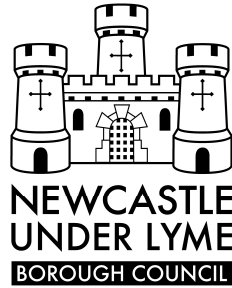


Public Document Pack



28 June 2013

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, 10 July 2013 at 7.00 pm.**

STAFFORDSHIRE CIVIL CONTINGENCIES UNIT AND THE ROLE OF MEMBERS

Prior to the meeting there will be a presentation on the above by Andy Marshall, Director of Civil Contingencies at Staffordshire County Council.

The presentation will commence at 6.00 pm.

B U S I N E S S

- 1 Apologies**
- 2 MINUTES OF THE LAST MEETING** **(Pages 1 - 12)**
Held on 15 May 2013, to be signed as a correct record.
- 3 Declaration of Interests**
- 4 Mayor's Announcements**
- 5 REPORT OF THE LEADER**
Report to follow.
- 6 REPORTS OF THE CHAIRS OF THE SCRUTINY COMMITTEES**
 - (a) Overview and Scrutiny Co-ordinating Committee
 - (b) Transformation and Resources Overview and Scrutiny Committee
 - (c) Active and Cohesive Communities Overview and Scrutiny Committee
 - (d) Cleaner, Greener and Safer Overview and Scrutiny Committee
 - (e) Economic Development and Enterprise Overview and Scrutiny Committee
 - (f) Health Scrutiny Committee

7 REPORTS OF THE CHAIRS OF THE STATUTORY COMMITTEES

- (a) Planning Committee
- (b) Licensing Committee
- (c) Public Protection Committee
- (d) Audit and Risk Committee

8 QUESTIONS TO THE MAYOR, CABINET MEMBERS AND COMMITTEE CHAIRS

In accordance with Procedure Rule 11, questions must be submitted at least 24 hours in advance of the meeting. Any questions considered urgent will only be accepted with the agreement of the Mayor prior to the meeting.

9 Revised Financial Regulations

(Pages 13 - 18)

10 MEMBERSHIP OF COMMITTEES

At its annual meeting on 15 May 2013, the council resolved that the following arrangements be put in place for the making of changes to committee memberships during the municipal year:-

- (3) That the Chief Executive be authorised to give effect to further changes to the membership of committees and other council bodies in accordance with the stated wishes of the political groups in accordance with (5) below; and
- (4) That, where a political group wishes to amend its membership of a committee or other council body within its allocation of places on that committee or body in accordance with (4) above, such appointment will take effect from the day following receipt in writing of the request and be reported to the next meeting of the council or appointing body for confirmation.

In accordance with this provision, the council is requested to confirm the following changes to committee memberships:-

- (a) Councillor Terry Turner replacing Councillor Gareth Snell on the Staffing Committee; and
- (b) Councillor Gareth Snell replacing Councillor Kyle Robinson on the Public Protection Committee.

11 URGENT BUSINESS

Consideration of any business which is urgent in the opinion of the Mayor, in accordance with Procedure Rule 7.

Yours faithfully



Chief Executive

NOTICE FOR COUNCILLORS

1. Fire/Bomb Alerts

In the event of the fire alarm sounding, leave the building immediately, following the fire exit signs. 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 former Hubanks store opposite to the Civic Offices. DO NOT re-enter the building until advised to by the Controlling Officer.

