERATION AND PLANNING SERVICES IMPROVEMENT PLAN

A detailed report was submitted seeking Members approval to establish a 'fit for purpose' Regeneration and Planning Service in order to improve both performance and quality and to address the issues of the Council being a 'Planning Standards Authority' and the recruitment and retention of staff. The report identified changes previously agreed and proposed further changes which included establishing new posts, including a post of Assistant Solicitor in Legal and Democratic Services, re-designation of a number of posts and changes in responsibilities and reporting lines. Members were also asked to note that post F83 should be re-designated Performance and Corporate GIS Manager. A request for voluntary early retirement was also reported.

Resolved:- (a) That the measures proposed to improve performance and quality in Regeneration and Planning Services be approved subject to Cabinet approval to funding as set out in the report.

(b) That consultations take place with staff and the trade unions on the proposed new establishment structure for Regeneration and Planning Services, and a report be brought to a future meeting on the outcome of these discussions.

(c) That the request for voluntary early retirement from the holder of post F2 be approved from 31 March 2006 with appropriate added years.

(d) That a post of Assistant Solicitor be created in Legal and Democratic Services.

J MACMILLAN
Chair

*Printed for information

PLANNING COMMITTEE

13 December 2005

Present:- Councillor Howells in the Chair

Councillors Becket, Mrs Beech, Mrs Blaise, Mrs Blake, Clarke M R, Cooper, Dolman, Evans, Hambleton, Holland, Lawton, Leech, Mrs Maddox, Mrs Maxfield, Mrs Moss, Mrs Myatt, Miss Reddish, Mrs Salt, Mrs Simpson, Slater, Studd, Tagg, Tatton, Wilkes, Mrs Williams and Williams

684. * **1300m² EXTENSION OF EXISTING UNIT & ADDITIONAL CAR PARKING & SERVICE AREA
HIGH CAR BUSINESS PARK, TALKE ROAD, CHESTERTON
KMF (PRECISION SHEET METAL) LTD. 04/1006/FUL**

Resolved:- (a) That the period for the completion of the planning obligation indicated in the report be extended until 13 January 2006.

(b) That, subject to such a planning obligation being secured by 13 January, the Head of Regeneration and Planning Services be authorised to grant planning permission subject to the same conditions as agreed by the Planning Committee on 12 January 2005.

(c) That, failing the securing of such an Obligation within the above period, the Head of Regeneration and Planning Services be given delegated authority to refuse the application on the grounds that without such an Obligation the development would not be achieving a sustainable form in terms of choice of modes of transport and accordingly would be contrary to policy.

685. * **ERECTION OF A NEW DISTRIBUTION UNIT MEASURING APPROX 18,600m²
CELESTICA LTD, WEST AVENUE, KIDSGROVE
AAH PHARMACEUTICALS LTD. 05/313/FUL**

Resolved:- (a) That, subject to the receipt from the applicants of the information referred to in the report and subject to the prior completion, by 4 January 2006, of a planning obligation to secure an appropriate financial contribution towards and Travel Plan monitoring, and the provision of a Travel Plan framework, the application be delegated to the Head of Regeneration and Planning Services for approval subject to the undermentioned conditions:

- (i) Prior approval of facing materials and the external colours to be employed.
- (ii) Prior approval of surfacing materials, levels, drainage and landscaping, and implementation.
- (iii) All surface water drainage from parking areas and hardstandings to be passed through oil interceptor.
- (iv) Suitable facilities for the storage of oil, fuels or chemicals.
- (v) Approval and implementation of a scheme to limit surface water run-off.
- (vi) Prior approval of external lighting scheme.
- (vii) Agreement of the routing of HGVs.

- (viii) Approval of a revised car-parking layout, which shall provide a maximum of 233 parking spaces, in addition to 11, disabled parking spaces. The approved parking facilities to be implemented and available before the building is brought into use.
- (ix) The revised car park layout shall include the provision of 37 covered cycle parking facilities in a secure location details of which to be agreed.
- (x) A Travel Plan Framework shall be submitted for approval with a detailed travel plan.
- (xi) Prior approval of scheme to secure retention and protection of the trees on the site frontage.
- (xii) Prior provision of physical noise attenuation measures prior to commencement part of the development.
- (xiii) Noise attenuation measures for vehicles on site.
- (xiv) Limitation on hours of construction.

(b) That failing completion of the above obligations within the period indicated, the Head of Regeneration and Planning Services be given delegated authority to refuse the application on the grounds that without such planning obligations the development would not comply with the objective in local and national policies of moving towards sustainable forms of development.

686. * **JOINERY WORKSHOP, OFFICES & STAFF FACILITIES
KNUTTON INDUSTRIAL ESTATE, BROCK WAY, OFF CHURCH LANE,
KNUTTON
ADC (FM) LTD. 05/1086/FUL**

Resolved:- (a) That subject to no consultation responses or representations being received by 16 December 2005 that raise new issues not already referred to in this report and which cannot be addressed by appropriate conditions, that the application be delegated to the Head of Regeneration and Planning Services for approval subject to the undermentioned conditions:

- (i) Prior approval of materials and landscaping.
- (ii) Submission/approval/implementation of contaminated land survey.
- (iii) Any other conditions considered appropriate by the Head of Regeneration and Planning Services as a result of consultations or representations received by the above date.
- (iv) Prior approval of any fixed mechanical ventilation/refrigeration/air conditioning plant.

687. * **RECONSTRUCTION OF THE FIRE DAMAGED WORKINGMEN'S CLUB
SILVERDALE WORKINGMEN'S CLUB, HIGH STREET, SILVERDALE
SILVERDALE AND DISTRICT WORKINGMEN'S CLUB & INSTITUTE.
05/1000/FUL**

Resolved:- That the application be refused for the following reasons:

- (i) The proposed development is contrary to the aims and objectives of Regional Spatial Strategy Policy QE2, Structure Plan 2011 Policy D2 and Local Plan 2011 Policies S15, S16 and S17 in that it will not visually relate well to its surroundings in terms of character, massing and proportions, detailing, design and materials and it will not achieve an overall design quality and composition suitable to either the site upon which it is to be developed or the centre of Silverdale.

- (ii) The application contained insufficient information to enable the authority to determine the likely impact of noise from the development on the residential amenity.

688. * **OUTSIDE TWIN GROUND RAIL 12.5 TON GANTRY CRANE
THORP PRECAST LTD, APEDALE ROAD, CHESTERTON
THORP PRECAST LTD. 05/999/FUL**

Resolved:- That the application be permitted subject to the undermentioned conditions:

- (i) Prior approval of colour of gantry crane.
- (ii) Prior approval of landscaping to include tree planting on boundary and to include the retention of some of the area identified as habitat for ephemeral/short perennials on the peripheries of the site.
- (iii) A scheme of measures to control the route of vehicles visiting the site to be submitted to, and agreed in writing by, the Local Planning Authority.
- (iv) No sirens/alarms to be installed without prior approval

689. * **ERECTION OF PAIR OF SEMI-DETACHED HOUSES
GARDEN OF 200 OLD ROAD, BIGNALL END
GLENDALE PROPERTY DEVELOPMENTS LTD. 05/1078/FUL**

Resolved:- That the application be refused for the following reasons:

- (i) Inappropriate development in the Green Belt for which the required 'very special circumstances' do not exist.
- (ii) Contrary to policies on development in the countryside.
- (iii) Contrary to policies on housing development.
- (iv) Contrary to policy N12 – protection of trees.

690. * **RETENTION OF EXISTING OUTBUILDING AND CHANGE OF USE TO LIVING
ACCOMMODATION
LITTLE ACRE, WHARF TERRACE, MADELEY HEATH
MR HARRIS. 05/606/COU**

Resolved:- (a) That the period for completion of the previously approved Planning Obligation, be extended to 20 January 2006.

(b) That subject to the completion of the Planning Obligation by 20 January 2006, the application be permitted subject to the conditions referred to in the 20 September 2005 resolution.

(c) That, failing completion of the Obligation by 20 January 2006, the Head of Regeneration and Planning Services be given delegated authority to refuse the application for the following reason:

- without the Section 106 Agreement, there would be insufficient controls to protect residential amenity.

691. * **SINGLE STOREY SIDE EXTENSION
LINLEY COTTAGE, 1 LINLEY ROAD, TALKE
MR & MRS WILLIAMS. 05/981/FUL**

Resolved:- That the application be approved subject to the undermentioned conditions:

- (i) The proposed roofing and facing materials to be approved by the Local Planning Authority prior to the commencement of development.
- (ii) No trees, shrubs and hedges shall be cut down without the prior approval of the Local Planning Authority.

692. * **CONSTRUCTION OF A DETACHED GARAGE
MANOR HILL, LORDSLEY, ASHLEY
MRS B FITZGERALD. 05/490/FUL**

Resolved:- (a) That the period for completion of the planning obligation that prevents severance of the proposed development from the existing dwellinghouse and garden area be extended to 20 December 2005.

(b) That, subject to the completion of the above obligation by that date that the application be permitted subject to the same conditions as were agreed on 31 August 2005.

(c) That failing the securing of such an obligation within the above period, the Head of Regeneration and Planning Services be given delegated authority to refuse the application for the following reason:

- the proposal could potentially result in a new dwelling in the open countryside contrary to Policies H1 (protection of the countryside) and H15 (small dwellings within the curtilage of existing dwellings).

693. * **CONTINUED USE OF A 0.5 HECTARE SITE FOR STORAGE OF PLANT &
EQUIPMENT
FORMER TALKE GREEN COLLIERY SITE, AUDLEY ROAD, TALKE
G RICHARDSON. 05/982/COU**

Resolved:- (a) That, subject to no comments being received from the outstanding consultees or third parties after 23 December 2005 which cannot be addressed by conditions considered appropriate by the Head of Regeneration and Planning Services, the First Secretary of State be informed that the Council is minded not to refuse the application as a departure from the development plan.

(b) That, subject to the application not being called in by the First Secretary of State for determination, permission be granted subject to the undermentioned conditions:

- (i) The permission to be for the benefit of the applicant only and not any company bearing his name.
- (ii) Within 2 months of the date of this consent a plan showing extent of areas of open storage and existing and proposed landscape features shall be submitted/approved, and thereafter implemented.
- (iii) Submission for approval of site restoration scheme within 12 months of this permission.

- (iv) Applicant, or trustees of his estate, to give notice to Local Planning Authority of cessation of use of site by him, and within 12 months of that date to have implemented the approved scheme referred to in the above condition.

694. * **DETACHED DWELLING & GARAGE
24 SEABRIDGE ROAD, NEWCASTLE
J PARANGI & A HAYES. 05/1035/OUT**

Resolved:- That subject to receipt of revised footprint plan reducing the length of the building by 3 m and deleting track side projection, the application be approved subject to the undermentioned conditions:

- (i) Standard outline conditions concerning the reserved matters.
- (ii) Consent to relate only to a single storey building and not to a dormer style bungalow.
- (iii) Levels to be submitted as part of reserved matters submission.
- (iv) Proposal to include provision of passing bay at access point.
- (v) Dwelling to be limited to 2 bedrooms.
- (vii) Withdrawal of permitted development rights for extensions and alterations.

695. * **ALTERATIONS TO A TELECOMMUNICATIONS BASE STATION INCLUDING
THE EXTENSION OF THE MONOPOLE TO A HEIGHT OF 15.5M AND
ADDITIONAL TELECOMMUNICATION APPARATUS & ASSOCIATED
GROUND LEVEL DEVELOPMENT TO ENABLE A SHARING OF A MAST BY
TWO COMPANIES
KEELE GOLF CENTRE, KEELE ROAD, NEWCASTLE
02 UK LTD & T-MOBILE. 05/1071/FUL**

Resolved:- That the application be permitted subject to the colour of the equipment being approved by the Local Planning Authority.

696. * **HIGHWAYS REPRESENTATION**

Members raised concerns regarding the lack of highways representation at Planning Committees where applications with highways issues required clarification.

Resolved:- That a letter, endorsed by the Chair, be sent to Staffordshire County Highways requesting a representative to be present at future meetings of this Committee.

697. * **ENFORCEMENT**

Members requested a progress report on the enforcement for ARTEC, Chesterton.

Resolved:- That a report on the progress of the enforcement be brought back to the next meeting of this Committee.

**R A HOWELLS
Chair**

*Printed for information

THE CABINET

15 December 2005

Present:- Councillor Leech in the Chair

Councillors Mrs Astle, Bentley, Finnemore, Tatton and Williams

698. * **INTEGRATED CAPITAL AND REVENUE BUDGETS STRATEGY 2006/07 AND LATER YEARS**

Consideration was given to a report reviewing progress in preparing the Council's Service Plan and Financial Budgets for 2006/07 and later years.

It was indicated that the Government's provisional grant to this Council of some £9.835m included:-

- (i) £947,000 for adjustment to services which it was understood related to the improvement in the statutory Concessionary Fares Scheme for April 2006.
- (ii) £529,000 for pay, price and other changes, this being an increase of 5.7%. The 2007/08 provisional formula grant of £10.246m showed an increase of 4.2%.

