



**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 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 **Queen Elizabeth II & Astley Rooms - Castle House, Barracks Road, Newcastle, Staffs. ST5 1BL** on **Wednesday, 26th July, 2023** 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 OF A PREVIOUS MEETING (Pages 5 - 14)**

To consider the decisions of the previous meeting(s)

**4 MAYOR'S ANNOUNCEMENTS**

**5 APPOINTMENT OF INTERIM MONITORING OFFICER (Pages 15 - 18)**

**6 RECEIPT OF A PETITION SUBMITTED UNDER THE COUNCIL'S PETITION SCHEME (Pages 19 - 26)**

To consider an e-petition, containing more than 1500 signatures, submitted to the Council regarding the emerging Borough Local Plan.

**7 CORPORATE PEER CHALLENGE OUTCOME AND ACTION PLAN (Pages 27 - 56)**

**8 CHANGES TO COMMITTEE MEMBERSHIP (Pages 57 - 64)**

**9 STATEMENT OF THE LEADER OF THE COUNCIL (To Follow)**

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

**10 REPORTS OF THE CHAIRS OF THE SCRUTINY COMMITTEES (Pages 65 - 66)**

Written reports are attached for the following:

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

A verbal update will be given for the Finance, Assets and Performance Scrutiny Committee

**11 REPORTS OF THE CHAIRS OF THE REGULATORY COMMITTEES (Pages 67 - 70)**

Written reports are attached for the following:

- a) Licensing and Public Protection Committee
- b) Audit and Standards Committee(a verbal update will be given for the meeting held on 17 July, 2023)

A verbal update will be given for the Planning Committee

**12 MOTIONS OF MEMBERS (Pages 71 - 72)**

A motion has been received regarding Staffordshire Fire Service.

**13 QUESTIONS TO THE MAYOR, CABINET MEMBERS AND COMMITTEE CHAIRS (To Follow)**

**14 RECEIPT OF PETITIONS**

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

**15 URGENT BUSINESS**

To consider any communications which pursuant to Appendix 7, Procedure Rule 8 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.

**16 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. Mobile Phones**

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

### **3. Notice of Motion**

A Notice of Motion other than those listed in Procedure Rule 14 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 B5, Rule 4 of the Constitution of the Council.

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

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# Public Document Pack Agenda Item 3

Council - 17/05/23

## COUNCIL

Wednesday, 17th May, 2023  
Time of Commencement: 7.00 pm

[View the agenda here](#)

[Watch the meeting here](#)

**Present:** Councillor Gillian Burnett -Faulkner (Chair)

Councillors:	Adcock	Heesom	Skelding
	Allport	Holland	Stubbs
	Barker MBE	Fox-Hewitt	Sweeney
	Beeston	Hutchison	J Tagg
	Bettley-Smith	Johnson	S Tagg
	Brockie	S Jones	J Waring
	Brown	D Jones	P Waring
	Bryan	Lawley	Whieldon
	Crisp	Moffat	G White
	Dymond	Northcott	S White
	Edginton-Plunkett	Panter	Wilkes
	Fear	Parker	G Williams
	Gorton	Reece	J Williams
	Grocott	Richards	Wright

**Apologies:** Councillor(s) Talbot

<b>Officers:</b>	Geoff Durham	Mayor's Secretary / Member Support Officer
	Martin Hamilton	Chief Executive
	Daniel Dickinson	Service Director - Legal & Governance /Monitoring Officer
	Sarah Wilkes	Service Director - Finance / S151 Officer
	Andrew Bird	Service Director - Sustainable Environment
	Roger Tait	Service Director - Neighbourhood Delivery

Also in attendance:

### 1. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

### 2. **MINUTES OF A PREVIOUS MEETING**

**Resolved:** That the minutes of the meeting held on 5 April, 2023 be agreed as a correct record.

### 3. **ELECTION OF MAYOR 2023/24**

## **Council - 17/05/23**

Two nominations were received. However, one nominee had not been made aware of this and wished to be withdrawn, leaving just one:

Councillor Simon White. Proposed by Councillor Simon Tagg and seconded by Councillor Bettley-Smith.

**Resolved:** That Councillor Simon White be appointed as Mayor for the 2023/24 Municipal Year.

The Mayor made the Declaration of Acceptance of Office.

[Watch the proceedings here](#)

### **4. APPOINTMENT OF DEPUTY MAYOR 2023/24**

Two nominations were received:

Councillor Barry Panter. Proposed by Councillor Northcott and seconded by Councillor Simon Tagg.

Councillor Richard Gorton. Proposed by Councillor Fox-Hewitt and seconded by Councillor Dave Jones.

A vote was taken.

**Resolved:** That Councillor Barry Panter be appointed as Deputy Mayor for the 2023/24 Municipal Year.

The Deputy Mayor Made the Declaration of Acceptance of Office.

[Watch the proceedings here](#)

### **5. MAYORAL APPOINTMENTS**

The following appointments were made:

<b>Consort:</b>	Cllr Gary White
<b>Mayoress:</b>	Tanya Morgan
<b>High Constable:</b>	Peter Whalan
<b>Mayor's Cadet:</b>	Cpl Abigail Pye
<b>Chaplain:</b>	Rev. Peter Nisbeck
<b>Mace Bearers:</b>	Jenny Otter and Glenn Martin-James

[Watch the proceedings here](#)

### **6. MAYORAL ADDRESS**

The Mayor thanked members for electing him and stated that he was honoured to be appointed to the role which he would carry out to the best of his ability. The Mayor looked forward to attending many engagements throughout his year in Office.

The Mayor named his chosen charities as the Academy for Theatre Arts and We Love Newcastle.

The Mayor thanked former Mayor, Gill Burnett-Faulkner for carrying out her duties diligently and with enthusiasm and congratulated her on her recent marriage.

[Watch the proceedings here](#)

**7. VOTE OF THANKS TO THE RETIRING MAYOR AND CONSORT**

On behalf of the Council, Councillor Simon Tagg expressed gratitude and appreciation to the retiring Mayor and Consort. Over one hundred and six engagements had been carried out and raised over £7000 for her chosen charities.

The term had coincided with momentous and historic events including a Platinum Jubilee, funeral of the late Queen and Coronation of the new King.

The Leader thanked Councillor Burnett-Faulkner and congratulated her and David on their recent marriage. This was echoed by the Labour Group leader.

[Watch the proceedings here](#)

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

The retiring Mayor stated that it had been a delight to serve the Borough in what had been a busy year both personally and in her Mayoral role. Thanks were given to the Consort, support staff, Mayor's Chaplain, Council Officers and all members of the Council.

[Watch the proceedings here](#)

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

The Leader confirmed Councillor Sweeney as Deputy Leader and the following as members of the Cabinet for 2023/24:

Councillor Gill Heesom (Portfolio, Community Safety and Wellbeing)  
Councillor David Hutchison (Portfolio, Sustainable Environment)  
Councillor Andy Fear (Portfolio, Strategic Planning)  
Councillor Jill Waring (Portfolio, Leisure, Culture and Heritage)  
Councillor Stephen Sweeney (Portfolio, Finance Town Centres and Growth)  
Councillor Simon Tagg (Portfolio, One Council, People and Partnerships)

The Leader welcomed Councillor Hutchison to the Cabinet and thanked Councillor Trevor Johnson who had previously held the Portfolio for Environment and Recycling for all of his hard work.

[Watch the proceedings here](#)

**10. APPOINTMENTS TO COMMITTEES, CHAIRS AND VICE CHAIRS FOR 2023/24**

**Committee Membership**

It was proposed by Councillor Simon Tagg and seconded by Councillor Sweeney that the appointments to committees, for 2023/24 be as set out in the Agenda.

**Resolved:** That the appointments to committees, as set out in the

agenda, be approved.

**Chairs and Vice-Chairs**

It was proposed by Councillor Simon Tagg and seconded by Councillor Dave Jones that the nominations for Chairs and Vice Chairs be taken en-bloc and have a single vote.

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

COMMITTEE	CHAIR	VICE-CHAIR
Audit and Standards	Paul Waring	Gill Burnett-Faulkner
Conservation Advisory	Trevor Johnson	Lilian Barker
Licensing and Public Protection	Andrew Parker	Joan Whieldon
Planning	Paul Northcott	Nick Crisp
Health, Wellbeing and Environment Scrutiny	Ian Wilkes	Rupert Adcock
Economy and Place Scrutiny	Gary White	Robert Bettley-Smith
Finance, Assets and Performance Scrutiny	Mark Holland	Amy Bryan

[Watch the debate here](#)

**11. REVISED FINANCE AND CONTRACT PROCEDURE RULES**

The Leader introduced a report asking Council to adopt a new set of Finance and Contract Procedure Rules as they had not been substantially revised since 2020. The revised rules were attached as an appendix in the supplementary agenda.

- Resolved:**
- (i) That the new Finance and Contract Procedure Rules as set out in the appendix, be adopted; and,
  - (ii) That the Monitoring Officer be delegated authority, in conjunction with the Portfolio Holder One Council, People & Partnerships, to make such minor modifications as may be required to finalise the drafting and integrate the same into the Constitution.

[Watch the debate here](#)

**12. CONSTITUTION UPDATE**

The Leader introduced a report seeking Council's approval of the proposed changes to update the Constitution. The changes had taken place following adoption of the new Constitution at Annual Council in 2022.

The Leader proposed an amendment to the Constitution which was seconded by Councillor Holland:

'That Council resolves to add a new paragraph numbered 1.3, after the existing paragraph 1.2 in Section B4 of the Constitution. Section B4 contains the Council



Procedure Rules and Part 1 deals with proceedings at Annual Council. The new Paragraph 1.3 would read:

*No Member shall be nominated for election to the office of Mayor or Deputy Mayor, nor to a position of Chair or Vice-Chair of any committee, without consent first having been obtained from the Member being nominated'.*

- Resolved:**
- (i) That the changes at 1.1 and 1.2, relating to the Planning Committee, be approved:
    - 1.1 allowing 5 minutes for each public speaker to address the Planning Committee, and
    - 1.2 automatically referring to committee any application involving 10 or more dwellings or where the number of dwellings is not known.
  - (ii) That the changes required to reflect the recently amended Officer structure be approved.
  - (iii) That a change in name of Scrutiny Working Groups to Scrutiny Task and Finish Groups be approved.
  - (iv) That a new paragraph, as written in italics above be added to the Constitution.
  - (v) That the Monitoring Officer, in conjunction with the Portfolio Holder One Council, People & Partnerships be authorised to amend the Constitution accordingly.

