

COUNCIL

Thursday, 19th July, 2018
Time of Commencement: 7.00 pm

Present:- Councillor Gill Heesom – in the Chair

Councillors:

Burgess	Panter
Burnett	Parker
Miss J Cooper	Pickup
Mrs J Cooper	Proctor
John Cooper	Robinson
Driver	Rout
Dymond	Shenton
Fear	Spence
Gardner	Stubbs
Harrison	Sweeney
Heesom	J Tagg
Holland	S Tagg
Horsfall	Walklate
Johnson	J Waring
Johnson	P Waring
Jones	G White
Kearon	Wilkes
Maxfield	G Williams
Moffat	J Williams
Northcott	Wright
Olszewski	

Officers Executive Director Operational Services- David Adams, Executive Director Development) - Neale Clifton, Geoff Durham - Mayor's Secretary / Member Harris, John Tradewell - Acting Chief Executive / Head of Paid Service and (Resources and Support Services) - Kelvin Turner

1. **FORMER COUNCILLOR BRIAN TOMKINS**

A minute's silence was held for former Councillor Brian Tomkins who had recently passed away.

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

Brian had served as a Councillor between 2007 and 2011 for the Loggerheads and Whitmore ward. He had also been the Council's representative on the Aspire Board.

Members described him as a 'decent and caring individual' who would be a genuine sad loss to the people of Newcastle.

Members sent their condolences to his wife Cherry and the family.

2. APOLOGIES

Apologies were received from Cllrs Fox-Hewitt and Reddish.

3. DECLARATIONS OF INTEREST

There were no declarations of interest stated.

4. MINUTES

Resolved: That the Minutes of the meeting held on 16 May, 2018 be agreed as a correct record.

5. MAYOR'S ANNOUNCEMENTS

The Mayor thanked Newcastle Civic Society for agreeing to fund the cost of cleaning and repairing the Mayor's and Mace Bearer's Robes.

In addition the Mayor thanked Mayfair Cleaners of Barlaston for carrying out the work.

6. TREASURY MANAGEMENT ANNUAL REPORT 2017/18

The Portfolio Holder for Finance and Efficiency introduced the Treasury Management Annual Report for 2017/18, which had been produced in line with legislative requirements.

Councillor Kearon queried whether any interest accrued from borrowings connected with delays in moving to Castle House would be covered by Kier developments and was assured that they would be.

Resolved:

- (i) That the Treasury Management Annual Report for 2017/18 be received.
- (ii) That the actual Prudential Indicators contained within the report be approved.

7. STATEMENT OF THE LEADER OF THE COUNCIL

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

Members asked the following questions on the Leader's Statement:

Cabinet 6 June, 2018

Councillor Shenton asked why an increase in sickness figures had not been reported to the Employment Committee. Also the question was asked why this committee had not, as yet, met and what meetings had taken place with the Trade Unions?

The Leader stated that the Employment Committee had met on a number of occasions to discuss disciplinary issues. A meeting had also taken place with the

Trade Unions. Members were also advised that officers were currently working on the Sickness Policy.

Councillor Kearon welcomed the constant revisiting of the Anti-Social Behaviour Policy and asked the Leader or Portfolio Holder for Community Safety and Wellbeing if they were convinced that resources were available to carry out this Policy. The Portfolio Holder, Councillor Jill Waring stated that she would respond, in writing to Councillor Kearon.

Castle House

Councillor Sweeney thanked officers for the manner in which the move to the new premises had been carried out. He also thanked Geoff Durham and David Elkington for their work in preparing for this evening's meeting whilst in the process of moving across from the Civic Offices.

Councillor Kearon said that he would welcome the opportunity for Members to feed back on any issues encountered in the near future and suggested that a few feedback sessions be arranged to discuss any that arose.

The Leader thanked all officers for their assistance during the move across, in particular Neale Clifton, Kelvin Turner and Geoff Durham.

The Leader stated that accommodation needed to be found for a Member's room. Councillor Tagg welcomed feedback to himself or to officers.

Guildhall

Councillor Panter enquired whether there were any short term plans for the Guildhall?

Councillor Kearon stated that the 'Friends of the Guildhall' welcomed the Council's engagement and asked whether the wider community would be consulted on its future use? Councillor Kearon further stated that the Mayoralty could play a larger role in the future of the Guildhall.

The Leader stated that he did not want to see the building boarded up nor for it to fall into disrepair and pledged to continue working with the 'Friends of the Guildhall'.

