

COUNCIL

Wednesday, 6th September, 2017

Time of Commencement: 7.00 pm

Present:- The Mayor Councillor Simon White – in the Chair

Councillors:

Bailey	Olszewski
Beech	Owen
Bloor	Parker
Burch	Pickup
Burgess	Proctor
Cooper	Reddish
Miss J Cooper	Robinson
Dillon	Rout
Dymond	Shenton
Eagles	Simpson
Gardner	Spence
L Hailstones	Stubbs
P Hailstones	Sweeney
S Hambleton	J Tagg
Heesom	S Tagg
Holland	Turner
Huckfield	Walklate
Johnson	Waring
Jones	G White
Kearon	G Williams
Loades	J Williams
Mancey	Winfield
Matthews	Wing
Naylon	Wright
Northcott	

Officers Executive Director (Operational Services) - David Adams, Executive Director (Development) - Neale Clifton, Chief Executive - John Sellgren and Executive Director (Support Services) - Kelvin Turner

1. COUNCILLOR TREVOR HAMBLETON

Following a minute's silence, Members paid tribute to Councillor Trevor Hambleton who had passed away in July. Councillor Hambleton had held many roles during his time with the Authority including that of Mayor.

Members described Trevor as hard working, committed, knowledgeable and a true gentleman who would be greatly missed by colleagues and the people of Bradwell.

Councillor Sandra Hambleton thanked Members for their kind words and read out a passage that had been left for her by Trevor.

On behalf of the Council, the Mayor passed on best wishes to Sandra and her family.

2. APOLOGIES

Apologies were received from Councillors' Allport, Astle, Fear, Frankish, Panter, Snell and Woolley.

3. DECLARATIONS OF INTEREST

There were no declarations of interest stated.

4. MINUTES

Resolved: That the minutes of the meeting held on 20 July, 2017 be agreed as a correct record.

5. MAYOR'S ANNOUNCEMENTS

The Mayor stated that this would be the last Full Council meeting held at the Civic Offices. Members would be invited to comment on the Civic Offices and Castle House at the November meeting.

6. TREASURY MANAGEMENT ANNUAL REPORT 2016/17

The Portfolio Holder for Finance, IT and Customer introduced the Treasury Management Annual Report for 2016/17, which had been produced in line with legislative requirements.

Councillor Sweeney queried the £0 total debt figure at paragraph 3 of the report and asked when this Council may need to start borrowing.

Councillor Turner explained that the figures were for the previous financial year where no debt was incurred. Temporary borrowing may be required in the near future for Castle House.

Councillor Sweeney also asked about the position of the Land Sales Programme and Councillor Turner advised that there was currently a problem with land not selling. The Executive Director for Regeneration and Development would be looking in depth at why prime sites were not selling. Members were assured that looking into this was a priority.

Resolved:

- (i) That the Treasury Management Annual Report for 2016/17 be received.
- (ii) That the actual Prudential Indicators contained within the report be approved.

Resolved: That the report be noted.

7. GOVERNANCE ARRANGEMENTS IN RESPECT OF EMPLOYMENT MATTERS

The Portfolio Holder for Finance IT and Customer introduced an item on Governance arrangements in respect of employment matters. The future of the Staffing Committee and Employee Consultative Committee had been discussed several months ago and the Council's Chief Executive was asked to look at best practice to keep in line with other authorities.

Councillor Holland requested a correction to the first recommendation that the two existing committees be replaced by an employment committee and not a staffing committee as printed in the report.

- Resolved:**
- (i) That the Staffing Committee and Employees Consultative Committee be disbanded to be replaced by an Employment Committee with the delegations as set out in the report.
 - (ii) That a Joint Negotiating and Consultation Committee be established with the roles as set out in the report.
 - (iii) That the Council reaffirms that the formulation of operational HR policies is a delegated function of the Cabinet.
 - (iv) That the necessary amendments be made to the Constitution to give effect to the recommendations.

8. AMENDMENTS TO THE CONSTITUTION

The Portfolio Holder for Policy, People and Partnerships introduced this item advising Council of an addition to be made to the Leisure and Amenities Scheme of Delegation in respect of the scattering of cremated remains on Council-owned land.