2. Attendance Record

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

3. Mobile Phones

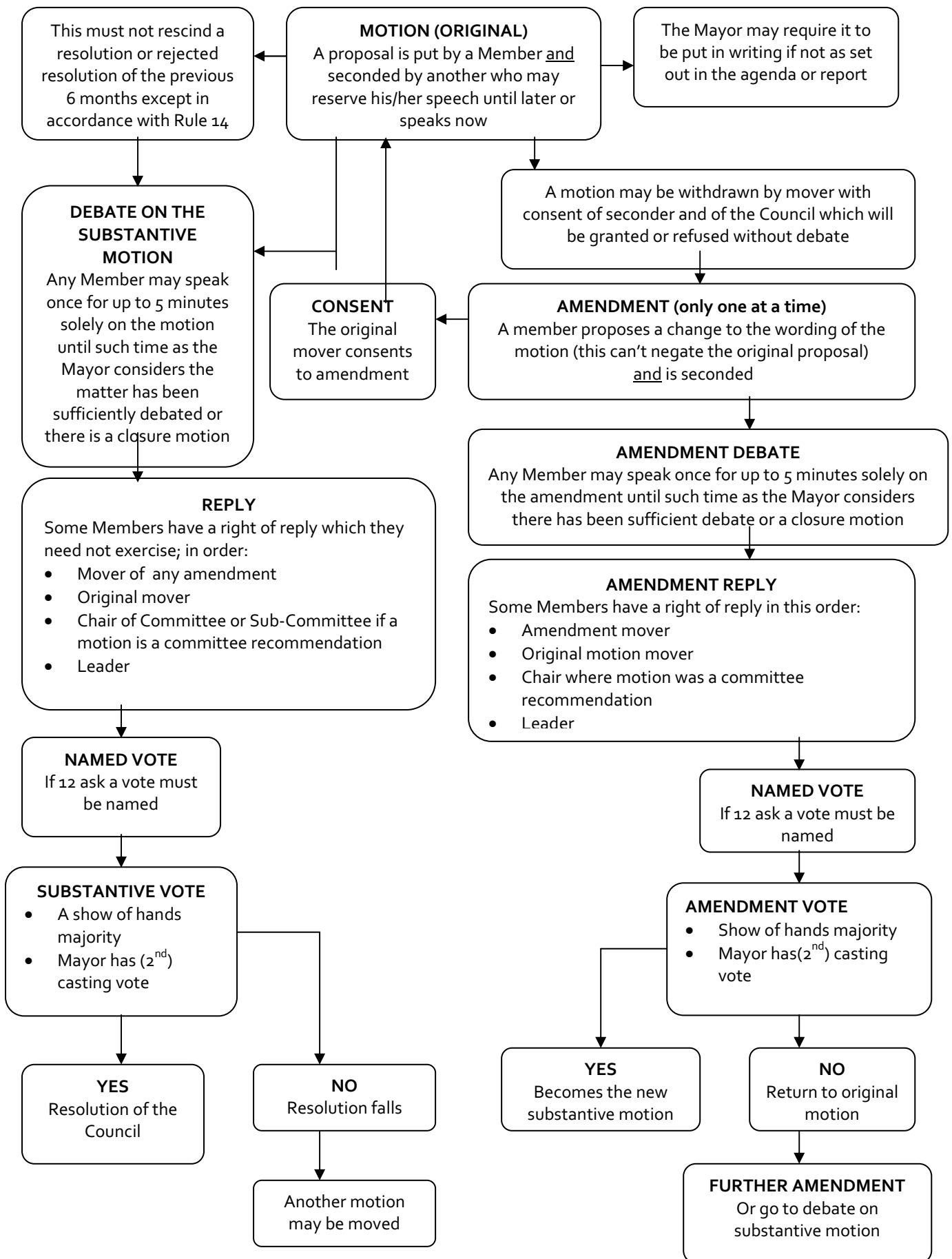
Please switch off all mobile phones before entering the Council Chamber.

4. Tea/Coffee

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

5. Notice of Motion

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



COUNCIL

7.00 pm, Wednesday, 15 May 2013

Present:- Councillor David Becket – in the Chair

Councillors Allport, Bailey, Miss Baker, Mrs Bates, Mrs Beech, Boden, Mrs Burgess, Mrs Burnett, Cairns, Clarke, Cooper, Miss Cooper, Mrs Cornes, Eagles, Eastwood, Fear, Mrs Hailstones, Mrs Hambleton, Hambleton, Mrs Heames, Mrs Heesom, Holland, Howells, Mrs Johnson, Jones, Kearon, Loades, Matthews, Olszewski, Miss Olszewski, Mrs Peers, Miss Reddish, Robinson, Mrs Shenton, Snell, Stringer, Studd, Sweeney, Tagg, Taylor.J, Taylor.M, Turner, Miss Walklate, Waring, Welsh, White, Wilkes, Mrs Williams, Williams 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), Phil Jones (Head of Communications), Nick Lamper (Senior Member Services Officer) and Louise Stevenson (Scrutiny Officer)

1. APOLOGIES

Apologies for absence were submitted on behalf of Councillors Margaret Astle, Peter Hailstones, Thomas Lawton, Chloe Mancey, Glyn Plant, Sandra Simpson, Mike Stubbs and Andrew Wemyss.

2. MINUTES OF THE LAST MEETING

Resolved: That the minutes of the meeting held on 24 April 2013 be approved as a correct record and signed by the Mayor.

3. DECLARATIONS OF INTERESTS

There were no declarations of interest.

