

14 ATTENDANCE AT CABINET MEETINGS

Councillor attendance at Cabinet meetings:

- (1) The Chair or spokesperson of the Council's scrutiny committees and the mover of any motion referred to Cabinet shall be entitled to attend any formal public meeting of Cabinet to speak.
- (2) Other persons including non-executive members of the Council may speak at such meetings with the permission of the Chair of the Cabinet.

Public attendance at Cabinet meetings:

- (1) If a member of the public wishes to ask a question(s) at a meeting of Cabinet, they should serve two clear days' notice in writing of any such question(s) to the appropriate committee officer.
- (2) The Council Leader as Chair of Cabinet is given the discretion to waive the above deadline and assess the permissibility of the question(s). The Chair's decision will be final.
- (3) The maximum limit is three public questions at any one Cabinet meeting.
- (4) A maximum limit of three minutes is provided for each person to ask an initial question or make an initial statement to the Cabinet.
- (5) Any questions deemed to be repetitious or vexatious will be disallowed at the discretion of the Chair.

Members: Councillors Beech, Kearon, Turner (Vice-Chair), Williams, Shenton (Chair), Proctor and Rout

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, 22nd July, 2015

Present:- Councillor Elizabeth Shenton – in the Chair
Councillors Beech, Kearon, Turner, Williams and Proctor

1. **MINUTES**

Resolved: That the minutes of the meeting held on 10 June, 2015 be agreed as a correct record.

2. **APOLOGIES**

Apologies were received from Councillor Rout

3. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

4. **PETITION SUBMITTED TO COUNCIL OPPOSING THE INCLUSION OF LAND KNOWN AS 'THE BUTTS, GALLOWSTREE LANE, THISTLEBERRY, KEELE' IN RESPONSE TO THE LOCAL PLAN CALL FOR SITES**

A report was submitted for the Cabinet to consider issues raised by petitioners in respect of land known as 'The Butts, Gallowstree Lane'.

The Portfolio Holder for Planning and Housing stated that there were no plans to sell off this piece of land and suggested that the Cabinet's best option would be to follow option (a) under paragraph 2.1 of the report :-

Continue to allow the Butts to go forward and be subject to the outcome of masterplanning and Joint Local Plan process on the basis that such plans will guide future decision making as to the use of the subject land.

The petitioners would be responded to, advising them of the Council's position on this piece of land.

- Resolved:**
- (i) That the petitioners concerns and objections be noted
 - (ii) That the Butts continue to be allowed to go forward and be subject to the outcome of masterplanning and Joint Local Plan process on the basis that such plans will guide future decision making as to the use of the subject land.
 - (iii) That officer guidance be prepared on the process for the aid of future petitioners.

5. PROGRESS MADE IN IMPLEMENTING THE ACTION PLAN AGREED BY THE COUNCIL IN RESPONSE TO THE REPORT OF THE PLANNING PEER REVIEW TEAM

A report was submitted updating the Cabinet on the progress made in implementing the agreed Action Plan which had been put in place as a result to the Planning Peer Review.

The Portfolio Holder stated that a large proportion of the agreed actions had been addressed.

The Cabinet were informed that the Planning Committee which met on 21 July, 2015 had considered this report and had made no comments.

There were issues regarding staffing matters and it was proposed that a report be taken to the meeting of the Cabinet on 16 September with regard to this.

- Resolved:**
- (i) That the Action Plan's progress be noted.
 - (ii) That the proposals as set out in the report be agreed.

6. PILOT PROJECT FOR COLLABORATION ON PRINT AND ASSOCIATED SERVICES

A report was submitted to Cabinet outlining proposals for closer working relationships with partners on print and associated services.

The Portfolio Holder outlined three possible options for a way forward and option two – to develop a pilot project around collaborative working was agreed as the way forward.

- Resolved:**
- (i) That, the proposals for a pilot project for collaborative working involving print and associated services, be approved.
 - (ii) That a further report be brought back to Cabinet, giving an overview and evaluation of the first six months of the pilot project with recommendations for any further action.

7. CABINET PANELS

A report was submitted to Cabinet seeking agreement for all of the Council's Cabinet Panels (currently six in total) to consist of seven Members in order to achieve consistency.

The proposal would also enhance the effectiveness of those Panels with five Members given that two additional persons would be present at meetings.

- Resolved:**
- (i) That the number of Members, serving on each of the following Cabinet Panels be confirmed to be seven:
 - Recycling and Waste
 - Concurrent Funding

- Locality Action Partnerships
- Revenue Investment Fund
- Capital Investment Programme
- Community Centres

- (ii) That the Community Centres Cabinet Panel be chaired by the Portfolio Holder for Policy, People and Partnerships.

8. **FINANCIAL AND PERFORMANCE MANAGEMENT REPORT TO END OF QUARTER FOUR (JANUARY TO MARCH) 2015**

A report was submitted to Cabinet in respect of the Financial and Performance Review report –fourth Quarter for 2014/15.

The Portfolio Holder for Finance, IT and Customer stated that the position of the Revenue Budget was a surplus of £7327 which was in line with the approved budget. Councillor Turner requested that the Executive Management Team pass on congratulations to all officers who had helped to achieve this.

There had been a shortfall in spending which has due to vehicles, scheduled for replacement being kept in use for as long as economically possible and for some leisure projects. The Portfolio Holder also wished to thank those who had kept the vehicles running a while longer.

The Cabinet was also informed of the performance results of the indicators in relation to the Council's Corporate Priorities.

- Resolved:**
- (i) That the contents of the report be noted.
 - (ii) That the Council continues to monitor and scrutinise performance alongside the latest financial information for the same period.
 - (iii) That the comments made throughout the Scrutiny process and the responses from officers and others be noted.

9. **HOUSING RENEWAL LOANS**

A report was submitted to Cabinet seeking approval to recommence a loan programme to enable the improvement and repair of homes funded from the Capital Programme.

The Cabinet were asked to consider three options within the report. The Cabinet agreed to option three – To continue to make available grants but offer a reduced range of loans.

- Resolved:**
- (i) That officers be authorised to take all necessary steps to develop and deliver an in-house home loans renewal programme.
 - (ii) That the Executive Director for Regeneration and

Development, in conjunction with the Portfolio Holder for Planning and Housing be authorised to update the current Housing Renewal Assistance Policy to include the offer of loans.

10. OFFICE OF THE POLICE AND CRIME COMMISSIONER STAFFORDSHIRE - SAFER NEIGHBOURHOOD PANELS

A report was submitted to Cabinet seeking nominations for two Elected Members to represent the Borough Council on the Safer Neighbourhood Panels for Newcastle under Lyme. The role of the Panel was set out in the report.

Members were advised that two thirds of the Panel would be members of the public and the membership would be refreshed every six months.

The Cabinet agreed that Councillors' Kearon and Proctor be put forward as nominees to sit on the Panel.

Staffordshire County Council had made a verbal confirmation that they had nominated a Member but, to date, there was no written confirmation. In addition, the local Magistrates' Bench would be putting in a nomination.

Resolved: That the Safer Neighbourhood Panel be supported and that Councillors' Kearon and Proctor be nominated to sit on the Panel.

11. URGENT BUSINESS

There was no Urgent Business.

COUNCILLOR ELIZABETH SHENTON
Chair

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE CABINET

Date 16th September 2015

1. **REPORT TITLE** Off Street Parking Order

Submitted by: Engineering Manager - Graham Williams

Portfolio: Town Centres, Business & Assets

Ward(s) affected: Town

Purpose of the Report

To seek authority to amend the consolidated off-street parking order for the car parks contained in the report.

Recommendations

1. That members approve the consultation for the addition and variation of the existing consolidated off street parking order.
2. That members delegate the decision to make the order to the Executive Director of Regeneration and Development in consultation with the Cabinet portfolio holder for Town Centres Business and Assets.

Reasons

To bring the management of the car parks in line with the other town centre car parks it is appropriate that the Council considers varying the Off Street Parking Order. Subject to consultation it is recommended that the variation to the order is made by the Executive Director in consultation with the Portfolio Holder.

1. **Background**

- 1.1 The Council has a duty to manage off street parking with Civil Enforcement Parking Officers able to enforce parking in line with the relevant traffic regulation order. All on street parking is the responsibility for the County Council.
- 1.2 The management of the majority of the town centre car parks is undertaken in accordance with the Traffic Management Act and the associated Off Street Parking Order. There are a small number of car parks particularly around the Civic Offices which relied upon used enforcement legislation which is now no longer available and are therefore dependent on car users parking responsibly. Whilst the vast majority of car users do park considerately, there are increasing instances whereby the lack of control on these car parks causes problems with vehicles and private accesses being blocked in by other car park users.

2. **Issues**

- 2.1 The adopted Off Street Parking Orders do not currently cover all necessary areas and all time periods so are insufficient to enable the full enforcement approach where car users are

unwilling to co-operate. It is therefore recommended that the order is updated and consultation is undertaken.

- 2.2 Whilst completing this review it is appropriate for the Council to consider placing restrictions on the named car parks to enable effective and consistent charging and use of permits.

3. **Proposal**

- 3.1 To enable adequate management of the car parks the existing Off Street Parking Order needs to be varied and added to; this will enable a consistent management approach across all the car parks and appropriate charging.

- 3.2 The table below outlines the details of the proposed Off Street Parking Order variation. However the amendments can be summarised as: adding the Permit restrictions in the week to off street parking in Merrial Street and the Civic Offices, then introducing Permit parking on the car parks at Bankside, Rear of High Street and Fogg Street East.

Parking Place	Class of Vehicle	(a) days of operation (b) hours of operation	Charging Days and Hours	Maximum Period of Waiting	Charging Approach (Fees set annually)	Exiting, Additional or New
Variation to Existing Car Parks						
3. Merrial Street	Passenger vehicle Goods vehicle Motor vehicle	(a) All days (b) All hours	Saturday 08:00-21:00		Pay and Display	Existing
	Passenger vehicle Goods vehicle Motor vehicle	(a) All days (b) All hours	Monday – Friday 08:00-21:00	24 hours	Permit Only	Additional
4. Civic Offices	Passenger vehicle Goods vehicle Motor vehicle	(a) All days (b) All hours	Saturday 08:00-21:00		Pay and Display	Existing
	Passenger vehicle Goods vehicle Motor vehicle	(a) All days (b) All hours	Monday – Friday 08:00-21:00	24 hours	Permit Only	Additional
New Car Parks						
17. Bankside	Passenger vehicle Goods vehicle Motor vehicle	(a) All days (b) All hours	Monday – Saturday 08:00-21:00	24 hours	Permit Only	New
18. Rear High Street	Passenger vehicle Goods vehicle Motor vehicle	(a) All days (b) All hours	Monday – Saturday 08:00-21:00	24 hours	Permit Only	New
19. Fogg Street East	Passenger vehicle Goods vehicle Motor vehicle	(a) All days (b) All hours	Monday – Saturday 08:00-21:00	24 hours	Permit Only	New

- 3.3 Rear High Street already has individually numbered bays and it is proposed that the rear of Fogg Street East is marked in a similar way. These car parks are generally used by local businesses operating in the adjoining retail premises and therefore it is proposed to discuss the changes with these businesses in order that they may apply for a Permit. Should a Permit holder wish to purchase another Permit for the same numbered bay it is proposed to

charge an additional £25 per quarter for each additional same numbered Permit. This will provide a convenient option for Permit holders not wishing to swap the Permit between vehicles.

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

- 4.1 The effective management of the off-street car parking supports the operation of the town centre, contributing to a safe and viable area.

5. **Legal and Statutory Implications**

- 5.1 The variation to the existing Off Street Parking Order would be made under the Road Traffic Act 1984, with the enforcement being carried out in accordance with the Traffic Management Act 2004.

6. **Equality Impact Assessment**

- 6.1 The proposed changes to the Order should minimise the inappropriate use of disabled spaces by none Blue badge holders.

7. **Financial and Resource Implications**

- 7.1 There would be a capital cost of implementing the scheme of about £4,500; this includes the advertising associated with the order, the necessary signage and any necessary road marking.
- 7.2 The additional income generated by the proposed changes could be up to £13,000 depending on the sale of the Permits.

8. **Key Decision Information**

- 8.1 This is not a key decision as it only affects one ward and there are minor financial implications.

9. **Background Papers**

- 9.1 The proposed off street parking order is available on request from the Engineers' section.

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE CABINET

16th September 2015

1. ASSET DISPOSALS – LAND AT DEANS LANE, RED STREET

Submitted by: Property Manager

Portfolio: Town Centres, Business and Assets

Ward(s) affected: Chesterton

Purpose of the Report

- i) For Cabinet to consider the comments received from the public following the consultation in respect of the land at Deans Lane, Red Street, along with desktop technical information.
- ii) To seek approval to secure specialist planning consultants to prepare and submit a planning application in respect of this site.

Recommendation

- (a) That Members approve the disposal of the land at Deans Lane, subject to having first secured an outline planning permission for this area of land.**
- (b) That Members approve the procurement of specialist consultants to prepare and submit a planning application in respect of this site.**

Reasons

The land at Deans Lane has been identified in the Asset Management Strategy 2015/16 – 2017/18 as a site in respect of which alternative uses should be explored as it no longer serves any strategic or operational purpose to the Council. In addition, by disposing of this asset the Council removes any potential ongoing maintenance liabilities.

Equally (importantly), the capital receipt derived from the disposal of this Council-owned land is required to support the funding of the Council's currently-approved Capital Programme. It is important that members are in a position to receive timely reports in such matters to ensure capital funding availability to allow purchasing decisions to be taken on items such as refuse/recycling fleet vehicles, play area maintenance and disabled facilities grants.

1. **Background**

- 1.1 The revised Asset Management Strategy was approved by Cabinet on 14th January 2015. This document contained a list of sites in appendix 1 where approval has been previously granted to dispose (the tranche 1 sites were considered at your Cabinet meeting in June 2014 and tranche 2 sites on the 12th November 2014). Appendix 2 (of which Deans Lane forms part) contained a list of sites where options for alternative uses were to be considered.
- 1.2 In October 2014 Cabinet resolved that as first resort, the Council 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. The estimated funding requirement for the Council's Capital Programme as set out in the Asset Management Strategy for the next three financial years from 2015/16 is approximately £14.5m.

1.3 A desk top assessment (including a mining report) has been produced in respect of this site which has not brought to light any significant technical constraints (which may inhibit alternative future use or development).

1.4 **Future sites**

The Asset Management Strategy 2015/16 – 2017/18 also identified two further sites (subject to the outcome of the Playing Pitch Strategy 2015-2020) where alternative uses were to be explored. The Playing Pitch Strategy was formally approved in June 2015 and it identified sites at Sheldon Grove, Chesterton and Knype Way, Bradwell as ones no longer being required as playing pitches. The public consultation in respect of these sites ended on 17th August and the results will be reported to a future cabinet which is anticipated to be in October 2015.

2. **Community Consultation**

2.1 The public have been consulted in respect of the site, over a six week period which ended on 3rd August 2015. This took the form of letters being sent to the relevant ward councillors, all owners/occupiers whose properties were adjacent to the site (when footpaths and roads were excluded), Chesterton Community Forum and the relevant LAP. Notices were also placed on the site.

2.2 Set out below is a summary of the comments:

Summary of consultation comments	Outcome of desktop assessment and response to consultation comments
Site has accommodated horses for a number of years	Comment noted
Effects on the wildlife, e.g. birds	These issues will be considered at the planning stage
Residents loss of privacy and views will be affected. Disruption/impact to adjacent owners (some of whom are elderly)	These issues will be considered at the planning stage
Increased traffic, and concerns where site should be accessed from. Concerns regarding contractor vehicles on the narrow lanes	These issues will be considered at the planning stage
Clay/water issues on the site, excess water from the site runs into the gardens on Walkers green Road	Although the site is in an area underlain by clay, the Coal Authority think it is unlikely that it will cause any ground movement
Increase in school pupil numbers	This will be considered at the planning stage
Asset Management Strategy should	Comments noted. The land is not located

<p>focus on sites in need of regeneration/densely populated areas/no major impact on the greenbelt. All avenues for capital generation have not been exhausted. Council has other sites that are financially more burdensome. Land available that would have less impact on the community</p>	<p>in the greenbelt and does not form part of the Green Space Strategy. It is currently let on a grazing licence with limited financial return. It is not considered to have any strategic or operational purpose</p> <p>Potential Technical Constraints:</p> <p>The Phase 1 Environmental Assessment has identified one coal seam running through the site and one on the edge of the site. This should not prevent development but is likely to increase the development costs.</p>
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2.3 The primary aim of the consultation was to identify any issues that are likely to impact upon the developability of the site. As the table above shows, the issues raised are, in the main, ones which can and should most appropriately be considered more fully as part of the planning process.

3. **Options Considered**

3.1 Option 1 – retain the site within the Council's portfolio.

If the Council retains this asset then there may be an ongoing maintenance cost associated with this site. In addition, neither a capital receipt nor best consideration will be achieved thereby undermining the Council's ability to fund its Capital Investment Programme and potentially jeopardising essential services.

3.2 Option 2 – Dispose of the site and procure specialist consultants to prepare and submit a planning application in respect of this site.

If the site is disposed of, with the benefit of planning permission, then the highest possible capital receipt will be realised which can contribute towards the works/schemes identified in the Newcastle Capital Investment Programme to assist the Council in achieving its corporate and service objectives.

In addition, the release of this site for housing development would contribute to the supply of housing land and meet broader housing provision objectives.

3.3 Option 3 – dispose of the site without the benefit of planning permission.

It is considered likely that the value of the capital receipt would be substantially reduced, therefore not achieving best consideration.

4. **Proposal**

4.1. Option 2 is proposed as outlined above.

4.2 At November 2014 Cabinet, Members approved that specialist consultants be procured to prepare and submit planning applications in respect Sandy Lane, May Bank, Market Drayton Road Loggerheads and Eccleshall Road, Loggerheads. It is proposed that specialist consultants be procured on the same basis in respect of the Deans Lane land and if planning permission is granted the land be disposed of. Members are advised that this site lies in a location that is broadly compliant with current planning policies relating to housing development.

5. **Reasons for Preferred Solution**

5.1 The land at Deans Lane is considered to have better alternative uses and does not serve any strategic, operational or other purpose to the Council therefore, if this asset is retained there may be an ongoing maintenance liability to the Council. In addition, the Council needs to proactively generate its own capital to fund the Newcastle Capital Investment Programme.

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

6.1 The disposal of this surplus asset enables the achievement of priority outcomes in all four of the Council's Corporate Priorities.

7. **Legal and Statutory Implications**

7.1 The Council has a duty, both fiduciary and operationally, to utilise its Assets for the benefit of the community.

7.2 The Local Government Act 1972 (as amended) – Section 123 - the Council has a duty to achieve best consideration when disposing of its assets.

7.3 The Local Government Act 2000 - powers to promote the economic, social and environmental wellbeing of the Borough.

8. **Equality Impact Assessment**

8.1 There are no issues arising from this report.

9. **Financial and Resource Implications**

9.1 It is estimated that the disposal of the land listed in Appendices 1 and 2 of the Asset Management Strategy 2015/16-2017-18 will generate in the region of £16m (subject to planning permission being granted, there being no significant abnormal cost and the site selling at open market value) which has been earmarked to fund the known capital spending requirements as set out in the current 3-year Capital Programme. The sale of the Deans Lane land will contribute towards this overall capital receipt.

9.2 As stated in paragraph 2.3 of this report it is proposed that specialist consultants be procured to prepare and submit a planning application in respect of Deans Lane. At your November 2014 meeting a sum of £432,000 was approved to fund the costs associated with submitting the planning applications in respect of the tranche 2 sites. It is considered likely that there is sufficient headroom in this budget allocation to meet the planning costs associated with the disposal of the Deans Lane site.

