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THE COUNCIL

SUMMONS AND AGENDA

For the meeting to be held on Wednesday 28th March 2012 at 7.00pm in the Council Chamber, Civic Offices, Merrial Street, Newcastle under Lyme, Staffordshire.

1 Mayors Announcements

2 DECLARATIONS OF INTEREST

To receive Declarations of Interest from Members on items included on the agenda.

3 MINUTES

To approve as a correct record the minutes of the meeting held on 22 February 2012.

4 Council - Wednesday, 22 February 2012 (Pages 1 - 8)

5 Health Scrutiny Committee - Monday, 7 November 2011 (Pages 9 - 12)

6 Planning Committee - Tuesday, 15 November 2011 (Pages 13 - 18)

7 Conservation Advisory Working Party - Tuesday, 29 November 2011 (Pages 19 - 22)

8 Conservation Advisory Working Party - Tuesday, 20 December 2011 (Pages 23 - 24)

9 Public Protection Committee - Monday, 23 January 2012 (Pages 25 - 28)

10 Audit and Risk Committee - Monday, 30 January 2012 (Pages 29 - 32)

11 Conservation Advisory Working Party - Tuesday, 31 January 2012 (Pages 33 - 34)

12 Cabinet - Wednesday, 1 February 2012 (Pages 35 - 38)

13 Planning Committee - Tuesday, 14 February 2012 (Pages 39 - 42)

14 Active and Cohesive Communities Overview and Scrutiny Committee - Monday, 5 March 2012 (Pages 43 - 46)

15 RECEIPT OF PETITIONS

To receive from Members any petitions which they wish to present to the Council pursuant to Standing Order 17.

16 MOTIONS BY MEMBERS OF THE COUNCIL

To consider any motions submitted by Members.

17 REPORTS OF THE CHAIRS OF THE OVERVIEW AND SCRUTINY COMMITTEES AND QUESTIONS TO THE CHAIR

- (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

18 REPORTS OF STATUTORY COMMITTEES AND QUESTIONS TO THE CHAIR

- (a) Planning Committee
- (b) Licensing Committee
- (c) Public Protection Committee

19 Leader's Report on the Work of the Cabinet and Questions to the Leader (Pages 47 - 48)

20 REPORTS SUBMITTED FOR DECISION BY THE COUNCIL

To consider the reports (copies herewith) of the various Committees and for Members to make any comment thereon: -

21 Localism Act 2011 - Publication of a Pay Policy Statement for 2012/13 (Pages 49 - 62)

22 Fairtrade Status for the Borough (Pages 63 - 68)

23 MATTERS OF 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.

Yours faithfully



Chief Executive

NOTICE FOR COUNCILLORS

1. Fire/Bomb Alerts

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

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2. Attendance Record

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3. Mobile Phones

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4. 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

Wednesday 22 February 2012

Present:- The Mayor (T Hambleton) – in the Chair

Councillors Allport, Mrs Astle, Bailey, Bannister, Mrs Bates, Mrs Beech, Blair, Boden, Mrs Burke, Mrs Burnett, Cairns, Clarke D, Clarke M R, Cooper, Miss Cooper, Mrs Cornes, Eagles, Gilmore, MRs Hambleton, Mrs Heames, Mrs Heesom, Holland, Howells, Mrs Johnson, Jones, KEaron, Loades, Matthews, Mrs Myatt, Olzewski, Miss Olzewski, Miss Reddish, Richards, Robinson, MRs Shenton, Mrs Simpson, Slater, Snell, Studd, Sweeney, Tagg J H, Tagg S J, Taylor J, Taylor K-N, Miss Walklate, Waring, Welsh, Wemyss, Wilkes, Mrs Williams and Williams

1. **APOLOGIES**

Apologies were received from Councillors Fear, Mrs Hailstones, Hailstones, Lawton, Mrs Lewis, Nixon and White.

2. **DECLARATIONS OF INTEREST**

There were none.

3. **MAYORS ANNOUNCEMENTS**

It was confirmed that the Council had now achieved fair trade status.

The annual Civic Mass would take place at Holy Trinity R C Church on Sunday 4 March 2012 at 9.30am. All Members were invited.

There would be a Mayor's Charity Rock 'n' Roll Night at Bradwell Community Centre on 25 February 2012. Tickets were available from the Mayor and/or his secretary.

The Mayor's Ball was to take place in The Ballroom, Keele Hall, Keele University on 3 March 2012. Tickets were now available from the Mayor's Secretary.

The Mayor and a number of Members referred to the death, in January, of Mary Moss a former long serving member of the Council and paid tribute to her enthusiastic and committed contribution to the Council.

The Mayor referred to the recent death of Tony Dobson (Civic Enforcement Officer) and Albert Whittaker (Mace Bearer) and paid tribute to their services to the Council. He then invited Members to join him in a one minute silence as a mark of respect to the memory of the above mentioned persons.

4. **BATESWOOD LOCAL NATURE RESERVE PETITIONS**

The Mayor received two petitions submitted by resident groups in relation to requests for additional recreation facilities in Bateswood Local Nature Reserve.

Details of the petitions were outlined in the officer's report.

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

(b) That the petitions be referred to Cabinet for consideration in the context of the full consultation exercise which has recently been undertaken in relation to requests for additional recreational facilities in Bateswood Local Nature Reserve.

(c) That the petitioners be informed of resolution (b) above.

5. **CAPITAL STRATEGY**

Consideration was given to a report seeking approval of the capital strategy 2012-2015 that set out how the Council proposed to deploy its capital resources in order to assist it to achieve its corporate and service objectives.

Resolved:- That the Capital Strategy 2012/15 be approved.

6. **TREASURY MANAGEMENT STRATEGY 2012/13**

Consideration was given to the Treasury Management Strategy 2012/13 including the Prudential Indicators, Investment Strategy and Minimum Revenue Provision Strategy.

Resolved:- (a) That the Treasury Management Strategy Report for 2012/13 be approved.

(b) That the Prudential Indicators contained within the report be approved.

(c) That the Investment Strategy contained within the report be approved.

(d) That the Minimum Revenue Provision Strategy contained within the report be approved.

(e) That the current contract with Sector Treasury Services Ltd be extended for a further 12 months.

7. **REVENUE AND CAPITAL BUDGETS AND COUNCIL TAX 2012/13**

A detailed report was submitted outlining the recommendations made by the Cabinet in respect of the Revenue and Capital Budgets and Council Tax for 2012/13.

A lengthy debate ensued during which the following amendments to the substantive motion were proposed:-

Amendment 1

After the words ".....set out in Appendix A" add

To take an additional £80,000 from the Budget Support Fund in the 2012/13 financial year and to refund this from the elections budget in 2013/14, the year in which the Borough does not have elections. That this money be put into a 'Newcastle Borough Fund' to support projects for young people not in education, employment or training.

A requisition pursuant to Standing Order 28 for the voting on such proposition to be recorded in the minutes to show how each member voted resulted as follows:-

For the amendment (24)

The Mayor (T Hambleton), Councillors Allport, Mrs Astle, Bailey, Mrs Bates, Mrs Beech, Boden, Mrs Burnett, Cairns, M R Clarke, Eagles, Mrs Hambleton, Mrs Johnson, Kearon, Miss Olszewski, Olszewski, Robinson, Mrs Simpson, Snell, J Taylor, K-N Taylor, Waring, Mrs Williams and Williams

Against the amendment (28)

Bannister, Blair, Mrs Burke, D Clarke, Miss J M Cooper, Cooper, Mrs Cornes, Gilmore, Mrs Heames, Mrs Heesom, Holland, Howells, Jones, Loades, Matthews, Mrs Myatt, Miss Reddish, Richards, Mrs Shenton, Slater, Studd, Sweeney, J Tagg, S Tagg, Miss Walklate, Welsh, Wemyss and Wilkes.

Amendment 2

After the words ".....set out in Appendix A" add

To establish a new post of Town Centres Manager to be funded in 2012/13 from the funds currently allocated for the Member Local Initiative Fund (£30,000) and subsequently by contributions from businesses and the town and parish councils.

A requisition pursuant to Standing Order 28 for the voting on such proposition to be recorded in the minutes to show how each member present and voting gave their vote resulted as follows:-

For the amendment (23)

The Mayor (T Hambleton), Councillors Allport, Mrs Astle, Bailey, Mrs Bates, Mrs Beech, Boden, Mrs Burnett, Cairns, M R Clarke, Eagles, Mrs Hambleton, Mrs Johnson, Kearon, Miss Olszewski, Olszewski, Robinson, Mrs Simpson, Snell, J Taylor, Waring, Mrs Williams and Williams

Against the amendment (28)

Bannister, Blair, Mrs Burke, D Clarke, Miss J M Cooper, Cooper, Mrs Cornes, Gilmore, Mrs Heames, Mrs Heesom, Holland, Howells, Jones, Loades, Matthews, Mrs Myatt, Miss Reddish, Richards, Mrs Shenton, Slater, Studd, Sweeney, J Tagg, S Tagg, K-N Taylor, Miss Walklate, Wemyss and Wilkes.

Abstention

Councillor Welsh

Amendment 3

After the words ".....set out in Appendix A" add

To establish a fund to subsidise the installation of anti-burglary equipment for older and vulnerable people in areas with the highest crime rates in the Borough.

The fund to be established in 2012/13 through savings on the Council's car lease scheme.

A named vote was not called for in respect of the above amendment that was lost on a vote of 28 votes to 21.

No further amendments were proposed as a consequence of which the Council proceeded to a vote on the substantive motion.

Resolved:- (a) That the Revenue Budget for 2012/13 be approved in the sum of £14,260,980 as set out in Appendix B.

(b) That £179,000 of the Budget Support Fund be utilised to fund the 2012/13 budget.

(c) That the Council Tax at Band 'D' be £176.93, unchanged from 2011/12.

(d) That the Capital Programme to 2012/13 be approved as set out in Appendix E, together with the Prudential Indicator relating to the Incremental Impact of Capital Investment Decisions on the Council Tax.

(e) That the revised minimum balances requirement be £1,500,000 and the excess of £350,000 above the current levels be transferred to the Contingency Reserve (£80,000), the Insurance Fund (£120,000) and the Provision for Bad Debts (sundry debtors) (£150,000).

(f) That it be noted that at its meeting on the 18 January 2012 the Cabinet calculated the following amounts for the year 2012/13:

- (i) 39,136 being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its council tax base for the whole Council area for the year (Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act"))
- (ii) For dwellings in those parts of the Council's area to which a Parish precept relates as in the table below:

Kidsgrove	7,219
Loggerheads	1,957
Audley	2,669
Betley, Balterley and Wrinehill	574
Chapel and Hill Chorlton	197
Keele	332
Madeley	1,558
Maer	254
Silverdale	1,446
Whitmore	805

(g) That the Council Tax requirement for the Council's own purposes for 2012/13 (excluding Parish precepts) is £6,924,370.

(h) That the following amounts be calculated for the year 2012/13 in accordance with Sections 31 to 36 of the Act:

- (i) £72,857,996 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act taking into account all precepts issued to it by Parish Councils.
- (ii) £65,602,240 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.
- (iii) £7,255,756 being the amount by which the aggregate at (h)(i) above exceeds the aggregate at (h)(ii) above, calculated by the Council, in accordance with Section 31A (4) of the Act, as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
- (iv) £185.40 being the amount at h (iii) above (Item R), all divided by Item T (f (i) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
- (v) £331,386 being the aggregate amount of all special items (Parish precepts) referred to in Section 34 (1) of the Act.
- (vi) £176.93 being the amount at (h) (iv) above less the result given by dividing the amount at (h) (v) above by item T (f (i) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item (Parish precept) relates.