4. FORMER COUNCILLORS JOHN TATTON, ETHEL MAYER AND ELSIE KELSALL

The Mayor referred to the recent sad deaths of former Councillors Tatton, Mayer and Kelsall and those present stood for a minute's silence as a mark of respect.

Members paid tribute to the former councillors and their many years service to the council and the community.

5. ELECTION OF MAYOR 2013/14

It was proposed by Councillor George Cairns, seconded by Councillor Silvia Burgess and ...

Resolved: That Councillor Edward Michael Boden be elected Mayor for 2013/14.

Councillor Boden took the chair and made his declaration of acceptance of office.

6. APPOINTMENT OF DEPUTY MAYOR 2013/14

It was proposed by Councillor Mark Holland, seconded by Councillor Gillian Heesom and ...

Resolved: That Councillor Linda Hailstones be appointed Deputy Mayor for 2013/14.

Councillor Hailstones made her declaration of acceptance of office.

7. MAYORAL APPOINTMENTS

The Mayor made the following appointments:-

Mayoress: Doris Boden
High Constable: Michael Boden
Chaplain: Father Philip Griffin
Mace Bearers: Laurence Tagg and Gordon Vernon

8. MAYORAL ADDRESS

The Mayor indicated that he would present a fuller Mayoral address at the reception following the meeting, and announced that his charities would be North Staffordshire Adventure Playground and the Peter Pan Nursery.

9. VOTE OF THANKS TO THE RETIRING MAYOR AND MAYORESS

It was proposed by Councillor Gareth Snell, seconded by Councillor Robin Studd and ...

Resolved: That a vote of thanks be given to the retiring Mayor, Councillor David Becket.

10. RESPONSE OF THE RETIRING MAYOR AND SUMMARY OF THE MAYORAL YEAR

The retiring Mayor, Councillor David Becket, responded to the vote of thanks and provided a summary of his year of office.

He also thanked Councillors Trevor and Sandra Hamilton, the retiring Deputy Mayor and Mayoress, for their support during the year and their commitment over the preceding two years, when they had also held Mayoral office.

The Mayor presented the retiring Mayor and Mayoress, Councillor David Becket and Doctor Anne Becket, with their ex-Mayor's and ex-Mayoress's badges.

11. MAYOR'S ANNOUNCEMENTS

The Mayor announced the forthcoming Civic Sunday Service, which would be held at St Giles Church on Sunday 16 June.

12. **LONG SERVICE AWARD**

The Mayor presented Councillor Ann Heames with a long service badge to commemorate her 21 years service to the council and people of Newcastle.

13. **APPOINTMENT OF CABINET AND DEPUTY LEADER**

The Leader announced the following appointments:-

Deputy Leader: Councillor Mike Stubbs

Cabinet Portfolio Holders:-

Communications, Policy and Partnerships:	Cllr Gareth Snell
Culture and Leisure:	Cllr Elsie Bates
Environment and Recycling:	Cllr Ann Beech
Finance and Resources:	Cllr Mike Stubbs
Economic Development, Regeneration and Town Centres:	Cllr Terry Turner
Safer Communities:	Cllr Tony Kearon
Stronger and Healthier Neighbourhoods:	Cllr John Williams

14. **APPOINTMENT OF COMMITTEES, CHAIRS AND VICE-CHAIRS 2013/14**

Resolved:

- (1) That, in accordance with political proportionality requirements of the Local Government and Housing Act 1989 and other relevant legislation, the committees for 2013/14 be appointed in accordance with the structure and allocation of seats set out below:-

Committee	Places	Lab	Con	L Dem	Ind
Scrutiny Co-ordinating	11	6	3	2	0
Transformation and Resources SC	11	6	2	2	1
Economic Devt and Enterprise SC	11	6	3	2	0
Cleaner, Greener and Safer SC	11	6	3	2	0
Active and Cohesive Communities SC	11	7	2	2	0
Health SC	7	4	2	1	0
Planning	15	9	4	2	0
Conservation Advisory	5	3	1	1	0
Licensing	13	7	3	2	1
Public Protection	13	8	3	2	0
Audit and Risk	7	4	2	1	0
Staffing	11	6	3	2	0
Employees Consultative	7	4	2	1	0
Standards	7	4	2	1	0
Grants Assessment	9	5	2	1	1
Joint Parking	4	2	1	1	0
Member Development	9	5	2	2	0
Total	162	92	40	27	3