- Resolved:** That the consequential change to the Constitution, as set out in the report, be noted.

9. MEMBER ALLOWANCES

The Portfolio Holder for Policy, People and Partnerships introduced this item which would enable Council to make arrangements for an Independent Panel to be convened to recommend a new scheme of Member allowances to come into effect at the Annual Meeting of the Council in May 2018.

Councillor Tagg proposed some amendments to the recommendations which were tabled at the meeting. The amendments highlighted that Members had received no increase in their allowances since 2006. In addition, a recommendation was proposed relating to the publication of Members Allowances.

The additional recommendations were accepted.

- Resolved:**
- (i) That the resolution made by the Council on 11 July, 2012 that 'there be no panel until such time as it is required by law' be rescinded.
 - (ii) That the Council requests the Chief Executive to

make arrangements for an Independent Panel to be convened to review the scheme of Member Allowances and to make recommendations in sufficient time for a new scheme of allowances to be considered by the Council at the Annual Meeting of the Council in May, 2018.

- (iii) That the Council notes that there has been no increase in the Basic Allowance or Special Responsibility allowance since 2006.
- (iv) That the Council also notes that all Councillors since 11 July, 2012 resolution entitled to receive the Basic Allowance and Special Responsibility Allowance have done so with the exception of Councillor Gareth Snell who has foregone his basic Allowance since May, 2017.
- (v) That Officers ensure that Council complies with the local authorities (Members' Allowances) (England) Regulations 2003 Act – Regulation 15(3) relating to publication of Members' Allowances.

10. STATEMENT OF THE LEADER OF THE COUNCIL

The Leader submitted a report which provided an update to members on the activities and decisions of the Cabinet together with the Forward Plan.

Members were advised that the next meeting of Cabinet had been moved from 13th September to 26th.

Councillor Simon Tagg stated that there twelve items to come forward for the next Cabinet meeting and asked for agenda management so that each item would be given fair hearing.

Councillor Tagg also drew Members' attention to an advertisement hoarding within the town which was promoting Trentham Estates which he stated as being self defeating.

The Leader stated that the advertisement hoardings were more to do with marketing and brought revenue into the Council. However, she would speak with officers to see what, if any, restrictions there were and pass this information on to Members.

Councillor Bailey asked the Leader if the Forward Plan was publicly available.

The Leader confirmed that it was on the Council's website and would ask Councillor Turner to show staff at the Kidsgrove Office where it can be located.

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

11. REPORTS OF THE CHAIRS OF THE SCRUTINY COMMITTEES

Councillor Naylor gave a verbal update on the Cleaner, Greener and Safer Communities Scrutiny Committee advising Members that the report on the Borough's subways had now been signed off and would shortly be going to Cabinet.

An extra meeting of the Committee would be held on 27 September, 2017 which would look at traveller incursions and flytipping.

Future areas of work would include a review of the council's Waste and Recycling Service, a review of the cloth nappy service, parking impacts resulting from Lyme Valley restrictions and town centre overnight parking charges. The quality of air in the bus station would also be looked at and Councillor Hambleton asked that the impact of the new 'D' road be considered.

Resolved. That the reports for the Active and Cohesive Communities Scrutiny Committee and the Cleaner, Greener and Safer Communities Scrutiny Committee be received.

12. REPORTS OF THE CHAIRS OF THE REGULATORY COMMITTEES

Written reports were submitted for Planning Committee and the Public Protection Committee.

The Chair of the Planning Committee, Councillor Proctor requested to make a verbal comment to his written report regarding a serious error that had occurred at the last meeting of the Planning Committee.

Following the meeting, the decision notice for an application had been sent out with the omission of a paragraph which had been requested by committee members. Although the decision notice cannot be changed, the true position had been confirmed with the applicant and the Minutes of the meeting, containing the correct wording would be agreed at the next Planning meeting. Members were assured that the Council's position had not been jeopardised and that it would not affect the Council's position should an appeal be lodged.

Councillor Proctor suggested that, to ensure that this did not happen again, future meetings of the Planning Committee should be recorded. Members agreed with this – suggesting that all meetings should be recorded, but it was stated that recording the meetings would only help if it was listened to afterwards.

