

# Public Document Pack



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

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

Dear Sir/Madam,

You are summoned to attend the meeting of the Borough Council of Newcastle-under-Lyme to be held in the ***Astley Room - Castle House*** on ***Wednesday, 3rd April, 2019*** following the Special Council meeting.

## **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 - 10)**

To consider the minutes of the previous meeting(s)

**4 MAYOR'S ANNOUNCEMENTS**

**5 CONSTITUTION OF THE COUNCIL**

**(Pages 11 - 14)**

**6 CHANGES TO COMMITTEES**

**(Pages 15 - 16)**

**7 MEMBERS ALLOWANCES 2019/20**

**(Pages 17 - 22)**

**8 STATEMENT OF THE LEADER OF THE COUNCIL**

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

To follow..

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

**(Pages 23 - 28)**

Reports are attached for:

- a) Economy, Environment and Place Scrutiny Committee
- b) Health, Wellbeing and Partnerships Scrutiny Committee

**10 REPORTS OF THE CHAIRS OF THE REGULATORY COMMITTEES**

**(Pages 29 - 32)**

Reports are attached for the following:

- a) Audit and Standards Committee
- b) Licensing and Public Protection Committee

A verbal report will be given for the Planning committee.

**11 MOTIONS OF MEMBERS**

**(Pages 33 - 36)**

A notice of motion, under Appendix 7 – paragraph 12 other than those listed in Appendix 7 – paragraph 10 of the Constitution must reach the Chief Executive at least ten clear days before the relevant Meeting of the Council.

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

**13 RECEIPT OF PETITIONS**

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

**14 STANDING ORDER 18 - URGENT BUSINESS**

To consider any communications which pursuant to Appendix 7 – paragraph 7 of the constitution are, in the opinion of the Mayor, of an urgent nature and to pass thereon such resolutions as may be deemed necessary.

**15 DISCLOSURE OF EXEMPT INFORMATION**

To resolve that the public be excluded from the meeting during consideration of the following report(s) as it is likely that there will be disclosure of exempt information as defined in paragraphs contained within Part 1 of Schedule 12A (as amended) of the Local Government Act 1972.

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..

Fire exits are to be found at the side of the room leading into Queens Gardens.

On exiting the building Members, Officers and the Public must assemble at the statue of Queen Victoria. DO NOT re-enter the building until advised to by the Controlling Officer.

### **2. Attendance Record**

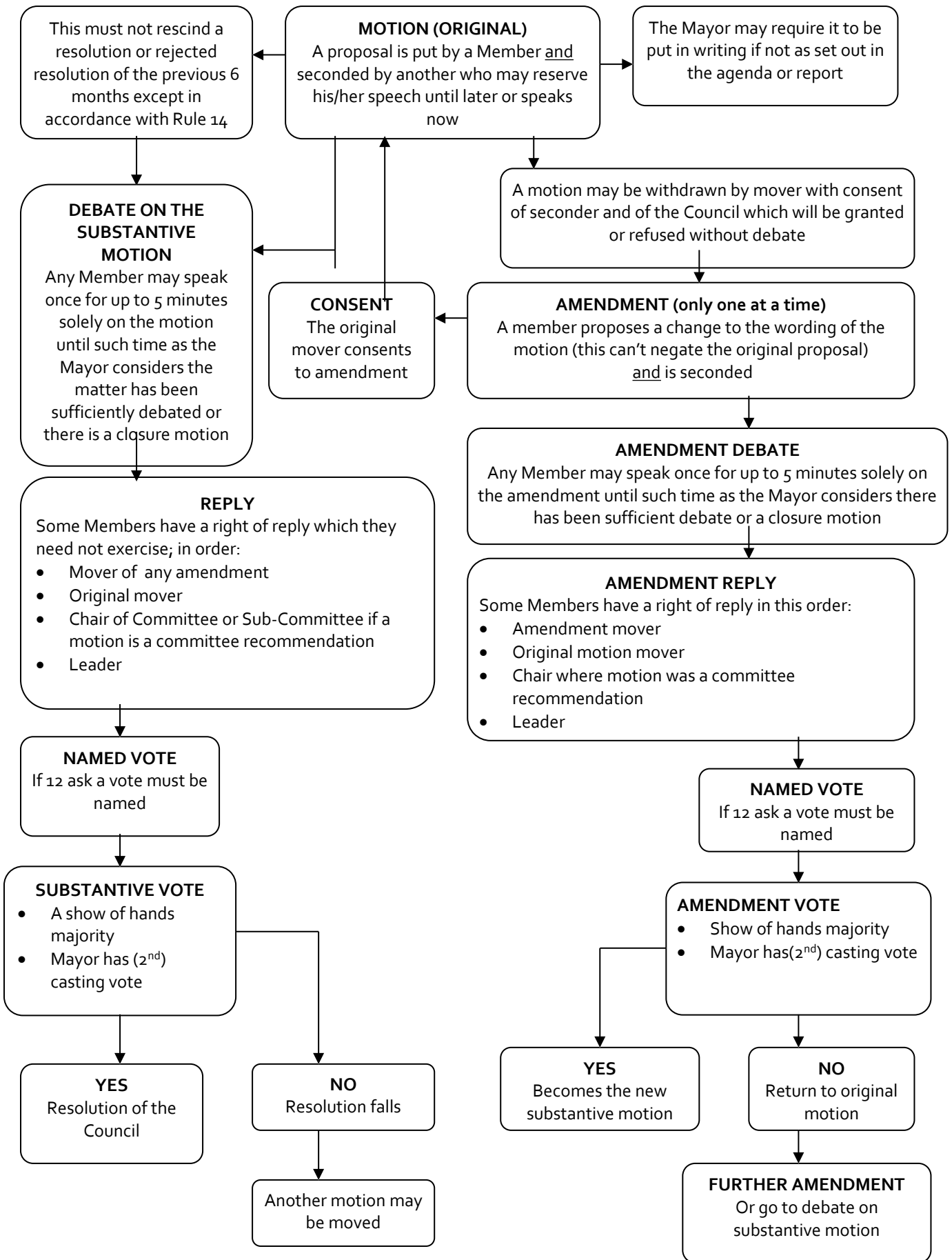
Please sign the Attendance Record sheet on entering the building. This will be located at the reception desk.