The Government expected the average Council Tax increase in England to be no more than 5% in both 2006/07 and 2007/08 with business rates increasing in line with inflation (2.7%) to 42.7p in the £ in 2006/07.

The impact of these assumptions indicated that for 2006/07 the Council could afford a budget of £16.013m without relying on reserves.

The Council's current Budget Forecast was £16.905m having allowed for an increase of £947,000 for the new statutory concessionary fares scheme and details of the main changes in the forecast for the next three years were considered together with potential budget reductions.

Resolved:- That the Cabinet:

(a) Reviews what it considers to be an 'affordable' budget for 2006/07 but determining the Council Tax increase it wishes to recommend to Council.

(b) In order to set an 'affordable' budget, reviews the budget forecast and determines the actions necessary to:

- reduce the forecast through the achievement of cashable efficiency gains
- reduce or cancel proposals to increase discretionary services
- reduce or close down existing discretionary services
- reduce (where the law permits) growth proposals in statutory services
- reduce (where the law permits) existing statutory services

(c) Due to the network of Post Offices and 'Paypoint' shops that can be used by residents to pay their Council Tax by cash or cheque, authorises officers to consult with the Trade Unions and to submit a further report to Cabinet setting out a plan to rationalise all methods of payment including the Cashiers' Service.

699. * **INTEGRATED BUDGET – CAPITAL PROGRAMME 2005/06 TO 2007/08**

Resolved:- That consideration of this matter be deferred to the next meeting of the Cabinet.

700. * **RENEW NORTH STAFFORDSHIRE – PROPOSALS OF RELOCATION OPTIONS FOR PEOPLE AFFECTED BY RENEW PROGRAMME INTERVENTIONS**

Resolved:- That consideration of this matter be deferred to the next meeting of the Cabinet.

701. * **PROPOSED HOMEWORKING SCHEME FOR EMPLOYEES**

Consideration was given to a proposed homeworking scheme for employees which the Council was required to have in place by the end of December 2005 as a requirement of Implementing Electronic Government.

Resolved:- (a) That the proposed homeworking scheme be adopted in principle.

(b) That the findings of a cost/benefit analysis be reported to a future meeting of the Cabinet.

D A LEECH
Chair

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SCRUTINY COMMITTEE

4 January 2006

Present:- The Worshipful the Mayor (Councillor C Brooks)

Councillor Mrs Hambleton in the Chair

Councillors Astle, Mrs Beech, Becket, Mrs Blake, Mrs Braithwaite, Mrs Burnett, Mrs Butler, Clarke A A, Clarke D, Clarke M R, Cooper, Chrzanowski, Dolman, Fear, Fox, Foy, Hambleton, Mrs Heames, Holland, Howells, Jones, Lefroy, Mrs Lench, Mrs Lewis, MacMillan, Mrs Maddox, Matthews, Mrs Maxfield, Mrs Myatt, Mrs Naylor, Olszewski, Mrs Phillips, Miss Reddish, Mrs Salt, Mrs Simpson, Sinnott, Slater, Studd, Tagg and Whieldon

702. * **MINUTES OF PREVIOUS MEETING**

Resolved:- That the minutes of the meeting of this Committee held on 23 November 2005 be approved as a correct record.

703. * **POLICE FORCE PERFORMANCE AND BUDGET CONSULTATION**

The Committee received a detailed presentation from the Chair of the Police Authority and representatives of Staffordshire Police on the likely police budget forecast together with details of the performance levels of the Force as part of a consultation process with all District Councils within Staffordshire.

Reference was also made to proposals to merge the Force with other areas in the future.

Resolved:- That the Chair of the Police Authority and the representatives of Staffordshire Police be thanked for their presentation.

704. * **DECRIMINALISED PARKING ENFORCEMENT**

The Committee received a detailed presentation on Decriminalised Parking Enforcement now know as Civil On-Street Car Parking Enforcement by Nick Miller, the Parking Manager, Staffordshire County Council and issues arising therefrom.

Members were requested to consider the Council's inclusion in the first phase of the programme. Members expressed concerns at being in the first tranche when there were many unresolved issues and also the limited powers of the Local Parking Board.

Resolved:- (a) That Mr Miller be thanked for his presentation.

(b) That the previous decision of the Committee (Res.438/06 refers) be reaffirmed and a recommendation made to Cabinet that the County Council be informed that this Council does not wish to be included in the first phase of the Civil On-Street Car Parking Enforcement.

705. * **TRANSPORT SCRUTINY WORKING PARTY**

Resolved:- (a) That, subject to the amendments as indicated, the report of the meeting of the above Working Party held on 1 December 2005 be approved.

(b) That a letter be sent to Councillor Lawton, Chair of the Working Party thanking him for his efforts in respect of this matter and wishing him a speedy recovery following his recent operation.

706. * **SCALE OF FEES AND CHARGES**

A report was submitted outlining proposed fees and charges for 2006/07. The matter had previously been considered by the Cabinet/appropriate Committee and referred to the Scrutiny Committee for comment.

Resolved:- That the proposed fees and charges for 2006/07 be approved.

707. * **INTEGRATED WASTE MANAGEMENT STRATEGY REVIEW**

Consideration was given to a report in respect of the Integrated Waste Management Strategy Review.

The matter has previously been considered by Cabinet and had been referred to Scrutiny Committee in particular with regard to the revision of the Waste Strategy to include Option 6 – Enhanced weekly Waste Collections.

Resolved:- (a) That Option 6 – Enhanced Weekly Waste Collections be agreed.

(b) That the reasons why performance targets for composting are significantly lower than anticipated be fully investigated before any further investment is made.

(c) That the Government be asked again to include home composting figures in recycling performance.

708. * **BUDGET TASK AND FINISH GROUP**

Consideration was given to a report of the work of the above Group and its recommendations.

The Group has worked with KPMG in carrying out the Efficiency Gain Assignment and in identifying potential sources for efficiency gains.

Resolved:- (a) That the recommendations of KPMG in the Efficiency Assignment be used to direct a programme of work to deliver further efficiency gains.

(b) That the Budget Task and Finish Working Group have a continuing note to:-

- (i) monitor progress in delivering efficiency gains.
- (ii) review major service areas.

(c) That work be commenced immediately on long term issues in respect of the culture of the organisation.

709. * **PROVISIONAL NORTH STAFFORDSHIRE LOCAL TRANSPORT PLAN 2006/07 TO 2010/11
STAFFORDSHIRE PROVISIONAL LOCAL TRANSPORT PLAN 2006/11**

Resolved:- That the minutes of the Transport Scrutiny Working Party held on 1 December 2005 be endorsed and Cabinet be recommended to support these views as their response to the Highway Authority.

710. * **CALL-IN PROCEDURE**

Consideration was given to the undermentioned decisions of the Cabinet made on 30 November 2005 in respect of which the call-in procedure had been invoked to enable full debate on the issues to take place:-

(i) Scale of Fees and Charges

Resolved:- That the request to consider the policy on long term and short term stay car park fees be withdrawn pending a future report.

(ii) Corporate Improvement Plan – Review of Progress at October 2005

Resolved:- That the issue of Business Improvement District status be deferred pending a visit by Officers to Rugby District Council.

711. * **CABINET DECISIONS – 30 NOVEMBER 2005**

Details were submitted of all non-confidential decisions made by Cabinet at its meeting held on 30 November 2005 upon which Members were invited to comment.

Resolved:- That the decisions of Cabinet referred to above, and not subject to call-in, be noted.

712. * **FORWARD PLAN**

No comments were received on this matter.

713. * **REQUEST FOR INFORMATION SUBMITTED BY THE LIBERAL DEMOCRAT GROUP**

Consideration was given to requests by the Liberal Democrat Group for information relating to a number of issues.

Resolved:- That written reports be forwarded to Members on the issues referred to and, if necessary, further consideration be given at the next meeting of the Committee.

714. * **MOTIONS SUBMITTED BY COUNCILLORS BECKET, STUDD, HOWELLS AND SINNOTT – ARRIVA NORTH WEST**

Separate motions were submitted by Councillors Becket and Studd and Howells and Sinnott in respect of the proposals by Arriva North West to withdraw bus service No 52, Newcastle/Madeley and bus service No 85, Newcastle/Crewe.

It was agreed, in the circumstances that a single composite motion be made as follows:-

- (i) That the Council deplores the Arriva North West plan to withdraw services 85, Newcastle/Crewe and 52, Newcastle/Madeley.
- (ii) That the County Council works with private sector bus providers to create a profitable and sustainable bus service to the communities affected by these unwelcome proposals.
- (iii) That the Council is critical of the combined underinvestment and overpricing of the two routes over recent years and exhorts the County Council and private sectors service providers to develop low priced/high public use services with through ticketing and quality bus route facilities.
- (iv) That the Council recognises and applauds the recent public investment in new bus shelters by Madeley Parish Council and deplores Arriva for planning to effectively waste that investment.
- (v) That the Council supports Paul Farrelly MP and local councillors in their talks with Arriva and Staffordshire County Council.
- (vi) That local MPs be asked to seek an investigation to determine if there is any connection between the closure of the Crewe Depot and the award of £998,000 of Kick-Start funding to Cheshire County Council and Arriva to improve services on the Northwich, Winsford Crewe corridor.

715. * **DISCLOSURE OF EXEMPT INFORMATION**

Resolved:- That the public be excluded from the meeting during consideration of the following item by reason of the likely disclosure of exempt information as defined in paragraphs 3, 5, 7 and 8 in Part 1 of Schedule 12A of the Local Government Act 1972.

716. * **CONFIDENTIAL CABINET DECISIONS – 30 NOVEMBER 2005**

Details were submitted of confidential decisions of Cabinet on 30 November 2005 upon which Members were invited to comment.

Resolved:- That the confidential decisions of Cabinet made on 30 November 2005, and not subject to call-in, be noted.

MRS S HAMBLETON
Chair

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CONSERVATION ADVISORY WORKING PARTY

5 January 2006

Present:- Councillor Mrs Lench in the Chair

Councillors Mrs Burnett, Foy, Lefroy and Miss Walklate

Representing Outside Bodies:- Messrs Davies, Duffy, Ferrington, Prof Gomme, Horne, Manning, Tredwell

717. * PLANNING APPLICATIONS

Resolved:- (a) That the decisions on applications previously considered by this Working Party be received.

(b) That the following observations be made on the applications listed below:-

<u>App No</u>	<u>Proposed development and name of applicant</u>	<u>Comments</u>
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Mr Manning declared an interest in the following two items and took no part in the discussions.

05/902/OUT	Residential flats, commercial accommodation, gym/fitness suite and on-site parking (amended plans). The Zanzibar, Marsh Parade, Newcastle. South Court Management.	No objections in principle to residential development but Members felt that there was too much massing of properties. In addition, the proposed design materials/detailing do not compliment the character and appearance of the Conservation Area and the 'gateway' into the town.
05/903/OUT	Demolition of buildings and erection of residential apartments with ground floor commercial use (amended plans). Land at the junction of Seagrave Street/Water Street and George Street, Newcastle. Robintrees Ltd.	No objections in principle to residential development but Members felt that there was too much massing of properties. In addition, the proposed design materials/detailing do not compliment the character and appearance of the Conservation Area and the 'gateway' into the town.

Conservation Advisory – 05/01/06

05/1058/COU	Change of use from residential to offices and alterations to vehicular access. 98 Lancaster Road, Newcastle. Jackson Accountants	No objections to change of use and alterations to vehicular access. Members requested that the window be replaced in a design to match those existing and for the trees to be protected. Concerns were raised regarding the loss of a residential unit.
05/1061/ADV	Shop fascia sign. Unit 21 Cable Walk, Newcastle. O2 (UK) Property Ltd	No objections.
05/1105/FUL	Variation of Condition 3 on planning permission 98/158/COU relating to the changing of opening hours from 11am to 11pm Monday to Saturday and 12 noon to 10.30pm on Sundays to 9am to 10pm everyday. 38 Ironmarket, Newcastle. Ladbrokes Ltd.	No objections.
05/1106/FUL	Change of house type to include two storey rear extension. Land adj 19 Betley Hall Gardens, Betley. Mr J Baker.	No objections.
05/1114/FUL	Rear extension. 96 Lancaster Road, Newcastle. Dr & Mrs Myers.	No objections subject to careful control over materials and detailing.
05/1115/FUL & 05/1084/FUL	(1115) Demolition of outbuilding. (1084) Two storey rear extension and first floor link to existing house to provide offices/staff space and four additional en-suite facilities (making in total 14 single bedrooms). Grove Court, 100 Lancaster Road, Newcastle. Rethink Severe Mental Illness.	(1115) No objections. (1084) Members objected to this proposal on the grounds that the design was not in keeping with the character and appearance of the Conservation Area.