[Watch the debate here](#)

13. **URGENT BUSINESS**

There was no urgent business.

14. **DISCLOSURE OF EXEMPT INFORMATION**

There were no confidential items.

**Councillor Gillian Burnett -Faulkner  
Chair**

Meeting concluded at 7.51 pm

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# Public Document Pack

**Council - 28/06/23**

## COUNCIL

Wednesday, 28th June, 2023  
Time of Commencement: 7.00 pm

[View the agenda here](#)

[Watch the meeting here](#)

**Present:** Mayor - Councillor Simon White (Chair)

Councillors:	Adcock	Grocott	Reece
	Allport	Heesom	Skelding
	Barker MBE	Holland	Sweeney
	Beeston	Fox-Hewitt	J Tagg
	Bettley-Smith	Hutchison	S Tagg
	Brown	Johnson	Talbot
	Burnett-Faulkner	S Jones	G White
	Crisp	D Jones	Wilkes
	Dymond	Lawley	G Williams
	Edginton-Plunkett	Moffat	J Williams
	Fear	Panter	
	Gorton	Parker	

**Apologies:** Councillor(s) Brockie, Bryan, Northcott, Richards, Stubbs, J Waring, P Waring, Whieldon and Wright

<b>Officers:</b>	Geoff Durham	Civic & Member Support Officer
	Martin Hamilton	Chief Executive
	Daniel Dickinson	Service Director - Legal & Governance /Monitoring Officer

Also in attendance:

### 1. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

### 2. **MINUTES OF THE COUNCIL**

The Leader spoke on the earliest set of Minutes recorded by the Council in 1368. The Minutes noted a Roger Letys as being elected as Mayor for the third time and by coincidence, in the Council's 850<sup>th</sup> year, the Current Mayor, Councillor Simon White was also in his third term of Office.

**Resolved:** That the Minutes, dated 1368 be received.

[Watch the debate here](#)

### 3. **HISTORY OF THE BOROUGH**

## **Council - 28/06/23**

Honorary Freeman of the Borough, Jim Worgan gave an address on the history of the Borough and its origins from 1066 to the present day.

The Royal Charter, issued in 1173 was long since lost. It was believed to have been loaned to Preston but never returned. The first record of Newcastle-under-Lyme as a town was in 1168.

[Watch the address here](#)

### **4. AN 850TH ANNIVERSARY COMMEMORATIVE RESOLUTION**

The Leader moved an 850<sup>th</sup> Anniversary Commemorative Resolution:

On the 850th anniversary of its Royal Charter, this Council looks back, with pride on the history and achievements of our ancient and loyal Borough and forward with optimism to its further progress and success.

The Leader spoke on the many events that had already taken place to celebrate the anniversary and of the events yet to happen.

This was also a year of opportunity with the £55m regeneration investment from the Government for Newcastle and Kidsgrove town centres.

The Resolution was seconded by Councillor Dave Jones who spoke about the Borough's history and ended by saying that the Borough was the best place to live, study and work.

Members agreed that the Borough was a place to be proud of.

**Resolved:** That the Commemorative Resolution be agreed

[Watch the debate here](#)

### **5. HIGH STEWARD**

The Leader introduced a report seeking support to re-establish the role of High steward for the Borough as part of the legacy programme of the 850<sup>th</sup> Year Celebrations.

Councillor Dave Jones proposed an amendment to the report that, in the event of the role of High Steward being re-established, the Chief Executive establish an independent Appointments Committee. The Committee would comprise of three Aldermen, agreed by Group Leaders. The Independent Appointments Committee would receive nominations for the role of High Steward and appraise the nominations before making a recommendation to Full Council for consideration for appointment. This was seconded by Councillor Fox Hewitt.

The Leader and seconder of the motion, Councillor Bettley-Smith accepted the amendment.

Councillor Gary White spoke about the historical significance of the Borough and stated that history showed that the re-election of High Steward had traditionally been upon the death of a Monarch and the subsequent coronation of the new Monarch.

**Resolved:** (i) That the historical role of the High Steward in Newcastle

- under Lyme be noted.
- (ii) That the Chief Executive, in consultation with the Leader of the Council be authorised to further investigate and pursue the relevant processes to re-establish the role of High Steward for Newcastle under Lyme.
  - (iii) That, should the role of High Steward be re-established, the Chief Executive establish an Independent Appointments Committee, comprising three Aldermen agreed by Group Leaders.

[Watch the debate here](#)

## 6. **850TH YEAR CELEBRATIONS AND LEGACY**

The Leader introduced a report giving an update on the 850<sup>th</sup> year celebrations and the legacy programme being delivered throughout the year.

The Leader made reference to paragraph 2.10 of the report, the awarding of a £1000 bursary, by the Council, to one of the cohort who went through the annual GivEnergy funded programme, outlined at paragraph 2.6, and subsequently secured a place at Keele University.

Further projects would be the installation of a statue of the late Queen Elizabeth II in the Queen's Gardens and the planting of the 850 Lyme Forest on the former Keele Golf Course.

Councillor Dave Jones had concerns regarding the bursary only being awarded to one of the cohort of ten and asked that Council consider expanding it to the whole cohort, should they secure a place at Keele University.

The Leader stated that Councillor Jones' comment would be considered.

- Resolved:**
- (i) That the progress made with the 850th Year Celebrations programme of activity, be noted.
  - (ii) That the development of the legacy programme including the following, be noted:-
    - (a) An annual award ceremony to celebrate individuals from our borough who make an outstanding contribution to their community
    - (b) An educational programme for young people, introducing them to sustainable engineering careers and University opportunities
    - (c) Commissioning a statue of the late Monarch Queen Elizabeth II for Newcastle under Lyme Town Centre funded through the sale of 11 limited edition bronze maquettes
    - (d) The 850 Lyme Forest

[Watch the debate here](#)

## 7. **APPOINTMENT OF HONORARY ALDERMEN FOR THE BOROUGH OF NEWCASTLE-UNDER-LYME**

The Leader read out the following resolution that was agreed at the Special Council meeting held on 23 November, 2022.

**Council - 28/06/23**

*That pursuant to Section 249 of the Local Government Act 1972 the undermentioned persons be admitted as Honorary Aldermen of the Borough of Newcastle-under-Lyme in recognition of their long and dedicated service to the people of the Borough through the performance of their duties as members of the Borough Council.*

The following Honorary Aldermen were awarded with their certificate:

Kyle Robinson-Payne  
Tony Kearon  
Marion Reddish  
Mary Maxfield  
Silvia Burgess  
Julie Cooper  
Mark Olszewski  
Elizabeth Shenton  
June Walklate

Sandra Simpson, who was unable to attend, would receive her certificate in due course.

[Watch the ceremony here](#)

**Mayor - Councillor Simon White  
Chair**

Meeting concluded at 8.19 pm

**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**

**EXECUTIVE MANAGEMENT TEAM'S  
REPORT TO**

**COUNCIL**

**26 July 2023**

**Report Title:** Appointment of Interim Monitoring Officer

**Submitted by:** Chief Executive

**Portfolios:** All

**Ward(s) affected:** All

<b><u>Purpose of the Report</u></b>	<b><u>Key Decision</u></b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
To seek formal confirmation to the appointment of an Interim Monitoring Officer, until such time as a permanent appointment to the post can be made.	
<b><u>Recommendation</u></b>	
That, in accordance with s5 of the Local Government & Housing Act 1989, Council be asked to confirm the appointment of Barbara Beardwell as the Council's Interim Monitoring Officer.	
<b><u>Reasons</u></b>	
To comply with the requirement of the Local Government & Housing Act 1989 that all local authorities appoint a Monitoring Officer.	

**1. Background**

- 1.1 Under section 5 of the Local Government and Housing Act 1989; the Council has a statutory duty to appoint a Monitoring Officer.
- 1.2 The Monitoring Officer has a number of statutory duties and responsibilities relating to the Council's Constitution and the Council's arrangements for effective governance. These include:
  - a. to report on matters they believe are, or are likely to be, illegal or amount to maladministration;

- b. to be responsible for matters relating to the conduct of Councillors and officers; and
- c. to ensure the Council's Constitution is up to date and fit for purpose.

## 2. **Issues**

- 2.1 The Council is currently without a permanent Monitoring Officer following the departure of the previous incumbent. Arrangements are in hand to recruit to the post on a permanent basis however to ensure a full and proper search and appointment is undertaken; the process is likely to take a number of months.
- 2.2 Barbara Beardwell has been interviewed and deemed competent; and has started providing support from 26<sup>th</sup> July 2023, pending this formal approval.

## 3. **Recommendation**

- 3.1 That in order to comply with our statutory duty, the Council approve the interim appointment of Barbara Beardwell as Monitoring Officer.

## 4. **Reasons**

- 4.1 To comply with statutory duties.

## 5. **Options Considered**

- 5.1 An option considered was to source a shared arrangement with one of our neighbouring authorities, however a satisfactory arrangement was not reached.

## 6. **Legal and Statutory Implications**

- 6.1 Under section 5 of the Local Government and Housing Act 1989; the Council has a statutory duty to appoint a Monitoring Officer

## 7. **Equality Impact Assessment**

- 7.1 n/a

## 8. **Financial and Resource Implications**



8.1 Budgetary provision has been made for this interim appointment

**9. Major Risks & Mitigation**

6.1 The Council needs to ensure that it has its three statutory officers in place to comply with legal requirements and to demonstrate good governance.

**10. UN Sustainable Development Goals (UNSDG)**

10.1 There is no direct impact on UNSDGs resulting from this appointment

**11. Key Decision Information**

11.1 N.a

**12. Earlier Cabinet/Committee Resolutions**

12.1 n/a

**13. List of Appendices**

13.1 none

**14. Background Papers**

14.1 n/a

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**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**

**EXECUTIVE MANAGEMENT TEAM'S  
REPORT TO**

**Council**

**26 July 2023**

**Report Title:** Receipt of a Petition Submitted under the Council's Petition Scheme

**Submitted by:** Deputy Chief Executive

**Portfolios:** Strategic Planning

**Ward(s) affected:** All

<b><u>Purpose of the Report</u></b>	<b><u>Key Decision</u></b> Yes <input type="checkbox"/> No <input type="checkbox"/>
To consider an e-petition, containing more than 1500 signatures, submitted to the Council regarding the emerging Borough Local Plan.	
<b><u>Recommendation</u></b>	
<p><b>That Council:-</b></p> <ol style="list-style-type: none"> <li><b>1. Note the contents of the petition and resolve that it be recorded as a consultation response to the First Draft Borough Local Plan. Consultation on the First Draft Local Plan ends on the 14 August 2023.</b></li> <li><b>2. That the petition, alongside a summary of other responses to the consultation on the First Draft Local Plan, be considered at a future meeting of the Economy and Place Scrutiny Committee and Cabinet.</b></li> </ol>	
<b><u>Reasons</u></b>	
To ensure that the issues raised in the petition are appropriately considered in the development of the new Borough Local Plan.	