### **3. Mobile Phones**

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

### **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.



## COUNCIL

Wednesday, 20th February, 2019

Time of Commencement: 7.00 pm

**Present:-** The Mayor - Councillor Mrs Gill Heesom – in the Chair

**Councillors:**

S. Burgess	A. Parker
G. Burnett	B. Proctor
Miss J Cooper	M. Reddish
Mrs J Cooper	K. Robinson
J. Cooper	A. Rout
S. Dymond	E. Shenton
A. Fear	M. Stubbs
A. Fox-Hewitt	S. Sweeney
D. Harrison	J Tagg
M. Holland	S Tagg
E. Horsfall	J. Walklate
B. Johnson	J Waring
T. Johnson	P Waring
D. Jones	G White
T. Kearon	S White
A. Lawley	I. Wilkes
H. Maxfield	G Williams
P. Northcott	J Williams
B. Panter	R. Wright

**Officers** Executive Director Operational Services- David Adams,  
Janet Baddeley - Communications Manager,  
Geoff Durham - Mayor's Secretary / Member Support Officer,  
Chief Executive - Martin Hamilton and  
Interim Executive Director - Resources and Support Services - Jan Willis

1. **APOLOGIES**

Apologies were received from Councillors' Gardner, Moffat, Olszewski and Pickup.

2. **GORDON BANKS OBE**

A minute's silence was held for Gordon Banks OBE who had recently passed away.

The Leader, Councillor Simon Tagg led the tributes followed by Councillors Gary White, Kearon and other Members.

Gordon had been awarded Freedom of the Borough of Newcastle under Lyme last year.

The Leader said that the news had been sad to hear and said that Gordon had been thought of with great affection by everyone for his footballing and fundraising. It was a shame that he had not been awarded the Knighthood that he truly deserved. Condolences were sent to the family.

Gordon was described as a true gentleman by Councillor Gary White. He did a lot for the local community and had been proud to have been awarded the Freedom of the Borough. Councillor Kearon described him as a legend and said that the community was poorer for his passing. Councillor Brian Johnson said that Gordon had been a great supporter of Madeley and meant a lot to Madeley High School. Councillor Johnson added that the Council should see what else it could do to honour him.

The Mayor reiterated everything that had been said by Members, saying that he would be truly missed.

**3. DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

**4. MINUTES**

**Resolved:** That the minutes of the meeting held on 30 January, 2019 be agreed as a correct record.

**5. MAYOR'S ANNOUNCEMENTS**

The Mayor advised members of three upcoming events:-

Annual Civic Mass on Sunday 3 March  
Mayor's Charity Ball on Saturday 6 April.  
Tribute Night on 20 April.

**6. REVENUE AND CAPITAL BUDGETS AND COUNCIL TAX 2019/20**

The Leader of the Council introduced this report and moved the recommendations which set out the recommendations of Cabinet for Revenue and Capital Budgets for 2019/20 and sets out the recommendations for setting the 2019/20 Council Tax. In summary the Council's updated Medium Term Financial Strategy (MTFS) as reported to Cabinet indicated a forecast budget shortfall of £1.891m for 2019/20. The Council had a duty to deliver a balanced budget.

Cabinet proposed an increase in council tax for 2019/20 of £5.69 per year from the 2018/19 amount. This represented an increase of 2.99 percent from 2018/19. Detailed recommendations were set out in Appendix A of the report. Appendix B set out the proposed Revenue Budget for 2019/20. A summary of additional income, additional expenditure and loss of income and new pressures was given in the report.

A summary of savings and funding strategies to bridge the £1.891m gap had been identified and agreed with managers and were given at Appendix C.

A review of the Council's Balances and Reserves together with a risk assessment had been carried out. Details were given in Appendices D and E. The MTFs and budget proposals had been scrutinised by the Finance, Assets and Performance Scrutiny Committee.

The Capital Programme for 2019/20 was given in Appendix F of the report.

The Interim Executive Director of Resources and Support Services, Jan Willis and her team were thanked for the work that had been put into the preparation of the Budget.

