

Public Document Pack

Date of meeting	Wednesday, 15th October, 2014
Time	7.00 pm
Venue	Committee Room 1, Civic Offices, Merrial Street, Newcastle-under-Lyme, Staffordshire, ST5 2AG
Contact	Julia Cleary 01782 742227

Cabinet

AGENDA

PART 1 – OPEN AGENDA

- | | | |
|-----------|---|--------------------------|
| 1 | Apologies | |
| 2 | MINUTES OF THE PREVIOUS MEETING | (Pages 3 - 8) |
| | To consider the minutes of the previous meeting. | |
| 3 | DECLARATIONS OF INTEREST | |
| | To receive declarations of interest from Members on items included in the agenda. | |
| 4 | Medium Term Financial Strategy | (Pages 9 - 42) |
| 5 | Funding the Council's Capital Programme | (Pages 43 - 54) |
| 6 | Newcastle Partnership Review | (Pages 55 - 134) |
| 7 | Locality Action Partnerships - Future Development | (Pages 135 - 144) |
| 8 | Update on the Anti-Social Behaviour, Crime and Disorder Act, 2014 | (Pages 145 - 156) |
| 9 | Statement of Community Involvement | (Pages 157 - 212) |
| 10 | Planning Peer Review | (Pages 213 - 216) |
| 11 | Staffordshire and Stoke on Trent Local Enterprise Partnership Planning Concordat | (Pages 217 - 220) |
| 12 | Duty to Cooperate | (Pages 221 - 230) |
| 13 | Town Centre Car Parking | (Pages 231 - 236) |
| 14 | Freehold Disposal - The Square, High Street, Newcastle under Lyme | (Pages 237 - 242) |
| 15 | Freehold Disposal of Hassell Street Shops & Offices and Brunswick Street Shops & Offices | (Pages 243 - 252) |
| 16 | EXCLUSION RESOLUTION | |

To resolve that the public be excluded from the meeting during consideration of the attached report, because it is likely that there will be disclosure of exempt information as defined in paragraph 3 in Part 1 of Schedule 12A of the Local Government Act 1972.

17 Freehold Disposal of Land - The Square, High Street, Newcastle under Lyme (Pages 253 - 256)

18 Freehold Disposal of Hassell Street Shops & Offices and Brunswick Street Shops & Offices (Pages 257 - 262)

19 URGENT BUSINESS

To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act 1972.

20 ATTENDANCE AT CABINET MEETINGS

Councillor attendance at Cabinet meetings:

Any Newcastle under Lyme Borough Councillor is entitled to attend Cabinet meetings and any Members of the Council may also speak with the permission of the Chair of the Cabinet. There are no limits on the time Councillors will be allowed to speak for. In addition, the respective Chairs of each of the Council's Scrutiny Committees will be permitted to attend and speak at Cabinet meetings, as will the mover(s) of motion(s) referred to the Cabinet

Public attendance at Cabinet meetings:

Any member of the public is entitled to attend meetings of the Cabinet (including press). If a member of the public wishes to speak, they may do so in the form of a question which should be submitted in writing to the Chief Executive of the Council at least two days prior to the meeting taking place. The Chief Executive will share questions with the Chair of Cabinet, who will assess whether the question(s) is/are permissible. The Chair's decision is final on this matter. A maximum of three such questions can be asked at any one Cabinet meeting and no right of reply from the questioner or any other member of the public is permitted, nor any follow up questions. Each questioner can ask one question at any one meeting. A maximum of three minutes will be allowed for the questioner to ask their question or make any other statement, and questions deemed to be repetitious or vexatious will not be admitted.

Members: Councillors Mrs Beech, Kearon, Turner, Stubbs (Chair), Williams, Mrs Shenton (Vice-Chair) and Hambleton

PLEASE NOTE: The Council Chamber and Committee Room 1 are fitted with a loop system. In addition, there is a volume button on the base of the microphones. A portable loop system is available for all other rooms. Should you require this service, please contact Member Services during the afternoon prior to the meeting.

Members of the Council: If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.

Meeting Quorums :- 16+= 5 Members; 10-15=4 Members; 5-9=3 Members; 5 or less = 2 Members.

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

CABINET

Wednesday, 10th September, 2014

Present:- Councillor Mike Stubbs – in the Chair

Councillors Mrs Beech, Kearon, Turner, Williams, Mrs Shenton and Hambleton

19. **DECLARATIONS OF INTEREST**

There were no Declarations of Interest stated.

20. **MINUTES**

Resolved:- That the minutes of the meeting of the Cabinet, held on 23 July, 2014 be agreed as a correct record.

21. **CONTAMINATED LAND STRATEGY**

A report was submitted for Cabinet to consider the Newcastle-under-Lyme Contaminated Land Strategy 2014-19.

The Strategy had been updated and now complies with the latest statutory guidance.

It is estimated that there are around 700 potentially contaminated sites which would require investigation, which have been identified from various sources held by the Council. These sites would be prioritised and dealt with accordingly.

The Cabinet had the following Questions put to them:

Had the document been externally reviewed, and if not, would it be?

The report states that a site investigation must be carried out by a suitable person but there was no indication as to what qualifications that person should have?

The 'records' that were referred to were not complete prior to the 1990's. Was there any way that pre 90's records could be included?

What provision would there be in updating the risk to human health over time? Was there any situation where an update could be requested?

A perception of the Policy was that it lacked a lot of professional detail. Would there be access to monitoring reports for the public?

The Strategy would be reviewed and revised every five years and it would be a public document.

The Leader stated that the other questions needed to be picked by the relevant Scrutiny Committee and a list of written and a list of written answers provided. The Portfolio Holder for Safer Communities stated that he too had been asked similar questions and suggested that he submit a list of questions to combine with the others.

Resolved:- That the Newcastle-under-Lyme Contaminated Land Strategy 2014-19 be approved and adopted

22. PERFORMANCE MANAGEMENT REPORT

The Portfolio Holder for Finance and Resources introduced a report providing Members with an update on how the Council had performed during the first quarter of 2014/15. The results were appended to the report.

The Cabinet thanked the relevant Portfolio Holders and officers for their continued work in monitoring the Council's finances.

- Resolved:-**
- (i) That the contents be noted and it be agreed that the Council continue to monitor and scrutinise performance alongside the latest financial information for the same period.
 - (ii) That the comments made through the Scrutiny process and the responses from officers and others, be noted.

23. PROCUREMENT STRATEGY - 2014 TO 2017

A report was submitted for Cabinet to consider on the revised Procurement Strategy and Action Plan.

The aim of the strategy was to provide the framework in order to ensure a co-ordinated approach to sustainable procurement across the Council and beyond.

The Cabinet thanked The Council's Procurement Officer and his team for their hard work.

- Resolved:-**
- (i) That the revised Procurement Strategy 2014-17 be approved.
 - (ii) That the revised Action Plan (Section 6) of the revised Procurement Strategy 2014-17 be approved.

24. BANKING SERVICES CONTRACT 2015/16 TO 2017/18

The Portfolio Holder for Finance and Resources introduced a report on the Council's Banking Services Contract for 2015-18.

The Council's current banking services contract with the Co-Operative Bank would expire on 31 March, 2015.

Two suppliers submitted a Tender and it was Lloyds Bank who was found to be the best way forward.

As the Co-Operative Bank had expressed a wish to end the contract sooner, a request was made to give the Portfolio Holder and the Executive Director for Resources and Support Services delegated authority to agree an earlier start date subject to the agreement of the Banks.

It was suggested that a letter be sent to the Co-Operative Nank thanking them for their service over the years.

- Resolved:-**
- (i) That the award of the contract for the Council's banking services for a three year period from 1 April, 2015, with an option to extend on an annual basis for a further two years, be approved.
 - (ii) That delegated authority be given to the Portfolio Holder for Finance and Resources and the Executive Director for Resources and Support Services to agree an earlier start date subject to the agreement of the Co-Operative Bank and Lloyds Bank.

25. CHARGING POLICY

A report was presented to Cabinet regarding a revised Charging Policy in relation to charges made by the Council.

The Policy sets out the principles surrounding the making of charges to users of Council services and facilities.

The current Policy was approved by Cabinet on 3 December, 2008 and it was therefore appropriate to update it with whatever changes were required to reflect the present circumstances.

Members were pleased to see a section in the Policy aiming to reduce/eliminate cash payments.

Resolved:- That the Charging Policy be approved.

26. ICT CONSOLIDATION - RENEGOTIATION OF EXISTING SOFTWARE CONTRACT

The Portfolio Holder for Communications, Policy and Partnerships introduced a report on the Council's software contract.

Cabinet's approval was sought to enter into a contract with the current provider of the Council's principal proprietary software following a renegotiation of the current contract which has indicated a saving and would cause least disruption.

The Cabinet thanked the Council's Head of Customer and ICT Services for the outstanding work that had been put into this project.

- Resolved:-**
- (i) That Standing Orders Relating to Contracts be waived on the grounds of 2b in that:-

the goods or services to be purchased are offered to the Council at a price substantially less than the lowest price at which the Executive Director would reasonably expect by the invitation of tenders ordinarily to be able to purchase the said goods or services.

- (ii) That the Council awards a contract to the existing supplier of the Council's principal proprietary software that support a range of statutory and major services for a period from 1 October, 2014 to 31 March, 2019.

27. UPDATE ON THE HEALTH AND WELLBEING STRATEGY

A report was submitted to Cabinet regarding the Borough Health and Wellbeing Strategy.

The Strategy was approved for consultation in June 2013. In addition, an event was organised in October 2013 to look at a partnership approach for the delivery of health services in Newcastle.

The report stated that in 2015/16 a Better Care Fund would be introduced and Newcastle would have to rely on the County Council and the North Staffs Clinical Commissioning Group to fund the health priorities in the Borough's Health and Wellbeing Strategy.

Resolved:-

- (i) That the importance of the Health and Wellbeing Strategy and its' bearing on the delivery of council services be noted.
- (ii) That the developing partnership approach and work to encourage all sectors of the local economy to consider their impact on health and wellbeing be endorsed.
- (iii) That it be recognised that whilst health and wellbeing is a wide ranging and complicated area, it is weaved into all we do, but given our role in providing physical activity opportunities, confirm that the Council will lead on the production of a Borough Sport and Active Lifestyles Strategy.
- (iv) That the consideration of health and wellbeing implications, where relevant, either directly or indirectly in all future reports be approved.
- (v) That it be acknowledged that whilst some funding streams are looking vulnerable; confirm that Newcastle Borough Council will not be picking-up any shortfall.
- (vi) That it be noted that the Better Care Fund (BCF) – referred to in this report and considered by Cabinet at its meeting in April 2014 – has been significantly changed by Central Government, thereby resulting in the need for a further sign off by this Council and the other districts/boroughs in Staffordshire. Cabinet will recall that the main reference to district/borough council responsibilities in the BCF is the Disabled Facilities Grant (DFG) – and it should be noted by Cabinet that this aspect of the BCF Plan for Staffordshire is largely unchanged in the revised Plan. Arrangements are being made for sign off and a separate report appears on this Cabinet agenda (September 2014)

28. PLANS FOR A BUSINESS IMPROVEMENT DISTRICT IN NEWCASTLE UNDER LYME

The Portfolio Holder for Economic Regeneration, Business and Town Centres introduced a report updating Members on the Newcastle Town Centre Partnership's plans to establish a Business Improvement District (BID) for the town centre.

The Portfolio Holder stated that the Town Centre Partnership had proved successful with a small decrease in empty shop premises, the arrival of new businesses and the Christmas lights displays.

Early next year it had been proposed to place a levy on top of the business rates. If the businesses agreed, it would make the Town Centre Partnership self-sufficient for the next five years.

The Town Centre Partnership had found a consultant who was gathering information from businesses in order to put together a prospectus of what they wish to do over the next five years.

The Borough Council would have a financial obligation if the BID was successful which would need to be included in the next five years' revenue budgets.

The Portfolio Holder was thanked for the work that had been done in the town centre with many changes already visible.

- Resolved:-**
- (i) That the requirements of the Council to provide NNDR information for the purposes of a Business Improvement District and to operate the ballot (and collection of levy if vote is successful) in line with the regulations covering BID ballots be noted.
 - (ii) That the Newcastle Town Centre Partnership's plans to consult local businesses on the introduction of a Business Improvement District be supported.
 - (iii) That the Portfolio Holder for Economic Development, Planning & Town Centres be authorised to vote at the Partnership Board to progress the Business Improvement District proposal to a ballot.
 - (iv) That a further report be received by the Cabinet after the Town Centre Partnership sets the levy so that the full financial implications can be calculated, enabling a full assessment of the business case and cost to the Council as a rate payer, prior to the ballot taking place.

29. **BRADWELL CREMATORIUM**

A report was received requesting the waiving of Standing Orders to enable the relining of cremators F2 and F3 at Bradwell Crematorium. Which is required to be carried out every five years.

The reason for wishing to waive the Standing Orders was to ensure continuity and officers agreed that it did represent value for money.

- Resolved:-**
- (i) That in view of the exceptional circumstances, Standing Orders applying to contracts contained in Part III of the Councils Constitution be waived on

the grounds referred to in section 2 (b) (iv). in that: (the supply of goods, materials, or for the carrying out of works or services) are proprietary, patented or specialised goods or materials.

- (ii) That the Council awards the contract for the relining of the cremators at Newcastle Crematorium to the manufacturer of the cremation units in the sum of £71,551, to be met from the provision made within the Equipment Replacement Fund for this type of work.

30. BETTER CARE FUND

A report was submitted for the Cabinet to consider, asking Members to approve the updated version of the Better Care Fund Plan for Staffordshire.

The Plan had had to be revised following changes in the Better Care Fund introduced by national government.

Concerns were raised regarding the Disabled Facilities Grant being incorporated into the Better Care Fund and only being safeguarded for one year.

The report made no real reference to what districts provide in the Fund. In addition, there was no safeguard to the Disabled Facilities Grant beyond year 1. In addition, it was felt to have no long term vision and had very little reference to Mr Goodwin's report.

The Leader would put these comments into a letter to the County Council and advise the Cabinet of any response received.

All Members of the Cabinet agreed not to sign up to the document.

- Resolved:-**
- (i) That the contents of the report be noted.
 - (ii) That the new Staffordshire Better Care Fund Plan be not endorsed.
 - (iii) That the Leader write to the County Council expressing the Cabinets concerns.

COUNCILLOR MIKE STUBBS
Chair

1. **MEDIUM TERM FINANCIAL STRATEGY 2015/16 TO 2019/20**

Submitted by: Executive Director – Resources and Support Services

Portfolio: Finance and Resources

Ward(s) affected: All

Purpose of the Report

To provide the background on the financial strategy for the Council over the next five years in the light of the national and local financial situation and taking account of the Council's priorities.

Recommendations

(a) To approve the Medium Term Financial Strategy for 2015/16 to 2019/20.

(b) That the report be referred to the Finance Resources and Partnerships Scrutiny Committee for comment.

Reasons

The Medium Term Financial Strategy underpins the whole financial planning structure of the Authority. It is closely aligned to the Council's Council Plan and focuses on targeting its financial resources in line with its stated aims and objectives.

1. **Background**

1.1 The Borough Council is committed to deliver high quality services. Integral to this ambition is the need to effectively target its financial resources in line with its stated aims and objectives.

1.2 The document attached as Appendix A, the Medium Term Financial Strategy (MTFS) for the period from 2015 to 2020, demonstrates alignment with the Council Plan and will be the main vehicle in assessing the Council's financial position, ensuring efficiency in service delivery and targeting resources to agreed priority areas.

2. **Issues**

2.1 Local government in general and district councils in particular continue to face the prospect of operating within a severely challenging financial environment. With further large decreases in general government funding forecast, the Council must review the services that it provides and its approach to value for money to keep council tax increases as low as possible.

2.2 When Local authorities were informed of their allocations of central government funding in support of their budgets for 2014/15 they also received notification of provisional amounts for 2015/16. This support

is in the form of Revenue Support Grant (RSG) and a Baseline Funding amount related to Business Rates. The final amounts of funding will be notified later in the financial year, most likely in December 2014. The provisional allocation for this Council is £6.012m. This compares with a total of £7.123m for 2014/15, representing a 15.6 per cent reduction from year to year. The funding reduction is reflected in the MTF5, being one of the main contributors to the budget shortfall for 2015/16 as shown in the MTF5. The government has given limited information about the amounts of funding for subsequent years. Indications are that there is likely to be a further substantial reduction in 2016/17 and continuing significant reductions for at least the following three years. Accordingly, the MTF5 has assumed a 10 per cent reduction for 2016/17 onwards.

- 2.3 Revised arrangements in respect of business rates have applied from 1 April 2013, allowing local authorities to retain part of any growth in rate income. These arrangements, which are fairly complex, are outlined in the MTF5 report. Additionally, the Council is a member of the Stoke on Trent and Staffordshire Business Rates Pool, which enables it to retain more rates income than it otherwise would have done by avoiding payment of a levy on rates income growth to the government. It is anticipated that the Council will benefit from rates retention, although it is difficult to estimate precisely how much additional income it will be able to retain. The MTF5 does not allow for any additional income. However, it will be reasonable to assume a prudent level of additional income for inclusion in the list of savings/additional income to be compiled to meet the 2015/16 funding gap of £1.850m identified in the MTF5.
- 2.4 Housing is an important source of economic growth. For each new-build home, conversion and long-term empty home which has been brought back into use, the Council receives New Homes Bonus Grant which is based on the extra Council Tax revenue generated by these homes. It is therefore both economically and financially important to support housing growth.
- 2.5 The purpose of the comprehensive five year MTF5 is to predict likely budget totals, if services are maintained at current levels, by projecting forward the different elements of the 2014/15 budget, such as employee pay or supplies and services, based on assumptions as to likely changes or specific pressures, such as pay increases or price increases or any agreed changes which will affect service levels. These assumptions are all set out in the MTF5. It also illustrates how the Council Plan is driving the medium term financial plan over the next five years. Whilst standing on its own as a strategy, it is an integral part of the Council's overall planning process comprising service delivery plans, the Council Plan and the Borough's Sustainable Community Strategy.
- 2.6 The MTF5 identifies significant budgetary shortfalls over the next five years that will need addressing with robust financial and budget strategies. The amounts for each year are set out below:

2015/16 £1.850m
2016/17 £1.160m
2017/18 £0.558m
2018/19 £0.692m
2019/20 £0.399m

The detailed MTFS shows how these amounts arise and what measures are being proposed to address them.

- 2.7 The Council Leader and the Portfolio Holder for Finance and Resources are members of the Budget Review Group. The Budget Review Group will continue to oversee all aspects of the budget process, including service review and challenge, longer term planning, development of budget options including proposals for savings and increasing income, agreeing consultation arrangements and consideration of feedback and seeking to deliver service models that drive improvement to front-line services whilst offering value for money.
- 2.8 The budget options developed by the Budget Review Group will be available for consideration by December and the MTFS amended, where necessary, to take account of them. Cabinet will consider these proposals, in the form of a draft budget for 2015/16 at its meeting on 14 January, to enable this to be submitted to the Finance, Resources and Partnerships Scrutiny Committee on 22 January. As part of this process it is intended to repeat the Scrutiny Café event on 13 January which will enable all members to obtain information regarding budget options and to ask Cabinet members and officers questions about the options.
- 2.9 It is also envisaged that as in the last two years, the first draft of the savings plans for 2015/16 will be available for the meeting of the Finance and Resources Partnerships Scrutiny Committee on 4 December.

3. **Proposal**

- 3.1 That Members approve the Medium Term Financial Strategy for 2015/16 - 2019/20.

4. **Reasons for Preferred Solution**

- 4.1 Without an MTFS it would be difficult to demonstrate the alignment of resources with the Council Plan. It is also the main vehicle for assessing the Council's position, ensuring efficiency in service delivery and targeting resources to agreed priorities.

5. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- 5.1 The MTFS identifies the resources to deliver the corporate priorities of the Authority linked to expected outcomes.

6. **Legal and Statutory Implications**

- 6.1 The MTFFS is not a statutory document but it is considered best practice.

7. **Equality Impact Assessment**

- 7.1 Differential equality impact issues will be identified against the key strategies, policies and functions of the Council and will be considered in producing future service improvements, which will then be reflected within the Council's budgets.

8. **Financial and Resource Implications**

- 8.1 The MTFFS identifies future years' shortfalls in financial resources which will need to be addressed as part of the Council's budget strategies.

9. **Major Risks**

- 9.1 Section 25 of the Local Government Act 2003 places a duty on the Chief Finance Officer to report on the robustness of the budget. The main risks to the budget include:

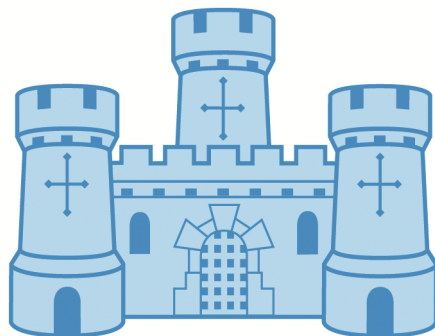
- Spending in excess of the budget
- Income falling short of the budget
- Unforeseen elements, e.g. changes in interest rates

Such risks require regular and careful monitoring and it is essential that the council has sufficient reserves to call on if required, e.g. the council has a general fund balance of £1.20 million and a minimum balance of £0.100m in the Contingency Reserve. In previous years the Chief Finance Officer has believed that the assurance required under Section 25 can be given and, with careful budget planning, robust monitoring and adequate level of reserves, there should be no reasons to alter that view.

10. **List of Appendices**

Appendix A - Medium Term Financial Strategy 2015/16 to 2019/20.

Medium Term Financial Strategy 2015/16 to 2019/20



**NEWCASTLE
UNDER LYME**
BOROUGH COUNCIL

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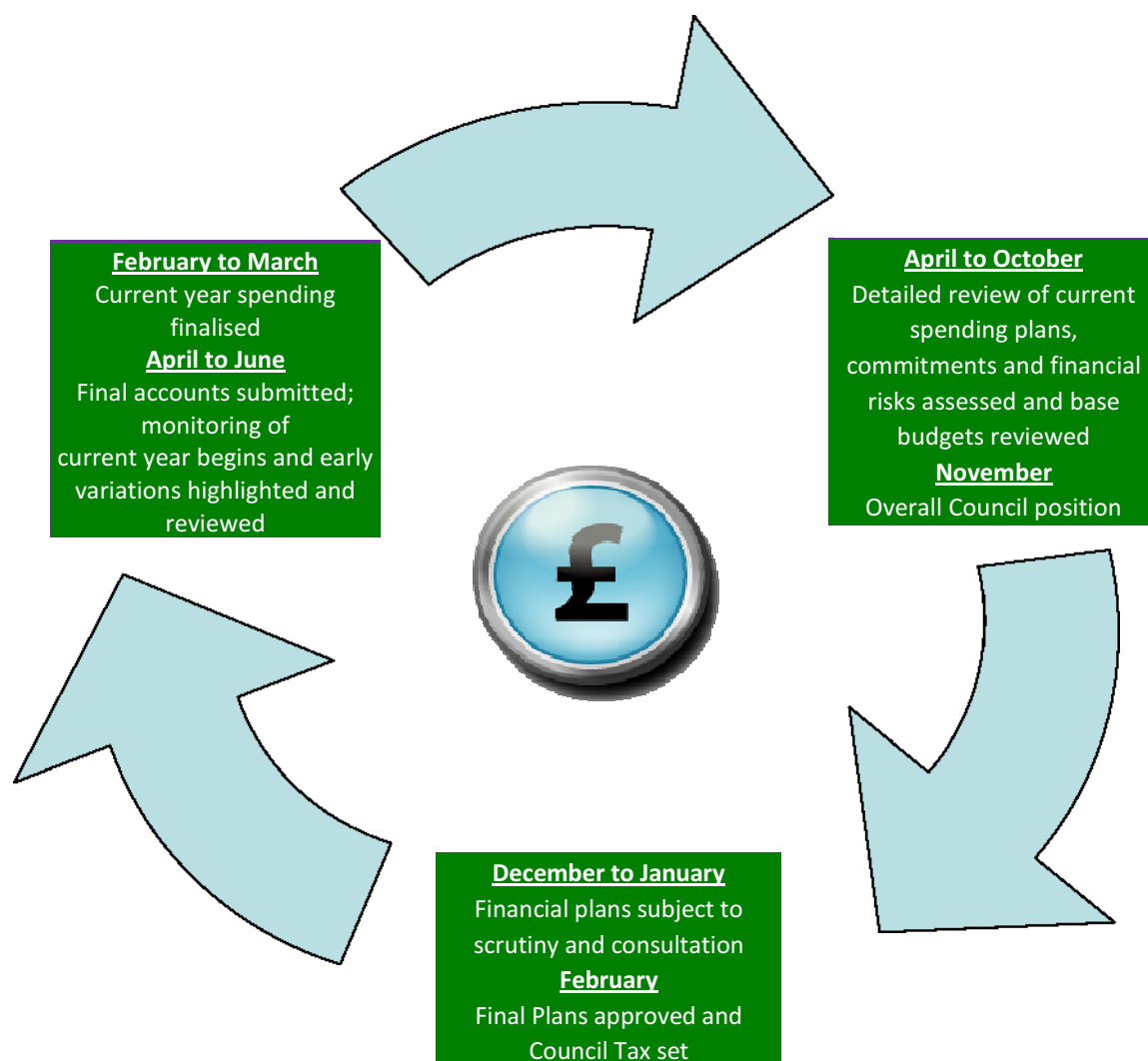
Page 1	Section 1: Introduction, Financial and Corporate Planning
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Page 17	Section 4: Risk
Page 18	Section 5: The Council's Financial Strategy
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Page 27	MTFS Summary

MEDIUM TERM FINANCIAL STRATEGY 2015 to 2020

1. INTRODUCTION

- 1.1 This document provides details of the Council's medium term financial plans and projected financial position to 2020.
- 1.2 It sets out how the Council spends the money it receives from the residents and businesses of Newcastle-under-Lyme and Central Government, to provide services and to meet the priorities identified in the Council's Council Plan.
- 1.3 The formulation of this medium term strategy is part of the wider financial strategy and framework at the Council. Financial planning is an on-going process and this strategy is reviewed and updated on a regular basis.

The Annual Financial Cycle



A Longer-Term View

- 1.4 The Council plans its finances over a 5-year rolling programme. This longer-term view is designed to highlight at an early stage where the Council may have financial challenges and the level of resources it is likely to have available beyond the current financial year.
- 1.5 This helps to identify future issues in order that a timely and planned approach can be taken to address a shortfall in resources, a reprioritisation of spending or indeed where additional resources are available, where they should be invested.

The Budget Review Group

- 1.6 A Budget Review Group was established to ensure that the budget setting process consults all interested parties in a transparent manner. The Council Leader and the Cabinet Portfolio Holder for Finance and Resources are members of the group, together with the Chief Executive, Executive Director of Resources and Support Services, Executive Director of Regeneration and Development and the Executive Director of Operational Services.
- 1.7 The remit of the group is to oversee all aspects of the budget process, including service review and challenge, longer term planning, development of budget options, agreeing consultation arrangements and consideration of feedback and seeking to deliver service models that drive improvements to front line services whilst offering value for money.

The Council plans its finances over a 5-year rolling programme. This longer-term view is designed to highlight at an early stage where the Council may have financial challenges and the level of resources it is likely to have available beyond the current financial year.

The Council Plan

- 1.8 The Council Plan describes the key actions that the Council will take over the next three years in order to create a borough that is prosperous, clean, healthy and safe. It sets out the Council's priorities and focuses on delivering these and ensuring that we continue to deliver high quality services for the Council's customers and bring real improvements in services for all in the Borough.
- 1.9 The Plan is updated annually to ensure that the Council's corporate objectives and priorities for action are helping to achieve the Council's Vision and reflect community priorities in the services that it provides.
- 1.10 In these very challenging times, the Council continues to have its funding reduced by Central Government and legislative changes to the responsibilities of local council's means there will be some tough decisions ahead. For these reasons alone it is important that resources are used prudently and effectively and to review the way in which we do things and consider what is important for the borough. There is thus a clear and direct link to the Medium Term Financial Strategy (MTFS) from the Council Plan.

The Council's Role

- 1.11 The Council wants Newcastle-under-Lyme to be a borough in which people are proud to live, work, visit and do business. Moreover, it is important that the council be an open and transparent organisation which is accountable to local people and which, through co-operation with partners, will work together to improve where we all live. By trying to deliver better services and focused on the needs of local people, the council's aim is to create an organisation which is responsive and in touch with the people it serves. Consequently, the Council's Vision is:

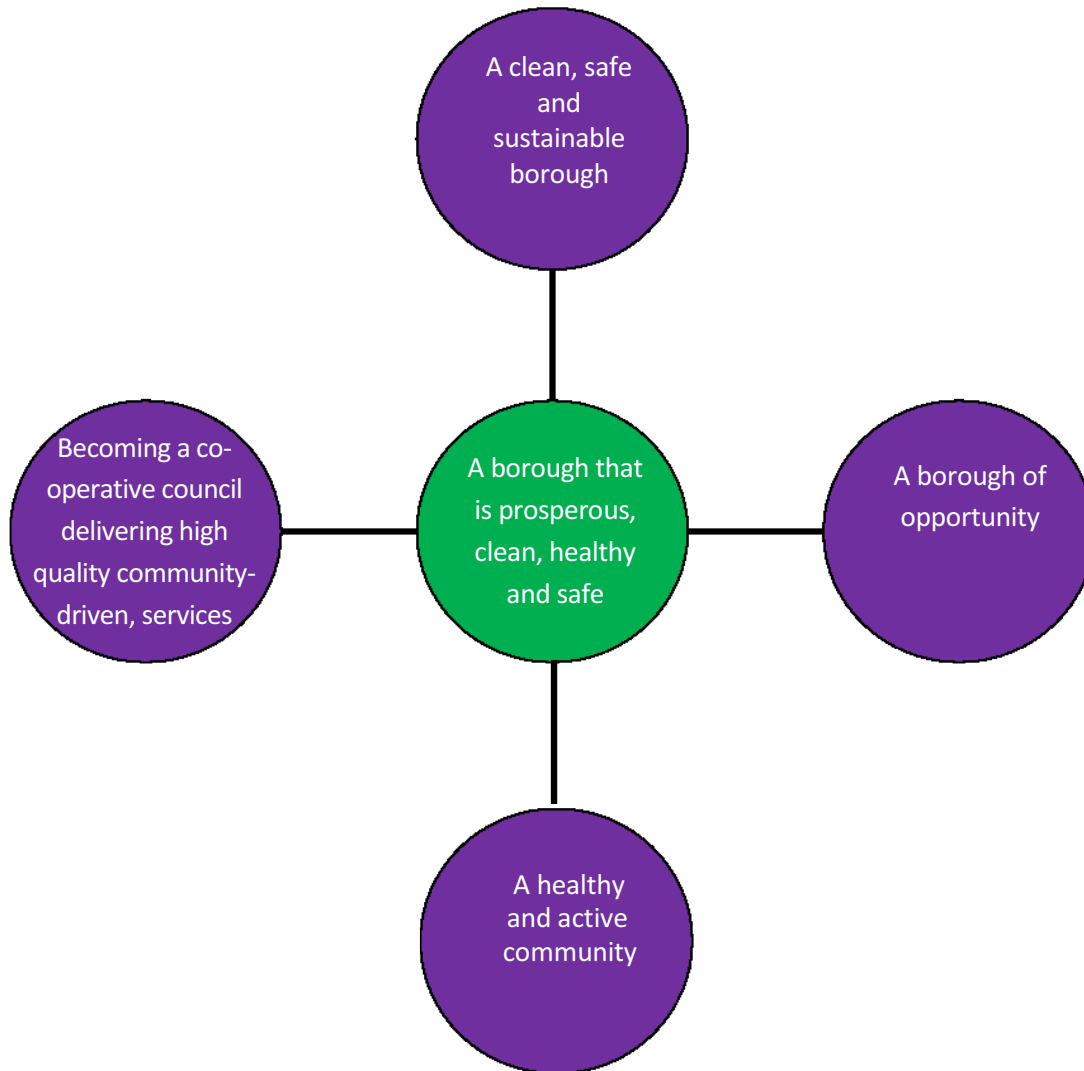
“To create a borough that is prosperous, clean, healthy and safe”

Priorities and Outcomes

- 1.12 In order to deliver this vision, the Council has developed 4 “priorities” under which there are a series of outcomes and activities. These priorities and outcomes are reviewed and monitored on an annual basis. Progress against targets is reported to Cabinet and Finance Resources and Partnerships Scrutiny Committee.
- 1.13 The full Plan with targets for 2014/15 to 2016/17 can be accessed on the Council's web site at: www.newcastle-staffs.gov.uk

Priorities

1.14 Effectively, the Plan covers all aspects of life in all areas of the borough.



- [A clean, safe and sustainable borough](#) – To improve the environment so that everyone can enjoy our safe, sustainable and healthy borough.
- [A borough of opportunity](#) – To work with our partners to maximise investment and encourage enterprise and employment – generating activities that will create opportunities for improving the wealth, prosperity and housing choices of our residents.

MEDIUM TERM FINANCIAL STRATEGY 2015 to 2020

- [A healthy and active community](#) – To work with partners to make sure residents and visitors are able to access a range of facilities and support activities that will enable them to improve their health and quality of life.
- [Becoming a co-operative council which delivers high quality, community-driven, services](#) – Newcastle-under-Lyme Borough Council is working towards being a co-operative council which means working together with residents, partners and local organisations to collectively deliver the best using available resources.

Links with the Medium Term Financial Strategy

- 1.15 The financial planning framework is integrated with the corporate planning process. The Council Plan aims to identify the specific services and issues as to where the Council should prioritise its resources and the Council's budgetary plans reflect this.
- 1.16 The net revenue budget for 2014/15 has been allocated across services provided as shown in the chart below.

MEDIUM TERM FINANCIAL STRATEGY 2015 to 2020

⚙️ **Shown as a negative amount due to income exceeding the costs associated with these activities**

Highways, Roads and Transport ⚙️

- Highways/Roads (Structural)
- Highways/Roads (Routine)
- Street Lighting
- Parking Services
- Public Transport
- Traffic Management and Road Safety
- Transport Planning, Policy and Strategy

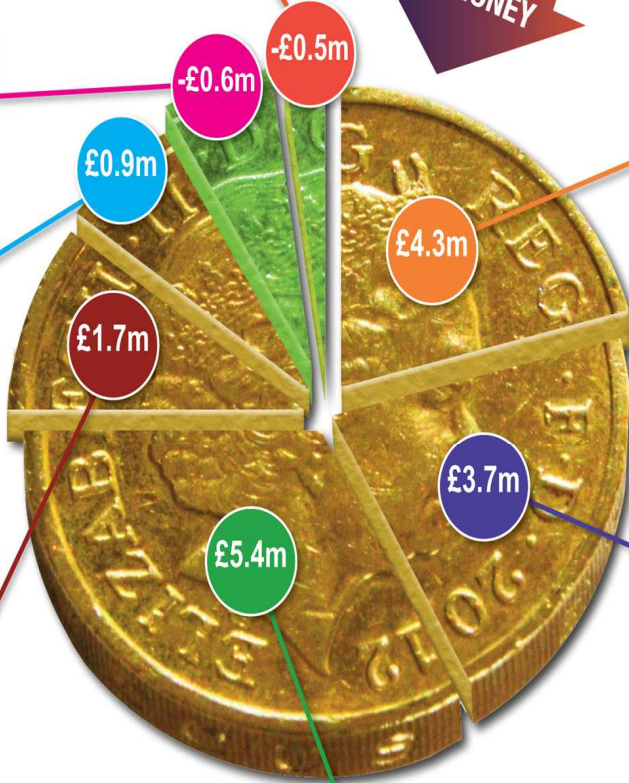


Corporate Expenditure ⚙️

- Interest and Investment Income
- Investment Properties
- Pension Liabilities Account

Central Services

- Council Tax Collection
- NNDR (Business Rates) Collection
- Non Distributed Costs
- Members Services and Committee Administration
- Mayorality
- Registration of Electors
- Conducting Elections
- Corporate Management
- Local Land Charges
- General Grants, Bequests and Donations
- Emergency Planning



Housing Services

- Housing Strategy
- Housing Advice
- Housing Advances
- Homelessness
- Private Sector Housing Renewal
- Housing Benefit Payments
- Housing Benefit Administration
- Enabling
- Licensing of Private Sector Landlords

Cultural Services

- Museum and Art Gallery
- Theatres and Public Entertainment
- Parks and Open Spaces
- Allotments
- Community Recreation Service
- Community Centres
- Sports and Leisure Centres
- Tourism
- Golf Course
- Cultural Management and Support Services

Planning Services

- Building Control
- Development Control Enforcement
- Development Control Applications and Appeals
- Planning Policy
- Environmental Initiatives
- Economic Development Commercial Portfolio
- Economic Development - Other
- Economic Development - Government Initiatives
- Community Development

Environmental Services

Cemetery and Cremation Services	Infectious Diseases	Street Cleansing
Environmental Protection	Pest Control	Waste Collection
Pollution Control	Public Health	Waste Disposal
Environmental Crime	Water Safety	Waste Strategy
Food Safety	Footpath Lighting	Trade Waste
Public Conveniences	Recycling	Waste Minimization
Licensing	Flood Defence and Land Drainage	Climate Change Costs
Dog Warden Services	Community Safety - Crime Reduction	Environmental Management and Support Services
	- CCTV	
	- Safety Devices	Streetscene

MEDIUM TERM FINANCIAL STRATEGY 2015 to 2020

Links to other strategies and plans

- 1.17 The MTFS has links to a number of other Council and wider community strategies and plans. Where these have financial consequences for the Council, these are reflected in the MTFS.

The Council has three main strategies linked to its priorities:

- Economic Development Strategy
- Health and Wellbeing Strategy
- Stronger and Safer Communities Strategy

Others which have a particularly significant input are:

Capital strategy and capital programme

- 1.18 The Capital Strategy sets out how the Council proposes to deploy its capital resources in order to assist it to achieve its corporate and service objectives. It also takes into account the resources which are likely to be available to the Council to fund capital investment and the effect of that investment on the Council's revenue budget. The Council's detailed capital investment plan is contained in its Approved Capital Programme. The current programme was approved by Full Council on 26 February 2014. This programme provides for £2.2 million of investment during 2014/15 in projects across all of the Council's priority areas.
- 1.19 The Capital Strategy has been prepared against a background of unprecedented reductions in funding provided to local authorities by central government and its agencies, arising from the need to restrain public expenditure owing to the ongoing economic recession and to rebalance public finances. At the same time, the Council's own resources available to finance capital projects are running out and will need replenishing before any substantial further capital investments can be made. Whilst the Council has benefited from an ability to recycle income derived from the disposal of land and property over many years, a more focused programme of asset disposals is required to counteract the effects of reduced external finance.
- 1.20 The Council is presently debt free, having no long term loans outstanding. However, if further capital receipts do not materialise borrowing may be the only option to finance proposed capital expenditure in future years. This will have an effect on the general fund revenue account through financing charges and reduced investment income.

Asset management strategy

- 1.21 The asset management strategy encapsulates the Council's response to national policies and guidelines; it sets out the processes for the strategic management of the Council's property assets in order to ensure the best use of assets to meet corporate objectives in an efficient and effective manner. These processes resonate with the Capital Strategy and in turn may result in projects being included in the capital programme.

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- 1.22 Through a planned and ongoing review of the asset register, against current and anticipated usage, disposal of assets will provide investment into the Council's capital programme. In parallel the Council will seek partner contributions (for example through external grants, partner organisation use of Council assets to contribute to revenue streams and joint venture opportunities).

Treasury management strategy

- 1.23 This is approved annually and sets out the Council's strategy for investment of its funds. The investment strategy, together with the prevailing market conditions in relation to interest rates and counterparty security will be the major factor in determining the return which is obtained on investments. Interest on investments is a source of income in the revenue budget.

Human resources strategy and workforce development plan

- 1.24 The Human Resources Strategy provides the strategic linkages in people performance and management to enable the Council to meet the Council Plan objectives. The Workforce Development Plan sets out how the Council will develop the skills and capacity of its staff in line with the Human Resources Strategy. Where there are costs associated with this, these will be included in the MTFS.

Charging policy

- 1.25 The policy sets out what the Council intends to achieve through the charges it makes and the criteria which it will use to determine the level of charge for individual services. The annually approved scale of fees and charges is compiled in line with the principles set out in the policy. Income from fees and charges comprises a significant proportion of the income included in the revenue budget.

Reserves and balances strategy

- 1.26 The Council's Reserves and Balances Strategy indicates that, following a risk assessment, the minimum prudent level of general fund balance to hold is £1.2 million and that there should also be a contingency reserve of £100,000. Current indicators are that this strategy will be delivered.

Departmental service delivery plans

- 1.27 Service Plans are an integral part of the Council's planning process and demonstrate the actions and targets of each directorate in order to achieve the Council's corporate objectives and priorities.

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Other strategies which may influence the MTFS

1.28 There are a number of other Council strategies whose contents may have implications for the MTFS:

- Procurement Strategy
- North Staffs Green Spaces Strategy
- Private Sector Housing Renewal Strategy
- Housing Strategy
- Arts and Cultural Strategy
- Energy Efficiency and Climate Change Strategy and Carbon Reduction Plan
- North Staffs Core Spatial Strategy
- Saved Local Plan Policies (emerging)
- Co-operative Council Strategy
- Sustainable Community Strategy

2. THE COUNCIL'S OVERALL FINANCIAL POSITION

2.1 The Council's overall financial position has been relatively strong over recent years, this has arisen both from prudent financial management, together with a programme of efficiency savings from transformation, procurement, service delivery and the generation of additional income. These savings have helped to sustain the Council's financial position against a background of reducing resources.

The National Context

2.2 Similar to other areas of the Public Sector, local authorities have had to lower costs as their main source of funding, i.e. Central Government Grant has reduced by 55 per cent since 2010. This is a result of the Government's Policy to address the national budget deficit and this is expected to be on-going over the life of this Medium Term Financial Strategy.

2.3 Central government support for local authorities revenue budgets is provided in the form of Revenue Support Grant (RSG) plus a Baseline Funding amount relating to Business Rates. The amounts to be paid to local authorities as a whole and to individual authorities are announced via the annual local government finance settlement, provisional figures being announced usually in December and final ones in January.

2.4 The Local Government Finance Act 2012 introduced business rate retention for local authorities and for the localisation of council tax benefit, i.e. for local authorities to assume responsibility for devising schemes for making payments to claimants, instead of acting as agents for the Department of Work and Pensions.

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- 2.5 The revised arrangements took effect from 1st April 2013. The Council still bill and collect business rates, but instead of contributing all business rates into the central pool and receiving formula grant plus a baseline funding amount, a proportion of the business rates is retained by the Council.
- 2.6 A baseline level of funding was set so that at the start of the system, the amount received is equivalent to what it would have been under the previous system, less the reductions arising from the Local Government Resources Review. From then on the Council's funding may grow if the business rates base in Newcastle-under-Lyme grows, but could also fall if the business rate base declines.

Compilation of the MTFS

Principles

- 2.7 The MTFS considers changes to the 2014/15 base budget by breaking this budget down into its subjective cost and income components; pay, pensions, utilities, fuel, supplies and services, investment income, income from fees and charges, etc. An assessment is then made, in respect of each of these components, of the factors which might affect their cost or the amount of income receivable and whether there is likely to be a change in this cost or income, and if so how much it will amount to, in each year over the five year period. Also taken into consideration are any additional pressures which may apply to services over the five year period, plus any savings which have been identified and agreed or approved investments in services over the five years. The MTFS therefore shows the changes from the initial 2014/15 base budget through to 2019/20, demonstrating the variances between each of the years.

Base budget components assessed for cost variances

- 2.8 These are set out in detail in section 2.12, which shows by how much in monetary terms the estimated budget for each of the five years varies by comparison to the previous year on account of these factors alone. Also shown are the assumptions about price changes that have been made in respect of each component. In summary, the components examined and the factors which were taken into account to assess the changes were:

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- Levels of central government funding (estimated) as referred to in the National Context section of the strategy (page 9);
- Pay awards and incremental pay increases;
- National Insurance increases, linked to increased pay;
- Superannuation increases, both to take account of increased pay and changes in contributions to the pension fund;
- Energy costs, based on advice from the Council's Procurement Officer;
- Business rates increases on Council properties;
- Fuel for vehicles, based on advice from the Council's Procurement Officer and Freight Transport Association and allowing for changes to fleet numbers and in vehicle types;
- General inflation in relation to supplies and services and contract increases;
- Levels of grants and contributions paid by the Council to external bodies;
- Increase in income from customer receipts;
- Changes in specific government grants receivable;
- Changes in amounts of investment income receivable, both as a result of changes in forecasted interest rates and changes in relation to the capital sums available for investment;
- Contributions from reserves and ongoing effects of previous savings exercises or investments associated with them

The following key assumptions have been made:

- Full provision for known pay increases from incremental progression.
- A 1 per cent pay award in 2015/16 and 2 per cent thereafter.
- Central Government funding will decrease by 15.6 per cent in 2015/16. The government has given limited information about the amounts of funding for subsequent years. Indications are that there is likely to be a further substantial reductions. The MTFS has assumed a 10 per cent reduction for 2016/17 onwards. Funding for 2015/16 will not be confirmed until the local government finance settlement in December.
- A 3.2 per cent increase in transport fuel in each of the five years, as per the forecast provided by the Freight Transport Association.
- An increase in pension contributions.
- An increase of general inflation on certain supplies and services.
- Energy costs are based on an assessment by the Council's energy management advisors and the Council's Facilities Manager.
- Increases in line with inflation for most income heads.

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- Interest rates based on forecasts supplied by the Council's treasury management advisors.
- Investment income takes account of the latest capital programme expenditure forecasts.

2.9 Whilst all of these are important and of some significance, a sensitivity analysis has been undertaken on the following four issues for which the main findings are:

- The level of central government funding which is received
These support a large per cent of the budget so have a major impact. A variation of 1 per cent in the level of external support via these two sources would amount to £60,000.
- How movements in interest rates will affect the Borough Council
The Council has no external debt at the current time but does generate income from its investment portfolio. The Bank of England base rate is currently 0.50 per cent. It is estimated that a change of 0.50 per cent in the interest levels on the Council's investments would lead to £33,000 (based on anticipated investment levels) more or less interest.
- How changes in nationally agreed pay awards will impact
There is provision for a 1 per cent pay award in 2014/15 and a 2 per cent thereafter. With a pay bill (excluding National Insurance and Superannuation) of £12.3m, a change of 0.50 per cent would save or cost £61,000.
- How actuarial changes in the pension scheme will affect the Council
Pension costs are currently 17.1 per cent of salaries for all of those staff in the pension scheme. Over the next five years forecast increases have been factored in. A variation of 1 per cent would save or cost £111,000.

Council Priorities

2.10 A number of Council priorities have been provided for in the formulation of the MTFs, these include:

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- ***Town Centre Partnership***

The development/improvement of the two main town centres (Newcastle and Kidsgrove) has been identified as a clear priority. In order to demonstrate that the Council is able to support and develop the town centres as vibrant places where people want to visit, work, invest and shop, the Council will seek to work in partnership with local businesses to develop an action plan for improving the economic prospects of the town centres. The Town Centre Partnership plans to secure a sustainable funding model through the introduction of the Business Improvement District (BID). The Council's support would continue in the form of payments based on the rateable value of the Council's premises in the town centre, in line with other public and private companies operating in the BID area.

- ***Apprenticeships***

In order to improve the opportunities and training prospects of young people in the Borough, the Council is providing further apprenticeship opportunities through the establishment of a 'shared apprenticeship scheme' in partnership with other local organisations within both the public and private sectors.

- ***Home Security Support for Vulnerable Residents***

Helping vulnerable people, including the elderly is a key priority of the Council. Community safety and fear of crime also remain an important theme for the council and partner agencies. In relation to home security there are two key issues: firstly the standard/condition of the property and secondly, the likelihood of the resident being targeted by a criminal. The Council seeks to address these issues by responding to resident requests for assistance and proactively targeting areas high crime in partnership with the Police.

Assessment of what the MTFS means

- 2.11 The implications of the MTFS forecast will be taken into consideration in the preparation of detailed budgets for 2015/16 and give guideline figures for the budgets for the following four financial years. Details of the timetable, which is being followed, are shown later.

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2.12 The summarised MTFFS illustrates that the Council would have the following shortfalls over the next five years which need to be addressed.

- £1.850m in 2015/16
- £1.160m in 2016/17
- £558,000 in 2017/18
- £692,000 in 2018/19
- £399,000 in 2019/20

2.13 As a percentage of the net budget, the potential shortfall in 2015/16 represents 12 per cent of the current year's net revenue budget. In recent years, the shortfalls have been met by a combination of efficiency measures, better procurement, increased income generation, council tax increases, support from reserves, etc. The continued severity of Central Government funding reductions together with other pressures outlined will mean that together with a continuation of the above strategies, more radical solutions will need to be formulated e.g. shared services, alternative service delivery models and reduction in services.

Newcastle 2020

2.14 In view of the MTFFS forecasts a project called Newcastle 2020 was started at the end of 2013. This is looking at how the Council's ever decreasing resource base can be best used to meet the needs of the population of the Borough.

2.15 The project consists of a number of different work streams, all of which will provide a perspective on the future role and funding of the council. Some of the work that has already commenced includes:-

- **Financial Modelling**

Heads of Service have been asked to model what their services would look like with a 20 per cent, 40 per cent and 60 per cent reduction in resources.

- **Income**

This has involved an analysis of the Council's future tax resource base. This is essential in the content of the changes in respect of business rates and the incentives created in respect of the New Homes Bonus. (These are outlined elsewhere in the MTFFS). In addition, further work is ongoing to maximize income from fees and charges.

