

# Public Document Pack



**PLEASE NOTE THAT PRAYERS WILL BE HELD AT 6.50PM BEFORE THE COMMENCEMENT OF THE BUSINESS OF THE COUNCIL.**

**THE MAYOR REQUESTS THAT ANY MEMBER WISHING TO PARTICIPATE IN PRAYERS BE IN ATTENDANCE IN THE COUNCIL CHAMBER BY NO LATER THAN 6.45PM.**

Dear Sir/Madam,

You are summoned to attend a Special meeting of the Borough Council of Newcastle-under-Lyme to be held in the **Council Chamber, Civic Offices, Merrial Street, Newcastle-under-Lyme, Staffordshire, ST5 2AG** on **Thursday, 20th July, 2017 at 7.00 pm.**

## **B U S I N E S S**

**1 APOLOGIES**

**2 DECLARATIONS OF INTEREST**

To receive declarations of interest from Members on items contained within this agenda.

**3 MINUTES**

**(Pages 5 - 9)**

To consider the minutes of the previous meeting(s)

**4 MAYOR'S ANNOUNCEMENTS**

**5 +TO DEBATE THE FOLLOWING MOTION**

This Council believes it is in the public interest that there should be an open and honest debate about the reasons for the closure of Kidsgrove Sports Centre.

Proposer : Cllr Simon Tagg

Secunder : Cllr Stephen Sweeney

**6 SPORTS AND LEISURE PROVISION IN KIDSGROVE**

**(Pages 11 - 22)**

To consider an officer report on sport and leisure provision in Kidsgrove.

**7 STATEMENT OF THE LEADER OF THE COUNCIL**

**(Pages 23 - 24)**

To receive a statement by the Leader of the Council on the activities and decisions of Cabinet and items included on the Forward Plan.

**8 REPORTS OF THE CHAIRS OF THE REGULATORY COMMITTEES**

**(Pages 25 - 29)**

Written reports have been received for the following:

- Planning Committee
- Audit and Risk Committee

Verbal updates will be given on the following:

- Licensing Committee
- Public Protection Committee

**9 REPORTS OF THE CHAIRS OF THE SCRUTINY COMMITTEES**

**(Pages 31 - 35)**

Written reports have been submitted for:

- Finance, Resources and Partnerships Scrutiny Committee
- Economic Development and Enterprise Scrutiny Committee
- Joint Health and Wellbeing and Active and Cohesive Communities Scrutiny Committee

The following have not met since the previous Council meeting:

- Active and Cohesive Communities Scrutiny Committee
- Cleaner, Greener and Safer Communities Scrutiny Committee
- Health and Wellbeing Scrutiny Committee

**10 MOTIONS OF MEMBERS**

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.

**11 QUESTIONS TO THE MAYOR, CABINET MEMBERS AND COMMITTEE CHAIRS**

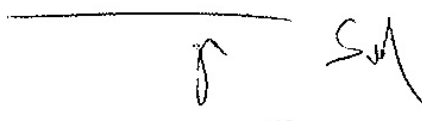
**12 RECEIPT OF PETITIONS**

To receive from Members any petitions which they wish to present to the Council.

**13 STANDING ORDER 18 - URGENT BUSINESS**

To consider any communications which pursuant to Standing Order No18 are, in the opinion of the Mayor, of an urgent nature and to pass thereon such resolutions as may be deemed necessary.

Yours faithfully



Chief Executive

## **NOTICE FOR COUNCILLORS**

### **1. Fire/Bomb Alerts**

In the event of the fire alarm sounding, leave the building immediately, following the fire exit signs. Do not stop to collect personal belongings, do not use the lifts.

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

On exiting the building Members, Officers and the Public must assemble at the car park at the rear of the Aspire Housing Office opposite to the Civic Offices. DO NOT re-enter the building until advised to by the Controlling Officer.

### **2. Attendance Record**

Please sign the Attendance Record sheet on entering the building. This will be located at the Porter's lodge.

### **3. Mobile Phones**

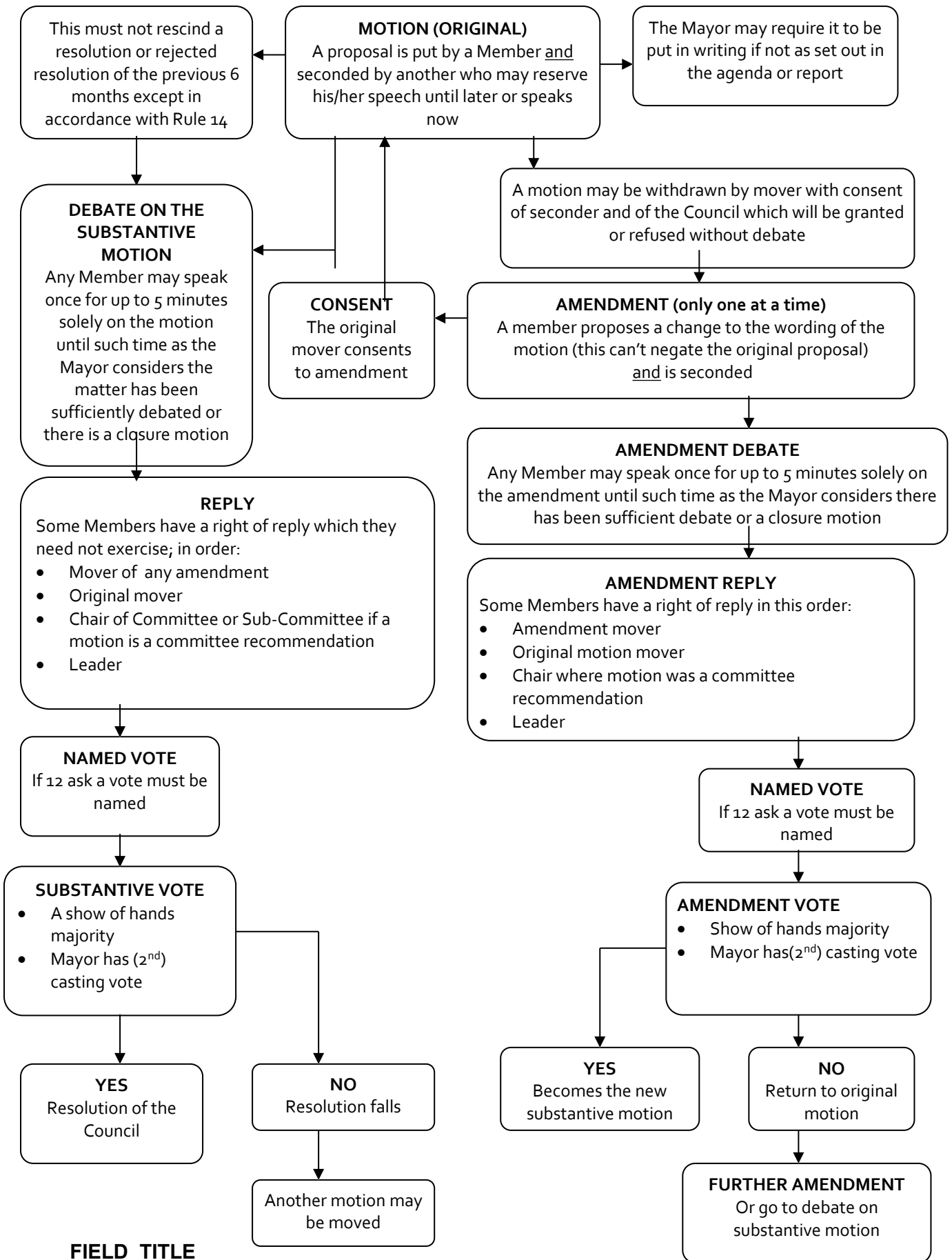
Please switch off all mobile phones before entering the Council Chamber.