The Portfolio Holder for Finance and Efficiency, Councillor Stephen Sweeney thanked officers for their hard work in preparing the budget. Particular reference was made to Dave Roberts, the Council's Head of Finance who would be retiring on 28 February after 48 years' service at Newcastle. Councillor Sweeney thanked him for his dedicated service, referring to him as a 'tremendous guy' and wished him a happy retirement.

Councillor Sweeney was enthused by the budget and was honoured to second it.

Councillor Robinson queried why there was no mention of the Kidsgrove Sports Centre within the budget. Councillor Reddish asked that the Cabinet explore how Kidsgrove Sports Centre could be brought forward by a year.

Councillor Holland acknowledged Councillor Reddish's suggestion and said that the Cabinet would like to look carefully at the provision of the sports centre and spending at the right time. The Council has a good working relationship with the Community Group.

Councillor Holland responded to Councillor Robinson's question asking why amendments had not been submitted to the budget in respect of funding for the Sports Centre.

Councillor Shenton queried why there was no mention of borrowing costs for 20/21 and 21/22.

Councillor Brian Johnson asked the Leader if he felt that the Green Waste charge was fair.

The Leader received Members' comments and advised that a ten year strategy was now required by government.

With regard to Kidsgrove Sports Centre, the community group had met with the Council's Chief Executive, Martin Hamilton and there was a commitment by the Cabinet and Council to get the facility open.

The three year Capital Programme meant that no borrowing was required.

The garden waste charge was a result of recycling credits no longer being given to us by the County Council. It had never been paid for through the Council Tax. Members were advised that seventy percent of Council's already charge for this service and that now, only those who used the service would have to pay.

A named vote was then taken in respect of the proposed budget:

BURGESS	N	JONES	N	STUBBS	N
BURNETT	Y	KEARON	N	SWEENEY	Y
COOPER. MRS	Y	LAWLEY	N	TAGG J	Y
COOPER MR	Y	MAXFIELD	Y	TAGG S	Y
COOPER MISS	Y	MOFFAT	NOT PRESENT	WALKLATE	Y
DYMOND	N	NORTHCOTT	Y	WARING J	Y
FEAR	Y	OLSZEWSKI	NOT PRESENT	WARING P	Y
FOX-HEWITT	N	PANTER	Y	WHITE G	Y
GARDNER	NOT PRESENT	PARKER	Y	WHITE S	Y
HARRISON	Y	PICKUP	NOT PRESENT	WILKES	Y
HEESOM	Y	PROCTOR	Y	WILLIAMS G	N
HOLLAND	Y	REDDISH	Y	WILLIAMS J	N
HORSFALL	N	ROBINSON	N	WRIGHT	N
JOHNSON B	N	ROUT	N		
JOHNSON T	Y	SHENTON	N		

In Favour - 24

Against - 15

Abstain – 0

**Resolved:** That recommendations a to k, as set out in Appendix 'A' of the agenda report be approved.

**7. TREASURY MANAGEMENT STRATEGY 2019/20**

The Portfolio Holder for Finance and Efficiency sought approval of the Treasury Management Strategy for 2019/20, including the Minimum Revenue Provision Policy contained within it.

**Resolved:** (i) That the Treasury Management Strategy for 2019/20 be approved.



- (ii) That the Minimum Revenue Provision Policy contained within the report be approved.

8. **CAPITAL STRATEGY 2019 TO 2029**

The Portfolio Holder for Finance and Efficiency advised Members that this was a new Strategy required by law and covered ten years.

The advantage of having a ten year strategy meant that the Council could plan ahead.

Councillor Shenton appreciated that the Council had to have the ten year Capital Strategy but stated that more detail could have been given, in particular, no one knew what impact Brexit would have.

**Resolved:** That the Capital Strategy report for 2019 / 2029 be approved.

9. **PUBLICATION OF A PAY POLICY STATEMENT FOR 2019/20**

The Leader of the Council introduced this item by stating that the Localism Act 2011 requires local authorities to prepare and publish a pay policy statement for each financial year. Full details were given in the Appendices of the report.

Councillor Shenton asked if the statement could, in future, look at the gender pay gap and equality issues.

The Leader would look into this and refer back to Councillor Shenton.

**Resolved:** That the Pay Policy Statement attached at Appendix A to the report be approved and published on the Council's website by 31 March, 2019.

10. **QUESTIONS TO THE MAYOR, CABINET MEMBERS AND COMMITTEE CHAIRS**

Councillor Kyle Robinson asked the Portfolio Holder for Planning and Growth if he would work with the Planning Department at Newcastle to ensure that Taylor Wimpey would be held to account over public open space issues on the Bluebell Croft Estate in Butt Lane.

Councillor Paul Northcott stated that he would liaise with the Council's Head of Planning, Guy Benson and ask for regular updates.

Councillor Robinson asked if the Council would ensure that Taylor Wimpey return to the site and remove the sand to stop any waterlogging.

Councillor Northcott stated that he would liaise with Mr Benson over this issue. Members were advised that the Council was in the process of bringing out a Planning Enforcement protocol, which was due to go through the final stages of publication.

Councillor Robinson asked the Portfolio Holder for Planning and Growth to outline how much funding had been secured via Section 106 Agreements for parks and play areas in the Talke and Butt Lane Wards over the last two years.