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- **Reducing Bureaucracy**

Work is being undertaken to ease the burden of carrying out administration tasks across the Council.

- **Delivery Models**

A number of options are being looked at which could assist the council to sustain services with significantly reduced resources. Areas being looked at include demand management, self-service delivery, procurement and cost sharing with partners and other organisations.

Budget Strategy 2015/16

2.16 The shortfall identified for 2015/16 needs to be managed so that a balanced budget is compiled with spending matched with resources.

2.17 The potential savings, efficiencies and areas of increased income identified for 2015/16, predominately as part of the Newcastle 2020 project, currently include:

- Procurement savings resulting from the negotiation of contracts and annual uplifts incurred, also from determining the actual need for goods, works or services and through ensuring that the Council commissions and procures quality services and supplies, as cost effectively as possible
- Additional areas of income generation including areas where services are performing above their targets, a review of current fees and charges in comparison to other authorities and competitors and a review of areas where we provide a service for free or have the potential to provide a charge for service together with new initiatives
- Staffing efficiencies including a review of vacant posts within the Council, the need to recruit to these posts, a number of service restructures following the departures of the Heads of Service and a number of flexible retirements
- Good housekeeping efficiencies including a comprehensive review of services expenditure budgets that are under utilised and reductions in fees that are required to be paid to external bodies
- Better use of assets including a review of their usage or potential usage and the costs associated with the continued usage or occupation of these assets
- Alternative sources of funding, e.g. New Homes Bonus contributions, Business Rates Retention Scheme and other grants.

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3. TIMETABLE AND PROCEDURE

- 3.1 A Budget Review Group was established in 2012. The Council Leader and the Portfolio Holder for Finance and Resources are members of the group, together with the Chief Executive, Executive Director of Resources and Support Services and other appropriate finance and corporate support officers.
- 3.2 The remit of the group is to oversee all aspects of the budget process, including service review and challenge, longer term planning, development of budget options, agreeing consultation arrangements and consideration of feedback and seeking to deliver service models that drive improvement to front line services whilst offering value for money.
- 3.3 A service challenge process was conducted by the Budget Review Group in 2012 with the Newcastle 2020 project being established in 2013. Heads of Service have put forward options for improved service delivery and efficiency savings together with suggestions for 'invest to save' proposals whereby continuing increased efficiency can be obtained in return for a proportionally modest initial outlay.
- 3.4 The early results from the Newcastle 2020 project have formed the basis of the formulation and preparation of the 2015/16 budget.
- 3.5 The Budget Review Group will also consider the capital programme for 2015/16 and beyond and the resources available to finance it. There will be the opportunity for members to review and comment on this during the scrutiny process.
- 3.6 The budget timetable as regards member involvement and the completion of key stages in the process is set out in the table below:

Event	Body Affected	Date
Consideration of MTFS	Cabinet	15 October
Consideration of MTFS	FRAPSC*	5 November
Initial budget strategy and savings options	FRAPSC*	4 December
Scrutiny Café	All members	13 January
Draft Budget proposals including options approved	Cabinet	14 January
Scrutiny of draft budget	FRAPSC*	21 January
Budget proposals recommended for approval by Full Council	Cabinet	4 February
Full Council to approve Budget	Full Council	25 February

* FRAPSC = Finance Resources and Partnerships Scrutiny Committee

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4. RISK

Risk Statement

- 4.1 Section 25 of the Local Government Act 2003 places a duty on the Chief Finance Officer to report on the robustness of the budget. The main risks to the budget include, spending in excess of the budget, income falling short of the budget and unforeseen elements, e.g. changes in interest rates and budget strategies and savings that do not have robust plans.
- 4.2 Such risks require regular and careful monitoring and it is essential that the Council has sufficient reserves to call on if required, e.g. the Council has a general fund balance of £1.2 million. In previous years the Chief Finance Officer has believed that the assurances required under Section 25 can be given and, with careful budget planning, robust monitoring and an adequate level of reserves, there should be no reasons to alter that view.

Risk Analysis

- 4.3 The financing of local government is entering a period of substantial change. Several key risks have been identified which could have a potential impact upon the Council's projected financial position. These are summarised below.

Key Financial Risks

Collection Fund Balance – deficit accumulates which falls as a cost on the General Fund	<ul style="list-style-type: none"> <input type="checkbox"/> New Local Council Tax Support Scheme reduces collection rates. Demand for support increases when resources are fixed. <input type="checkbox"/> Local businesses decline and empty properties increase, reducing income.
Growth – now a key factor influencing levels of grant	<ul style="list-style-type: none"> <input type="checkbox"/> Growth is curtailed reducing business rates income and other income streams from planning and development.
Budget Savings – need to find £1.85m on-going in 2015/16	<ul style="list-style-type: none"> <input type="checkbox"/> They are not identified and implemented within the next year.
Budget Overspend	<ul style="list-style-type: none"> <input type="checkbox"/> Unexpected costs <input type="checkbox"/> On-going cost pressures and reducing income
General Economic Conditions	<ul style="list-style-type: none"> <input type="checkbox"/> Higher price increases on fuel and utilities <input type="checkbox"/> Interest rates affect investment returns and debt portfolio <input type="checkbox"/> Income shortfalls

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4.4 These risks are managed through a series of mitigation measures included in the financial planning and are monitored on an on-going basis via the Council's risk management process, the Budget Review Group and regular reports to Members.

5. THE COUNCIL'S FINANCIAL STRATEGY

5.1 The Council is committed to delivering high quality services and considerable progress has been made over the last year with significant improvements in performance indicators and positive feedback from external auditors. Integral to this ambition is the need to effectively target its financial resources in line with the priorities of the Council.

5.2 It is the Council's ambition to continue to substantially improve its service delivery over the next five years. Sound and effective financial planning has a vital role to play in ensuring that ambition is realised, through providing sufficient resources to enable the services that matter most to our citizens to be delivered and to respond to the increased demands placed upon the Council.

5.3 The current economic climate and the reductions in central government support to local authorities, particularly for second tier district councils such as Newcastle-under-Lyme, reinforces the need for sound financial planning, not just for the year immediately ahead (2015/16) but over the medium term as well.

5.4 To meet this need, the Medium Term Financial Strategy (MTFS) has been developed for a period spanning five years, from 2015/16 to 2019/20. The MTFS demonstrates alignment with the Council Plan and will be the main vehicle in assessing the Council's financial position, ensuring efficiency in service delivery and targeting resources via a transparent process to agreed priority areas. It illustrates how the Council Plan is driving the medium term financial plans for each block of services over the next five years.

5.5 It is a key document informing the 2015/16 budget process. The assumptions about future costs and income together with those relating to investment and efficiency savings will be incorporated in the 2015/16 budget and will account for the majority of the change in net spending between the 2015/16 budget and that for 2014/15. The indications given in the MTFS concerning the gap between future years' expenditure levels and available resources will enable the Council to draw up an informed strategy, following a public consultation process, that reflects the priorities of the Council, to bridge those shortfalls.

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- 5.6 The MTFS will be used during 2014/15 as the basis for reviewing the Council's financial position. The assumptions contained in it will be regularly reviewed and amendments made to the plan, where necessary. If any consequences in terms of significant adverse budget variations become apparent, this information will be used to formulate an action plan to deal with the budget shortfall. Conversely, if a significant positive variance is indicated, and likely to persist, this knowledge will enable the Council to decide whether to use this to increase reserves or to reallocate some or all of it to additional investments in line with corporate priorities.
- 5.7 Whilst the MTFS stands on its own as a strategy, it is an integral part of the Council's overall planning process comprising service delivery plans, the Council Plan and the Borough's Sustainable Community Strategy.

The current economic climate and the reductions in central government support to local authorities reinforces the need for sound financial planning.

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The Financial Framework

5.8 Within the overall strategy, a framework is effectively cascaded down and detailed in other plans and policy documents, as set out in the following table.

Medium Term Financial Strategy	This document sets out the medium term financial plans of the Council.
Treasury Management Strategy	Setting out how cash and investments are managed. This is designed to ensure the security and liquidity of any council money invested.
Financial Regulations	Setting out the procedures to ensure that the use of finance is legal, properly authorised, reported and provides value for money. These are the detailed rules which are used by Council officers on a daily basis to govern their operations.
Internal Audit Plan	Setting out when fundamental financial and other systems will be reviewed over time to test the effectiveness of internal control. This Plan is approved and monitored by the Council's Audit and Risk Committee.
Capital Strategy and Capital Programme	Setting out how major investment is planned and managed and helps to deliver the Council's priorities.
Asset Management Strategy	Setting out the management of land and property and identifying assets for disposal.

6. GOVERNMENT FUNDING FOR REVENUE PURPOSES

- 6.1 In various forms, the Council receives a substantial part of its funding from central government.
- 6.2 Besides receiving a general grant (Revenue Support Grant), it also receives funding through a New Homes Bonus and specific grants earmarked for certain services. The overall level of grant is reducing nationally, although allocations to the Council from the New Homes Bonus have increased over the last 3 years.

The Council's Financial Settlement 2015/16

The National Picture

- 6.3 On 1st April 2013, the national distribution of local authority funding changed significantly. The system moved away from being based on central funding allocation, to a model based on retaining a proportion of local business rates. However, nationally the Government will still control the overall level of resources for local authorities.
- 6.4 These resources are to continue to reduce. Due to certain services receiving protection (Education and Social Services) the largest impact of the reductions is likely to fall on district councils. Core funding was reduced by an average of 6.9 per cent for district councils in 2014/15. A further reduction of 15.6 per cent is now planned in 2015/16, with indications of further reductions of 10 per cent from 2016/17 onwards.
- 6.5 Newcastle-under-Lyme Borough Council will be in a position to partly offset these decreases through the Business Rates Retention Scheme and the New Homes Bonus. Overall however, it is likely that all councils will continue to see diminishing resources for the foreseeable future.

The national distribution of local authority funding changed significantly. The system moved away from being based on central funding allocation, to a model based on retaining a proportion of local business rates.

How the New System Works

- 6.6 Under the new system, a **start-up funding assessment** was established for each council. It is calculated broadly in the same way as Formula Grant was under the previous system.
- 6.7 This assessment is then split between Revenue Support Grant (RSG) and Business Rates Retention (BRR – a **Baseline Need**). Once set each year, the RSG element is guaranteed, whilst the BRR element is not.
- 6.8 Therefore, overall funding levels are not guaranteed; ultimately the level of business rates collected by councils during the year will determine a significant part of overall funding - the Baseline Need is only the starting point.

The Baseline

- 6.9 To fund the Baseline, councils had an expected level of National Domestic Rates (NNDR Income) to collect. This is based on the projected level of business rates to be collected nationally as determined by the Government.
- 6.10 50 per cent of this amount is paid over to the Government, with 20 per cent paid over to the County Council and the Fire Authority (combined) in two tier areas. The remaining 30 per cent is effectively the target business rates to be collected by the Council.
- 6.11 For councils with a need higher than their Baseline, a **Top Up grant** is paid and this will be fixed. Conversely, for councils with a need lower than their Baseline, a **Tariff** is paid to the Government. This funds the national redistribution mechanism.
- 6.12 Councils that see a higher level of NNDR income compared to their Baseline will be rewarded through the scheme as they will be able to retain an element of the associated increase in revenues. However, councils that have a lower level of NNDR income will see a decline in their resources and, subject to a safety net, will not be compensated.

A Damping Mechanism

- 6.13 The new scheme contains a mechanism to limit individual gains and losses. A **Safety Net** limits losses and this is funded through a **Levy** (or charge) on disproportionate gains.

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- 6.14 The Safety Net applies when a council's income falls by more than 7.5 per cent from its original baseline funding level, set on transition to the new system on 1st April 2013; the level is then fixed and increased by inflation each year.
- 6.15 The Levy limits what councils can gain in cash terms for any given level of NNDR growth. This has been set at 1:1, meaning that a 1 per cent increase in NNDR growth cannot increase overall resources by more than 1 per cent, but subject to a limit of 50p in the pound.
- 6.16 The calculation is complicated, but does allow councils to gain from incremental growth even after paying a levy.
- 6.17 Where councils actually collect business rates at their NNDR target, the level of resources that they would receive (through retained business rates and RSG) will be their start-up funding assessment; i.e. they would neither gain nor lose. The Council is a member of the Stoke-on-Trent and Staffordshire Business Rates Pool, which enables it to retain more rates income than it otherwise would have done by avoiding payment of a levy on rates income growth to the government. It is anticipated that the Council will benefit from rates retention, although it is difficult to estimate precisely how much additional income it will be able to retain.

Reviewing the System

- 6.18 The Government intends that Baselines will be set until 2020, up rated each year for inflation. However, the Government reserve the power to review and if necessary reset the system in exceptional circumstances at anytime. However, they have indicated that a review will not occur within the first 3 years of the new system.

New Homes Bonus (NHB)

- 6.19 This was introduced in 2011/12 and will continue to be paid in the new system in addition to RSG and retained business rates.
- 6.20 Where authorities gain in NHB due to growth, RSG will be reduced. However, the overall system is designed to benefit those authorities who achieve residential growth (including new affordable housing) together with good management of empty properties.
- 6.21 Similar to RSG and retained business rates, the NHB is a flexible, unringfenced fund and is part of the support package that central government will continue to pay to local councils.

6.22 In last years Autumn Statement the Chancellor announced that the Government is considering the option of withholding payments to councils where planning permission is granted on appeal. The intention is to make councils think twice about opposing schemes, adding greater weight to the presumption in favour of sustainable development as enshrined in the National Planning Policy Framework.

7. COUNCIL TAXBASE AND COLLECTION FUND

7.1 The Council's taxbase represents the average "value" of the properties in its area as set against a standard band D property. For example a band D property is expressed as one whilst a lower value band A property is calculated as 6/9 of the band D. On the other hand, the highest value property is band H which is calculated at 18/9 of band D.

7.2 The calculation of the taxbase has an important effect on the level of council tax in that an increase in the taxbase (say, from new building) will mean that the amount to be raised is spread over more properties whilst a reduction (say, from demolitions) will mean that it has to be spread over fewer properties. For 2014/15 the taxbase was calculated at 34,890 properties.

7.3 The collection fund is the vehicle through which all council tax is collected. The Council makes an assumption as to the percentage of council tax which will be ultimately collected. That decision will be made in January 2015. If that target is not met then there will be a deficit which will have to be accounted for in the next financial year whilst if there is a surplus then this can be used to offset whatever council tax is levied in the next financial year.

7.4 Only a certain proportion of the overall council tax bill is attributable to the Council's services. The Council also collects the proportions due to other public bodies that provide services within Staffordshire. These are;

- **Staffordshire County Council** (Education, Social Services, Highways, Libraries, Waste Disposal and Trading Services)
- **Office of the Police and Crime Commissioner Staffordshire** (Day to Day Policing and Crime Prevention)
- **Staffordshire Fire and Rescue Service** (Fire Fighting and Accident Prevention)
- **Local Parishes** (Community Facilities)

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7.5 The split of the overall bill for 2014/15 at Band D level is;

Overall Band D Council Tax	2014/15 £:p
Newcastle-under-Lyme Borough Council	176.93
Staffordshire County Council	1,027.25
Office of the Police and Crime Commissioner Staffordshire	177.61
Staffordshire Fire and Rescue Service	67.64
Sub-total	1,449.43
Parish Council (Average)	20.45
TOTAL	<u>1,469.88</u>

7.6 Local Parish Councils set various rates that are additional to the Band D levels above for residents in those areas. There are 10 parished areas in the District and the Parish levy for 2013/14 at Band D ranges from £7.99 to £44.51.

8. Environmental footprint

8.1 One of the four priorities in the Council Plan is “A clean, safe and sustainable Borough” so it is clear that there is a wide understanding of the impact and implications of the Council’s policies on the environment and hence the need to develop and maintain a sustainable approach. In formulating the MTFs as a means of enabling the achievement of its priorities and to improve service delivery, it is essential that all staff, members and stakeholders are aware of the requirement to consider the environmental impact of their actions.

8.2 In response to such environmental issues the Council has prepared plans, most notably a Carbon Management Plan, which focus upon saving energy with a view to both saving costs and minimising our environmental footprint. The main three avenues of interest for achieving such efficiencies are around premises related energy saving measures, waste recycling and reducing vehicle fleet fuel consumption.

9. Procurement

9.1 The Council has an approved Procurement Strategy which encompasses every aspect of the purchasing process from determining the need for goods, works or services, to buying and delivery in order to help achieve the Council’s key priorities and outputs.

9.2 The procurement role is to ensure the Council commissions and procures quality services and supplies, as cost effectively as possible. The Council must understand the market and seek to influence and develop it for the benefit of delivering low council tax. As part of this role all contracts that the Council currently has are to be reviewed in order to ensure that they are efficient and cost effective.

10. Equalities

10.1 Differential equality impact issues will be identified against the key strategies, policies and functions of the Council and will be considered in producing future service improvements, which will then be reflected within the Council's budgets.

MEDIUM TERM FINANCIAL STRATEGY 2015 to 2020

Summary	2015/16	2016/17	2017/18	2018/19	2019/20	Notes
Changes to Base Budget	£'000	£'000	£'000	£'000	£'000	
Employees:						
▪ Incremental Increases	29	18	2	1	0	As per Payroll
▪ Pay Awards	122	247	252	257	262	1% in 2015/16 and 2% increase thereafter
▪ Superannuation Increases	190	201	21	22	22	
▪ Vacancy Factor	77	81	83	84	0	2.0% in year 1 reducing by 0.5% each year
▪ National Insurance	10	455	9	9	9	Per incremental increases & pay awards plus additional 3.4% in 2016/17 re: the introduction of a single tier state pension
Premises (e.g. Business Rates)	18	18	19	19	19	Based on 2% increase
Transport (e.g. Fuel)	13	13	13	14	14	Based on 3.2% increase
Other Costs (e.g. Inflation, Uplifts)	64	66	68	70	73	General inflation on certain supplies & services
One Off Budget Items Removed 2014/15 Budget	179	33	0	0	0	Expenditure taken from/income added to budget
Investment Income	17	(36)	(18)	0	0	Based on forecast interest rates
New Homes Bonus	(152)	(152)	(10)	124	(69)	
Government Grants	1,111	259	233	210	189	2015/16 per provisional settlement & RSG by 10% thereafter
Council Tax Freeze Grant	0	70	0	0	0	A Council Tax freeze grant was given by Government in 2014/15 which was given until 2015/16 only.
New Pressures	285	0	0	0	0	Insurance, Bad Debts and Waste Income
Fees & Charges & other Income	(113)	(113)	(114)	(118)	(120)	Increase based on 2% increase in 2015/16 & thereafter
TOTAL MTFS SHORTFALLS	1,850	1,160	558	692	399	

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FUNDING THE COUNCIL'S CAPITAL PROGRAMME

Submitted by: Executive Management Team

Portfolio: Finance and Resources; Economic Development and Town Centres

Ward(s) affected: All

Purpose of the Report

To review the options for funding the capital investment required over the next four years (2015/16 to 2018/19) and means of providing a continuing sustainable funding flow into the future.

Recommendations

(a) That the contents of the report be noted;

(b) That Cabinet agrees with the principle that the Council, as a first resort, will seek to fund its future known capital programme needs through the annual asset management planning process by the identification of land or property in its ownership that is capable of, and appropriate for, disposal;

(c) That officers report back to the next Cabinet meeting with a list of potential development sites to be used as the basis for a formal response by the Council as a land owner to the local planning authority's "call for sites" (as part of the Local Plan process) and used as a basis for programming future land/property disposals through annual Asset Management planning, beginning with the Asset Management Strategy 2015/16;

(d) That the principle of engaging a development partner to bring forward the larger sites be agreed.

Reasons

The Council has significant investment needs over the next four years (and beyond) whilst the resources available to fund this investment fall considerably short of what is required. It is necessary, therefore, to consider options for meeting this shortfall and propose the most effective means to achieve this to a future Cabinet meeting for approval. Because of the size of the shortfall and the early need to fund investment, this needs to be done as soon as practicable.

1. Background

1.1 The Cabinet considered a report at its meeting on 5 February 2014 'Newcastle Capital Investment Programme'. This report set out a comprehensive list of the known or likely capital expenditure requirements which the Council will be required to fund over the next 4 years. It provided comprehensive data down to individual scheme level and also indicated the timescale within which such expenditure would be required to be committed (acknowledging that in some instances the Council is not obligated to proceed with the schemes).

1.2 This report highlighted that currently the council's capital resources are very limited. It recorded that at its meeting on 15 January 2014 the Cabinet had approved the marketing for sale of a number of sites which could realise capital receipts of up to £8m in the

foreseeable future. It also noted other sources of potential capital income but as these sources are at this stage undefined, since they relate to Section 106 or partner contributions, these cannot be quantified or considered to be confirmed.

- 1.3 In relation to the current capital programme the February report set out a set of strategies and actions required to deal with the possible shortfall of resources to meet the programme of capital works set out in the report. This work is in hand and an Assets Review Group chaired by the Chief Executive has been established to bring forward this programme.
- 1.4 However, whilst work to review capital demands will assist the Council to prioritise future capital expenditure, it will not address the widening gap between the potential capital expenditure demands and the sources of funding which the Council has to meet these commitments.

2. The Council's Capital Programme and other capital requirements

- 2.1 Whilst the programme of asset disposals approved by the Cabinet in January 2014 has the potential to realise receipts of up to £8m over the next three or four years this is still at a level considerably below that of the overall potential capital expenditure demands which the council will face in the immediate and medium term future (notwithstanding the potential scope for the Council to realise significant receipts from two or three opportunistic disposals referred to elsewhere in your agenda).
- 2.2 The Cabinet has identified further high priority projects over and above those schemes set out in the Newcastle Capital Investment Programme which will require significant capital expenditure. In short this may mean a capital programme expenditure requirement of around £30m over the next four years or so. In some cases these capital expenditure requirements are needed to invest in measures which will give the Council longer term revenue cost savings, the main example being the proposed new waste collection service (to operate from July 2016) which has the potential to provide an ongoing revenue saving of £500k p.a. but which will require capital investment of over £4m over the next two financial years to implement.
- 2.3 There are other potential "invest to save" opportunities such as the re-provision of the leisure facilities at Kidsgrove which similarly will require considerable capital investment to realise revenue cost savings. Additionally, at the Cabinet meeting held on 23 July, a report on the future of the former Keele Golf Centre was considered at which it was noted that in the absence of any short or long term continuing use of the facility, it was agreed that the area would be the subject of a master plan to consider the longer term use for the site and the surrounding area. The report noted that the cost involved in the preparation of a master plan would be in the order of at least £100k, funding for which is not yet allocated in the council's budget or future expenditure plans.
- 2.4 The Capital Investment Programme 2015/19 summarised that the capital requirements over the next 4 years was nearly £19m. These requirements are summarised in the table below.

Investment Type	2015/16	2016/17	2017/18	2018/19	Totals
	£'000s	£'000s	£'000s	£'000s	£'000s
Improving Housing in the Borough (mainly DFGs)	425	425	425	425	1,700
Investing in community facilities	1,168	835	276	275	2,554
Community centres	314	326	101	208	949
Safeguarding the Borough's heritage	180	578	98	200	1,056
Vehicles and Plant	948	2,302	419	406	4,075
TOTAL	4,629	6,229	3,661	4,340	18,859

2.5 In addition to these identified demands upon the Council's capital resources, the Council faces the need to find significant savings to contain its revenue budgets within available resources as identified in the Medium Term Financial Strategy for the period. Over the next five years around £5m of savings or additional income will need to be found. This has two significant implications for capital resources. Firstly, one option or source for capital expenditure is to borrow. Whilst this council has been able to avoid borrowing because other sources of funding have been available, the situation of the Council's capital resources makes borrowing in the short and potentially the longer term an inevitability (unless substantial receipts can be generated from land/property disposals into at least the medium term). Whilst at present borrowing can be undertaken at relatively low cost, this debt does require to be serviced from the revenue budget thereby placing additional demands upon these resources. Secondly, in order to make the necessary reductions in the revenue budgets as central government grant is reduced the council may need to incur capital expenditure in order to deliver efficiency improvements in order to balance the revenue budget. Good examples are investment in ICT, equipment and facilities which can improve revenue spending efficiency, however, these require capital expenditure which is often required up front. The Council currently has limited provision for a capital investment programme which it could use to deliver revenue budget efficiency savings.

3. Funding capital expenditure

3.1 As has been indicated above, the Council can derive capital monies from a number of sources. Most councils will routinely review their asset portfolio and sell land and property assets which are no longer required to fund the capital programme. This council has a well developed process for doing this through the annual Asset Management Strategy review process which is linked to the Council's budget setting process.

3.2 Councils will also routinely borrow money to fund capital works and this can be done either through the Public Works Loan Board (PWLb) or commercial financial institutions. As councils generally have a good credit score they are able to secure very good loan rates and the PWLB also acts as a moderating influence in respect of all public sector borrowing. Whilst at present borrowing can be undertaken at relatively low cost it is

expected that rates of interest will rise in the medium term from the current historically low levels.

- 3.3 Historically Councils have also been able to derive capital funding for specific projects or infrastructure improvements through Section 106 planning payments. Funding under Section 106 is derived in the main from developers and in simple terms it has to relate to their development proposals in scale, nature and location although members will be aware of the decreasing levels of funding available from this source (for a number of reasons); such funding will diminish significantly from April next year because of legislative changes. There is the potential in the future to secure such infrastructure investment from the emerging Community Infrastructure Levy, although this is unlikely to be in place until around 2018. District councils may also be in receipt of capital programme funding from their respective county council and on occasions from other public sector partners such as health. Whilst these sources do add significantly to the capital programme of this Council they are always granted for specific purposes and therefore cannot be vired to other capital projects that are this Council's responsibility. These resources are therefore considered to be ringfenced and, whilst representing an element of the council's capital programme, do not provide support for the council's wider capital expenditure requirements.
- 3.4 The New Homes Bonus has been developed by central government as an incentivisation programme to encourage councils to bring forward housing development. Through this programme the government makes a grant payment to councils for every completed residential unit. New Homes Bonus is unringfenced grant and can be spent by councils as they consider most appropriate to local circumstances. Nevertheless the original objective of Government was to use at least some of the funds derived on additional improvements to community infrastructure, promoting it as a reward to communities for accepting new development. In any event it is considered unlikely that this funding mechanism will continue into the long term.

4. Prudent use of assets and the Asset Management Strategy

- 4.1 Councils are under a statutory duty to maintain good stewardship of their assets. It is good practice, actively encouraged by successive Governments, for councils to keep their assets under review and to release assets which are no longer required for service or other uses and to recycle the receipts from these into priority spend areas. This Council has a process of assets review which is undertaken annually through the Asset Management Strategy.
- 4.2 When councils dispose of assets they are under a duty to achieve "best consideration" for that asset. This enables councils to balance financial receipt with broader social, economic and environmental considerations, but the council will always need to ensure that it has achieved an optimum financial return in the public interest.

5. Housing land supply in the Borough

- 5.1 As the Local Planning Authority for this area, the Borough Council has a responsibility to prepare and maintain an up-to-date Development Plan for its area to meet forecast demands for growth and to facilitate economic growth, including a 5-year housing land supply.
- 5.2 Due to the demand for new housing and as a consequence of Government policies which require that sufficient land is brought forward for new housing development, the Council's Planning Committee has faced a series of very difficult decisions regarding a number of major housing land applications in recent months. The prevailing national planning policy

framework means that the Council's Planning Committee has come under considerable pressure to grant consent for developments on sites and in locations which may be sub-optimal when assessed against key policy considerations.

- 5.3 An option which the council has not considered thusfar is whether it has sites within its own land ownership which could be brought forward for development and which provide better alternative sites for housing development than those which are being generated by market demand. The scale and widespread nature of the Council's own land holding may mean that it could offer sites in locations where there is market demand for housing but on sites which are preferable in broad planning policy terms to those being provided by the market.
- 5.4 Given that the Council as local planning authority is under a requirement to provide a five year housing land supply and if the market is finding this difficult to deliver, or is delivering housing sites which are very controversial in communities, then the council could assist this situation by offering alternative sites in more sustainable and appropriate locations. The Council could reduce the undersupply of housing sites by bringing forward sites in its own ownership as a means of meeting the housing land supply target. The recent Peer Review of the Council's Planning function highlights the importance of achieving greater alignment between resource planning and town planning functions.

6. Provision of affordable and social housing

- 6.1 The Council has a stated policy objective to bring forward more affordable and social housing within the Borough. As the Local Planning Authority, the Council has a policy requirement for the provision of 25% affordable homes on development sites of 15 dwellings or more.
- 6.2 The Council has committed to the preparation of a new Local Plan, which includes the assessment of housing need with a Strategic Housing Market Assessment being commissioned as one of the key parts of the evidence base upon which the Plan will be developed. Through reviewing the housing register there is still a need for affordable housing and it is believed that the 2015 Housing Strategy will continue to support the current strategy approach to enable the delivery of affordable housing. A snapshot of the Housing register shows that there is continuing need for affordable homes particularly smaller units with 4.5 households wanting each 1-bed vacancy.

Bedroom	Applicants on Housing Register	Lettings	Ratio of Applicant to Lettings
Bedroom 1	1,464	325	4.5 : 1
Bedroom 2	598	270	2.2 : 1
Bedroom 3	211	132	1.6 : 1
Bedroom 4	39	15	2.6 : 1

(Data as at 1/4/14)

Whilst the applicants in housing need for larger properties are fewer in number there remains evidence of significant unmet demand for affordable housing.

- 6.3 The Council has an established approach for the identification of assets for disposal and annually updates the Asset Management Strategy. This approach enables the Council to

regularly review and maximise the use of assets for service delivery and importantly financial consideration.

6.4 Amongst other things the current Asset Management Strategy provides supports for the delivery of affordable housing. Firstly, through sale of land, this can include sale to a Registered Provider for the development of affordable housing or sale of land to developers where affordable housing needs to be provided to meet planning requirements. This occurs on sites of more than 15 properties in the urban area and sites of 5 or more in the rural area, triggering the delivery of up to 25% affordable homes (at the developer's expense, subject to commercial viability; and it should be understood that this will normally reduce the value of the capital receipts). Secondly the Asset Management Strategy has identified that disposal of three sites will be specifically used to bring forward the development of affordable housing as the primary objective and contributing to the regeneration of key areas. The table below outlines how the current sites approved for disposal are used to deliver the twin key objectives of housing and capital receipts.

Sites within the Asset Management Strategy 2014/17		
	Disposal sites targeted for Affordable Housing	Disposal Sites for primarily general housing and income receipt
Less 15 units in the urban area or 5 in the rural area	Kinnersley Street, Kidsgrove	Gloucester Road, Kidsgrove *
	Cotswold Avenue, Knutton	Hillport Avenue, Porthill *
		St. Edmunds Avenue, Porthill
		Sandy Lane / Brampton Road, May Bank
		Church Lane, Knutton
		Wedgwood Avenue, Westlands
		Gallowstree Lane, Thistleberry *
		Stafford Avenue, Clayton
More than 15 properties in the urban area and sites of 5 or more in the rural area, triggering the delivery of 25% affordable homes	Heathcote Street, Kidsgrove	Bower End Lane, Madeley
		Market Drayton Road, Loggerheads
		Eccleshall Road, Loggerheads

*These sites are adjacent to land suitable for redevelopment owned by others, whereby consideration will be given to joint disposal to achieve best consideration.

6.5 During the past year the Council has worked closely with its largest registered provider of social housing, Aspire Housing, to review land in the ownership of the two organisations with the objective of bringing forward additional affordable housing in the Borough. The

initial partnership work with Aspire did consider the potential for the two organisations to bring forward housing on adjacent sites which were owned by the respective parties. Due to the legislation governing public sector procurement joint development of land could not be undertaken without having gone through a procurement process. A report was endorsed by the Cabinet at its meeting in June 2014 which explained the most appropriate approaches for Aspire to bring forward affordable housing over the next few years (taking account of the National Affordable Housing Programme provisions and process). This piece of work with Aspire did help to clarify the potential nature and extent of the Council's role in supporting Registered Providers in such circumstances. The Council continues to engage with other registered providers with a view to bringing forward similar programmes on land within their ownership.

- 6.6 In summary the Council has, for many years, used its own land holding to lever further social and affordable housing development in the Borough. Whilst release of land assets for this purpose has been beneficial to achieve such outcomes, in the main the Council has had to forgo most or all of the potential capital receipt from such sites in order to realise the housing development policy priority. Looking forward there may be a need to introduce a slightly more refined process that seeks to achieve an appropriate balance between the competing policy objectives.

7. Potential housing and employment land sites

- 7.1 The Borough Council has a number of sites which have current or future housing / employment development potential. As part of the new local plan preparation process, the Council as local planning authority has made a public call for potential development sites (for housing, employment and other purposes). As a major landowner and for reasons cited above it is considered that the Council should respond to this request. Officers have begun the preparation of a list of potential sites which are considered appropriate for inclusion in a formal response to this call for sites. At this stage this would not commit the Council to a disposal but it would enable the local planning authority to consider the suitability and planning merits of our land in the context of other options put forward by private and other public land owners.
- 7.2 On a related note, it is intended to use this exercise to identify the Council-owned land that should feed into the proposed master-planning exercise on land to the west of Newcastle's urban area (centred around the former Keele Golf Centre). It is considered that this would enable a comprehensive treatment of these parcels of land that would best achieve delivery of any infrastructure improvements.

8. Lessons from former land disposal programmes

- 8.1 In 2009 the Council developed a programme to dispose of seven sites under the Newcastle Development Programme. The Council received a high degree of criticism for this programme from those residents who lived in the vicinity of those sites due to the approach adopted to publicity and consultation which had surrounded the proposed disposals. The Newcastle Development Programme was the subject of a major scrutiny review and a full report setting out recommendations on the handling of future programmes was made. In turn subsequent versions of the Asset Management Strategy have taken account of the key findings.
- 8.2 The most recent Asset Management Strategy process has enabled a first tranche of sites to come forward for disposal. These sites have been subjected to public consultation and the results of this have recently been considered by the Cabinet (along with desk-top technical research). Whilst there will always be concern from local residents and Ward Councillors about development on particular sites, the most recent process has

demonstrated that consultation can provide a valuable means of drawing out specific limitations of particular sites such as ground conditions, amenity considerations and access. This allows the Council as a land owner to consider whether it is appropriate to proceed with a disposal.

- 8.3 It was perhaps an unfortunate consequence of the manner in which the Newcastle Development Programme proposals became public that the Council was not able to explain how the various sites were intended to be developed. In particular it was always the intention to include an element of public amenity within the larger sites and to lay these out in a manner which retained areas of open space and landscaping. Unfortunately the debate about these sites became overly polarised between the development of the land for housing over their retention as publicly accessible areas of open space. In progressing any future land disposal programme it is important that the Council is clear about the form of development which is proposed and the intended provision of public amenity which will be provided as part of the development.

9. Methods to bring forward sites for development

- 9.1 The council has a range of options to bring forward land for development:

(a) Sell land with planning permission

Under this approach the Council seeks planning approval for development on land within its ownership prior to selling it. This route will normally net a premium capital receipt.

(b) Sell land subject to planning permission

The Council can sell land without planning permission but on that basis that a relevant planning permission will be secured by the purchaser/developer. This may net a high capital receipt but will normally leave risk with the Council since a prospective purchaser will normally have reversion rights in the event that the planning permission is not secured.

(c) Sale of land through a procurement process

Where a council wishes to sell larger or a number of plots it may use a procurement process to secure a development partner or partners who will implement development of the site or group of sites. In such circumstances a council would normally have secured the relevant planning permissions on the land prior to engaging in the procurement process. Often the capital receipts are derived over the course of the development linked to phasing. There may be scope to derive a regular revenue income on a ground lease mechanism on such large sites.

(d) Sale of land without specific end use or planning permission

The Council may sell land without planning permission for a particular end use but this will normally net a significantly lower receipt than land sold with a specific planning permission, given that the risk shifts to the prospective purchaser / developer. In some instances a public auction will be used as the most efficient disposal method.

10. Borrowing to fund capital expenditure

- 10.1 In an earlier part of the report brief consideration was given to the option to borrow to fund in whole or part the Council's capital expenditure requirements. Whilst this remains an option and indeed in the current prevailing period of low interest rates may be an attractive option, nonetheless, any borrowing would create a corresponding call upon revenue funds to repay the debt. It is considered that whilst the Council has surplus assets which can be disposed of to generate capital receipts that this should be considered as a matter of

principle to be the preferred option over borrowing to fund the Council's capital requirements.

11. A programme of capital receipts

- 11.1 In order to fund the capital expenditure set out in the Newcastle Capital Investment Programme, to fund identified policy priorities and to provide a level of capital funding to enable the Council to realise its medium term planned efficiency savings, it will require capital funding of about £30m. At present there is approximately £1m of uncommitted money within the Council's current capital resources (although a proportion of this should be retained as a contingency). As indicated above there is a reasonable prospect of generating about £10m worth of receipts from "agreed" disposals (including the disposals referred to in reports elsewhere on this agenda). The Council therefore needs to approve an assets disposal programme of at least £20m to deliver the necessary capital receipts between now and late 2017/18 to early 2018/19 (profiled to match the expenditure requirements).
- 11.2 Of course it should be noted that there are risks associated with the realisation of capital receipts from land disposals. Most importantly there can be no guarantees of planning permissions being forthcoming and market values are liable to fluctuate due to a number of external factors. Additionally unknown technical constraints, such as abnormal ground conditions, would impact negatively upon the value of receipts. Consequently it would be prudent to establish a realistic disposals programme taking account of such factors. In practice this would mean over-programming to optimise the prospects of adequate capital funding being available at the times it is required.

12. Timescales and processes

- 12.1 The table at para. 2.4 indicates the timescales within which capital resources are required to be committed. It is anticipated that the available capital receipts will not be sufficient to meet the known/likely capital programme demands for 2015/16 (see table under paragraph 6.4). So it would be necessary for the next iteration of the Council's Asset Management Strategy to identify some 'early win' sites to meet the forecast gap. In addition the said Strategy must identify other sites which are required to be released in order to meet the level of expenditure that is known or likely over the following three financial years, plus a contingency figure of say 20%. The sites should be ranked in priority order on the basis of their ability to be bought forward (taking account of salient/current planning policies). The sites will be derived from the list of sites to be brought to your next meeting in response to the local planning authority's call for sites (some of which it is understood are very long term in nature due to relevant Planning Policy constraints and/or service-based policy considerations).
- 12.2 It is intended that in future years the Council's Capital Programme proposals will be supported by clear and deliverable plans showing how they can be funded through a realistic programme of land/property disposals (where that is possible and appropriate).
- 12.3 It is proposed that as a matter of principle, in order to bring forward the larger sites, the Council engages a development partner to be selected through a competitive procurement process. At this stage there are no such sites available given the prevailing Development Plan policy context. Nevertheless the principle of the approach can be endorsed at this stage.

13. Consultation

13.1 There will be full consultation in relation to each site to be disposed of. The process followed will be that used by the Council for the sites which are currently being disposed of. Typically this will involve letters being sent to local Councillors, local residents and, where relevant, Town/Parish Councils and any known Residents' Associations, providing information about the proposals and giving them a period of up to six weeks to submit representations. In addition site notices will be placed in prominent publicly accessible locations providing similar information. Any information derived from such consultation is taken into account, along with a desk-top technical site evaluation, before any final disposal decision is made.

14. Conclusion

14.1 This report has demonstrated that there is now a priority for the Council to identify the means by which it can fund its medium term financial capital commitments. The report has also explained that as a result of other policy considerations the Council needs to embark upon a systematic programme of surplus land disposals in order to meet the known future capital expenditure requirements. The option for the Council to borrow money to fund future capital requirements has been considered but it has been noted that the cost of servicing the debt which this would produce makes this a far less favoured or justifiable option whilst the Council has surplus assets which it can dispose of. As the report has shown a systematic programme of surplus land disposals would not only provide funding to meet the Council's known future capital expenditure requirements but would also enable it to deliver its policy objective to bring forward more affordable and social housing. Further, by bringing forward land within its own ownership for housing development the Council can directly address the current pressure which it faces as the local planning authority to meet the housing supply requirement. It is also considered that by bringing forward certain of its own surplus land holdings the Council can ensure that a greater share of new housing is delivered into the most appropriate (sustainable) locations.

14.2 The report seeks the approval of Members to bring forward a programme of surplus land disposals which match the Council's stated medium term capital financial needs. In so doing the Council can also help address the known housing land shortage and also accelerate the provision of additional social and affordable housing in the Borough.

15 Financial and Resource Implications

15.1 Implications have been set out under the relevant sections of this report. In particular, the suggested programme of surplus land disposals will provide capital receipts to enable implementation of the Council's capital investment programme. With regard to staff capacity / resources it is intended to assimilate the tasks identified into the relevant service's work programmes (as a high priority task). Any need to supplement existing resources because of shortages in either capacity or specialist skills will be reported if and when such situations arise.

16 Major Risks

16.1 The major risk is that, for one reason or another, land approved for disposal is not sold or there is a significant delay in so-doing. In particular there has to be sufficient market demand at the time of marketing and there may be a shortfall against the Council's valuation. There may be some situations where the grant of planning permission is either not secured or that there are significant costs arising from the imposition of conditions.

Additionally the necessary legal and administrative processes must be completed by both parties and this can sometimes cause delays.

16.2 In the event that insufficient capital receipts are generated as they are needed or there is a delay in this happening, this will mean that it would be necessary to either abandon, or postpone investment or to find an alternative source of funding, most likely to be borrowing. The availability of a long list of sites will help to mitigate this.

16.3 If projects included in the capital investment programme are not carried out a number of other risks may arise, depending on which projects are concerned

- Service continuity suffers or service may not be able to be provided at all;
- Customers, staff and the general public are exposed to unacceptable health and safety risks, e.g. from unsafe buildings and structures;
- The Council fails to fulfil its statutory responsibilities;
- The Council fails to meet its legal obligations, e.g. with regard to property leases;
- Income is lost because commercial properties become unlettable or cannot obtain acceptable rentals.

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM REPORT TO CABINET

Date: 15th October 2014

Title Newcastle Partnership Review

Submitted by: Head of Business Improvement, Central Services & Partnerships

Portfolios: Communications, Policy & Partnerships

Ward(s) affected: All

Purpose of the Report

To inform Members of the review of the Newcastle Partnership which has been completed and which took place between February and September 2014. The areas covered by the review are outlined in this report. The report also summarises the key recommendations from the review, which include changes to the way in which the Partnership works and also the resources dedicated to delivering the ambitions of the Partnership.

Recommendations

Cabinet is asked to:

- **Note the report and its contents, including the background to the Partnership review; the work already done in changing the Partnership since 2010 and the factors informing the 2014 review of the Partnership**
- **Approve the recommendations set out in this report including developing the Partnership in order to deliver the appropriate actions set out in the Borough Council's Health and Well-Being Strategy and Economic Development Strategy and to develop closer links with countywide bodies such as the Local Enterprise Partnership (LEP) and the Staffordshire Health and Well Being Board**
- **Approve the continued development of the Partnership Hub, located in the Civic Offices in Newcastle under Lyme and involving a number of Borough Council officers from across different departments**
- **Approve the inclusion of the Borough Council's Third Sector Commissioning budgets, where possible, within the pooled funding for the Partnership dedicated to delivering improvements in its key outcome areas**

Reasons

There have been a large number of changes affecting the public sector in recent years. In order to address these changes, partnership working has been highlighted as a key way of working in future. The Newcastle Partnership is the strategic partnership for the Borough and includes representatives from all sectors. The review of the Partnership carried out in 2014 has sought to ensure that the Partnership remains fit for purpose and continues to deliver improvements in key areas of work such as community safety, whilst expanding into other key areas such as economic development and health and well-being.

1. Background to the Review

- 1.1 The Newcastle Partnership is the overarching strategic partnership for the Borough. It was formerly known as the Local Strategic Partnership (LSP). The structure of the LSP was externally reviewed in 2006 and an LSP Executive Board was established, supported by five theme groups (including the Crime and Disorder Reduction Partnership).
- 1.2 This structure was reviewed during 2011/12 as a result of national, regional and local changes to partnership policy and process including the ending of the Local Area Agreement (LAA) and Comprehensive Area Agreement (CAA). The name of the strategic partnership was also changed to become the 'Newcastle Partnership', rather than the LSP.
- 1.3 The aim of this previous review was also to simplify the existing governance structures as a result of these national changes and focus the Partnership exclusively on delivery.
- 1.4 It was agreed during the review in 2011/12 to examine the existing Partnership strategic framework – much of which was established in the Borough's Sustainable Communities Strategy (SCS) 2008-2020.
- 1.5 The SCS 2008-2020 itself set out a vision for the Borough and included over 20 'Priorities for Newcastle'.
- 1.6 In reviewing the existing LSP, it was felt by partners that a clear vision was needed for the Borough; the number of priorities needed to be reduced (in order to focus partners' efforts and deliver the added value which partnership working brings, as well as recognising the reduction in resources affecting the entire public sector); the Partnership's governance needed to be simplified; and a coherent set of outcomes needed to be agreed upon, which reflected the needs of the Borough as a whole.
- 1.7 The Borough Council has traditionally led on the administration and development of the Partnership, providing a number of officers within the Partnerships team to carry out this work. The LGA Peer Challenge in October 2012 confirmed that partners wished this arrangement to continue and recognised the work and achievements of the Partnerships team.

2. Review of the Partnership

- 2.1 As a result of this work, a number of changes were made to the Partnership as part of the review during 2011/12.
- 2.2 First, a clear, shared vision for the Newcastle Partnership was developed - *Newcastle Communities together, securing a prosperous future*. This vision, it was felt by partners, reflected the ethos of the Partnership and the desire of all partners to see improvements to the Borough's economy, which would, in turn, assist those citizens requiring help and support
- 2.3 .Second, the existing list of over 20 priorities was reduced to two key priorities:
 - Enhancing economic growth; and
 - Tackling vulnerability

2.4 As with the vision, it was felt by partners that these two priorities reflected the clear messages coming through analysis of the evidence base. Based on a number of studies of the Borough and using a number of sources, a clear set of areas of concern presented themselves:

- The population is ageing, and is projected to grow by around 12% by 2035
- There are several wards in the borough where levels of deprivation are high (within the top 20% most deprived in the country) and approximately 15,500 residents live in the top 20% most income deprived areas in the country
- There are wide variations in terms of those residents claiming benefits, with a number of SOAs being higher than the national average in terms of JSA
- Young people are suffering from unemployment rates which is higher in a number of wards than both the Staffordshire and national averages
- There are significant inequalities in terms of health, with around 10 years difference – for both men and women – in life expectancy rates between the most and least deprived wards in the borough
- Teenage pregnancy rates are higher than the national average in the borough
- Mental health is an issue in the borough and is a major risk factor in relation to domestic violence, offending and re-offending and anti-social behaviour
- Alcohol-specific mortality rates for men are higher in Newcastle than the national average
- Crime rates are generally being reduced, but fear of crime still remains high
- Domestic violence and anti-social behaviour – despite improvements – remain significant issues for the borough.

2.5 In translating the Partnership's vision into reality, a number of key outcomes were identified, using the data and evidence summarised above:

- People being part of an active, local community and involved in how public services are delivered leading to high levels of satisfaction and value for money relating to the delivery of those services
- People living, working and prospering in safe environments, free from crime and the causes of crime
- People enjoying longer, healthier and more rewarding lives

2.6 In linking the Partnership's priorities with its stated outcomes, the work of the Partnership was divided into three key objectives:

- Improving **People's** lives;
- Improving the **Places** in which people live, work and visit; and
- Enhancing the **Prosperity** of the Borough as a key part of delivering our outcomes

The strategic framework developed for the Partnership, therefore, can be represented by the table below, which links together the Partnership's needs; vision; priorities; objectives and outcomes.

NEEDS				
Ageing Population	Worklessness	Alcohol/Drugs	Health Issues	Crime
VISION				
Newcastle Communities together, securing a prosperous future				
PRIORITIES				
Enhancing Economic Growth		Tackling Vulnerability		
KEY OBJECTIVES				
PEOPLE	PLACES		PROSPERITY	
Helping those who feel vulnerable	Improving life in the home – tackling domestic abuse; dealing with anti-social behaviour		Developing the skills local people need to access job opportunities	
Tackling fear of crime	Improving public spaces – town centres; parks		Supporting people in re-entering the job market	
Providing support to those who need it	Improving our environment		Ensuring that housing meets the needs of local people	
Dealing with drug and alcohol addiction and abuse	Providing healthier solutions to our localities		Transforming the image of the Borough	
Addressing offending and repeat offending and victimisation	Making our places safer – use of CCTV		Helping to maintain and support new/existing business	
DELIVERY				
OUTCOMES				
Reducing fear of crime	Reducing levels of crime	Increasing Satisfaction	Healthier and safer	Value for money
EVALUATION				

2.7 As said, the structure for the Partnership was reviewed in 2012 and the decision was made to have fewer meetings and to focus on delivery. The approach can be summarised as: -

- Strategic – to align with plans/strategies
- Programme – to deliver outcomes and benefits
- Project – to deliver on time and to desired quality

A copy of the Partnership structure can be found at [Appendix A](#). The details of each level of the existing structure includes: -

- **Strategic Board** – consists of Executive representatives from key partners in the Borough and is responsible for setting the vision and priorities for the Partnership and takes the ultimate decision on what areas of work will be delivered via the work programme
- **Partnership Delivery Group** – consists of senior representatives from key partners in the Borough and focuses on delivery on the work programme ratified by the Strategic Board.
- **Locality Action Partnerships (LAPs)** - consist of a range of representatives who live and work in the area to address issues that affect and impact on quality of life. LAPs provide an opportunity to understand and influence the way in which services are provided in an area and to contribute to policy and strategy development.
- **Operational Groups** – consists of operational representatives from key partners to co-ordinate operational delivery of the work programme.
- **Task and Finish** groups – consists of representatives from relevant partners with an interest in a particular subject area to co-ordinate time limited activity related to the work programme.