### **4. Tea/Coffee**

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

### **5. Notice of Motion**

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



**ANNUAL COUNCIL**

Wednesday, 17th May, 2017  
Time of Commencement: 7.00 pm

**Present:-** Councillor Ian Wilkes – in the Chair

**Councillors:**

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

**Officers** Executive Director (Operational Services) - David Adams, Executive Director (Development) - Neale Clifton, Liz Dodd - Head of Audit and Elections (and Executive - John Sellgren and Executive Director (Resources and Support

1. **APOLOGIES**

Apologies were received from Councillors Bloor and Woolley.

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

**3. MINUTES**

**Resolved:** That the minutes of the meeting held on 22 February, 2017 be agreed as a correct record.

**4. ELECTION OF MAYOR 2017/18**

It was moved by Councillor Proctor and seconded by Councillor Shenton that Councillor S. White be appointed as Mayor for the 2017/18 municipal year.

**Resolved:** That Councillor S. White be appointed as Mayor for the 2017/18 municipal year.

The Mayor made the Declaration of Acceptance of Office.

Councillor Simon White - in the Chair.

**5. APPOINTMENT OF DEPUTY MAYOR 2017/18**

It was moved by Councillor S. Tagg and seconded by Councillor Sweeney that Councillor Heesom be appointed as Deputy Mayor for the 2017/18 municipal year.

**Resolved:** That Councillor Heesom be appointed as Deputy Mayor for the 2017/18 municipal year.

The Deputy Mayor signed the Acceptance of Office.

**6. MAYORAL APPOINTMENTS**

The Mayor made the following appointments:

<b>Mayoress –</b>	Mrs Shirley Boyle
<b>Consort –</b>	Councillor Gary White
<b>High Constable –</b>	Mr Allen Jones
<b>Chaplain –</b>	Reverend Peter Chantry
<b>Mace Bearers –</b>	Mrs Angela Mayer and Mr James Worgan

**7. MAYORAL ADDRESS**

The Mayor thanked the Council for affording him the honour of the appointment and paid tribute to the hard work, enthusiasm and commitment of his predecessor. He stressed his appreciation and understanding of the importance of the role both as part of the Borough's heritage and in contributing to the future cultural and economic development of the area.

**8. VOTE OF THANKS TO THE RETIRING MAYOR AND MAYORESS**

On behalf of the Council, Councillor Shenton expressed gratitude and appreciation to the retiring Mayor and Mayoress for their tireless dedication to the role and their services to the Borough and its communities. Councillors S. Tagg and Reddish referred to the style adopted by the retiring Mayor when chairing Council meetings, adding humour to his professional approach. The Borough had been served well by the retiring Mayor as its Ambassador.

Official Badges were presented to the retiring Mayor and Mayoress.

9. **RESPONSE OF THE RETIRING MAYOR AND SUMMARY OF THE MAYORAL YEAR**

The retiring Mayor thanked members of the Council for their support and consideration particularly during his chairing of meetings and referred to the many enjoyable engagements he had undertaken meeting members of the local community. He wished his successor well for the forthcoming year.

10. **MAYOR'S ANNOUNCEMENTS**

The Mayor gave notice that his Annual Civic Service would be held at St. Giles Church at 10.30am on Sunday 25 June 2017. He referred to a formal Reception which was to be held immediately following this Annual Council meeting and thanked his family and friends for their support for both events.

11. **REVISION TO THE CONSTITUTION**

The Leader introduced this report which summarised the following consequential changes made to the Constitution by the Monitoring Officer to reflect restructuring of some services, procedural changes and reviews of Committee responsibilities:

<b>Service/provisions/Committee</b>	<b>Changes</b>
Licensing Function	Transfer to Directorate for Regeneration and Planning (Environmental Health Division) and subsequent merger of Licensing and Environmental Health Schemes of Delegation.
Appendix 11 -Access to Information Rules*	Substantial update to reflect legislative changes.
Leisure and Amenities Scheme of Delegation	<i>Sports Grants</i> -Executive Director of Operational Services in consultation with Portfolio Holder for Leisure and Cultural to approve recommendations for sports grants from Castle Sports Group  <i>Exhumations and Re-interments</i> – Cabinet or Executive Director of Operational Services in consultation with Head of Environmental Health to determine applications and requests and recover fees and charges.
Audit and Standards Committee*	New Terms of Reference following merger of former Audit and Risk Committee and Standards Committees
Constitution and Member Support Working Group*	Update to title and Terms of Reference of former Constitution Working Group to reflect wider remit

\*Revised documentation circulated.

