

Public Document Pack



**NEWCASTLE
UNDER LYME
BOROUGH COUNCIL**

PLEASE NOTE THAT PRAYERS WILL BE HELD AT 6.50PM BEFORE THE COMMENCEMENT OF THE BUSINESS OF THE COUNCIL.

THE MAYOR REQUESTS THAT ANY MEMBER WISHING TO PARTICIPATE IN PRAYERS BE IN ATTENDANCE BY NO LATER THAN 6.45PM.

SUPPLEMENTARY AGENDA

Dear Sir/Madam,

You are summoned to attend the meeting of the Borough Council of Newcastle-under-Lyme to be held in the **Queen Elizabeth II & Astley Rooms - Castle House, Barracks Road, Newcastle, Staffs. ST5 1BL** on **Wednesday, 20th November, 2024** at **7.00 pm**.

B U S I N E S S

- 8 COMMITTEE MEMBERSHIP AND APPOINTMENTS TO OUTSIDE BODIES (Pages 3 - 6)**
- 9 STATEMENT OF THE LEADER OF THE COUNCIL (Pages 7 - 10)**
To receive a statement by the Leader of the Council on the activities and decisions of Cabinet and items included on the Forward Plan.
- 10 REPORTS OF THE CHAIRS OF THE REGULATORY COMMITTEES (Pages 11 - 14)**
- a) Planning Committee
 - b) Licensing and Public Protection Committee
 - c) Audit and Standards Committee
- 11 QUESTIONS TO THE MAYOR, CABINET MEMBERS AND COMMITTEE CHAIRS (Pages 15 - 16)**

Yours faithfully



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.

Fire exits are to be found at the side of the room leading into Queens Gardens.

On exiting the building Members, Officers and the Public must assemble at the statue of Queen Victoria. DO NOT re-enter the building until advised to by the Controlling Officer.

2. Mobile Phones

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

3. Notice of Motion

A Notice of Motion other than those listed in Procedure Rule 14 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 B5, Rule 4 of the Constitution of the Council.

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



NEWCASTLE-UNDER-LYME BOROUGH COUNCIL
CORPORATE LEADERSHIP TEAM'S REPORT TO

Council
20th November 2024

Report Title: Committee Membership and Appointment to Outside Bodies

Submitted by: Chief Executive

Portfolios: One Council, People & Partnerships

Ward(s) affected: All Wards

Purpose of the Report

To note a change in political proportionality of the Council and appoint a member to the Charity of Sir John Offley, Madeley.

Recommendation:

That Council:

- 1. Notes the change to political balance of the Council following a vacancy as a result of implementation of Section 85(1) of the Local Government Act 1972.**
- 2. Notes that as a result of this change, the seats allocated to the Conservative Party on the Finance, Assets and Performance Scrutiny Committee be increased by one seat, with a corresponding decrease of one seat for the Labour Party.**
- 3. Approves the nomination of a member of the Conservative Party to the Finance, Assets and Performance Scrutiny Committee.**
- 4. Notes that following a by-election for Madeley in July 2024, the Council is asked to nominate a Trustee to the Charity of Sir John Offley, and endorses the nomination of Cllr. Jill Whitmore to this position.**

Reasons

Following notification by the Monitoring Officer, this report seeks to comply with the political proportionality requirements in the Local Government and Housing Act 1989, following a change in political balance and appoint a Council trustee to an outside body.

1. **Background**

- 1.1 The Local Government and Housing Act 1989 (“the 1989 Act”) imposes political proportionality requirements in respect of the allocation of seats on ordinary committees to the political groups.
- 1.2 Specifically, section 15 of the Act requires that four principles be followed in allocating committee seats:-
 - a) All seats on a committee cannot be allocated to the same political group;
 - b) The majority of the seats on each committee should be allocated to the political group holding the majority of seats on the council;
 - c) Subject to (a) and (b) above, the number of seats on the total of all the ordinary committees of the council allocated to each political group should bear the same proportion to the proportion of their seats on the council;
 - d) Subject to (a), (b) and (c) above, the number of seats on each ordinary committee of the council allocated to each political group should bear the same proportion to the proportion of their seats on the council.
- 1.3 On account of the result of a change in membership in the Labour Group, there one seat on the Finance, Assets and Performance Scrutiny Committee will move from the Labour Group to the Conservative Group.

2. **Issues**

- 2.1 Following a period of a member’s absence from attending meetings of the Council for six months, the Monitoring Officer has notified that Section 85(1) of the Local Government Act 1972 (“the 1972 Act”) has been enacted. Consequently, a vacancy has arisen and therefore there has been a temporary change in political balance, which requires a change of 1 seat for the Finance, Assets and Performance Scrutiny Committee as set out in Section B1, paragraph 5.2 (j) of the Council’s Constitution.
- 2.2 Following the by-election for Madeley held in July 2024, the Clerk of the Charity of Sir John Offley has requested a nominee trustee for the charity. The charity is recognised as an outside body, with the nomination required to be a serving Madeley ward councillor. Cllr. Jill Whitmore has indicated her willingness to accept this position.