- 2.8 In creating this governance structure, the Partnership has also made conscious use of programme and project management techniques and approaches. Projects to be included in the Work Programme for the Partnership are assessed on the basis of a number of key questions including data analysis and whether the project can be delivered. The governance structure outlined above allows for issues to be escalated if necessary.
- 2.9 In 2012, the Partnership approved a Work Programme up to 2017. This Programme was based on key strategies and plans, including the Borough Council's Stronger and Safer Communities Strategy 2012-2017. A copy of the Work Programme can be found at [Appendix B](#).
- 2.10 The Partnership Work Programme, therefore, reflected the issue outlined earlier in this report and the overall of the Partnership as expressed by partners, including using preventative techniques to help vulnerable people and those at risk of harm in Newcastle, as well as dealing with deprivation in many areas which remains a key risk factor in terms of offending and also in terms of being potential and actual victims of crime (e.g. 40% of all victims of domestic abuse tend to come from areas described as 'lower income').
- 2.11 In developing a Work Programme, the Partnership intended to build on already successful work, but to re-adjust its focus away from dealing mainly with consequences and towards focusing on prevention and support so that individuals, families and communities do not 'tip over' into lives of crime, poor health, worklessness and poverty (all of which cost the public sector far more in resources to deal with than more preventative approaches do). In developing these re-focused approaches, the Partnership looked to take into account the national picture and the move towards localism and changes to police governance with the introduction of the Police and Crime Commissioner.
- 2.12 The full range of work being done by the Partnership following the 2012 review included the following: -
- A range of measures to address, deter and prevent anti-social behaviour e.g. diversionary activities such as graffiti projects and enforcement activities such as restorative justice (resulting in Newcastle being the only district in Staffordshire to see a fall in ASB since 2012)
 - Co-ordinating a range of activity to support victims of domestic violence and anti-social behaviour;
 - Raising awareness of domestic violence and other community safety related issues - helping a range of families and family members through our work and work of partners e.g. through the Independent Domestic Violence Advocate (IDVA)
 - Development of key projects - e.g. Building Resilient Families and Communities - delivered over £30,000 in payment by results funding;
 - Safer Nights - excellent results achieved in a number of areas related to alcohol abuse
 - Organisation of partnership events - welfare reform and public health - designed to bring partners together and focus on future areas of work
 - Co-ordinating Lets Work Together for partners across the Borough - series of training sessions established on key areas such as Safeguarding.
 - Worked with the Office of the Police and Crime Commissioner to maximise funding opportunities and development of services for the Borough
 - Progressed and improved the opportunities provided by co-location of services within the Civic Offices and elsewhere;
 - Worked with the Public Health team to co-ordinate a gap analysis of Health and Wellbeing services/activities available in the Borough;

- Streamlined and strengthened the Locality Action Partnerships and provided additional support in order to allow them to govern their own work programmes and commission work effectively
- Co-ordinated the Purple Flag submission to the ACTM
- Worked towards achieving the Co-operative Council vision of the Borough Council in conjunction with partners and communities

2.13 Despite the progress made by the Partnership from 2012 onwards, there remained a number of challenges still to be tackled, including:

- To focus Partnership meetings on doing rather than talking
- Identify available resources to drive the work of the Partnership forward
- Greater representation in areas like economic development and greater links strategically in this area
- To address the issue of delivery and commissioning and develop projects that are truly partnership based

2.14 To examine these issues in greater detail, therefore, a further review of the Partnership was undertaken from February-September 2014. This review was to focus on the following areas:

- Strategic framework, including links to key strategies such as economic development and health and well-being; evidence base; vision; priorities and outcomes
- Structure and membership of the Partnership to prevent duplication, inefficiency and to encourage full and active participation by partners who are able to make decisions and contribute to the delivery of shared priorities
- Constitution/terms of reference of the Partnership
- Review of the Partnership Work Programme
- Delivery and funding options
- Development of co-operative working
- Streamline and strengthen the capacity of LAPs
- Performance management

2.15 In undertaking this review, a number of areas of work have been completed, including a survey of partners and links have been made to related work including the review of locality commissioning around health and well-being led by the Tamworth CEO (Tony Goodwin) and commissioned by the Staffordshire Health and Well-Being Board, as well as the ongoing development of a Partnership Hub based in the Civic Offices in Newcastle and involving a number of public sector agencies in dealing with issues affecting individuals, families and communities (see **Appendix C** for a summary of the Hub approach).

2.16 The result of this review is a series of recommendations, including the following:

- To retain the existing vision; priorities; objectives and outcomes of the Partnership (although see below)
- To further develop strategic links between the Partnership, the Stoke on Trent and Staffordshire Local Enterprise Partnership (LEP) and the two Town Centre Partnerships in the Borough, together with focusing on how the Partnership can contribute to the delivery of the Borough Council's Economic Development Strategy in key areas such as skills development; masterplanning and improving quality of life
- To further review the existing evidence base and revisit relevant data to ensure that the Partnership is still meeting the needs of the Borough

- To review the Partnership Work Programme to ensure that it is still fit for purpose
- To develop and implement a performance management framework for the Partnership, based on work done in Stoke on Trent and led by the Fire Service where a dashboard of indicators from different partners are used by the Partnership to measure progress in terms of improvement under the outcome headings agreed by the Partnership
- To address the issue of delivery and ensure that the appropriate mechanisms are being used in the right areas, including commissioning
- To re-badge the existing Partnership Delivery Group (PDG) – chaired by the NULBC Chief Executive – as the Partnership Commissioning and Delivery Group (PCDG) to reflect a wider focus on delivery and integrated commissioning
- To develop closer links with countywide bodies, including the LEP (see above) but also the Staffordshire Health and Well-Being Board to ensure that issues are both escalated effectively and also dealt with locally, where appropriate
- To further develop the Partnership Hub (see reference above) to ensure that issues are being dealt with in the ‘right’ way and by the ‘right’ organisations and to ensure that information is being shared and dealt with effectively
- To review the Partnership’s Constitution/Terms of Reference (see [Appendix D](#))
- To review and update the Borough’s Sustainable Communities Strategy (see [Appendix E](#))
- To review the work of the Locality Action Partnerships to ensure that they remain fit for purpose

2.17 In terms of the central part of the Partnership’s activity – that of delivery – the Partnership agreed to examine the existing resources available to individual partners, including the following:

- Police and Crime Commissioner funding
- Building Resilient Communities and Families Payment By Results funding
- Public Health/Health and Well-Being commissioning/funding
- Third Sector Commissioning funding (currently held by NULBC)

Following a comprehensive review of these areas of funding and also the mechanisms which could be used to organise activity within these and other areas of focus for the Partnership, there is a tentative agreement for partners to pool available sources of funding and to agree on how to use this funding, whether it be commissioning or some other approach. Based on the strategic framework outlined in this paper, it is for the Partnership to decide whether to commission services and also to decide on the areas where this commissioning/delivery should take place (having considered the evidence base). In doing so, partners have agreed to make use of the County Council’s Commissioning Model, aided by other models such as the Borough Council’s commissioning approach, based on its experiences of commissioning the Third Sector.

2.18 Finally, the Partnership has agreed, as part of this review, to implement the key findings from the ‘Goodwin Review’ of locality (i.e. district/borough based) health and well-being work. This implementation can be seen in terms of developing the PDG into the PCDG; the proposal to develop closer links with the Health and Well Being Board in Staffordshire (and so have a greater say in the strategic position throughout the county as well as in the Borough) and the acceptance of a provider role for organisations across all sectors in this area of work. The report on the ‘Goodwin Review’ has been presented to Cabinet previously, but can be found at [Appendix F](#).

3. Next Steps

3.1 Following the conclusion of the Review, a paper was taken to PDG and was approved, outlining the recommendations set out in this Cabinet report. The final approval of the recommendations set out here was obtained by the Partnership Strategic Board on 22nd September 2014.

3.2 The implementation of the review's proposals will be split into three stages.

3.3 Stage 1 of the implementation will include:

- Approval of the revised Sustainable Communities Strategy for the Borough by both the Board and also each of the partners (including approval by Cabinet today)
- Approval of the updated Partnership Constitution/Terms of Reference
- Agreed implementation of the proposals set out in the work led by Tony Goodwin, as referred earlier in this report, around health and well-being and the role to be played by 'localities' (in other words, the Borough) in the commissioning and development of health and, especially, well-being activities in the area
- Agreement to re-name the existing Partnership Delivery Group as the Partnership Commissioning and Delivery Group to reflect the wider focus of the Partnership in terms of delivery options

3.4 Stage 2 of the implementation process will include:

- To convene a workshop made of partners to take forward the work outlined in the bullet points below
- Partners to review the existing data and evidence underpinning the Partnership's strategic framework to ensure that the key areas of need continue to be reflected in the Partnership's ambitions and in the delivery of key projects and areas of work
- Partners to identify key areas of work/key projects which will be focused on by the Partnership in terms of delivery (based on the updated available data/evidence for the Borough)
- Partners to further identify the most appropriate method of delivering these projects/areas of work – whether via commissioning; direct provision or via some other delivery model
- Partners to review existing funding streams and available resources and to look to pool resources, as far as possible, under the overall auspices of the Partnership to focus on the delivery of the Partnership Work Programme Partners to agree a performance framework to cover this and to use this framework as the basis for measuring the progress of the Partnership against its key priorities/objectives/outcomes

3.5 Finally, stage 3 of the implementation process will cover the following areas:

- Partners to use the identified areas of work as the basis of a review of the existing Partnership Work Programme, created in 2012 to better reflect all areas of strategic activity in the Borough and the ambitions/priorities of partners and the Partnership
- To agree delivery/project plans for those areas included in the Work Programme, including key milestones and performance measures, as well as details of project/delivery teams

3.6 Cabinet is asked to approve the work done in reviewing the Partnership and also to agree, in principle, that, following examination of existing contracts and available spend, that the Borough Council's Third Sector Commissioning budgets are transferred for use by the Partnership in the areas outlined in this report.

3.7 Further reports on the progress of the Partnership will be presented to Cabinet in the future, with a further report expected before the end of the 2014/15 municipal year.

4. Options

4.1 Option A – that Cabinet approves the work covered by this report, including the changes to the Newcastle Partnership summarised such as the pooling of resources to include the Borough Council's Third Sector Commissioning budgets (recommended)

4.2 Option B – that Cabinet does not approve the proposals outlined in this report, thereby potentially risking the continued work of the Newcastle Partnership (not recommended)

5. Outcomes Linked to Corporate Priorities

4.1 The issues contained in this report contribute to meeting the all the Borough Council's Corporate Priorities of Creating a Cleaner, Safer and Sustainable Borough; Delivering a Borough of Opportunity; Creating Healthy and Active Communities and Becoming a Co-operative Council.

4.2 The report also covers the new Sustainable Community Priorities of enhancing economic growth and tackling vulnerability.

6. Legal and Statutory Implications

6.1 None at this stage.

7. Equality Impact Assessment

7.1 An Equality Impact Assessment is being developed for this area of work.

8. Financial and Resource Implications

8.1 This report sets out a proposal whereby third sector commissioning and other funding streams held by partner organisations will be pooled and dedicated to delivering improvements against the Partnership outcomes outlined in this report. At present, most of this budget is allocated, primarily as part of the countywide Public Sector Commissioning in Partnership (PSCiP) work focused on debt, benefit advice and infrastructure funding for voluntary and community services, but – as contracts come to an end and funding becomes potentially available, it is proposed that at least some of this funding will come under the auspices of the Newcastle Partnership.

9. Major Risks

9.1 This report potentially highlights a number of risks with the review, including:

- Future use of existing Third Sector Commissioning budgets – any available budget may be required by the Borough Council to meet existing budget shortfalls and therefore may not be available to the Partnership
- Reputational damage for the Borough Council amongst third sector organisations if decisions on provision change the providers of services

9. Earlier Cabinet/Committee Resolutions

None

10. List of Appendices

- Appendix A – Structure of the Newcastle Partnership
- Appendix B – Partnership Work Programme 2012-2017
- Appendix C – Partnership Hub structure
- Appendix D – Partnership Constitution and Terms of Reference
- Appendix E – Sustainable Communities Strategy
- Appendix F – Achieving Strategic Outcomes Through Locally-Based Delivery

11. Background Papers

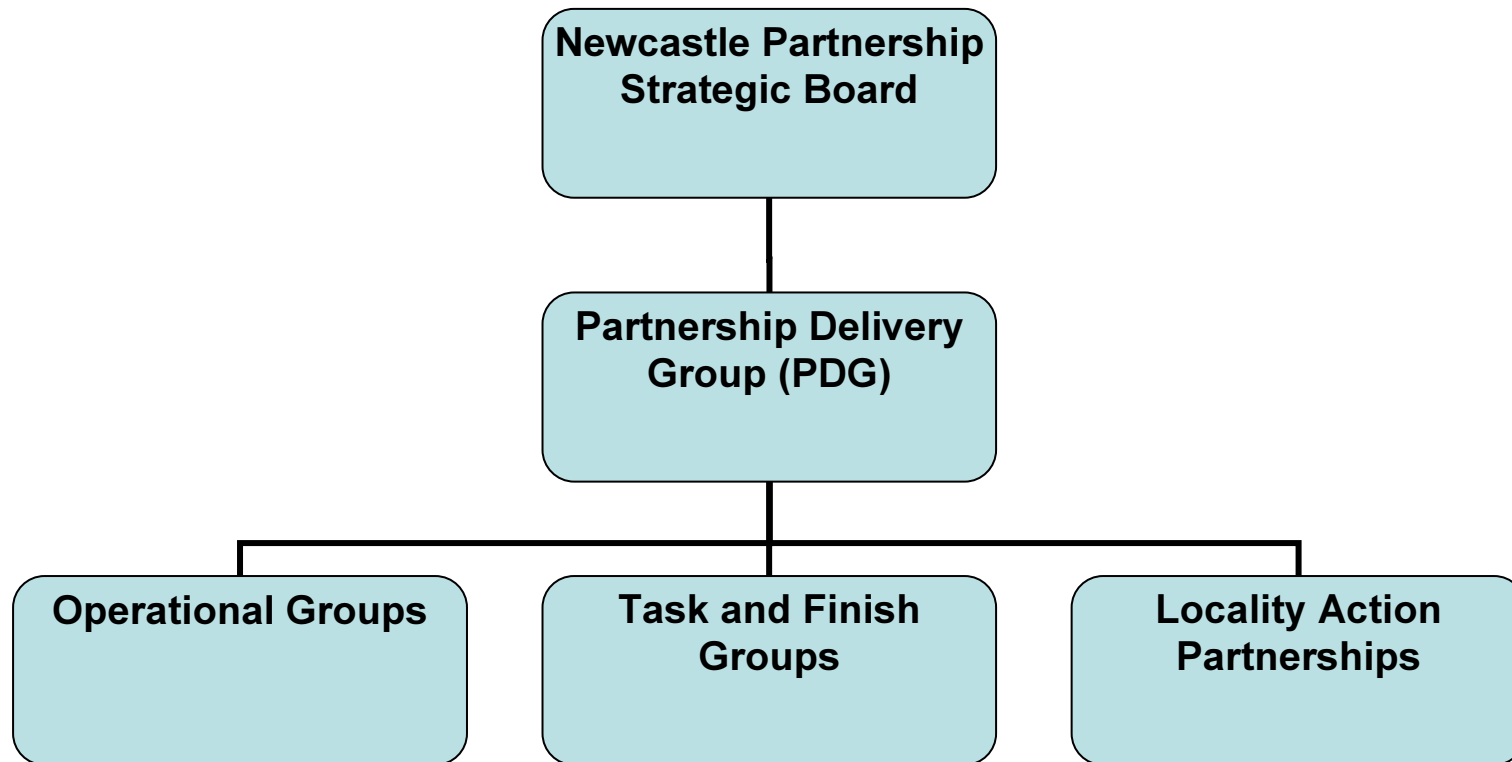
11.1 None

Sign Off Sheet

Implications included	Head of Service agreed report, signed & dated	Financial Implications signed & dated	Legal & risk implications signed & dated
Financial			
Legal			
Risk			
Corporate format used			



The Newcastle Partnership is the overarching strategic partnership for the Borough – formerly the Local Strategic Partnership and Community Safety Partnership.



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NEWCASTLE PARTNERSHIP WORK PROGRAMME 2012-2017

2012-13 – current projects

Action	Lead Organisation	Timeframe	Comments	Development suggestions	Potential Budget
Lets Work Together	Newcastle Partnership	April 2012 – November 2012	Newcastle Partnership project – designed to ensure that home visitors are able to assist people in a more joined up way November 2012 is launch date – ongoing monitoring beyond that date	Part of current work programme – ASB and Fire on first module. Further modules being developed around key risk areas – potential to link in with all areas of work in terms of referrals and early detection (see further development of multi-agency approaches below)	Potential WMIEP funding for e-learning aspects of training modules £15,000 to roll out publicity and also cover project delivery costs
Building Resilient Families and Communities	Staffordshire County Council	April 2012 onwards	Agreed as Newcastle Partnership project	Current project agreed by Board 2012 – project to develop links with Community Safety – particularly anti-social behaviour and domestic abuse	Funded from central government sources/payment by results
Implementation of the Localism Act	Newcastle Borough Council	April 2012 onwards	Key areas including: - Community Right to Challenge Community Right to Bid Community Right to Build	Within current capacity – not a Newcastle Partnership Project but framework in place to support other projects	Nil – staff resources needed

NEWCASTLE PARTNERSHIP WORK PROGRAMME 2012-2017

Roll out of alcohol harm reduction projects within Newcastle Borough – schools-based alcohol intervention programme; parental rule setting and social norming.	Staffordshire County Council	April 2012 – April 2013	Liaise with alcohol change lead	Schools Alcohol Programme and Strengthening Families – Presentation at Newcastle Partnership Strategic Board on 24 January 2013.	£5,000 (Strengthening Families) £2,500 (Schools based work)
Encourage the provision of information to residents on how to avoid domestic fires	FARS	April 2012 – April 2013	Links with Lets Work Together	Linked to Let's Work Together	See LWT
Develop approaches in preparation for Police and Crime Commissioners	Newcastle Partnership	June 2012 onwards	Implement and identify good practice and communicate with candidates	Within current capacity	Nil – staff resources
Road Safety – support for winter car use initiatives; improved road crossings and more facilities in rural areas	FARS – via road safety group	April 2012 – April 2013	Assessing locations and working on securing funding	Work with Highways to develop approaches to reduce parking close to schools.	Funding to be acquired from external sources – see LWT

NEWCASTLE PARTNERSHIP WORK PROGRAMME 2012-2017

<p>Map vulnerability across the Borough to deliver services more effectively</p>	<p>Staffordshire County Council</p>	<p>December 2012 onwards</p>	<p>Work with Staffordshire Observatory and other key agencies to develop evidence base for use in multi-agency approaches</p>	<p>Vulnerability assessment undertaken in 2011 – to work with Staffordshire Observatory to develop this further.</p> <p>Develop further data handling/case management around anti-social behaviour – to improve the performance management of ASB, providing a picture of ASB across the borough and in addition to provide information on levels of vulnerability/issues arising/unmet needs.</p>	<p>Work with Staffordshire Observatory – new approaches made with around using the intelligence hub</p>
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<p>Develop approaches with Families First to assist vulnerable people in the Borough</p>	<p>Staffordshire County Council</p>	<p>April 2012 onwards</p>	<p>Work with Families First to identify areas of risk and approaches to deal with issues in the area</p>	<p>In addition to ensure links with Domestic Abuse to ensure that families get the support at the earliest opportunity.</p> <p>Look for potential funding to continue and expand the Children's and Young People worker in Newcastle which is due to end in March 2013. We currently have a 16 hour post who is always at full capacity and often has a waiting list, the post holder works with children and young people whose parents are discussed at MARAC and any that identify during the Relationships without fear school programme that there is DV at home.</p> <p>The post holder currently works 16hrs a week and is on approx £16,000.</p> <p>Investigate further the increasing links between ASB and domestic abuse.</p>	<p>£13,000 – Children's and Young People's Worker for 2013/14</p>
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NEWCASTLE PARTNERSHIP WORK PROGRAMME 2012-2017

2013-14

Action	Lead Organisation	Timeframe	Comments	Development suggestions	Potential Budget
Continue to discuss trans-border cases with neighbouring authorities	Newcastle Partnership	April 2013 – April 2014	Agree approaches	Important linked to domestic abuse, as victims may move around to keep safe and to look at the implications for them and their children	From existing resources
Build on existing multi-agency conference system to address problems potentially faced by vulnerable people	Newcastle Partnership	April 2013 – December 2013	Examine support for these conferences and links with other multi-agency approaches	Linked to the Early Intervention (EI) case conferences which will look at low risk domestic abuse cases and seek to prevent them from becoming high risk risk. Will look to apply to other areas including ASB and alcohol. Will use Let's Work Together as the primary source of referrals.	See budget for Let's Work Together (above)
Complete gating off of problematic alleyways under the Green Routes scheme	Newcastle Partnership	April 2013 – April 2014	Review existing position and map out problem areas	Need to work with communities to establish need for this to be done	TBC
Raise awareness of Safeguarding Vulnerable Children and Adults across the Borough	Staffordshire County Council	April 2013 – April 2014	Raise awareness of pathways and referral processes	Linked to Let's Work Together	See LWT budget (above)

NEWCASTLE PARTNERSHIP WORK PROGRAMME 2012-2017

Increase self-employment	Stoke on Trent City Council	April 2013 – April 2014	Support local unemployed people into self employment through the Newcastle Business Enterprise Coach		TBC
Further development of Community Pride events	Newcastle Partnership	April 2013 – April 2014	Review of existing scheme with a view to developing/renewing	<p>Re-badge as 'Community Well-Being' events with a focus away from crime and disorder towards health promotion/protection</p> <p>Work with Locality Action Partnerships to develop a rolling programme of Community Well-Being events.</p> <p>Possible project to work on with Public Health/CCG; Universities/College and others - linked to Partners in Action schedule.</p>	£10,000 (Partnership funding)
Complete the ongoing review of locality working and LAPs	Newcastle Partnership	April 2013-April 2014	Develop strategic framework for LAPs as part of Newcastle Partnership structures	Within current capacity looking at links to co-operative council.	£5,000

NEWCASTLE PARTNERSHIP WORK PROGRAMME 2012-2017

Enhancing the Business Crime Initiative	Partnership Against Business Crime	April 2013 – April 2014	CCTV Volunteer pilot Support for Business Crime Manager post	To examine the potential for the PABC Manager to work full time and management of CCTV volunteering scheme.	£25,000 (NBC/partners) (Y1) £22,000 (Y2) £17,000 (Y3)
Introduce devices for vulnerable people to use in protecting themselves	Staffordshire Police	April 2013 – April 2014	Review ongoing on use of devices	Possible expansion of the use of Safelinq Devices linked to Domestic Abuse.	£5,000
Expansion of Safer Nights	Newcastle Borough Council Staffordshire Police	April 2013 – March 2014	Includes areas such as K9 Drugs Dog; Test Purchase Operations, A & E Triage and Street Pastors	Projects to be identified by the Safer Nights group. Work with the Police and Crime Commissioner to identify projects and resources.	£9,000 (Partnership funding)
Promote good behaviour amongst tenants	Newcastle Borough Council	April 2013 – April 2014	Reduce need for re-housing via anti social behaviour cases	In addition this will need to link to Domestic Abuse. Continue to develop partnership working linked to anti-social behaviour.	£3,000

NEWCASTLE PARTNERSHIP WORK PROGRAMME 2012-2017

Reduce unemployment and increase skills	Coalfields Regeneration Trust	April 2013 – March 2014	Support local unemployed people into training and work through the Family Employment Initiative	Possible continuation and/or expansion of the Family Employment Initiative. Talent Match and other targeted interventions to support those furthest from the employment market into work – links with ASB.	£80,000 – FEI
Enhance levels of community cohesion	Newcastle Borough Council	April 2013 – March 2014	Continue to build an annual programme of town centre arts and cultural events through the Town Centre Partnership	Diversions activities linked to ASB. Investigate opportunities to increase Restorative Justice approaches across the borough.	£5,000
Increase inward investment into all sectors in the Borough to support business and jobs growth	Newcastle Borough Council	April 2013 – March 2014	Work with Make It – Stoke and Staffordshire inward investment service		Self-funding
Support vulnerable residents in housing	Newcastle Borough Council	April 2012 onwards	Supporting vulnerable residents via schemes and approaches with partners	To try and keep residents in their own homes when they have been victims of Domestic abuse, this will need linking in with the Sanctuary scheme/Safelinq devices and the DV policies in housing.	£5,000

NEWCASTLE PARTNERSHIP WORK PROGRAMME 2012-2017

Continue work on Financial Inclusion intervention	Newcastle Borough Council	April 2013 – April 2014	Assess existing approaches and identify additional opportunities	A 'Made of Money' type training programme to be taken into Youth Clubs and Schools to educate young people on how to manage a household budget and the implications of credit, loans, savings etc.	£2,500
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NEWCASTLE PARTNERSHIP WORK PROGRAMME 2012-2017

<p>Develop health promotion work</p>	<p>Public Health</p>	<p>April 2013 – April 2014</p>	<p>Assess existing approaches and work through the Newcastle Partnership in developing new approaches or building on existing ones</p>	<p>Awareness raising of domestic abuse across the health sector – admissions to A & E, hospital and doctors surgeries</p> <p>Health Promotion – healthy eating, sexual health, domestic abuse, exercise and other public health issues.</p> <p>‘Better Pathways’ working with GPs to establish ‘non-clinical’ issues - commission interventions linked to wider determinants of health.</p> <p>Development of a ‘Community Health Champion’ project – working to promote community engagement in health</p> <p>Expansion of the Family Nurse Partnership in Newcastle Borough.</p>	<p>To approach Public Health/CCG to establish funding - £10,000 in first instance (focus on prevention to reduce costs of treatment) – probably towards appointment of Health Promotion Officer and possible use of Third Sector Commissioning for Family Nurse project</p>
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NEWCASTLE PARTNERSHIP WORK PROGRAMME 2012-2017

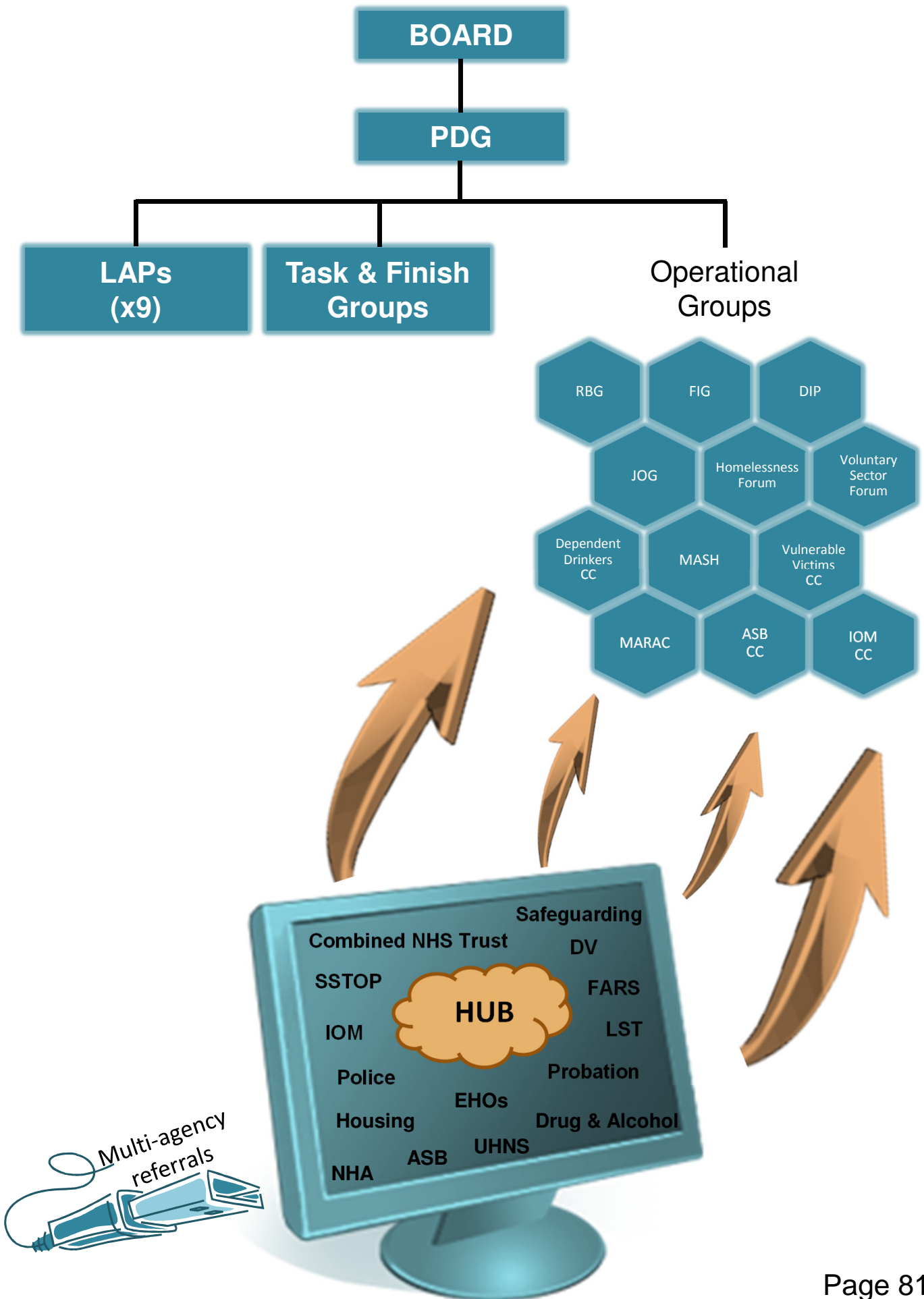
2014 onwards

Action	Lead Organisation	Timeframe	Comments	Development Suggestions
Promoting community integration and developing ways of enabling communities to live and work together effectively	Newcastle Partnership	April 2014 – April 2017	Initial assessment work to be carried out and action plans develop thereafter	Continue to develop Locality Action Partnerships
Develop educational approaches to dealing with areas of risk around behaviour and attitudes in young people	Staffordshire County Council	April 2014 onwards	Identify opportunities and work with schools	
Roll out prevention materials for all aspects of domestic violence and anti-social behaviour	Staffordshire County Council	April 2014 onwards	Assess current provision of materials and identify gaps where possible	<p>Set up a survivors' forum and work with them to make sure prevention materials are relevant to our area in the Borough.</p> <p>Early Intervention Worker – currently being commissioned through Proceeds of Crime.</p> <p>Look to expand the current scheme linked to Monday Partnership briefings.</p> <p>Children and Young People's worker (highlighted previously)</p>
Improve support for victims of anti-social behaviour and domestic violence	Newcastle Partnership	April 2014 – April 2017	Review systems in place	Work with our new support service to ensure this is done and also work with survivors to address gaps they feel we have in the Borough and what we can do better.

NEWCASTLE PARTNERSHIP WORK PROGRAMME 2012-2017

Investigate opportunities to develop Social Enterprises	Newcastle Partnership	April 2014 – April 2015	Investigate funding and other opportunities with partners Agreed as Newcastle Partnership project	Current Newcastle Partnership work programme.
Build on key relationships with the voluntary and community sector in delivering key services to local people	Voluntary and community sector	April 2014 – April 2014	Further LAP development Developing infrastructure support	
Tackling hate crime	Challenge North Staffs	April 2014 – April 2016	Initial assessment into the issue to take place in 2013-14	Work with Challenge North Staffordshire to identify major issues for Newcastle.
Tackling victimisation of vulnerable people	Staffordshire Police	April 2014 – April 2017	Build on existing initiatives around case conferences and expand on existing approaches	(Previously highlighted) approaches to build on existing case conference approaches.

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Constitution and Terms of Reference

September 2014

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2. TERMS OF REFERENCE

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1. INTRODUCTION

1.1 What is the Newcastle Partnership?

The Newcastle Partnership is the strategic partnership for the Borough of Newcastle-under-Lyme in north Staffordshire.

The Partnership represents the different sectors in Newcastle-under-Lyme (public, private, voluntary and community).

The Partnership replaces the former local strategic partnership (LSP) for the Borough and is a voluntary partnership comprising of around 40 different organisations.

The Crime and Disorder Act (1998) formalised the practice of partnership working to reduce crime and disorder and stipulated that the relevant local authority in each district/borough area would be the accountable body for the partnership and its activities. It placed a statutory duty on 'Responsible Authorities', such as the Police, Local Authorities, the (then) Primary Care Trusts, and Fire and Rescue Authorities to work in partnership with a range of other 'co-operating' local public, private, community and voluntary organisations and groups.

Following the effective dismantling of the LSP system following the 2010 election, the Newcastle Partnership is now the mechanism for delivery of this statutory function in the Borough.

The Partnership plays a vital role in bringing together different organisations with a shared purpose through co-operative and co-ordinated joint working designed to improve the social, economic and environmental wellbeing in the Borough.

Relationships between partners are based on trust, with all members recognising the value of working together towards achieving shared aims and objectives to deliver positive outcomes for all. The Partnership is also a forum for reviewing available resources through the identification of priorities.

The Partnership aims to achieve its ambitions through:

- A common strategic framework made up of a common vision, priorities, and outcomes;
- The alignment of activities and resources to deliver against the priorities of the Partnership;
- Joint delivery supported by effective performance management of outcomes linked to strategic priorities;
- Reduce duplication and bureaucracy and improved co-operation through commissioning and delivery within the Partnership's structure;
- Communicating the achievements of the Partnership and remaining accountable to the whole community of the Borough.

1.2 Vision and Strategic Framework

The shared vision for the Newcastle Partnership is:

“Newcastle Communities together, securing a prosperous future”

In seeking to translate this vision into reality, a number of key outcomes have been identified: -

- Most people are part of an active, local community and involved in how public services are delivered;
- Most people are living, working and prospering in safe environments, free from crime and the causes of crime;
- Most people enjoy a supportive family life and have a decent place to live;
- Most people live longer, healthier and more rewarding lives.

In other words, partners have set themselves to work towards achieving the key objectives of improving **People's** lives; improving the **Places** in which we live, work and visit and aim to work together to enhance **Prosperity**.

The Partnership is committed to continuously improving the quality of life and experiences of people, who live, work, invest, study and visit Newcastle-under-Lyme.

The vision has been informed by a summary of the needs of the Borough, which covers the following areas:

- An ageing population – the Borough's population is forecast to age over the next few years
- Pockets of worklessness – areas of the Borough have seen this
- Alcohol/drug use/abuse
- Health issues related to smoking, drinking and work related conditions
- Crime – although some crime levels have fallen, fear of crime remains high

The vision for the Partnership will therefore be delivered via two Partnership priorities related to the evidence base outlined above:

- Enhancing economic growth; and
- Tackling vulnerability

Finally, the Partnership is focused on delivering the following outcomes:

- Reducing fear of crime;
- Reducing levels of crime;
- Increasing satisfaction with public services;
- Developing healthier and safer communities;
- Delivering value for money.

This strategic framework can be summarised by the table below;

NEEDS				
Ageing Population	Worklessness	Alcohol/Drugs	Health Issues	Crime
VISION				
Newcastle Communities together, securing a prosperous future				
PRIORITIES				
Enhancing Economic Growth			Tackling Vulnerability	
KEY OBJECTIVES				
PEOPLE		PLACES		PROSPERITY
Helping those who feel vulnerable		Improving life in the home – tackling domestic abuse; dealing with anti-social behaviour		Developing the skills local people need to access job opportunities
Tackling fear of crime		Improving public spaces – town centres; parks		Supporting people in re-entering the job market
Providing support to those who need it		Improving our environment		Ensuring that housing meets the needs of local people
Dealing with drug and alcohol addiction and abuse		Providing healthier solutions to our localities		Transforming the image of the Borough
Addressing offending and repeat offending and victimisation		Making our places safer – use of CCTV		Helping to maintain and support new/existing business
DELIVERY OUTCOMES				
Reducing fear of crime	Reducing levels of crime	Increasing Satisfaction	Healthier and safer	Value for money
EVALUATION				

1.3 Aims

The Newcastle Partnership will:

- Bring together partners from the public, private, voluntary and community sectors to work to improve the social, economic and environmental wellbeing of Newcastle-under-Lyme;
- Use our shared vision and strategic framework to focus on delivering improvement based on our priorities and achieving positive outcomes for our Borough;
- Act as the over-arching partnership for other partnerships to operate within in the Borough;
- Seek to add value and reduce duplication where possible;
- Seek to share our resources and our information where possible;
- Learn and develop based on our previous experiences of working together;
- To identify and commission services together to deliver best value;
- Provide a forum for debate, discussion and delivery on issues which can be best tackled by working together; and
- Focus on our residents and their needs at all times.

1.4 Values and principles

The Newcastle Partnership recognises that the range of complex and inter-linked challenges that impact upon the quality of life of local people cannot be effectively tackled by any one partner alone. There is recognition that more can be achieved by working together in partnership.

There are a number of overarching values and principles which underpin the work of the Newcastle Partnership.

These are:

- To be inclusive, promoting the participation of all members;
- Promote honesty and openness amongst partners;
- Promote equality of opportunity and treat people fairly in everything we do;
- Not have meetings for the sake of it, but focus on delivery and tackling the causes of problems;
- Trust one another and respect each other's differences and opinions;
- Learn, innovate and share good practice with each other, based on evidence and experience;
- Be realistic about what we can and cannot do;
- Work collectively and collaboratively to reduce duplication and enhance joint working;
- Seek to achieve best value by using resources where they are most needed; and
- Involve communities and residents in decision making where possible.

1.5 Duties, powers and responsibilities

Based on Sections 5 and 6 of the Crime and Disorder Act (1998), the purpose of the Newcastle Partnership is to bring together the 'Responsible Authorities', supported by other relevant organisations, to fulfil their statutory responsibilities to work together in dealing with crime and disorder related issues.

Accordingly, no member shall have any authority to make any commitment on behalf of another member of the Newcastle Partnership.

The Newcastle Partnership has the power to act as necessary, in developing collaborative arrangements, for the purpose of achieving its objectives.

The Newcastle Partnership has the following powers at its discretion:

- a) To operate a bank account and manage investments;
- b) Apply for grants and raise money;
- c) Publish leaflets, newsletters and use electronic means of distribution;
- d) Purchase goods and services;
- e) Organise events and functions to the benefit of the community;
- f) Affiliate, liaise or enter partnerships with other organisations sharing similar objectives;
- g) Operate and promote the Newcastle Partnership brand and associated brands;
- h) Undertake any other lawful activities as approved by the membership;
- i) To suspend or remove member organisations or representatives from membership, in accordance with the terms of this constitution;
- j) To make representations, whether by way of support, concern or objection, concerning any action or proposed action by any authority, organisation or person in respect of the issues falling within the objectives of Newcastle Partnership;
- k) To elect or delegate representatives to attend meetings of outside bodies to inform the work of Newcastle Partnership;
- l) Develop sub-groups/branches of the Partnership through agreement by the Partnership Delivery Group, to deliver the aims and objectives of the Newcastle Partnership.

When the relevant organisation, partners or agencies are engaged in Newcastle Partnership activity, it is for them to ensure they have proper procedures in place to do so, and that they are complied with, as well as having the necessary authorisation from their respective organisation to do so.

No partner has the power to commit any other partner to any expense unless expressly and specifically agreed by all parties concerned.

Any partner holding funds provided by any other partner will maintain accounts and provide such information at any time as may reasonably be requested.

In the interests of simplicity, any contracts with third parties (whether for employment, supplies or services) will be entered into by one of the constituent members of the partners and not by the Partnership as a whole. If the partner entering into the contract is only willing to do so on the basis of financial support from any or all of the other partners, then no contract should be awarded until the financial support relied upon is agreed and set out in writing.

1.6 Constitutional declaration

By signing up to this Constitution, partners confirm their commitment to:

- The vision and aims of the Partnership;
- Other members of the Partnership; and
- The wider community by agreeing to work together to improve the quality of life for communities of Newcastle-under-Lyme.

The vision, aims, values and principles within this Constitution shall apply to the Newcastle Partnership as a whole. However, this Constitution and Terms of Reference document in its entirety shall apply to the Strategic Board and Partnership Delivery Group (PDG) of the Newcastle Partnership. The Operational Groups, Task and Finish Groups and Locality Action Partnerships may have their own individual Terms of Reference to distinguish their roles and work streams as appropriate.

2. TERMS OF REFERENCE

2.1 Membership

The Newcastle Partnership aims to be an inclusive partnership and is intended to be broadly representative of public, private, voluntary and community sectors in the Borough of Newcastle-under-Lyme. The Partnership aims to be accountable to the local community it serves and open and transparent in all its dealings. A membership register can be found at **Appendix 1**.

Newcastle-under-Lyme Borough Council will act as the accountable body (lead partner) for the Newcastle Partnership.

Any organisation can request to join the Partnership providing that it:

- Has a recognised mandate to represent a legitimate interest group in the district;
- Is a service provider in the Borough; or
- Employs people in the Borough

Any organisation wishing to join should contact:

The Head of Business Improvement, Central Services and Partnerships
c/o Partnerships Team
Newcastle-under-Lyme Borough Council
Civic Offices
Merrial Street
Newcastle-under-Lyme
Staffs
ST5 2AG

Telephone: 01782 742554

Email: mark.bailey@newcastle-staffs.gov.uk or sarah.moore@newcastle-staffs.gov.uk

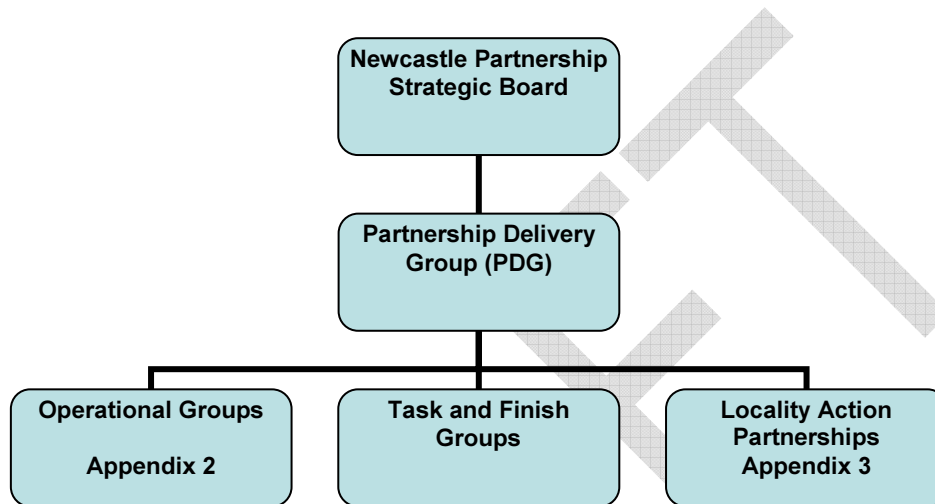
The representatives of partner organisations who are members of the Partnership, will:

- Have the appropriate delegated powers to ensure effective leadership and joint working;
- Support the work of the Partnership to deliver the shared vision, aims and outcomes of the Partnership;
- Identify deputies at the earliest opportunity, in the event that they are unable to attend/participate. Where a deputy is attending, the appointed representative will ensure that the deputy has the appropriate delegated powers and is fully briefed in readiness for the meeting;
- Ensure that there are simple lines of governance and reporting at their respective organisations;
- Respect the different roles, responsibilities and opinions of other members;
- Adhere to any confidentiality requirements of the Partnership;
- Contribute to the identification of local priorities and provide interventions to tackle these issues and improve the quality of life, where possible;
- Adopt a problem solving approach to their contribution;
- Promote and contribute to trust, openness and honesty;
- Accept that they may be tasked/commissioned to undertake key work sometimes without funding;

- Identify opportunities or make a contribution where possible to fund the work of the Partnership;
- Contribute to jointly commissioned projects, where appropriate within an agreed framework;
- Engage with other key bodies including the Stoke-on-Trent and Staffordshire Local Enterprise Partnership and, the Staffordshire Health and Wellbeing Board, for the overall benefit of the community.

The Newcastle Partnership shall review the veracity and balance of its membership at least bi-annually.

2.2 Newcastle Partnership Structure chart



2.3 Newcastle Partnership Structure

The current structure for the Newcastle Partnership can be seen on the previous page and includes the following:

Strategic Board – consists of representatives at executive management level of partner agencies in the Borough and is responsible for setting the vision and priorities for the Partnership. Takes the ultimate decision on which areas of work will be delivered via the Partnership’s Work Programme. It provides leadership and influence with its members acting as ambassadors for the Borough. Meets on a bi-annual basis.

Partnership Delivery Group (PDG) – consists of senior representatives from key partners in the Borough and focuses on delivery of the Work Programme once ratified by the Strategic Board. Meets on a bi-monthly basis.

Operational Groups – consisting of operational representatives from key partners to co-ordinate operational delivery of the Work Programme e.g. the Responsible Bodies Group, Joint Operations Group (JOG), Voluntary Sector Forum, Case Conferencing, Partnership Hub etc.

Task and Finish groups – consists of representatives from relevant partners with an interest in a particular subject area to co-ordinate time limited activity related to the work programme e.g. Health and Wellbeing, Domestic Abuse etc.

Locality Action Partnerships (LAPs) - consist of a range of representatives who live and work in the area to address issues that affect and impact on quality of life in areas at the sub-borough geographical area. LAPs provide an opportunity to understand and influence the way in which services are provided in an area and to contribute to policy and strategy development. There are currently nine LAP areas which make up the Borough (see Appendix 3). Councillors (whether County, Borough or Parish/Town) are key members of the Newcastle Partnership and in particular the relevant Locality Action Partnership.

2.4 Leadership and Chairs

As outlined previously, Newcastle-under-Lyme Borough Council will act as the accountable body (lead partner) for the Newcastle Partnership.

The Chair of the Newcastle Partnership and the Strategic Board is the Leader of Newcastle-under-Lyme Borough Council. The Vice-chair is the Deputy Leader of the Borough Council.

The Lead Officer for the Partnership is the Head of Business Improvement, Central Services and Partnerships at Newcastle-under-Lyme Borough Council.

The Board will usually meet biannually, although special meetings may be called by the Chair at any time to discuss urgent business.

The Chair of the Partnership Delivery Group (PDG) is the Chief Executive of Newcastle-under-Lyme Borough Council. The Vice-chair is the Head of Business Improvement, Central Services and Partnerships of the Borough Council.

The PDG will usually meet bi-monthly, although special meetings may be called by the Chair at any time to discuss urgent business.

The Chairs and Vice-Chairs of the Operational Groups and Task and Finish Groups will be appointed and agreed by the Partnership Delivery Group. Together with the Lead Officer, they shall be directly accountable and answerable to the Partnership Delivery Group and Newcastle Partnership Strategic Board for the performance of their respective groups.

Should the Chair of a group resign from that role, then the Vice-Chair will become the Acting Chair. The Partnership Delivery Group, at its next available meeting, will then designate a member of the group as Chair and Vice-Chair if appropriate.

Locality Action Partnership (LAP) membership shall be defined by local need. Chair, Vice-Chair, membership and relevant voting rights shall be identified within their individual Constitutions. The Chair of the LAP Chairs group shall be nominated and appointed by the LAP Chairs as outlined in the Terms of Reference for the group.

2.5 Administration

The Business Improvement and Partnerships Team at Newcastle-under-Lyme Borough Council will facilitate the Partnership's various meetings and co-ordinate the administrative function to support the Chairs of the various groups within the structure of the Partnership.

Agendas for meetings will be set by the appropriate Chair and will be circulated with any relevant items at least one week prior to the meeting.

Where a meeting is convened at shorter notice, copies of the agenda and reports shall be made available as soon as reasonably possible.

Attendance and apologies for absence by members will be recorded in the minutes of each meeting. Minutes/action logs for each meeting will be drawn up, circulated and agreed as a correct record at subsequent meetings, subject to any agreed amendments.

Minutes/action logs of Newcastle Partnership meetings shall be public documents in the main, unless items are highlighted as confidential because of the need to protect vulnerable members of the community; business interests or would otherwise undermine sensitive statutory functions.

Confidential items will be clearly identified by the Chair of the relevant group and recorded as such. These items will remain confidential and shall only be circulated to specified individuals.

A programme stating the dates and times for all Newcastle Partnership meetings for the forthcoming financial year shall be co-ordinated and approved by the Partnership Delivery Group.

Meetings of any of the Newcastle Partnership groups listed earlier in this document shall not exceed two hours in length except via agreement of the majority of those present and those eligible to vote.

Meetings may be extended by half an hour by agreement. Any item not dealt with at the end of this time must be deferred to the next meeting.

Training days, special meetings, and other events may exceed the two hour limit where the nature of those events requires a longer period of time.

The financial year of the Newcastle Partnership shall run in accordance with that of Newcastle Borough Council as the accountable body. That is, it shall commence on 1 April in each calendar year and end on 31 March on the next calendar year.

2.6 Attendance at meetings

Members are expected to regularly attend Newcastle Partnership meetings and are expected to arrive on time and stay for the full meeting. Members should indicate to the Chair or Clerk of the meeting in advance if they are unable to attend, or will be arriving late to the meeting. Members should inform the Chair or Clerk if they need to leave before the end of the meeting.

If, in the view of the Chair of a Newcastle Partnership meeting, a member's attendance at any particular meeting was insufficient, the Chair shall instruct the Clerk to mark that member as being absent. The Chair's decision is final.

If a representative fails to attend three consecutive meetings without good reason, the member organisation will be notified and invited to replace their representative.