- (2) That the members, chairs and vice-chairs of committees be appointed as follows:-

Labour	Conservative	Liberal Democrat	Independent
Scrutiny Co-ordinating Committee			
Reg Bailey	Gillian Heesom	Marion Reddish	
George Cairns	David Loades	Robin Studd	
Colin Eastwood	Ian Matthews		
Elizabeth Shenton			
Dave Stringer			
Gill Williams			
Chair: Robin Studd		Vice-chair: Ian Matthews	

Transformation and Resources Scrutiny Committee			
Silvia Burgess	Andrew Fear	David Becket	James Bannister
Sandra Hambleton	Ashley Howells	Nigel Jones	
Trevor Hambleton			
Elizabeth Shenton			
John Taylor			
Paul Waring			
Chair: Elizabeth Shenton		Vice-chair: Silvia Burgess	

Economic Development and Enterprise Scrutiny Committee			
Margaret Astle	Mark Holland	Nigel Jones	
Sophia Baker	David Loades	Ian Wilkes	
George Cairns	Ian Matthews		
Mick Clarke			
Mark Olszewski			
Dave Stringer			
Chair: Dave Stringer		Vice-chair: Sophia Baker	

Cleaner, Greener and Safer Communities Scrutiny Committee			
David Allport	Peter Hailstones	Marion Reddish	
Hilda Johnson	Chloe Mancey	Andrew Wemyss	
Glyn Plant	Simon Tagg		
Kyle Robinson			
Sandra Simpson			
Gill Williams			
Chair: Gill Williams		Vice-chair: Hilda Johnson	

Active and Cohesive Communities Scrutiny Committee			
Reg Bailey	Julie Cooper	Dylis Cornes	
George Cairns	Gillian Heesom	June Walklate	
Sophie Olszewski			
Glyn Plant			
Matt Taylor			
Gill Williams			
Joan Winfield			
Chair: George Cairns		Vice-chair: Reg Bailey	

Health Scrutiny Committee			
Colin Eastwood	Linda Hailstones	David Becket	
Hilda Johnson	David Loades		
Sandra Simpson			
John Taylor			
Chair: Colin Eastwood		Vice-chair: –	

Planning Committee			
Sophia Baker	Andrew Fear	Marion Reddish	
Eddie Boden	Ashley Howells	Robin Studd	
George Cairns	Ian Matthews		
Mick Clarke	Stephen Sweeney		
Sandra Hambleton			
Trevor Hambleton			
Dave Stringer			
Gill Williams			
John Williams			
Chair: Mick Clarke		Vice-chair: Dave Stringer	

Conservation Advisory Working Party			
David Allport	Julie Cooper	Ian Wilkes	
Gill Burnett			
Kyle Robinson			
Chair: Gill Burnett		Vice-chair: Julie Cooper	

Licensing Committee			
Reg Bailey	Ann Heames	Billy Welsh	James Bannister
Elsie Bates	Chloe Mancey	Simon White	
Colin Eastwood	Simon Tagg		
Trevor Hambleton			
Sandra Simpson			
John Williams			
Joan Winfield			
Chair: Trevor Hambleton		Vice-chair: Joan Winfield	

Public Protection Committee			
David Allport	Linda Hailstones	Billy Welsh	
Reg Bailey	Peter Hailstones	Simon White	
Tony Kearon	Ian Matthews		
Mark Olszewski			
Sophie Olszewski			
Kyle Robinson			
Gill Williams			
Joan Winfield			
Chair: Mark Olszewski		Vice-chair: Sophie Olszewski	

Audit and Risk Committee			
Trevor Hambleton	David Loades	Dylis Cornes	
Elizabeth Shenton	Tracey Peers		
Terry Turner			
Paul Waring			
Chair: Paul Waring		Vice-chair: David Loades	

Staffing Committee			
Sandra Hambleton	Mark Holland	June Walklate	
Mark Olszewski	Ashley Howells	Simon White	
Elizabeth Shenton	Stephen Sweeney		
Gareth Snell			
Mike Stubbs			
Gill Williams			
Chair: Sandra Hambleton		Vice-chair: –	

Employees Consultative Committee			
Glyn Plant	David Loades	Andrew Wemyss	
Elizabeth Shenton	Stephen Sweeney		
John Taylor			
Terry Turner			
Chair: Elizabeth Shenton		Vice-chair: –	

Standards Committee			
Ann Beech	John Cooper	Andrew Wemyss	
George Cairns	Gillian Heesom		
Sandra Hambleton			
Mark Olszewski			
Chair: Sandra Hambleton		Vice-chair: Gillian Heesom	