**1. Background**

1.1 A petition has been received by the Council. The petition reads:-

*“We the undersigned petition the Council to review its targets for new housing in the Borough in the emerging Local Plan (given the recent flexibility offered by the*

*Secretary of State, Michael Gove), to greater reflect the actual need (both in number and type of dwellings), recognising that the central Government formula only produces a notional starting figure. We believe that this approach should be part of a genuinely community led, green and regenerative Local Plan. We believe that the review should take into consideration the most up to date population demographics from ONS and others, the various Housing Needs Surveys that have been undertaken throughout the Borough and the various Neighbourhood Development Plans within the Borough, as well as accepting the planning constraints imposed by the Green Belt.*

*We believe that the above approach acknowledges the exceptional circumstances that justify a more realistic calculation of needs (a flexibility that is stated in paragraph 61 of the NPPF). The exceptional circumstances include the following:*

- The falling population of the Borough (a 0.5% drop from 2011 to 2021) suggests a lower household forecast.*
- The constraint that a large percentage of the Borough's rural area that is in the Green Belt (approximately 50%).*
- The number of new dwellings built in the Borough in excess of the targets in previous years (32% over the target from the 2018-19 year to the 2020-21 year) and the fact the housebuilding has exceeded the increase in households over the past 10 years in the Borough.*
- The negative effect that largescale housing would have on the character of, and wildlife in, our rural areas. Also, the adverse impact that it could have on some rural parishes' Defra urban/rural classification”.*

1.2 The petition has been hosted online for people sign up to (from the 27.01.2023) and also made available in paper form. The paper copy has 427 signatures and 1,657 signatures have been submitted online. The signatures on the petition have been validated. In line with the Council's constitution, if a valid petition contains more than 1,500 signatures, it is to be considered and debated at Full Council.

## **2. Issues**

2.1 As set out above, a petition has been received by the Council in relation to the emerging Local Plan for the Borough. The first draft version of the Local Plan is out to public consultation from the 19<sup>th</sup> June until the 14<sup>th</sup> August 2023.

2.2 As the petition relates to the Borough Local Plan and its future direction and content, then it is considered appropriate for the petition to be recorded as a consultation response to the First Draft Local Plan. All responses to the consultation will be recorded, summarised and then reported to members in due course alongside officer recommendations as to how the Council may want to respond to the responses in taking the Local Plan forward.

- 2.3 Notwithstanding the comments made above in paragraph 2.2, a brief technical explanation of some of the issues raised by the petition is included below to inform Council's consideration of the petition.

### **Status of National Planning Policy Framework and Planning Practice Guidance**

- 2.4 The Levelling Up and Regeneration Bill is currently at the report stage in the House of Lords and has therefore yet to gain Royal Assent. The consultation on draft "reforms to national planning policy", which took account of potential changes advanced through the Bill took place between December 2022 and March 2023 and are not scheduled to be implemented until late 2024. A report setting out responses to the consultation has yet to be published by the Government. Alongside this, an update to the National Planning Policy Framework was planned to be published during Spring 2023, however this also is yet to occur. Therefore the Council cannot shape its Local Plan around the proposals set out within the reforms or proposed changes to the National Planning Policy Framework (NPPF). Rather, the Council must be guided by the existing NPPF. For the avoidance of doubt then, Local Plans must continue to be prepared in accordance with NPPF dated July 2021.
- 2.5 The Department for Levelling Up, Housing and Communities (DLUHC) continues to encourage local authorities to progress Local Plan making to ensure they have an up-to-date Local Plan in place and in a timely manner. There are also other important reasons for the Council to continue with Plan making, not least to ensure an ongoing five year supply of housing, in line with expectations included in the National Planning Policy Framework.
- 2.6 Whilst national guidance does allow a degree of flexibility in interpretation it does not allow the Council to ignore the standard methodology for determining housing needs. Statements made by the Government in Parliament surrounding the calculation of housing requirements were precursors to consultation on potential changes to national guidance however at present time guidance remains unchanged.

### **Approach to calculating housing need**

- 2.7 Paragraph 61 of the NPPF advises that to *determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – **unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals (emphasis added)***. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.
- 2.8 The standard method calculation asks Councils to use the 2014 based household projections as a baseline for calculating their respective housing

need. The Housing and Economic Needs Assessment (Turley's, 2023) prepared as part of the evidence base for the First Draft Local Plan has used the standard method, in line with national planning guidance as a starting point. The Housing and Economic Needs Assessment (2023) suggests that there are no exceptional circumstances to suggest that housing need in the area should be lower than that set out. To sense check this and as part of the work carried out, the Council-appointed consultants have reflected on the implications of the 2021 Census data and the study has been prepared in line with current national planning guidance. Furthermore, it is also important that the Local Plan responds to market signals, for example on affordability and its alignment between the level of jobs growth proposed in the Local Plan, and its local housing offer.

### **First Draft Local Plan**

2.9 The First Draft Local Plan has been published for consultation, from the 19 June until the 14 August 2023. The Plan is supported by a suite of evidence based documents which has informed the Council's position on a number of matters in the First Draft Local Plan. It is recognised, that having regard to Green Belt matters for example, that the Council is required to demonstrate exceptional circumstances to release sites from the Green Belt. The Council has published its site selection report and a supporting paper on exceptional circumstances and residents and communities will have the opportunity to comment on all the evidence published to support the First Draft Local Plan, during the consultation on the Plan.

2.10 It is also important to note that this is the *First Draft* of the Local Plan. The Council will reflect on consultation responses and new evidence as it arises in preparing the next iteration of the Local Plan. Ultimately, Local Plans are examined by independent planning inspector(s) to assess whether they have been prepared in accordance with legal and procedural requirements and whether they are 'sound'. Plans are 'sound' if they are positively prepared, justified, effective and consistent with national policy to enable the delivery of sustainable development.

### **3. Recommendation**

3.1 That Council

- **Note the contents of the petition and resolve that it be recorded as a consultation response to the First Draft Borough Local Plan. Consultation on the First Draft Local Plan ends on the 14 August 2023.**
- **That the petition, alongside a summary of other responses to the consultation on the First Draft Local Plan, be considered at a future meeting of the Economy and Place Scrutiny Committee and Cabinet.**

### **4. Reasons**

- 4.1 To ensure that the issues raised in the petition are appropriately considered in the development of the new Borough Local Plan.

## **5. Options Considered**

- 5.1 There are no alternative options. The petition has reached the required 'trigger' in line with the constitution and consequently should be considered and debated at Full Council.

## **6. Legal and Statutory Implications**

- 6.1 The petition has been prepared and accepted in line with the requirements of section A3 of the Council's constitution (May 2023)
- 6.2 The Local Plan is a statutory requirement and needs to conform to the requirements set out within the Planning and Compulsory Purchase Act, 2004 ("the 2004 Act") and the Town and Country Planning (Local Planning) (England) Regulations 2012 ("the 2012 Regulations"). The National Planning Policy Framework (July 2021) and the National Planning Practice Guidance, contain guidance on how to prepare a Local Plan and this has been taken into account in the preparation of this report together with the legal requirements as set out in 2004 Act and the 2012 Regulations.

## **7. Equality Impact Assessment**

- 7.1 The First Draft Local Plan is supported by a Sustainability Appraisal, incorporating an Equality Impact Assessment, of the draft Plan proposals. This document has been published, alongside the First Draft Local Plan and comments can be made on the Sustainability Appraisal during the consultation stage, up to the 14 August 2023.

## **8. Financial and Resource Implications**

- 8.1 There are no financial implications arising directly from this report.

## **9. Major Risks & Mitigation**

- 9.1 To consider the petition outside of the Local Plan consultation process  
If the petition was considered outside of the consultation process on the First Draft Local Plan then there would be a risk of creating parallel processes regarding the strategic direction of the Local Plan. There would also be a risk of not appropriately reflecting the views of residents who have signed the petition in the First Draft Local Plan. It is therefore proposed to consider the petition as a consultation response to the First Draft Local Plan.

9.2 Failure to demonstrate transparency and inclusiveness in our engagement and consultation with stakeholders on strategy development - If an aggrieved party feels the process has not been followed correctly then it may launch a challenge to the validity of the plan through the judicial review process. It is therefore important that the plan presents itself in a manner where each party has the opportunity to present their case fully. Including the petition as a consultation response to the First Draft Local Plan supports transparency and inclusiveness in the Council's consultation processes.

## 10. UN Sustainable Development Goals (UNSDG)

10.1 As the Local Plan is primarily focused on the use of land and properties and how these relate to peoples use of the environment a number of the UN Sustainable Development Goals will overlap with the aims of the Plan.



## 11. Key Decision Information

11.1 N/A

## 12. Earlier Cabinet/Committee Resolutions

12.1 Cabinet – 06 June 2023. Please follow this link: - <https://moderngov.newcastle-staffs.gov.uk/documents/s40137/Local%20Plan%20Cabinet%20Report%20June%202023%20Final.pdf> Cabinet approval to consult on the First Draft Local Plan

## 13. List of Appendices

13.1 N/A

## 14. Background Papers



14.1 The First Draft Local Plan and associated evidence base documents can be accessed using the following website link:- <https://www.newcastle-staffs.gov.uk/localplan>

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## NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

### CABINET'S REPORT TO COUNCIL

26 July 2023

**Report Title:** Corporate Peer Challenge Outcome and Action Plan

**Submitted by:** Council

**Portfolios:** One Council, People & Partnerships, Finance, Town Centres & Growth

**Ward(s) affected:** All

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

To provide Council with the opportunity to formally receive the Local Government Association's Corporate Peer Challenge report on Newcastle under Lyme Borough Council, and the Action Plan which has been prepared in response.

