

Public Document Pack



14th November 2011

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 Under Lyme, Staffordshire ST5 2AG** on **Wednesday, 14th December, 2011 at 7.00 pm**

B U S I N E S S

- 1 **Part 1**
- 2 **Apologies**
- 3 **Declarations of Interest**
- 4 **MINUTES** **(Pages 1 - 104)**
To approve as a correct record the minutes of the meeting held on 19 October 2011.
- 5 **Mayors Announcements**
- 6 **STATEMENT OF THE LEADER OF THE COUNCIL** **(Pages 105 - 108)**
To receive a statement by the Leader of the Council on the activities and decisions of Cabinet and items included on the Forward Plan.
- 7 **Reports of the Chairs of the Overview and Scrutiny Committees**
- 8 **Motions of Members**
- 9 **RECEIPT OF PETITIONS**
To receive from Members any petitions which they wish to present to the Council pursuant to Standing Order 17.
- 10 **STANDING ORDER 18 - URGENT BUSINESS**
To consider any communications which pursuant to Standing Order No18 are, in the opinion of the Mayor, of an urgent nature and to pass thereon such resolutions as may be deemed necessary.
- 11 **PART 2**
Presentation of Honorary Freedom of the Borough to HM Lord Lieutenant for the County of Staffordshire, Sir James Hawley KCVO JP TD and Lady Susan Hawley DL.

Yours faithfully

A handwritten signature in black ink, appearing to be 'S.M.', is written over a horizontal line. The signature is stylized and cursive.

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 personal 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 Aspire Offices in Merrial Street. 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.

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

19 October 2011

Present:- The Worshipful the Mayor
(Councillor Trevor Hambleton – in the Chair)

Councillors Allport, Mrs Astle, Bailey, Bannister, Becket, Mrs Beech, Blair, Boden, Mrs Burnett, Clarke D, Clarke M R, Cooper, Miss Cooper, Mrs Cornes, Eagles, Fear, Mrs Hailstones, Hailstones, Mrs Hambleton, Mrs Heames, Holland, Mrs Johnson, Jones, Kearon, Mrs Lewis, Loades, Matthews, Olzewski, Miss Olzewski, Miss Reddish, Richards, Robinson, Mrs Shenton, Slater, Snell, Studd, Sweeney, Tagg J H, Taylor K-N, Miss Walklate, Waring, Welsh, Mrs Williams and Williams

313. **MINUTES**

That the minutes of the previous meeting held on 14 September 2011 be agreed as a correct record pending the inclusion of the following Members on the on attendance register; Councillors Becket, D Clarke, Miss Reddish and K-N Taylor.

314. **MAYORS ANNOUNCEMENTS**

The Mayor announced that the funfair and fireworks display would be taking place on Sunday 23 October in the Lyme Valley from 5.30pm. There would be a make-up and jewellery party in the Mayors Parlour hosted by the Mayoress on Tuesday 8 November from 7.30pm.

The date had now been set for the Mayor's Ball of 30 March 2012 at Keele University; tickets would be available in the New Year.

315. **STATEMENT OF THE LEADER OF THE COUNCIL**

Consideration was given to the Statement of the Leader of the Council.

The Leader was asked about the current accommodation review being carried out by the Council. The review included the police, the PCT and staff from Staffordshire County Council occupying space in the Civic Offices thus meaning that staff already working in the building were being moved in order to free up space. The Leader was asked to clarify the cost of these moves (including staff time). The Leader stated that he would respond to the question in writing.

The Portfolio holder for Customer Services and Transformation stated that any costs relating to the movement of Council staff and equipment would be met by the Partners moving into the building and that the aim of the project was to provide the best value for money for the public and to make the best use of the space available.

The Leader was questioned regarding the Cabinet response to the Scrutiny Task Group Recommendations in relation to the Newcastle Development Programme. A question was raised regarding the consultation proposals that had been identified by the Task Group and as to whether issues relating to public consultation were still being looked into. It was stated that these issues were still

live and being taken into consideration at all levels of the ongoing site allocations plan document currently being put together by the planning department and that new formats of consultation were being investigated. The work being undertaken now would be of great benefit to the Council in the future and help to facilitate all future consultation processes.

Resolved: That the statement of the Leader of the Council be received.

316. **MEMBER DEVELOPMENT PANEL**

The Council received a report requesting that the current Member Development Working Group be formalised to create the Member Development Panel.

Members considered the report and agreed that it was a fundamental requirement that Councillors be provided with more support regarding ICT and that issues relating to ICT should form a major tenet of the Panels remit.

Resolved: (a) That the Member Development Working Group become an established panel of the Council.

(b) That the membership of the Panel be 8.

(c) That the remit of the Panel attached at Appendix A to the report be agreed

317. **REPLACEMENT OF ROAD SWEEPING VEHICLE**

A report was submitted seeking approval to revise the Council's Capital Programme to replace a road sweeping vehicle which had reached the end of its serviceable life span and which was now uneconomical to maintain.

Resolved: (a) That the Council approve the procurement of a replacement road sweeping vehicle.

(b) That the cost of the vehicle be met from the approved General Fund Capital Programme and that the Programme be revised accordingly.

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

The Transformation and Resources Overview and Scrutiny Committee had received a presentation from the Council's Head of Customer and ICT Services and from the Head of Performance and Transformation. An additional meeting of the Committee had been considered pending the publication of the report to Cabinet regarding Members ICT, this meeting had not been though necessary following the publication and submission of the report to Cabinet. The Chair was due to meet with Officers of the Council regarding the upcoming Performance Management Review.

The Health Scrutiny Committee had received a presentation from representatives of the UHNS regarding the Fit For The Future Programme and move of the accident and emergency department. Members of the Committee would be visiting the new A&E building in the New Year. The Committee had also submitted a response to the County Council regarding its consultation over adult

mental health services in the Borough. Work was also being undertaken regarding cardiac rehabilitation and questions were being asked regarding the closure of the High Street GP Practise in Newcastle. There would be an NHS accountability session on 10 November at the Civic Offices and Members were requested to forward any questions they wanted addressing to Julia Cleary as soon as possible

A question was raised regarding concerns in relation to the amalgamation of the PCTs into a cluster and how whether this would prove detrimental to the specific requirements of the Borough. The Chair stated that the County Council Health Scrutiny Committee, of which he was a Member, were looking at this.

The Chair and Vice Chair of the Cleaner, Greener and Safer Overview and Scrutiny Committee and held two meetings with Officers to discuss issues arising from the Forward Plan (volunteers staffing the CCTV control room and the Primary Authority Scheme). Further information regarding the CCTV issues would be submitted to the next full meeting of the Committee and an additional full meeting of the Committee had been held to discuss the Primary Authority Scheme report prior to its submission to Cabinet on 19 October, the comments from the Scrutiny Committee had been included in the final report.

The Overview and Scrutiny Coordinating Committee had met to consider the Call In regarding the disposal of Knutton Recreation Centre. The report from this Committee had been submitted to the relevant portfolio holder and a report detailing Cabinet's response had had been agreed that morning.

Resolved: That the work of the Overview and Scrutiny Committees be noted.

319. **STANDING ORDER 18 - URGENT BUSINESS**

A document was circulated to Members of the Council in relation to the proposed changes to parliamentary boundaries in Staffordshire and the impact that this could have on Newcastle under Lyme.

The document stated the following:

The Borough Council wishes to object to the proposals put forward by the Boundary Commission to abolish the present parliamentary constituency of Newcastle. In particular the Commission's proposals:

- (a) Take no account of the unique character and identity of Newcastle as a cohesive community;***
- (b) Undermine the existing and well-defined local government boundaries;***
- (c) Seriously disrupt social, electoral and community ties.***

The Commission's 'solution' to the review of boundaries would, if approved, effectively split Newcastle into two by creating two new artificially contrived constituencies and the effect of this will be to weaken electoral affiliations and so reduce accountability.

The present proposals should, therefore, be rejected in favour of an alternative solution that better reflects and, where possible, strengthens the character and identity of Newcastle.

The Council discussed the document and the proposal and a named vote was taken regarding whether the proposal and content of the document be accepted. Thirty Members opted in favour of the proposal, thirteen were against and there was one abstention.

The option of an additional meeting of the Council being called to discuss the boundary changes in more detail and to possibly formulate an alternative proposal was also discussed and it was agreed that the Mayor would meet with the group leaders to consider this option. The deadline for any submissions to the Boundary Commission was 5 December 2011.

Resolved: (a) That following a named vote the proposals and content contained within the document be agreed.

(b) That the Mayor and group leaders meet to consider whether an additional meeting to the Council should be held to discuss boundary changes.

Named vote (item 7, resolution (a))

Abstained: J. Tagg

For:

Hambleton, Mrs Astle, Bailey, Becket, Mrs Beech, Boden, Mrs Burnett, D. Clarke, M R Clarke, Mrs Cornes, Eagles, Mrs S. Hambleton, Mrs H Johnson, Jones, Jones, Kearon, Mrs B Lewis, Olszewski, Miss Olszewski, Miss Reddish, Richards, Robinson, Mrs Shenton, Snell, Studd, Taylor K N, Miss Walklate, Waring, Welsh, Mrs Williams and Williams

Against:

Bannister, Blair, Cooper, Miss Cooper, Fear, Hailstones, Mrs Hailstones, Mrs Heames, Holland, Loades, Matthews, Slater and Sweeney

**T HAMBLETON
Chair**

COUNCIL

22 November 2011

- Present:-** The Worshipful the Mayor
(Councillor Trevor Hambleton in the Chair)
- Councillors Allport, Mrs Astle, Bailey, Bannister, Becket, Mrs Beech, Blair, Boden, Mrs Burke, Mrs Burnett, Cairns, Clarke D, Clarke M R, Cooper, Miss Cooper, Mrs Cornes, Eagles, Fear, Gilmore, Mrs Hailstones, Hailstones, Mrs Hambleton, Mrs Heames, Mrs Heesom, Holland, Howells, Mrs Johnson, Jones, Kearon, Lawton, Mrs Lewis, Loades, Matthews, Nixon, Olzewski, Miss Olzewski, Miss Reddish, Richards, Robinson, Mrs Shenton, Mrs Simpson, Slater, Snell, Studd, Sweeney, Tagg J H, Tagg S J, Taylor K-N, Miss Walklate, Waring, Welsh, Wilkes, Mrs Williams and Williams

320. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

321. **RESPONSE TO THE BOUNDARY COMMISSION'S PROPOSALS IN RELATION TO THE PARLIAMENTARY CONSTITUENCY OF NEWCASTLE-UNDER-LYME**

Further to Standing Order 5(2), five members of the Council had called an Extraordinary Meeting to consider alternative proposals to those put forward by the Boundary Commission for the Parliamentary Constituency of Newcastle-under-Lyme.

Councillor Snell proposed the motion and it was seconded by Councillor Becket.

The Borough of Newcastle under Lyme was already divided along four parliamentary boundaries (Stoke North, Newcastle under Lyme, Staffordshire Moorlands and Stone). The original proposal from the Boundary Commission sought to divide the Borough into two parliamentary constituencies; Newcastle under Lyme and Stone; and Kidsgrove and Tunstall. The substantive motion put forward also proposed that there be two parliamentary constituencies of Stoke on Trent North and Newcastle under Lyme. Newcastle under Lyme parliamentary constituency would include all of the Borough Wards except for Newchapel, Kidsgrove, Butt Lane, Talke and Ravenscliffe which would form part of the Stoke North Constituency.

An amendment to the substantive motion was presented to the Council. The amendment also split the Borough into two constituencies but with Porthill and Bradwell included in the Newcastle and Stone Constituency and Silverdale and Parksites; and Knutton and Silverdale included in the renamed Newcastle North and Tunstall Constituency.

The question was raised as to whether changes to the parliamentary boundaries would actually have an effect on the nature of the Borough. The Mayor stated that based on the feedback he had received from constituents the proposed changes were not wanted.

Members agreed that there was a requirement to ensure equalisation of constituencies in terms of voters. Some Members raised concerns that the substantive motion put forward would have a knock on effect on other areas such as Staffordshire Moorlands but other Members considered that this was inevitable if the way in which communities actually worked was to be taken into consideration. The amendment to the substantive motion would not have a knock on affect on neighbouring areas.

Councillor Robinson stated that many of his constituents felt they had more affinity with wards such as Biddulph and as such would be in favour of the original substantive motion.

A named vote was taken on the amendment to the substantive motion:

In favour: 18

Councillors Bannister, Mrs Burke, Cooper, Miss Cooper, Fear, Gilmore, Mrs Hailstones, Hailstones, Mrs Heames, Mrs Heesom, Holland, Howells, Loades, Matthews, Slater, Sweeney, J Tagg, S Tagg.

Against: 30

Councillors Allport, Mrs Astle, Bailey, Mrs Bates, Becket, Mrs Beech, Boden, Cairns, D Clarke, M Clarke, Mrs Cornes, Snell, Miss Walklate, Welsh, Mrs Williams, Williams, Wilkes, Eagles, Mrs Hambleton, Mrs Johnson, Jones, Kearon, Lawton, Nixon, Olszewski, Reddish, Richards, Robinson, Mrs Shenton, Mrs Simpson.

There were no abstentions.

The Council returned to discussions on the substantive motion and again considered whether it was better to approach the proposals with a broad sweep or to try and make any changes as minimal as possible. Councillor Jones considered that the approach taken regarding the substantive motion started from the situation as it currently existed and that this was the better way to proceed rather than to use the proposals from the Boundary Commission as a starting point. The point was emphasised that any proposal needed to highlight the need for an MP and their community to have a real link and that the petitions signed by constituents against the Boundary Commission proposal needed to be considered as a factor. It was however considered by some members inevitable that surrounding areas would be affected and some community links severed.

A named vote was taken regarding the substantive motion.

In favour: 31

Councillors Allport, Mrs Astle, Bailey, Mrs Bates, Becket, Mrs Beech, Boden, Cairns, D Clarke, M Clarke, Mrs Cornes, Eagles, Mrs Hambleton, Mrs Johnson, Jones, Kearon, Lawton, Nixon, Olszewski, Miss Reddish, Richards, Robinson, Mrs Shenton, Mrs Simpson, Snell, Miss Walklate, Welsh, Wilkes, Mrs Williams, Williams, Hambleton.

There were no votes against.

Abstained: 18

Councillors Bannister, Mrs Burke, Cooper, Miss Cooper, Fear, Gilmore, Mrs Hailstones, Hailstones, Mrs Heames, Mrs Heesom, Holland, Howells, Sweeney, J Tagg, S Tagg, Loades, Matthews, Slater.

T HAMBLETON
Chair

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HEALTH SCRUTINY COMMITTEE

15 September 2011

Present:- Councillor D Becket – in the Chair

Councillors Miss Cooper, Mrs Johnson and Loades

322. * **MINUTES OF MEETING**

That the minutes of the meeting of this committee held on 18 July 2011 be approved as a correct record.

323. * **DECLARATIONS OF INTEREST**

Councillor Loades declared that he was the Chair of the Link for the area.

324. * **CHAIRMAN'S VERBAL REPORT**

Councillor Becket reported that the County Scrutiny Committee had met once and would meet again on 16 September 2011 and again at the end of September.

Councillor Becket had attended the Staffordshire Health Scrutiny Committee for four meetings in Stafford and one at the UHNS.

The committee had:-

- Commented on the Carers Consultation
- Expressed concern on the Health Profile for Newcastle and requested further information (this has arrived today and will be debated tomorrow).
- Arranged a meeting with UHNS staff to review and monitor the move to the new hospital.
- Will meet UHNS staff later to review the consultant issue.
- Are preparing comment on the Mental Health Consultation.
- Requesting further information on Cardiac Rehabilitation in Newcastle, the chairman has already expressed concern to NHS staff.
- The chairman has taken up GP access, which is likely to come before the committee later.
- Are noting the review of Major Trauma services and will support the options that retain a service in UHNS. One of these is the preferred option of the consultants.

Councillor Becket advised that he would be unable to attend the Health Scrutiny Accountability session run by the North Staffs Combined Health Care NHS Trust at Moorlands House, Leek as did Councillor Miss Cooper. However, Councillor Loades was hopeful he could attend.

Commenting on the Mental Health Service, Councillor Becket advised that he would have liked a summary of achievements and issues rather than statistics which were not comparative. Councillors Loades and Miss Cooper advised that they had not received the information from the County and Councillor Becket said he would take Phase 2 Points to the County Scrutiny Committee.

Mr Pearson said that officers had struggled regarding the amount of detail to present. The indicators were linked to the Cure Quality Commission Standards. Officers wanted reports to be relevant and understandable and were happy to receive a steer. They were also happy to attend a meeting outside the specially arranged one.

The Trust AGM is to be held on 21 September 2011. Councillors Becket and Loades would be sending their apologies.

There is to be a meeting of the North Staffs NHS at 1.15pm in the Medical Institute Building at Hartshill on 29 September 2011. Councillors Becket, Miss Cooper and Loades would be attending.

Councillor Becket noted the A&E visit undertaken by the County Scrutiny Committee where they learned that there was a higher level of admittance through the emergency (ambulance) channel than any other hospital. This raised concerns that poor access to the GP Service may be a cause.

325. * **NORTH STAFFORDSHIRE COMBINED HEALTHCARE CONSULTATION ON MENTAL HEALTH SERVICES**

Mr David Pearson, Executive Director of Nursing and Allied Health Professionals made a presentation on the above consultation. He set out why there was a need to change:-

- The proposed changes in Phase One (being the transfer of services and the roll-out of the Older People Mental Health Rapid Response Pilot) and the proposed results.
- The early feedback from the Phase One consultations to date (broadly supportive but with concerns about the move from in to outcare).
- The next steps (consultation closes 28 October report to the Strategic Health Authority in November).
- The proposed Phase 2 consultation (most likely in the spring).

The Chair invited the members of the Committee to put in their own responses separately. The committee's view would be discussed at the next meeting on 29 September.

Councillor Loades commented that the transport issues (questions of the consultation documents refers) were important.

Resolved: That the information be received.

326. * **UPDATE FROM TONY BULLOCK ON ISSUES RAISED AT THE LAST MEETING REGARDING THE HEALTH PROFILE OF THE BOROUGH**

Tony Bullock and Jackie Small of NHS North Staffs provided indicators and explained them.

Infant mortality – small numbers not statistically significant. Position had improved since 2009.

NHS North Staffs were working to improve lifestyles.

Councillors asked for the 2010/11 data.

Councillor Miss Cooper noted difficulties of obtaining the smoking support packages (Quitkits). This project was no longer being operated.

All GPs, pharmacies and specialist workers ran to support smoking cessation.

Pregnancy smoking scheme – if you smoke and are pregnant you are referred when you present to the midwife. A test is used when the patient denies smoking.

There had been local marketing which had not been as effective as hoped and there was now face to face training with professionals (police, social services, GP fire, GP main sources, school advisors).

Smoking was NHS North Staffs number 1 priority.

Councillors asked for comparisons over time. There was a reduction of 50% in the 1980s a big drop then steady reduction for the last few years.

There were a number of national initiatives.

The committee wanted to encourage work with primary school children.

Councillors queried whether breastfeeding tuition was available from midwives and asked for quarterly updates.

It was suggested that the LAP could assist with physically active children. The Committee welcomed the Jubilee 2. It was hoped the PCT would be involved in publicity to vulnerable groups.

On teenage pregnancies it was noted that the NHS was working with pharmacies, schools (emergency contraception) and families.

Resolved:- (a) That the initiatives be noted and further information be brought to the Committee at a future date to enable evaluation of them.

(b) That the integration of the health service with the Council's leisure service especially Jubilee 2 be supported.

(c) That the health check programme introduced in November 2010 be supported

(d) That the Committee receive a presentation on health education in school.

(e) That where applicable recommendations regarding health work be referred to local LAPs.

(f) That the recommendations be forwarded to the County Health Scrutiny Committee and to Ms Small and Mr Bullock.

327. * CARDIAC REHABILITATION SCRUTINY REVIEW

The Committee requested a response from Tracy Shewan regarding the report by the County Health Scrutiny Committee. It was suggested that the Council commission the LiNK to do a report into cardiac rehabilitation (through Jackie Owen LiNK Staffordshire).