Grants Assessment Panel			
Gill Burnett	Ann Heames	June Walklate	James Bannister
Tony Eagles	Tracey Peers		
Hilda Johnson			
Gill Williams			
Joan Winfield			
Chair: Joan Winfield		Vice-chair: –	

Joint Parking Committee			
George Cairns	Stephen Sweeney	Robin Studd	
Tony Kearon			
Chair: George Cairns		Vice-chair: –	

Member Development Panel			
Tony Kearon	Ann Heames	David Becket	
Mark Olszewski	Tracey Peers	Simon White	
Gareth Snell			
Terry Turner			
John Williams			
Chair: David Becket		Vice-chair: –	

- (3) That the terms of reference and delegations to committees be as set out in the council's constitution;
- (4) That the Chief Executive be authorised to give effect to further changes to the membership of committees and other council bodies in accordance with the stated wishes of the political groups in accordance with (5) below; and
- (5) That, where a political group wishes to amend its membership of a committee or other council body within its allocation of places on that committee or body in accordance with (4) above, such appointment will

take effect from the day following receipt in writing of the request and be reported to the next meeting of the council or appointing body for confirmation.

15. **APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES 2013/14**

Resolved: That the council's representation on outside bodies for 2013/14 be as set out below, subject to further review as appropriate being undertaken in consultation with the group leaders and being the subject of a report to a future council meeting:-

Outside Bodies – Community Groups				
	Organisation/Partnership	Places	Status	Representatives
1.	Audley Community Centre Management Committee	3	Community	Mrs Beech Mrs Cornes Wilkes
2.	Bradwell Community Centre Management Committee	1	Community	Mrs Hambleton
3.	Butt Lane Community Centre Management Committee	3	Community	Mrs Burgess Robinson Taylor
4.	Chesterton Community Centre Management Committee	3	Community	Boden Mrs Johnson Mrs Simpson
5.	Clayton Community Centre Management Committee	2	Community	Mrs Heames Sweeney
6.	Crackley Community Centre Management Committee	3	Community	Boden Mrs Johnson Mrs Simpson
7.	Harriet Higgins Community Centre Management Committee	3	Community	Jones Miss Reddish Miss Walklate
8.	Knutton Community Centre Management Committee	2	Community	Eagles Snell
9.	Marsh Hall Community Centre Management Committee	3	Community	Bannister Matthews Tagg
10.	Park Road, Silverdale Community Centre Management Committee	2	Community	Cairns Lawton
11.	Ramsey Road Community Centre Management Committee	3	Community	Winfield Williams Mrs Williams
12.	Red Street Community Centre Management Committee	3	Community	Boden Mrs Johnson Mrs Simpson
13.	Silverdale Social Centre Community Centre Management Committee	2	Community	Cairns Lawton
14.	Whitfield Community Centre Management Committee	3	Community	Jones Miss Reddish Miss Walklate
15.	Wye Road Community Centre Management Committee	3	Community	Fear P Hailstones Miss Mancey
16.	Friends of Bathpool Park (nomination)	1	Community	Mrs Astle
17.	Friends of Lyme Valley (nomination)	1	Community	M Taylor
18.	Friends of Madeley Pool (nomination)	1	Community	White
19.	Friends of Thistleberry Park (nomination)	1	Community	Miss Reddish