#### **Recommendation**

##### **That Council:**

1. Receive and consider the Local Government Association's Corporate Peer Challenge report; and
2. Approve the Action Plan prepared in response to the LGA's recommendations.

#### **Reasons**

The development of an Action Plan is a requirement placed on local authorities when they agree to undertake a Corporate Peer Challenge, in order to set out how they intend to respond to the LGA's recommendations from the review.

## 1. **Background**

- 1.1 The Borough Council agreed to receive a Corporate Peer Challenge earlier this year as part of the LGA's sector improvement offer. The visit was hugely successful, both in its smooth running and array of partners and stakeholders involved, but also in the positive outcomes reported at the end of the week.
- 1.2 The Peer Team's final report has now been agreed for publication and the Council has a duty to publish an Action Plan to sit alongside it, which responds to the eight key recommendations made.
- 1.3 Appendix 1 of this report is the LGA Corporate Peer Review final report.
- 1.4 Appendix 2 of this report is the Council's Action Plan prepared in response to the LGA's recommendations.
- 1.5 The draft Action Plan responds to the eight key recommendations made by the LGA Peer Team in their final report following the Corporate Peer Challenge in March of this year. The recommendations are designed to help the Council make further improvements to its already strong position, as acknowledged in the report. The LGA's recommendations will make a welcome contribution to the Council's commitment to continuous improvement.
- 1.6 The actions, grouped against the themes bulleted below, are owned at senior leader level, with clear implementation dates and deliverables. Once agreed by Council, the actions will be

monitored by the Strategic Hub in order to help ensure that good progress can be demonstrated by the time of the LGA return visit later this municipal year. The themes covered are:

- One Council Programme
- Capacity
- Regeneration
- Finance and Budgets
- Governance
- Partnerships

1.7 Upon member approval and appropriate scrutiny, the final report from the LGA and our accompanying Action Plan will be published on the Council website. The LGA will also publish the final report on their own site.

1.8 Some of the actions detailed are already underway and the remainder will commence imminently. Progress will be monitored centrally and reported back to members at periodic points, prior to the LGA's return visit.

## 2. **Proposal**

**That Council:**

- **Receive and consider the Local Government Association's Corporate Peer Challenge report; and**
- **Approve the Action Plan prepared in response to the LGA's recommendations.**

## 3. **Legal and Statutory Implications**

3.1 None from this report.

## 4. **Equality Impact Assessment**

4.1 Local authorities have a responsibility to meet the Public Sector Duty of the Equality Act 2010. The Act gives people the right not to be treated less favourably due to protected characteristics. There are no differential equality issues arising directly from this report.

## 5. **Financial and Resource Implications**

5.1 The Action Plan is designed to build on the Council's already strong financial management.

## 6. **Major Risks**

6.1 No new major risks have been identified through the process of developing the Action Plan.

## 7. **UN Sustainable Development Goals and Climate Change Implications**





8. **Key Decision Information**

8.1 This is not a key decision.

9. **Earlier Cabinet/Committee Resolutions**

9.1 This report was considered at the July Cabinet meeting

10. **List of Appendices**

10.1 Corporate Peer Report (Appendix 1), Council Action Plan (Appendix 2).

11. **Background Papers**

11.1 Working papers held by officers responsible for managing the Peer Challenge.


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# LGA Corporate Peer Challenge

Newcastle-under-Lyme Borough  
Council

28<sup>th</sup> – 30<sup>th</sup> March 2023

Feedback report



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## 1. Executive summary

Newcastle-under-Lyme Borough Council (NULBC) had its previous Corporate Peer Challenge (CPC) in 2012 and much has changed since this time, including the leadership of the council from a Labour to Conservative administration, with a new Leader, and also a new CEX who started in 2019. The peer team heard how the Leader and CEX are widely respected internally and externally - recognised for their commitment to improving the Borough. No better example could be the exemplary work which has been led on behalf of the Borough's communities to address the environmental issues related to Walleys Quarry since 2020.

There is clear leadership from the Cabinet and senior officers and their visibility and accessibility is appreciated by NULBC staff and partners. The council's Castle House office, opened in 2018, has contributed to this – bringing NULBC, Staffordshire County Council (SCC) and Police teams together – within a modern workplace helping to provide efficiencies and opportunities for closer working between the council and its partners.

There is a strong pride of place and Newcastle-under-Lyme has a distinct identity. Both Members and staff are proud of the place and look to champion and make the most of its range of assets including: building on the history (through a programme of events for the Borough's 850 year charter celebrations in 2023); reflecting the cultural contributions of its communities including the development of the Astley Centre for Circus (as the birthplace of Philip Astley who invented the modern circus); the award winning parks and open spaces; and education and skills through the Digital Society Centre with Keele University to create a hub for students and for the wider community. Without exception all Members and staff the peer team met wanted to deliver positive outcomes for the Borough and its communities.

The council's approach to partnership working is particularly strong and the role it has in bringing others together to collaborate is highly valued for the outcomes




delivered. The peer team consistently heard how well the council is working with all its partners noting how it ‘brings people together and makes things happen’. An often cited example of this is the work of partners and the council through the Vulnerability Hub to facilitate intensive multi-agency support for individuals in the most need. In doing this the council is an equal partner and is flexible about how the work is best delivered, working collaboratively.

This is a critically important moment for the Borough. The £51M Town Deal and Future High Streets programmes are clear priorities for the council and widely recognised as being ‘once in a lifetime’ opportunities to deliver its aspirations for the place. These are ambitious projects which the council has secured through working with partners on a successful bid. Due to the economic conditions these are challenging times for delivering capital projects. Therefore, the approach adopted by the council for scheduling these programmes is critical. Consideration of the resources, capacity to deliver and the external environment will be factors to be kept under constant review.

The council’s finances are healthy, and actively managed, which places it in a stable position. The One Council Programme is important to NULBC as the key means for delivering its future work and addressing some of the financial challenges. This transformation programme already has a lot of recognition and buy-in from council staff, with officers supportive of the benefit of the changes and keen to be clearer on the next steps. The council will want to ensure that the following phase is scheduled, widely understood and the appropriate levels of support and capacity across the organisation is in place to deliver the intended outcomes.

Council officers are recognised as important assets for NULBC and they are committed and keen to deliver for the communities. The council is actively supporting staff development through apprenticeships and training and is putting in additional plans to provide development opportunities and facilitate succession planning. NULBC will also want to remain conscious of the impact that staff sickness and recruitment and retention issues are having in particular areas of the council.



NULBC is competing with neighbouring councils and employers when attracting staff and will want to consider how to market the unique offer the Borough has for prospective applicants.

Newcastle-under-Lyme BC has set out its ambitions for the place and its communities and attracted enviable amounts of Government funding to deliver physical regeneration. The council recognises that 2023 is a significant point as it celebrates the 850th anniversary of the granting of the first charter and it looks forward towards an exciting time for the Borough's future.

## 2. Key recommendations

There are a number of observations and suggestions within the main section of the report. The following are the peer team's key recommendations to the council:

### **Recommendation 1**

Everyone is signed up to the One Council programme. Regularly review the alignment of resources to the programme and ensure staff are kept updated on its achievements

### **Recommendation 2**

Continue to consider the capacity needs of the organisation and the ability to flex resources to deliver council services and ambitions

### **Recommendation 3**

The council has a 'once in a lifetime' opportunity and ambition for high quality regeneration - consider how you schedule delivery to maximise impact

#### **Recommendation 4**

Consider how to keep partners better informed on the progress of regeneration projects

#### **Recommendation 5**

Recognising strong financial management, it is important to continue to promote joint responsibility and accountability for the financial health of the organisation and to put in place robust plans and governance to meet future financial challenges

#### **Recommendation 6**

Build on the recent successes in Scrutiny regarding Budget Scrutiny and Walleys Quarry and consider how this approach can be incorporated to ensure Scrutiny works effectively across the organisation

#### **Recommendation 7**

Consideration should be given for how the council can remain fully involved in discussions to develop and shape post-LEP arrangements and further collaboration with other Councils across the County

#### **Recommendation 8**

The council can build on the fantastic relationships it has with partners and work together to deliver its strategic ambitions

### **3. Summary of the peer challenge approach**

#### **3.1. The peer team**

Peer challenges are delivered by experienced elected Member and officer peers. The make-up of the peer team reflected the focus of the peer challenge and peers were selected on the basis of their relevant expertise. The peers were:

- Larissa Reed (CEX - Swale BC)
- Cllr Peter Fleming (Leader - Sevenoaks DC)
- Sue Cuerden (Executive Director for Corporate Services & Assets, S151 Officer - Basingstoke and Deane BC)
- Natalie Wigman (Corporate Director - Eastleigh BC)
- Max Taylor (National Graduate Development Programme Trainee – Warwickshire CC)
- James Millington (Peer Challenge Manager - LGA)


### 3.2. Scope and focus

The peer team considered the following five themes which form the core components of all Corporate Peer Challenges. These areas are critical to councils' performance and improvement.

1. **Local priorities and outcomes** - Are the council's priorities clear and informed by the local context? Is the council delivering effectively on its priorities?
2. **Organisational and place leadership** - Does the council provide effective local leadership? Are there good relationships with partner organisations and local communities?
3. **Governance and culture** - Are there clear and robust governance arrangements? Is there a culture of challenge and scrutiny?
4. **Financial planning and management** - Does the council have a grip on its current financial position? Does the council have a strategy and a plan to address its financial challenges?
5. **Capacity for improvement** - Is the organisation able to support delivery of local priorities? Does the council have the capacity to improve?

### 3.3. The peer challenge process

Peer challenges are improvement focused; it is important to stress that this was not an inspection. The process is not designed to provide an in-depth or technical



assessment of plans and proposals. The peer team used their experience and knowledge of local government to reflect on the information presented to them by people they met, things they saw and material that they read.

The peer team prepared by reviewing a range of documents and information in order to ensure they were familiar with the council and the challenges it is facing. The team then spent two and a half days onsite at NULBC, during which they:

- Gathered information and views from more than 40 meetings onsite and virtually, in addition to further research and reading
- Spoke to more than 100 people including a range of council staff together with Members and external stakeholders.

This report provides a summary of the peer team's findings. In presenting feedback, they have done so as fellow local government officers and Members.