10. **Major Risks**

- Loss of income to the council (Capital Receipt)

- Increased revenue expenditure for the council
- Reputational damage to the council
- Inability to implement the Council's Asset Management Strategy 2015/16 – 2017/18
- Community and/or political resistance to the land sale
- Inability to fund essential Council services as set out in the current Capital Programme.
- The estimated capital value is based on the assumption that there are no significant abnormal costs associated with making this land/site developable

11. **Sustainability and Climate Change Implications**

11.1 Any issues will be considered through the planning process.

12. **Key Decision Information**

12.1 The report is referred to in the Forward Plan

13. **Earlier Cabinet/Committee Resolutions**

13.1 Cabinet 18th June 2014 – Asset Disposals
 Cabinet 15th October 2014 – Newcastle Capital Programme funding
 Cabinet 12th November 2014 – Asset Disposals
 Cabinet 14th January 2015 – Asset Management Strategy

14. **List of Appendices**

14.1 Plan of site.

15. **Background Papers**

Asset Management Strategy 2015/16 – 2017/18 available from the Council's website
 Plan of the site – available on request from the property section
 Consultation letters and background information – available on request from property section
 Previous Cabinet/Committee reports (see 13 above)

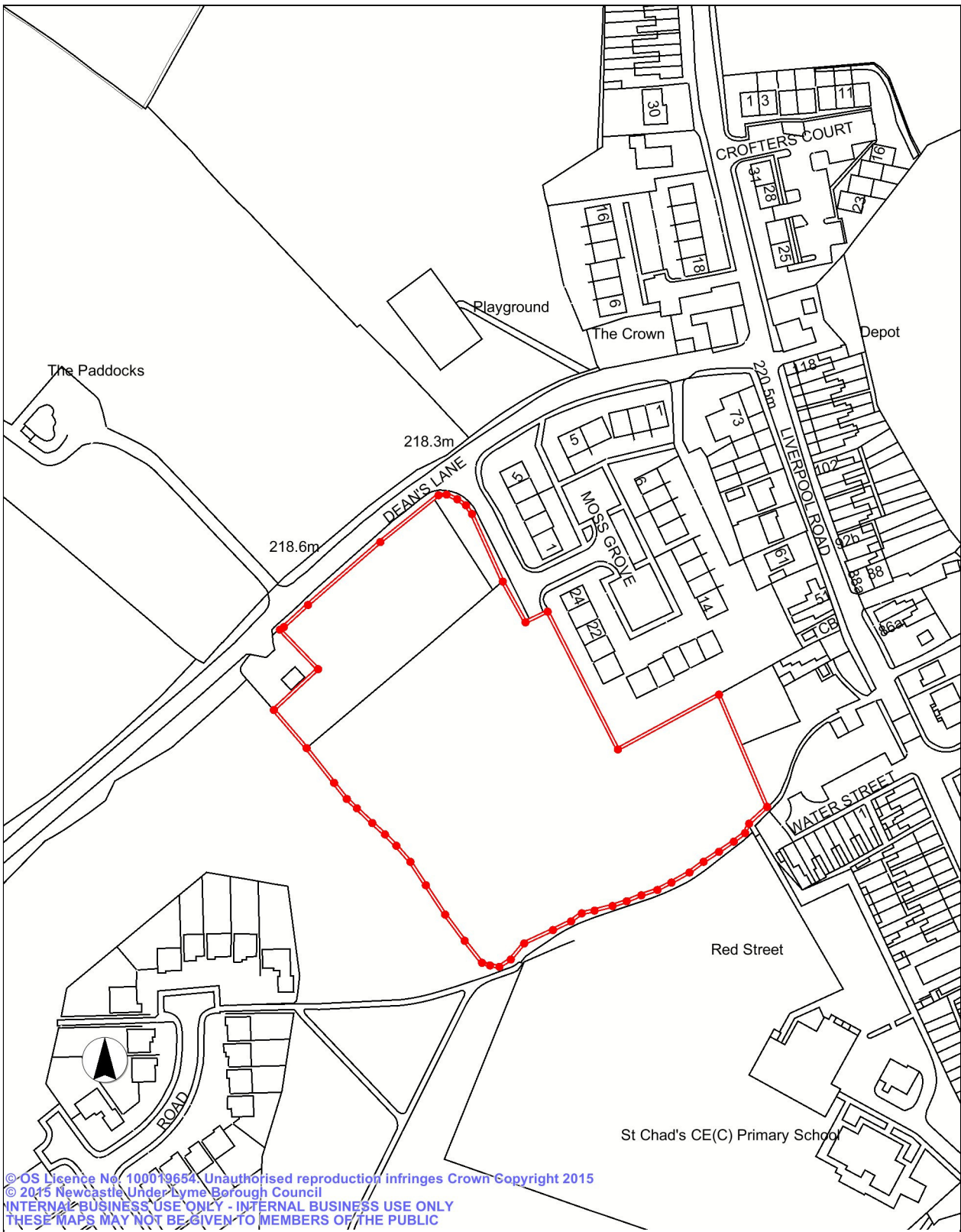
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Deans Lane, Red Street
1.40 Ha (3.46 acres)

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Newcastle Under Lyme Borough Council
 Asset Section
 Civic Offices
 Merrial Street
 Newcastle Under Lyme
 ST5 2AG
 01782 742371

Plan Produced 19.1.2015
 Scale 1:2,000

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CABINET

16th September 2015

APPLICATIONS TO DESIGNATE TWO NEIGHBOURHOOD AREAS FOR NEIGHBOURHOOD PLANNING PURPOSES

Submitted by: Executive Director: Regeneration & Development

Portfolio: Planning and Housing

Ward(s) affected: Loggerheads and Whitmore Ward

Purpose of the Report

To seek Cabinet approval to designate two neighbourhood areas for neighbourhood planning purposes:

1. Loggerheads Parish
2. Chapel & Hill Chorlton, Maer & Aston and Whitmore Parishes

To obtain Cabinet's agreement to delegate future decisions on designating neighbourhood areas to the Cabinet Member with responsibility for the Planning and Housing portfolio.

Recommendation

1. Cabinet approve the designation of the following two neighbourhood areas:
 - a. Loggerheads Parish
 - b. Chapel & Hill Chorlton, Maer & Aston and Whitmore Parishes
2. That Cabinet agree to delegate future decisions on the designation of neighbourhood areas to the Cabinet Member with responsibility for the Planning and Housing portfolio.
3. That officers be authorised to submit a bid for funding support to the Department for Communities and Local Government and that a report be brought to a future meeting of Cabinet on the likely resource and staffing implications for the Council of responding to the development of Neighbourhood Plans.

Reasons

The council has received two neighbourhood area applications which, in accordance with the Neighbourhood Planning Regulations (2012, amended 2015) must be determined by the council within an eight week period ending on 22nd September 2015.

The council's constitution makes no provision for the determination of decisions relating to Neighbourhood Planning. However, national Planning Practice Guidance states; *"the Council's Executive takes the decisions on neighbourhood planning in a local planning authority (where the authority operates executive arrangements). The Executive may be able to delegate others in the authority to discharge these duties. The neighbourhood planning functions may be delegated to a committee or another authority. For further details see the Local Government Act 2000 and the Local Authorities (Functions and Responsibilities) (England) Regulations 2000"*

Cabinet approval is therefore required in order to delegate authority for making decisions on designating neighbourhood areas to the Cabinet Member with responsibility for the Planning and Housing portfolio.

1. Background

- 1.1 Neighbourhood Plans were introduced under the Localism Act (2011). These plans form part of the development plan system, however they are prepared by parish councils or organised neighbourhood forums and they cover a smaller area than a district-wide local plan.
- 1.2 Before a neighbourhood plan can be formally prepared, the area that is to be covered by the plan needs to be designated. As the local planning authority, the Borough Council has the responsibility to publicise and then make a decision on applications that it has received to designate neighbourhood areas within the borough.
- 1.3 The Council has received the two following applications proposing to designate neighbourhood areas within the borough:
 1. Loggerheads Parish (received on 26th June 2015)
 2. Chapel & Hill Chorlton, Maer & Aston and Whitmore Parishes (joint application, received on 14th July 2015)
- 1.4 The Neighbourhood Planning (General) Regulations 2012 (Amended 2015) require that applications received from parish councils which propose to designate the whole parish must be publicised for a four week period in order to allow public comments to be made on the proposal. The regulations also require that local planning authorities must make a decision on such applications within eight weeks of first publicising the proposal (i.e. an additional four weeks after the initial four week publicising period)¹.
- 1.5 Both of these applications have been subject to public consultation for a four week period from Monday 27th July to Monday 24th August 2015. Therefore the Borough Council must make a decision on the applications by 22nd September 2015.

2. Issues

Boundaries

- 2.1 Both applications relate to the entire area of each of the relevant parishes. Maps showing the extent of the two areas proposed to be designated are provided in Appendices 1 and 3 to this report along with the supporting statements supplied by the relevant parish councils.
- 2.2 Loggerheads Parish Council had previously submitted an application to designate a smaller area of their parish which the Borough Council publicised in May and June 2015. In light of some of the comments received during that period which suggested conflicting amendments to the proposed boundary, Loggerheads Parish Council decided to withdraw that application and submit the new application to designate the entire parish. It is this new neighbourhood area application that is a focus of this report.

Neighbourhood Area Applications

- 2.3 It is normally expected that neighbourhood area applications will be approved unless there are specific reasons not to do so, for example if a neighbourhood area has already been designated within the same area being applied for. The Planning and Compulsory Purchase Act 2004 (as amended) directs that parish councils are relevant bodies to lead the preparation of Neighbourhood Plans and in such cases the area to

¹ Regulation 6A of the Neighbourhood Planning (General) Regulations 2012 (Amended 2015)

be designated must be the whole or part of the parish. Both of these applications have been submitted by parish councils and both of them seek to designate the whole of their respective parishes.

- 2.4 No comments have been received during the publicising period to suggest that either of the neighbourhood areas would be inappropriate. All of the comments received are summarised in Appendices 2 and 4 to this report.

Decision Making Process

- 2.5 The Council's constitution makes no provision for the determination of decisions relating to Neighbourhood Planning. National Planning Practice Guidance states that a council's Executive body (i.e. Cabinet) takes the decisions relating to Neighbourhood Planning but that it may delegate this duty to others in the authority, for example a Cabinet sub-committee or the relevant Portfolio Holder.
- 2.6 Because of the strict time limits in determining applications to designate neighbourhood areas it is considered both necessary and appropriate to put in place a decision making process that can respond within the statutory timetable.
- 2.7 Therefore, Cabinet approval is being sought for these two initial neighbourhood area applications, along with approval to allow future applications to be decided by the Cabinet Member with responsibility for the Planning and Housing portfolio. Cabinet approval will also be required for any future decision to 'make' (i.e. adopt) a Neighbourhood Plan that has successfully passed through examination and referendum.

Future Implications for the Borough Council

- 2.8 Whilst Neighbourhood Plans are prepared by bodies external to the Borough Council, it will be the Borough Council's responsibility to 'make' (i.e. adopt) the Neighbourhood Plans and to implement their policies through subsequent decisions on planning applications submitted for consideration. Neighbourhood Plans must however be in conformity with national planning policy and the district-wide local plan. In Newcastle-under-Lyme this essentially means the adopted Core Spatial Strategy and saved policies from the Newcastle-under-Lyme Local Plan 2011. Both of these will be superseded by the forthcoming Joint Local Plan and both the Borough Council and the parish councils will need to consider the implications of this as the Neighbourhood Plans are being prepared.

3. Proposal

- 3.1 In line with the requirements set out in the Regulations, both proposed neighbourhood areas are appropriate for designation, so members are recommended to approve the applications accordingly.
- 3.2 In addition it is recommended that the responsibility for such decision-making in future should reside with the portfolio holder for Planning and Housing for the reasons cited above.
- 3.3 The other facet of this proposal relates to resourcing (see below); it is recommended that officers be authorised to submit a bid for funding support to the Department for Communities and Local Government.

4. Reasons for the Preferred Solution

- 4.1 The designation of the two neighbourhood areas will allow the parish councils to begin work on preparing their respective Neighbourhood Plans. Whitmore Parish Council will be taking the lead in coordinating the preparation of the Chapel & Hill Chorlton, Maer & Aston and Whitmore Neighbourhood Plan.

5. Financial and Resource Implications

- 5.1 The Borough Council has a statutory duty to take decisions at key stages in the neighbourhood planning process. This includes organising formal public consultation periods and making the arrangements for the examination and referendum of the Neighbourhood Plans. It is also required to provide advice or assistance to a parish council, neighbourhood forum or community organisation that is producing a neighbourhood plan. The Authority must give such advice or assistance as, in all the circumstances, it considers "appropriate". There is no statutory requirement to provide financial assistance. Assistance could include providing ongoing professional advice and technical support, sharing evidential information and data. National Planning Practice Guidance says that local planning authorities should constructively engage within the community throughout the process.
- 5.2 This could have significant resource implications for the Borough Council in terms of committing staff resources and in material costs (for example providing paper maps to the parishes, printing off and sending out letters during consultation events and printing off and sending out ballot papers for the referendum). There is however funding available from the Department for Communities and Local Government (CLG) to support local planning authorities in this role, with a basic level of funding set at £30,000. There is a window of opportunity for the Borough Council to make a claim for funding between 1st and 30th September 2015, and others. Further information about this funding is available on the CLG website. In addition the Parish Councils can bid for funding support to assist them in managing the overall process of preparing such Plans and officers would, if required, seek to assist them in this regard.
- 5.3 Once the Neighbourhood Plans have been prepared by the Parish Councils then the Borough Council will be responsible for publicising them for public consultation and for collating the comments received. Following this the Neighbourhood Plans will be submitted to the Planning Inspectorate and be subject to independent examination, which the Borough Council will be responsible for organising (although at the Inspector's discretion this may only require written representations rather than formal hearings). If the Neighbourhood Plans successfully pass through the examination stage then the Borough Council will be responsible for organising a referendum whereby the electorate within the designated neighbourhood areas will be able to vote as to whether or not they agree that the Neighbourhood Plan should be used to decide planning applications in the area. If more than 50% of the electorate of the area vote in favour then the Borough Council will need to 'make' (adopt) the Neighbourhood Plan and subsequently implement its policies in determining future planning applications that are received within the relevant designated neighbourhood area.
- 5.4 Whether other Parish Councils or other qualifying bodies within the District wish to prepare Neighbourhood Plans is at present unknown, as is the speed at which they may progress once neighbourhood plan areas have been agreed. An enquiry has been received from the Newcastle Town Centre Partnership about a possible

Neighbourhood Plan for the Town Centre, although this was some time ago. Qualifying bodies such as Parish Councils can decide at any time to initiate the neighbourhood process – that they have not done so to date does not necessarily mean that they would not do so in the future. Qualifying bodies such as neighbourhood forums could be set up outside ‘parished’ areas. The opportunity to take up the procedures set out in the Localism Act is not within the control of the Council and so there is an inherent uncertainty. Nevertheless to enable Cabinet to be more fully informed and address the resource implications it is proposed to canvass intentions as to the likely take up of the neighbourhood planning option within the Borough and to submit a further report to Cabinet providing details of the potential resource implications.

6 Outcomes Linked to Corporate Priorities

- 6.1 The preparation and implementation of Neighbourhood Plans in the borough will contribute to the following corporate priorities:
- A clean, safe and sustainable borough
 - A borough of opportunity
 - A healthy and active community
 - A co-operative council delivering high quality, community driven, services
- 6.2 The designations are not expected in themselves to have a direct impact on the council’s corporate priorities.

7 Legal and Statutory Implications

- 7.1 The Localism Act (2011) introduced the concept of Neighbourhood Planning. The Localism Act also made amendments to the Town and Country Planning Act (1990) and the Planning and Compulsory Purchase Act (2004) in order to incorporate Neighbourhood Plans within the statutory development plan system.
- 7.2 The Neighbourhood Planning (General) Regulations 2012 implement this legislation through setting out the requirements for designating neighbourhood areas and preparing and the ‘making’ of neighbourhood plans. The Regulations were amended in 2015 to decrease the publicising and decision making periods from 12 weeks to 8 weeks in total for the designation of new neighbourhood areas, where the application is submitted by a parish council and the boundary relates to a parish area.

8 Major Risks

- 8.1 The designation of the two neighbourhood areas does not create any major risks to the Council. However, it is worth noting that the parish councils will face significant risks of their neighbourhood plans becoming quickly out of date if they are prepared to only be in conformity with the adopted Core Spatial Strategy, which is due to be replaced by the new Joint Local Plan. The Borough Council has a duty of support to the parish councils and both parties will need to cooperate closely as neighbourhood plans are prepared.

9 Appendices (not attached but available to view on request)

- Appendix 1:
Application to designate Loggerheads parish as a neighbourhood area (received from Loggerheads Parish Council)

- Appendix 2:
Comments received relating to the application to designate Loggerheads parish as a neighbourhood area
- Appendix 3:
Application to designate Chapel & Hill Chorlton, Maer & Aston and Whitmore parishes as a neighbourhood area (joint application received from Chapel & Hill Chorlton, Maer & Aston and Whitmore Parish Councils)
- Appendix 4:
Comments received relating to the application to designate Chapel & Hill Chorlton, Maer & Aston and Whitmore parishes as a neighbourhood area



LOGGERHEADS PARISH COUNCIL

Loggerheads Community Fire Station, Market Drayton Road, Loggerheads,
Shropshire, TF9 4EZ

Telephone: 01630 673426

loggerheadspc@btconnect.com / www.loggerheadsparishcouncil.co.uk

Chief Planning Officer,
Newcastle under Lyme Borough Council,
Civic Offices,
Merrial Street,
Newcastle,
Staffs,
ST5 2AG

26th June 2015

Dear Mr Benson,

TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 61G
PLANNING AND COMPULSORY PURCHASE ACT 2004 – SECTION 38(6)
THE NEIGHBOURHOOD PLANNING REGULATIONS 2012

APPLICATION FOR DESIGNATION OF A NEIGHBOURHOOD AREA
LOGGERHEADS NEIGHBOURHOOD PLAN

On 30th March I submitted an application for designation of a neighbourhood area under Section 61 of the above Act. Following feedback from the consultation exercise that was carried out by the Borough Council as part of the designation process the Parish Council has reviewed their application. I now wish to withdraw this previous application and am writing to submit a new application.

On Thursday 25th June 2015 at the Loggerheads Parish Council meeting it was resolved to apply for designation of the whole of Loggerheads Parish as a Neighbourhood Area for the purposes of preparing the Loggerheads Neighbourhood Development Plan.

Section 61G (4) of the Town and Country Planning Act 1990 states that in determining the application the local authority “must have regard to the desirability the whole area of a Parish Council as the neighbourhood area”.

The Parish Council considers that it is appropriate and desirable to designate the whole of Loggerheads Parish as a neighbourhood area for the following reasons:

1. the parish comprises the villages of Ashley and Loggerheads which forms the main settlement cluster within the parish, with smaller settlements in Knighton, Hales, Mucklestone and Tryley.
 - The remainder of the land within the parish boundary is open countryside with

some areas protected as a Conservation Area, Site of Special Scientific Interest and protected woodland and an area that is included in the Staffordshire County Council Minerals Local Plan.

2. The Parish Council has canvassed parishioners on the proposal for a Neighbourhood Plan for the Parish through the bi-monthly Newsletter, which is distributed to all of the 2,400 properties within the Parish Council boundary and has received no adverse comments about proceeding.

The Parish Council understands that work is currently under way on the preparation of a new Development Plan to cover both Stoke on Trent City Council and Newcastle under Lyme Borough Council and that this will in due course, constitute the Development Plan for the purposes of Section 38(6) of the 2004 Act.

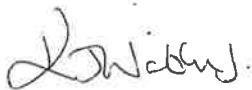
The intention of the Parish Council will be to seek conformity with the current Development Plan and any updates which may be accepted during a review/update of the Development Plan. This will need to be done in such a way as to ensure that any development considered necessary will benefit the parish and its residents and will have objectives expressed through firm contractual arrangements in anticipation of necessary physical and social infrastructure and facilities.

Loggerheads Parish Council is a 'relevant body' within the terms of Section 61G(2)(a) of the above Act.

A copy of a plan showing the boundary of the proposed Neighbourhood Area is attached.

I look forward hearing from you in the near future to establish what support is available to move the Neighbourhood Plan forward into the next stage.

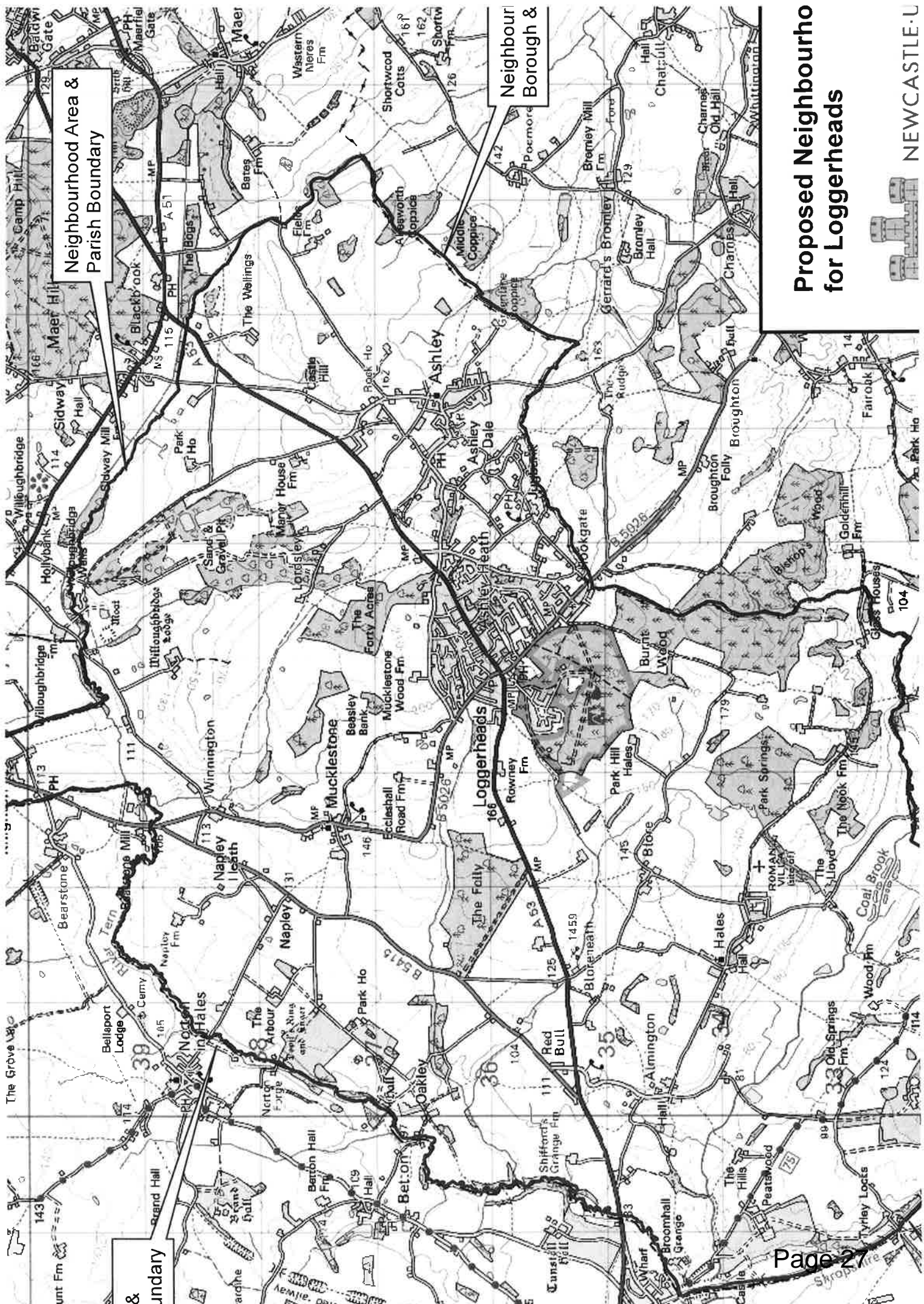
Yours sincerely,



Karen Watkins, MBE
Clerk, Loggerheads Parish Council

Enc. Map showing proposed designated area

cc. Cllr D Loades and Cllr P Northcott

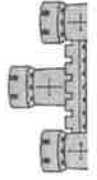


Neighbourhood Area & Parish Boundary

Neighbourhood Boundary

Neighbourhood Boundary

Proposed Neighbourhoods for Loggerheads



Public consultation comments received relating to the application to designate Loggerheads Parish as a neighbourhood plan area.