Conservation Advisory – 05/01/06

05/1131/ADV	Non-illuminated fascia sign and internally illuminated projecting sign. Benefits Agency, Paradise Street, Newcastle. Department for Work & Pensions.	No objections
05/1143/COU	Retention of change of use from travel agents (Class A1) to restaurant (Class A3). 35 Bridge Street, Newcastle. Mr L Miah.	No objections
05/1153/FUL	External alterations to shop front and installation of air conditioning units at rear. Rear 108 High Street, Newcastle. Nationwide Building Society.	No objections
05/1168/COU	Conversion of part of former church building into two flats (making 9 in total). Kingsland, 5 Northcote Place, Newcastle. Mr & Mrs Baggaley.	No objections
05/1171/FUL	Reduction in height of existing chimney stacks. Brampton Court, Brampton Road, Newcastle. The Brampton Court Management Company Ltd.	No objections subject to the existing detailing of the chimneys being maintained.
05/1174/LBC	Alterations to existing handrail to first floor balcony. The Chapel, Keele University, The Village, Keele. University of Keele	No objections subject to careful control over the detailing. In addition, Members requested that the handrail be constructed from timber as opposed to steel.

718. * CONSERVATION AND HERITAGE FUNDING

(i) Replacement of railings at The Square, Main Road, Betley (Ref. 05/06005/HBG)

An application was heard requesting grant aid for the replacement of railings at the above Grade II Listed Building.

Resolved:- That no grant be awarded until the applicant has consulted with the Parish Council and a design for the railings has been brought to a future meeting of this Working Party.

MRS M LENCH
Chair

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PLANNING COMMITTEE

10 January 2006

Present:- Councillor Howells in the Chair

Councillors Mrs Astle, Astle, Becket, Mrs Beech, Clarke A A, Clarke D, Clarke M, Cooper, Dolman, Fear, Fox, Hambleton, Holland, Leech, Mrs Maddox, Mrs Maxfield, Mrs Moss, Miss Reddish, Mrs Salt, Slater, Studd, Tagg, Tatton, Wilkes, Mrs Williams

719. * **MINUTES OF PREVIOUS MEETINGS**

Resolved:- That the minutes of the meetings of this Committee held on 20 September, 11 October and 1 November 2005 be agreed as a correct record.

720. * **ALTERATION TO THE EXTENT OF LANDSCAPED BUND & THE DEVELOPMENT PLATEAU APPROVED UNDER APPLICATION 03/560/OUT LYMEDALE EMPLOYMENT PARK, HOLDITCH, CHESTERTON STAFFORDSHIRE COUNTY COUNCIL. 04/1291/FUL**

Resolved:- Members were informed that this application had been withdrawn.

721. * **RESERVED MATTERS APPLICATION FOR LANDSCAPING THE BRAMPTON, PRINCESS STREET, TALKE MULLER PALATINE PROPERTIES LTD. 05/1077/REM**

Resolved: That subject to consideration being given to the awaited comments of the Highway Authority and additional requested information referred to in the report, that the application be permitted subject to conditions relating to the following:-

- (i) Tree retention.
- (ii) Implementation.
- (iii) Replacement planting in the event of retained trees being lost or damaged.
- (iv) Approval by the Local Planning Authority of the method for the installation of the close-boarded fence adjoining the parking area.

722. * **OUTLINE APPLICATION FOR THE ERECTION OF A SINGLE DWELLING ROSE COTTAGE, 183 HOLLOWAY LANE, ASTON NEWCASTLE-UNDER-LYME BOROUGH COUNCIL. 05/813/DEEM**

Resolved:- That the application be permitted subject to the undermentioned conditions:-

- (i) Standard outline conditions concerning the reserved matters (including design, appearance, siting/levels and landscaping.
- (ii) No development to take place until details of foul and surface water drainage have been agreed and the agreed details undertaken.

723. * **EXTENSION TO EXISTING ESTABLISHED FARM SHOP
BROOKFIELDS FARM, STONE ROAD, BLACKBROOK
MR & MRS LOCKETT. 05/798/FUL**

Resolved:- That the application be permitted subject to the undermentioned conditions:-

- (i) The percentage of goods imported from outside the holding and being displayed for sale to be restricted to 33% and the goods being offered for sale to be restricted.
- (ii) Prior approval of facing materials and finishing colour.
- (iii) Landscaping details.
- (iv) The extension to be used for no other purpose than ancillary storage purposes to the retail use.

724. * **RETENTION OF THE USE OF PART OF FARM BUILDING AS A FARM SHOP
HUNGERSHEATH FARM, PARK LANE, ASHLEY
MR N FURNIVAL. 04/1297/COU**

Resolved:- (a) That hours of opening be restricted to between 9am and 6pm seven days per week.

(b) That the goods being offered for sale be restricted and the percentage of goods imported from outside the holding and offered for sale also be restricted.

(c) That 2m x 90m visibility splays be provided to the north of the site access with nothing placed or allowed to remain forward of the splays exceeding 600mm in height above the adjacent carriageway.

(d) That the shop shall not commence operating until the second car parking area in front of the shop has been formed and sealed to the written satisfaction of the Local Planning Authority. The parking area to be permanently maintained thereafter.

725. * **ROOFTOP TELECOMMUNICATIONS INSTALLATION COMPRISING 4 FACE
MOUNTED ANTENNAE ON EXISTING BRICKWORK, TWO POLE MOUNTED
ANTENNAE, TWO TRANSMISSION DISHES AND TWO EQUIPMENT
CABINETS
SWIFT HOUSE, LIVERPOOL ROAD, NEWCASTLE
VODAFONE. 05/1148/FUL**

Resolved:- That the application be refused for the following reason:-

- (i) The installation would be detrimental to residential amenity on the grounds of over intensification.

726. * **SITE PREPARATION WORKS COMPRISING GROUND WORKS, SERVICES, SITE ACCESS, FOOTPATHS AND LANDSCAPING RAVENSDALE, LOWLANDS ROAD, CHATTERLEY VALLEY ADVANTAGE WEST MIDLANDS. 05/1079/FUL**

Resolved:- That noting the expectation that proposals will be for B1 and B2 development rather than B8, the application be permitted subject to the undermentioned conditions:-

- (i) Submission, and approval of traffic management scheme (speed limit reduction) for Peacock Hay Road.
- (ii) Accesses as formed to remain closed until such time as off site traffic scheme has been implemented.
- (iii) Any temporary gates at site accesses to be set from highway.
- (iv) Prior to any spoil movement wheel washing facility to be provided and retained for duration of such works.
- (v) Redundant accesses to be closed and reinstated in accordance with details to be approved.
- (vi) Ghost island right turning facility to be as per plan with amendments.
- (vii) Construction dimensions of temporary contractor access.
- (viii) Prior approval of various details.
- (ix) Routeing scheme for haulage vehicles associated with transportation of spoil from the site and fill to the site.
- (x) Provision of features to enhance nature conservation value of relocated Fowlea Brook.
- (xi) Water vole survey, and package of mitigation measures to reflect findings of survey.
- (xii) Method statement for avoiding issues of harm to breeding birds.
- (xiii) Method statement to prevent water course pollution during stripping and infilling works.
- (xiv) Hours of working, and controls over vehicle sheeting and dust controls.
- (xv) No contaminated material to be imported onto the site.
- (xvi) Removal of redundant stretch of Lowlands Road and its landscaping in accordance with details to be submitted for approval.
- (xvii) No consent granted or implied for development of full extent of "development area".
- (xviii) Landscaping.
- (xix) Contaminated land conditions.

727. * **CONSTRUCTION OF NEW CAR PARK, RELOCATION OF EXISTING GARAGE FROM THE REAR OF THE SITE, NEW CLASSROOM EXTENSION, STAFFROOM EXTENSION AND NEW ACCESS RAMP AT ENTRANCE COPPICE SPECIAL SCHOOL, ABBOTS WAY, WESTLANDS THE CABINET SCC. 05/1212/CPO**

Resolved:- That the County Council Planning Authority be advised that the Borough Council has no objections to the proposal.

728. * **CONSTRUCTION OF A SHELTER FOR USE AS AN OUTDOOR CLASSROOM AND PARENT WAITING AREA
BURSLEY COUNTY PRIMARY SCHOOL, BURSLEY WAY, BRADWELL
THE CABINET SCC. 05/1213/CPO**

Resolved:- That the County Council Planning Authority be advised that the Borough Council has no objections to the proposal.

729. * **APPEAL DECISIONS**

The following appeal decisions were reported.

<u>Ref No</u>	<u>Proposed Development and name of appellant</u>	<u>Decision</u>
04/1267/FUL	Extensions to dental surgery. 279 Clayton Road, Newcastle. Clayton Cosmetic Dental Centre.	Appeal allowed.
04/172/FUL	Conversion of existing detached house into 6 self- contained flats and 3 storey extension to the side to create 3 further self- contained flats. 14 Sidmouth Avenue, Newcastle. Miss E Sangelee.	Appeal dismissed.
05/334/TDET	Erection of 12m high streetworks slimline monopole and equipment cabinets. Spar Shop, Clayton Road, Newcastle. T-Mobile (UK) Ltd.	Appeal allowed.
05/53/FUL	Erection of 17.5m high telecommunications monopole with three antennae, transmission dish and compound. New Harecastle Farm, Newcastle Road, Talke. Hutchinson 3G UK Ltd.	Appeal dismissed.

Resolved:- That the information be received.

730. * **DISCLOSURE OF EXEMPT INFORMATION**

Resolved:- That the public be excluded from the meeting during consideration of the following items by reason of the likely disclosure of exempt

information as defined in paragraph 12 in Part 1 of Schedule 12A of the Local Government Act 1972.

731. * **FORMATION OF CRICKET GROUND INCLUDING PAVILION AND LAND RESTORATION
LAND BETWEEN BACK LANE AND BAR HILL ROAD, ONNELEY
ONNELEY CRICKET CLUB. 98/496/FUL**

Consideration was given to a report asking the Committee to consider the expediency of enforcement action in respect of the securing of an appropriate and acceptable land drainage scheme and satisfactory restoration of the site at the above location.

Resolved:- (a) That, it being expedient to do so, having regard to the Development Plan and to all other material considerations, the Head of Legal and Democratic Services be authorised to issue enforcement and all other notices and to take and institute on behalf of the Council all such action and prosecution proceedings as are authorised by, and under, the Town and Country Planning Act 1990 to secure an appropriate and acceptable land drainage scheme and the satisfactory restoration of the site within 3 months of the notice taking effect.

(b) That the Head of Legal and Democratic Services be authorised to commission external consultants to draw up an acceptable drainage system and land reclamation scheme (to be received within two months of their appointment).

732. * **UNIT 1 CORONA PARK, SANDFORD STREET, NEWCASTLE**

Members considered a report updating them on enforcement action taken in relation to Unit 1 Corona Park.

Resolved:- That the information contained within the report of the Head of Legal and Democratic Services be noted and that the Head of Democratic and Legal Services be authorised to issue an amended Breach of Condition Notice requiring:-

- (a) the premises shall not be operated before 8.00am or after 6.00pm on weekdays and Saturdays or at any time on Sundays and Bank Holidays (within 30 days).
- (b) all goods and equipment stored in the open and including all vehicles and all other equipment other than staff and customer cars parked in the car park be removed (within 3 months).
- (c) no outdoor work to be undertaken on the site (within 30 days) except for work involving use of the crane (within 3 months).
- (d) the car park shall be used only for customer and staff car parking.

**A HOWELLS
Chair**

*Printed for information

THE CABINET

11 January 2006

Present:- Councillor Leech in the Chair

Councillors Mrs Astle, Bentley, Finnemore, Tatton and Williams

733. * **MINUTES OF PREVIOUS MEETING**

Resolved:- That the minutes of the previous meeting of the Cabinet held on 30 November 2005 be approved as a correct record.

734. * **ITEMS CONSIDERED BY SCRUTINY COMMITTEE UNDER THE CALL-IN PROCEDURE**

Consideration was given to decisions of the Scrutiny Committee following the call-in procedure on items previously considered by Cabinet as follows:-

- (i) Civil On-Street Parking Enforcement (previously Decriminalised Parking Enforcement).
- (ii) Integrated Waste Management Strategy Review.

Resolved:- (a) That, having considered the decision of the Scrutiny Committee the County Council be informed that this Council would only wish to proceed with civil on-street parking enforcement in Newcastle (and to be in the first phase) if all the heads of terms have first been presented to the Cabinet and considered to be fully acceptable.

(b) That consideration of Civil On-Street Parking Enforcement be deferred to a meeting at a date and time to be agreed to enable the detailed arrangements and terms to be considered.

(c) That the decisions of Scrutiny Committee in respect of the Integrated Waste Management Strategy Review be noted.

735. * **INTEGRATED CAPITAL AND REVENUE BUDGET STRATEGY 2005/06 AND LATER YEARS**

Resolved:- That consideration of this matter be deferred to a special meeting of the Cabinet to be held on Wednesday 25 January 2006 at 10pm.

736. * **LARGE SCALE VOLUNTARY TRANSFER OF HOUSING STOCK (LSVT) 2000**

A report was submitted detailing the financial impact on the Council of the LSVT of its housing stock in February 2000.

Significant progress in reducing the Council's residual costs together with the impact of other budget reductions had resulted in the Council benefiting by an estimated £1.3m compared to the anticipated benefit of £346,000pa.

Resolved:- That the favourable financial impact of the Stock Transfer on the Council be noted.