Any organisational representative who is unable to attend a meeting may nominate a named substitute from their organisation to represent them at that meeting. The substitute may speak and vote on behalf of that member. Substitutes should be used sparingly.

2.7 Code of Conduct

Organisational representatives are expected to abide by their own organisation's Code of Conduct.

Member organisations and their representatives agree to listen, contribute, accept differences of opinion, and must treat others with respect.

Member organisations and their representatives are expected to behave with appropriate decorum during any meeting of the Newcastle Partnership, and are expected not to behave in a manner that could bring the Newcastle Partnership into disrepute. This includes:

- a) Not acting in a way that is either verbally or physically violent or unruly, or intimidating to other Newcastle Partnership members or members of the public who attend the meeting;
- b) Not harassing or bullying other Newcastle Partnership members or members of the public who attend the meetings;
- c) Not preventing another person from gaining access to information to which that person is entitled by law;
- d) Not compromising the impartiality of anyone who works for, or on behalf of, the authority;
- e) Not behaving in a manner which could reasonably be regarded as bringing the member organisations office or the authority into disrepute;
- f) Having regard to any relevant advice provided to Newcastle Partnership members;
- g) Ensuring that the authority's resources are used for proper purposes;
- h) Complying with the laws around equality;
- i) Not using membership of Newcastle Partnership to gain an unfair advantage for themselves or an unfair advantage or disadvantage for others; and
- j) Not disclosing confidential information or information believed to be of a confidential nature by one or more of the partner organisations.

Member organisations and their representatives are expected to familiarise themselves with and abide by the general principles of equal opportunities and not engage or act in a discriminatory manner.

In the event of a dispute the matter shall be referred to the Chair of the Strategic Partnership for consideration and their decision will be final.

2.8 Confidentiality

Members of the Partnership and their representatives will maintain a level of confidentiality which is appropriate to the standards of confidentiality they would exert within their own organisation.

No member of the Partnership or any of their representatives shall release any confidential information on the basis that it is required by law without first consulting the Borough Council (via the Head of Business Improvement, Central Services and Partnerships in the first instance).

Disclosure of confidential information in breach of these paragraphs may result in the offending party being excluded from the Partnership.

It is agreed that, wherever possible, Partnership members shall share information about their organisations, services and customers where that information is relevant to the vision and aims and objectives of the Partnership.

Members shall at all times abide by the requirements of the Data Protection Act 1998, the One Staffordshire Information Sharing Protocol and the Newcastle Partnership Confidentiality Agreement.

Within Locality Action Partnership meetings, members of the community shall maintain the level of confidentiality required as defined by the relevant Constitutions.

2.9 Voting

The ethos of the Newcastle Partnership is to work in partnership together and, therefore, decisions should be made where possible by consensus.

On the occasions when a consensus cannot be reached, voting shall be by a show of hands and shall be by a simple majority rather than by any formal voting mechanism.

At the discretion of the Chair of the Board or PDG, a vote may be taken on any matter.

Each member of the Board or PDG or their substitute shall have one vote. In the case of an equality of votes, the Chair of the Board or the PDG shall have a second or casting vote.

The quorum for the Board or PDG should be a minimum of 50% of the member representatives present.

Operational groups, Task and Finish groups and Locality Action Partnership voting rights are defined in their Terms of Reference. The quorum for these groups will also be defined in the relevant Terms of Reference.

2.10 Declarations of interest

The public and all those participating in a meeting should be aware of any interest a member has in a particular matter.

A personal interest

A personal interest in the business of the Newcastle Partnership will be declared where the interest would affect the individual or someone with whom the individual has a close association more than it would affect the majority of people in the Borough.

A representative attending any meeting of the Newcastle Partnership must declare a personal interest at the meeting, unless it is transparent to all those present by the very nature of the representative's role, for example in representing an organisation(s) or group of individuals.

The interest may relate to:

- a) An individual, their family, friends or close associates;
- b) An employer or company (except where the individual is on the Newcastle Partnership representing a public body);
- c) A local voluntary organisation where an individual holds an official position or is heavily involved with its work;
- d) A representative of an organisation in which an individual may gain an unfair advantage over others for example for funding, grants, work or a contract; or
- e) Where an individual has received a gift or hospitality valued at over £25 within the last three years from an organisation or an individual who would benefit from a decision.

Any personal interest must be declared at the beginning of the relevant meeting or as soon as the individual is aware of the interest. Interests must be declared clearly so all those attending the meeting are aware of the interest and how it arises.

A prejudicial interest

In some circumstances, it may be deemed that the interest is also prejudicial. A personal interest becomes prejudicial where the individual, the organisation they represent, their family, a friend or a close associate may gain a financial advantage from being involved in making the decision (for example when bidding for funding or a contract).

The exemption to this is when someone is exercising a function of a public nature, for example they have been appointed to sit on the Newcastle Partnership by a public body or attend in their capacity as an employee of a public body.

In determining whether an interest is prejudicial, a representative should also consider whether a member of the public, knowing all the facts, would reasonably expect the representative not to take part because of the nature of the interest they have in a matter.

Any representative declaring a prejudicial interest should leave the room and take no part in the particular item.

Failure to abide by the requirement to declare interests may lead to the representative and/or the member organisation being removed from Newcastle Partnership.

Gifts and Hospitality

Members are advised that they should not accept any gift that is so substantial that it may be deemed to amount to an inducement for special treatment. Members must also consider the context in which the offer of a gift or hospitality is made.

Members must follow their own internal organisation's procedures in relation to gifts and hospitality.

2.11 Termination of Membership

If a representative or member organisation has acted in a manner that brings the Newcastle Partnership into disrepute, or fails to abide by their organisation's Code of Conduct, or the requirement to declare interests, then the matter should be considered in the first instance by Newcastle-under-Lyme Borough Council (via the Head of Business Improvement, Central Services and Partnerships).

The findings from this consideration will be forwarded to the Newcastle Partnership Strategic Board for consideration as to whether the matter should be referred for further action.

The member organisation or representative involved shall then have the right to be heard at the Newcastle Partnership Strategic Board meeting that determines whether or not that member or representative is removed or otherwise sanctioned.

Any vacancy arising from termination will be referred back to the appropriate selecting, electing or nominating organisation or sector to fill the vacancy as soon as is reasonably practicable.

If the Newcastle Partnership Strategic Board fails to pass the motion, no further action shall be taken.

Each representative shall cease to hold office if they become unable or unfit by reason of mental disorder, illness or injury, of managing and administering his/her property and affairs.

For the avoidance of any doubt, should an individual cease to be part of the member organisation, they are not permitted to remain as the representative for that member organisation on the Newcastle Partnership. A person is only eligible to be a representative as long as they are part of the member organisation, and the member organisation still wishes them to be their chosen representative. Should an organisation or part of the Newcastle Partnership 'family' cease to exist then a representative of that organisation or part of that organisation should not remain as a representative on any other part of the Newcastle Partnership. That is, a person can only be a representative if the organisation or part of the Newcastle Partnership they represent is currently in existence.

2.12 Review

The Constitution and Terms of Reference for the Newcastle Partnership will be reviewed by the Strategic Board every two years.

The next review for the Constitution and Terms of Reference is therefore due in September 2016.

Appendix 1

Organisational membership of the Newcastle Partnership;

- Arch North Staffordshire

- Aspire Group
- Brighter Futures
- Citizens Advice Staffordshire
- Credit Union Staffordshire
- Department of Work and Pensions (DWP)
- Entrust
- Her Majesty's Prison Service (HMPS)
- Keele University
- Lyme Trust
- Midland Heart
- Moneyline
- Newcastle-under-Lyme Borough Council (NBC)
- Newcastle under Lyme College (NULC)
- Newcastle-under-Lyme Partnership Against Business Crime (PABC)
- Newcastle-under-Lyme Town Centre Partnership (TCP)
- North Staffordshire Clinical Commissioning Group (CCG)
- North Staffordshire Combined Healthcare NHS Trust
- One Recovery
- Saltbox
- Sanctuary Housing
- Sporting Communities
- Staffordshire County Council (SCC)
- Staffordshire Fire and Rescue (FARS)
- Staffordshire Housing
- Staffordshire Parish Council Association (SPCA)
- Staffordshire Police
- Staffordshire Probation Service
- Stoke-on-Trent and Staffordshire Partnership Trust (SSOTP)
- University Hospital North Staffs (UHNS)
- VAST
- Victim Support
- Youth Offending Service (YOS)

Updated September 2014

APPENDIX 2

Operational Groups of the Newcastle Partnership;

- Anti Social Behaviour (ASB) Case Conference
- Dependent Drinkers Case Conference

- District Inclusion Panel
- Financial Inclusion Group (FIG)
- Homelessness Forum
- Integrated Offender Management (IOM) Case Conference
- Joint Operations Group (JOG)
- Multi Agency Risk Assessment Conference (MARAC)
- Multi Agency Safeguarding Hub (MASH)
- Partnership Hub
- Responsible Bodies Group (RBG)
- Voluntary Sector Forum
- Vulnerable Victims Case Conference

Updated September 2014

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APPENDIX 3

Locality Action Partnerships (LAPs) of the Newcastle Partnership;

- Audley LAP
- Betley, Keele and Madeley LAP
- Butt Lane and Talke LAP

- East Newcastle LAP
- Greater Chesterton LAP
- Kidsgrove LAP
- Newcastle Rural LAP
- Newcastle South LAP
- Partnership of Western Communities LAP

Updated September 2014

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“

Shaping a local identity with strong, safe and attractive communities and creating a thriving economy offering opportunity for all

”



STRATEGY FOR A SUSTAINABLE COMMUNITY 2014 - 2020



“

The people that make up the communities of Newcastle have to be central to everything

”

MESSAGE FROM MIKE STUBBS

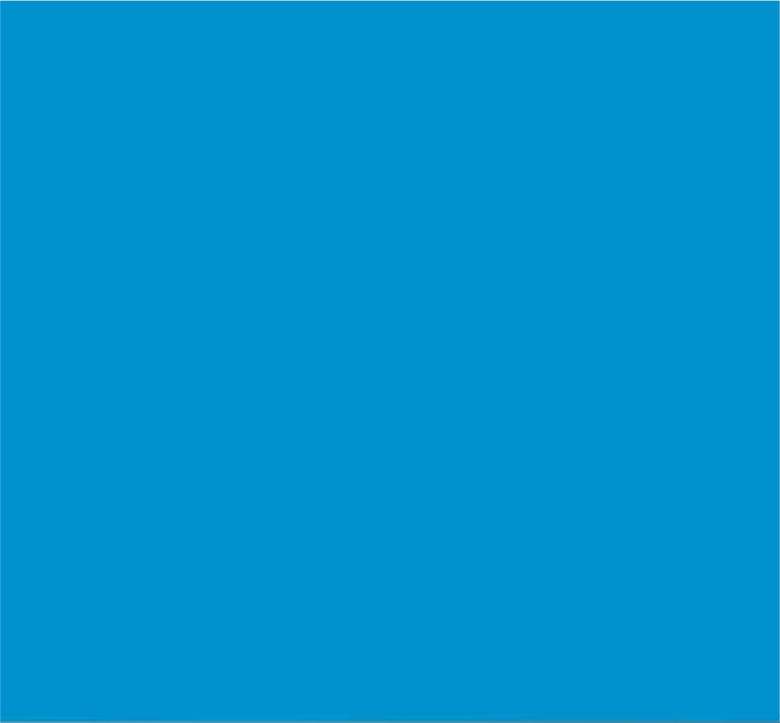
It is with great pleasure that I introduce the Newcastle Partnership Strategy for a Sustainable Community 2014 – 2020. The strategy has been prepared following engagement with the community and other key individuals from our Borough. Their thoughts, views and comments have helped shape a number of key priorities that we believe will make a difference to our communities while allowing the Partnership to work cooperatively to plan services that are reflective of the need in the local population.

Having a clear focus on delivering better services in a joined up and coherent manner for our residents is paramount to creating a sustainable community.



**Chair
Newcastle Partnership**





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It is strengthening its position as a vibrant centre both for its specialised and independent shopping offer and its night time economy



INTRODUCTION TO THE BOROUGH

The borough of Newcastle-under-Lyme is part of North Staffordshire and lies approximately halfway between Manchester to the north and Birmingham to the south. It is an attractive mix of rural villages and two main towns – Newcastle and Kidsgrove.

Newcastle owes its name to the “new castle” that was built here in the 12th century to command the important junction between the roads running north from London to Carlisle and west to Chester. The “lyme” part of the name comes from the huge lime forest that covered a large part of the borough in the medieval period.

The town’s growth lay in commerce and in the development of its market. Pottery manufacture and mining have also been important to the borough’s development.

The borough today covers some 81 square miles and has a population of around 123,900. The population is stable but its profile is changing. Most significantly, households are getting smaller and the population generally is ageing.

The industrial base has changed significantly in the last century, with the closure of local mines and the development of the distribution and manufacturing

sectors. The presence of the university at Keele, together with the development of its Science Park and new Medical School, and the growth in the hi-tech and research industries demonstrates the potential and vibrancy of the area.

Newcastle Town Centre is recognised as being one of two strategically important centres in the North Staffordshire conurbation, taking advantage of its connectivity to major transport routes. It is strengthening its position as a vibrant centre both for its specialised and independent shopping offer and its night-time economy.

Newcastle-under-Lyme is characterised by significant variations in the level of employment, health, economic well-being, housing and overall living standards – the difference in life expectancy varies by nine years for men and 13 years for women between the most affluent and deprived areas. The borough has areas of considerable affluence, but also includes three wards that fall into the 10 per cent most deprived in the country.

Reducing these inequalities is a major challenge for us and our partners.



“

It identifies the important issues that need to be addressed in order to enhance the quality of life of local communities

”

WHAT IS A SUSTAINABLE COMMUNITY STRATEGY?

All councils have a statutory duty to produce a Sustainable Community Strategy to set the strategic vision for the area. The document is prepared and delivered by local organisations, agencies and a partnership of community representatives aiming to promote and improve the economic, social and environmental well-being of their area.

This strategy aims to create an environment where local people can articulate their priorities, needs and aspirations. Councillors also play an important role in shaping and delivering the strategy. The strategy will develop a framework so all local organisations including the community and voluntary sector can work together to focus and shape activity that meets community needs. This strategy sets out the vision for Newcastle-under-Lyme to 2020. It identifies the important issues that need to be addressed in order to enhance the quality of life of local communities.

“Sustainable communities are places where people want to live and work, now and in the future. They meet the diverse needs of existing and future residents, are sensitive to their environment and contribute to a high quality of life. They are safe and inclusive, well planned, built and run, and offer equality of opportunity and good services for all.”

Source: The Egan Review of Skills - A consultation paper October 2003

The strategy for a sustainable community will align itself to existing strategies, identifying with their priorities thereby reducing duplication and ensuring a joined-up approach.

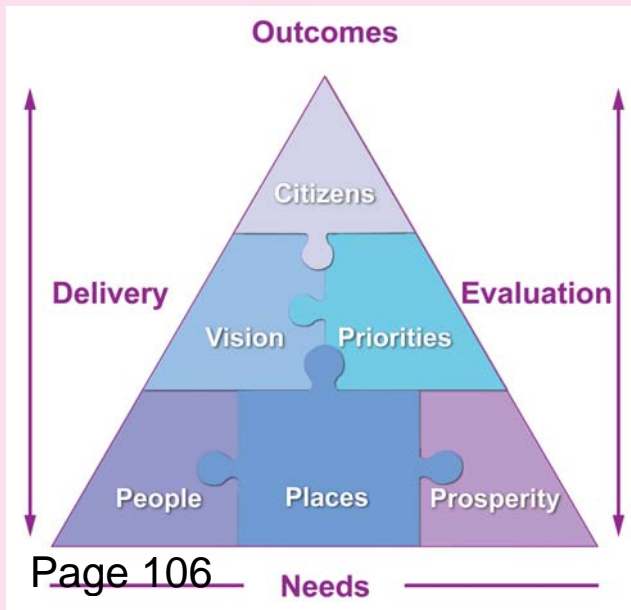


The Newcastle Partnership is the overarching strategic partnership for the borough. The shared vision for the Newcastle Partnership is **“Newcastle Communities together, securing a prosperous future”**.

In delivering the vision the Newcastle Partnership is focused on the delivery of two priorities: -

- Boosting economic growth
- Tackling vulnerability

The diagram below illustrates which areas come under these objectives and how they fit together with the partnership’s priorities and vision. Our focus is on delivering positive results for residents and making them safe. We will do this by working in partnership to improve places and people’s lives.



NEWCASTLE PARTNERSHIP

The Newcastle Partnership is committed to improving the quality of life and experiences of people who live, work, invest, study and visit Newcastle-under-Lyme.

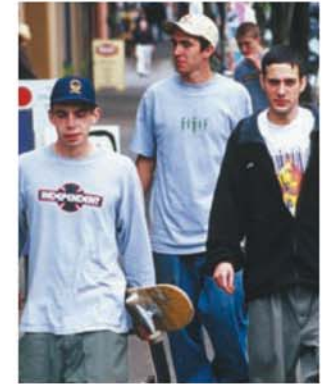
The structure for the partnership was recently reviewed and is illustrated in the diagram above.

- Strategic Board – consists of executive representatives from partners in the borough and is responsible for setting the vision and priorities for the partnership and making decisions on what areas of work will be delivered via the work programme.
- Partnership Delivery Group – consists of senior representatives from partners in the borough and focuses on delivery of the work programme agreed by the Strategic Board.

- Operational Groups – consist of operational representatives from partners who co-ordinate operational delivery of the work programme, such as the Responsible Bodies Group, Voluntary Sector Forum and Joint Operations Group.
- Task and Finish groups – consist of representatives from relevant partners with an interest in a particular subject area to co-ordinate time-limited activity related to the work programme.
- Locality Action Partnerships (LAPs) - consist of a range of representatives who live and work in the area to address issues that affect and impact on quality of life. LAPs provide an opportunity to understand and influence the way in which services are provided in an area and contribute to policy and strategy development.



Everyone will have a fair chance to participate in society



PRIORITIES - PEOPLE



The people of Newcastle have a close identity with the areas in which they live and work, it is therefore crucial that the importance and value of neighbourhoods and communities is acknowledged in any future development. The Partnership will ensure that local people's priorities, needs and aspirations are intrinsic to local service development and delivery.

Over the next 20 years trends show a significant increase of older people, particularly amongst people aged 75 and over, and a notable decrease in the 25-44 age group. One of the key priorities is to enhance the quality of life of residents with a particular focus on supporting older people to live independent lives.

Families will be supported to live healthier lifestyles and be given more opportunity to take part in leisure and cultural activities, particularly children and young people, in order to

their long term health. There will be a determined effort to reduce the number of families reliant on benefits.

Children will be encouraged to achieve their potential through positive support raising their aspirations. Parents will be supported and encouraged to take more responsibility for their children especially when their behaviour upsets others. Communities will work with local services to reduce the prevalence of anti social behaviour, reduce the number of young people not in employment, education or training and identify positive activities and facilities for young people. Working together we will create safer communities with strong social networks with everyone showing respect for each other.

Everyone will have a fair chance to participate in society.

“

These neighbourhoods will be cleaner and safer having a strong sense of community pride

”

PRIORITIES - PLACES



Situated in the north-west of Staffordshire, Newcastle is a borough of contrasts. The east of the borough is dominated by an urban core of Newcastle-under-Lyme and Kidsgrove, home to the majority of the borough's residents, while the west is mainly rural. With a population of approximately 123,900 the borough is the second largest district in the county by population. The relationship with Stoke-on-Trent, with which the borough shares a considerable border, is significant.

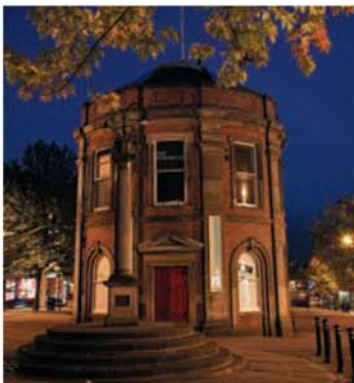
Building Stronger Places

Communities and service providers will work together to create a reliable infrastructure with facilities for everyone. Neighbourhoods will be cleaner and safer having a strong sense of community pride.

There will be improved opportunities to recycle, with more people encouraged to reduce and reuse unwanted household products and waste. Local people and businesses will be made aware

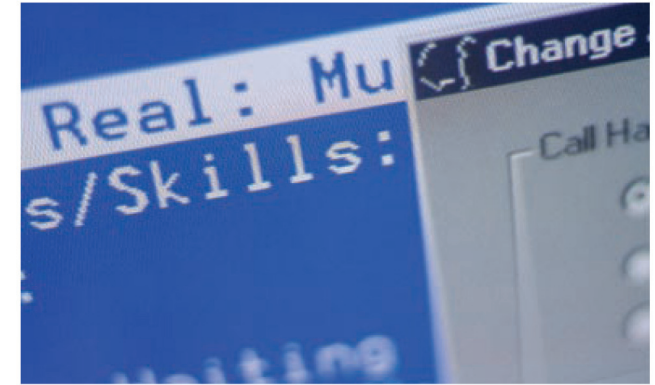
of the importance of their actions and the impact of these on the environment and supported to improve their quality of life by taking measures to reduce their carbon footprint and become more energy efficient, contributing to the global challenge of addressing climate change.

Good quality open space is an important resource for local people and improving access can have a positive impact on people's health and well-being. The focus on providing well maintained, clean and safe open spaces will continue to encourage increased recreational use of these areas which offer opportunities for play, exercise and social interaction.





Newcastle has a wealth of opportunities to improve its economic position over the next ten years



PRIORITIES - PROSPERITY

Newcastle has a wealth of opportunities to improve its economic position over the next 10 years. The economy is broadly based and includes manufacturing, commerce, medical, technical, logistics, professional and business services, retail knowledge services and leisure.

The partnership will work together to improve the prosperity and economic vitality of the borough and ensure that local people develop the skills they need to access new employment opportunities and supporting people re-entering the job market. Keele University and its Science Park continue to grow as one of the leading regional centres for medical and health care technologies and other knowledge-based activity.

The strategy will work towards transforming the perception of Newcastle working closely with local partners to broaden and strengthen the sustainability of the area.

It is important that we provide housing to meet the needs of people in Newcastle now and in the future. This includes the provision of affordable housing, lifetime homes that are adaptable for the future and greater housing choice which will allow mobility within the borough and also attract new residents to strengthen the diversity of the population.



FURTHER INFORMATION

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This information is available in other formats on request.



ACHIEVING STRATEGIC OUTCOMES THROUGH LOCALITY-BASED DELIVERY

10 JULY 2014

Anthony E. Goodwin
Chief Executive
Tamworth Borough Council
(Task & Finish Group Lead)

Tamworth
Borough Council

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INTRODUCTION

1.1 Well-being (mass noun)

“The state of being comfortable, healthy or happy”

- 1.2 The Oxford Dictionary definition of our key outcome: “Well-being” links to a host of synonyms that many, if not all of us can relate to: – good health, security, prosperity, success, comfort, welfare..... The use of the term is often associated with health and/or care eg., **the nurses primary concern was for the patients well-being...**
- 1.3 Within the context of this report and more specifically, the Health & Wellbeing Strategy, the focus is largely the same. However, seeking to **improve well-being outcomes** is more about influencing and improving the social, economic and environmental conditions of local communities.
- 1.4 These actions and through them, the consequential improvements across **public health outcome indicators** is largely dependent upon the services (statutory and discretionary) provided by districts and borough councils in two tier areas.
- 1.5 The insight and evidence collected during this piece of work clearly demonstrates this case and goes further in showing that both the private and voluntary sectors make significant contributions too.
- 1.6 The challenge therefore has been to assess the current role of districts/boroughs and wider partnerships and to identify the means by which this can be enhanced whilst maintaining a keen focus upon **well-being outcomes**. In setting this ‘task’, the Staffordshire Health & Well-being Board has acknowledged the multifaceted role of districts/boroughs and key partnerships. As organisational cultures change, working methods become more flexible and shift towards unified approaches: – joint working, collaboration and ultimately – integration; The role of districts/boroughs or the **“LOCALITY OFFER”** will shift to a multi-dimensional function that will improve outcomes across:
- ◆ Health improvement
 - ◆ The wider determinants of health
 - ◆ Health protection
- 1.7 Whether through the direct provision of good quality social and affordable housing or an innovative scheme to encourage teenagers to eat healthily, the evidence collected and collated in support of this report is compelling. The innovation, enthusiasm and desire to work together for local communities exists in localities. This report will, through its conclusions and recommendations argue the case for the “co-creation” of LOCALITY BASED DELIVERY BOARDS.
- 1.8 The report sets out the wide-ranging views and opinions of those actively engaged in locality-based collaborative work and on the potential for delivering HWB Strategy outcomes.
- 1.9 In highlighting the contributions made by local authorities to the well-being agenda it underlines the need to better align individual service delivery outputs with improved health and/or well-being outcomes.
- 1.10 Furthermore it seeks to address the concerns expressed by politicians around the “fitness for purpose” of locality infrastructure, the need for robust yet proportionate governance and accountability and the need for democratic legitimacy.
- 1.11 Finally, based upon a series of evidence-based conclusions, it sets out clear recommendations in support of devolution to localities.

2 TERMS OF REFERENCE



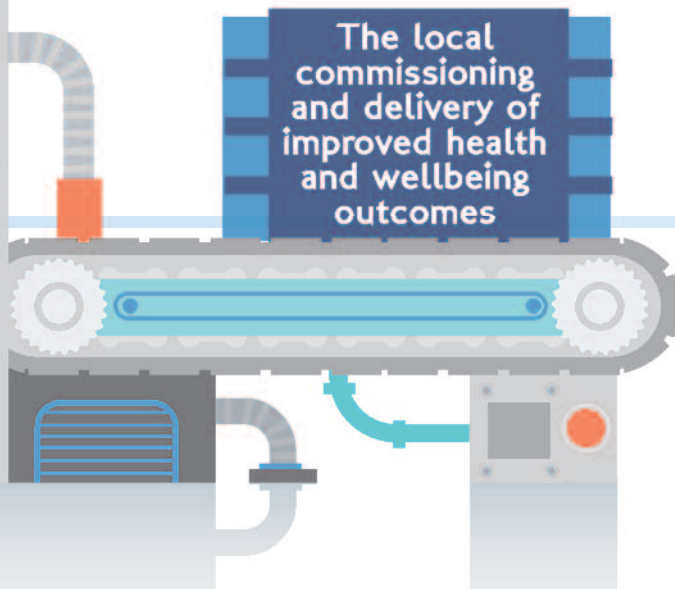
2.1 In April 2014, the joint chairs of the Staffordshire Health & Wellbeing Board (HWBB) wrote to the author requesting that he lead a Task & Finish Group with a view to delivering the following outcomes: (letter attached as Appendix I).

- i) To clearly articulate the role of district/borough councils and their broader locality partnerships in the delivery of the Health & Wellbeing Strategy outcomes
- ii) To develop an appropriate and proportionate governance arrangement that clearly demonstrates robust lines of accountability

* This would entail vertical connectivity between the tiers of local government and lateral connectivity across agencies and sectors.

2.2 This report and related attachments sets out proposals that seek to fulfil the task together with a series of propositions and working principles that if adopted, form the basis of a transition route from the requested **ARTICULATION** to the more challenging task of **IMPLEMENTATION**.

2.3 While not integral to the original task, it was evident at all stages of this piece of work that **how** this role would be fulfilled was the large, plant eating mammal with a prehensile trunk in the room.



3 EXECUTIVE SUMMARY

Improvement in wellbeing has a positive impact on health & crime

- 3.1 The **Terms of Reference** set out in Section I are, on the face of it, relatively clear and straight forward. It is not until one considers the management and governance infrastructure involved that the complex, almost labyrinthine nature of the task unfolds.
- 3.2 For the group to have any chance of responding to the task in a meaningful way it has been necessary to make a “strategic” assumption. In essence, this report focuses upon the role of districts, boroughs and wider partnerships in delivering “**Improved Wellbeing**” outcomes. The assumption therefore is that health and improved care outcomes set out in the strategy will be achieved through the planning, commissioning and delivery of services by health, care and associated professionals.
- 3.3 That said, it is anticipated that the successful and sustained improvement in wellbeing outcomes will have a positive and significant impact upon reducing the number of people entering the health, care and other state systems eg., Criminal Justice.
- 3.4 Having regard to this, this report seeks to:
- ◆ Summarise the key findings in relation to locality based delivery and key stakeholders
 - ◆ Propose a series of working principles that support the feasibility, deliverability and sustainability of locality based delivery
 - ◆ Share the conclusions and views supporting the recommendations
 - ◆ Propose an extension of the group in order to oversee phased implementation and act as an advisory board for well-being.

4 METHODOLOGY

- 4.1 Following the initial 'kick off' meeting, standard task & finish group working principles were employed throughout. As and when appropriate, the specific skills of team members were utilised to achieve optimum effectiveness and best use of time.
- 4.2 The initial task was to secure support and 'buy-in' from key stakeholders. This was achieved via:
- ◆ Meeting all district/borough CEOs
 - ◆ Writing to all LSP chairs & managers
 - ◆ Meeting with senior representatives of key stakeholders; OPCC; FARS; Police; voluntary sector; CCGs
- (April)
- 4.3 The next stage involved the collection and collation of baseline information in order to create a picture of current involvement, engagement, awareness etc. This was achieved via:
- ◆ Surveys of local councils
 - ◆ Surveys of LSPs
 - ◆ Face-to-face meetings with all LSP managers
 - ◆ Feedback from Community Safety Managers on "sustainable partnerships"
- (April)
- 4.4 Parallel work was undertaken to look into the potential barriers, risks and 'resisters' to the principle of "**locality based delivery**".
- 4.5 Progress report to Health & Wellbeing Board in April 2014 – this prompted a review of the scope. (April)
- 4.6 Agreed to focus upon how locality partnerships could add value to existing offers through the **Commissioning Triangle Model** – in order to test the principles, the author agreed to present to every LSP or equivalent in Staffordshire. (May)
- 4.7 Parallel work was undertaken to draft a 'process map'; a Memorandum of Understanding, an operating model and 'core' principles. (May/June)
- 4.8 Summarise findings: Analyse the 'GAP' between current and proposed; List issues and options for board meeting; draft conclusion and recommendations. (June)

5 KEY FINDINGS

5.1 Second Tier local authorities

5.1.1 The contributions of local authorities to the Health & Wellbeing Strategy outcomes varies across the eight second tier authorities in Staffordshire.

5.1.2 Achieved primarily through the delivery of statutory and discretionary services, the variations can be attributed to issues such as the scale, scope and sustainability of services; the level of collaboration and engagement with stake holders; community involvement and participation and of course, access to skills and resources and use of local assets.

5.1.3 Contributions range from high level strategic policy making eg., Local Plans and housing needs assessments to day to day operational transactions eg., housing allocations, benefit payments and keep-fit classes.

5.1.4 Variations in 'awareness' of how service delivery aligned with or impacted upon well-being outcomes were also evident as was an emerging pattern suggesting why.

5.1.5 Those local authorities with discrete plans, measures and resources dedicated to improving local health well-being outcomes were, in almost every case, those with a history of “below average” measures in relation to public health

outcome indicators or other indices relating to the social determinants of poor health eg., **gender specific measure of life expectancy.**

5.1.6 In all such cases, the local authorities had engaged with public health via Primary Care Trusts (PCTs) initially, and county councils post April 2013. The implication being that these authorities had greater awareness than others and as a consequence, were better placed to engage in the emerging agenda at a local level. Whether 'outcomes' are achieved via mainstream services, shared working or targeted activities, the measures of success applied to date have had limited strategic value and do little to inform future strategy and planning.

5.1.7 Professional associations for housing, environmental health and planning all recognise the importance of their field of expertise upon health and well-being. They further advocate the need to align or create new, combined measures of success that on the one hand indicate progress within the field but also measure the effects upon health and well-being.

◆ **How might the Key Performance Indicators (KPIs) for strategic housing impact upon well-being outcomes?**

◆ **Using the 'Lifecourse' model; how can we measure the benefit of housing?**

KEY FINDING 1. Positive and productive activities are improving both health and well-being outcomes. However; there is no current means of aligning and quantifying the direct success against HWB Strategy outcomes.

KEY FINDING 2. Professional organisations engaging with public health agenda through corporate/individual memberships. Registered Social Landlords (RSLs) actively promoted health links through housing networks.

KEY FINDING 3. Variations exist in fundamental areas across the local authorities; these include:

- ◆ The use of common data and insight when prioritising
- ◆ Understanding of what “**commissioning**” means and entails
- ◆ Uncertainty around who “owns” the health agenda
- ◆ Lack of capacity and skills for anything “new”
- ◆ The need for a “**shared language**”
- ◆ Where does this fit with “**Integrated Commissioning**”

5.1.8 While not exhaustive; these are the key issues arising from local authorities.



5.2 Broader Locality Partnerships

5.2.1 Since the current government removed the duty to prepare a Sustainable Community Strategy, the focus for most local partnerships has been upon “Localism” and making sense of the enabling statutes for big society to thrive.

5.2.2A consequence of this less prescriptive model is 8 locality forums across the county all of which vary in either purpose, representation, access to funding, governance etc.

5.2.3 Based upon the information provided “**In Confidence**” by partnership officers there is evidence to suggest that the more robust and effective partnerships are those built around the statutory “Responsible Authorities Group” (RAG) which in effect, is the statutory membership of Community Safety Partnerships. The core membership includes members and officers from both local government tiers; the Police, FARS, Health, Probation and Voluntary Services. The partnership boards are then supported by an officer group locally.

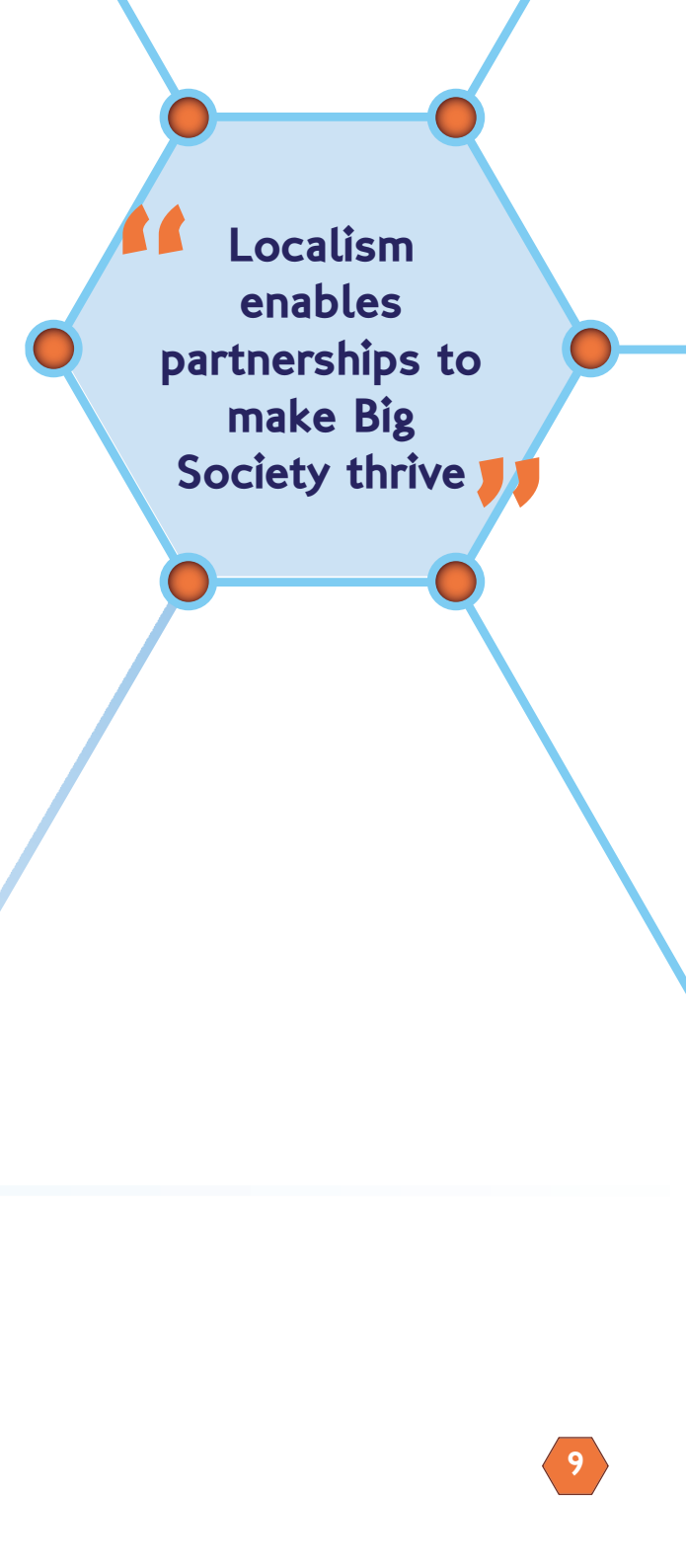
If the HWBB, public health and others are serious about devolving resources and the associated accountability for improving well-being outcomes to localities then the local delivery should be via a co-created functioning unit modelled on this core group of stakeholders. There is a strong and considered rationale for restricting membership:

- ◆ Limit the diverse range of interests and help manage expectations
- ◆ Core RAG members are directly aligned to main commissioning bodies, ie., county council, CCGs, OPCC, Public Health, District and borough councils
- ◆ Core RAG members have experience of working within the prevention and early intervention agendas
- ◆ All have experience of collaborative working; shared priorities and locality based outcome measures
- ◆ Majority of RAG members have representation on the HWBB

5.3 Clinical Commissioning Groups (CCGs)

- 5.3.1 The Accountable Officers of the four CCGs covering Staffordshire were engaged in 1:2:1 meetings with Task Group members. Their open and frank responses gave considerable support to the principle of locality based commissioning and in particular, the focus upon well-being.
- 5.3.2 There was at this stage a clear consensus forming that a **Locality Commissioning Board** built around the core RAG membership and supported by the “host” authority and other locality based resources could be crucial in driving the local delivery of well-being outcomes.
- 5.3.3 The responses from CCGs, LSPs and discussions with district/borough CEOs confirm that additional support would be required and might include:
- ◆ **A formal mandate yet flexible processes**
 - ◆ **Admin & technical* support**
 - ◆ **Adequate resources to support the task**
 - ◆ **Skills appropriate to those delivering the task**
 - ◆ **Clarity of HWBB role, relationship and expectations**

* These will be factored in to the final conclusion and recommendations.



6

CONCLUSIONS

6.1 The Feasibility

The earliest conclusion reached by the group was that this exercise was less about **articulating the role of** but rather **examining the feasibility of** HWB strategic outcomes being achieved through locality based delivery.

In its efforts to establish a baseline position from which to test both feasibility and sustainability, the following facts were established:

1. Local authorities make a significant contribution to the improvement of well-being outcomes through the delivery of statutory and discretionary services. These range from strategic/policy decisions to daily transactions/services.

2. Local partnerships add value to the above contributions using a variety of methods, funding/resource streams and community engagement and networking tools.

3. Statutory organisations across Staffordshire are recognising the value of working through localities for various reasons eg., local knowledge, access to networks; community engagement – in short- the benefit of localism. This has led to the formal

recognition of “devolved accountability” as a means of supporting local delivery in a range of outcome focused activities.

4. Improved outcomes are evident in those localities where the aforementioned bodies have come together with a shared view upon “what needs to be done”. The application of “common sense for a common purpose” helped to remove the often self-imposed barriers to working in collaboration. The result in many cases has been the establishment of delivery or commissioning boards using agreed local frameworks in order to agree solutions; commission services and achieve improved outcomes.

Example of Commissioning/Decommissioning Framework & Guidance can be accessed from: www.tamworth.gov.uk/sites/default/files/community_docs/Commissioning_Framework_Oct2013.doc

5. “Alongside not aligned” best describes the means by which progress and achievement is currently measured. Local authorities feed a range of performance management systems that reflect outputs and customer satisfaction. However; there is no correlation between these measures and their

“ We need a common language, a ‘lexicon’ we can all use and understand. ”

broader effect on say Public Health outcomes or locally agreed well-being outcomes. For example:

◆ **Tamworth Borough Council led an Affordable Warmth Campaign in 2011**

- a) It achieved its target of XXX contacts;
- b) It achieved its target of loft insulations;
- c) It distributed xxx information leaflets;
- d) It tested every council property for heat loss... and yet...

No mention of the fact that these actions made a significant contribution to the reduction in excess winter deaths.

Conclusion 1: That the establishment of a Locality Commissioning Board working to an agreed framework, working principles and lines of accountability is feasible.

Conclusion 2: That the feasibility and sustainability of said boards would be enhanced if built upon the 'best practice' example as attached as **Appendix 2**, and based around core membership that led to the success of Community Safety Partnerships.

Conclusion 3: Neither the strategic outcomes, service delivery outcomes nor commissioned activity outcomes will provide a clear picture of record of achievement/progress.

While the above outcomes are unlikely to be the same, there needs to be a **golden thread** between them. Given that the proposed key objective for Locality Commissioning Boards is to **improve well-being** then it makes sense to use it as the key

outcome measure used to assess the impact of commissioned activities. There are a number of tools available.

Example of preferred tool; the Outcome Star can be accessed from: www.outcomestar.org.uk

Conclusion 4: When evaluating the outcomes from initiatives/studies of this nature it is customary to propose some form of "proof of concept" or "pilot" scheme. Given that each locality has some form of working model in place (albeit at differing levels and varying standards) it is proposed that we build upon existing models. Some are well advanced and can be used as "benchmarks", others will require both leadership and support in order to function at the optimum level.

6.2 The Deliverability

6.2.1 Having established the feasibility of improving the well-being outcomes of target populations through Locality Commissioning Boards, the group's lens now focused upon the issues likely to affect implementation. Key amongst these were:

- a) Local partnerships are at different stages of development and capability; are comprised of different groups and organisations and have a variety of skill sets and interests.
- b) Some partnerships are further advanced in their understanding and use of commissioning. These will be nominated as **"Exemplars"** and invited to coach or mentor those partnerships seeking to develop.

- c) Political understanding and perception of 'what' the intentions are of this initiative varies as do members concerns regarding how it may be delivered.

*** Proposals are set out in the recommendations for "Peer" support and mentoring for partnerships. It is further suggested that Locality Commissioning and related working methods be included as subject matters in both Member and officer leadership training & development.**

6.2.2 Having regard for these factors together with the other considerations discussed by the group, it was concluded that Locality Commissioning Boards would make significant contributions to the improvement of well-being outcomes effectively and efficiently through the adoption of agreed working principles:

P1. Agreed Baseline: In order that each locality has a consistent and relevant level of baseline data from which to identify priorities, it is proposed that refreshed eJSNAs and locality profiles* form the agreed baseline. *** As produced by the Staffs. Observatory & Public Health Intelligence.**

P2. Shared Priorities: Drawn from the agreed baseline data, each locality will identify commissioning priorities that will improve well-being outcomes of target areas/populations by **adding value** to outcomes achieved from both mainstream and strategically commissioned activities.

P3. Aligned outcomes. Member organisations will seek to align the outcomes planned from mainstream, strategic commissioning and locality commissioning forming the basis of a **locality outcomes framework** which will be a key element of the performance measures that will be the subject of governance, accountability and scrutiny evaluation.

P4. Shared measures. With 'improved well-being' agreed as the primary outcome measure, each locality having agreed their shared priorities, specified the services and activities they plan to commission, produce a register of their **commissioning intentions**. These will then be shared with the other locality commissioning boards and strategic commissioners (eg., Public Health, OPCC, SCC, CCG) to both inform, avoid duplication and identify joint commissioning opportunities.

Then, using the preferred outcomes measuring tool eg., outcomestar, each locality will have a 'performance' model linking all elements via the infamous "golden thread".

6.2.3 The Commissioning Triangle. A simple to understand yet effective model that reflects the means by which well-being outcomes can be influenced, commissioned and delivered at a local level. (See Page 13 overleaf.)

P5. To influence strategic commissions. Based upon an almost universal perception that services commissioned at a strategic level result in activities "done to" not "done for" a locality. Whether this is the case or not, the recognition that locality based organisations are closest to the community

suggests that greater use of that relationship should be applied.

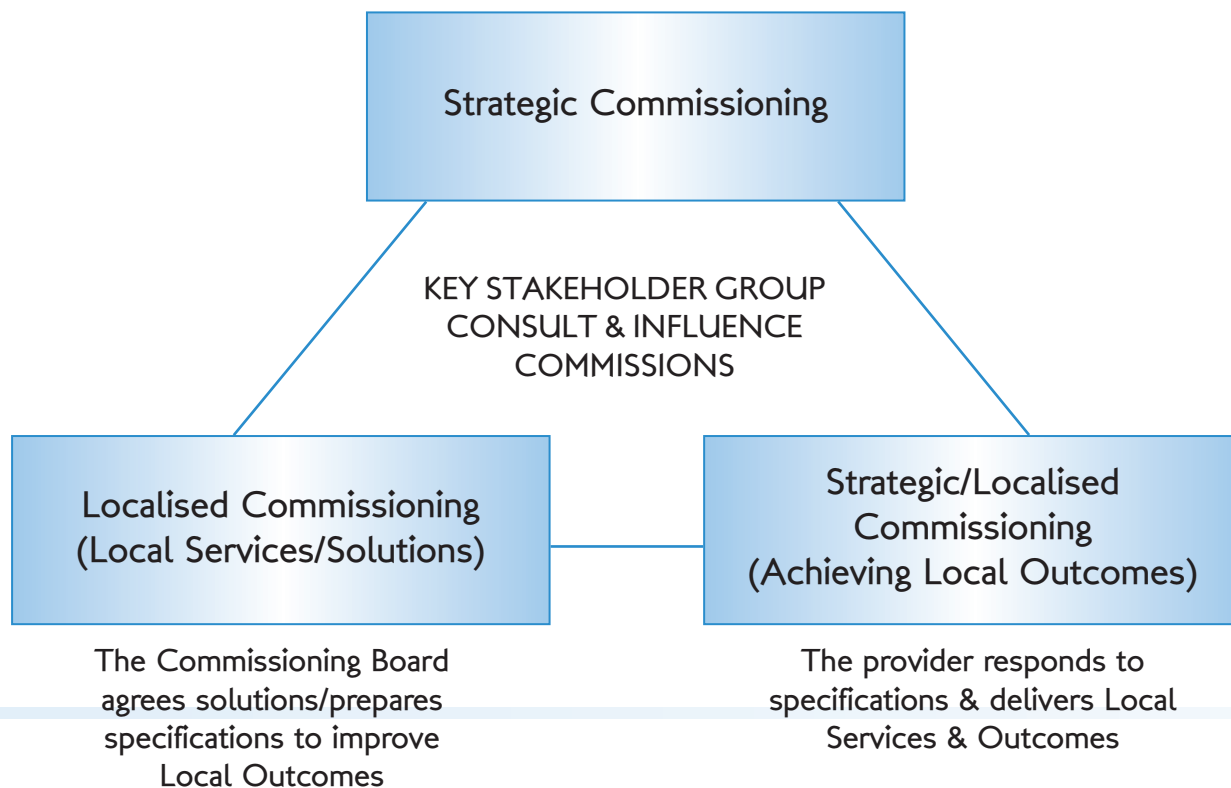
The group concluded that locality boards could and should have the means to engage with and influence strategic commissioners at the point when they are developing specifications if not before. This would enable local knowledge to be shared but also create an opportunity to include well-being as an outcome measure for each commission. Whether through Learning and Skills, Jobs and Growth or Crime and ASB improved well-being outcomes impact positively through early-intervention, prevention, diversionary activities or simply making people "feel good".

Finally on this point, strategic commissioners must commit to the principle of 'pooled resources' at locality level. **This is not suggesting £xxx be devolved** but rather the principle of aligning of resources to achieve shared ambitions, joint projects etc locally is agreed.

P6. Locality based commissioning: Perhaps the point against which most localities have made greatest progress to date. This involves locality commissioning boards using their **baseline data** to develop solutions that will then shape specifications for the commissioning of services designed to deliver well-being outcomes. The local outcome measuring tool would then track progress and impact on both the local issue but also the boarder strategic outcome eg., fewer people accessing health services.

P7. Local providers: Evidence indicates that some localities successfully use voluntary sector commissioning for achieving outcomes in targeted

populations. This point on the triangle proposes an extension of this concept and enables potential providers from all sectors to respond to specifications, submit proposals/bids and deliver local services. Examples exist across the county of voluntary and public sector organisations successfully delivering commissioned services and improving local outcomes using this model and the adopted frameworks are referred to elsewhere in this report.



P8. Accountability: The rationale for the establishment of LCBs based on a series of working principles and not a prescribed, rigid model for adoption should be clear – the variations in preparedness and state in development being key.

a) Governance:

Accordingly, lines of accountability relative and proportionate to the individual LCB will be agreed and incorporated within the Terms of Reference. They will relate to: The governance requirements of the HWBB; the local democratic mandate; the policies and procedures of the host authority and the relevant performance and finance management controls.

b) Public accountability:

There was clear evidence of the challenges associated with engaging local people in the work of LSPs. Unless represented on the partnership or a recipient of services, there was a disturbing “indifference” to engagement.

Rather than depart from the core task, a recommendation has been included pressing for a review of this key issue. Understanding the effect of commissioned services or the “so what” question will be key to performance and review processes.

Coming together is a beginning. Keeping together is progress. Working together is success.

6.3 CONCLUSIONS – The “Sustainability”

6.3.1 Prior to sharing the groups conclusions on the above, two quotes offer food for thought:

“Working in genuine partnership is the day job in this organisation; not something they have to do to save money”

Nicola Bulbeck
Peer Challenge Board

“Coming together is a beginning
Keeping together is progress
Working together is success”

Henry Ford

6.3.2 Nice quotes; great theory however; it is all feasible provided that once again, participating organisations adhere to a set of basic principles.

