

## COUNCIL

Wednesday, 17th November, 2021

Time of Commencement: 7.00 pm

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**Present:** Mayor - Councillor Kenneth Owen (Chair)

Councillors:	Gillian Burnett	Dave Jones	Stephen Sweeney
	Silvia Burgess	Tony Kearon	Simon Tagg
	Jennifer Cooper	Annabel Lawley	John Tagg
	John Cooper	Sue Moffat	June Walklate
	Julie Cooper	Paul Northcott	Paul Waring
	Sylvia Dymond	Mark Olszewski	Simon White
	Andrew Fear	Barry Panter	Ian Wilkes
	Andrew Fox-Hewitt	Andrew Parker	Gillian Williams
	Allison Gardner	Bert Proctor	John Williams
	Gill Heesom	Marion Reddish	Ruth Wright
	Mark Holland	Kyle Robinson	Gary White
	Graham Hutton	Elizabeth Shenton	Jill Waring
	Trevor Johnson	Mike Stubbs	David Grocott

Officers:	David Adams	Executive Director Operational Services
	Geoff Durham	Mayor's Secretary / Member Support Officer
	Martin Hamilton	Chief Executive
	Simon McEneny	Executive Director - Commercial Development & Economic Growth
	Daniel Dickinson	Head of Legal & Governance /Monitoring Officer
	Sarah Wilkes	Head of Finance / S151 Officer

### 1. **ALDERMAN ALBERT CLARKE AND FORMER COUNCILLOR YVONNE BURKE**

Following a minute's silence, the Leader led tributes to Alderman Albert 'Nobby' Clarke and former Councillor Yvonne Burke who had both passed away last month.

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### 2. **APOLOGIES**

Apologies were received from Councillors' Helena Maxfield, Sarah Pickup and Amelia Rout.

### 3. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

4. **MINUTES OF PREVIOUS MEETING**

**Resolved:** That the minutes of the meeting held on 21 July, 2021 be agreed as a correct record.

5. **MAYOR'S ANNOUNCEMENTS**

The Mayor's Christmas Carol Service would be held on Sunday 19 December, 2021 at 6.30pm at St Giles' Church.

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6. **WALLEYS QUARRY UPDATE**

The Leader, Councillor Simon Tagg introduced a report updating Members on the latest position regarding Walley's Quarry.

A statement was made suggesting that the failings of the Environment Agency be investigated. It was also suggested that a letter should be written to the Police, Fire and Crime Commissioner for Staffordshire for an explanation of the arrests made and treatment of protestors.

**Resolved:** That the contents of the report be endorsed.

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7. **URGENT DECISION NOTIFICATION - COMMITTEE SEAT ALLOCATIONS**

The Leader introduced a report notifying Members of a decision taken by the Chief Executive under urgency powers.

Following changes to political group memberships there was a need to review committee seat allocations.

**Resolved:** That the decision taken be noted.

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8. **RECOMMENDATIONS OF THE INDEPENDENT REMUNERATION PANEL**

The Leader introduced a report regarding the Members' Allowance Scheme for 2022/23. The Independent Remuneration Panel (IRP) was thanked for its work but the Leader proposed that their recommendations not be accepted. Instead, he proposed the resolution that is set out below. The recommendation was seconded by Councillor Sweeney.

An amendment was proposed for which a named vote was requested.

For	Against	Abstained
Cllr: Burgess, Silvia	Cllr: Burnett, Gill	Cllr:

Dymond, Sylvia  
Fox-Hewitt, Andrew  
Gardner, Allison  
Grocott, David  
Jones, Dave  
Kearon, Tony  
Lawley, Annabel  
Moffatt, Sue  
Olszewski, Mark  
Robinson, Kyle  
Shenton, Elizabeth  
Stubbs, Mike  
Williams, Gill  
Williams, John  
Wright, Ruth

Cooper, Jenny  
Cooper, John  
Cooper, Julie  
Fear, Andy  
Heesom, Gill  
Holland, Mark  
Hutton, Graham  
Johnson, Trevor  
Northcott, Paul  
Owen, Ken  
Panter, Barry  
Parker, Andrew  
Proctor, Bert  
Reddish, Marion  
Sweeney, Stephen  
Tagg, John  
Tagg, Simon  
Walklate, June  
Waring, Jill  
Waring, Paul  
White, Gary  
White, Simon  
Wilkes, Ian

FOR: 16  
AGAINST: 24  
ABSTAIN: 0

The amendment was defeated. The original motion was debated as the substantive motion.