Councillor Northcott advised that this information was published on the Council's website when it was presented to the Planning Committee twice yearly. The last four reports had been presented on 3 January, 2019; 17 July, 2018; 2 January, 2018 and 23 May, 2017. Councillor Northcott confirmed that a table could be provided to Councillor Robinson containing the information for the two wards.

Councillor Robinson stated that he would like to see how Members could have more of a say how section 106 monies were spent and asked Councillor Northcott to look more closely at what the money was actually being spent on.

Councillor Northcott confirmed that talks were now going ahead with the Chief Executive as to how this money was applied. In addition, Section 106 monies was currently being evaluated as to how it could be more transparent.

Councillor Fear asked the Portfolio Holder for Finance and Efficiency what mechanism was in place for monitoring the implementation of the Council's Capital Programme.

Councillor Sweeney stated that there was a Capital Review Group. The Programme would also be helped by the ten year Capital Strategy, ensuring value for money.

Councillor Fear asked what the Member involvement was in the Group.

Councillor Sweeney confirmed that, at present there was no Member involvement – it was run by officers. However, the Group would now be chaired by himself.

**11. RECEIPT OF PETITIONS**

No Petitions were received.

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

There was no urgent business.

**THE MAYOR - COUNCILLOR MRS GILL HEESOM**  
**Chair**

Meeting concluded at 8.43 pm

NOTE ALL PARAGRAPHS SHOULD BE NUMBERED WITH SUB-PARAGRAPHS BEING  
 CI. NUMBERED 2.1, 2.2 ETC.

**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**

**EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE COUNCIL**

**Date 3 APRIL 2019**

- 1. **REPORT TITLE**                      **CONSTITUTION OF THE COUNCIL**
- Submitted by:**                      **Chief Executive – Martin Hamilton**
- Portfolio:**                              **Corporate & Service Improvement, People & Partnerships**
- Ward(s) affected:**                      **All**

**Purpose of the Report**

To update members on the review of the Council’s constitution, and ensure that there is a single version of the constitution in operation across the Council. To seek formal adoption of the updated Constitution for the forthcoming municipal year.

**Recommendations**

**Council is Recommended to:**

- (a) Adopt the updated version of the Constitution, incorporating changes approved to date by this Council, for 2019/20 and provide a base document for amendments/updates required to incorporate best practice.**
- (b) Request that the Constitution Review Group test the adopted constitution against best practice, and revert to Council with proposals for improvements.**

**Reasons**

It is essential that the Council has a single version of the constitution upon which members and officers can rely as the overarching guide to Council business. The Constitution & Member Support Working Group has been tasked with ensuring that changes to the constitution approved by Council have been incorporated into the document, and to ensure that a single version of the constitution is in place. The group has undertaken an initial rationalisation of the constitution to produce one version for adoption.

Work is now required to test the constitution against best practice, and bring back to Council proposals for improvements to Council processes as applied in other Councils.

1. **Background**

The Local Government Act 2000 required all Local Authorities to adopt a formal Constitution setting out how it operates, the procedures followed and how decisions are made. The Council adopted it’s Constitution in 2001 and since that time regular updates and amendments have been made to reflect changes in legislation, the Council’s operational methods and decision making and staffing structures.

2. **Issues**

- 2.1 Ongoing review of the Constitution ensures that it is fit for purpose, provides accountability and supports the delivery of the Councils' Policies and Services. Previously, at each Annual Council members have been asked to consider any consequential changes made by the Monitoring Officer to the Constitution under delegated powers. In addition more significant amendments which require Full Council approval are reported to members on an as and when basis.
- 2.2 Over the past year no consequential changes have been made by the Monitoring Officer requiring ratification at this meeting. All other changes required to the Constitution have been formally reported, and approved by, full Council.
- 2.3 Your Constitution and Member Support Working Group, chaired by Councillor Holland, has recently overseen the transfer of the Constitution to a web based document, providing for better management of its contents to ensure that one single, up to date version is accessible to all Members and Officers and allowing changes to be made more easily. This also ensures that, when viewed, members will see the most up to date version.
- 2.4 Examples of the changes made include- the new Cabinet Structure and Portfolios introduced at the beginning of this Administration in May 2018; changes to the Scrutiny Committee structure to better mirror those portfolios, improving accountability; Updates to Employment Procedure Rules and, most recently, updates to Financial Regulations.
- 2.5 The Constitution is available on the Link below. A hard copy of the document will be available for inspection in the Astley Room before this Council meeting.

<https://modern.gov.newcastle-staffs.gov.uk/ieListMeetings.aspx?CommitteeId=443&info=1&bcr=1>

- 2.6 Formal adoption of the Constitution is sought from this Council meeting rather than Annual Council, as previously, to enable work to start on updates in line with best practice.
- 2.7 Members are advised that the version of the constitution published as part of this agenda reflects changes agreed to date by Council, but still requires a significant body of work to be undertaken. Adopting the constitution as the baseline for this work is an important step, and provides the start point for the next tranche of work by the Constitution & Member Support Working Group.

3 **Legal and Statutory Implications**

- 3.1 A formally adopted Constitution, providing a framework for the way in which the Council is governed, is a legislative requirement.