PS1. To commit to the principles and overarching purpose of Locality Based Commissioning.

PS2. To commit to revising and aligning resources in order to support the transition from a “work in progress” to the “working method” in two tier local authority areas.

PS3. To commit to the principle of pooling resources, intentions and funding at a strategic level.

PS4. To work towards the devolution of resources, accountability, support and funding in order to invest in locality based delivery.

PS5. To focus upon commissioning for outcomes and to work together to influence and not just spend.

PS6. To commit to the principle of developing the locality agenda through the alignment with and ultimately, the integration of Locality Based Commissioning across all of Staffordshire’s Strategic Priorities and Workstreams.

PS7. To commit to sustaining Locality Commissioning Boards by:

- ◆ Supporting innovation
- ◆ Investing in partnerships
- ◆ Training all who require it
- ◆ Plan, measure and evaluate all we do
- ◆ Maximise the benefits of all resources: Assets; People’ Funding’ Knowledge.

*** It is recommended that a Memorandum of Understanding specific to each locality be signed and thereby reflecting these principles.**

6.3.3 LCBs can provide the consistency and security that a safe environment provides. Safe because quite simply members are all there because their organisations share the same ambitions; have agreed the same priorities; agreed solutions born from collaborative problem solving and a process through which services are commissioned to improve outcomes.

6.3.4 To make best use of their unique position at the heart of local communities, LCBs need to function at the heart of locality delivery. In doing so, it not only enhances their influence over a wider range of commissioners but also provides the local focus upon well-being outcomes.



7 RECOMMENDATIONS

- 7.1 **Context:** The workstreams and detailed findings arising from them have provided a highly informative profile on the role and contributions of districts/boroughs and their partners in relation Health & Well-being.
- 7.2 In order to provide clarity and a genuine focus upon the Health & Well-being Strategy, the conclusions and related recommendations make the connection between locality based activities and well-being outcomes.
- 7.3 Equally clear are the variations and differentials in existence at Locality levels. However; it is the commonalities, shared ambitions and enthusiasm that provided the compelling case for a pan-Staffordshire approach through locally agreed frameworks ie., No 'one size fits all' model.
- 7.4 The key findings, conclusions and recommended working principles are essential to progressing beyond this point. Furthermore, for the recommendations to have meaning and influence, the Board are asked to agree in principle the evidence base supporting the following recommendations.

Strategic

1. That District/Borough Councils in Staffordshire be invited to host and support the establishment of or transition to a stakeholder group to function as a **Locality Commissioning Board (LCB)**.
2. That the purpose of the relationship between LCBs, the HWBB and other strategic commissioners be the achievement of Well-being outcome measures locally through the collaborative commissioning of services and activities designed to **influence, invest and intervene** in local improvements.
3. That strategic commissioning organisations commit to the principle of collaborative commissioning; shared intentions and pooled resources in support of LCBs and other emerging locality and integrated commissioning initiatives eg., Integrated Commissioning.
4. That strategic commissioning organisations commit to the principle of incorporating Well-being Outcome Measures within future specifications and commissioning plans.

Locality

1. That District/Borough Councils in Staffordshire commit to the establishment and development of **Locality Commissioning Boards**.
2. That the membership, working practices and principles be based upon the conclusions and recommended “best practice” referred to in this report.
3. That the relationship between LCBs and the HWBB/Strategic commissioners form the basis of an agreed Memorandum of Understanding (MoU).
4. That the MoU reflect the agreed local circumstances, fitness for purpose and resource levels for each locality. This will include the well-being outcome measures to be reported to HWBB.
5. That governance and accountability protocols reflect the nature and status of local activities/services commissioned.
6. That LCBs commit to the ongoing development of skills, knowledge and learning necessary for the efficient undertaking of the agreed function.

Generic

1. That the Task & Finish Group be retained as a Locality Commissioning Advisory Group to support the HWBB and Programme Director manage the developing relationships with LCBs.
2. That the HWBB CEO representative be designated as “sponsor” for locality based commissioning.
3. That the LCAG work with the Programme Director to develop:-
 - a) Training & Development Plans (Officers & Members)
 - b) Governance & Accountability protocol to support each MoU
 - c) Performance & Outcome reporting measures for the HWBB
 - d) Provide Peer support for LCBs

8 APPENDICES

Appendix I - Letter of invitation

Staffordshire Health and Wellbeing Board
c/o Staffordshire County Council
Wedgwood Building
Tipping Street
Stafford
ST16 2DH

Co Chairs:-
County Councillor Robert Marshall
Dr Johnny McMahon

Tony Goodwin
Chief Executive, Tamworth Borough Council
By email

5 February 2014

Dear Tony

We are writing as the co-chairs of the Health and Wellbeing Board to ask that you take personal leadership of a time limited piece of work around the key role of the districts and boroughs in delivery of the Health and Wellbeing Strategy. For some vulnerable groups and elements of integrated commissioning, it makes sense to do things on a County or CCG footprint. We have, however, collectively recognised the role of districts and indeed sub district work with communities in delivering change for our citizens. At the last Board meeting, following discussion, we felt that a clear articulation of the role and what is best delivered at that level for communities would help us all moving forward.

In summary we would like you to work with colleagues in districts and boroughs to:-

- Coordinate work to clearly articulate the district/ borough role in delivery of the HWS, in particular wellbeing, clarifying the unique role they play vs county wide and CCG initiatives. This is partly about districts but also sub district into real locality based work. The expectation is this will cover areas such as wellbeing, community asset building and planning
- Clarify the role of the broader district partnerships in delivery of the Health and Wellbeing Agenda and mobilise local effort
- Work with colleagues to draw out clear governance around local commissioning arrangements (again, we recognise a lot is going on and the intention is we capture local solutions not impose a one size fits all process)

Our suggestion is that the work is supported by a Steering Group and colleagues from the HWB are happy to support. We had thought around 2 months from the starting point would be a realistic timescale but we can discuss that. Conscious of the demands in terms of coordinating the work, Eric Robinson has agreed that a support officer from the County Council's Transformation Support Unit will be allocated to support you in this work. We do hope you feel able to take on the leadership of this work. From the HWB perspective it feels right that you as the executive lead for districts and boroughs on the Board own this important part of the delivery planning.

We look forward to hearing from you
Yours sincerely



County Councillor Robbie Marshall
Co-Chairs Staffordshire Health and Wellbeing Board



Dr Johnny McMahon

Appendix 2

South Staffordshire Locality Commissioning Partnership structure:

The South Staffordshire Locality Commissioning Partnership brings together key people to improve outcomes for businesses and residents throughout the electoral district of South Staffordshire.

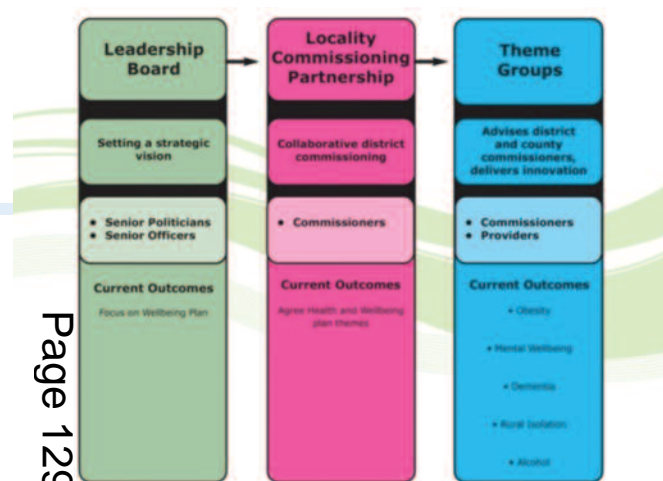
History

The Locality Commissioning Partnership (LCP) is an evolution of strong partnerships and locality working structures that have delivered outcomes in South Staffordshire for many years. The structure brings together a range of previous partnership arrangements into one. The LCP was created to accommodate change occurring around commissioning nationally and county wide, for example with the development of Police and Crime Commissioners and CCG's. As a result, the partnership continues to be in a healthy position where it can continue to deliver outcomes.

Structure

The partnership structure has three key components as shown in figure 1:

Figure 1, Locality Commissioning Partnership Structure



	Component	Key function
1	A Leadership Board that sets the LCP's strategic vision. Attended by senior politicians and leading strategic partners covering the district. This group identifies and influences commissioning at both district and county wide levels.	Influencing
2	A Locality Commissioning Partnership group that defines district outcomes and commissions in collaboration. Attended by commissioners covering the district.	Locality Commissioning
3	Finally, a range of Theme Groups (currently 5) that deep dives into the outcome area then provides both recommendations back to the LCP and delivers innovative no cost low cost solutions. Attended by both providers and commissioners and draws on customer insight.	No cost low cost, and innovative approaches

Where resource is required to deliver outcomes, the LCP has two routes.

1. An annual **Commissioning Prospectus** is published based on the LCP's shared district outcomes. Grants are awarded on a payment by result basis, contract lengths are 12 months plus and values are in excess of 5k. Monitoring is conducted through Upshot, a cloud based outcomes monitoring tool accessible even on mobile devices. Providers are requested to submit short video clips to populate social media channels including YouTube.
www.southstaffpartnership.co.uk/about-the-partnership/commissioning-funding-and-grant-opportunities.html

2. A **Community Budget** programme operates to foster community resilience. Communities are given the opportunity to submit their own project proposals to improve outcomes in their own community. The Community Budget has four funding rounds a year. Grants are awarded for small value projects lasting up to

12 months.

www.sstaffs.gov.uk/your_services/your_community/community_funding/community_budget.aspx

The Commissioning Prospectus will be launched in October of each year, scoring will be completed in December and projects confirmed by early January allowing initiation in April. Community Budget scoring panels will align with the OPCC People Power grants. In both instances, budget holders or commissioners will form the decision making panels. The benefit of bringing local commissioners and budget holders together on the panels for the district should reduce any issues around duplication of services and increase collaborative commissioning.

Insight

The Commissioning Partnership creates an annual Locality Profile that presents the current qualitative research and quantitative data for each of the five localities and the district, compiled from all available information. Uppermost outcome areas based on data are then produced and consulted upon. These are currently Alcohol, Obesity, Dementia, Rural Isolation and Mental Wellbeing.

Locality Profile:

www.southstaffpartnership.co.uk/date-and-intelligence/locality-profiles.html

Consultation

Consultation then takes place with members, customers and the voluntary sector through an annual reoccurring suite of engagements called My Place My Say. Every locality is visited throughout the year, different age groups are targeted and social networking is used to ensure everyone is involved in a conversation with the partnership. In addition, wider partnership events are hosted at the Council and Master Classes are held for parish, district and county councillors.

My Place My Say:

www.sstaffs.gov.uk/pdf/MPMS%20Consultations%20Cycle%202014-2014.pdf

Resource

South Staffordshire District Council has undertaken a leadership role for the LCP, pulling key partners together throughout the re-modelling process. The District Commissioning Lead (DCL) performed a key role in linking the County Council commissioners and the district together. Having strong trusting relationships and a willingness to do things differently at all levels have been essential ingredients to drive forward the LCP. Key staff are all co-located in the same district office bringing a wealth of knowledge and expertise together, they include:

Partnership Manager, Transformation Co-ordinator, Public Health, DCL, Children's Commissioner, Community Safety, CPO, CCG, Insight and Comms.

A critical unique resource has been both the Partnership Manager and Transformation Co-ordinator who are both on secondments from either the County Council or CCG. These roles have helped drive forward change at pace, facilitated the partnership and built the relationships required with countywide commissioners to influence future commissioning intentions at a local level.

One of the current challenges for the district is managing the large and growing number of locality funds that aim to improve Health and Wellbeing outcomes. At present, locality funds come into the district at different times, from different organisations, some with short timescales for delivery each with their own separate outcomes. Bringing together these funds into one prospectus with all commissioners **agreeing shared outcomes** fosters collaborative commissioning. The LCP this year has been able to align OPCC, Public Health, District Council and BRFC funds. Next year CCG's voluntary sector grants will also be aligned now the LCP timescales run concurrently with the CCG.

Delivery

The Locality Commissioning Partnership performs a brokering role between all the different county wide commissioners, district partners, providers and residents that enables collaborative commissioning throughout the district. This includes facilitating partners locally to deliver better outcomes together, looking also at no cost low cost solutions. In addition the partnership actively seeks out county and national commissioning intentions aligned with the five outcomes, for example the delivery of Dementia Friendly Communities. The partnership also brokers and works with commissioners to improve collaboration locally, for example with CCG voluntary sector grants.

The voluntary and community sector has a huge role to play in delivering outcomes with businesses and residents in South Staffordshire. Village Agents are commissioned through the Partnership, including the CCG to be a person on the ground in each locality working closely with the community to improve outcomes around wellbeing, for example working with young people and the police to create afterschool sports clubs.

Village Agents: www.staffs.org.uk/villageagents.html

The district is also embarking on a transformational venture called The Good Life that will connect communities with one another to improve health and wellbeing. The Good Life builds on the existing website that's full of local information and the Connect bus service bringing a single positive message for people to live a Good Life in South Staffordshire. All outcomes that aim to improve people's health and wellbeing through the LCP will be branded and delivered through The Good Life.

The Good Life: <http://southstaffordshire.thegoodlife.uk.net/>

The Vision, Purpose and Core Values of the Locality Commissioning Partnership are:

Our vision

To provide an integrated commissioning infrastructure that delivers prioritised outcomes based on local need.

Our Purpose

The purpose of South Staffordshire Partnership is to:

- ◆ Be the 'partnership of partnerships' within South Staffordshire providing strategic co-ordination and linking other plans and bodies at local, sub regional and regional levels
- ◆ Prepare and implement a Community Strategy that provides a long term framework for action to benefit all the people of South Staffordshire
- ◆ Work with Staffordshire County Council and other key partners to develop and deliver and the outcomes

Our Core Values:

- ◆ Sustainability - we are looking at the long-term implications of current activities while taking into account the wellbeing of future generations as well as the current generation of residents
- ◆ Engagement – we will actively involve the residents of South Staffordshire in both the development and implementation of the Community Strategy
- ◆ Equality – we will provide services that are accessible and appropriate to the needs of all irrespective of disability, gender, racial or ethnic background, religion or culture
- ◆ Diversity – we believe that everyone in South Staffordshire deserves to receive excellent services that reflect their individual needs and circumstances

For more information, please contact: Imre Tolgyesi,
imre.tolgyesi@staffordshire.gov.uk

9 BIBLIOGRAPHY

“Leading Connected Staffordshire”
(Staffordshire County Council Strategic Plan)

“Living Well in Staffordshire”
(Staffordshire HWB 5 Year Plan)

“District Action on Public Health”
(District Council Network publication)

Healthier Housing Strategy 2011-2014
(Tamworth Borough Council)

Commissioning Frameworks/Best Practice Guides
(various)

Housing & Health Bulletins
(Learning Information Network)

10 ACKNOWLEDGEMENTS

All Staffordshire Council Leaders & Chief Executives

All Staffordshire LSP/Partnership Managers

CCG Accountable Officers

All Staffordshire LSP/Partnership Board Chairs & Members

Task & Finish Group

Aliko Ahmed	DPH – Staffordshire County Council
Rob Barnes	Director, Tamworth Borough Council
Danny Cook	Leader, Tamworth Borough Council
Andrew Donaldson	Staffordshire County Council
John Fraser	Stafford Borough Council
Anna Hammond	SES & Seisdon CCG
Lucy Heath	Public Health Advisor (SCC)
Sander Kristel	Staffordshire County Council
Tim Leese	DCL Staffordshire County Council
Amanda Stringer	Staffordshire County Council TSU (Task & Finish Group – Lead Support Officer)
Helen Titterton	Lichfield District Council
Imre Tolgyesi	South Staffs District Council
Jon Topham	Public Health Advisor (SCC)

ACHIEVING STRATEGIC OUTCOMES THROUGH LOCALITY-BASED DELIVERY

10 JULY 2014

Designed & produced by
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Tamworth
Borough Council

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL
EXECUTIVE MANAGEMENT TEAM REPORT TO CABINET

15TH OCTOBER 2014

Title: Locality Action Partnerships (LAPs) – further development

Submitted by: Head of Business Partnerships, Central Services & Partnerships

Portfolios: Communications, Policy and Partnerships
Leisure, Culture and Localism

Ward(s) affected: All

Purpose of the Report

To advise Cabinet of the development of LAPs and links to the Borough Council's Co-operative Strategy.

To seek Cabinet approval for the further development of LAPs via establishing LAPs with the challenge of developing proactive and reactive projects/areas of work in relation to the three key strategic areas of the Borough Council and its partners, namely:

- Health and Well-Being
- Economic Development
- Stronger and Safer Communities

Recommendations

The report recommends that Cabinet:

- **Notes the content of the report;**
- **Approves the approach outlined in the report of challenging LAPs to focus on the key strategic issues facing the Borough Council and its partners, namely health and well-being; economic development; and stronger and safer communities and to further challenge LAPs to develop projects/areas of work in each of these areas;**
- **Requests that each of the Borough's nine LAPs produce a progress report setting out performance in each of these areas of work for consideration by the Borough Council and its partners towards the end of the 2014/15 municipal year**

Reasons

One of the Council's key corporate priorities is becoming a co-operative council. A key element of co-operative working is focused on locality working – recognising diversity of the Borough's different areas and working with these different communities in understanding their needs and issues and developing solutions to meet these needs and deal with these issues. In order to progress this, it is necessary to work closely with the Borough's nine Locality Action Partnerships (LAPs) to ensure they are working effectively and addressing the needs of the areas they cover in key strategic areas. This report sets out an approach to doing this.

1. Background

- 1.1 Newcastle-under-Lyme Borough Council has committed to, as one of its four corporate priorities, becoming a co-operative council and wants to work with partners towards making Newcastle-under-Lyme a co-operative Borough.
- 1.2 Becoming a co-operative council refers to many different areas of activity and policy. The NULBC approach to being a co-operative council is set out in Newcastle-under-Lyme Co-operative Strategy 2013-2015, which was approved by Cabinet in February 2013.
- 1.3 The Co-operative Strategy outlines the community leadership role for the Borough Council, to use the Council's position to work with other agencies and communities in the Borough to deliver change and to ensure that people have a say about what happens in their own localities.
- 1.4 This commitment to work with others and to empower communities is driven by a desire to enhance existing partnership arrangements to deal effectively with expectations from residents and stakeholders through the delivery of services and projects and for communities to create solutions to the issues they face.
- 1.5 The Council has placed locality working at the heart of its priority to work co-operatively, as locality working empowers communities to develop their own approaches to dealing with issues affecting their own localities.
- 1.6 Locality working in the Borough has been in place for some time in various forms, but the thinking behind it has largely remained the same - that communities at the sub-borough level are better placed to develop local solutions which are sensitive to the needs of their own locality than a 'one size fits all' approach delivered top down by public sector agencies would be. The Borough is not a homogeneous area, differences exist between its constituent parts due to a range of factors and any approach to service delivery by the public sector should recognise this, thereby sitting comfortably with the co-operative ethos, which emphasises the importance of engaging with communities to better understand their needs; establishing change where it is necessary through empowerment; and collaborating with others to deliver effective solutions.
- 1.7 In the Borough of Newcastle-under-Lyme, the Newcastle Partnership is the local strategic partnership. The Partnership represents the different sectors in Borough and plays a vital role in bringing together different organisations from different sectors with a shared purpose through co-operative and co-ordinated joint working designed to improve the social, economic and environmental wellbeing in the Borough.
- 1.8 Locality Action Partnerships (LAPs) represent the Newcastle Partnership's established infrastructure for the delivery of locality working and offer communities enhanced and focused access to a range of partners in order to address and deliver against local priorities. In addition, LAPs assist in community engagement and empowerment and play a part in the achievement of improved community cohesion.
- 1.9 There are nine LAPs in total across the Borough, covering sub-divisions of the Borough and offering potential opportunities for residents and communities to work together and get involved in activities, engagement and decision-making in their locality.
- 1.10 Attendees at LAPs include councillors, relevant officers from both the Borough and County Council, community and voluntary organisations, Aspire Housing, Staffordshire

Classification: NULBC UNCLASSIFIED

Police, Staffordshire Fire and Rescue Service and members of the public with an interest in their local area.

- 1.11 A comprehensive review of LAPs was undertaken in 2010-11 entitled *The Story of 'Our Place* and focused on the progress made by the LAPs. As a result, the review provided a number of recommendations for future development. The review established overwhelming support for the LAPs to continue and to develop further.
- 1.12 Further consideration was given to the ongoing development of the LAPs in a report entitled 'Locality Working in Newcastle-under-Lyme – aiming to be a Co-operative Borough' undertaken in July 2013 at the request of the then Leader of the Council.
- 1.13 This report recommended the streamlining of the existing LAPs structure from eleven to nine LAPs and strengthening the resources dedicated to LAPs.
- 1.14 At that time it was highlighted that much of the development plan created from the 2010-11 review was outstanding and that the LAPs needed more assistance via additional Borough Council officer support as well as more Member involvement to deliver the genuine co-operative outcomes.
- 1.15 As a result of this further review, the original 2010/11 LAP Development Action Plan was reviewed and refreshed and officers have been working with partners to deliver the revised version over the last 12 months. Progress has included reducing the number of LAPs to nine through a series of mergers; encouraging greater elected Member involvement; developing additional partnership support; assisting LAPs to adopt formal constitutions and open bank accounts; running roadshows to increase awareness and encourage additional participation; encouraging delivery of projects in communities; and seeking funding where appropriate.
- 1.16 Officers are continuing to progress the creation of toolkits for each individual LAP which will include area profiles; funding toolkit; project management toolkit; refreshing action plans for delivery; accompanied by training and one to one support for Chairs and Vice Chairs to ensure that they are equipped to deliver their respective action plans and continue to develop.

2. Issues

- 2.1 Building on the work outlined in the previous section, the focus is now on what LAPs can deliver as they continue to develop.
- 2.2 In order to better understand the potential of LAPs, it is important to be clear about their purpose and what they are there for.
- 2.3 First, in those areas where there are already parish/town councils, LAPs are not there as a replacement for these councils. As already outlined, a LAP is a partnership body, created from agencies, organisations and individuals in all sectors, as well as residents. They can enhance the delivery of services and/or projects and can deal with needs and issues by bringing together different agencies. It is hoped that parish/town councils can be a part of this, but it is their decision. This position has been agreed with the Staffordshire Parish Councils Association and is set out in the concordat at Appendix A.
- 2.4 Second, it is important to be clear as to what LAPs are there for. LAPs, as their name suggests, are action-centred bodies and so are not there to merely analyse issues or to be a 'talking shop' – their focus is on action and what can be done by partners working together in each locality to deal with the issues and needs of that locality as

identified via area profiles and supporting by the work going on around supporting funding bids; enhancing project management skills and working with LAP Chairs.

- 2.5 Third, it is vital to identify what kind of issues LAPs are there to deal with. Historically, LAPs have tended to consider day to day issues such as dog fouling, littering and issues created by traffic. These are important issues for localities and for communities, but they should not be the focus of the work of a LAP. The vast majority of issues such as these can be dealt with in other ways, whether via the intervention of a Councillor; or direct contact with an individual agency or organisation. LAPs are there to deal with those issues where such individual interventions are not sufficient – in other words, where a partnership focus in a locality is needed. This process is represented in Appendix B, which shows that when issues arise in a particular area, most of these issues are ‘allocated’ via various other mechanisms (e.g. at councillor surgeries). Once issues have been dealt with in this way, what is left should be the focus of each LAP and should include wider issues such as well-being; economic issues such as job creation/helping people to develop their skills in order to find work; issues around the assets in each area and their future use; and how to deal with issues of strengthening communities to address issues such as ASB.
- 2.6 Finally, each LAP should be encouraged to examine how it deals with these ‘LAP issues’ and what approach is best. LAPs could decide to use the statistics, data and evidence available to them as part of their area profiles or in documents such as the enhanced Joint Strategic Needs Assessment (eJSNA) to proactively address issues relevant to their own localities such as child poverty, health screening/promotion or job creation. On the other hand, LAPs could seek to address specific issues affecting a particular locality in a responsive way – e.g. how to respond to the County Council’s plans for youth services; libraries and support for various services delivered in parts of the Borough to vulnerable people.
- 2.7 In its role as a community leader, as set out in the Co-operative Strategy referred to in the previous section of this report, the Borough Council will set LAPs the challenge of working in a different way, of accepting and reflecting the way in which issues should be dealt with as a set out in Appendix B, and re-focusing their activities on the ‘bigger’ issues outlined in this section. These include the following areas of work (reflecting the strategic focus of the Borough Council and its partners):
- Health and well-being
 - Economic development
 - Stronger and safer communities

As already outlined, support will be provided by the Borough Council and other bodies such as VAST to do this.

- 2.8 The progress of this further development of LAPs will be reviewed by the Borough Council towards the end of the 2014/15 municipal year and a report will be brought back to Cabinet with a summary of progress under each of the corporate priorities of the Borough Council for each of the nine LAPs currently in place.
- 2.9 These reports will include both quantitative and qualitative performance data and information and will be used as the basis for further LAP development on the part of the Borough Council and its partners in the Newcastle Partnership, including the future administration of grants such as Community Chest.

3. Options Considered

- 3.1 Option A – that Cabinet approve the approach outlined in this report, to challenge LAPs to focus on the key strategic areas of the Borough Council and its partners and

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to provide reports on progress towards the end of the 2014/15 municipal year (recommended)

- 3.2 Option B – that Cabinet does not approve the approach set out in this report and therefore miss the opportunity for LAPs to develop strategically and utilise their previous development (not recommended)

4. Proposal and Reason for Preferred Solution

4.1 This report proposes that the Borough Council, on behalf of the Newcastle Partnership, challenges LAPs to further develop by focusing on the key strategic issues of the Borough Council and its partners – health and well-being; economic development; and developing stronger and safer communities.

4.2 The report also proposes that LAPs present progress reports in each of these areas to the Borough Council and partners towards the end of the 2014/15 municipal year, when consideration will be made on further development of LAPs and locality working in the Borough.

5. Outcomes Linked to Corporate Priorities

5.1 The recommendations above contribute to meeting all of the Council's Corporate Priorities namely; Healthy and Active Communities, a Cleaner, Safer and Sustainable Borough, a Borough of Opportunity and Delivering a Co-operative Council.

6. Legal and Statutory Implications

6.1 There are no specific legal or statutory implications for consideration within this report.

7. Equality Impact Assessment

7.1 There are no adverse equality issues identified as arising from this report.

8. Financial and Resource Implications

8.1 There are no additional specific financial implications or commitments required for the implementation of these recommendations.

8.2 There are resource implications for Borough Council officers and Members as part of their substantive duties who are already involved in and will continue to provide support to contribute to the development of the Locality Action Partnerships in relation to these recommendations. These implications include officer time in both the Partnership team and also in other departments across the Borough Council.

9. Major Risks

9.1 The Council may be unable to deliver the Corporate Priorities effectively without a mechanism to support the further development of locality working in the Borough.

10. Key Decision Information

10.1 This report can be considered key in the following ways: -

- It results in the Borough Council committing existing resources for the function to which the decision relates and;
- To be significant in terms of its affects on communities living or working in an area comprising two or more electoral wards in the Borough

11. Earlier Cabinet/Committee Resolutions

11.1 None

12. List of Appendices

12.1 Appendix A – LAPs Concordat with Town/Parish Council/Staffordshire Parish Councils Association

12.2 Appendix B – LAP Process Map

13. Background Papers

13.1 None

Implications included	Head of Service agreed report, signed & dated	Financial Implications signed & dated	Legal & risk implications signed & dated
Financial			
Legal			
Risk			
Director Sign Off			

APPENDIX A

Development of a Concordat – LAPs and Parish/Town Councils (Newcastle under Lyme Borough)

This paper outlines the potential to develop a concordat to cover the relationships between Locality Action Partnerships (LAPs) in the borough of Newcastle under Lyme and the parish/town councils in the borough.

In developing a concordat, it is necessary to recognise the different bodies covered by such an agreement.

In Newcastle, the principle local authorities are Staffordshire County Council and Newcastle under Lyme Borough Council. Each council is responsible for a range of service areas including education, highways and social services (SCC) and planning, licensing and environmental health (NBC). Both have powers from Parliament to deliver these services and both have a number of elected representatives who make up the Council itself.

In the case of town/parish councils, these are corporate bodies which have been granted powers by Parliament including tax raising powers and spending powers. The town/parish council in any particular area is the first tier of local government (and also have a number of elected representatives) with legal powers to do things (e.g. make byelaws; maintain churchyards; detect and prevent crime; and maintain the environment) as well as influencing others, such as principal authorities, in their decision making.

In terms of LAPs, these are very different from town and parish councils. They were established by the Borough Council and are made up of public sector organisations, councillors and members of the public. Unlike parish/town councils they are not elected and are not representative in the same way – rather, they are action-focused, in other words, considering issues and bringing organisations together to tackle these issues.

In addition to the local authorities and LAPs, a number of public sector and ‘third sector’ organisations operate in Newcastle. These include Staffordshire Police (now represented through the office of the Police and Crime Commissioner), Staffordshire Fire and Rescue Service, the various parts of the health service and various voluntary/community groups under the umbrella organisation VAST (Voluntary Action Stoke on Trent).

In the current climate of local government generally, it is well-recognised that no one organisation can effectively do any one thing alone (in the vast majority of cases). This means that one of the key ways of working in the borough is in partnership. This is the focus of the LAPs.

As said, the LAPs act as a delivery mechanism for the public sector in the various localities of Newcastle under Lyme (there are currently 11 LAPs in total). This does not mean, however, that the LAPs directly deliver services, rather they co-ordinate those bodies who do deliver services to do so to the benefit of the public in the borough. Again, this is a key difference between the LAPs and other organisations –

the LAP can only act collaboratively, whilst other organisations can act alone if they choose to do so.

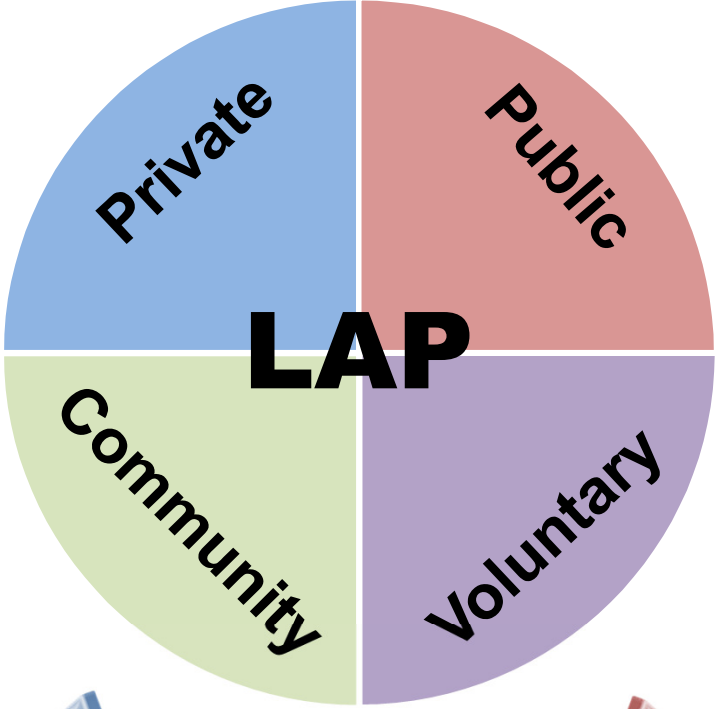
In order to ensure that the LAPs do what they are supposed to do – which is to translate the identified need in any particular area into action – the Borough Council has sought to encourage each LAP to adopt a constitution. The adoption of a constitution for each LAP is designed to set out clearly what the LAPs can (and cannot) do. A primary focus of the constitutional position of the LAPs is that they are not a substitute for the parish and town councils – rather, the parish/town councils should be a part of the LAP in terms of ensuring that their views and the views of the people they represent are reflected in the work of the LAP. In other words, the LAP and the relevant parish/town council should complement each other with the parish/town council providing information on a representative footing and either the parish/town council acting on this information alone or – if this cannot be done – working with others within the framework of the LAP.

It is this relationship which forms the basis of a potential concordat between the LAPs and the town/parish councils in the borough of Newcastle-under-Lyme. It is suggested that any such concordat should set out the particular special role of the town/parish councils as local authorities and the powers held by them against the LAP 'offer' which is to encourage and collate information and data on the local 'need' and organise the necessary action required to address that need. It should be clear that the parish and town councils are not compelled to refer to or work through the LAP (as should be established in the LAP constitutions – parish/town councils are welcome to check this) but that the LAP should include the parish/town council as one of the 'sources' of its information on local need.

This paper has sought to set out the differences between the LAPs and the town/parish councils in Newcastle under Lyme borough. In doing so, it is suggested that – as a counterpart to the constitutional developments of recent times – it may be necessary to set out how the relationship between the LAPs and town/parish councils should be developed in the future through the establishment of a concordat. The aim is for parish/town councils and LAPs to co-exist effectively and, to do this, the hope is that parish/town councils are represented on LAPs and that LAPs are granted some form of status so as to be able to attend parish/town council meetings. Effective communication will assist greatly in this relationship and also ensure that the LAPs are responding to the issues raised by parish/town councils where relevant.

Partnership Board

PDG



Private
*e.g. housing,
businesses*

Public
*e.g. police,
council*

Community
*e.g. resident's
associations*

Voluntary
e.g. CAB, Samaritans

Issues



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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM REPORT TO CABINET

Date: 15th OCTOBER 2014

Title: Update on the Anti-Social Behaviour, Crime and Policing Act 2014

Submitted by: Head of Business Improvement, Central Services & Partnerships
Head of Environmental Health

Portfolio: Safer Communities, Environment & Recycling

Ward(s) affected: All

Purpose of the Report

This report provides an overview of the changes introduced by the Anti Social Behaviour, Crime and Policing Act 2014.

The report also outlines the Borough Council's role in delivering appropriate responses to these changes, in particular, Part 6 (the 'Community Trigger').

The report also seeks approval to amend the Council's scheme of delegation to enable the relevant provisions of the Act to be enforced.

The report also seeks approval of the fixed penalty fees for non-compliance with a Community Protection Notice and a Public Spaces Protection Order including a maximum fee and discounted fee for early payment.

Recommendation

That Cabinet notes the contents of this report and

- **Approves the proposed 'Community Trigger' threshold and mechanism for use in the Borough;**
- **To recommend that Council approves the proposed changes to the Scheme of Delegation; and**
- **To recommend that Council approves the proposed fixed penalty fees as set out in this report, with these fees to be approved by Council in the first instance and to delegate to Public Protection Committee any further alternations to these fees**

Reason

The Anti Social Behaviour, Crime and Policing Act (2014) provides new powers to local authorities and their partners, and places a number of statutory obligations on councils when responding to incidents of anti-social behaviour (ASB).

It should be noted that the contents of this report were presented to the Cleaner, Greener and Safer Communities Scrutiny Committee at its meeting on 1st October. A summary of the discussion which took place at this meeting and the questions raised by Members of the Committee can be found at Appendix B of this report. It should also be noted that the Chair of the Cleaner, Greener and Safer Communities Scrutiny Committee has requested that she attend Cabinet to contribute to this item.

1. Background

- 1.1 ASB is defined as “someone acting in a manner that has caused, or is likely to cause, harassment, alarm or distress to one or more persons not of the same household”.
- 1.2 The (national) Government pledged they would review the way ASB is dealt with via new legislation. The resulting Anti-Social Behaviour, Crime and Policing Act 2014 which is scheduled to come into effect from 20th October 2014 and replaces current ASB legislation, placing new duties on local authorities, including aspects of the Crime and Disorder Act 1998 and Anti-Social Behaviour Act (2003).
- 1.3 Parts 1 -7 are of most interest to local authorities and these can be summarised as follows;
- Part 1 makes provision for a civil injunction for ASB
 - Part 2 makes provision for an order on conviction to prevent behaviour which causes harassment, alarm or distress
 - Part 3 contains powers for police to disperse people causing or likely to cause harassment, alarm or distress or likely to cause crime or disorder in a specified area and not return for up to 48 hours
 - Part 4 covers new powers to deal with community protection and makes provision for Community Protection Notices (CPN), Public Space Protection Orders (PSPOs) and to close premises associated with nuisance or distress.
 - Part 5 makes provision for possession of homes on ASB grounds (by RSLs)
 - Part 6 contains provisions to establish a community remedy document and responding to complaints of ASB (the ‘Community Trigger’)
 - Part 7 amends the powers under the Dangerous Dogs Act (1991).
- 1.4 The Council’s Partnerships Team has responsibility for community safety and related partnership work within the Newcastle Partnership and administers the Community Safety Partnership (CSP) to discharge statutory obligations, including ASB.
- 1.5 The Council’s Environmental Health service has responsibility for discharging the Council’s statutory duties – including dealing with complaints/enquiries regarding licensing, noise nuisance dangerous dogs, inappropriate storage of trade waste, litter enforcement
- 1.6 The Council’s Legal service provides advice and assistance in relation to ASB and Environmental Health including the enforcement of civil proceedings.

2. Further information

- 2.1 As outlined above the new Act replaces a number of existing provisions:
- Part 1 – civil injunctions replace the current ASB Orders and will be available in the county court (adults) and the youth court (10-17 year olds). They will allow agencies such as Police, councils and RSLs to deal quickly with ASB
 - Part 2 – Criminal Behaviour Orders (CBOs) replace the current Criminal ASB Orders (CRASBOs). CBOs will be available following conviction for any criminal offence, addressing the underlying causes of ASB via new, positive requirements. A breach will be a criminal offence with a maximum of up to five years in prison for adults
 - Part 3 - powers to enable police to require people who have committed/likely to commit ASB to leave a specified area and not return for up to 48 hours.
 - Part 4 – Community Protection, including:

- Community Protection Notices (CPNs) – replace litter clearing notices, defacement removal notices and street litter control notices and can be issued by councils, police and RSLs to individuals/businesses.
- Public Spaces Protection Orders (PSPOs) – deal with a nuisance or problem in a particular area detrimental to the local community's quality of life by imposing conditions on the use of that area
- Closure Notices/Orders – two-stage process covering licensed and non licensed premises. Notice cannot last for more than 48 hours and may be followed by a Closure Order issued by the court and can last up to three months. Closure Notice/Order will automatically trigger premises reviews and replace s.161 and s.165 of the Licensing Act 2003

These new powers are intended to be faster, more effective and available to more agencies to tackle a range of place-specific ASB and criminal behaviour

- Part 5 – to be used by RSLs for the recovery of possession of dwelling houses. ASB can have a negative impact on neighbourhoods/communities and RSLs have a key role. Provisions in the Act introduce a new ground for possession to speed up the process in the most serious ASB cases, thereby potentially bringing faster relief to victims and communities.
- Part 6 – seeks to involve the community/victims in both punishment and remedies for ASB. The Police and Crime Commissioner (P & CC) must prepare a Community Remedy Document listing possible remedies to be carried out by offenders/perpetrators. These remedies can be accepted and undertaken without going to court as an alternative to prosecution. The P & CC must consult with the Police, Local Authorities and the wider public during the preparation of the document and then publicise when it is finalised. Part 6 also introduces the 'Community Trigger' (or ASB case review) allowing victims of persistent ASB to request a case review. In that case, the relevant bodies must share information, discuss previous action taken and decide on any further action. There is a statutory duty for the threshold, criteria and mechanism for the community trigger to be published by councils. Applicants must be informed of the outcome and advised of the arrangements for reviewing the process if they are not satisfied.

3. Part 6 – The Community Trigger

- 3.1 The plan for Newcastle-under-Lyme is to adopt a 'community trigger' threshold of 'three complaints from one complainant (or somebody on their behalf) to a statutory agency (see 3.2 below) within a six month period regarding three separate ASB incidents' or alternatively an immediate trigger if the complaints are deemed to be hate crime related in line with the minimum statutory requirement.
- 3.2 The Borough Council, County Council, Staffordshire Police, Health or RSLs may all be approached by a victim of persistent ASB to instigate the trigger.
- 3.3 Partners will co-ordinate trigger requests via the Partnership Hub, which meets on a weekly basis to provide assistance/solutions to vulnerable residents.
- 3.4 The appeal process for victims of persistent ASB who are not satisfied with the trigger review will be determined within the partner organisation with which the review was requested. For example if received by the Borough Council then the appeal would progress to the Head of Business Improvement, Central Services and Partnerships and if received by a Registered Provider it would progress to the appropriate Head of Service in that organisation. This follows the principle adopted elsewhere in the County and provides some independence to the decision making process and the person considering the appeal should not have had any previous involvement in the case or subsequent investigation.

- 3.5 Partners have been consulted on the proposal and have all agreed to adopt the Community Trigger threshold and accompanying procedure in their respective organisations.

4. Scheme of Delegation

- 4.1 It is necessary to add to the Council's Scheme of Delegation to enable the Council to make use of the various provisions within the Act. The Scheme of Delegation relating to this Act has been designed to facilitate the use of the statutory provisions provided to the Council in a timely manner.
- 4.2 The proposed additions to the scheme of delegation are detailed within Appendix A.

5. Fixed Penalty Notices

- 5.1 The Act enables the Council to issue a Fixed Penalty Notice for offences involving a breach of a Community Protection Notice or a Public Spaces Protection Order in order to discharge a liability to conviction. Fixed penalties will only be offered where it is considered appropriate to do so and in any case in line with the council's adopted Enforcement Policy.
- 5.2 Subject to the FPN being paid in full within 14 days, the recipient is not liable to prosecution by the council for the relevant offence. If the FPN remains unpaid after the 14 days, the offender will normally be prosecuted by the Council in line with the council's adopted Enforcement Policy.
- 5.3 The maximum penalty that can be imposed is £100 and this must be paid within 14 days of service of the FPN. However, it is possible to impose a lesser penalty for early payment and it for each authority to decide their penalty in the absence of statutory guidance.
- 5.4 Accordingly the following Fixed Penalty amounts are proposed:
- Payment of FPN within 10 days of issue £70
 - Payment of FPN between 10 and 14 days of issue £100

In accordance with the Council's Scheme of Delegation, these fees will be set in the first instance by Full Council and any subsequent amendments to be delegated to Public Protection Committee.

6. Gating orders / Designated Restrictions on Alcohol Consumption and Dog Control Orders replaced by Public Spaces Protection Orders

- 6.1 There are a number of gating orders, dog control orders and orders restricting consumption of alcohol operating in various areas across the Borough
- 6.2 These orders will automatically expire at the end of 3 years once Chapter 2 of the Act comes into force. Should the council wish to exercise similar controls moving forward, these will need to be in the form of Public Spaces Protection Order(s). Once an order is made it will be the subject of a formal 3 yearly review by the relevant committee in order to extend the order for it to remain in force.
- 6.3 It is not proposed to amend any existing orders at present.

7. Outcomes Linked to Corporate Priorities

- 7.1 Performing the statutory duties under the Anti Social Behaviour, Crime and Policing Act 2014 contributes to meeting the Council's Corporate Priorities of Creating Healthy

and Active Communities; Creating a Cleaner, Safer and Sustainable Borough; and Delivering a Co-operative Council.

8. Legal and Statutory Implications

8.1 The Anti Social Behaviour, Crime and Policing Act 2014 places statutory duties on and gives powers to local authorities in challenging ASB in the community.

8.2 The application of any enforcement powers under the Act will also take into account any statutory guidance / regulations and will reflect the requirements of the Act and the council's adopted Enforcement Policy.

8.3 The proposed additions to the council's scheme of delegation give clarity and legal certainty over who is able to exercise the various powers within the Act which fall within the remit of the Council (see appendix A).

9. Equality Impact Assessment

9.1 An Equality Impact Assessment is being developed for this area of work.

10. Financial and Resource Implications

10.1 There are no specific financial implications or commitments required at this stage as a result of this report, although these new powers could result in increased workloads for some Council Officers. This will be managed within existing resources.

10.2 Following the introduction of the new powers, Officers will keep the resourcing position under review via the Joint Operations Group (JOG), chaired by the Safer Communities Portfolio Holder. This will also enable the Partnership to ensure that all partners are responding properly to requests for the Community Trigger and using the new powers appropriately, in order to contribute to the agreed overall partnership approach.

10.3 Staff who may be involved in the application of the new powers will receive training in their application and use prior to being authorised.

10.4 Enforcement of the new legislation is predominantly civil and it is anticipated that this may therefore have financial implications for the Council in terms of increased legal costs. The potential increase expected is unknown at this time but Officers will provide further information when available. In the short term this will be managed by existing resources but kept under review.

10.5 At this stage there does not appear to be any direct resource implications for any other Borough Council services from the changes set out in this report.

11. Major Risks

11.1 Failure to take appropriate action regarding the new powers and legislation in relation to ASB may result in the Council being unable to perform its statutory duties, thereby leaving it open to legal challenge.

11.2 There is also a risk of reputational damage to the Council if it does not deliver its statutory duties lawfully and effectively.

12. Key Decision Information

12.1 This report can be considered a key decision in the following ways: -

- It requires the Borough Council to commit existing and additional resources for the function to which the decision relates and;
- It impacts on communities living or working in an area comprising two or more electoral wards in the Borough.