737. * **LOCAL DEVELOPMENT SCHEME**

A report was submitted seeking approval of a draft revised Local Development Scheme which updated and extended the Council's programme of planning policy delivery for 2006/09.

Resolved:- That the revised Local Development Scheme be adopted as a working draft for submission to Government Office.

738. * **RENEW NORTH STAFFORDSHIRE – STAFFING OF THE NEWCASTLE CORE DELIVERY TEAM (29/05)**

Consideration was given to a report seeking to mainstream 3 posts currently delivering the Renew Agenda in Newcastle and funded by the Renew Core Team together with details of the situation relating to other key posts currently funded by Renew or related to the Renew programme.

Members were reminded that the Council was committed until 2010 to employing the Neighbourhood Management Partnership Staff. These were presently funded out of Renew monies and it was proposed that these posts could be funded from programme delivery (i.e. capitalised into delivery costs) but, if this funding was withdrawn then the Council would be liable for salaries, etc.

The Council, in addition to the Revenue commitments detailed in the report, had agreed, as part of the budget setting process, to fund from 2005/06 onwards the annual subscription to Instaffs from the Renew and Regeneration Revenue Fund which amounted to some £19,000pa. This had previously been met from the General Fund.

Resolved:- (a) That approval be given in principle to funding from the Renew and Regeneration Fund the following posts at a maximum cost of £110,000 pa (plus the outcome of Job Evaluation):

- Housing Standards Officer
- Policy Planning Officer
- Newcastle Renew Programme Co-ordinator

subject to:

- Renew approving continuing funding for the following posts:
 - o Galleys bank and Biddulph East Co-ordinator
 - o Clerical Assistant (Renew Programme Administrator)
- there are no ongoing commitments to the Council for:
 - o Neighbourhood wardens in Knutton and Cross Heath beyond March 2007
 - o NMP staff currently funded by Renew

(b) That the County Council be asked to contribute 50% of the revenue costs of those posts which will not be directly funded by the Renew Programme.

(c) That the funding be reviewed should either of the assumptions about ongoing funding from the Renew Programme or the County Council not be achieved.

739. * **RENEW NORTH STAFFORDSHIRE – LOANS FOR RELOCATION AND RENEWAL**

A report was submitted seeking approval to the necessary steps being taken to progress the work on the loans products to the policy and procedures stage, details of which were considered.

Resolved:- That the recommendations detailed in Appendix B to the Officers report be agreed.

740. * **LSP STAFFING ARRANGEMENT**

A report was submitted seeking approval to interim staffing arrangements for the LSP unit one of whom was employed on a fixed term contract until 31 March 2006.

The role of the LSP was currently being reviewed and Government guidance suggested that the role of Councils was to be strengthened.

Resolved:- (a) That the contract of the LSP Co-ordinator Officer post be extended for a further 12 months.

(b) That officers report back with proposals for the longer-term officer support for the LSP in the context of the current LSP review.

741. * **GREENING FOR GROWTH – LYME VALLEY PARKWAY (286/06)**

Further to the above resolution it was reported that tenders had been received for the scheme of improvements to the Lyme Valley Parkway the lowest being submitted by Messrs County Landscape Development in the sum of £660,537.78.

A funding package of £464,000 remained available for the scheme following completion of Phase 1 of the project and the placing of an order for the sports pitch drainage element of the scheme. This left a shortfall of £196,000 between the remaining secured funding and the lowest tender received.

The scheme had subsequently been re-evaluated and an amended scheme could be delivered at a cost of £534,000 which would still include the main elements of the masterplan. This left a shortfall of some £70,000.

In addition a further £50,000 had been obtained in secured funding from the Greening for Growth Programme and the Big Lottery Fund Young People's Fund via the Friends of Lyme Valley Parkway leaving a shortfall of some £20,000.

Resolved:- (a) That the shortfall of £20,000 for the project be met from the Renew and Regeneration Fund.

(b) That, should any further external funding be secured for the project the contribution from the Renew and Regeneration Fund be reduced accordingly.

742. * **GOOSE STREET CAR PARK – FAIRGROUND HIRE REQUEST**

Receipt was reported of a request to hold a fair on the Goose Street Car Park on the day of the Spring Bank Holiday (Monday 29 May 2006) and, in addition, to erect a single fairground ride in front of the Guildhall.

Members were reminded of previous investigations into future locations for fairs in the Borough when the conclusion reached was that the best site was in the Lyme Valley.

Details of the proposed terms for the hire were submitted together with the views of the police in respect of this matter.

Resolved:- (a) That the request of the fairground promoter to have a fair on Goose Street Car Park be refused.

(b) That the request of the fairground promoter to set up a fairground ride in the High Street be refused.

(c) That any request for a fairground, or fairground ride, in or around the town centre that is independent of a properly managed and policed town centre event be refused.

(d) That all requests for a fairground be directed to the Lyme Valley site.

743. * **NORTH STAFFORDSHIRE DESTINATION MANAGEMENT PARTNERSHIP – BRANDING AND MARKETING**

Consideration was given to a one-off payment being made towards research and marketing works in the creation of a single unified image for tourism in North Staffordshire.

The total cost of the project would be shared by the North Staffordshire Destination Management Organisation of which this Council was a member.

Resolved:- That the Cabinet authorise a contribution of £2,000 to be met from funds earmarked for tourism in the 2005/06 Revenue Budget, to enable the project to proceed.

744. * **BEREAVEMENT SERVICES – CHARTER FOR THE BEREAVED ANNUAL CONSULTATION AND CEMETERY OF THE YEAR**

A report was submitted reviewing progress and performance of the Bereavement Services as part of the Charter for the Bereaved together with details of the outcome of the annual consultation with service users.

As part of the Charter, a benchmarking process had been developed to enable comparison with other burial authorities including those in the private sector and the 2005 results were as follows:

Combined Burial and Cremation Services	- 15th out of 72
Burial Services only	- 16th out of 96
Cremation Services only	- 17th out of 80

In addition the user consultation showed 100% either a 'good' or 'satisfactory' response to the level of service.

Members were also advised that Bradwell Crematorium had been selected as a finalist in the National Cemetery of the Year Competition and had been awarded runner-up in the Crematorium Category.

Resolved:- That the high level of service user satisfaction be noted and the information obtained be used to plan further improvements to the Council's Bereavement Service.

745. * **NEWCASTLE AND KIDSGROVE DISTRICT REVIEW OF SCHOOL PLACES**

Receipt was reported of a consultation paper from the County Council on the future management of school places in the Boroughwide area together with options to deal with falling pupil numbers particularly in the primary sector.

Members received representations from Friarswood CP School to maintain its current status.

Resolved:- (a) That the County Council be informed that this Council considers that the current provision should be maintained for all age ranges within each of the County Electoral Divisions of the Borough.

(b) That Cabinet supports the representations of Friarswood CP School to maintain its current status.

746. * **HEALTHY LIVING CENTRE (FIT FOR LIVING PROJECT)**

A report was submitted outlining the Newcastle Primary Care Trust's (PCT) decision not to match fund the 'Fit for Living' project as detailed in their Funding Agreement.

The Council had requested that the PCT honour their funding commitment to the project and, following lengthy discussions the PCT had offered to contribute £5,000 subject to the Council contributing £5,000.

Resolved:- That the Council fund the project during 2005/06 and the cost of £5,000 be met from the New Initiatives Fund.

747. * **HEALTH REFORM IN ENGLAND (419/06)**

Receipt was reported of further information from the Department of Health on the next steps in the consultation process in respect of the Ambulance Service Configuration, Strategic Health Authority configuration and Primary Care Trusts (PCTs) configuration.

Resolved:- That the Department of Health's consultation papers on the Ambulance Service configuration, PCT's configuration and Strategic Health Authority configuration be referred to the Scrutiny Committee for comment.

748. * **GREENING FOR GROWTH – CHESTERTON TO CHATTERLEY VALLEY GREENWAY (373/05)**

Further to the above resolution it was reported that tenders had been received for the above scheme, the lowest of which were submitted by Messrs Horticon for the greenway and Central Networks for the electricity supply and connection in the sums of £267,366.65 and £35,061.80 respectively.

The contracts had been awarded and the works completed.

Resolved:- That the information be received.

749. * **CCTV – TOWN CENTRE**

Consideration was given to a report seeking approval to the waiving of Standing Orders for the procurement of Town Centre CCTV cameras, the details of which were submitted.

The proposed contract amount would be some £70,000 which would be met from the approved sum for Town Centre CCTV in the Capital Programme.

Resolved:- That Standing Orders be waived and a contract negotiated with Messrs Security Services, the contractors for the CCTV installation on the Midway Car Park.

750. * **OPTIONS FOR LOCAL AUTHORITY STATUTORY PERFORMANCE STANDARD ON RECYCLING AND COMPOSITING IN 2007/2008**

Receipt was reported of a consultation document from DEFRA in respect of the above matter.

Details of the proposed response of the Officers together with comments received from the Members were submitted.

Resolved:- That the report be received and the comments of the Officers together with those of the Members as indicated be forwarded to the County Council as this Council's response.

751. * **WASTE MANAGEMENT AND EFFICIENCY GRANT (2006/07 & 2007/08)**

A report was submitted outlining details of the allocation by DEFRA of the Waste Performance and Efficiency Grant (WPEG). Funding nationally had been made available in the sums of £105m for 2006/07 and £110m in 2007/08 with the Borough Council's allocation being £101,129.54 and £105,921.89 for the respective years. This was split 50% capital and 50% revenue.

It was indicated that DEFRA was encouraging joint working between local authorities to ensure local and national objectives were met in the most effective and efficient way and it was possible for the Council's allocation to be aggregated and make single payments to the Staffordshire Joint Waste Board rather than to the Council.

Resolved:- That the Cabinet notes the additional funding allocated through the Waste Performance and Efficiency Grant, and requests that the funding be allocated directly to the Council as set out in the report.

752. * **GRANTS ASSESSMENT PANEL**

Resolved:- That the decisions of the Grants Assessment Panel made at its meeting held on 8 December 2005 be approved (printed as Appendix).

753. * **DISCLOSURE OF EXEMPT INFORMATION**

Resolved:- That the public be excluded from the meeting during consideration of the following items by reason of the likely disclosure of exempt information as defined in paragraphs 5, 7, 8 and 9 in Part 1 of Schedule 12A of the Local Government Act 1972.

754. * **LAND OFF ROWHURST CLOSE, APEDALE – FREEHOLD DISPOSAL**

Receipt was reported of a request from Broxap Ltd to purchase an area of land measuring some 0.1655ha (0.409 acres) for car parking use in conjunction with their existing premises on Rowhurst Close.

Details of terms provisionally agreed were submitted for consideration.

Resolved:- That the land be sold to Broxap Ltd on the terms detailed in the report.

755. * **REGENERATION AND PLANNING SERVICES IMPROVEMENT PLAN**

Resolved:- That consideration of this matter be deferred to a special meeting of the Cabinet to be held on Wednesday 25 January 2006 at 10am.

756. * **AUDLEY ADULT CENTRE (FORMER RURAL DISTRICT COUNCIL OFFICES)**

A report was submitted on the proposed disposal of the above Council-owned premises, which had been vacant since end of February 2005.

The reasons for the proposed disposal were considered.

Resolved:- (a) That the leasehold or freehold disposal of the property be approved in principle and terms for the disposal to be agreed by the Head of Assets and Amenity in consultation with the portfolio holder for Performance and Resources.

(b) That the Head of Assets and Amenity Services be authorised to seek planning permission for a range of potential uses of the property prior to marketing.

(c) Cabinet resolved that, whilst the report itself remained confidential, Officers and Members be authorised to treat the subject and the broad issues as matters in the public realm to enable briefing and discussions to take place.

(d) That Audley Parish Council be informed of the proposals.

D A LEECH
Chair

*Printed for information

GRANTS ASSESSMENT PANEL

8 December 2005

Present:- Councillor Lawton in the Chair

Councillors Evans, Hambleton, Lefroy, MacMillan and Mrs Williams

757. * **MINUTES OF PREVIOUS MEETING**

Resolved:- That the minutes of the Panel held on 13 October 2005 be approved as a correct record.

758. * **ALLOCATION OF NON-PRIORITY GRANT 2005/06**

Consideration was given to an application for a non-priority grant application from the Trustees of Aston Village Hall towards the cost of repairing the roof of the Village Hall.

Resolved:- That the Cabinet be requested to approve a grant of £1500 in this case.

759. * **SMALL PROJECTS FUND (FORMERLY COMMUNITY CHEST)**

Consideration was given to an amended report outlining 20 applications for funding from the Small Project Fund (formerly Community Chest).

Each of the applications had received the support of the appropriate locally based body.

