

Public Document Pack

Date of meeting **Wednesday, 12th December, 2012**

Time **7.00 pm**

Venue **Civic Offices, Merrial Street, Newcastle-under-Lyme, Staffs ST5 2AG**

Contact **Julia Cleary**
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Cabinet

AGENDA

PART 1- OPEN AGENDA

- 1 Apologies**
- 2 DECLARATIONS OF INTEREST**
To receive declarations of interest from Members on items included in the agenda.
- 3 MINUTES** **(Pages 1 - 6)**
To consider the minutes of the previous meeting held on Wednesday 14th November 2012.
- 4 Adoption of the Empty Homes Strategy** **(Pages 7 - 12)**
- 5 Applications for Discretionary Rate Relief** **(Pages 13 - 18)**
- 6 Localised Council Tax Support Scheme Consultation** **(Pages 19 - 46)**
- 7 Implementing Street Market Improvements** **(Pages 47 - 58)**
- 8 Budget Performance Monitoring Report 2012 Quarter 2** **(Pages 59 - 70)**
- 9 Budget Consultation Report** **(Pages 71 - 86)**
- 10 Local Enterprise Partnership - Planning Charter Mark** **(Pages 87 - 92)**
- 11 URGENT BUSINESS**
To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act 1972.
- 12 Exclusion Resolution**

Members: Councillors Mrs Bates, Mrs Beech, Boden, Kearon, Snell, Stubbs and Williams

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

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

CABINET

Wednesday, 14th November, 2012

Present:- Cllr Snell – in the Chair

Councillors Mrs Bates, Mrs Beech, Boden, Kearon, Snell, Stubbs and Williams

1. APOLOGIES

There were no apologies.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF PREVIOUS MEETING

Resolved: That the minutes of the meeting held on 17th October 2012 be agreed as a correct record.

4. STRONGER AND SAFER COMMUNITIES STRATEGY 2012 - 2017

A report was submitted to provide Cabinet with the latest draft of the Stronger and Safer Communities Strategy 2012-2017.

A version of the report had been presented to the Cleaner, Greener and Safer Communities Overview & Scrutiny Committee on 5th October 2012, following previous presentations of the Strategy at the Scrutiny Committee in February 2012 and at Cabinet in March 2012. The document had also been out for public consultation between May and August 2012, and had been amended as a result

The Portfolio Holder for Safer Communities stated that the new strategy would seek to focus on practical outcomes and that key areas for prioritisation had been reduced from 21 to 2 areas which dealt with economic growth and vulnerable individuals. The Strategy would take a multi agency partnership approach working towards a Cooperative Council and Community driven services. The Strategy also sought to incorporate responses to the Police Reform and Social Responsibility Act and the Localism Act and would not be dependant upon external funding.

Resolved: (a) That Cabinet notes the contents of the Strategy.

(b) That Cabinet approves the Strategy and requests that it is made available throughout the Borough via the Council website and also in hard copy format where necessary.

5. PROCUREMENT OF THE REPORTER

A report was submitted to inform Cabinet of the final outcome of the procurement process for printing the council's newspaper the Reporter

As a result of the procurement process, Yorkshire Web, a company based in Barnsley had been awarded the contract for printing the Reporter. The contract would run for two years beginning on 1 April 2013 with the first Reporter under the new contract scheduled for print on 16 May 2013.

It was noted that the agreement would ensure an increase of around 30 per cent in the number of pages printed in the Reporter each year without the need to increase the Reporter print budgets.

Members thanked the Head of Communications and his team for the hard work undertaken in securing the contract.

Resolved: That Cabinet notes the outcome of the procurement process and accepts the appointment of the print and distribution providers.

6. CLAYTON SPORTS CENTRE

Cabinet received a report providing it with an overview on the strategic significance of Clayton Sports Centre and the key issues concerning its long term sustainability.

The Portfolio Holder stated that the facility had strategic significance in terms of the provision of a multi use publicly accessible sports hall which could be used for a range of sports such as football, badminton, cricket and others. The location of this facility, within the same general location as Newcastle Rugby Club, Newcastle and Hartshill Cricket Club, Newcastle Town Football Club and the cycling velodrome, with all the associated sports development activities that took place, increased the importance of the venue.

For the past forty two years Clayton Sports Centre had been directly managed by the SDSA as a charitable trust. During this period the centre had been exceptionally well used by the local community, and had an annual footfall of circa 35,000.

The Portfolio Holder for Finance Budget Management confirmed that Cabinet was not being asked for capital funding but officer time to help with fundraising.

The Portfolio Holder for Safer Communities requested that a safeguard be included in the resolution to ensure that a management process was put in place at the sports centre to ensure that a contingency fund would be available in the future should funding be required again. The Leader confirmed that this would be written into the final agreement with the Sports Centre but that care had to be taken to ensure that this did not lead to an increase in prices.

Resolved: (a) That the strategic significance of the sports centre be recognised and the Councils role as the applicant for grant funding for the project be noted.

(b) That a further report be submitted to Cabinet in the spring of 2013 reporting progress made on the project and the outcome of external funding applications.

7. KIDSGROVE SPORTS CENTRE

A report was submitted to update Members on the re-opening of the Swimming Pool at Kidsgrove Sports Centre on Saturday 17th November 2012 and to outline current and future development opportunities for sports facilities in Kidsgrove. The Portfolio Holder stated that there were still concerns regarding the ongoing condition of the building and the plant but that work continued to be undertaken with Clough Hall School and the County Council regarding this and future reports would be submitted to Cabinet to keep it updated.

Cllr Astle stated that a large scale campaign had been launched by the Ward Councillors in Kidsgrove to encourage the County Council to sort out the roof of the Sports Centre and requested that Cabinet continue to push the County Council to obtain funding. The Leaders confirmed that this would be done.

Resolved: (a) That the approach to providing quality indoor and all weather sports facilities in Kidsgrove as outlined be approved.

(b) That Cabinet agrees to receive further reports as the options are developed to direct the strategic planning and provision of sports facilities in Kidsgrove.

8. **JUBILEE 2 COMBINED HEAT AND POWER UNIT - APPOINTMENT OF SERVICES AND MAINTENANCE CONTRACTOR**

A report was submitted to seek approval to enter into a five or ten year contract with an external provider to maintain and service the combined heat and power unit at Jubilee 2

RESOLVED: (a) That a contract be entered into for the servicing and maintenance of the combined heat and power unit at Jubilee 2.

(b) That the Executive Director – Operational Services be authorised to accept the most economically advantageous tender following consultation with the Portfolio Holder for Culture and Leisure.

9. **FOOTBALL PITCH DRAINAGE SCHEME FOR WOLSTANTON MARSH**

A report was submitted to request that Cabinet grant a waiver to Standing Orders to allow the use of a proprietary drainage system for the implementation of a drainage scheme for two football pitches at Wolstanton Marsh and to seek approval to utilise funding secured from a Section 106 Agreement to implement the drainage scheme to the pitch for which funding is currently unallocated.

It was confirmed that no other tenders had been sought as no other contractors carried out this service.

RESOLVED: (a) That cabinet approves the use of Section 106 Agreement funding secured for the Lily Street Development for the installation of a drainage scheme to one full size football on the area identified as 'pitch drainage area A'.

(b) That the findings of the Value for Money assessment in relation to the proposed specialist drainage contractor be accepted.

(c) That Cabinet grant a waiver of part 3 of Standing Orders, section 8, paragraph (f) on the grounds that there would be no genuine competition in the supply of the service, as the preferred method is the use of the proprietary Hydraway Pitch Drainage system

10. **COMMERCIAL RECYCLING AND WASTE SERVICE**

Cabinet received a report presenting recommendations to develop the Councils Commercial Recycling and Waste Service to ensure it provided customers with a cost effective high quality service.

RESOLVED: (a) That Cabinet formally adopts the Staffordshire and Stoke-on-Trent Waste Boards' recommendations for a collaborative approach to develop the Councils Commercial Recycling and Waste Service with partner authorities in Staffordshire, to include the development of a trade recycling service.

(b) That Cabinet agree the principle of a common pricing structure across partnering authorities.

(c) That Cabinet agree with the development of a collaborative marketing campaign for the service.

11. **ALLOTMENTS SERVICE - REVIEW OF POLICY ISSUES AND OPTIONS PAPER**

A report was submitted to inform Cabinet of progress with the review of the Allotments Policy and issues which have arisen out of the preliminary work and to present an issues and options report for Cabinet to consider.

The report also sought endorsement from Cabinet of the identified issues for referral to the Active and Cohesive Communities Overview and Scrutiny Committee for consideration of the options available to progress the review.

A large amount of work had already been carried out by Officers regarding the allotments review and it was requested that the Active and Cohesive Overview and Scrutiny Committee focus on the following three areas:

- Local Management.
- Meeting demand.
- Reducing current and future costs.

The Chair of the Active and Cohesive Overview and Scrutiny Committee stated that he was pleased to see the topic before Cabinet as there had been a significant increase over the last 12 to 18 months in residents requesting allotments. Scrutiny took this topic very seriously especially as rising unemployment and rising food costs made allotments a perfect way to help with family budgets and would also help increase income for the Council.

The request was made that ward members who did not sit on the Active and Cohesive Overview and Scrutiny Committee be involved in the review and this was agreed by the Committee Chair along with a standing invite to the Portfolio Holder to attend all meetings where the topic would be discussed.

RESOLVED: (a) That Cabinet endorse the issues identified in the report.

(b) That the Active and Cohesive Communities Overview and Scrutiny Committee undertake a review of the issues identified with particular reference to local management, meeting future demand and reducing the current cost.

(c) That a report on the outcome of the scrutiny and consultation process be brought to a future meeting of the Cabinet, in conjunction with a draft reviewed Allotments Policy.

12. **NEWCASTLE UNDER LYME ARTS STRATEGY**

Cabinet received a report seeking approval to develop an Arts Strategy to harness the support of the culture and arts sector to support the desired outcomes of the Council Plan, particularly in relation to town centre regeneration.

The Portfolio Holder for Safer Communities stated that it was a good strategy and the Leader stated that he welcomed the report. It was confirmed that the Strategy would cover the whole of Newcastle under Lyme, including Kidsgrove.

RESOLVED: (a) That the information regarding the culture and arts partnership be noted.

(b) That Cabinet approve the objectives for the group, definition of arts activities and the development of the arts strategy.

(c) That Cabinet agree the timetable for the production of the arts strategy and agree to receive a further report on the strategy in the spring of 2013.

(d) That Cabinet agree the establishment of a project group to investigate the opportunity to develop a Newcastle town centre outdoor performance space.

(e) That Cabinet agree to undertake the feasibility work to develop proposals to improve visitor circulation, displays and the general lay out and zoning of the museum.

Chair

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ADOPTION OF THE EMPTY HOMES STRATEGY

Submitted by: Mike O'Connor

Portfolio: Regeneration, Planning & Town Centres

Ward(s) affected: All

Purpose of the Report

To enable Members to consider the Empty Homes Strategy. The report outlines the main aims and objectives of the strategy and highlights ways in which the Council may seek to tackle empty homes in the Borough.

Recommendation

That Members adopt the Empty Homes Strategy 2012-17.

Reasons

The Council's current Empty Homes Strategy ceases this year, it is therefore appropriate that the Council reviews our approach and considers ways in which it may be appropriate to tackle the problem of empty homes.

1. Background

- 1.1 The Council's current Empty Homes Strategy expires this year and it is appropriate that the Council considers adopting a new strategy. Officers have completed a new strategy to cover 2012-17 following a consultation period.
- 1.2 All empty homes represent waste, financial expense and missed opportunity. They can blight communities, attract fly tipping, vandals and squatters and tie up the resources of the Council and the emergency services. Bringing empty homes back into use is also a sustainable way to meet future housing demand and helps to alleviate pressure to develop green field sites. Bringing long-term empty homes back into use has a positive effect on the whole community.
- 1.3 The number of empty homes in England has declined steadily from a high of 869,000 in 1993 to 660,000 in 2006 however the number had increased again in 2011 to 720,000. Currently 279,000 of empty homes in England are long-term empties of six months plus. There remains a significant and long standing problem of empty homes, particularly those in the private sector which accounts for over 80 per cent of all empty homes.
- 1.4 Within Newcastle Borough in 2011/12 there were 1,827 empty homes; 1,725 in private ownership, 102 owned by Housing Associations. 655 private homes were empty for more than 6 months of which 312 of those have been empty for more than two years.

2. Issues

- 2.1 The Council has taken a proactive approach to tackling Empty Homes since the adoption of the current strategy. The new strategy recommends continuing this approach. In addition it highlights that efforts will principally be focused on the problematic properties which are usually those houses which are inactive in the housing market, often in poor condition and empty for six months or more. This definition usually allows enough time for market forces

to return an empty property into use without intervention from an external agency. Taking this into account the strategy states:

The aim of the strategy is to bring empty properties back into use. To achieve this we have identified the following three key priorities:

- To encourage and support owners of properties empty for more than six months to bring them back into use.
- To proactively target empty properties that are causing problems for neighbours and the community, for example eye sore properties and those that are in a state of disrepair, using enforcement where appropriate.
- To proactively target long term empty homes of more than two years by using appropriate enforcement actions if all other avenues have been exhausted.

- 2.2 Officers are aware that all Council services need to be efficient and effective, the services offered in relation to empty homes have therefore been considered and the strategy has been drafted in order that the processes are both efficient and effective. It is important to recognise that whilst empty homes are a wasted resource in the community and often are regarded by neighbours as a problem when the properties aren't maintained there is often a home owner experiencing personal issues leading to the empty home. It is therefore recommended that the service therefore takes a firm but considerate approach to tackling empty homes.
- 2.3 Whilst, whenever possible, voluntary measures will be used to encourage owners to bring properties back into use, it must be recognised that in some cases owners will refuse to co-operate and enforcement action will be necessary. The statutory action which can be taken will depend upon the condition and location of a property and the circumstances of the owner. Properties in a poor condition which are a hazard to the health and safety of the public will be a prime target for enforcement action. The Strategy highlights a whole range of enforcement action that can be taken.
- 2.4 The costs of tackling empty homes vary greatly upon the type of problems that each home has, generally the longer the property is left empty the less maintenance is undertaken and therefore the costs of repair are greater for long term empties. Where significant financial resources are required or compulsory purchase/enforced sale are recommended by officers then the case will be reported to the Public Protection Committee or Portfolio Holder for authorisation. Should significant costs be expected in taking action against a specific individual property the case will be assessed on its merits prior to taking a decision as to how to proceed. As it can be costly to take action, whether by default or legal proceedings the Council will seek to keep costs to a minimum level and reclaim costs incurred from home owners.
- 2.5 The strategy recommends that the Council will wherever possible seek to work in partnership with appropriate agencies to maximise expertise. Where opportunities arise the Council will seek to establish appropriate partnerships and make funding bids to secure external funding.
- 2.6 Members may consider it appropriate that the Strategy identifies a performance target to measure the implementation of the strategy. Taking into consideration the current staffing resources and the potential usefulness of the proposed actions, the strategy outlines a performance indicator of 'We aim to bring 75 empty properties of which 10 will have been empty for two years or more back into for each year of the Strategy'.

- 2.7 Members of the Economic Development and Enterprise Overview and Scrutiny committee considered the draft strategy on Monday 17 September, 2012. Members questioned whether there was a risk of wasting money by moving forward with enforcement action and being unable to claw back the money. The members were advised that there were safeguards in place to enable the council to claw back money as a charge. The members were also advised that if a property was the subject of a Compulsory Purchase Order, the council would sell the property on and therefore claw back the money. Members may consider it appropriate to spend money in order to gain a return on investment and also improving the neighbourhoods blighted by problematic empty properties within the Borough. Members also questioned whether Housing Associations were willing to purchase empty properties to add to their own supply of housing stock. Aspire Housing are currently purchasing empty properties but they have a limited budget per property, therefore some of the worst empty properties would not be suitable for purchase.
- 2.8 Following the consultation period a number of comments were received regarding the strategy from members of the public and residents associations. Comments included questioning of the amount of empty properties due to be bought back into use each year not being in line with the increase of homes becoming empty within the borough since the last strategy. Although the number of properties becoming empty has increased the target of how many properties that will be bought back into use is not solely based on the number of properties that have become or are becoming empty but is fundamentally affected by the capability and the capacity of the Council. The target of 75 has been set as this is believed to be a realistic and an achievable target with the resources currently available.
- 2.9 The approaches that are outlined in the strategy have received a positive response and comments were received to support them. As a result of the online consultation there was only one person who disagreed with the key approaches, however they did not leave a comment to the reason why they disagreed. It was highlighted that it is expected that sufficient resources should be made available to achieve the targets.
- 2.10 A number of comments were made suggesting that the council work with the private sector to advertise empty homes that are for sale and with private investors to bring homes back into use. These suggestions will be discussed and considered as part of the delivery plan going forward.
- 2.11 As part of the consultation, representation was made that the Council should consider utilising the Council Tax system to encourage people to return their empty properties back into use. This is currently delivered through the removal of the maximum empty homes discount after 6 months. This means that after 6 months full Council Tax is charged. Under the proposed Council Tax Technical Reforms 2013 the legislation will allow for an additional charge to be levied against a long term empty property, this will enable the Council to charge 150% Council Tax on properties empty for more than 2 years. A report outlining the options and making recommendations on the Council Tax changes will be made to Cabinet early in the new year.