- Resolved:**
- (i) That the Independent Remuneration Panel be thanked for their work.
  - (ii) That no increases be made to the current Members Allowance Scheme
  - (iii) That, with effect from the start of the 2022/23 Municipal Year, the allowances paid to Members be linked to the annual Local Government pay award agreed by the NJC so that the Members Allowances increase in line with the annual percentage rate rise, if applicable that staff at Newcastle Borough Council receive.

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## 9. UPDATING THE CONSTITUTION

The Leader introduced a report seeking to authorise amendments to the Council's Constitution and to reconvene the Constitution and Member Support Working Group. An amended recommendation from the Leader was tabled at the meeting as set out in the resolution below.

- Resolved:**
- (i) That the updates to the Constitution be made as

described in paragraphs 2.85, 2.11 and 2.13 of the report.

- (ii) That the Constitution and Member Support Working Group be on the basis of four Conservative members, 2 Labour members and one Liberal Democrat member.

Conservative Group members to be:

Councillors' Simon Tagg, Mark Holland, Stephen Sweeney and Gill Heesom

Substitutes: Councillors' Jill Waring, Trevor Johnson, Bert Proctor and Gary White.

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#### 10. **GAMBLING ACT 2005- REVIEW OF STATEMENT OF LICENSING POLICY**

Councillor Sweeney introduced a report seeking to adopt an updated Gambling Licensing Policy. The updates had been recommended by the Licensing and Public Protection Committee on 2 November, 2021.

**Resolved:** That the updated Gambling Licensing Policy be adopted.

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#### 11. **STATEMENT OF THE LEADER OF THE COUNCIL**

A report was submitted which provided an update to Members on the activities and decisions of the Cabinet, together with the Forward Plan.

A statement was made that an LGA Peer Review should be undertaken on how the Council dealt with the Covid pandemic. The Leader agreed that this should be carried out in the new Municipal Year 2022/23.

A question was asked as to what processes were in place to protect residents from such dangers as to what had happened in Stoke regarding Solarplicity and what ethical framework would be put into place. The Leader confirmed that all Members would be sent information on this.

*At this point, the Leader moved a Motion to extend the time limit on the meeting as it was approaching 3 hours. Councillor Sweeney seconded. This was agreed*

In relation to paragraph 9, a statement was made that the reopening of Kidsgrove Customer Service Centre be publicised and a question asked if the sign with the opening times could be modified. The Leader would ensure that amending the sign happened.

Regarding paragraph 10, it was asked if there were plans to make improvements to other town centre subways following the improvements to the Grosvenor sunken roundabout. Councillor Sweeney stated that quotes were being sought on the CCTV and how it could be expanded across other subways.

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

*Councillor Jones asked for a vote on the length of time of the proposed extension for this meeting. An end time of 10.30pm was agreed.*

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## 12. **REPORTS OF THE CHAIRS OF THE SCRUTINY COMMITTEES**

Reports were submitted for the Committees that had met since the last Council meeting.

**Resolved:** That the reports be received.

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## 13. **REPORTS OF THE CHAIRS OF THE REGULATORY COMMITTEES**

Written reports were submitted for the Committees that had met since the last Council meeting.

Councillor Fear gave a verbal update for the Planning Committee which had met on its regular cycle and had undertaken a site visit since the last Council meeting. There had been a rising problem with open enforcement cases. A meeting with senior members of the Section, the Portfolio Holder and the Chair and Vice-Chair of the Planning Committee had led to an agreement that those working within the Section would devote a bit more of their time to enforcement matters which was welcomed by members of the Planning Committee.