Resolved:- That the Cabinet be recommended to approve the undermentioned grants:-

	£
Chesterton Community Forum (Plants/gardening equipment)	500
Keele Parish Council (Notice Board)	190
Kidsgrove Town Council (Community day)	400
Kidsgrove Town Council (High definition monitor)	900
Maer & Aston Parish Council (Handrail extension)	300
Maer & Aston Parish Council (Training)	200
Madeley Parish Council (Winter & Spring planting)	255
Madeley Parish Council (Flower bed maintenance)	100
Madeley Parish Council (Care & help scheme)	250
Madeley Parish Council (Table tennis table)	255
Madeley Parish Council (Running costs)	260
Marsh Hall Community Centre (Climbing equipment & training)	1000
Marsh Hall Community Centre (Wolstanton Christmas celebrations)	500
Marsh Hall Community Centre (Replacement toys & play equipment)	400
Silverdale Parish Council (Music Workshops)	500
Silverdale Parish Council (Parksite Action Centre running costs)	500

Grants Assessment – 08/12/05

Silverdale Parish Council (Annual dinner/party – hire of hall)	150
Silverdale Parish Council (Publication)	0
Silverdale Parish Council Arts * Crafts)	0

760. * **GRANTS AND REPORTS**

Three grant aid reports from the PDSA, Talke Pits Flowers in the Community and Chesterton Gossip respectively were submitted for information.

Resolved:- That the information be received.

761. * **STOKE-ON-TRENT FESTIVAL LIMITED**

Receipt was reported of a letter from Stoke-on-Trent Festival Ltd thanking the Council for awarding a cultural grant of £1000 but requesting reconsideration of its decision to introduce a ceiling of three successful applications for similar projects from the same body thereby automatically preventing an organisation/group from applying for further assistance for a period of two years.

The comments made by Stoke-on-Trent festival Ltd about the change to the eligibility rule were set out in the Officers' report.

Resolved:- That notwithstanding the comments made by Stoke-on-Trent Festival Ltd the Panel reaffirms its previous recommendations to Cabinet regarding changes to the eligibility rule.

B C LAWTON
Chair

*Printed for information,

**MEMBERS DEVELOPMENT AND PERFORMANCE
REVIEW SUB-COMMITTEE**

11 January 2006

Present:- Councillor Studd in the Chair

Councillors Foy, Mrs. Hambleton, Mrs Lench, Mrs Lewis, Mrs Maxfield and Tagg

762. * **MINUTES OF PREVIOUS MEETING**

Resolved:- That the minutes of the meeting of this Sub-Committee held on 8 November 2005 be agreed as a correct record.

763. * **CONSTITUTION OF THE SCRUTINY COMMITTEE – RULES OF POLITICAL BALANCE**

Members had previously expressed concern that in order for the Scrutiny Committee to comply with the rules of political balance, there were non-Executive Members of the Council who did not have a vote on the Scrutiny Committee although they are entitled to attend and speak at that Committee.

Members were advised of the provisions of Sections 15, 16 and 17 of the Local Government and Housing Act 1989 which set out rules relating to political balance. In particular, Members considered the exemption from the rules of political balance contained in Section 17, which is that the rules of political balance will not apply to a committee insofar as different arrangements are approved by the Full Council without any Member of the Council voting against the proposal. In order for such arrangements to be considered by the Council, notice of the proposal must be given in the agenda calling the meeting at which the proposals are to be considered (this means that a proposal cannot be moved on the night).

A proposal that all non-Executive Members should have a vote on Scrutiny was defeated but it was agreed that information about this exemption to the rules of political balance should be given to all Members of the Council.

764. * **MATTERS REFERRED BY THE SCRUTINY COMMITTEE**

(a) The issue of Cabinet attendance at the Scrutiny Committee –

It was agreed that new rules of debate for the Scrutiny Committee should be drawn up and subject to adoption of clear rules of debate governing the rights of Portfolio Holders to speak at Scrutiny Committee all Portfolio Holders should be invited to attend.

(b) The motion that any decision taken by Full Council which in the view of the Cabinet cannot be implemented for any reason, be referred back to the next Full Council after the Cabinet meeting –

Members Development & Performance Review Sub – 11/01/06

Members were reminded that this motion referred in particular to the suggestion by Full Council that zero based budgeting should be applied to the preparation of accounts.

It was explained that whilst approval of the Council's final budget was a matter for the Full Council, the way in which the accounts are compiled in the first instance is an Executive matter for the Cabinet and not something which the Council can direct. It was for this reason that it was not considered appropriate for the matter to be referred back to the Council for the Council to reconsider its earlier decision.

In principle, where the Council has made a decision on matters falling within the remit of the Council which was not then implemented clearly this would be a matter which would need to be referred back to the Full Council.

Resolved:- That the information be received.

765. * TERMS OF REFERENCE OF COMMITTEES AND THE SCHEME OF DELEGATIONS

It was agreed that the Head of Legal and Democratic Services would write to all Members of the Council to seek their views on improvements Members would wish to see in the way in which the Council and its committees operate, and seeking views on the proposal that training should be compulsory for members of each committee on the functions of that committee, particularly for Licensing and Planning members who should not be entitled to take part in decisions without first having undergone training.

766. * STAFFORDSHIRE PLUS PARTNERSHIP CAPACITY BUILDING BID

It was reported that the Member Peer Mentoring Project had commenced with the first workshop for Scrutiny Champions which had been very well received both by Members who took part and also by the Peer Member Mentor and the I&DeA consultant. Members were also advised that a further series of workshops for Scrutiny Champions would be held to enable more Members to partake in this particular project. Members requested that further training for all Members in Scrutiny be arranged.

It was also requested that a proposal be taken to Full Council to change the Council's Constitution to make training compulsory for members of the Planning Committee.

Resolved:- (a) That the Head of Legal and Democratic Services be authorised to arrange further training for Members in the Scrutiny function.

(b) That it be recommended to Full Council that the Constitution be changed to make training compulsory for members of the Planning Committee.

**R STUDD
Chair**

*Printed for information

STANDARDS COMMITTEE

16 January 2006

Present:- Councillor A A Clarke in the Chair

Councillors Chrzanowski, Clarke D, Mrs Maddox, Mrs Maxfield, Mrs Moss, Mrs Phillips and Tagg

Independent Members: Messrs Burns, Morris and Wood

Parish Councillors: Davies (representing Betley, Balterley & Wrinehill Parish Council)
Sedgley (representing Loggerheads Parish Council)
Sproston (representing Audley Parish Council)

Apologies were received from Parish Councillor Williams of Madeley Parish Council.

767. * **MINUTES OF LAST MEETING**

Resolved:- That, subject to Mr Williams being recorded as the representative of Madeley Parish Council in the list of attendees, the minutes of the meeting of this Committee be agreed as a correct record.

768. * **“GOING LOCAL – INVESTIGATIONS AND HEARINGS”**

Members received a DVD presentation entitled “Going Local – Investigations and Hearings” which examined a Member’s breach of the Code of Conduct and the procedures followed.

Members considered that the DVD be shown to all current Members of the Council and any new Members elected in the future.

A request was considered for the DVD to be available to Parish Councillors.

Resolved: (a) That the information be received.

(b) That further copies of the DVD be purchased for distribution to Parish Councils.

769. * **THE ETHICAL STANDARDS FRAMEWORK FOR LOCAL GOVERNMENT – THE GOVERNMENT’S RESPONSE TO THE REPORT OF THE COMMITTEE FOR STANDARDS IN PUBLIC LIFE**

Members considered a report advising them of the Government’s response to the recommendations of the Committee for Standards in Public Life together with the recommendations of the Standards Board.

Resolved:- That the information be received.

**A A Clarke
Chair**

*Printed for information

AUDIT AND GENERAL PURPOSES COMMITTEE

17 January 2006

Present:- Councillor J MacMillan in the Chair

Councillors Mrs Beech, Clarke M R, Hailstones, Hambleton, Mrs Lewis, Matthews, Mrs Phillips, Whieldon and Wilkes

770. * **MINUTES OF PREVIOUS MEETINGS**

Resolved:- That the minutes of the meetings of this Committee held on 29 November and 6 December 2005 be approved as a correct record.

771. * **PERFORMANCE MANAGEMENT**

A presentation was given to Members on the role and responsibilities of the Committee and Members in general in respect of Performance Management.

Resolved: (a) That the Presentation be received.

(b) That a report be considered at the next meeting of the Committee in relation to the use of the IDeA checklist.

772. * **INTERNAL AUDIT - PROGRESS**

A detailed report was submitted which sought approval to the format of future reports on Internal Audit progress against plan. The report further outlined the work undertaken by the Section during October and November 2005 and highlighted key issues raised.

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

(b) That the format and content of the report be used as a template for future reports.

773. * **RENEWAL OF INSURANCE 2006/07**

A report was submitted which outlined proposals for the renewal of the Council's insurances and which further reported that all existing long term agreements had not been broken.

Resolved:- That the information be received.

774. * **RISK MANAGEMENT STRATEGY**

A report was submitted detailing the current Risk Management Strategy and outlining proposals for next year's Risk Management Strategy.

Resolved:- (a) That the revised Risk Management Strategy as detailed in an appendix to the report be approved and adopted as Council policy.

(b) That the Strategy be reviewed again in six months and annually thereafter.

775. * **DISCLOSURE OF EXEMPT INFORMATION**

Resolved:- That the public be excluded from the meeting during consideration of the following items by reason of the likely disclosure of exempt information as defined in paragraphs 1 and 8 in Part 1 of Schedule 12A of the Local Government Act 1972.

776. * **CONTACT CENTRE – CUSTOMER SERVICES TEAM LEADERS AND AGENTS**

A report was submitted proposing the grades for the posts of Team Leader and Agent which had been subject to the Job Evaluation process.

Resolved:- (a) That the grades of the posts of Customer Services Team Leader and Agents be approved, as outlined in the report.

(b) That further reports be submitted to establish the posts when the budget implications had been approved.

777. * **INSURANCE FUND**

A report was submitted outlining the financial status of the Insurance Fund and detailing the categories of claims that were funded from the Fund, in particular new areas not now covered by insurance. The report also gave details of an actuarial review recently carried out.

Resolved:- That the report be received.

J MacMILLAN
Chair

*Printed for information

HEALTH SCRUTINY SUB-COMMITTEE

18 January 2006

Present:- Councillor A A Clarke in the Chair

Councillors Mrs Blake, Mrs Deakin, Dolman and Mrs Speed

Mrs Johnson and Mr Thomasson representing PPI H Forum
Mr Ashbolt, Mr Rogerson and Dr Bridgman representing Newcastle PCT

778. * **MINUTES OF PREVIOUS MEETING**

Resolved:- That the minutes of the meeting of this Sub-Committee held on 5 October 2005 be agreed as a correct record.

779. * **HEALTH REFORM IN ENGLAND**

Consideration was given to a report asking for Members' comments on issues relating to consultation on Ambulance Service Configuration, Strategic Health Authority Configuration and Primary Care Trusts' Configuration.

Resolved: (a) That the Scrutiny Committee be informed that this Sub-Committee supports the Ambulance Service Configuration remaining unchanged.

(b) That the Scrutiny Committee be informed that this Sub-Committee supports Option Two of the Primary Care Trust's Configuration.

780. * **REPORT FROM DIRECTOR OF FINANCE AND PERFORMANCE
MANAGEMENT TRUST BOARD MEETING – 8 NOVEMBER 2005
MANAGEMENT OF 2005/06 FINANCIAL PLAN**

Members considered a report summarising the Trust's performance from 1 April to 30 September 2005 against financial targets.

Resolved:- That the information be received.

781. * **MINUTES OF THE STAFFORDSHIRE HEALTH SCRUTINY COMMITTEE**

Resolved:- That the minutes of the Staffordshire Health Scrutiny Committee meeting held on 16 November 2005 be received.

782. * **KNUTTON AND CROSS HEATH DEVELOPMENT**

Consideration was given to a report on the progress of the proposed Milehouse Health Centre on Lower Milehouse Lane.

Resolved:- That the information be received.

783. * **CONSULTATION RE PCT, AMBULANCE SERVICE AND STRATEGIC HEALTH AUTHORITY CONFIGURATIONS**

Mr Rogerson and Mr Ashbolt of Newcastle-under-Lyme PCT discussed the proposals with Members stating that they supported the decisions reached by this Sub-Committee under the 'HEALTH REFORM IN ENGLAND' heading of these minutes

Resolved:- That the information be received.

784. * **KNUTTON GP SERVICES**

Mr Ashbolt and Mr Rogerson of Newcastle-under-Lyme PCT briefed Members on proposals for Knutton GP Services once the Milehouse Health Centre was in operation. It was stated that some minor surgery would be taking place and that patients may need to re-register at the new centre.

Resolved:- That the information be received.

785. * **MULTI-AGENCY CENTRES**

Dr Bridgman informed Members of the situation regarding funding of the above centres which finishes at the end of the current financial year. Negotiations were underway with Staffordshire County Council but Members were requested to raise concerns about this issue.

Resolved:- That the comments be noted.

A A CLARKE
Chair

*Printed for information

THE CABINET

25 January 2006

Present:- Councillor Leech in the Chair

Councillors Mrs Astle, Bentley, Finnemore, Tatton and Williams

786. * **INTEGRATED CAPITAL AND REVENUE BUDGETS STRATEGY 2005/06 (REVISED) 2006/07 (ORIGINAL) AND LATER YEARS (FORECAST)**

Consideration was given to a report reviewing progress in preparing the Council's Service Plan and Financial Budgets for 2006/07 and later years and detailing options available to assist in agreeing budget proposals for submission to the Scrutiny Committee to enable an 'affordable' budget to be set.