4. **Financial and Resource Implications**

- 4.1 The Constitution supports good governance and budgetary compliance. The financial or resource implications of this report are those associated with member and officer time on reviewing the document.

**5. Major Risks**

- 5.1 Without an up to date Constitution, particularly the Scheme of Delegation to Officers, the Council's decisions could be challenged as could any legal or enforcement action it might pursue.

**6. Equality Impact Assessment**

- 6.1 None directly arising from this report

**7 List of Appendices**

- 7.1 An updated version of the Constitution has been published on the internet and Mod.Gov for members to view. In addition, a hard copy will be provided in the Astley Room ahead of the Council meeting should any members wish to peruse a hard copy.

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**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**

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

**Date 3 April, 2019**

<b><u>REPORT TITLE</u></b>	Changes to Committees
<b><u>Submitted by:</u></b>	Chief Executive
<b><u>Portfolio</u></b>	Corporate and Service Improvement, People and Partnerships
<b><u>Ward(s) affected</u></b>	All

**Purpose of the report**

For Members to note the following changes to committee membership.

**Recommendation**

- (i) That the changes to the Committees, as outlined in paragraph 1.2 be noted.

**Reasons**

To ensure that the Council's committees are proportionally represented by the political groups.

**1. COMMITTEE PLACES**

1.1 Due to changes in the political balance, following the by election held on 21 March, 2019 and the resignation of David Harrison, the following changes are required:

**1.2 Health, Wellbeing & Partnerships Scrutiny Committee.**

A Conservative Member needs to be replaced by a Borough Independent Member.

**Audit & Standards Committee.**

A Labour Member needs to be replaced by a Borough Independent Member.

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NOTE ALL PARAGRAPHS SHOULD BE NUMBERED WITH SUB-PARAGRAPHS BEING  
 CI. NUMBERED 2.1, 2.2 ETC.

**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**

**EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE  
 FULL COUNCIL**

**3 APRIL 2019**

1. **REPORT TITLE**                      **MEMBER ALLOWANCES 2019-20**
- Submitted by:**                      **Leader of the Council – Cllr Simon Tagg**
- Portfolio:**                              **Corporate & Service Improvement, People & Partnerships**
- Ward(s) affected:**                      **All**

**Purpose of the Report**

To enable Council to determine Member Allowances for the year 2019-20.

**Recommendations**

**It is recommended that Council**

- a) **Note that Members have received no increase in Allowances since 2006 – 13 years;**
- b) **Agree that Member Allowances for the year 2019-20 remain as currently set, with no increase this year.**
- c) **Agree that the Member Allowances are reviewed by the Member Remuneration Panel in time for Annual Council in May 2022.**

**Reasons**

These recommendations will ensure that an appropriate Member Allowances are in place for the term of this Council.

1. **Background**

1.1 At its 16<sup>th</sup> May 2018 meeting, Council considered a report of the then Acting Chief Executive, presenting the conclusions and recommendations of the Independent Remuneration Panel convened to advise on the amounts to be paid to members under the Members' Allowance Scheme. The panel had considered:

- The amount of basic allowance to be paid to members
- Those positions which should receive special responsibility allowances, and the level of those allowances
- Travel, subsistence and certain other allowances.

1.2 In preparing its report, the Panel had reflected on the changes occurring at the May 2018 elections, with the number of elected members reducing from 60 to 44. The Panel reflected that this change might be expected to impact on the role of elected members, but accepted that this could not be fully anticipated. The Panel recommended allowances for the 2018-19 municipal year, and anticipated re-assessing the allowances once the new arrangements had bedded in.

- 1.3 The Independent Remuneration Panel recommended that the basic allowance increase from £3,365.04 to £4,250, together with a range of other adjustments to special responsibility allowances. Their full proposal is set out in Appendix 1 to the report.
- 1.4 In considering the report, Members did not accept the recommendations of the Panel, but rather they agreed:-
  - i. That the current Scheme of Members' Allowances be retained for the municipal year 2018/19.
  - ii. That an Independent Remuneration Panel be asked to review Members' Allowances prior to the 2019/20 Municipal year.

## 2. **Issues**

- 2.1 It is entirely appropriate that Council keeps its scheme of Members' Allowances under review. The Local Government Act 1972 stipulates that the scheme should be reviewed at least every four years. The scheme in Newcastle –under-Lyme Borough Council has been regularly reviewed, but has remain unchanged since 2006.
- 2.2 Whilst the May 2018 Council meeting agreed that the remuneration panel should review the allowances in time for the 2019/20 municipal year, the range of staffing changes in the senior officer cadre has meant that this work has not been prioritised. Rather than review the allowances mid-year, as Leader of the Council, I am proposing that we roll forward the existing scheme of allowances, and review them in the last year of this Council, ahead of the next all-out elections.

## 3. **Options Considered**

- 3.1 Consideration has been given to convening the Remuneration Panel to review the scheme as agreed by Council.

## 4. **Proposal**

- 4.1 It is proposed to leave the member allowance scheme unaltered for the remainder of this Council, and review in good time for consideration following the all-out elections in 2022.

## 5. **Reasons for Preferred Solution**

- 5.1 This proposal will ensure a transparent scheme of member allowances for the life on this council.