## 4. Feedback

### 4.1. Local priorities and outcomes

NULBC has a good knowledge of its communities and their needs which has shaped the development of the council's priorities. This is because Members are active and staff are engaging with communities, alongside utilising data to understand the Borough's challenges. The council has used national and local datasets to create the new 'State of the Borough' Digest and Experian's MOSAIC data on customer segmentation. The Council Plan 2022-2026 was approved in November 2022 and clearly sets out the council's priorities as:

- Priority One: One Council Delivering for Local People
- Priority Two: A Successful and Sustainable Growing Borough
- Priority Three: Healthy, Active and Safe Communities


- Priority Four: Town Centres for All

This Plan is unambiguous and reflects the challenges and opportunities facing the council and the Borough.

A new approach to performance monitoring of the Council Plan has been introduced with the creation of a Strategic Hub and a performance management framework. The council recognised an opportunity to strengthen its monitoring and invested in additional capacity to ensure a closer alignment between service delivery and the council's ambitions. The Hub co-ordinates this work and ensures performance is monitored and reported across NULBC. NULBC will want to ensure that this approach is effectively integrated across the council in 2023/24 and utilise the business intelligence tools to adjust activity to achieve the outcomes it is anticipating.

During 2020, and in light of the Covid-19 pandemic, the council reviewed how it operates to deliver outcomes and applied learning from this experience to review its future operations. The One Council Programme was developed from the council's keenness to build on the experience of working flexibly and proactively for its communities and driving efficiency through service redesign and digital investment, with relevant staff development and an enhanced focus on performance management. The aims of the transformation are to deliver a financial benefit to the council, but the wider aims are to provide staff with 'the ability to see transformation and continuous improvement as a way of working'. The One Council Programme aims to direct resources to the priorities identified in the Council Plan and the peer team heard from staff that there are clear links from these plans to the activity of staff.

The peer team heard much about the change activity, particularly around the ambitious regeneration programme. This is rightly a focus for the council. At the same time NULBC will also want to ensure that statutory services are maintained. These are just as important as the big change projects and NULBC will want to



ensure that the focus remains on both aspects of council activity. The enhanced performance management arrangements will help keep a close overview on service delivery. A regular review of activities and resources may be helpful.

Local partners are clear about what NULBC is aiming to achieve through the regeneration plans in Newcastle-under-Lyme and Kidsgrove. Partners articulate a clear and consistent plan from the council and cite the strength of the council in maintaining this focus – NULBC is not incoherently changing projects and ideas. NULBC is working closely with its partners to seek the best outcomes for these programmes, engaging appropriately and utilising their knowledge and experience for the benefit of the Borough. This includes the Aspire Housing Association Executive Director of Place as the chair of The Kidsgrove Town Deal Board and the Vice Chancellor of Keele University as chair of The Newcastle-under-Lyme Town Deal Board.

The council has harnessed critical external funding opportunities to support the delivery of its ambitions. The £51M Town Deal and Future High Streets programmes are clear priorities for the council and widely recognised as being ‘once in a lifetime’ opportunities to deliver its aspirations for the place. The council has been proactive in taking advantage of this by bidding for funding to deliver its priorities. This is a time consuming process but NULBC has focused its efforts on attracting the funding for the longer term rewards. All the partners the peer team met with recognised the critical role the council has played in this and support NULBC’s approach.

The council recognises the health and wellbeing challenges facing its communities and is a key priority in the Council Plan. NULBC takes its role here seriously, utilising and developing its assets and providing attractive and inviting outdoor spaces including: six Green Flag parks; the Britain in Bloom programme; and a new BMX Pump Track and 3G football pitches in Kidsgrove. The leisure offer within the Borough is important to the council and this has included improvements to the Jubilee2 leisure centre in Newcastle-under-Lyme town centre and the refurbishment and reopening of Kidsgrove Sports Centre – with the centre transferred to a local






trust.

The council is passionate about the sustainability agenda and has articulated how it is playing a crucial part through its Sustainable Environment Strategy. A target has been set to meet net zero for the council's own estate and activities by 2030, and for the wider borough by 2050. NULBC is leading the way through: opportunities in the new Local Plan; the use of alternative technologies and using Hydro-treated Vegetable Oil (HVO) in the majority of the waste and streetscene vehicles to reduce emissions; and a programme of tree planting across the Borough. The Leader is the Cabinet Member for Environment, Infrastructure and Climate Change at SCC and chairs the Staffordshire Sustainability Board below the Staffordshire Leader's Board. NULBC led work to establish '10 base pledges' to which all the Staffordshire councils have committed.

#### **4.2. Organisational and place leadership**

The Leader and CEX are seen as effective both within the council and externally, and have delivered a 'step change' in the council's approach to partnership working. This was particularly noted by the council's partners who felt that the community engagement and political leadership role was very strong on the key issues of local importance and challenge. Partners look to the council for leadership, and receive it. A consistent theme was the positive way NULBC has responded to the issues around Walleys Quarry.

The Leader's critical role in addressing the issues from Walleys Quarry was often cited as demonstrating the council is an effective place leader. Since 2020 the council has been addressing the environmental issues of Hydrogen Sulphide (H<sub>2</sub>S) from the local landfill site. Gaining national coverage and debated in Parliament this has led to more than 20,000 complaints received by the council. This has been a significant focus for NULBC and its role in leading on behalf of communities is recognised as being central to the current positive position in securing an Abatement




Notice against the site operator. Partners agreed that the council came together and stood up to lead the community response 'above and beyond' what is typical. The ongoing commitment of the council to this cannot be overstated and the peer team recognise the crucial role it has played in committing resources and capacity to this.

There are very strong partnership relationships in place and developing and nurturing these is a key strength of NULBC. The council's role in bringing others together to collaborate is highly valued for the outcomes delivered and the effort the council makes is widely appreciated and it is seen as an important and proactive partner by the public, voluntary and community sector.

The peer team consider the multi-agency Vulnerability Hub as sector leading and a great example of the strong partnership work delivering impressive outcomes. The first Hub where partners came together to discuss individuals and families identified as the most vulnerable was held in September 2017. With representation from NULBC, Police, adult social care, children's social care, mental health, the fire service, local housing providers, and third sector organisations cases are dealt with efficiently. This is working well and handled more than 1,100 cases since inception - delivering impressive outcomes with partners to address homelessness, rough sleeping and health and wellbeing issues. Partners all have the same passion to make the difference and with no hierarchy – with everyone's contribution being equally valued.

To enhance the relationships with partners there could be further consideration about how to keep them informed on progress and council decisions. For instance, partners would welcome more information on where decisions are to be made and the timescales involved. This might be particularly important during the current regeneration programme activities to ensure all partners remain sighted on this important activity.

NULBC has 446 staff (392 FTE) across nine service areas including in-house



operational services for waste, recycling and street scene. Sickness absence is currently around 10 days per FTE, at a cost of £390k last year. The council recognises that its staff are one of its greatest assets and has undertaken a health and wellbeing 'Thrive at Work Health Needs Assessment' survey to understand their needs. Headlines from this survey in December 2022 positively show that:

- 92% of respondents agree that they understand how their work contributes to the objectives of the council
- 93% of respondents agreed that they can use their personal initiative or judgement
- 84% agree that they can have 1:1 meetings with their line manager
- 81% agree that there is good cooperation between colleagues

Responses for further development and exploration which the council is addressing include:

- 47% of respondents feel under strain at work
- 53% of respondents feel communications is good at work
- 40% of respondents feel there are opportunities for staff to develop and progress in the organisation

The council is exploring this feedback and this will inform the basis of a new Workforce Strategy to respond to the findings. This will include themes around: Engagement and Cultural Development; Developing Compassionate, Strategic Leadership Competencies and Behaviours; Resourcing and Workforce Planning; Inclusion, Diversity and Allyship; Operational Excellence and Performance; and Wellbeing. NULBC has a good relationship and works closely with the trade unions and will continue to work closely with them on workforce matters. Particular examples cited were where close working facilitated the flexible use of staff to



support service delivery and provide support to communities during the pandemic.


A new management structure will be implemented from April 2023 and the current Heads of Service will 'play a greatly enhanced role in the visible leadership of the corporate body'. These changes will provide opportunities to create capacity and provide NULBC staff with new and exciting projects through the rotation of staff and stepping-up to lead on key activities for a period of time. It is clear that NULBC is considering the importance of succession planning for the organisation and building capacity within the senior team. The focus on developing internally is important given the challenges in the recruitment of certain roles. The council will want to remain agile on these proposed changes to the Executive Management Team (EMT). These are innovative changes and ensuring they are monitored on roll-out, considering the impact on staff and heads of service, and flexed and adjusted if things are not working as anticipated will be important.

#### **4.3. Governance and Culture**

The Leader and CEX are available and visible and this accessibility is valued by council staff and partners. The ability for individuals to be able to contact senior managers of the council and to raise issues and opportunities in an open and transparent way is appreciated.

NULBC is Conservative controlled and operates a Leader and Cabinet model. The peer team heard that Cabinet has priorities which are clearly articulated within the Council Plan 2022-2026 and that this reflects their manifesto. There is good experience and knowledge within the Cabinet and the wider group of Members, and more recently elected councillors are keen to play a full part on the council, and further develop and utilise their skills for the benefit of the Borough.


There is clarity on the roles of officers and Members with good relationships in place between Members and officers. The political and officer groups work well together



with Members speaking highly of the advice and reports which they are provided. NULBC adopted the LGA Model Code of Conduct in May 2022 and there is a process in place for dealing with complaints. There have been very few complaints against NULBC Members since January 2020, and no findings of a breach of the Code.

There are some good examples of cross-party working and good practice identified within the council's scrutiny arrangements. This has included around the Budget Scrutiny process and the work on Walleys Quarry. Members of the scrutiny committees can continue to build on the important role they have in challenging and supporting the council to deliver using learning from these as a blueprint for other work. Officers play a key role in supporting this and a 'Scrutiny Champion' who is the EMT officer most closely aligned to the particular committee ensures that the work of Scrutiny has the appropriate profile. The LGA has recently delivered sessions for NULBC Members on scrutiny and would be happy to offer any further support which the council identifies.