Resolved:- (a) That the assumptions set out in the report be approved.

(b) That, having taken into account the risks set out in the Risk Register, the Cabinet approve the draft Budget.

(c) That the matter be referred to the Scrutiny Committee for its comments on the draft Budget and Council Tax proposals and associated risk assessment.

787. * **DISCLOSURE OF EXEMPT INFORMATION**

Resolved:- That the public be excluded from the meeting during consideration of the following items by reason of the likely disclosure of exempt information as defined in paragraphs 8 and 11 in Part 1 of Schedule 12A of the Local Government 1972.

788. * **REGENERATION AND PLANNING SERVICES IMPROVEMENT PLAN**

Consideration was given to a report seeking approval to measures to improve the performance and quality of the Regeneration and Planning Services and the establishment of a new staffing structure to address the problems of recruitment and retention of staff.

Resolved:- (a) That the measures proposed to improve performance and quality of the Regeneration and Planning Services be approved as detailed in the report.

(b) That the new Regeneration and Planning Services establishment structure be approved for consultation with staff and the Trade Unions and any matters of serious concern reported back for consideration by the Cabinet.

(c) That the request for voluntary retirement of the holder of post F2 be approved in principle as at 31 March 2006 with appropriate added years and referred to the Audit and General Purposes Committee.

D A LEECH
Chair

*Printed for information

SCRUTINY COMMITTEE

1 February 2006

Present:- The Worshipful the Mayor (Councillor C Brooks)

Councillor Mrs Hambleton in the Chair

Councillors Astle, Mrs Beech, Becket, Mrs Blake, Mrs Braithwaite, Mrs Butler, Clarke A A, Clarke D, Clarke M R, Cooper, Chrzanowski, Mrs Deakin, Dolman, Fear, Fox, Hambleton, Mrs Heames, Holland, Howells, Ince, Jones, Lawton, Lefroy, Mrs Lench, Mrs Lewis, MacMillan, Mrs Maddox, Matthews, Mrs Maxfield, Mrs Moss, Mrs Myatt, Mrs Naylor, Olszewski, Mrs Phillips, Miss Reddish, Mrs Salt, Mrs Simpson, Sinnott, Mrs Speed, Studd, Tagg, Miss Walklate, Whieldon, Wilkes and Mrs Williams

789. * **MINUTES OF PREVIOUS MEETING**

Resolved:- That the minutes of the meeting of this Committee held on 4 January 2006 be approved as a correct record.

790. * **PLANNING COMMITTEE – TERMS OF REFERENCE**

Consideration was given to a report requesting consideration to a proposed amendment to the Terms of Reference of the Planning Committee to include the Council's powers and duties relating to local development documents which are Development Plan documents, the reasons for which were submitted.

Resolved:- That it be recommended to the Council that the powers and duties relating to local development documents which are Development Plan documents be included within the Terms of Reference of the Planning Committee.

791. * **INTEGRATED CAPITAL AND REVENUE BUDGETS STRATEGY 2005/06 AND LATER YEARS**

Consideration was given to a report detailing the Cabinets proposals for the 2006/07 budget and requesting comments on specific issues raised.

Resolved:- That the following recommendations be made to the Cabinet:

(a) the increase in Council Tax for 2006/07 should be not more than 5%.

(b) the Council provide for the service improvements and other changes set out in the forecast for 2006/07.

(c) no other service improvements be considered at the present time.

(d) the Officers recommendations for the prudent use of reserves be supported.

(e) the Budget Support Fund be used to reinstate the Community Chest to £30,000 at the end of 2005/06.

(f) the Budget Task and Finish Group be retained with its work to commence as soon as possible and to include a review of the ongoing outturn figures on a quarterly basis.

792. * **NOMINATION OF NON-EXECUTIVE MEMBER TO PARTICIPATE IN SCRUTINY WORKSHOPS**

Resolved:- That Councillor MacMillan be nominated as a Non-Executive Member to participate in a second series of Scrutiny Workshops conducted by the Member Peer Mentoring Programme as part of the Staffordshire Plus Partnership.

793. * **HEALTH REFORM IN ENGLAND (439/06)**

Consideration was again given to the consultation papers issued by the Department of Health in respect of the provision of future ambulance services and the configuration of Primary Care Trusts (PCTs).

Resolved:- That the previous decision of Committee be reaffirmed as follows:-

(a) That this Council objects to the proposed reform of the ambulance service and wishes to seek the retention of the Staffordshire Ambulance Services.

(b) That evidence be sought from the Department of Health that will confirm that the proposed changes in the configuration of the Primary Care Trust will deliver service improvements.

794. * **TRANSPORT SCRUTINY WORKING PARTY**

Consideration was given to a report of the Transport Scrutiny Working Party including proposals for the parallel and symmetrical widening of the M6.

Resolved:- That Cabinet be recommended to make the following response to the consultation on the M6 widening proposals:

(a) That Council reaffirms its decision of August 2004 that it does not support the concept of an M6 Expressway and, therefore, by implication, Parallel Widening as both of these proposals incorporate too much new land being given up for highway purposes.

(b) That this Council condemns the current, flawed, consultation procedure for the M6 being carried out by the Highways Agency. We ask that the senior officer from the Department for Transport attend a meeting of this council, in the very near future, to explain the procedures that the Highways Agency is following and to hear the views of Members.

(c) That the Highways Agency be requested to convene a number of well advertised public meetings, to be held at their expense, in each community, along the route of the M6 for residents and all interested parties, to express their views on the matter.

(d) That this Council does continue to support the original MIDMAN proposals and awaits the results of the updated MIDMAN study before

deciding upon any new proposals for the M6. In the meantime Council urges the Minister to ensure that the best use is made of the existing transport network by active route management of the entire corridor including the M6 and public transport links in the area. Government should also use every power available to them to ensure that all forms of non-road transport and rail freight in particular is developed and promoted.

(e) That this Council continues to support limited upgrades to the existing M6 to remove known problem areas and bottlenecks and asks that advance landscaping and planting are undertaken in order to have mature screening in place for whatever highway works take place.

795. * **REQUEST FOR INFORMATION SUBMITTED BY THE LIBERAL DEMOCRAT GROUP**

Consideration was given to the written responses given by Officers in respect of a number of questions relating to the future swimming provision in the Borough. A further verbal response was made by Officers.

Resolved:- That all Members receive a written copy of the Officers' response.

796. * **CABINET DECISIONS**

Details were submitted of all non-confidential decisions made by Cabinet at its meeting held on 11 January 2006 upon which Members were invited to comment.

Resolved:- That the decisions of Cabinet referred to above, and not subject to call-in, be noted.

797. * **FORWARD PLAN**

No comments were received on this matter.

798. * **DISCLOSURE OF EXEMPT INFORMATION**

Resolved:- That the public be excluded from the meeting during consideration of the following item by reason of the likely disclosure of exempt information as defined in paragraphs 1, 5, 7, 8 and 9 in Part 1 of Schedule 12A of the Local Government Act 1972.

799. * **CONFIDENTIAL CABINET DECISIONS – 11 JANUARY 2006**

Details were submitted of confidential decisions made by Cabinet at its meeting held on 11 January 2006 upon which Members were invited to comment.

Resolved:- That the confidential decisions of Cabinet made on 11 January 2006 and not subject to call-in be noted.

MRS S HAMBLETON
Chair

*Printed for information

LICENSING SUB-COMMITTEE

8 August 2005

Present:- Councillor Mrs G Williams in the Chair

Councillors Mrs Blaise and Fox

Clerk – Mr P R Washington

Mr P Dobson - Punch Taverns

Mr P Carey - Licensee

Newcastle Borough Council

Mr G Blakey – Environmental Health Officer

Mr A Snow – Technical Officer - Environmental Health

800. * THE JOLLY POTTERS, CRACKLEY BANK, CHESTERTON

Issues

Representations had been submitted by the Head of Community Services and local residents following negotiations between the parties the conditions to be attached to a licence were agreed leaving only the representations submitted by local residents outstanding.

Decisions

The Sub-Committee having taken into account the Local Authorities Licensing Policy and also the guidance issued under the Act and also having considered the relevant representation(s) and having listened to the arguments and, subject to the conditions referred to, the Committee granted a variation of the licence for the premises on the following basis:-

The supply of alcohol from Monday to Saturday inclusive 10am until 12 midnight and Sunday 12 noon until 11.30pm with the premises to be open to the public for an extra 30 minutes on each of those closing times on each day. With regard to the hours applied for on special occasions, the Committee were not disposed to grant the same.

The conditions which the Committee were disposed to impose in addition to the mandatory and embedded conditions were:-

i) General

- (a) The Premises will close to the public one hour after licensable activities cease.

- ii) The prevention of crime and disorder
 - (a) Lighting shall be provided to the front of the premises, within the car park and to the beer garden.
 - (b) The manager of the pub shall become a member of the local pubwatch scheme if a scheme is introduced locally.
- iii) Public Safety
 - (a) Staff shall be familiar with all licence requirements and conditions.
 - (b) Capacity levels shall be agreed with the fire safety officer of the Staffordshire Fire and Rescue Service.
- iv) The prevention of public nuisance
 - (a) The windows to the premises shall be closed and remain closed if music entertainment is provided after 1900 hours.
 - (b) The entry door to the premises shall remain closed to limit the escape of noise.
 - (c) Clear legible notices are to be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
 - (d) Noise from amplified music shall be inaudible at the boundary of the nearest noise sensitive premises.
 - (e) The outside drinking area shall be closed at 2200 hours.
 - (f) Prominent clear and legible notices shall be displayed at all exits requesting patrons to respect the needs of local residents and leave quietly.
 - (g) There shall be no regulated entertainment in the open air.
 - (h) The windows to the premises shall be locked when music entertainment is provided and curtains shall be closed when flashing lights of entertainment will cause light pollution and also to ensure that outside floodlights in the garden area do not cause such light pollution.
- v) The protection of children from harm
 - (a) Access of children shall not be permitted to the premises unless accompanied by a responsible adult.
 - (b) No children shall be permitted in the premises after 2130 hours.
 - (c) Any entertainment performance, service or exhibition involving nudity or sexual stimulation which would come within the

definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 shall not be provided.

MRS G WILLIAMS
Chair

*Printed for information

LICENSING SUB-COMMITTEE

24 August 2005

Present:- Councillor Mrs G Williams in the Chair

Councillors Fox and Miss Reddish

Clerk – Mr P R Washington

Newcastle Borough Council

Mr K Lawton - Principal Environmental Health Officer

Mr A Snow - Technical Assistant – Environmental Health

801. * **CLOUGH HALL HOTEL**

Issues

Representation had been submitted by the Head of Community Services.

Decision

The Sub-Committee having taken into account the Licensing Policy and the Guidance issued under Section 182 of the Act and the fact that the Police had no objections and having considered the relevant representation, the Sub-Committee granted the conversion and approved the variation subject to the conditions referred to below:-:

Hours Premises are Permitted to Sell Alcohol

Monday to Thursday	11.00am until 11.00pm
Friday and Saturday	11.00am unit Midnight
Sunday	Noon until 11.00pm

Hours Premises are Permitted to be Open to the Public

Monday to Thursday	11.00am until 11.30pm
Friday and Saturday	11.00am until 00.30am
Sunday	Noon until 11.30pm

Christmas Eve and Boxing Day only: 11.00am until midnight

In addition to the mandatory and embedded conditions the conditions imposed by the Committee were as follows:-

i) Crime and Disorder

- (a) Any person exercising a security function shall be licensed by the security industry authority.

- (b) Such a person will be employed at the premises at the discretion of the designated premises supervisor/holder of the premises license.
 - (c) Any person defined in condition (1) will clearly display his name badge at all times whilst on duty.
 - (d) No customers apparently carrying open bottles upon entry shall be admitted to the premises at any times that the premises are open to the public.
 - (e) Where CCTV is installed with recording facilities such recordings shall be retained for a period of 30 days and made available within reasonable time upon request by the police.
 - (f) Alcoholic and other drinks may not be removed from the premises in open save for consumption in any external area provided for that purpose.
- ii) The Prevention of Public Nuisance
- (a) Prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
 - (b) Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
 - (c) A one way system shall be introduced for the car park and appropriate signs shall be displayed advising patrons of such.
 - (d) The car park entrance to the left of the car park (adjacent to No 3 Clough Hall Road) shall be for entrance only.
 - (e) The Beer Garden shall not be used after 11.00pm.
- iii) The Protection of Children From Harm
- (a) Children under the age of 16 shall not be permitted after 9.00pm.

MRS G WILLIAMS
Chair

*Printed for information

LICENSING SUB-COMMITTEE

25 August 2005

Present:- Councillor Hambleton in the Chair

Councillors Mrs Blaise and Fox

Clerk – Mr P Clisby

T Evans, Mrs H Butler, Mr A Butler, M J Hodgkinson - Talke Pits Residents

Mr P Burke – Pyramid Pub MC

Mr L Gill – Licensee King William

Newcastle Borough Council

Mr K Lawton – Principal Environmental Health Officer

802. * **KING WILLIAM IV, HIGH STREET, TALKE PITS**

Decision

The Sub-Committee resolved that the conversion of the premises licence be approved. Regarding the application for variation, the Sub-Committee having taken into account the Licensing Act 2003, the Council's statement of Licensing Policy and the guidance issued under the Act and having considered the licensing objectives, in particular that relating to the prevention of public nuisance did not believe that the problems raised could be adequately controlled by conditions, and on that basis the application for variation was refused.

