

## COUNCIL

Wednesday, 24th July, 2019  
Time of Commencement: 7.00 pm

**Present:-** The Mayor- Councillor Simon White – in the Chair

**Councillors:**

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

**Officers** Janet Baddeley - Communications Manager, Geoff Durham - Mayor's Secret Officer, Caroline Elwood - Interim Head of Legal / Monitoring Officer, Martir and Jan Willis - Interim Executive Director - Resources and Support Services

1. **APOLOGIES**

Apologies were received from Councillors G Hutton, B Johnson, A Lawley, S Moffat, M Olszewski and I Wilkes.

2. **DECLARATIONS OF INTEREST**

Caroline Elwood, Interim Head of Legal / Monitoring Officer declared an interest in item 6.

3. **MINUTES**

**Resolved:** That the minutes of the meeting held on 15 May, 2019 be agreed as a correct record subject to the recording of Councillors' A Fox-Fewitt and S Pickup's apologies.

4. **MAYOR'S ANNOUNCEMENTS**

The Mayor had no formal announcements.

**5. CONSTITUTION - REVIEW OF THE COUNCIL'S CONTRACT PROCEDURE RULES & MEMBER/OFFICER PLANNING ENFORCEMENT PROTOCOL**

The Leader of the Council, Councillor Simon Tagg introduced this report updating Members on the proposed changes to the Contract Procedure Rules and the Member/Officer Planning Enforcement Protocol following consideration by the Constitution and Member Support Working Group. In addition a recommendation was made to remove the ICT Strategy appendix and the Communications Strategy appendix as they were included elsewhere within the constitution.

Councillor Holland seconded the recommendations and stated that the changes had been the subject of a technical review and affected by changes to Data Protection law and our own policies.

The Contract Procedure Rules would require further review after Brexit.

Councillor Kearon welcomed any improvement to the Member/Officer Planning Enforcement Protocol but felt that the issues were not with Member/Officer but with the public and officers. Councillor Kearon asked if there were any plans to work on that relationship?

The Portfolio Holder for Planning and Growth, Councillor Northcott stated that he was delighted that it was now coming to the final stages and said that Members were now receiving weekly alerts on live enforcement cases.

**Resolved:**

- (i) That the proposed changes to the Contract Procedure Rules as set out in Appendix A to the report are agreed and adopted.
- (ii) That the Member/Officer Planning Enforcement Protocol at Appendix B is agreed and adopted.
- (iii) That Appendices 15 (ICT Strategy) and 26 (Communications Strategy) are removed from the Council's Constitution.

**6. APPOINTMENT OF INTERIM MONITORING OFFICER**

*Caroline Elwood left the room during consideration of the next item*

The Leader of the Council, Councillor Simon Tagg introduced a report seeking formal confirmation to the appointment of an Interim Monitoring Officer until such time that a permanent appointment could be made. Councillor Tagg stated that Caroline was doing an excellent job.

Councillor Sweeney seconded the recommendations stating that Caroline was an extremely capable officer. Councillor Proctor stated that he found Caroline to be most professional and efficient.

**Resolved:** That, in accordance with s5 of the Local Government & Housing Act 1989, the appointment of Mrs Caroline Elwood as the Council's Interim Monitoring Officer be confirmed.

**7. HIGH SPEED RAIL (WEST MIDLANDS TO CREWE) BILL (HS2 PHASE 2A)**

The Portfolio Holder for Planning and Growth, Councillor Northcott introduced a report informing Members of the opportunity for the Council to become a Qualifying Authority.

Councillor Northcott stated that the Council needed to be prepared for HS2 and had to be involved in discussions as to how it would affect areas within the Borough. It would give the Council the opportunity to comment on routing, vehicle movements, highways alterations, access to areas and other matters.

Councillor Simon Tagg seconded the recommendations, referring Members to paragraph 2.1 of the report regarding the responsibilities of Qualifying Authorities.

Councillor Robinson agreed that the Council needed to have better control and said that this was a good move. Councillor Robinson asked if this would have an impact on the Council's Planning Department.

Councillor Northcott confirmed that the Government were putting money aside to assist with the delivery.

Members agreed that this was a sensible proposal. Councillor Kearon requested that the Council's 'voice' reflect a diverse range of views, asking that all elected Members could feed in their views.

Councillor Simon Tagg confirmed that this referred to the Planning process and that all Members would have the chance to comment.