The Committee felt that the health services co-ordination with leisure was lacking and an opportunity now existed with the Jubilee 2 centre. Staffing was a major cause of concern.

Resolved:- That the LiNK be requested to produce a report regarding Cardiac Rehabilitation in North Staffordshire.

328. * UPDATE ON ISSUES RELATING TO THE INTERVENTIONAL NEURORADIOLOGY DEPARTMENT AT UNIVERSITY HOSPITAL NORTH STAFFS

Resolved:- (a) That the report and appendices be received and noted

(b) That the Chief Executive or the University Hospital of North Staffs briefing of 5 September be circulated to all members of the committee.

329. * REVIEW OF MAJOR TRAUMA SERVICES

Fear North Staffs will lose staff due to outcome of Stafford – this will balance that. i.e. trauma specialism is a retention tool.

It was requested that the email from Councillor Mrs Johnson to Julia Cleary to be forwarded to all members of this committee (re: Mental Health Consultation: Pilot Project)

Congratulations were given on the new agenda.

It was requested that alcohol abuse be on the next agenda. Ask Staffs if they have any information.

Resolved:- (a) That the report be noted and a decision be made regarding how to progress with scrutiny or the review of major trauma services.

(b) That a letter be written to Staffordshire County Council Health Scrutiny Committee to support Option 1, particularly support the gateway to services especially the helicopter pad. Removal of trauma will be detrimental to the University Hospital loss of staff could lose status of hospital.

**D BECKET
Chair**

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OVERVIEW AND SCRUTINY CO-ORDINATING COMMITTEE

19 September 2011

Present:- Councillor M R Clarke – in the Chair

Councillors Miss Cooper, Gilmore, Mrs Heames, Mrs Heesom, Olszewski, Mrs Shenton, Snell and Wilkes

330. * **APOLOGIES**

Apologies were received from Councillors Becket, Boden, Mrs Hailstones and Williams.

331. * **DECLARATIONS OF INTEREST**

Councillor Mrs Shenton requested that a note be made regarding her Membership of the Newcastle under Lyme Sports Council.

332. * **MINUTES FROM THE PREVIOUS MEETING**

That the minutes of the meeting held on 4 July 2011 be agreed as a correct record.

333. * **CALL-IN REGARDING PROPOSALS FOR THE REDEVELOPMENT AND DISPOSAL OF KNUTTON RECREATION CENTRE FOLLOWING THE CABINET DECISIONS OF 15 JUNE 2011**

The Chair welcomed the Committee and explained the procedure to be followed for the Call-in.

The Lead Call in Member explained the reasons for the call in. The following issues were of concern:

- The perceived lack of consultation with local residents in Knutton
- The regeneration programme in Knutton following the demise of RENEW
- The revenue budgets stated in the original report to Cabinet
- The proposed mini supermarket that could potentially take business away from the high street in Knutton.

The relevant Cabinet Member responded to the issues and drew the Committees attention to the report that was submitted to the Cabinet on 15 June 2011. The Cabinet Member stated that consultation had been undertaken with members of the public and through meetings of the AMI briefing group. Members and residents had been kept constantly informed of the issues relating to Knutton Recreation Centre through this group and it was thought that all decisions made had kept faith with the outcomes of consultations. The issue regarding the opening of a new mini supermarket was not yet set in Stone and was still subject to discussion as were issues relating to the retention of the 3G football pitch and the Bowling Green.

Overview & Scrutiny Co-ordinating – 19/09/11

The Committee questioned the Lead Call in Member and Cabinet representative and further concerns were raised regarding the perceived block booking of the Gordon Banks Leisure.

The following was resolved:

That the item be sent back to formal Cabinet to reconsider the decision in the light of the following specific points that were raised by the Overview and Scrutiny Co-ordinating Committee; and that Cabinet formally respond back to this committee:

- **The block booking of the Gordon Banks Sports Centre**
- **The mix of affordable and social housing**
- **Full consultation with residents, users and other interested parties**
- **The impact of a convenience store**
- **Parking provision and concerns at Jubilee 2**

334. * UPDATE REGARDING SCRUTINY BRIEFS CURRENTLY BEING CONSIDERED

The Committee considered the report regarding the Scrutiny Briefs. It was noted that not all of the work currently being carried out by the Scrutiny Committees was included in the report including projects being undertaken by the Transformation and Resources Scrutiny Committee.

Resolved: That the Scrutiny briefs be agreed and the report noted.

335. * FORWARD PLAN FOR THE PERIOD COVERING SEPTEMBER 2011 TO DECEMBER 2011

The Committee received a report regarding items that were currently on the forward plan. Concerns were raised regarding the format of the forward plan and it was agreed that steps to be taken to improve both the lay out of the plan and the timescales it covered. The Chair also raised concerns regarding the timing of the Committee meetings and requested that steps be taken to ensure that all future meetings were held prior to meetings of the Full Council in order to enable him to feed back to the Council any reports or comments from the Committee.

Resolved: (a) That the report be noted.

(b) That a meeting be arranged with the Chair and Officers to discuss the forward plan.

(c) That the Calendar of meetings be changed where possible to ensure that meetings of this Committee fell before meetings of the Full Council.

M R ROSS
Chair

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AUDIT AND RISK COMMITTEE

26 September 2011

Present:- Councillor D J Richards – in the Chair

Councillors Blair, Boden and Waring

336. * **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Loades and Snell.

337. * **MINUTES OF PREVIOUS MEETINGS**

Resolved:- That the minutes of the meetings of this Committee held on 5 and 28 July 2011 be approved as correct records.

338. * **FUTURE TRAINING FOR COMMITTEE MEMBERS**

Prior to the commencement of the formal business for the evening, the Chair sought approval for training sessions to be incorporated as items on the agendas for future meetings, thereby departing from the current practice of holding sessions immediately before each meeting which some Members found difficult to attend due to work and other commitments.

Resolved:- (a) That, in future, training of Committee members be arranged as detailed above with the chosen topics being linked to items included in the Committee's agreed work plan for each meeting.

(b) That training on fraud and the emerging Bribery Act be given at the next meeting of the Committee.

339. * **PRESENTATION - STOKE-ON-TRENT AND STAFFORDSHIRE LOCAL ENTERPRISE PARTNERSHIP**

The Council's Executive Director – Regeneration and Planning gave a presentation on the work of the Stoke-on-Trent and Staffordshire Local Enterprise Partnership (LEP) that had been in existence for 12 months.

The LEP provided a solid local focus for economic regeneration, representing local businesses in pushing for a better business deal for the area.

The LEP was forging partnerships between business, the public sector, community enterprises and other partners including higher and further education to deliver economic growth and success by attracting substantial inward investment and improving skills development locally.

Resolved:- That the information be received.

340. * **STATEMENT OF ACCOUNTS 2010/11 AND EXTERNAL AUDITOR'S GOVERNANCE REPORT (217/12)**

Reference was made to the Committee's previous discussions on this matter and consideration was given to a report asking it to:-

- (i) receive the 2010/11 Statement of Accounts for scrutiny and approval;
- (ii) receive the Audit Commission's Governance Report; and
- (iii) agree the Letter of Representation to the Auditor.

Copies of the earlier report to the Committee, the 2010/11 Statement of Accounts, the Annual Governance Report and proposed Letter of Representation were presented to the Committee as appendices to the officers' report.

Mr Jenkins of the Audit Commission updated Members on the issues arising from the Governance Report for 2010/11 indicating that the Statement of Accounts had, once again, been well presented and that the Council had in place good internal arrangements for securing financial resilience and challenging how it secured economy, efficiency and effectiveness.

Although a number of minor amendments to the Statement of Accounts had been agreed with the Audit Commission, reference was made to a further two amendments suggested by the Commission that, for the reasons outlined in the report, were not to be made.

- Resolved:-**
- (a) That the 2010/11 Statement of Accounts be received.
 - (b) That the Annual Governance Report for 2010/11 be received.
 - (c) That the Letter of Representation reflecting the decision not to accept two of the amendments suggested by the Audit Commission to the Statement of Accounts be approved for signature by the Council's Section 151 officer.

341. * **QUARTERLY REPORT: ADOPTION OF INTERNAL AUDIT FUNDAMENTAL RECOMMENDATIONS AND SUMMARY OF ASSURANCE 1 APRIL TO 30 JUNE 2011**

Consideration was given to a report on outstanding high risk recommendations and, where necessary, seeking the Committee's approval to the Executive Director's requested actions in respect of such recommendations and proposed target dates.

Members were reminded that high risk recommendations were those agreed with management that were key controls in providing assurance as to the efficiency and effectiveness of the system, service or process under review.

It was indicated that in the first quarter to June 30 there were 15 high risk recommendations due for review of which 8 were at their first follow up date. There were 7 recommendations that had received a first target date change and these had been referred separately to the Chair and Vice Chair of the Committee.

A copy of the Assurance Summary for June 2011 was attached as an appendix to the Committee report. In conclusion, it was indicated that three Directorates

were showing Limited Assurance at the end of the first quarter, whilst Regeneration and Development Services had an Assurance Opinion of Substantial. Accordingly, there were no issues of concern in relation to any outstanding recommendations within any of the Directorates.

Resolved:- That the actions of the officers and levels of assurance be received.

342. * **INTERNAL AUDIT PROGRESS REPORT - QUARTER 1 2011/12**

The Committee received a report summarising the work undertaken by the Internal Audit Section during the period 1 April to 30 June 2011.

Up to the end of June 2011, 713 recommendations had been made of which 613 had been implemented (86%), the target being 96% by the year end.

Productivity at the end of quarter 1 was 81% which was higher than the target figure of 74%.

Resolved:- That the information be received.

343. * **CORPORATE RISK MANAGEMENT REPORT FOR THE PERIOD APRIL TO JUNE 2011**

A report was submitted detailing progress made by the Council in enhancing and embedding risk management for the above period including progress made in managing the identified corporate risks.

It was indicated that the Council currently reviewed its extreme risks at least monthly and its high risks at least quarterly with the last review being reported to the Committee in April 2011.

Details of the Council's most significant risks were highlighted together with the newly identified risks. It was indicated that further progress had been made towards mitigating these risks during quarter 1 in a variety of areas which had resulted in some risks moving closer to being reclassified or downgraded.

In accordance with an earlier resolution of the Committee, the officers' report included a section on horizon scanning that set out a list of 'risks on the horizon'. It was indicated that although not exhaustive, the list did highlight issues that could potentially affect the Council and its practices in the coming months/years although some of them were beyond the Council's control.

Members agreed that the list provided useful information and asked that possible risks associated with the expected enactment of the Localism Bill and other emerging legislation be added to it, together with the potential risks associated with the Stoke-on-Trent and Staffs Local Enterprise Partnership (LEP).

Resolved:- (a) That the progress made in managing the risks identified within the Strategic, Operational, Project and Partnership Risk Register be noted.

(b) That the new risks identified between April to June 2011 as set out in the appendix to the officers' report be noted.

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(c) That the risk profile for the Stoke-on-Trent and Staffordshire Local Enterprise Partnership be considered at the next meeting of this committee.

(d) That the horizon scanning risks listed in the officers' report as well as risks relating to the Localism Bill, other emerging legislation and the LEP be borne in mind when making decisions on reports submitted to Committees and the effect it may have on the future of the Council.

D J RICHARDS
Chair

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CONSERVATION ADVISORY WORKING PARTY

27 September 2011

Present:- Councillor Miss J Cooper – in the Chair

Councillors Holland

344. * **ATTENDANCE**

The following persons were also in attendance:

Representing Outside Bodies

Mr L Chatterton – Newcastle Civic Society

Mrs C Henshaw – Staffs Historic Buildings Trust

Mr R Manning – North Staffs Society of Architects

Mr J Worgan – Newcastle Civic Society

345. * **MINUTES OF PREVIOUS MEETINGS**

That the minutes of the previous meeting held on 6 September 2011 be agreed as a correct record.

346. * **APPLICATIONS PREVIOUSLY CONSIDERED**

That the decisions on applications previously considered by the Working Party be received.

347. * **PLANNING APPLICATIONS FOR CONSIDERATION**

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>
11/00429/FUL	Rose Cottage, 11-123 Nantwich Road, Audley. Mr Paul Boylan.	The Working Party was disappointed with the outcome of the appearance of the extension given the relationship of the existing flat roof to the new pitched roof and suggested a more simplified but better detailed flat roof would achieve an overall better design for the house.
11/00461/LBC	14 Lancaster Buildings, High Street, Newcastle.	The sign remained unchanged from its

	Mr Padania.	previous submission and the Working Party still found the sign inappropriate on this significant building. A similar sign with a smaller font may be more acceptable, as sign shows in Chester Town Centre.
11/00468/COU	37 Marsh Parade, Newcastle. Mr Stephen Gallet.	No objections.
11/00459/CPO	Construction of sewage pumping station, kiosk, access road and landscaping. Severn Trent Property Ltd. Land at Junction with A51, Maer.	The Working Party objected to the material proposed for the kiosk and suggested that it should be clad in cedar to make it more sympathetic to its surroundings.
11/00497/CPO	Construction of sewage pumping station, kiosk and landscaping. Severn Trent Property Ltd. Land fronting the Garden House, Maer Village.	The kiosk is inappropriately sited and designed in front of this heritage asset. There also may be archaeological implications.

MISS J M COOPER
Chair

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**TRANSFORMATION AND RESOURCES OVERVIEW AND
SCRUTINY COMMITTEE**

28 September 2011

Present:- Councillor Mrs Shenton- in the Chair

Councillors Mrs Beech, Mrs Burke, Snell, Taylor J, Miss Walklate, Waring
and Wilkes

348. * **APOLOGIES**

Apologies had been received from Councillor Nigel Jones.

349. * **MINUTES OF PREVIOUS MEETINGS**

The minutes of the meeting held on 20 June 2011 were agreed as a correct record of the meeting.

350. * **DECLARATIONS OF INTEREST**

There were no declarations of interest.

351. * **CUSTOMER SERVICES PRESENTATION**

The Committee received a presentation from the Council's Head of Customer and ICT Services. It was explained that the department now covered areas ranging from complaints and compliments, translation services, the Guildhall, Creditors, the post room and all services connected with ICT.

All customer satisfactory surveys had been very good with complaint resolution satisfaction at 84% and administration of the blue badge scheme at 95%. Improvements had also been made at the Guildhall Hall regarding the payment of Council Tax and Business Rates. A new payment card had been introduced that customers could scan at the self service machines to pay their council tax bills without having to enter any personal banking details. The Creditors Department had also achieved very high satisfaction levels with 90% of customers rating it as excellent or very good with 97% of bills being paid on time. Together these results had contributed to the Service receiving a national award for customer service in May 2011; the service would continue to be evaluated on an annual basis in order to retain this award.

All performance data was uploaded to the Council's website on a monthly basis.

It was explained that plans for the future would include the dissemination of more services into the community and for the community such as the inclusion of CAB and housing advisory services in Kildgrove and the possibility of taking on some registrar duties including the registration of births and deaths.

Attention had also been focused on improving income where possible and cutting down on any inefficiencies that had been identified such as the use of first class

post for emergencies only and the hiring out of Council offices which had already resulted in an income of approximately £24,000 per year.

The Committee discussed the presentation and a query was raised regarding the payment of invoices. It was stated that at present the Council had a local standard to pay a percentage of smaller bills within 10 days, at the moment this was between 60 and 70 percent. The national standard was 30 days. The query was raised as to why not all of the Councils invoices could be paid within 10 days. Officers responded that this would have no beneficial outcome for the Council as it was better to keep the money in the Council's bank accounts gaining interest, balancing projected budgets and protecting the Boroughs council tax payers until the payment was actually due.

The Committee requested that statistics relating to this be brought to the next meeting along with information on other local standards of payments and a list of other organisations who were often late in paying invoices that the Council had generated.

Resolved:- (a) That the report be received.
(b) That statistics and information regarding the payment of invoices be circulated to members of the committee prior to the next meeting.

352. * **PROPOSED PERFORMANCE MANAGEMENT REVIEW PRESENTATION**

The Committee received a presentation from the Council's Head of Business Improvement and Partnerships regarding a review of the Council's Performance Management Frameworks.

It was stated that the desired outcome of any such review would be to establish a performance management framework which was systematic, effective and easy to use and understand. The framework would need to ensure that issues such as the economy, health and quality of life were taken into close consideration. Any areas of under performance would need to be highlighted by the framework and it would constitute a tool by which future Council services could be shaped to ensure effective partnership working.

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

353. * **FINANCIAL AND PERFORMANCE MANAGEMENT REPORT TO END OF QUARTER ONE (JUNE) 2011**

The Committee received a report regarding the Financial and Performance Review for the 2011/2 First Quarter.

The report provided Members with a detailed update on how the Council had performed during the first quarter of 2011/12 by presenting performance data set in a financial context.

Due to the postponement of the this meeting, the report had already been agreed by Cabinet at its previous meeting and it was confirmed that more up to date figures would be available for the next meeting.

The Committee queried how much money had been lost in interest following the failure of the Icelandic Bank. Officers stated that £9,000 had been lost at the time

of the collapse but figures were not currently available regarding the projected loss of interest and that such statistics would be hard to calculate definitively but some figures had been calculated at the time of the collapse which could be included in a future report.

The Committee also queried whether the Council would still receive a grant for the non increase of Council Tax for the upcoming year. Officers stated that the exact provision of this grant was uncertain for year three and it was thought that there may be an adjustment to the base but this was still to be confirmed.

Concerns were raised regarding CA1 which appeared to assume the increase in users of leisure and recreational facilities in the Borough. The Committee requested that information be brought to the next meeting indicating the procedures that would be adopted should this increase fail to materialise.

The Committee requested that a breakdown of the upturns be included in the next report in 6 months as well as the downturns.

- Resolved:-**
- (a) That the report be received
 - (b) That details regarding the loss of interest following the collapse of the Icelandic Bank be included in the next report
 - (c) That a breakdown of upturns be included in the next report
 - (d) That information be provided regarding provisions should the increase in the use of leisure facilities not materialise

354. * **TRANSFORMATION PROGRAMMES UPDATE**

The Committee received a report updating it on the Council's Transformation Programme.

There were three change and transformation programmes ongoing within the Council:-

- Transformation Programme (TP)
- The Way We Work Programme (TWWW)
- The Business of the Council (TBC)

The TP included areas such as Customer Relationship Management in which the Council was working closely with the County Council and other partners to improve the it's picture of the people within the Borough and thus manage its facilities better to fit this picture.

Areas under TWWW programme included the introduction of the Modern.gov Committee Management System. This system was now live and being used to publish all agendas and minutes for Committee business.

- Resolved:-** That the Committee note the contents of the report

355. * **WORK PROGRAMME - DRAFT BRIEFS FOR SCRUTINY**

The Committee considered the draft brief for scrutiny regarding the Review of the Performance Management Frameworks.

The content of the brief had already been covered by the earlier presentation.

Resolved:- That the report be received

356. * **THE FORWARD PLAN - TRANSFORMATION AND RESOURCES EXTRACTS FOR THE PERIOD COVERING AUGUST 2011 TO NOVEMBER 2011**

The Committee considered the Forward Plan up until December 2012.

Resolved:- That the contents of the current forward plan be noted.

357. * **URGENT BUSINESS**

The Chair drew attention to the fact that a report regarding Members ICT would be presented to Cabinet at its meeting on 19th October. As this report was of interest to the Committee it was agreed that an additional meeting be provisionally arranged for 18 October. The papers for the cabinet meeting would be sent out on 7 October and it would then be decided whether to continue with the additional meeting depending on the content of the Cabinet report.

Additional meetings of the Committee would also be required on 7 December and 18 January due to changes in the dates of Cabinet meetings.

Resolved:- That an additional meeting of the Committee be convened for Tuesday 18 October at 7pm

MRS E SHENTON
Chair

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HEALTH SCRUTINY COMMITTEE

29 September 2011

Present:- Councillor D Becket – in the Chair

Councillors Miss Cooper, Mrs Cornes, Mrs Johnson and Loades

358. * **DECLARATIONS OF INTEREST**

There were no declarations of interest.