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
1	<p>Sport England Zoe Hughes (Senior Planning Administrator)</p>	<p>Planning Policy in the National Planning Policy Framework identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process and providing enough sports facilities of the right quality and type and in the right places is vital to achieving this aim. This means positive planning for sport, protection from unnecessary loss of sports facilities and an integrated approach to providing new housing and employment land and community facilities provision is important.</p> <p>It is important therefore that the Neighbourhood Plan reflects national policy for sport as set out in the above document with particular reference to Pars 73 and 74 to ensure proposals comply with National Planning Policy. It is also important to be aware of Sport England's role in protecting playing fields and the presumption against the loss of playing fields (see link below), as set out in our national guide, 'A Sporting Future for the Playing Fields of England – Planning Policy Statement'. http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/</p> <p>Sport England provides guidance on developing policy for sport and further information can be found following the link below: http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/</p> <p>Sport England works with Local Authorities to ensure Local Plan policy is underpinned by robust and up to date assessments and strategies for indoor and outdoor sports delivery. If local authorities have prepared a Playing Pitch Strategy or other indoor/outdoor sports strategy it will be important that the Neighbourhood Plan reflects the recommendations set out in that document and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support the delivery of those recommendations.</p>	27/07/2015	Email	<p>Note Sport England's comments and take them in to account when preparing the Neighbourhood Plan</p>

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p>http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/</p> <p>If new sports facilities are being proposed Sport England recommend you ensure such facilities are fit for purpose and designed in accordance with our design guidance notes.</p> <p>http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/</p> <p>If you need any further advice please do not hesitate to contact Sport England using the contact details below</p> <p>maggie.taylor@sportengland.org</p>			
2	<p>Marine Management Organisation Susan Davidson (Communications Assistant)</p>	<p>Thank you for inviting the Marine Management Organisation (MMO) to comment on the above consultation. I can confirm that the MMO has no comments to submit in relation to this consultation as it is not within our remit.</p> <p>If you have any questions or need any further information please just let me know. More information on the role of the MMO can be found on our website www.gov.uk/mmo</p>	27/07/2015	Email	Note the Marine Management Organisation's comments.
3	Daryl Smith	I support the application made by Loggerheads Parish Council to designate the whole of Loggerheads Parish as a Neighbourhood Area.	27/07/2015	Email	Note Daryl Smith's comment.
4	<p>The Connecting Tracks Project John Huff (Lead Community Organiser)</p>	<p>I support the two applications.</p> <p>I am pleased that the people of Loggerheads and its Parish Council have accepted my suggestion that their boundary is as the Parish boundary.</p> <p>I hope that both communities will use the insights promoted by the late Dr Tony Gibson in his ground breaking work under the general title of "Planning for Real". Anything I can do to assist in this approach would be good.</p>	29/07/2015	Email	Note the Connecting Tracks Project's comments. Consider whether or not a 'Planning for Real' approach would be appropriate.
5	UK Civil	We have no regulatory role in this matter.	29/07/2015	Email	No action

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
	Aviation Authority Peter Gardiner (Executive Assistant to the Chair and Chief Executive)				required
6	Natural England Sharon Jenkins (Support Advisor – Technical Services)	<p>Thank you for notifying Natural England of your Neighbourhood Planning Area dated 27/07/2015.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England is a statutory consultee in neighbourhood planning. We must be consulted on draft Neighbourhood Development Plans where the Town/Parish Council or Neighbourhood Forum considers our interests would be affected by the proposals. We must be consulted on draft Neighbourhood Development Orders and Community Right to Build Orders where proposals are likely to affect a Site of Special Scientific Interest or 20 hectares or more of Best and Most Versatile agricultural land. We must also be consulted on Strategic Environmental Assessments, Habitats Regulations Assessment screening and Environmental Impact Assessments, where these are required. Your local planning authority will be able to advise you further on environmental requirements.</p> <p>The following is offered as general advice which may be of use in the preparation of your plan.</p> <p>Natural England, together with the Environment Agency, English Heritage and Forestry Commission has published joint advice on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans and development proposals. This is available at: https://www.gov.uk/consulting-on-neighbourhood-plans-and-development-orders</p>	03/08/2015	Email	Note Natural England's comments and consider how to address them when preparing the Neighbourhood Plan.

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p>Local environmental record centres hold a range of information on the natural environment. A list of local records centre is available at: http://www.nbn-nfbr.org.uk/nfbr.php</p> <p><u>Protected landscapes</u> If your neighbourhood planning area is within or adjacent to a National Park or Area of Outstanding Natural Beauty (AONB), we advise that you take account of the relevant National Park/AONB Management Plan for the area. For Areas of Outstanding Natural Beauty, you should seek the views of the AONB Partnership.</p> <p>National Character Areas (NCAs) divide England into 159 distinct natural areas. Each is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. Their boundaries follow natural lines in the landscape rather than administrative boundaries, making them a good decision making framework for the natural environment.</p> <p>http://www.naturalengland.org.uk/publications/nca/default.aspx</p> <p><u>Protected species</u> You should consider whether your plan or proposal has any impacts on protected species. To help you do this, Natural England has produced standing advice to help understand the impact of particular developments on protected or Biodiversity Action Plan species should they be identified as an issue. The standing advice also sets out when, following receipt of survey information, you should undertake further consultation with Natural England. Natural England Standing Advice</p> <p><u>Local Wildlife Sites</u> You should consider whether your plan or proposal has any impacts on local wildlife sites, eg Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR) or whether opportunities exist for enhancing such sites. If it appears there could be negative impacts then you should ensure you have sufficient information to fully understand the nature of the impacts of the</p>			

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p>proposal on the local wildlife site.</p> <p><u>Best Most Versatile Agricultural Land</u> Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for example as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably. Paragraph 112 of the National Planning Policy Framework states that:</p> <p><i>'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality'.</i></p> <p>General mapped information on soil types is available as 'Soilscapes' on the www.magic.gov.uk and also from the LandIS website; http://www.landis.org.uk/index.cfm which contains more information about obtaining soil data.</p> <p><u>Opportunities for enhancing the natural environment</u> Neighbourhood plans and proposals may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment, use natural resources more sustainably and bring benefits for the local community, for example through green space provision and access to and contact with nature.</p> <p>Opportunities to incorporate features into new build or retro fitted buildings which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes should also be considered as part of any new development proposal.</p> <p>Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural</p>			

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		Environment and Rural Communities Act 2006, Natural England should be consulted again at consultations@naturalengland.org.uk			
7	The Coal Authority Rachel Bust (Chief Planner/ Principal Manager)	<p>Thank you for the notification of the 24 July 2015 consulting The Coal Authority on the above NDP.</p> <p>The Coal Authority is a non-departmental public body which works to protect the public and the environment in coal mining areas. Our statutory role in the planning system is to provide advice about new development in the coalfield areas and also protect coal resources from unnecessary sterilisation by encouraging their extraction, where practical, prior to the permanent surface development commencing.</p> <p>As you will be aware the Neighbourhood Plan area is outside of the defined surface coalfield and therefore The Coal Authority has no specific comments to make on the Neighbourhood Plan.</p> <p>In the spirit of ensuring efficiency of resources and proportionality it will not be necessary for you to provide The Coal Authority with any future drafts or updates to the emerging Neighbourhood Plan. This letter can be used as evidence for the legal and procedural consultation requirements.</p> <p>The Coal Authority wishes the Neighbourhood Plan team every success with the preparation of the Neighbourhood Plan.</p>	12/08/2015 (incomplete response previously received on 28/07/15)	Email	Note the Coal Authority's comments
8	Historic England Peter Boland (Historic Places Adviser)	<p>Thank you for giving notice that Loggerheads Parish Council has applied for designation as a Neighbourhood Area under Part 2 of the Neighbourhood Planning (General) Regulations 2012.</p> <p>Historic England has no objection to this proposal.</p> <p>The proposed neighbourhood plan area contains a varied range of designated and undesignated heritage assets including the Registered Battlefield of Blore Heath (1459); Hales Roman Villa and a moated site E. of Willoughbridge Lodge Farm, both of which are Scheduled Ancient Monuments. Due account should be taken of the conservation of all of these assets and their settings in formulating the neighbourhood plan</p>	19/08/2015	Email	Note Historic England's comments and consider how to address them when preparing the Neighbourhood Plan.

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p>proposals. Consideration should also be given to the protection of undesignated heritage assets including farmsteads and archaeological remains (both known and potential) within the Parish. Many of these will be recorded in the Staffordshire County Council Historic Environment Record (HER).</p> <p>Having a sound evidence base for the Plan is important so as to form a properly supportive context for plan policies. The National Planning Policy Framework (paragraph 58) requires Neighbourhood Plans to develop robust and comprehensive policies setting out the quality of development that will be expected in an area based upon an understanding and evaluation of its' defining characteristics. The aim is to ensure that developments (inter alia) "respond to local character and history, and reflect the identity of local surroundings and materials....."</p> <p>Neighbourhood Plans are a positive way to help communities care for and enjoy the historic environment. Historic England is expecting that as Parish Council's come to you (and perhaps particularly to your specialist conservation staff) to seek advice on preparing Neighbourhood Plans they will value guidance on how best to understand what heritage they have, as well as assistance on preparing appropriate policies to secure the conservation and enhancement of this local heritage resource.</p> <p>Information held by the Council and used in the preparation of your Core Strategy/Local Plan is often the starting point for Neighbourhood Plans as for example the Historic Landscape Characterisation and the Extensive Urban Surveys completed by Staffordshire County Council. Comprehensive data on Heritage Assets including archaeological remains in your area will be available from the Staffordshire Historic Environment Record held by the County Council and local environmental and amenity groups often also hold useful information.</p> <p>Plan preparation also offers the opportunity to harness a community's interest in the historic environment by getting them to help add to the evidence base, perhaps by creating and or reviewing a local heritage list, inputting to the preparation of conservation area appraisals and undertaking or further</p>			

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p>deepening historic characterisation studies.</p> <p>Historic England has a statutory role in the development plan process and there is a duty on either you as the Local Planning Authority or the Parish Council to consult Historic England on any Neighbourhood Plan where our interests are considered to be affected as well as a duty to consult us on all Neighbourhood Development Orders and Community Right to Build Orders.</p> <p>Historic England will target its limited resources efficiently. We will directly advise on proposals with the potential for major change to significant, nationally important heritage assets and their settings. Our local offices may also advise communities where they wish to engage directly with us, subject to local priorities and capacity.</p> <p>Historic England fully recognises that the neighbourhood planning process is a locally-led initiative and communities will shape their own neighbourhood plan as informed by the issues and opportunities they are most concerned about and relevant to the local area. As a national organisation we are able to draw upon our experiences of neighbourhood planning across the country and information on our website might be of initial assistance https://www.historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/</p> <p>It is envisaged that the website will be progressively updated to share good practice in the management of the historic environment through neighbourhood planning.</p> <p>Historic England also publishes a wide range of relevant guidance. Links to this can be found in appendix 1 to this letter. Appendix II contains links to a number of Neighbourhood Plans that Historic England consider to be exemplary in their treatment of the historic environment.</p> <p>Should you wish to discuss any points within this letter, or if there are issues about this Neighbourhood Plan Area where the historic environment is likely to be of particular interest, please do not hesitate to contact me.</p>			

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
9	Peter Jackson (Development Consultant)	<p>Rural Exceptions Sites</p> <p>In response to the consultation on Loggerheads neighbourhood plan proposal I ask the council to consider including in the plan sites that can be allocated as rural exception sites and provide a policy on this issue.</p> <p>The inclusion of this site that I have is fundamental to the 10 point plan - rural productivity and neighbourhood plan.</p> <p>It states:</p> <p>8. More housing</p> <p>The government will increase the availability of housing in rural areas, allowing our rural towns and villages to thrive, whilst protecting the Green Belt and countryside. This will include a significant contribution to the 200,000 'Starter Homes', to be offered at a 20% discount for first-time buyers under the age of 40, that the government is committed to delivering this Parliament. Through the right combination of measures, the government wants to ensure that any village in England has the freedom to expand in an incremental way, subject to local agreement.</p> <p>In addition to carrying out the review of planning constraints in rural areas mentioned above, the government will:</p> <ul style="list-style-type: none"> • Ensure local authorities put local plans in place for housing according to agreed deadlines and require them to plan proactively for the delivery of Starter Homes. The government will also bring forward proposals to speed up the process of implementing or amending a plan. • Help our villages to thrive by making it easier for them to establish a neighbourhood plan and allocate land for new homes, including through the use of rural exception sites to deliver Starter Homes. <p>We wish to bring this site forward in the plan making programme with Aspire Housing.</p> <p>As this site is adjacent to existing social housing it is ideally suited to the</p>	23/08/2015	Email	Consider Peter Jackson's comments when preparing the neighbourhood plan

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p>expansion of that area with starter homes.</p> <p>The playground and open space can be improved with a full scheme or scaled down if necessary.</p> <p>The government will now allow a small element of market housing to make rural exception sites viable.</p>			
10	<p>United Utilities Rebecca Pemberton (Planning Analyst)</p>	<p>Thank you for your email notifying us of the intention to designate the above as a Neighbourhood Area.</p> <p>United Utilities does not wish to submit any formal comments at this stage, however wish to be kept informed and consulted with further should this designation be approved.</p> <p>It is important that United Utilities are kept aware of any future development plans and supporting policies to ensure we can facilitate the delivery of the necessary sustainable infrastructure at an appropriate time. Therefore we encourage further consultation with us once a draft Neighbourhood Plan is commenced as we may submit detailed comments at the Draft Plan public consultation stage.</p> <p>If you wish to discuss this in further detail please feel free to contact me.</p>	24/08/2015	Email	Note United Utilities' comments and continue to engage with them at key stages in preparing the neighbourhood plan
11	<p>Gladman Developments John Fleming (Graduate Planner)</p>	<p>Gladman Developments Ltd (Gladman) specialise in the promotion of strategic land for residential development with associated community infrastructure. This letter provides Gladmans' representations on the application made by Loggerheads Parish Council for the designation of a Neighbourhood Area, for the purposes of preparing a Neighbourhood Development Plan.</p> <p>At this stage Gladman have no specific comments to make on the application for the Neighbourhood Area designation. However, as the first formal stage of preparing a Neighbourhood Plan, Gladman would like to take the opportunity to comment on the Loggerheads Neighbourhood Area application to highlight a number of key requirements to which the development of the emerging Neighbourhood Plan should have regard. Gladman wish to participate in the Neighbourhood Plan's preparation and to be notified of further developments</p>	24/08/2015	Email	Note Gladman Development's comments and consider how to address them when preparing the Neighbourhood Plan.

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p>and consultations in this regard.</p> <p><u>Neighbourhood Plans - Guidance and Legislation</u></p> <p>The National Planning Policy Framework (The Framework) sets out the Government's planning policies for England and how these are expected to be applied. In doing so it sets out requirements for the preparation of neighbourhood plans and the role these should take in setting out policies for the local area. The guidance set out in the Framework has now been supplemented by the recently published Planning Practice Guidance (PPG) on Neighbourhood Plans.</p> <p>Paragraph 16 of the Framework sets out the positive role that Neighbourhood Plans should play in meeting the development needs of the local area. Its states that:</p> <p><i>"The application of the Presumption (In Favour of Sustainable Development, set out in paragraph 14 of Framework) will have implications for how communities engage in neighbourhood planning. Critically it will mean that neighbourhoods should:</i></p> <ul style="list-style-type: none"> <i>• Develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;</i> <i>• Plan positively to support local development, shaping and directing development in their area that is outside of the strategic elements of the Local Plan"</i> <p>Further guidance on the relationship between Neighbourhood Plans and strategic policies for the wider area set out in a Council's Local Plan is included in paragraph 184 of the Framework:</p> <p><i>"The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date plan is in place as quickly as possible. Neighbourhood Plans should reflect these policies and neighbourhoods should</i></p>			

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p><i>plan positively to support them. Neighbourhood Plans...should not promote less development than set out in the Local Plan or undermine its strategic policies”.</i></p> <p>Before a Neighbourhood Plan can proceed to referendum it must be tested against the Neighbourhood Plan Basic Conditions, set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 and further detailed in paragraph 065 of the Neighbourhood Plan PPG. These Basic Conditions are:</p> <ul style="list-style-type: none"> <i>a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan</i> <i>b) Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order</i> <i>c) Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order</i> <i>d) The making of the neighbourhood plan contributes to the achievement of sustainable development</i> <i>e) The making of the neighbourhood plan is in general conformity with the strategic policies contained within the development plan for the area of the authority</i> <i>f) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations</i> <i>g) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan</i> <p>If a Neighbourhood Plan is not developed in accordance with the Neighbourhood Plan Basic Conditions there is a real risk that it will fail when it reaches Independent Examination.</p> <p><u>Relationship with Local Plans</u></p> <p>To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, Neighbourhood Plans should be prepared to conform to up-to-date</p>			

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p>strategic policy requirements set out in Local Plans. Where an up-to-date Local Plan has been adopted and is in place for the wider authority area, it is the strategic policy requirements set out in this document that a Neighbourhood Plan should seek to support and meet. When a Local Plan is emerging or is yet to be found sound at Examination, there will be lack of certainty over what scale of development a community must accommodate or the direction the policies in the Neighbourhood Plan should take.</p> <p>The Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy was adopted in 2009. The Council resolved on 11th December 2013, to withdraw the Site Allocations and Policies Local Plan and instead proceed with the preparation of a new joint Local Plan. It is anticipated that the draft Local Plan will be published for consultation in 2017 and submitted for examination in 2018. Gladman question the Parish Council's ability to proceed on a Neighbourhood Plan at this time when there is no up-to-date adopted development plan in place to which the Loggerhead Neighbourhood Plan can be based or tested against.</p> <p>Although the Neighbourhood Plan PPG indicates that Neighbourhood Plans can be advanced before an up-to-date Local Plan is in place, Gladman would strongly question the ability to progress a Neighbourhood Plan on this basis. If a Neighbourhood Plan is progressed prior to an up-to-date Local Plan being prepared, or the strategic policies and development requirements set out in an emerging Local Plan change, then the work on the Neighbourhood Plan is likely to be abortive. A Neighbourhood Plan cannot be consistent with the requirements of the Framework or the meet the Neighbourhood Plan Basic Conditions if it is progressed on a development plan that is out-of-date.</p> <p><u>Neighbourhood Plan Policies and Proposals</u></p> <p>In accordance with the Neighbourhood Plan Basic Conditions, Neighbourhood Plan policies should align with the requirements of the Framework and the wider strategic policies for the area set out in the Council's Local Plan. Neighbourhood Plans should provide a policy framework that complements and supports the requirements set out in these higher-order documents, setting out further, locally-specific requirements that will be applied to development proposals</p>			

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p>coming forward.</p> <p>The Framework is clear that Neighbourhood Plans cannot introduce policies and proposals that would prevent development from going ahead. They are required to plan positively for new development, enabling sufficient growth to take place to meet the strategic development needs for the area. Policies that are clearly worded or intended to place an unjustified constraint on further sustainable development taking place would not be consistent with the requirements of the Framework or meet the Neighbourhood Plan Basic Conditions.</p> <p>Communities should not seek to include policies in Neighbourhood Plans that have no planning basis or are inconsistent with national and local policy obligations. Proposals should be appropriately justified by the findings of a supporting evidence base and must be sufficiently clear to be capable of being interpreted by applicants and decision makers. Policies and proposals should be designed to add value to policies set out in Local Plan and national guidance, as opposed to replicating their requirements. The community should liaise with the Council's planning team to seek advice on the appropriateness of the Neighbourhood Plan's proposals.</p> <p><u>Sustainability Appraisal/Strategic Environmental Assessment</u></p> <p>The preparation of a Neighbourhood Plan may fall under the scope of the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) that require a Strategic Environmental Assessment (SEA) to be undertaken where a Plan's proposals would be likely to have significant environmental effects. The requirement to undertake an SEA will be dependent on a Neighbourhood Plan's proposals, but is likely to be necessary where a Plan is proposing specific allocations or site designations.</p> <p>In accordance with Schedule 1 of the SEA Regulations, a Screening Assessment of a Neighbourhood Plan's proposals should be completed to assess whether an SEA must be prepared. Where an SEA is required this should be commenced at the earliest opportunity, alongside the preparation of the emerging Neighbourhood Plan, to ensure the Neighbourhood Plan's</p>			

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p>proposals have been properly considered through the SEA process, and appropriately justified against other reasonable alternatives. Where an adequate SEA has not been undertaken a Neighbourhood Plan is unlikely to meet the Neighbourhood Plan Basic Conditions.</p> <p>Although Neighbourhood Plans do not require a Sustainability Appraisal (SA) of their proposals, preparing an SA can help to show how a Neighbourhood Plan will contribute to the achievement of sustainable development, a Neighbourhood Plan Basic Condition. Where an SEA is required, extending this assessment to the preparation of an SA is unlikely to require significant additional input.</p> <p>The Council's planning team will be able to advise on the likely need for an SEA of the Neighbourhood Plan's proposals. To be compatible with EU obligations, further appraisals, such as a Habitats Regulations Assessment, may also be required depending on local circumstances.</p> <p>I hope you have found this letter to be constructive. Should you have any queries in relation to our response please do not hesitate to contact us.</p>			

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Whitmore Parish Council

Clerk – Mrs Wendy Kinson
 The Old Laundry, Maer, Newcastle ST5 5EF
 Tel: 01782 680613
 E Mail: wendykinson@tiscali.co.uk
 Website: www.whitmoreparishcouncil.co.uk



2nd July 2015.

Mr G Benson,
 Chief Planning Officer,
 NULBC, Civic Offices
 Newcastle, Staffs ST5 2AQ

Dear Mr Benson,

Neighbourhood Planning (General) Regulations 2012, Part 2 (5) (1)
Application for the designation of a Neighbourhood Area – Chapel and Hill
Chorlton, Maer and Aston and Whitmore Parishes Joint Neighbourhood
Development Plan

Whitmore Parish Council gives notice that it wishes to apply for the designation of the whole of the three parishes of Chapel and Hill Chorlton, Maer and Aston and Whitmore as a Neighbourhood Area for the purposes of a Joint Neighbourhood Development Plan. This application is accompanied by:

- a) a map identifying the area to which this application relates
- b) a statement explaining why this area is considered appropriate to be designated a Neighbourhood Area

Whitmore Parish Council is a relevant body for the purposes of the Town and Country Planning Act 1990, s. 61G

No part of the area now applied for has been either applied for or designated as part of another Neighbourhood Area.

The intention of the three Parish Councils to make a Joint Neighbourhood Development Plan has been announced at a Public Meeting attended by residents of all three parishes on 29th June 2015 and in an article published in newsletters that are distributed through the three parishes.