## 6. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

N/A

## 7. **Legal and Statutory Implications**

7.1 The Local Government Act 1972 sets out the statutory basis for paying and reviewing Member Allowances

8. **Equality Impact Assessment**

None arising directly from this report

9. **Financial and Resource Implications**

The recommended approach will ensure that Members' Allowances remain within the existing budget.

10. **Major Risks**

None identified

11. **Sustainability and Climate Change Implications**

N/A

12. **List of Appendices**

*Appendix 1 – Report to Full Council, 16<sup>th</sup> May 2018*

13. **Background Papers**

N/A

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Position	Allowance (£'s)	Number of Members	Amount Required (£'s)
Leader of the Council	13,600	1	13,600
Deputy Leader	9,500	1	9,500
Cabinet Member with Portfolio	5,800	6	34,800
Chair of Audit and Standards Committee	3,000	1	3,000
Chair of Planning Committee	4,500	1	4,500
Chair of Public Protection Committee	3,000	1	3,000
Chair of Licensing Committee	4,500	1	4,500
Chair of Scrutiny Committee	3,000	3	9,000
Vice Chair of Planning Committee	1,800	1	1,800
Vice Chair of Licensing Committee	1,800	1	1,800
Minority Party Leaders	1,130	3	3,390
Basic Allowance	4,250	44	187,000
Leader of Opposition	5,000	1	5,000
Mayor	9,500	1	9,500
Deputy Mayor	3,000	1	3,000
<b>Total</b>			<b>293,390</b>
<b>Saving on 2017/18 Expenditure</b>			<b>31,000</b>
<b>2018/19 Budget</b>			<b>258,930</b>
<b>Unbudgeted</b>			<b>34,460</b>

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## CHAIR'S REPORT FOR ECONOMY ENVIRONMENT AND PLACE SCRUTINY COMMITTEE

We have held one meeting of the above scrutiny committee since the last full council and this was held on Thursday, the 14th of March. It was a busy agenda and the meeting lasted some three hours. There were some members of the public present and three questions had been put to the committee in advance.

The main topics that we covered were of the town centre market, Town center car parking and of the economic development plan progress. These three main topics were discussed in detail and the relevant portfolio holder and officers were present. There were a number of recommendations made to cabinet all of which are detailed in the minutes of the meeting.

The committee also had an update on the recycling service and introduction of the green waste charge and also an update on progress on the arboricultural department. We also reviewed the Housing Allocation Policy.

The next meeting is scheduled for June.

Gary White  
Chair-E, E and P Scrutiny

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## Health, Wellbeing & Partnerships Scrutiny Committee Chair Report- 04/03/19

### **Monkey Dust**

Sergeant McGrath provided an explanation to the committee of what Monkey Dust is, a Class B drug composed of chemically produced cathinone, usually sold as a white/off-white crystalline powder. It has been identified as cheap, addictive and of having strong effects in small doses. Its effects include delusions and hallucinations which have been known to lead to risk taking behaviour, agitation, elevated heart rates, paranoia, combative behaviour and a compulsion to redose.

The first seizure of the drug in Staffordshire occurred in August 2016. Incidence of drug related police call outs have decreased significantly since Christmas 2018 as the result of actions abroad to close down its supply and usage coupled with the work of local partners. There have been no formal reports of the use of Monkey Dust within schools, few related referrals of it to One Recovery (who deliver substance misuse support on behalf of the County Council) and no related referrals of it so far to Staffordshire's T3's young person service. Fergus Lees from One Recovery highlighted however that Monkey Dust was considered to be addictive and there has been high profile media reporting on users and the perceived availability of the drug.

The community led Time to Change Initiative has assisted in informing the community on how to report suspected involvement in drugs and disseminating information.

Members were supportive on the benefits to the whole community which came from partnership working in the borough.

The Police and Crime Commissioner have written to the Home Office to request for Monkey Dust to be reclassified as Class A, hoping that it will influence them to invest in the provision, and supply, of a testing kit for use by all police forces.

Based on all this information, the committee advised the Cabinet Member to write to the Home Office to request for Monkey Dust to be reclassified as Class A, and that a copy of the letter to be sent to the Staffordshire Police and Crime Commissioner.

## **Consultation on Future of Local Health Services**

Representatives from the North Staffordshire Clinical Commissioning Group and Stoke on Trent Clinical Commissioning Group presented to Committee on the changes they intended to make to local health and social care services provided.

Concern was expressed by the Committee on their decision to go for Option 6, how they would distribute some of the beds to provide for individuals under the 'Discharge to Assess' model.

In the report it was highlighted that, based on the slides and the presentation, Option 6 appeared to be the most cost effective since no investments and expenditure costs were highlighted. However, the CCG failed to pick up in the presentation the costs for Option 6 which amount to £4.3 million per year by 2022/2023 for care home costs. That being considered, the most cost effective approach appeared to be Option 5 based on the presentation and all the supporting documents provided by the CCG with investment costs of £1.5 million.

Another concern related to whether the CCG would be able to ensure that the NHS standard of care was met if option 6 was chosen since beds were allocated to care homes. Whilst the CCG Group could commission staff to check on the standards of care being provided it would be more difficult to ensure this standard was upheld on a day to day basis where the majority of staff responsible for the care of these patients was not trained by the NHS or under their continuous supervision. A comparison of the amount of training given to the individual providing most of the day to day care in care homes compared to a hospital is hugely more intensive for hospital staff and in line with the standards set by the NHS.

