

COUNCIL

7.00 pm, Wednesday, 24 April 2013

Present:- The Mayor David Becket – in the Chair

Councillors Miss Walklate, Mrs Heames, Mrs Cornes, Welsh, Mrs Johnson, Studd, Mrs Burnett, Clarke, Cooper, Mrs Beech, Hambleton, Howells, Cairns, Boden, Matthews, Olszewski, Mrs Hambleton, Wemyss, Wilkes, Mrs Williams, Williams, Mrs Astle, Fear, Hailstones, Mrs Hailstones, Allport, Eagles, Kearon, Taylor.J, Waring, Miss Olszewski, Loades, Holland, Bailey, Miss Cooper, Jones, Miss Reddish, Robinson, Mrs Shenton, Mrs Simpson, Mrs Heesom, Snell, Sweeney, Mrs Bates, White, Miss Mancey, Mrs Burgess, Eastwood, Miss Baker, Stringer, Stubbs, Taylor.M, Turner and Mrs Winfield

In attendance:- John Sellgren (Chief Executive), Kelvin Turner (Executive Director, Resources and Support Services), Neale Clifton (Executive Director, Regeneration and Development), Dave Adams (Executive Director, Operational Services), Paul Clisby (Head of Central Services), Mark Bailey (Head of Business Improvement and Partnerships) and Nick Lamper (Senior Member Services Officer)

1. APOLOGIES

Apologies for absence were submitted on behalf of Councillors James Bannister, Tom Lawton, Tracey Peers, Glyn Plant and Simon Tagg.

2. MINUTES OF LAST MEETING

Resolved: That the minutes of the meeting held on 27 February 2013 be approved as a correct record and signed by the Mayor.

3. DECLARATION OF INTERESTS

Councillor Reddish stated that if there was any discussion around the Newcastle Foodbank as referred to in the Leader's report, she would declare a personal interest as a Foodbank Trustee. There was no such discussion.

4. MAYOR'S ANNOUNCEMENTS

(a) Former Councillor Freda Myatt

The Mayor referred to the recent sad death of former Councillor Freda Myatt, and those present stood for a minute's silence as a mark of respect.

Several members paid tribute to the former councillor and her many years service to the council and the community.

(b) Presentation to the Council of the Illuminated Address of Richard Bartlett Mellard, Mayor of Newcastle-under-Lyme 1886/87, 1889/90, 1900/01 and 1904/05

The Mayor had recently been contacted by John Mellard, who had been born in Trentham in 1923 but now lived in East Sussex. Mr Mellard was the great nephew of Richard Bartlett Mellard, who had been Mayor of Newcastle-under-Lyme in the late nineteenth and early twentieth century.

Mr Mellard was in possession of an illuminated address and its casket, presented to his great uncle on 9 November 1889, during his Mayoralty, in recognition of his involvement in the construction of the Municipal Hall (which had been demolished in 1967). He had kindly taken the decision to return this historic item to the council in order that it may be kept at the museum. By a coincidence, Mr Mellard's wife had been born at the museum in 1923.

Two other members of the Mellard family had been Mayors of the borough, both named William – the first in 1855/56 and 1877/78, and the second in 1912/13; the latter had been John Mellard's grandfather.

Mr Mellard, who was approaching 90 years of age, was not able to be in attendance at the council meeting to present the address to the council himself, so the Mayor presented it to the Chief Executive on his behalf.

(c) General Announcements

The Mayor thanked those who had supported recent Mayoral events and referred to upcoming functions.

The Mayoral Ball, which had been rearranged from Friday 22 March due to adverse weather, would be held on Friday 26 April.

5. REPORT OF THE LEADER

The Leader presented a written report on the work of the Cabinet since the last meeting of the council.

Resolved: That the report be received and the work undertaken by the Cabinet be noted.

6. REPORTS OF THE CHAIRS OF THE OVERVIEW AND SCRUTINY COMMITTEES

The chairs of the Scrutiny Committees presented verbal reports on the activities of their committees since the last meeting of the council.