20.	Friends of Wolstanton Park (nomination)	1	Community	M Olszewski
Outside Bodies – Third Sector				
	Organisation/Partnership	Places	Status	Representatives
21.	Age Concern North Staffordshire	1	Third Sector	Mrs Hambleton
22.	Citizens Advice Bureau Management Committee	1	Third Sector	Turner
23.	Community Council for Staffordshire	1	Third Sector	Boden
24.	Newcastle-under-Lyme Almshouses Charity Trustees	3	Third Sector	The three Cross Heath ward members (Mrs Williams, Williams and Mrs Winfield)
25.	Newcastle-under-Lyme Community & Voluntary Support	2	Third Sector	Miss Baker Lawton
26.	Newcastle-under-Lyme Sports Council	12	Third Sector	Mrs Winfield Williams Mrs Williams Mrs Hambleton Kearon Mrs Shenton Mrs Walklate Wilkes Bannister Miss Mancey Mrs Heesom Sweeney
27.	Newcastle Chamber of Trade – Executive Board	1	Third Sector	Boden
28.	North Staffs Special Adventure Playground for the Handicapped	1	Third Sector	Mrs Hambleton
29.	North Staffs Relate	1	Third Sector	Miss J Cooper
30.	North Staffs Victim Support	1	Third Sector	Kearon
31.	Sir John Offley Almshouses Trust	1	Third Sector	Welsh
32.	Stoke-on-Trent and North Staffordshire Theatre Trust Limited (New Victoria Theatre)	1	Third Sector	M Clarke
33.	The Lady Katherine and Sir Richard Leveson Charity	1	Third Sector	Vacant
34.	The United Charities Trust	4	Third Sector	Snell and Mrs Winfield (terms of office expire November 2016) Mrs Walklate and Mrs Williams (terms of office expire November 2017)
35.	Trustee of Maddock, Leicester and Burslem Education Charity	1	Third Sector	D Clarke (term of office expires May 2014)
36.	Wenger House Committee	1	Third Sector	Mrs Shenton
Outside Bodies – Local, Regional and National Organisations				
	Organisation/Partnership	Places	Status	Representatives
37.	Aspire Housing	3	Local Body	Cairns Williams Mrs Beech
38.	The Alliance (formerly the Coalfield Communities Campaign)	1	National Body	Portfolio Holder for Regeneration, Planning and Town Centres (Turner)
39.	Campaign to Protect Rural England	1	Regional Body	Loades

40.	Keele University Court	3	Local Body	Snell Kearon Vacancy
41.	Local Government Association – Annual Conference	2	National Body	Leader and Deputy Leader (Snell and Stubbs)
42.	Local Government Association – General Assembly	1	National Body	Leader (Snell)
43.	Local Government Association – Rural Commission	1	National Body	Leader (Snell)
44.	Local Government Association – Urban Commission	1	National Body	Portfolio Holder for Regeneration, Planning and Town Centres (Turner)
45.	Locality Action Partnership – Area 1 (Kidsgrove, Butt Lane, Newchapel, Ravenscliffe and Talke)	2	Local Body	Robinson (Butt Lane) Turner (Kidsgrove)
46.	Locality Action Partnership – Area 2 (Audley, Bignall End and Halmer End)	1	Local Body	Mrs Cornes
47.	Locality Action Partnership – Area 3 (Balterley, Betley, Wrinehill and Madeley)	1	Local Body	Becket
48.	Locality Action Partnership – Area 4 (Chapel & Hill Chorlton, Loggerheads, Maer and Whitmore)	1	Local Body	Loades
49.	Locality Action Partnership – Area 5 (Keele, Silverdale AND Parksite)	1	Local Body	Cairns
50.	Locality Action Partnership – Area 6 (Chesterton and Holditch)	1	Local Body	Mrs Johnson
51.	Locality Action Partnership – Area 7 (Bradwell, May Bank, Porthill and Wolstanton)	1	Local Body	S Tagg
52.	Locality Action Partnership – Area 8 (Knutton and Cross Heath)	1	Local Body	Mrs Williams
53.	Locality Action Partnership – Area 9 (Poolfields, Thistleberry and Town)	1	Local Body	Miss Reddish
54.	Locality Action Partnership – Area 10 (Clayton, Seabridge and Westlands)	1	Local Body	Sweeney
55.	Newcastle-under-Lyme Partnership (Local Strategic Partnership) (Strategic Board and Delivery Group)	1 + sub	Local Body	Leader (Snell) (substitute Deputy Leader (Stubbs))
56.	North Staffs LIFT Strategic Partnership Board	1	Local Body	Portfolio Holder for Stronger & Active Neighbourhoods (Williams)
57.	RENEW Transition Group	1	Local Body	Portfolio Holder for Regeneration, Planning and Town Centres (Turner)
58.	Stoke-on-Trent and Staffordshire Strategic Partnership	1	Local Body	Leader (Snell)
59.	Staffordshire and Stoke-on-Trent Local Enterprise Partnership	1	Local Body	Leader (Snell)
60.	West Midlands Leaders Board	1	Regional Body	Leader (Snell)
61.	Keele University Nominations Committee	1	Local Body	Kearon
62.	Aspire Board	1	Local Body	Mrs Hambleton
63.	Staffordshire County Council Health Scrutiny Committee	1	Local body	Chair of Health Scrutiny (Eastwood)