**Resolved:** That the Borough Council become a Qualifying Authority.

## **8. SSLEP COMPANY MEMBERSHIP AND APPOINTMENT OF DIRECTOR**

The Leader, Councillor Simon Tagg introduced a report seeking authority for the Council to become a member of the LEP company.

Councillor Simon Tagg stated that the Local Enterprise Partnership had been in existence since 2010. The Government had updated their guidance and had a new Local Growth Assurance Framework.

The Borough Council would have one Member on the Board which would be business led.

Councillor Simon Tagg had previously been appointed as the Council representative at Annual Council.

Post Brexit, LEP's would be more important and Members' attention was drawn to paragraph 1.3 of the report.

Councillor Sweeney, seconded the recommendations stating that a strong local voice was required.

**Resolved:** (i) That Newcastle-under-Lyme Borough Council joins Stoke on Trent and Staffordshire Local Enterprise Partnership Limited (SSLEP) as a member.

- (ii) That it be noted that the Leader of the Council has been selected to be appointed as a Director of the SSLEP company as one of the four District Council Representatives.

**9. STATEMENT OF THE LEADER OF THE COUNCIL**

The Leader, Councillor Simon Tagg submitted a report which provided an update to Members on the activities and decisions of the Cabinet, together with the Forward Plan.

The statement was taken a paragraph at a time to allow for questions to be asked.

Paragraph 2:

Councillor John Williams asked the Leader if the Town Centre Growth would include homes and the change of use of commercial premises to residential accommodation?

The Leader confirmed that this was being considered.

Councillor Heesom asked the Portfolio Holder for Finance and Efficiency, Councillor Sweeney if any future themed markets had been planned?

Councillor Sweeney referred to the success of the recent Young Trader's Market and confirmed that a continental street market was planned for next month. A record fair and other events were also in the pipeline.

A Town Centre Action Plan was currently being prepared.

Paragraph 3:

Councillor Fear referred to a breakdown in relations between the Council and the unions prior to December 2017 and the recently improved relations. Councillor Proctor stated that having seen the relationship recently improve, 'change' could now be delivered.

Councillor Fox-Hewitt advised Members that staff were currently balloting over changes to Policies.

The Leader thanked Councillor Proctor for his work as a member of the Joint Group with the unions and confirmed that the relationship had improved.

Councillor Sweeney had attended the first meeting where Trade Unions had stated that they had been unhappy for the past two years.

Paragraph 4:

Councillor Gardner enquired about the progress of entering into a contract with a consultant in respect of meeting the Ministerial Directive relating to Air Quality by 31 October, 2019, which would be funded by DEFRA.

The Leader confirmed that the application for funding from DEFRA had been successful and Members will be advised who has been appointed as consultant.

Councillor John Cooper asked whether the recent change to the traffic light sequence on the A500/A53 had improved pollution levels.

The Leader advised that this was under the control of Highways England who would be asked that question.

Councillor Sweeney referred to a recent meeting of the Licensing and Public Protection Committee where the age of vehicles and the mileage on the clock were brought into line with that of Stoke on Trent City Council and would have an impact on air quality.

Councillor Robinson stated that the Policy being proposed would have meant Newcastle's drivers moving over to the City Council or putting drivers out of work.

The Leader advised Members that a Briefing Note on the Taxi Policy 2019-21 would be circulated to them in the next few days.

Councillor Gardner enquired about the Climate Change Motion that had been accepted by Council on 3 April and whether an Action Group had been created.

The Leader advised that a report would be taken to the Scrutiny Committee in September and that Trevor Macmillan from Keele University was keen to be involved.

**Paragraph 5:**

Councillor Rout asked for an update on which commitment were being acted upon.

The Portfolio Holder for Leisure, Culture and Heritage Councillor Mark Holland confirmed that he had presented a report to the Cabinet on 5 June in respect of progress made. There was now a draft Action Plan which would be considered by the Economy, Environment and Place Scrutiny Committee in September.

A letter had been sent to the Secretary of State regarding the possibility of a bottle deposit scheme and a positive response had been received whereby a scheme was being considered for England.

**Paragraph 6:**

Councillor Paul Waring welcomed the final end of year out turn for the Council's finances.

The Portfolio Holder for Finance and Efficiency, Councillor Stephen Sweeney stated that this was a major achievement. Future savings would be generated and foundations would be put in place to achieve sustainable finances.

Councillor Pickup asked what was in place to measure the volumes of calls coming into the building and those which were unanswered.

The Leader confirmed that the information was contained within the Quarter Four report and that the figures were back within the target.