3. **Options Considered**

- 3.1 Cabinet members to consider and adopt the revised Empty Homes Strategy 2012-2017.

4. **Proposal and Reasons for Preferred Solution**

- 4.1 There is no real alternative to the Council having a clear published Empty Homes Strategy which details its approach in ensuring that empty properties within the Borough are brought back into use. By not having a clear and detailed strategy to address the issues, the number of empty properties would present an ever increasing burden on communities, residents and

Council resources. There will also be reputational damage to the Council if the decision is made to not adopt an Empty Homes Strategy and implement appropriate action.

4.2 It is proposed that Cabinet adopts the final revised Strategy.

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

5.1 Tackling empty homes clearly contributes to sustainable communities and all of the corporate priorities.

- Creating a Cleaner, Greener and Safer Borough-by reducing dereliction, vandalism, litter and anti social behaviour such as damage, theft and arson.
- Creating a Borough of opportunity- by improving market values and the attractiveness of areas adjoining vacant homes reducing a spiral of decline and helping increase the number of residents who feel the Council is making the area a better place to live.
- Creating a Healthy and Active Community –by ensuring access to a range of quality homes.
- Transforming our Council to achieve excellence - by working in partnership with relevant organisations, together with taking effective and efficient enforcement action will deliver dwellings which can be occupied.

6. **Legal and Statutory Implications**

6.1 The strategy outlines legislation under which the Council can take enforcement action to tackle the problems associated with empty homes.

7. **Equality Impact Assessment**

7.1 An Equality Impact Assessment has been drafted to reflect the Strategy.

8. **Financial and Resource Implications**

8.1 The proposed approaches will require officer time which is currently budgeted for within the housing service. The amount of capital resources allocated annually by the Council will be dependent upon the Housing Capital Programme.

8.2 Bringing homes back into use will increase the amount of New Homes Bonus payment that the Council receives from Local Government. If the strategy is not adopted this would have a direct effect on the amount of income that the council receives.

9. **Major Risks**

9.1 There will be significant reputational damage to the Council if the decision is made to not adopt an Empty Homes Strategy and implement appropriate action.

10. **Key Decision Information**

10.1 This affects more than 2 wards and is on the Forward Plan.

11. **Earlier Cabinet/Committee Resolutions**

11.1 The current Empty Homes Strategy was adopted by Cabinet in March 2008.

12. **List of Appendices**

None

13. **Background Papers**

The Empty Homes Strategy 2012-17.

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APPLICATIONS FOR DISCRETIONARY RATE RELIEF

Submitted by: Head of Revenues & Benefits

Portfolio: Finance and Budget Management

Ward(s) affected: All

Purpose of the Report

To approve the granting of Discretionary Rate Relief in accordance with powers under Section 47 of the Local Government Finance Act 1988.

Recommendation

That, in accordance with Section 47 of The Local Government Finance Act 1988, discretionary rate relief be granted in respect of the organisations and premises detailed in Appendix A of this report

Reasons

To enable the Borough Council to provide financial assistance to charitable and not for profit organisations occupying business premises within the council area in accordance with regulations detailed in The Local Government Finance Act 1988.

1. Background

1.1 Section 47 of The Local Government Finance Act 1988 gives Councils the discretion to grant relief from the payment of business rates for charitable or not for profit organisations or in the case of charities already receiving mandatory charity relief, to grant additional discretion relief.

2. Issues

2.1 Section 47 of The Local Government Finance Act 1988 enables charitable or not for profit organisations to make application to the Council for consideration of assistance or additional assistance, with the statutory rates liability in respect of the premises they occupy for the furtherance of their activities. 25% of any discretionary relief granted and 75% of any additional discretion relief granted is paid for by the Borough Council. The remaining elements are offset against payments made to the National Non Domestic Rate Pool.

2.2 The Borough Council grants relief in accordance with the type and nature of an organisation's activity.

3. Options Considered

Not applicable

4. Proposal

4.1 That the discretionary relief set out in the attached appendix be approved.

5. **Reasons for Preferred Solution**

- 5.1 Legislation enables the Council to provide financial assistance for the payment of business rates for charitable and not for profit organisations. The roles of these organisations contribute to the health, wellbeing and activity of the area, often contributing to the creation of opportunities for individuals and groups who would otherwise be unable to access such services.

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

- 6.1 Granting the discretionary relief will fit well with the Council's corporate priorities of Creating a cleaner, safer and sustainable Borough, Creating a Borough of Opportunity and Creating a Healthy and Active Community.

7. **Legal and Statutory Implications**

- 7.1 Section 47 of The Local Government Finance Act 1988 enables the Council to grant discretionary relief for the payment of rates in respect of business premises.

8. **Equality Impact Assessment**

Not applicable

9. **Financial and Resource Implications**

- 9.1 25% of the cost of any discretionary relief granted and 75% of the cost of any additional discretionary relief is met by the Borough Council.

10. **Major Risks**

- 10.1 Failure to provide assistance to these charitable or not for profit organisations may lead to undue financial pressures being placed upon them, risking their ability to continue with their activities. This could lead to the loss of important work being carried out on behalf of the wider community.

11. **Key Decision Information**

Not applicable

12. **Earlier Cabinet/Committee Resolutions**

Not applicable

13. **List of Appendices**

Appendix A - Local Government Finance Act 1988 – Applications for Discretionary Rate Relief

15. **Background Papers**

Not applicable

**LOCAL GOVERNMENT FINANCE ACT 1988 –
APPLICATIONS FOR DISCRETIONARY RATE RELIEF**

1. **25th Knutton Methodist Scout Group, Former Knutton Methodist Church, High Street, Knutton, Newcastle, Staffordshire, ST5 6DB.**

The 25th Knutton Methodist Scout Group is part of the Scouting movement, a registered charity and as such already receives 80% mandatory charity relief. It occupies the former Knutton Methodist Church to provide a venue for meetings and events for the group. The aims of the Scouting movement are well established but include the development and education of young people.

It is your usual practice to grant such an organisation 5% additional discretionary rate relief, to the mandatory charity relief it already receives, 75% of which cost will be met by the council tax payers

The rates payable for the current financial year are £2,473.20. The cost of granting the additional discretionary relief would therefore be £92.75.

2. **Scotia Aid Sierra Leone, Parkhouse Interchange, Parkhouse Road West, Chesterton, Newcastle, Staffordshire, ST5 7DU**

The Scotia Aid Sierra Leone is a registered charity and as such already receives 80% mandatory charity relief. It aims to provide donated educational materials schools in Sierra Leone and occupies Parkhouse Interchange to store these.

It is your usual practice to grant such an organisation 5% additional discretionary rate relief, to the mandatory charity relief it already receives, 75% of which cost will be met by the council tax payers

The rates payable for the current financial year are £89,768.00. The cost of granting the additional discretionary relief would therefore be £3,366.30.

3. **Elim Pentecostal Church Silverdale, 62 & 64 Bath Road, Newcastle, Staffordshire, ST5 6QW**

Elim Pentecostal Church Silverdale is a registered charity and as such already receives 80% mandatory charity relief. It occupied 62 & 64 Bath Road until the 14 May 2012 to store second hand furniture prior to sale to provide funds for its youth and community centre.

It is your usual practice to grant such an organisation 5% additional discretionary rate relief, to the mandatory charity relief it already receives, 75% of which cost will be met by the council tax payers

The rates payable for the period of occupation were £2,939.13 in respect of number 62 and £3,803.58 in respect of number 64. The cost of granting the additional discretionary relief would therefore be £110.22 and £142.64 respectively.

4. **Silverdale Youth & Community, Unit 1, Stonewall Place, Newcastle Street, Silverdale, Newcastle, ST5 6NR**

Silverdale Youth & Community is a registered charity and as such already receives 80% mandatory charity relief. It occupies Unit 1, Stonewall Place to store second hand furniture prior to sale to provide funds for its youth and community centre.

It is your usual practice to grant such an organisation 5% additional discretionary rate relief, to the mandatory charity relief it already receives, 75% of which cost will be met by the council tax payers

The rates payable for the current financial year are £1,576.53. The cost of granting the additional discretionary relief would therefore be £59.12.

5. **Mow Cop Residents Association, Mow Cop Community Centre, Congleton Road, Mow Cop, Stoke On Trent, ST7 3PL**

Mow Cop Residents Association is a not for profit organisation with the aims of providing a range of social and educational activities for the local community. It occupies Mow Cop Community Centre, a former church hall, to provide a centre for these activities.

Mow Cop Residents Association currently receive small business rate relief, a separate scheme of relief which has been temporarily enhanced by central government, meaning there is no liability for the current financial year. However, this temporary enhancement is due to cease on 31 March 2013, meaning there will be a liability in future years.

It is your usual practice to grant such an organisation 95% discretionary rate relief, 25% of which cost will be met by the council tax payers

Based on current values, the rates payable would be £877.50. The cost of granting the discretionary relief would therefore be £208.41.

6. **Douglas Macmillan Hospice (Staffordshire) Enterprises Ltd, 8-14, York Place, Newcastle, Staffordshire, ST5 2AH**

Douglas Macmillan Hospice (Staffordshire) Enterprises Ltd is a registered charity and as such already receives 80% mandatory charity relief. It occupies 8-14, York Place as a charity shop to raise funds for its work with providing end of life and respite care for people with life limiting illnesses.

It is your usual practice to grant such an organisation 5% additional discretionary rate relief, to the mandatory charity relief it already receives, 75% of which cost will be met by the council tax payers

The rates payable for the current financial year are £19,808.50. The cost of granting the additional discretionary relief would therefore be £742.82.

7. **University Hospital of North Staffs Charity, Breast Screening Unit, Goose Street, Newcastle, Staffs, ST5 3HY**

University Hospital of North Staffs Charity Ltd is a registered charity and as such already receives 80% mandatory charity relief. It occupies the Breast Screening Unit as part of a programme delivering free breast screenings to local communities.

It is your usual practice to grant such an organisation 5% additional discretionary rate relief, to the mandatory charity relief it already receives, 75% of which cost will be met by the council tax payers

The rates payable for the current financial year are £698.29. The cost of granting the additional discretionary relief would therefore be £26.18.

8. **Trustees of The Salvation Army, 102a High Street, Talke, Stoke-On-Trent, ST7 1PY**

Trustees of The Salvation Army are a registered charity and as such already receive 80% mandatory charity relief. It occupies 102a High Street on a temporary basis for the purposes of storage and distribution of toys to needy families at Christmas.

It is your usual practice to grant such an organisation 5% additional discretionary rate relief, to the mandatory charity relief it already receives, 75% of which cost will be met by the council tax payers

The rates payable for the temporary occupation will be £297.13. The cost of granting the additional discretionary relief would therefore be £11.14.

9. **The Galley Centre, The Galley, William Road, Kidsgrove, Stoke-On-Trent, ST7 4BS**

The Galley Centre was a not for profit organisation with the aims of providing a worship and outreach centre for the local community. It was a mission project under the Chester and Stoke District Methodist Church Group and occupied The Galley, a former public house, to provide a centre for these activities.

It is your usual practice to grant such an organisation 85% discretionary rate relief, 25% of which cost will be met by the council tax payers

The rates payable were £4,743.65. The cost of granting the discretionary relief would therefore be £1,008.03.

10. **Shape London, Unit 7, The Roebuck Centre, High Street, Newcastle, Staffordshire, ST5 1SW**

Shape London is a registered charity and as such already receives 80% mandatory charity relief. It occupies Unit 7, The Roebuck Centre to display art produced by disabled artists and to engage with the wider community regarding their participatory arts activities and development programmes.

It is your usual practice to grant such an organisation 5% additional discretionary rate relief, to the mandatory charity relief it already receives, 75% of which cost will be met by the council tax payers

The rates payable for the current financial year are £14,958.86. The cost of granting the additional discretionary relief would therefore be £560.96.

11. **Burslem School of Art Trust, 13-14 Lancaster Building, Newcastle, Staffordshire, ST5 1PG**

Burslem School of Art Trust is a not for profit organisation with the aims of providing educational and employment participation in the arts. It temporarily occupies 13-14 Lancaster Building, to provide a centre for the promotion of their activities, workshops sessions to encourage public participation and for its students to display and sell their output.

It is your usual practice to grant such an organisation 80% discretionary rate relief, 25% of which cost will be met by the council tax payers

Based on current values, the rates payable would be £2,104.29. The cost of granting the discretionary relief would therefore be £420.84

12. **Partners in Creative Learning, 14 King Street, Newcastle, Staffordshire, ST5 1EJ**

Partners in Creative Learning were a registered charity and received 80% mandatory charity relief. This had been top up with a further 5% discretionary relief.

From the 10 October 2012, Partners in Creative Learning changed their legal status from that of a charity to a Community Interest Company and therefore no longer became entitled to the mandatory relief they previously received.

The aims of Partners in Creative Learning have not changed with this change in legal status, it is just a change which offers certain financial advantages with regard to taxation matters. Community Interest Companies need to be registered with Her Majesty's Revenues and Customs and Partners in Creative Learning have provided all the necessary proofs of registration to the Council.

This is the first application for discretionary rate relief received by the Council from a Community Interest Company but on the basis that the activities of Partners in Creative Learning are unchanged and were previously supported with combined relief to the value of 85%, it would appear reasonable to now grant the same level of relief entirely on a discretionary basis.

Based on current values, the rates payable would be £4,837.50. The previous cost of granting the discretionary relief would have been £181.41. The changed status would increase this to £582.65 for the current financial year.

LOCALISED COUNCIL TAX SUPPORT SCHEME - CONSULTATION

Submitted by: Head of Revenues & Benefits

Portfolio: Communications, Transformation and Partnerships

Ward(s) affected: All

Purpose of the Report

To inform Cabinet Members of the results of the consultation undertaken to consider the draft Localised Council Tax Support scheme approved at the Cabinet meeting on the 19 September 2012.

Recommendation

That the consultation results be noted and used to help formulate the Localised Council Tax Support scheme for the borough area.

Reasons

The Welfare Reform agenda will see the current Council Tax Benefit scheme replaced by Localised Council Tax Support with effect from 1 April 2013. Localised schemes need to be approved by the 31 January before the start of the new financial year to which the scheme applies, following consultation with interested groups and individuals. Consultation was undertaken between 21 September and 16 November 2012 and the results will be used in conjunction with the draft scheme to formulate a scheme for the 2013/14 financial year, to be approved by Council before 31 January 2013.

1. Background

- 1.1 The Local Government Finance Bill was introduced to Parliament on 19 December 2011. The bill makes provision for the localisation of council tax support by imposing a duty on billing authorities to approve a localised council tax reduction scheme by 31 January 2013 and to consult with major precepting authorities and such other persons as it considers likely to have an interest in the scheme.
- 1.2 Cabinet approved a draft local scheme for the borough area for the purposes of consultation at its meeting of 19 September 2012.

2. Issues

- 2.1 Payments made by local authorities under existing Council Tax Benefit regulations are fully funded by central government. Funding for localised schemes will be cut by approximately 10%.
- 2.2 In 2011/12 £8,348,768 was paid in Council Tax Benefit to residents of the borough, the cost of which can be attributed proportionately as follows:

• Staffordshire County Council	70.5%
• Staffordshire Police Authority	12.2%
• Newcastle-under-Lyme Borough Council	12.1%
• S-o-T & Staffordshire Fire Authority	4.6%

- Parish Councils

0.6%

The value of council tax benefit paid in respect of Newcastle-under-Lyme Borough Council in 2011/12 was therefore £1,010,201. The proposed 10% reduction in funding would therefore cost this Council in the region of £100,000. The other bodies will be affected in proportion as shown above. Overall, a 10% reduction for all these organisations equates to approximately £835,000.