359. * **MOVE OF THE A&E DEPARTMENT AND THE FIT FOR THE FUTURE PROGRAMME**

The following were in attendance as representatives on the UHNS and to provide information and answers to the questions posed in the Scrutiny Brief:

- Fiona Jones – UHNS Deputy Fit for the Future Director
- Dr Richard Hall – A&E Consultant /Lead A&E Moves
- Mr Tony Wilding – Manager A&E Department
- Mrs Ann Barks – Lead Nurse Emergency Care Centre

Presentation by Fiona Jones

The Committee received a presentation from Fiona Jones focusing on the building and geographical elements of the move to the new hospital site. Mrs Jones emphasised the stability of the team that was managing the move as they had been together since 2007 and was the same team that had already successfully carried out the move of the maternity and cancer departments to the new hospital site. One of the main aims of the move was to improve clinical adjacencies and thus avoid having to move patients unnecessarily and over smaller distances, it was also hoped that this would result in a decrease in demand for ambulances. The wards at the new site were also far better with increased spacing between bays, individual rooms and larger, better equipped operating theatres.

The Committee questioned where PFI funding had been used and it was stated that the cancer and maternity wards had been funded through P21 funding but that since then PFI funding had been used. The benefits of PFI funding included the fact that the project could not go over budget.

Members raised some concerns regarding the new catering facilities at the new site and it was confirmed that there were not working kitchens and that the majority of food was made off site. Concerns were also raised regarding food waste and it was agreed that further information be made available regarding this. Councillor Loades stated that had been offered a two day session at the new building to see the catering situation including the disposal of waste.

Concern was raised regarding the number of critical care beds that would be provided at the new site but it was confirmed that there would not be less beds than at present. It was also explained that the term critical care covered three levels of care with three being the most critical. Plans were in place to manage level 2 patients in more established environments with special beds that enabled ventilation without a tube; these beds could be used to treat patients with liver and lung conditions which were thought to be high in the area. By providing the correct care to patients it was hoped that critical care beds could be utilised only where needed. **The Committee agreed that it was important for it to monitor this situation.**

The move of the A&E department was still on schedule for March and would be the single biggest move and the most critical element of the project. Mrs Jones stated that there were not any concerns regarding keeping to the timescale but stated the importance of publicity and signage for members of the public who may be visiting both the new and old sites. The new A&E was already nearing completion and testing was now being undertaken, the building would be handed over at the beginning of January.

The Committee requested clarification that signage both on the new site and on the roads leading to the hospital was being taken in to consideration. It was confirmed that this was the case and that work was being undertaken with the County Council Highway Department. Test of the signage on the new site were being carried out with representative groups.

It was confirmed that there was a major incident plan in place which had been devised separately from the planned move with emergency vehicles remaining at the old site and patients being brought to the old site if such an emergency occurred to enable staff to work in familiar surroundings.

The new A&E department would open its doors to ambulances only at 2am on the Wednesday morning with walk in patients being admitted from 8am the same day. Only 2 to 3 ambulances were expected per hour on these days at the times in question. The air ambulance would also move in the morning as it was not operational in the dark at present.

The Committee raised concerns regarding parking at the new site and the provision of public transport to the hospital. It was stated that in the short term it was planned to have the majority of staff parking at the old site to free up parking for visitors but once control of the old buildings was handed over this would no longer be possible. Further options would then have to be considered. **The Committee agreed to monitor the parking situation. The Committee also reiterated its concerns regarding public transport and considered that talks could also be entered into with Staffordshire County Council rather than just with Stoke on Trent City Council which was the case at the moment.**

Presentation by Dr Richard Hall

Dr Hall confirmed that the new A&E department would open its doors for the first time to ambulances at 2am on Wednesday 18 January. Staff were currently in the process of configuring how they worked in order that they would be able to fit as seamlessly as possible into the new department. Training and education were deemed to be of very high importance.

The new A&E building would be ready at the beginning on January and training and staff orientation would take place between January and March.

IT was stated that measures of success would include the use of national quality indicators, post project evaluation by the PFI project, patient feedback and staff feedback.

The Committee raised concerns regarding the number of people presenting to A&E with alcohol problems and questioned what plans would be in place to deal with this. It was stated that there would be an alcohol liaison nurse working towards national government guidelines with the aim of trying to reduce alcoholism. Further concerns arose regarding the presentation of those with mental health issues at the A&E Department and it was confirmed that work was being undertaken regarding this including working with young offenders and the use of the RAID scheme which had proven successful in Birmingham. There was however limited access to mental health evaluation in A&E and work was also being carried out with the ambulance service to ensure that patients could be taken to the best place for them to receive the necessary care. Members considered that the proposed move of mental health services into the community could also have an impact on the A&E department and that links would have to be enabled between the various services.

It was confirmed that the helicopter landing pad at the new department could allow night time landing which the pad at Birmingham could not.

The Chair requested that should any risks or problems materialise then the Committee be informed at an early stage and that this would remove the requirement for regular updates regarding the move.

The Committee discussed that best time to visit the new site of the A&E department and decided to aim for January when the building had been handed over, the visit would also be open to colleagues from the County Council Health Scrutiny Committee.

Resolved: That a visit be arranged for the Committee to visit the new accident and emergency site in January.

D BECKET
Chair

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PLANNING COMMITTEE

4 October 2011

Present:- Councillor D Clarke – in the Chair

Councillors Boden, Mrs Burke, Cairns, Clarke M R, Cooper, Howells, Lawton, Matthews, Miss Reddish, Studd, Sweeney, Mrs Williams and Williams

Councillor Jones in attendance during consideration of planning application 11/00430/FUL only

Apologies for absence were received from Councillors Fear and Sinnott

360. * **DECLARATIONS OF INTEREST**

Councillor D Clarke declared an interest in the planning application 11/00426/COU and vacated the Chair during its consideration. He also left the room for the duration of the debate. The committee resolved that Councillor Studd be appointed as Chairman during consideration of that planning application only.

Councillor Studd in the Chair

361. * **CHANGE OF USE FROM OFFICES TO AN EDUCATIONAL AND CULTURAL CENTRE (USE CLASS D1). THE HOLBORN, CASTLE HILL ROAD, NEWCASTLE. MR SEVKI YUKSEKKAYA. 11/00426/COU**

Resolved:- (a) That subject to the securing by 28 October 2011 of an obligation securing a financial contribution of £2150 towards the monitoring of the Travel Plan:-

Permit, subject to conditions relating to the following matters:-

- (i) Standard time limit condition for the commencement of development.
- (ii) Approved plans.
- (iii) Car Parking and cycle parking in accordance with submitted car park layout plan.
- (iv) Implementation of Travel Plan in accordance with submitted timetable.
- (v) Hours of use restricted to between 0900 hours to 2100 hours Mondays to Fridays, 0900 hours to 1800 hours on Saturdays and 1000 hours to 1700 hours on Sundays.

(b) That in the event of such an obligation not being secured within the timescale indicated, the Head of Planning and Development be given delegated authority to refuse the application on the grounds that without such an obligation the development would fail to achieve a sustainable transport outcome or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

Councillor D Clarke in the Chair

362. * **RESIDENTIAL DEVELOPMENT (61 DWELLINGS). MILLINERS GREEN SITE, KEELE ROAD, NEWCASTLE. PERSIMMON HOMES NORTH WEST. 11/00430/FUL**

Resolved:- (a) That subject to the applicant entering into a planning obligation, by no later than 4 November 2011, to secure the following:-

- (i) A financial contribution of £2,943 per each additional dwelling for open space enhancement/improvements and maintenance (£38,259 in total) and clauses ensuring that dwellings built pursuant to this proposal count against any triggers or thresholds within the existing agreement (subject to conformation as to necessity), and
- (ii) A financial contribution of £8000 for the Newcastle (Urban) Transport and Development Strategy (NTADS).

Permit subject to conditions relating to the following:-

- 1. Samples of materials.
- 2. Details of slab levels of all dwellings.
- 3. Integral garages to be retained for parking of motor vehicles.
- 4. Surfacing and maintenance of driveways and turning areas in a porous bound material.
- 5. Gradient of driveways and parking.
- 6. Submission/approval/implementation of surface water drainage scheme.
- 7. Erection of acoustic fence with a density of 20kg per square metre.

(b) That should the matters referred to in (i) and (ii) above not be secured within the above period, the Head of Planning and Development be given delegated authority to refuse the application on the grounds that without such matters being secured the development would be contrary to policy on the provision of open space within residential development and achieving sustainable forms of development, or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

(c) That with respect to the appeal against the refusal of the application 11/00123/FUL currently due to be heard at a hearing on 20 October 2011, the Borough Council pursues the above obligations but otherwise does not any longer oppose the development referred to in that application.

363. * **ERECTION OF 3 TWO STOREY OFFICE/COMMERCIAL UNITS VARIATION OF CONDITION 2 OF PERMISSION 10/00759/FUL TO SHOW UNITS 2/3 AS A SINGLE UNIT AND THE REPOSITIONING AND AMENDMENT OF UNIT 4. LAND OFF MARIES WAY, SILVERDALE. CLARKE CONSTRUCTION. 11/00405/FUL**

Resolved:- (a) That subject to a planning obligation being entered into, securing a financial contribution of £37,909 towards the Newcastle (Urban) Transport and Development Strategy (NTADS) by no later than 24 October 2011.

Permit subject to conditions relating to:-

- (i) Standard time limit.

- (ii) Approved plans.
- (iii) Revised landscaping scheme to reflect amended site layout .
- (iv) The other conditions imposed on 10/00759/FUL to continue to apply unless requiring consequential modification – in which case to apply as modified.

(b) That failing the completion of the above obligation within that period, the Head of Planning and Development be authorised to refuse the application on the grounds that without such an obligation the development would fail to make an appropriate contribution to NTADS thus improving local accessibility and the promotion of the most sustainable modes of travel or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

364. * **NEW DAY NURSERY. LAND TO REAR OF STEPHENSON BUILDING, KEELE UNIVERSITY. KEELE UNIVERSITY. 11/00272/FUL**

It was indicated that this matter had been withdrawn from the agenda.

Resolved:- That the information be received.

365. * **INSTALLATION OF FOUR EQUIPMENT CABINS WITHIN AN EXISTING COMPOUND. NEW HAYES FARM, BUTTERTON. GEO NETWORKS LTD. 11/00465/TDET**

Resolved:- That permission be granted.

366. * **OUTSTANDING ENFORCEMENT MATTERS**

Consideration was given to a report advising Members of the situation regarding the current enforcement caseload.

Resolved:- That the report be received.

367. * **TOWN AND COUNTRY PLANNING ACT 1990. TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999. TREE PRESERVATION ORDER - APPLICATION TO FELL. TPO NO 137 (2010). 51 DIMSDALE VIEW EAST, NEWCASTLE, STAFFS ST5 8EG**

Consideration was given to a report setting out the details of an application to fell a single sycamore tree within the grounds of the above residential property and which was protected by Tree Preservation Order No 137 (2010).

The options available to the committee in deciding whether to approve the application were set out in the officer's report.

Resolved:- (a) That the application be refused on the basis that the sycamore tree has significant amenity value and insufficient reasons have been put forward by the applicant to justify its felling.

(b) That detailed reasons for refusing the application to fell be agreed by the Executive Director – Operational Services in consultation with the Chairman and Vice-Chairman of the Committee.

368. * **APPEAL DECISION - ERECTION OF A CONFERENCE AND TRAINING HOTEL AND LAND ADJACENT TO KEELE UNIVERSITY, KEELE ROAD, NEWCASTLE. SECRETARY AND REGISTER OF KEELE UNIVERSITY**

An appeal against the Council's decision not to grant reserved matters approval for the above development had been allowed by the Planning Inspectorate following a Hearing.

Resolved:- That the information be received.

369. * **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 and defined in paragraphs 1, 2 and 6 in Part 1 of Schedule 12A of the Local Government Act 1972.

370. * **QUARTERLY REPORT ON PROGRESS ON ENFORCEMENT CASES WHERE ENFORCEMENT ACTION HAS BEEN AUTHORISED**

Consideration was given to a report advising Members of progress made on those cases where enforcement action had previously been authorised by the Committee or under delegated powers.

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

(b) That the actions agreed in respect of case references 06/63/209 and 09/89/207C2 be implemented by the officers.

D CLARKE
Chair

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**CLEANER GREENER AND SAFER COMMUNITIES OVERVIEW
AND SCRUTINY COMMITTEE**

5 October 2011

Present:- Councillor Miss Cooper – in the Chair

Councillors Allport, Miss Cooper, Mrs Johnson, Kearon, Matthews and Robinson

371. * **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Becket, Hailstones and Williams

372. * **PRIMARY AUTHORITY SCHEME**

The Committee received a report regarding options for Newcastle under Lyme to form a partnership between the local authority and a business to provide environmental health regulatory advice and support by assessing both the benefits and imp implications of such an initiative.

The Primary Authority Scheme proposed that:

- Formal partnerships be made between businesses and a local authority for that local authority to act as a Primary Authority and provide advice and guidance on the legislation covered by the partnership.
- Where a local authority other than the relevant Primary Authority (described as an “enforcing authority”) proposed to take enforcement action against an organisation with a Primary Authority, the enforcing authority must consult the relevant Primary Authority first.
- The Primary Authority would then have the right to direct the enforcing authority not to take the proposed enforcement action if they believed that it was inconsistent with advice or guidance that they had previously given.
- Where a proposed enforcement action had been referred to a Primary Authority and the parties involved could reach an agreement as to the action that should be taken, the enforcing authority, the Primary Authority or the organisation involved could refer the action to LBRO for determination. The purpose of this determination process was to examine whether the Primary Authority’s previous advice was correct, and the proposed enforcement action is inconsistent with that advice.

The Committee considered the report and raised some concerns regarding the following issues:

- The impact in Resource for the Council including staffing
- Working relations between the Primary Authority and other Local Authorities

- Working relations between the Primary Authority and other Local Businesses
- Possible areas for conflict
- Contractual arrangements and potential break clauses in the contracts for both the Primary Authority and the Business
- The impact that entering into a Primary Authority would have on taking enforcement actions against that business and other businesses with a Primary Authority
- Other Local Authorities experiences of Primary Authority

With regards to the concerns relating to resources it was stated that any Primary Authority functions were not expected to be met by existing resources and that legislative provision had been made to ensure that any primary authority scheme entered into would be on a full cost recovery basis with the costs being met by the partner business.

Resolved:- That the comments of the Scrutiny Committee be fed back to Officers and be included in the report to Cabinet on 19 October 2011

MISS J M COOPER
Chair

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PUBLIC PROTECTION COMMITTEE

10 October 2011

Present:- Councillor I Matthews – in the Chair
Councillors Bailey, Mrs Hailstones, Hailstones, Kearon, Olzewski,
Robinson, Snell, Welsh, Miss Walklate and Mrs Williams

373. * **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Wemyss.

374. * **DECLARATIONS OF INTEREST**

No Declarations of Interest were stated

375. * **MINUTES OF PREVIOUS MEETING**

Resolved:- That the minutes of the meeting held on 1 August, 2011 be agreed as a correct record

376. * **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 1,2 and 7 in Part 1 of Schedule 12A of the Local Government Act 1972.

377. * **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS**

(a) Mr MP

Resolved:- That, at the request of the applicant, this application be deferred to the next meeting of this Committee on 5 December, 2011.

(b) Mr AH

Resolved:- That the licence be suspended for a period of four weeks.

(c) Mr AKC

Resolved:- That, the driver retake the 'driver test' within seven days of the Council writing to him.

(d) Mr BA

Resolved:- That a licence not be granted.

(e) Mr DB

Resolved:- That a licence not be granted.

(f) Mr SA

Resolved:- That the licence be suspended for the period of one month.

378. * **FIXED PENALTY NOTICES - AUTHORITY TO ACT**

Consideration was given to a report on actions taken in respect of littering offences within the Borough.

Resolved:- (a) That legal proceedings be instituted in relation to all of the cases referred to in the report.

(b) That an article be placed in the Reporter to publicise the issue.

379. * **FIXED PENALTY NOTICE - NOTIFICATION**

Consideration was given to a report advising members of actions taken with regard to littering offences within the Borough.

Resolved:- That the information be received.

380. * **FLY TIPPING - HULSTONE**

Consideration was given to a report advising Members of action taken in respect of a fly tipping incident in the car park of the Hulstone Public House in Newcastle and seeking approval for legal proceedings to be instituted.

Resolved:- That legal proceedings be instituted

381. * **FLY TIPPING - PENTLAND**

Consideration was given to a report regarding a fly tipping incident at a garage site off Pentland Grove, Newcastle. #authorisation was sought to institute legal proceedings.

Resolved:- That legal proceedings be instituted.

382. * **FLY TIPPING - ROBERTS AVENUE**

Consideration was given to a report in respect of a fly tipping incident in an alleyway close to Roberts Avenue, Cross Heath and to seek authorisation to institute legal proceedings.

Resolved:- That legal proceedings be instituted.

**I MATTHEWS
Chair**

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PLANNING COMMITTEE (STRATEGIC)

11 October 2011

Present:- Councillor Fear – in the Chair

Councillors Boden, Cairns, D Clarke, Cooper, Fear, Lawton, Matthews, Miss Reddish, Studd, Sweeney, Mrs Williams and Williams

383. * **DECLARATIONS OF INTEREST**

There were none.

384. * **NATIONAL PLANNING POLICY FRAMEWORK**

Consideration was given to a detailed report advising Members that the Government was now consulting on the draft National Planning Policy Framework that sought to streamline national planning policy into a consolidated set of priorities to consider when planning for and deciding on new development. These important principles would help communities enjoy a better quality of life, both now and in the future.

Approval was also sought for a formal response, as detailed in an appendix to the officers' report, to be made to the Secretary of State for Community Local Government. Although Members were in broad agreement with the response, they did indicate that the following comments be added:-

- Greater clarity was required on what the Government considered to be sustainable development.
- Email
- The precise wording of the response to the available on housing policies should be agreed between the Chair, Portfolio Holder and Executive Director – Regeneration and Planning.

The draft Framework set out national policies and rules only where it was necessary to do so and would help ensure that planning decisions reflected genuine national objectives such as the need to safeguard the natural environment, combat climate change and to support sustainable local growth which allowing for local authorities and communities to produce their own plans, reflecting the distinctive needs and priorities of their localities.

The Framework formed part of the Government's major reforms to the planning system and Members were invited to consider what these changes could mean in practice for the operation of the planning system in the Borough and the Newcastle-under-Lyme Local Development Framework. It was indicated that once the final Framework came into force the joint Core Spatial Strategy would be subject to a test of conformity and that, accordingly, it was of natural benefit to the Borough Council and Stoke-on-Trent City Council to collaborate in trying to ensure that in the final Framework the status of the Core Spatial Strategy was not undermined.

The main points in the draft Framework were dealt with in the officers' report and it was considered that the principal changes proposed in the Framework that would impact on the Borough were as follows:-

- (i) Presumption in favour of sustainable development – the government was considering a definition of sustainable development for the Framework that would be key to assessing if there will be a change to how the Council currently assess development in terms of its sustainability and whether or not the Council's Core Spatial Strategy principle of targeted regeneration will be considered sound.
- (ii) Removal of brownfield (previously developed land) target – this is in conflict with the adopted Core Spatial Strategy principle of priority to brownfield land. This part of the Framework will weaken the Council's ability to resist the development of sustainable Greenfield sites.
- (iii) The removal of the town centre first approach for office development – the Council has a clear strategic policy in the Core Spatial Strategy and supported by current policy to direct office development towards Newcastle town centre. The removal of this approach could weaken the town centre as the Council's ability to attract office development would be seriously compromised.
- (iv) The need to maintain a five-year housing supply plus 20% - this is the equivalent of maintaining a six-year housing supply and will be increasingly challenging, particularly at times when little development activity is taking place. If local authorities are unable to demonstrate that they have necessary housing supply they could be forced to approve residential development that would otherwise be considered inappropriate or risk planning by appeal and being subject to awards of costs.
- (v) Neighbourhood planning – although local authorities are not obliged to financially support the production of neighbourhood plans, the Council would need to finance any referendums and provide support/advice as necessary. There are therefore financial resource issues to consider but these will depend on the appetite of local groups or businesses to create such plans.
- (vi) In theory, the Framework represents a simplification of planning policy, increased community involvement in the planning system and an opportunity to stimulate economic growth through increased levels of development. Although these are all generally welcome, in practice, there appears to be a disparity between the localism and growth agendas. It is not clear which will take precedence should there be a conflict between the two and the framework also appears to contradict itself in places. However, there is a general view that the Framework will be subject to changes before it is published, that together with the forthcoming guidance (albeit limited), will hopefully resolve some of these issues, but where there is no clarity, issues will often be resolved by appeal.