Paragraph 7:

Councillor Rout stated that the quality of customer care was excellent at J2 and asked what had been achieved re sports provision in Kidsgrove.

Councillor John Williams enquired what safeguards had been put in place to ensure that the building had been built to spec.

The Portfolio Holder for Leisure, Culture and Heritage, Councillor Holland stated that safeguards were highly important, especially with what was currently happening at Castle House. It was important to deal with any defects as they came to light.

Detailed plans had been produced to improve the customer experience and the facilities.

The Health Suite was to be remodelled. Contractors were now arriving on site and work would take place as soon as possible.

Councillor Julie Cooper asked for an update on the condition of J2

Councillor Holland advised that at the Cabinet meeting of 10 July, recommendations had been agreed on a number of issues.

Councillor Dymond asked what the position was with regard to the provision of sports facilities in Kidsgrove.

The Leader stated that quotes were being sought for works to be undertaken although, the building falling into further disrepair had added to costs. Once quotes had come back, a judgement could be made to bring the facility back into use.

Paragraph 8:

Councillor John Williams asked if the approach being applied to the sale of 20 Sidmouth Avenue was successful would the same approach be made to other premises in the future

The Leader confirmed that this approach could be used in the future.

Councillor Northcott stated that 20 Sidmouth Avenue was stopped from going to auction as it was not the best way to maximise profits. In addition, it gives the Council greater control over the development of the site.

Paragraph 9:

Councillor Gardner sought reassurance that the Council would not use the Rough sleeping Support Service which eleven local authorities had already refused to do so.

Councillor Sweeney stated that the last retendering of the contract was called-in by the Conservative Group six years ago because of value for money concerns.

It was hoped that Aspire would join in and if more organisations go for the contract it would provide better value.

Councillor John Williams asked if Aspire tendered for the contract, would that be a conflict of interest as seventy five percent of their stock was administered by the Newcastle Housing Advice Service.

The Leader confirmed that he understood that there would be no conflict of interest as they had held the contract before.

Councillor Stubbs asked that the conflict of interest matter be checked and confirmed. The Interim Head of Legal / Monitoring Officer would look into this and inform Members.

Paragraph 10:

Councillor Proctor said that it was fantastic to have a meaningful Forward Plan which would direct the Council in a positive and coherent way.

The Leader welcomed the comments stating that it was packed with items coming forward. There was a full list of items relating to the town centre.

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

A written report was submitted for the Health, Wellbeing and Partnerships Scrutiny Committee.

The Chair of the Finance, Assets and Performance Scrutiny Committee, Councillor Maxfield advised Members that a meeting had taken place on 3<sup>rd</sup> July where the Work Programme had been discussed and that had been circulated to members of the Committee.

The Chair of the Economy, Environment and Place Scrutiny Committee, Councillor Gary White advised members that the Scrutiny Committee had met on 20 June and had considered and update from the Cabinet in respect of converting commercial premises to residential use. In addition, car parks had been looked at and further information had been requested.

The Committee had also considered the Homelessness Policy, Make it count Scheme and Planning and Enforcement recruitment.

The Work Programme had been discussed and was in place. Single use plastics would be considered at the September meeting.

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

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

Written reports were submitted for Licensing and Public Protection Committee and the Audit and Standards Committee.

The Chair of the Planning Committee, Councillor Fear gave a verbal update:

Members were advised that the Committee had continued to meet on a regular basis and that it had always had very good attendance by Members.

There had been some very heavy agendas which was heartening in that development was taking place within the Borough.

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

**12. MOTIONS OF MEMBERS**

A Motion was received on the Armed Forces Community Covenant proposed by Councillor Simon Tagg and seconded by Councillor Sweeney.

Members debated the Motion, all welcoming its contents. Councillor Simon Tagg stated that Council services should take into account the needs of veterans and their families.

Councillor Simon Tagg advised Members of the request from the Minister for Defence, People and Veterans for local authorities to appoint an Armed Forces Covenant Member Champion.

Councillor Sweeney stated that soldiers become institutionalised and needed support on leaving the Forces.

Councillor Robinson, in support of the Motion proposed an amendment to the recommendations:

*To investigate the option of introducing an Armed Forces Leisure Card so serving personnel and veterans can use Borough run leisure facilities at a discounted price.*

Councillor Simon Tagg accepted the amendment.

Councillor Stubbs supported the Motion and suggested that the Policy could be so much more. Councillor Kearon agreed that this should be a baseline. In addition, there should be some special treatment for ex-services personnel who have served for this Country.