- 2.3 Although termed a 'localised scheme', central government will still place restrictions on certain classes of claimant. For example, claimants of pension age must continue to receive assistance at the same level under the new scheme to that which they received under the current Council Tax Benefit scheme. Newcastle has a 51% pensioner caseload for Council Tax Benefit claimants, meaning the cost of any reductions made within a proposed local scheme will fall on the remaining none protected claimants.
- 2.4 To avoid making cuts in other service provisions to finance the budget shortfall between the existing and proposed schemes, savings need to be made in the amounts of help some claimants receive in the future compared to amounts currently received.

3. **Options Considered**

- 3.1 The previous report considered in detail the options that were examined with regard to introducing a Localised Council Tax Support scheme. In summary, this work was undertaken by a county wide working group which included all the district councils, Stoke-on-Trent City Council, County Council, Police and Fire services. This working group developed a framework of options individual authorities may wish to adopt for their own schemes.
- 3.2 From this framework, officers considered the impact of each option for claimants within the borough area and a draft scheme was established that is believed to offer a package of measures that generate the required budgetary savings whilst impacting as little as possible on claimants. Appendix A shows these proposals, detailing the savings and costs and also the number of claimants affected.
- 3.3 In conjunction with the county wide working group, a series of questions were identified to test opinion around these proposals. Responders were asked to indicate to what extent they agreed or disagreed with each proposal and were given the opportunity to add their own comments if they so wished, by completing a questionnaire. Some responders preferred to restrict their comments to single specific or selected items and did not complete or fully complete a questionnaire but these views will still be considered along side completed versions. Appendix B details the proposals and questions covered on the questionnaire.
- 3.4 Analysis of the consultation responses has been carried out for the Council by the Staffordshire Observatory. A summary of these responses is shown at Appendix C.

4. **Proposal**

- 4.1 Having carried out the consultation exercise, officers now need to examine the draft Localised Council Tax Support scheme in the context of the consultation results and critically examine if or where any adjustments need to be made. This will enable a final scheme to be proposed which will be available for consideration by Cabinet on 16 January 2013 prior to adoption by full Council before 31 January 2013.

5. **Reasons for the Preferred Solution**

- 5.1 The business area affected is a statutory function and the Council must have in place the necessary local scheme before 31 January 2013 or face the imposition of the default scheme, over which it would have no adequate financial control.

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

- 6.1 A Localised Council Tax Support scheme will replace the existing Council Tax Benefit but will continue to contribute towards creating a healthy and active community.

7. **Legal and Statutory Implications**

- 7.1 Draft regulations and several statements of intent have been issued by the government to indicate that Council Tax Benefit will be replaced by Localised Council Tax Support with effect from 1 April 2013. Localised Council Tax Support is a key element of the Welfare Reform agenda and it is most unlikely there will be any significant variance from the draft regulations already supplied. The Department of Communities and Local Government have now issued a timetable detailing when various regulations will be issued, which runs up until the end of February 2013.

8. **Equality Impact Assessment**

- 8.1 In designing our Council Tax Support scheme, consideration must be given to the implications for vulnerable people, with particular attention to

- Equality and Diversity
- Child poverty
- Homelessness
- Disability

- 8.2 A detailed Equality Impact Needs Assessment is being prepared to identify any adverse implications for particular groups. It is recognised that the introduction of the Council Tax Support scheme will have an impact on some of the most vulnerable households in the district. The Assessment will identify any mitigating actions that may be required.

9. **Financial and Resource Implications**

- 9.1 Localised Council Tax Support will be treated as a discount on the Council Tax bill, much like Single Persons Discounts. This means that the Council Tax base will be smaller. In order to avoid significant increases in the Band D figure arising from having a smaller tax base, the government funding will be treated as income that reduces the amount to be raised from Council Tax. However, this government funding will be 10% lower than the equivalent amount currently received.

- 9.2 Recouping amounts outstanding generated by the lower funding levels in the design of a local scheme is likely to impact on Council Tax collection rates and costs, with potentially many more small value bills needing to be administered, resulting in additional pressures on the Revenues and Benefits Section.

- 9.3 Central government are to provide funding under its new burdens scheme for Localised Council Support. Initial payments have already been made to local authorities with further payments, the dates and amounts of which have yet to be confirmed to be made in the future.

10. **Major Risks**

- 10.1 Any scheme which does not fully pass on the loss of government grant to claimants will require the Council to identify alternative funding. The choice of scheme could, therefore, impact on the Council's future budget plans.
- 10.2 Council Tax payers could see their bills increase if the funding loss is not passed on to claimants.
- 10.3 Any increase in the number of Council Tax accounts to be administered could result in additional administrative costs, particularly in relation to debt recovery. This could have a knock on effect on the overall Council Tax collection rate.
- 10.4 Council Tax Benefit is currently administered alongside a claim for Housing Benefit. If vast differences are created between the two schemes, this will increase the administration requirements of making an assessment of entitlement.
- 10.5 Failure to adopt a Localised Council Tax Support scheme by the 31 January 2013 will result in the default scheme being imposed, resulting in financial loss to the Council and all its precepting bodies.

11. **Key Decision Information**

Not applicable.

12. **Earlier Cabinet/Committee Resolutions**

None.

13. **List of Appendices**

Appendix A – Draft Newcastle-under-Lyme Borough Council Tax Support Scheme
Appendix B – Draft scheme proposals and consultation questions
Appendix C – Summary analysis of consultation responses

14. **Previous Reports**

Cabinet 19 September 2012 – Localised Council Tax Support

16. **Background Papers**

Localising Support for Council Tax: A Statement of Intent -
<http://www.communities.gov.uk/publications/localgovernment/localisingsupportcounciltax>
Localising Support for Council Tax Vulnerable People – key local authority duties
<http://www.communities.gov.uk/publications/localgovernment/lscvtvulnerablepeople>
Localising Support for Council Tax: Funding Arrangements consultation -
<http://www.communities.gov.uk/publications/localgovernment/2146644>
Localising Support for Council Tax – Taking work incentives into account -
<http://www.communities.gov.uk/publications/localgovernment/lscvworkincentives>

Newcastle-under-Lyme Borough Council
Draft Local Council Tax Support Scheme for 2013/14

	Proposed Council Tax Support Scheme	Saving/(Cost) over current Council Tax Benefit Scheme (£)	Number of claimants affected
Pensioner Claims			
No scope for changes within LCTS	Up to 100% of CT Bill	Nil	5,528
Working Age Claims			
Claims will be based on a max of 80% Council Tax Liability (unless in a protected group)	Up to 80% of CT Bill	843,830	5,183
Properties in bands higher than Band D will be based on 80% Band D Council Tax	Up to 80% of band D rate	15,657	38
Second Adult Rebate will not be retained in the Local Scheme	Nil	11,014	44
Capital Cut off at 6K (non-pass ported)	No CTS if capital exceeds 6K	27,982	136
Earnings Disregards	Flat rate of £25 if claimant working.	(29,394)	358
Claimants Who Are Eligible to Severe Disability Premium (SDP)			
May allow up to 100% LCTS as protected group	Up to 100% of CT Bill	Nil	52
Total		869,089	

Discretionary Payments

The Council has discretion to award Council Tax Support, in excess of the amounts determined by this framework, where it is satisfied that exceptional circumstances exist.

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DRAFT SCHEME PROPOSALS AND CONSULTATION QUESTIONS:

Please note, this is a text representation only of the proposals and questions and does not include artwork, tick boxes and spaces for answers to questions on the actual document.

Question 1:

Are you answering this survey as:

An individual or an organisation representing a community

Question 1a:

If you are answering this survey as an organisation, which group/membership does your organisation represent?

Principles:

Question 2:

To what extent do you agree with the following principle?

Every household with working age members should pay something towards their Council Tax Bill:

Strongly agree, agree, neither agree nor disagree, disagree or strongly disagree

Question 3:

To what extent do you agree with the following principle?

The Local Council Tax Support scheme should encourage people to work.

Strongly agree, agree, neither agree nor disagree, disagree or strongly disagree

Our proposals:

Proposal 1:

Current scheme:

Under the current scheme, the Council Tax Benefit entitlement can be up to 100% of their Council Tax bill for all eligible claimants.

Proposal:

Pensioners would continue to receive support for up to 100% of their Council Tax bill as they will be protected by the Government under a national scheme. We propose to also protect working age claimants classed as severely disabled and in receipt of a Severe Disability Premium in the Local Council Tax Support Scheme. This means that pensioner and claimants classed as severely disabled, would be the only claimants that could still receive support for up to 100% of their Council Tax bill. All other working age claimants would be expected to pay something towards their Council Tax bill.

Question 4:

How reasonable do you think this proposal is?

Very reasonable, reasonable, neither reasonable nor unreasonable, unreasonable or very unreasonable

Question 4a:

Please use the space below for any comments you may have.

Proposal 2:

Current scheme:

Under the current scheme, Council Tax Support can be given to those of working age for up to 100% of their Council Tax bill.

Proposal:

For the new scheme, we propose to reduce this to 80%. This means that all working age claimants that are not protected would be expected to pay at least 20% of their Council Tax bill.

Question 5:

How reasonable do you think this proposal is as a way of contributing to the reductions that need to be made?

Very reasonable, reasonable, neither reasonable nor unreasonable, unreasonable or very unreasonable

Question 5a:

Please use the space below for any comments you may have.

Proposal 3:

Current scheme:

In the current scheme, a person could get 100% Council Tax benefit no matter how large their house is.

Proposal:

We want to change this so that the new Council Tax Support scheme is limited to the level that would be given for a smaller house. We propose that we limit the maximum support offered based on 80% of the Council Tax bill for a Band D property, even if the claimant lives in a property with a higher banding than D (ie E, F, G or H). This means that any claimant who lives in a property with a banding higher than D would have their support calculated as if they lived in a Band D property.

Question 6:

How reasonable do you think this proposal is as a way of contributing to the reductions that need to be made?

Very reasonable, reasonable, neither reasonable nor unreasonable, unreasonable or very unreasonable

Question 6a:

Please use the space below for any comments you may have.

Proposal 4

Current scheme:

Some customers are not entitled to Council Tax Benefit in their own right because their own income is too high or they have too much in savings. However, they can claim a Second Adult Rebate, for a reduction of up to 25% off their bill, because they have another adult living with them who is on a low income.

Proposal:

We propose to remove the Second Adult Rebate under the new scheme which means that all those of working age currently entitled to a Second Adult Rebate would have to pay 100% of their Council Tax bill.

Question 7:

How reasonable do you think this proposal is as a way of contributing to the reductions that need to be made?

Very reasonable, reasonable, neither reasonable nor unreasonable, unreasonable or very unreasonable

Question 7a:

Please use the space below for any comments you may have.

Proposal 5

Current scheme:

We currently disregard any child care costs when calculating Council Tax Benefit. This means we deduct the amount of money a claimant pays for their child care before calculating their Council Tax Benefit entitlement. This is to ensure that working parents are no worse off than someone on the same level of income who does not work.

Proposal:

We propose to keep disregarding child care costs when calculating Council Tax Support. This does not contribute to any reductions but would provide an incentive for parents to stay in work or return to work.

Question 8:

How reasonable do you think this proposal is?

Very reasonable, reasonable, neither reasonable nor unreasonable, unreasonable or very unreasonable

Question 8a:

Please use the space below for any comments you may have.

Proposal 6

Current scheme:

Under the current scheme, claimants are able to have savings of up to £16,000 and still receive support towards their Council Tax Bill.

Proposal:

We propose to reduce this to £6,000. This means that claimants with savings that exceed £6,000 and are not on passported benefits, such as Income Support, Employment and Support Allowance (income related), Job Seekers Allowance (income based) or Pension Credit (Guarantee), would be expected to pay 100% of their Council Tax bill.

Question 9:

How reasonable do you think this proposal is as a way of contributing to the reductions that need to be made?

Question 9a: Please use the space below for any comments you may have.

Proposal 7

Current scheme:

Under the current scheme, Child Benefit is not included as income when calculating a claim.

Proposal:

For the new scheme, we propose to keep excluding Child Benefit payments as income when calculating the claimant's Council Tax Support entitlement. This would not contribute to any reductions but would not disadvantage working age people who work.

Question 10:

How reasonable do you think this proposal is?

Very reasonable, reasonable, neither reasonable nor unreasonable, unreasonable or very unreasonable

Question 10a:

Please use the space below for any comments you may have.

Proposal 8

Current scheme:

Under the current scheme, maintenance payments are not included as income when calculating a claim.

Proposal:

For the new scheme, we propose to keep excluding maintenance payments as income when calculating the claimant's Council Tax Support entitlement. This would not contribute to any reductions but would ensure that parents are not disadvantaged.

Question 11:

How reasonable do you think this proposal is?

Very reasonable, reasonable, neither reasonable nor unreasonable, unreasonable or very unreasonable

Question 11a:

Please use the space below for any comments you may have.

Proposal 9

Current scheme:

To provide an incentive for working, we disregard a certain proportion of working claimants earnings so they will be better off than someone on the same level of income who does not work. Under the current scheme, this is £5 for single claimants, £10 for couples and £25 for lone parents.

Proposal:

To make the new scheme simple and fair, we propose to introduce a flat rate of £25. This means we would disregard the first £25 of earnings for all our working claimants.

Question 12:

How reasonable do you think this proposal is?

Very reasonable, reasonable, neither reasonable nor unreasonable, unreasonable or very unreasonable

Question 12a:

Please use the space below for any comments you may have.

Proposal 10

Current scheme:

If a person receives Disability Living Allowance, a Care Component may be added if they require help with day to day tasks or if they need frequent personal care.

A lower, middle or higher rate is paid depending on the care needs of the claimant. Single claimants that receive a middle or higher rate Care Component are classed as severely disabled and can attract a Severe Disability Premium too, as long as no one lives with them and no one receives a Carer's Allowance for looking after them. Couples can also receive this premium as long as they both are eligible for a middle or higher rate Care Component, no one lives with them and no one receives a Carer's Allowance for looking after either of them. Under the current scheme, claimants who are eligible to Severe Disability Premium can receive support for up to 100% of their Council Tax bill.

Proposal:

We propose to keep this within the new scheme to protect our most vulnerable residents.

Question 13:

How reasonable do you think this proposal is?

Very reasonable, reasonable, neither reasonable nor unreasonable, unreasonable or very unreasonable

Question 13a:

Please use the space below for any comments you may have.

Proposal 11

Current scheme:

Council Tax Benefit is assessed on the needs of the claimant, partner and dependant children. Other adults are expected to contribute towards the Council Tax bill depending on their income. This could change so that these adults contribute more towards the Council Tax bill.

Proposal:

We propose that the level of contribution a non-dependants living in the claimant's household would be expected to contribute towards the Council Tax bill will not change from the current scheme.

Question 14:

How reasonable do you think this proposal is as a way of contributing to the reductions that need to be made?

Very reasonable, reasonable, neither reasonable nor unreasonable, unreasonable or very unreasonable

Question 14a:

Please use the space below for any comments you may have.

Impact of the changes:

Question 15:

Does your household receive Council Tax Benefit?

Yes, no or don't know

Question 15a:

What impact would the proposed changes have to your financial situation, or the financial situation of those communities you represent?

Very high, high, medium, low or very low

Question 15b:

Please use the space below for any comments you may have.

Question 16:

We are aware that some groups of people may be more affected than others when the Local Council Tax Support Scheme is introduced in April. We have identified a few groups that may be affected by these changes. Please tell us whether you think the changes we have proposed will have a high, medium or low impact on each of these groups.

High, medium, low or don't know.

Families with children

Lone parents

Carers

Part time workers

Full time workers

People who are disabled

Single people & couples without children

Question 17:

Please tell us about any other groups who may be affected by the changes.

Question 18:

How are the groups you have told us about affected by the proposed changes?

If you are answering as an organisation, please tell us how these changes would affect the group(s) you represent.

Question 19:

If you are answering as an organisation, please tell us how these proposed changes would impact on the services you provide?

Question 20:

What do you think we could do to ensure a smooth transition into the new scheme for those people affected by the changes we propose?

About you:

Question 21:

Are you a resident of Newcastle-under-Lyme?

Yes or no

Question 22:

Are you submitting your views as (tick all that apply):

A relative of a Council Tax Benefit claimant
Voluntary organisation
Nationally or locally elected member/MP
Community group
A friend of a Council Tax Benefit claimant Housing Association
Resident outside of Newcastle-under-Lyme
Partner organisation
Resident of Newcastle-under-Lyme
Private landlord
Council Tax Benefit claimant
None of these
Other
If other, please specify.

