

CABINET

7.00 pm, Wednesday, 22 May 2013

Present:- Councillor Gareth Snell – in the Chair

Councillors Mrs Bates, Mrs Beech, Kearon, Williams and Turner

In attendance: John Sellgren (Chief Executive), Kelvin Turner (Executive Director, Resources and Support Services), Neale Clifton (Executive Director, Regeneration and Development), Dave Adams (Executive Director, Operational Services), Paul Clisby (Head of Central Services), Nick Lamper (Senior Member Services Officer), Louise Stevenson (Scrutiny Officer) and Simone Bridgewater (Communications and Marketing Officer)

1. CHANGE OF MEMBERSHIP

The Leader offered the Cabinet's gratitude to Councillor Eddie Boden (who had recently left the Cabinet) for his service and hard work, and welcomed Councillor Terry Turner as the new portfolio holder for Economic Development, Regeneration and Town Centres.

2. APOLOGIES

An apology for absence was submitted on behalf of Councillor Mike Stubbs.

3. MINUTES OF THE LAST MEETING

Resolved: That the minutes of the meeting held on 6 March 2013 be approved as a correct record and signed by the chair.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. ADDITIONAL RECYCLING MATERIALS

Councillor Ann Beech, portfolio holder for Environment and Recycling, introduced a report updating the Cabinet on the extension of the range of material recycling opportunities for residents collected on the kerbside. The report aimed to highlight the importance to reuse and recycle waste via the new revised waste hierarchy and demonstrate that the current service provided residents with a system that met their needs, complied with legislation and ensured that waste was dealt with in an environmentally responsible, safe yet simple and flexible manner.

The change extended the number of bring sites where batteries and waste electrical and electronic equipment could be recycled from three to six, and the portfolio holder also proposed that the provision be added to the existing bring site at Loggerheads.

Resolved:

- (1) That the extension of the range of materials (Waste Electrical and Electronic Equipment (WEEE) and batteries) that can be presented in the council blue box for recycling and reuse, be acknowledged;
- (2) That the increase in the number of bring sites that have capacity to recycle WEEE from three to six, be acknowledged; and
- (3) That the provision also be added to the existing bring site at Loggerheads.

6. NEWCASTLE-UNDER-LYME SPORTS COUNCIL - GRANT AID 2013/14

Councillor Elsie Bates, portfolio holder for Culture and Leisure, introduced a report proposing a grant to the Newcastle-under-Lyme Sports Council and providing information on the grants awarded by the Sports Council to individuals and sports clubs in the borough in 2012/13.

Councillor Elizabeth Shenton, the chair of the Sports Council, attended the meeting to update the Cabinet on the work of the organisation.

The work of the Sports Council supported the sports voluntary sector in the borough and promoted the value of sport, recognising the need to support individuals in their personal quest for achievement and the wider community benefits this brought.

It was acknowledged that Councillor John Williams was a member of the Sports Council as a representative of the council and, as such, no interest arose.

Resolved:

- (1) That a grant of £22,550 be awarded to the Newcastle-under-Lyme Sports Council to support the contribution it makes to sport in the borough; and
- (2) That a review of the governance arrangements for the Sports Council be undertaken to ensure that these are aligned with the council's other grant allocation processes and best practice.

7. DELIVERY OF THE CARBON MANAGEMENT PLAN

Councillor Ann Beech, portfolio holder for Environment and Recycling, introduced a report seeking approval for the 2013/14 Carbon Management Plan.

The Carbon Management Plan outlined the approach to reducing carbon emissions from the council's own estate and operations and set out in a delivery plan the projects which would, where possible, be delivered. The Cabinet had approved the use of Low Carbon Funding to take forward a range of projects and officers had been authorised to update the Carbon Management Plan Delivery Plan to reflect these projects. The report outlined progress in delivering the Low Carbon funded projects in 2012/13 and sought the Cabinet's views on the proposed projects for the calendar years of 2013 and 2014.