**Resolved:** That the consequential changes to the Constitution be noted and the amended Constitution be adopted for the 2017/18 municipal year.

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

The Leader confirmed Councillor Turner as Deputy Leader and the following as members of the Cabinet:

- Councillor Rout
- Councillor Williams
- Councillor Beech
- Councillor Kearon
- Councillor Robinson

**13. APPOINTMENT OF COMMITTEES, CHAIRS AND VICE-CHAIRS FOR 2017/18.**

**Resolved:** That the appointments to committees, as set out in the Supplementary agenda, be approved:

***Chairs and Vice-Chairs***

**Resolved:** That the following Chair and Vice-Chair appointments be approved:

<b>COMMITTEE</b>	<b>CHAIR</b>	<b>VICE - CHAIR</b>
Audit and Standards	S. Pickup	S. Dymond
Conservation Advisory	W. Naylor	A. Gardner
Employee Consultative	Portfolio Holder	No nomination required
Licensing	T. Hambleton	J Winfield
Planning	B. Proctor	C Spence*
Public Protection	S. Hambleton	G. White
Staffing	S. Hambleton	No nomination required
Health and Well Being Scrutiny	R. Wright	L. Burch
Active and Cohesive Communities Scrutiny	G. Williams	R. Bailey
Cleaner, Greener and Safer Communities	W. Naylor	S. Burgess*
Economic Development and Enterprise Scrutiny	M. Olszewski*	D. Allport
Finance, Resources and Partnerships Scrutiny	J. Winfield*	C. Spence

\*Denotes where a vote was taken as more than one nomination was received

**14. APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES.**

**Resolved:** That the list of Representatives onto Outside Bodies, as set out in the Supplementary agenda be agreed and the Members appointed accordingly.



**15. MEMBERS ALLOWANCES.**

The Leader introduced the report which proposed the continuation of the current Scheme of Members' Allowances for 2017/18. It was noted that with the support of all members, Allowances had remained static since 2006.

**Resolved:** That the current Scheme of Members' Allowances be retained for the municipal year 2017/18.

**16. CALENDAR OF MEETINGS 2017/18**

**Resolved:** That the Calendar of Meetings for 2017/18 as submitted be approved and it be noted that any variation of meeting commencement time away from 7.00pm be at the discretion of the Chair of the meeting in question.

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

There was no urgent business.

**COUNCILLOR IAN WILKES**  
Chair

**COUNCILLOR SIMON WHITE**  
Chair

Meeting concluded at 7.45 pm

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# Agenda Item 6

## NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

### EXECUTIVE MANAGEMENT TEAM'S REPORT TO FULL COUNCIL

Date: 20 July 2017

<b><u>REPORT TITLE</u></b>	<b>Sports Provision in Kidsgrove</b>
<b><u>Submitted by:</u></b>	<b>Executive Director Operational Services</b>
<b><u>Portfolio:</u></b>	<b>Leisure Culture and Localism</b>
<b><u>Ward(s) affected:</u></b>	<b>All</b>

#### **Purpose of the Report**

To consider, in principle, the provision of replacement sports facilities in the Kidsgrove area.

#### **Recommendations**

- i. That Full Council consider whether to support, in principle, the provision of affordable replacement sports facilities in the Kidsgrove area.
- ii. That Cabinet be asked to prepare a detailed report setting out future options and costs.

#### **Reasons**

To ensure that the sport and leisure needs of residents in the Kidsgrove area are properly considered and that consideration is given to the principle of providing facilities to meet the future needs of the local community.

### **1.0 Background**

- 1.1 In accordance with the Constitution the Council has received a request from 5 members to call a Special Meeting of the Council. Also decisions made in this connection will be outside of the Budget and the Policy Framework.
- 1.2 On the 19 July 2017, Cabinet considered a report on sports provision in Kidsgrove which recommended that, subject to the agreement of Full Council to the principle of re-provision of a sports centre in the Kidsgrove area, resources be secured to commission a project that examines options available and produces a funded business case for an affordable replacement local facility.
- 1.3 The report considered by Cabinet at their meeting is attached to this report as background.

### **2.0 Issues**

- 2.1 The existing sports centre serving the Kidsgrove area was closed on 30 June 2017 at the expiry of the joint use agreement that provided the Council with the ability to operate it.

### **3.0 Options**

3.1 These are set out in the appended report.

#### **4.0 Proposals**

4.1 That Full Council consider whether to support, in principle, the provision of affordable replacement sports facilities in the Kidsgrove area.

That Cabinet be asked to prepare a detailed report setting out future options and costs.

#### **5.0 Reasons for Preferred Solution**

5.1 To ensure that the sport and leisure needs of residents in the Kidsgrove area are properly considered and that consideration is given to the principle of providing facilities to meet the future needs of the local community.

#### **6.0 Links to Sustainable Community Strategy and Corporate Priorities**

6.1 These are set out in the appended report.

#### **7.0 Legal and Statutory Implications**

7.1 These are set out in the appended report.

#### **8.0 Equality Impact Assessment**

8.1 These are set out in the appended report.

#### **9.0 Financial and Resource Implications**

9.1 These are set out in the appended report.

#### **10.0 Major Risks**

10.1 These are set out in the appended report.

#### **11.0 List of Appendices**

11.1 Report to Cabinet 19<sup>th</sup> July 2017

**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**  
**EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE**  
**CABINET**

**Date 19<sup>th</sup> July 2017**

**REPORT TITLE** Sports Provision in Kidsgrove  
**Submitted by:** Executive Director Operational Services  
**Portfolio:** Leisure Culture and Localism  
**Ward(s) affected:** All

**Purpose of the Report**

To consider a range of issues relating to the provision of sporting activities in the Kidsgrove area.