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

(b) That the consultation response set out in the Appendix to the officers' report, as amended, be submitted to the Department for Communities and Local Government within the required timescale.

(c) That in the light of comments from Stoke-on-Trent City Council, the Executive Director – Regeneration and Planning, in consultation with the Chair of this Committee and the Portfolio Holder, be authorised to make any further minor amendments to the response.

385. * **SITE ALLOCATIONS AND POLICIES DEVELOPMENT PLAN DOCUMENT - SCOPE OF CONTENTS AND DRAFT TIMETABLE**

Consideration was given to a report seeking approval of a revised timetable for the Site Allocations and Policies Development Plan Document that was brought into effect in January 2009. The report also described the role of the different timetable stages leading to the intended adoption of the Plan in October 2013.

The Committee was advised that the new draft National Planning Policy Framework placed a strong emphasis on having up to date plans in place and further increased the pressure on councils by proposing that planning permission should be granted where the plan is "absent, silent, indeterminate or where policies are out of date". The adopted Core Spatial Strategy placed the Council in a relatively strong position, although the officers considered that the necessary steps should be taken though the preparation of a Site Allocations and Policies Development Plan Document to put in place proactive policies that provided an even greater degree of certainty to facilitate sites coming forward efficiently and in a managed way.

Once adopted, the Plan would form a part of the Development Plan and carry full weight in the determination of planning applications remaining in force until the end of the plan period of 2026.

It was stated that the Newcastle and Stoke-on-Trent Core Spatial Strategy provided the overcrowding framework to develop and support detailed planning policies and that the Site Allocations and Policies Development Plan Document would be a more detailed plan and, when adopted, direct where future housing, retail, leisure facilities and employment should be located. It would also direct which areas of the Borough should be protected and safeguarded from future development and the main tests that the Council should take into account when deciding whether to grant planning permission for new development.

Housing and employment sites would only be allocated if they were of strategic importance or required to ensure that the delivery targets set in the Core Spatial Strategy were met. However, additional information would be needed justify the site, including whether it was suitable for the intended purpose and available and that a high quality and sustainable development can be achieved.

All allocated sites would be identified on an updated version of the Proposals Map.

Members were advised that in addition to issues of local importance, those of national importance would need to be reflected in the Plan and although a local interpretation and weight could be put on any issues the overall Plan would need to confirm with national policy.

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A key objective of the Plan would be to create attractive neighbours that function well together and that in respect of housing the aim would be to bring forward new housing schemes that benefit places socially, economically and environmentally. It was agreed that preparation of the Plan provided an excellent opportunity for the local community to become actively involved in shaping their neighbourhoods.

The ultimate aim was to produce a Plan that was distinctive to Newcastle and an effective response to local issues and priorities contributing to the Council's corporate priorities.

The timetable leading to adoption of the Plan was as follows:-

Stage	Key Activities	Star Target Date	End Target Date	Consultation Status	Decision Process
1.	Preproduction evidence gathering	Pre Core Strategy	Ongoing	Informal	N/A
2.	Discussions on Issues	Jan 2012	End March 2012	Informal	Planning Committee/ Cabinet
3.	Representations invited on Options	July 2012	End Aug 2012	Formal	Planning Committee/ Cabinet
4.	Representations invited on Publication of Draft Plan.	Mid Dec 2012	End Jan 2013	Formal	Planning Committee/ Cabinet/ Council
5.	Representations invited on Submission Draft	April 2013	Mid May 2013	Formal	Proceed to submission assuming no substantive amendments.
5.	Submission to the Secretary of State		End June 2013		
6.	Examination in Public	July 2013	Mid Sept 2013	Formal	Planning Inspectorate
6.	Hearing		End Aug 2013	Formal	Planning Inspector
6.	Final Inspector's Report		End Sept 2013	N/A	Non-binding report
7.	Adoption		Oct 2013	Formal notice	Council

It was indicated that delays to the timetable could arise from the need for additional evidence, as well as, the need to repeat a stage, or conduct additional consultation. The timing of the independent examination was dependent upon the Planning Inspectorate and be subject to negotiation.

Members were reminded of the intention to prepare the Plan concurrently with the process of preparing a charging schedule under the Community Infrastructure Levy Regulations 2011, with a view to the examination of the charging schedule

following on from the examination of the DPD. Accordingly officers were currently exploring the possibility of a joint economic viability assessment with the City of Stoke-on-Trent. The feasibility of this would take into consideration any potential impact on the Plan's draft timetable.

The ultimate aim will be to produce a Plan that is distinctive to Newcastle, which is an effective response to local issues and priorities and which contributes to the Council's corporate priorities.

Resolved:- (a) That Cabinet be recommended to agree to proceed with the preparation of the Site Allocations and Policies Development Plan Document

(b) That a further report be submitted to the December meeting of this Committee on an Issues Paper together with further details of the consultation arrangement for the Site Allocations and Policies Development Plan Document.

386. * **NEWCASTLE-UNDER-LYME RETAIL AND LEISURE STUDY (2011)**

Consideration was given to a detailed report presenting the findings of the above study carried out by Nathan Lichfield and Partners. The study provided a Borough-wide assessment of the future need for additional retail, commercial leisure facilities and other town centre uses for the main town centres of Newcastle and Kidsgrove and updated the North Staffordshire Retail and Leisure Study of the Borough carried out in 2005.

The scope of the study was summarised as follows:-

- To assess the vitality and viability of the main centres in the study area.
- To provide up to date advice on the market demand and capacity for additional retail (comparison and convenience) and commercial leisure development in the Borough to 2026.
- To provide evidence on how to meet any identified quantitative and qualitative need for new retail (comparison and convenience) and leisure floorspace up to 2026.

Overall the study found that the retention of comparison and convenience spending in the Borough was healthy. The Study identified the capacity for future retail and leisure growth in Newcastle town centre. It was indicated that this capacity of comparison retail floorspace identified in Newcastle town centre could in theory be accommodated wholly by the redevelopment of the Ryecroft of the Ryecroft site incorporating the site of the former Sainsbury's supermarket and site of the Civic Offices if this was taken forward as a high density wholly comparison retail scheme. However, it was more likely that any redevelopment of the Ryecroft site would have a mix of uses with the Retail Study stating that any remaining comparison floorspace capacity could be accommodated on the former St Giles and St George's site, if that site was ever made available for such uses, or on Blackfriars as part of a mixed use development. However, the development of the Blackfriars and other sites outside of the primary shopping area (outside of the ring road) would depend on passing the sequential test. Furthermore, it was stressed that future development of the St Giles and St George's site would not necessarily mean its demolition.

The relatively small capacity for additional comparison and convenience floorspace in Kidsgrove (1430 sqm) and 393 sqm by 2026) could be accommodated on the lower car park on the land North-west of Liverpool Road through a number of smaller units although the steep topography of the site is a constraint. It is acknowledged that the recent Linley Estate planning decision considered this site unsuitable for a small/medium sized supermarket, however, that assessment was made for a specific use and the consultant's working on the appellant's behalf was looking to find alternative sites unsuitable.

The study identified low capacity for future convenience floorspace in both Newcastle and Kidsgrove town centres. This capacity would not support a large-scale foodstore in either of the town centres. Elsewhere in the Borough there is some scope for additional convenience floorspace providing it meets a local need.

Limited capacity existed for leisure facilities in the Borough. However, future development would incorporate a bowling alley, restaurants and takeaways and possibly a theatre or upmarket hotel.

There was also theoretical capacity for additional cinema space to increase customer choice. However, planned development in neighbouring authorities, such as the East-West precinct redevelopment in Stoke-on-Trent city centre (Hanley) may limit potential for additional cinema screens in Newcastle-under-Lyme.

Newcastle Town Centre Boundary and Frontage

The study suggests that the town centre boundary is reduced to focus on the areas where the main town centre uses occur. It is recommended that the boundary should incorporate the entire area within the ring road (the primary shopping area), the leisure centre and Nelson Place to the east and Lidl, Travelodge, the Blackfriars site and Morrison's to the south-west. The policy implications of this are very significant because it would incorporate some edge-of-centre sites into a redefined town centre boundary. The implications will need to be considered as part of the preparation of the Site Allocations and Policies Development plan Document.

The Study also recommended that the primary shopping frontage (where we would expect pure retail to predominate rather than bars, restaurants, banks etc) is revised to remove Hassell Street as this does not contain a high proportion of retail when compared to the rest of the primary shopping frontage.

In conclusion it was indicated that the study would be available to view on the Council's website from 22 October.

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

(b) That the Newcastle-under-Lyme Retail and Leisure Study 2011 be noted as a technical background document to inform the formation of planning policies through the Local Development Framework.

387. * **NEWCASTLE-UNDER-LYME BOROUGH COUNCIL AND STOKE-ON-TRENT CITY COUNCIL JOINT EMPLOYMENT LAND REVIEW**

The Committee considered a detailed report setting out to recommendations of the above review carried out by URS/Scott Wilson.

The study provided an assessment of both the economic demand/need for employment land to 2026 and the existing supply for the two authorities. It drew conclusions from this analysis and set out a portfolio of sites, suggested delivery arrangements and policy recommendations to achieve them.

The officers' report concentrated on the study's findings and recommendations most affecting the Borough with Members being advised that as the review had been completed before the release of the draft National Planning Policy Framework (NPPF) no reference to that document was made in the study. However, it was noted that a key thread through the NPPF was the promotion of sustainable economic development and that it also introduced a duty to co-operate with neighbouring local authorities. One major change in national policy relevant to the review and proposed in the draft NPPF was the removal of the town centre first approach to office development through a sequential test.

The study identified a shortage in the supply of employment sites to meet the demand forecast of 150 ha to 2026 predicted in the Study although there were sufficient sites to meet the Core Spatial Strategy target of 44 ha to the same year. However, there were insufficient sites to meet the demand for Class B1a (light industrial) and Class B2 (medium and heavy) employment uses.

It was stated that the review of sites have exposed the potential under supply in the long term for several sectors with the results of the market engagement suggesting that there was a need to bring forward commercially attractive large employment sites in the A500 corridor towards the role.

Three new greenbelt sites had been considered during the stage 2 site appraisals, two close to the A34/A500 junction (south-west of Chatterley Valley Phase 2) and one on land adjacent to Cemetery Road in Keele. The former sites were well located close to Chatterley Valley and scored fairly well in the appraisals but were within the green belt. A more detailed site search and feasibility assessment would need to be undertaken in this general location in order to fully assess the suitability and deliverability in planning and physical terms before such sites are promoted through the planning process.

The Cemetery Road site was also located within the green belt. Whilst the site was relatively attractive and generally suitable for employment development, it was likely to be viewed as a strategically vital employment site. The market would be expected to consider that the site is too far removed from the A500/A50/M6 trunk roads and even though the A525 (Keele Road) is a good road leading into Newcastle town centre, it does not lead anywhere important (in market terms) to the west.

Viewing the Borough as a whole, the study stated that it was highly likely that the Council would need to consider allocating greenfield or green belt land for employment purposes in order to meet demand and need over the plan period. The officers indicated that there would need to be a reasoned justification for taking this action.

Proposed Portfolio of Sites to Meet Demand

The study suggested that in terms of contributing towards the suggested revised supply target, the total land deliverable (i.e. without obvious material constraint) in Newcastle-under-Lyme represented a supply of 5 years.

The study stated that to ensure that sufficient sites were delivered in the medium to long term there would be a need to address specific deliverability issues relating to key sites to ensure that employment uses can be delivered throughout Newcastle-under-Lyme. The key would be to prioritise public resources and developer activity at these sites.

Delivery and Intervention Strategy for Site Portfolio

The Study suggested three ways in which genuinely deliverable employment land could be made available. These methods were as follows:-

- (i) Investing in the removal of the sites' constraints can bring existing undeliverable sites forward.
- (ii) New employment land can be 'created' by either removing land from the Green Belt or reallocating green field sites.
- (iii) Appropriate sites outside the administrative area of Newcastle-under-Lyme, but close to the Borough's workforce can be included within the calculation of the Borough's available employment land.

The officers' comments on the above suggestions were set out in the report together with their responses to the recommendations made in the study.

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

(b) That the Newcastle-under-Lyme and Stoke-on-Trent Joint Employment Land Study 2011 be noted as a technical background document to inform the formulation of new planning policies through the Local Development Framework.

388. * **HIGH VALUE HOUSING REPORT**

Consideration was given to a report setting out the key findings of the RENEW North Staffordshire Regeneration Partnership (NSRP) 'Executive Housing Market' (ESM) Study that would help inform the formulation of future planning policy to be set out in the Local Development Framework.

The Committee acknowledged the aspiration to have a good mix of housing to take account of current and future demographic trends and profiles, including high quality housing and supported the strategic vision of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy for the area to become a prosperous, vibrant and successful area of choice for business, visitors and residents.

To assist this aim, the Core Spatial Strategy made provision for a wide range of housing types, tenures, sizes and prices although it was the Site Allocations Development Plan Document would assess the appropriate launches for specific types of housing, including higher value housing, based on an objective assessment of need. The perceived strengths and weaknesses of North

Staffordshire as a location for executive housing from the developers' perspective were set out in an appendix to the officer's report.

The three main recommendations made in the EHM report were set out in the officers' report together with the officer's comments on each item. The EHM also considered that land should be allocated for the specific purpose of developing executive housing with consideration being given to relaxing density requirements in order to facilitate high value and quality executive housing development, but that this should be done in consultation with stakeholders including landowners and developers. The EHM report also considered that a phased programme of development should be pursued in identifying the short term 'easy win' sites for delivery of a select number of bespoke detached, new executive dwellings to stimulate a niche market in locations contiguous to high value properties. The EHM report stated that the local 'executive' housing market was not as well developed as neighbouring areas, which had a better offer in terms of choice and 'quality of place' together with populations with larger average work and household incomes than in North Staffordshire. Nevertheless overall North Staffordshire was catering for its 'executive' housing, demand and on this basis it could be argued that there was little justification to intervene to support the growth of this sector.

However, notwithstanding these limitations the EHM report recommended that if the Council wanted to attract new high earners, which will in turn generate a demand for new build 'executive' housing, then it would need to intervene to provide the necessary flexible planning policy (e.g. to allow low density) and land supply (attractive sites in established areas or one larger new site in an attractive area) in order to stimulate the market. This should all be undertaken in consultation with agents and developers to ensure that we are catering for the 'executive' market and that high value housing is viable in those chosen locations.

Furthermore the evidence suggested that any new future planning policies to stimulate the 'executive' housing market by attracting new high earners would be more successful if they were supported by policies that worked to create new high earning employment opportunities. Indeed it was the lack of potential to earn high incomes locally rather than the availability of high value housing that is acted as an important constraint on this market.

Another constraint was the quality of the place. This is fundamental to establishing a successful 'executive' housing market. The focus must remain on quality in terms of design of buildings and public realm, in order to alter the perception of the area and take advantage of the assets such as access to open space.

The officers therefore considered that until there was an overall improvement in both Newcastle's 'quality of place' and earning potential, that the growth of this niche sector would be limited.

Nevertheless, Newcastle did have a ready made 'executive' housing market and the Council could try to capitalise on this in appropriate locations to grow the market for high value housing and reap the local and wider economic benefits that this may provide (retaining and attracting new economically independent households into the area and encouraging entrepreneurs and business leaders to establish new local businesses). However, it should be noted that the limited

number of 'executive' housing that the report suggests may be viable, may only bring very limited economic benefits in the short-term.

Given that the definition of 'executive' housing was based on market value, rather than the type of householder, the officers considered that it made sense, for reasons of consistency, to agree in the future to refer to this type of housing as 'high value' housing.

In conclusion, the Site Allocations Development Plan Document would assess the appropriate locations for specific types of housing, including high value housing and, following extensive public consultation seek to allocate land accordingly. In doing so, it would take into consideration the need to plan for a limited number of high value houses. Similarly there would be relatively limited geographical areas which will be attractive for the market to develop. Partnership working with both the public and private landowners and developers will be required to turn these aspirations into reality. In this way it should be possible to control when new build high value housing schemes are brought forward and at the appropriate scale.

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

(b) That the Renew North Staffordshire Regeneration Partnership (NSRP) Executive Housing Market Study be noted as a technical background document to inform the formulation of planning policies through the Local Development Framework.

(c) That the Committee's preferred option for the delivery of high value housing be through the Site Allocations and Policies Development Plan.

389. * **BUILDINGS AT RISK SURVEY**

A report setting out the outcome of the Council's latest buildings at risk survey was submitted for consideration.

Members were advised that the survey had included all 365 listed building entries on the statutory list and of the methodology used for assessing the degree of risk to listed buildings based on their condition and level of occupancy.

Only 19 of the buildings surveyed were found to be at risk with a further 22 requiring monitoring. The remaining 346 were not considered to be at risk.

Resolved:- (a) That the findings of the survey for buildings found to be at risk be noted and that the Conservation Officer and other officers work with owners and their agents to get these buildings removed from the 'at risk' register.

(b) That the Conservation Officer and other officers work with owners and their agents for those buildings identified from the Survey as buildings requiring monitoring to stop them from worsening and becoming 'at risk'.

(c) That officers undertake a survey of all of statutory Listed Buildings every 5 years.

(d) That the list of buildings at risk in the Borough be published on the Council's website and a press release issued.

(e) That consideration be given to the provision of an informal guidance note for all owners of heritage assets.

390. * **REGISTER OF LOCALLY IMPORTANT BUILDINGS AND STRUCTURES IN NEWCASTLE - 2011 REVIEW**

Consideration was given to a report recommending that the undermentioned buildings be added to the Registrar of Locally Important Buildings and Structures:-

Peak Pursuits, Nantwich Road, Audley
193/195 High Street, Silverdale
Cartouche on 2 Underwood Road, Silverdale
Acton Methodist Church
Former Station Booking Office, Baldwins Gate
Baldwins Gate Farm, Baldwins Gate
Madeley Mill, Moss Lane, Madeley

Resolved:- That the above buildings be added to the Register of Locally Important Buildings and Structures.

**A FEAR
Chair**

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CONSERVATION ADVISORY WORKING PARTY

18 October 2011

Present:- Councillor Miss J M Cooper – in the Chair

Councillors Allport, Becket, Mrs Burnett and Holland

391. * **APOLOGIES FOR ABSENCE**

No apologies were received.

392. * **ALSO IN ATTENDANCE**

Mr R Chatterton - Newcastle Civic Society
Mr R Manning - North Staffs Society of Architects
Mr J Worgan - Newcastle Civic Society

393. * **MINUTES OF PREVIOUS MEETINGS**

Resolved:- That the minutes of the previous meeting held on 27 September 2011 be agreed as a correct record subject to Mr Worgan being recorded as being in attendance and to record the apologies of Councillors Allport, Becket and Mrs Burnett.

394. * **APPLICATIONS PREVIOUSLY CONSIDERED**

That the decisions on applications previously considered by this Working Party be received.