Question 23:

Does your name appear on the Council Tax Bill for your household?
Yes, no or don't know

Question 24:

Does your household receive any of the following benefits? (tick all that apply)
Attendance Allowance
Child Tax Credit
Income Support
Carers Allowance
Disability Living Allowance
Child Benefit
Council Tax Benefit
Job Seekers Allowance
Housing Benefit

Question 25:

Would you say that any of the following describes your household?
A family with one or two dependant children
A household that includes someone who is disabled
A family with three or more dependant children
A single person household or a couple without children
A lone parent household
A household with full and/or part-time workers
None of these

Question 26:

Do you regularly provide unpaid support caring for someone?
Yes or no

Monitoring Questions:

Giving the following information is optional but it will help us to use the information you have provided more effectively.

Question 27:

Are you male or female?
Female, male or prefer not to say

Question 28:

What is your age?

18-24, 25-34, 35-44, 45-54, 55-64, 65-74, 75+ or prefer not to say

Question 29:

What is your ethnic origin?

Asian or Asian British

Mixed Heritage

Chinese

Black or Black British

White British

White Other

Prefer not to say

Other

If other, please specify

Question 30:

Do you consider yourself to have a disability or long term health condition?

Yes, no or prefer not to say

Question 30a:

If yes, please specify

Communication

Hearing

Learning

Mental health

Mobility

Physical

Visual

Other

If other, please specify

Question 31:

Are you receiving a Retirement Pension or Pension Credit?

Yes, no or prefer not to say

Question 32:

What is your relationship status?

Single, married, none of these, living as a couple, civil partnership or prefer not to say

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SUMMARY ANALYSIS OF SCHEME PROPOSALS

Respondent profile:

146 responses have been received to the consultation questionnaire with a further 300 responses collected by telephone and face to face surveys. An additional three none specific responses were received. This is a statistically robust number of responses based on the population of the borough of Newcastle-under-Lyme.

95% of respondents were residents of the area, with additional responses from friends or relatives of residents, voluntary organisations and community groups, housing associations and private landlords.

The proposal with the most support was Proposal 10 which ensures continued provision for those claiming a Severe Disability Premium. Least support was received for Proposal 6 under which the amount of savings claimants can protect would be reduced from £16,000 to £6,000.

There was a high level of support, which means 75% or more of respondents thought a proposal reasonable, for over half of the proposals. These were proposals 1, 5, 7, 9, 10 and 11. No proposal was thought to be unreasonable by a majority of respondents.

Those disagreeing with the proposals were more likely to voice their concerns and provide commentaries explaining their view point than those agreeing.

Key Principles

Respondents were invited to state to what extent they agreed or disagreed with the following principles.

Key Principle 1: Every household with working age members should pay something towards their Council Tax Bill.

Consultation responses:

78% of responders agreed
 6% of responders neither agreed or disagreed
 16% of responders disagreed

Key Principle 2: The Local Council Tax Support Scheme should encourage people to work.

Consultation responses:

88% of responders agreed
 6% of responders neither agreed or disagreed
 6% of responders disagreed

Results Summary

	Percentage of responders who believed the proposal was	Percentage of responders who believed the proposal was	Percentage of responders who believed the proposal was
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	reasonable	neither reasonable or unreasonable	unreasonable
Proposal 1	76%	8%	16%
Proposal 2	68%	9%	23%
Proposal 3	68%	13%	19%
Proposal 4	64%	17%	19%
Proposal 5	85%	9%	6%
Proposal 6	46%	11%	43%
Proposal 7	76%	10%	14%
Proposal 8	68%	16%	16%
Proposal 9	81%	12%	7%
Proposal 10	89%	7%	4%
Proposal 11	78%	12%	10%

Results - Proposals

Proposal 1: Pensioners would continue to receive support for up to 100% of their Council Tax bill as they will be protected by the Government under a national scheme. We propose to also protect working age claimants classed as severely disabled and in receipt of a Severe Disability Premium in the Local Council Tax Support Scheme. This means that pensioners and claimants classed as severely disabled would be the only claimants that could still receive support for up to 100% of their Council Tax bill. All other working age claimants would be expected to pay something towards their Council Tax bill.

Consultation responses:

76% of responders believed this proposal was reasonable.

8% of responders believed this proposal was neither reasonable nor unreasonable.

16% of responders believed this proposal was unreasonable.

Comments:

There is a high level of support for this proposal and this was reinforced through respondent’s comments, particularly in relation to protecting pensioners. Through their comments however, some respondents felt that many pensioners could afford to pay and should therefore be means tested. Concerns were also raised about the implications for other working age claimants and other vulnerable groups including students and carers who should additionally be protected.

Pensioners:

There was some agreement that “protecting pensioners is fair” because pensioners have “worked hard and saved for their retirement.” However, some respondents felt that many pensioners are “financially robust” and “make extensive use of services” and they should therefore be “means tested” to decide whether they should make a contribution towards their Council Tax Bill. Under the current proposal, some respondents felt that “a pensioner with a million pounds in the bank” will be protected but “a family of four with no income will lose benefit.”

Disabled:

Clarity on the “definition of severely disabled” was sought as disability assessments were thought to be “unfair to certain disabilities” and the system of assessment was viewed as “severely flawed and unfit for purpose.” A new, “credible system” should be implemented before any changes are made to the Council Tax Support System.

Both “physical and mental disabilities” should also be included and assessed by a “medically qualified expert”. There were additional reservations about the inclusion of disabled claimants with some respondents of the view that they are already financially better off as they receive “extra allowances” and are therefore “more able to pay than anyone on basic benefits.”

Working age claimants:

There was general agreement with the statement that if you are fit and able to work, you should pay something towards your Council Tax Bill. Currently it was considered likely that it is easier for some to stay on benefits rather than look for work and the new scheme would “encourage people to look harder for work” and would encourage them to take an interest in how their “Council Tax is spent or misspent.” However, the opposing view was that this would “make poor people pay more money that they don’t have” and that many would “struggle to pay anything towards their Council Tax.” This would therefore “make poor people poorer.”

Proposal 2: For the new scheme, we propose to reduce this to 80%. This means that all working age claimants that are not protected would be expected to pay at least 20% of their Council Tax bill.

Consultation responses:

68% of responders believed this proposal was reasonable.

9% of responders believed this proposal was neither reasonable nor unreasonable.

23% of responders believed this proposal was unreasonable.

Comments:

There was moderate support for this proposal, and respondents commented on the amount which claimants should be expected to pay with some feeling that 20% was too much and conversely others feeling it was not enough. The general principle for encouraging people back into work was clearly supported through respondent’s comments.

20% is too much to pay:

Twenty per cent was considered to be too much to pay in the “current climate” as there is “no job that is secure” and when people lose their jobs it is key that they are provided with the support that they need.

Respondents also expressed concern that this proposal may be discriminatory towards those “who may not be able to get jobs even though they are of working age” and that “some provision should be made for those who are seeking employment but not yet in a job.”

The majority of those commenting did however focus on concerns that this proposal is making “the poor” the “target of money saving initiatives.” A number asked questions such as “how are poor people going to pay without an increase in benefits?” People unemployed through “no fault of their own” would be penalised by having to “use their benefit money for this”, putting them and their families under further “financial pressure.”

20% is a fair amount to pay:

Those that commented in support of the proposal felt that 20% was not too much to pay and that “20% should be the absolute minimum contribution.” This was supported by the view that “whether working or not, they still use Council Services”

with another suggesting that it would be acceptable to ask for more than 20%, with a “30% reduction” being suggested as a reasonable amount.

Encourage people to get jobs:

For people who have just started work, it is important to give them “some encouragement” and this proposal would make it “very difficult for the low paid” according to one respondent. Conversely, others felt that this proposal could encourage people to take up work because they will no longer be “getting something for nothing.”

Everyone should pay the same:

A few respondents were of the view that “everyone should pay 100%” of the bill with one in particular commenting that they “don’t receive a rebate for having paid the full amount for years.”

It depends:

One felt that their response to this proposal would depend upon the amount of monetary support being offered by the Government for the new scheme. If the government will fund “80% of the contribution then 20% is reasonable”. However, if “50% is being funded by the government, then 50% would be reasonable.”

Proposal 3: In the current scheme, a person could get 100% Council Tax Benefit no matter how large their house is. We want to change this so that the new Council Tax Support scheme is limited to the level that would be given for a smaller house. We propose that we limit the maximum support offered based on 80% of the Council Tax Bill for a Band D property, even if the claimant lives in a property with a higher banding than D.

Consultation responses:

68% of responders believed this proposal was reasonable.

13% of responders believed this proposal was neither reasonable nor unreasonable.

19% of responders believed this proposal was unreasonable.

Comments:

There was moderate support for this proposal and respondents voiced their concerns in relation to those who had fallen on hard times, feeling that a grace period should be provided to assist people in such times. Basing decisions on housing need and not housing size was a common discussion raised amongst respondents with some feeling that those living independently in large houses should be encouraged to move. Others recognised the issues and complexities in relation to moving, particularly for pensioners who have remained in their original family homes.

Redundancy:

Although it was recognised that the implementation of this proposal is clearly a way of making the savings needed, many respondents were concerned that this proposal is “trying to penalise people who have at some point in the past, done well” and have “worked hard for a larger house.” They may have been made redundant or “fallen on hard times.” They should not be “singled out” and there should be a “grace period” in cases of redundancy.

Base proposals on housing need not housing size:

Others felt that their agreement with the proposal would depend on housing need and they stated for example that a family may need to live in a “larger house.” A large family should not be expected to live in a “two bed house”. It is not fair for “people who live in a big house who are on a low income, like big families who are struggling to pay out their bills.” The proposal would be more reasonable if it was directed towards people who are living “independently in a large house.”

Larger houses:

Concerns were also expressed about how “moving house would cost a huge amount of money” and that this could “force people to move out of their family home into a smaller property.” It is likely that many of these properties were originally family homes and “pensioners may not want to down size because their home is a reflection of their life and holds lots of memories and provides the space needed for family visits.” Some did however feel that if people can afford to live in a property bigger than Band D then they must have “some money” and if they cannot afford the proper Council Tax rate they should “move or let out some of the spare rooms.”

Additional comments:

“I am concerned because my neighbour’s property tax band differs to mine, i.e. a lower band to mine, despite the fact that my property is virtually the same and the previous owners of my property stated which band they were in prior to my purchasing the property. However, upon moving in and receiving my Council Tax Bill I was dismayed to see that your Council had “upped” the band! I did dispute this when I moved into my property but unfortunately you declined to amend my banding and I have therefore paid significantly more Council Tax than my neighbours over the years which is unfair and inequitable.”

“Council Tax should reflect the services used by people as well. Someone living in a higher tax band is not always taking the same from the facilities provided as a lower band property, full of people who may not all be working.”

Proposal 4: Some customers are not entitled to Council Tax Benefit in their own right because their own income is too high or they have too much in savings. However, they can claim a Second Adult Rebate, for a reduction of up to 25% off their bill, because they have another adult living with them who is on a low income. We propose to remove the Second Adult Rebate under the new scheme which means that all those of working age currently entitled to a Second Adult Rebate would have to pay 100% of their Council Tax Bill

Consultation responses:

64% of responders believed this proposal was reasonable.

17% of responders believed this proposal was neither reasonable nor unreasonable.

19% of responders believed this proposal was unreasonable.

Comments:

There was moderate support for this proposal with respondents feeling that it was a “sensible idea” and that household incomes should be “combined” to ascertain the “true level of affordability” of this proposal. On a more basic and general level, some felt that “if people work then they should pay” and it was considered reasonable that the second adult should be “encouraged to contribute to the household”. Others did

question the affordability for some and also where “students” fitted into this proposal and clarification on whether the proposal would affect students was sought.

Financial pressures and the ability to pay:

The financial pressures that the implementation of this proposal would cause was a common concern with respondents feeling that “some working adults do not receive enough money for this” and that often one member of the household may be “supporting another, less fortunate adult” and may therefore not be “personally wealthy” themselves. For this reason, it was therefore felt that this type of rebate should be decided on “a joint income basis” and upon “individual savings.”

Resource intensive to monitor:

Concerns were raised amongst respondents that some residents do not currently declare additional adults who live in their household and this needs to be resourced and enforced more strictly. One also felt that this proposal would just be “too complicated to keep track of.” For example, a second person’s “wage could increase” or they could “lose their job” and it would be extremely difficult to resource and keep up with such changes.

Relationships and alternative accommodation:

According to some respondents, people living together can usually be expected to “pool their income when they hit hard times” and if they do not want to support one another then “one can move out and both would be charged for Council Tax independently.”

Awareness of the Second Adult Rebate:

One respondent commented that they didn't even know that the Second Adult Rebate existed. They wished they had known about it as they would have “applied for it.”

Proposal 5: We propose to keep disregarding child care costs when calculating Council Tax Support. This does not contribute to any reductions but would provide an incentive for parents to stay in work or return to work.

Consultation responses:

85% of responders believed this proposal was reasonable.

9% of responders believed this proposal was neither reasonable nor unreasonable.

6% of responders believed this proposal was unreasonable.

Comments:

There was a high level of support for this proposal with the majority supporting parents and feeling that it was reasonable to encourage them to work or to remain in work.

Parents need the help and children need to be protected:

Respondents who felt the proposal was reasonable were of the belief that “childcare costs are the biggest bill a working parent has to face” and they should “have help.” It was also considered a good idea as expensive childcare costs do “affect a lot of families.” Ensuring that “informal childcare costs” are taken into consideration and not just “expensive nursery fees” was additionally requested. It was also felt that “evidence of payments” made should be provided.

Encourage people to work:

The principle of encouraging people to work was considered “good” and “families need to be shown respect for working rather than just accepting benefits.”

Everyone should contribute:

Those who disagreed with the proposal felt that people “shouldn’t have children if they can’t afford the cost of childcare” and that having children is a choice, so “why should those without children pay for this?”

Additional comments:

- “Including childcare costs in the calculation of support would encourage people to work.”
- “Parents should stay at home to look after their children.”

Proposal 6: Under the current scheme, claimants are able to have savings of up to £16,000 and still receive support towards their Council Tax Bill. We propose to reduce this to £6,000. This means that claimants with savings that exceed £6,000 and are not on passported benefits, such as Income Support, Employment and Support Allowance (income related), Job Seekers Allowance (income based) or Pension Credit (Guarantee), would be expected to pay 100% of their Council Tax Bill.

Consultation responses:

46% of responders believed this proposal was reasonable

11% of responders believed this proposal was neither reasonable nor unreasonable

43% of responders believed this proposal was unreasonable

Comments:

There was some support for this proposal with many commenting that protecting £10,000 would be considered more reasonable.

The limit should be higher or remain at £16,000:

It was considered that “£6,000 is not a huge amount of savings” and “could go in one emergency.” It is “a big drop when you haven’t got money coming in.” Therefore, it was considered that “£10,000 would be a more reasonable and fairer amount to protect” and “phasing” in the changes would enable a smoother transition.

It’s unfair on savers:

A number of respondents were concerned that the implementation of this proposal would act to penalise savers and may “discourage people from saving.” “People work all their lives and save but some people don’t work and claim benefits.” “Don’t punish people who have saved.” Under this proposal, “anyone who has been made redundant with a modest pay off will immediately get ‘clobbered’ whilst looking for fresh work in a very difficult employment market” and for this reason, it was considered important to revise this proposal.

£6,000 is a reasonable amount to protect:

A few respondents agreed with the proposal and felt that it was reasonable to protect £6,000. They felt that most people don’t have “above £6000 in their account” and they were of the opinion that “people should not rely on the state when they have these kind of savings.”

Difficult to administer and police:

A few respondents were concerned that this proposal may encourage “people to be untruthful” about their savings, to “spend” them or not to declare “a change of circumstances.”

Proposal 7: For the new scheme, we propose to keep excluding Child Benefit payments as income when calculating the claimant's Council Tax Support entitlement. This would not contribute to any reductions but would not disadvantage working age people who work.

Consultation responses:

76% of responders believed this proposal was reasonable.

10% of responders believed this proposal was neither reasonable nor unreasonable.

14% of responders believed this proposal was unreasonable.

Comments:

There was a high level of support for this proposal and those in support were of the view that this money is for the child's benefit and should therefore be protected. Some however did feel that Child Benefit should be treated as income, especially considering the fact that some parents are wealthy and do not need to rely on this support.

Benefit is for the child's welfare:

Child Benefit is for “the child and not the parent” and therefore it is reasonable that it “should not be included as income.” It is there to help with the child's “living costs” and is part of “a low income family's weekly income.” Maintaining this support will ensure that there is “some money” for the protection of children.

Limit it to two children:

A few respondents felt that this proposal would be more reasonable if “Child Benefit was limited to two children”.