64.	Staffordshire Planning Forum	2 + sub	Local Body	Chair of Planning (Clarke) and Portfolio Holder for Regeneration, Planning and Town Centres (Turner) (substitute Mrs Hambleton)
65.	Staffordshire Police and Crime Panel	1	Local Body	Portfolio Holder for Safer Communities (Kearon)
66.	Staffordshire Health and Wellbeing Board	1	Local Body	Portfolio Holder for Culture and Leisure (Mrs Bates)
67.	West Midland Reserve Forces and Cadets Association	1	Regional Body	Stubbs
68.	Newcastle Town Centre Partnership	1	Local Body	Portfolio Holder for Regeneration, Planning and Town Centres (Turner)
69.	West Midlands Employers	1 + sub	Regional Body	Portfolio Holder for Finance and Budget Management (Stubbs) (substitute Chair of Staffing Committee (Mrs Hambleton))

16. URGENT BUSINESS

Appointment of Monitoring Officer

The Mayor had agreed to this item of business being considered as one of urgency in accordance with section 100B(4) of the Local Government Act 1972, in view of the legal requirement for the authority to have in place a Monitoring Officer.

The Mayor reported that Paul Clisby, Head of Central Services and Monitoring Officer, would be leaving the council in June to take up a post with Warrington Council. During a number of years with this council he had made an important contribution, most recently in helping the council to fully revise its constitution. He had also provided invaluable legal advice on major projects such as J2 and more recently Ryecroft. Paul had also played a key role in supporting the administration of elections. The council joined the Mayor in wishing Paul every success in his future career.

Because the Head of Central Services would be leaving before the next meeting of the council, there was a need to appoint a Monitoring Officer to take on the role from his departure.

Resolved: That the council's Audit Manager, Liz Dodd, be appointed to the role of Monitoring Officer in the interim under section 5 of the Local Government and Housing Act 1989.

COUNCILLOR DAVID BECKET
Chair

The meeting concluded at 7.53 pm.

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Agenda Item 9

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE COUNCIL

10 July 2013

1. Revised Financial Regulations

Submitted by: Head of Finance

Portfolio: Finance and Resources

Ward(s) affected: All Indirectly

Purpose of the Report

To approve the revised Financial Regulations and Procedures.

Recommendations

That the revised Financial Regulations and Procedures be approved.

Reasons

The Council's Financial Regulations and Procedures need to be reviewed regularly and revised where necessary so that they reflect the current structure and requirements of the Council.

1. Background

- 1.1 Financial Regulations are designed to ensure that the Council's financial affairs are conducted in a proper, standardised and accountable manner. They set out for officers and members the practices and procedures which must be followed when dealing with financial and allied matters.
- 1.2 The Regulations comprise Key Regulations and associated Financial Procedures. The Key Regulations set out the general principles which are to be followed and the Financial Procedures set out in detail the procedures which must be followed. This is in accordance with the best practice format as recommended by the Chartered Institute of Public Finance and Accountancy (CIPFA).
- 1.3 As part of the arrangements to ensure good corporate governance of the Council, a review of the Regulations is now carried out on an annual basis. Following this year's review some minor amendments have been made. Accordingly, revised Regulations have been compiled, in consultation with the Monitoring Officer and the Audit Manager, and are now submitted for your consideration and approval.

2. Issues

- 2.1 The revised elements of the Regulations, showing tracked changes, have been extracted and are appended to this report. In the interest of efficiency, the whole document (a full 59-page copy of the Regulations, showing the tracked changes which have been made, compared to the current Regulations) has not been circulated with the report in hard copy form, but is appended to the electronic version of the agenda on the website and is available in the Members' Room.

2.2 The main changes are:

- The change of Internal Audit compliance to the Public Sector Internal Audit Standards (PSIAS).
- A reduction in the Money Laundering limit from £5,000 to £2,000.
- Deletion of reference to NI179 Efficiency Savings (which ceased to be required from 2010).
- Change in font from Times New Roman to the corporate style, Arial.
- Minor amendments to explanatory note wording and correction of reference numbers.