The council offers Members development and support both through the NULBC, and therefore open to all councillors, and the political groups providing their own support which may include mentors for those who are newly elected. NULBC-led Member development has included: the induction programme for Members following the 2022 elections; the introduction of all Member events to brief councillors on specific issues such as on Walleys Quarry, council budgets, One Council; and specific support to Members involved in the work of the licensing and public protection, planning and audit and standards committees. The council's recently developed Member intranet is still to be more widely accessed by all Members. The council will wish to consider regularly updating this to provide information on: development and support, including that which is accessed through the LGA; promoting the use of available meeting spaces for all Members; and signposting key contacts at partner organisations and SCC. The peer team were aware of discussions including access to IT equipment and committee papers for Members and the approach taken to deliver meetings effectively. The council will want to ensure that its processes and support remains




adequate and Members continue to have opportunities to raise issues. Ongoing development and support needs for all Members should be kept under consideration to ensure the council is addressing the needs of newer and more experienced councillors.

Whilst on site the peer team were pleased to be able to join a council THRIVE Group meeting. This is chaired in partnership between HR and the trade unions which focuses on staff wellbeing, and is attended by the Portfolio Holder - Community Safety and Wellbeing to provide political input and leadership. This was an engaging session where staff were keen to support each other, share ideas around staff welfare and discuss their health and wellbeing plans for upcoming events and celebrations. This forum is appreciated and is an important component in the council's support offer for its staff and the development of policies including the Fostering Friendly Policy, an Employee Led Volunteering Scheme and the training and roll out of Mental Health First Aiders.

The council does have an Equality, Diversity and Inclusion Policy but this is recognised as an area which needs more work. There is some good practice including the activity of the THRIVE group but equalities impact assessments and other tools are not as widely utilised as the council may wish. The emerging Workforce Strategy is seen as an opportunity to embed a culture which reflects the council's commitment to equalities and for NULBC to be an organisation which celebrates, supports and welcomes diversity and actively promotes inclusive processes and practices.

A positive organisational culture is integral to the One Council Programme and the future Workforce Strategy. The peer team heard from staff who enjoy working at the council, have good positive relationships with colleagues with lots of informal peer support already in place across the organisation. The council will want to consider how to build on this and work with staff to develop this further. Internal communications such as Team Talk and the recently introduced internal communications e-bulletin, CastleNEWS, are appreciated by staff and a response to



the staff feedback regarding communications. NULBC staff are actively engaging in these also creating their own content to share with colleagues.


The delivery of the council's ambitious priorities may require staff to be upskilled in particular areas, for instance around project management. Staff may already be confident they have the skills to deliver but understanding where there are any gaps would help NULBC to respond and support staff development. Undertaking a skills audit with officers might be a helpful means of then focusing training and development support to staff.

A full review of the Annual Governance Statement may be beneficial to be clearer on the key risks, associated actions and delivery. Whilst the internal controls are strong on finance processes and practices, further consideration should be given to ICT, General Data Protection Regulation (GDPR) and projects. These are important and could impact on the overall audit opinion for the council. The peer team understand that staff turnover may be a factor in this and with recent appointments will now be picked up.

#### **4.4. Financial planning and management**

NULBC has strong financial leadership and overall financial management, and fully recognises future potential financial pressures and challenges. The council's finances are healthy, and actively managed, which places it in a stable position. The council places significant focus on its overall financial resources to ensure that there is financial resilience in the Medium Term Financial Strategy (MTFS) and consideration is given to the longer term position and how the budget gaps can be addressed.

The finance team is well respected across the council and is promoting wider good financial management. The council operates a robust process for identifying potential budget proposals - pressures and savings - with significant involvement of



Members and key staff in developing the proposals. Early engagement and sound processes contribute to the robustness of proposal development and means that between 90 – 95% savings proposals are then subsequently achieved. In doing so the council is managing its financial position well. Discussions are now being considered for how to close revenue budget gaps in future years.


NULBC is good at identifying external factors – particularly in 2023/24 - and recognising that the economy is recovering and inflation pressures remain. Whilst positive action has been taken to put provision for potential additional revenue pressures in the 2023/24 financial year, there are a number of potential calls on this funding with regards to the additional pay award, loss of service income and further inflationary pressures. As such the council may wish to:

- Consider any other management actions now and have these ‘ready to go’ in-year should the need arise
- Undertake some benchmarking of its fees and charges with other areas. This may be useful for informing political decision making
- Review the council’s Commercialisation Strategy and consider the impacts of Covid-19 alongside the further roll-out of the One Council Programme.

The One Council Programme is on track to deliver the recurring savings of £1M per annum at the end of 2022/23. The Programme is in its second year and this represents good value from the £1.2M original investment. The council should consider if the current arrangements around the One Council Programme will provide sufficient resources and capacity to deliver the clear drive and outcomes of the Council Plan and consider the appropriate scheduling and alignment of funding to the programme.

Whilst consideration is being given for how to meet the future years’ revenue budget gaps, significant reliance has been placed on the One Council Programme. The council may want to consider what other actions are needed to ensure the ongoing financial resilience of the council – through the current known challenges around pay





and inflation, as well as the unknown challenges. This may include the council reducing or stopping activity to concentrate on its ambitions.

Significant additional funding of £51M has been secured from the Government for the regeneration of the Borough with successful partnership working arrangements put in place to support the delivery of the key projects. However, this funding may not now be sufficient to meet the original aspirations for the funding in the current economic and market conditions. There may be a need to be flexible in the delivery plans, in order to respond to market conditions and changes in timescales, with clear understanding of affordability and resources available to deliver the projects. There is also a further need to consider the position following the demolition works, for how future development on the sites is funded and delivered. As things progress the governance should remain tight so that everyone continues to be clear what the funding will deliver and that this is being monitored appropriately.

The council has had great success in attracting Government funding and it can continue to build on its strong local partnership approach to continue to look at opportunities to attract additional further funding and to deliver strategic ambitions.

NULBC's capital programme is utilising external funding. The council is currently considering a proposal to undertake some borrowing – which it has not done in some time. It would be prudent to obtain some external advice and to test the council's assumptions to ensure what it is planning is achievable and deliverable.

#### **4.5. Capacity for improvement**

The One Council Programme considered the experience and lessons learnt during Covid-19 and NULBC has reflected on how to take this forward. Staff the peer team met spoke of the one front door ambitions and how this was borne out of the needs of communities and the council during the pandemic. This was a good use of the positive experience from what was a difficult and challenging time and illustrates the




ability of the workforce to respond to challenges and change in a positive way.

Whilst staff are supportive of the One Council Programme and are working hard to deliver it, consideration should be given for how staff are supported to deliver the programme in a more sustainable way. Staff are committed to this and at the same time are delivering this as part of their day jobs. The council will want to review how to support staff with this and how it is delivered over the long term.

Work has been undertaken to develop the performance management culture of the organisation and to ensure NULBC's priorities are fully aligned and integrated into Priority Delivery Plans (PDPs), which inform individual employee objectives. This provides a clear link from the strategic to the operational. Good performance monitoring arrangements will report into Cabinet. This means the council will understand the performance and where to focus attention. Importantly, staff are signed up to this and own it so that the council is clear on its priorities and what needs to be done.

Staff the peer team spoke to enjoy working for the council and are proud of the role the council has locally. They appreciate the support offered to officers including through apprenticeships and how the council is supporting staff through professional skills programmes. This 'train your own' approach also offers good value for NULBC against recruitment costs and issues. NULBC is focused on the importance of succession planning including the senior staff rotations to build experience in officers and enhance the capacity of the council.

NULBC will want to remain aware of the impact that staff sickness and recruitment and retention issues are having in areas of the council. The council is ambitious and is delivering critical projects whilst ensuring statutory service delivery is maintained. The council will want to be mindful of the capacity and scheduling when driving activity forwards. Additionally, similar to other councils, there are challenges in recruiting staff into particular areas including Finance, Planning and Legal services.



Further considering the council's approach for attracting and developing staff may be valuable in helping to address this. Levels of remuneration is a recognised issue and there are other employers which the council is in competition with when recruiting staff. Continued opportunities for staff training and development will be important, ensuring there is a consistent approach which all staff are able to access. This may be more challenging to deliver when finances are tighter but is important to the culture of the organisation and its ability to deliver - and will help with recruitment issues over the longer term. Existing staff were complimentary about the flexible working policies and the benefits and support offered and NULBC may want to consider how to best promote this to attract potential future staff too.

A number of important and underpinning strategies and policies are to be reviewed including around Workforce & ICT and Digital. The council is aware that this work is important, so setting out the expectations and timeframes for completion may be helpful in order to finalise.

## 5. Next steps

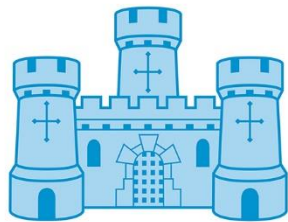
It is recognised that senior political and managerial leadership will want to consider, discuss and reflect on these findings.

Both the peer team and LGA are keen to build on the relationships formed through the peer challenge. The CPC process includes a six-month check-in meeting. This will be a short, facilitated session which creates space for the council's senior leadership to update peers on its progress against the action plan and discuss next steps.

In the meantime, Helen Murray, Principal Adviser for the West Midlands, is the main contact between your authority and the LGA. Helen is available to discuss any further support the council requires [Helen.murray@local.gov.uk](mailto:Helen.murray@local.gov.uk).