Resolved: That the reports be received and the work undertaken by the committees be noted.

7. REPORTS OF THE CHAIRS OF THE STATUTORY COMMITTEES

The chairs of the Planning, Licensing, Public Protection and Audit and Risk Committees presented verbal (and, in the case of Audit and Risk, written) reports on the activities of their committees since the last meeting of the council.

Resolved: That the reports be received and the work undertaken by the committees be noted.

8. OUTSTANDING ISSUES FROM PREVIOUS QUESTIONS AND PETITIONS

Further to minute 13(3) of the meeting held on 27 February 2013, the Leader reported that no response had yet been received to his letter to the chairman and vice-chairman of the Staffordshire Fire and Rescue Authority.

Further to minute 5 of the meeting held on 11 July 2012, Councillor Robin Studd indicated that he believed he had not received a response to his question relating to the relationship between the council and Gatedale Limited.

Councillor Eddie Boden was certain that a letter of response had been sent and would ensure a copy was provided. The Leader also recalled presenting a verbal response.

[It was subsequently confirmed that a written answer had been provided under minute 9 of the meeting held on 12 September 2012 and can be found here:-

<http://moderngov.newcastle-staffs.gov.uk/documents/s4711/Questions%20and%20Answers.pdf>]

9. QUESTIONS TO THE MAYOR, CABINET MEMBERS AND COMMITTEE CHAIRS

No questions had been submitted.

10. COUNCIL PLAN

The Leader undertook a presentation on the proposed new Council Plan 2013/14 to 2015/16, which was submitted along with a covering report. The Leader thanked Mark Bailey, Head of Business Improvement and Partnerships, and his team for the work they had undertaken on the plan.

The Leader answered a number of specific questions from members, outlining how the plan sought to measure outcomes but to avoid duplicating those which were statutory by nature, as they would be measured through other processes. Customers' perception of the council's services and value for money were important indicators in addition to those evidenced in more direct ways. Links with other current and forthcoming strategies (such as the Health and Wellbeing Strategy) would be communicated in a structured manner by packaging the strategies together, and a "toolkit" approach was being taken in respect of Locality Action Partnerships. It was also implicit in the plan that many of the outcomes would be delivered through partnership working.

The plan (or its content) had made its way through various forums, including the scrutiny process, prior to coming to Cabinet and council for approval. While it would be possible to make very minor corrections and amendments to enhance clarity at this stage, the document would be subject to a broader review in twelve months time.

Resolved:

- (1) That, subject to (2) below, the Council Plan for 2013/14 to 2015/16 be approved and adopted; and

- (2) That the Head of Business Improvement and Partnerships be authorised to make any final minor amendments and corrections in consultation with the Leader.

11. REVIEW OF THE CONSTITUTION

A report was submitted presenting the recommendations of the Constitution Review Working Group of the Transformation and Resources Scrutiny Committee. Councillor Elizabeth Shenton, the chair of the group, presented the report to the council.

The report made a number of recommendations in respect of the Mayoralty Code of Practice and prayers prior to meetings, substitute members, Cabinet panels, scrutiny chairs and vice-chairs and notice for the moving of amendments to motions.

The council debated the merits of the various proposals.

Resolved:

- (1) That the group's recommended changes to the constitution as set out in the report be adopted; and
- (2) That the group be requested to continue its review of the constitution.

12. DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT CONSULTATION - MOVING THE DATE OF ENGLISH LOCAL GOVERNMENT ELECTIONS TO THE DATE OF THE EUROPEAN PARLIAMENTARY ELECTIONS IN 2014

A report was submitted proposing a response to the above consultation paper.

Resolved:

That the council's response to the consultation be based on that set out in the report.