**Recommendations**

- i. That Cabinet note that due to the age and condition of the building it is no longer a viable to operate a service from this facility.
- ii. That in accordance with the spirit and intent of the District Deal Agreement, Cabinet continue to work closely with Staffordshire County Council to safeguard and secure control of the land that the existing centre occupies to facilitate a replacement sports facility and a joint approach to securing the initial capital investment.
- iii. That the Cabinet prioritises the re-provision in the local area of interim dry-side activities and receives an update report.
- iv. That Cabinet notes the progress made with negotiations with neighbouring local authorities and at its J2 facility for interim swimming pool use and continues those negotiations.
- v. That Cabinet note the progress made with consulting service users and local residents in respect of re-provision of interim facilities
- vi. That subject to the agreement of Full Council to the principle of re-provision of a sports centre in the Kidsgrove area, resources be secured to commission project support that examines options available and produces a funded business case for an affordable replacement local facility.
- vii. That should a community trust be successful in acquiring an interest in the building from its owners, it is proposed that the Council engages with the group in a positive and supportive way.
- viii. That a Stakeholders Consultation Group be established to help shape the planning of replacement facilities in the local area.

**Reasons**

To ensure that the sport and leisure needs of residents in the Kidsgrove area are properly

considered and that a plan is put in place to provide options for future re-provision of facilities to meet the future needs of the local community.

## **1.0 Background**

### **1.1 History of the Sports Centre**

Kidsgrove Sports Centre was commissioned, constructed and opened by Staffordshire County Council in 1976 as part of the then Clough Hall Secondary School. Since opening, the Sports Centre has been managed through a joint use agreement between the Staffordshire County Council, Newcastle Borough Council and Clough Hall School. A part refurbishment was carried out in 1999 which was part funded by Sport England and Staffordshire County Council.

1.2 Over the last 8 years the facility has been managed through a fixed term Joint Use Agreement between Newcastle Borough Council, Staffordshire County Council and the Governing Body of Clough Hall Technology School as a dual use centre, with the primary purpose of meeting the school's curriculum needs and maximising the commercial use of the centre by the local community.

1.3 The most recent Joint Use Agreement was completed in 2009 with the termination date of the end of March 2016. Prior to the expiry of that fixed period the Borough Council sought and secured a 12 month extension to that Agreement on the same terms and upon the expiry of that extension period again sought and secured a further 3 months extension from the partners, terminating on Friday 30<sup>th</sup> June 2017. The Borough Council had no remit to operate the centre beyond that point once the partners withdrew their support, therefore the centre ceased to operate from that later date.

### **1.4 The District Deal Agreement**

In May 2015, following discussions with Staffordshire County Council, a successor agreement to the 2012 District Deal for Newcastle under Lyme, was signed between the Borough and County Councils. The District Deal 2 for Newcastle under Lyme is a key inter-authority agreement that sets out how by working together, benefits could be achieved for Newcastle borough's communities around two key strands: Place and Themes. Under the Place strand, it was agreed to work together towards the provision of a new sports centre and pool in Kidsgrove.

1.5 The vision stated was for this to be accessible to, and used by, all the community and be a genuine public health asset, as well as being the facility of choice for all schools in the area. It also agreed a joint approach to securing the initial capital investment. The District Deal 2 also linked this to Health and Wellbeing, committing to work with partners in the health community to optimise the sustainability of community recreation and leisure services through commissioning of health improvement programmes.

### **1.6 Successor Agreement**

In early October 2016, in advance of the March 2017 Joint Agreement termination date, discussions commenced with SCC in respect of the future operation of the sports centre. The basis for this was to establish a new agreement, with SCC as the building owners for the continued operation of the centre on a shared cost and risk basis whilst further works on identifying a potential funding source for a replacement centre continued. This led to a formal request from the Borough Council to SCC for support with running costs post March 2017 being made in mid-December 2016.

- 1.7 To aid this process, the Council requested that SCC undertook a building survey to determine potential future liabilities. At this time, a request was also made by the Borough Council to SCC for support with essential expenditure where identified in the building survey, as well as previously requested running costs.

## 2.0 Issues

- 2.1 The building survey identified very significant repair and replacement liabilities due to the age and condition of the building.

The table below identifies the estimated costs of essential work (not refurbishment) to keep the centre open for up to 10 years as well as other essential and desirable works identified by your officers that improve the efficiency of the building and ensure its compliance with equalities standards:

<b>Year Required</b>	<b>Building Condition</b>	<b>Building Efficiency/ FM Issues</b>	<b>Equalities Compliance</b>	<b>Total</b>
2017/18	£404,911	£350,000	£50,000	£804,911
2018/19 and 2019/20	£286,615	£200,000	£50,000	£536,615
2020/21 to 2022/23	£357,587	£150,000		£507,587
2023/24 to 2026/27	£1,345,155			£1,345,155
<b>Total</b>	<b>£2,389,268</b>	<b>£700,000</b>	<b>£100,000</b>	<b>£3,194,268</b>

- 2.2 Following receipt of this information, the Council advised SCC that whilst it had some limited ability to meet limited repair costs, under any new cost sharing agreement, the Council could not afford to be left with all the maintenance liabilities for the centre on its own.
- 2.3 SCC subsequently advised the Council that they had no funding to support the existing facilities when the existing Agreement ran out after 31<sup>st</sup> March 2017 and made an offer of a 2 year lease on 'full repairing' basis or sale.

The effect of the latter would be that all building liabilities, risks and costs would transfer to the Council on its own. At this point the Council requested the partners to agree a further extension to the Agreement and this resulted in a further 3 month extension to Agreement to 30<sup>th</sup> June 2017.