Yours sincerely,

Wendy Kinson

Wendy Kinson, Clerk to Whitmore Parish Council

Enclosed: Map showing boundary of area applied for
 Statement of appropriateness of the area to be designated as a Neighbourhood Area
 Letter of Consent, Chapel and Hill Chorlton Parish Council
 Letter of consent, Maer and Aston Parish Council

CHAPEL AND HILL CHOLTON PARISH COUNCIL

Clerk N M Hassall
Mount Tabor farm
Chapel Chorlton
Newcastle
ST5 5JL
Tel: 01782 680381
E Mail nestahassall@hotmail.com

July 2nd 2015

Mrs Wendy Kinson
Clerk to Whitmore Parish Council
The Old Laundry
Maer
Newcastle
Staffs
ST5 5EF



Dear Wendy

**Neighbourhood planning (General)Regulations 2012,Part 2 (5) (1)
Application for the designation of a Neighbourhood Area- Chapel and Hill
Chorlton, Maer & Aston and Whitmore Parishes joint Neighbourhood
Development Plan**

The Parish Council of Chapel & Hill Chorlton wishes the whole of Chapel & Hill Chorlton parish to be included in the Chapel & Hill Chorlton, Maer& Aston and Whitmore Neighbourhood Area for the purposes of a joint Neighbourhood Development Plan.

No part of the parish of Chapel and Hill Chorlton has been either applied for or designated as part of another Neighbourhood Area

Yours sincerely


Nesta Hassall Clerk to Parish Council

Maer & Aston Parish Council

Clerk: Elena Sudlow
The Garden House,
Maer,
Newcastle-under-Lyme,
Staffordshire ST5 5EF
Tel: 01782 680311

3rd July 2015

Mrs Wendy Kinson
Clerk to Whitmore Parish Council
The Old Laundry
Maer
Newcastle
Staffs, ST5 5EF

Dear Wendy

**Neighbourhood Planning (General) Regulations 2012, Part 2 (5) (1)
Application for the designation of a Neighbourhood Area – Chapel & Hill
Chorlton, Maer & Aston and Whitmore Parishes Joint Neighbourhood
Development Plan**

The Parish Council of Maer & Aston wishes the whole of Maer & Aston parish to be included in the Chapel & Hill Chorlton, Maer & Aston and Whitmore Neighbourhood Area for the purposes of a Joint Neighbourhood Development Plan.

No part of the parish of Maer & Aston has been either applied for or designated as part of another Neighbourhood Area.

Yours sincerely



Elena Sudlow
Clerk to Maer & Aston Parish Council

Neighbourhood Planning (General) Regulations 2012, Part 2 (5) (1)

Application for the designation of a Neighbourhood Area – Chapel & Hill Chorlton, Maer & Aston and Whitmore Parishes Joint Neighbourhood Development Plan

Statement of the appropriateness of the area applied for to be designated as a Neighbourhood Area

A Joint Neighbourhood Development Plan for Chapel & Hill Chorlton, Maer & Aston and Whitmore Parishes will assure a coordinated approach to development across the three parishes. Working together will provide the three parishes with the human resources and skills base to accomplish an aim which they could not achieve by working separately.

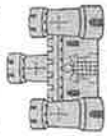
The three parishes are a sparsely populated rural area with a combined population of 2468 and an overall population density of 0.57 per hectare at Census 2011, and a main population centre in Baldwins Gate in the centre of the area.

The parishes and their communities have common characteristics and challenges in relation to the following:

- Rural environment
- Woodland
- Wetland
- Community assets
- Housing, employment and business
- Demographics
- Local services, e.g. health, education
- Transport into and within the area
- Through traffic on primary strategic routes (A51 and A53)
- Heritage and conservation
 - Grade II and II* listed buildings: 60
 - Scheduled ancient monuments: 3
 - Conservation areas: 3
 - SSSIs and 'Natural assets' areas: 8

Further, Whitmore Parish is dominated by green belt. The proposed route of HS2 Phase 2 passes through Whitmore parish, as do the present West Coast Main Line and the M6 northbound carriageway. Chapel & Hill Chorlton parish has a small area of green belt in the south-east and the West Coast Main Line passes through the south-eastern part of the parish.

**NEWCASTLE-UNDER-LYME
BOROUGH COUNCIL**



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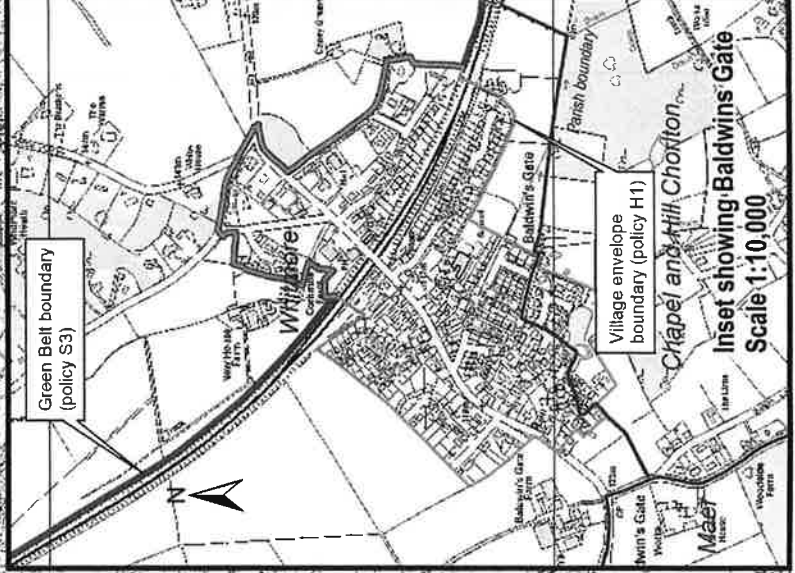
**NEWCASTLE-UNDER-LYME
DISTRICT**

Whitmore

Whitmore

Chapel and Hill Chorlton

Maer



Chapel & Hill Chorlton, Maer & Agton, and Whitmore Parishes

0 0.25 0.5 1 Km

1:30,000 at print size A3

Parish boundary

N

Public consultation comments received relating to the application to designate Chapel & Hill Chorlton, Maer & Aston and Whitmore Parishes as a single neighbourhood plan area.

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
1	<p>Sport England Zoe Hughes (Senior Planning Administrator)</p>	<p>Planning Policy in the National Planning Policy Framework identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process and providing enough sports facilities of the right quality and type and in the right places is vital to achieving this aim. This means positive planning for sport, protection from unnecessary loss of sports facilities and an integrated approach to providing new housing and employment land and community facilities provision is important.</p> <p>It is important therefore that the Neighbourhood Plan reflects national policy for sport as set out in the above document with particular reference to Pars 73 and 74 to ensure proposals comply with National Planning Policy. It is also important to be aware of Sport England's role in protecting playing fields and the presumption against the loss of playing fields (see link below), as set out in our national guide, 'A Sporting Future for the Playing Fields of England – Planning Policy Statement'. http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/</p> <p>Sport England provides guidance on developing policy for sport and further information can be found following the link below: http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/</p> <p>Sport England works with Local Authorities to ensure Local Plan policy is underpinned by robust and up to date assessments and strategies for indoor and outdoor sports delivery. If local authorities have prepared a Playing Pitch Strategy or other indoor/outdoor sports strategy it will be important that the Neighbourhood Plan reflects the recommendations set out in that document and that any local investment opportunities, such as the Community Infrastructure</p>	27/07/2015	Email	<p>Note Sport England's comments and take them in to account when preparing the Neighbourhood Plan</p>

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p>Levy, are utilised to support the delivery of those recommendations. http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/</p> <p>If new sports facilities are being proposed Sport England recommend you ensure such facilities are fit for purpose and designed in accordance with our design guidance notes. http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/</p> <p>If you need any further advice please do not hesitate to contact Sport England using the contact details below maggie.taylor@sportengland.org</p>			
2	<p>Marine Management Organisation Susan Davidson (Communications Assistant)</p>	<p>Thank you for inviting the Marine Management Organisation (MMO) to comment on the above consultation. I can confirm that the MMO has no comments to submit in relation to this consultation as it is not within our remit.</p> <p>If you have any questions or need any further information please just let me know. More information on the role of the MMO can be found on our website www.gov.uk/mmo</p>	27/07/2015	Email	Note the Marine Management Organisation's comments.
3	<p>The Coal Authority Rachel Bust (Chief Planner/ Principal Manager)</p>	<p>Thank you for the notification of the 24 July 2015 consulting The Coal Authority on the above NDP.</p> <p>The Coal Authority is a non-departmental public body which works to protect the public and the environment in coal mining areas. Our statutory role in the planning system is to provide advice about new development in the coalfield areas and also protect coal resources from unnecessary sterilisation by encouraging their extraction, where practical, prior to the permanent surface development commencing.</p> <p>As you will be aware the Neighbourhood Plan area lies within the current defined coalfield. However as this consultation only relates to the proposed designation of the neighbourhood plan area, The Coal Authority has no specific comments to make at this stage.</p>	28/07/2015	Email	Note the Coal Authority's comments and consider the implications of the High Risk Area Plans as work on the Neighbourhood Plan progresses

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p>Whilst this is acknowledged this consultation only relates to the proposed area for a Neighbourhood Plan, it is the first opportunity to draw attention to the following facts, which we will reiterate at future consultation stages as necessary.</p> <p>According to the Coal Authority Development High Risk Area Plans, there are recorded risks from past coal mining activity in the form of thick coal outcrops and potential unrecorded shallow coal workings in the area to the east of Butterton Grange Farm adjacent to Junction 15 of the M6.</p> <p>If the Neighbourhood Plan allocates sites for future development in this area then consideration as to the development will need to respond to these risks to surface stability in accordance with the National Planning Policy Framework and the Newcastle under Lyme Development Plan. In addition any allocations on the surface coal resource will need to consider the impacts of mineral sterilisation.</p> <p>In accordance with the Neighbourhood Planning (General) Regulations 2012 please continue to consult The Coal Authority on planning matters using the specific email address of planningconsultation@coal.gov.uk</p> <p>The Coal Authority wishes the Neighbourhood Plan team every success with the preparation of the Neighbourhood Plan.</p>			
4	<p>The Connecting Tracks Project John Huff (Lead Community Organiser)</p>	<p>I support the two applications.</p> <p>I hope that both communities will use the insights promoted by the late Dr Tony Gibson in his ground breaking work under the general title of "Planning for Real". Anything I can do to assist in this approach would be good.</p> <p>The Combined community application, I hope will be robust in its dealing with the projected HS2 railway line. And request noise contour maps for their part of the line.</p>	29/07/2015	Email	<p>Note the Connecting Tracks Project's comments. Consider whether or not a 'Planning for Real' approach would be appropriate. Consider the extent to which</p>

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
					the projected HS2 route can be considered within the Neighbourhood Plan.
5	UK Civil Aviation Authority Peter Gardiner (Executive Assistant to the Chair and Chief Executive)	We have no regulatory role in this matter.	29/07/2015	Email	No action required
6	Natural England Sharon Jenkins (Support Advisor – Technical Services)	<p>Thank you for notifying Natural England of your Neighbourhood Planning Area dated 27/07/2015.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England is a statutory consultee in neighbourhood planning. We must be consulted on draft Neighbourhood Development Plans where the Town/Parish Council or Neighbourhood Forum considers our interests would be affected by the proposals. We must be consulted on draft Neighbourhood Development Orders and Community Right to Build Orders where proposals are likely to affect a Site of Special Scientific Interest or 20 hectares or more of Best and Most Versatile agricultural land. We must also be consulted on Strategic Environmental Assessments, Habitats Regulations Assessment screening and Environmental Impact Assessments, where these are required. Your local planning authority will be able to advise you further on environmental requirements.</p> <p>The following is offered as general advice which may be of use in the</p>	03/08/2015	Email	Note Natural England's comments and consider how to address them when preparing the Neighbourhood Plan.

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p>preparation of your plan.</p> <p>Natural England, together with the Environment Agency, English Heritage and Forestry Commission has published joint advice on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans and development proposals. This is available at: https://www.gov.uk/consulting-on-neighbourhood-plans-and-development-orders</p> <p>Local environmental record centres hold a range of information on the natural environment. A list of local records centre is available at: http://www.nbn-nfbr.org.uk/nfbr.php</p> <p><u>Protected landscapes</u> If your neighbourhood planning area is within or adjacent to a National Park or Area of Outstanding Natural Beauty (AONB), we advise that you take account of the relevant National Park/AONB Management Plan for the area. For Areas of Outstanding Natural Beauty, you should seek the views of the AONB Partnership.</p> <p>National Character Areas (NCAs) divide England into 159 distinct natural areas. Each is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. Their boundaries follow natural lines in the landscape rather than administrative boundaries, making them a good decision making framework for the natural environment.</p> <p>http://www.naturalengland.org.uk/publications/nca/default.aspx</p> <p><u>Protected species</u> You should consider whether your plan or proposal has any impacts on protected species. To help you do this, Natural England has produced standing advice to help understand the impact of particular developments on protected or Biodiversity Action Plan species should they be identified as an issue. The standing advice also sets out when, following receipt of survey information, you should undertake further consultation with Natural England.</p> <p>Natural England Standing Advice</p>			

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p><u>Local Wildlife Sites</u> You should consider whether your plan or proposal has any impacts on local wildlife sites, eg Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR) or whether opportunities exist for enhancing such sites. If it appears there could be negative impacts then you should ensure you have sufficient information to fully understand the nature of the impacts of the proposal on the local wildlife site.</p> <p><u>Best Most Versatile Agricultural Land</u> Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for example as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably. Paragraph 112 of the National Planning Policy Framework states that:</p> <p><i>'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality'.</i></p> <p>General mapped information on soil types is available as 'Soilscapes' on the www.magic.gov.uk and also from the LandIS website; http://www.landis.org.uk/index.cfm which contains more information about obtaining soil data.</p> <p><u>Opportunities for enhancing the natural environment</u> Neighbourhood plans and proposals may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment, use natural resources more sustainably and bring benefits for the local community, for example through green space provision and access to and contact with nature.</p>			

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p>Opportunities to incorporate features into new build or retro fitted buildings which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes should also be considered as part of any new development proposal.</p> <p>Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again at consultations@naturalengland.org.uk</p>			
7	<p>Historic England Peter Boland (Historic Places Adviser)</p>	<p>Thank you for giving notice that the above areas have applied for designation as a Neighbourhood Area under Part 2 of the Neighbourhood Planning (General) Regulations 2012.</p> <p>Historic England has no objection to this proposal.</p> <p>The proposed neighbourhood plan area contains a varied range of designated and undesignated heritage assets including designated conservation areas at Maer and Whitmore; Maer Hall designated Park and Garden (GII) and Berth Hill Hillfort which is a scheduled ancient monument. Due account should be taken of the conservation of all of these assets and their settings in formulating the neighbourhood plan proposals. Consideration should also be given to the protection of undesignated heritage assets including farmsteads and archaeological remains (both known and potential) within the Parish. Many of these will be recorded in the Staffordshire County Council Historic Environment Record (HER).</p> <p>The area also contains two designated heritage assets that are on the National Heritage At Risk Register, namely Butterton Conservation Area and "Gatehouse, wall and piers to Maer Hall". It may be appropriate for the Neighbourhood Plan to consider adopting a policy that seeks to, for example, "Promote opportunities to achieve the removal of heritage assets from the At Risk Register"</p> <p>Having a sound evidence base for the Plan is important so as to form a properly</p>	19/08/2015	Email	<p>Note Historic England's comments and consider how to address them when preparing the Neighbourhood Plan.</p>

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p>supportive context for plan policies. The National Planning Policy Framework (paragraph 58) requires Neighbourhood Plans to develop robust and comprehensive policies setting out the quality of development that will be expected in an area based upon an understanding and evaluation of its' defining characteristics. The aim is to ensure that developments (inter alia) "respond to local character and history, and reflect the identity of local surroundings and materials....."</p> <p>Neighbourhood Plans are a positive way to help communities care for and enjoy the historic environment. Historic England is expecting that as Parish Council's come to you (and perhaps particularly to your specialist conservation staff) to seek advice on preparing Neighbourhood Plans they will value guidance on how best to understand what heritage they have, as well as assistance on preparing appropriate policies to secure the conservation and enhancement of this local heritage resource.</p> <p>Information held by the Council and used in the preparation of your Core Strategy/Local Plan is often the starting point for Neighbourhood Plans as for example the Historic Landscape Characterisation and the Extensive Urban Surveys completed by Staffordshire County Council. Comprehensive data on Heritage Assets including archaeological remains in your area will be available from the Staffordshire Historic Environment Record held by the County Council and local environmental and amenity groups often also hold useful information.</p> <p>Plan preparation also offers the opportunity to harness a community's interest in the historic environment by getting them to help add to the evidence base, perhaps by creating and or reviewing a local heritage list, inputting to the preparation of conservation area appraisals and undertaking or further deepening historic characterisation studies.</p> <p>Historic England has a statutory role in the development plan process and there is a duty on either you as the Local Planning Authority or the Parish Council to consult Historic England on any Neighbourhood Plan where our interests are considered to be affected as well as a duty to consult us on all Neighbourhood Development Orders and Community Right to Build Orders.</p>			

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p>Historic England will target its limited resources efficiently. We will directly advise on proposals with the potential for major change to significant, nationally important heritage assets and their settings. Our local offices may also advise communities where they wish to engage directly with us, subject to local priorities and capacity.</p> <p>Historic England fully recognises that the neighbourhood planning process is a locally-led initiative and communities will shape their own neighbourhood plan as informed by the issues and opportunities they are most concerned about and relevant to the local area. As a national organisation we are able to draw upon our experiences of neighbourhood planning across the country and information on our website might be of initial assistance https://www.historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/</p> <p>It is envisaged that the website will be progressively updated to share good practice in the management of the historic environment through neighbourhood planning.</p> <p>Historic England also publishes a wide range of relevant guidance. Links to this can be found in appendix 1 to this letter. Appendix II contains links to a number of Neighbourhood Plans that Historic England consider to be exemplary in their treatment of the historic environment.</p> <p>Should you wish to discuss any points within this letter, or if there are issues about this Neighbourhood Plan Area where the historic environment is likely to be of particular interest, please do not hesitate to contact me.</p>			
8	<p>Newcastle-under-Lyme Civic Society Dr A. Drakakis-Smith (Secretary)</p>	<p>The Civic Society would like to thank you for contacting them and bringing to their attention the notice to apply for Neighbourhood Development Plan Status by the Chapel Hill Chorlton, Maer and Aston and Whitmore Parish Councils.</p> <p>After a discussion of the matter, the Civic Society would like me to inform you that they would be happy to support this application and wish them well in this endeavour.</p>	20/08/2015	Email	Note Newcastle-under-Lyme Civic Society's comments.

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
9	United Utilities Rebecca Pemberton (Planning Analyst)	<p>Thank you for your email notifying us of the intention to designate the above as a Neighbourhood Area.</p> <p>United Utilities does not wish to submit any formal comments at this stage, however wish to be kept informed and consulted with further should this designation be approved.</p> <p>It is important that United Utilities are kept aware of any future development plans and supporting policies to ensure we can facilitate the delivery of the necessary sustainable infrastructure at an appropriate time. Therefore we encourage further consultation with us once a draft Neighbourhood Plan is commenced as we may submit detailed comments at the Draft Plan public consultation stage.</p> <p>If you wish to discuss this in further detail please feel free to contact me.</p>	24/08/2015	Email	Note United Utilities' comments and continue to engage with them at key stages in preparing the neighbourhood plan
10	Gladman Developments John Fleming (Graduate Planner)	<p>Gladman Developments Ltd (Gladman) specialise in the promotion of strategic land for residential development with associated community infrastructure. This letter provides Gladmans' representations on the application made by Chapel & Hill Chorlton, Maer & Aston and Whitmore Parish Councils for the designation of a Neighbourhood Area, for the purposes of preparing a Neighbourhood Development Plan.</p> <p>At this stage Gladman have no specific comments to make on the application for the Neighbourhood Area designation. However, as the first formal stage of preparing a Neighbourhood Plan, Gladman would like to take the opportunity to comment on the Joint Neighbourhood Area application to highlight a number of key requirements to which the development of the emerging Neighbourhood Plan should have regard. Gladman wish to participate in the Neighbourhood Plan's preparation and to be notified of further developments and consultations in this regard.</p> <p><u>Neighbourhood Plans - Guidance and Legislation</u></p> <p>The National Planning Policy Framework (The Framework) sets out the Government's planning policies for England and how these are expected to be</p>	24/08/2015	Email	Note Gladman Development's comments and consider how to address them when preparing the Neighbourhood Plan.