395. * **PLANNING APPLICATIONS FOR CONSIDERATION**

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

<u>App No</u>	<u>Proposed Development and Name of Applicant(s)</u>	<u>Comments</u>
11/00440/FUL	Marsh Trees House, Marsh Parade, Newcastle. Richard Baker Harrison Ltd.	No objections.
11/00486/DEEM3	Jubilee 2, Brunswick Street, Newcastle. Newcastle-under- Lyme.	No objections, but please note that details should say that Jubilee 2 is adjacent to the town centre conservation

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		area, not within.
11/00490/LBC & 11/00491/ADV	Yates' 14-16 Ironmarket, Newcastle. Stonegate Pub Company.	No objections.
11/00496/FUL	The Raj, 5 Poolside, Madeley.	No objections providing the Working Party ensure the building is painted as proposed.
11/00500/FUL	19 Castle Walk, Newcastle. Specsavers Optical Stores.	The Working Party objected to the number of units and cabling on grounds of visual amenity. They suggested an alternative site to the rear of the roof, behind the parapet may be less obtrusive.
11/00501/ADV	19 Castle Walk, Newcastle. Specsavers Optical Stores	No objections.
11/00502/ADV	36 High Street, Newcastle. Butters John Bee.	The Working Party noted that there should be a LBC for this sign and objected to the large black fascia sign as very obtrusive. Letters should be individually applied as per the policy.
11/00508/ADV	118-124 High Street, Newcastle. Barclays Bank plc.	No objections.
11/00511/FUL	14-16 Ironmarket, Newcastle. Stonegate Pub Company	No objections.

396. * **ANY OTHER BUSINESS**

(a) Civic Society

On behalf of the Civic Society, Mr Worgan asked for a copy of the 'Primary Frontage Shopping Document'. There is no such document but the Conservation Officer would look into what the Society actually required. The Working Party requested that the Council needed a shop front and signage policy for conservation areas.

(b) Poundstretcher

The Conservation Officer updated the group on the issues. She confirmed that the owner's insurers had agreed to settle their claim and that a number of officers and the owner had met on 11 October to set out important issues. It was hoped that the owners would instruct a structural engineer and an architect to move forward with the appropriate applications to redevelop the site. She also detailed the requirements from Building Control were continuing to be met by the owner with the scaffolding system and that hopefully the front hoarding could be removed in the near future. Issues were raised from a member regarding the highway and pedestrian safety issues.

MISS J M COOPER
Chair

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CABINET

19 October 2011

Present:- Councillor S Sweeney – in the Chair
Councillors Bannister, Jones, Miss Reddish and Studd

397. * **MINUTES OF LAST MEETING**

That the minutes of the previous meeting of the Cabinet held on 7 September be approved as a correct record.

398. * **WORK OF THE NEW VIC THEATRE**

The Committee welcomed Fiona Wallace from the New Vic Theatre and Members were asked to note the initial steps taken regarding the development of a Partnership Agreement with the North Staffs Theatre Trust in respect of funding for the New Vic Theatre from the Borough Council.

Miss Wallace explained that the New Vic had been the first purpose built theatre in the round in Europe and that in the previous year over 20,000 young people had attended the Christmas show which had been rated as one of the top 5 in the country along side other high profile organisations such as the Royal Shakespeare Company.

It was stated that one priority of the theatre was to raise the aspirations of all young people, particularly those from disadvantaged groups. A year long programme of Borderlines projects had been delivered with partners such as The Domestic Violence Unit, the Police and the Young Offenders Teams.

Members discussed the information attached at Appendix B to the report which detailed The New Vic and the Council's 2009 Sustainable Community Strategy. Attempts had been made to remove the economic burden of visiting the theatre through the introduction free tickets for those under 16 years of age and a £1 entrance fee for those on benefits and ACE free theatre initiate for those under 26. The theatre also worked with every secondary school in the Borough and approximately half of the primary schools. Drama was also being used as a teaching tool for the sciences.

It was also stated that the work of the New Vic Theatre was bringing over 1 million pounds of investment to the Borough including grants from the Arts Council and that it was generating approximately 11.6 million pounds for the local economy.

399. * **CORPORATE PLAN - 2012-13 TO 2014-15**

Members considered the Corporate Plan 2012/13 to 2014/15. The Corporate Plan underpinned the whole planning structure of the Authority and informed how the Authority should act as the major driver behind nay budget proposals, longer-term strategic plans and the service planning process.

Resolved:- That the adoption of the Corporate Plan be approved for 2012/13 to 2014/15.

400. * **MEDIUM TERM FINANCIAL STRATEGY 2012/13 TO 2016/17**

Members received a report providing the background on the financial strategy for the Council over the next five years in the light of the national and local financial situation and taking into account the Council's priorities.

One of the main unknowns facing the plan at the moment was the uncertainty surrounding business rates but details regarding these were still unavailable from Central Government. Paragraph 2.6 of the report highlighted some specific areas that had been looked at in the budget service review, the areas included the management of vacant posts, modernisation and transformation of the Council and Joint working with other local authorities; all of these areas along with others were continuously monitored in order to detect any areas where savings could be made. Page 6 of the MTFS drew Members attention to the fact that in February 2011, Full Council had agreed the capital investment plan which provided for £21,638,800 of investment over a 2 year period in projects across all of the Council's priority areas. Page 10 of the strategy highlighted where the Council would have shortfalls over the next 5 years and a strategy had been developed to deal with these and would be considered by this Committee in January before being presented to Full Council for approval. Encouraging feedback had also been received from the Audit Commission which deemed the Council to be well placed to face any current and upcoming financial difficulties.

The MTFS would be considered by the Transformation and Resources Overview and Scrutiny Committee at its next meeting on 2 November 2011.

Members thanks the Executive Director (Resources and Support Services) and his team for the hard and impressive work being undertaken in such difficult financial times.

Resolved:- (a) That the Medium Term Financial Strategy for 2012/13 to 2016/17 be approved.

(b) That the report be referred to the Transformation and Resources Overview and Scrutiny Committee for comment.

401. * **APPLICATIONS FOR DISCRETIONARY RATE RELIEF**

A report was presented regarding the granting of discretionary Rate Relief in accordance with powers under Section 47 of the Local Government Finance Act 1988.

It was highlighted that the report contained only the new organisations applying for rate relief.

Resolved:- That in accordance with Section 47 of the Local Government Finance Act 1988, discretionary rate relief be granted in respect of the organisations and premises detailed in Appendix A to the report.

402. * **SITE ALLOCATIONS AND POLICIES DEVELOPMENT PLAN DOCUMENT - SCOPE OF CONTENTS AND DRAFT TIMETABLE**

Members received a report requesting agreement to a revised timetable for the Site Allocations and Policies Development Plan Document.

The preparation of the Site Allocations and Policies Development Plan document was included in the Council's approved Local Development Scheme and was a high priority in the Local Development Framework.

Newcastle Borough Council had already adopted a Core Spatial Strategy with Stoke on Trent City Council in November 2009 and the Site Allocations and Policies Development Plan Document was the next stage following this and would help to direct where future housing, retail, leisure facilities and employment would be located. There would be public consultation regarding the plan at every possible level and in a variety of ways to ensure that as many interested parties were involved as possible. It was stated that this approach had been endorsed by the planning committee at its last meeting.

Resolved:- (a) That Cabinet agree to proceed with the preparation of the Site Allocations and Policies Development Plan in accordance with the draft timetable set out in the report.

(b) That a further report be submitted to a subsequent meeting on an issues paper together with further details of the consultation arrangements for the Site Allocations and Policies Development Plan.

403. * **HIGH VALUE HOUSING - NSRP STUDY FINDINGS**

Members received a report presenting the findings of the RENEW North Staffordshire Regeneration partnership (NSRP) 'Executive Housing Market' study. The study would help to inform both the development of the Council's Asset Management Strategy and the formulation of planning policy, to be set out in the Local Development Framework.

Resolved:- (a) That the RENEW NSRP Executive Housing Market Report be taken into account in any update of the Council's Asset Management Strategy, so that action can be taken to intervene in the 'Executive' housing market, if considered appropriate and necessary and that a further report be submitted for approval if this is deemed to be the case.

(b) That the RENEW NSRP Executive Housing Market Report be noted as a technical background document to inform the formulation of planning policies through the Local Development Framework

(c) That the recommendation of the Strategic Planning Committee that it's preferred option for the delivery of high value housing be through the Site Allocations and Policies Development Plan be endorsed.

404. * **A NEW ECONOMIC DEVELOPMENT STRATEGY FOR THE BOROUGH**

A report was received to allow Members to consider the first draft of a new Economic Development Strategy for the Borough.

Members thanks the Economic development and Enterprise Overview and Scrutiny Committee for its comments regarding the draft Strategy which had been incorporated into the report. All and any feedback regarding the draft report was welcome and it was highlighted that the Strategy was intended to be a public document for use by people and businesses coming into the Borough.

Resolved:- (a) That the Draft Economic Development Strategy, subject to modifications suggested by Cabinet and Scrutiny, be used as a basis for consulting with partner organisations, the local business community, LAPs and the Economic Development strand of the Newcastle Partnership.

(b) That any comments be received be reported back to Cabinet for consideration.

405. * **RENEW NORTH STAFFS HOUSING MARKET RENEWAL PATH FINDER 2003-2011**

A report was received informing Members of the conclusion of the Renew Housing Market Renew (HMR) Pathfinder initiative 2003-2011 and its achievements within the Borough.

Members considered that there had been some great achievements in the Borough thanks to the initiative such the development on Lower Mile House Lane and agreed that the project had been cut down in its prime. Other ways were now being considered to continue the good work and areas such as Galleys Bank where there had been serious issues with absentee landlords were prime candidates for development.

Resolved: (a) That the Renew HMR Pathfinder Programme 2003-2011 and its achievements in Newcastle be noted.

(b) That the Council continues to work with both funding and delivery partners to optimise the prospects of further development/initiatives being implemented that are consistent with the objectives of the Renew Programme.

406. * **DISPOSAL OF KNUTTON RECREATION CENTRE**

A report was submitted regarding the outcome of the call-in regarding the disposal of Knutton Recreation Centre and the response to this from Cabinet.

It was stated that the main emphasis regarding the future of the site and the new facilities and developments planned had to be on public consultation and that this had been happening throughout the project and would continue to happen through to its conclusion.

Resolved:- (a) That the comments from the Overview and Scrutiny Co-ordinating Committee be received and that the Committee be thanked for its views.

(b) That Members reaffirm the Cabinet decision made on 15 June 2011 with the additional recommendations as follows:

- That the Council commits to undertaking a public consultation process supported by any preferred purchaser prior to the submission of any planning application for development of the subject land.
- That any marketing particulars clarify:
 - The Council's expectation of compliance with the current policy regarding the provision of affordable housing and;
 - The potential for inclusion of a convenience store.
- That the outcome of any public consultation process be reported back to Cabinet as part of any final report to dispose of the subject land.

407. * **RYECROFT CAR PARK**

Members received a report seeking authority to introduce an off street parking order on the Ryecroft Car Park. The Portfolio Holder clarified that the parking would be limited to the ground floor levels and that any suggestions regarding paying on exit were currently not economically viable.

Resolved:- (a) That the introduction of an off-street parking order on the Ryecroft Car Park.

(b) That charges be approved as detailed in the report.

(c) That the portfolio holder be authorised to confirm the order in due course.

408. * **PRIMARY AUTHORITY SCHEME**

Members were asked to consider a report regarding options for Newcastle under Lyme to form a partnership between the local authority and a business to provide environmental health regulatory advice and support by assessing both the benefits and implications of such an initiative.

Members considered that it would be vitally important that there be a sound business case before any such scheme was entered into and took into account the fact that any such scheme would be undertaken on a cost recovery basis. Comments regarding the proposals had been received by the Cleaner Greener Safer Overview and Scrutiny Committee which included concerns regarding resources. It was stated that any additional resources would have to be met by the business as part of the cost recovery contract.

Resolved:- That Cabinet agrees to pursue and enter into Primary Authority partnerships with businesses within the Borough provided that there is a business case to do so

And if agreed, that the Cabinet delegates authority to the Head of Environmental Health Services (supported by the Head of Business Improvement & Partnerships), in consultation with Portfolio Holder to:

- (i) Explore opportunities for Primary Authority partnerships with businesses within the Borough
- (ii) Explore opportunities for partnerships with other regulatory organisations to jointly enter into Primary Authority agreements
- (iii) Explore pilot work areas to expand the principles of Primary Authority with the LBRO

- (iv) Enter into Primary Authority relationships on behalf of the Council for the purpose of the Regulatory Enforcement and Sanctions Act 2008 (RES Act)
- (v) Develop a process to implement the decision taken by Cabinet in line with existing legislation, regulation and good practice.

409. * REPLACEMENT ROAD SWEEPING VEHICLE

A report was received seeking Authority to replace a road sweeping vehicle which had reached the end of its serviceable life span and which was now uneconomical to maintain. The authority would be subject to approval of funding by Full Council.

Resolved:- That subject to Council approval the funding, the Executive Director, Operational Services be authorised to seek tenders for a replacement road sweeping vehicle and, in consultation with the Portfolio Holder for Environmental Health and Recycling, accept the lowest suitable tender received.

410. * IMPROVING ICT ACCESS FOR MEMBERS

Members received a report responding to the recommendations of the Transformation and Resources Overview and Scrutiny Committee regarding the provisions of ICT for Elected Members and to update Cabinet on ICT provisions put in place since February and to put forward further recommendations.

Resolved:- (a) That the use of allocated Newcastle email addresses for members Newcastle caseload becomes adopted practice.

(b) That Members be encouraged to use their dedicated website as their main source of information.

(c) That the current practice of printing emails for members should stop as soon as possible.

(d) That the ICT Access for Members Protocol be approved in its entirety.

(e) That the Members Allowance Scheme be reviewed by the Independent Remuneration Panel with regard to ICT provision.

(f) That the means of access to relevant council systems be reviewed and developed in line with advances in technology.

(g) That printed agendas continue to be distributed to members for the Committees on which they sit.

411. * CEMETERIES MEMORIAL SAFETY PROGRAMME 2011-15

Cabinet received a report informing it of guidance on the Management of Memorials issued by the Institute of Cemetery and Crematorium Management (ICCM). The report sought to compare the Council's current procedure for the management of memorials with the ICCM guidance. It was requested that Cabinet agree to endorse the Council's current procedure for the management of memorials and continue to apply it to the forthcoming approved five year

programme of memorial inspection and testing in the Borough Council's cemeteries.

Resolved:- (a) That the ICCM guidance on the Management of Memorials be noted.

(b) That the Council's current procedure for the management of memorials be endorsed and applied to the forthcoming approved five year programme of memorial inspection and testing in the Borough Council's cemeteries.

412. * **DEVELOPMENT PLAN - LOCALITY ACTION PARTNERSHIP (LAP) REVIEW**

Cabinet received a report introducing the Locality Action Partnership Development Plan which it had requested at its last meeting on 7 September 2011. The development plan built on the work undertaken as part of the transformation program, previous reports and the Locality Action Partnership Review recommendations submitted to Executive Management and Cabinet.

Resolved:- (a) That Cabinet notes the contents of the report and the contents of the development plan.

(b) That Cabinet notes the suggested changes to the development plan from the meeting of Informal Cabinet on 28 September 2011 – to remove action 30 relating to Community Infrastructure Levy.

(c) That Cabinet agrees to the actions and milestones contained in the development plan which may impact on their portfolio areas.

(d) That Cabinet supports the development plan being presented to the wider Newcastle Partnership

413. * **STATEMENT OF INTENT - VOLUNTARY AND COMMUNITY SECTOR**

A report was submitted seeking support for a statement of intent that outlined the Council's ongoing commitment to the voluntary and community sector.

Resolved: (a) That the report be noted

(b) That Cabinet endorse the proposals contained in the report.

414. * **JUBILEE 2 UPDATE**

Cabinet received a report containing information about progress relating to the Jubilee 2 since its last meeting. It was stated that the project was now 75% complete, on budget and on time.

Resolved:- (a) That the progress in delivery of the 'Jubilee 2' is noted.

(b) That Cabinet endorse the recommendation that Officers in Consultation with the Cabinet member for Culture and Active Communities and the Cabinet Member for Resources and Efficiency enter into contract with a facilities management company for the maintenance of the mechanical and electrical plant at Jubilee 2.

S SWEENEY
Chair

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PLANNING COMMITTEE

25 October 2011

Present:- Councillor A Fear – in the Chair

Councillors Boden, Mrs Burke, Cairns, Clarke D, Cooper, Howells, Lawton, Miss Reddish, Studd, Mrs Williams and Williams

415. * **APOLOGIES FOR ABSENCE**

Apologies for absence for received from Councillors Clarke M R, Matthews and Sweeney

416. * **COUNCILLOR BILL SINNOTT**

The Chair referred to the recent death of Councillor Sinnott and paid tribute to the contribution by him to the Planning Committee and Conservation Area Working Party.

417. * **DECLARATIONS OF INTEREST**

Declarations of interest were made by Councillors Howells, Miss Reddish and Studd in respect of application 11/00486/DEEM3 (members of Jubilee 2 Board) who left the meeting during its consideration.

418. * **MINUTES OF PREVIOUS MEETINGS**

Resolved:- That the minutes of the meetings of this Committee held on 23 August and 13 September 2011 be approved as correct records.

419. * **RETENTION OF ALTERATIONS. SOUTHERN ENTRANCE OF CHURCH FARM, MUCKLESTONE ROAD. MR FRIEND - FRIENDS GROWERS. 11/00427/FUL**

Resolved:- That permission be granted subject to the undermentioned conditions:-

- (i) The use of the access being limited to those using the two dwellings at Church Farm and not the holiday let.
- (ii) Retention of current measure to prevent any other use of the access, or its replacement which has the prior approval of the Local Planning Authority.

420. * **THE BUNGALOW, MILL HEATH, MERELAKE ROAD, TALKE. MR C HALL. 11/00493/FUL**

Resolved:- That permission be granted subject to the undermentioned conditions:-

- (i) Time limit.
- (ii) Approved drawings.
- (iii) Removal of permitted development rights for extensions and outbuildings.

- (iv) Completion of access.
- (v) Provision of parking and turning areas in accordance with approved plans.
- (vi) Provision of visibility splays.
- (vii) Details of materials.
- (viii) Contaminated land conditions.
- (ix) Submission and approval of the details for recyclable materials and refuse storage/disposal arrangements.

421. * **ADVERTISEMENT SIGN. 14 LANCASTER BUILDINGS, HIGH STREET, NEWCASTLE. MR K PADANIA. 11/00461/LBC**

Resolved:- That listed building consent be granted.

The reason for granting consent was as follows:-

"It is considered that the advertisement sign by reason of its muted colour, limited size and appropriate location above the entrance door to the premises does not have any detrimental impact on the character or appearance of this Grade II Listed Building. The Local Planning Authority has therefore exercised its duty of having special regard to the desirability of preserving the building and any features of special architectural or historic interest which it possesses, as detailed in section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Furthermore the development complies with policies in the development plan indicated in the decision notice and national guidance on works to Listed Buildings".

422. * **INTERNALLY ILLUMINATED ADVERTISEMENT SIGN. JUBILEE 2, BRUNSWICK STREET, NEWCASTLE. NEWCASTLE BOROUGH COUNCIL. 11/00486/DEEM3**

Resolved:- That advertisement consent be granted subject to the undermentioned conditions:-

- (i) The surface brightness of the sign shall not exceed 300 candelas/square metres.
- (ii) The precise detail of the manner in which the sign is to be fixed to the building to be agreed with the Local Planning Authority.
- (iii) Standard conditions.

423. * **QUARTERLY REPORT ON SECTION 106 AGREEMENTS/OBLIGATIONS**

Consideration was given to a report advising Members of the progress made on the work on planning obligations contained within agreements and unilateral undertakings made under Section 106 of the Town and Country Planning Act.

The report also described the planned work to monitor progress on planning obligations and related issues identified in previous reports to the Committee.

The Committee also received advice with regard to the current position on the agreements relating to Maries Way, Silverdale (11/00405/FUL), Day Nursery at Keele University (11/00276/FUL) and former Oxford Arms Public House, May Bank (10/00777/OUT) that were nearing completion.

Resolved:- (a) That the improvements made to date be noted and the proposed revised timetable for the resolution of the outstanding issues indicated

in the report be agreed with a further progress report being submitted to the Committee in January 2012.

(b) That the Head of Planning and Development continue to report on a quarterly basis on the exercise of his authority, where given by the Committee, to extend the period of time for an applicant to enter into Section 106 Obligations, and of any similar decisions made by the Chair and Vice Chair.