(vii) **Part of the Council's Area**

Audley Parish Council	£194.34
Betley, Balterley and Wrinehill Parish Council	£194.58
Chapel and Hill Chorlton Parish Council	£192.16
Keele Parish Council	£196.66
Kidsgrove Town Council	£191.70
Loggerheads Parish Council	£198.39
Madeley Parish Council	£230.43
Maer Parish Council	£195.57
Silverdale Parish Council	£184.92
Whitmore Parish Council	£198.05

Being the amounts given by adding to the amount at (h) (vi) above, the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above, divided in each case by the amount at (f) (ii) above calculated by the Council in accordance with Section 34(3) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.

(viii)

Valuation Bands

	A	B	C	D	E	F	G	H
<u>Part of the Council's Area</u>	£ p	£ p	£ p	£ p	£ p	£ p	£ p	£ p
Kidsgrove Town Council	127.80	149.10	170.40	191.70	234.30	276.90	319.50	383.40
Loggerheads Parish	132.26	154.30	176.34	198.39	242.48	286.56	330.65	396.78

Council - 22/02/12

Council									
Audley Parish Council	129.56	151.15	172.74	194.34	237.53	280.71	323.90	388.68	
Betley, Balterley and Wrinehill Parish Council	129.72	151.34	172.96	194.58	237.82	281.06	324.30	389.16	
Chapel and Hill Chorlton Parish Council	128.11	149.45	170.81	192.16	234.87	277.56	320.27	384.32	
Keele Parish Council	131.11	152.95	174.81	196.66	240.37	284.06	327.77	393.32	
Madeley Parish Council	153.62	179.22	204.82	230.43	281.64	332.84	384.05	460.86	
Maer Parish Council	130.38	152.11	173.84	195.57	239.03	282.49	325.95	391.14	
Whitmore Parish Council	132.04	154.03	176.04	198.05	242.07	286.07	330.09	396.10	
Silverdale Parish Council	123.28	143.82	164.37	184.92	226.02	267.11	308.20	369.84	
Other Parts of Borough Area	117.96	137.61	157.27	176.93	216.25	255.56	294.89	353.86	

Being the amounts given by multiplying the amounts at (h)(vi) and (h)(vii) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

(i) That it be noted that for the year 2012/13 the major precepting authorities have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwelling shown below:-

<u>Precepting Authority</u>	<u>Valuation Bands</u>							
	A	B	C	D	E	F	G	H
	£ p	£ p	£ p	£ p	£ p	£ p	£ p	£ p
Staffordshire County Council	685.87	800.19	914.50	1028.81	1257.43	1486.06	1714.68	2057.62
Staffordshire Fire Authority	45.09	52.61	60.12	67.64	82.67	97.70	112.73	135.28
Staffordshire Police Authority	118.41	138.14	157.88	177.61	217.08	256.55	296.02	355.22

(j) That having calculated the aggregate in each case of the amounts at (h) (viii) and (i) above, the Council, in accordance with Section 30(2) of the Act, hereby sets the following amounts as the amounts of Council Tax for the year 2012/13 for each of the categories of dwelling shown below:

<u>Part of the Council's Area</u>	<u>Valuation Bands</u>							
	A	B	C	D	E	F	G	H
	£ p	£ p	£ p	£ p	£ p	£ p	£ p	£ p
Kidsgrove Town Council	977.17	1140.04	1302.90	1465.76	1791.48	2117.21	2442.93	2931.52
Loggerheads Parish Council	981.63	1145.24	1308.84	1472.45	1799.66	2126.87	2454.08	2944.90
Audley Parish Council	978.93	1142.09	1305.24	1468.40	1794.71	2121.02	2447.33	2936.80
Betley, Balterley and Wrinehill Parish Council	979.09	1142.28	1305.46	1468.64	1795.00	2121.37	2447.73	2937.28
Chapel and Hill Chorlton Parish Council	977.48	1140.39	1303.31	1466.22	1792.05	2117.87	2443.70	2932.44
Keele Parish Council	980.48	1143.89	1307.31	1470.72	1797.55	2124.37	2451.20	2941.44
Madeley Parish Council	1002.99	1170.16	1337.32	1504.49	1838.82	2173.15	2507.48	3008.98
Maer Parish Council	979.75	1143.05	1306.34	1469.63	1796.21	2122.80	2449.38	2939.26
Whitmore Parish Council	981.41	1144.97	1308.54	1472.11	1799.25	2126.38	2453.52	2944.22
Silverdale Parish Council	972.65	1134.76	1296.87	1458.98	1783.20	2107.42	2431.63	2917.96
Other Parts of Borough Area	967.33	1128.55	1289.77	1450.99	1773.43	2095.87	2418.32	2901.98

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

The Council received verbal updates from the Chairs of the Overview and Scrutiny Committees highlighting work that had been undertaken since the last meeting of the full Council.

Resolved:- That the reports be received.

9. RECEIPT OF PETITIONS

The petitions relating to Bateswood Local Nature Reserve were presented and dealt with at item 4 of these minutes.

Councillor Wemyss also presented a petition signed by residents of High Street and Harrison Close requesting Aspire Housing to re-surface, illuminate and refurbish the garages and land adjacent to them in Harrison Street.

10. STANDING ORDER 18 - URGENT BUSINESS

There was no urgent business.

**T HAMBLETON
Chair**

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HEALTH SCRUTINY COMMITTEE

Monday 7 November 2011

Present:- Councillor D Becket – in the Chair

Councillors Miss Cooper, Mrs Johnson and Loades

1. MINUTES OF PREVIOUS MEETING

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

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. 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.

4. 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.

5. 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.

6. SUMMARY OF THE MAIN ISSUES OF BUSINESS FROM THE STAFFORDSHIRE HEALTH SCRUTINY COMMITTEE HELD ON 3RD 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

7. 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.

8. 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 BECKET
Chair

PLANNING COMMITTEE

Tuesday 15 November 2011

Present:- Councillor A Fear – in the Chair

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

1. ALSO IN ATTENDANCE

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

2. DECLARATIONS OF INTEREST

There were none.

3. 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.

4. 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 cont

- (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.

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

5. 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) That subject to the Environment Agency withdrawing its obligation by 5 December 2011, the Head of Planning be authorised to permit the application (with the addition of appropriate conditions in the light of any comments made by the Environment Agency and 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 consideration 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.

(b) That in the event of the Environment Agency not interpreting its obligation the application be brought back to the committee for further consideration.

(c) That with respect to 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.

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

6. 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 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 in the sum of £1000 towards NTADS, permission be granted subject to conditions considered appropriate by the Head of Planning.

(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, in consultation with the Chairman, be authorised to refuse the application because the development could not be achieved in a sustainable form.

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

- Resolved:-**
- (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.

8. ERECTION OF COMMUNITY FIRE STATION. LAND OFF MARKET DRAYTON ROAD, LOGGERHEADS. STONE AND STAFFORDSHIRE FIRE AND RESCUE AUTHORITY (SSFRA. 11/00475/FUL

Resolved:- 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 western boundary of the site. Permit subject to the 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 $L_{Aeg,90 \text{ minute}}$ 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 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.

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

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

- (i) Inappropriate development in the Green Belt.
- (ii) The benefits of renewable energy that arise from the proposed 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.

10. **RETENTION OF PORTAL FORMER 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 to a site visit that was to take place on 26 November 2011 at 9am.

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

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

12. **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**

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CONSERVATION ADVISORY WORKING PARTY

Tuesday 29 November 2011

Present:-

Councillors Becket and Holland

Also in Mrs Henshaw - Staffs Historic Buildings Trust
attendance Mr Chatterton and Mr Worgan - Newcastle Civic Society

1. APPOINTMENT OF CHAIR

Resolved:- That Councillor Becket be appointed as Chair for this meeting.

Councillor Becket in the Chair

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Allport, Mrs Burnett, Miss Cooper and Mr Manning.

3. DECLARATIONS OF INTEREST

Councillor Becket declared an interest in application 11/00571/LBC and 11/00572/ADV as a customer of the bank.

4. MINUTES OF PREVIOUS MEETINGS

Resolved:- That the minutes of the previous meeting held on 8 November 2011 be agreed as a correct record subject to amendments.

5. APPLICATIONS PREVIOUSLY CONSIDERED

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

6. PLANNING APPLICATIONS FOR CONSIDERATION

Resolved:- 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>
11/00519/FUL	Installation of solar panels. Wade Centre, The Avenue, Kidsgrove. Rev Iain Baker.	No objections.
11/00534/FUL	Replacement vehicular access. Hardingswood House, Hardingswood Road, Kidsgrove.	No objections.

Conservation Advisory – 29/11/11

	Mrs K Stanworth.	
11/00562/FUL	Installation of 12 solar PV panels (6 panels x 2) on roof of garage. Ivy Cottage, Lymes Road, Butterton. Mr M Colclough.	No objections.
11/00571/LBC & 11/00572/ADV	Illuminated projecting sign, non-illuminated ATM collars, replacement non-illuminated window marketing, blue film to glazing behind existing ATMs and reconfiguration of internal walls. Halifax, 13 Ironmarket, Newcastle. Lloyds TSB Bank plc.	The Working Party had no objections to the proposals but felt that the existing or a similar bracket should be used for the projecting sign and not as proposed.
11/00581/FUL	Illuminated fascia sign and non-illuminated hanging sign. Former HMV, 43a High Street, Newcastle. MBL Group plc.	No objections.
11/00584/FUL	Proposed installation of ten solar PV panels on rear roof. Crispins, Sandy Lane, Newcastle. Mrs J Bates.	No objections.
11/00586/FUL	First floor side elevation. Butterton Nurseries, Park Road, Butterton. Mr Leath.	No objections subject to conditions being added as specified by the Conservation Officer.
11/00587/FUL	Erection of a rear conservatory. Wilbraham House Residential Home, Audley. Wilbraham House Care Home.	No objections.
11/00590/FUL	Erection of 3-bedroomed detached dwellings formation of new access. Land to the rear of South Lodge, Clough Hall Drive, Talke. Mr A Austin	The Working Party objected to the principle of such an imposing and intrusive building design adjacent to the listed lodge.
11/00606/FUL	Installation of 96 ground mounted photovoltaic solar panels. Butterton Nurseries, Park Road, Butterton. Mr Leath.	The Working Party had no objections but suggested an archaeological watching brief would be relevant given the likelihood of

historic paths etc in the former walled garden.

7. ANY OTHER BUSINESS

Jim Worgan asked that it be recorded in the minutes that the refurbishment of Mellards Warehouse on Market Lane should be applauded. It is an excellent example of sensitive and positive conservation of a historic building.

**D BECKET
Chair**

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CONSERVATION ADVISORY WORKING PARTY

Tuesday 20 December 2011

Present:- Miss Cooper – in the Chair

Councillors Becket and Holland

Also in attendance Mr Chatterton and Mr Worgan – Newcastle Civic Society
Mr Manning – North Staffs Society of Architects

1. DECLARATIONS OF INTEREST

Councillor Miss Cooper declared an interest for application 11/00607/FUL as she is on the Board of Trustees at the Citizens' Advice Bureau.