## 2.4 Building Closure Announcement

On 19<sup>th</sup> May 2017 it was announced that the building condition survey revealed at least £2.4 million would need spending on the ageing centre over the next seven years and of that over £400,000 would need spending on the centre in the next year alone to repair and maintain it.

In view of the above and that the new Kings School building had opened complete with new sports hall and related sports facilities, making the Kidsgrove Leisure Centre building no longer required to fulfil their curriculum obligations, it was announced that all of these considerations had led to the decision to close the building.

- 2.5 In that announcement, Staffordshire County Council confirmed that this had not been an easy decision, but the age and condition of the building meant it is no longer a viable option.

Although an SCC investment of £220,000 was put into the building over four years ago, it was clear that there needed to be considerable investment to bring it up to standard. Given that the school no longer needed it and the County Council is not responsible for providing leisure facilities, SCC could not justify the investment.

## 2.6 Consultation on the Closure

The Council was unable to consult on the closure of the centre because the Council's occupation of the premises came to an end automatically at the end of the term set out in the joint use agreement between the County Council, Borough Council and School.

Attempts were made to secure a new agreement on a shared cost and risk basis that would have allowed for the continued operation of the centre.

Unfortunately, this became unfeasible as given that the school no longer needed the building, and the County Council is not responsible for providing leisure services, the County Council could not justify further investment in the building and the closure of the facility was announced. That being the case, at that point in time, there were no options for the Borough Council to consult on.

## 2.7 Petition

On 22<sup>nd</sup> June 2017 a petition was hand delivered to the Council. Under the Council's petition scheme, verification revealed that some but not all of the criteria were met.

Under the Council's Petitions Scheme, for a petition to be debated by the Full Council, when affecting more than two wards it needs to contain 1500 signatures. In this case there were 1189 names, 566 of which did not have a signature and a further 107 queries.

- 2.8 At the Cabinet meeting of 27<sup>th</sup> June 2017, where members of the public were present in respect to the impending closure of the centre, under questions to Cabinet, the Chair ruled that the two day rule would be waived and a representative was invited into the Chamber to address Cabinet.

Mr Lee Hartshorne, representing the Kidsgrove Sports Centre Action Group, addressed the Cabinet and handed over his contact details and a box containing views and comments from residents and service users which was received.

The Chair explained the current position with regard to the Sports Centre.

## 2.9 The Council's Capital Programme.

The Council has only been able to commit £500,000 capital expenditure in total for 2017/18 and had to defer £3.4m of additional pressures, which includes for example essential repairs to Council owned buildings, community centres, repairs to parks and open spaces.

- 2.10 Up to 2021/22 there is a forecast capital requirement of £12.9m, for which funding has not yet been identified which includes requirements under the following thematic headings:

- Improving housing £2.8m
- Investing in Community Facilities £3.8m
- Community Centres £0.6m



- Safeguarding Heritage £0.6m
- Investing for the future £2.7m
- Vehicles and Plant £2.4m

2.11 Funding for Kidsgrove Sports Centre is not included in the above amounts and therefore the cost of its replacement or refurbishment would be in addition to these sums.

In view of the above and the very significant future financial liabilities arising from the building condition survey in 2.1 above, at a time when the council's very limited capital resources are fully committed, the Council's position is one of being unable to fund the works required itself either in the short or medium term and therefore not being able to consider a lease or acquisition of the building on the terms offered.

## 2.12 Interim re-provision of Facilities

Following the announcement that the centre would close on 30<sup>th</sup> June 2017, a number of actions commenced as a matter of urgency to establish interim provision for sports activities for users of the centre, both for 'wet-side' swimming activities and 'dry-side' activities. Progress to date on this is as follows:

Memberships have been transferred over to Jubilee2 or members can opt to cancel without penalty. Many have also been signposted to other local facilities.

In the meantime a number of interim measures have been put in place, in particular the relocation of sports clubs, and others are still being explored. Specifically in relation to swimming the local swimming club and sub aqua club have re-located to New Horizons and Alsager Pool is being used to deliver curriculum swimming for schools from September 2017. Both these pools along with the one at Chesterton have enrolled children from Kidsgrove Sports Centre on swimming lessons in addition to the Council's Jubilee2.

The new sports facilities at Kings School are also being used. The school's Dance Studio is now host to The Performance Studios dance company, which hitherto met at the sports centre and the Governors have now drawn up a new Lettings policy and are making the school sports hall available to a variety of activities displaced from the Leisure Centre.

Swimming lessons have where possible been rescheduled at Jubilee2 or people have enrolled at other local swimming pools for lessons, with a proportion having the balance of their fees refunded. All regular sports club users have been relocated to other local facilities.

In a desire to maintain a local fitness offer in Kidsgrove several other local facilities have been considered, following this evaluation a proposal has been submitted to a local school for the dual use (community and education) of their sports facilities.

A consultation on interim facilities has been launched on 17<sup>th</sup> July and this will run for four weeks.

This will involve:-

- A survey will be available on the Council's website.
- Hard copies of the survey will be distributed to key points in Kidsgrove.
- Local councillors will be asked to help circulate hard copies of the survey.
- Interested parties such as former members of Kidsgrove sports centre, user groups etc. will be contacted directly and asked to complete the survey.
- The Council's social media channels will be used to promote this consultation.
- Posters with QR codes will be put in place at locations in Kidsgrove.

### 2.13 Longer Term re-provision of Local Sports Facilities

Significant progress has been made in this respect with the Leaders of Newcastle under Lyme and Staffordshire County Councils having met to reaffirm the commitment of the two authorities to work together to achieve replacement facilities in the spirit of the District Deal Agreement. A key achievement in this respect has been an agreement to make the land that the centre occupies available for the site of a replacement facility.