424. * **APPEAL DECISION - ENHANCEMENT OF THE SETTING OF A LISTED BUILDING; REMOVAL OF KENNEL BUILDINGS AND STRUCTURES AND ERECTION OF A DWELLINGHOUSE, GARAGE AND STABLE BLOCK WITH LANDSCAPED GARDEN. CLOD HALL, ALMINGTON. MR M MAYALL. 10/00233/FUL**

It was reported that an appeal lodged against the Council's decision not to grant planning permission for the above development had resulted in the following split decision by the Planning Inspectorate:-

Replacement garage - appeal allowed
New dwellinghouse - appeal dismissed

Resolved:- That the information be received.

**A FEAR
Chair**

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**ACTIVE AND COHESIVE COMMUNITIES
OVERVIEW AND SCRUTINY COMMITTEE**

31 October 2011

Present:- Mrs G Williams – in the Chair

Councillors Bailey, Cairns, Mrs Cornes, Mrs Heesom, Miss Walklate and Wilkes

425. * **APOLOGIES**

Apologies were received from Councillors Mrs Heames, Miss Olszewski and Tagg J H.

426. * **DECLARATIONS OF INTEREST**

The following Declarations of interest were given for the disposal of the Knutton Recreation Centre:

Councillors: Cairns, Miss Walklate, Wilkes and Mrs Williams

All Members are on the Newcastle Sports Council

427. * **MINUTES FROM THE PREVIOUS MEETING**

Resolved:- That the minutes of the meeting held on 22 August, 2011 be agreed as a correct record.

428. * **THIRD SECTOR COMMISSIONING - FUTURE FUNDING AND CONTRACTING**

Consideration was given to a Draft Brief for Scrutiny on Third Sector Commissioning.

Discussion took place and Members queried which 'neighbouring authorities' would be involved. These could include any of the Staffordshire Authorities or Stoke on Trent City Council.

Clarification was requested on contracts which may need to be extended. There were seven contracts which would expire at the end of March, 2012 and Members were advised that these could either be renewed or alternative actions could be sought.

Members felt that this process required close monitoring and requested that a Working Party be established as soon as possible to scrutinise the matter.

Resolved:- (a) That the information be received

(b) That a Working Group be established to scrutinise the Third Sector Commissioning contracts

429. * **DEVELOPMENT PLAN - LOCALITY ACTION PARTNERSHIP (LAP) REVIEW**

Consideration was given to a report and Scrutiny Brief relating to the LAP review and the Development Plan which had been requested by the Cabinet on 7 September, 2011.

Consultation had taken place with Parish Councils and other stakeholders although Members stated that no consultation had taken place with Silverdale Parish Council or Kidsgrove Town Council. This matter would be addressed and a dialogue opened.

Members requested more clarity on where Parish Council's stood and how LAP's and Parish Councils could work together better.

Resolved:- That the contents of the report and the development plan and the comments made be noted.

430. * **JUBILEE 2 UPDATE**

Members were advised of the current position regarding Jubilee 2 which was on target to open in January.

The two year contractual costs were in line with what had been expected in the business plan.

Resolved:- That the information be received.

431. * **BRIEF FOR SCRUTINY - BATESWOOD**

Consideration was given to a report on a draft Brief for Scrutiny for the proposed Consultation Plan for the Bateswood Local Nature Reserve. A letter from a local resident was passed to Members voicing concerns about the proposal.

Members were asked how they wished to proceed with this proposal. Approximately 1000 houses within the catchment area would be consulted along with active organisations, LAP's, Parish Councils etc.

Members agreed the proposed consultation plan, that the process continue and for the results to be brought back to this committee after the consultation process had ended.

Resolved:- That the results be brought back to this committee after the consultation period has ended.

432. * **DISPOSAL OF KNUTTON RECREATION CENTRE**

Consideration was given to a report updating Members on the current position regarding the disposal of Knutton Recreation Centre.

Members were advised of the recommendations of Cabinet on 19 October and noted that a public consultation be undertaken prior to any planning application being submitted. Members agreed that the outcome of the consultation should be seen by this Committee prior to it going to the Cabinet.

- Resolved:-**
- (a) That the information be received
 - (b) That the results of the consultation be brought to this committee prior to going to the Cabinet

433. * **FORWARD PLAN - ACTIVE AND COHESIVE COMMITTEE EXTRACTS**

Consideration was given to items contained within the Forward Plan which were relevant to this Committee and made the following observations:

Allotment Review

Members agreed to await further review on this item

Community Centres Review

Members requested that a Draft Brief for Scrutiny be brought to the next meeting on this item.

Draft Health and Wellbeing Strategy

Members requested that the Chair liaise with the Coordinating Committee and Health Scrutiny Chairs to decide upon the best way to approach this item. Options available could be a cross-committee Working Group or a joint meeting of the two committees

Green Space Strategy

This involved a regular review of the Strategy. A report on this matter would be presented to the Cabinet next March

- Resolved:-**
- (a) That the information be received and the comments noted
 - (b) That a draft Brief for Scrutiny be brought to the next meeting on the Community Centres Review
 - (c) That the Chair liaise with the Chairs of the Coordinating Committee and Health Scrutiny over the most appropriate way to scrutinise this issue
 - (d) That a report on the Green Space Strategy be brought to this Committee next March

MRS G WILLIAMS
Chair

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**TRANSFORMATION AND RESOURCES OVERVIEW AND
SCRUTINY COMMITTEE**

2 November 2011

Present:- Councillors Mrs E Shenton and Mrs A Beech – in the Chair
Councillors Fear, Mrs Hailstones, Snell, Miss Walklate, Waring and Wilkes

434. * **DECLARATIONS OF INTEREST**

There were no declarations of interest given

435. * **MINUTES OF PREVIOUS MEETINGS**

Resolved:- That the minutes of the meeting held on 28 September, 2011 be agreed as a correct record subject to the inclusion of Councillor's Fear and Mrs Hailstones' apologies.

436. * **DRAFT BRIEFS FOR SCRUTINY AND WORK PROGRAMME**

Consideration was given to a report on Scrutiny Briefs which had been submitted for Members' attention.

Co-Location of Partner Organisations in the Civic Offices

Members agreed that this matter should be brought back to the next meeting when more information would be available

Flexible Working for Borough Council Employees

This item would be left for the body of the Committee to receive regular updates

Review of the Constitution

This matter had commenced in the previous Municipal Year and Members queried whether the work already undertaken could be carried forward. It was confirmed that any Working Group set up would continue with what had been done previously and in addition, the independent members who were involved previously could be invited back.

Procurement Brief

Members requested that a progress report be given on this matter at the January meeting,

Resolved:- (a) That the information be received and the comments Noted

(b) That the matter of co-location be brought to the next meeting of this Committee

(c) That a Working Group be established for the review of the Constitution

(d) That an update on the Procurement Brief be brought to the January meeting

437. * MEDIUM TERM FINANCIAL STRATEGY 2012/13 TO 2016/17

Consideration was given to a report on the Medium Term Financial Strategy which had been approved by the Cabinet on 19 October and referred back to this committee for comment.

The report identified shortfalls over the next five years which needed to be addressed.

Members were advised of the issue regarding asset management disposal such as the Knutton Recreation and Jubilee 1 sites and felt that this Committee could play an important part in this matter.

Members thanked Dave Roberts for the work that he had put in to preparing the document.

Resolved:- That the report be received and the comments noted

438. * PERFORMANCE MANAGEMENT REVIEW

Consideration was given to a report on the Council's performance management framework and was a follow up to a presentation made to this committee at the last meeting. The report was based upon findings from the review undertaken by the Audit Commission. Mr Phil Morgan from the Audit Commission was in attendance to answer questions from Members.

Mr Morgan stated that the Council should set indicators that were actually measurable and this was the opportunity to do it differently as shortly the assessment regimes of the Audit Commission would no longer exist.

From next year the external audit role would be carried out by one of the private sector audit firms next November.

Consideration was also given to the Scrutiny Brief which had been presented to the Committee previously. It was agreed that a Working Group, comprising of Councillors Mrs Beech, Fear, Mrs Shenton and Snell, be set up to scrutinise the issue. Mr Morgan also offered his services for the short term.

Mr Morgan was thanked for the work which he had undertaken.

Resolved:- (a) That the comments be noted.

(b) That a Working Group be established, comprising of the four Members listed above.

(c) That further updates be brought back to this Committee

439. * **FORWARD PLAN - TRANSFORMATION AND RESOURCES EXTRACTS**

Consideration was given to a report identifying items contained within the Forward Plan that were relevant to this committee.

Members agreed that the following issues all have Scrutiny Briefs brought to the next meeting:

- Finance and Performance Management Monitoring Report
- Corporate Complaints, Comments and Compliments Policy
- Capital Strategy
- Revenue and Capital Budgets 2012/12
- Treasury Management Strategy

A Scrutiny Brief on the Scale of Fees and Charges was requested to be brought to the January meeting.

The Chair would liaise with the Chairs to the Overview and Scrutiny Coordinating Committee and the Economic Development and Enterprise Overview and Scrutiny Committee to ensure that The Asset Management Strategy 2012/12 to 2014/15 was being dealt with by the appropriate committee.

Resolved:- (a) That the information be received and the comments noted

(b) That Scrutiny Briefs be prepared for the next meeting on the topics listed above

(c) That the Chair liaise with the Chairs to the Overview and Scrutiny Coordinating Committee and the Economic Development and Enterprise Overview and Scrutiny Committee to ensure that the correct committee dealt with the matter

440. * **COUNCILLOR BILL SINNOTT**

A minute's silence was held for Councillor Bill Sinnott who had recently passed away.

**MRS E SHENTON
MRS A BEECH
Chair**

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JOINT PARKING COMMITTEE

3 November 2011

Present:- Councillor S Sweeney – in the Chair

Councillors Clarke D

County Councillors Mrs Cornes, Locke and S J Tagg

441. * **MINUTES OF THE PREVIOUS MEETING**

Resolved:- That the minutes of the meeting of this Committee held on 18 July 2011 be approved as a correct record

442. * **DECLARATIONS OF INTEREST**

There were none.

443. * **COUNCILLOR BILL SINNOTT**

Tribute was paid to the contribution made to this Committee by Councillor Sinnott who had recently passed away.

444. * **REGARDING RESIDENTS PARKING SCHEME SOUTH EAST OF THE TOWN CENTRE**

Members received an update on response received following publication of details of the draft Traffic Regulation Order for the above area.

It was indicated that a part of this consultation process 286 letters had been posted to residents inviting objections to the proposals, which had also been advertised in the press and on appropriately placed on-street notices.

It was indicated that of the 17 responses received, 11 made objections to the Traffic Regulation Order with the after 6 supporting the proposed.

The Council's made by the residents were set out in a scheduled circulated at the meeting together with the officer's comments.

Although the County Council had no specific concerns arising from the comments Members of the Committee were invited to take the Schedule away to consider it in detail and thereafter forward any comment to the County Council or Borough Council.

Members were also asked to consider the type, cost and number of parking permit that could be issued to residents of properties affected by the proposed Traffic Regulation Order and as above, submit any comments, direct to the County or Borough Council. This information could then be considered by the officers and included in a further and more detailed report to the Committee.

Resolved:- That the information be received.

445. * **RECENT REQUESTS FOR NEW OR AMENDED TRAFFIC REGULATION ORDERS**

Consideration was given to a schedule circulated at the meeting outlining requests made for low Traffic Regulation Orders since the last meeting of the Committee on 18 July 2011.

The Committee expressed the following concerns:-

Etruria Way, Basford

Cars parked on the entrance road to the estate near to the roundabout are a potential danger to after road users as they enter and leave the area. It was agreed that the situation be closely monitored and, if the problem, worsens, a further report be brought to the Committee for consideration.

Cornwall Avenue/Clayton Lane/Stafford Crescent

The problem of parking in the vicinity of the main gates to Clayton Hall Language and Business College was a cause for concern. It was agreed that junction protection measures at this point should be investigated.

Hollingwood Close, Kidsgrove

Problems with on-street parking were being expressed by residents when Kidsgrove Athletic Football Club hosted home fixtures. It was agreed that signs directing football fans to available off-street parking areas would be useful.

The Avenue, Kidsgrove

Concern was expressed that the introduction of parking charges by East Midland Trains on the car park at Kidsgrove Station had had the result of reduced usage, with drivers parking at other locations including Meadows Road and Tesco.

Resolved:- That the above comments be noted and investigated by the officers.

446. * **NEW REQUESTS FOR RESIDENT PARKING SCHEMES**

The Committee considered a number of requests for residents parking schemes during which a number sought clarification with regard to Princess Street that was situated adjacent to Newcastle-under-Lyme School. In response it was indicated that Princess Street was not to be considered for inclusion in the current proposal for a residents parking scheme in this area, but will be considered separately in due course.

A Member sought clarification as to the position with regard to the request for residents only parking in Dunkirk, Newcastle and received an assurance that this one was next to be formally considered followed by that for West Brampton.

Resolved:- That the information be received.

S SWEENEY
Chair

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HEALTH SCRUTINY COMMITTEE

7 November 2011

Present:- Councillor D Becket – in the Chair

Councillors Miss Cooper, Mrs Johnson and Loades

447. * **MINUTES OF PREVIOUS MEETING**

The minutes of the meeting held on Thursday 29th September 2011 were agreed as a correct record.

448. * **DECLARATIONS OF INTEREST**

There were no declarations of interest.

449. * **CLOSURE OF THE HIGH STREET PRACTICE**

The Committee considered a report regarding the closure of the High Street Practice in Newcastle under Lyme; the Practice had a list of 5000 patients. The practice had been open since 2004 and currently had a PCTmS contract managed on behalf of the PCT by North Staffordshire Community Healthcare.

Sue Price advised the committee that changes to health policy beyond the control of the PCT meant that it was no longer possible for the PCT or Community Trust to hold or manage the contract, which had resulted in the practice being put out to tender in November 2011.

Sadly, negotiations with the preferred bidder had broken down as a consequence other options for the practice had had to be considered and were outlined by Sue Price and her colleagues at the meeting as follows:-

- Negotiate with the second placed bidder
- Re-tender the practice (a lengthy process)
- Disperse all patients to other practices (there were 4 within one mile of the High Street practice)

The PCT had concluded that list dispersal was the only viable option and that every effort should be made to enable patients to be transferred to a GP practice of their choosing. Patients had been consulted on the closure and were being helped through the process by PCT staff with about 850 already organising their own alternative arrangements to transfer. Tracey Shewan indicated that the PCT was also preparing a communications plan to aid the dispersal exercise and that a Patient Helpline had been set up.

In response to a question from a member Jan Butterworth confirmed that the transfer of patients would not overload the lists of other practices where spare capacity existed. In fact, the future of some practices may be helped by the receipt of additional patients.

The PCT was committed to a dispersal programme that was acceptable and appropriate for all patients with patient choice being the main focus throughout the process. Those patients who had still to be dispersed in three months time would be written to again urging them to contact the practice to arrange a transfer of their choice. The PCT representatives confirmed that all communication with patients would emphasise that they had a choice and should use it.

Those patients who failed to contact the practice would be transferred alphabetically to alternative practices but would not necessarily get a transfer that was acceptable to them. In those cases the patient could de-register and then apply to be added to a list of a practice nearer to where they lived. A member asked that special consideration and help be offered to elderly and vulnerable patients who often found it difficult to deal with changes of this nature.

In terms of PCT staff working at the practice they were currently being consulted on redeployment with the final decision being with the individual staff members. It was quite possible that some staff could move to those practices accepting patients from High Street.

It was also possible that some interest may be expressed in running specific clinics from the High Street practice although this was not currently being considered as an option for the future.

The question of patient access to GP's was raised by the Chairman in response to which an assurance was given that the problem did not exist in Newcastle. Concern was also expressed that closure of the High Street practice may result in more patients presenting themselves at UHNS Accident and Emergency Department. It was indicated that this was unlikely to happen as transferred patients would all have access to their new GP's although it was difficult to legislate for those who chose to go to A/E when it was not necessary.

In conclusion the Chairman thanked Sue, Jan and Tracey for their attendance and advice given to the committee.

- Resolved:-**
- (a) That the report be received.
 - (b) That the PCT be asked to provide regular updates on the progress made on the dispersal of patients from the High Street Practice.
 - (c) That the PCT be asked to keep the Committee advised of any proposals to run clinical services from the High Street premises.

450. * **SERVICES PROVIDED BY GPS AND PUBLICITY**

Following concerns expressed at a previous meeting of the committee consideration was given to a report outlining arrangements that were in place to enable patients to access phlebotomy services other than at the University Hospital of North Staffordshire.

Members were provided with a list of those practices currently offering blood testing services and advised that where a practice did not offer the service it was usually provided in an outreach clinic to avoid hospital visits.

It was agreed that more publicity was necessary to inform patients of the above emphasising that the service was now available at locations within the community and that a hospital visit was not always required.

It was agreed that in general new and improved publicity was desirable outlining the whole range of services available in the community with existing leaflets etc being updated.

In conclusion, it was agreed that greater efforts were also required to advise patients of how to use public transport to access the services offered in the community in addition to details about the frequency of services to the hospital.

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

(b) That the PCT be asked to look at updating current information on the availability of services in the community and providing improved information on how to contact NHS Direct.

451. * **NEURORADIOLOGY SERVICE REVIEW FINAL REPORT**

The committee received an update on the Service Review of the Neuroradiology Department at the University Hospital of North Staffordshire.

The Chairman indicated his intention to raise questions on this matter at the Accountability Session that was to be held with representatives of University Hospital of North Staffordshire later in the week. He also took the opportunity to advise members of the format to be followed at the session.

Resolved:- That the information be received.

452. * **SUMMARY OF THE MAIN ISSUES OF BUSINESS FROM THE STAFFORDSHIRE HEALTH SCRUTINY COMMITTEE HELD ON 3 OCTOBER 2011**

The committee received a summary that outlined items of business discussed at the meeting of the County Council's Health Scrutiny Committee on 11 October 2011.

During consideration of this matter the Chairman referred to his attendance at the recent Cabinet Members Accountability Session at Stafford and to his alarm at the high infant mortality rate in the Borough. He asked that a report on this matter be submitted to a future meeting of this committee for consideration and that the situation be closely monitored in consultation with the PCT.

The PCT representatives indicated that a number of factors contributed to the problem and that work was ongoing to improve outcomes for pregnant mothers.

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

(b) That the PCT be asked to monitor the situation and to bring a report to a future meeting of this committee for consideration

453. * CARDIAC REHABILITATION PHASE IV

The committee considered information submitted by the Executive Director-Operational Services outlining the four stages of the rehabilitation process for cardiac patients.

Phase IV Cardiac Rehabilitation was the long term maintenance of health behaviour and change, including the provision of support from patient and carer groups and long term follow up in primary care. It was indicated that both phase III and phase IV cardiac rehabilitation could be provided by the Council at Jubilee 2, which could provide ongoing, long term support to those who had either had cardiac surgery or a cardiac event. The programmes were run by advanced fitness instructors who had undergone specialist training with the British Association for Cardiac Rehabilitation.

It was indicated that patients could only progress to Phase IV after satisfactorily completing the first three phases provided by the health service.

It was agreed that action was required to get more people onto Phase IV and that further discussions would be held on this issue with the health experts.

Resolved:- That the information be received.

454. * HEALTH AND WELLBEING STRATEGY UPDATE

The Council's Executive Director-Operational Services referred to the Project Initiation Document previously considered by the committee and indicated that a first draft of the Health and Wellbeing Strategy would be available in the New Year.

He explained that the Strategy would sit alongside those for Economic Development and Crime and Disorder and be outcome focused.

During consideration of this matter the Chairman expressed the view that the Borough Council should have two representatives on the County Council's Health and Wellbeing Board and that through the development of our own Strategy document demonstrate that we were making positive steps regarding this issue.

Resolved: That the information be received.