A meeting was being held next week to discuss the building's future use. Any proposals would be taken to Cabinet and the relevant Scrutiny Committee and the public would also be asked their views.

The future of the Guildhall would be reported back to future meetings.

Traveller Incursions

Councillor Fear welcomed this report and thanked the Police for their work in this matter. Councillor Fear asked the Leader if the Local MP had been approached. The Leader stated that he had had a response and that legislation was coming forward.

Councillor Kearon and other Members thanked officers for their professionalism in dealing with this and congratulated Dave Adams' team for their work.

Cabinet 18 July, 2018

Councillor Burnett was pleased to see the progress in respect of Kidsgrove Leisure Centre. The Leader stated that it was now reaching the stage where a Business Case could be agreed with the County Council. The leader thanked Rob Foster, John Tradewell and officers from Staffordshire County Council for their work.

Councillor Maxfield asked The Portfolio Holder for Planning and Growth how he felt that the changes to the Mandatory Houses in Multiple Occupation Licensing commencing from 1 October would benefit residents of the Borough? Councillor Northcott stated that the charging for licenses had been successful. The changes would free up staff to investigate matters and would bring in revenue to the Council.

Resolved: That the Leader's Statement be received and noted.

8. REPORTS OF THE CHAIRS OF THE SCRUTINY COMMITTEES

Written reports had been submitted for all of the Scrutiny Committees which had met since the last Council meeting.

Resolved: That the reports be received.

A separate report had been submitted giving an update on all three of the Scrutiny Committees. The Acting Chief Executive drew Members' attention to the second recommendation on page 28 of the agenda referring to the appointment of a substitute to serve on the Healthy Staffordshire Select Committee. The Chair of the Scrutiny Committee, Councillor Wilkes had nominated two substitutes – Councillors' Gardner and Wright.

With regard to recommendation three on page 28, Councillor Shenton stated that a meeting of the Constitution and Member Support Working Group should be considering changes to the Council's Constitution and requested that a meeting be set up as soon as possible.

- Resolved:**
- (i) That the updates on the establishment of the three Scrutiny Committee be noted
 - (ii) That Councillors' Gardner and Wright be appointed as substitute members to serve on the Healthy Staffordshire Select Committee on those occasions when the Borough's primary representative is unable to attend (The appointment of a Substitute to be dealt with as part of appointments to Outside Bodies in future years)
 - (iii) That approval be given to an amendment to the Constitution and to the Terms of Reference for the Health, Well Being and Partnerships Scrutiny Committee to allow the appointment of 2 co-opted, non-voting representatives of young people to serve on that Scrutiny Committee: such appointments to be invited from Keele University Students' Union and Newcastle College students' representatives and to be for a period of 1 year.

9. **REPORTS OF THE CHAIRS OF THE REGULATORY COMMITTEES**

Written reports were submitted for the Committees that had met since the last Council meeting except for the Planning committee where the Chair gave a verbal update.

Resolved: That the reports be received.

10. **APPOINTMENT OF VICE CHAIR TO CONSERVATION ADVISORY WORKING PARTY**

Nominations were received for:

Councillor Moffatt
Councillor Julie Cooper

Resolved: That Councillor Julie Cooper be appointed as Vice-Chair for 2018/19.

11. **MOTIONS OF MEMBERS**

Modern Slavery

The following Motion was received, proposed by Councillor Stubbs and seconded by Councillor Kearon:

This council notes

Though slavery was abolished in the UK in 1833, there are more slaves today than ever before in human history. Figures from the International Labour Organisation (ILO) suggest that there are more than 40 million people in modern slavery across the world, with nearly 25 million held in forced labour.

There were 3805 victims of modern slavery identified in the UK in 2016. A rising number but still well below the 10,000 and 13,000 potential victims estimated by the Home Office.

Modern Slavery is happening nationwide. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment. This can include sexual and criminal exploitation.

This council believes

That action needs to be taken to raise awareness of modern slavery and the fact that it is happening all over the UK.

That the current support for victims is not sufficient and needs to go beyond the 45 days they are currently given by the government.

That councils have an important role to play in ensuring their contracts and supplies don't contribute to modern day slavery and exploitation.

This council resolves

To adopt the Co-operative Party's Charter against Modern Slavery to ensure our procurement practices don't support slavery.