It should be treated as income:

Some respondents were of the view that Child Benefit payments should be included as they still contribute towards “income”. “Child Benefit is still an income” so “why should it be excluded?” “People get a fortune in Child Benefit - what about the people who do not have or cannot have children? They are always worse off.”

Additional comments:

“I think Child Benefit needs reform - especially for those high earners who can afford to support their children.”

“Stop Child Benefit on richer people. Leave the poor alone.”

Proposal 8: For the new scheme, we propose to keep excluding maintenance payments as income when calculating the claimant's Council Tax Support entitlement. This would not contribute to any reductions but would ensure that parents are not disadvantaged.

Consultation responses:

68% of responders believed this proposal was reasonable.

16% of responders believed this proposal was neither reasonable nor unreasonable.

16% of responders believed this proposal was unreasonable.

Comments:

There was moderate support for this proposal with many respondents feeling that it depends on an individual's circumstances as to whether or not the proposal is reasonable.

Reliability of maintenance payments:

As well as depending on the "level of maintenance", respondents also raised concerns about the "reliability of the maintenance" feeling that "people could be left destitute if they have to pay." However, "if maintenance is paid regularly then it should be assessed and included as regular income." An alternative view expressed was that there should be a "capped level of maintenance that is disregarded."

All income should be included:

Others were firmly of the view that "maintenance payments" are still "an income" and therefore should be included as income. Everyone should be "means tested" and even though it would "take a while", it would "save much more money overall."

The money is for the child's welfare:

A few respondents commented that "this money is not income", it is for the "benefit of the children" and is to pay for their "upkeep and needs" and "should not form part of a household income." Children need to be "provided for, kept safe and secure, nurtured, fed and sheltered" and maintenance payments can assist a parent in meeting this aim.

Proposal 9: To provide an incentive for working, we disregard a certain proportion of working claimants' earnings so they will be better off than someone on the same level of income who does not work. Under the current scheme, this is £5 for single claimants, £10 for couples and £25 for lone parents. To make the new scheme simple and fair, we propose to introduce a flat rate of £25. This means we would disregard the first £25 of earnings for all our working claimants.

Consultation responses:

81% of responders believed this proposal was reasonable.

12% of responders believed this proposal was neither reasonable nor unreasonable.

7% of responders believed this proposal was unreasonable.

Comments:

There was a high level of support for this proposal and comments included that this proposal is "fair" and "everyone should be treated the same" and the proposal is "much easier to understand" than the current approach.

It's good to reward working people:

Some respondents felt that this proposal was an "incentive" and will "encourage people to go into work." "Anything to encourage people to work is good" and "a fixed incentive for working people is a bonus." This proposal is "one of the few benefits of the changes."

There aren't enough jobs:

There were however concerns about the lack of available jobs. We are currently in "a time of high unemployment when incentivisation to work is broadly irrelevant and

this is therefore effectively a form of taxation on poverty.” Some people want to work but there are not any suitable jobs available, “why should they be punished as well?”

Different groups of people need to be treated differently:

Some clearly felt that different groups of people needed to be treated differently for the proposal to be fair, some groups in particular were highlighted:

- “Lone parents should continue to get a higher disregard.”
- “£25 for a single person, £25 for a couple is unfair. Surely it should be £50 for a couple. Otherwise where is the incentive to be a couple, get married, and have children?”

Proposal 10: If a person receives Disability Living Allowance, a Care Component may be added if they require help with day to day tasks or if they need frequent personal care. A lower, middle or higher rate is paid depending on the care needs of the claimant. Single claimants that receive a middle or higher rate Care Component are classed as severely disabled and can attract a Severe Disability Premium too, as long as no one lives with them and no one receives a Carer’s Allowance for looking after them. Couples can also receive this premium as long as they both are eligible for a middle or higher rate Care Component, no one lives with them and no one receives a Carer’s Allowance for looking after either of them. Under the current scheme, claimants who are eligible to Severe Disability Premium can receive support for up to 100% of their Council Tax Bill. We propose to keep this within the new scheme to protect our most vulnerable residents.

Consultation responses:

89% of responders believed this proposal was reasonable.

7% of responders believed this proposal was neither reasonable nor unreasonable.

4% of responders believed this proposal was unreasonable.

Comments:

Overall, there was a high level of support expressed for this proposal. However, in the commentary, there were two main opposing views expressed, one of which was in support of the proposal and the other against it. Those in opposition felt that everyone should at least make a small contribution towards their Council Tax Bill.

Protect disabled people and others who are vulnerable:

“Disabled people need the help” and there is “no need to make life even harder for them.” This is “a good decision and will keep them out of residential houses.”

However, this proposal could lead to “further inequity” and those people who do not attract the Severe Disability Allowance could be “driven further into poverty.”

It was also felt that Carer’s for disabled people should be given due consideration in these proposals.

The Government keeps “punishing the carers to save themselves and the council millions in care costs each year” and they were concerned that the Council was aiming not to do “anything for these” people.

Everyone should pay something:

Whilst respondents recognised that these claimants are very disabled, they also acknowledged that they have a much higher income than the unemployed and those

on lower levels of DLA. "People on DLA get top up payments and therefore they should contribute something towards their Council Tax."

Proposal 11: We propose that the level of contribution a non-dependant living in the claimant's household would be expected to contribute towards the Council Tax bill will not change from the current scheme.

Consultation responses:

78% of responders believed this proposal was reasonable.

12% of responders believed this proposal was neither reasonable nor unreasonable.

10% of responders believed this proposal was unreasonable.

Comments:

There was a high level of support for this proposal and there was a general view amongst these responses that people should pay if they are "working and earning a reasonable wage." Some felt that "family members" should be treated more favourably than other household members and some were concerned about the "ability for low earners to pay" whilst others queried how the system is currently administered and policed.

Everyone should contribute something:

"If the person is working and earning a reasonable wage then they should pay their share." However, it should be up to "the head of the household" to ensure all members of the household pay their "fair share towards the bill" as individual billing would be like the "old Poll Tax", and "we all know how well that went down at the time."

It depends on who the non dependent is:

Respondents were of the views that if other members of the household were working then they "should make a contribution." It does however depend on who the non dependent is. " They should have to pay more if they are not part of the actual family! Otherwise we may as well all rent out rooms and then you will get even less revenue for just as many people living in the area!"

Difficult for low earners:

A few respondents commented that "financial circumstances may not allow this contribution."

It will be difficult to administer and police:

A few respondents questioned how the proposal is going to be "administered."

Other responses

There were also an additional small number of responses covering either single or limited item points. These were as follows:

The Royal British Legion identified the need to provide protection for recipients of War Disablement Pensions, War Widow's Pensions and Armed Forces Compensation Scheme payments.

A private landlord responded with comments about Housing Benefit, which is outside the scope of this consultation.

A single anonymous borough resident commented on deducting Council Tax direct from welfare benefits and Council Tax payment instalment schemes, also both outside the scope of this consultation.

Financial Impact of Proposals:

Respondents were also asked what impact the proposed changes would have to their financial situation or the financial situation of those communities they represent.

69% of responders believed the impact would be low.

16% of responders believed the impact would be medium.

15% of responders believed the impact would be high.

Additional Comments:

Groups who may be affected by the proposals:

Many groups will be affected by the implementation of the proposals and these include both those that have been previously identified during the consultation questionnaire as well as others not identified during the consultation process such as “students”, “military widows” and “carers.”

Likely affects of the changes:

It is expected that the implementation of the proposals would have either a high or a medium affect on most and affects could be positive but are most likely to be negative. It is likely that the proposals could have a positive affect by encouraging people to “get a job.” However, many would “struggle” if the proposals are implemented and they would see a “reduction in their standard of living.” With rises in general “household expenses” and “bills” along with other changes in “welfare reforms”, “more poverty should be expected” and “saving would become an absolute waste of money.”

What can be done to ensure a smooth transition into the new scheme for those people affected by the proposed changes?:

A few were of the view that a smooth transition into the new scheme would not be possible. The Council should “oppose the legislation” and “changes to the current Council Tax Support Scheme” as people will not be able to “afford” the increases that will be required from them. Others felt that the received feedback should be duly considered and that benefits should be “reduced gradually” to allow people the time to adapt to the new scheme. “Phasing” was strongly supported and in particular protection was requested for vulnerable people during the first year that the proposals were implemented.

Before implementing the new scheme, it is vital that those who will be directly affected receive communications which are in “plain English” and are clear, easy and simple for all to understand. These should be sent directly to respondent’s home address and “leaflets, flyers and local newspapers” should also be used to advertise the scheme on a wider basis. “Drop in sessions” and “workshops” on budgeting would be useful to ensure that people understand what is happening and are equipped to manage in the longer term. It is likely that the implementation of the proposals would also lead to a significant increase in the need for “debt and benefit advice” in the longer term.

Once the scheme is in place, it would be important to run “financial assessments” on people’s ability to pay before the “courts and bailiffs” become involved and for support to be available in cases of “severe financial hardship.”

It was further recognised that the implemented scheme may require “some adaptation” and doing this after “six to twelve months” of the scheme being implemented was considered vital.

Please note:

Throughout, items contained within quotation marks are the views expressed by consultation responders and are reported to fairly reflect comments received. In some cases, groups or situations mentioned may already be assisted by schemes other than the proposed Localised Council Tax Support scheme or comments are based on a misunderstanding of how the current benefit scheme works or what will be allowed by legislation in the future.

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IMPLEMENTING STREET MARKET IMPROVEMENTS

Submitted by: Markets & Regeneration Officer

Portfolio: Regeneration, Planning & Town Centres

Ward(s) affected: Town

Purpose of the Report

To seek Members' approval for key actions to facilitate delivery of the town centre public realm and market refurbishment project, including removal and replacement trees in High Street and Hassell Street taking account of the Economic Development and Enterprise Scrutiny Committee's recommendations.

Recommendations

- (a) **To approve the removal and re-provision of trees to facilitate delivery of the Town Centre Market improvements.**
- (b) **To authorise officers to prepare and submit a planning application for the proposed new market stalls.**

Reasons

To enable delivery of the previously-approved town centre public realm and market refurbishment project whilst taking due account of the importance of safeguarding the visual amenities of the town centre by virtue of the natural landscaping contained therein.

1. Background

- 1.1 The town centre public realm scheme agreed by Cabinet in July 2011 included changes to the layout of market stalls in order to bring them closer to the pavement. Now that detailed plans have been drawn up, with the preferred size of market stalls, it has highlighted a number of areas where the positioning of trees around the market area will need to be re-considered. In particular the preferred/optimum layout will require the removal of some existing trees, although it is noted that there is the potential for the planting of new ones both in lower High Street and in Hassell Street.
- 1.2 Cabinet has previously considered the case for the public realm and market refurbishment scheme and have approved its delivery. The scheme was proposed in response to a number of external studies which highlighted that:
- Through-traffic in Hassell Street negatively impacts on the trading performance of the lower end of High Street;
 - The street market is in decline, specifically:
 - There is evidence of reducing income
 - Poor layout that doesn't integrate with the grain of the town
 - Declining footfall
 - Stalls in need of replacement.

These conclusions were supported by the Borough Council's own experience which is that the market stalls south of Hick Street are the least popular for traders due to lower pedestrian numbers in this area.

1.3 As the public realm scheme has progressed to more detailed layout planning it is now appropriate to consider the proposals in light of town centre landscaping and specifically the trees in the market area. Following consultation with the Portfolio Holder for Regeneration, Planning & Town Centres on this issue, he requested that the Economic Development & Enterprise Overview & Scrutiny Committee be invited to consider Officer proposals in detail and make recommendations to him. Accordingly a sub-group of this Committee was tasked with visiting the site, reviewing Officer proposals and making recommendations back to the Committee. The sub-group highlighted that there was a need to listen to local traders and to support the economic development of the area, whilst ensuring the town was visually attractive with re-landscaped tree provision. The Economic Development and Enterprise Overview and Scrutiny Committee considered the matter on 22 November and they highlighted a range of issues as follows:

- That the re-provision of seating is considered to ensure that there are sufficient seats in the area.
- That any trees removed are replaced and that Landscape Officers make recommendations on the species of trees to be planted.
- Views from partner agencies regarding CCTV were noted and it was highlighted that the new tree species would have smaller tree canopies and therefore not hinder the CCTV camera views to the same extent as the existing tree foliage.
- That there is more certainty on the reuse of the tree pits prior to trees being removed.
- That consideration is given to providing 3 rows of stalls by the Guildhall as it was felt that this area is more popular. It should be noted that if this was considered then smaller stalls would need to be provided, which means that the Council could not deliver the larger stalls requested by market traders.
- That the Scrutiny Committee reviews the operation of the market stalls 12 months after operation to ensure that the space is used appropriately, including vehicle parking and storage of trader containers and waste.

2. **Issues**

2.1 **Layout of the Market Stalls**

In the current market layout, stallholders at the lower end of the market (below Hassell Street) push display equipment out towards the pavement which has contributed to criticism about the untidy appearance of the market. At the top of the market, in the prime trading frontage (between the Guild Hall and Hassall Street), the stalls trade away from the pavement and have their storage and refuse areas opposite the shop fronts. This has the impact of making the pavement close to the shops look cluttered and potentially distracts shoppers away from the shops. The proposed market stall layout is designed to address these issues by creating parallel trading frontages that face the retail shops (with servicing / storage undertaken in the central corridor).

2.2 **Provision of new Market Stalls**

Following consultation with market traders over the replacement market stalls, agreement has been reached that 10ft wide and 15ft deep canopies should be provided on the new market stalls. These stalls are intended to give each market trader a larger footprint to trade from and remove the need for traders to build further extensions on to the stalls. Putting the stalls

closer to the pavement aims to make the stall displays more visible to passing pedestrians and promote sales as well as strengthening the interaction with the existing retail shops.

2.3 Tree Locations

The locations where the position of trees in the High Street causes conflict with the proposed stall layout are set out below:

(a) The area by Superdrug

- (i) A row of 5 trees separates the market area from the shop fronts/pavement. This includes three mature trees and two smaller trees. Particular issues are:
- The degree of disturbance which the tree roots cause to the pavement in this area which is not conducive to pedestrian safety ;
 - Blockage to the trading frontage of stalls facing onto the pavement;
 - The degree of light blocked out by this cluster of trees;
 - Hygiene issues associated with the number of bird droppings generated by roosting birds;
 - An existing issue from market traders in this area concerning alleged allergic reactions to the trees because of the duration and proximity of their exposure to the trees during the trading day.

This latter issue is unique in the town to this particular trading area as it is the only area where people spend several hours a day clustered around such a large and mature group of trees.

- (ii) With regard to this particular cluster of trees, there is a long-standing request from market traders and members of the Civic Society to consider removing all of them. The agent for 61- 63 High Street (the former Castle Hotel) has also requested their removal to improve visibility of the frontage of this historically significant building. The Borough Council's Conservation Officer also supports the proposal to remove these trees for the latter reason not least because the building has recently been the subject of substantial grant-funded refurbishment works to improve the appearance of the building's facade.

(b) The Lower High Street Area

There are 5 trees in the lower High Street area which conflict with the proposed stall layout by being so close to the front of a stall as to make it unusable. This is a cluster of 4 trees outside of the Missoula Public House and 1 tree outside of the Rotisserie Café.

2.4 Landscape impact of removing the trees

The Council's specialist Landscape Officers have recently conducted a survey of the trees in this area in accordance with good practice advised in British Standard 5837. Its findings were:

- (a) For the row of trees by Superdrug, the two smaller trees are classified as category A (high quality) and the three larger trees are category B (moderate quality) trees. In summary these are tree categories which it is preferred to retain where possible. Of the smaller category A trees, one of these is proposed for removal if the larger neighbouring tree is retained as the larger tree is suppressing the growth of the smaller tree.

- (b) For the larger trees, your Landscape Officers consider that if trees of this stature are removed from the town centre it is very unlikely that any replacement trees would grow to the same size. This is based on the growth rate of trees planted in recent years in the town centre.
- (c) The tree survey acknowledges the disruption to the pavement caused by some of the trees in the area by Superdrug.
- (d) There would be no objection, on landscape grounds, to removal of the tree outside of 'Rotisserie' which is category C (low quality).
- (e) Of the four trees outside 'Missoula', two are category B, (moderate quality) which it is preferable to retain and of the remaining two, one is category C (low quality) and the other is classified U (unremarkable) neither of which would cause concern if they were to be removed. The proposals indicate that one of the category B trees would be retained with the other three trees to be removed.

2.5 Tree Ownership

Some of the trees are owned by the County Council, who have advised that should the trees in their ownership be removed then it is likely that some mitigation measures will be required. This may not necessarily have to be within the town centre.