2. MINUTES OF PREVIOUS MEETINGS

Resolved:- That the minutes of the previous meeting held on 29 November 2011 be agreed as a correct record with the addition of the following:-

“That under Any Other Business, Councillor Becket agreed to write to the Head of Development Control and the Portfolio Holder with concerns that the Conservation Advisory Working Party's comments were not acted upon or taken notice of.”

3. APPLICATIONS PREVIOUSLY CONSIDERED

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

4. PLANNING APPLICATIONS FOR CONSIDERATION

Resolved:- 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>
11/00488/FUL	Demolition of ground floor rear extension and conservatory and construction of a new two storey extension and erection of a new orangery. Relocation of existing outhouse and erection of new double garage and installation of solar panels. Coachman's Cottage, Main Road, Betley.	The Working Party welcomed the proposal to the house as an improvement but feels the design of the garden room would be improved by a smaller brick plinth and larger area of glazing. Also that it should be constructed from timber with a painted finish, colour to be agreed. The garage door should be painted an appropriate neutral colour.
11/00599/FUL &	Retention of a timber framed	No objections.

Conservation Advisory – 20/12/11

11/00601/FUL	agricultural building and use of area of farmland as ménage. Maerfield Gate Farm, Maer.	
11/00674/FUL		No objections.
11/00639/LBC	36 High Street, Newcastle.	No objections to the submitted proposal but the Working Party notices that the fascia sign has been erected not in accordance with these plans and objects to this.
11/00579/FUL		No objections subject to the proposed conservatory being constructed from timber and with a painted finish.
11/00607/FUL		No objections to the scheme but the ground floor windows should be constructed from timber. The terrace is on the Council's Register of Locally Important Buildings and Structures.

5. ANY OTHER BUSINESS

Former Poundstretcher

The Conservation Officer updated the group on the situation at 10 High Street.

Jim Worgan thanked the Conservation Officer for running the Conservation Advisory Working Party meetings and taking the minutes.

MISS COOPER
Chair

PUBLIC PROTECTION COMMITTEE

Monday 23 January 2012

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

1. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Snell and Wemyss.

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

3. **MINUTES OF PREVIOUS MEETING**

Resolved:- That subject to the inclusion of Councillor Kearon's apologies, the minutes of the meeting held on 5 December 2011 be approved as a correct record.

4. **CHORLTON MOSS LANDFILL SITE WORKS**

Consideration was given to a detailed report informing Members of the results of an investigation carried out at the above site in September 2010 under Part 11a of the Environmental Protection Act 1990.

The report concluded that the risks posed to human health, livestock controller matters and buildings/services were considered to be within acceptable limits and that further investigative or remedial work would not be required.

It was however recommended that cattle should not be reintroduced onto the site until sufficient materials had been imported to areas of the site where the cap was less than 0.46m depth.

Resolved:- That the report be received.

5. **CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005 - FIXED PENALTY NOTICES (1)**

Consideration was given to a report detailing action taken in respect of a fly tipping offence on the car park of the Hulstone Public House.

Ms H pleaded guilty to the offence and received a fine of £65 with a victim surcharge of £15 and costs were awarded in the sum of £130.

Resolved:- That the report be received.

6. **PRIORITY REGULATORY OUTCOMES**

A report was submitted concerning the publication of a new set of priorities for Local Authority Regulatory Services.

The report signalled a move away from national enforcement priorities towards priority regulatory outcomes that government both local and central wished to see. Thus local authorities were empowered to set local discretions and autonomy to select the most appropriate ways to meet priority regulatory outcomes in their locality.

The report also outlined priority regulatory outcomes for England which reflected issues that local citizens and businesses were concerned about.

Resolved:- That the new national priority regulatory outcomes be endorsed and adopted.

7. CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005 - FIXED PENALTY NOTICES (2)

A report was submitted concerning action taken in respect of littering offences within the Borough and sought authorisation to institute legal proceedings against the twenty six offenders listed in the report.

Resolved:- That legal proceedings be instituted in relation to the twenty six listed cases.

8. CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005 - FIXED PENALTY NOTICES (3)

A report was submitted concerning the outcome of actions taken in respect of littering offences within the Borough.

A further report would be brought to the next meeting concerning the pilot scheme relating to litter enforcement.

Resolved:- That the report be received.

9. 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 paragraphs 1, 2 and 7 in part 1 of Schedule 12A of the Local Government Act 1972.

10. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

(i) Mr DH

A report was submitted concerning Mr DH a licensed private hire driver observed operating a vehicle not licensed as a private hire driver contrary to section 46(1)(e) of the above act and also continued to operate the vehicle without a private hire operators licence contrary to section 46(1)(d) of the Act.

Resolved:- That legal proceedings be instituted in relation to the above driver.

(ii) Mr MS

Mr MS who holds a private hire driver's licence had failed to comply with condition 12 of his private hire driver's licence in that he had not disclosed in writing within the

specified time, details of a conviction that he had received for plying for hire and driving with no insurance.

Mr MS did have insurance but his conviction for plying for hire had invalidated it.

Members were however concerned about Mr MS's ability to fully comprehend the English language.

Resolved:- (a) That Mr MS be sent a warning letter concerning his future conduct and the Licensing Officer speak to him regarding his English comprehension.

(b) That a briefing note be presented to the next meeting by the Head of Central Services concerning the duty of insurers to satisfy judgements against insured persons under the Road Traffic Act 1988.

11. PRIVATE HIRE DRIVERS' LICENCES

Driver A

Driver A had been granted a licence in 2010 and in April of that year committed a minor speeding offence.

Subsequently the Council had been notified that Driver A had been convicted of drink driving and disorderly behaviour for which he had been disqualified for 14 months.

On 9 November 2011, Driver A had been advised that his private hire driver's licence had been suspended with immediate effect in accordance with section 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976 and he had been invited to attend a meeting of this Committee on 5 December 2011.

Driver A failed to respond and therefore further consideration was deferred until this meeting. Driver A again failed to respond and therefore the committee determined the matter in his absence.

Resolved:- (a) That Driver A's private hire driver's licence be revoked.

(b) That the Head of Central Services be authorised to take any necessary enforcement action as he considers appropriate, including prosecution concerning the return of Driver A's driver's badge.

IAN MATTHEWS
Chair

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AUDIT AND RISK COMMITTEE

Monday 30 January 2012

Present:- Councillor D Richards – in the Chair

Councillors Blair, Boden, Loades and Waring

Also in attendance Councillor A Howells – Portfolio Holder
Messrs D Jenkins and T Corcoran – Audit Commission

1. APOLOGIES FOR ABSENCE

An apology was received from Councillor Snell.

2. DECLARATIONS OF INTEREST

There were none.

3. MINUTES OF PREVIOUS MEETINGS

Resolved:- That the minutes of the meeting of this committee held on 14 November 2011 be approved as a correct record.

4. CORPORATE RISK MANAGEMENT REPORT FOR PERIOD OCTOBER TO DECEMBER 2011

The Committee considered a report outlining progress made by the Council in enhancing and embedding risk management for the above period, including progress made in managing the identified corporate risks.

Members were also reminded that the Council regularly reviewed and refreshed its risk registers in accordance with the risk management strategy and were provided with details of the Council's most significant risks and, where appropriate, details of the progress made towards mitigating these risks. This had resulted in the risk concerning bad debts to the Council being downgraded.

The report also responded to issues raised at the last meeting about data protection, community centre insurance and Gatedale and included a section on horizon scanning highlighting upcoming or current legislation that may have an impact on the Council. Of particular concern to the Committee was the proposal in the Localism Bill offering increased discounts to tenants applying to purchase their housing association dwellings resulting in the Council receiving less money from sales in those cases where the occupants had been Council tenants at the time of the transfer of their properties to Aspire.

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

(b) That the Committee note the new risks that have been identified between October to December 2011.

(c) That the horizon scanning risks listed to bear in mind when making decisions on reports submitted to committees and the effect it may have on the future of the Council be noted.

(d) That the concerns expressed about the reduced income from the sale of former Council houses as indicated above be dealt with in the Corporate Risk Management Report to be submitted to the next meeting.

5. COMMUNITY CENTRE MANAGEMENT COMMITTEES - CLARIFICATION OF RESPONSIBILITIES

In response to a request made by the Chair, consideration was given to a report clarifying the current division of responsibilities between the Council and the various community centre management committees. The report had been requested by the Chair following the recent health and safety breaches at one of the Council's community centres.

It was indicated that although there were no formal agreements in place in relation to the use of community centres and the responsibilities of the Council and management committees, an informal arrangement had been in place since 1996 stating:-

- (i) The Council is responsible for maintaining the fabric of the building, including the roof, roof timbers, walls, doors, window frames, electrical gas and water systems, internal and external decorations together with all of the required tests under the statutory testing regime (which includes matters such as gas appliance testing, electrical system testing and, where applicable, legionella testing.
- (ii) The Management Committee is responsible for all other maintenance and repair which includes glass to windows, floor coverings, light bulbs, crockery, furniture and curtains.

The Committee was advised that a comprehensive review of community centres was currently being undertaken by the officers that would seek to address the full range of issues around the operation of the centres including the formalisation and clarification of the responsibilities of local management arrangements for each of them.

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

(b) That the respective management committees be advised of the work currently being undertaken to formalise the division of responsibilities relating to the operation of the Council's Community Centres.

(c) That the issue of management of community centres be included in the Risk Register for consideration at the next meeting of this Committee.

6. ANNUAL AUDIT LETTER 2010/11

A report was submitted relating to the Annual Audit Letter from the Audit Commission dealing with the Audit of Accounts for 2010/11.

The Audit Commission's Annual Letter summarised the conclusions and significant issues arising from the audit and inspection of the Council for 2010/11 and, once

again, the Commission had issued a very positive report referring to the Council's continued success in managing its finances well.

In respect of the Commission's value for money conclusion, the Auditor gave an unqualified opinion stating that he was satisfied that the Council had, in all respects, made proper arrangements for securing value for money. The Commission had also issued an unqualified opinion on the financial statements for 2010/11 indicating that they contained few errors, that was better than many councils nationally who had experienced difficulties with the introduction of the International Financial Reporting Standards (IFRS).

Resolved:- That the Audit Commission's Annual Letter be received.

7. CERTIFICATION OF CLAIMS AND RETURNS - ANNUAL REPORT

Consideration was given to a report recommending acceptance of the Audit Commission's Annual Report in respect of the Certification of Claims and Returns for the Borough Council for 2010/11.

Resolved:- That the Audit Commission's Annual Report on the Certification of Claims and Returns be received.

8. INFORMATION SECURITY DVD - "THE DOMINO EFFECT"

The Committee viewed the above DVD that emphasized the importance of protecting all information assets within the custody of the Council.

It was indicated that all members of staff had been shown the DVD and that further training on protective marking would be delivered at a later date.

Resolved:- That the information be received and that consideration be given to showing the DVD to all Members of the Council.

9. QUARTERLY REPORT: ADOPTION OF INTERNAL AUDIT FUNDAMENTAL RECOMMENDATIONS AND SUMMARY OF ASSURANCE 1 OCTOBER TO 31 DECEMBER 2011

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

In the third quarter there were five high risk recommendations due for review, all of which had previously had one target date change and, as such, reported separately to the Chair and Vice Chair of the Committee.

It was also indicated that at the end of the above quarter all Directorates were showing substantial assurance.

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

10. INTERNAL AUDIT PROGRESS REPORT QUARTER 3 2011/12

The Committee received a report regarding the work undertaken by the Internal Audit section during the period 1 October to 31 December 2011.