Charter

Newcastle under Lyme Council will:

1. Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply.
2. Require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
3. Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.
4. Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
5. Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.
6. Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
7. Review its contractual spending regularly to identify any potential issues with modern slavery.
8. Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.
9. Refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.
10. Report publicly on the implementation of this policy annually.

Subsequently an amendment to the motion was proposed by Councillor Holland and seconded by Councillor Jill Waring :

Council resolves:

- (i) To subscribe to Anti-Slavery International's Anti-Slavery Charter (<https://www.antislavery.org/anti-slavery-charter/>).
- (ii) To reaffirm the Council's Modern Slavery Statement, adopted under the Modern Slavery Act 2015,s54, in May and approved by the Portfolio Holder for Community Safety and Wellbeing.
- (iii) To require the Portfolio Holder to place before the relevant scrutiny committee a report on the implementation and operation of the Modern Slavery Statement, so that the Council's policy and processes can be properly reviewed and recommendations received. This must be done prior to May, 2019.

Members debated the motion and the amendment to the motion. A vote was taken on the amendment:

For : 21
Against: 21

The Mayor's casting vote was in favour of the amendment.

The amendment then became the substantive motion on which a vote was taken.

Resolved: That the motion be carried.

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

Councillor Kearon asked the Leader for an update on the review of planning enforcement.

The Leader confirmed that a review was being undertaken looking at the planning function as a whole. Staffing was being looked into along with some outstanding issues. The Portfolio Holder for Planning and Growth would write to Councillor Kearon with further details.

Councillor Robinson asked the Portfolio Holder for Planning and Growth when responses to certain petitions would be published?

The Portfolio Holder, Councillor Northcott confirmed that the petitions were going through the process and once this was done a response would be submitted the, At this stage it was not known when they would be going to Cabinet.

Councillor Robinson asked why there was no item for Clough Hall Playing Fields on this agenda, having received a letter saying that it would be. Councillor Robinson asked if the petition procedure could be placed on the Council's website.

Councillor Northcott agreed to meet with Councillor Robinson regarding the matters raised.

Councillor Robinson asked The Portfolio Holder for Leisure, Councillor Holland why Clough Hall Park was no longer locked up in the evenings and why there was no formal consultation? Councillor Robinson also asked if the Portfolio Holder could look into the matter to find a solution.

The Portfolio Holder for Environment and Recycling, Councillor Trevor Johnson stated that due to staff reductions, there was no capacity to lock or unlock gates suggesting that local community volunteers could be given the task.

Councillor Shenton asked the Portfolio Holder for Finance and Efficiency for confirmation that adequate staffing and financial resources were available to carry out additional projects detailed in the Licensing Annual Performance Report? In

addition, Councillor Shenton pointed out that the name of an officer, who was currently suspended was still signing off licences.

The Portfolio Holder, Councillor Sweeney stated that there were four areas of further work: a new sex establishment policy was needed; a review of the consultation on the licensing policy; a street café policy and fees and charges which was done annually.

Councillor Sweeney was unaware and asked Councillor Shenton to provide evidence outside of the meeting.

Councillor Fear asked the Leader if the funding for a new Sport and Leisure Centre in Kidsgrove referred to by the previous administration had been located?

Councillor Tagg stated that he hadn't located the funding as yet but that a plan was being put into place and would be talking with the County Council and other partners in due course.

Councillor Paul Waring asked the Portfolio Holder for Finance and Efficiency for an update on the position regarding the Audit of Accounts in respect of a surplus figure against an anticipated overspend.

Councillor Sweeney advised Members that the Draft Audit Report was going to the Audit and Standards Committee on 30 July.

Councillor Horsfall asked the Portfolio Holder for Environment and Recycling what arrangements had been made to reimburse the service department for the time that vehicles had been used to prepare for Britain in Bloom. In addition, how had the changes been communicated to residents?

Councillor Trevor Johnson stated that the Borough had been participating in Britain in Bloom for twenty years. It was an all year round initiative and inevitably there would be a temporary diversion of staff with catching up taking place afterwards.

13. RECEIPT OF PETITIONS

Councillor Gardner handed in a Petition for Crackley Playing Fields.

14. STANDING ORDER 18 - URGENT BUSINESS

An item of Urgent Business had been received giving the Labour Groups' nominations for substitutes onto the Council's Committees.

The item had been considered urgent to ensure the correct proportional representation of all groups.

Resolved: That the substitutes be agreed.

COUNCILLOR GILL HEESOM
Chair

Meeting concluded at 9.30 pm