3. **Proposal**

- 3.1 That the changes referred to above be made.

4. **Reasons for Proposed Solution**

- 4.1 To comply with the political proportionality requirements of the Local Government and Housing Act 1989.

5. **Options Considered**

5.1 In order to be compliant with the terms of Section B1, paragraph 5.2 (i) of the Council's Constitution and the political proportionality requirements of the Local Government and Housing Act, no alternate options can be considered.

6. **Legal and Statutory Implications**

6.1 There are no additional legal or statutory implications associated with this decision.

7. **Equality Impact Assessment**

7.1 There is no direct equality impact and therefore an assessment is not required.

8. **Financial and Resource Implications**

8.1 Not applicable

9. **Major Risks**

9.1 There is a risk of inadequate representation at meetings of a Scrutiny Committee and an outside body if these positions are not filled. In respect of the Scrutiny Committee allocation, this will hold in force until the election of a councillor following the vacancy which has arisen.

10. **Sustainability and Climate Change Implications**

10.1 There are no direct implications arising from this report.

11. **Key Decision Information**

11.1 This is not a Key Decision.

12. **One Council**

Please confirm that consideration has been given to the following programmes of work:

One Commercial Council

One Digital Council

One Green Council

12.1 This report seeks a change of seat for the Finance, Assets and Performance Scrutiny Committee which is responsible for scrutinising how the Council plans for and uses its finances (including income generation) and other assets including staffing and assets related to digital delivery.

13. **Earlier Cabinet/Committee Resolutions**

13.1 Not Applicable.

14. **List of Appendices**

14.1 Not Applicable.

15. **Background Papers**

15.1 Not Applicable

STATEMENT OF THE LEADER OF THE COUNCIL TO FULL COUNCIL – 20th NOVEMBER 2024

Submitted by: Councillor Simon Tagg

Portfolio: All

Wards affected: All

Purpose of the Report

To provide an update to Members on the activities and decisions of Cabinet, together with the Forward Plan.

Recommendation

That the statement of the Leader of the Council be received and noted.

Reasons

To update Council Members on the activities and decisions of the Leader and Cabinet and to allow questions and comments to be made on the Statement.

1. **Cabinet Meetings**

Cabinet met on 15th October and 5th November, detailed below is a selection of decisions and other actions of the Leader and Cabinet since the last Leader's Statement.

2. **Newcastle Town Centre Regeneration Update**

The regeneration of Newcastle Town Centre on the back of the previous government's Levelling Up agenda is progressing with significant developments across three key sites: Midway, Astley Place (formerly York Place) and Ryecroft.

Cabinet has approved contracts to develop construction drawings, pricing and work programmes for each site, with Ryecroft divided into an Aspire Housing residential portion and a Capital & Centric led residential & Aparthotel. McCarthy & Stone will be submitting plans shortly for a residential development on their part of Ryecroft.

Partial demolition of the old York Place is well underway and expected to be complete by early 2025. Similarly, Midway will close in early 2025 when Castle Car Park opens, allowing development plans to come forward.

The Council will finance these projects, with development partner Capital & Centric purchasing them upon completion, thereby minimizing financial risk and transferring operational risk away from the Council.

Final authorisation to award construction contracts for the three sites will be made by Full Council at a future date.

3. **Contract Award for the Digital Infrastructure Project**

Plans to bring superfast fibre broadband to communities across the Newcastle Town Deal area (urban) were endorsed by Cabinet. This initiative will involve laying up to 50km of fibre

network to provide high-speed internet to homes, businesses and community centres ahead of what can be achieved by mainstream providers.

Investing in the local digital infrastructure will not only boost local growth and support small businesses but will also enhance the access to the internet for residents. It is intended that several community centres will serve as distribution hubs offering opportunities for residents to get online and learn new skills, with support from partners including Keele University

This project, alongside other developments such as the regeneration of Knutton village centre and the expansion of the Newcastle Enterprise Centre, reflects the Council's commitment to urban regeneration.

4. **Borough Local Plan update**

Following the recent eight-week consultation on the new Borough Local Plan, during which there were nine public engagement events across the borough, with comments about the Plan being made via the web portal, email or in written form, there were 1407 individual comments from 427 people and organisations.

The new Local Plan will guide planning decisions about new housing, employment sites, infrastructure, protecting public green space and ensuring sustainable growth that meets the needs of the borough up to 2040. All submissions will be forwarded to the government's Planning Inspector for examination when the Plan is submitted.