3. **Legal and Statutory Implications**

3.1 There are none.

4. **Financial and Resource Implications**

4.1 There are none.

5. **Major Risks**

5.1 There are none.

6. **List of Appendices**

6.1 Appendix, Revised Financial Regulations – July 2013.

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FINANCIAL REGULATIONS – JULY 2013

1.0 INTRODUCTION

- 1.1 The Council has a legal responsibility to make proper arrangements for the administration of its financial affairs, and must appoint an employee to undertake that responsibility. The employee so appointed is the Executive Director (Resources and Support Services). In addition, since public money is involved, the Council should be able to demonstrate that Members and Employees are acting with openness, integrity and accountability.
- 1.2 The Financial Regulations of Newcastle under Lyme Borough Council as set out in the following pages are aimed at achieving four main objectives:
- To maintain sound and proper financial records, procedures, and arrangements for the administration of all the Council's financial affairs.
 - To demonstrate to the public that proper safeguards and controls exist.
 - To assist employees and Members in their delivery of services to the public.
 - To safeguard Members and employees by giving them procedures to follow which ensure that the Council's expected standards are met in terms of managing public money and assets. In addition, employees can feel confident that they will have no difficulty in explaining their actions to Auditors, the Cabinet, Committees, Executive Management Team, Service Managers or the public, if they have followed Financial Regulations.
- 1.3 All Members and employees have a personal responsibility for taking reasonable action to provide for the security of the assets under their control, for ensuring that the use of these resources is legal, is properly authorised, provides value for money and achieves best value. This should be done whilst acting in accordance with these regulations.
- 1.4 The Executive Director (Resources and Support Services) is responsible for maintaining a continuous review of the Financial Regulations and submitting any additions or changes necessary to the Council. The Executive Director (Resources and Support Services) is also responsible for reporting, where appropriate, breaches of Financial Regulations to the Cabinet and the Council.
- 1.5 The Council's detailed financial procedures, setting out how the key regulations will be implemented, are shown as procedural regulations.
- 1.6 Directors are responsible for ensuring that all employees in their departments are aware of the existence and content of the Council's Financial Regulations and other internal regulatory documents and that they comply with them. They must also ensure that their staff have access to the Regulations, either via the Council's Intranet or, where appropriate, through the provision of hard copies.
- 1.7 The Financial Regulations have been divided into five areas reflecting the latest model regulations published by CIPFA. They are:
- Financial Management;
 - Financial Planning;
 - Risk Management and Control of Resources;
 - Financial Systems and Procedures;
 - External Arrangements.

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For each of these there are key regulations and procedural regulations. Compliance to all is required. The procedural regulations are more detailed describing the actions required to ensure compliance with the key regulations. The key regulations relating to all five areas are set out first, followed by the procedural regulations relating to them.

- 1.8 Financial regulations and procedures must be capable of a clear "legal" interpretation. They have been written in a formal manner and **it must be remembered that it is the actual regulation and procedure that must be understood and observed.** In an effort to remove some of the complexities, each section of the booklet is followed by an explanatory note, which conveys the "spirit" of the regulations. It is hoped that

readers will find this helpful. **However, the explanatory notes do not form part of the Financial Regulations.** In addition where it is felt that a particular expression used in the regulations requires further definition, this has been provided in a Glossary to be found at the end of the regulations.

- 1.9 If you are in any doubt at all over compliance with a Financial Regulation, please consult the Financial Management Section or Internal Audit.
- 1.10 Any reference in the Council's Financial Regulations to "the Cabinet" shall be deemed also to include any Sub-Committees of the Cabinet which may be given power to determine relevant matters.
- 1.11 Any reference in the Council's Financial Regulations to words denoting the masculine gender shall be deemed also to include reference to the feminine, and vice versa.
- 1.12 Wherever the Council acts in a trustee capacity regarding the affairs of charities and other bodies, these Financial Regulations shall apply.
- 1.13 Reference to approvals may include approval by email in appropriate cases where authorisation has been obtained from the Executive Director (Resources and Support Services).

Revenue budget, preparation, monitoring and control

Bb18 Directors shall seek to identify opportunities to minimise or eliminate resource requirements or consumption without having a detrimental effect on service delivery. Directors shall notify the Executive Director (Resources and Support Services) of all such efficiency savings made or proposed to be made to assist in the calculation of any efficiency savings indicators.

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Audit requirements

Internal audit

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Internal Audit shall be independent in its planning and operation. The Audit Manager shall have direct access to the Head of Paid Service, all levels of management and to elected Members. Internal Auditors shall comply with the Public Sector Internal Audit Standards (PSIAS) as interpreted by the Chartered Institute of Public Finance and Accountancy's Application note.

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Income and Expenditure

Recording and notification of sums due

Dd6 Cash payments in excess of £2,000 will not be accepted by the Council. Other payments in excess of £2,000 that are not paid directly to the bank shall only be received at the Civic Offices or Guildhall via the payment machines or the designated cashier.

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