13. MEMBERSHIP OF COMMITTEES

Resolved: That the following changes to committee memberships be confirmed:-

- (a) Councillor Trevor Hambleton to replace Councillor Tom Lawton on the Active and Cohesive Communities Scrutiny Committee;
- (b) Councillor George Cairns to replace Councillor Tom Lawton on the Transformation and Resources Scrutiny Committee;
- (c) Councillor Terry Turner to replace Councillor Tom Lawton on the Economic Development and Enterprise Scrutiny Committee;
- (d) Councillor David Loades to replace Councillor Tracey Peers on the Economic Development and Enterprise Scrutiny Committee; and
- (e) Councillor Reg Bailey to replace Councillor Tom Lawton on the Licensing Committee.

14. **APPOINTMENTS AND NOMINATIONS TO OUTSIDE BODIES**

Local Authority School Governors

Staffordshire County Council had invited the council to submit nominations in respect of a number of school governorships where a current local authority governor was nearing the end of his/her term of office (and, in one case, where a vacancy existed). The county council had also invited the relevant county councillors, parish councils, head teachers and chairs of governing bodies to make nominations. From the nominations received, the governor co-ordinator for the area would make recommendations, and the decision as to the successful nominee would be made by the Cabinet Member for Education, Finance and Transformation.

Nominations were required by 10 May 2013.

Resolved: That officers be authorised to submit nominations in consultation with the group leaders.

West Midland Reserve Forces and Cadets Association

The council was invited to appoint a representative to the West Midland Reserve Forces and Cadets Association.

Resolved: That Councillor Mike Stubbs be appointed to the West Midland Reserve Forces and Cadets Association.

15. **MOTIONS**

Councillor Kyle Robinson had submitted the following motion in accordance with Procedure Rule 12:-

“This council notes that:

The Coalition government’s bedroom tax will bring disastrous consequences to the country and to Newcastle-under-Lyme specifically.

- Two thirds of the households hit are home to someone with a disability
- Weekend mums and dads will have to try and find additional money to enable their children to stay with them

Further, the policy is being introduced at the same time that millionaires are being given a substantial tax break.

This council believes that:

- It is not fair to residents in social housing that they should be financially penalised on the basis of the house in which they have made their home and in circumstances with which they are confronted through no fault of their own.
- It is cynical and shameful for the government to deliberately implement a policy that it knows cannot possibly lead to the desired outcomes of that policy – namely that people should be forced to downsize their homes on the basis of financial penalty when there is not sufficient stock of housing to permit such downsizing.

This council resolves that:

- (1) The Leader should write to the Secretary of State to condemn the bedroom tax (spare room subsidy) and the impact it will have on residents in Newcastle-under-Lyme.
- (2) The Council be informed at a future meeting, with detailed information, of the impact of the policy on residents of the borough once the tax has been implemented.”

In proposing the motion, Councillor Robinson presented a petition stating:-

“We, the undersigned, call on Newcastle-under-Lyme Borough Council to publicly condemn the Bedroom Tax and to promise there will be no evictions in the borough as a result of the effects of the tax.”

The motion was seconded by the Leader.

Councillor Mark Holland proposed the following amendment:-

“That resolution 1 be deleted, and resolution 2 be amended to read:

*‘The Council be informed at a future meeting, with detailed information, of the impact of the policy on residents of the borough **now that the spare room subsidy has been implemented.**’*”

The amendment was seconded by Councillor Stephen Sweeney.

The amendment was put to the vote and lost.

Councillor Nigel Jones then proposed the following amendment:-

“That the sentence, ‘Further, the policy is being introduced at the same time that millionaires are being given a substantial tax break.’ be deleted from the motion.”

The amendment was seconded by Councillor Andrew Wemyss.

The amendment was put to the vote and lost.

As the original motion, now being the substantive motion, was put to the vote, a recorded vote was requested by Councillor Cairns and 12 other members rising in their seats to support the request. The motion was carried.