Up to the end of December 2011, 827 recommendations had been made of which 746 had been implemented (90%), the target being 96% by the end of the year and it was indicated that due to the follow up work completed by the audit team during quarter 3 there had been a considerable improvement on the recommendations implemented during that quarter (the figure quoted on quarter 2 being 83%).

The annual target for the percentage of audits completed by year end was 90% and to date 45% of the planned audits had been completed against an expectation of 40%.

Resolved:- That the report be received.

11. INTERNAL AUDIT PLAN 2012/13

The Committee received a report advising Members of the proposed Internal Audit Plan for 2012/13 and seeking approval of its contents. The Committee was also asked to approve reporting arrangements for performance against the 2012/13 proposed Plan.

The Plan provided for 534 audit days based on a full risk assessment of each audit area which considered expenditure, income, management controls, operational procedures, political and legislative influences and the risk of fraud.

The work was to be undertaken by the Internal Audit staff as identified at the beginning of the year.

Resolved:- (a) That the Internal Audit Plan for 2012/13 be approved.

(b) That the reporting arrangements as set out in the report be continued.

12. REVIEW OF INTERNAL AUDIT STRATEGY AND THE INTERNAL AUDIT SECTION TERMS OF REFERENCE 2012-2015

Consideration was given to a report seeking approval to the revised Internal Audit Strategy and Terms of Reference which had been received as part of the Audit Planning process for 2012/13.

The updated strategy covered the period 2012 to 2015 as set out on how Internal Audit would contribute to the Council's review of corporate governance arrangements, risk management processes, key internal control systems and how assurance for the annual statements on internal control would be demonstrated. It also established the resources and skills required for its delivery and allocation of audit work.

The Terms of Reference for Internal Audit had also been reviewed and updated in accordance with the Code of Internal Audit Practice.

Resolved:- That the Internal Audit Strategy 2012 to 2015 and the Internal Audit Section's Terms of Reference be approved in their revised forms.

D RICHARDS
Chair

CONSERVATION ADVISORY WORKING PARTY

Tuesday 31 January 2012

Present:- Miss Cooper – in the Chair
Councillor Becket
Also in attendance Mr Chatterton and Mr Worgan – Newcastle Civic Society
Mr C Henshaw – Staffordshire Civic Society
Mr R Manning – North Staffs Society of Architects

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Allport and Mrs Burnett.

2. DECLARATIONS OF INTEREST

There were none.

3. MINUTES OF PREVIOUS MEETINGS

Resolved:- That the minutes of the previous meeting held on 20 December 2011 be agreed as a correct record subject to amendments.

4. PREVIOUSLY CONSIDERED APPLICATIONS

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

5. PLANNING APPLICATIONS FOR CONSIDERATION

Resolved:- 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>
11/00/613/FUL	Variation of condition 9 of planning permission 06/00560/FUL (removal of temporary buildings/structures in the courtyard. Lower Stoney Low Farm, Three Mile Lane, Whitmore. Mr Paul Rowe.	No objections subject to the building being painted an appropriate colour as was previously before the render was applied and to be completed in three months.
11/00622/FUL	Ground floor extension and installation of solar thermal panels. Darwin Building, University of Keele, Keele. Keele University.	The Working Party was disappointed with the design of the building but had no objections.

Conservation Advisory – 31/01/12

11//00641/FUL	Installation of solar panels. Kingsley, Brampton, Newcastle. Aspire Housing.	No objections.
11/00644/FUL	Two storey side extension. 27 Betley Hall Gardens, Betley. Mr & Mrs R Roseff.	No objections.
11/00662/FUL	Single storey side extension. Lime House, Poolside, Madeley. Mr A Martin.	No objections.
11/00682/FUL	Erection of a 50kw wind turbine (maximum height to the blade tip 34.5m). Barn View, Lower Stoney Low Farm, Three Mile Lane, Whitmore. Mr Grant and Mrs Tanya Emery.	No objections.

6. ANY OTHER BUSINESS

(i) Former Poundstretcher

The Conservation Officer informed the group that agents acting for the owner of 8-10 High Street may submit an application for Conservation Area Consent for demolition of the building for health and safety reasons.

(ii) Councillor Becket requested that the maps included in the Agenda were amended to only highlight (red edge) the site in question to make identification of the relevant building or land less confusing.

MISS J M COOPER
Chair

CABINET

Wednesday 1 February 2012

Present:- Councillor Sweeney – in the Chair

Councillors Bannister, Howells, Jones, Miss Reddish and Studd

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. MINUTES

Resolved:- That the minutes of the meeting held on 18 January 2012 be agreed as a correct record.

3. REVENUE AND CAPITAL BUDGETS AND COUNCIL TAX 2012/13

A report was submitted to enable Cabinet to recommend the 2012/13 General Fund Revenue Budget and the 2012/13 Capital Programme to Full Council in February 2012 and to consider the comments from the Transformation and Resources Overview and scrutiny Committee.

The Chair of the Transformation and Overview Committee was in attendance to feedback comments from the Committee meetings on 18 and 25 January 2012. The Committee had discussed many areas including the £523k budget shortfall gap and the impact of the £60k subsidy from the Government, the upkeep costs of Jubilee 1 and Knutton Recreation Centre and the maximisation of income streams from car parking and Jubilee 2.

The Council tax level was debated and concerns had been raised regarding the knock on effect of a 0% increase this year on future Council Tax levels. There was however no recommendation that Council Tax should be increased. The Committee had also requested additional information for its meeting on 25 January which included detail on the insurance fund, a breakdown of the 60 FTE jobs that had been removed from the Council's structure and information of the remaining potential savings identified in the service reviews carried out in 2010.

The Chair of the Transformation and Resources Committee thanked Officers for the provision of all the requested information and congratulated them on a well written and comprehensive report.

The good work and valuable contribution of the Scrutiny Committee was also noted.

Resolved:- (a) That it be recommended to Full Council that the revised minimum balances requirement be £1,500,000 with the excess of £350,000 above the current levels being transferred to the Contingency Reserve (£80,000), the Insurance Fund (£120,000) and the Provision for Bad Debts (sundry debtors) (£150,000)

(b) That the 2012/13 General Fund Revenue Budget and the Capital Programme 2012/13 as detailed in the report to Cabinet dated 18 January 2012 be recommended to Full Council for approval together with a recommendation that there be no increase in the Borough's council tax for 2012/13.

(c) That the contribution from the Budget Support Fund be £179,000.

4. SITE ALLOCATIONS AND POLICIES DEVELOPMENT PLAN DOCUMENT - ISSUES AND OPTIONS CONSULTATION PROPOSALS

A report was submitted requesting Cabinet to consider the timetable, likely scope and consultation arrangements for the site allocations and policies development plan document issues and options paper.

All Councils were required to have such a plan and the timetable for Newcastle would be extended to allow for a significant public consultation process following which a set of policies would be agreed. It was reiterated that no sites had been singled out yet and would not be until the consultation process had been completed which could be up to 2 and a half year in the future.

Resolved:- (a) That the revised timetable set out in Appendix A now be adopted.

(b) That Cabinet agree the consultation proposals set out in this report.

(c) That a further report be submitted in June/July to the Planning Committee with a revised Site Allocations and Policies Development Plan Document draft Issues and Options Paper for public consultation purposes, incorporating a set of generic development management policies and taking into account a revised Infrastructure Delivery Plan together with details of the public consultation arrangements.

(d) That a map be provided to all Members in June indicating all sites that formed part of the development plan document and a further and final map be produced for all members at the conclusion of the consultation process.

(e) That Cabinet receive in June/July the recommendations of the Planning Committee with respect to the above revised Site Allocations and Policies Development Plan Document Draft Issues and Options Paper, incorporating a set of generic development management policies and taking into account a revised Infrastructure Delivery Plan, for consultation purposes together with details of the public consultation arrangements.

(f) That at the above stage it be advertised that the entire process is open for public comment and a generic email address be provided for this purpose.

5. ASSET MANAGEMENT STRATEGY

A report was submitted to seek final approval for the Asset Management Strategy 2011/12 – 2012/14.

The Strategy had now been scrutinised by both the Economic Development and Enterprise Committee and the Transformation and Resources Committee and no

additional comments had been returned and it was therefore unnecessary to make any changes to the document that Cabinet had originally discussed and agreed at its meeting on 18 January 2012.

Resolved:- That the Asset Management Strategy 2011/12 – 2013/14 be approved.

6. REGISTER OF LOCALLY IMPORTANT BUILDINGS AND STRUCTURES IN NEWCASTLE-UNDER-LYME SUPPLEMENTARY PLANNING DOCUMENT

A report was submitted requesting Cabinet to consider the recommendation of the Planning Committee to adopt the Register of Locally Important Buildings and Structures in Newcastle under Lyme Supplementary Planning Document (SPD).

A draft Register of Locally Important Buildings and Structure Supplementary Planning Document (SPD) had been agreed by Planning Committee in July 2011 for consultation purposes. The period for consultation had ended on 23rd September 2011. The buildings and structures on the list would be protected by the Council and would be at levels below those classed as listed. A preliminary list existed at the moment but it was very dependant upon local action and knowledge and it was agreed that all LAPS and Parish Councils be made aware of the list and requested to submit any buildings or structures that they were aware of for inclusion.

A standard approach was required for the additional of buildings and structures to the list and there would be a nomination process followed by assessment from an independent panel working from a standard set of criteria. Further discussions would be held regarding whether to release the current list at a future meeting.

Resolved:- That information be provided to LAPs and Parish Councils regarding the nomination process and that further discussion be held regarding the distribution of the current list.

7. LOW CARBON FUND

A report was submitted to update Cabinet Members of progress regarding the Improvement and Efficiency West Midlands Low Carbon funding in support of capital projects delivering carbon savings.

It was confirmed that the Council was on track to meet the April deadline for identifying areas for the funding and it was hoped that all orders would be in place by the end of March and work commencing.

Resolved:- That the actions taken to date be noted

S SWEENEY
Chair

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PLANNING COMMITTEE

Tuesday 14 February 2012

Present:- Councillor A Fear – in the Chair

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

1. ALSO IN ATTENDANCE

Councillors Richards and Robinson during consideration of planning application 11/00645/OUT only.

Councillor Loades during consideration of planning applications 11/00600/FUL and 11/00599/FUL only.

Councillor Mrs Cornes during consideration of planning application 11/00632/FUL only.

2. APOLOGIES

An apology for absence was received from Councillor Hambleton.

3. MINUTES OF PREVIOUS MEETING

Resolved:- That the minutes of the meeting of this Committee held on 24 January 2012 be approved as a correct record subject to the addition of Councillor D Clarke to the list of those present.

4. DECLARATIONS OF INTEREST

Councillor D Clarke declared an interest in planning application 12/00001/TDET and took no part in its determination.

5. VARIATION OF CONDITION 2 OF PLANNING PERMISSION 11/00058/FUL ALLOWING AMENDMENTS TO DETAILS OF THE ELEVATIONS OF WING B AND WING C ON INNOVATION CENTRE 5 (IC5). KEELE IC5, PLOT 5, KEELE UNIVERSITY SCIENCE AND BUSINESS PARK. STAFFORDSHIRE COUNTY COUNCIL. 11/00655/FUL

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

- (i) Approved drawings.
- (ii) Approval of colour finish of proposed louvers.
- (iii) All other conditions attached to permission 11/00058/FUL shall continue to apply.