**D BECKETT
Chair**

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CONSERVATION ADVISORY WORKING PARTY

8 November 2011

Present:- Councillor Miss J M Cooper – in the Chair
Councillors Allport, Becket and Mrs Burnett,
Representing Messrs Manning and Worgan - Newcastle Civic Society
Outside Bodies

455. * **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Holland, Claire Henshaw and Pat Chatterton.

456. * **DECLARATIONS OF INTEREST**

Councillor Becket declared an interest for application 11/00548/FUL in that he was a personal friend of both the applicant and the objector.

457. * **MINUTES OF PREVIOUS MEETING**

That the minutes of the previous meeting held on 18 October were accepted as a true record subject to Pat Chatterton, Jim Worgan and Roy Manning being recorded as being in attendance and that the Working Party's comments for 11/00496/FUL be amended to read – "No objections providing the building is painted as proposed."

458. * **APPLICATION PREVIOUSLY CONSIDERED**

That the decisions on applications previously considered by this Working Party be received.

459. * **PLANNING APPLICATIONS FOR CONSIDERATION**

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

<u>App No</u>	<u>Proposed Development and Name(s) of Appellant(s)</u>	<u>Comments</u>
11/00475/OUT	Erection of a community fire station to accommodate one fire appliance. Land off Market Drayton Road, Loggerheads. Stoke and Staffordshire Fire and Rescue Authority.	No objections.

Conservation Advisory – 08/11/11

11/00504/FUL	Change of use of existing brick and tile barn into a single dwelling and the erection of a brick and tile outbuilding in the style of a hay barn in the same location as an existing stable/store which is to be demolished. Whitmore Riding School, Shut Lane Head, Whitmore. Mr G Richards.	The repair and refurbishment of the barn will improve the setting of the listed barn.
11/00528/ADV	Three part illuminated building signs, one non-illuminated sign and one part illuminated totem sign. ATS Euromaster, Lower Street, Newcastle. ATS Euromaster.	No objections.
11/00541/LBC	Relaying of external plaza paving and modifications to boundary wall and external lighting. Central Campus, Keele University, Keele. Keele University Estates and Development Directorate.	No objections.
11/00542/FUL	Remodelling of central campus landscape area including car parks. Central Campus, Keele University, Keele. Keele University Estates and Development Directorate.	No objections.
11/00548/FUL	Additional garage and replacement workshop Yew Trees, Main Road, Betley. Dr H Dobson.	The garage/workshop is excessively large and its impact will be harmful in relation to the listed wall. If the length and size was reduced, this would reduce the ridge height, or consideration might be given to another roof design including a flat roof.

**MISS J M COOPER
Chair**

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**CLEANER GREENER AND SAFER COMMUNITIES
OVERVIEW AND SCRUTINY COMMITTEE**

9 November 2011

Present:- Councillor J Williams – in the Chair

Councillors Allport, Becket, Miss Cooper, Hailstones, Mrs Johnson,
Kearon, Matthews, Richards, Robinson and Tagg S J

460. * **ALSO IN ATTENDANCE**

Councillor Miss Reddish – Portfolio Holder for Environment and Recycling.

461. * **MINUTES OF THE PREVIOUS MEETING**

Resolved:- That the minutes of the meeting held on 31 August 2011 be agreed as a correct record subject to the inclusion of Councillor Allport and apologies received from Councillor Robinson.

462. * **PRIMARY AUTHORITY SCHEME**

The Council's Head of Environmental Health Services updated Members on the Primary Authority Scheme which had been approved by the Cabinet on 19 October 2011.

Members were advised that there were 33 potential businesses wishing to join the scheme. Letters would be sent out this week and responses awaited prior to meeting with the businesses to assess their needs.

Resolved:- That the information be received.

463. * **CARBON MANAGEMENT PLAN**

The Council's Head of Housing updated Members on the current position regarding the Carbon Management Plan. Information on this was handed to Members at the meeting.

Questions had been raised at the previous meeting regarding the Midway Car Park and its position during the evenings. One proposed action would be to close the Midway off on all but levels four and five and to switch the lights off on the empty floors. Members were advised that notices would be put up this week explaining which floors were available.

Members also enquired about the Civic Offices and the leasees who would be coming into the building. Would they be responsible for the energy they used or would it be built into the contact.

Members had also enquired about funding for Community Centres and were advised that the Energy Savings Trust and the Carbon Trust may provide funding. The Council's Head of Housing would look into these grants.

The Portfolio Holder for Environment and Recycling advised Members that a grant had been received and a meeting was due to be held on putting it to its best use.

Resolved:- That the information be received.

464. * **CCTV CONTROL ROOM**

Members received a presentation from the Council's Community Safety Officer on the CCTV Control Room Operator Volunteer Scheme.

It had been brought about in order to extend the periods of operation by the use of volunteers.

The Council was looking to appoint approximately ten volunteers over a three month pilot period.

Concerns were raised that there could be a perception that the Council were cutting paid workers to replace with volunteers. This would only supplement the present service and not replace it.

Members asked if the volunteers would be Security Industry Association (SIA) trained. This would be investigated but was not essential. Members requested that it be checked to see if full time employees had to be SIA trained and if so, it should follow that the volunteers should be too.

A request was made for information on the manning levels of the CCTV equipment.

It was felt that there could be a high turn over of staff once they had been trained and could move on to full time paid work.

This had been accounted for in the budget.

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

(b) That the position of SIAs be investigated.

(c) That information on the meaning of the CCTV be forwarded to Members.

465. * **ALCOHOL HARM REDUCTION STRATEGY**

Members received a presentation from the Council's Community Safety Officer on the Council's Alcohol Harm Reduction Strategy.

An Alcohol Strategy Priority Action Group had been set up in 2008 looking at alcohol related issues.

The original strategy, which was a statutory responsibility for all Crime and Disorder Reduction Partnerships had been set up in 2008 and would expire in 2012.

The strategy set out six objectives: prevention, education, health, treatment, crime and disorder.

For the night time economy, St John's Ambulance and the Red Cross run triage operations to keep A&E units for emergencies. It was reported that the Red Cross ran the service for free whilst St John's Ambulance had cut their costs significantly

A statue and mobile juice bar had been set up in 2008/09 in the town centre and the outskirts and Members asked if this could be extended to other areas of the Borough – for example Kidsgrove where there was a large drink problem. This would depend upon capacity and the Chair requested that the Kidsgrove LAP put something forward. The Council's Community Safety Officer would attend a Butt Lane LAP meeting to discuss a way forward.

Cheshire East had raised the price/unit of alcohol by 30p and Newcastle was waiting to see what happened. The information would be brought to this meeting when it was available.

Members requested that Trading Standards be invited to a future meeting to discuss alcohol related problems.

- Resolved:-**
- (a) That the information be received.
 - (b) That the Council's Community Safety Officer attends a Butt Lane LAP meeting.
 - (c) That the outcomes of the Cheshire East Initiative be brought to a future meeting when it becomes available.

466. * **DRAFT SCRUTINY BRIEFS**

(i) Volunteers Staffing of CCTV Control Room

This had been covered earlier in the meeting. Members were advised that there was a new emergency number of 101. The current number of 303030 would phase out over time.

Resolved:- That the information be received.

(ii) Police Reform and Social Security Act

This Act had just received Royal Assent and therefore it would be better to await its implementation. Any information from LAPs should be passed to the Council's Elections and Licensing Manager who would bring the information to a future meeting.

- Resolved:-**
- (a) That the information be received.
 - (b) That following its implementation the item be brought to a future meeting along with any information received by the Council's Election and Licensing Manager.

(iii) Crime and Disorder Reduction Partnership

Resolved:- That a report on this be brought to the next meeting.

(iv) Development of a Space and Stronger Communities Strategy

Members requested that a meeting be set up with the Council's Head of Business Improvement and Partnerships to discuss which areas to lead on and to bring the matter to a future meeting. Members would like to see the draft strategy.

Resolved:- That the draft strategy be brought to a future meeting of this Committee.

467. * **FORWARD PLAN**

Consideration was given to a report on items contained within the Forward Plan that were relevant to this Committee.

Two issues were raised from the items:-

(i) Recycling Bring Site Provision

Members requested that draft ideas be brought to this Committee for pre-decision scrutiny.

(ii) North Staffs Green Space Strategy Progress Report

Members requested that an annual update be given to this committee on this item regarding the progress with the delivery of the Action Plan.

Resolved:- (a) That the Forward Plan be received.

(b) That draft ideas for recycling bring site provision be brought to a future meeting.

(c) That an annual update on the Green Space Strategy be given to this committee.

468. * **TREE PRESERVATION ORDERS**

Members queried the Tree Preservation Order Process which was managed through the Town and Country Planning Act. Members suggested that the way in which they were interpreted could be scrutinised by this Committee and requested that a presentation be given at a future meeting with particular attention being made to park areas.

Resolved:- (a) That the information be received and the comments noted.

(b) That a presentation be made to the next meeting on Tree Preservation Orders.

**J WILLIAMS
Chair**

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AUDIT AND RISK COMMITTEE

14 November 2011

Present:- Councillor D Richards – in the Chair

Councillors Boden, Loades and Waring

469. * **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Snell.

470. * **DECLARATIONS OF INTEREST**

There were none.

471. * **MINUTES OF PREVIOUS MEETING**

Resolved:- That the minutes of the meeting of this Committee held on 26 September 2011 be approved as a correct record.

472. * **TREASURY MANAGEMENT HALF YEARLY REPORT 2011/12**

Consideration was given to the Treasury Management Half Yearly report for 2011/12.

Reference was made to the Council's investment with the Heritable Bank and it was indicated that nine repayments totalling £1,619,497 have been received from the administrators Ernst and Young. Furthermore on 28 July 2011, the administrators had confirmed a revised estimate of a base case return of between 86% and 90% (in comparison to 79% and 85% base case return estimated on 28 January 2010).

The report also gave details of investments as at 30 September 2011. The Council held £12 million of investment on that date and had an average level of funds available for investment purposes in the first two quarters of 2011/12 of £16 million. The investment portfolio yield for the first six months of the year was 1.01% against a target of 1.00%. The Council's budgeted investment return for 2011/12 was reported to be £218,000 and it was indicated that as at the end of the first two quarters of 2011/12 interest of £112,000 had been earned.

A full list of investments was set out in the appendix to the report.

Having regard to the borrowing position for 2011/12 there was currently no intention to borrow to finance capital investment. The only borrowing envisaged by the 2011/12 Treasury Management Strategy was of a temporary nature to cover short terms cash flow deficits. In conclusion it was confirmed that no borrowing had taken place for the first half of the financial year.

Resolved:- (a) That the Treasury Management Half Yearly Report for 2011/12 be received.

(b) That a copy of the Treasury management Counter Parties List be forwarded to all members of this committee.

473. * **HEALTH AND SAFETY HALF YEARLY UPDATE REPORT**

Consideration was given to the report of the HR Officer (Health and Safety) for the period April to September 2011.

The report provided a brief outline of progress made on health and safety matters during the above period and formed part of the Health and Safety Annual Report for 2011/12 that would be presented to the Committee in June 2012.

It was indicated that 15 work related accidents had been reported during the above period, one of which was reportable to the Health and Safety Executive as a major injury (broken bone in foot). In addition two dangerous occurrences and four verbal abuse /violence reports had been received.

Details of routine inspections carried out to date by the Health and Safety officer were also submitted as follows:-

- Park Pavilions
- Bradwell Crematorium
- Kidsgrove Control Service Centre
- Midway Car Park
- Civic Offices
- St George's Chambers

Inspections of Jubilee Baths and The Guildhall had also been carried out by the Corporate Health and Safety Committee.

Following all of the above inspections, reports had been sent to the premises manager and other responsible officer outlining the findings and advising on any necessary corrective action. Members expressed the view that a set auditable format for inspections should be adopted for all inspections and requested the officers to look into this.

The report also referred to an amendment to the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations extending from 3 days to 7 days the absence period which triggered the accident report to the Health and Safety Executive, that had been approved and would become law in April 2012.

Furthermore, the consultation on proposals by the Health and Safety Executive for recovering costs incurred when visiting organisations closed on 14 October 2011 with the Council's Head of Environmental Health Services responding on the Council's behalf.

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

(b) That the officers look at the adoption of a set auditable format to be followed for all inspections.

474. * **CORPORATE RISK MANAGEMENT REPORT FOR THE PERIOD JULY TO SEPTEMBER 2011**

A report was submitted detailing progress made by the Council in enhancing and embedding risk management for the above period including progress made in managing the identified risks.

It was indicated that the risk management process previously adopted by the Council had been reviewed to incorporate changes in the way the Council worked and to provide continuity and streamlined reporting of risks to the necessary stages so that it became further embedded at each level of the authority. This would further develop the identification of key risks that potentially threatened the delivery of the corporate priorities. The new Strategy would also provide a formal and proportionate framework to manage these identified risks and thus reduce the Council's exposure.

Members were advised that the Council monitored and managed its risks through the various risk profiles contained within GRACE (Governance Risk and Control Environment) a software package for recording its High Red 9 risks at least monthly and its Medium Amber risks at least quarterly.

Details of the Council's most significant risks were highlighted in the report and it was indicated that after the review had taken place the following risks had been reduced through good risk management and the re-rating process:-

- Maintenance expenditure on The Midway car park reduced from an extreme risks (old rating system) to a medium amber 6 risk in the new rating systems.
- The retail led development of Ryecroft was proceeding and was now a medium amber 3 risk.
- The risk relating to the planning permission for Jubilee 2 had been re-rated from a high risk on the old system to a low green 2 with the project due for completion/handover during December 2011.

As a consequence of the above actions these risks would be removed from the next quarter's report.

In response to a request made at the last meeting during the discussions on Horizon Planning, a list of emerging legislation that may have an impact on the Council was set out in the report.

The report also responded to a request made at the last meeting by setting out a response from the Council's Executive Director – Regeneration and Development outlining the status of the Local Enterprise Partnership and how the risk register for the Partnership was maintained. A risk profile for the Partnership had also been prepared and was placed before the Committee for consideration.

Resolved:- (a) That the progress made in managing the risks identified within the Strategic, Operational, Project and Partnership Risk Registers where applicable be noted.

(b) That the new risks identified between July to September 2011 be noted.

(c) That the Corporate Risk Assessment in respect of fraud be scrutinised in more detail at the next meeting of this Committee.

(d) That the horizon scanning risks listed to be taken into account when making decisions on reports submitted to committees and the effect it may have on the future of the Council be noted.

475. * **UPDATES TO THE COUNCIL'S ANTI-FRAUD AND CORRUPTION FRAMEWORK**

The Committee received a presentation on the Council's Anti-Corruption Framework following which it considered a report seeking approval of:-

- Anti-Fraud and Anti-Corruption Framework
- Whistleblowing Policy
- Fraud Response Plan

It was indicated that the Council's Existing Anti-Fraud and Anti-Corruption Framework had been reviewed and updated to take into account the new Bribery Act which came into effect on 1 July 2011 and the policies had been benchmarked against those received from a number of other authorities across the West Midlands.

A Fraud Awareness Guide was available to all of the Council's managers and as part of the Council's ongoing commitment to raising Fraud Awareness an on-line training package had been purchased and made available to staff via the Council's Intranet. Training had been rolled out to staff in December 2010 on a voluntary basis and the Audit Manager was now looking at ways in which the training could be made compulsory for all staff. In addition, other means of raising awareness were currently being reviewed in order to ensure the Council's commitment to deterring fraud and corruption was maintained.

In conclusion it was stated that the risk of not having the above strategies in place would mean that staff had no guidance on what to do in the event that they suspected fraud or corruption was being committed which could, in turn, hamper any subsequent investigation required to achieve a satisfactory outcome.

Resolved:- That the Anti-Fraud and Corruption Framework, the Whistleblowing Policy and the Fraud Response Plan be approved in their updated forms.

476. * **QUARTERLY REPORT: ADOPTION OF INTERNAL AUDIT FUNDAMENTAL RECOMMENDATIONS AND SUMMARY OF ASSURANCE 1 JULY TO 30 SEPTEMBER 2011**

Consideration was given to a report on outstanding fundamental recommendations and providing Members with assurance opinions on internal controls over Council Services.

Approval was also sought to the Executive Director's requested actions in respect of the recommendations and proposed Target dates set out in Appendix B to the report.

The committee was advised that high risk recommendations were those agreed with management that were Key Controls in providing assurance as to the efficiency and effectiveness of the system, service or process under review. By agreeing to prolong target dates the Committee was accepting the risk of not implementing the control with any delays in the implementation of recommendations affecting the assurance opinion provided for each service.

High risk recommendations were those where action was considered imperative to ensure that the authority was not exposed to high risks and to do this needed to be implemented within one month of the recommendations being agreed with managers. It was reported that in the second quarter there were twenty two high risk recommendations due for review, of which eleven were at their first follow up date and therefore no further action was required at this stage. Four recommendations had received a first target date change and had been referred separately to the Chairman and Vice Chairman of the committee. However, seven recommendations had received two target date changes and details of these were set out in Appendix B to the report. The report also included a further Appendix that set out a copy of the Assurance Summary for September 2011.

In conclusion, it was stated that three Directorates were showing Limited Assurance at the end of the second quarter, whilst the Chief Executive's Directorate had an Assurance Opinion of Substantial. Accordingly there were no issues or concerns in relation to any outstanding recommendations within any of the Directorates.

Resolved:- That the action of the officers and levels of assurance be noted.

477. * **INTERNAL AUDIT PROGRESS REPORT QUARTER 2 2011/12**

The Committee received a report regarding the work undertaken by the Internal Audit section during the period 1 July to 30 September 2011.

Up to the end of September 2011, 557 recommendations had been made of which 412 had been implemented (74%), the target being 96% by the end of the year.

The Committee was asked to consider any issues that they wished to raise with Cabinet and, or Executive Directors.

Resolved:- That the report be received.

D RICHARDS
Chair

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PLANNING COMMITTEE

15 November 2011

Present:- Councillor Fear – in the Chair

Councillors Boden, D Clarke, M R Clarke, Cooper, Howells, Matthews,
Miss Reddish, Sweeney and Mrs Williams

478. * **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Studd

479. * **ALSO IN ATTENDANCE**

Councillor Loades in attendance for planning applications 11/00475/FUL,
11/00536/FUL and 11/00543/FUL.

480. * **DECLARATIONS OF INTEREST**

There were none.

481. * **MINUTES OF PREVIOUS MEETINGS**

Resolved:- That the minutes of the meetings of this Committee held on
4, 11 and 25 October 2011 be approved as correct records.

482. * **RESIDENTIAL DEVELOPMENT (10 DWELLINGS) ON THE SITE OF THE
FORMER GALLEY PUBLIC HOUSE, WILLIAM ROAD, KIDSGROVE.
DC LAND (KIDSGROVE) LLP. 11/00494/FUL**

Resolved:- (a) That subject to obligations being completed by
14 December 2011 to secure the following:-

- (i) A financial contribution of £6,000 towards the Newcastle (Urban Transport and Development Strategy (NTADS).
- (ii) A financial contribution of £2,943 per each dwelling for open space enhancement/improvements and maintenance (£29,430 in total).
- (iii) Maintenance of off-site landscaping adjacent to the western boundary of the site.

permit subject to the following conditions:-

- (i) Time limit.
- (ii) Approved plans.
- (iii) Prior approval of external facing materials.
- (iv) No development to commence until off-site landscaping agreed and implemented adjoining the site boundary within the open space.
- (v) Prior approval and implementation of landscaping. Such landscaping to include the removal of the retaining feature to the front of the dwellings and its replacement with the landscaping.

- (vi) Prior approval of boundary treatments such details to include means of preventing access down the side of the properties along the retaining feature.
- (vii) Rear alley to be secured by gates.
- (viii) The drives to be a minimum length of 5m.
- (ix) Provision of surface water drainage interceptors and soakaway.
- (x) Surfacing and maintenance of the driveways in a porous bound material.
- (xi) Existing site access to be permanently closed and reinstated as verge/footway.
- (xii) Surfacing of access in a bound and porous material for minimum of 5m.
- (xiii) Parking areas provided prior to occupation.
- (xiv) Gates to plot 1 to be a minimum distance of 5m rear of the highway boundary.
- (xv) All other plots to remain ungated.
- (xvi) Contaminated land conditions.
- (xvii) Removal of permitted development rights for hardsurfacing within residential curtilages.