The Leader took the comments on board with the view that the move to Castle House would be an excellent opportunity to action this. Councillor Turner was asked to look into whether any constitutional amendments would be require.

Councillor Turner agreed with all of the comments and stated that the recording of Planning Committees would be brought in as a matter of urgency.

Resolved: That the reports be received and the comments noted.

13. APPOINTMENT OF CHAIR TO THE LICENSING COMMITTEE

Nominations were received for:
Councillor Reddish
Councillor Winfield

Resolved: That Councillor Winfield be appointed Chair of the Licensing Committee.

The above appointment created a vacancy for Vice-Chair on this Committee.

A nomination for Councillor G Williams was received. There were no other nominations.

Resolved: That Councillor G Williams be appointed Vice-Chair of the Licensing Committee.

14. **MOTIONS OF MEMBERS**

Joint Local Plan

A motion was received, proposed by Councillor Simon Tagg and seconded by Councillor Loades regarding the Local plan and the five year supply of deliverable housing. Subsequently an amendment to the motion was proposed by Councillor Robinson and seconded by Councillor Turner.

Members debated the motion and amendment and, following a vote in favour of a motion that the question be now put, a vote was taken on the amendment as set out below:

After "This Council..." delete all text and replace with.

"...notes the importance of having an up to date Local Plan and five year land supply to replace the outdated Newcastle-under-Lyme Local Plan 2011.

The Council:

- (i) Notes the intention to pursue a Joint local plan with Stoke on Trent City Council, which was announced in December, 2013.*
- (ii) Further notes the importance of producing a robust, evidence-based and properly consulted on Joint local Plan in order to help minimise risk during examination by the Planning Inspector.*
- (iii) Resolves to ensure appropriate officer resources continue to be committed to the process of producing the joint local Plan with adherence to the stated timescale wherever possible.*
- (iv) Whilst Council recognises the effect the lack of a five year housing supply has on both rural and urban communities, the implementation of a Local Plan may only be a temporary respite as land that is identified and developed has to be replaced to sustain the five year supply. Also, if development does not take place the council is penalised by an increase in the figure. These are matters to a large extent beyond the control of Councils. The council should lobby Government to ask them to review the regulations given the detrimental effect it has on authorities such as Newcastle under Lyme".*

Resolved: That the above amended motion be carried.

Motor Neurone Disease Charter

The following motion was received, proposed by Councillor Robinson, seconded by Councillor Kearon, calling for the adoption of the Motor Neurone (MND) Charter by the Borough Council:

“This Council resolves to adopt the Motor Neurone Disease (MND) Charter, which sets out the care and support that people living with MND and their carers deserve and should expect.

The MND Charter is made up of five points:

- (i) The right to an early diagnosis and information.*
- (ii) The right to access quality care and treatments*
- (iii) The right to be treated as individuals and with dignity and respect.*
- (iv) The right to maximise their quality of life.*
- (v) Carers of people with MND have the right to be valued, respected, listened to and well supported.*

By adopting the MND Charter, this Council agrees to promote the Charter and make it available to all Councillors, Council staff, partner organisations and health and social care professionals who deliver services for the Council.

The Council will raise awareness of MND and what good care looks like for those living with this devastating disease, as stated in the Charter, and do everything we can as the Council to positively influence the quality of life for local people with MND and their carers living in our community.

This Council requests the Health and Wellbeing Scrutiny Committee to consider the issue of how local services are geared to support people suffering from this rapidly progressing disease and to make recommendations about improvements that could be made in support of the MND Charter’s five principles.

Resolved: That the above motion be carried.

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

Councillor Gary White asked the Leader if she and her Cabinet were familiar with the potential of a longer, deeper tunnel for HS2 south of Whitmore and just north of Madeley.

The Leader confirmed that she was aware of the suggestion for the potential option but that it was not an option considered by HS2 who are proposing two tunnels. This option had not been worked up, costed and assessed but the Leader had been advised that an HS2 representative estimated that it would add approximately £100 million to the cost of the scheme. To advance this option it would have to be demonstrated to be both feasible and necessary and any adverse impacts of the

existing proposal. The parliamentary petitioning procedure would be the appropriate time for Cabinet to determine whether this would be an appropriate action to take.