6. **RESIDENTIAL DEVELOPMENT (176 DWELLINGS), AREA OF COMMUNITY WOODLAND, PUBLIC OPEN SPACE AND FORMATION OF NEW ACCESSES. LAND SOUTH OF WEST AVENUE, LAND WEST OF CHURCH STREET AND CONGLETON ROAD AND NORTH OF LINLEY ROAD, BUTT LANE. REVELAN DEVELOPMENTS LTD. 11/00645/OUT**

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

- (i) The provision of that proposed and any pedestrian/cycle link from the development to Church Street would be likely to cause crime and disorder, and a consequential loss of residential amenity by the occupiers of dwellings adjacent to the link, and it is not required to achieve an appropriate development.
- (ii) In the absence of obligations secured by agreement or undertaking, the development would fail to secure an appropriate level of affordable housing, the provision of adequately and appropriately maintained open space and measures to ensure that the development achieves sustainable development outcomes.

7. **RETENTION OF GROUNDWORKS. MAERFIELD GATE FARM, MAER. MR S BOOTH. 11/00601/FUL**

Resolved:- (a) That the application be refused on the grounds that the development has an adverse impact upon the character and appearance of Maer Conservation Area and upon the landscape within which it is located contrary to relevant policies on such matters within the development plan.

(b) That, having regard to the retrospective nature of the application, officers enter into discussions with the applicant concerning any revision of the scheme that he may propose and, if necessary following consultation with the Chair, a further report be brought to a future meeting of the committee regarding the expediency of enforcement proceedings.

8. **RETENTION OF GROUNDWORKS AND FORMATION OF A 1500 SQUARE METRE MANEGE OR HORSE EXERCISE AREA. MAERFIELD GATE FARM, MAER. MR S BOOTH. 11/00599/FUL**

Resolved:- (a) That the application be refused because the development has an adverse impact upon the character and appearance of the Maer Conservation Area and upon the landscape within which it is located contrary to relevant policies on such matters within the development plan.

(b) That having regard to the retrospective nature of the application, a report be submitted to the Planning Committee at the earliest opportunity regarding the expediency of enforcement action with respect to the earthworks carried out to date on the site of the proposed building.

9. **TWO STOREY REAR EXTENSION. 77TH AUDLEY SCOUT GROUP HALL. 72-74 WERETON ROAD, AUDLEY. 77TH AUDLEY SCOUT GROUP. 11/00632/FUL**

Resolved:- That the application be refused because the proposed extension to the Scout Hall would, by reason of its increased height and length, relative to the existing building, result in a loss of residential amenity to the occupier of 70 Wereton

Road due to its impact on the aspect of that property's ground floor window in its rear elevation.

10. **INSTALLATION OF 15.3 METRE HIGH SHARED CU PHOSCO. PHASE 4 MONOPOLE. UNIT 3, NELSON INDUSTRIAL ESTATE, WEST AVENUE, KIDSGROVE. VODAFONE UK LTD. 12/00001/TDET**

Resolved:- That permission be granted.

**A FEAR
Chair**

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ACTIVE AND COHESIVE COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE

Monday 5 March 2012

Present:- Councillor A Heames – in the Chair

Councillors Cairns, Cooper, Mrs Heesom, Miss Olszewski, Tagg J H,
Taylor K-N, Miss Walklate, Wilkes and Mrs Williams.

1. APOLOGIES

An apology for absence was received from Councillor Mrs Cornes.

2. MINUTES

Resolved:- That the minutes of the meeting of this Committee held on 31 October 2011 be approved as a correct record.

3. DECLARATIONS OF INTEREST

There were none.

4. PRESENTATION BY HELEN RILEY - DIRECTOR OF STRATEGY AND TRANSFORMATION AT STAFFORDSHIRE COUNTY COUNCIL. PUBLIC SECTOR COMMISSIONING PARTNERSHIPS PROJECT

Helen Riley of Staffordshire County Council gave a verbal presentation advising Members of progress made on the four phases of the programme with approximate timescales.

The Research Stage had been completed and it was indicated that the Design Stage built upon the need to design a range of commissioning options including shared commissioning approaches and a consistent Third Sector Commissioning Framework across the Staffordshire Region. It was at this stage that each public sector organisation decided which approach best fitted their requirements for Debt, Benefits and Consumer Advice Services and Third Sector Infrastructure and Volunteering Services.

The next phase was 'Test' with its starting point to clarify the investment and commissioning requirements/outcomes from each of the participating public sector organisations. The information would help to inform the service specification and participating organisations would be consulted about the final specification prior to commencing the procurement (tender) process.

It was proposed that the Third Sector Infrastructure and Voluntary Services would go out to tender in July 2012 with a contract start date of April 2013. The Debt, Benefits and Consumer Advice Service was proposed to go out to tender in November 2012 with a contract start date of October 2013.

The final stage 'Implementation' would, subject to demonstrable success, include project sign off and partner commitment to the new commissioning approach.

Resolved:- That Helen Riley be thanked for her informative presentation.

5. BATESWOOD LOCAL NATURE RESERVE - PUBLIC CONSULTATION

Consideration was given to a report detailing the findings of the recent consultation exercise carried out in accordance with a request made by Cabinet on 7 September 2011 to ascertain public opinion on requests from the community for additional bridle route provision and use of part of the main pool for fishing in Bateswood Local Nature Reserve.

The extent of the public consultation exercise that included a Public Meeting held on 13 January 2012 was outlined in the officer's report and it was reported that 210 individual responses to the questionnaire had been received together with 10 letters from individual residents. In addition, receipt was also reported of two petitions as follows:-

Petition containing 257 signatories

"We, the undersigned, would like to support the proposal of extending the bridle path in Bateswood Local Nature Reserve and would like Newcastle Borough Council to take into consideration when deciding whether to approach these proposals."

Petition containing 225 signatories

"We, the undersigned, wish Bateswood to remain as a nature reserve. We do not want to have fishing or any activities on the lake nor do we want an extra bridleway on the reserve.

Both of the above petitions had been presented at the Council meeting on 22 February 2012 where it was resolved as follows:-

"(a) That the petitions be received.

(b) That the petitions be referred to Cabinet for consideration in the context of the full consultation exercise which has recently been undertaken in relation to requests for additional recreational facilities in Bateswood Local Nature Reserve.

(c) That the petitioners be informed of resolution (b) above.

It was indicated that the discussion at the public meeting had highlighted many conflicts and tensions between community user groups regarding the use of the site.

Having considered the officer's report, the Committee agreed that a working group should be established consisting of Councillors Cairns, Cooper, K-N Taylor, Wilkes and Mrs Williams to carry out a formal scrutiny of this project. It was agreed that the first meeting of the Group should be held as soon as possible in order to agree a timetable and format for the scrutiny process.

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

(b) That a working group as indicated above be established to scrutinise the requests for additional recreational activities at Bateswood Local Nature Reserve Project.

6. DRAFT BRIEFS FOR SCRUTINY AND WORK PROGRAMME

Further to the discussion of the previous meeting, the Committee considered draft briefs prepared by the officers for the scrutiny of the undermentioned topics:-

- Allotments Service
- County Wide Museum Service
- Community Centres Review
- Green Space Strategy

Resolved:- That the draft briefs for scrutiny be agreed and submitted to the Overview and Scrutiny Co-ordinating Committee for final approval.

7. THE FORWARD PLAN - ACTIVE AND COHESIVE COMMUNITIES COMMITTEE - EXTRACTS FOR THE PERIOD COVERING MARCH 2012 TO JUNE 2012

Consideration was given to items contained within the Forward Plan which were relevant to this Committee.

Resolved:- That the information be received.

MRS A HEAMES
Chair

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STATEMENT OF THE LEADER OF THE COUNCIL TO FULL COUNCIL

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 three times since my last report, on 18 January, 1 February and 14 March 2012. Below is a summary of actions and decisions taken along with a link to the Forward Plan. (For further background to the Cabinet's Decisions please refer to the Cabinet agendas of 18 January, 1 February and 14 March).

2. **Council Tax**

- 2.1 Once again the hard-working families in the Borough of Newcastle-under-Lyme are set to benefit from a Council Tax freeze. This is the second time the Cabinet has been able to recommend a freeze, despite opposition from the Labour Group who voted against this motion at Full Council.

3. **Annual Audit Letter**

- 3.1 The Audit Commission has published its Annual Audit letter on the Council's Accounts for 2010/11. The Audit Commission has issued a very positive report and comments that the Borough Council "continues to manage its finances well". It states "you have demonstrated that the Council from Members through Cabinet and the Management Team, to those delivering services, has been pro active in responding to challenges which should leave you relatively robustly positioned for the future". In my view the report would struggle to be any better.

4. **Carolyn Downs Visit**

On 2 March 2012 Cabinet hosted a visit by Carolyn Downs, the Chief Executive of the Local Government Association and Howard Davies, the Principal Adviser for the LGA in the West Midlands and South West. Carolyn was hugely impressed by the Borough and especially Jubilee 2. Howard was involved with Newcastle when the Conservative/Liberal Democrat Coalition was first formed 6 years ago. He was a member of the Improvement Board

established to improve the Council's performance. He was amazed with the transformation that has occurred in Newcastle in the last six years and with the pride the Cabinet has in the Borough.

5. **Letting of Surplus Office Space**

5.1 Heads of Terms agreements for new leases have been agreed in principle with the County Council, the Police and Public Health to share accommodation in the Civic Offices and Kidsgrove Town Hall.

5.2 This shared accommodation will deliver:

- Efficiency savings
- Develop new ways of working
- Improve performance
- Improve customer service

5.3 The Council is to save £265,000 pa by sharing accommodation, but equally importantly partnership working will reap huge benefits with different organisations working in the same building.

6. **Chesterton Vision**

6.1 The Borough Council and the County Council are to enter into a Service Level Agreement so that Leisure and Cultural Services staff provide the operational management at Chesterton Vision. The County Council own the building and will be responsible for any repairs; the Borough Council will manage the facility for the benefit of the people of the Borough.

7. **Town Centre**

7.1 The retail consultancy contract has been awarded to Cushman & Wakefield to market the Rycroft Development. Although not the cheapest if they fail in their attempts to secure a developer the Council only pays a third of £22,500 (which represents the Borough Council's contribution to this work).

7.2 Cabinet agreed to officers working under the auspices of the Newcastle Town Centre Partnership to prepare and submit a bid to become a 'Portas Pilot'. Up to £100,000 is available to support the establishment of 12 pilot schemes that will test the ideas in the Portas Review with the main objective being to strengthen the town centre.

8. **Forward Plan**

8.1 The Forward Plan covering the period 1 April 2012 to 31 July 2012 can be found at:

<http://www.newcastle-staffs.gov.uk/forwardplan>

Councillor S. Sweeney
Leader of the Council

LOCALISM ACT 2011 – PUBLICATION OF A PAY POLICY STATEMENT FOR 2012/13

Submitted by: Chief Executive – John Sellgren

Portfolio: Resources and Efficiency

Ward(s) affected: Not applicable

Purpose of the Report

The Localism Act 2011 requires local authorities to prepare and publish a pay policy statement for the financial year 2012/13 and subsequent financial years. The statement should set out the authority's policies relating to the remuneration of its chief officers, the remuneration of its lowest paid employees and the relationship between the remuneration of its chief officers and the remuneration of its employees who are not chief officers.

Recommendation

That the Pay Policy Statement attached at Appendix A to this report be approved and published on the council's website by 31 March 2012.

Reasons

To ensure the council complies with the requirements of the Localism Act 2011 and in accordance with the guidance issued by the Department for Communities and Local Government 'Openness and Accountability in Local Pay'.