**Resolved:** That the reports be received.

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## 14. **MOTIONS OF MEMBERS**

A Motion was received on a Borough Nature Recovery Declaration, proposed by Councillor Simon Tagg and seconded by Councillor Trevor Johnson.

This would create the Borough's first Nature Recovery Plan sitting alongside the Council's Sustainable Environment Strategy and the Urban Tree Planting Strategy. An Action Plan would be reviewed annually.

An amendment to the Motion was tabled but following a vote, was defeated.

The original Motion was therefore voted upon and was carried.

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

Responses to the three submitted questions would be forwarded to all Members by the relevant Portfolio Holders.

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## RESPONSES TO WRITTEN QUESTIONS

To The Portfolio Holder for Community Safety and Wellbeing – Cllr Gill Heesom

Can the Portfolio Holder update the Council on the impact of the new Town Centre Marshalls on reducing anti-social behaviour?

**Cllr Andrew Parker**

Reply:

It's early days as the pilot project is only on week 3 of delivery but I'm pleased to report that already we're seeing a really positive impact on the town centre. We've had contact from a number of local businesses and members of the public reporting improvements to their perceptions of feelings of safety in the town centre and less incidents reported through to us involving rough sitters and street drinkers. Officers will continue to monitor the pilot over the coming months, both the statistical information and the softer intelligence from business and the public to inform Cabinet and make recommendations for the continuation of the service.

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To The Portfolio Holder for Community Safety and Wellbeing - Cllr Gill Heesom

Can the Portfolio Holder outline the number of complaints received about anti-social behaviour in the town and how many individuals have been excluded from the town centre by the use of Community Space Protection Orders?

**Cllr Barry Panter**

Reply:

In terms of the Town Centre area (inner ring road, covered by the CCTV systems) there have been the following antisocial behaviour (ASB) complaints received and recorded by the Council:

August	14 (comparably the Police received 90 complaints during the month)
September	4
October	12
November	7 (as at 16/11/21)

The number of notices/warnings/exclusions in the (inner) town centre actioned by Newcastle Borough Council were:

August	2
September	3
October	2
November	0 (as at 16/11/21)

The number of complaints received demonstrates a considerable sense of under reporting of ASB incidents to the Borough Council, despite our best efforts to encourage reporting by the public and the businesses community.

Information and community intelligence is extremely important in enabling us and our partners to co-ordinate the response to issues in our town centre, so we would encourage everyone to continue to actively report all incidents of ASB through to the Police via their Facebook page or on 101 (or 999 in an emergency). It would be helpful if you could also report incidents through to the Council's Partnerships Team on 01782717717 and via the email [asb@newcastle-staffs.gov.uk](mailto:asb@newcastle-staffs.gov.uk)

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To The Portfolio Holder for Finance, Town Centres and Growth - Cllr Stephen Sweeney

Following on from the positive External Audit Report to the Audit and Standards Committee earlier this month, can the Deputy Leader update the Council on the latest position regarding the signing off of the 2020/21 Statement of Accounts.

**Cllr Paul Waring**

Reply:

I can confirm that the Audit Opinion was received on Tuesday 23rd November which has enabled the Statement of Accounts to be signed off. The auditor has given the Council an unmodified opinion, this opinion is expressed when the auditor concludes that the financial statements are presented fairly, in all material respects, in accordance with the applicable financial reporting framework.

The audit opinion and audit findings reports are the most positive that we have received in respect of the Statement of Accounts in recent times.

**16. RECEIPT OF PETITIONS**

No petitions were received.

**17. URGENT BUSINESS**

There was no urgent business.

**18. DISCLOSURE OF EXEMPT INFORMATION**

There were no items for consideration under Part 2 of the agenda.

**CLLR KEN OWEN**  
**Chair**

Meeting concluded at 10.27 pm