13. Earlier Cabinet/Committee Resolutions

13.1 None

14. List of Appendices

14.1 Appendix A – Proposed amendments to the scheme of delegation

15. Background Papers

15.1 None

Implications included	Head of Service agreed report, signed & dated	Financial Implications signed & dated	Legal & risk implications signed & dated
Financial			
Legal			
Risk			
Corporate format used			

Proposed amendments to the adopted scheme of delegation

	FUNCTION	EXERCISED BY
Anti-Social Behaviour, Crime and Policing Act 2014 Functions		
Part 1 Injunctions		
	<p>Injunctions Application for Injunction / Interim injunction / Variation of Injunction / Discharge if injunction (Part 1 sections 5, 6, 7, 8)</p> <p>Arrest warrant and prosecution of injunction Application for arrest warrant and authority to prosecute (Part 1, section 10)</p> <p>Consultation on injunction Requirements to consult etc. (Part 1, section 14)</p>	<p>Head of Business Improvement, Central Services and Partnerships</p>
Part 2 Criminal Behaviour Orders		
	<p>Application for CBO, Interim order, variation, discharge Application for criminal behaviour order / interim order / Variation of order / Discharge of criminal behaviour order (Part 2 sections 23, 26, 27)</p> <p>Consultation with YOT prior to application for CBO on under 18's Requirement to consult with YOT if offender is under 18 (Part 2 section 29)</p> <p>Review of CBOs imposed on under 18's Duty to cooperate with chief officer of police in review of orders imposed on under 18's (Part 2 sections 28/29)</p>	<p>Head of Business Improvement, Central Services and Partnerships</p>
PART 4 CHAPTER 1 - COMMUNITY PROTECTION NOTICES		
	<p>Issuing and consulting on CPN's prior to service Power to issue community protection notices to persons over 16 or a body (Part 4 Chapter 1 section 53)</p> <p>Obligation to inform anybody or individual that the serving officer sees fit prior to issuing a community protection notice (Part 4 Chapter 1 section)</p>	<p>Head of Business Improvement, Central Services and Partnerships</p> <p>Head of Environmental Health</p> <p>Head of Operations</p> <p>All Environmental Health Officers and appropriately qualified Technical Staff</p> <p>(officer initiating CPN)</p>
	<p>Authority to take remedial action to comply with CPN</p> <p>Authority to undertake remedial action for failure to comply with a community protection notice section (Part 4 Chapter 1 section 47)</p>	<p>Head of Environmental Health</p> <p>Head of Business Improvement, Central Services and Partnerships</p> <p>Head of Operations</p>

Power of entry in respect of CPN Power of entry to undertake remedial action work under (Part 4 Chapter 1 section 47)	All Environmental Health Officers and appropriately qualified Technical Staff. And agents acting on behalf of the authority expressly authorised by the relevant Head of Service
Cost recovery for remedial action in default of CPN Issue of notice of costs to defaulter for remedial action (Part 4 Chapter 1 section 47)	Head of Service whose officers initiated remedial action
Prosecution proceedings in respect of CPN Authorisation of proceedings for failing to comply with a community protection notice (Part 4 Chapter 1 section 48)	Public Protection Committee
Remedial order Application to court for a remedial order (Part 4 Chapter 1 section 49)	Head of Business Improvement, Central Services and Partnerships
Seizing items involved in breach of CPN Seizure of items used in the commission of suspected offence under section 48 (Part 4 Chapter 1 section 51)	Environmental Health Officers, Technical Assistants and Enforcement Officers authorised in writing
Fixed penalty notice for non-compliance with CPN Service of fixed penalty notice for offence of failing to comply with a Community Protection Notice which is an offence under section 48 (Part 4 Chapter 1 section 52)	Environmental Health Officers, Technical Assistants and Enforcement Officers authorised in writing
PART 4 CHAPTER 2 PUBLIC SPACES PROTECTION ORDERS	
Making a PSPO Power to make Public Spaces Protection Orders (Part 4 Chapter 2 section 59)	Public Protection Committee
Publishing PSPO Publishing of Public Spaces Protection Order in accordance with regulations made by Secretary of State (Part 4 Chapter 2 section 59(8))	Head of Business Improvement, Central Services and Partnerships
Extension to PSPO Extension of Public Spaces Protection Orders beyond 3 years (Part 4 Chapter 2 section 60)	Public Protection Committee
Publishing extension to PSPO Publishing of extension to Public Spaces Protection Order in accordance with regulations made by Secretary of State (section 60(3))	Head of Business Improvement, Central Services and Partnerships
Variation and discharge of PSPO Variation and discharge of current Public Spaces Protection Orders (Part 4 Chapter 2 section 61)	Public Protection Committee
Publishing of variation or discharge of PSPO Publishing of variation to or discharge of Public Spaces Protection Order in accordance with regulations made by Secretary of State (Part 4 Chapter 2 section 61(5) /section 61(6))	Head of Business Improvement, Central Services and Partnerships
Power in relation to consumption of alcohol Power to require a person not to consume alcohol or to require surrender of alcohol or containers for alcohol contrary to requirements of public spaces protection order(Part 4 Chapter 2 section 63(2))	Environmental Health Officers, Technical Assistants and Enforcement Officers authorised in writing
Authorisation of prosecution proceedings relating to PSPO for alcohol Authorisation of prosecution proceedings for failure to comply	Public Protection Committee

Classification: NULBC UNCLASSIFIED

	with a requirement to not to consume alcohol or to require surrender of alcohol or containers for alcohol Part 4 Chapter 2 section 63(6))	
	Authorisation of prosecution proceedings for failure to comply with PSPO Authorisation of prosecution proceedings for failure to comply with anything either prohibited or required by a public spaces protection order (Part 4 Chapter 2 section 67)	Public Protection Committee
	Fixed penalty notices for failing to comply with PSPO Power to issue a fixed penalty notice for offences of not complying with a public spaces protection order under section 63 (Consumption of alcohol in breach of an order) or section 67 (failing to comply with an order) (Part 4 Chapter 2 section 68)	Environmental Health Officers, Technical Assistants and Enforcement Officers authorised in writing
	Convention rights, consultation, publicity and notification Duty to have regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the European Convention on Human Rights before making, extending, varying or discharging a public spaces protection order Duty to carry out consultation, publicity and notification before making, extending, varying or discharging a public spaces protection order	Head of Business Improvement, Central Services and Partnerships
	Part 4 Chapter 3 – CLOSURE OF PREMISES ASSOCIATED WITH NUISANCE OR DISORDER	
	Power to issue closure notices for up to 24 hours Power to issue closure notices for up to 24 hours where use of particular premises has resulted , or is likely to soon result in nuisance to members of the public or there has been or is likely soon to be disorder associated with the use of premises (Part 4 Chapter 3 section 76)	Chief Executive or person designated by him or her Head of Business Improvement, Central Services and Partnerships Head of Environmental Health
	Duty to consult prior to service of closure notice Duty to consult anybody or individual prior to service of closure notice (Part 4 Chapter 2 section 76(7))	Chief Executive or person designated by him or her Head of Business Improvement, Central Services and Partnerships Head of Environmental Health
	Power to extend closure notice beyond 24 hours to 48 hours (Part 4 Chapter 2 section 76/77)	Chief Executive or person designated by him or her
	Cancellation or variation of closure notice Power to vary or cancel a closure notice (Part 4 Chapter 3 section 78)	Officer who originally signed notice or in their absence the Chief Executive or person designated by him or her
	Power of court to make closure orders Application to a magistrates' court for a closure order within 48 hours of service of closure notice (unless closure notice has been cancelled) (Part 4 Chapter 3 section 80)	Head of Business Improvement, Central Services and Partnerships

	<p>Entry to premises to fix closure orders Fixing closure orders in at least one prominent place on premises, to each normal means of access and outbuildings which appear to be associated with premises. (Part 4 Chapter 3 section 79(2))</p>	<p>All Environmental Health Officers and appropriately qualified Technical Staff. And agents acting on behalf of the authority expressly authorised by the relevant Head of Service</p>
	<p>Extension of closure orders Application to the court for an extension of period of a closure order or further extension (Part 4 Chapter 3 section 82)</p>	<p>Head of Business Improvement, Central Services and Partnerships</p>
	<p>Discharge of closure orders Application to the court to discharge a closure order. (Part 4 Chapter3 section 83)</p>	<p>Head of Business Improvement, Central Services and Partnerships</p>
	<p>Enforcement of closure orders Access to a premises etc. to enforce closure order, to secure premises against entry and carrying out essential maintenance or repairs. (Part 4 Chapter 3 section 85)</p>	<p>Environmental Health Officers, Technical Assistants and Enforcement Officers authorised in writing</p>
	<p>Proceedings for breach of closure notice / order Application to court for prosecution for breach of closure order (Part 4 Chapter 3 section 86)</p>	<p>Public protection committee</p>

	FUNCTION	EXERCISED BY
	The Dangerous Dogs Act 1991	
	Section 5 Seizure / entry to premises and evidence	
	<p>Seizure of dangerous dogs in any place power of entry onto premises to seize a dangerous dog</p>	<p>Environmental Health Officers, Technical Assistants and Enforcement Officers authorised in writing</p>

COMMENTS ON THE REPORT FROM THE CLEANER, GREENER AND SAFER COMMUNITIES SCRUTINY COMMITTEE – 1ST OCTOBER 2014

A presentation on the Anti-Social Behaviour, Crime and Disorder Act 2014 was delivered by the Borough Council's Senior Partnerships Officer.

It was stated that the new Act would mean the replacement of the current toolkit for dealing with anti-social behaviour and would also place new duties on local authorities and the Police to deal with conduct that had caused or was likely to cause, harassment, alarm or distress to any person.

On the 20th October 2014 Newcastle-under-Lyme proposes to adopt the 'Community Trigger' threshold of three complaints from one complainant (or somebody on their behalf) to a statutory agency within a six month period regarding three separate ASB incidents.

The Borough Council, County Council, Staffordshire Police, Health or RSLs may all be approached by a victim of a persistent ASB to instigate the trigger.

Every Monday morning, the Borough's Partnership Hub meets to provide assistance/solutions to vulnerable residents, with recommendations being relayed back to the victim.

The appeal process for victims of persistent ASB, who were not satisfied with the 'trigger' review will be determined by the partner organisation approached to instigate the trigger. For example, if received by the Borough Council then the appeal would progress to the Head of Business Improvement, Central Services and Partnerships.

A Member felt assured that the final stage would progress from outside of the Partnership Hub to the Head of Service.

The Member was further reassured that it was senior officers who were present at the weekly hub meetings.

It was asked if there were a review progressing on a licensed premise and the licence was revoked and taken to appeal could the community take control of the order.

The Senior Partnerships Officer advised if the community report the complaint, for example noise from the licensed premise, they could carry out a closure order.

A Member asked how the Police and Crime Commissioner was approaching the public regarding the document they were producing.

The County ASB and Finish Group meets every six weeks and the document had been issued to all authorities and would be distributed to the wider public.

It was asked that, if an incident recurred after a prolonged period of time, would the process start again. Presently this was being looked into with partners, with a

decision being submitted to the Police Chief Inspector and signed off by the Chief Executive.

A Member advised that it would only be sensible to ask why there was not a problem and the reason why there was not a problem was due to the prohibition being in place and should remain.

RECOMMENDED:-

That Committee receive the report and Members take note of the changes being proposed in Newcastle by the Borough Council and its partners.

Draft Newcastle-under Lyme and Stoke-on-Trent Statement of Community Involvement 2014 Consultation Document

Submitted by: Executive Director Regeneration and Development

Portfolio: Finance and Resources

Wards affected: All

Purpose of Report

1. To consider the recommendations of the Planning Committee prior to considering for approval the Draft Newcastle-under-Lyme and Stoke-on-Trent Statement of Community Involvement 2014 for public consultation purposes and to seek authority to go out to consultation.

Recommendations

- 1) That Cabinet agree to approve the Draft Newcastle-under Lyme and Stoke-on-Trent Statement of Community Involvement 2014 for public consultation purposes.
- 2) That Officers in consultation with the portfolio holder for Planning and Assets be authorised to make minor editorial changes prior to the publication of the Statement of Community Involvement for public consultation purposes.
- 3) That Cabinet agree to receive a future report setting out the recommendations of the Planning Committee on the outcome of the public consultation before adoption of the SCI is considered.

Reasons

To ensure the Newcastle-under-Lyme and Stoke-on-Trent Local Plan proceeds in accordance with the agreed timetable and to maintain an efficient and effective planning service which supports meaningful community engagement in planning policy and development management matters.

1.0 Background

- 1.1 The Joint Local Plan timetable agreed by Newcastle-under-Lyme Borough Council and Stoke on Trent City Council earlier this year included provision to prepare and consult on a joint Statement of Community Involvement as an important first step towards the preparation of the Joint Local Plan. The Draft Newcastle-under-Lyme and Stoke-on-Trent Statement of Community Involvement (Draft SCI) appended to this report has been agreed by Officers from both councils and now requires sign off by both councils prior to going out to public consultation.
- 1.2 The inaugural meeting of the Newcastle-under-Lyme and Stoke-on-Trent Joint Advisory Group (JAG) on the 18 September 2014 received a report on the Draft Newcastle-under-Lyme and Stoke-on-Trent Statement of Community Involvement 2014 and their comments will be reported to Planning Committee on 7 October, so that their views can be taken into account before making a recommendation to Cabinet. Due to the tight

timescales the recommendations of the Committee will be reported to Cabinet by means of a supplementary report.

2.0 Policy Context

- 2.1 The National Planning Policy Framework (Paragraph 155) requires Local Planning Authorities to undertake *Early and Meaningful engagement and collaboration with neighbourhoods, local organisations and businesses* in the production of a Local Plan. The Statement of Community Involvement is therefore important not only to help a wide section of the community to express their views on draft proposals but also to ensure Local Plans *reflect a collected vision and set of agreed priorities for the sustainable development of the area*. The involvement of all sections of the community in the development of Local Plans and in planning decisions is also seen as way of supporting the creation of *healthy, inclusive communities* (paragraph 69).
- 2.2 In respect of development management the National Planning Policy Framework is not so specific. At paragraph 189 it states that *Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties*.

3.0 Key Issues

- 3.1 Since 2006 and 2007 both councils have introduced changes to the way in which they engage with the community in the process of planning. These changes have been made to improve community involvement practises in order to deliver both an efficient and effective service but also reflect changes to the planning system, including the introduction of the Local Planning Regulations 2012 and the National Planning Policy Framework in 2012. The Draft Joint Statement of Community Involvement formalises these changes and provides the community with a clear understanding of how they can expect to be involved in planning matters. In this way it also helps to manage public expectation.
- 3.2 The examination of the joint Local Plan by the Planning Inspectorate will consider whether the plan was carried out in compliance with the adopted Statement of Community Involvement. It is therefore very important that the Statement of Community Involvement is up to date and reflects both Councils aspirations for community engagement within budgetary constraints.
- 3.3 The Draft Newcastle-under-Lyme and Stoke-on-Trent SCI also reflects, both the Borough and City Council's aim to provide transparent, user friendly and accessible ways to encourage and maximise public participation.
- 3.4 Complex community involvement exercises can be costly and labour intensive in the preparation, attendance and follow up. Therefore the consultation proposals set out in the Draft SCI attempt to strike a balance between giving confidence to the community that its voice will be heard and delivering a service that is cost efficient. Similarly the level of consultation proposed seeks to support delivery of the Local Plan in a timely manner and to ensure that the local community does not become overloaded with consultation exercises
- 3.5 The Draft SCI commits both Councils to meeting a list of requirements when consulting with the local community in the process of determining planning applications. However, there are differences in the way the development management service is managed by the two local authorities and it has been necessary to reflect these differences. It is considered that this is necessary to avoid compromising specific local needs of both local planning authorities.

4.0 Options

4.1 Local Planning Authorities are required by law to have an adopted SCI and have a responsibility to monitor and review the SCI to make sure it is up to date and appropriate. Without an up to date SCI the council risks criticism and complaints from members of the public. Critically the Local Plan would run into difficulty in the future if the Examination by the Planning Inspectorate considered that the consultation that had taken place was inconsistent with the SCI.

4.2 Preferred Solution

The production of a Joint SCI creates an opportunity for the Borough Council and City Council to develop a consistent and effective approach to consultation, to support the successful involvement of the local community in the development of the Joint Local Plan.

5.0 Proposal

5.1 The Draft Newcastle-under-Lyme and Stoke-on-Trent Statement of Community Involvement 2014 (Draft SCI) provides a structured approach to engaging with local people and organisations across the two local authority areas on a variety of planning matters. It attempts to describe the main functions of the planning system in a user friendly manner to help local people and organisations understand the processes involved in preparing planning policy documents and determining planning applications. It seeks to ensure no groups and individuals, including hard to reach groups, are excluded.

5.2 The Draft SCI is scheduled to be published in November as a consultation document to give residents, businesses, parish councils and other groups an opportunity to have a say in how they want to be involved in guiding the development of Newcastle-under-Lyme and The City of Stoke-on-Trent. This is the opportunity for people to tell us what they like and don't like about how each council proposes to involve them.

5.3 The Draft SCI is split into three sections. Part one is an introduction to the planning system and explains the background to the Statement of Community Involvement, as well as, stating the benefits of getting involved at an early stage. Part two focuses on what planning policy documents are and the key stages in preparing Development Plan Documents and Supplementary Planning Documents.

5.4 The Draft SCI shows who the key stakeholders are and explains when and how people are consulted during the preparation of these documents. This section also shows the councils' commitment towards satisfying the Duty to Co-operate legal requirement. This is designed to provide the community with information to improve its understanding of the planning policy process rather than being a necessary part of producing a SCI.

5.5 Part three focuses on the types of planning applications the council deals with and explains who, when and how people are consulted on development proposals. The numerous types of planning applications are described in an appendix to the Draft SCI.

5.6 The Draft SCI tries to avoid technical language to help it to be understood by all persons but in some cases it is necessary to use technical terms. These have been defined through a Glossary set out in Appendix 8 of the SCI.

6.0 Next Steps

6.1 In accordance with the agreed Local Plan timetable public consultation on the Draft SCI is scheduled to take place over a six week period from early November to mid December. All comments received will be reviewed and necessary amendments made,

before each council takes the steps to independently 'adopt' the joint SCI as its policy for involving the community in the way it guides and controls development.

- 6.2 Prior to going out to consultation the Draft SCI will be formatted and styled to ensure the document is user friendly. As part of the sign off process it may also be necessary to make minor editorial changes to the document prior to going out to consultation. It is proposed that this is done in consultation with the portfolio holder for Planning and Assets.
- 6.3 The consultation on the Draft SCI will be carried out in accordance with the proposals set out in 'Table 5 Statement of Community Involvement Consultation,' set out on page 19 of the Draft SCI.

7.0 Risks

- 7.1 Both councils propose continuing the current practise of providing different methods and opportunities for community involvement in development management decisions. The publication of the Draft SCI for public consultation purposes will draw the publics' attention to this. As stated above (3.5) the differences reflect specific local needs, but it may attract comments, particularly from developers and agents who tend to favour consistency in approaches, that the two services should be more closely aligned. Similarly comments may also be received, which object to the preparation of a joint SCI on the grounds that a common approach to planning policy consultation is not in the interests of supporting distinctive communities.

8.0 Financial and Resource Implications

- 8.1 The Draft SCI commits the council to meeting a list of requirements when consulting with the local community. The resource implications of these requirements have been carefully considered in the preparation of the Draft SCI. The proposals aim to maximise participation without over promising. Any proposals to increase the proposed minimum standards will need to consider the budget implications otherwise there would be a risk of expectations being raised unrealistically as well as triggering complaints from the public.
- 8.2 Members will recall that the October 2013 Cabinet report considered in some detail the financial and resource implications of going forward with a joint Local Plan and it was resolved that the financial implications of the report be addressed through the next Medium Term Financial Strategy and the respective budget-setting. In this respect consultation arrangements set out in the Draft SCI will be carried out within existing revenue resources of the Council.
- 8.3 The October 2013 Cabinet report also noted that, given the scale and nature of the Local Plan, resources from other borough Council departments would be required to ensure compliance with all relevant corporate and service priorities. Certainly it is highly likely that the public consultation exercises involving public meetings and workshops will need to be supported with staff from other sections within the Directorate (most notably within the Regeneration and Development Management teams). Such an arrangement may necessitate re-profiling of work programmes and there may be adverse impacts upon the core workload of those other teams. Nevertheless steps will be taken to minimise impact on service users / customers.

9.0 Legal and Statutory Implications

- 9.1 The Council is required by Section 18 of the Planning and Compulsory Purchase Act, 2004 to have an adopted Statement of Community Involvement.

- 9.2 The Borough Council's current Statement of Community Involvement, adopted in 2006, and the City Council's Statement of Community Involvement adopted in 2007 had the same status as a Development Plan Document in the same way as a Local Plan, and was therefore subject to independent Examination. An amendment to the Regulations in 2008 no longer identifies the Statement of Community Involvement as a Development Plan Document and is no longer required to undergo an independent Examination. It is the responsibility of the Borough to consider and agree to adopt a new Statement of Community Involvement as its policy for community involvement in planning matters. The SCI is not therefore part of the Development Plan Policy Framework but is a supporting document.
- 9.3 The SCI is important to ensure the Local Plan process is robust and can help deliver a legally compliant plan at Examination.
- 9.4 The Draft SCI satisfies the legal requirement for each council to provide a '*specific*' consultation list of bodies (statutory) that must be consulted and a '*general*' consultation list of those who may wish to be consulted on Planning Policy Documents and Planning Applications.

10.0 Earlier Cabinet Committee Resolutions

- 5 March 2014 Cabinet Report - Proposed Newcastle-under-Lyme and Stoke-on-Trent Local Plan Programme. It was resolved to agree to the preparation of a joint statement of Community Involvement.

11.0 Background Papers

- 18 Sept Newcastle-under Lyme and Stoke-on-Trent Joint Advisory Group Joint Report re: Draft Newcastle-under Lyme and Stoke-on-Trent Statement of Community Involvement 2014 Consultation Document
- 7 Oct Planning Committee Report re: Draft Newcastle-under Lyme and Stoke-on-Trent Statement of Community Involvement 2014 public consultation report.

12.0 Appendices

- Draft Newcastle-under-Lyme and Stoke-on-Trent Statement of Community Involvement 2014

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Newcastle-Under-Lyme Borough Council and Stoke-on-Trent City Council

DRAFT Statement of Community Involvement 2014

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Part 1: Introduction and Background

What is a Statement of Community Involvement?

- 1.1 A Statement of Community Involvement (SCI) describes how the public, businesses and interest groups within a local authority area can get involved in the creation of local planning policy and the decision making process aimed at shaping where we live, work and trade. This is essential to help improve understanding and openness of the planning process. It also identifies the types of people and groups who ought to be involved, ways of involving them effectively and when they can get involved.
- 1.2 The SCI is extremely important as it will establish a minimum standard of consultation on planning matters and these requirements are which closely scrutinised when planning policy documents are independently examined.

Draft SCI 2014 for Public Consultation

- 1.3 The Draft Stoke-on-Trent & Newcastle-under-Lyme Statement of Community Involvement 2014 has been published to give residents, businesses, parish and town councils and other groups an opportunity to have a say in how they want to be involved in guiding the development of the Borough of Newcastle-under-Lyme (the 'Borough Council') and The City of Stoke-on-Trent (the 'City Council'). We want people to tell us what they like and don't like about how each council proposes to involve them. We will do our best to take these comments on board so that people can feel confident that their voice is going to be heard and considered.
- 1.4 The proposals set out in this Draft SCI aim to give people plenty of opportunities to tell us what they think and in many cases go beyond the minimum legal requirements. However, both councils have also recognised the need to deliver a service which is both effective and cost efficient.
- 1.5 Following the consultation on the Draft SCI (10 November to 19 December), we will review all comments received and make necessary amendments, before each council takes the steps to 'adopt' the Joint SCI as its policy for involving the community in the way it respectively guides and controls development.

Why are we producing a new Statement of Community Involvement?

- 1.6 The Borough Council's current SCI was adopted in 2006 and the City Council's SCI was adopted in 2007. As one would expect there have been significant changes in development management and planning policy procedures since the adoption of each Statement of Community involvement. The changes have in part been due to changes to national policy and legislation and reviews

of both councils. Consequently some practises set out in the original Statements of Community Involvement no longer apply in their entirety.

- 1.7 The Borough Council and the City Council decided in March 2014 to take a joint approach to planning the future of the two local authority areas by producing a Joint Local Plan. This also provided the opportunity to work jointly on a new SCI to ensure both a consistent approach to consultation on planning policy matters and that the most effective consultation mechanisms are in place to support the successful involvement of the local community in the Joint Local Plan.
- 1.8 The Development Management section in this SCI, which sets out the way the community can have a say on planning applications, reflects the different ways in which these services are managed.

Why should the community get involved in the planning process?

- 1.9 The Planning process aims to encourage investment and growth, to help ensure that the long term economic and social needs of a community are met. It does this by providing land for: housing; jobs, shopping; leisure and community facilities etc. These needs often compete with one another and can put pressure on the environment. The planning process exists to balance these competing interests and create the conditions for business to grow and to deliver spaces and buildings that raise the quality of life. The aim is to do this without creating an unacceptable long term impact on the environment. This is often referred to as 'sustainable development'.
- 1.10 Since planning has a direct impact on the daily lives of ordinary people and the business community it is very important that development proposals are transparent and that you have the opportunity to have a say in the planning decisions that are made on your behalf.
- 1.11 Getting involved at an early stage of the planning process means that you stand the best chance of influencing a decision, so this draft SCI is designed to tell you about the different stages when you can get involved and how. See Part 2 to find out how to get involved in Planning Policy and Part 3 to know more about the Development Management process.
- 1.12 Your local knowledge is also very valuable in helping to make good decisions and it's important that decision makers understand the type of community you want to live in. Likewise it's very important that we understand the aspirations of those who are ultimately responsible for delivering future development, i.e. the developers and land owners, so that we can work together to bring forward development which is in the public interest.

1.13 Our approach to community involvement therefore aims to:

Inform people of the planning process and to provide people with the information they need to be involved at the earliest opportunity possible.

Involve individuals and/or groups by creating opportunities for active participation and dialogue with planning officers.

Consult with the local communities and a range of stakeholders, in line with statutory requirements and regulations.

Respond to any comments received, giving proper consideration and explanation of how these views will be incorporated into the planning documents and decisions.

Challenges and objectives

1.14 The Borough Council and the City Council recognise that there can be barriers to effective public participation and will work hard to address and overcome these where possible.

1.15 The main constraints are:

- **Cost** - complex community involvement exercises can be costly and labour intensive in the preparation, attendance and follow up. These costs need to be balanced with the complexity of the subject matter of the consultation document and the extent of the area covered by proposals;
- **Managing expectations** – balancing the need for consultation with resource constraints.
- **Consultation fatigue** – it is important that the councils can deliver their objectives for community involvement but there is also a need to ensure that the local community does not become overloaded with consultation exercises;
- **Technical terminology** - although the current planning system seeks to open up the process, there are still many technical terms and expressions. Plain English will be used wherever possible, and glossaries provided within each planning policy document;
- **External constraints** - it is sometimes not possible to give a 'free rein' to an issue due to national policy or other 'rules' which are beyond the control of the councils. Where these are known, the Borough Council and the City Council will make these clear from the outset; and
- **Technology** - the use of e-technology makes communication and involvement in a complex process much easier for the public to self-serve. E-technology enables communities to have 24/7 access to information posted on the council websites. This supports an open and transparent planning

system and should reduce the number of planning enquiries. However, the Borough Council and the City Council recognise that not all of the community is able to use a computer, the internet or email, and therefore traditional methods of consultation will continue to be utilised.

Equal Opportunity

- 1.16 The way in which we consult on planning matters will aim to meet the specific local needs of the two local authority areas.
- 1.17 In our endeavour to work in an inclusive manner we will consider the way we deliver our planning services from the perspective of a range of potential users. We will do this in a number of ways, including the following:
- Meeting our duties as set out in the Race Relations (Amendment) Act 2000 and the Disability Discrimination Act 1995.
 - Promoting race equality and ensure fairness and equal treatment when carrying out consultation and community engagement.
 - Providing equal standards of service to disabled people.
 - Considering the need to offer planning policy documents in other formats on request.
 - Offering some consultation and community engagement approaches in plan-making that do not involve writing.
 - Organising consultation events to maximise involvement in plan-making, i.e. workshops.
- 1.18 Making the service accessible to those who are unfamiliar with the terms, processes and structures of the planning system is always a challenge. We will continuously review the ways we do this and will endeavour to cater for a range of levels of literacy and comprehension and will seek to clarify the relevance of planning to people's everyday lives. Any significant changes to the way the community are involved will be subject to public consultation.
- 1.19 The Tables on pages 13 to 18 and in Appendices 5 to 8 set out how different groups and individuals can get involved.

The Planning System: Plan-Making and Decision-Taking

Plan-making:

- 1.20 Plan-making involves thinking ahead about where it might be best to build new development to provide new homes and new jobs, whilst at the same time thinking about the necessary support facilities such as shops, schools, doctors, etc. This type of planning is normally dealt with by **Planning Policy**.

Decision-Taking:

- 1.21 Planning is something that affects everyone's lives although, for many of us, the only direct involvement we may have in the planning system is if we decide to build an extension and need to obtain planning permission from the council, or we may receive a letter from the council to let us know that a new development is proposed near where we live or work. This part of the planning process is often referred to as '**Development Management**', which involves making decisions on planning applications.
- 1.22 This Draft SCI sets out what the key stages are in the plan making and planning decision making process and how you can expect to be involved. Planning Regulations also require, when making development plans, that a number of statutory bodies (including Town and Parish Councils) should be consulted and these are listed in Appendix 1.

Part 2: Planning Policy

- 2.0 Recent legislation and planning regulations have changed the way in which we plan for the future. The key document containing planning policies and future development proposals is now called a Local Plan. It is intended to replace core strategies and site allocation documents and to become the document that plays a key role in guiding investment and decisions made in the Development Management process. Additional guidance may be set out in supplementary planning documents, commonly known as SPDs. Together all the planning documents adopted by a local authority form a council's 'Local Development Framework' (see Glossary).

How can you get involved in plan-making?

- 2.1 Early and meaningful engagement and collaboration with individuals, neighbourhoods, local organisations and businesses is essential in the development of a Local Plan. The Borough Council and the City Council are keen that a wide section of the community should be proactively engaged, so that the Joint Local Plan, as far as possible, reflects a collective vision and a set of agreed priorities for the sustainable development of the area.
- 2.2 A range of methods and techniques will be used to involve the communities of both local authorities. Details of the methods of community involvement to be used at each stage of Local Plan preparation are set out in Tables below. These methods have taken into account the outcomes of Newcastle-Under-Lyme Borough Council's public consultation exercise in 2012 to determine the scope and methods to be used in public consultation on site allocations and local planning policies¹.
- 2.3 If you don't want to get involved, but you do want to know what's going on and what stage a policy document has reached, or what progress has been made towards the completion of each plan making stage then you can view the Local Plan programme published on each council's website, this fulfils the role of the councils' Local Development Scheme.
- 2.4 Planning policy can also be set out in Neighbourhood Plans, but the decision to prepare such plans is not the responsibility of the local authority. This rests with a Town or Parish Council or Neighbourhood and Business Forums. The methods of communication that are adopted for these types of plan will be at the discretion of these lead bodies.

¹ Report to Newcastle-Under-Lyme Borough Council Planning Committee, 10th July 2012:
<http://moderngov.newcastle-staffs.gov.uk/ieListDocuments.aspx?CId=119&MIId=1637&Ver=4>

Who we will be consulting

2.5 The Borough Council and the City Council are keen to extend opportunities for involvement to everyone who has a desire to take some part in the plan-making process. We recognise that many people, whilst having an interest in local affairs, may find the bureaucratic and cumbersome nature of the process both frustrating and off-putting. We do however want to take every opportunity to raise people's awareness of how development plans are relevant to their concerns and how they can influence the debate that leads to their formation.

Consultation Database

2.6 The Borough Council and the City Council will be consulting directly with groups and organisations whose details it keeps on a database for this purpose.

2.7 These include:

- Local community and voluntary sector groups.
- Parish or town councils and neighbouring local authorities.
- Local MPs and county councillors.
- Locally based statutory bodies and other providers.
- Utility and commercial infrastructure provision companies.
- Land owners and developers
- Government departments or agencies and other statutory bodies (national and regional level).
- National and regional non-governmental organisations and interest groups.

2.8 We will continue to strive to make this database as inclusive as possible. If you wish to be added or deleted please inform us by contacting planningpolicy@newcastle-staffs.gov.uk or planning.policy@stoke.gov.uk

2.9 Appendix 1 sets out a list of 'specific' and 'general' consultees and stakeholders. Both lists are used to notify individuals and stakeholders of the proposal to prepare the Joint Local Plan and to seek comments. Such notification is necessary to comply with section 18 of the Local Planning Regulations.

2.10 However, anyone can respond to public consultation they do not need to be notified directly. For planning policy documents such as a supplementary planning document that cover only a limited area or topic, the Borough Council and the City Council will engage those organisations with an interest in the area or topic and any others who have requested it.

Duty to Cooperate

The 'duty to cooperate' as set out in the Localism act (2011) requires local planning authorities, county councils and other public organisations to engage with one another and consider joint approaches to plan making.

2.11 The Borough of Newcastle-under-Lyme and the City of Stoke-on-Trent are located in the north of Staffordshire and share their boundaries with a total of five other local authorities:

- Cheshire East Council
- Shropshire Council
- Stafford Borough Council
- Staffordshire County Council
- Staffordshire Moorlands District Council

2.12 It is important for the councils to communicate with their partner organisations, particularly regarding cross boundary and county-wide issues. The councils also take part in regular discussions through the following forums:

- Staffordshire Development Officers Group
- West Midlands Planning Officer Group

2.13 The Borough Council and the City Council will continue to work closely with their partners to deliver planning under the duty to cooperate.

The Newcastle-Under-Lyme and Stoke-on-Trent Joint Local Plan

2.14 The Newcastle-under-Lyme and Stoke-on-Trent Joint Local Plan will be comprised of a new overarching planning strategy which will capitalise on the advantages of the two local authority areas to create the environment for investment and economic growth over a 15 – 20 year period, setting targets for housing, employment and retail provision. It will focus on the key issues that need to be addressed and be aspirational but realistic in what it proposes. In this way the Joint Local Plan will make clear what is intended to happen in the area over the life of the plan, where and when this will occur and how it will be delivered.

2.15 The planning strategy will form the starting point for considering whether a planning application is acceptable, but the Local Plan will also contain site specific allocations and a set of generic development management policies to be used in the determination of planning applications.

2.16 A timetable for preparation of the Newcastle-under-Lyme and Stoke-on-Trent Joint Local Plan is available on both Councils websites – www.newcastle-staffs.gov.uk and www.stoke.gov.uk – and will be regularly updated to reflect progress on key milestones.

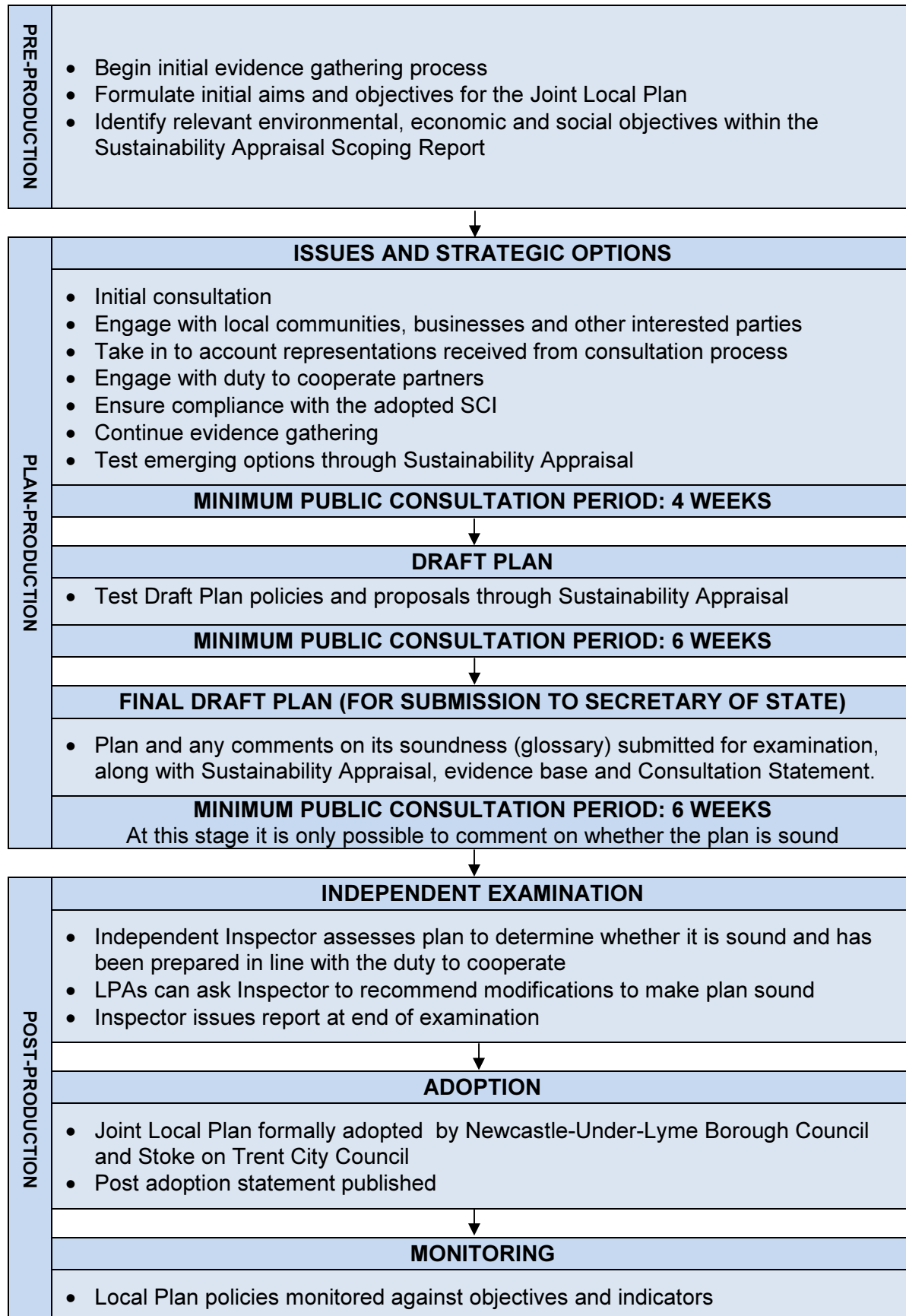
How will the Joint Local Plan be prepared?

2.17 National planning policy sets clear expectations as to how a Local Plan must be developed in order to be justified, effective, consistent with national policy and positively prepared to deliver sustainable development that meets local needs and national priorities.

2.18 The key stages of plan preparation are prescribed within the Planning and Compulsory Purchase Act 2004 and Local Planning Regulations 2012. The production of a Local Plan is an iterative process where the overarching strategy is developed through a number of stages in consultation with the public and key stakeholders. Local planning authorities should firstly assess the future needs and opportunities of their area (i.e. understanding the issues). Following on from this, options for addressing these issues should be developed. Finally, a preferred approach should be identified which will ultimately form the basis of the Local Plan.

2.19 The Joint Local Plan will be prepared in accordance with the requirements of the National Planning Policy Framework and National Planning Practice Guidance (NPPG). The following diagram shows both the key stages of plan production, adapted from the NPPG, and identifies the key stages when we will be consulting.

Diagram 1: The Joint Local Plan Production Process:



The Role of Elected Members in Local Plan Preparation:

Joint Advisory Group

- 2.20 To assist in the timely delivery of the Joint Local Plan, the Borough Council and the City Council have agreed to establish a Joint Advisory Group made up of equal numbers of senior officers and councillors from both councils. The group will have no decision making powers but will facilitate discussion and negotiation on 'high level' policy matters, which have cross boundary implications, such as the future growth of each local authority area.
- 2.21 The group will also facilitate legal compliance with the duty to cooperate. By law local planning authorities and other public bodies must work together constructively from the outset of the preparation of a Local Plan. Evidence of compliance with the duty is both a legal test and a test of soundness, which the plan will be tested against when it is ultimately submitted for independent examination by the Planning Inspectorate.

Cabinet and Full Council

- 2.22 The responsibility for preparing the Joint Local Plan will rest with the separate Executive Bodies at each authority, i.e. Cabinet. As part of the process the recommendations of the Joint Advisory Group will be reported to and considered by the executive body of each council, which will retain decision making powers. The legal requirement for the Full Council of each authority to ratify policies set out in the Draft and Final Local Plan and to formally adopt the Local Plan (following examination) also remains. Comments will be sought from Newcastle-under-Lyme's Planning Committee and Stoke-on-Trent's Development Management Policy Group at appropriate times to inform this process.

Joint Local Plan – Methods of Communication

2.23 The following tables set out the detail about the methods of communication with stakeholders and the public that will be used by the Borough Council and the City Council in preparing the Joint Local Plan. This indicates the minimum standards that will be applied. Occasionally other methods of involvement may be applied in response to needs identified at the time.

Table 1: Joint Local Plan Pre-Production Stage

	Duty to Cooperate Discussions and Liaison with Statutory Consultees & Partners ²	Draft Versions of Documents Published Online	Reference Copies of Final Documents Made Available ³	Enable Public Consultation Responses to be Submitted	Publish and consider all comments received	Make changes to documents, where considered appropriate	Final Versions of Documents Published Online	Produce a Consultation Statement
Scoping and Assembly of Evidence Base⁴	✓						✓	
Production of SCI	✓	✓	✓	✓	✓	✓	✓	✓
Production of Sustainability Appraisal Scoping Report	✓	✓			✓	✓	✓	

² Duty to Cooperate discussions will be held with relevant bodies when relevant cross boundary or strategic issues are identified

³ Reference copies will be made available at public venues (see Glossary). Hard copies may be made available for purchase in exceptional circumstances (e.g. where the consultee is unable to use a computer).

⁴ Occasionally, wider engagement may take place on scoping and evidence gathering where there is a need to input more specialist knowledge. This may take the form of focus groups, workshops, surveys or one to one conversations with relevant parties.

Table 2: Joint Local Plan Production Stage

	Duty to Cooperate Discussions. Liaison with Statutory Consultees & Partners ⁵ .	Publish Documents Online & Make Reference Copies Available ⁶	Publicise via Press Release and Social Media	Leaflets and Posters	Display Site Notices ⁷	Hold Manned Exhibitions ⁸	Focus Groups & Workshops	Enable Public Responses to be Submitted ⁹	Publish and consider all comments received	Make appropriate changes to documents	Produce a Consultation Statement ¹⁰
Issues & Strategic Options	✓	✓	✓	✓		✓	✓	✓	✓	✓	
Draft Local Plan	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Final Draft Local Plan	✓	✓	✓	✓	✓	✓		✓	✓		✓

⁵ Duty to Cooperate discussions will be held with relevant bodies when relevant cross boundary or strategic issues are identified

⁶ Reference copies will be made available at public venues (see Glossary). Hard copies may be made available for purchase in exceptional circumstances (e.g. where the consultee is unable to use a computer).

⁷ Where there are site specific proposals (such as the proposed allocation of sites at Draft Local Plan and Final Draft Local Plan stages) notices will be placed in publicly accessible and visible frontages at the boundaries of sites.

⁸ Exhibitions will be manned where there is a need for dialogue between members of the public and council officers. Opportunities for people to submit comments at the exhibitions will be provided.

⁹ A facility to submit comments online during the public consultation periods will be provided. Response forms will be provided alongside hard copy reference documents during public consultation periods.

¹⁰ This will be submitted to the Planning Inspectorate along with all other supporting documents in advance of the Independent Examination.

Table 3: Joint Local Plan Post Production Stage

	Publish Details on Council Websites ¹¹	Publicise via Press Release and Social Media	Reference Copies Available ¹²	Duty to Cooperate Discussions and Liaison with Statutory Consultees & Partners ¹³	Host Formal Examination Hearings	Enable Papers & Statements to be Submitted	Councils & Inspector to consider all comments received	Produce a Consultation Statement ¹⁴	Publish an Adoption Statement On Council Websites ¹⁵
Independent Examination	✓	✓	✓	✓	✓	✓	✓	✓	
Adoption	✓	✓	✓	✓					✓

2.24 Following adoption, performance and progress against the Joint Local Plan policies and land allocations will be presented in the Authorities Monitoring Report (AMR).

¹¹ Details of the Independent Examination will include the venue, dates and times of the Hearing Sessions, along with agendas, papers and other relevant documents. The Inspectors Report and adopted Local Plan documents will also be made available online.

¹² Reference copies will be made available at public venues (see Glossary). Hard copies may be made available for purchase in exceptional circumstances (e.g. where the consultee is unable to use a computer).

¹³ Details of the Examination, publication of the Inspectors Report and adoption of the Joint Local Plan will be sent via email or letter to those who have provided comments at any stage of plan production, have requested to be kept informed of these stages, or if they are listed as a specific consultee in Appendix 1.

¹⁴ See Glossary

¹⁵ See Glossary

Supplementary Planning Documents (SPD's)

- 2.25 Supplementary Planning Documents (SPD's) will occasionally be produced in order to add greater detail and guidance to planning policies or allocations. SPD's could relate to a location or area or they may be topic-based, such as affordable housing, design guidance, etc. SPD's do not have the same status as a Local Plan but, once adopted, an SPD will be a 'material consideration' in planning decisions. National policy advises that SPD's should only be prepared where necessary, and should not be used to add unnecessarily to the financial burdens on development.
- 2.26 The Borough Council and the City Council are committed to involving communities in the preparation of SPD's. The process for SPD preparation is different to Local Plan preparation. Key stages and opportunities for community involvement are set out below.

Table 4: SPD Production

	Duty to Cooperate Discussions	Liaise with Statutory Consultees/ Partnerships	Publish Documents Online & Make Limited Hard Copies Available. ¹⁶	Publicise via Press Release	Publicise via Social Media	Leaflets and Posters	Enable Public Responses to be Submitted ¹⁷	Publish and consider all comments received	Make changes to documents, where considered appropriate	Produce a Consultation Statement ¹⁸ and consult on this	Publish Adoption Statement and send a copy to those who have requested it
Evidence Gathering and SPD Preparation Stage		✓	✓		✓	✓	✓	✓	✓		
Publication Stage¹⁹	✓	✓	✓	✓	✓					✓	✓

2.27 Exhibitions may be used to publicise and receive feedback on SPDs. This will be particularly considered where the SPD is focused on a location or area. Focus groups, public meetings, workshops, surveys or one to one conversations with relevant parties may be held where there is a need for more specialist knowledge to input to SPD preparation.

2.28 Final versions of SPDs will be adopted by each council's Cabinet. Where an SPD is withdrawn a statement will be published online and those who previously made comments on it will be notified.

¹⁶ Limited numbers of hard copy SPDs will be made available for reference only at public venues (see Glossary). Copies may be made available for purchase in exceptional circumstances

¹⁷ This will be within a six week consultation period. A facility to submit comments online during the public consultation periods will be provided. Response forms will be provided alongside hard copy reference documents during public consultation periods.

¹⁸ See Glossary

¹⁹ Notification of the publication of the final version of the SPD will be sent via email or letter to those who have registered interest or provided comments.

Preparation and Review of this Statement of Community Involvement

2.29 The following table sets out how the community will be involved in the preparation and future review of this Joint Statement of Community Involvement.

Table 5: Statement of Community Involvement Consultation

Stage:	Method of Involvement:
Production of SCI	<ul style="list-style-type: none"> ✓ The draft version of the SCI will be published and consulted on for a six week period. ✓ The draft and the final versions of the SCI will be made available on both Councils websites and in hard copy reference format in council offices, contact centres, libraries and local information centres. ✓ A press release will be made to local media organisations to publicise the production of the draft and final versions of the SCI. ✓ Both councils will consult with neighbouring authorities and individuals, organisations and interest groups named on the Local plan database of each authority upon publication of the draft and final versions of the SCI. ✓ Publication of the SCI will be promoted using both councils social media accounts ✓ Response forms will be made available online and in public venues (see Glossary) for people to provide comments on specific aspects of the draft SCI, or the document as a whole. ✓ The Borough Council and the City Council will consider all comments received and make appropriate changes to the SCI where necessary. <p>Where further publicising of the SCI may be necessary, leaflets and posters may be produced and will be displayed in a range of public venues (see Glossary).</p>
Review of SCI	<ul style="list-style-type: none"> ✓ The Borough Council and the City Council will make minor revisions to improve the SCI or implement changes required by new regulations via a council resolution. ✓ More fundamental changes to the document that warrant a 'fresh' SCI will repeat the process laid out above. ✓ You will be able view authorities monitoring reports online to see how the Borough Council and the City Council consider they are performing against the standards set out in the SCI

Part 3: Development Management

The Development Management Process

- 3.1 Development Management includes the process by which the Borough Council and the City Council consider and decide applications made under planning legislation. Development Management aims to deliver the vision and objectives set out within the Local Plan and it therefore has a key role to play in improving the quality of life for the community and in achieving sustainable development.
- 3.2 The Borough Council and the City Council each decide approximately 900 applications made under 'planning' legislation each year, with proposals ranging from the more minor householder developments such as extensions, through to major applications for housing developments, retail and industrial schemes, and new infrastructure. There are numerous different types of applications – the principal ones being planning applications, or applications for planning permission.
- 3.3 As the City Council is a unitary authority, it is responsible for all local government functions and all decisions that are made by a Local Planning Authority. The Borough Council is within a two-tier system, and so planning decisions for certain types of development will be made by Staffordshire County Council. For example, all applications under 'planning' legislation dealing with quarrying, mineral processing and waste disposal, and the County Council's own developments, in Newcastle-under-Lyme are dealt with by the County Council.

Diagram 2: The Decision Making Management Process for applications for outline and full planning permission



Types and Categories of Applications

- 3.4 There are numerous different types of applications made under planning legislation to the Borough Council and the City Council as the Local Planning Authorities for the area. These are set out in detail in Appendix 2 to this Statement.
- 3.5 Applications are made for various different types of development. These are detailed in Appendix 3 to this Statement.

Community Involvement in Decision making

- 3.6 The Borough Council and the City Council wish to ensure that any person, groups or organisations affected by or with an interest in a planning application, have the opportunity to comment on that proposal.
- 3.7 Planning officers will aim to work with the applicant, the community, elected members and other statutory consultees throughout the Development Management process. Different methods of community involvement will be appropriate, depending on the scale and nature of the individual proposal. Standards for community involvement are set out within the Tables in Appendices 5, 6 and 7.
- 3.8 There are however many types of applications made under planning legislation which do not require to be subject of any publicity. In the case of the Borough Council these applications are available for members of the public to view on its website but the Council takes no proactive steps to invite comment upon them. It is possible for users of the Council's website to set up a "saved search" for any applications on a property and to receive email alerts whenever any application made under planning legislation is made to the Council, regardless of whether or not the Borough Council is taking any proactive steps to publicise the application.
- 3.9 Community involvement in planning applications is of great benefit to all affected, including the applicants themselves, and is encouraged from an early pre-application discussion stage through to the final decision. Community involvement can allow the Development Management process to be carried out more efficiently by helping people who are most directly affected by the proposals to get involved at the outset and have a chance to influence the proposed development. This gives a 'sense of ownership' of new development, and is more likely to result in a development that is successful on the ground.

Pre-Application Planning Advice

- 3.10 The Borough Council and the City Council welcome and encourage applicants to seek pre-application advice for all types of planning application, prior to submitting an application. This pre-application advice stage is an important opportunity for officers of the Councils to provide an initial view on a proposal, to identify any elements which may need amending and to identify information which should be submitted to support the application.
- 3.11 *“Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community” - NPPF para. 188.*
- 3.12 For all planning applications, the Borough Council and the City Council can advise on what is required to support an application and how planning policies will be applied when considering the proposal. In some cases, both Councils will also negotiate Planning Obligations via S.106 agreements and undertakings. More significant applications will often require a series of pre-application meetings between the applicants (and/or their agents) and the Borough Council or the City Council.

Community Involvement in preparing planning applications

- 3.13 In certain limited situations – where on shore wind development is proposed of more than 2 turbines, or where the hub height of a turbine exceeds 15 metres, the developer has to by statute carry out pre application consultation with the local community, and in submitting an application they have to explain how they have complied with the legislation, detail the responses received as a result of this consultation, and the account taken of these responses.
- 3.14 Where a development is likely to have significant impacts on local communities or where the site is particularly sensitive, the Borough Council and the City Council will actively encourage applicants to undertake early consultation with that local community. It is however not compulsory.
- 3.15 Various methods of community involvement may be adopted by an applicant, including: direct notification, public meetings, exhibitions, websites, surveys, questionnaires, etc. The Borough Council does not maintain a specific list of local organisations for this purpose. However it can guide an applicant to

contact a Town and/or Parish Council or Locality Action Partnership, as appropriate.

- 3.16 For the applicants, effective community involvement in preparing a planning application is an opportunity to explain proposals to that community and thereby reduce any misconceived objections; potentially it can help address some problems before the application is submitted; and prevent abortive work, ultimately reducing the time and cost in reaching the decision-stage. For the community, this is an opportunity to help shape proposals from an early stage, drawing on valuable local knowledge.
- 3.17 Applicants should demonstrate how the community has been consulted, what comments have been received and how these have been taken into account in progressing the proposal. Applicants should produce their own 'statement of community involvement' or Consultation Statement to accompany the planning application. One local validation requirement that is currently applied by the Borough Council for applications for major development is that the developer submits with their application a 'statement of community involvement'. Details of this and other local validation requirements can be obtained from the Borough Council's website. The validation requirements refer back to this Statement of Community Involvement.

Role of Elected Members (Councillors) in pre-application discussions

- 3.18 For more significant developments, generally proposals for 'major development', applicants may have the opportunity to present proposals to Elected Members (Councillors). At the Borough Council this is currently done at the Council's Strategic Planning Consultative Group (which comprises senior members of all political groups, together with the Chair and Vice Chairman of the Council's Planning Committee), whilst at the City Council this will usually involve a presentation to Members of the Development Management Committee, followed by a question and answer session. The 'Local Code of Conduct for Dealing with Planning Matters' (October 2010) sets out the protocol for such scenarios.
- 3.19 Applicants may also wish to discuss proposals with the local ward Councillor(s). For information on how to contact Councillors, please visit: www.newcastle-staffs.gov.uk or www.stoke.gov.uk.