Resolved:

- (1) That progress on the delivery of the projects in the Carbon Management Delivery Plan for 2012/13 be noted and the projects for the 2013/14 plan be approved in principle; and
- (2) That officers be authorised to seek external funding opportunities to support delivery of the remaining projects and to seek consideration of appropriate projects as part of the Invest to Save allocation process funded from the Budget Support Fund.

8. DEVELOPING THE PRIVATE RENTED OPTION FOR HOMELESS RESIDENTS

Councillor John Williams, portfolio holder for Stronger and Healthier Neighbourhoods, introduced a report outlining how the Homelessness (Suitability of Accommodation) (England) Order 2012 provided the council with the additional option of re-housing homeless households into suitable private rented accommodation in order to meet its statutory duties.

The report recommended the use of Homelessness Prevention funding, already allocated within the council's existing homelessness budgets, to fund innovative approaches to encourage private landlords to re-house homeless households when appropriate. This recognised that the demand for housing options services and the provision of housing was increasing and more could be done in the private rented housing sector to alleviate these needs.

As well as the recommended option, the report considered the alternative of continuing to offer assistance with the current homelessness prevention tools; however, the opportunities to meet a household's housing need through the private rented sector would continue to be of limited success in the borough, thereby reducing the overall prospects of meeting customer needs.

Resolved: That Homelessness Prevention funding, already allocated within the council's existing homelessness budgets, be used to fund innovative approaches to encourage private landlords to re-house homeless households when appropriate.

9. CUSTOMER CASE MANAGEMENT POLICY - UNACCEPTABLE CUSTOMER BEHAVIOUR

Councillor John Williams, portfolio holder for Stronger and Healthier Neighbourhoods, introduced a report along with a proposed Customer Case Management Policy for Unacceptable Customer Behaviours and Actions.

The report outlined how the council had adopted procedures for dealing with unreasonable complainant behaviour within its Corporate Complaints, Comments and Compliments Policy (3Cs Policy), but this policy did not address the small number of customers who made unreasonable demands on the council either in the way that they behaved towards staff and/or council property, or the resource that was required to deal with their demands.

The proposed new policy would enable the council to deal in a fair and consistent way with customers who displayed unacceptable customer behaviour and actions, through adhering to industry guidelines and best practice.

Resolved:

- (1) That the Customer Case Management Policy be approved; and
- (2) That the Customer Service Team be congratulated on their recent Customer Service Excellence Award.

10. DRAFT NEWCASTLE-UNDER-LYME HEALTH AND WELLBEING STRATEGY

Councillor John Williams, portfolio holder for Stronger and Healthier Neighbourhoods, introduced a report along with the draft Newcastle-under-Lyme Health and Wellbeing Strategy.

The Newcastle-under-Lyme Health and Wellbeing Strategy (Consultation Draft) sought to identify and prioritise the key determinants of health in Newcastle-under-Lyme, develop a shared approach to addressing health inequalities and ensure that the borough's residents were well placed to benefit from current health reforms.

Resolved:

- (1) That the draft Health and Wellbeing Strategy be approved and the partnership responses required to implement it be supported; and
- (2) That a consultation exercise be undertaken with Public Health, North Staffordshire Clinical Commissioning Group, Newcastle NHS Partnership, Healthwatch, local residents and a much wider range of partner organisations.

11. NEWCASTLE GREENWAY - LINKS TO COMMUNITIES BID

Councillor Ann Beech, portfolio holder for Environment and Recycling, introduced a report on a proposed project, led by Staffordshire County Council, to improve the cycle route along the Newcastle Greenway (former mineral line). The report sought approval for the scheme where it would be located on land owned by the borough council. The scheme would improve infrastructure which facilitated and encouraged walking and cycling in Newcastle.