Members also highlighted the importance of adequate and well supported convenient access to the services via public transport.

## **Feedback from the Active Lives Survey**

The Executive Director- Operations outlined the results of the Active Lives Children's Survey undertaken by Sport England. The report demonstrated the success of the borough in engaging young people in physical activity in school in both indoor and outdoor sports, being either the same or better the national average. However, engagement in the Borough outside of school in both indoor and outdoor sports but especially outdoor sports is lower than the national average.

In addition, the early year's district profile identified specific obesity levels across the Borough. Councillor Holland considered that there may be a link to the deprivation index.

Members felt that the Walk to School initiative should be expanded with help and assistance from the resources used for the Walking Bus within the County Council.

Support has been offered from the County Sports Partnership (SASSOT) to help encourage and increase engagement. The work would involve various partner organisations with a shared responsibility.

It has been agreed that the Cabinet be requested to look at the link between obesity and deprivation by ward and, together with partner organisations, be recommended to coordinate the development of a Borough wide strategy to improve take up of out of school sport and physical activity opportunities by young people.

### **Work Programme**

A report on safeguarding and a review of the work programme were due to be considered by members at the June meeting.

Councillor Gardner asked that a representative from Keele University student support service be invited to attend this meeting to explore how to work together and join up mental health services within the Borough.

**I had the pleasure to be introduced to Johnny Dee Sparkes, a student from Keele University who is on placement with the Newcastle under Lyme Council until May.**

**Mr J.D.Sparkes had completed an analysis of the Active Lives Survey and produced the analysis on the CCG presentation 'The Future of Local Health Services in Northern Staffordshire'**

**Chair Cllr Ian Wilkes**

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## **Audit and Standards Committee**

The committee met on 11<sup>th</sup> February 2019.

During the course of the meeting the business dealt with was as follows:

Members reviewed the Council's Corporate Risk Management report for the third quarter of 2018/19. It was noted that there were no overdue risks but that there had been six risk level increases. Members agreed that safeguarding training ought to be undertaken by all members and that the Council's Partnerships Manager be asked to ascertain which Members had the relevant training, with all view to all Members receiving the appropriate training within six months.

The Internal Audit Progress report for the quarter three. Members were informed that good progress had been made with six major audits carried out in the period. However, a number of issues have been identified in relation to payroll. I have asked that the Committee be kept informed of the actions being taken in order to resolve these issues.

The Committee considered the Q3 report into Adoption of Internal Audit High Risk Recommendations and Summary of Assurance and also a more comprehensive list of Internal Audit Recommendations with a focus on the outstanding items. During the discussion it became clear that there are issues in relation to the timekeeping system which seems to be unsuitable for some staffing areas. I have requested more information in relation to the deficiencies and that the Committee be kept informed about any progress made.

Tess Barker-Phillips of Grant Thornton explained the External Audit Plan for the Year to 31<sup>st</sup> March 2019 and gave an overview of the work to date. She also gave details of the report Informing The Audit Risk Assessment For Newcastle Under Lyme Borough Council 2018-19 which is primarily to assist two-way communication in relation to the Audit and explain the audit process and what the Auditors will need, and information to be relied upon, during the course of the Audit.

Members were informed that in future the Internal Audit Planning would be carried out, on our behalf, by Stoke-on-Trent City Council.

Next Meeting 15<sup>th</sup> April 2019.

Paul Waring (Chair)

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## **Report to Full Council (April 2019) from the Chair of Licensing & Public Protection**

The Licensing & Public Protection Committee has met once since the last Full Council, on 22<sup>nd</sup> January. Members received reports on the following principle headings:

### **PUBLIC SPACES PROTECTION ORDERS:**

Consideration was given to a report seeking Members' support for a full public consultation on matters affecting Newcastle Town Centre and the Queen Elizabeth Park and to support the publication of two draft Public Spaces Protection Orders (PSPO's) on these areas for consultation, comments and feedback from the public.

### **FEES TO BE CHARGED FOR THE LICENSING OF PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING 2019-20:**

Consideration was given to a report for members to consider the fees to be charged in relation to the licensing of Private Hire and Hackney Carriage Licensing for 2019/20.

This followed the previous report which was presented to this Committee on 23 October 2018 and it had been agreed to put the details out for consultation. No comments or representations had been received. Therefore, there were no changes to the previous report.

### **REVIEW OF ENVIRONMENTAL FIXED PENALTIES:**

Consideration was given to a report looking at the current/planned fixed penalty values.

### **PUBLIC PROTECTION SUB-COMMITTEE ARRANGEMENTS:**

Consideration was given to a report seeking Members' approval for the arrangements of the Public Protection Sub-Committee.

The arrangements had been updated following comments from Members in respect of availability. The meetings would still be held on Wednesday's at 2pm or 6pm but they had been brought forward a week to avoid clashes with other Committees.

### **AIR QUALITY ACTION PLAN 2019-2024:**

Consideration was given to a report informing Members of responses and feedback received from members of the public and other bodies regarding the contents of the draft Air Quality Action Plan (AQAP) and to formally adopt the document.