1. Background

- 1.1 In the Coalition Agreement, the Government made a commitment to strengthen councillors' powers to vote on large salary packages for council officers. In addition, the Government has recently taken steps to increase transparency about how taxpayers' money is used, including in the pay and reward of public sector staff.
- 1.2 In June 2010, the Government asked Will Hutton to undertake an independent review of Fair Pay in the public sector.
- 1.3 Hutton is currently Principal of Hertford College, Oxford University and Chair of the Big Innovation Centre. From 2000 to 2008 he was Chief Executive of the Work Foundation. His report was published in March 2011 and made several recommendations for promoting pay fairness by tackling disparities between the lowest and the highest paid in public sector organisations.
- 1.4 The government welcomed the recommendations of Will Hutton's report and this resulted in part of the Localism Act being designed to increase accountability, transparency and fairness in the setting of local pay. The Act came into force on 15 January 2012.

2. Issues

- 2.1 To promote accountability, the Act requires pay policy statements, and any amendments to them, to be considered by a meeting of full council. In addition, full council should be offered the opportunity to vote before large salary packages are offered in respect of a new appointment (£100,000 and over).

- 2.2 For the purposes of transparency, it is considered that when the full council is discussing the pay policy statement, such discussions should be open to the public. Approved pay policy statements must be published on the authority's website and in any other manner that the authority thinks appropriate, as soon as is reasonably practicable after they are approved or amended.
- 2.3 With regard to fairness, Hutton recommended the publication of an organisation's pay multiple – the ratio between the highest paid employee and the median average earnings across the organisation – as a means of illustrating that relationship. Any policies on performance related pay must be included in the pay policy statement and authorities are encouraged to consider whether an element of the basic pay of senior staff should be subject to meeting pre-arranged objectives. The statement must also include the authority's policy on whether they permit individuals to receive salary and pension at the same time so that taxpayers can have the opportunity to question whether they are getting value for money from arrangements where it could appear that the authority is paying an individual twice for doing the same job.
- 2.4 The council's current approach to pay policy is set out at Appendix A.

3. **Options Considered**

- 3.1 A Pay Policy Statement could have been prepared based purely on the guidance received from the Department of Communities and Local Government 'Openness and Accountability in Local Pay'. However, West Midlands Councils has produced a Model Pay Policy Statement which draws together drafts from several authorities in the region with a view to a common approach being adopted.

4. **Proposal**

- 4.1 It is proposed that the council approves the format and content of the Pay Policy Statement for 2012/13, as set out at Appendix A, with a view to this being published on the council's website by 31 March 2012. This will ensure that the appropriate information is made available to the public in accordance with the requirements of the Localism Act 2011.

5. **Reasons for the Preferred Solution**

- 5.1 The view of the West Midlands Councils is that there is value to adopting a common approach to the production of Pay Policy Statement, as far as this is practically and reasonably possible, as this will be beneficial for future benchmarking and monitoring purposes.

6. **Outcomes Linked to Sustainable Community Strategies and Corporate Priorities**

- 6.1 Future benchmarking and monitoring of pay policy and an annual review will ensure accountability, transparency and fairness in the setting of levels of pay that are appropriate to local circumstances and which deliver value for money for local taxpayers.

7. **Legal and Statutory Implications**

- 7.1 Preparation of a Pay Policy Statement for 2012/13 is a requirement under section 38(1) of the Localism Act 2011.
- 7.2 Under Section 40(1) of the Act, Authorities must have regard to the guidance issued by the Department of Communities and Local Government in preparing and approving pay policy statements.

7.3 Before it takes effect, the Pay Policy Statement must be approved by a resolution of the authority. For the first statement, this must be done no later than 31 March 2012.

7.4 Following approval, the statement must be published as soon as possible on the authority's website (and in any other manner the authority thinks fit).

7.5 An authority may amend its Pay Policy Statement and this also requires resolution.

8. **Equality Impact Assessment**

8.1 The Statement at Appendix A sets out council's current approach to pay policy. No changes are incorporated and so there is no potential for any adverse impact on particular groups of employees.

9. **Financial and Resource Implications**

9.1 The Statement at Appendix A sets out the council's current approach to pay policy. No changes are incorporated and so there are no additional revenue costs or resource implications.

10. **Major Risks**

Not applicable.

11. **Sustainability and Climate Change Implications**

Not applicable.

12. **Key Decision Information**

The report is a key decision as defined in the council's constitution. The item is included in the Forward Plan.

13. **Earlier Cabinet/Committee Resolutions**

Council – 19 May 2010 – Resn 12/11
Establishment of the Chief Officer Appointment, Review and Appeals Committee.

14. **List of Appendices**

Appendix A – Pay Policy Statement 2012/13

15. **Background Papers**

Department of Communities and Local Government – Openness and Accountability in local pay: Draft guidance under Section 40 of the Localism Act.
Local Government Association and Association of Local Authority Chief Executives – Localism Act: Pay Policy Statements Guidance for Local Authority Chief Executives.
West Midlands Councils – Model Pay Policy Statement/Supplementary Notes and Guidance.

The above documents are available in the Members' Room and also from the Head of Human Resources.

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**DRAFT****PAY POLICY STATEMENT – 2012/13****Introduction and Purpose**

Under section 112 of the Local Government Act 1972, the council has the “power to appoint officers on such reasonable terms and conditions as authority thinks fit”. This Pay Policy Statement (the ‘statement’) sets out the council’s approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011. The purpose of the statement is to provide transparency with regard to the council’s approach to setting the pay of its employees by identifying:

- the methods by which salaries of all employees are determined;
- the detail and level of remuneration of its most senior staff i.e. ‘chief officers’, as defined by the relevant legislation;
- the (Committee/Group/Panel or officer) responsible for ensuring the provisions set out in this statement are applied consistently throughout the council and recommending any amendments to the full council.

Once approved by the full council, this policy statement will come into immediate effect and will be subject to review on at least of an annual basis in accordance with the relevant legislation prevailing at that time.

Legislative Framework

In determining the pay and remuneration of all of its employees, the council will comply with all relevant employment legislation. This includes the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, The Agency Workers Regulations 2010 and where relevant, the Transfer of Undertakings (Protection of Earnings) Regulations. With regard to the Equal Pay requirements contained within the Equality Act, the council ensures there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the use of equality proofed Job Evaluation mechanisms which directly relate salaries to the requirements, demands and responsibilities of the role.

Pay Structure

Based on the application of the Job Evaluation process, the councils uses the nationally negotiated pay spine (further details can be found at Appendix i) as the basis for its local grading structure. This determines the salaries of the large majority of workforce, together with other nationally defined rates where relevant. The council remains committed to adherence with national pay bargaining in respect of the national pay spine and any annual cost of living increases negotiated in the pay spine.

There have been no increases in the national pay spine since April 2009.

All other pay related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery and/or as determined by council Policy. In determining its grading structure and setting remuneration levels for all posts, the council takes account of the need to ensure value for money in respect of the use of public expenditure, balanced against the need to recruit and retain employees who are able to meet the requirements of providing high quality

services to the community, delivered effectively and efficiently and at times at which those services are required.

New appointments will normally be made at the minimum of the relevant grade, although this can be varied where necessary to secure the best candidate. From time to time it may be necessary to take account of the external pay market in order to attract and retain employees with particular experience, skills and capacity. Where necessary, the council will ensure the requirement for such is objectively justified by reference to clear and transparent evidence of relevant market comparators, using appropriate data sources available from within and outside the local government sector.

Senior Management Remuneration

For the purposes of this statement, senior management means 'chief officers' and also 'deputy chief officers' as defined within S43 of the Localism Act. The Localism Act definition is based on the definition in the Local Government and Housing Act 1989 in which a Chief Officer is defined as a statutory chief officer (ie, Head of the Paid Service, Section 151 Officer, Monitoring Officer) and any post reporting directly to the Head of the Paid Service (other than secretarial/support posts). Deputy Chief Officers are any posts (other than secretarial/support posts) reporting directly to any chief officer post.

The posts falling within the statutory definition are set out below, with details of their basic salary as at 1 April 2012;

National Joint Council (JNC) Chief Officers

- (a) Chief Executive (Head of the Paid Service)
The current salary of the post is £99,736. This is a spot salary. There is no incremental point range.
- (b) Executive Directors – 3 posts as follows:
 - Executive Director – Resources and Support Services (Section 151 Officer)
 - Executive Director – Operational Services
 - Executive Director – Regeneration and Development

The salaries of posts designated as Executive Directors fall within a range of 4 incremental points between £78,739 rising to a maximum of £83,993.

- (c) Heads of Service – 3 posts as follows:

Heads of Service Band 1 – 2 posts

Head of Business Improvement & Partnerships
Head of Central Services (Monitoring Officer)

The salaries of Band 1 posts fall within a range of 5 incremental points between £49,555 rising to a maximum of £55,073.

Heads of Service Band 2 – 1 post

Head of Communications

The salaries of Band 2 posts fall within a range of 5 incremental points between £44,601 rising to a maximum of £49,527.

Deputy Chief Officers

- (a) *Heads of Service Band 1 – 5 posts*
 Head of Customer and ICT Services
 Head of Leisure and Cultural Services
 Head of Operations
 Head of Planning and Development
 Head of Regeneration and Assets

The salaries of Band 1 posts fall within a range of 5 incremental points between £49,555 rising to a maximum of £55,073.

- Heads of Service Band 2 –6 posts*
 Head of Finance
 Head of Human Resources
 Head of Revenues & Benefits
 Head of Recycling Strategy & Fleet Services
 Head of Environmental Health Services
 Head of Housing Services

The salaries of Band 2 posts fall within a range of 5 incremental points between £44,601 rising to a maximum of £49,527.

- (b) Grade 13 1 post, salary within a range of 5 incremental points between £38,961 rising to a maximum of £42,499
 Audit Manager
- (c) Grade 12 3 posts, salary within a range of 4 incremental posts between £35,430 rising to a maximum of £38,042
 Community Safety Manager
 Principal Solicitor x 2
- (d) Grade 11 2 posts, salary within a range of 4 incremental points between £31,754 rising to a maximum of £34,549
 Partnerships Manager
 Business Improvement Manager
- (e) Grade 10 3 posts, salary within a range of 4 incremental points between £29,236 rising to a maximum of £31,754
 Communications Team Leader
 Design and Print Team Leader
 Democratic Services Manager
- (f) Grade 9 1 post, salary within a range of 4 incremental points between £27,052 rising to a maximum of £29,236
 Land Charges and Information Team Leader

There have been no increases in the pay spines for JNC chief officers since April 2008.

There have been no increases in pay spines for NJC employees since April 2009.

Recruitment of Chief Officers

The council's Chief Officer Appointment, Review and Appeals Committee is responsible for processing appointments of members of the Executive Management Team (the Chief

Executive and Executive Directors). Appointments to Heads of Service posts are made by the appropriate Executive Director having consulted with the appropriate Portfolio Holder. Appointments to Deputy Chief Officer posts are made by the appropriate Executive Director/Head of Service. When recruiting to all posts, the council will take full and proper account of its own Equal Opportunities Recruitment and Redeployment Policies. The determination of the remuneration to be offered to any newly appointed chief officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment. Where the council is unable to recruit to a post at the designated grade, it will consider the use of temporary market forces supplements in accordance with its relevant policies. The council does not currently have any chief officers who are being paid temporary market forces supplements.