Resolved:

- (1) That the details of the scheme be noted;
- (2) That the scheme be approved and landowner consent be granted to Staffordshire County Council (and its agents) to undertake the work and thereby adopt the Greenway as Highway upon completion of the works; and
- (3) That a further information be provided to Cabinet at the appropriate time showing the approach to be taken in respect of the provision of gates and other barriers/access provision within the scheme.

12. POLICY FOR UNSUPERVISED CHILDREN'S PLAYGROUNDS

Councillor Elsie Bates, portfolio holder for Culture and Leisure, introduced a report providing an update on the current position in relation to the Policy for Unsupervised Children's Playgrounds and seeking approval for a programme of repairs and replacement of play equipment and associated items identified in the annual independent inspection report for 2013.

The report also sought to make financial provision in the General Fund Capital Programme for the cost of repair and replacement of play equipment and associated items identified in the annual independent inspection report for 2013/14 and to consider provision for future works in 2014/15 and 2015/16.

This would ensure that children's playgrounds provided by the council were maintained in a fit-for-purpose condition, and in accordance with independent safety

inspections and the council's adopted European Safety Standards, while minimising the authority's exposure to risk in respect of reducing accidents and improving its ability to defend claims that may arise.

An alternative option would be to reduce the current level of play provision by ceasing to repair or replace items which failed to meet the safety standards and opting to remove such items, focusing on providing a fewer number of larger multi-functional sites at major parks and open spaces. This would require a significant policy shift away from local provision to more centralised provision and would necessitate a full policy review preceded by public consultation. The financial and human resource implications of this option would be significant.

Resolved:

- (1) That the programme of works for 2013/14 be approved; and
- (2) That the Executive Director – Operational Services be authorised to seek and accept the lowest suitable tender or quotation for the works.

13. PROPOSALS FOR THE DISPOSAL OF THE FORMER JUBILEE BATHS SITE

Councillor Terry Turner, portfolio holder for Economic Development, Regeneration and Town Centres, introduced a report seeking approval of the disposal of the above site on terms outlined within the report.

The Cabinet was advised that the appendix to the report (which contained details of the proposed terms) was not for publication as it contained exempt information as defined in paragraph 3 of Schedule 12A of Part I of the Local Government Act 1972. As such, if the Cabinet wished to discuss the content of the appendix it would be necessary to exclude the press and public from the meeting during its consideration. In the event, such discussion and exclusion did not take place.

The offer was considered to represent market value, generating a significant capital receipt and would result in the redevelopment of the redundant swimming baths.

The disposal was in accordance with both the council's Asset Management Strategy (in respect of surplus land/property) and its Capital Strategy, and would optimise the prospects of regenerating this part of the town centre and secure the satisfactory redevelopment of a key town centre site.

An alternative option would be to decline the offer and continue to market the site for disposal in the hope that a higher one was received. The council had a duty both to achieve 'best consideration' in the disposal of the site and to use its best endeavours to secure a form of redevelopment that would not only enhance the Town Centre Conservation Area but also benefit the local economy.

Resolved:

- (1) That the offer to purchase from Westlands Estates Limited be accepted; and
- (2) That officers be authorised to complete the disposal on the terms summarised both within the report and at Appendix A; and
- (3) That steps be taken to ascertain the ownership of the properties opposite the site with a view to entering into discussions with the owners to achieve a tidying up of their condition.

14. KEELE GOLF COURSE - INTERIM MAINTENANCE AND MANAGEMENT ARRANGEMENTS AND LONG TERM OPTIONS

Councillor Elsie Bates, portfolio holder for Culture and Leisure, introduced a report informing the Cabinet of interim management arrangements that had been established to facilitate ongoing provision of the municipal golf service at Keele Golf Course following actions taken by the liquidator to disclaim the lease of the property, and to seek the Cabinet's endorsement of related decisions.

The report also outlined the long-term options for ongoing provision of municipal pay-as-you-play golf at this location and sought approval for a preferred course of action in relation to the medium to long term option for the site.