The following members voted **for** the motion:-

Councillors Allport, Astle, Bailey, Baker, Bates, Beech, Boden, Burgess, Burnett, Cairns, Clarke, Cornes, Eastwood, S Hambleton, T Hambleton, Johnson, Kearon, M Olszewski, S Olszewski, Reddish, Robinson, Simpson, Snell, Stringer, Stubbs, Studd, J Taylor, M Taylor, Turner, Waring, Welsh, Wemyss, White, Wilkes, G Williams, J Williams and Winfield (37)

The following members voted **against** the motion:-

None (0)

The following members **abstained**:-

Councillors Becket, Julie Cooper, Fear, Heames, Heesom, Holland, Howells, Jones, Loades, Mancey, Matthews and Sweeney (12)

The following members were **not present** during the vote:-

Councillors Bannister, John Cooper, Eagles, L Hailstones, P Hailstones, Lawton, Peers, Plant, Shenton, Tagg and Walklate (11)

Councillor Robin Studd had submitted the following motion on behalf of the Liberal Democrat Group in accordance with Procedure Rule 12:-

“This council welcomes the lifting of the tax burden on the working families of North Staffordshire, and notes that 5,360 taxpayers in Newcastle (10,760 in Stoke-on-Trent) are being taken out of taxation altogether, and that nearly 51,000 Newcastle residents (91,900 in Stoke-on-Trent) will see a very substantial reduction in their tax burden. The Council therefore notes that the total value of the tax cuts to the residents of North Staffordshire is well over £100 million each year.”

At the meeting, the motion was proposed by Councillor Nigel Jones and seconded by Councillor Andrew Wemyss.

The Leader proposed the following amendment on behalf of the Labour Group:-

“To add after ‘The Council therefore notes that the total value of the tax cuts to the residents of North Staffordshire is well over £100 million each year.’ the following:

‘However, this Council condemns:

- *the hiking, by the Conservative and Lib Dem Government, of VAT to 20% putting additional pressure on the pockets of hard working families, despite election promises not to do so;*
- *the below inflation increases in the Minimum Wage, effectively providing a real-terms cut to the lowest paid;*
- *the reduction of the top rate of income tax, giving an income tax break to the wealthiest in our society;*
- *the introduction of the Bedroom Tax which affected 1000 residents across Newcastle Borough;*
- *the cutting of Council Tax Support, which takes £835,000 out of the pockets of Newcastle residents who, until 1 April, were deemed too poor to pay; and*
- *the reduction of the Higher Rate Income Tax threshold, dragging more middle income earners into higher income tax brackets to fund tax cuts for the wealthiest.”*

The amendment was seconded by Councillor Mike Stubbs.

The amendment was put to the vote and carried.

The substantive motion, now being:-

“This council welcomes the lifting of the tax burden on the working families of North Staffordshire, and notes that 5,360 taxpayers in Newcastle (10,760 in Stoke-on-Trent) are being taken out of taxation altogether, and that nearly 51,000 Newcastle

residents (91,900 in Stoke-on-Trent) will see a very substantial reduction in their tax burden. The Council therefore notes that the total value of the tax cuts to the residents of North Staffordshire is well over £100 million each year.

However, this Council condemns:

- the hiking, by the Conservative and Lib Dem Government, of VAT to 20% putting additional pressure on the pockets of hard working families, despite election promises not to do so;
- the below inflation increases in the Minimum Wage, effectively providing a real-terms cut to the lowest paid;
- the reduction of the top rate of income tax, giving an income tax break to the wealthiest in our society;
- the introduction of the Bedroom Tax which affected 1000 residents across Newcastle Borough;
- the cutting of Council Tax Support, which takes £835,000 out of the pockets of Newcastle residents who, until 1 April, were deemed too poor to pay; and
- the reduction of the Higher Rate Income Tax threshold, dragging more middle income earners into higher income tax brackets to fund tax cuts for the wealthiest.”

was put to the vote and carried.

16. URGENT BUSINESS

There was no urgent business.

THE MAYOR DAVID BECKET
Chair

The meeting concluded at 10.03 pm.