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p>applied. In doing so it sets out requirements for the preparation of neighbourhood plans and the role these should take in setting out policies for the local area. The guidance set out in the Framework has now been supplemented by the recently published Planning Practice Guidance (PPG) on Neighbourhood Plans.</p> <p>Paragraph 16 of the Framework sets out the positive role that Neighbourhood Plans should play in meeting the development needs of the local area. Its states that:</p> <p><i>“The application of the Presumption (In Favour of Sustainable Development, set out in paragraph 14 of Framework) will have implications for how communities engage in neighbourhood planning. Critically it will mean that neighbourhoods should:</i></p> <ul style="list-style-type: none"> • <i>Develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;</i> • <i>Plan positively to support local development, shaping and directing development in their area that is outside of the strategic elements of the Local Plan”</i> <p>Further guidance on the relationship between Neighbourhood Plans and strategic policies for the wider area set out in a Council's Local Plan is included in paragraph 184 of the Framework:</p> <p><i>“The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date plan is in place as quickly as possible. Neighbourhood Plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood Plans...should not promote less development than set out in the Local Plan or undermine its strategic policies”.</i></p> <p>Before a Neighbourhood Plan can proceed to referendum in must be tested against the Neighbourhood Plan Basic Conditions, set out in paragraph 8(2) of</p>			

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p>Schedule 4B of the Town and Country Planning Act 1990 and further detailed in paragraph 065 of the Neighbourhood Plan PPG. These Basic Conditions are:</p> <ul style="list-style-type: none"> a) <i>Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan</i> b) <i>Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order</i> c) <i>Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order</i> d) <i>The making of the neighbourhood plan contributes to the achievement of sustainable development</i> e) <i>The making of the neighbourhood plan is in general conformity with the strategic policies contained within the development plan for the area of the authority</i> f) <i>The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations</i> g) <i>Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan</i> <p>If a Neighbourhood Plan is not developed in accordance with the Neighbourhood Plan Basic Conditions there is a real risk that it will fail when it reaches Independent Examination.</p> <p><u>Relationship with Local Plans</u></p> <p>To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, Neighbourhood Plans should be prepared to conform to up-to-date strategic policy requirements set out in Local Plans. Where an up-to-date Local Plan has been adopted and is in place for the wider authority area, it is the strategic policy requirements set out in this document that a Neighbourhood Plan should seek to support and meet. When a Local Plan is emerging or is yet to be found sound at Examination, there will be lack of certainty over what scale of</p>			

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p>development a community must accommodate or the direction the policies in the Neighbourhood Plan should take.</p> <p>The Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy was adopted in 2009. The Council resolved on 11th December 2013, to withdraw the Site Allocations and Policies Local Plan and instead proceed with the preparation of a new joint full Local Plan. It is anticipated that the draft Local Plan will be published for consultation in 2017 and submitted for examination in 2018. Gladman question the Parish Councils ability to proceed on a Neighbourhood Plan at this time when there is no up-to-date adopted development plan in place to which the Neighbourhood Plan can be based or tested against.</p> <p>Although the Neighbourhood Plan PPG indicates that Neighbourhood Plans can be advanced before an up-to-date Local Plan is in place, Gladman would strongly question the ability to progress a Neighbourhood Plan on this basis. If a Neighbourhood Plan is progressed prior to an up-to-date Local Plan being prepared, or the strategic policies and development requirements set out in an emerging Local Plan change, then the work on the Neighbourhood Plan is likely to be abortive. A Neighbourhood Plan cannot be consistent with the requirements of the Framework or the meet the Neighbourhood Plan Basic Conditions if it is progressed on a development plan that is out-of-date.</p> <p><u>Neighbourhood Plan Policies and Proposals</u></p> <p>In accordance with the Neighbourhood Plan Basic Conditions, Neighbourhood Plan policies should align with the requirements of the Framework and the wider strategic policies for the area set out in the Council's Local Plan. Neighbourhood Plans should provide a policy framework that complements and supports the requirements set out in these higher-order documents, setting out further, locally-specific requirements that will be applied to development proposals coming forward.</p> <p>The Framework is clear that Neighbourhood Plans cannot introduce polices and proposals that would prevent development from going ahead. They are required</p>			

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p>to plan positively for new development, enabling sufficient growth to take place to meet the strategic development needs for the area. Policies that are clearly worded or intended to place an unjustified constraint on further sustainable development taking place would not be consistent with the requirements of the Framework or meet the Neighbourhood Plan Basic Conditions.</p> <p>Communities should not seek to include policies in Neighbourhood Plans that have no planning basis or are inconsistent with national and local policy obligations. Proposals should be appropriately justified by the findings of a supporting evidence base and must be sufficiently clear to be capable of being interpreted by applicants and decision makers. Policies and proposals should be designed to add value to policies set out in Local Plan and national guidance, as opposed to replicating their requirements. The community should liaise with the Council's planning team to seek advice on the appropriateness of the Neighbourhood Plan's proposals.</p> <p><u>Sustainability Appraisal/Strategic Environmental Assessment</u></p> <p>The preparation of a Neighbourhood Plan may fall under the scope of the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) that require a Strategic Environmental Assessment (SEA) to be undertaken where a Plan's proposals would be likely to have significant environmental effects. The requirement to undertake an SEA will be dependent on a Neighbourhood Plan's proposals, but is likely to be necessary where a Plan is proposing specific allocations or site designations.</p> <p>In accordance with Schedule 1 of the SEA Regulations, a Screening Assessment of a Neighbourhood Plan's proposals should be completed to assess whether an SEA must be prepared. Where an SEA is required this should be commenced at the earliest opportunity, alongside the preparation of the emerging Neighbourhood Plan, to ensure the Neighbourhood Plan's proposals have been properly considered through the SEA process, and appropriately justified against other reasonable alternatives. Where an adequate SEA has not been undertaken a Neighbourhood Plan is unlikely to meet the Neighbourhood Plan Basic Conditions.</p>			

Comment Number:	Consultee Name & Organisation:	Comment:	Date Received:	Origin:	Officer's Recommended Action:
		<p>Although Neighbourhood Plans do not require a Sustainability Appraisal (SA) of their proposals, preparing an SA can help to show how a Neighbourhood Plan will contribute to the achievement of sustainable development, a Neighbourhood Plan Basic Condition. Where an SEA is required, extending this assessment to the preparation of an SA is unlikely to require significant additional input.</p> <p>The Council's planning team will be able to advise on the likely need for an SEA of the Neighbourhood Plan's proposals. To be compatible with EU obligations, further appraisals, such as a Habitats Regulations Assessment, may also be required depending on local circumstances.</p> <p>I hope you have found this letter to be constructive. Should you have any queries in relation to our response please do not hesitate to contact us.</p>			
11	Mr & Mrs Chadwick (local residents)	Reference the attached notice that has been displayed by Newcastle Borough Council, we consider that this proposed neighbourhood plan for the three parishes of Chapel and Hill Chorlton, Maer and Aston, and Whitmore appropriate.	24/08/2015	Email	Note Mr & Mrs Chadwick's support

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HEADING: WAMMY NEIGHBOURHOOD PARK: PHASE 3

DATE: 16th September 2015

SUBMITTED BY: Roger Tait - Head of Operations

PORTFOLIO: Environment and Recycling

WARD(S) AFFECTED: Cross Heath, Knutton/Silverdale

Purpose of the Report

- To seek approval to proceed with Phase Three of the agreed master plan to deliver teenage recreational provision in line with a consultation exercise undertaken with local teenagers, to make habitat improvements to attract wildlife, and to plant trees so as to further develop the project and comply with obligations.

Recommendations

- **That the third phase of the Wammy project to deliver teenage recreation provision, wildlife habitat improvements and tree planting is approved.**
- **That the Executive Director – Operational Services be authorised to seek tenders for the works and, in consultation with the Portfolio Holder for Environment and Recycling accept the lowest suitable tender within the available funding.**
- **That authorisation is given to further develop the pavilion phase of the project and to investigate / secure match funding opportunities.**

Reasons

- To meet identified community need in relation to green space and outdoor play and sports provision.

1. BACKGROUND

- 1.1** In recent years, the Council has negotiated a number of developer financial contributions through Section 106 Agreements relating to various developments in the Knutton and Cross Heath area, which have resulted in the loss of outdoor sports pitches and/or created an additional demand for play and recreational facilities.
- 1.2** The Council has prepared a Green Space Strategy and Playing Pitch Strategy in accordance with Planning Policy Guidance (PPG17: Planning for Open Space, Sport and Recreation) to assess community need for green space of various typologies and to plan for its provision. These documents form the basis for negotiating Section 106 Agreements and prioritising the need for provision of facilities of appropriate scale, typology and location across the urban area of the Borough, to ensure that the needs of the community are met.

- 1.3** The Wammy has been identified in these policy documents (and in Local Development Framework documents) as strategically important green space in the Knutton and Cross Heath area which is under-utilised and of poor quality.

The recommendations for the Wammy are to develop a neighbourhood park on the site to serve the communities of Knutton and Cross Heath, including high quality outdoor playing pitches and play provision.

- 1.4** Phase One of the scheme to provide one mini soccer and two full sized football pitches as approved by Cabinet 13 May 2009 has been completed.

- 1.5** A consultation exercise was undertaken in 2009 to obtain the views of the local community and other stakeholders to put together a master plan. From this proposals were drawn up to develop the neighbourhood park in two further phases.

Phase Two: to improve the cycleway and footpaths, provide lighting to the main route through site, provide site furniture, improve entrances, and provide car parking for users of the football pitches and natural play provision for younger children.

Phase Three: to provide recreation and play facilities for teenagers, an all-weather games area, make improvements to attract wildlife and plant avenue trees.

- 1.6** A separate consultation workshop was carried out with 22 children from the Eco Board and School Board of St Marys Knutton in January 2011 to develop proposals for natural play as part of Phase Two. Ideas were explored by the children and from this sketch designs were drawn up based around a maze, den structure, boulders/rocks and flower meadow.

- 1.7** Phase Two of the scheme was approved by Cabinet in June 2011 and has also been carried out, however the contractor has failed to complete all of the specified lighting works and some snagging items. The funding for these uncompleted items is being held by the council. It is intended to include these items in the Phase Three contract and use retention money from the Phase Two contract to pay for the works. The electrical connection of the lighting to the mains will also need to be deferred to Phase Three.

- 1.8** A consultation was carried out at the end of 2013 involving local youngsters between 11 and 18 years old to find out what forms of provision they would like to see for teenagers. An on-line questionnaire was put on the council website and paper copies were distributed. Officers visited Project House and Knutton Youth Centre to obtain views and children from Newcastle Community High School completed the on-line questionnaire. A total of 117 surveys were returned. The most popular activities amongst users are to relax/chill, play sports, meet friends and keep fit, and the most popular options to be provided are shelter/meeting area, skateboard/BMX ramps, all-weather games practice area and gym equipment.

The Western Communities Locality Action Partnership were updated with these results on 1st October 2014. There was general approval of the chosen activities with the exception of the shelter which was thought likely to cause problems relating to anti-social behaviour.

2. ISSUES

- 2.1** Cabinet has previously resolved to allocate funding from four Section 106 Agreements totalling £1,046,190 to the Wammy Neighbourhood Park project to enable full delivery of the scheme.

- 2.2** The total amount spent on Phases One and Two stands at £663,099 leaving £383,091 remaining, including £12,278 retained from Phase Two.

- 2.3 The cost for the proposed Phase Three scheme is estimated at £215,000 including fees and can be financed by the money currently available.
- 2.4 The Wammy is identified in the Green Space Strategy for the creation of a grouped Playing Field Facility and the Playing Pitch Strategy identifies the Wammy, linked with the Cotswold Avenue pitches, as requiring changing facilities. Remaining Section 106 Agreement funding allocated to the Wammy could part finance the provision of a pavilion as a future Phase Four if it is approved for this purpose.

The budget estimate for a pavilion to serve the Wammy is approximately £380,000. This would require the remaining Section 106 money plus an additional figure of approximately £212,000 from other sources. Your officers will continue to pursue appropriate avenues to seek to identify and bid for the balance required.

In terms of the strategic provision of grouped playing field facilities with ancillary facilities, the Wammy is identified as a strategic location which serves the central area of the borough (the north and south being served by facilities at Birchenwood and Roe Lane respectively). Clearly, the provision of grouped facilities with ancillary parking and changing to serve larger catchment populations is the recommended direction of the Playing Pitch Strategy, and will negate the need for a larger number of smaller, isolated, poor quality, single pitch sites without ancillary facilities across the borough. The council has invested heavily in creating this high quality facility at the Wammy to ensure that community needs in respect of outdoor playing pitches is properly met, and adjacent facilities at the Newcastle-under-Lyme College site which comprise outdoor grass pitches and a full size synthetic pitch available for community use, complement this offer.

3. OPTIONS CONSIDERED

- 3.1 The options considered are to either carry out the proposed improvements as detailed in the report or not to carry out the improvements.
- 3.2 Options for the detailed content of Phase Four of the scheme for a pavilion will be explored with consultation/guidance from the Football Foundation and Sport England.

4. PROPOSAL

- 4.1 It is proposed to further progress and develop this project to create a high quality Neighbourhood Park on the Wammy as outlined above, which is to be funded from the Section 106 Agreements which have already been secured.
- 4.2 It is proposed to draw up detailed proposals and prepare contract documents for Phase 3 of the scheme and to invite tenders.
- 4.3 It is proposed that the Pavilion phase of the project is further explored and match funding sources investigated.

5. REASONS FOR PROPOSAL

- 5.1 To support parallel regeneration initiatives in the locality, to meet identified community need in relation to green space and outdoor sports provision, and to improve infrastructure.

6. OUTCOMES LINKED TO CORPORATE PRIORITIES

- 6.1 Creating a clean, safe and sustainable borough.

- 6.2 Creating a healthy and active community.
- 6.3 Becoming a co-operative Council, delivering high-value, community-driven services.

7. LEGAL AND STATUTORY IMPLICATIONS

- 7.1 The Council is obliged to comply with the terms of the Section 106 Agreements referred to in the report.

8. EQUALITY IMPACT ASSESSMENT

- 8.1 It is considered that there would be a positive impact on equality issues resulting from this project.

9. FINANCIAL AND RESOURCE IMPLICATIONS

- 9.1 The estimated budget capital cost of the third phase of the project is £215,000 inclusive of fees to meet the cost of officer time. This full amount has been secured via Section 106 Agreements, therefore there are no capital financial implications for the Council arising from this report.
- 9.2 There will be ongoing management and maintenance costs associated with this project but it is proposed to realign existing resources to accommodate this work in recognition of its strategic priority in green space terms. Therefore there will be no additional call on the Council's revenue budget as a result of the scheme.

10. MAJOR RISKS

- 10.1 There are currently no major risks associated with the project currently identified.

11. SUSTAINABILITY AND CLIMATE CHANGE IMPLICATIONS

- 11.1 It is considered that the project will have a positive impact on sustainability and climate change by providing greater opportunities for local recreation, play and by creating wildlife habitat as part of the comprehensive master plan for the location.

12. KEY DECISION INFORMATION

- 12.1 The project does not involve significant expenditure or savings of Council resources.
- 12.2 It impacts directly on two Wards, Knutton and Silverdale, and Cross Heath, and is included in the Forward Plan.

13. EARLIER CABINET/COMMITTEE RESOLUTIONS

- 13.1 Cabinet 13 May 2009 item 58
- 13.2 Cabinet – 15 June 2011 item 100

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE CABINET

16 September 2015

1. **REPORT TITLE:** URBAN NORTH STAFFORDSHIRE GREEN SPACE STRATEGY ANNUAL PROGRESS REPORT 2014
- Submitted by:** Head of Operations – Roger Tait
- Portfolio:** Environment and Recycling
- Ward(s) affected:** All Urban Wards of the Borough

Purpose of the Report

To inform Cabinet of progress made with the implementation of the Urban North Staffordshire Green Space Strategy and the associated Action Plan over the last year.

To update members on the review of the current Green Space Strategy to reflect changes in national planning policy, local government finance and projected resources to ensure the strategy remains fit for purpose for the future and is a robust evidence base for the proposed joint Local Plan.

To reaffirm the link between the Green Space Strategy and the Asset Management Plan in which green spaces which are identified as not required to deliver local standards for green space nor for operational purposes are included in the Asset Management Plan for consideration for alternative uses.

Recommendations:

- (a) That the report be received and progress noted.
- (b) That the link between the Green Space Strategy and Asset Management Plan is reaffirmed in respect of sites which are identified as not required for green space use.

Reasons

- (a) To ensure that the green space asset base in urban North Staffordshire and in particular Newcastle fulfils it's potential to deliver a wide range of environmental, economic and social benefits through a strategic approach to planning and management, and that the document remains fit for purpose and a robust evidence base for the emerging joint Local Plan.

1.0 **Background**

- 1.1 At the meeting of the Cabinet of 7 September 2011 a report was considered in relation to the Urban North Staffordshire Green Space Strategy. It was resolved:-

“That Officers be instructed to undertake an annual review of the progress made with implementation of the North Staffordshire Green Space Strategy and the associated Action Plan to ensure that objectives are being met”.

- 1.2 The Urban North Staffordshire Green Space Strategy was formally adopted by the Cabinet of the Council at the meeting of 2 December 2009. Since this time, work has been progressing with delivering the actions identified in the Action Plan programme and in developing processes and mechanisms to deliver the aims and objectives of the Strategy.

2.0 **Issues**

- 2.1 The Urban North Staffordshire Green Space Strategy promotes the environmental, economic and social benefits which green space brings to parallel strategic regeneration initiatives and to the Council’s corporate priorities and core values. The Strategy demonstrates how good quality green space supports economic regeneration and provides opportunities for people to live a healthy and active lifestyle in a clean and safe environment.
- 2.2 The Strategy aims to ensure that the residents of the Borough have the right amount of green space to cater for their needs in terms of parks, play, sport, nature and green routes. The Strategy seeks to provide these sites in places which are accessible and easy to reach for as many people as possible and by grouping facilities together into larger, multi-functional high quality green spaces.
- 2.3 To achieve these aims, the Strategy includes a phased and prioritised Action Plan programme to strategically manage the Council’s green space assets to ensure that they deliver a wide range of environmental, economic and social benefits and that the financial and community value of green space is recognised and reflected in the way the Council sets priorities and allocates resources.
- 2.4 Significant progress has been made in delivering the Action Plan for the Strategy and a progress report is attached to this report at Appendix 1. In addition to this, annual consultation is carried out with residents of the borough to gauge their views on a number of green space and cleanliness indicators including meeting expectations, safety, cleanliness of streets and open spaces and appropriate provision of facilities.

Key Achievements To Date Include:-

- (a) In the last seven years a total of over £5.05 million in external funding has been secured towards delivering the projects in the Action Plan and a number of key capital development projects have been completed or are in progress to provide and improve community green space provision.
- (b) Restructuring of the Streetscene Service to deliver the cleaner, safer and sustainable agenda and neighbourhood working.

- (c) Review of potential surplus green space assets incorporated into the asset management plan and site allocation development plan document consultation process.
 - (d) Consistent high performance and achievement of highest quality standard in Britain in Bloom campaign and Green Flag Awards.
 - (e) Projects have been completed or are currently in progress to create or improve facilities at Wolstanton Marsh, Lyme Valley, The Wammy, Cotswold Avenue and Thistleberry Parkway.
 - (f) Programme of work ongoing to maintain the Council's playground stock and green space footpaths/roads/railings in a safe condition.
 - (g) Implemented the Community Engagement and Participation Framework to enable and support residents to take an active role in looking after their neighbourhood, with over 5000 hours of volunteer time (estimated value of £60,000) contributed in 2014/15. This work is key to the success of the strategy as it creates the opportunity for communities to be fully involved in shaping and delivering green space services in their neighbourhoods. A highly successful "Communities Day" was held on 5th June 2015 where 25 different community events took place in the Borough's parks, open spaces and neighbourhoods involving large numbers of volunteers.
- 2.5 Further work is underway to identify and bid for funding to deliver other projects prioritised in the Action Plan programme. These projects, and their proposed funding mechanisms, will be the subject of future reports to Cabinet at appropriate times.
- 2.6 Work is also underway with partner agencies to investigate the potential to jointly deliver initiatives identified in the Action Plan programme. The outcome of this work and any associated resource implications will be reported at appropriate times.
- 2.7 Following a review of the current policy, legislative, financial and demographic influences which affect North Staffordshire, and in particular Newcastle, in relation to green space provision, management and maintenance, a robust Green Space Strategy is required as part of a suite of supporting evidence documents for the new joint Local Plan. Other evidence documents will include the Playing Pitch Strategy which has recently been adopted, allotments strategy, urban forest strategy and policy for play.
- 2.8 Following the scoping of a review of the Green Space Strategy, a budget was approved from within the existing approved Local Plan budget and a subsequent portfolio holder authority was granted to invite tenders for the review of the current strategy to bring it in line with current national policy and to ensure the strategy remains a robust evidence base for the emerging Joint Local Plan.
- 2.9 A commission for the review of the Strategy has been tendered and following the evaluation process a consultant has been appointed. The tender was within the approved budget and the review is due to be completed within 9 months by the end March 2016. A report on the outcome of the strategy review process will be brought to a future meeting of the Cabinet.

- 2.10 As is the case with the current Green Space Strategy, the review will identify sites which are currently not required to deliver local standards for green space, nor for operational purposes. These sites will be included in the Asset Management Plan for consideration for potential alternative uses.

3.0 **Options Considered**

- 3.1 To continue with the delivery of the existing Strategy in line with the strategy document in the short term.
- 3.2 Proceed with the review of the Green Space Strategy to ensure that it remains a robust evidence base for the emerging joint Local Plan, alongside the other supporting documents.

4.0 **Proposal**

- 4.1 It is proposed that the report be received and progress with the delivery of the Strategy and Action Plan be noted.
- 4.2 It is proposed that the progress with the review of the existing Strategy be noted.
- 4.3 It is proposed that the link to the Asset Management Plan be reaffirmed in relation to sites which are identified as not required for green space use.

5.0 **Reasons for Preferred Solution**

- 5.1 To ensure that the green space asset base in urban North Staffordshire and in particular Newcastle, fulfils it's potential to deliver a wide range of environmental, economic and social benefits through a strategic approach to planning and management.

6.0 **Outcomes Linked to Corporate Priorities and the Sustainable Community Strategy**

- 6.1 A clean, safe, and sustainable Borough.
- 6.2 A Borough of opportunity.
- 6.3 A healthy and active community.
- 6.4 Becoming a co-operative council, delivering high value, community driven services.

7.0 **Legal and Statutory Implications**

- 7.1 The Council has various powers and duties relating to green space provision and management, set out in statutes relating to open space, public health, miscellaneous provision and well being.

8.0 **Equality Impact Assessment**

- 8.1 It is considered that the Strategy has a positive impact on equality issues.

9.0 **Financial and Resource Implications**

9.1 There are no direct financial implications arising from this report.

10.0 **Major Risks**

10.1 The major risks associated with this report are:

10.1.1 Failure to prove that the current Green Space Strategy is valid and up to date evidence could create a situation where funding and open space provision is unable to be secured through planning processes.

10.1.2 Failure to realise savings and/or capital receipts from prudent management of the council's green space asset base.