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# CORPORATE PEER CHALLENGE: ACTION PLAN 2023-24



NEWCASTLE·UNDER·LYME  
BOROUGH COUNCIL

Theme / Recommendation	Actions	Deliverable / Outcome	Director Lead	Implementation Date
<p>One Council Programme:</p> <p><i>R1. Everyone is signed up to the One Council programme. Regularly review the alignment of resources to the programme and ensure staff are kept updated on its achievements</i></p>	1a) Review, update and publish internally the One Council Programme timetable for the remaining year 2023/24 and strengthen internal communications with 'One Council Update' as a standing item on monthly team briefs and CEO Team Talks	<p>A published timetable for the One Council Programme 2023-24</p> <p>Staff are aware of progress being made against the Programme</p>	Strategy, People and Performance	End of August 2023
	1b) Scope the extent of the post One Council transformation and improvement programme	New Improvement programme established	Strategy, People and Performance	End of March 2024
	1c) Develop a new Digital Strategy to support ongoing transformation and schedule "up front" investment in digital support and training for staff	<p>Digital Strategy in place</p> <p>Digitally-skilled workforce</p>	IT and Digital	<p>Draft Strategy September 2023</p> <p>Final Strategy March 2024</p>
<p>Capacity:</p> <p><i>R2. Continue to consider the capacity needs of the organisation and the ability to flex resources to deliver council services and ambitions</i></p>	2a) Develop and deliver a Workforce Strategy covering the themes of engagement and culture, compassionate leadership, workforce development and succession planning, Inclusion and Diversity, Performance, and Wellbeing	Workforce Strategy and service level Development Plans in place	Strategy, People and Performance	<p>Draft Strategy December 2023</p> <p>Final Strategy March 2024</p>
	2b) Implement and embed a new Council-wide Performance Framework that underpins and monitors the delivery of council plan ambitions	<p>Priority Delivery Plans in place across all Directorates linked to Council Plan priorities</p> <p>Monthly Management Reports produced to monitor wider performance</p>	Strategy, People and Performance	Commenced April 2023

Theme / Recommendation	Actions	Deliverable / Outcome	Director Lead	Implementation Date
<p>Regeneration:</p> <p><i>R3. The Council has a once in a lifetime opportunity and ambition for high quality regeneration - consider how you schedule delivery to maximise impact</i></p>	3a) Align service and strategy reviews to the delivery of major projects (e.g. build new multi-storey car park and rationalise remaining car park stock)	Major projects programme in place with opportunities for service / strategy reviews identified	Deputy Chief Executive	End of August 2023
	3b) Scope options for alternative delivery vehicles such as Joint Venture	Alternative delivery vehicles options identified and assessed	Deputy Chief Executive	End of September 2023
	3c) Ensure procurement strategies are in place for all major projects which allow for external project management support	Programme of regeneration procurement strategies in place	Deputy Chief Executive	End of April 2024
<p>Regeneration:</p> <p><i>R4. Consider how to keep partners better informed on the progress of regeneration projects</i></p>	4a) Design an external communications strategy for informing partners about plans an progress with key regeneration projects	<p>Communication strategy in place for regeneration schemes</p> <p>Partners feel engaged and well informed</p>	Deputy Chief Executive	End of August 2023
<p>Finance and Budgets:</p> <p><i>R5. Recognising strong financial management, it is important to continue to promote joint responsibility and accountability for the financial health of the organisation and to put in place robust plans and governance to meet future financial challenges</i></p>	5a) Review and relaunch the Commercial Strategy including income generating initiatives	Commercial Strategy reviewed and underway	Deputy Chief Executive	End of September 2023
	5b) Embed culture of financial review and challenge, aligned to priorities and non-priorities, through the continued use of annual Efficiency Boards	Annual reviews of all budgets undertaken with efficiencies identified	Finance	Annually - September 2023

Theme / Recommendation	Actions	Deliverable / Outcome	Director Lead	Implementation Date
<p>Governance:</p> <p><i>R6. Build on the recent successes in Scrutiny regarding Budget Scrutiny and Walleys Quarry and consider how this approach can be incorporated to ensure Scrutiny works effectively across the organisation</i></p>	6a) Continue to roll out member training on the purpose and aims of good scrutiny	Members feel confident in their scrutiny role	Legal and Governance	End of December 2023
	6b) Support chairs in scrutiny work plan development with clear objectives around scrutiny outcomes	Chairs feel confident in developing an effective scrutiny work plan	Legal and Governance	End of December 2023
	6c) Link scrutiny to Council Plan priority projects and initiatives, including financial pressures relating to lower priority work	Member-led scrutiny work plan developed and agreed, linked to priority projects and initiatives	Legal and Governance	End of December 2023
<p>Partnerships:</p> <p><i>R7. Consideration should be given for how the council can remain fully involved in discussions to develop and shape post-LEP arrangements and further collaboration with other Councils across the County</i></p>	7a) Engage with Staffordshire CEO/Leaders Board including Staffordshire County Council on pipeline projects and funding opportunities	The Borough Council will have the opportunity to influence and participate in future collaborations for the benefit of its residents	CEO / Deputy CEO	Quarterly meetings underway
<p>Partnerships:</p> <p><i>R8. The Council can build on the fantastic relationships it has with partners and work together to deliver its strategic ambitions</i></p>	<p>8a) Continue to seek out opportunities for collaboration on shared priorities with our partners through existing networks</p> <p>See also 4a) external communications with partners around regeneration work</p>	<p>Effective partnerships in action, evidenced by successfully delivered joint projects</p> <p>Partners feel engaged and well informed</p>	<p>Strategy, People and Performance</p> <p>Neighbourhood Delivery</p> <p>Commercial Delivery</p>	<p>Partnership meetings and Programme Board meetings underway</p>



## NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

### EXECUTIVE MANAGEMENT TEAM'S REPORT TO COUNCIL

26 July 2023

**Report Title:** Changes to Committee Membership

**Submitted by:** Chief Executive

**Portfolios:** All

**Ward(s) affected:** All

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

To advise Members of changes to committee membership following a change in political group membership.

#### **Recommendation**

**That Council:-**

- 1. Notes the urgent decision taken by the Chief Executive to amend the allocation of committee seats to the political groups to reflect updated proportionality requirements (Appendix 1)**
- 2. Note the appointment of Councillor Panter to the newly allocated Conservative seat on the Audit and Standards Committee**
- 3. Note the appointment of Councillor Grocott to the vacant Labour seat on Finance, Assets and Performance Scrutiny Committee.**

#### **Reasons**

To ensure that vacancies arising on the Council's committees are appointed to on a politically proportionate basis.

#### **1. Background**

- 1.1 In accordance with Local Government and Housing Act 1989 and associated regulations, seats on the ordinary committees of the Council are to be allocated to the political groups in a manner proportionate to the number of overall seats on council held by each group. A need has arisen to revisit the allocation of committee seats to the political groups, and to make an appointment to a newly acquired committee seat.

#### **2. Issues**

- 2.1 Notice has been duly received advising the Proper Officer that Stephanie Talbot has resigned her seat on the Council for the Knutton Ward.
- 2.2 In accordance with Local Government and Housing Act 1989 and associated regulations, a calculation has been undertaken to reflect the change in group membership. That calculation has determined that there is a need to adjust the number of seats allocated to

the Labour group on the Audit and Standards Committee down by one seat and the number of seats allocated to the Conservative group on the same committee up by one seat.

2.3 In order that the Audit and Standards Committee could proceed with membership in accordance with the revised proportionality, the Chief Executive took an urgent decision to amend committee seat allocations in line with the revised proportionality.

2.4 In accordance with the council's Constitution, Council is to make appointments to committee seats. In accordance with the relevant legislation, it must do so in accordance with the wishes of the relevant political group. The Conservative group has advised the Chief Executive of its wish to appoint Cllr Barry Panter to the Audit and Standards Committee. The Labour group has advised the Chief Executive of its wish to appoint Cllr Dave Grocott to the vacant Labour seat on Finance, Assets and Performance Scrutiny Committee. These nominations have been addressed by the Chief Executive and are presented to Council for noting.

### 3. **Proposal**

#### 3.1 That Council:-

- **Notes the urgent decision taken by the Chief Executive to amend the allocation of committee seats to the political groups to reflect updated proportionality requirements (Appendix 1)**
- **Note the appointment of Councillor Panter to the newly allocated Conservative seat on the Audit and Standards Committee**
- **Note the appointment of Councillor Grocott to the vacant Labour seat on Finance, Assets and Performance Scrutiny Committee.**

### 4. **Reasons for Proposed Solution**

4.1 To ensure that the proportion of seats on committees reflects the political proportionality of the Council.

### 5. **Options Considered**

5.1 None.

### 6. **Legal and Statutory Implications**

6.1 These are set out in the body of the report.

### 7. **Equality Impact Assessment**

7.1 There is no requirement for an EIA to be undertaken in connection with this decision. Nominations to committee seats are made by Group Leaders who will have regard to equality and diversity considerations when making their nominations.

### 8. **Financial and Resource Implications**

8.1 None.

### 9. **Major Risks**

9.1 None.

10. **Sustainability and Climate Change Implications**

10.1 None.

11. **Key Decision Information**

11.1 This is not a Key Decision.

12. **Earlier Cabinet/Committee Resolutions**

12.1 Not Applicable.

13. **List of Appendices**

13.1 Not Applicable.

14. **Background Papers**

14.1 Not Applicable.

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**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**

**CHIEF EXECUTIVE'S URGENT DECISION ON BEHALF OF**

**Council**  
**14 July 2023**

**Report Title:** Allocation of Committee Seats to Political Groups

**Submitted by:** Chief Executive

**Portfolios:** One Council, People & Partnerships

**Ward(s) affected:** N/A

**Purpose of the Report**

To re-allocate committee seats to the political groups following a change in political proportionality of the Council.

**Decision**

To reflect the changed political proportionality of committee places membership following the resignation of Stephanie Talbot, using the urgency powers set out in the Constitution, that :-

1. The seats allocated to the Labour Party on the Audit and Standards Committee be reduced by one seat, with a corresponding increase in one seat on Audit and Standards Committee being allocated to the Conservative Group.
2. The Chief Executive agree with the Leaders of the Conservative and Labour Groups the members to be placed on Audit and Standards Committee and the Finance, Assets, and Performance Scrutiny Committee to reflect the changed membership of the Council and the changed political proportionality of committee places resulting from the recent resignation.

**Reasons**

To comply with the political proportionality requirements in the Local Government and Housing Act 1989, following the resignation of the member elected to the Council for the Knutton ward.

1. **Background**

1.1 The Local Government and Housing Act 1989 ("the 1989 Act") imposes political proportionality requirements in respect of the allocation of seats on ordinary committees to the political groups.

1.2 Specifically, section 15 of the Act requires that four principles be followed in allocating committee seats:-

- a) All seats on a committee cannot be allocated to the same political group;
- b) The majority of the seats on each committee should be allocated to the political group holding the majority of seats on the council;
- c) Subject to (a) and (b) above, the number of seats on the total of all the ordinary committees of the council allocated to each political group should bear the same proportion to the proportion of their seats on the council;
- d) Subject to (a), (b) and (c) above, the number of seats on each ordinary committee of the council allocated to each political group should bear the same proportion to the proportion of their seats on the council.

1.3 Following the resignation of the Councillor for the Knutton ward, there is a need to alter the seat allocations as set out above. The adjustment of committee seat allocations requires:

- Labour group reduce its seat allocation by 1
- Conservative Group increase its seat allocation by 1

## 2. **Issues**

2.1 This decision is taken in accordance with section B4, paragraph 9 (Urgent Business) of the Council's Constitution. The urgency arises on account of the need for this decision to be taken at a time before a meeting of full Council can be convened.