T HAMBLETON
Chair

*Printed for information

LICENSING SUB-COMMITTEE

7 September 2005

Present:- Councillor Mrs Williams in the Chair

Councillors Holland and Mrs Lewis

Mr Blakeman	Licensee, Blakey's
Staffordshire Police	
Ms S Sant	Licensing
Ms L Roberts	
Inspector J Moore	
Mr H Aoulick	Solicitor
Mr G Samuel	Counsel

803. * **BLAKEY'S CAFÉ BAR, PARADISE STREET, NEWCASTLE**

Issues

Concerns were expressed by the Police that there was a danger of longer opening hours causing migration of customers towards the premises after other premises had closed.

Decision

That the application for conversion be granted. With regard to the variation application, the Sub-Committee took into account the Licensing Act 2003, the Council's Statement of Licensing Policy and the Guidance issued under Section 182 of the Act and also the fact that the Environmental Health Officers have no objection to the application.

The Sub-Committee considered the relevant Licensing objectives and also the relevant representations and listened to the arguments and were persuaded that to grant hours in excess of what the Sub-Committee propose would fail to promote the licensing objectives.

The Sub-Committee granted a variation of the licence for the premises on the following basis:

Hours Premises Permitted to Supply Alcohol

The supply of alcohol from Monday to Sunday inclusive 10am until midnight.

Hours Premises Permitted to be Open to the Public

The Sub-Committee granted the hours applied for on special occasions.

The Conditions which the Sub-Committee imposed in addition to the mandatory and embedded conditions were:-

- 1) The prevention of crime and disorder
 - (a) There shall be clear, prominent and legible notices that the “Behave or be Banned” Scheme shall operate throughout this establishment.
 - (b) The DPS shall be a member of the pub watch scheme.
 - (c) At least one door supervisor shall be on duty on Friday and Saturday evening from 8.30pm.
 - (d) Door supervisors shall be licensed by the Security Industry Authority.
 - (e) The DPS will keep a written log of the persons working as door supervisors including their name, address, contact details and SIA registration details. This will be kept for 2 years and be available for inspection by the police and Local Licensing Authority.
 - (f) Staff shall be trained in all the licence requirements and conditions, and the requirements of the Licensing Act 2003.
 - (g) A register of refused sales and entry will be maintained and be available for inspection by the local licensing authority, trading standards or the police.
- 2) Public Safety
 - (a) An annual risk assessment will be undertaken and steps will be taken to comply with this. A copy of the risk assessment will be available for inspection by the local licensing authority or the police.
 - (b) Staff will receive training in Health and Safety training.
- 3) The prevention of public nuisance
 - (a) No person will be allowed to leave the premises with open containers of alcohol.
 - (b) No person shall be allowed to enter or leave the premises with open containers of alcohol.
- 4) The protection of children from harm
 - (a) “Challenge 21” shall operate within the premises, such that any persons appearing to be under 21 years of age shall be asked to produce either a passport, photo card driving licence, citizen card or connexions card.
 - (b) Persons under 18 shall not be allowed into the premises unless accompanied by a parent or appropriate adult.

- (c) Children under the age of 16 shall be restricted from the premises after 19.30pm.
- (d) A No Smoking police shall be requested where a private party is planned by a customer where children are to be on the premises.

MRS G WILLIAMS
Chair

*Printed for information

LICENSING SUB-COMMITTEE

12 September 2005

Present:- Councillor Mrs G Williams in the Chair

Councillors Mrs Heames and Slater

Clerk – Mr P R Washington

Ms J Spence - Solicitor for Bradwell WMC

Mr S Denning - Bradwell WMC

Mr H Whittingham - Objector

Mr J Parry - Objector

804. * **BRADWELL WMC, BRADWELL, NEWCASTLE**

Issues

Representations had been received from a number of interested parties two of whom gave evidence.

Decision

The Sub-Committee approved the conversion of the premises licence.

With regard to the application for variation, the Sub-Committee, having taken into account the Licensing Act 2003, the Council's Statement of Licensing Policy and the Guidance issued under Section 182 of the Act and also the fact that neither the Environmental Health Officers nor the Police have any objection to the application and having considered the relevant licensing objections and in particular that relating to public nuisance and also the relevant representations, decided that to grant the extension applied for would fail to promote the licensing objectives.

The Sub-Committee had therefore decided to refuse the application.

MRS G WILLIAMS
Chair

*Printed for information

LICENSING SUB-COMMITTEE

26 September 2005

Present:- Councillor Hambleton in the Chair

Councillors Fox and Slater

Clerk – Mr P R Washington

Newcastle Borough Council

Mr G Blakey – Environmental Health Officer

Mr A Snow – Technical Environmental Health Officer

805. * **WOLSTANTON CONSERVATIVE CLUB, LILY STREET, WOLSTANTON**

Issues

A representation had been made by the Head of Community Services. Following negotiations between the parties, the conditions to be attached to the licence had been agreed.

The Sub-Committee having taken into account the Licensing Act 2003, the Council's Statement of Licensing Policy and the guidance issued under Section 182 of the Act and also the fact that the Police had no objection to the application.

Decision

The Sub-Committee having listened to details of the agreement made between the Environmental Health Officers and the applicant resolved that the conversion of the granted and also a variation of the licence for the premises be granted on the following basis:-

Licensable Activities to take place as follows:-

Live music from 8.00pm until Midnight Friday to Sunday inclusive with the supply of alcohol from 11.00am Monday to Sunday inclusive subject to terminal hours being Sunday to Thursday Sunday to Thursday 11.30pm and Friday and Saturday 1.00am the following day.

The condition subject to which the Licence was varied in addition to the mandatory and embedded conditions was that noise from amplified music shall be inaudible at the boundary of the nearest noise sensitive premises.

T HAMBLETON
Chair

*Printed for information

LICENSING SUB-COMMITTEE

26 September 2005

Present:- Councillor Hambleton in the Chair

Councillors Fox and Mrs Williams

Clerk – Mr P R Washington

Mr C Brookes }
Mrs J Brookes } Objectors

Newcastle Borough Council

Mr G Blakey Environmental Health Officer

Mr A Snow Technical Officer, Environmental Health

806. * **APPLICATION FOR PREMISES LICENCE -
SILVER BIRCH, 129-131 CHURCH STREET, SILVERDALE**

Issues

Representations had been made by both the Head of Community Services and a number of interested parties.

Decision

The application for conversion was approved. Regarding the application for variation the Sub-Committee having taken into account the Licensing Act 2003, the Council's Statement of Licensing Policy and the Guidance issued under Section 182 of the Act and also the fact that the Police have no objections to the application.

The Sub-Committee having considered the relevant licensing objectives, the relevant representation(s) and the evidence given resolved that the conversion of the licence be approved. With regard to the application for variation, the Sub-Committee were persuaded that to grant the extension would fail to promote the licensing objectives particularly those in relation to public nuisance and crime and disorder.

The Sub-Committee therefore resolved to refuse the application for variation of the premises.

**T HAMBLETON
Chair**

*Printed for information

LICENSING SUB-COMMITTEE

29 September 2005

Present:- Councillor Hambleton in the Chair

Councillors Fox and Mrs Williams

Clerk – Mr P R Washington

Mr R Ricks – Barrister for the applicant

Newcastle Borough Council
Miss J Roberts – Planning Officer

807. * **FLAMES, LIVERPOOL ROAD, KIDSGROVE**

Issues

The Sub-Committee considered the requirement for Planning Permission as a preliminary issue and took into account the following matters:-

1. The representations made on behalf of the applicant.
2. The views of the Council's Planning Officer.
3. The planning representations in particular the restriction of the hours of operation of the premises and the reasons given for that decision.
4. The Council's Statement of Licensing Policy 3.11.

Decision

That the application be refused on the ground that the premises did not hold the appropriate planning permission for the proposed activity.

T HAMBLETON
Chair

*Printed for information

LICENSING SUB-COMMITTEE

30 September 2005

Present:- Councillor Hambleton in the Chair

Councillors Mrs Deakin and Slater

Clerk – Mr P R Washington

Mr A Matin - Applicant

808. * **BILASH RESTAURANT, 22 HIGHERLAND, NEWCASTLE**

Issues

Representations had been received from a number of interested parties but they were not present or represented at the hearing.

Decision

The Sub-Committee having considered the relevant licensing objectives, the relevant representation(s) and also the views expressed by the applicant, resolved to grant a variation of the licence for the premises on the following basis:

Licensable Activities to take place from Sunday to Thursday inclusive 10.00am until 1.00am the following day and Friday and Saturday 10.00am until 2.00am the following day with the premises to be open for a further 30 minutes on these times on each day.

The condition subject to which the licence was varied in addition to the mandatory and embedded conditions was that no children be allowed on the premises when accompanied by a responsible adult.

**T HAMBLETON
Chair**

*Printed for information

LICENSING SUB-COMMITTEE

14 October 2005

Present:- Councillor Mrs Williams in the Chair

Councillors Mrs Blaise and Holland

Clerk – Mr P Washington

Mr J Mountford – Licensee

Newcastle Borough Council

Mr G Blakey – Environmental Health Officer

Mr A Snow – Technical Officer, Environmental Health

809. * DUNKIRK TAVERN, DUNKIRK, NEWCASTLE

Issues

Representations had been submitted by both Trading Standards and the Head of Community Services.

Decision

The Sub-Committee having considered the representations and the views expressed by the applicant granted the conversion of the Premises Licence and approved the application for variation as follows:-

Hours Licensable Activities Permitted

Sunday to Thursday inc	10.00 until 23.00
Friday and Saturday	10.00 until 23.30

Hours Premises Permitted to be open to Public

Sunday to Thursday inc	10.00 until 23.30
Friday and Saturday	10.00 until 00.00

With regard to the hours applied for on special occasions, the Sub-Committee resolved to grant an extra 1 hour on the occasions of Christmas Eve and Boxing Day and New Years Eve as applied for.

The conditions imposed by the Sub-Committee in addition to the mandatory conditions are:-

i) General

- (a) The premises will close to the public one half hour after licensable activities cease.

- ii) The Prevention of Crime and Disorder
 - (a) No customers carrying open bottles upon entry shall be admitted to the premises at any times the premises are open to the public.
 - (b) Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
- iii) Public Safety
 - (a) To comply with any requirements of Staffordshire Fire and Rescue Services Officer.
 - (b) To comply with any requirements that the Building Control Officer stipulates.
- iv) The Prevention of Public Nuisance
 - (a) Prominent, clear and legible notices shall be displayed at all exits requesting that patrons respect the needs of local residents and to leave the premises area quietly.
 - (b) Noise and/or vibration will not emanate from the premises so as to cause a nuisance to nearby properties.
- iv) The Protection of Children From Harm
 - (a) Any entertainment performance, service or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 shall not be provided.
 - (b) No children under the age of 16 shall be permitted in the premises after 21.00 hours.
 - (c) No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
 - (d) That staff shall be fully trained as to their responsibilities under the Act.
 - (e) Records shall be kept of all under aged persons refused admittance to the premises.

MRS G WILLIAMS
Chair

*Printed for information

LICENSING SUB-COMMITTEE

17 October 2005

Present:- Councillor Hambleton in the Chair

Councillors Chrzanowski and Miss Reddish

Clerk – Mr P R Washington

Mr A D Hancock – Licencee

Mr A W James – Union Pub Company

Mr M Lovatt - Director

Inspector Moore	}	Newcastle Police
Sargeant I Hancock		
Sargeant D Losh		
Mr L Roberts		
Mr F Peel		

Ms C Ventum Counsel for Police

810. * THE ALBION, HIGH STREET, NEWCASTLE

Issues

Representations had been received from the Police and they were represented at the hearing.

Decision

The Sub-Committee having considered the representations and the evidence given and also the views expressed by the applicant, resolved that the conversion of the licence be approved. The variation was also approved for the following hours and subject to the conditions set out below:-

Hours Premises are Permitted to Undertake Licensable Activities

Monday, Tuesday & Thursday	10.00am until midnight
Wednesday & Sunday	10.00am until 01.00am
Friday and Saturday	10.00am until 01.30am

Hours Premises are Permitted to be Open to the Public

Monday, Tuesday & Thursday	10.00am until 00.30am
Wednesday & Sunday	10.00am until 01.30am
Friday & Saturday	10.00am until 02.00am

With regard to the hours applied for on special occasions the Committee resolved to grant an extra hour on the occasions of Christmas Eve, Boxing Day and New Year's Eve only.