10.1.3 Failure to provide a robust evidence base for the joint Local Plan.

11.0 **Earlier Cabinet Resolutions**

Cabinet:	09 February 2005	– Resolution No. 761
Cabinet:	03 August 2005	– Resolution No. 285
Cabinet:	21 May 2008	– Resolution No. 39
Cabinet:	02 December 2009	– Resolution No.
Cabinet:	07 September 2011	– Resolution No. 13
Cabinet:	23 May 2012	- Resolution No. 5
Cabinet:	17 July 2013	- Resolution No. 4
Cabinet:	23 July 2014	- Item 12
Cabinet:	10 December 2014	- Item 5

Portfolio Holder Authority: -13 March 2015

12.0 **List of Appendices**

12.1 Appendix 1: Action Plan Progress Report

13.0 **Background Papers**

13.1 Urban North Staffordshire Green Space Strategy.

13.2 National Planning Policy Framework

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URBAN NORTH STAFFORDSHIRE GREEN SPACE STRATEGY
PROGRESS REPORT: August 2015

Completed Actions (Actions completed between Sept 2007 and August 2015)

Ref:	Ward	Action	Status
GA1	ALL	Establish strategic business unit responsible for green spaces	Operational Services/Streetscene Division set up and delivering a cleaner, safer, sustainable agenda
GA2	ALL	Develop a funding strategy to deliver the Action Plan programme	Framework for funding strategy devised
GA3	ALL	Develop strategy for supporting and involving community groups in green space provision at non-strategic level	Community Engagement and Participation Framework launched and Community Development Officer recruited. Support mechanisms for community groups in place.
GA4	ALL	Create database of community volunteers and skills and develop recruitment and training plan	Database set up and recruitment in progress through Community Engagement and Participation Framework.
GA5	ALL	Identify appropriate partners to deliver projects within the Action Plan programme	Work in progress to allocate projects to appropriate partners as opportunities and funding programmes arise.
GA6	ALL	Identify a Green Space Champion	Portfolio Holder for Environment and Recycling appointed as Champion
GA7	ALL	Establish consultation and review mechanism to gauge level of use, visitor opinion and satisfaction level	Annual Parks and Green Spaces Consultation ongoing.
GA12		NSRP to establish schedule, nature and extent of strategic green space projects	NSRP no longer in existence
GA14	ALL	Implement visible patrol of parks in partnership with the Police	Targeted patrols implemented at hotspot sites
GA15	ALL	Set up rapid response teams to deal with fly tipping, broken glass, graffiti and vandalised equipment	Integrated into Streetscene (Operations and Performance) set up
GA16	Chesterton	Undertake safety audits of green spaces	Pilot audit undertaken at Chesterton Park – programme to be rolled out to other green spaces where necessary
GA17	ALL	Facilitate youth and play work in green spaces to help combat	Big Lottery Children's Play Programme portfolio

		anti-social behaviour	of projects completed. Ongoing work with Staffordshire Youth Service to provide targeted interventions.
GA18	ALL	Establish a commitment to ring fencing a proportion of capital receipts and income from green spaces for reinvestment in green space	Approved by Cabinet May 2008
GA19	ALL	Consider creation of semi natural areas within green spaces of other functions	Trees not Turf and wildflower meadow creation programme completed. Further projects ongoing as resources allow.
GA20	ALL	Produce a Management Plan for each strategic open space and generic Management Plans for non-strategic green spaces	Management Plans completed for strategic (District level) parks and other strategic green spaces.
GA21	ALL	Review maintenance procedures and set up multi skilled area teams	Integrated into Streetscene (Operations and Performance) set up
GA22	ALL	Review surplus green space sites to determine appropriate alternative use	Initial review undertaken and integrated into asset management plan and site allocations DPD.
GA25	ALL	Establish neighbourhood management arrangements for management of non-strategic green space	Integrated into Streetscene (Operations and Performance) set up
GA26	ALL	Establish forums for partners to identify and deliver strategic and non-strategic green space projects	Community Forum launched in May 2012. Friends of Parks groups established
RA3	ALL	Ensure remaining amenity space designated as LAP is fit for purpose	Sites identified and improvements ongoing as resources allow.
OS2	Cross Heath	Create Sports Village at The Wammy	Project re-profiled to Health and Well Being Centre (completed December 2011) and The Wammy Neighbourhood Park (Phases 1 & 2 completed)
OS3	Thistleberry	Improve tennis courts/pavilion at Westlands Sports Ground	Pavilion Project completed 2009
OS4	Kidsgrove	Improve drainage/pavilion at Birchenwood	Drainage Project completed August 2008
OS5	Wolstanton	Improve sports pitch provision at Wolstanton Marsh	Drainage works complete June 2013
OS6	Silverdale and Parksites	Improve strategic sites identified in the Newcastle under Lyme Leisure Needs Assessment and Playing Pitch Strategy as requiring qualitative improvements	1 ½ pitches and community facility completed at the former Silverdale Colliery.
PP6	Wolstanton	Improve Wolstanton Park/Marsh	Footpaths improved via Section 106 Agreement.
PP7	Talke / Butt Lane / Ravenscliffe	Improve Bathpool Park (District)	Phase 1 completed March 2008

PP8	Town / Clayton	Improve Lyme Valley Parkway (District)	Phase 1 completed March 2006
PP9	May Bank	Improve Brampton Park (District)	Phase 1 completed March 2009
PP19	Knutton and Silverdale / Cross Heath	Improve Cotswold Avenue/The Wammy (Neighbourhood)	Phase 1 completed March 2008
PP20	Thistleberry	Improve Thistleberry Parkway (Neighbourhood)	Phase 1 completed 2009
PP22	Cross Heath	Improve Brampton Recreation Ground (Neighbourhood)	Phase 1 completed December 2007
PP23	Chesterton	Improve Chesterton Memorial Park (Neighbourhood)	Phase 1 completed March 2009 Phase 2 (new pavilion) completed 2010
PP24	Knutton and Silverdale	Improve Silverdale Park (Neighbourhood)	Phase 1 completed March 2009
PP25	Thistleberry	Improve Queen Elizabeth Park (Neighbourhood)	Phase 1 (Castle Motte) Complete
PP27	Holditch	Improve Loomer Road (Neighbourhood)	Phase 1 completed March 2006
PP53	Thistleberry	Create fourteen LEAPs in accordance with Policy for Play	One LEAP secured (Keele Road)
SN1	Bradwell	Declare local nature reserve at Bradwell Woods	Declaration completed December 2007
SN2	Talke / Butt Lane / Ravenscliffe	Declare local nature reserve at Bathpool Park	Management Plan completed and Natural England approval granted. Declaration completed
SN4	Thistleberry	Improve local nature reserve at Pool Dam Marshes	Section 106 Agreement secured
SN6	Chesterton	Improve semi-natural at Audley Road Open Space, Chesterton	Management Plan implemented
SN7	Chesterton	Improve semi-natural at Waterhays open space, Chesterton	Management Plan implemented
SN11	Silverdale and Parksite / Knutton and Silverdale / Cross Heath	Improve Newcastle Greenway	Section 106 Agreement secured. Phase 1 Completed 2009. Phase 2 Main works complete.
SN22	Thistleberry / Bradwell / Halmerend / Talke / Ravenscliffe / Butt Lane	Develop Biodiversity Management Plan for each local nature reserve and large semi-natural green space	4 LNR Management Plans prepared Pooldam Marshes / Bradwell Woods / Bateswood / Bathpool Park
GC1	Town / Thistleberry	Create greenway extension at Pool Dam Marshes	Completed in SCC NTADS Programme 2011/12
GC2	Town / Thistleberry	Create greenway extension at Lyme Brook	Completed in SCC NTADS Programme 2011/12

Current Actions (Actions started since June 2014)

Ref:	Ward	Action	Status
GA3	ALL	Develop strategy for supporting and involving community groups in green space provision at non-strategic level	>5000 hours of volunteer work supported in 2014/2015
GA6	ALL	Identify a Green Space Champion	Portfolio Holder for Environment and Recycling appointed as Champion – Current Portfolio Holder updated / briefed on role

GA8	ALL	Create design briefs for all green space improvement projects	Briefs prepared as part of individual project inception and feasibility – standard format developed
GA23	ALL	Prepare an Allotment Strategy	Completed
GA24	ALL	Investigate mechanisms for joint authority co-ordination of green space maintenance	Partnership working, shared service scoping on going with various partners
GA27	ALL	Set up joint authority green space information hub	Work on NBC website in progress.
RA2	ALL	Review sites where function is unclear to determine future use and maintenance regime	Review in progress and ongoing
OS2	Cross Heath	Create Sports Village at The Wammy	The Wammy Neighbourhood Park – Phase 3 (teen facilities) in progress
OS6	ALL	Improve strategic sites identified in the Newcastle under Lyme Leisure Needs Assessment and Playing Pitch Strategy as requiring qualitative improvements	Review of Playing Pitch Strategy is complete.
PP6	Wolstanton	Improve Wolstanton Park/Marsh	Funding secured for further improvements via Section 106 Agreements. Play area extension completed spring 2015.
PP20	Thistleberry	Improve Thistleberry Parkway (Neighbourhood)	Phase 2 funding secured via S106 agreement
SN4	Thistleberry	Improve local nature reserve at Pool Dam Marshes	Section 106 Agreements secured. Payment Received
SN21	ALL	A Biodiversity Management Plan should be developed (referring to SBAP) for non-strategic semi-natural green spaces	Biodiversity opportunities mapping report produced.
SN22	Talke / Ravenscliffe / Butt Lane	Develop Biodiversity Management Plans for each local nature reserve and semi-natural green space	Bathpool LNR declaration complete
S106	May Bank / Chesterton / Madeley / Wolstanton / Talke / Westlands	S106 Agreements secured	Homestead / May Place, Watermills Road, New Road (Madeley), Oxford Arms, Holdcrofts (Knutton Road), Rowley House (Madeley), Sky Lark (Talke), Former Priory Day centre, Linley Trading Estate.
S106	Thistleberry / Ravenscliffe / May Bank / Thistleberry	S106 Agreements paid	Keele Road (Persimmon), Former Squires Copper (Kidsgrove), Former Brooks Laundry (Basford), Thistleberry House (Persimmon)

Future Actions (Actions to be undertaken over the lifetime of the Action Plan)

Ref:	Ward	Action	Status
GA6	ALL	Identify a Green Space Champion	Portfolio Holder for Environment and Recycling appointed as Champion – Portfolio Holder to be updated / briefed on role
GA9	ALL	Adopt Green Space Urban Taskforce principles for planning, design, management and maintenance	Initial work underway to embed principles – further research on implications required
GA10	ALL	Prepare Communications Plan and Marketing Strategy	Initial work in progress via Britain in Bloom campaign and Green Flag Award Management Plans – further work required to develop strategy
GA11	ALL	Investigate potential for Public Art and Cultural Activity Strategy	Public art and cultural activities incorporated into green spaces – further work required to develop strategy
GA13	ALL	Establish lines of communication with North Staffordshire tourism functions	Incorporate into Communications Plan (action GA10)
GA19	ALL	Consider creation of semi natural areas within green spaces of other functions	Trees not Turf and wildflower meadow creation programme completed. Further projects ongoing as resources allow.
PP5	Seabridge	Create District Park at Wye Road	
PP18	Seabridge	Create Neighbourhood Park with NEAP at Kingsbridge Avenue	
PP21	Kidsgrove	New NEAP at Salop Place	
PP53	ALL	Create fourteen LEAPs in accordance with Policy for Play	
OS2	Cross Heath	Create Sports Village at The Wammy	The Wammy Neighbourhood Park Phase 4 - Pavilion
SN3	Seabridge	Create local nature reserve at Westomley Wood	Work to commence on Management Plan
SN5	Ravenscliffe / Kidsgrove	Improve semi-natural at Birchenwood	
SN8	Chesterton	Create semi-natural at Parkhouse Industrial Estate	
SN9	Seabridge	Create semi-natural at Rowley Wood	
SN10	Westlands	Create semi-natural at Leys Drive	
SN12	Silverdale and Parksite	Create semi-natural at Moffat Way	
SN13	Holditch	Create semi-natural at Castle Street	
SN14	Keele	Create semi-natural at Pepper Street	

GC13	Clayton / Westlands / Thistleberry	Improve existing Greenway in west and south Newcastle	
GC14	Chesterton / Talke / Butt Lane / Kidsgrove	Create potential green route extensions between Crackley & Kidsgrove	
GC15	Halmerend / Holditch / Chesterton	Create potential green route extensions between Apedale & A34	
GC16	May Bank / Wolstanton	Create potential green route extensions between Brampton & Wolstanton	
GC17	Town	Create potential green route extensions between Newcastle Town Centre & Staffordshire University	

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

REPORT TO CABINET

Date: 16th September 2015

Title: Recycling and Waste Service 2016

Submitted by: Dave Adams – Executive Director (Operational Services)
Trevor Nicoll – Head of Recycling and Fleet Services

Portfolio: Environment and Recycling

Ward(s) affected: All

Purpose of the Report

- To highlight the processes associated with the development of the new Recycling and Waste Service from July 2016 onwards.
- To understand the requirement and availability of an appropriate capital budget.
- To highlight the risks associated with the provision of the proposed service.

Recommendations

1. That Cabinet note the good progress of the project and note potential project issues.
2. That Cabinet agrees to add the additional costs of the works to the depot and equipment, and the additional expenditure on vehicles, to the current capital programme in accordance with the Council's Financial Regulations.
3. That Cabinet note the financial implications in respect of the capital expenditure as outlined in paragraph 7.0.

Reasons

- To ensure continuity of service at the end of the current contract periods.
- To develop a service that provides residents an affordable, environmentally sound, excellent, and legally compliant service.
- To ensure approval is in place to undertake procurement in a timely manner.
- To provide the council with timely information regarding potential investment pressures and savings that will result from the adoption of a new service.
- To ensure that there is adequate time for review, consultation, procurement and implementation of the new service.
- To provide a stable platform to enable the Council to maintain and develop the recycling and waste service and to further increase its recycling rates.

1.0 Background

In July 2014, Cabinet agreed the format of the new Recycling and Waste Service post July 2016. The agreed service was Weekly Kerbside Sort Recycling, Weekly Food, Fortnightly Residual and Fortnightly Garden waste collections.

- Three 55L box system for dry recycling collected weekly.
- Paper/Small Electrical appliances/Batteries/Textiles
- Card/Glass
- Plastic Bottles/Cans & Tins
- Food Waste collected weekly – in caddy
- Garden Waste collected fortnightly – 240L bin
- Residual Waste collected fortnightly – 180L bin
- Dry Recycling and Food Waste – Single pass with driver plus one or two porters with a kerbside sort vehicle,
- Residual/Garden Waste collected fortnightly – with standard collection vehicle

The Cabinet also agreed to the continued use of a Cabinet Panel on political proportionality, and chaired by the Portfolio Holder for Environment and Recycling. The Cabinet also agreed to the recommendation that the Cabinet Panel be given delegated powers to develop and agree the detail of the service and monitor progress of key tasks to be undertaken in the run up to the new service commencement. This includes:-

- Specification and procurement of vehicles,
- Procurement treatment contracts,
- Depot infrastructure reorganisation.
- Specification and procurement containers,
- Material resale arrangements,
- Collection schedules.
- Staff working patterns
- Expansion of the range of materials collected.

2.0 Issues

The development of the new service is currently progressing in line with the project plan as agreed by the Cabinet Panel. Officers are currently working on a number of sub projects to ensure that the service is delivered on time. The following will provide an overview of sub projects and highlight issues for cabinet to address. From the four sub projects below, there are three areas that require funding approval from the Cabinet to ensure that the project is delivered on time. Full Council was made aware of this likely cost in the budget report presented at the 25th February 2015 meeting. This report is now seeking approval to start procurement and placement of orders for the following items due to the long lead in time these items attract

2.1 Staffing

The service has completed the first stage of the service restructure, bringing all aspects of the Recycling and Waste Service under one service head. Discussions have been held with the current recycling contractor to develop a timetable to start the insourcing of the recycling operation to ensure all human resource (HR) issues are resolved prior to the new service starting. The contractor has been supportive with the process and talks with the contractor's staff about the implication arising from the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) will begin in November 2015.

We are currently in consultation with operational staff in the Recycling and Waste service about changes to the current working practices and the move to a five day working pattern. This will need to be finalised in October 2015 for a July 2016 implementation to enable development of collection rounds. Failure to change working patterns will jeopardise the amount of saving this change will deliver.

2.2 Containers

As part of the new service with the transfer from a bag to a box system, there is a requirement to purchase two additional boxes per household, totalling 100,000 boxes which will cost in the region of £495k.

As part of the pre procurement process officers have spoken to a number of box providers, all providers have advised that the council should start the procurement for containers in September 2015 with an award of contract in November 2015. Failure to award in November may not provide the manufacturer sufficient time for the manufacture of the boxes and deliver to Council for June 2016.

Currently there is no approved capital budget allocation for boxes in the 2016/167 budget. However, it was highlighted as a requirement for 2016/17 in the Revenue and Capital Budget report that went to full Council in February 2015. Whilst approval to place orders is required now, payment will not be required until June 2016 when the items are delivered to the Council.

2.3 Vehicles

As part of the new collection service there will also be a requirement to replace the Council residual, trade and green waste collection vehicles as part of a scheduled replacement programme. The current fleet of vehicles will be in their seventh year of operation in July 2016. The Council will need to purchase collection vehicles for these types of collection at an estimated total cost of £1,935k, an increase of £60k on the estimate in the original project budget.

The lead time for a new collection vehicle is in the region of eight months. To ensure delivery of vehicles for a July 2016 start vehicles will need to be ordered in November 2015. Currently there is no approved capital budget allocation for all these vehicles in the 2016/17 budget. However it was highlighted as a requirement in the budget report to Council. Whilst approval to order is required now, payment will not be required until June 2016 when the vehicles are delivered to the Council.

2.3 Depot

Officers from multiple areas of the council including Assets and Environmental Health have been working to develop a new layout for the Knutton Lane site to enable the new service to operate safely, efficiently and with minimum impact on adjacent neighbours.

As part of the physical restructure and installation of recycling material baling equipment there has been a requirement to submit a planning application and to change of site Waste Management Permit due to the change in operations involved. As part of this planning application there has been a requirement to undertake a noise survey, which has been undertaken by Environmental Health Officers. This noise survey has identified that some additional mitigation work will need to be undertaken to reduce any potential noise impact on neighbours. The initial estimated budget for works did not allow for these additional acoustic works which are expected to cost in the region of £100k in addition to the current approved capital budget. These additional measures break down in to two major areas:

- Re-cladding of the eastern elevation of the large shed at the depot removing the original glass walling and replacing it with insulated wall panelling. Additional acoustic perimeter fencing may also be required
- Amendments to the specification to the sorting and baling equipment to reduce noise generated. This will include changes to the specification to the hoppers, conveyor and the type of baling. Whilst these changes will incur additional capital expenditure, they are likely to lead to increased efficiencies in operations.

3.0. Proposals

To ensure that the implementation of the new service is not delayed Cabinet is asked to agree budgets for the three areas identified above. Cabinet is also asked to note that only the additional finances for the depot work will be required in this financial year, the remainder of the costs being all in line with the budget report presented to Council on 25 February 2015.

The Portfolio Holder for Environment and Recycling and Recycling and Waste Cabinet Panel have been given authority to award the contracts for these items in line with previous delegation of powers.

4.0 Outcomes Linked to Corporate Priorities

The proposals relate to the effective delivery of the improved collection and treatment arrangements for recycling and waste, which would contribute to the following:

- 5.1 A clean, safe, and sustainable Borough.
- 5.2 A Borough of opportunity.
- 5.3 A healthy and active community.
- 5.4 Becoming a co-operative council, delivering high value, community driven services.

5.0 Legal and Statutory Implications

The Landfill Directive (99/31/EC) requires a reduction in bio-degradable waste to be landfilled by 75% in 2010, when compared against the 1995 level.

The Government's Waste Strategy requires 40% of domestic waste by weight to be recycled by 2010 and 50% by 2020. The waste strategy is designed to increase recycling and therefore meet the legislative requirements without incurring financial penalties from Europe.

The Environmental Protection Act 1990 empowers the Council as a Waste Collection Authority to direct householders how to present waste.

The Waste (England and Wales) (Amendment) Regulations 2012, which are transposed from the EU's revised Waste Framework Directive, including TEEP element.

6.0. Equality Impact Assessment

During the development of the new service a equality impact assessment will be undertaken for each aspect of the development. It is anticipated that the comprehensive service design will make a significant positive equalities impact.

7.0. Financial and Resource Implications

It has been previously reported that the new recycling and waste service would require capital funding of approximately £2.495m. which includes approximately £460k of one off

non-recurring works to Knutton Lane Depot. The project, as referred to in the budget report received by Council on 25 February 2015, includes the purchase of a new recycling vehicle fleet, together with depot alterations and equipment required to accommodate the new service.

The financing of the capital expenditure in 2016/17 outlined below is dependent on the timing of capital receipts from the assets disposal programme. The Council may have to enter into either short term temporary borrowing arrangements or longer term arrangements in accordance with the CIPFA prudential code for borrowing which would have an impact on the Council's General Fund Revenue account. In addition to the amount detailed in the Council budget report a supplementary approval of a further £160,000 is also required for the additional works and modifications required to the buildings and equipment at the depot to mitigate any potential noise arising from the activity and increases in expected vehicle tender costs.

The revised overall breakdown is as follows:

Capital budget 2015/16

- Knutton Lane Depot works (including material sorting/bulking equipment, bulking shed, transfer facilities and weighbridge) = £460k (one off cost)
- Estimated additional acoustic works for depot building and baling operations for noise reduction = £100k (one off cost)
- New Recycling (including food) collection vehicles currently provided through recycling collection contract = £1,540k

Capital budget 2016/17

- Scheduled replacement of existing collection vehicles on residual, green and trade waste rounds = £1,935k
- Recycling Containers (based on 3 boxes per household) =£495k

The revenue savings from the new service are estimated as £500,000 per annum.

8.0. **Major Risks**

The Recycling and Waste Service is a universal service provided to all households in the Borough and due to its size and scope there are a number of risks associated with the delivery of the service regardless of the method of delivery selected. One of the overarching risks is that the project suffers delays in the development and implementation of the new recycling and waste service resulting in the service not able to start in July 2016. To reduce elements of this risk it is proposed that the Cabinet Panel is given delegated authority to make decisions on the detailed delivery of the key tasks associated with the service development.

In additional to the overarching risk above the following are determined as major risks. It is recognised that these risks will change due the development and implementation of the new service:-

The major risks are considered to be:

- **Staff Participation**
This service is heavily reliant of on staff to ensure that it is successful. The proposed service will involve the merging and integration of two large groups of staff. There will also need to be a number of changes to working practices.
- **Issues with transfer station development and planning**

One of the key elements of this new service is the provision of a new transfer station. It is proposed that this will be developed at Knutton Lane Depot, however this will require a change to the current Waste Permit the site holds and a change to the planning permission for the site.

- **Capital requirements**

As detailed within this report there will be a requirement for approximately £4.295 million of capital funding for the purchase of vehicles. Failure to purchase vehicles via outright purchase may require the vehicles to be funded via a different model which may affect savings in the revenue model.

10.0 **Key Decision Information**

- The decision is one that would affect all wards and has a significant positive budgetary implication for the Council. It has therefore been included on the Forward Plan.

1. FINANCIAL AND PERFORMANCE MANAGEMENT REPORT TO END OF QUARTER ONE (April-June) 2015

Submitted by: Executive Management Team

Portfolio: Policy, People & Partnerships
Finance, IT & Customer

Wards Affected: All

Purpose

To provide Cabinet with the Financial and Performance Review report with the Financial and Performance Review report - first quarter 2015/16.

Recommendations

- (a) That Members note the contents of the attached report and agrees to the recommendation that the Council continues to monitor and scrutinise performance alongside the latest financial information for the same period.
- (b) That Members note the comments made through the Scrutiny process and the responses from officers and others to these comments.