Cabinet agreed a report outlining the costs associated with the examination - a crucial step in ensuring that the Local Plan meets all legal requirements. The costs include fees set by Government for the Planning Inspectorate, legal advice and other necessary expenditures to facilitate a thorough and compliant examination. This investment is essential to secure a robust and sustainable framework for future development of the Borough.

5. **Financial & Performance Review Report 2nd Quarter 2024-25**

Cabinet received a report detailing second quarter performance. At the end of September 2024, the Council had 83% of measures on track to meet the 2024-25 target.

All targets around waste and recycling are being met including those around food waste which positions the Council well for future changes to legislation expected in 2025.

Staff sickness absence continues its year-on-year downward trend although winter colds and illnesses will likely see an increase in the coming months which officers will support and manage proactively.

Our town centre remains lively and dynamic with market stall occupancy rates high and car parking tickets over target despite some closures and changes to provision as we move to the next phase of regeneration work.

The Council continues to monitor 'off track' measures and actions and uses this data and stretch targets to ensure continuous improvement to service delivery and resident outcomes.

6. **Civic Pride Campaign**

The Council has launched its Civic Pride campaign which brought together multi-agency partners including Staffordshire Police, Staffordshire County Council, Newcastle Business Improvement District (BID) and Aspire Housing

The initial programme focused on the town centre, highlighted by the inaugural Castle Classics car show which attracted hundreds of car enthusiasts and Remembrance Sunday and featured a range of activities such as daily enforcement patrols, youth engagement, community litter picks, and advice sessions for residents.

Civic Pride is a response to concerns expressed by residents about safety and cleanliness in the borough. It captures a lot of work that already goes on by the Council and its partners and is also a call to arms for everyone – young and old - to play their part.

The positive feedback from residents and the praise from the Local Government Association for our partnership approach underscore the campaign's success. Cabinet is looking to work with local members on the next areas of focus to continue making the wider Borough a cleaner, safer and friendlier place for all.

7. **Forward Plan**

The Forward Plan can be found at: -

[Browse plans - Cabinet, 2024 – Newcastle-under-Lyme Borough Council](#)

Councillor Simon Tagg
Leader of the Council

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Regulatory Committee's Chairs' reports

Planning Committee

The Planning Committee has met twice since the last Full Council on the 25th of September, namely the **8th October** and the **5th of November**

The following items were considered:

8th October:

- BALDWINS GATE FARM, NEWCASTLE ROAD, BALDWIN'S GATE: BELLWAY HOMES LIMITED 24/00313/REM
- NEW FARM, ALSAGER ROAD, AUDLEY MANOR VIEW CARE HOME LTD 23/00522/FUL
- BOGGS COTTAGE, KEELE, Reference 14/00036/207C3
- One item of **Urgent Business** included:
LAND NORTH OF MUCKLESTONE WOOD LANE AND EAST OF ROCK LANE LOGGERHEADS. 23/00002/OUT

5th November:

- UNITS 1 AND 2, BRICK KILN LANE, CHESTERTON 24/00617/FUL
NEWCASTLE UNDER LYME BOROUGH COUNCIL
- OPEN MARKET, HIGH STREET, NEWCASTLE-UNDER-LYME
NEWCASTLE-UNDER-LYME BOROUGH COUNCIL 24/00336/DEEM3
- Application for Financial Assistance (Historic Buildings Grants) from the Conservation and Heritage Fund
The Crossways (Flats 1-3) 36 Ironmarket, Newcastle ST5 1RP (Ref: 24/25004/HBG)
- LAND AT DODDLESPPOOL, BETLEY reference 17/00186/207C2

Cllr Paul Northcott
Chair

Licensing and Public Protection Committee

The Licensing and Public Protection Committee met on 29 October:

At the meeting Members, received the following Licensing reports:

- FEES AND CHARGES FOR VENUE LICENSING 2025-26
- GAMBLING ACT 2005 – REVIEW OF STATEMENT OF LICENSING PRINCIPLES (GAMBLING POLICY)

The Committee discussed a number of aspects of the reports and agreed to the proposed recommendations that were set out in those reports.

The Committee also received the following Public Protection reports:

- PUBLIC SPACE PROTECTION ORDER –CAR CRUISING CONSULTATION RESULTS
- PRIVATE HIRE AND HACKNEY CARRIAGE FEES AND CHARGES 2025-26
- TAXI AND PRIVATE HIRE LICENSING POLICY 2025-2030

Members had a brief discussion on those reports and the Committee agreed that the consultations regarding the proposed fees and charges and the Taxi and Private Hire Licensing Policy, be carried out.