2.14 It is proposed to commission project support to identify the options available to the Council in re-providing an affordable local sports facility and prepare a funded delivery plan to achieve this. Subject to consultation with local residents, and service users, there is an aspiration to provide a 6 lane 25m pool, with associated gym and studio space. This project will include an evaluation of options for an efficient operating model for the future, including working with the private or charitable sectors

2.15 Your Officers are also aware that a community group has formed with the intention of a community trust being set up to re-open and manage the sports centre. As a first step, the group have submitted an application to the Council for the building to be placed on the register for Assets of Community Value. If the asset is admitted onto the Register, this will provide a period within which the group could explore the feasibility of purchasing and running the centre. Subsequently, if the group then acquire an interest from the owners of the building, it is proposed that the Council engage with the group in a positive and supportive way.

### 2.16 Consultation on Future Provision

The importance of consulting residents and users groups on available options moving forward is recognised both in respect of interim replacement facilities and when options for the longer term replacement of the sports centre are being developed.

2.17 A further consultation will also be carried out when options for longer term replacement sports facilities are being developed. The outcome of this consultation will be evaluated and used to help shape the future sports provision that is being considered.

## 3.0 Options

### 3.1 In Terms of Interim re-provision of Facilities:

#### 1. Option 1 – Take no action

This option would not secure interim alternative sports and active lifestyles opportunities for the local community. This option is not recommended.

2. Option 2 - Prioritise the re-provision in the local area, on an interim basis, of the dry-side activities and that Cabinet notes the progress made with neighbouring local authorities and at its J2 facility for interim swimming pool use and continues those negotiations. This option is recommended.

### 3.2 In Terms of Future re-provision of Locally Based Facilities:

#### 1. Option 1 – Take no action.

This option would not secure long term alternative sports and active lifestyles opportunities for the local community. This option is therefore not recommended.

2. Option 2 – Continue with the interim re-provision arrangements

This option would not secure long term alternative sports and active lifestyles opportunities for the local community. This option is therefore not recommended.

3. Option 3 - Commission a project to identify the options available to the Council in re-providing an affordable local sports facility and prepare a funded delivery plan to achieve this. Subject to consultation with local residents and service users, there is an aspiration to provide a 6 lane 25m pool, with associated gym and studio space.

Continue to work closely with Staffordshire County Council to safeguard the land that the existing centre occupies for a replacement facility in accordance with the District Deal Agreement and towards the provision of new facilities in Kidsgrove.

As this option has the potential to require significant expenditure it is proposed to seek the view of Full Council on whether it is minded to support in principle the re-provision of a sports centre in the Kidsgrove area.

This option ensures that the local community views are taken into account in the planning for future locally based re-provision of sports facilities and aspires to local people having access to a new sports centre which is accessible to and used by all the community as a genuine health asset and becomes the facility of choice for local schools in the area. This option is recommended.

#### **4.0 Proposals**

It is proposed that:

- a. That Cabinet note that due to the age and condition of the building it is no longer a viable to operate a service from this facility.
- b. That in accordance with the spirit and intent of the District Deal Agreement, Cabinet continue to work closely with Staffordshire County Council to safeguard and secure control of the land that the existing centre occupies to facilitate a replacement sports facility and a joint approach to securing the initial capital investment.
- c. That the Cabinet prioritises the re-provision in the local area of interim dry-side activities and receives an update report.
- d. That Cabinet notes the progress made with negotiations with neighbouring local authorities and at its J2 facility for interim swimming pool use and continues those negotiations.
- e. That Cabinet note the progress made with consulting service users and local residents in respect of re-provision of interim facilities
- f. That subject to the agreement of Full Council to the principle of re-provision of a sports centre in the Kidsgrove area, resources be secured to commission project support that examines options available and produces a funded business case for an affordable replacement local facility.
- g. That should a community trust be successful in acquiring an interest in the building from its owners, it is proposed that the Council engages with the group in a positive and supportive way.
- h. That a Stakeholders Consultation Group be established to help shape the planning of replacement facilities in the local area.

## **5.0 Reasons for Preferred Solution**

5.1 To ensure that the sport and leisure needs of residents in the Kidsgrove area are properly considered and that a plan is put in place to provide options for future re-provision of facilities.

## **6.0 Links to Sustainable Community Strategy and Corporate Priorities**

6.1 The recommendations contained in this report seek to achieve positive and sustainable health and wellbeing outcomes for the local community.

## **7.0 Legal and Statutory Implications**

7.1 There is no statutory duty on the Council to provide sport and leisure facilities; however it has the power to and also the power of community leadership, introduced by the Local Government Act 2000, to lead, influence and support partner organisations to work to common goals to meet the needs and aspirations of their communities.

## **8.0 Equality Impact Assessment**

8.1 An Equality Impact Assessment on the proposals set out in this report has been undertaken and is available on request. The Assessment shows a range of impacts associated with the closure and re-provision proposals that affect current and future service users.

## **9.0 Financial and Resource Implications**

9.1 In 2016/17 Kidsgrove Sports Centre had a budget revenue requirement of £291,430 (including support service costs) however it under achieved against its budget by a further £179,222 (it should be noted that over the previous five financial years the average income shortfall was £170,000 per annum) and the school made a contribution of £90k which the Council had made provision for in 2017/18 to take the centre beyond the end of the joint use agreement. This equates to an additional £269,222 a year direct operational subsidy and has the effect of pushing the subsidy per visit to above £8.53 and annual revenue costs of over £500,000.

9.2 The costs to the Council of operating the centre over the last 5 years are as follows. Total expenditure (subsidy) by the Council, net of income, has therefore been **£2,266,128** over the past 5 financial years (this includes recharges and excludes expenditure from the joint reserve previously held with the school):

<b>Financial Year</b>	<b>Actual Expenditure (Net of income)</b>	<b>Expenditure from Equipment Replacement Fund</b>
2012/13	£454,775	£5,781
2013/14	£473,377	Nil
2014/15	£402,416	£4,790
2015/16	£433,356	£15,681
2016/17	£471,152	£4,800
<b>Total</b>	<b>£2,235,076</b>	<b>£31,052</b>

9.3 The options for interim re-provision of both swimming and dry-side facilities are currently being developed and the costs associated which flow from that work.