Councillor Gary White asked the Leader for an update on the latest progress on Castle House.

The Leader confirmed that the work was nearing completion and the practical completion would be Monday 25 September, 2017 when the keys would be handed over to the County and Borough Councils. Following this, during a two week period, Borough Council teams – predominantly ICT and Facilities Management would carry out preparatory work in the building.

The first Borough Council employees would start to move across, week commencing Monday 9 October and this should be completed by Friday 20 October, 2017. Castle House would open to the public on Monday 23 October, 2017.

Regarding the official opening, discussions were underway between the respective Councils.

Councillor Gardner asked the Leader if the Council had been advised on the implications of the proposed cuts to bus subsidies in the Newcastle and Kidsgrove areas and had the Council been asked to contribute to the current consultation.

The Leader confirmed that neither herself, the Chief Executive or the Executive Director had received any notification concerning this matter. The Leader expressed her disappointment that the Council had not been involved in an important and potentially detrimental matter.

Councillor Gardner then asked if the Leader agreed that the loss of bus subsidies would have a negative impact on companies such as D and G.

The Leader agreed with this statement and stated that such cuts to services would further isolate the most vulnerable residents of our communities. In addition, if the vulnerable residents were unable to leave their homes, it could increase their need for social care. Also, the loss of public transport would limit educational and job opportunities amongst the young.

Councillor Simon Tagg asked the Leader for an update on the future of sport and leisure provision in Kidsgrove following the resolution at the last Council meeting.

The Leader stated that good progress had been made in that the consultation with residents regarding the dry side interim provision had now been completed and discussions were taking place with a potential venue where activities could be set up.

A meeting had been held with the Leader, Councillor Turner and a community group looking to take on and manage the building and officers had met with representatives of this group providing advice and information on the building and its management.

The Council had approved the application for the building to be placed on the Register of Assets of Community Value.

The Leader had also met with the Leader of Staffordshire County Council and the Leader was now awaiting a formal response from Councillor Atkins.

Councillor Stephen Sweeney asked the Leader to confirm the cost, so far, of the independent review into the 8 June General Election and the daily rate charged by the Association of Electoral Administrators who were undertaking the review.

The Leader confirmed that the review started on Monday 26 June, 2017 and therefore was in its third month and not fourth as suggested.

The review was still in hand but the Leader understood that it was nearing completion. A total cost could not be calculated at the present time as it was calculated on a daily basis at £900 per day.

The Leader intends for the review to be brought before Full Council in November, 2017.

Councillor Trevor Johnson asked the Leader to explain why the Council had failed to respond adequately to public concern relating to the recent traveller incursions on Wolstanton Marsh.

The Leader confirmed that the latest group had moved onto the Marsh on the morning of 31 August, 2017. Within three hours, officers had prepared paperwork, liaised with the Police, visited the site and had served 'Directions to Leave' notices on all those present.

Following refusal to leave, an application was prepared and submitted to the Magistrate's Court the next day and the hearing date was also served on the travellers the same day.

On 4th September, officers attended the court and secured the 'Removal Order' which was served on the travellers the same day. The travellers left the site on 5th September. This was all done within three working days.

The Leader stated that this showed that this matter was dealt with as a high priority and was dealt with swiftly.

Councillor Simon Tagg asked the Portfolio Holders for Finance, IT and Customer – Councillor Turner and Town Centres, Property and Business – Councillor John Williams how much money in extra Business Rates had been raised by the Business Improvement District (BID) since its creation.

As the Portfolio Holder for Town Centres, Property and Business was a BID Board Member, the Chair asked for a response from Councillor Turner.

The requested figures were for the invoiced BID levy figures on behalf of Newcastle BID:

The first 6 months of	
2015/16	£147546.00
2016/17.	£306922.00
2017/18	£310672.00

Total to date. £765140.00

Collected. £671984.00

The BID were happy with the figures to date.

16. RECEIPT OF PETITIONS

No petitions were received.

17. STANDING ORDER 18 - URGENT BUSINESS

There was no urgent business.

THE MAYOR COUNCILLOR SIMON WHITE
Chair

Meeting concluded at 9.25 pm