(b) That should the obligations not be secured within the above period, the Head of Planning and Development be given delegated authority to refuse the application on the grounds that without the obligation being secured, the development would:-

- (i) fail to make an appropriate contribution to NTADS thus improving local accessibility and the promotion of the most sustainable modes of travel and thus not accord with policies within both the Structure Plan and the Core Spatial Strategy;
- (ii) not include on-site open space provision to meet the demands of the development and would fail to secure off-site provision required by Local Plan Policy C4 and Core Spatial Strategy Policies CSP5.
- (iii) would not ensure the maintenance of off-site defensive landscaping and as such would fail to prevent anti-social activities that could take place within the adjoining open space thereby adversely affecting the living conditions of the occupiers of the development.

unless he considers it appropriate to extend the period for securing these obligations.

483. * **UPGRADE OF THE CENTRAL CAMPUS OF KEELE UNIVERSITY WITH A VARIETY OF SOFT AND HARD LANDSCAPING FEATURES INCLUDING AN EVENTS PLAZA AND ALTERATIONS TO THE PARKING ARRANGEMENTS IN THE VICINITY WITH IMPROVED TRAFFIC CALMING; AN ADDITIONAL CYCLE SHELTER; IMPROVED LIGHTING AND LANDSCAPING. KEELE UNIVERSITY. 11/00541/LBC & 11/00542/FUL**

Resolved:- (a) Permit the application with the following conditions:-

- (i) Time period for commencement.
- (ii) Approved plans.
- (iii) Materials.
- (iv) Implementation of landscaping scheme.
- (v) Unexpected contamination.
- (vi) Importation of soil/material.
- (vii) Surfacing and availability during construction period of replacement parking.

- (viii) Details of paved works adjacent to the Chapel.
- (ix) Recommendations within arboricultural reports.
- (x) Amount of temporary parking and removal of temporary car park at conclusion of works.
- (xi) Details of CCTV.
- (xii) Wall lights and up-lights.
- (xiii) Scheme for provision of surface water drainage works.
- (xiv) Tree Protection measures.
- (xv) Repeat Bat Survey if development not commenced within 12 months.

(b) That with respect to the listed building consent application 11/00541/LBC permit subject to conditions relating to the following:-

- (i) Time period for commencement.
- (ii) Approved plans.
- (iii) Details of paved works adjacent to the Chapel.
- (iv) Wall lights and up-lights.

(c) That the applicant be requested to consider providing additional disabled parking spaces within the campus.

484. * **ERECTION OF A PAIR OF SEMI-DETACHED DWELLINGS. 8A APEDALE ROAD, CHESTERTON. BELLWOOD ESTATES LTD. 11/00407/OUT**

Resolved:- (a) That subject to (i) the Head of Planning and Development being satisfied on the basis of a noise abatement assessment that a satisfactory residential environment can be formed in relation to noise and (ii) the completion of a unilateral undertaking securing payment of the sum of £1000 towards NTADS, outline permission be granted subject to conditions considered appropriate by the Head of Planning and Development by 4 January 2012.

(b) That in the event of the applicant being unable to provide evidence that a satisfactory residential environment can be formed, the Head of Planning be authorised, in consultation with the Chairman, to refuse the application for that reason.

(c) That in the event of the required contribution of £1000 towards NTADs not being secured, the Head of Planning and Development, in consultation with the Chairman, be authorised to refuse the application because the development could not be achieved in a sustainable form.

485. * **APPLICATION TO REPLACE OR EXTEND TIME LIMIT FOR IMPLEMENTATION OF OUTLINE PLANNING PERMISSION 08/00715/OUT FOR THE ERECTION OF TWO DWELLINGS. 17 ST SAVIOUR'S STREET, BUTT LANE. MR LEESE. 08/00715/EXTN**

Resolved:- That permission be granted subject to the undermentioned conditions:-

- (i) Approved drawings
- (ii) Standard outline conditions concerning the reserved matters (including layout, scale, external appearance, access and landscaping).
- (iii) Approval of materials.
- (iv) Scheme of boundary treatments.
- (v) Each dwelling to have no more than 2 bedrooms.

- (vi) Hard surfaces to comprise porous materials.
- (vii) Contaminated land.
- (viii) Recyclables and waste storage details.

486. * **ERECTION OF COMMUNITY FIRE STATION. LAND OFF MARKET
DRAYTON ROAD, LOGGERHEADS. STOKE AND STAFFORDSHIRE FIRE
AND RESCUE AUTHORITY (SSFRA). 11/00475/OUT**

Resolved:- (a) That subject to an obligation being completed by 15 December 2011 to secure the maintenance of landscaping that is required outside of the application site adjacent to its western boundary, the application be permitted subject to conditions relating to the following:-

- (i) Time limit for commencement.
- (ii) Standard outline conditions regarding submission of the reserved matters of access, appearance, landscaping, layout and scale.
- (iii) Prior approval of levels.
- (iv) Controls over hours of works of construction.
- (v) Prior approval of a construction method statement and implementation of the approved methods during construction.
- (vi) Prior approval of recyclable materials and refuse, storage and disposal arrangements.
- (vii) Prior approval of external lighting, and implementation of any approved lighting scheme.
- (viii) No external speaker system, alarm bells and sirens to be installed without prior approval.
- (ix) Cumulative noise levels of any Plant not to exceed that set out in the Acoustic Report.
- (x) Prior approval and implementation of measures to ensure that noise levels do not exceed 51 dB LAeg, 90 minute in any area of the gardens of 2 and 4 Kestrel Drive.
- (xi) Report of unexpected contamination.
- (xii) Controls over the importation of materials onto the site.
- (xiii) No development to commence until a 6 metre off-site landscaping buffer is agreed and implemented on land adjoining the western boundary of the site.
- (xiv) Tree Protection Plan.
- (xv) Detailed tree felling/pruning specification.
- (xvi) Protective fencing.
- (xvii) Tree replacement.
- (xviii) Construction of a temporary access prior to commencement of site construction works.
- (xix) Prior approval of details of 4.5m by 120m visibility splays. The visibility splays to be provided prior to commencement of construction and thereafter kept free from obstructions above 600mm above the adjacent carriageway level.
- (xx) Prior approval of details of the surfacing materials and surface water drainage.
- (xxi) Prior approval of a Construction Method Statement.
- (xxii) Provision of 2m wide footway linking from the development site to Kestrel Drive.
- (xxiii) Development not to be brought into use until the parking, servicing and turning areas are provided.
- (xxiv) Provision of secure weatherproof cycle parking prior to first occupation.

(xxv) Off-site traffic calming on A53 incorporating lights, dragons teeth and anti-skid surfacing.

(b) That should the obligations not be secured within the above period, the Head of Planning and Development be given delegated authority to refuse the application on the grounds that without the obligation being secured, the development would not provide and maintain a sufficient area for landscaping of what will be a prominent development, befitting its location on the edge of this village and complying with guidance contained within the Urban Design Guidance Supplementary Planning Document; unless he considers appropriate to extend the period for securing these obligations.

487. * **ERECTION OF 27.1 METRE. 20 KW WIND TURBINE. NEW HOUSE FARM, ACTON. MR & MRS DEAVILLE. 11/00536/FUL**

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

(i) Inappropriate development in the Green Belt and the benefits of renewable energy arising from the proposal do not outweigh the harm to the openness, character and appearance of the landscape and, as such, the very special circumstances do not exist to warrant a permission being granted.

488. * **RETENTION OF PORTAL FRAMED BUILDING WITH A NEW STORAGE AREA TO THE REAR AND ASSOCIATED LANDSCAPING. TADGEDALE QUARRY, MUCKLESTONE ROAD, LOGGERHEADS. MR M HARRISON. 11/00543/FUL**

Resolved:- That consideration of this application be deferred pending a site visit that was to take place on 26 November 2011 at 9am.

489. * **TOWN AND COUNTRY PLANNING ACT 1990. TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999. TREE PRESERVATION ORDER NO 142 (2011). THE HOMESTEAD, MAY PLACE, BRAMPTON ROAD, NEWCASTLE**

The Committee considered a report recommending that this Order made under delegated powers, be confirmed.

The Committee was advised that Tree Preservation Orders were made to protect selected trees and woodlands in the interests of amenity. Orders prohibited the cutting down, uprooting, topping, lapping, wilful destruction or damage of trees without the local planning authority's consent.

Resolved:- (a) That Tree Preservation Order 142 (2011) be confirmed as made and that the owners of the trees be advised accordingly.

(b) That a report on the legislation relating to the making of Tree Preservation Orders be submitted to a future meeting of the Strategic Planning Committee for consideration.

490. * **APPEAL DECISION - DETACHED DWELLING ADJACENT TO 4 WHITFIELD AVENUE, NEWCASTLE. MS K AND MS C THARP**

It was reported that an appeal against the Council's decision not to grant outline planning approval for the above development had been successful.

Resolved: That the information be received.

**A FEAR
Chair**

*Printed for information

LICENSING SUB-COMMITTEE

17 October 2011

Present:- Councillor S J Tagg – in the Chair
Councillors Mrs Cornes and Mrs Williams
Also in Attendance: PC Graham Owen, Staffordshire Police.
Mr Colin Mortimer, Resident
Mrs Mortimer, Resident
Mr Carl Titterton, Applicant

491. * **APPLICATION FOR A VARIATION TO A PREMISE LICENCE - KEELE UNIVERSITY STUDENTS UNION**

Having taken into account the Licensing Act 2003 and the guidance issued under Section 182 of the Act, the Councils Statement of Licensing Policy and also the fact that the Police, Environmental Health and a number of interested parties had objected to the application on the basis that to grant the application would undermine the Crime and Disorder, Public Nuisance and Public Safety objectives. The Committee considered those Licensing objectives in the light of what had been said and listened to the arguments and were persuaded that:

To grant the application applied for would not promote the Licensing objectives.

Evidence had been presented by the Police that the conditions they had agreed with the applicant would overcome any Crime and Disorder issues. The Sub Committee also took into account the fact that the Environmental Health Department had withdrawn their objection. Evidence had however been given and submitted in writing that noise nuisance was currently being experienced by residents within the vicinity of the premises.

Subject to the Conditions that will be referred to the Committee were prepared to grant a variation of the Licence for the premises on the following basis:

For indoors only the Sub-Committee were prepared to grant the hours applied for.

For outdoors the Sub-Committee were not disposed to grant a variation in respect of the amendment to the licence applied for.

The Sub-Committee agreed to points 1 + 3.

In respect of point 2, subject to the maximum amount of people agreed with the Fire Authority to be indoors.

The Sub-Committee agreed to an increased number for the garden area, again to be agreed with the Fire Authority.

The applicant had withdrawn amendment No.4

Licensing Sub – 17/10/11

The special events extended hours applied for both inside & outside would be limited to 5 events per annum.

The reason for the Sub-Committee's decision was that evidence had been submitted and given that noise nuisance was being experienced at nearby Residential premises and the Sub-Committee had endeavoured to ensure that this was kept to a minimum.

The conditions which the Committee were disposed to impose in addition to relevant Mandatory conditions and also conditions that were consistent with those listed by the applicant in the Operating Schedule were:

The conditions agreed with the Police as set out in the agenda with the provision that CCTV would cover the external licensed area and if possible be tied in with any existing monitoring in the University Campus.

Condition 14 in the police conditions would also be amended to refer only to the 5 events allowed per annum referred to previously.

S J TAGG
Chair

*Printed for information

LICENSING SUB-COMMITTEE

9 November 2011

Present:- Councillor S J Tagg

Councillors Mrs Cornes and Mrs Williams

492. * **APPLICATION FOR A PREMISES LICENCE - PARK STORES**

Having taken into account the licensing act 2003 and the guidance issued under section 182 of the act, the councils statement of licensing policy and also the fact that the police and a number of interested parties had objected to the application on the basis that to grant the application would undermine the crime and disorder, public nuisance and protection of children from harm licensing objectives.

It was noted that the police had withdrawn their objection upon agreed conditions.

The Committee considered the licensing objectives in the light of what had been said, and having listened to the arguments were persuaded that whilst the application was not desirable in terms of the location of the premise, that this was unfortunately not one of the licensing objectives and the committee had to make its decision within the law and government guidance.

The Committee took into account the recent high court case involving Thwaites, where it was decided that determination of all licensing applications should be made on empirical evidence and should take no account of speculative evidence. Further, the Secretary of State's guidance at 10.21 and 13.42 stated that shops should normally be free to provide sales of alcohol for consumption off the premises at any time. The outlet is open unless there are good reasons based on the licensing objectives to restrict the hours. The Council's policy mirrors this at 3.13.

The objectors stated that there were alcohol problems in the area already but, whilst the Committee had sympathy for what had been said there was little that could be done in the consideration of this application unless there were subsequent problems at the premises.

In respect of the possible problems at the school it was noted that the trading standards department had not objected.

Therefore, subject to the conditions that would be referred to:

The Committee were prepared to grant a licence for the premises and a notice would be issued to that effect.

The conditions which the Committee were disposed to impose in addition to relevant mandatory conditions and also conditions that were consistent with those listed by the applicant in the operating schedule were:

Licensing Sub – 09/11/11

Those set out in the letter from North Staffordshire Police to the applicant dated 22 September 2011 which had been agreed to by the applicant.

S J TAGG
Chair

*Printed for information

LICENSING SUB-COMMITTEE

10 November 2011

Present:- Councillor S J Tagg

Councillors Mrs Lewis and Slater

493. * PREMISES LICENCE APPLICATION - PERFECT PIZZA

Having taken into account the Licensing Act 2003 and the Guidance issued under Section 182 of the Act, the Council's Statement of Licensing Policy and also the fact that the Police and a number of Interested Parties had objected to the application on the basis that to grant the application would undermine the Crime and Disorder and Public Nuisance Licensing Objectives.

The Committee considered those Licensing Objectives in the light of what had been said and listened to the arguments put forward.

It was noted that the police had agreed a number of conditions with the applicant and were prepared to withdraw their objection if such conditions were included. None of the interested parties had given evidence at the hearing.

The Committee were persuaded that to grant the application would not offend the relevant licensing objectives subject to the conditions which would be referred to. The Committee took into account the recent Thwaites case in the High court which made it clear that all determinations of licensing applications should be made on empirical evidence and should take no account of speculative evidence. The Committee were not convinced that the application would cause any additional nuisance or antisocial behaviour. In particular this was confirmed by a number of letters which were produced in favour of the granting of the application. Therefore subject to the conditions referred to, the Committee were prepared to grant a licence for the premises on a Friday and Saturday night only from 23.00-24.00 hours and a notice would be issued to that effect.

The conditions which the Committee were disposed to impose in addition to relevant mandatory conditions and also conditions that were consistent with those listed by the applicant in the operating schedule were:

Firstly those set out in the letter from Staffordshire Police to the applicant dated 7 October 2011 and confirmed to the Licensing Authority on 10 October 2011. Further the Committee considered that the following conditions were necessary and proportional:

That clear and legible notices be displayed at all exits used by customers asking patrons to report the needs of local residents and to leave quietly.

That members of staff monitor the car parking area outside the premises on a 20 minute basis during the continuance of this licence for the purpose of minimising disturbances from its own vehicles and those of the customers.

494. * **APPLICATION FOR A PREMISES LICENCE - HOME BARGAINS**

There had been no representations to the application other than those from Staffordshire Police. An agreement had previously been reached between the applicant and the Police based upon the inclusion of certain conditions on the Licence.

The Committee granted the Licence as requested with the inclusion of the conditions requested by Staffordshire Police.

S J TAGG
Chair

STATEMENT OF THE LEADER OF THE COUNCIL TO FULL COUNCIL – 14 DECEMBER 2011

Submitted by: Councillor Stephen Sweeney

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 Cabinet and to allow questions and comments on the Statement to the relevant Portfolio Holders.

1. **Background**

- 1.1 Cabinet has met twice since my last report, on 19 October and 30 November 2011. Below is a summary of actions and decisions taken along with a link to the Forward Plan. (For further background to the Cabinets Decisions please refer to the Cabinet agendas of 19 October and 30 November 2011).

2. **New Vic Theatre**

A partnership agreement with the North Staffs Theatre Trust is being developed in respect of funding for the New Vic Theatre.

This will not impact on the level of grant – which is £97,620 in the current financial year – but it will enable the Council to monitor the impact of the funding in a more efficient and effective way.

Cabinet enthusiastically voiced support for the work of the Theatre which has a national reputation not only for the performances it puts on each year but the huge amount of work it does with the community.

3. **Corporate Plan**

Members approved the adoption of the Corporate Plan for 2012/13 to 2014/15.

The Plan confirms the Council's priorities are:

- Promoting a cleaner, safer and sustainable borough
- Promoting a borough of opportunity
- Promoting a healthy and active community
- Transforming our Council to achieve excellence

4. **Medium Term Financial Strategy**

The Strategy which covers a 5-year period from 2012/13 was approved. Cabinet was told the shortfall for 2012/13 was £2,141,000. Members stressed that work has already gone on to achieve a large portion of the shortfall identified for next year. This would be achieved through savings on internal operations which will not impact directly on the public.

5. **Site Allocations Policies Development**

It was agreed that preparation work start on this key document which will underpin where future housing, retail, leisure facilities and employment should be located within the Borough.

6. **A New Economic Development Strategy for the Borough**

Cabinet agreed that the draft policy will be used as a basis for consulting with partners, businesses, Locality Action Partnerships and the Newcastle Partnership.

7. **Renew North Staffordshire Housing Market Renewal Pathfinder**

Cabinet noted the achievements of the RENEW Pathfinder Programme between 2003-11 in particular, its works in Newcastle-under-Lyme which had impacted on communities in Knutton, Cross Heath, Chesterton, Kidsgrove, Silverdale and Holditch.

8. **Disposal of Knutton Recreation Centre**

Members confirmed the Cabinet decision of 15th June 2011 to dispose of the Knutton Recreation Centre site for redevelopment as soon as possible after Jubilee 2 is complete.

9. **Ryecroft Car Park (Adjacent to former Sainsbury's)**

Cabinet approved the introduction of an off-street parking order on the Ryecroft car park.

10. **Jubilee 2 Update**

Cabinet approved the report which outlined the significant progress towards completion of Jubilee 2, which is on target and budget and is set to be 'handed over' to the Council on 9th December 2011.

11. **Keele University Promotional Signage**

The boundary signs located at gateway locations around the Borough will soon illustrate the close connection between the University and the area. The new signs will read "Home of Keele University".

12. **Financial and Performance Management Report**

The Financial and Performance Report to Quarter 2 (September) 2011 was discussed. Most services are performing with the majority of targets being met.

13. **Amendments to the Corporate Complaints, Comments and Compliments Policy**

The new '3c's' policy reduces the number of stages in the process from three to two and replaces one that had been in place since 2008.

14. **Newcastle-under-Lyme Waste Management Strategy**

It is proposed to extend the current Waste Management Strategy until 2016. It was agreed that the extension would be authorised as it had been clearly demonstrated in the report that it was the best way to create further cost efficiencies and savings.

The service has been recognised several times in national award schemes for its effectiveness and had made savings of more than £500,000 annually while recycling rates had risen to more than 50%.

15. **Allotments Service**

Cabinet agreed that the review should be carried out in order to explore all options available for both cost efficiencies and effective future management and provision of the service.

16. **ICT Contract Re-Negotiation**

Savings and administration efficiencies of almost £10,000 were outlined in the report which included simplified billing procedures and the reduction in the required support of the Council's electronic document and record management system.

17. **United Charities – appointment of Council representative**

Members confirmed the appointment of Councillor David Clarke as Trustee to the United Charities.

18. **Newcastle Town Centre Car Parks**

Usage of the car parks is being scrutinised as part of the wider review of how the Council's assets are used.

19. **Forward Plan**

The Forward Plan covering the period 1st December 2011 to 31st March 2012 can be found at:

<http://www.newcastle-staffs.gov.uk/forwardplan>

Councillor S. Sweeney
Leader of the Council

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