## 3. **Proposal**

3.1 That, using the urgency powers set out in the Constitution, the changes referred to above be made.

## 4. **Reasons for Proposed Solution**

4.1 To comply with the political proportionality requirements of the Local Government and Housing Act 1989.

## 5. **Options Considered**

5.1 To await the next meeting of full Council to propose the changes, however this would have the effect of the Audit and Standards Committee being run otherwise than in accordance with the requirements of the 1989 Act.

## 6. **Legal and Statutory Implications**

6.1 Dealt with in the body of the report.

## 7. **Equality Impact Assessment**

7.1 N/A

8. **Financial and Resource Implications**

8.1 N/A

9. **Major Risks**

9.1 Dealt with in the body of the report.

10. **Sustainability and Climate Change Implications**

10.1 None identified.

11. **Key Decision Information**

11.1 This is not a Key Decision.

12. **Earlier Cabinet/Committee Resolutions**

12.1 Not Applicable.

13. **List of Appendices**

13.1 Not Applicable.

14. **Background Papers**

14.1 Not Applicable

**DECIDED BY:-**

**Martin Hamilton (Chief Executive) under the aforementioned powers**



**Signed**

**Dated 14 July 2023**

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## SCRUTINY COMMITTEES CHAIR'S REPORTS

### **Health, Wellbeing and Environment Scrutiny Committee**

The Committee met on 14 June, 2023 and the following matters were considered:

- The Committee received a verbal update from the Police Commander on the new Policing Model.
- The Committee considered the latest report to Cabinet on odour issues at Walleys Quarry.
- Members considered a case study carried out in Wolverhampton on the benefits of Modular Housing.
- The committee considered the regular reports from the County Health and Care Overview and Scrutiny Committee and the Police, Fire and Crime Panel and notes of a meeting with the Integrated Care Board.
- The Work Programme was discussed and Members requested that a presentation on Modular Housing be postponed until September and that the Sustainable Environment Strategy Annual Report and Review of the 850 Celebrations be moved to the November meeting

Cllr Ian Wilkes

Chair

### **Economy and Place Scrutiny Committee**

The Scheduled meeting of the Economy and Place Scrutiny Committee took place on Thursday, 8th of June 2023

The Committee received an update from HS2 in which a number of public questions were put forward. There was a presentation and debate on the Borough Local Plan together with the Neighbourhood Planning update.

Our regular item of the Future High Street fund and Town Deal Fund was presented to the Committee and alignment on the next two meetings under the Work Programme was discussed.

Cllr Gary White

Chair

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## REGULATORY COMMITTEES CHAIR'S REPORTS

### Licensing and Public Protection Committee

The Licensing and Public Protection Committee has met twice since the Full Council meeting held on Wednesday 5th April 2023. Firstly, on Wednesday 10th May 2023 and again on Tuesday 4th July 2023.

In the meeting held on 10th May the Committee received a Regulatory Easements Consultation for the Licensing Act 2003. Members noted and approved the report and consultation responses.

The Committee also discussed the following:

- Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022;
- Update on results of Taxi Licensing Appeals;
- Public Space Protection Order Public Consultation Update;
- Public Space Protection Orders: Parks and Open Spaces.

Members agreed and approved the recommendations that were set out in those reports.

In the meeting held on 4th July the Committee considered the following reports:

- Food Safety Service Plan 2023/24 and Review of Performance 2022/23;
- Update on Results of Taxi Licensing Appeals;
- Proposed Changes to Fixed Penalty Notices (FPNS);
- Public Space Protection Orders: Parks and Open Spaces. After a lengthy discussion, Members noted the recommendations.

The Committee also approved the recommendations for 3 other reports.

Since the Full Council meeting held on Wednesday 5th April the Licensing Sub Committee has met once and the Public Protection Sub Committee have met twice.

The minutes for the Licensing Sub Committee held on Tuesday 21st March were made available to the main Committee at the meeting held on 10th May and the minutes for the Licensing Sub Committee held on 10th May were made available to the main Committee at the meeting held on 4th July. Members noted those minutes at the relevant meetings.

The minutes for the Public Protection Sub Committee held on the 7th June were made available to the main Committee held on 4th July and Members noted them as a correct record.

Cllr Andrew Parker  
Chair

## **Audit and Standards Committee**

The Committee met on 17<sup>th</sup> April , 30<sup>th</sup> May and 17 July, 2023.

### **17<sup>th</sup> April 2023 Meeting**

As had previously been agreed, the meeting was preceded by a training session split into accounting, internal audit and risk management to provide refresher training for existing and new committee members.

The Chief Internal Auditor then presented the Internal Audit Plan and Charter 2023/24, noting that some consultancy work may also be carried out during the year. Questions were put in relation to major risks and the contractual relationship between the Borough and Internal Audit based at SOT CC. The Chair asked that when the Audit of Town Deal projects had been concluded, the findings be shared with the committee, due to the size and importance of the projects. Members approved the plan and Charter as presented.

The S151 Officer, Sarah Wilkes, then described the Corporate Fraud (avoidance) arrangements in place for the coming year and members were asked to note the policies contained within the document.

Members were now asked to review and approve the Risk Management Policy and Strategy for the 2023/24 year noting the revised evaluation matrix now in use. Members approved and accepted the recommendations as written.

Andrew Smith, representing our External Auditor, Grant Thornton, gave an overview of the External Audit Report 2021/22, much of which had been seen in earlier reports to the Council. He reiterated their view that no significant weaknesses exist in relation to the Council's value for money arrangements and although they had raised 9 improvement recommendations, these were to strengthen the already strong controls and procedures currently in place.

Due to changes in timetabling of the forthcoming Audit of the 2022/23 Accounts the Chair asked members to agree to the re-scheduling of the next two meetings with the next to be on 30<sup>th</sup> May with a date to be notified for the subsequent meeting.

### **30<sup>th</sup> May 2023 Meeting**

Members were initially informed of the Accounting policies intended to be used in the preparation of the 2022/23 Accounts. Whilst largely similar to the previous year, it was noted that one policy, felt by the External Auditors, to be superfluous had now been removed. Members agreed to approve the policies.

The Annual Governance Statement was now introduced by Sarah Wilkes describing its purpose for the benefit of the members present and this was approved by the Committee.

Next members were asked to note and approve the Draft Statement of Accounts 2022/23 for publication and Audit. The Chair congratulated the team for its hard work and organisational skills in managing to get the accounts prepared within the deadline, ie in half the time allowed for the previous year, something that many other

councils were not expected to manage. Members shared the Chair's sentiments and agreed to note and approve the Accounts as presented.

The Monitoring Officer now asked Members to note the Updated Finance and Contract Procedure Rules. This is an updated suite following on from the updated Constitution and the Cabinet Member for Finance and Chair remarked on the clarity and overall usability of the document which it was felt would provide a very clear guide to Members and Officers as to where limits and responsibilities lie. Overall an excellent piece of work for which the Officers should be congratulated.

It was confirmed that the revised date for the next meeting would now be 17<sup>th</sup> July 2023 and Members were asked to note that the following meeting, currently scheduled for 11<sup>th</sup> September 2023, might need to be moved back slightly to allow approval of the Accounts in time for the 30<sup>th</sup> September deadline.

Paul Waring  
Chair of Audit and Standards Committee.

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## **Motion – No to three person crewing**

Council is alarmed at the recent announcement by the Staffordshire Police Fire and Crime Commissioner Ben Adams, and Chief Fire Officer Rob Barber, that our communities will see a reduced initial attendance to incidents of just three fire fighters.

The Government report in to attendance standards for the Fire and Rescue Service (The Fire and Emergency Cover (Pathfinder) Review) is clear that the recommended crewing response is five fire fighters on a fire engine, with the minimum safe standard for interventions at incidents being four firefighters.

Council also notes that this new practice of just three fire fighters does not feature in the services Corporate Safety Plan and that no public consultation has taken place – as required under the statutory framework.

Each fire and rescue authority must produce an Integrated Risk Management Plan (IRMP) or Corporate Safety Plan, which is available to the public.

The guidance notes from Government, alongside The Fire and Rescue Services (FRS) Act 2004, The Crime & Disorder Act 1998, The Civil Contingencies Act 2004 and the Local Government Act 2000 make clear that;

Government thinks that a modern and effective Fire and Rescue Service should serve all sections of our society fairly and equitably by.

- a. reducing the number of fires and other emergency incidents occurring;
- b. reducing loss of life in fires and accidents;
- c. reducing the number and severity of injuries in fires and other emergency incidents;

The Service has in place ‘Standard Operating Procedures – procedures that detail how fire fighters will safely deal with the range of incidents they face, to save and support the public – these procedures are based on a minimum of four fighters on an appliance.

Standard Operating Procedures are constructed with the aim of ensuring that the requirements placed on Firefighters, and their actions at emergency incidents, do not exceed accepted minimum standards of health & safety. In simple terms they are designed to minimise the risks which Firefighters routinely face in situations which are in themselves inherently risky. SOPs have developed over the years not only to match the complexity of incidents attended by the service, but also in an attempt to maintain compliance with a raft of legislative health & safety requirements placed on local authority employers

Yet here in Staffordshire, under Mr Adams and Mr Barber we are already experiencing;

- The 5<sup>th</sup> Slowest attendance times in England (Government statistics – Home office Fire Statistics data tables last updated 11 May 2023)
- 50% cuts to workforce - the largest reduction of fire fighters in any Fire and Rescue Service in England (Freedom of information request to all services, provisional head count 2010-2021)
- Fire engines now responding with just three firefighters.

- Staffordshire Fire Service placed in ‘Requires Improvement’ in a number of areas (latest ‘His Majesty’s Inspectorate Inspection 2022)

Council has not been consulted over these changes, nor informed how the Lag times of other appliances will impact on the safety of residents and fire fighters, especially given the poor availability of on call appliances across the county. Determining what is an acceptable phased arrival – or LAG – in fire appliance attendance times i.e. the time between the arrival of the first fire appliance and the second fire appliance sent as part of the initial emergency response to an incident, is critical.

Given the alarming picture of our Fire and Rescue Service here in Staffordshire, Council resolves that;

- 1) A request that any initial incident mobilisation within our borough meets the minimum recommended safe crewing level of four fighters
- 2) That the Police Fire and Crime Commissioner and Chief Officer be required to a special meeting of the Health and Wellbeing Scrutiny meeting, to provide council with details and reassurance of how the service will keep our communities safe.

Proposer Cllr Dave Jones

Seconder Cllr Mike Stubbs