2.6 Public Consultation

Both informal and formal consultation on the public realm scheme has taken place over a period of time. This looked at the principles of the scheme layout rather than the specific issue of potential loss and re-provision of trees. Specifically:

- (a) In 2007 and 2008, the Borough Council worked informally with an 'influencers group' of people with an interest in the town centre to explore options for the market stall design and potential options for the layout of the market and taxi rank in the town centre. Having considered other options for the taxi rank locations and market stall layout, the layout as currently proposed was the option that balanced the conflicting requirements of different groups whilst delivering the project outcomes.
- (b) A formal public consultation took place in November and December 2010, which resulted in some changes being agreed to the scheme in the Friars Street area. The results of this were considered by Cabinet in July 2011.
- (c) The Newcastle Hackney Association has been involved in refinement of the proposals for a taxi rank in Lower High Street.
- (d) Market Traders have been engaged both through meetings with the local branch of the National Market Traders Federation and also individually, most recently when a wooden mock-up of the proposed market stall was placed on site in April 2012 and at a meeting in July 2012. It is worth noting that the market traders would like more trees removed to make the stalls more accessible and to remove issues such as leaf and bird waste dropping on or by the stalls.

2.7 Planning Permission

Planning permission will be required for the erection of 51 new market stalls. Authority is sought for the preparation and submission of the application. Officers have the expertise and

capacity to undertake this element of the project within existing work programmes and the application fee of £195 will be met from within the project budget.

3. **Options Considered**

3.1 **The trees by Superdrug**

(a) **Not remove any trees**

The proposed new stall layout relies on the trees in this area being removed to allow market stalls to trade out towards the pavement. If this is not done the only other option is to retain the current market layout in this area. If this were the case then 15ft deep canopies could not be provided on the new stalls since this would not provide sufficient space for vehicle loading in the space between them. There would be no improvement to the appearance of the market from the Superdrug area as the market traders would continue to use the space between the trees for storage and refuse. The anticipated improved functional relationship between the retail shops and market traders would not be achieved neither would the adjacent buildings be made more visible within the High Street. Additionally the issues raised at section 2.3(a) would not be addressed.

(b) **Remove all of the trees in this area**

From a purely commercial perspective, removal of all 5 trees in the area by Superdrug would provide the most open frontage for market stalls and also the adjacent businesses. This is reflected in the requests for removal as stated in paragraph 2.3 (a) above. Removing all 5 trees would however have a significant impact on the visual attractiveness of this area through the loss of 3 large mature trees and the complete removal of any natural landscaping features. Generally complete removal of trees in this manner can be expected to be met with significant protest from other interested sections of the community. In this particular instance it would also denude this core part of the town centre Conservation Area of the tree canopies that soften the built environment and contribute to the distinctive character of the centre.

3.2 **Lower High Street Area**

Approximately 5 stalls in the lower High Street area would be unusable if the trees are not removed as proposed. This is because the gap between the front of the stall and the tree would either be too small for easy pedestrian access or give no pedestrian access at all. The stalls would have to be retained in their current position in the middle of High Street and a small working area retained behind each stall (as is provided in the current layout). Consequently a 15ft deep canopy could not be used as the remaining vehicle access area around the outside of the stalls would be limited to one vehicle depth which would cause problems in the market loading times. There is also a pinch point where the minimum distance between the stall frontage and other street furniture would not comply with current fire access requirements. It is likely that stallholders will continue to build out towards the pavement in order to achieve sales and there would be little improvement to the appearance of the market in this area.

4. **Proposal**

4.1 Following the working group meeting and site visit with officers on Wednesday 24 October 2012, the following is proposed for re-landscaping of the town centre. The trees are referenced to the plan attached at Appendix A for ease of identification.

- (a) That the tree outside the Rotisserie Café should be removed. Officers should consider replacing the tree on the same side but further up (position 26 on the plan).
 - (b) That 3 of the 4 trees outside Missoula should be removed, leaving one tree remaining. (On the plan, tree 15 retained and tree 13, 14 and 16 removed)
 - (c) That 5 trees should be planted on Hassell Street. (positions marked in green on the plan)
 - (d) That 1 larger tree and 2 smaller trees outside of Edinburgh Woollen Mill (former Castle Hotel) are removed, leaving 3 mature trees in this area. (On the plan, tree 7, 9 and 10 removed and trees 5 6 and 8 retained)
 - (e) That in position 22 and 23, where the trees are already stumps, the re-use of the existing tree-pits to replant should be explored.
- 4.2 This would result in market stall and tree positioning as shown in the plan attached at Appendix B.

5. **Reasons for Preferred Solution**

- 5.1 It is proposed that Cabinet accepts the recommendations of the Economic Development and Enterprise Overview and Scrutiny Committee that the selective removal and re-provision of trees in the way proposed balances the commercial needs of the town centre with the attractiveness of its natural landscape features. This proposal will result in net removal of 7 trees and 2 tree stumps and the planting of 8 new trees if the tree pits are re-usable. If the tree pits should prove not to be re-usable the net result would be the removal of 7 trees and 2 tree stumps and the planting of 6 new trees.

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

- 6.1 The project is within the Borough of Opportunity corporate priority, specifically the outcome of making the town centre more vibrant and attractive. The re-landscaping proposals allow delivery of the aims of the project which are to:
- Address the severance caused by through traffic in Hassell Street
 - Improve the appearance of the market
 - Improve the trading profitability of the market for market traders (and consequentially to improve the performance of the market for the Borough Council)
 - Open up views of the Guildhall

7. **Legal and Statutory Implications**

- 7.1 Since April 2012¹ a local planning authority is able to remove trees within a Conservation Area without further permission.

8. **Equality Impact Assessment**

No differential impact has been identified.

¹ (Town and Country Planning (Tree Preservation) (England) Regulations 2012)

9. **Financial and Resource Implications**

9.1 The cost of removal and replacement of the trees will be found from within the existing capital budget allocation of £554,000 for the scheme.

9.2 The submission of the planning application for the erection of the 51 market stalls will cost £195. This will be met from the existing budget. Existing officer resources will be deployed to prepare the planning application.

10. **Major Risks**

10.1 A full risk assessment is maintained for this project.

11. **Key Decision Information**

11.1 The decision has been included in the Forward Plan

11.2 The proposals are located within the Town Ward although all users of the town centre will benefit.

12. **Earlier Cabinet/Committee Resolutions**

12.1 July 2011 Members considered the results of a public consultation that had taken place in November and December 2010 and approved the scheme for implementation including introduction of a taxi rank at lower High Street and in the Ironmarket, changes to the layout of the market stalls and the introduction of new market pitches in Hassell Street and revised access arrangements for Friars Street to allow 24 hour access for deliveries.

12.2 September 2010 Cabinet authorised the scheme for public consultation and also the dedication of land at the bus station for Highway purposes to enable the works on Barracks Road to be completed.

12.3 January 2010 Members considered in detail the rationale for the public realm and market refurbishment scheme and authorised Officers to pursue the daytime closure of Hassell Street to through traffic and its repaving to emphasise its pedestrian focus; the replacement of market stalls and the removal of market stalls from lower High Street up to its junction with Hick Street,

12.4 November 2012 the Economic Development and Enterprise Scrutiny recommended the proposal outlined in this report.

13. **List of Appendices**

Appendix A Plan of Trees





Appendix B Proposed market layout and landscaping

14. **Background Papers**

Town Centre Strategic Investment Framework.

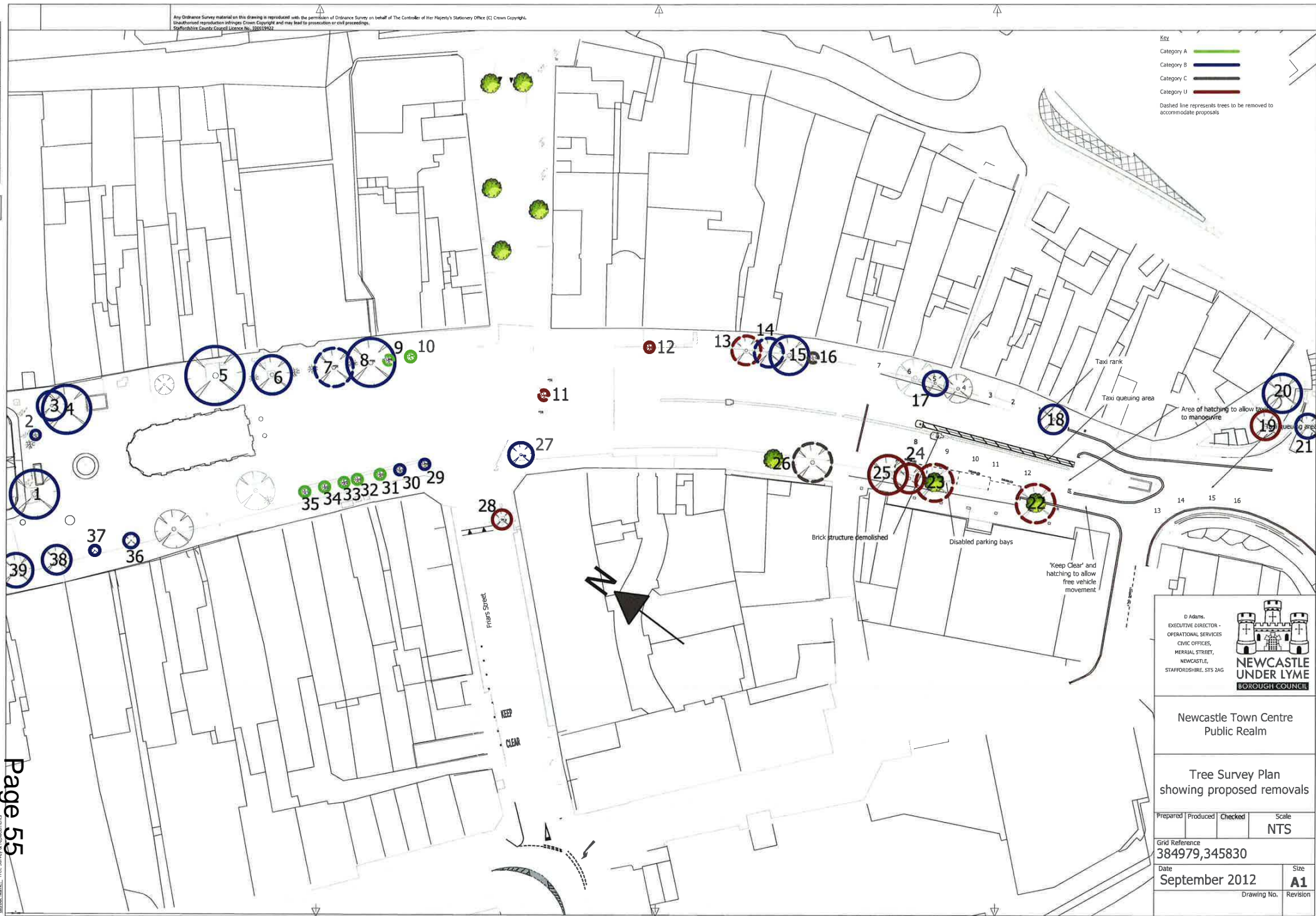
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Key
 Category A 
 Category B 
 Category C 
 Category U 
 Dashed line represents trees to be removed to accommodate proposals

A1

Tree Survey Plan for A1



D Adams,
 EXECUTIVE DIRECTOR -
 OPERATIONAL SERVICES
 CIVIC OFFICES,
 HERIHAL STREET,
 NEWCASTLE,
 STAFFORDSHIRE, STS 2AG



**NEWCASTLE
 UNDER LYME**
 BOROUGH COUNCIL

Newcastle Town Centre
 Public Realm

Tree Survey Plan
 showing proposed removals

Prepared	Produced	Checked	Scale
			NTS

Grid Reference
384979,345830

Date
September 2012

Drawing No. **A1**
 Revision

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FINANCIAL AND PERFORMANCE MANAGEMENT REPORT TO END OF QUARTER TWO (SEPTEMBER) 2012

Submitted by: Head of Finance and Head of Business Improvement & Partnerships

Portfolio: Communications, Transformation & Partnerships; Finance and Budget Management

Wards Affected: All

Purpose

To provide Cabinet with the Financial and Performance Review for the 2012/13 Second Quarter (July-September).

Recommendations

- (a) That Members note the contents of the report and recommend that the Council continues to monitor and scrutinise performance alongside finances.
- (b) That Members note that the appendix is an interim performance report to be further developed as detailed in the Performance Management Framework Review. The intention is to report performance information in a new format as the work is progressed.
- (c) That Members note the comments raised at the Transformation & Resources Overview & Scrutiny Committee held 19 November 2012.

Reasons

These monitoring reports provide information about the corporate performance of individual council services, alongside financial information. This report was presented to the Transformation & Resources Overview & Scrutiny Committee on 19 November 2012.

1. Background, Issues and Options

- 1.1 This report provides Members with a detailed update on how the Council has performed during the second quarter of 2012/13 by presenting performance data set in a financial context.
- 1.2 The Council approved a General Fund Revenue Budget of £14,260,980 on 22 February 2012. The actual position compared to this budget is continuously monitored by managers in order to detect any significant variances of expenditure or income from the approved amounts contained in the budget. Regular reports are made available to members by the Portfolio Holder for Finance and Budget Management informing them of the current position, highlighting any significant factors giving rise to variances.
- 1.3 A Capital Programme totalling £18,480,100, covering the two years 2011/12 to 2012/13, was approved at the same Council meeting. Of this total, £4,457,200 was estimated to be spent in 2012/13.
- 1.4 This report also provides detailed analysis of performance in the second quarter, focusing on key performance indicators.
- 1.5 A summary of the overall picture is presented in section 5 of this report. Performance is

progressing well, with the majority of targets currently met.

- 1.6 In section 5 there is also a list of comments raised at the meeting of the Transformation & Resources Overview & Scrutiny Committee on 19 November 2012.

2. **Revenue Budget Position**

- 2.1 The overall position at 30 September shows a favourable variance of £15,000. At this point in the financial year, we would have expected to have spent approximately £4.132 million: we have actually spent £4.117 million. Contributing factors to the variance include:

- Sources of income such as land charges, planning fees, market stall rents, commercial property rents and car park fees, continuing to yield less compared to what we would, in the past, have expected to receive up to this point in the year. Because we anticipated economic problems would continue in 2012/13 an allowance of £200,000 was included in the budget which will help to cover these shortfalls. After the offset of this allowance income is still significantly lower than the amounts expected.
- One main overspend has occurred in respect of Kidsgrove Sports Centre (£79,000) due to the part closure of the facility over the last 12 months as repair works have been carried out to the roof of the swimming pool.
- On the positive side, there have been a number of income sources whereby income has exceeded what we would have expected to receive up to 30 September, these include litter fines, Jubilee 2 income, burial fees and licensing fees.
- There are also significant savings on supplies and services and employee savings arising from factors including the non filling of a number of vacant posts.

- 2.2 With regard to Jubilee 2, the positive position recorded in the first few months after the centre opened up to the end of the previous financial year has continued. Last year income totalled £377,508 compared with the estimate of £340,142. Up to the end of period 6 this year, income totals £701,903, compared to the budget of £591,200 (due to increased usage of the facility), whilst expenditure totals £796,916, against expected spend at this point in the year of £715,905 (due to overspends including; casual salaries for overnight cleaning before cleaning contractor appointed - £26,000, 16 months NNDR charge - £41,000, utilities due to CHP unit not fully efficient - £15,000, cleaning chemical costs increased due to higher usage - £8,000, repairs and maintenance including chlorination of water system and water testing beyond business plan budget - £6,000).

3. **Capital Programme Position**

- 3.1 The Capital Programme approved by Council in February 2012 has been updated to take account of slippage in 2011/12. Where planned expenditure did not occur last year, this has been added to the budget for 2012/13 (apart from any cases where costs have been reduced or expenditure will no longer be incurred). The revised budget for capital projects in 2012/13 totals £5,418,300. The Capital Programme Review Group considered and agreed the revised Capital Programme at its meeting in early July and monitoring is now being carried out against this revised Programme.

- 3.2 £1,614,900 of the revised budget was expected to be spent by 30 September. Actual spending was £1,119,800. The variance of £495,100 is mainly accounted for by variances in relation to two projects, the Ecohomes project where the contribution for the installation of solar panels is still to be paid and Section 106 Works at Lowlands Road which is awaiting completion of environmental works.