Where the council remains unable to recruit chief officers under a contract of service, or there is a need for interim support to provide cover for a vacant substantive chief officer post, the council will, where necessary, consider and utilise engaging individuals under 'contracts for service'. These will be sourced through a relevant procurement process ensuring the council is able to demonstrate the maximum value for money benefits from competition in securing the relevant service. The council does not currently have any chief officers engaged under such arrangements.

Additions to Salary of Chief Officers

The council does not apply any bonuses or performance related pay to its chief officers with the exception of progression through the incremental scale of the relevant grade being subject to satisfactory performance, which is assessed on an annual basis, the level of remuneration is not variable dependent upon the achievement of defined targets.

In addition to basic salary, set out at Appendix ii, are details of other elements of 'additional pay' which are chargeable to UK Income Tax and do not solely constitute reimbursement of expenses incurred in the fulfillment of duties.

Payments on Termination

The councils approach to [statutory and] discretionary payments on termination of employment of chief officers, prior to reaching normal retirement age, is set out within its policy statement in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006.

Any other payments falling outside the provisions or the relevant periods of contractual notice shall be subject to a formal decision made by the full council or relevant elected members, committee or panel of elected members with delegated authority to approve such payments.

Flexible Retirement

The council's approach to Flexible Retirement for members of the Local Government Pension Scheme is set out at Appendix (iii).

Publication

Upon approval by the full council, this statement will be published on the council's Website. In addition, for posts where the full time equivalent salary is at least £50,000, the council's Annual Statement of Accounts will include a note setting out the total amount of:

- salary, fees or allowances paid to or receivable by the person in the current and previous year;
- any bonuses so paid or receivable by the person in the current and previous year;
- any sums payable by way of expenses allowance that are chargeable to UK income tax;
- any compensation for loss of employment and any other payments connected with termination;
- any benefits received that do not fall within the above

Lowest Paid Employees

The lowest paid persons employed under a contract of employment with the council are employed on full time (37 hours) equivalent salaries in accordance with the minimum spinal column point currently in use within the council's grading structure. As at 1 April 2012, the lowest paid employee will be paid at spinal column point (7) which is £12,787.

The council employs Apprentices who are not included within the definition of 'lowest paid employees' as they are employed under the National Apprenticeship Scheme.

The relationship between the rate of pay for the lowest paid and chief officers is determined by the processes used for determining pay and grading structures as set out earlier in this policy statement.

The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton 'Review of Fair Pay in the Public Sector' (2010). The Hutton report was asked by Government to explore the case for a fixed limit on dispersion of pay through a requirement that no public sector manager can earn more than 20 times the lowest paid person in the organisation. The report concluded that the relationship to median earnings was a more relevant measure and the Government's Code of Recommended Practice on Data Transparency recommends the publication of the ratio between highest paid salary and the median average salary of the whole of the authority's workforce.

The current pay levels within the council define the multiple between the lowest paid (full time equivalent salary) employee and the Chief Executive as 1:7.80 and; between the lowest paid employee and average chief officer (excluding the Chief Executive, including deputy chief officers) as 1:3.90. The multiple between the median (average) full time equivalent earnings and the Chief Executive as 1:4.63 and; between the median (average) full time equivalent earnings and average chief officer as 1:2.32.

As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the council will use available benchmark information as appropriate.

Accountability and Decision Making

The Chief Executive, as the Head of Paid Service, is required to report to full council 'the number and grade of officers required for the discharge of (the Authority's) functions'

In accordance with the Constitution of the council, the Chief Officer Appointment, Review and Appeals Committee is responsible for processing the appointments of members of the

Executive Management Team (the Chief Executive and Executive Directors) and reviewing their terms and conditions of appointment.

The advertising of and recruitment to all vacancies is carried out in accordance with the council's Standing Orders relating to Personnel Matters and the council's approved Recruitment, Selection and Induction Code of Practice and the Restructuring and Redundancy Policy and Procedure except where the council otherwise determines.

Under the council's Scheme of Delegation, decision making in relation to pay and terms and conditions for employees other than the Executive Management Team is delegated to the Chief Executive as follows:

'To determine the establishment of the council's departments within the departmental budgets set by Cabinet, and to determine the terms and conditions of new posts. No new post shall be created nor any person employed in addition to a department's approved establishment unless the financial arrangements have been agreed by Cabinet.'

With regard to severance arrangements in relation to employees of the council, Cabinet is responsible for the policy on the discretionary powers to be adopted and used where employment is terminated on the grounds of redundancy or early retirement.

Date of Statement: 28 March 2012

SALARY SCALES FROM 01.04.09

Grade	Spinal Column Point	Spinal Column Salary Point	Grade	Spinal Column Point	Spinal Column Salary Point	Grade	Spinal Column Point	Spinal Column Salary Point
Grade 0	4	12,145	Grade 5	16	16,440	Grade 10	35	29,236
				17	16,830		36	30,011
Grade 1	4	12,145		18	17,161		37	30,851
	5	12,312		19	17,802		38	31,754
	6	12,489		20	18,453			
	7	12,787		21	19,126	Grade 11	38	31,754
	8	13,189					39	32,800
			Grade 6	21	19,126		40	33,661
Grade 2	6	12,489		22	19,621		41	34,549
	7	12,787		23	20,198			
	8	13,189		24	20,858	Grade 12	42	35,430
	9	13,589		25	21,519		43	36,313
							44	37,206
Grade 3	10	13,874	Grade 7	25	21,519		45	38,042
	11	14,733		26	22,221			
	12	15,039		27	22,958	Grade 13	46	38,961
	13	15,444		28	23,708		47	39,855
							48	40,741
Grade 4	13	15,444	Grade 8	29	24,646		49	41,616
	14	15,725		30	25,472		50	42,499
	15	16,054		31	26,276			
	16	16,440		32	27,052	Grade 14	49	41,616
	17	16,830					50	42,499
			Grade 9	32	27,052		51	43,405
				33	27,849		52	44,331
				34	28,636			
				35	29,236			

Additions to Salary of Chief Officers

Car Lease Subsidy

All chief officers are entitled to a car lease subsidy, the value of which is currently £2,750 per annum.

Two chief officers have opted not to receive the subsidy.

No alternative payment is made to chief officers who chose not to receive the subsidy.

The mileage rate paid to those in receipt of the subsidy is 11 pence per mile. The rate paid to those who do not receive the subsidy is 65 pence per mile (inside the Borough), 43.3 pence per mile (outside the Borough).

Fees paid for Returning Officer Duties

Chief Executive

There is a Borough Election in May 2012. The fee paid is £97.29 per 1,000 electors (or part thereof) with a maximum of £389.16 per ward (calculated on 4,000 electorate), except where the electorate per ward substantially exceeds 4,000 when the council determines the maximum fee.

There are elections in 20 wards and on this basis a maximum payment of £7,783.20 will be made.

Evening Meetings

Chief officers, together with other council employees, are entitled to an allowance when attending evening meetings as follows:

<u>Finish time of meeting</u>	<u>Payment</u>
Up to 9pm	£31.90
9.01 – 10pm	£42.50
10.01 – 11pm	£53.20
After 11pm	£63.85

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**FLEXIBLE RETIREMENT FOR MEMBERS OF THE
LOCAL GOVERNMENT PENSION SCHEME**

POLICY STATEMENT

1. This policy is made in accordance with the Local Government Pension Scheme (Amendment) (No. 2) Regulations 2006 and the Local Government Pension Scheme (Benefits, Membership and Contributions Regulations) 2007 and will normally be reviewed annually. If the council decides to change its policy it will publish a statement of the amended policy within one month of the date of its decision.
2. In formulating and reviewing its policy, the council:
 - (i) has regard to the extent to which the exercise of its discretionary powers (in accordance with the policy), unless properly limited, could lead to a loss of confidence in the public service; and
 - (ii) is satisfied that the policy is workable, affordable and reasonable having regard to the foreseeable costs.
3. In response to written requests from eligible employees for Flexible Retirement, the council will:
 - (i) Consider all requests for flexible retirement. The key factors that will be taken into account are:
 - There will be no detrimental effect on service delivery
 - There is alternative work at a lower grade or reduced hours
 - The arrangement is fair and equitable to other employees
 - Pension strain costs are affordable and can be justified
 - The employee is fully aware of the implications of drawing the pension early particularly where there is an actuarial pension reduction.
 - (ii) Approve requests only when it is in the council's interests to do so. All costs falling on the council as an employer must be affordable and within existing budget limits. Where this is not achievable, the proposal should be accompanied by a plan detailing how any costs will be recovered.
 - (iii) A request should typically involve a reduction in salary of at least 40%, either through reduced hours or level of responsibility (grade) or a combination of these.

APPENDIX A

- (iv) The employee's contract of employment will be amended by mutual agreement to reflect the new hours or grade, as agreed, and continuity of service will be preserved for terms and conditions purposes. Employees will continue in employment until they achieve the council's Normal Retirement Age, at which point the Age Retirement Procedure will apply.
- (v) The council will not agree to waive pension benefit reductions.
- (vi) Following the reduction in hours or grade, the council will not offer alternative employment to top-up the loss of income.
- (vii) The council will not agree to requests that would, overall, lead to the employee being better off than before flexible retirement and will only consent to the release of the accrued benefits if this is the case.

4. Approval Process

- 4.1 Applications must always be in writing to the Executive Director (Resources and Support Services) stating the reasons for the request and the details of what is being requested.
- 4.2 When considering requests, the Executive Director (Resources and Support Services) will take into account the impact on the organisation or the service, proposals to cover any change, staff resource issues and, if necessary, details of how any costs will be recovered.
- 4.3 The Executive Director (Resources & Support Services) will approve the request only when satisfied that the flexible retirement is in the overall interests of the council and after consultation with the Portfolio Holder (Resources and Efficiency).
- 4.4 Appeals regarding any decision taken in 4.3 (above) to be determined by the Chief Executive (or, if appropriate, his nominee drawn from the Executive Management Team).

5. Review

- 5.1 The Policy is to be reviewed annually.

Approved December 2008 – Cabinet
Reviewed April 2009 – No changes
Reviewed April 2010 – No changes
Reviewed December 2011 – No changes

FAIRTRADE STATUS FOR THE BOROUGH

Submitted by: Hilary Jones, Chair, Newcastle Fairtrade Group
[Neale Clifton, Executive Director, Regeneration and Development]

Portfolio: Cuts across most Cabinet Portfolios but predominantly focussed
around Regeneration and Planning – Councillor Robin Studd

Ward(s) affected: All

Purpose of the Report

The purpose of the report is to update Councillors regarding the impact of the newly acquired Fairtrade status for the Borough.

Recommendations

- (a) That the Council celebrates the achievement of Fairtrade status for the Borough and encourages support for the celebratory event planned for June
- (b) That the Council continues to provide active support for the Fair Trade Group in its efforts to maintain its status and to increase the level of awareness for Fairtrade products and fair trade in general within the Borough

The principal officer to further the interest of fair trade within the Council is the Business Development Officer

Reasons

- (a) Achievement of Fairtrade status is something which the Borough can be proud of and can be used as a promotional tool. There are dedicated images which can only be used once status has been achieved (*see the end of the report*). The Borough has printed some of the larger image for distribution to retail and café outlets. The other image could be used in other publications or on street signs.
- (b) Continued Council support is vital since the first renewal application is due within 1 year of being obtained (i.e. by 6 February 2013) and every 2 years thereafter.