In 2015, the Council's Public Protection Committee declared four areas in the Borough as air quality management areas (AQMA's), due to exceedances of nitrogen dioxide.

The draft AQAP had been agreed for public consultation and twenty-four responses had been received.

The next meeting of the Licensing and Public Protection Committee is scheduled for 19<sup>th</sup> March 2019.

Cllr Mark Olszewski

17<sup>th</sup> March 2019



## **Climate emergency motion**

This council notes:

Over 41 councils have passed 'climate emergency' motions since the IPCC (Intergovernmental Panel on Climate Change) report on Global Warming of 1.5°C was published in October 2018. This report describes the major environmental harms that a 2°C rise in world temperature is likely to cause and urges that governments and related authorities world-wide seek to limit global temperature rises to 1.5°C.

That there is cross party support for climate emergency motions and ambitious carbon reduction strategies – the 41 councils that have already passed such a motion include Labour led, Conservative led, Liberal Democrat led and NOC authorities.

That the IPCC's Special Report on Global Warming of 1.5°C argues that limiting Global temperature rises to 1.5°C may still be possible with ambitious action from national Governments AND local Government working in collaboration with partner agencies, organisations, groups and local communities.

This council resolves:

To acknowledge that there is a climate emergency and that as an authority we can play a part in trying to address it.

To aim to make Newcastle under Lyme a carbon-neutral borough by 2030.

To establish and support a climate change action group that is chaired by an individual from outside of the borough council and is comprised of representatives of all parties on the council, council officers, representatives of local employers, local education establishments, partner organisations, local community groups, faith groups, local environmental groups, trade unions and other representatives of local civil society to encourage and coordinate the drive towards a carbon-neutral borough.

To require the cabinet and senior officers to collaborate with this action group, to examine what more can be done by the borough council to deliver a carbon-neutral borough, and for cabinet to work with the action group to produce and publish a plan setting out how the council, through its policies, practices and actions will help to deliver a carbon-neutral borough by 2030.

To require that cabinet, as part of the regular performance review process routinely review progress against this plan and if necessary take action to expedite progress towards the carbon-neutral goal.

For the Chief Executive to host in Newcastle a meeting of CEOs, leaders and cross party representatives from Staffordshire County Council, Stoke City Council, District councils across Staffordshire and our neighbouring non-Staffordshire councils to produce a regional climate emergency strategic collaboration plan to move to a carbon-neutral region. Regular meetings of this group will become a part of the battle for a carbon neutral region

To require that the chief executive and the leaders of all groups on the council jointly write to the Secretary of State for the Environment, Food and Rural Affairs declaring a climate emergency and urging him to give local government across the region powers and funding to take meaningful action to address this emergency.

Proposer: Cllr Tony Kearon

Seconder: Cllr Emily Horsfall

## **Racism, Islamophobia and Antisemitism Motion**

The Elected Members of this Council note that:

This Council, collectively and individually, recognises that Councillors are elected to represent ALL members of the diverse communities we serve.

This Council recognises that there have been examples of racism including Antisemitism and Islamophobia in some national political discourse and in some local political discourse across the country.

As such, we also note that some individuals engaged in national or local political activity may harbour and express views that are contrary to The Public Sector Equality Duty under Section 149 of the Equality Act 2010.

The Elected Members of this Council therefore believe that:

All elected representatives and those seeking public office should be expected to adhere to and demonstrate higher standards of conduct in accordance with the Nolan Principles, our code of conduct and the equality duty.

All elected representatives and those seeking public office should publicly pledge to speak out without fear or favour and challenge racism in any form including Antisemitism and Islamophobia wherever they encounter it.

The Elected members of this Council will therefore:

Work collectively as a council to challenge and eradicate racism and all forms of prejudice wherever we encounter it, both publicly and privately.

Challenge all forms of the promotion of racism including Antisemitism and Islamophobia in all political discourse regardless of an individual's political affiliation.

Ensure that all elected representatives and those seeking public office are clear about their responsibilities and adherence to The Public Sector Equality Duty under Section 149 of the Equality Act 2010 (see supporting information) and, by supporting this motion via a named vote, publicly restate their personal commitment to this Duty

Individually and collectively commit to not remain silent, and to take immediate action when we encounter any person engaged in political activity who expresses or endorses racist views including Antisemitism and Islamophobia, regardless of their political affiliation, role or status.

That the Leaders of each political Group within this Council write a joint letter endorsing this collective commitment and that this letter be published on the council website and in the

local press for residents to read. Where applicable, this letter will also be sent by each leader to their respective national and local Party associations.

Proposer: Cllr Tony Kearon

Seconder: This motion will be seconded from the floor – to allow members of all parties the opportunity to second the motion if they wish.

Supporting information:

On 5 April 2011, the public sector equality duty came into force under the Equality Act 2010. The equality duty places an obligation on public authorities to positively promote equality, not merely to avoid discrimination.

Public authorities subject to the equality duty must, in the exercise of their functions, have due regard to the need to address three key aims:

Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

Advance equality of opportunity between people who share a protected characteristic and those who do not.

Foster good relations between people who share a protected characteristic and those who do not.

The equality duty covers the nine protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.