The Decision-Making Process

- 3.20 In dealing with applications for planning permission the Borough Council and the City Council have to have regard to the provisions of the development plan for the area, what are termed local finance considerations, and any other

material considerations. Where regard is to be had to the provisions of the development plan, the decision the Councils make should be in accordance with that plan unless material considerations indicate otherwise.

- 3.21 Councils have a statutory period within which to determine applications made under planning legislation. Unless this statutory period is extended by the applicant, they have the right once that period has passed to appeal against the Council's failure to determine the application. The statutory period for most applications is 8 weeks. However, in the case of applications for 'major development' it is 13 weeks, and in the case of applications requiring an Environment Impact Assessment it is 16 weeks. Appendix 3 explains what is meant by 'major development'.

Consultation

- 3.22 Once the Borough Council or the City Council formally register a planning application, a period of consultation is undertaken during which views on the proposed development can be expressed. This formal consultation period will usually last for 21 days. There are different types of consultation; this Statement of Community Involvement is concerned only with the consultation with the public including consultation with neighbouring residents, and community groups. Other types of consultation include consultation with statutory consultees, consultation with non-statutory consultees, and consultations required by government direction.

Public Consultation:

What steps must the Borough Council and the City Council take to involve members of the public on planning applications?

- 3.23 As far as applications for planning permission are concerned the Borough Council and the City Council are required by statute to undertake a formal period of public consultation, prior to deciding the application. Similar requirements exist for application for listed building consent, and some other types of applications.

Who is eligible to respond to a consultation?

- 3.24 Anyone can respond to public consultation – they do not need to be directly notified of the application by either Council. In addition to individuals who might be directly affected by a planning application, community groups and specific interest groups may wish to make representations on planning applications. The Borough Council and the City Council invite comments both for and opposed to proposals, and upon conditions which they may attach should permission be granted.

What publicity will take place to let the public know that a planning application has been received?

- 3.25 Within certain legislative requirements the Borough Council and the City Council have discretion about how they inform the public about planning applications. Each Council, within and in addition to these legislative requirements, has its own policies on what method of publicity is to be used in specific cases. The publicity methods can include press notices, site notices, and direct neighbour notification. The method/s used will depend upon the scale and type of application, with details set out within Appendices 6 and 7.
- 3.26 In both authority areas it is possible for users of either Council's website to set up a "saved search" for any applications on a property or an area and to receive email alerts whenever any application made under planning legislation is made to either Council with respect to that property or area.

What is the time period for making comments?

- 3.27 The publicity given by the Borough Council and the City Council will set out the time period within which comments are invited. This is normally 21 days from the date when the publicity was first given.
- 3.28 For both authorities whilst the application may be determined as soon as the time period has passed, it is current practice to take into account late representations received up to the point of determination of the application. However in the case of the Borough Council, with respect to items that are being considered by its Planning Committee, a guillotine or deadline is operated, after which any further representations received will not be reported to or considered by the Planning Committee. This is not the case within the City Council and it is always best to submit representations within the time period indicated in the Council's publicity.

Will receipt of my comments be acknowledged?

- 3.29 In the case of the City Council, you will be sent an acknowledgement of receipt of your representation and details of how the application will be determined. In the case of the Borough Council, no acknowledgement will be sent but as representations are displayed on the Council's website you will be able to check that they have been received, provided you allow sufficient time for the representation to be uploaded.

If an application is amended after it has been submitted, will it be the subject of further consultation?

- 3.30 It is up to the Borough Council and the City Council to decide whether further publicity and public consultation is necessary. In deciding whether this is necessary the following may be relevant:
- Were objections or reservations raised in the original consultation stage substantial and, in view of the Council, enough to justify further publicity?
 - Are the proposed changes significant?
 - Did earlier views cover the issues raised by the proposed changes?
 - Are the issues raised by the proposed changes likely to be of concern to parties not previously notified of the application?
- 3.31 Where the Borough Council or City Council decide that re-publicity and re-consultation is necessary it is open to the respective Council to set the time frame for responses, balancing the need for the public to be given time to consider the issue that is being re-consulted upon and respond, against the need for efficient decision making.

Representations

- 3.32 Before making a decision, we will review all relevant planning policies, any comments received during the consultation and any other material considerations.
- 3.33 Representations on a planning application can only be taken into account if they relate to material planning considerations.
- 3.34 These do **not** include the following (note: this list is not exhaustive):
- the fact that development has already begun (people can carry out development at their own risk)
 - the fact that an applicant has carried out unauthorised development in the past;
 - “trade objections” from potential competitors
 - moral objections, for instance against betting shops as a matter of principle
 - the belief that an application is submitted by an owner with the intention of selling on the property at an enhanced value
 - the loss of an attractive private view (for instance when development is proposed at the rear of an objector’s house)
 - the fear that an objectors’ house or property might be devalued
 - the fact that an applicant does not own the land to which his application relates (this being capable of being overcome by agreement with the owner)

- the fact that an objector is a tenant of land where development is proposed (the owner of land can terminate the tenancy whether or not he carries out the development; and therefore any consequences are therefore unrelated to the development, except in the case of agricultural tenants where the grant of planning permission has special consequences)
- allegations that a proposal might affect private rights e.g. restrictive covenants; property maintenance; ownership and private rights of way disputes.

Decisions

- 3.35 **Delegated Decisions:** Around 90% of planning applications are decided by Planning Officers in both Councils. Both the Borough Council and the City Council have an 'Approved Scheme of Delegation' which gives certain officers powers to take decisions on behalf of the Council, under 'delegated powers'. In the case of the City Council the Approved Scheme of Delegation can be viewed within the Council's Constitution. In the case of the Borough Council a link is provided to the agreed report which has led to the decision.
- 3.36 **Committee Decisions:** Where a planning application is of a more significant scale, the application may be considered and decided by a Committee, which is made up of elected Councillors. The Committee at the City Council is called the Development Management Committee, whilst at Borough Council the Committee is called the Planning Committee.
- 3.37 In both authorities, the Committee meetings are open to the public, unless the Committee have expressly decided to exclude members of the public because it is likely that confidential information as defined in legislation is likely to be disclosed during the consideration of the item.
- 3.38 When a planning application is to be decided by Committee, the Officer will produce a report summarising details of the proposal, the key planning policies and issues, and comments made during the consultation period. The report will include a recommendation to either approve or refuse the application, and the reason for that recommendation. The report will be made publicly available at least 5 clear working days before the day of the Committee meeting. Supplementary reports are also often published immediately prior to or at the committee meeting.
- 3.39 In the Borough Council, those who have made representations in writing concerning the application are advised at the date of the publication of the agenda of the meeting about how they can view the report that has been

prepared on the application, how and by when they can request to address the Planning Committee and of the deadline for any further representations.

- 3.40 The City Council only inform those who indicated in writing a wish to speak at any future planning committee of the committee date and the associated procedures.
- 3.41 At the Committee meeting itself both the Borough Council and the City Council permit public speaking subject to certain criteria being met. In the case of City Council, members of the public and other interested parties are able to make a short presentation to the committee, to support, comment or oppose a planning application. It is normally held that only one person can address the committee for each case and so those wishing to speak are encouraged to discuss their opinions with others with a view to appointing a solitary spokesperson. The applicant also has the right to address the Committee and Councillors may also ask questions of the speakers on both sides.
- 3.42 In the case of the Borough Council, only those who have either made a written representation or who have submitted the application, or persons who speak on their behalf, are permitted to address the Committee. For each application only one supporter and one objector are allowed to address the Committee. Councillors are not able to ask questions of the speakers. Details of the procedure and the dates for the Committee meetings are available online: www.newcastle-staffs.gov.uk and www.stoke.gov.uk, or by contacting either Council's Committee Services departments.
- 3.43 Once an application has been decided, a copy of the planning decision notice will be sent to the applicant and will also be made available online by both council's. In the case of the City Council, notification of the decision will be sent to all third parties who have made representations. In the case of Borough Council the third parties will only be written to where there is a need to comply with legal requirements in this respect, but it will promptly make the decision available to view on its website, along with the reports that have been considered in the reaching of the decision.

Enforcement

- 3.44 Insofar as the consideration of whether or not it is expedient to take enforcement action in the case of unauthorised development, the Councils will consider comments that they receive from members of the public on the merits or otherwise of unauthorised developments. They will not however undertake any publicity expressly inviting comment upon such developments. In the event of any appeal being lodged against an Enforcement Notice appropriate publicity

as required by legislation, will be given to the lodging of the appeal, providing an opportunity for members of the public to write to the Planning Inspectorate and provide comments.

Planning Aid

3.45 Planning Aid offers free, independent and professional planning advice on all planning issues, to people and communities who cannot afford to pay to hire a planning consultant. Planning Aid can help communities engage with the planning process and influence decisions that affect their local area.

3.46 For more information, please visit: <http://www.rtpi.org.uk/planning-aid/>

Appendix 1: Joint Local Plan Consultation Bodies

This appendix sets out the organisations who have been identified under the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012. Specific Consultation Bodies:

Specific Consultees:

Local Planning Authorities:

- Cheshire East Council
- Shropshire Council
- Stafford Borough Council
- Staffordshire County Council
- Staffordshire Moorlands District Council

Parish Councils within the Joint Local Plan area:

- Audley Rural Parish Council
- Betley, Balterley & Wrinehill Parish Council
- Chapel and Hill Chorlton Parish Council
- Keele Parish Council
- Kidsgrove Town Council
- Loggerheads Parish Council
- Madeley Parish Council
- Maer and Aston Parish Council
- Silverdale Parish Council
- Whitmore Parish Council

Adjoining Parish & Town Councils:

- Alsager Town Council
- Barthomley Parish Council
- Biddulph Town Council
- Brown Edge Parish Council
- Caverswall Parish Council
- Cheswardine Parish Council
- Church Lawton Parish Council
- Doddington and District Parish Council
- Draycott in the Moors Parish Council
- Eccleshall Parish Council
- Endon & Stanley Parish Council
- Forsbrook Parish Council
- Fulford Parish Council
- Hough & Chorlton Parish Council

- Market Drayton Town Council
- Norton in Hales Parish Council
- Odd Rode Parish Council
- Standon Parish Council
- Sutton Upon Tern Parish Council
- Swynnerton Parish Council
- Werrington Parish Council
- Weston & Basford Parish Council
- Woore Parish Council

Other Organisations:

- Staffordshire & Stoke-on-Trent Partnership NHS Trust
- Staffordshire Police
- Utility Companies
- Relevant Government Agencies & Departments

General Consultees:

- Voluntary bodies some or all of whose activities benefit any part of the local planning authority areas.
- Bodies which represent the interests of different racial, ethnic or national groups in the local planning authority areas.
- Bodies which represent the interests of disabled persons in the local planning authority areas.
- Bodies which represent the interests of persons carrying on business in the local planning authority areas.

Appendix 2: Types of applications made under planning legislation to Local Planning Authorities

Types of Application	
Full	An application where full details are submitted at the outset, sometimes called a detailed application
Outline	<p>An application for planning permission for the erection of a building where details are not given for at least one of the reserved matters as defined below. Reserved matters means any of the following</p> <ul style="list-style-type: none"> (a) access (b) appearance (c) landscaping (d) layout, and (e) scale <p>Each of the above terms are themselves defined in legislation</p>
Reserved Matters	An application for the approval of a reserved matter of a previously granted outline planning permission
Variation of conditions	An application to undertake development without complying with conditions subject to which a previous planning permission has been granted
Retrospective	An application for permission for development that has already been carried out
Approval of details required by conditions of a condition of a planning permission	An application for approval of details required by conditions of a planning permission, other than a condition referring to the reserved matter of an outline planning permission
Non Material Amendment	An application to the Planning Authority to change the terms of a planning permission if they are satisfied that the change is not material
Extension of time application	An application to extend the period of time within which in the case of a planning permission it can commence, and in the case of an outline planning permission either the period of time within which any application for approval of its reserved matters must be made or the period of time within which the development can be commence
Prior Approval	An application for a determination by the Authority as to whether its approval is required of certain details, as required by various Parts and Classes of the General Permitted Development Order, and if it is required whether that approval is to be given
Modification or	An application to vary or discharge a previously entered into

discharge of a planning obligation	planning obligation. A planning obligation can restrict development, can require specific operations to be carried out, can require land to be used in a specific way or require the payment of money to the planning authority
Modification or discharge of affordable housing requirements	An application to vary, replace, remove or discharge an affordable housing requirement within a previously entered into planning obligation.
Lawfulness of existing use or development	An application for a certificate that an existing use or development was at the date of the application lawful in planning terms
Lawfulness of proposed use or development	An application for a certificate that a proposed use or development would have been, at the date of the application, lawful in planning terms
Works to Protected Trees	An application for works to trees which are the subject of a Tree Preservation Order
Work to Trees in a Conservation Area	Notice to the authority of proposed works to trees in a Conservation Area that are not the subject of a Tree Preservation Order
Advertisement	An application for express consent to display an advertisement
Listed Building	An application for consent under Listed Building legislation
Approval of details required by conditions of a Listed Building consent	An application for approval of details required by conditions of a previously granted Listed Building Consent
Lawfulness of works to a Listed building	An application for a certificate that works to a listed building do not require Listed building consent, or are already consented
Hazardous Substances Consent	An application to the authority for approval of the storage and keeping of hazardous substances
Householder	An application for <ul style="list-style-type: none"> (a) planning permission for the development of an existing dwellinghouse or development within the curtilage of that dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse (b) any consent, agreement or approval required by a planning permission, or development order in relation to such development

Appendix 3: Development Types

Types of Development	
Major Development	<ul style="list-style-type: none"> Residential: 10+ dwellings / Site area of over 0.5 Hectare Non-Residential: floorspace of 1,000+ m² / site area of over 1 Hectare (includes: office, industrial, retail) <p>The period after which an applicant can appeal against any failure to determine the application, unless they agree to extend that period, is 13 weeks</p>
Minor Development	<ul style="list-style-type: none"> Residential: 1-9 dwellings / under 0.5 Hectare Non-Residential: floorspace of up to 999 m² / site area under 1 Hectare (includes: office, industrial, retail) <p>The period after which an applicant can appeal against any failure to determine the application, unless they agree to extend that period, is 8 weeks</p>
Other Development	<p>Changes of use, Advertisements , Telecommunications, TPO's, Lawful Development Certificates, etc.</p> <p>The period after which an applicant can appeal against any failure to determine the application, unless they agree to extend that period, is 8 weeks.</p>

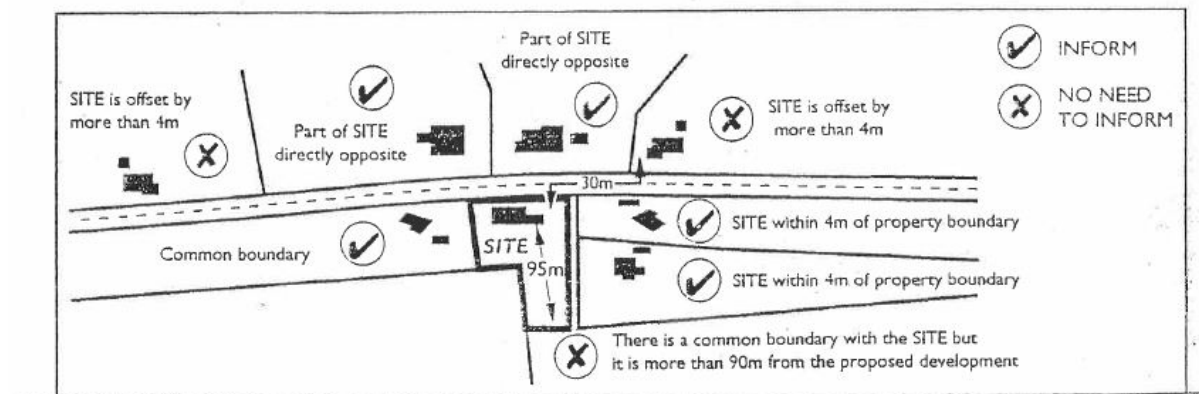
Appendix 4: Identification of adjoining land whose owners/occupiers are to be notified of an application (Newcastle)

Which neighbours are to be notified?

Notifications are to be sent to:

- The occupiers/ owners of any land or buildings which share, or lie within 4 m of, a boundary of the application site (normally the area outlined in red) (ignoring any road 20 m or less in width when measuring the 4 m)
- No notification is required where a road wider than 20 m separates adjoining land from the application site
- No notification is required where there is at least 90 m between the application site and the boundary with adjoining land.

The diagram below provides further guidance



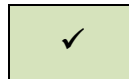
Appendix 5: Pre-Application Consultation

The following table sets out the methods to be applied where pre-application consultation is a compulsory requirement upon the developer.

Type of Application:	Method of Consultation to be Applied:					
	Direct Mailing	Press and other Media releases	Press Notice	Site Notice	Exhibition	Public Meeting
Applications for planning permission for Wind farms (more than 2 turbines) and turbines of a hub height of more than 15 metres	✓	◇	◇	◇	◇	◇

Key:

Method will be appropriate =



Method will not be appropriate =



Method will sometimes be applied =



Appendix 6: Publicity for planning applications made under planning legislation

Newcastle-Under-Lyme Borough Council

Planning application for	Methods of publicity to be used by Newcastle-under-Lyme Borough Council								
	During application Process						Following decision		
	Publication on the Council website	Making hard copy of application documents available for inspection	Press Notice	Site Notice	Neighbour Notification letter	Notification to previous interested third parties on similar applications within 12 months	Publication on Council website	Press Notice	Direct Notice to affected owners or agricultural tenants of applications site ²⁰
Major Development	✓	✓	✓	✓	✗	✓	✓	✗	✗
Residential development up to 9 dwellings, or where number of units is not known up to 0.4ha	✓	✗	✗	✗	✓	✓	✓	✗	✗
Householder development	✓	✗	✗	✗	✓	✓	✓	✗	✗
All Other applications for planning permission	✓	✗	✗	✓	✓	✓	✓	✗	✗
Development that does not	✓		✓	✓		✓	✓	✗	✗

²⁰ Only where the owner or tenant has requested this and/or made an comment or objection to the application

Planning application for	Methods of publicity to be used by Newcastle-under-Lyme Borough Council								
	During application Process						Following decision		
	Publication on the Council website	Making hard copy of application documents available for inspection	Press Notice	Site Notice	Neighbour Notification letter	Notification to previous interested third parties on similar applications within 12 months	Publication on Council website	Press Notice	Direct Notice to affected owners or agricultural tenants of applications site ²⁰
accord with the development plan									
EIA Development	✓		✓	✓		✓	✓	✓	x
Development that affects a public right of way	✓		✓	✓		✓	✓	x	x
Development affecting the character or appearance of a Conservation Area (sn 73 of LBA)	✓		✓	✓			✓		
Development affecting the setting of a Listed Building (sn 67 if the LBA)	✓		✓	✓			✓		

Key:

Method will be used = ✓

Method will not be used = x

Method might be used = ◇

Stoke-on-Trent City Council

Planning application for	Methods of publicity to be used by Stoke-on-Trent City Council								
	During application Process						Following decision		
	Publication on the Council website	Making hard copy of application documents available for inspection (upon request)	Press Notice	Site Notice	Neighbour Notification letter	Notification to previous interested third parties on similar applications within 12 months	Publication on Council website	Press Notice	Direct Notice to affected owners or agricultural tenants of applications site ²¹
Major Development	✓	✓	✓	✓	✓	✓	✓	✗	✓
Residential development up to 9 dwellings, or where number of units is not known up to 0.4ha	✓	✓	✗	✓	✓	✓	✓	✗	✓
Householder development	✓	✓	✗	✗	✓	✓	✓	✗	✓
All Other applications for planning permission	✓	✓	✗	✓	✓	✓	✓	✗	✓
Development that does not accord with the development	✓	✓	✓	✓	✓	✓	✓	✗	✓

²¹ Only where the owner or tenant has requested this and/or made an comment or objection to the application

Planning application for	Methods of publicity to be used by Stoke-on-Trent City Council								
	During application Process						Following decision		
	Publication on the Council website	Making hard copy of application documents available for inspection (upon request)	Press Notice	Site Notice	Neighbour Notification letter	Notification to previous interested third parties on similar applications within 12 months	Publication on Council website	Press Notice	Direct Notice to affected owners or agricultural tenants of applications site ²¹
plan									
EIA Development	✓	✓	✓	✓	✓	✓	✓	✓	✓
Development that affects a public right of way	✓	✓	✓	✓	✓	✓	✓	x	✓
Development affecting the character or appearance of a Conservation Area (sn 73 of LBA)	✓	✓	✓	✓	✓	✓	✓		✓
Development affecting the setting of a Listed Building (sn 67 if the LBA)	✓	✓	✓	✓	✓	✓	✓		✓

Key:

Method will be used = ✓

Method will not be used = x

Method might be used = ◇

Appendix 7: Publicity for other types of applications made under planning legislation

Newcastle-Under-Lyme Borough Council

Application type:	Methods of publicity to be used by Newcastle-under-Lyme Borough Council										
	During application Process							Following decision			
	Publication on the Councils' website	Making hard copy of application documents available for inspection	Press Notice	Site Notice	Neighbour Notification letter	Notification to previous interested third parties on similar applications within 12 months	Notification to owner of tree to which works are to be done	Publication on Council website	Press Notice	Direct Notice to affected owners or agricultural tenants of applications site ²²	Direct notice to other interested parties
Approval of details required by conditions of a condition of a planning permission	✓	✗	✗	✗	✗	✓	✗	✓	✗	✓	✗
Non Material Amendment	✓	✗	✗	✗	✗	✓	✗	✓	✗	✗	✗
Extension of time application	✓	◇	◇	◇	◇	✓	✗	✓	✗	✓	✗
Prior Approval	✓	✗	✗	✗	✓	✓	✗	✓	✗	✗	✗

²² Only where the owner or tenant has requested this and/or made an comment or objection to the application

Application type:	Methods of publicity to be used by Newcastle-under-Lyme Borough Council										
	During application Process							Following decision			
	Publication on the Councils' website	Making hard copy of application documents available for inspection	Press Notice	Site Notice	Neighbour Notification letter	Notification to previous interested third parties on similar applications within 12 months	Notification to owner of tree to which works are to be done	Publication on Council website	Press Notice	Direct Notice to affected owners or agricultural tenants of applications site ²²	Direct notice to other interested parties
Modification or discharge of a planning obligation	✓	◇	◇	✗	✗	✓	✗	✓	✗	✗	✗
Modification or discharge of affordable housing requirements	✓	◇	◇	✗	✗	✓	✗	✓	✗	✗	✗
Lawfulness of existing use or development	✓	✗	✗	✗	✗	✓	✗	✓		✗	✗
Lawfulness of proposed use or development	✓	✗	✗	✗	✗	✓	✗	✓		✗	✗
Works to Protected Trees	✓	✗	✗	✗	✗	✗	✓	✓		✓	✗
Work to Trees in a Conservation	✓	✗	✗	✗	✗	✗	✓	✓		✓	✗

Application type:	Methods of publicity to be used by Newcastle-under-Lyme Borough Council										
	During application Process							Following decision			
	Publication on the Councils' website	Making hard copy of application documents available for inspection	Press Notice	Site Notice	Neighbour Notification letter	Notification to previous interested third parties on similar applications within 12 months	Notification to owner of tree to which works are to be done	Publication on Council website	Press Notice	Direct Notice to affected owners or agricultural tenants of applications site ²²	Direct notice to other interested parties
Area											
Advertisement	✓	x	x	x	x	✓	x	✓		x	x
Listed Building	✓	x	✓			✓	x	✓		?	?
Approval of details required by conditions of a Listed Building consent	✓	x	✓	✓	✓	✓	x	✓		?	?
Lawfulness of works to a Listed building	✓	x	x	x	x	✓	x	✓		x	x
Hazardous Substances Consent	✓	x	x	x	x	x	x	✓		x	x

Key:Method will be used = Method will not be used = Method might be used = 

Stoke-on-Trent City Council

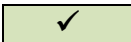
Application type	Methods of publicity to be used by Stoke-on-Trent City Council										
	During application process							Following decision			
	Publication on the Councils' website	Making hard copy of application documents available for inspection upon request	Press Notice	Site Notice	Neighbour Notification letter	Notification to previous interested third parties on similar applications within 12 months	Notification to owner of tree to which works are to be done	Publication on Council website	Press Notice	Direct Notice to affected owners or agricultural tenants of applications site ²³	Direct notice to other interested parties
Approval of details required by conditions of a condition of a planning permission	✓	✓	✗	✗	✗	✗	✗	✓	✗	✗	✗
Non Material Amendment	✓	✓	✗	✗	✗		✗	✓	✗	✗	✗
Extension of time application	✓	✓	◇	◇	◇	✓	✗	✓	✗	✓	✗
Prior Approval	✓	✓	✗	✗	✓	✓	✗	✓	✗	✗	✗
Modification of a planning obligation	✓	✓	◇	◇	◇	◇	✗	✓	✗	✓	✗

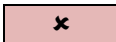
²³ Only where the owner or tenant has requested this and/or made an comment or objection to the application


Application type	Methods of publicity to be used by Stoke-on-Trent City Council										
	During application process							Following decision			
	Publication on the Councils' website	Making hard copy of application documents available for inspection upon request	Press Notice	Site Notice	Neighbour Notification letter	Notification to previous interested third parties on similar applications within 12 months	Notification to owner of tree to which works are to be done	Publication on Council website	Press Notice	Direct Notice to affected owners or agricultural tenants of applications site ²³	Direct notice to other interested parties
Discharge of a planning obligation	✓		✗	✗	✗	✗	✗	✗	✗	✗	✗
Lawfulness of existing use or development	✓	✓	✗	✗	✗	✗	✗	✗	✗	✗	✗
Lawfulness of proposed use or development	✓	✓	✗	✗	✗	✗	✗	✗	✗	✗	✗
Works to Protected Trees	✓	✓	✗	◇	◇	✗	✗		✗		✗
Work to Trees in a Conservation Area	✓	✓	✗	◇	◇	✗	✗		✗		✗
Advertisement	✓	✓	✗	✗	✗	✓	✗	✓	✗	✗	✗
Listed Building	✓	✓	✓			✓	✗	✓	✗	?	?
Approval of details required	✓	✓	✓	✓	✓	✓	✗	✓	✗	?	?

Application type	Methods of publicity to be used by Stoke-on-Trent City Council										
	During application process							Following decision			
	Publication on the Councils' website	Making hard copy of application documents available for inspection upon request	Press Notice	Site Notice	Neighbour Notification letter	Notification to previous interested third parties on similar applications within 12 months	Notification to owner of tree to which works are to be done	Publication on Council website	Press Notice	Direct Notice to affected owners or agricultural tenants of applications site ²³	Direct notice to other interested parties
by conditions of a Listed Building consent											
Lawfulness of works to a Listed building	✓	✓	✗	✗	✗	✓	✗	✓	✗	✗	✗
Hazardous Substances Consent	✓	✓	✗	✓	✗	✗	✗	✓	✗	✗	✗

Key:

Method will be used = 

Method will not be used = 

Method might be used = 

Appendix 8: Glossary

Adoption Statement: A statement prepared when a local planning authority adopts a local plan, detailing the date at which a Local Plan has been adopted, any modifications made to the Local Plan and the grounds and time period within which aggrieved parties can apply to the High Court regarding the plan.

Authority Monitoring Report: A report produced annually detailing local planning authorities' progress in producing planning policies and the effectiveness of those policies.

Business Forums: A group of businesses, investors, developers and other commercial organisations which has been formally designated as a body that can produce a neighbourhood plan for an area.

Consultation Statement: A statement produced describing how consultation has been undertaken and taken into account in preparing a planning scheme or policy document.

Development Management (Decision-taking): A function of the respective councils which considers and decides submitted planning applications against relevant planning policy and any other material considerations.

Development Plan: 'Development Plan Documents' (DPDs) detail planning strategies and policies for the future development of the local area, drawn up by the local planning authority in consultation with the community. Also referred to as 'Local Plans'.

Duty to Cooperate: This is a legal requirement introduced by the Localism Act 2011. It requires that public bodies should engage constructively, actively and on an ongoing basis on strategic planning issues that cross administrative boundaries.

Enforcement Notice: A notice issued at the discretion of the local planning authority where a breach of planning control has occurred. The notice will contain information as to what the breach of planning control is and what steps will be required to correct this.

Environmental Impact Assessment: An assessment that establishes any likely significant effects a proposal is likely to have on the environment, so that these can be fully taken into account in the decision-making process. The types of development which require assessment are described in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

Evidence Base: Evidential studies designed to support the preparation of the Local Plan and ensure that it is based on up-to-date relevant evidence about the economic, social and environmental characteristics and prospects of the area.

Examination: Before it can be adopted, a Local Plan must be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with legal and procedural requirements, and whether it is considered 'sound'. To be 'sound' a document must be positively prepared, justified, effective and consistent with national policy.

General Consultee: General categories of interest groups that by law the local planning authority is required to consult with under the Town and Country Planning (Local Planning) (England) Regulations 2012.

Local Development Scheme: The Local Development Scheme sets out the Council's timetable for the production and review of planning documents that form the Local Development Framework.

Local Development Framework: The collection of local Development Plan Documents and Supplementary Planning Documents adopted by a local planning authority.

Local Plan: A Joint Local Plan is being prepared by the City Council and Borough Council to guide future development across the two local authority areas. This planning policy document will detail the planning strategies and policies which Stoke-on-Trent City Council and Newcastle-under-Lyme Borough Council will use to manage future development.

Local Planning Authority: The public authority whose duty it is to carry out specific planning functions for a particular area, such as creating planning policies or deciding planning applications. Stoke-on-Trent City Council and Newcastle-under-Lyme Borough Council are the local planning authorities for their respective areas.

Locality Action Partnership: Applies to Newcastle-under-Lyme only. Bodies that bring together elected members, residents, mainstream services (such as Police) and key local stakeholders (such as housing associations). These partnerships act as a mechanism to allow residents to set their own priorities for action in their neighbourhoods.

Material Consideration: A material consideration is a matter that should be taken into account in deciding a planning application or an appeal against a planning decision. Examples of material considerations include representations made by the public, comments made by statutory and non-statutory consultees, draft plans, design issues and development impacts. Some material considerations may be more significant than others.

National Planning Policy Framework (NPPF): The Government's planning policies for England, which provide a policy framework that sets the parameters in which Local Plans and Neighbourhood Plans can be prepared.

National Planning Practice Guidance (NPPG): The Government's more detailed online guidance on national planning policies, which adds detail to the NPPF.

Neighbourhood Plans: Planning policy documents which can be developed by local communities, such as neighbourhood/business forums or parish and town councils. Neighbourhood Plans must support the strategic development needs of a Local Plan and can plan positively to shape and direct local development that is outside of the strategic elements of the Local Plan.

Parish and Town Councils: Elected local authority bodies responsible for civil parishes. Parish and town councils have the ability to be designated as bodies to produce Neighbourhood Plans for their local areas.

Planning Inspectorate: A national body which acts on behalf of the Secretary of State. The Planning Inspectorate deals with appeals on planning applications, as well as independently examining any local plans a local authority wants to adopt as planning policy.

Planning Obligations: Legally binding agreements between local planning authorities and applicants for planning permission. These agreements are used to ensure developments provide schemes and infrastructure to mitigate any unacceptable impacts they might have on an area. This often includes measures such as affordable housing or open spaces to be provided as part of a development.

Planning Policy (Plan-making): A function of the respective councils that produces policies to guide planning decisions on local development.

Public venues: venues used for making reference copies of planning policy documents and response forms available, e.g. council offices, libraries, customer contact centres at the Guild Hall, Madeley and Kidsgrove

Specific Consultee: Organisations named in the Town and Country Planning (Local Planning) (England) Regulations 2012 that the local planning authority is required to consult.

Statement of Community Involvement: A document adopted by a local planning authority which describes how the public, business and interest groups within a local authority area can get involved in plan-making and the decision-taking.

Supplementary Planning Documents: documents which add further detail to policies contained within Development Plan Documents. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design.

Sustainability Appraisal: An assessment of the impacts of policies and proposals on economic, social and environmental issues, i.e. 'sustainable development'.

Sustainable Development: Development which contributes to meeting the long term economic and social needs of the community, whilst balancing this against the need to avoid creating an unacceptable long term impact on the environment.

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL
EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE
CABINET

15th October 2014

1. PLANNING PEER REVIEW

Submitted by: Executive Director – Regeneration & Development

Portfolio: Planning and Assets

Ward(s) affected: All

Purpose of the Report

1. To inform Members of the outcome of the recent Planning Peer Review process and to agree the Council's approach in responding to it.

Recommendations

- a) That Members note the contents of the Peer Review Team's report and the recommendations therein.
- b) That Members agree with the proposal to prepare an Action Plan to address the said report's recommendations.
- c) That the Action Plan, referred to above, be reported to Cabinet for approval at the earliest opportunity.
- d) That officers write to the Peer Review Team thanking them for their report and confirming the Council's intended approach.

Reasons

1. To ensure that Members can be appraised of the Peer Review Team's findings and to agree how the Council should respond to it.

1. Background

- 1.1 The Council commissioned the national Planning Advisory Service to review its Planning Service with the aim of addressing perceived concerns about facets of the service to ensure that this important service is both effective and efficient.

- 1.2 The review process was undertaken in accordance with a nationally-agreed approach. This involved an assessment around a number of key themes.
- 1.3 The review team spent three days on site during which they interviewed a wide range of Members, officers and other stakeholders.
- 1.4 The Council has now received a final report/letter from the Peer Review Team, a copy of which has been circulated to all Members. For ease of reference the recommendations have been extracted and shown at Appendix 1.

2. **Issues**

- 2.1 The main issue for consideration is to agree how Cabinet wishes to manage and respond to the report.
- 2.2 At the time of writing officers had agreed with the Portfolio Holder that an Action Plan should be prepared for approval at the earliest available meeting of Cabinet.
- 2.3 In order to optimise the robustness of the Action Plan all stakeholders (including all Members of the Council) have been sent a copy of the letter and invited to comment upon the recommendations (encouraged to do so in a manner that will inform the preparation of the Action Plan). Additionally arrangements have been made to engage Members of the Planning Committee, along with officers, in the drafting of the Action Plan (taking account of the latter feedback).
- 2.4 The formal views of the Planning Committee will be reported to Cabinet to assist in the decision-making process.

3. **Options Considered**

- 3.1 Do nothing – simply receive the report and make no substantive changes.
- 3.2 Respond positively and promptly to the Review Team’s recommendations

4. **Preferred Option/Proposal**

- 4.1 It is recommended that an Action Plan is prepared addressing all of the Review Team’s recommendations and that this be brought to a future meeting of Cabinet (at the earliest opportunity).

5. **Legal/Statutory Implications**

- 5.1 There are none directly arising from this report or the process undertaken. This is a purely voluntary process that the Council has chosen to pursue in order to ensure that its Planning Service is effective and efficient.

6. **Financial/Resources Implications**

- 6.1 The Council contributed £5,000 to engage in this process. In addition there has been a relatively significant amount of officer and Member time involved in the process to date which has been found from within existing capacity by prioritising the tasks.
- 6.2 At this stage it is not known whether any of the proposals in the Action Plan will place any further or new demands upon the Council's resources.

7. **Background Papers**

- 7.1 Peer Review Team final report dated August 2014.

8. **Appendices**

- 8.1 Extract of Peer Review Team's report showing their recommendations:

Appendix 1 - Summary of Peer Review Team's Recommendations

1. Set a clear political narrative for the long term future of the borough stressing the need and importance of homes, jobs, infrastructure and locally generated income/grant. Develop a 'golden thread' linking this to key corporate policy documents including the local plan.
2. Develop a coherent strategy for investment and growth which recognises the key role that planning performs. Examine opportunities for the release or reuse of land assets with partners to stimulate growth and economic development.
3. Develop an interim planning policy statement as part of local plan preparation process.
4. Re-examine resource allocations, especially in planning policy and enforcement to ensure that these match priorities and needs. Switch or increase resources to match priorities including pump priming, partnering and planning performance agreements (PPAs).
5. Develop systematic links between financial planning and local plan development / monitoring to help focus on costs and income in relation to non-national domestic rate, council tax and new homes bonus.
6. Establish an informal pre planning briefing for members of the planning committee including a review of strategic planning group.
7. Set up effective mandatory councillor training programme that is bespoke to meeting local needs. Develop wider training programme for councillors and officers to be delivered jointly where ever possible focusing on improving understanding of respective roles and the need for effective engagement.
8. Review the guidance and protocols in relation to section 106 to seek to front load the system and reach decisions more quickly on major applications.
9. Re – examine the scheme of delegation to allow the planning committee to focus on major applications.
10. Review the decision to suspend work on community infrastructure levy.
11. Undertake systematic review of the effectiveness of the service's methods of communication and access focussing on councillors, parish councils and service users.

REPORT TITLE: Stoke on Trent and Staffordshire Local Enterprise Partnership
Planning Concordat

Submitted by: Guy Benson

Portfolios: Planning & Assets
Economic Regeneration, Business and Town Centres

Wards affected: All

Purpose of Report

To inform Cabinet about the 'Planning Concordat' prepared by the Local Enterprise Partnership (LEP) which aims to ensure that planning authorities are playing their part in promoting the LEP's growth agenda, and to provide Cabinet with the opportunity to decide whether or not to ratify and participate in the Concordat.

Recommendations

- (a) To ratify and enter into the Planning Concordat**
- (b) That the portfolio holders for Planning and Assets and Economic Regeneration, Business and Town Centres be authorised to agree on behalf of the Council actions with respect to their portfolios which the Council will take to deliver its contribution to the Planning Concordat, and that such agreed actions be reported to the Planning Committee**
- (c) That Cabinet, and the Planning Committee, receives a further report after the first annual review of actions and outcomes envisaged by the Planning Concordat**

Reasons

To improve the effectiveness of the planning system and to demonstrate that it is designed and operated to promote and support appropriate development.

1.0 Background

1.1 The background to this report is set out within a report that went to the Council's Economic Development and Enterprise Overview and Scrutiny Committee at its meeting on the 3rd September. This report is attached as Appendix A. The Overview and Scrutiny Committee commended to Cabinet that they ratify the Concordat. A report will be going before the Planning Committee at its meeting on the 7th October 2014 and any comments of that Committee on the Council's position with respect to the Planning Concordat will be reported to Cabinet by means of a Supplementary report

2.0 The content of the Planning Concordat

2.1 As indicated in the attached report the Stoke on Trent and Staffordshire Local Enterprise Partnership (LEP) Board at its meeting on the 11th July 2014 has agreed, following a review of its former Planning Charter (now renamed the Planning Concordat), to the following 8 proposals :-

1. All parties agree that the NPPF requirement for high-quality, sustainable forms of development should be an over-arching priority in respect of all future development proposals.
2. The LEP will seek to publish, as a matter of urgency, a Strategic Economic Plan for the area, in consultation with Local Planning Authorities (LPAs) and appropriate consultees, and subsequently to coordinate the Local Plan strategies of individual LPAs in accordance with its stated aims and policies.
3. The LEP will investigate the possibility of establishing a “call-off” contract with appropriate supplier(s) to provide consultancy assistance if / when required by LPAs and developers.
4. The LEP will establish and convene a bi-annual Working Party comprising planning officers, elected members, statutory consultees, planning agents, and representatives of local businesses at which issues of interest and concern can be raised, discussed and resolved in an open and collaborative environment.
5. All parties to encourage pre-application submissions and discussions, to include elected councillors in cases where there are likely to be community concerns. In pursuance of this, individual LPAs will publish a clear set of guidelines for potential developers wishing to engage in pre-application discussions.
6. LPAs to provide Town and Country Planning update training of an appropriate standard for planning officers and elected members on an annual basis, in addition to Introductory training for new councillors.
7. LPAs will monitor and regularly review levels of customer satisfaction with the services offered by Planning Departments, and review their own performance in terms of adding value to new development.
8. LPAs will ensure that the planning section of Council web-sites are as informative and customer-friendly as possible and that they are updated on a regular basis, with regard to both development management and policy issues.

2.2 The LEP envisage several stages to the effective implementation of the Concordat. The **first stage** is ratification. As a joint initiative between the participating bodies it will need to be ratified by all the respective partners. For the planning authorities it will require a report to be taken to their Cabinet or a relevant committee. For the Borough this is the report.

2.3 The **second stage** would be a set of agreed actions by the participating bodies to undertake those elements of the agreement that are not currently being provided. A period of time for these to be established will need to be set out and agreed within the Concordat. The LEP propose that this should be 6 months from formal ratification, to be agreed between the parties.

2.4 The various officer groups in the County that meet already on a regular basis are seen by the LEP as a useful source of experience to help with introducing any changes required. This would continue the process of evolving and sharing good practice that is already established.

2.5 The **third stage** would be some form of monitoring or reporting to confirm the extent to which the Concordat is being implemented. In the spirit of joint enterprise reporting by each party to an annual review of actions and outcomes would be the preferred way of securing this information. This should include it is suggested some aspects of customer satisfaction as well as hard data on the number of permissions granted, the scale of job creation and appropriate measures of economic success.

2.6 Much of this data it is suggested by the consultants will be collected already and it should be relatively straightforward to assemble the necessary information to illustrate the operation and effectiveness of the Concordat.

2.7 One additional element that might be considered would be to compile annually a series of case study examples provided by the participating bodies that highlight a positive and helpful approach to development proposals.

2.8 There is no statutory basis for the proposed arrangements for encouraging the delivery of sustainable economic regeneration across Staffordshire and Stoke on Trent. It is hoped by the LEP that all the authorities will see the value in agreeing to the measures proposed but they are free to choose not to if circumstances argue against their continued involvement. The annual review would be the opportunity for this.

3. The consequences for the Borough of participation in the Concordat.

3.1 The Council already provides some of the elements of the Concordat. For example it encourages pre-application submission and involves members in pre-application discussions on certain applications (through the Strategic Planning Consultative Group). That it charges for some of these is not seen as incompatible with that objective. It has a well-developed website offer in certain respects, although its pages will always require regular review. It has been pursuing as part of the Staffordshire One Place initiative the concept of inter authority trading of specialist services, as an alternative to the use of consultants and the LEP call-off contract proposal could perhaps add another useful option, resources permitting. Other elements referred to in the LEP's recommendations are perhaps not as well developed at the Borough Council as they might be – for example member training (where there has been introductory training rather than an in-depth annual programme) and the limited provision of guidelines for potential developers wishing to engage in pre-application discussions being examples. The Planning Concordat could provide a useful focus for their introduction and the forthcoming Planning Peer Review Action Plan will provide a vehicle to address the same.

3.2 Your officers see no fundamental objections to any of the 8 elements of the Concordat.

4. Financial and Resource implications

4.1 There would be resource implications for the Council associated with participating actively in the Planning Concordat. These would include officer time attending the required meetings, providing input and ideas, drawing up proposals, implementing them and then participating in the proposed annual reviews. By using the services of the LEP to organise meetings such as the suggested Bi-annual Working party at which issues of interest and concern can be raised, some of the administrative burden of such arrangements would not have to be borne by the Council and it could be a useful forum that does not exist at present.

4.2 Whilst the LEPs' consultants suggest that hard data may already be available on outcomes, in some cases additional information may need to be collected which could have resource implications but these should be able to be managed. There could be small direct costs – for example if customer satisfaction surveys are to be undertaken successfully they may require some form of modest financial incentive (no more than £100) to participants to achieve high return rates.

4.3 The Council is already preparing to respond to the recent Planning Peer Review and this will involve the preparation, approval and implementation of an Action Plan. However much of this activity would relatively easily feed into engagement into the Planning Concordat and should be compatible with it.

4.4 If the burden of participating in the Planning Concordat became unduly onerous then the option of withdrawing from it would exist.

5.0 Earlier Cabinet Committee Resolutions

- Cabinet 12th December 2012

6.0 Background Papers

- The Stoke and Staffordshire Local Enterprise Partnership Planning Agreement : February 2014
- Stoke-on-Trent & Staffordshire Local Enterprise Partnership – Planning Concordat – Final Report 15 May 2014
- Report to Economic Development and Enterprise Overview and Scrutiny Committee 3rd September 2014

Cabinet, 15 October, 2014

Duty to cooperate Memorandum of Understanding between Cheshire East Borough Council and The Borough Council of Newcastle under Lyme.

Submitted by: Executive Director of Regeneration and Development

Portfolio: Planning and Assets

Ward(s) affected: All

Purpose of the Report

To advise Members, that the Council has agreed and signed a Memorandum of Understanding (MoU) between the Borough council, Stoke-on-Trent City Council and Cheshire East Borough Council, demonstrating the duty to cooperate, pursuant to section 33A of the Planning and Compulsory Purchase Act, 2004, for submission to the Examination in Public of Cheshire East Council's Local Plan Strategy.

Recommendations

1) That Cabinet note the action taken.

Reasons

The MoU has been submitted to Cheshire East Borough Council to form part of the evidence supporting the Submission version of the "Local Plan Strategy" (Cheshire East Local Plan) Examination in Public (which opened on 16 September 2014). There was insufficient time between officers agreeing the substantive content of the MoU and the start of the Examination in Public to bring a report for formal Cabinet approval; hence the reason why the MoU was signed by the relevant officer and Portfolio Holder in accordance with the provisions of the Council's Scheme of Delegation.

The matter does not make or change policy and therefore in accordance with the Council's Scheme of Delegation (appendix 4 of the Constitution relating to Matters of Urgency) any action taken as a 'matter of urgency,' shall be reported to the next available committee.

1.0 Background

- 1.1 Newcastle-under-Lyme Borough Council is a neighbouring Authority to Cheshire East Borough Council. The Duty to Co-operate Protocol is based on protecting the adopted strategy for the Borough, as set out in the Core Spatial Strategy, for the benefit of the area, existing businesses and residents and to ensure there are no unacceptable impacts on the borough as a result of the Cheshire East Local Plan Strategy.
- 1.2 In September 2014 the Executive Director Regeneration and Development consulted the Portfolio Holder for Planning and Assets in this matter based upon a report (copy attached at Appendix 2). It recommended the signing of a

Memorandum of Understanding between Cheshire East Council, Stoke on Trent City Council and Newcastle-under-Lyme Borough Council (Appendix 1) by the Executive Director of Regeneration and Development, the Portfolio Holder for Planning and Assets for submission to Cheshire East Council.

- 1.3 The report was duly considered and the recommendation was approved and implemented. The signed memorandum of Understanding now acts as evidence of the discussions which have taken place with Cheshire East Borough Council and provides a statement on the outstanding issues prior to Cheshire East Council's Local Plan strategy Examination in Public.

2.0 Appendices

1. The Cheshire East Borough Council, Newcastle-under-Lyme, and Stoke-on-Trent Councils Duty to Cooperate Memorandum of Understanding (MOU).
2. Report detailing the background to the MOU provided to the Portfolio Holder for Planning and Assets and containing the recommendation set out in section 1.2

Urgent Non-Controversial decision

Cheshire East Local Plan: Memorandum of Understanding

Submitted by : Executive Director of Regeneration and Development

Portfolio: Councillor Williams - Planning, and Assets

Wards Affected: All Wards

Purpose of Report

To seek approval for the signing of a Memorandum of Understanding (MOU) with regard to the submission version of the Cheshire East Local Plan. The MOU is to be signed jointly with Stoke-on-Trent City Council as the issues covered affect both areas. The Local Plan was the subject of Planning Committee report on the 10th April 2013 and following approval of that report comments were submitted to Cheshire East. The MOU will be used at the examination of the Cheshire East Local Plan to help highlight where the agreements and disagreements are between the authorities and to help satisfy the 'Duty to Cooperate' requirement.

Recommendation(s)

- 1) That the content of this report be endorsed and that the Memorandum of Understanding be signed by the Executive Director of Regeneration and Development, the Cabinet Member for Planning and Assets and then submitted to Cheshire East Borough Council.

Reasons

The attached memorandum of Understanding once signed by the Director and Cabinet Member will thereafter act as evidence of the discussions which have taken place and provide a statement on the outstanding issues prior to Cheshire East Council Local Plan Strategy Examination in Public.

1.0 Background

- 1.1 All local authorities have a statutory 'duty to cooperate'. The agreement brought about through the Localism Act and the National Planning Policy Framework places a legal requirement on local authorities to discuss and consider cross boundary issues such as housing, transport and employment development. The procedural requirement of fulfilling the duty to cooperate is now considered a key test of soundness in the examination of development plan documents.
- 1.2 The Borough Council has been involved in discussions with Cheshire East for the last 2/3 years, and has made representations on all consultations on the various stages of the production of the Core Strategy, now renamed Local Plan Strategy. The Local Plan Strategy sets out the Council's case for sustainable economic growth and is the strategy that the Council wants to adopt to manage development in Cheshire East up to 2030.
- 1.3 As part of the examination into the document the Planning Inspectorate will be interested in the Duty to Cooperate. This effectively considers how well Cheshire East have engaged with their neighbouring authorities in the preparation of their plan, to ensure that any cross boundary issues have been adequately considered. The MOU is part of this process, and highlights the main areas of discussion which have taken place between the authorities. It is important to note that the requirement is for

cooperation and consultation between neighbouring authorities, not necessarily for consensus or full agreement.

2.0 Policy Context

- 2.1 Local Authorities have an obligation to produce Local Plans in order to set guidelines and levels for new development and to allocated appropriate sites to meet objectively assessed needs.
- 2.2 Cheshire East have produced a submission version of their Local Plan Strategy in order to meet this requirement. The document produced is done in accordance with the current planning policy framework set out at the national level in the NPPF. The MOU is a part of this process.