4. **Investment Counterparties**

4.1 Investment counterparties with whom money is invested, as at 1 November 2012 are as follows (with the parent company shown in brackets, where applicable):

Halifax Bank of Scotland (*Lloyds Banking Group*)

Heritable Bank (*Landsbanki*)

Royal Bank of Scotland (*Royal Bank of Scotland Group*)

4.2 With regard to the Council's frozen investment in Heritable Bank, the total amount repaid now amounts to some £1,869,521, which is around 74% of the total that was frozen. The Administrators current prediction is that 86-90% of the £2,500,000 invested will be repaid.

5. **Performance**

5.1 The Corporate Performance ('dashboard') report is attached as Appendix A.

5.2 The information is presented in four sections against each priority.

5.3 There are measures detailing progress against our priorities and outcomes and the number of quarterly indicators is 27. This is an interim performance report which will be progressed and developed in line with a longer term aim – to identify and focus on key measures that we consider to be of a cross cutting nature and ensure progress against our outcomes over the coming years. The measures to be used in forthcoming reports for 2012-13 and to measure progress in the Council Plan 2013-14 to 2015-16, will be determined at outcome-focussed workshops and one-to one meetings held with relevant officers of the council.

5.4 The appendix comments on individual indicators where they raise an issue or where either a target has been met, or the direction of travel is not positive.

5.5 The proportion of indicators which have met their targets, based on data at the time of compiling this report, was 75%.

5.6 Positive performance can be seen in a range of services although it must be borne in mind that the results later in the year can be different and that some services have seasonal factors.

5.7 There are a very small number of areas listed in this report which are not on target, though none causes concern at present. In all cases, the management of the service is aware of the issues and are taking steps to deal with the situation. Further updates will be provided for Members in future reports.

5.8 The following comments were noted at the Transformation and Resources Overview and Scrutiny Committee on 19 November 2012:

- Positive variance for the revenue budget.
- A shortfall in the Parking income was noted.
- The figures for Jubilee 2 were considered.
- There were three indicators - Violence with Injury, Anti-social Behaviour and Serious Acquisitive Crime where partners had not set targets for 2012-13.
- Levels of Street and Environmental Cleanliness - an increase in littering offences was noted by Members and clarification requested as to the reason for the increase and

how the statistics were obtained. Also the need to determine whether it was an increase in litter offences or a problem of the issue not being dealt with.

- Percentage of major planning applications- the result was off target.
- Number of people accessing leisure and recreational facilities – result was off target.
- Average number of days lost due to staff sickness – result slightly off target.
- Number of cases where positive action was successful in preventing homelessness – members noted the good performance in this area of work.
- Number of invoices paid on time – members noted the positive result.
- Members queried when the new format report would be received.

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

6.1 All of these indicators link to corporate priorities.

7. **Legal and Statutory Implications**

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

8. **Equality Impact Implications**

There are no differential equality issues.

9. **Financial and Resource Implications**

9.1 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.

10. **Major Risks**

10.1 The current economic situation 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 chose whether or not to use Council facilities, such as car parking and other areas directly affected by the economic downturn, such as land charges and planning applications. The situation will be monitored through the normal budget monitoring procedures.

10.2 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.

10.3 The above represents a high level view of risk. There are detailed risk registers available if Members wish to see them.

11. **List of Appendices**

Appendix A - Corporate Performance ('dashboard')


12. **Background Papers**






Working papers held by officers responsible for calculating indicators.




Newcastle Borough Council – Qtr 2 Performance Report

Priority 1 - A clean, safe and sustainable borough where:

- Levels of safety will have improved, along with standards of public health:
- Vulnerable citizens and victims of crime will be provided with high quality support:
- The negative impact that the Council, residents and local businesses have on the environment will have reduced:
- Our streets and open spaces will be clean, clear and tidy:
- Town centres across the borough will be sustainable and safe:
- Working in partnership to support victims of anti-social behaviour, crime and domestic violence:
- Focus with partners on empowering local people in communities:






Indicator	Qtr 2 Result	Qtr 2 Target (if applicable)	Comments Qtr 2	2012/13 Target	Target Achieved in Qtr 2?
Number of food establishments which are broadly compliant with good hygiene law	91%	85%	Food business operators have demonstrated good compliance with legal requirements, the launch of the national food hygiene rating scheme and publicising hygiene scores have assisted in improving standards across businesses.	85%	
Violence with injury	193	N/A	Violence with injury incidents have increased by 16% from the previous quarter, which the police and the Community Safety Partnership are looking to address.	N/A	N/A
Anti-social Behaviour	1139	N/A		N/A	N/A
Serious acquisitive crime	156	N/A		Anti-social behaviour results have increased by 3% compared with the year to date figure of 2011-12. However the results for the Serious Acquisitive Crime indicator is down on the previous quarter result by 14%.	N/A

Indicator	Qtr 2 result	Qtr 2 target (if applicable)	Comments Qtr 2	2012/13 Target	Target Achieved in Qtr 2?
% of investment portfolio (NBC owned) which is vacant.	8.4	12%	The percentage for the second quarter is well within target. There are currently 15 properties vacant out of 179 properties owned by the council.	12%	
Levels of street and environment cleanliness			The results for this indicator are obtained from three surveys undertaken in quarters 2, 3 & 4 of 2012-13. The score is expressed as a percentage of the total number of sites surveyed which fall below the "acceptable" standard. The results of the surveys are analysed and the findings used to target the worst performing areas. The results in this first survey for litter are a little disappointing (12.09% against a target of 9%) the other 3 categories are broadly on or exceeding target. Analysis of the results has identified where resources and realignment of the service needs to take place to improve levels of street and environment cleanliness in the surveyed areas. The second survey inspections are now in progress and will be reported in the Qtr 3 report.		
a) litter	12.09%	9%		9%	
b) detritus	9.75%	9%		9%	
c) graffiti	2.48%	3%		3%	
d) fly-posting	0.50%	1%		1%	

Indicator	Qtr 2 result	Qtr 2 target (if applicable)	Comments Qtr 2	2012/13 Target	Target Achieved in Qtr 2?
The amount of residual household waste per household	107kg	112.5kgs	The figures stated for the two indicators are estimated at this time, with the results confirmed in due course.	450kgs	
Percentage of household waste sent for reuse, recycling and composting	57%	52%		52%	
Measure missed bin collections on all our routes	45.79	100	The number of missed bins remains low with performance continuing to be strong in this area.	100	



Priority 2 – A borough of opportunity where:

- Levels of worklessness will have reduced:
- Local people will be able to access opportunities for personal development and growth
- Housing will be available and accessible to meet a range of diverse needs
- Key parts of the borough will have been regenerated and there will have been overall economic growth

Indicator	Qtr 2 result	Qtr 2 target (if applicable)	Comments Qtr 2	2012/13 Target	Target Achieved in Qtr 2?
Number of cases where positive action was successful in preventing homelessness (from the P1E)	129	125	The NHA team have worked well again this quarter, with the number of service users receiving homelessness prevention assistance from the service exceeding the target.	500	
Continued engagement with the Family Employment Initiative (FEI)	140	135	The result for the half year is 276 people engaged against a target of 270. The details of engagement are as follows: Engagement target 27 per month (Qtr 2, 98 including 16 into voluntary work), Training target 9 per month (Qtr 2, 26), Employment target 9 per month (Qtr 2, 16).	540	
NI 157a Percentage of Major Planning Applications determined within time	70	75 (60)	The performance for major applications has not met the target with 7 decisions made out of a possible 10 in the first half year. This is a cumulative indicator and it should be noted that in the current quarter the result for decisions completed was 100%.	75 (60)	
NI 157b Percentage of Minor Planning Applications determined within time	88.9	85 (65)	The performance for minor applications has met the target. For the category of “other,” the performance for this quarter was marginally below the locally set target but exceeded the government target of 80% and so is still performing well. For the sake of clarity the national performance targets set by government have been shown in brackets against our locally set targets.	85 (65)	
NI 157c Percentage of Other Planning Applications determined within time	94	95 (80)		95 (80)	





Priority 3 – A healthy and active community where:





- People who live work, visit or study in the borough will have access to high quality facilities
- Levels of cultural activity and participation in the arts will have increased
- There will be a range of healthy lifestyle choices, resulting in an increase in participation in sport and physical activity
- Local people will be more able to work together to solve local problems
- Council services will be influenced by resident engagement, enabling local communities to shape services which directly affect their lives

Indicator	Qtr 2 result	Qtr 2 target (if applicable)	Comments Qtr 2	2012/13 Target	Target Achieved in Qtr 2?
Number of people accessing leisure and recreational facilities	271,388	285,000	The figure for usage at Jubilee 2 for the first six months continues to be high at 242,985, with the overall usage for facilities for the period being a total of 271,388. The usage figure for the service has not met the target in the second quarter. This is due to the impact of the pool closures at the Kidsgrove centre. Work is underway at the centre to re-commission the pools as soon as practical.	570,000	
Number of people visiting the museum	33,225	31,500	The figures for the second quarter have improved and are above the target set.	63,000	

Priority 4 – Becoming a Co-operative Council delivering high quality, community-driven services where:

- The Council will have increased the capacity and skills of its workforce
- Councillors will be community champions and powerful community advocates
- The Council will have delivered further efficiencies
- High performing services will be provided for all residents and customers
- The Council will be an open, honest and transparent organisation which undertakes regular consultation with its residents and listens to their views

Indicator	Qtr 2 result	Qtr 2 target (if applicable)	Comments Qtr 2	2012/13 Target	Target Achieved in Qtr 2?
Average number of days lost, per employee, to the Council through sickness	3.72	3.45	The indicator has performed well previously but is slightly off target during this quarter. This is due largely to the effect of a number of long term sickness cases. All sickness absence is continuing to be pro-actively managed with HR support.	6.9	
Percentage of invoices paid on time(within 30 days)	97.41	97	Performance is now slightly above target	97	
% projected variance against full year council budget	0.1%	No variance	Performance is in line with the target (£15,000 positive variance at period 6)	No variance	
% requests resolved at first point of contact	96.52%	75	Our performance continues to be well above target.	75	

Indicator	Qtr 2 result	Qtr 2 target (if applicable)	Comments Qtr 2	2012/13 Target	Target Achieved in Qtr 2?
% Unmet demand (number of calls not answered as a % of total call handling volume)	8	10	Performance is above target. This is a good achievement, given that the contact centre has recently added to its services by taking Leisure telephone calls.	10	
Percentage of Council Tax Collected (Cumulative)	52.9	50.11	Progress in the first half of the year has continued favourably with performance within the targets set.	97.5	
Percentage of NNDR collected	61.8	58.3		96	
Time taken to process Housing Benefit/Council Tax new claims and change events	11.51 days	13 days		10 days	

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BUDGET CONSULTATION

Submitted by: Head of Communications

Portfolio: Communications, Transformation and Partnerships

Ward(s) affected: All

Purpose of the Report

To provide Cabinet with information relating to the outcomes of the budget consultation process.

Recommendations

(a) Cabinet notes the outcomes of the budget consultation process.

(b) Cabinet authorises the Portfolio holders for Communications, Transformation and Partnerships and Budget and Financial Management to review the consultation process with the Head of Communications and consider how budget consultations could be developed for the future.

Reasons

The six-week process held during October and November was the first major budget consultation for a number of years. The responses and comments from the public – which are attached as an Appendix to this report - will help the borough council as it considers spending pressures and priorities over the next two financial years.

1. **Background**

- 1.1 In December 2004, the borough council took part in a budget consultation exercise with residents using a process called “SIMALTO” – Simultaneous Multi-Attribute Level Trade-Off. More than £15,000 was spent on the exercise which involved a private sector company carrying out interviews with residents and then also hosting a series of workshops and focus groups.
- 1.2 The findings of the consultation were reported to members for their consideration. Since that time there have been no further significant consultation exercises organised by the borough council as part of its budget deliberations.
- 1.3 Cabinet members agreed this year that a consultation exercise would be organised to enable residents to have an influence in shaping spending priorities for the financial years 2013/14 and 2014/15 with the council’s budget forecasts indicating savings of at least £2.5 million being required.
- 1.4 Members of the Cabinet agreed to lead the process with officers from the Communications Department – which has corporate responsibilities for consultation and engagement at the borough council - working alongside.

2. **Issues**

- 2.1 It was agreed at the beginning of the consultation that the process would try to deliver on three guiding principles. The goal was to be:-

- (a) Inclusive
- (b) Innovative
- (c) Extensive

2.2 *Inclusive – to try and engage with all sections of our community*

- (i) Focus on using a range of engagement channels – public meetings, face-to-face, electronic, social media, posters and flyers.
- (ii) Aim communications at all age groups.
- (iii) Discussions with partners and other key stakeholders

2.3 *Innovative – to try new and different consultation mechanisms*

- (i) Reception room one at the Civic Offices in Newcastle was turned into a “living room” for a day as part of a drop-in coffee morning session.
- (ii) A special budget edition “mini” Reporter was produced and distributed.
- (iii) A budget questionnaire produced and distributed with “Freepost” address. The special edition Reporter gave the financial context to the questionnaire and this is why it was distributed as a “pair” with the questionnaire itself. These are attached as Appendices B and C to this report.
- (iv) Pop-up adverts used on key landing pages on the council’s website.
- (v) Bluetooth and Wi-fi messaging used.

2.4 *Extensive – to try and carry out as much customer focused activity as possible.*

- (i) Seven public meetings arranged.
- (ii) 10 face-to-face events held.
- (iii) E-panel consulted.
- (iv) Special budget edition Reporters distributed.
- (v) All councillors given Reporters and questionnaires to distribute in their communities.
- (vi) Bespoke budget consultation content and questionnaire on council’s website – this was viewed by 1,229 unique users.
- (vii) Flyers and posters distributed.
- (viii) Young people contacted online.
- (ix) Discussion with Newcastle Partnership Strategic Board.
- (x) Press releases, media interviews, briefing notes produced to generate local coverage of the consultation.

2.5 The questionnaires asked residents to decide how important some key service areas were to them. They then had to mark the services on a five point scale with one end of the scale being “Of no importance” and the other end of the scale being “Extremely important.”

2.6 There was also an opportunity on the questionnaire for residents to outline other service areas - other than the 10 listed – which were important to them and also to indicate how they thought the council could save money.

2.7 In total, 635 questionnaires have been returned to the borough council. A detailed breakdown of the responses and comments is provided as Appendix A to this report.

2.8 However, as well as generating a significant number of responses, the process has also resulted in a significant amount of information being distributed throughout the borough which will raise awareness of budgetary issues at the borough council.

- 2.9 Of the total number of responses received, 393 were received through electronic channels; 91 were received through the post; 120 came from face-to-face sessions and 31 from public meetings.
- 2.10 By adding the “extremely important” and “important” responses together it can be seen that “Keeping streets and open spaces clean and clear” together with “Vibrant, active and safe town centres” were the two most important areas for those who responded to the questionnaire.
- 2.11 Using the same criteria, the survey shows that among those who responded “Cultural activity and promotion of the arts” and “Improving housing standards and choices” were the two least important areas.

3. Proposal and reasons for preferred option

- 3.1 As a result of the consultation process, the borough council has received a significant amount of up-to-date information from residents concerning their priorities for service areas.
- 3.2 This will undoubtedly play an important part in the budget setting process which the council began some time ago with budget service reviews involving all services at the council throughout the summer and more recently the publication of the Medium Term Financial Strategy.

4. Outcomes linked to Sustainable Community Strategy and Corporate Priorities

- 4.1 In its new Council Plan, the borough council includes for the first time the corporate priority of “Becoming a Co-operative Council delivering high quality, community driven services.”
- 4.2 One of the key outcomes which will undoubtedly enable the borough council to fulfil its obligations within that corporate priority is that it will be an “open, honest and transparent organisation which undertakes regular consultation with its residents and listens to their views.”

5. Legal and Statutory Implications

There is no legal or statutory duty on the council to carry out a consultation which relates to setting its budget.

6. Equality Impact Assessment

- 6.1 Although an Equality Impact Assessment was not carried out on the budget consultation exercise, the diversity of the channels used ensured there was no negative impact on any section of the borough’s community.
- 6.2 All of the work carried out was in line with the council’s Communications Strategy – which includes a section on consultation. This strategy and an associated Equality Impact Assessment was approved by Cabinet in March 2012.

7. Financial and Resource Implications

- 7.1 At its meeting on 30 October 2012, the Transformation and Resources Overview and Scrutiny Committee considered the issue of the budget consultation.
- 7.2 Members asked that some consideration be given by the council’s officers over the resources used during the consultation process and that this be reported to Cabinet and the

meeting of the scrutiny committee on 10 December when it was due to consider the outcomes of the consultation process.