The options for future re-provision of a replacement facility will need to be assessed as part of detailed business case development. It will be necessary to commission a project to identify the options available to the Council in re-providing an affordable local sports facility and prepare a funded delivery plan to achieve this. Subject to consultation with local residents, and service users, there is an aspiration to provide a 6 lane 25m pool, with associated gym and studio space.

## **10.0 Major Risks**

10.1 This approach seeks to manage the risks for the Council, public, stakeholders and potential funders of future facilities in the local area.

There are a number of key risks associated with the proposals contained within this report as follows:

- Risk of not securing interim sports facilities suitable to meet demand due to unavailability of suitable premises
- Risk of delays in providing replacement facilities
- Risk of not achieving positive engagement with residents and service users on service design
- Risk of not securing funding for replacement facilities.

10.2 A risk assessment has also been undertaken which considered the risks that the Council would have been exposed to if it were to continue to operate the building in isolation of the previous partners after the end of June 2017. The assessment identified significant risks for the Council if it were to take over sole responsibility for the building. Cabinet are advised that without significant resources it is not possible to adequately mitigate these risks. A copy of this is available on request.

The risks fall into three broad categories:

- Health and Safety
- Equality
- Financial

## **11.0 Key Decision Information**

11.1 This matter is a key decision and as such has been included on the Councils Forward Plan.

## **12.0 Earlier Cabinet Resolutions**

12.1 14<sup>th</sup> November 2012

12.2 23<sup>rd</sup> July 2014

12.3 10<sup>th</sup> December 2014

## **13.0 List of Appendices**

13.1 Draft Terms of Reference for the Kidsgrove Sports Centre Working Group.

## **14.0 Background Papers**

14.1 Risk Assessment for the proposals contained in this report

- 14.2 Risk Assessment for the potential risks of sole operation.
- 14.3 Equalities Impact Assessment
- 14.4 Joint Use Agreement for the joint use of the leisure centre located at Clough Hall Technology School in the County of Staffordshire.

# Agenda Item 7

## STATEMENT OF THE LEADER OF THE COUNCIL TO FULL COUNCIL – 20TH JULY 2017

**Submitted by:** Councillor Elizabeth Shenton

**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. **Cabinet Meetings**

Cabinet has met three times since my last report to Full Council, in February 2017. A further meeting is due on 19th July. Below is a summary of actions and decisions taken, along with a link to the Forward Plan. (For full detail and background to all of the Cabinet's decisions please refer to the actual published Cabinet agenda, decisions and Minutes on the Council's website and moderngov).

## 2. **Cabinet 22nd March 2017**

Items that Cabinet discussed included:

- Open Space and Green Infrastructure Strategies
- Contract Extension for the Debt and Benefit Advice Service 2017-18
- Management Options for Newcastle Market

The decisions can be found at (under Printed Decisions):

<http://sviam/ieListDocuments.aspx?CId=118&MId=2775&Ver=4>

<http://moderngov.newcastle-staffs.gov.uk/ieListDocuments.aspx?CId=118&MId=2775&Ver=4>

## 3. **Cabinet 7th June 2017**

On the Cabinet agenda amongst other things were:

- Shared Legal Service
- Crackley Local Lettings Plan
- Implementation of New Provisions under the Planning and Housing Act 2016.

All of the decisions can be found at (under Printed Decisions):

<http://sviam/ieListDocuments.aspx?CId=118&MId=2776&Ver=4>

<http://moderngov.newcastle-staffs.gov.uk/ieListDocuments.aspx?CId=118&MId=2776&Ver=4>

4. **Cabinet 27th June 2017**

This was a special meeting of Cabinet, called specifically to agree the Joint Local Plan Strategic Options Consultation Document. The agenda pack for this item is at (Item 4):

<http://sviam/ieListDocuments.aspx?CId=118&MId=2930&Ver=4>

<http://moderngov.newcastle-staffs.gov.uk/ieListDocuments.aspx?CId=118&MId=2930&Ver=4>

This is an extremely important piece of work for this Council and Cabinet have requested that a presentation be made to all members to inform them of the process.

5. **Forward Plan**

The Forward Plan covering the period from 03/06/2017 to 30/09/2017 can be found at:

<http://sviam/mgListPlanItems.aspx?PlanId=75&RP=118>

<http://moderngov.newcastle-staffs.gov.uk/mgListPlanItems.aspx?PlanId=75&RP=118>

**Councillor Elizabeth Shenton**  
**Leader of the Council**



# Agenda Item 8

## Report from Chair of Planning Committee

There have been three meetings of the planning committee since the last meeting of full council:

- 23 May, 17. 6 major development applications  
2 minor development applications  
4 other development applications  
A quarterly report on section 106 obligations  
2 appeal decisions  
Agreed list of dates for site visits for the coming year.
- 20 June, 17. 4 major development applications  
3 minor development applications  
3 other development applications  
1 TPO  
Half yearly report on planning obligations  
Confirmation of article 4 directions (Brampton and Watlands)
- 22 June, 17. This meeting was held for a presentation on the Joint Local Plan Strategic options document by Helen Beech.

Due to the very successful introduction of the substitutes policy the attendance at planning committee has continued to be first class

Cllr Bert Proctor  
Chair of planning committee.