Immediate options considered had included:-

- mothballing the course whilst the council considered long term options (this could be regarded as a low cost option that would enable a strategic review to be undertaken from both a service and asset management perspective, but would be likely to be seriously harmful to the long term prospects of municipal golf provision in this location because of the damage caused to the course through lack of proper maintenance and loss of loyalty/good will from the existing customer base); or
- establishing ongoing interim maintenance and management arrangements whilst the council considered long term options (this option presented the short term benefit of keeping the course in operation although this had been balanced with the aim of minimising financial risk to the council).

These demanded consideration of whether the council wished to take the opportunity of:-

(a) undertaking a strategic review of the activity (ie municipal pay-as-you-play golf) in advance of a strategic asset management review (the latter in the context of current and emerging policies). This approach would tend to direct the council towards letting short term maintenance and management contracts awaiting the outcome of a strategic review; or

(b) testing the market interest in operating a municipal golf activity in the long term prior to making any decision to proceed. Such an approach would tend towards a commercial lease as the vehicle to achieve the council's objectives. This would involve a two-stage process that would provide the council with an early indication of market interest through an "Expression of Interest" stage. It would be appropriate to set the terms of any lease on a relatively short term basis, say up to five years. However there was a risk that such a time period may have a significant adverse effect upon the market interest and value of such a lease. For that reason it would be advisable to invite interested parties to submit an alternative bid for longer time periods to be agreed by officers in consultation with Cabinet members before the marketing process began.

In view of the considerations set out in the report, the second bulleted option with the course of action set out at (b) appeared to be the most appropriate at this stage.

Resolved:

- (1) That the actions taken by officers to facilitate ongoing provision of the municipal golf service at Keele – in particular the award of interim contracts for up to six months for both maintenance of the golf course (18-hole and 9-hole) and management of the operation to Glendale Managed Services Limited – be noted;
- (2) That the associated fees and charges as set out in the appendix to the report be set, subject to the junior rates being applied to under-18s rather than under-16s;
- (3) That officers be instructed to proceed with a formal, competitive, two-stage marketing process with the aim of securing a tenant who can deliver a commercially viable municipal golf offer at Keele Golf Course by way of a commercial lease on the basis set out in the report;
- (4) That officers be authorised to prepare the necessary draft lease document in accordance with a specification that shall have been agreed in consultation with the portfolio holders for Culture and Leisure; Economic Development, Regeneration and Town Centres; and Finance and Resources;
- (5) That the outcome of the overall marketing process be reported to Cabinet to enable a final decision to be made about the award of any long term lease; and
- (6) That officers be thanked for the work undertaken on the issue.

15. FINANCIAL AND PERFORMANCE MANAGEMENT REPORT TO END OF QUARTER FOUR (MARCH 2013)

The Leader introduced the Financial and Performance Management Report for the fourth quarter of 2012/13, and reported the comments of the Transformation and Resources Scrutiny Committee from its meeting on 20 May 2013.

The other Cabinet members provided information in relation to the performance within their respective portfolios, with particular reference to areas of particularly strong performance or concern.

Resolved:

- (1) That the contents of the report be noted and the monitoring and scrutiny of performance alongside finances be continued;
- (2) That the new style of the performance report be developed further for 2013/14 as detailed, in line with the Performance Management Framework Review and the Council Plan 2013/14 to 2015/16;
- (3) That the Transformation and Resources Scrutiny Committee be thanked for its comments and those comment be noted; and
- (4) That the Customer and ICT Services Teams be commended for keeping the “unmet demand” indicator (4.5) in relation to telephone calls on target despite the increase of 1,700 additional calls on the day following the recent changes to the Council Tax Benefit system.

16. URGENT BUSINESS

There was no urgent business.

COUNCILLOR GARETH SNELL
Chair

Cabinet - 22/05/13

The meeting concluded at 8.54 pm.