Reasons

The Financial and Performance Management monitoring reports provide information on a quarterly basis regarding the performance of individual council services, alongside related financial information on the organisation. This report will be presented to Cabinet on 16 September 2015. This report was originally presented to the Finance, Resources & Partnerships Scrutiny (FRAPS) Committee meeting on 3 September 2015.

1. Background

- 1.1 This quarterly report provides Members with a detailed update on how the Council has performed during the first quarter of 2015/16 by presenting performance data set within a financial context.
- 1.2 This report provides broad financial information (Appendix A) and also detailed analysis of performance (Appendix B) for the first quarter of 2015/16.
- 1.3 A summary of the overall performance picture is presented in section 3 of this report and members will note that performance is generally progressing well.

2. 2015/16 Revenue and Capital Budget Position

- 2.1 The Council approved a general fund revenue budget of £13,830,450 on 25 February 2015. Further financial information is provided in Appendix A.

3 Performance

- 3.1 The latest performance information is reported and attached as Appendix B.
- 3.2 Any indicators failing to meet the set targets are reported, by exception, in the table found in section 3.6.


3.3 The information found in Appendix B is presented in four sections against each corporate priority and detailed results and progress towards identified outcomes for the Council is presented here as well.



3.4 The number of indicators monitored in this report for quarter one 2015-16 is 27 in total, and the proportion of indicators which have met their target during this period stands at 81%.

3.5 The report contains five columns designed to show achievement:

- The “Good is” column denotes whether ‘low’ or ‘high’ figures are good and allows the reader to analyse the results in detail;
- There are two columns included showing comparative quarterly performance for 2014-15 and 2015-16 – this allows the reader to gain some insight into annual trends;
- The fourth column shows the annual target for 2015-16 (in some cases a quarterly target may be provided when relevant and necessary) and;
- In the last column one set of symbols (icons) show whether performance is on target or not at this time.

3.6 Five indicators from Appendix B are off target this quarter and are reported by exception in the table below, together with commentary.

Exception Report Quarter 1, 2015 (April –June)						
Ref	Indicator	Result	Target	Status	Officer	Portfolio holder
1.7	The amount of residual waste per household	108.67 kgs (est)	415kgs (annual)		Trevor Nicoll	Councillor Beech
Comment	Slight improvement compared to quarter 1 in 2014-15, but still requires work. Promotion of the food waste collection service undertaken, including supply of liners to all Tuesday collections. Additionally stickers are being placed on all refuse bins, stating ‘NO FOOD WASTE’. As food waste amounts to 16% of the contents in residual waste, and trials so far are showing an uplift of 10% in food waste tonnage collected, this should have a positive impact on this target.					
<u>Comment from Portfolio Holder: Cllr. Ann Beech</u>						

Exception Report Quarter 1, 2015 (April –June)						
Ref	Indicator	Result	Target	Status	Officer	Portfolio holder
2.6	Percentage of Minor Planning Applications determined within time	56.9%	75%		Guy Benson	Councillor Proctor
Comment	<p>Performance with respect to this target during this quarter was poorer than in the preceding quarter, notwithstanding the return by the beginning of the quarter, from long term sickness, of a part-time officer in this small team. Due to the issue of already out of time applications from the preceding quarter it proved difficult to hold performance, and there has been a marked increase in the number of applications for Minor development as well. Proposals to address staff resourcing/capacity agreed by July Cabinet which should help to improve the Service's performance in the latter part of 2015/16. In addition a Development Management Performance Action Plan submitted to Planning Committee 18th August sets out these proposals along with further measures to address the under performance.</p> <p>Finally, members may wish to note that government has announced proposals to include performance on Minor applications within its performance regime.</p>					
2.7	Percentage of Other Planning Applications determined within time	81.9%	85%		Guy Benson	Councillor Proctor
Comment	<p>Performance with respect to this target was maintained during this quarter relative to that of the preceding quarter and although below target is significantly closer to the revised target. The measures described in the comment for 2.6 would be expected to address under achievement in this target too.</p>					
<u>Comment from Portfolio Holder: Cllr. Bert Proctor</u>						

Exception Report Quarter 1, 2015 (April –June)						
Ref	Indicator	Result	Target	Status	Officer	Portfolio holder
4.3	Average number of days per employee lost to sickness	2.63 days (1.82 days long term and short term 0.81 days)	1.88 days	No	Sarah Taylor	Councillor Shenton
Comment	<p>In Qtr. 1 we have seen the effect of an unusually large number of long term sickness cases, totalling 23 during the period. However, both short term and long term sickness cases are continuing to be pro-actively managed with HR and Occupational Health support and are monitored monthly at Executive Management Team and Departmental meetings.</p>					
<u>Comment from Portfolio Holder: Cllr. Elizabeth Shenton</u>						
4.5	% Unmet demand (number of calls not answered as a % of total call handling volume)	12%	8%	No	Jeanette Hilton	Councillor Turner
Comment	<p>Performance has been adversely impacted upon during the first quarter because of high sickness levels. This has been a challenging time but in order to achieve this unmet demand, Customer Service agents are supported by additional resource from Customer Support and secretarial support (part of the Business Admin Review) who are answering level 2 (switchboard) telephone calls.</p>					
<u>Comment from Portfolio Holder: Cllr. Terry Turner</u>						

Officers consider that the performance against these indicators does not give rise to serious cause for concern at present, and the management of each of the service areas concerned continue to monitor and take steps to deal with under achievement of targets where possible and/or appropriate.

Further quarterly updates will be provided for Members in future reports.

- 3.7 Positive performance can be seen in a range of services and members will note that some services are affected by both seasonal and external factors. It should also be noted for consideration that some indicators have stretched targets set and local targets that are higher than the national ones.

4. Outcomes Linked to Sustainable Community Strategy and Corporate Priorities

- 4.1 All indicators link to corporate priorities set out in the Council Plan and/or Service Plans.

5. Legal and Statutory Implications

- 5.1 The Council has a duty to set targets for performance of a range of functions and needs to monitor these closely.

6. Equality Impact Implications

- 6.1 There are no differential equality issues arising directly from this monitoring report.

7. Financial and Resource Implications

- 7.1 Any positive variance for the full year on the General Fund Revenue Account will enable that amount to be transferred to the Budget Support Fund and will be available in future years for use as the Council considers appropriate. Conversely, if there is an adverse variance, the amount required to cover this will have to be met from the Budget Support Fund.

8. Major Risks

- 8.1 The ongoing changing market conditions represents the greatest risk to the revenue budget, particularly with regard to the impact it may have upon income receivable in relation to services where customers may choose whether or not to use Council facilities or in the case of the waste/recycling service where the volume of recycled materials is liable to fluctuate. The situation will be monitored through the normal budget monitoring procedures.
- 8.2 The capital programme will require regular monitoring to identify any projects which are falling behind their planned completion dates. This will be carried out by the Capital Programme Review Group, which meets on a monthly basis together with quarterly reports to Cabinet.
- 8.3 The above represents a high level view of risk. There are detailed risk registers available if members wish to see them.

9. List of Appendices

Financial information (Appendix A), and the Performance report (Appendix B) are attached.

10. Background Papers

Working papers held by officers responsible for calculating indicators.

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Financial Position Quarter One 2015/16

1. General Fund Revenue Budget

1.1 The Council approved a General Fund Revenue Budget of £13,830,450 on 25 February 2015. The actual position compared to this budget is continuously monitored by managers, EMT and Portfolio Holders in order to detect any significant variances of expenditure or income from the approved amounts contained in the budget.

2. Capital Programme

2.1 A Capital Programme totalling £9,390,300, covering the two years 2014/15 to 2015/16, was approved at the same Council meeting. Of this total, £5,564,000 was estimated to be spent in 2015/16.

3. Revenue Budget Position

3.1 At this point in the financial year, we would have expected to have spent approximately £5,594,913; we have actually spent £5,649,711. Therefore, as at the end of the first quarter, the general fund budget shows an adverse variance of £54,798.

3.2 The main reasons for the overall adverse variance to date are:

- a. The implementation of the staff related savings required to deliver the 2015/16 target of £50k is still in progress. Further meetings with the Trade Unions are scheduled for September.
- b. Jubilee 2 and Kidsgrove Sports Centre are both operating at net overspends primarily due to income shortfall. Officers are looking at ways to both retain current income levels and pursue additional income to eradicate the current shortfalls.
- c. Income from commercial rents is below the amount budgeted for. Active marketing of properties is continuing in order to try and secure new tenancies.

There are also a number of favourable variances, the main ones being:

- a. Employee costs in respect of a number of vacant posts and flexible retirements that have taken place across the Council.
- b. Additional interest income as a result of increased amounts available to invest following sales of land and buildings.

4. Capital Programme Position

- 4.1 The Capital Programme approved by Council in February 2015 has been updated to take account of slippage in 2014/15. Where planned expenditure did not occur last year, this has been added to the budget for 2015/16 (apart from any cases where costs have been reduced or expenditure will no longer be incurred). The revised budget for capital projects in 2015/16 totals £7,559,700.
- 4.2 £757,000 of the revised budget was expected to be spent by 30 June; the actual amount spent was £795,200 resulting in a variance as at the end of quarter one of £38,200.









5. Investment Counterparties

- 5.1 Investment counterparties with whom money is invested, as at 30 June 2015 are as follows (with the parent company shown in brackets, where applicable):








Halifax Bank of Scotland (Lloyds Bank)
Lloyds Bank
Barclays Bank
Nationwide Building Society
Coventry Building Society
Debt Management Account –Deposit facility
Heritable Bank (*Landsbanki*)

- 5.2 With regard to the Council's frozen investment in Heritable Bank, the total amount repaid now amounts to some £2,357,691, which is 94% of the total that was frozen. The Administrators have informed creditors that a further dividend may be paid but this is subject to the successful outcome of their claim against their parent bank, Landsbanki.





Corporate Performance Scorecard
Quarter 1 2015-16
Priority 1: A clean, safe and sustainable Borough

Outcomes: Our borough will be safer, cleaner and sustainable						
Ref	Indicator	Good is	Result 2014/15 Qtr 1	Result 2015/16 Qtr 1	Target 2015/16	Status
1.1	Percentage of food premises that have a zero or one national food hygiene rating.	Low	0.89% (7 out of 782 published premises)	1.66% (12 out of 722 published premises)	2.25%	
1.2	The percentage of food establishments which are broadly compliant with good hygiene law	High	95% (1,062 out of 1,118 premises)	92% (1040 out of 1125 premises)	85%	
1.3	The area of contaminated land that has been remediated or is determined suitable for use	High	Reported in Qtr 2		-	-
1.4	Number of incidents of violence with injury	Low	199	255	-	-
1.5	Number of incidents of anti-social behaviour	Low	1002	888	-	-
1.6	Number of incidents of serious acquisitive crime	Low	171	155	-	-
1.7	The amount of residual waste per household	Low	109.61	108.67	415kgs (annual)	
1.8	Percentage of household waste sent for reuse, recycling and composting	High	56.69%	54.68% (estimated value)	55%	
1.9	Levels of street and environment cleanliness (LEQ survey) free / predominantly free of litter, detritus, graffiti and fly-posting)	High	Survey in Qtr 2		91% 91% 97% 99%	
1.10	Number of community volunteer groups/hours spent caring for their local green spaces and neighbourhoods	High	2105.5 hrs	2062.5 hrs	1600 hrs	
1.11	Town Centre Vacancy Rate	Low	13.5%	11.9%	15%	
1.12	Percentage of investment portfolio (NBC owned) vacant	Low	8.4%	8.7%	12%	







Priority 2 : Borough of Opportunity




Outcomes: Newcastle is a great place to live, work and do business						
Ref	Indicator	Good is	Result 2014/15 Qtr 1	Result 2015/16 Qtr 1	Target 2015/16	Status
2.1	Number of hours worked by volunteers in council co-ordinated activities (museum)	High	397 hrs	375hrs	375 hrs	
2.2	Percentage of minor adaptations delivered within four months (approval to payment for works under £5000)	High	90%	93%	75%	
2.3	Number of homelessness cases where positive action was successful preventing homelessness	High	234	152	600	
2.4	Average stall occupancy rate for markets	High	65%	79%	55%	
2.5	Percentage of Major Planning Applications determined within time	High	100%	88.9% (Cumulative)	70%	
2.6	Percentage of Minor Planning Applications determined within time	High	86%	56.9% (Cumulative)	75%	
2.7	Percentage of Other Planning Applications determined within time	High	95.2%	81.9% (Cumulative)	85%	

Priority 3 : A Healthy and Active Community

Outcomes: Everyone has the chance to live a healthy, independent life, access to high quality leisure and cultural facilities/activities and the opportunity to get involved in their community						
Ref	Indicator	Good is	Result 2014/15 Qtr 1	Result 2015/16 Qtr 1	Target 2015/16	Status
3.1	Number of parks which have Green Flag status	High	Report in Qtr 2		9	
3.2	Level of satisfaction with Council run parks and open spaces	High	Reported at a later date	70%	70%	
3.3	Number of people visiting the museum	High	15,435	17,590	60,000	
3.4	Number of referrals from GPs to organised sporting activity	High	91	74	n/a	n/a
3.5	Percentage of people referred for exercise by GPs whose health improves	High	-	%	n/a	n/a
3.6	Number of people accessing leisure and recreational facilities	High	154,131	165,660	670,00 (Qtr. 1-164,820)	

Priority 4 : A Co-operative Council, delivering high-quality, community driven services

Outcomes: Your council is efficient, open and innovative in its work, with services designed and delivered co-operatively and communities are strong and well supported						
Ref	Indicator	Good is	Result 2014/15 Qtr 1	Result 2015/16 Qtr 1	Target 2015/16	Status
4.1	Percentage attendance at planned meetings by members	High	81%	88.2%	80%	
4.2	Percentage projected variance against full year council budget	Low	0%	0%	No variance	
4.3	Average number of days per employee lost to sickness	Low	1.5 days	2.63 days	1.88 days	No
4.4	Percentage of requests resolved at first point of contact	High	97%	97%	97%	
4.5	% Unmet demand (number of calls not answered as a % of total call handling volume)	Low	6%	12%	8%	No
4.6	Time taken to process Housing/Council Tax Benefit new claims and change events	Low	7.78 days	7.01days	10 days	
4.7	Percentage of Council Tax collected	High	27.4%	27.5%	24.12%	
4.8	Percentage of National non-domestic rates collected	High	26.9%	27.1%	25.11%	

Key	Performance information not available at this time or due to be provided at a later date.	n/a
	Performance is not on target but direction of travel is positive	
	Performance is not on target where targets have been set	
	Performance is on or above target.	

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE CABINET

Date: 16 SEPTEMBER 2015

1. **REPORT TITLE:** **Interim Planning Policy Statement; Mid-year 5-year Housing Land Supply statement; and Local Plan timetable**
- Submitted by:** Executive Director – Regeneration & Development
- Portfolio:** Planning and Housing
- Ward(s) affected:** All

Purpose of the Report

To provide Members with updates and advice to enable consideration of:

- (a) Preparation of an Interim Planning Policy Statement;
- (b) Production of a mid-year 5-year housing land supply statement and;
- (c) A refreshed process and timetable for preparation of the Joint Local Plan.
- (d) To consider the views of the Planning Committee in respect of the above matters.

Recommendations

- (a) That officers be authorised to prepare a Housing Clarification Statement on the basis set out in the report.**
- (b) That officers take the necessary steps to prepare a mid-year 5-year housing land supply statement.**
- (c) That the revised Local Plan process be approved.**

Reasons

It is necessary for members to consider whether to prepare some form of Interim Planning Policy Statement as a response to the Planning Peer Review process. In so doing it is appropriate to consider the current five-year housing land supply context for such action including the preparation of evidence for the forthcoming Local Plan and to advise members of the most efficient process for addressing relevant matters.

1. **Background**

- 1.1 On 22 July 2015 Cabinet received a report on the progress made in implementing the Action Plan agreed by the Council in response to the report of the Planning Advisory Service (PAS) following its Planning Peer Review of the Planning Service in 2014. Members are reminded that the PAS report contained a recommendation that the Council should consider developing an interim local planning policy statement. This proposal arose from the consequences of the Council not being able to demonstrate five year supply of deliverable housing sites (as required by Paragraph 49 of the National Planning Policy Framework) (NPPF).
- 1.2 The advice of the Planning Review Team was that **'Interim guidance offers clearer potential to make consistent decision making processes and to provide longer term land allocations to support new jobs and houses. Stronger spatial guidance based on objectively assessed needs would also encourage councillors to look beyond the**

short term local ward issues and inspire vision among their communities for long term quality of life improvements in terms of income, opportunities and homes.' The Review Team considered that *"the more specific the Council is able to be on the locations of growth and restraint, the greater the prospect that the Council will be able to address and maintain a five year housing land supply and thereby guide and control development while the full plan is being developed. Establishing a firm position on the need for and broad scale of any green belt review will also be a key milestone"*

- 1.3 The Planning Review Team did not go on to offer any further advice on the form or content of the interim guidance or comment on the weight that any such guidance could be given in decision making.
- 1.4 The Council's Action Plan subsequently contained an action to bring forward a report on the development of an Interim Planning Policy Statement. Cabinet in July agreed that officers should bring a report on the development of an Interim Planning Policy Statement to Cabinet on the 16 September with comments from an earlier Planning Committee.
- 1.5 The contents of this report will be considered by the Planning Committee on the 15 September so their views can be taken into account by Cabinet.
- 1.6 In accordance with agreed Action 3a) from the Action Plan the report is required to consider **the benefits and costs of such an approach including its implications for the existing Local Plan timetable and the weight such a statement could have in development management decisions.**
- 1.7 For this matter to be considered properly it is necessary for Members to contextualise the Action Plan requirement with the current position regarding both the Council's 5-year housing land supply and the progress being made with preparation of the Local Plan.

2. **Issues**

A. Interim Planning Policy Statement (IPPS)

- 2.1 Since the decision to agree what actions should be taken in response to the Planning Peer Review Team's report a further 5 year housing land supply statement has been presented to the Planning Committee. Whilst the Statement, reflecting the position as at 1st April 2015, indicates that the Council has 5.07 years of supply, taking into account the appropriate buffer, the advice of officers has been that the Council cannot demonstrate a five-year supply of deliverable housing sites.
- 2.2 This position was initially reported to the Planning Committee at its meeting on the 3rd June. The Committee deferred consideration of the item and further information was provided to them at their meeting on the 21st July and they resolved as follows:
 - (i) That, the results of the 5 year housing supply report to 3rd June 2015 Planning Committee be noted.
 - (ii) That, Officers give active consideration to the preparation of a revised supply statement following the publication of the Strategic Housing Market Assessment.
 - (iii) That, the significance of the 5 year supply position in Development Management decision making as described in report to 3rd June 2015 Planning Committee be noted.
- 2.3 The primary function of any interim planning policy statement is to bridge the gap between the Council's pre-NPPF planning policies (i.e. saved policies from the Local Plan 2011 and Core Spatial Strategy) and the post-NPPF Joint Local Plan. The objective would be to assist transparent decision making and to provide a consistent basis for making decisions, until we are able to adopt a new Local Plan, which will provide greater clarity over how decisions ought to be made locally.

- 2.4 It is quite clear from the Local Planning Regulations that the setting or creation of policy is the role of a Local Plan. The implications of this are that any document the Council prepares to 'bridge the gap' outside the regulatory framework cannot seek to produce new policy. It is therefore unrealistic to consider developing a statement which seeks either to control the location of development or to restrain it (as appears to have been envisaged by the Planning Peer Review Team) and in this respect it is important to manage expectations of all stakeholders. Any statement would, in your officer's view, be most appropriately framed as a "Housing Clarification Statement".
- 2.5 In the light of the above officers have given consideration to the idea of developing a Statement which seeks firstly to provide clarification on interpretation of existing policy and the emerging local plan evidence base and secondly for the purposes of interpreting paragraph 55 of the NPPF i.e. the promotion of sustainable development in rural areas.

B. Five-year housing land supply implications

- 2.6 It is appropriate to review the current position with regard to the five year housing land supply because whilst the Clarification Statement will not change this it can seek to manage some of its effects.
- 2.7 Currently the Council can only use the national household projections to assess whether it has a five year housing land supply (see paragraph 2.1).
- 2.8 The PPG indicates that household projections can be given only limited weight in the calculation of any area's 5 year housing land supply. For this reason Government make it clear that without adjustment the household projections are not an accurate or reliable picture of local housing need. The same position has, it is understood, been adopted by Inspectors in appeal decisions.
- 2.9 A more accurate picture is provided by an 'Objectively Assessed Need' (OAN) for housing because this takes into account local factors across the housing market area and limited weight can be attached to a 5-year housing land supply calculation on this basis. Of course the most watertight housing requirement is that published in a Local Plan and is much less open to challenge at appeal.
- 2.10 An accurate picture of local housing need is, therefore, required both for a robust five year housing land supply and the Joint Local Plan. To begin providing a clearer picture the Council is preparing a Strategic Housing Market Assessment (SHMA) and Employment Land Review (ELR). These set out the demands on the area in terms of housing and the economy. The SHMA is the starting point for calculating the OAN. It will present a range of housing need figures, (rather than recommending a single figure) which the ELR will help to narrow down. The aim will then be to narrow this range down further to a single figure through consultation on the Joint Local Plan. In other words it will not be until the Draft Local Plan is prepared that the Council will have all the pieces of the puzzle in place to be able to prepare a robust five year housing land supply calculation.
- 2.11 In the meantime to assist development management decisions and to inform the development of strategic issues to consult the public on, as part of the Joint Local Plan process, it is considered appropriate to prepare a revised mid-year housing land supply statement using the housing need figures from the SHMA and ELR. Members will recall that it was a recommendation of the 21st July Planning Committee that officers gave active consideration to doing this. The SHMA and ELR once signed off by both authorities would constitute a significant change in the evidence used to calculate the housing land supply and would justify such a revision. Planning Practice Guidance makes it clear that updates should only be done annually unless significant new evidence comes to light, particularly when this

is more up to date and reliable than existing evidence (in this case the household projections).

- 2.12 The SHMA and ELR are at an advanced stage and are on track to be signed off by mid-November. It is considered that this could coincide with the preparation of an updated five year housing land supply statement, with a view to this being published towards the end of November.