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## Report from Chair of Audit and Risk Committee meeting 19h April 2017

At the meeting, the following reports were presented/reviewed:

- Risk Management strategy 2016-7 detailing the areas that will be reviewed next year
- Certification Work report 2015/6. This was presented by the external auditors, Grant Thornton and related to the housing benefit claim form. Some minor errors were noted but these were not material to the overall claim
- Audit Plan 2016/17. This report was presented by Grant Thornton. Members were advised that the materiality level was calculated at £1.2M. It also detailed the areas that the External Auditors would review
- Code of corporate Governance – this is an annual report for the committee to approve. This was in a new format and a letter would be sent to all members signed by the Chair and Vice Chair reminding them that the code is available on the Members area on the intranet site.
- Counter Fraud Arrangements- this was a report that noted the work being done on anti fraud and the anti corruption framework, the fraud response plan, the whistleblowing policy and the anti money laundering policy. All of this is in partnership with other councils and government bodies to reduce and detect fraud.
- External Quality assessment of NULBC Internal Audit Service- This was a review undertaken by CIPFA. The final report was delivered to the committee and it was noted that the Internal Audit section 'generally' conforms to the requirements of the public sector Audit Standards. Congratulations to the Audit team as the interview process for those involved was quite gruelling.

Cllr Sarah Pickup

Chair of Audit and Standards

May 2017

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### Report from Chair of Audit and Standards Committee meeting 3rd July 2017

This was the first meeting of the newly formed Audit and Standards Committee, where the Terms of Reference adapted from those of the former Committees were agreed,

At the meeting, the following annual reports were presented:

- Audit and Standards Committee Plan of Work 2017/18
- Health and Safety Annual Report (members asked questions of any incidents reported)
- Corporate Risk Management Report for the period Jan –March 2017. It was noted that there were 12 outstanding reviews all from one directorate. The Committee resolved to set a deadline of 2 months until the date of the next meeting for these to be actioned and a report given to the next meeting of the committee.
- Treasury Management Report 2016/2017- a statutory report, little unchanged from the previous year
- Draft statement of Accounts 2016/7- It was reported that these are now prepared and have been passed to the auditors. The final reported outturn was approx a £6000 surplus. The reasons for the various variances were discussed and the officers congratulated on preparing the accounts before the audit deadline and achieving a small surplus overall.
- Internal Audit Annual Report 2016/17
- Review of the effectiveness of the Audit Committee
- Review of the effectiveness of the system of internal Audit- it was noted that evidence referred to in the appendices is available on the intranet and can be provided should members request it.

The Annual Governance Statement and the annual audit fee from Grant Thornton were noted.

Councillor Sarah Pickup

Chair – Audit and Standards

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## Finance, Resources and Partnerships Scrutiny Committee (FRAPS).

### Report to Council - 20th July, 2017.

The Committee has met once since the previous Council meeting.

At the meeting held Wednesday 14th June 2017 the Committee invited David Elkington ICT Operations and Development Manager to give a presentation on IT Security. He highlighted the threat profile particularly in 'light of the NHS Friday'. David reported , safeguards that are already in place at the Borough Council together with measures that had been taken to ensure that the Borough I.T. System remain protected and its data secure. Members discussed various issues but were reassured and thanked David for the comprehensive and accessible Presentation.

Sarah Moore, Partnership Manager gave a presentation to members on the background to partnership work and work development of partnership arrangements within the Borough. Members thanked Sarah for her comprehensive overview of Partnerships.

#### Work Plan.

Members asked that the following items be included in the work programme.

The report into the election process initiated by the Chief Executive by the Association of Election Agents. (September meeting if possible).

Issues around access to the Contact Centre including the length of time taken for calls to be answered and dealt with as part of the call holding system. How complaints were resolved via contact with the Web. (November meeting).

The move to Castle House, including the impact on staff and workforce development. (March 2018).

From September to January 2018 the Committee will be scrutinising the Financial and Performance Reviews, Revenue Budgets (first draft), Savings Plan, Capital Strategy. Scale of Fees and Charges, Treasury Management Strategy, Revenue and Capital Budgets.

The date of the next meeting is September 14th 2017.

Councillor Joan Winfield. Chair of FRAPS.

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# **Report to Full Council from the Chair of the Economic Development and Enterprise Scrutiny Committee**

The committee met on the 21<sup>st</sup> June 2017. There were two main items of business:

## **1. Economic Development strategy**

The Regeneration and Economic Development Manager presented this item and set out a synopsis of the Economic Development Strategy 2017-2022 for review by members of the Scrutiny Committee.

One of the themes for the strategy was “inclusive Growth” the aim of which was to help ensure that all members of the community were taken notice of within the plans. Continuing, the officer explained how the strategy was aligned to other economic development strategies in the business development arena and in this respect highlighted the success of the Newcastle based Business Boost initiative.

It was agreed that the Chair along with two other Councillors would work together as a sub group to develop the strategy, taking into account input received from members.

## **2. Work plan**

The Chair asked for members suggestions regarding items for inclusion in the work programme.

It was agreed that the Homelessness Strategy and the Economic Development Strategy be discussed at the September meeting of the committee.

Other items that would be included on the work plan:

- District deal- This is one of the key drivers of economic development within the Borough.
- Development and future use of land associated with the Ryecroft development.
- Economic performance and business growth within the Borough.

Mark Olszewski- 8<sup>th</sup> July 2017

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**Chairs report of Health and Wellbeing Scrutiny Committee and Active and Cohesive Scrutiny Committee**

Members of the Health and Wellbeing and Active and Cohesive Scrutiny Committee have met jointly on 3 occasions to look at ways that the Borough can have a positive effect on the lives of our residents living with dementia.

With the support of elected members and together with our partners, the Amateur Swimming Association and Will Boyce, CEO of Approach we hope to move forward with an action plan to introduce Dementia Friendly Swimming into our facility at J2.

As we understand more about dementia we have learned how relatively small changes to our facilities and public spaces can positively influence the lives of those affected by dementia. This may lead to further recommendations to Cabinet.

With the support of our officers and Will Boyce we are compiling a data base of dementia friendly facilities and activities within our Borough.

Alongside our work in the area of dementia we will be looking at young carers and how well they access the Space Programme and the topic of autism awareness.

Councillor R Wright and Councillor G Williams

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