3.0 Options Considered

- 3.1 Option 1 – To not enter into a MOU with Cheshire East. This option has been rejected as it would create considerably more work in that the differences and agreements between the authorities with regard to the Cheshire East Local Plan would not be clear. This would waste officer time and examination time when the Planning Inspectorate are considering the Cheshire East Local Plan. It may for example require the production of additional material requested by the Inspector at the examination, and/or additional attendance in person at hearings.
- 3.2 Option 2 (Preferred) – To enter into a MOU with Cheshire East. The document clearly addresses the areas of agreement and disagreement and where future joint working is required. This will allow the examination of the document to proceed with a clear understanding as to the positions of both authorities. It will also set a precedent for cooperation between the two authorities which will be important in the preparation of our own Local Plan which is currently on-going. This is an important consideration as the requirement for cooperation between authorities is a key fundamental test in the preparation of Local Plans.

4.0 Proposal

- 4.1 The MOU covers the issues which have been discussed at length with Cheshire East and which have previously been the subject of reports to authorise responses to previous consultations. The MOU sets out where the agreements and disagreements are between the authorities with regard to these previous consultation responses. All of the points have previously been approved as part of previous consultation responses and have been discussed with the Cabinet Member for Planning, and Assets and at Strategic Planning Consultative Group.
- 4.2 The key points of agreement outlined in the MOU are detailed below.
 - That proper consultation between the authorities has taken place at every stage of plan preparation.
 - The authorities have engaged with each other on specific cross boundary matters arising during the preparation of the Cheshire East Local Plan.
 - The amount of overall housing and employment development proposed by the authorities, as listed in the current Local Plans, can be met without the contribution of sites in other areas.
 - Cheshire East's proposed development levels for housing and employment are derived appropriately.
 - Proposed stepped approach to housing in Cheshire East should assist in mitigating the adverse impacts of growth on the regeneration of North Staffordshire
 - There are significant migration and travel to work movements between Cheshire East and North Staffordshire.

- Designation of new Green Belt between Crewe and Nantwich is supported in principle.
- Works at Junction 16 have been factored in to proposed development levels. Further work will be needed on the Junction towards the end of the plan period in 2030.
- There are significant transport and connectivity issues between Cheshire East and Newcastle-under-Lyme.
- The impact of a HS2 hub station being awarded to Crewe would require significant reworking of the current plan.

4.5 Key areas of divergence in the MOU.

- Your officers are firmly of the view that should a HS2 station be awarded to Crewe then the Local Plan would require immediate review, an Area Action Plan would not be able to adequately cover the level of change which would not only affect Crewe but much wider areas of South Cheshire and North Staffordshire.
- Cheshire East do not accept the above point and believe the Local Plan is currently correctly worded in saying that an Area Action Plan may suffice.

4.6 The above issue may be considered by the Planning Inspectorate at the hearing into the Local Plan. Whilst it is unlikely to be an issue which will influence the overall soundness of the plan the Inspector will be able to judge what is the most appropriate wording for the policy in question.

4.7 Key areas for on-going and further work on which further cooperation is required and agreed.

- Further up to date information on existing and future migration and travel to work patterns between North Staffordshire and South Cheshire.
- Delivery of improvements, in association with the Highways Agency to Junction 16 of the M6.
- Facilitate improved cross boundary connectivity.

4.8 The above points are generic work streams which will need to continue not only to support the Cheshire East Local Plan, but also to help underpin the work currently being prepared by ourselves on our own Local Plan.

4.9 As mentioned earlier in this report all of these points have been discussed previously at length and the subject of this report is to sign off the MOU which highlights the agreements and disagreements between the two authorities so that these can be presented to the Planning Inspectorate.

5.0 Next Steps

5.1 The signed MOU (signed by all parties) will be returned to Cheshire East and be submitted to the Planning Inspectorate, the inspector will then consider it in his examination into the soundness of the Cheshire East Local Plan

5.2 The hearings into the Cheshire East Local Plan will begin on the 16th September, a final decision by the inspectorate into the soundness of the plan is not anticipated until early 2015.

6.0 Legal and Statutory Implications

6.1 Section 110 of the Localism Act amended the Planning and Compulsory Purchase Act 2004 by inserting into that act a new section 33A. This new section within the 2004 Act sets out a new mandatory 'duty to co-operate' between authorities in relation to cross-border strategic matters. This applies to all local planning authorities, national park authorities and county councils in England –

and to a number of other public bodies.

6.2 Paragraph 179 of the NPPF requires councils to work together to address strategic priorities across boundaries and development requirements which cannot be wholly met within their own areas. Failure to do this will:

- lead to less sustainable plans;
- reduce the ability to deliver infrastructure and inward investment;
- undermine confidence in the ability of councils generally to make difficult political decisions and deliver on newly won freedoms

7.0 Equality Impact Assessment

7.1 There is no legal requirement in the plan making process to produce an Equalities Impact Assessment and on the 1 July, 2013, the Department for Communities and Local Government revoked the practice guidance Diversity and equality in planning, which was issued by the Office of the Deputy Prime Minister in 2005.

7.0 Financial and Resources Implications

7.1 None

8.0 Major Risks

8.1 There are no major risks arising from the MOU being signed. Newcastle-under-Lyme Borough Council has not been called to attend the forthcoming public examination process, now scheduled to take place between 16 September and 31 October 2014.

9.1 Earlier Cabinet/Committee Resolutions

8.2 In April 2014 Planning Committee agreed to submit representations to the Submission version of Cheshire East Local Plan strategy.

10.0 List of Appendices

Appendix 1 – Duty to Cooperate memorandum of Understanding

11.0 Background Papers

[Cheshire East Local Plan: Local Plan Strategy Submission Version](#)

DUTY TO CO-OPERATE
MEMORANDUM OF UNDERSTANDING BETWEEN
NEWCASTLE -UNDER-LYME
AND STOKE -ON-TRENT COUNCILS

AND

CHESHIRE EAST COUNCIL

PRELIMINARIES

Introduction

This Memorandum of Understanding primarily relates to the preparation of the Cheshire East Local Plan Strategy. The overall aim is to appropriately plan for the cross boundary strategic planning issues that exist and/or likely to arise in the foreseeable future between 'north Staffordshire' (the area within the local planning authority areas of Newcastle-under-Lyme, Staffordshire Moorlands and the City of Stoke-on-Trent) and Cheshire East.

Purposes

The main purposes of this Memorandum of Understanding are to:

- establish what the authorities agree on;
- pinpoint the relevant areas of disagreement;
- set out what future work the three authorities are committed to with a view to resolving outstanding issues.

Scope

The scope of this Memorandum of Understanding is to cover:

- The scale of development requirements, particularly housing and employment needs in Cheshire East as meeting these will involve the allocation and delivery of a large extent of land;

*denotes a point relating to a County or Unitary Authority matter and in the context of this Memorandum of Understanding is relevant to Stoke-on-Trent City Council only.

Current Development Plan Preparation Position

The current position is as follows:

- The Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy remains in force, a new Joint Local Plan is currently being prepared by Newcastle-under-Lyme and Stoke-on-Trent to replace this document.
- The Staffordshire and Stoke-on-Trent Joint Waste Local Plan was adopted on 15 March 2013 by the County Council and 4 April 2013 by the City Council;
- Cheshire East Local Plan Strategy had been subject to Publication stage consultation and was submitted for examination on 19 May 2014.

MAIN PROVISIONS

Meeting Development Requirements

Agreed

- The amounts of overall housing and employment development proposed in each authority's area are as set out in the respective strategic Local Plans. These are not dependent on any contribution from development sites located outside that area.
- The outstanding need to allocate sites to meet overall development requirements in north Staffordshire will be pursued through the preparation of future Local Plans.
- The amounts of overall housing and employment development in Cheshire East will be established in the Local Plan Strategy. The housing requirement has been appropriately derived from the full, objectively assessed need for housing arising in the Borough, takes account of the economic growth aspiration set out in the Plan and a 500 dwelling contribution to the housing required in High Peak Borough. The amounts of land needed will be met entirely from sites located within Cheshire East Borough.
- The proposed stepped approach to housing delivery in Cheshire East should assist in mitigating any adverse impact of this growth on regeneration of the north Staffordshire conurbation.
- The housing market areas in Cheshire East are substantially contained within the Borough although there are some significant migration and travel to work movements with south Manchester and north Staffordshire.

*denotes a point relating to a County or Unitary Authority matter and in the context of this Memorandum of Understanding is relevant to Stoke-on-Trent City Council only.

- The Cheshire East Local Plan Strategy correctly identifies that there are transport connectivity issues with north Staffordshire and provides appropriate commitments to consider, mitigate and improve these in liaison with the neighbouring transport authorities. E.g. the redoubling of the rail line between Crewe and Alsager. *

Other matters

Agreed

- The Cheshire East Local Plan Strategy appropriately clarifies that waste management planning for the Borough will be covered in detail in the forthcoming Local Plan – Waste. This latter Plan will be produced expeditiously and in a manner that will be consistent with the Waste Management Plan for England and national waste planning policy (when finalised), underpinned with an updated waste needs assessment and in collaboration with other potentially affected waste planning authorities. The Local Plan – Waste will contain proposals to ensure that there will be sufficient opportunities for the provision of waste management facilities in Cheshire East.*
- In respect of the proposed High Speed 2 (HS2) railway the Local Plan Strategy at paragraph 15.21 acknowledges that future proposals for HS2 might necessitate significant change in Crewe and in this event Cheshire East Council would either prepare an Area Action Plan focussed on that part of the town directly affected, or carry out a wider review of the Local Plan. The councils recognise that HS2 is a major national infrastructure project and decisions on its outcome are outside of the control of local planning authorities. However key decisions are likely to be made by Government within the foreseeable future on HS2 which will have a local and regional impact and could therefore have a bearing on the preparation and content of the Cheshire East Local Plan taken as a whole. The details of HS2 are appropriately not currently set out within the submitted Local Plan Strategy as these have not yet been finalised by Government.

*denotes a point relating to a County or Unitary Authority matter and in the context of this Memorandum of Understanding is relevant to Stoke-on-Trent City Council only.

For Newcastle-under-Lyme Borough Council:



Cllr John Williams
Cabinet Member for Planning
and Assets

Dated: 9/9/14



Neale Clifton
Executive Director for Regeneration
and Development

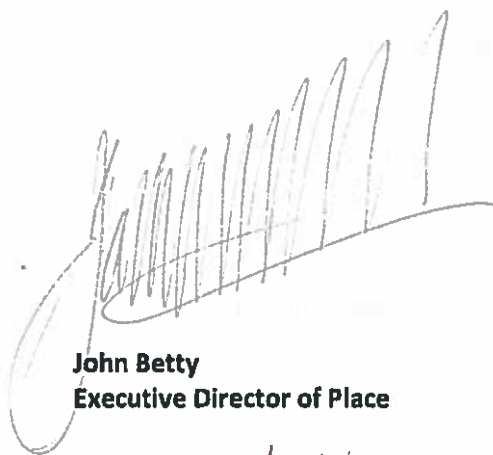
Dated: 8/9/14

For City of Stoke-on-Trent Council:



Cllr Ruth Rosenau
Cabinet Member for Regeneration,
Planning and Transportation

Dated: 10/9/2014



John Betty
Executive Director of Place

Dated: 10/9/2014

For Cheshire East Borough Council:



Cllr David Brown
Strategic Communities Portfolio Holder
Deputy Leader of the Council

Dated: 26/8/14



Caroline Simpson
Director of Economic Growth
and Prosperity

Dated: 26/8/14

*denotes a point relating to a County or Unitary Authority matter and in the context of this Memorandum of Understanding is relevant to Stoke-on-Trent City Council only.

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL
EXECUTIVE MANAGEMENT TEAM'S REPORT TO CABINET

Date: 15th October 2014

<u>Report Title:</u>	Town Centre Car Parking
<u>Submitted by:</u>	Graham Williams, Engineering Manager
<u>Portfolio:</u>	Economic Development, Regeneration and Town Centres and Environment & Recycling
<u>Ward(s) affected:</u>	Town

Purpose of the Report

To review the progress of town centre parking initiatives which were introduced in an attempt to generate greater footfall in the town centre with the express aim of improving its economic fortunes and to consider extending the pilot schemes in order that they are reviewed annually as part of the annual fees and charges setting.

Recommendations

- (a) That Members note the delivery of the Nipper Parking and the planned introduction of cashless parking including the automatic number plate recognition in a number of our car parks.**
- (b) That the Just The Ticket refund scheme continues to be supported.**
- (c) That Members note the decision to offer free town centre parking after 3pm for the 5.4 weeks prior to Christmas and the use of the free parking day by the Town Centre Partnership for the Christmas Lights Switch on.**
- (d) That the enhanced free parking days of 5 days to support town centre events and Christmas free parking equivalent to 5.5 weeks after 3pm are included in the calculation for the fees and charges for 2015/16 and budget setting process.**

Reasons

Last year the Council reviewed a range of options as part of the town centre car parking management regime with the aim of increasing footfall in the town centre for reasons of economic well-being. A range of proposals were approved including pilot schemes, Scrutiny have reviewed progress and recommended ways to take forward the schemes with the Town Centre Partnership.

1. Background

- 1.1 In 2013 the Council received a number of approaches from the business community (via the Town Centre Partnership) to review its town centre parking charges in the hope that concessions may help to generate greater footfall with the consequent benefit to businesses and the overall town centre economy. The Council considered it appropriate to review options and decided upon a range of actions to strike a balance between the potentially adverse impact upon the Council's revenue budget and the expectation of direct benefit being achieved by town centre businesses.

- 1.2 The Council approved 3 key initiatives; Nipper Parking, Double Ticket refund scheme and Enhanced Free parking days. Alongside an offer from a national supplier of car park management systems to install, as a 12-month trial, cashless parking and an ANPR (automatic number plate recognition) system at no cost to the Council.
- 1.3 The Economic Development and Enterprise Scrutiny Committee (EDESC) considered the above initiatives at its meeting on 3rd September 2014. They recommended that:
- The Portfolio Holder should agree with the Town Centre Partnership the preferred free parking arrangements for the 2014 Christmas Period.
 - To continue supporting the Just the Ticket refund scheme.

2. Issues

2.1 Nipper Parking

Nipper parking has been implemented by the County Council outside of the old Police station enabling town centre users to park for free for 30mins which allows them to nip in and out of town to make a targeted visit. Merrial Street retailers completing transactions which are not time consuming have highlighted that this scheme is benefitting them.

The Town Centre Partnership has expressed an interest in Nipper parking being introduced in Bridge Street, this would be a County Council decision and the TCP can approach the County direct.

2.2 Just the Ticket refund scheme

The double ticket refund scheme “Just the Ticket” was launched in conjunction with the Town Centre Partnership. The Council altered the tickets machines on the Midway and Goose Street car parks to enable them to produce double tickets, which allowed the machine to print a refund voucher as the second ticket. The customer is then able to redeem the first hours parking by a retail member of the scheme.

The Just the Ticket first hour refund scheme was launched with 12 local retailers, this has had mixed successes dependent on the retailer. For instance those retailers selling small items of say £1 found that customers were wanting a refund not understanding that the minimum spend in that shop was £5. Other retailers have highlighted that there is little awareness of the scheme with more marketing required and a greater number of retailers involved. The TCP has taken this on board and is bringing new retailers into the scheme with a re-launch this month, it is anticipated that this will include 15 shops (9 of which were in the original scheme).

EDESC considered this and recommended to extend the current scheme for a further 12 months beyond the current 3 month period for which the retailers have committed to.

2.3 Free parking to support events

To support the regeneration of the town centre increasing footfall through events is a key objective, there are clearly advantages of offering free parking on these events and this can be promoted with the event publicity. The Council has therefore provided 5 days which would be determined in liaison with the Town Centre Partnership. This approach has been received well by traders and town centre users and is recommended to continue. The final day of the current allocation can be used by the TCP to cover the 2014 Christmas Light Switch on.

To assist with planning for the 2015/16 budget and to provide some certainty to enable the TCP to plan it is appropriate that the Council establishes the level of support for free parking for 2015/16. It is therefore recommended that the Council continues to offer 5 free parking days to be used when the TCP choose to maximise the success of special events over 2015/16.

2.4 Free parking pre-Christmas

It is known that a significant proportion of the trade in town centre retail businesses is made in the period running up to Christmas and it is acknowledged that many businesses depend upon this trade. It is therefore appropriate that the Council acknowledges the lead up to Christmas as a key element in the economic fortunes of the town centre. In terms of the offer of free parking to support the pre-Christmas period it has become customary in recent years that the council offers free parking on the five weeks leading up to Christmas from 2pm on Tuesday, Wednesday, Thursday and Saturday.

The TCP has decided to have the Christmas shopping launch on 15th / 16th November this means that the period leading up to Christmas is slightly over the previous 5 weeks. It is recommended that the free parking commences in line with this date so it is clear to customers and can be easily promoted.

The Scrutiny Committee considered options to offer free parking taking into account the benefits and financial implications. The committee considered that free parking every day after 3pm would provide an easily marketable campaign that customers could understand and would encourage shopping over the weeks running up to Christmas. By including Fridays it also further supports the food and beverage businesses, along with the wider night-time economy, consistent with the regeneration objective of encouraging diversity in the town centre user (including those who drive into the town for an evening meal or to go to the cinema). The Scrutiny Committee understood why local businesses may want alternative options and therefore recommended that the decision be taken by the Town Centre Partnership in consultation with the Portfolio Holder. This was on the understanding that if the TCP wished to offer free parking which had greater financial implications then these costs would be met from the TCP.

This approach enables the Council to meet the 2014/15 budget and engages local businesses in the process. The TCP have decided that offering free parking after 3pm is the best offer and also supports the planned late night shopping the week prior to Christmas. In order to start production of the Christmas marketing literature this decision on Christmas parking for 2014 was supported by the Executive Director for Regeneration and Development in consultation with the Portfolio Holder for Economic Development, Regeneration and Town Centres. It is recommended that this approach to free parking should be continued for 2015/16 as it would enable the Council to plan as part of the main budget setting process. Launching the Christmas period over a weekend has proven more successful than a weekday, for 2015 the free parking between the launch and Christmas day would require 5.4 weeks of free parking.

2.5 Pay on foot and cashless parking

It is recognised that people are increasingly paying for goods by using payment cards and electronic transfers rather than cash. In line with this change in customer behaviour it is appropriate that the Council seeks to offer a range of payment mechanisms including payment via mobile phones.

Increasing the length of time that town centre visitors stay is also a regeneration objective and it is acknowledged that some visitors may leave due to the pending expiration of their car parking ticket, so an option to easily extend their stay is required.

In order to take these forward the Council approved to accept an offer from a national supplier of car park management systems to install, as a 12-month trial, cashless parking and an ANPR (automatic number plate recognition) systems at no cost to the Council. The ANPR records number plate information when a vehicle arrives and departs from a car park which is used to enable the customer to park and pay anytime up to midnight. This arrangement provides a virtual pay on foot/exit system (which the town centre businesses have requested in the past) and minimizes the risk of customers incurring fines for non-payment. On a

broader note the system will provide valuable information on customer usage that will inform future car park management initiatives.

The cashless parking system enables customers to use mobile phone technology to pay for parking; this also enables the customer to extend their payment period whilst away from the car park. The customer incurs an additional convenience charge, above the normal parking tariff, of 20p per transaction.

Due to the complex nature of this offer involving the receipt of funding (outlined in the financial implications section of this report) the contract with Bemrose Booth was signed in July 2014 to launch at the end of October. It is therefore recommended that a separate report on the success of this pilot is considered after 6 months of operation.

3.0 Proposals

- 3.1 It is appropriate that the Council continues to consider the balance between supporting the town centre with the expectation of direct benefit being achieved by town centre businesses and the potentially adverse impact upon the Council's revenue budget.
- 3.2 Continuation of the Just The Ticket refund scheme is recommended to support local retailers who are actively seeking to encourage customers into the town centre.
- 3.3 In order to support the important Christmas period and in line with the Council's budget setting process it is recommended that for 2015/16 the Council offers free parking for 5 days per year to support town centre events and free Christmas parking equivalent to the 5.4 weeks after 3pm offer.

4. Outcomes Linked to the Corporate Priorities

- 4.1 Provision of appropriate car parking schemes contributed to the corporate priorities of creating a cleaner, safer and sustainable Borough and creating a borough of opportunity.

5. Legal and Statutory Implications

- 5.1 With regard to procurement issues the Council is entitled to proceed with the proposed cashless parking trial for the Midway without the Council entering into a competitive procurement process. Clearly any longer term initiative of the nature referred to would require procurement.

6. Equality Impact Assessment

- 6.1 This report does not lead to any equality impacts.

7. Financial and Resource Implications

- 7.1 The supplier of the cashless parking, including the automatic number plate recognition system trial for a number of car parks offered the Council a grant of £50,000 to enable the trials of their systems to take place and this was been accepted. As part of the Cabinet approval in July 2013 it was agreed to earmark £30K of the latter grant offer to cover the anticipated cost to the Council of implementing the initiatives (including a contingency of £5K to cover the cost of any enabling works).
- 7.2 The cost of changing the parking restrictions in Merrial Street to 'Nipper Parking' was funded by the County Council.
- 7.3 The introduction of double ticketing (Just the Ticket) in the Midway and Goose Street car parks required new software and signage to be installed at a cost of £600. The additional cost

of the double tickets is £2400 per year.

- 7.4 Resources now been directed to implementing the cashless parking specifically the collation of car registration numbers and owners details for those with parking permits, to enable the automatic number plate recognition cashless parking scheme to be implemented.
- 7.5 Loss of car parking income over the 5 enhanced free days costs circa £12,500 and free Christmas parking for afternoons after 3pm is estimated to cost £10,000 (which is equivalent to the previous offer of free parking after 2pm on Tuesdays, Wednesdays, Thursdays and Saturdays).

8. Major Risks

- 8.1 Failure to implement some parking concessions could contribute to the demise of the town centre economy. Equally the implementation of some initiatives may result in a higher than anticipated loss of income to the Council thereby jeopardising delivery of a balanced revenue budget.

9. Key Decision Information

- 9.1 This is not a key decision.

10. Earlier Cabinet/Committee Resolutions

- 10.1 In July 2013 Cabinet agreed to implement nipper parking in consultation with the County Council, enhanced free car parking days and the double ticketing refund scheme with Newcastle Town Centre Partnership and the cashless parking scheme in conjunction with the national supplier of automated car parking systems.
- 10.2 The Economic Development and Enterprise Scrutiny and Overview Scrutiny considered the issues on 3rd September 2014.

11. List of Appendices

- 11.1 None.

12. Background Papers

- 12.1 None.

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL
EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE
CABINET

PART I

15th October 2014

1. FREEHOLD DISPOSAL – THE SQUARE, HIGH STREET NEWCASTLE

Submitted by: Property Manager

Portfolio: Economic Regeneration, Business and Town Centres

Ward(s) affected: Town Ward

Purpose of the Report

To consider the disposal of the Council's freehold interest in The Square, High Street, Newcastle.

Recommendations

- (a) That officers be authorised to take the necessary actions to dispose of the Council's freehold interest of The Square complex and car park on the terms as set out in the confidential report (at Part II of your agenda).
- (b) That steps be taken as part of the future budget-setting and MTFs processes to address the loss of annual rental income from the property.

Reasons

- The Council will realise a capital receipt that reflects "best consideration" and will contribute to known demands within the Council's Capital Programme.
- The loss of annual rental income will need to be mitigated.
- Whilst it is not a consideration for the Council in terms of its land disposal process ("best consideration" judgement) it is worth noting that the prospective purchaser's investment plans should benefit the wider town centre economy.

1. Background

- 1.1 The Council granted a 125 year full repairing and insuring lease to a Company known as Gatedale Limited in 1998 with the Council retaining the freehold ownership of the overall site including the multi-storey car park. Under the terms of the lease Gatedale redeveloped the site to its current mix: multiplex cinema, retail and leisure units.

- 1.2 The rent review provisions within the lease provide that as from September 2005 the Council receives an annual rental income from the property, a summary of which is set out in the confidential report contained in Part II of your agenda.
- 1.3 Gatedale appointed a firm of liquidators to manage their affairs in August 2008 and the liquidators continued to trade the complex. In March 2012 Allsop LLP were appointed Law of Property Act receivers to act for Gatedale's creditors. Allsops marketed for sale Gatedale's leasehold interest and the asset was sold in May 2014 to KRNS Properties Limited.
- 1.4 KRNS Properties Limited has requested to purchase the freehold interest of this asset and have made an offer to the Council (as referred to in the confidential report at Part II of your agenda).
- 1.5 Officers have been appraised of significant investment plans by KRNS Properties Limited to rejuvenate the complex.
- 1.6 The premises occupy a prominent location in Newcastle Town Centre. The prospective purchaser's investment plans are expected to create wider economic benefits for the centre (although this should not influence the Council's judgement when assessing the achievement of "best consideration").

2. **Issues**

- 2.1 The first consideration in this instance is whether the prospective purchaser's offer represents "best consideration" (as defined in S.123 of the Local Government Act 1972 (as amended)). In view of the fact that the said purchaser has acquired the head lease it has been considered that an open market disposal would be inappropriate. So in order to satisfy the best consideration judgement the District Valuer was commissioned to provide an independent valuation of the Council's interest. His report confirms a valuation that is consistent with the offer received, so a disposal would comply with the best consideration test.
- 2.2 The capital receipt would contribute towards meeting the Council's future Capital Programme requirements.
- 2.3 However, there will be a loss of rental income to the Council and this will need to be mitigated as part of the revenue budget setting processes.
- 2.4 Whilst the prospective purchaser's investment plans are not an influencing factor when assessing 'best consideration' the acquisition should enhance the company's prospects of delivering their plans resulting in long-term regeneration benefits for the wider town centre economy.

3. **Options Considered**

3.1 **Option 1 – Retain the Council's interest**

- The Council will continue to receive rental income with the reasonable prospect of increased rental income in future years;
- The Council would not receive a significant capital receipt (which is considered to represent the market value of the Council's interest) thereby denying the opportunity of supporting the Capital Programme;

- The Council will continue to hold a freehold land asset within the centre of Newcastle town thereby providing a long term opportunity to directly influence redevelopment;
- There may be a risk that the Council's retained interest would inhibit the lessee's long term investment plans to the detriment of the wider town centre economy;
- There may be long term liabilities arising from the retention of the asset;
- Refer to Part II report.

3.2 **Option 2 – Dispose of the Council's interest**

- The Council will receive a capital receipt that could be used to support known demands of the Council's capital programme;
- The Council will no longer receive a rental income thereby impacting adversely on the General Fund revenue budget;
- There are likely spin-off benefits to the wider town centre economy (not a 'best consideration' factor);
- The Council would lose its ability in the long term to directly influence regeneration of this part of the town centre (reliant on the Town Planning process);
- Any long term liabilities associated with retention of the asset would be mitigated;
- Refer to Part II report.

4. **Proposal and Reasons for Preferred Solution**

- 4.1 The capital receipt meets the test of 'best consideration'.
- 4.2 The capital receipt will assist in meeting the Council's short-term Capital Programme requirements and this benefit is considered to outweigh the issues arising from the loss of annual rental income (which will need to be mitigated).
- 4.3 Any long term liabilities arising from retention of the asset would be mitigated.

5. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- 5.1 The disposal of this asset will enable the achievement of priority outcomes in all four of the Council's corporate priorities.

6. **Legal and Statutory Implications**

- 6.1 The Council has a duty, both fiduciary and operationally to utilise its Assets for the benefit of the community.
- 6.2 Local Government Act 1972 – Section 123 - the Council has a duty to achieve best consideration for its assets.
- 6.3 Local Government Act 2000 - powers to promote the economic, social and environmental wellbeing of the Borough.

7. **Equality Impact Assessment**

7.1 There are no such issues arising directly from this report.

8. **Financial and Resource Implications**

8.1 The Council will receive a capital receipt that could be used to support known Capital Programme demands.

8.2 The disposal will result in a loss of rental income which will need to be mitigated as part of the annual budget-setting and MTFS processes.

8.3 Additionally the risk of the Council having to contribute towards long-term maintenance/repair will have been mitigated.

8.4 Refer to the Part II report for further information.

9. **Major Risks**

9.1 Loss of annual revenue income to the Council which will need to be mitigated.

10. **Sustainability and Climate Change Implications**

10.1 None

11. **Key Decision Information**

11.1 The report is referred to in the Forward Plan.

12. **Appendices**

12.1 Location plan showing the extent of the property.

13. **Background Papers**

13.1 File held by the property section.

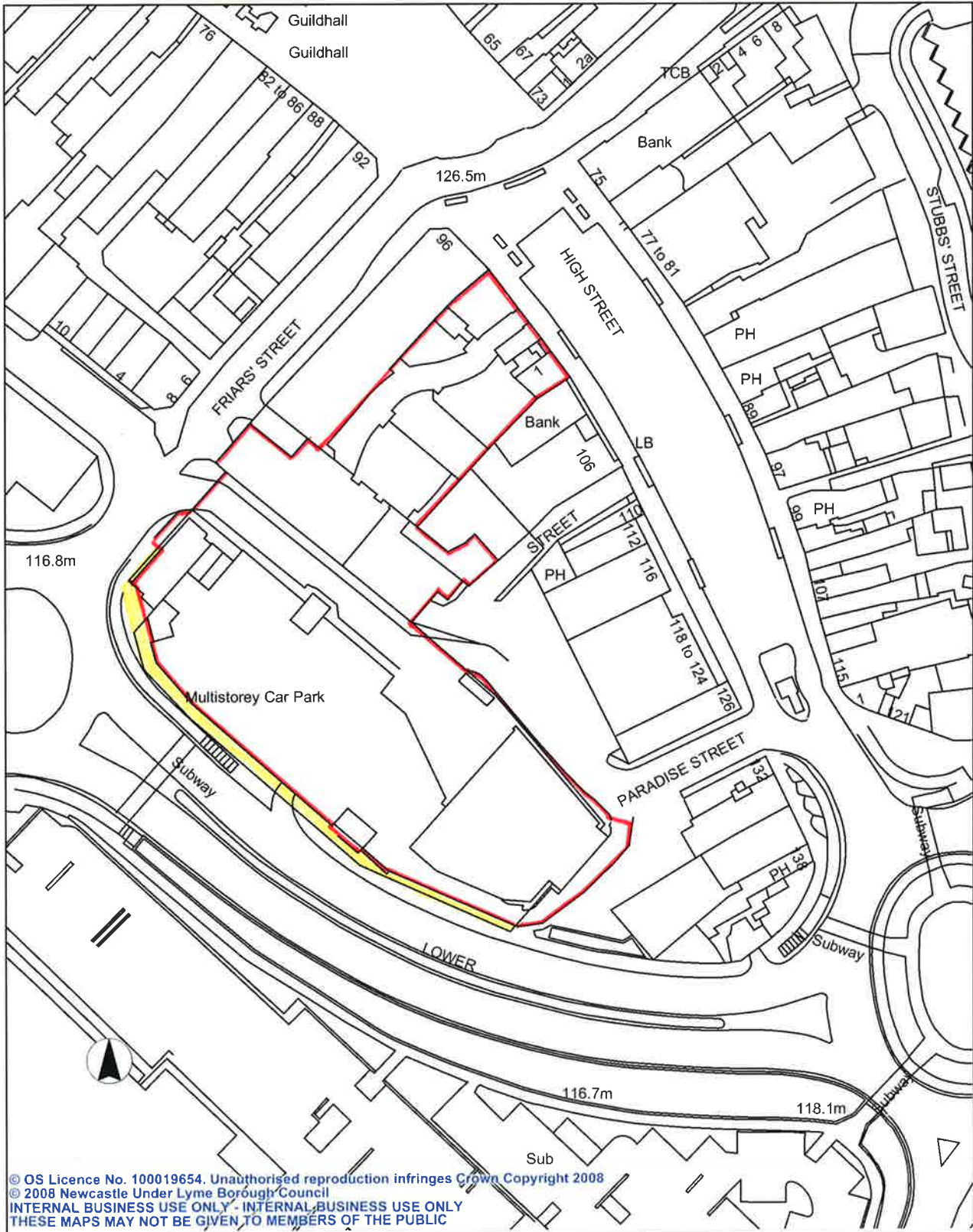
13.2 Valuation report provided by the District Valuer.

13.3 Report at Part II of this agenda.



The Square Newcastle

Customer Services



Newcastle Under Lyme Borough Council
 Asset Section
 Civic Offices
 Merril Street
 Newcastle Under Lyme
 ST5 2AG
 01782 742371

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE
CABINET**

PART I

15th October 2014

**1. PROPOSED FREEHOLD DISPOSALS – 2-10 HASSELL STREET, 15-21 BRUNSWICK STREET
(INCLUDING 17A HANOVER STREET), NEWCASTLE**

Submitted by: Property Manager

Portfolio: Economic Regeneration, Business and Town Centres

Ward(s) affected: Town Ward

Purpose of the Report

- 1) To consider the disposal of no's 2 – 10 Hassell Street, which comprises four tenanted, ground floor retail units no's 4-10 Hassell Street and vacant first and second floor former offices no. 2 Hassell Street.
- 2) To consider the disposal of no's 15 -21 Brunswick Street, comprising 3 tenanted, ground floor retail units no's 15-19 Brunswick Street, small first floor office suite, no. 17a Hanover Street and vacant, first and second floor former offices, situated above, no's 17a and 21 Brunswick Street.

Recommendations

1. Dispose of the Council's freehold interest of 2-10 Hassell Street and 15-21 Brunswick Street (Including 17a Hanover Street), Newcastle subject to the offers being at values representing 'best consideration'.
2. If no offers are received in response to the current marketing exercise or the offers are not considered to achieve 'best consideration', that your Officers are authorised to continue marketing the premises.
3. Subject to the outcome of recommendation 2 that officers, in consultation with the Portfolio Holder of Economic Regeneration, Business and Town Centres, be authorised to accept a future offer so long as this represents best consideration.
4. That steps be taken as part of the future budget-setting and MTFS processes to address the loss of annual rental income from the properties.

Reasons

1. The Council will realise capital receipts which represent best consideration.
2. The Council will not have to pay for essential repair and ongoing maintenance works to the properties.
3. The upper floors of these two buildings will be brought back into productive use at no cost to the Council, thereby achieving regeneration objectives.

1. **Background**

2-10 Hassell Street, Newcastle

- 1.1 The Council owns the freehold interest of these town centre premises, situated adjacent to the bus station. The property comprises four tenanted retail units on the ground floor, vacant first and second floor former offices and a rear car parking area which serves these properties.
- 1.2 The shop units, no's 4-10 Hassell Street are leased on terms as set out in the confidential report in Part II of your agenda.
- 1.3 Essential works to the roof and windows (estimated cost set out in the confidential report at Part II of your agenda) have been identified in the Stock Condition Survey for completion in 2016/17. These works are required to maintain the fabric of the building regardless of whether the first and second floors are refurbished.
- 1.4 The vacant first and second floor offices extend to approximately 8,520 sq. have been vacant since 2006 and require complete refurbishment if they were to be brought back into use. The estimated cost of refurbishment for office use is set out in the confidential report at Part II of your agenda.

15-21 Brunswick Street (including 17 a Hanover Street), Newcastle

- 1.5 The Council owns the freehold interest of the above edge of town centre premises, situated opposite Jubilee 2. The property comprises three tenanted retail units on the ground floor, one of which has a small first floor office suite, no. 17a Hanover Street. The other first and second floor rooms, formerly used for office purposes, are in need of repair if they are to be put back into beneficial occupation.
- 1.6 15-19 Brunswick Street and 17a Hanover Street are leased on terms as set out in the confidential report at Part II of your agenda.
- 1.7 Essential works to the roof and the security of the building have been identified in the Stock Condition Survey for completion in 2016/17 at an estimated cost which is set out in the confidential report at Part II of your agenda. These works are required to maintain the fabric of the building regardless of whether the first and second floors are refurbished.
- 1.8 The first and second floor former offices extend to approximately 2,238 sq. ft. No. 15a Brunswick Street has been vacant since 2005 and 21 Brunswick Street has not been occupied since 1995. The upper floors require significant refurbishment if they were to be relet for office or any other use. The estimated cost for these works is set out in the confidential report at Part II of your agenda .
- 1.9 Both properties occupy prominent locations within and adjacent to Newcastle Town Centre wherein the Council (and the Town Centre Partnership) is keen to promote regeneration and investment.

2. **Issues**

- 2.1 The first consideration in these cases is whether the Council would, in the disposal of the properties achieve “best consideration” (as defined in S.123 of the Local Government Act 1972 (as amended)). In both instances the Council has received an opportunistic offer so in order to establish whether they represent best consideration your officers have undertaken a marketing exercise (in liaison with the Portfolio Holder). The closing date for receipt of offers is 10 October 2014 and the outcome of that process, along with the initial offer will be reported at your meeting. In the event that officers are satisfied that best consideration can be achieved then disposals will be recommended, taking account of the information in the confidential report at Part II of your agenda. The assets would be sold subject to the leasehold interests described in the latter report.
- 2.2 The capital receipts derived from these disposals would contribute towards the Council's future capital programme requirements.
- 2.3 However there will be a loss of rental income to the Council which will need to be mitigated as part of the MTFS and annual budget setting processes.
- 2.4 Whilst it is not a matter that can be taken into account in the Council's judgement of 'best consideration' Members should be aware of the potentially beneficial impact upon the town centre economy of securing investment into, and beneficial occupation of, these buildings.

3. **Options Considered** (see information in the report at Part II of this agenda)

Option 1 – retain both the assets within the Council's portfolio.

- 3.1 If the Council retains Hassell Street:
 - It will continue to receive a rental income;
 - It will continue to hold a freehold land asset within the centre of Newcastle town;
 - It will be required to incur expenditure , in accordance with the stock condition survey, in 2016/17 on the fabric of the building;
 - Should it wish to bring the upper floors back into use then it will be required to incur capital expenditure to bring the premises into a satisfactory state of repair.
- 3.2 If the Council retains Brunswick Street:
 - It will continue to receive a rental income ;
 - It will continue to hold a freehold land asset on the edge of Newcastle town centre;
 - It will be required to incur expenditure, in accordance with the stock condition survey, in 2016/17 on roof repairs and the security of the building;
 - Should it wish to bring the upper floors back into use then it will be required to incur capital expenditure to bring the premises into a satisfactory state of repair.
- 3.3 The upper floors of both buildings will remain empty until considerable capital sums are spent to refurbish them.

Option 2 – Dispose of both assets

- 3.4 Subject to achieving 'best consideration' the Council would be able to realise significant capital receipts – offers to be circulated on confidential papers prior to the meeting.
- 3.5 It will result in a loss of rental income.
- 3.6 The Council will not have to pay for essential works to the properties. Neither will the Council have to consider further maintenance or refurbishment of the building in order to bring the upper floors into viable use.
- 3.7 The upper floors of these buildings will be brought back into use at no cost to the Council.

Option 3 Dispose of Hassell Street and retain Brunswick Street

- 3.8 There will be a capital receipt in respect of Hassell Street but will result in loss of rental income.
- 3.9 The Council will not have to pay for essential works to Hassell Street.
- 3.10 The upper floors of Hassell Street will be brought back into use at no cost to the Council.
- 3.11 If the Council retains Brunswick Street:
 - It will continue to receive a rental income;
 - It will continue to hold a freehold land asset on the edge of Newcastle town centre;
 - It will be required to incur expenditure, in accordance with the stock condition survey, in 2016/17 on roof repairs and the security of the building;
 - Should it wish to bring the upper floors back into use then it will be required to incur capital expenditure to bring the premises into a satisfactory state of repair.

Option 4 – Retain Hassell Street and Dispose of Brunswick Street

- 3.12 If the Council retains Hassell Street:
 - It will continue to receive a rental income
 - It will continue to hold a freehold land asset within the centre of Newcastle town;
 - It will be required to incur expenditure, in accordance with the stock condition survey, in 2016/17 on the fabric of the building;
 - Should it wish to bring the upper floors back into use then it will be required to incur capital expenditure to bring the premises into a satisfactory state of repair.
- 3.13 There will be a capital receipt in respect of Brunswick Street but will result in loss of rental income.
- 3.14 The Council will not have to pay for essential works to Brunswick Street.
- 3.15 The upper floors of Brunswick Street will be brought back into use at no cost to the Council.

4. **Proposal and Reasons for Preferred Option**

- 4.1 On the assumption that the offers from the market represent best consideration, Option 2 is recommended.
- 4.2 The Council will not have to pay for essential works to the properties. Neither will the Council have to consider further maintenance or refurbishment of the buildings in order to bring the upper floors into viable use.
- 4.3 The upper floors of these buildings will be brought back into beneficial use at no cost to the Council.

5. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- 5.1 The disposal of these assets will enable the achievement of priority outcomes in all four of the Council's corporate priorities.

6. **Legal and Statutory Implications**

- 6.1 The Council has a duty, both fiduciary and operationally to utilise its Assets for the benefit of the community.
- 6.2 Local Government Act 1972 – Section 123 - the Council has a duty to achieve best consideration for disposal of its assets.
- 6.3 Local Government Act 2000 - powers to promote the economic, social and environmental wellbeing of the Borough.

7. **Equality Impact Assessment**

- 7.1 There are no such issues arising from this report.

8. **Financial and Resource Implications**

- 8.1 Should the disposals proceed the Council will:
- Benefit from significant capital receipts;
 - Not have to pay for essential works to the properties within the next two to three years;
 - Lose rental income and;
 - Avoid having to fund long term maintenance and/or refurbishment of upper floors.
- 8.2 Clearly the receipt of capital funds will assist the Council in meeting its Capital Programme requirements.
- 8.3 The loss of rental income will negatively affect the General Fund and will need to be addressed in the MTFs and annual budget-setting processes.

9. **Major Risks**

9.1 Loss of revenue income to the council which will need to be mitigated as part of the MTFS and budget-setting processes.

10. **Sustainability and Climate Change Implications**

10.1 None.

11. **Key Decision Information**

11.1 The report is referred to in the Forward Plan.

12. **Earlier Cabinet/Committee Resolutions**

12.1 None.

13. **Appendices**

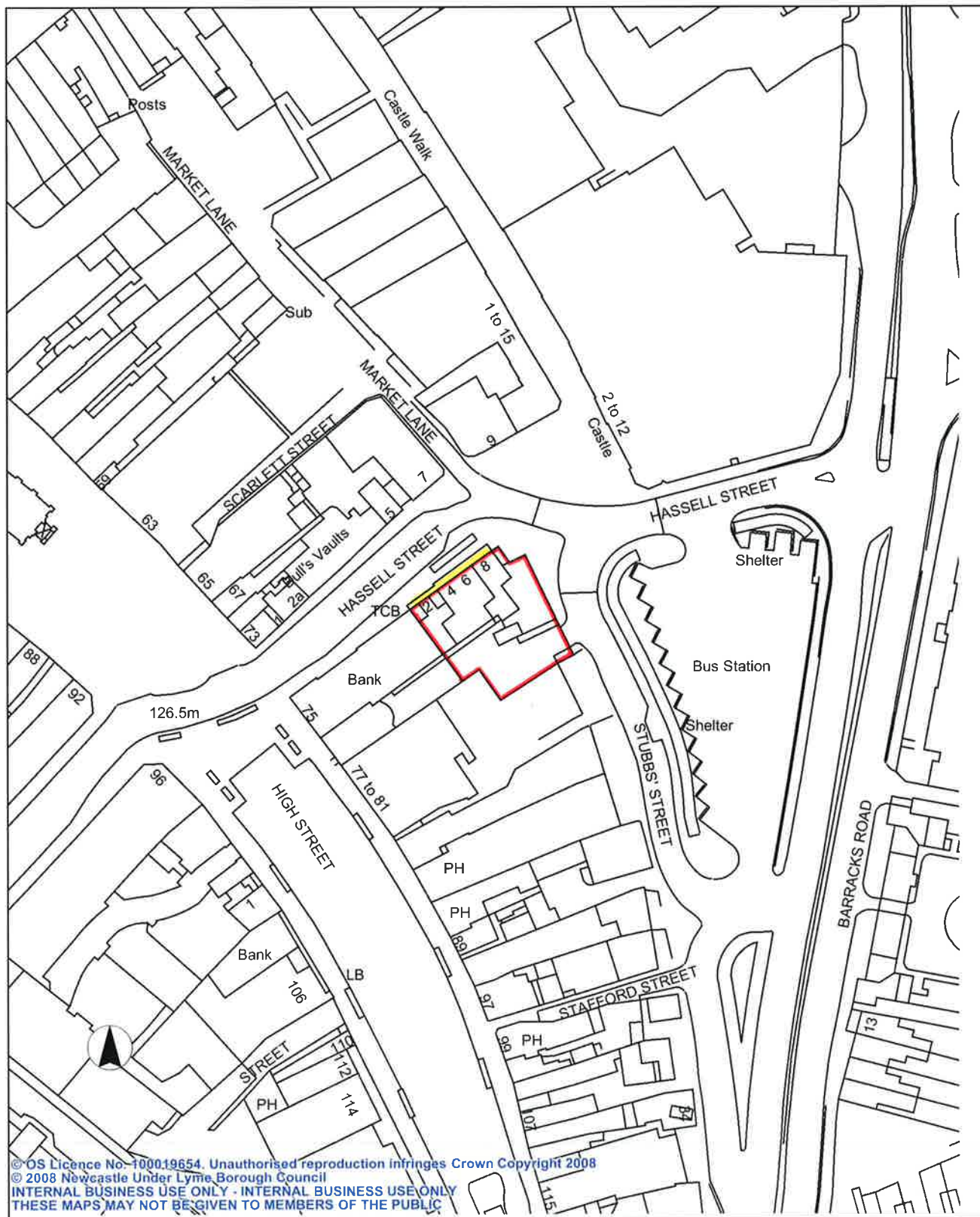
13.1 Location plans

TellUS 2 - Provided by



Hassell Street Shops and Offices,
Newcastle

Customer Services



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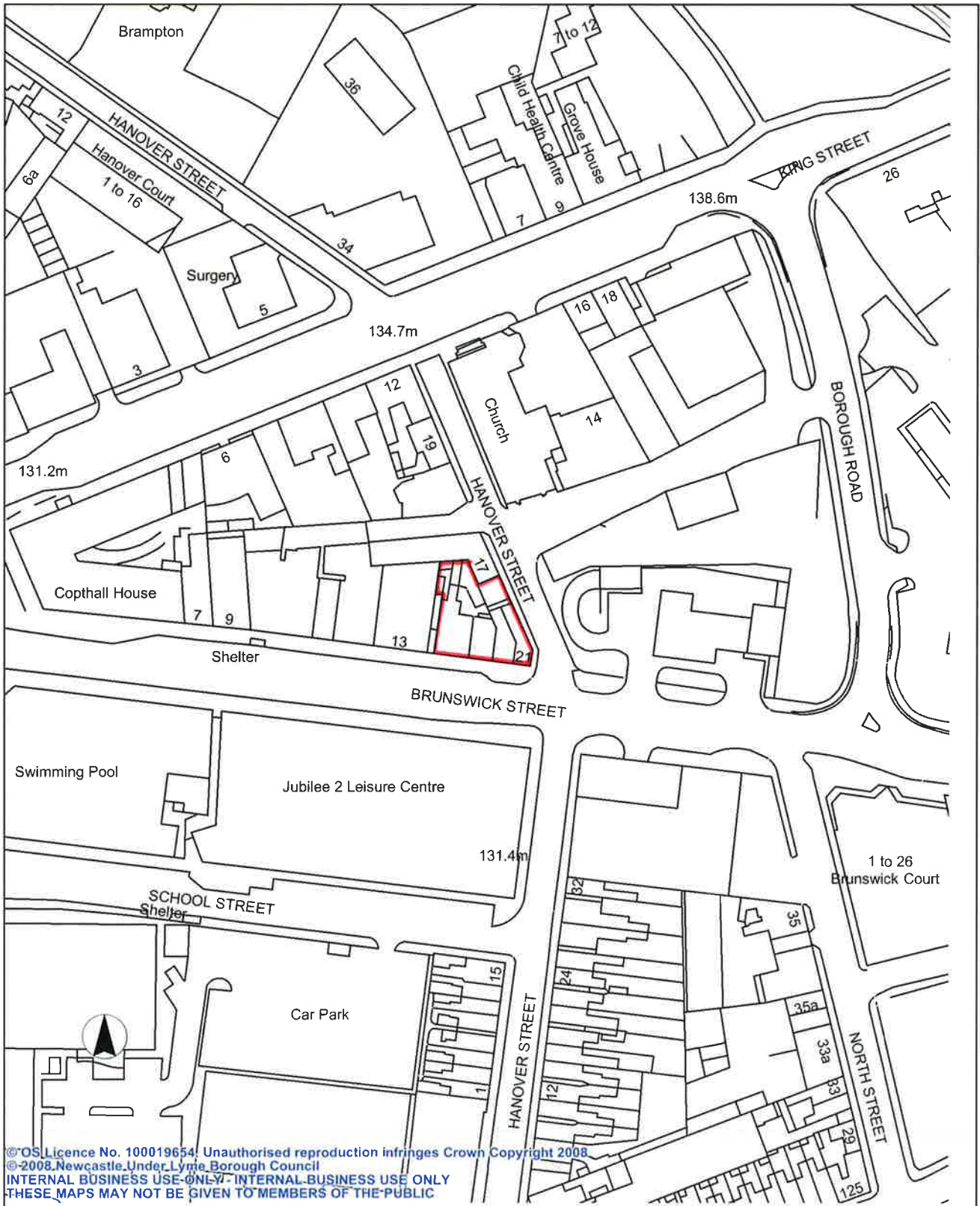
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TellUS 2 - Provided by



Brunswick Street Shops & Offices,
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