**Resolved:** That the Motion be carried.

The carrying of the above Motion prompted the need to appoint an Armed Forces Covenant Member Champion.

There were two nominations:

Councillor Panter, proposed by Councillor Sweeney and seconded by Councillor Proctor.



Councillor Stubbs, proposed by Councillor Kearon and seconded by Councillor Jones.

**Resolved:** That Councillor Panter be appointed as Armed Forces Covenant Member champion for the remainder of the current Civic year.

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

Question 1:

Councillor Parker asked the Portfolio Holder for Finance and Efficiency for an update on the redevelopment of the Ryecroft site.

Councillor Sweeney said that the redevelopment remained a key priority and that a fundamental rethink of the site was being undertaken. The Council was currently working with legal advisors. The asbestos level and cost of demolition were also being investigated.

Councillor Parker asked what events would be held, following the granting of planning permission on the former Sainsbury's site.

Councillor Sweeney confirmed that Gandeys circus would be returning and possible music events would be considered.

Question 2:

Councillor Fear asked the Leader for an update on the introduction of PSPOs, particularly in relation to aggressive begging in the town centre.

The Leader stated this had been considered by the Licensing and Public Protection Committee on 30 April, 2019. Breaches of the order would result in Fixed Penalty Notices for drinking, begging and so on.

Two new sites had been added, for the Town Centre and Queen Elizabeth Park. The Council was working with partners and offering support.

Other options available could be Community Protection Notices or Community Behaviour Orders.

Councillor Fear stated that a recent Scrutiny Committee had found that zero tolerance yielded good results and asked if this Council would take that approach.

The Leader stated that the main offenders were rough sitters not rough sleepers. The zero tolerance approach was possible for aggressive begging.

Question 3:

Councillor Paul Waring asked what the cost of the artwork was in the Grosvenor Roundabout.

The Portfolio Holder for Environment and Recycling, Councillor Trevor Johnson stated that it had cost £3,160, funded by the Government's High street Community Cleanup Fund.

The inspiration for the mural had come from school children.  
Councillor Paul Waring asked if any others were planned.

Councillor Trevor Johnson stated that other subways around the Borough were being looked at but was unsure as to what themes would be used in them.

The Council had received £26,000 from the Community Cleanup Fund and £50,000 from the Parks and Play Areas Fund.

**Question 4:**

Councillor Robinson asked the Portfolio Holder for Community Safety and Wellbeing, Councillor Jill Waring if a PSPO could be considered for Clough Hall Park following continued reports of crime and anti-social behaviour.

Councillor Jill Waring advised that there had been a small number of isolated incidents in Clough Hall Park and, at present a PSPO was not the most proactive approach. Injunctions and Fixed Penalty Notices would be more appropriate.

Any criminal activity was being investigated by the police whilst local schools were being worked with to deter anti social behaviour.

To introduce a PSPO would require persistent behaviour and evidence of such.

Councillor Robinson stated that incidents had been reported in the national press and asked if the Portfolio Holder could begin to consult to introduce a PSPO in Clough Hall Park.

Councillor Jill Waring stated that statistics were based on the number of reported incidents and if these were not reported, the Council and Police could not move forward. Councillor Waring had visited the Park on a number of occasions and had not seen any anti social behaviour.

**Question 5:**

Councillor Robinson asked the Portfolio Holder for Community Safety and Wellbeing what action had been taken to put further pressure on Staffordshire Police to confiscate mini motorbikes following problems regarding their illegal use in parks and on footpaths.

Councillor Jill Waring confirmed that any complaints received were shared with the Police and joint initiatives. Over the last month, Section 59's had been issued by the Police.

Councillor Robinson stated that he had met with Chief Inspector Clair Langley and had discussed a shared policy being used on Cannock Chase to tackle this.

Councillor Waring was asked if she would meet with the Chief Inspector and teams from Cannock to replicate this in the Borough.

Councillor Jill Waring would be willing to meet with the Chief Inspector and stated that there were four areas in the Borough where this was a problem: Silverdale; Chesterton; Bradwell Woods and Birchenwood.

**14. RECEIPT OF PETITIONS**

There were no petitions handed in at the meeting.

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

There was no urgent business.

Councillor Kearon advised Members that Councillor Lawley had recently given birth to a baby boy and wished them all the best. Members joined in sending their best wishes.

**THE MAYOR- COUNCILLOR SIMON WHITE**  
**Chair**

Meeting concluded at 9.15 pm