Since the last Full Council meeting the Licensing Sub Committee has met twice and the Public Protection Sub Committee has met once.

The minutes for the Licensing Sub Committees held on 27th September and 9th October and the minutes of the Public Protection Sub Committee held on 9th October, 2024 were received and noted as correct records

Cllr Joan Whieldon

Chair

Audit and Standards Committee

The Committee met on two occasions:

30th September 2024

Richard Lee, Director and Robert Fenton, Senior Manager at KPMG presented their report on the Statement of accounts for the year ended 31st March 2024. It was noted that there were still a few areas of work to be completed, but to date no major areas of concern had been identified. It was resolved to give delegated power to the Service Director for Finance and the Chair of the Audit and Standards Committee to sign off the Statement of Accounts when the audit is completed. Also to receive the Audit Findings Report for the 2023/4 Financial Year.

The Health and Safety Annual Report 2023/4 was presented to Members and the Committee resolved to receive it.

The Monitoring Officer presented the Corporate Risk Management Report for Q1 2024/5 and it was noted that there were currently 3 risks that were overdue for a review at 30th June, but there had been no risk level increases or changes to the Corporate Risk register. Members were asked to note that mitigating a risk may not necessarily remove the risk and forward any requests for detailed risk analysis to the chair.

Staffs County Council Internal Audit Team briefly detailed their progress as new Internal Auditors and confirmed that the transition had been smooth. More information would be available at a later date when the team was further in to its programme.

4th November 2024

The Service Director for Finance (S151 Officer) presented the Corporate Risk Management report for Q2, 2024/5. It was noted that three risk levels had been increased during the quarter, but that there were no risks more than 6 months overdue for review.

Members were presented with the internal Audit update, Q2 2024/5 by the Internal Auditor which detailed steady progress for the year to date.

It was noted that the Treasury Management Report Half Yearly Report 2024/5 format had been heavily revised compared to previous reports, in order to aid members' understanding and this was much appreciated. The Director of Finance presented the report and explained that there is currently no borrowing and the council is still able to generate significant interest income. However, it was possible that borrowing may be required as the Town Deal and other government funded projects neared completion.

It was agreed that the External Audit of the 2023/4 Statement of Accounts be brought back to the Committee for an official sign-off in February.

Paul Waring

Chair

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QUESTIONS TO THE MAYOR, CABINET MEMBERS AND COMMITTEE CHAIRS

To the Portfolio Holder for Strategic Planning:

- 1. The portfolio holder will be aware that a date of 8th September was set, by Court Order, for the removal of the baled waste from land at Doddlespool Hall Farm, in the Betley area of my ward.

Last Sunday evening (17 November), at about 17.00, I was contacted by concerned residents about a fire on the land at Doddlespool Hall Farm. They informed me the fire brigade had been called.

Can the portfolio holder assure me that the Environment Agency has checked the court order has been complied with and the baled, or indeed other waste, was not the source of the fire?

Can the portfolio holder also assure me that the relevant Borough Council Officers have confirmed that, since the fire on Sunday evening, there is no ongoing risk to residents?

Cllr. Mandy Berrisford

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To the Leader of the Council:

- 2. A key part of the Kidsgrove Town Deal funding is £3.65m to deliver an improved, modern Kidsgrove station building, a new transport interchange, and a 200-space car park. There has been concern for some time about the risk to the Kidsgrove Station project because of abnormal ground conditions that has led to a significant funding gap.

It was announced by the previous government in February 2024 that Kidsgrove would benefit from Network North funding as part of an uplift in the Local Transport Fund (LTF) as the result of the cancellation of the Birmingham to Crewe section of the HS2 project. There has been uncertainty about if the new government would honour that commitment.

Can the Leader provide an update on the funding situation?

Cllr. Paul Waring

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To the Leader of the Council:

- 3. In regard to the Knutton war memorial what maintenance does the Council carry out and with what frequency does it occur?

Cllr. Robert Moss

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To the Portfolio Holder for Finance, Town Centres and Growth:

4. Can the portfolio holder confirm if an impact assessment or viability report has been undertaken following the decision by Lucideon to withdraw from the Chatterley Valley Business park, and cancel their planned bespoke HQ, citing a substantial increase in costs for the site?

Cllr. Andrew Fox-Hewitt

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To the Portfolio Holder for Community Safety and Wellbeing:

5. Following the news that nine fire stations/teams have withdrawn from the Staffordshire Fire and Rescue Service 'three person crewing trial', whereby staff assert that the service is violating the management Health and Safety Regulations 1999, can the portfolio holder provide an assurance that the administration still have full confidence in the trial, and an assurance that both fire fighter and public safety here in Newcastle is not at risk as a result of this trial continuing.

Cllr. Andrew Fox-Hewitt

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