1. **Background**

- 1.1 As reported to the Council at the meeting of 22 February 2012, the Council resolved on 26 October 2005 to support Fairtrade and wished to apply officially to become a Fairtrade Borough. A Steering Group was constituted in March 2006 to operate independently of the Council.
- 1.2 An unsuccessful application for Fairtrade status was made in January 2007, although Goals 1, 4 & 5 were achieved at that stage.

Goal 1: Local council passes a resolution supporting Fairtrade. The resolution should include a commitment to serve Fairtrade* tea and coffee at its meetings and in its offices and canteens whenever hot drinks are served

Goal 4: Attract media coverage and popular support for the campaign

Goal 5: A local Fairtrade steering group is convened to ensure continued commitment to its Fairtrade Town status. This should ideally include a council representative, campaigners, and people representing the area's schools, churches and businesses. The group is responsible for an annual assessment to monitor whether the area is continuing to meet the five goals. The group organises special events for Fairtrade Fortnight in March each year.

1.3 **Goals 2 & 3** were not achieved at that stage:

Goal 2: A range of (at least two) Fairtrade products are readily available in the area's shops and are served in local cafés/catering establishments. With a population of 122,000 Newcastle-under-Lyme requires 25 retail outlets and 13 catering outlets selling 2 or more products with the FAIRTRADE Mark.

Goal 3: Fairtrade products are used by an appropriate number of local work places (offices, shops, B&Bs etc.) and community organisations (faith communities, schools, universities etc). For larger populations (over 100,000) a flagship employer is expected as well as the local authority listed under Goal 1.

1.4 The Council resolved at its meeting on 28 October 2009 to 'provide support for the Fair Trade Group both in its application for Fairtrade Borough status and with its ongoing activity'. A renewed application was submitted in August 2011 and the Fairtrade Borough was obtained as of 6 February 2012.

N.B: The certificate received from the Fairtrade Foundation is in the name of the Borough and not Town. Fairtrade Town appears to be the norm. Fairtrade Borough is appropriate in our context, particularly since retail and catering outlets within Kidsgrove have been included in the application.

2. **Issues**

2.1 Having now gained Fairtrade Borough status, the Fair Trade Group is keen that it is maintained. There are a number of difficulties but also encouraging factors. The effect of the current economic climate may be detrimental where suppliers may decide to opt out of Fairtrade products because of the cost implication and some outlets may close.

2.2 The Fairtrade Foundation has tightened the requirements for two of the goals as follows:

Goal 2. *The wording has changed from:*

'A range of (at least 2) Fairtrade products are readily available in the area's shops and are served in local cafés/catering establishments' to:

'At least 4 Fairtrade product ranges are readily available in the area's retail outlets (shops, supermarkets, newsagents, petrol stations) and 2 products served in local catering outlets (cafes, restaurants, pubs)'

2.3 30 retail outlets and 18 café outlets were included in the latest application which is a little above the minimum but with the tightened requirements there is concern that it may not be possible to maintain the required number and particularly for catering outlets.

2.4 The Borough has not benefited to the same extent as other places from national chains, although it is also evident that some have now opted for Rainforest Alliance or Soil

Association certified products rather than Fairtrade (e.g. Costa Coffee). However, it is very encouraging that all the tea, coffee and drinking chocolate sold in the café in the new Sainsbury's store is Fairtrade and also the Starbucks café in Newcastle College.

2.5 Nevertheless, there are a number of retail outlets which have less than 4 Fairtrade products and some catering outlets which only have 1 and so there is much work to be done. Café proprietors have been supplied with a directory of local wholesale suppliers and a list of 300 signatures of shoppers (obtained in Oct 2009) wanting to see Fairtrade beverages and snacks being served. Personal approaches have also been made at regular intervals. A buying Guide of Fairtrade outlets within the Borough has been produced and updated at regular intervals since 2006. Funding has been obtained from The Co-operative Membership Fund for a glossy A3 leaflet due to be produced shortly in conjunction with the Council.

2.6 **Goal 3:** The wording has changed from:

'Fairtrade products are used by an appropriate number of local work places (offices, shops, B&Bs etc.) and community organisations (faith communities, schools, universities etc). For larger populations (over 100,000) a flagship employer is expected as well as the local authority listed under Goal 1' to:

'Local work places and community organisations (places of worship, schools, universities, colleges and other community organisations) support Fairtrade and use Fairtrade products wherever possible. Populations over 100,000 will also need a flagship employer.'

2.7 The wording does not appear to be significantly different but it is not now possible to include an employer whose activity is counted under other goals. i.e. it has to be a workplace other than a university or college. **Keele University** was the flagship employer in our current application but this will NOT be acceptable for the renewal.

2.8 An alternative flagship employer is currently being sought and the Group is optimistic that a replacement will be found. Nevertheless the group is also conscious that the known take-up from other businesses is still minimal. Most of the workplaces included in the latest list are small operators and it is important to try and get some larger businesses on board. This is an area where the Group considers that further Council input would help (see under 2.2.5).

2.9 The Fair Trade Group considers that it is imperative to maintain and improve the level of Council support (both in terms of personnel and finance) in order to retain the status achieved.

2.10 Councillors will be interested in the feedback provided by the Fairtrade Foundation to the 2007 application, when **Goal 1** of the status (*see under 1 above*) was achieved:

'Congratulations, this goal is met. We congratulate the Council for the commitment they have made to Fairtrade and are pleased to see that this commitment is already having practical implications on Council policy regarding tea and coffee. We look forward to seeing how they develop on the commitment made and to seeing the range of Fairtrade products made available at meetings and in offices increase. We also welcome the link the Council has made between a fair deal for producers overseas and a fair deal for local producers.'

It is great that the Steering Group has such obvious support from the Council and we hope that this will assist the group in their future activities. Could the Council support the local Fairtrade Campaign by helping to produce promotional materials for example or by including information about local Fairtrade activities on their website? We welcome the commitment given by the Council and look forward to seeing how they develop upon it!

- 2.11 The following additional comment was added to the feedback to the latest application:
- 2.11.1 'A new [guide to Fairtrade and Local Authorities](#) has recently been produced containing ideas that you may find useful. Many of these illustrate the role councils can and do play in increasing understanding and support through using their unique position, contacts and leadership. Click the above link or visit www.fairtrade.org.uk/towns to download. We welcome the commitment given by the Council and look forward to seeing how they develop upon this'.
- 2.12 Officer involvement - Following representation from the Steering Group in 2008 some Council support was forthcoming, which the Group was able to include in the following latest application:
- Provision of an officer with a Fairtrade remit (Business Development Officer).
 - Provision of Fairtrade information on the Borough web-site (within the Business section).
 - Provision of a dedicated e-mail address (currently linked to a councillor's e-mail).
 - Inclusion of Fairtrade in the Eco Schools programme promoted within the Borough (it is not known whether this still applies).
- 2.13 Assistance with media coverage (**Goal 4**) - There is about the level of **media** support which a Council provides. The Group considers that the level of media coverage is greater if it has Council backing. It is important that **Goal 4** of the requirements continue to be met:
- Goal 4: Attract media coverage and popular support for the campaign.*** For the press, the story can be revived as each goal is achieved, organising a big splash for the Fairtrade declaration ceremony, and developing a strategy to keep it in the news long after. This will also enable local businesses and organisations to benefit from their involvement.
- 2.13.1 It is also undoubtedly true that promotion of the cotton bunting challenge during Fairtrade Fortnight 2011 by the Communications Department (with a press release under the Council umbrella) helped in the promotion of the event and the Fairtrade Foundation were obviously impressed with the amount of media coverage received both for this and the visit of the shea butter producer from Ghana on the first day of the Fortnight.
- 2.13.2 The last main feature in the Reporter was in 2005. The group would welcome more coverage of Fairtrade events in the Reporter.
- 2.13.3 Coverage in the press this year has been poor with only a couple of brief references in the 'In Brief' sections of the Sentinel. However, there were 3 radio interviews.
- 2.14 Steering Group membership - The other key area requiring Council support is within the Steering Group itself. An active Steering Group is one of the essential requirements (**Goal 5**) and the new **Goal 1** states that there must be a **named Council representative (member or officer) on the Steering Group**. Recommended officers are Local Agenda 21 or Sustainability officers.
- 2.14.1 At the moment no councillors or officers attend the group. For the latest application the Group felt that it was only able to list the **support** of 3 named councillors.
- 2.14.2 Despite its small size (currently only 10 active members) the Group feels that it has raised awareness of Fairtrade considerably, particularly bearing in mind that they are all volunteers.

There has been a significant increase in the level of commitment in schools, helped also by the inclusion of Fairtrade in the primary curriculum.

- 2.15 Fairtrade Workplaces - As indicated under 2.2 above there is a need to increase the level of take-up in workplaces within the Borough. It is possible that workplaces are using Fairtrade products but attempts to obtain this information have not been particularly successful. Fairtrade business breakfasts have been suggested but not yet taken up. It may be that business initiatives can be undertaken in conjunction with neighbouring Fairtrade areas. See 2.16 below.
- 2.16 Working with other groups - **Goal 5 (the work of the Steering Group)** now requires a commitment to work together with other Fairtrade groups – to co-ordinate activity, pool opportunities and scale up activity in the region as a whole. Links have already been made with the Stoke-on-Trent group and the principal Fair Trade shop in Hanley has been featured in the Newcastle Buying Guide since its inception. It is this shop which has provided produce for sale at various events organised by the Group within the Borough. Members of the group attended a meeting of the Stoke Steering Group in November and our success as a Fairtrade Borough was also acknowledged at the Lord Mayor's Civic Reception during Fairtrade Fortnight. A meeting to discuss ideas for links with businesses etc. is planned for May.
- 2.17 At the time of reporting in 2009, Stoke City Council provided the following support to its own Fairtrade Steering Group:
 - publication of the City's Fairtrade Directory
 - ensuring that Fairtrade products are used for school meals wherever possible and special Fairtrade menus are devised during Fairtrade Fortnight (*but not valid for Newcastle*)
 - Active involvement by the City Centre Manger in encouraging businesses to support Fairtrade and to include articles in the quarterly City Centre magazine.
 - hosting a Fairtrade producer during Fairtrade Fortnight
 - hosting a Civic reception during Fairtrade Fortnight
 - production of pop-up banners

However, it is fair to say that the Newcastle Fair Trade Group considers that it has probably raised the awareness of a broader section of the population by the simple stalls which it has run in the town centre and other locations during Fairtrade Fortnight and at other times of the year.

3. **Proposal**

- 3.1 As well as celebrating what has been achieved, the recommendations are to encourage the Council to actively support the Fair Trade Group in its work. The proposals therefore will help the group to maintain and improve upon the status that has now been reached and thereby play its part in the development of trade in the Borough.

4. **Financial and Resource Implications**

- 4.1 The group has had to rely to date for funding from the following sources:
 - An initial donation by the Co-operative (of goods translated into cash) of c. £200.
 - Co-operative grants for banners and urn and flask (used for provision of hot drinks).

- Profits made on sale of drinks at various events. N.B. No profit is made from the sale of other FT produce, since it is provided on a sale or return basis with marked prices.
- Some funding (c. £300) is still available for production of the glossy A3 leaflet and it is hoped that the Council will cover the bill for the graphic design and print costs. It is intended that this will feature 'Shop Local' features as well as Fairtrade.
- Additional funding would be welcome, particularly to cover the cost of the planned celebratory event. It will be difficult for the Group to fund it from its own resources.

5. **Major Risks**

5.1 Without continued Council support, there is the risk that the Fair Trade status will be lost.

Dedicated Fairtrade Borough Images