C. Local Plan Implications

- 2.13 The Planning Peer Review Team recommended that an Interim Planning Policy Statement was prepared in parallel with the consideration of key elements of the Local Plan. This was because they acknowledged the importance of avoiding any significant delays in preparing the Local Plan. In addition they envisaged that key pieces of evidence, such as the SHMA and ELR would inform the Statement. This report suggests that the proposed Clarification Statement would rely on different evidence, namely an update of the 2011 Rural Services Study and Rural Accessibility Mapping (as set out in Appendix1) and the mid-year five year housing land supply calculation will use information contained in the SHMA and the ELR.
- 2.14 However, the preparation of this evidence including the revised housing land supply statement are necessary pieces of work for the Joint Local Plan. They will play a key role in informing the identification of strategic issues (key demands on the area), which will then be the subject of public consultation. The SHMA and ELR have experienced some delay but will be completed late-autumn when the Rural Accessibility Mapping is also expected to be completed. The update of the 2011 Rural Services Study is not likely to be completed until the end of the year. This indicates that a Clarification Statement could be published early in the New Year.
- 2.15 According to the agreed Local Plan timetable, public consultation on an Issues and Options paper was scheduled for the third quarter of 2015, but in part due to the delay in finalising the SHMA and the ELR this is now not possible. Officers at both authorities have considered the impact of this on the overall timetable and have considered options for moving onto the Strategic Issues and Options stage in the most expedient way.
- 2.16 There are considered to be a number of key pieces of work which need to be completed before options can be prepared on where development can be located. However the more strategic pieces of work regarding the projections for growth are considered to be at an advanced stage of production and robust enough to consult on these as issues.
- 2.17 It is proposed therefore that the original timetable to consult on Strategic Issues and Options should be amended to split these two elements of work into separate consultations, provided momentum can be maintained between consultations.
- 2.18 This approach would allow the frontloading of key issues (demands on the area) to be consulted on during January / February 2016 (with the decision making process starting in November/December 2015) and follow up with consultation on the Strategic Options (land supply in response to the issues) in the middle of next year (July/August 2016).
- 2.19 Postponing the consultation on strategic issues until early next year is likely to be less problematic than if the Strategic Issues and Options consultation is kept together and delayed.
- 2.20 The effect on the overall timetable (published as to be adopted end 2018) is likely to be minimal as this front loading will ensure key issues are recognised early before more detailed work is carried out on the Draft Plan. The Draft Plan would also be developed on a sounder footing having been through two previous consultations and this revised timetable provides time for any additional supporting work to be completed. The delay to the options

element (of the consultation) is therefore anticipated to be made up during the later production phases of the plan.

- 2.21 This issue has been the subject of extensive discussion at the Joint Advisory Group (JAG) upon which senior Members from both Councils sit.
- 2.22 If the approach set out above is accepted by Members it is suggested that your officers work with officers at Stoke-on-Trent City Council to take this forward and to also reach agreement on a revised timetable for the preparation of the Local Plan, which takes account of the need for a mid-year five year housing land supply statement and Clarification Statement and for this to form a separate report submitted with the proposed Issues consultation paper for consideration by Cabinet at its meeting in December.

3. **Proposals**

- A. It is recommended that officers be instructed to prepare a Housing Clarification Statement including the broad content as set out in Appendix 1.
- B. It is recommended that officers take the necessary steps to prepare a mid-year 5-year housing land supply statement to assist decision-making in Development Management.
- C. It is recommended that members note the update in respect of the Local Plan timetable and approve the proposed changes to the process.

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

- 4.1 The matters referred to in this report contribute towards the achievement of objectives relating to creating a Borough h of Opportunity.

5. **Legal and Statutory Implications**

- 5.1 In preparing an interim planning policy statement it's necessary to consider the requirement of the Local Planning Regulations. The Town and Country Planning (Local Planning) (England) Regulations 2012 (Part 3 Section 5 (1) (a) (i) and Section 5 (1) (a) (iv)) set out what documents can contain development management policies on sites in a local authority area. These Regulations are explicit that a document can only contain policies on acceptable land uses and development management if it is prepared as a Local Plan in accordance with the relevant regulations and acts.
- 5.2 Therefore, if a document is not a properly prepared Local Plan, it cannot form the basis of development management decisions. Section 70 (2) of the Town and Country Planning Act indicates that in dealing with applications (development management) the local planning authority shall have regard to:
- (a) the provisions of the development plan, so far as material to the application
- (b) any local finance consideration so far as material to the application and
- (c) any other material consideration.
- 5.3 An interim planning policy statement (Housing Clarification Statement) would not have the status that the development plan does, and could not be given any significant weight in development management decisions because of this. Nevertheless it would assist transparent and consistent decision making, until such time as the Council is able to adopt a new local plan.

6. **Financial and Resource Implications**

- 6.1 There are no significant additional financial implications arising from the proposals in this report. The assumption is based upon existing officer capacity being utilised to undertake the tasks referred to and this may require some re-prioritisation of workloads, particularly in preparing the mid-year 5-year housing land supply statement.

7. **Major Risks**

- a) An interim planning policy statement wouldn't carry the same weight in decision making as development plan policy and therefore there is potential for such a statement to confuse decision making rather than to guide it.
- b) The lack of weight that could be attributed to any such statement means that it cannot be seen as a panacea for the consequences of the lack of a five year housing land supply.
- c) Because the statement can't control development it may not affect the outcome of what sites come forward and it won't stop development from happening.
- d) Ultimately the statement might reinforce/support the current rural settlement hierarchy as set out in the Core Spatial Strategy and again not change anything thereby failing to improve public perceptions.
- e) It could however provide an early indication of what the new Joint Local Plan strategy may be when informed by up to date evidence.
- f) It could provide evidence to support professional judgements of development management officers in determining whether a proposal is in a sustainable rural location. However, this won't necessarily prevent/reduce public criticism, particularly if the evidence doesn't indicate a change in the rural settlement hierarchy, or indicates that this should change and development should be directed to new parts of the rural area.
- g) It will aid transparency in decision making and clarify the Council's policy position.

8. **Key Decision Information**

- 8.1 This is a key decision.

9. **Earlier Cabinet/Committee Resolutions**

- 9.1 There have been a number of reports considered by Cabinet over the past 18 months in relation to both the Planning Peer review and the Local Plan preparation.

10. **List of Appendices**

- 10.1 Appendix 1 - Summary content of Housing Clarification Statement

APPENDIX I – Content of Housing Clarification Statement

1. *Scope of the Statement*

The Statement, in accordance with the legislative framework, would emphasise that it cannot create new policies to either restrict or direct development in the rural area, as new policy can only be created by a new Local Plan.

However, it would seek to provide a consistent and up-to-date evidence base that Development Management and Planning Policy can use to support professional judgements on what is a sustainable location.

2. *Policies relating to the supply of housing and sustainability*

The Statement would list all policies together with a statement on whether the policy relates to the supply of housing for the purposes of paragraph 49 of the NPPF or not. A commentary on the implications for decision making would also be provided. This would help to clarify the weight that any policy can be given. The Statement could serve a purpose in reiterating that Green Belt policy still stands and has significant weight in decision making. Beyond policies relating to the supply of housing land the Statement could provide further definition of what constitutes 'sustainable development' – i.e. the national and local policies which are unaffected by the 5-year housing land supply issue and still carry sufficient weight to guide decision making. For example: heritage; ecology; landscape and design policies.

This aspect of the Statement is not intended to bring about a significant change in decision making rather it is intended to provide a clear and transparent basis for decision making. The Clarification Statement would offer further clarity over which policies would be capable of being given weight in determining planning applications in the rural area. It is considered that this would aid transparency by setting this out in a single easy-to-access document. This ultimately may have the added benefit of assisting the preparation of less technical, more focussed, development management reports.

3. *Key evidence which will inform judgements about sustainable locations for development in the rural area*

The Statement would set out key evidence which the Council will use to judge the relative sustainability of a development's location in the rural area both in the development management process and in the preparation of the Joint Local Plan. The aim will be to offer some clarification as to how the Council will use new evidence emerging from the Local Plan process to determine if a development proposal is in accordance with relevant national policies, such as the need to promote sustainable development in rural areas set out in paragraph 55 of the NPPF. This will assist in a consistent appraisal of proposals.

These could include:

(a) Rural Services update 2015/16

A review of the Planning Policy Team's 2011 Rural Services Study will be updated as part of the Local Plan process to record the level of local facilities available in each of our rural settlements. This study will identify the presence of key local facilities within walking distance of a proposed scheme and can help to demonstrate, or otherwise, the sustainability of a

scheme. The study would have limitations as it would not consider the capacity of key services as this is the role of the Infrastructure Delivery Plan (IDP), which will not be available until the Draft Plan stage of the Local Plan process.

(b) Rural access to services mapping 2015

The objective would be to present evidence which is being used in the preparation of the Local Plan to help identify sustainable locations so that this can be factored into the decision making process in the interim period before the Local Plan is adopted. This evidence involves accessibility mapping showing access to key facilities from settlements in the rural area and includes consideration of factors such as walking distances to local schools, public transport distances to employment and town centres etc. The County Council's Accessibility Team would also provide a summary of each settlement's access to facilities but it would not state whether the accessibility of a development proposal is acceptable or not. This type of information is important as access via sustainable transport measures to wider facilities, particularly employment, appears to be a consideration in Inspectors' decisions regarding sustainability, although it is by no means the only consideration given the three dimensions of sustainability – economic, environmental and social factors.

CABINET

16th September 2015

REPORT OF THE EXECUTIVE MANAGEMENT TEAM

THE BUSINESS, MEMBERSHIP AND FREQUENCY OF THE COUNCIL'S STRATEGIC PLANNING CONSULTATIVE GROUP

Submitted by: Executive Director – Regeneration & Development

Portfolio: Planning and Housing

Ward(s) affected: All

Purpose of the Report

To provide Cabinet with an opportunity to review the business, membership and frequency of the Council's Strategic Planning Consultative Group

Recommendations

It is recommended:

- (a) That the business of the Group be limited to those matters listed below in Section 3 of this report
- (b) That the membership of the Group be kept as it currently is
- (c) That ward members be invited to attend the Group solely for the consideration of items which relate to their wards
- (d) That the Group continues to meet on a three weekly basis
- (e) That the above changes be introduced with immediate effect

Reasons:

To ensure that the Council continues to have a fit for purpose senior member group to consider important developments at both pre-application, application and consultation stage and to provide an informal forum for discussions concerning the development of planning policy

1. Background

- 1.1 At its meeting of the 26th April 2005 during the consideration of various "Major" applications a number of Members of the Planning Committee expressed concern that they should be involved in the planning process at an earlier stage to enable them to have a more detailed knowledge of individual applications before they were brought to the Planning Committee for determination. The Head of Regeneration and Planning Services was asked to submit a report to the next meeting of the Planning Committee regarding the suggestion that a Strategic Applications/ Quality Planning Steering Group be established.
- 1.2 The Planning Committee at its meeting on the 28th June 2005 considered a detailed report outlining the ways in which Members were currently involved

in the preparation of Local Development Documents and the determination of planning applications and indicated that if additional arrangements were introduced, as had been suggested by members of the Planning Committee, the following issues would need to be addressed

- (a) The membership of any Group that may be set up
- (b) The remit of the Group and the developments that would be referred to the Group
- (c) The frequency of the meetings of that Group
- (d) The resource implications of servicing that Group
- (e) Whether the Group would be advised of pre-application discussions
- (f) The issue of access by applicants, and their agents, to that Group
- (g) The issue of what engagement if any, the Group should have with interested third parties

- 1.3 Each of the above matters was discussed in the officer's report as was the issue of the risk of Members being accused of predetermination of planning applications arising from involvement in pre-application discussions.
- 1.4 It was indicated that the establishment of some form of Member Liaison Group to discuss Major Planning applications prior to them being brought before the Planning Committee for determination would result in significant direct and indirect costs and that at that time insufficient staff resources existed to support a group of this type.
- 1.5 The Committee resolved
 - (a) To note the current arrangements for making Members aware of applications before they were determined
 - (b) To remind members of the Site Visit protocol
 - (c) To give authority to its Chair and Vice Chair and Leaders of the political Groups to negotiate the Terms of reference and Protocols necessary to establish a Planning Liaison Group resolving issues raised under paragraphs (a) to (g) above, prior to the Committee's agreement that the Planning Liaison Group forms to commence this business
- 1.6 A joint officer/member group developed the proposal and the Planning Committee subsequently at its meeting on the 22nd November 2005 received a report that was to be presented to Cabinet on the 30th November 2005. The Committee resolved that Cabinet be advised of the Committee's support to the establishment of a Member led Planning Liaison Group as set out in the report and subject to the following comments:-
 - Members of the Group should be able to appoint 'substitutes' if they were unable to attend themselves.
 - That if the Group so requests, minor applications be also considered at its meetings
- 1.7 Cabinet at its meeting on the 30th November 2005 agreed that it wished to formulate the Group on the basis described in the report before it; that it accepted the recommendations of the Joint member/officer group; and to commence operation of the Group with immediate effect
- 1.8 The SPCG subsequently undertook a review of its own procedures in December 2008.

- 1.9 The Planning Peer Review Team's (PRT) letter of August 2013 included as one of their key recommendations (No.6) that the Council should establish an informal pre planning briefing for members of the Planning Committee including a review of the Strategic Planning Consultative Group. In coming to this recommendation the PRT, in the section of their letter headed "Summary of feedback – Planning Committee arrangements" wrote as follows "*The Planning Committee displays a number of strengths and we consider that the Council should build on these to improve councillor engagement and decision making further*"...... "*we suggest the following improvements that will offer the potential for improved engagement and trust leading to more consistent and effective decision making at planning committee.....this will necessitate a review of codes, protocols and possibly the council's constitution..... we recommend that the Council establish an informal pre planning briefing for members of the planning committee. This should take place before the Council publishes officer reports on planning applications allowing all members of the committee to engage with planning and other technical officers in a timely manner. Such a pre planning briefing has the clear potential to encourage councillors and officers to discuss issues and recommendations in a more informal setting. This will aid councillors understanding prior to the formal committee debate. It will also aid officer in understanding what issues they may need to provide more information upon. Alongside this recommendation we would encourage the Council to review the operation of its Strategic Planning (Consultative) Group which currently acts as a forum for senior officers and the leaders of political parties (along with the relevant cabinet portfolio holder and the Chair and Vice Chair of the Planning Committee) to discuss planning issues but does not seem to link effectively with the relevant decision making committee*".
- 1.10 The recommendation of the PRT was the subject of extensive discussion at the informal workshops organised for the Planning Committee and a parallel workshop held for officers. The overwhelming view was that there were considerable risks in proceeding with the pre planning briefing proposal and a lack of appetite for such briefings by members of the Planning Committee.
- 1.11 The report to the November 2014 Cabinet advised as follows :"*The recommendation that the Council establish an informal pre planning briefing for members of the Planning Committee had been extensively debated at the officer and member workshops. Concerns had been raised both as to the probity of such a proposal and the lack of transparency on the one hand and a concern about meeting overload on the other. It appeared to be generally agreed that without lengthening the committee cycle there would be considerable practical difficulties with such a proposal, and even if that occurred there is concern about the additional workload such an arrangement would impose upon the Planning Service. An alternative suggestion that the Council review the arrangements for its Strategic Planning Consultative Group, including widening its membership to at least include all members of the Planning Committee, and that applications for significant major development come before such a Group at such an early stage as to minimise any risk of any impression of predetermination being given, was taken forward.*"
- 1.12 The decision of November 2014 Cabinet to agree the Action Plan which included the following Action
- (6(a)) *Review remit, membership (widened to include all members of the*

Planning Committee) and business of Strategic Planning Consultative Group, involving the Group and bring report to Cabinet for decision.

- 1.13 The report to Cabinet expressly indicated that the proposals for a pre Planning Committee briefing would not be taken forward

2. The implementation of the recommendation

2.1 To fulfil the first part of the Action that had been agreed by Cabinet, a paper was considered by SPCG at its meeting on the 10th February setting out options with respect to

- a) The Remit/business of the Group
- b) The membership of the Group
- c) The frequency of meetings of the Group

2.2 The Business to be considered by the new body

2.3 There was support at SPCG for proposals to lift the threshold at which items were automatically brought to the Group, the general view being that some proposals for Major development did not justify consideration by the Group, it being recognised that officers could anyway operate discretion in such matters, and bring items to the Group, and members of the Group could also if they wished “call in” them in for consideration by the Group. It was pointed out that whilst members were aware of all applications (through the weekly list), the same was not true for pre-application enquiries and so the Chair would need to be apprised, before the agenda was published, of the enquiries that had been received in the preceding period. There was general support for continuing to bring emerging planning policy and evidence base reports to the Group. As with the Planning Committee there was a view that the Group needed to spend more time on the more significant items than it had been previously able to, and lifting the threshold above which items automatically come before the Group would assist this.

2.4 The following proposal below is made (the existing arrangement being given first to assist comparison). To give members some idea of the effect of such a change, if it had been applied in 2014 the number of items coming automatically to the Group would have reduced by 50%.

As existing	(a) With respect to Major development (i.e. for 10 or more dwellings (or if the number is not given), the site area is more than 0.5 hectares, and, for all other uses, where the floorspace is 1000 square metres or more or the site area is 1 hectare or more) all enquiries for Major Development, all Applications for Major Development, all Screening (under the Environmental Impact Assessment Regulations) Opinion/ Scoping Requests received for Major Development, and all requests for the Borough Council’s comments from adjoining Planning Authorities and Staffordshire County Council concerning Major Development
	(b) Items called in to the Group by members of the Group,
	(c) Emerging policy documents

	(d) Other matters as decided by Head of Planning in consultation with Development Management (DM) Manager and Planning Policy (PP) Manager, or as requested by the Chairman of the Group
	(e) Presentations from developers on proposals for Major Development, where the Group have agreed to receive such presentations
As proposed	(a) As above – but not now to include Major Development that falls beneath the threshold of 50 dwellings or (if the number is not given) 2.5 hectares in the case of residential development, or in the case of non-residential development 2,500 sq.m or 2.5 hectares
	(b) Any other Major Items called in to the Group by members of the Group, the Chair being provided prior to each meeting with a list of all Major pre-application enquiries received by the Service in the preceding period
	(c) Emerging policy documents and evidence base
	(d) Other matters as decided by the Head of Planning in consultation with the DM Manager and the PP Manager
	(e) Presentations from developers on proposals for Major Development (except of a scale that falls beneath the threshold indicated above) where the Group or its Chair have agreed to received such presentations

2.5 Membership of the Group

2.6 Different views were expressed by members (of the Group) as to appropriate membership of SPCG. Some saw merit in extending membership to the full Planning Committee (as had been agreed by Cabinet in November 2014 when it approved the Action Plan) but others doubted the level of attendance that would be achieved. Others indicated that they saw merit in a Pre-Planning Committee briefing (as proposed by the PRT). The point was made that the greater the membership of the Group the more difficult it would be to maintain the confidentiality of pre-application discussions, and there was concern that enlarging the Group would potentially undermine the confidence of developers in the arrangements. The contrary argument that some developers would see merit in any opportunity to present to the Planning Committee as a whole was also made.

2.7 The principle that the earlier (after receipt of the enquiry/application) such meetings take place the less it is likely that members will be accused of having predetermined the proposal was generally accepted and the more opportunity there would be, for Planning Committee members not currently on SPCG, to shape the development if such an arrangement were adopted. With the passing of Section 25 of the Localism Act the risk of a member being held to have predetermined an application has also been significantly reduced anyway.

2.8 One suggestion made was that the ward members should be invited to the Group when there was either a pre-application enquiry or an application within their ward being discussed, particularly given the trend for those members who are not on the

Planning Committee to appear at the Planning Committee when such applications are being considered.

2.9 At the time your officer considered that the practical difficulties of alerting the ward members concerned at the required short notice to such items, and the potential requirement to bring forward the publication of the agenda weighed heavily against any proposal to involve local ward members, but upon reflection this could be addressed provided members agree to the use of email.

2.10 A key feature of the PRTs' recommendations was the idea of some form of Pre Planning Briefing. An SPCG which all members of the Planning Committee could attend, plus the existing Senior Members, achieves such a briefing but at such an early stage that any accusations of predetermination should be capable of being rebutted. It would however be a major member commitment, taking place during the daytime, and it is not considered a realistic option for this reasons.

2.12 Although it is not in accordance with the Action Plan as agreed by Cabinet last November the proposal now recommended would be to form SPCG of the existing Senior Members with the relevant local ward Members being invited to attend when an application or enquiry relating to their ward is discussed (and only for the consideration of such items).

The following proposal is made (the existing arrangement being given first to assist comparison). In all cases the nomination of substitutes would be permitted and the meeting chaired by Chair of Planning Committee or in that person's absence the Vice Chair of the Planning Committee.

As existing	Leaders of each political 'Group'; Cabinet members with for the Environment (currently Cabinet Members for 'Environment and Recycling' and 'Planning and Housing'); Chair and Vice Chair of Planning Committee; and Executive Director Regeneration and Development (maximum 10 @ present on the basis of there being 5 'Groups' on the Council)
As proposed	Leaders of each political 'Group'; Cabinet members with for the Environment (currently Cabinet Members for 'Environment and Recycling' and 'Planning and Housing'); Chair and Vice Chair of Planning Committee; and Executive Director Regeneration and Development + when an item is being considered that lies within their ward the relevant ward Members

Frequency of meetings

No particular views were expressed by SPCG on this issue. Your officer is mindful that to provide a useful service for applicants it is particularly important that proposals can be brought promptly to SPCG and this has been the basis for retaining the existing three weekly cycle.

The views of the Planning Committee – the proposal is to obtain these at the meeting on the 15th September and to then report to Cabinet verbally.

3. Proposal

3.1 This is as set out in the recommendations above.

4. Financial and Resource Implications

4.1 There are no significant additional financial implications arising from the above recommendations. Whilst it is acknowledged that both officer and member time is expended in this process it is considered to add value to the overall decision-making process in accordance with national best practice guidance.

5. Outcomes Linked to Corporate Priorities

5.1 The implementation of the above recommendations should add strength to the overall performance of the Planning Service thereby contributing to the corporate priority relating to A Borough of Opportunity.

6. Legal and Statutory Implications

6.1 This is an informal meeting of key members that seeks to aid the process of considering major planning applications and planning policy matters. The national Planning Advisory Service offers best practice guidance which supports arrangements of this nature that improve the quality of pre-application discussions with applicants.

7. Major Risks

7.1 There are no major risks arising from the above recommendations.

8. Key Decision Information

8.1 This is not a key decision.

9. Previous Cabinet Decisions

9.1 Cabinet has received previous reports relating to the Planning Peer Review process and the related Action Plan.

11. Background Papers

11.1 Planning Advisory Service publication "Probity in Planning".

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