The conditions subject to which the licensee was varied in addition to the mandatory conditions are as follows:

- i) General
 - (a) The premises shall close one half hour after the cessation of licensable activities.
- ii) The prevention of crime and disorder
 - (a) No customers carrying open bottles upon entry shall be admitted to the premises at any times the premises are open to the public.
 - (b) Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.
 - (c) To adopt an Over 24 policy after 10.00pm and to refuse admission to all persons appearing to be under the age of 24.
 - (d) That the operational strategy proposed by the applicant, so far as it is not inconsistent with the Committee decision, be implemented.
- iii) Public Safety
 - (a) Any requirements of Staffordshire Fire and Rescue Officer notified in writing shall be complied with.
 - (b) Any requirements that the Newcastle under Lyme Borough Council building control officer notified in writing shall be complied with.
- iv) The prevention of public nuisance
 - (a) Prominent, clear and legible notices shall be displayed at all exits requesting that patrons respect the needs of local residents and to leave the premises area quietly.
 - (b) Noise and/or vibration will not emanate from the premises so as to cause a nuisance to nearby properties.
- v) The protection of children from harm
 - (a) Any entertainment performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 shall not be provided.
 - (b) No children under the age of 16 shall be permitted in the premises after 21.00 hours.
 - (c) No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.

**T HAMBLETON
Chair**

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LICENSING SUB-COMMITTEE

18 October 2005

Present:- Councillor Hambleton in the Chair

Councillors Mrs Lewis and Miss Reddish

Clerk – Mr P R Washington

Mr Boon - Counsel, Staffordshire Police
Inspector Moore - Staffordshire Police
Mr R Clayton - Area Manager, W & D Breweries

811. * BULLS VAULTS, HASSELL STREET, NEWCASTLE

Issues

Representations had been received from the police who expressed concerns that longer opening hours could cause migration of customers towards the premises after other premises had closed.

Decision

The Sub-Committee having considered the evidence given and the view expressed on behalf of the applicant resolved that the conversion be approved and a variation of the licence for the premises be approved on the following basis:

Hours for Licensable Activities

Monday & Tuesday 10.00am until 11.30pm
Wednesday to Saturday 10.00am until 1.00am in the following morning
Sunday Noon until 10.30pm

Hours Premises Permitted to be Open to the Public

Monday & Tuesday	10.00am until midnight
Wednesday to Saturday	10.00am until 1.30am in the following morning
Sunday	Noon until 11.00pm

With regard to the hours applied for on special occasions the Committee granted an extra hour on the occasion of Christmas Eve and Boxing Day only and an extra two hours on New Year's Eve.

The conditions which the Committee are disposed to impose in addition to the Mandatory conditions are as follows:

Licensing Sub – 18/10/05

- i) General
 - (a) The premises will close to the public one half hour after licensable activities cease.

- ii) The prevention of crime and disorder
 - (a) No customers carrying open bottles upon entry shall be admitted to the premises at any times the premises are open to the public.
 - (b) Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.

- iii) Public Safety
 - (a) Any requirements of Staffordshire Fire and Rescue Officer notified in writing shall be complied with.
 - (b) Any requirements that the Newcastle-under-Lyme Borough Council building control officer notified in writing shall be complied with.

- iv) The prevention of public nuisance
 - (a) Prominent, clear and legible notices shall be displayed at all exits requesting that patrons respect the needs of local residents and to leave the premises area quietly.
 - (b) Noise and/or vibration will not emanate from the premises so as to cause a nuisance to nearby properties.

- v) The protection of children from harm
 - (a) Any entertainment performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 shall not be provided.
 - (b) No children under the age of 16 shall be permitted in the premises after 22.00hours.
 - (c) No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.

**T HAMBLETON
Chair**

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LICENSING SUB-COMMITTEE

19 October 2005

Present:- Councillor Mrs G Williams in the Chair

Councillors Chrzanowski and Fox

Clerk – Mr P Washington

Ms S Martin, Mr C Redfern, Mr T Dockree, J Brookfield, Mr H Myatt - residents

Mr D A Holmes – Newcastle and Hartshill Cricket Club

Newcastle Borough Council

Mr A Snow – Technical Officer, Environmental Health

Mr G Blakey – Environmental Health Officer

812. * **NEWCASTLE AND HARTSHILL CRICKET CLUB, CLAYTON LANE, NEWCASTLE**

Issues

Representations had been submitted by both the Local Authority and a number of interested parties who resided in the vicinity of the premises expressing concerns about the likelihood of noise disturbance from patrons using the premises.

Decision

The Sub-Committee having considered the representations and the evidence given and also the views expressed on behalf of the applicant resolved that the conversion of the licence be approved. The variation was also approved on the following basis and subject to the conditions referred to:-

All licensable activities for the hours applied for, with live and recorded music from 7.00pm until the terminal hour for the provision of alcohol. Provision of alcohol from Sunday to Saturday inclusive 11.00am until 11.00pm.

The conditions subject to which the licence was varied in addition to the mandatory and embedded conditions were as follows:-

1) General

- (a) The premises shall close 20 minutes after the sale of alcohol ceases.

2) The Prevention of Crime and Disorder

- (a) External lighting shall be provided to the front of the premises and shall be maintained in effective working order.

- 3) Public Safety
 - (a) Fire fighting extinguishers, emergency lighting and illuminated exit signs shall be provided and maintained in effective working order.
- 4) The Prevention of Public Nuisance
 - (a) A member of staff shall patrol the exterior of the premises every hour during the provision of musical entertainment to minimise noise disturbance from the premises.
- 5)
 - (a) Clear prominent and legible notices shall be displayed at the premises advising patrons of the needs of local residents and not to cause undue disturbance.
 - (b) There shall be no regulated entertainment in the open air after 10.00pm.
 - (c) A member of staff shall regularly monitor the outside areas of the premises to ensure that noise is kept to an acceptable level.
 - (d) Noise from amplified music shall not emanate from the premises so as to cause undue disturbance to surrounding residents.
- 6) The Protection of Children From Harm
 - (a) Any entertainment performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 shall not be provided.

MRS G WILLIAMS
Chair

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LICENSING SUB-COMMITTEE

9 November 2005

Present:- Councillor Hambleton in the Chair

Councillors Fox and Holland

Clerk – Mr P R Washington

Mr D Forrester – Pool Dam Inn

Newcastle Borough Council

Mr A Snow – Technical Officer, Environmental Health

813. * POOL DAM INN, ORME ROAD, NEWCASTLE

Issues

Representations had been submitted by both Environmental Health and the Police. Following negotiations between the parties, the conditions to be attached to a licence had been agreed.

Decision

The Sub-Committee, having considered the views expressed by the parties, resolved that the variation of the Licence be approved subject to the following conditions:-

Hours Licensable Activities Permitted

Monday to Thursday	10.00 until 23.30
Friday and Saturday	10.00 until 00.30
Sunday	Noon until 23.30

Hours Premises Permitted to be Open to Public

Monday to Thursday	10.00 until Midnight
Friday and Saturday	10.00 until 1.00am
Sunday	Noon until midnight

The conditions imposed by the Sub-Committee in addition to the mandatory conditions are:

i) General

- (a) The premises shall close one half hour after licensable activities cease.

- ii) The Prevention of Crime and Disorder
 - (a) No customers carrying open bottles upon entry shall be admitted to the premises at any times the premises are open to the public.
 - (b) Alcohol and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose
- iii) Public Safety
 - (a) Any requirements of Staffordshire Fire and Rescue Officer notified in writing shall be complied with.
 - (b) Any requests from Newcastle-under-Lyme Borough Council Building Control notified in writing shall be complied with.
- iv) The Prevention of Public Nuisance
 - (a) Prominent, clear and legible notices shall be displayed at all exits requesting that patrons respect the needs of local residents and to leave the premises area quietly.
 - (b) Noise and/or vibration will not emanate from the premises so as to cause a nuisance to nearby properties.
 - (c) The beer garden shall be closed at 22.00 hours.
 - (d) Noise from the premises shall be inaudible at the boundary of the nearest sensitive premises.
 - (e) A noise limiter shall be installed and set at a level agreed with the Council's Head of Community Services.
- v) The Protection of Children From Harm
 - (a) Any entertainment performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 shall not be provided.
 - (b) No children under the age of 16 shall be permitted in the premises after 21.00 hours.
 - (c) No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification

**T HAMBLETON
Chair**

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LICENSING SUB-COMMITTEE

23 November 2005

Present:- Councillor Hambleton in the Chair

Councillors Cooper and Holland

Clerk – Mr P R Washington

Mr J Johnson – Barrister for Swallow Hotels Ltd

Ms S Vella – Old Swan Inn, Madeley Heath

814. * **OLD SWAN INN, CREWE ROAD, MADELEY HEATH**

Issues

Representations had been submitted by both Trading Standards and an interested party living in the vicinity of the premises.

Decision

The Sub-Committee having considered the representation(s) and the views expressed by the representative for the applicant resolved that the variation of the licence should be approved subject to the following conditions:-

Hours Licensable Activities Permitted

Monday to Thursday	10.00 until 23.30
Friday and Saturday	10.00 until 00.30
Sunday	Noon until 23.30

Hours Premises Permitted to be Open to Public

Monday to Thursday	10.00 until Midnight
Friday and Saturday	10.00 until 01.00
Sunday	Noon until Midnight

With regard to the hours applied for on special occasions, the Sub-Committee resolved to grant an extra 1 hour on the occasions of Christmas Eve and Boxing Day.

The conditions imposed by the Sub-Committee in addition to the mandatory conditions were as follows:-

- i) General
 - (a) None.

- ii) The Prevention of Crime and Disorder
 - (a) There shall be a dummy CCTV system installed at the premises.
 - (b) A clear, prominent and legible notice shall be displayed advising patrons that CCTV is in operation.
- iii) Public Safety
 - (a) There shall be a risk assessment carried out every 3 months regarding public safety precautions. Such risk assessment shall be kept for a period of 12 months and be readily available for inspection by authorised officers.
- iv) The Prevention of Public Nuisance
 - (a) Clear, prominent and legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
- v) The Protection of Children From Harm
 - (a) Children under the age of 16 shall not be permitted after 21.00 hours.
 - (b) Access of children shall not be permitted to the premises unless accompanied by a responsible adult
 - (c) All existing staff and new staff to be trained in observing and enforcing the licensing laws in particular refusing to serve alcohol to anyone appearing to be under the age of 18 unless they can provide evidence that they are over that age.
 - (d) Noise from any amplified music shall be inaudible at the boundary of the nearest noise sensitive premises.

**T HAMBLETON
Chair**

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LICENSING SUB-COMMITTEE

14 December 2005

Present:- Councillor Hambleton in the Chair

Clerk – Mr P R Washington

Councillors Chrzanowski and Mrs Deakin

Mr D Clarke – representative for residents

815. * **LONDON ROAD TAVERN, LONDON ROAD, NEWCASTLE**

Issues

Representations had been received from residents within the vicinity of the premises concerning the prevention of public nuisance.

Decision

The Sub-Committee having taken into account the Licensing Act 2003, the Council's Statement of Licensing Policy and the guidance issued under Section 182 of the Act and also the fact that neither the Environmental Health Officers nor the Police had any objection to the application.

We had considered the relevant licensing objectives and also the relevant representation(s) and had listened to (the arguments) and were persuaded that to grant the hours set out below would not offend the licensing objectives. To grant additional hours could fail to promote the objective relating to the prevention of public nuisance. Therefore subject to the conditions set out below, the Committee granted a licence for the premises on the following basis:

The supply of alcohol from Monday to Thursday inclusive 12 noon until 12 midnight. Friday and Saturday 12 noon until 12.30am and Sunday 12 noon until 11.00pm with the premises to be open to the public for a further 30 minutes on those times on each day. With regard to the hours applied for on special occasions, the Committee were disposed to grant an extra 1 hour except that in the case of New Years Eve the premises may remain open until 2.00am.

The conditions which the committee were disposed to impose in addition to the mandatory conditions are as follows:-

- i) The Prevention of Crime and Disorder
 - (a) Staff shall be familiar with all licence requirements and conditions.
 - (b) Staff shall be trained and be aware of all the requirements of the Licensing Act 2003.

- (c) Staff shall ask for photographic identification of anyone appearing to be under the age of 18 seeking to purchase alcohol.
 - (d) The DPS shall become a member of the Local Pub Watch scheme.
- ii) Public Safety
- (a) There shall be training in health and safety, including fire safety, such training shall be ongoing and a log kept of all such training for inspection by authorised officers.
- iii) The Prevention of Public Nuisance
- (a) All windows and doors shall be shut and remain so after 11.00pm.
 - (b) Clear prominent and legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
 - (c) All windows on the lower floor of the premises shall be tripled glazed.
 - (d) Noise from music whether amplified or not shall be inaudible at the boundary of the nearest noise sensitive premises.
 - (e) Unaccompanied persons under the age of 18 shall not be allowed on the premises.
- iv) The Protection of Children From Harm
- (a) A 'no smoking' area of such a size and design that it genuinely provides a suitable area for customers and their children wishing to be separated from smoking areas shall be available.
 - (b) There shall be a policy of 'No ID No Sale' in operation in the premises such that anyone appearing to be under the age of 18 will not be served unless they produce a valid form of photographic identification.

**T HAMBLETON
Chair**