7.3 As far as human and material resources are concerned, it is estimated that during the course of the budget consultation process:-

- 5,600 mini budget edition Reporters were distributed together with the same number of questionnaires.
- 3,100 A5 flyers promoting the consultation and events were handed out and 81 A3 posters displayed in shops, businesses and other public areas.
- A total of 44 hours were spent by staff in the production and printing of material associated with the consultation – mini Reporter, questionnaire, pop-ups, flyers and posters, website content.
- 28 hours were spent by staff distributing materials – flyers, posters to promote events.
- 45 hours were spent by a number of staff supporting Cabinet members at sessions with the public – the coffee morning, public meetings and face-to-face sessions. Some of these hours were paid overtime as they took place at weekends and in the evenings.
- Approximately 25 hours has been spent collating and evaluating data received during the process.

7.4 As far as finances are concerned, it is estimated that:-

- £600 has been spent on printed materials – all of this work has been carried out in-house by the council's design and print service.
- £130 spent on pop-up promotional banners.
- £425 on venue hire, transport costs, refreshments for those who attended the public meetings and face-to-face sessions.
- £45 for Freepost costs.

7.5 All of the costs identified above – including the overtime payments to staff – can be met from within existing budgets for consultation at the borough council.

7.6 As far as the human resources are concerned, the focus on the budget consultation has been very resource intensive both for Cabinet members and for the Communications Service at the borough council.

7.7 Cabinet members have been on hand at public engagements to ensure any political questions could be answered and dealt with. Presentations outlining the budget issues facing the council have also been delivered by the Cabinet Portfolio holder responsible for finance and budget management. Members have also been in attendance at the face-to-face sessions.

7.8 Devoting officer time to supporting the initiative has had an impact on the Communications Service as staff from all sections of the department have been involved in the events schedule. This has meant some lower priority work being re-scheduled, other elements being postponed and in some instances work has been cancelled such as pro-active media releases.

7.9 This has been a significant piece of work for the borough council and the first process of its magnitude as far as budget issues are concerned for eight years. If Cabinet is mindful to repeat budget consultation exercises on an annual basis then there is a reasonable

expectation that now the public has been given an opportunity to have some input there may be a greater response in future years.

- 7.10 With that in mind, it may assist the borough council if a “lessons learned” evaluation process took place involving the Portfolio holders for Communications, Transformation and Partnerships and Budget and Financial Management to review the consultation process with the Head of Communications and consider how budget consultations could be developed for the future.

8. **Major Risks**

There are no major risks associated with this report.

9. **Earlier Cabinet/Committee Resolutions**

There are no earlier Cabinet/Committee resolutions relevant to this report.

10. **Background Papers**

Appendix A is a detailed breakdown of the results of the budget consultation process which ran from Monday, 1 October to Friday, 9 November 2012.

Appendix B is a PDF of the four-page “mini” budget Reporter produced for the consultation.

Appendix C is a PDF of the questionnaire distributed as part of the process.

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Evaluation of Budget Consultation Responses

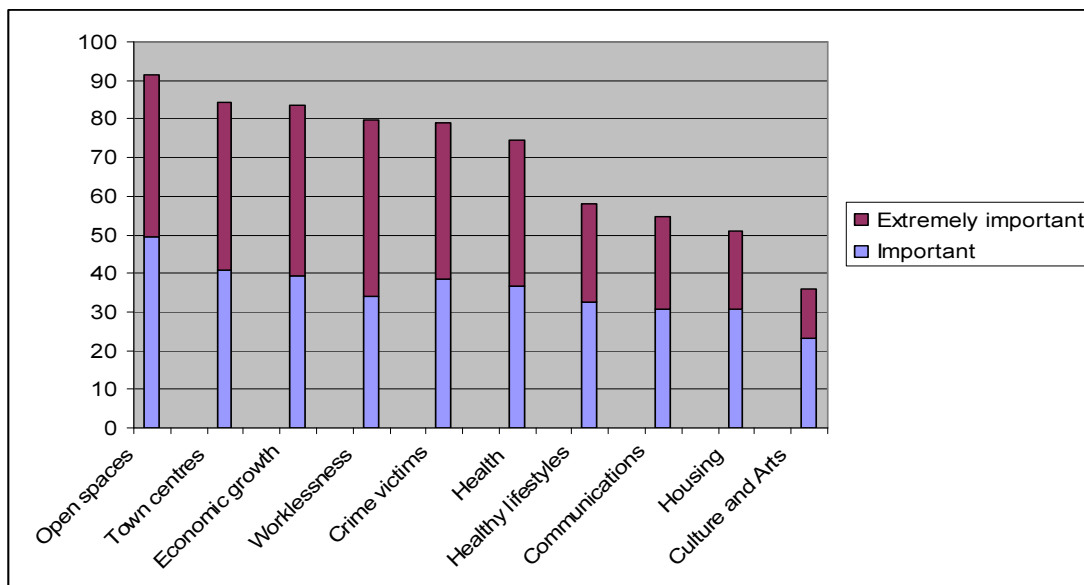
As the report to Cabinet indicates, the budget consultation process ran for six weeks from 1 October to 9 November 2012.

The first graph illustrates the relative levels of importance which residents who returned the questionnaire during the process placed on the 10 core themes.

The five categories used in the questionnaire were:-

- Extremely Important
- Important
- Neither nor
- Not important
- Of no importance at all

By adding the “extremely important” and “important” responses together, we can weight the 10 themes against each other in terms of their overall importance to the 635 residents who responded.



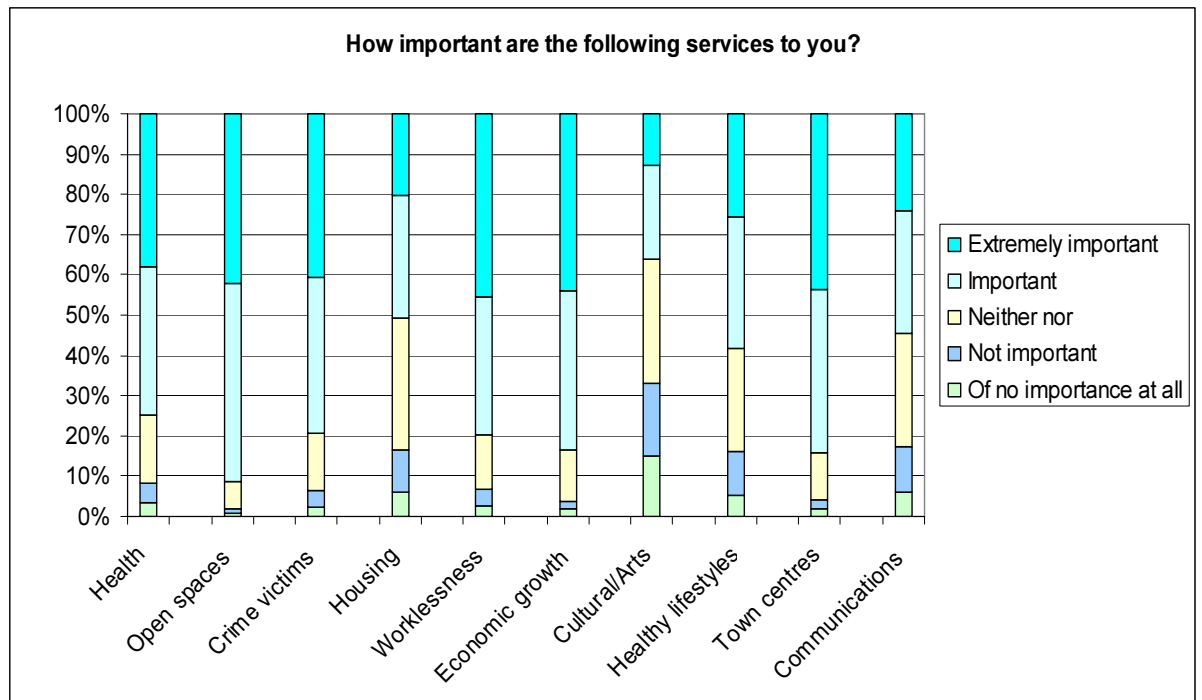
Analysis of this feedback shows three groupings of responses in terms of levels of importance.

In the upper group are economy and environmental issues with keeping streets and open spaces clean and clear; vibrant, active and safe town centres and promoting economic growth regarded as the three most important areas for residents.

In the next grouping are reducing worklessness; supporting victims of crime and vulnerable citizens and improving public health.

And in the final grouping, which could be assessed as being of lower importance, are promoting healthy lifestyles; improving the way the council communicates; improving housing standards and choices; cultural activity and promotion of the arts.

This second graph below shows how all 10 themes scored overall against each other in the five weighted areas.



As well as being asked to assess the importance of the 10 themed areas, residents who took part in the consultation were also asked to answer two supplementary questions.

Question One - Please tell us of any other services, not mentioned above, which are provided by the borough council and which are important to you.

Analysis and evaluation of these comments enables us to pinpoint some key themes which have emerged from residents who answered this question.

The first point of interest here is that the theme of economic regeneration and vibrant town centres is a theme which follows through from the “prompt” sections above through to this “unprompted” section where residents can raise points and issues of their choice.

A total of 23 people identified regeneration, particularly for the borough’s town centres, as an area which they regard as important.

The cleaner and greener agenda is also picked up strongly with this question. The single most common service identified as being important to residents - with 53 individual responses – was maintaining the level of the council’s national award winning recycling service.

The borough’s transport infrastructure – roads, clean and clear streets, maintenance of good public transport services and street lighting – emerged as another key area for residents with a combined total of 57 responses on these issues.

There was also a clear message from residents who answered the questionnaire that young people, play areas and leisure are important to them. In total, there were 37 separate responses which identified these as important.

Question Two - *How do you think the council could save money?*

There was a much more diverse response to this particular question however, analysis does point to a cluster of themes once more.

Encouraging the council to be more efficient and effective is certainly a common theme put forward through a variety of comments.

This theme covers a range of comments from residents and includes reducing bureaucracy and being more efficient (combined total of 28 comments); working more effectively with the Third Sector (16); shared services and greater collaboration with other councils (15); collecting all fines and taxes efficiently (13).

Reducing the level of recycling services offered in the borough (13) and scaling back initiatives for young people were also put forward (12).

A number of residents also urged the council to consider carefully the issue of staff and overheads. There seemed to be an appetite from residents who returned the questionnaire for “cuts” both in terms of council staff related issues but also councillor related issues. However, it must be said that there is nothing sitting below the headline comments which offers greater insight into the reasoning behind the proposals.

The Consultation Process

As the main report to Cabinet indicates, this is the first time in eight years that the borough council has carried out a significant exercise relating to budget consultation.

As a result, levels of participation may be expected to grow in future years if the consultation process becomes a more recognised and regular feature of the Budget setting process in Newcastle-under-Lyme.

The report also highlights the substantial amount of work which has gone in to generate the 635 responses received. The number of people eligible to vote in the borough is 97,669 so the level of returns represents less than one per cent of that total.

So, although the responses should be treated with a degree of caution, the total number of 635 still provides Cabinet with a substantial body of evidence for it to consider in its Budget deliberations.

Moving forward, one of the recommendations being considered by Cabinet is that a “lessons learned” process involving key portfolio holders and officers takes place. This would most certainly help Cabinet identify how the process can be improved if Members decide to repeat the consultation on a more regular basis.

Conclusion

From the consultation, we can conclude that residents have clearly identified six areas at the top end of their scale of importance – open spaces; town centres; economic growth; employment; supporting victims of crime and health.

This mirrors the key streams of work which are already under way at the borough council as identified in the Council Plan and also key strategies approved by the authority.

Phil Jones
Head of Communications

SPECIAL BUDGET EDITION

This has been produced as part of a consultation exercise which Newcastle-under-Lyme Borough Council is running from 1 October to 11 November.

The purpose of this exercise is to find out what local people think about some really important things linked to their Council Tax bills.

You probably already know from the television and newspapers that the Government has been reducing the amount of money it gives councils for local services.

The huge cut in support from Government means there is less to go round so your borough councillors need to prioritise where money is spent. Reduced cash for councils inevitably means we can't go on doing everything that has been done before.

But before the borough council makes any decisions, we want to hear what you have to say first.

This consultation exercise will enable you to do that and to make your voices heard BEFORE any decisions on where to spend money are made.

And once your borough councillors have heard what you have to say in this consultation exercise, they will then sit down and make some tough decisions on where to prioritise what your cash is spent on locally.



Cllr. Gareth Snell
 Leader of the borough council



Cllr. Mike Stubbs
 Cabinet member for finance and budget management

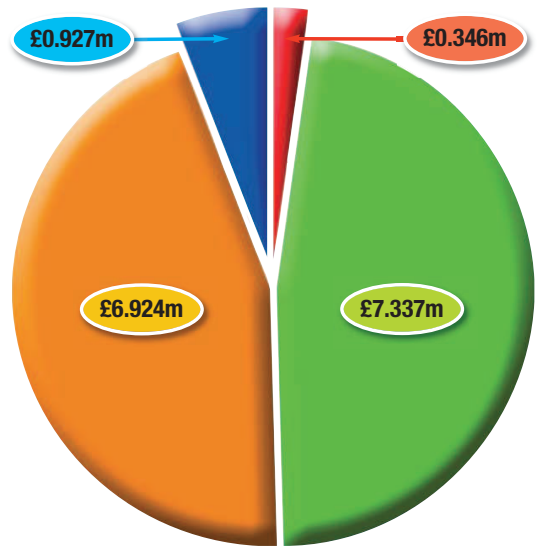
Council Tax - the facts...

An average household in Newcastle-under-Lyme pays **£1,450.99** in Council Tax each year.

The borough council collects all of this money from residents - but we only keep 12 per cent (**£176.93**) to pay for the services we run. The rest goes to:-

- **Staffordshire County Council £1,028.81**
- **Staffordshire Police £177.61**
- **Staffordshire Fire and Rescue Service £67.64**
- **Plus parish and town council precepts if you live in areas where they are in place.**

Where the money comes from...



- Council Tax paid by you
- Contributions from council reserves
- Non-specific grants such as the one-off Council Tax freeze grants
- Central Government funding

How you can get involved

FACE-TO-FACE MEETINGS

MONDAY 1 OCTOBER	11AM TO 2PM	KING STREET, KIDSGROVE
FRIDAY 12 OCTOBER	11AM TO 2PM	TESCO, KIDSGROVE
SATURDAY 13 OCTOBER	10AM TO MIDDAY	MUSEUM, BRAMPTON
FRIDAY 19 OCTOBER	10AM TO 3PM	FARMERS' MARKET, NEWCASTLE
FRIDAY 26 OCTOBER	10AM TO 3PM	OUTSIDE GUILDHALL, NEWCASTLE
SATURDAY 3 NOVEMBER	10AM TO MIDDAY	JUBILEE2, NEWCASTLE TOWN CENTRE
MONDAY 5 NOVEMBER	11AM TO 2PM	KEELE UNIVERSITY, CHANCELLOR'S BLDG
THURSDAY 8 NOVEMBER	11AM TO 2PM	KEELE UNIVERSITY, STUDENTS' UNION

PUBLIC MEETINGS

WEDNESDAY 3 OCTOBER	6.30PM TO 7.30PM	KIDSGROVE TOWN HALL
MONDAY 8 OCTOBER	6.30PM TO 7.30PM	WYE ROAD COMMUNITY CENTRE, CLAYTON
THURSDAY 11 OCTOBER	6.30PM TO 7.30PM	RAMSEY RD COMM. CENTRE, CROSS HEATH
WEDNESDAY 24 OCTOBER	5.30PM TO 6.30PM	WHITFIELD COMM. CENTRE, THISTLEBERRY
FRIDAY 26 OCTOBER	6.30PM TO 7.30PM	CHESTERTON COMM. CENTRE, LONDON RD
WEDNESDAY 31 OCTOBER	6.30PM TO 7.30PM	MADELEY CENTRE
TUESDAY 6 NOVEMBER	6.30PM TO 7.30PM	AUDLEY METHODIST CHAPEL

OR have your say on our website www.newcastle-staffs.gov.uk/budget
 OR collect a budget consultation form from the Guildhall, Kidsgrove Customer Service Centre, the Madeley Centre, Jubilee2, Kidsgrove Leisure Centre and the Civic Offices.
 Fill it in and send it back to us FREE.

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

Corporate Expenditure ✧

Interest and Investment Income
Investment Properties
Pension Liabilities Account

Highways, Roads and Transport ✧

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

THIS IS HOW WE SPEND THE MONEY

Newcastle-under-Lyme Borough Council currently spends £15.5 million providing our services to you.

From this £15.5 million we need to save approximately £2.5 million - a reduction of 16%, in the budget setting process for 2013/14 and 2014/15. (£2.5 million in total).



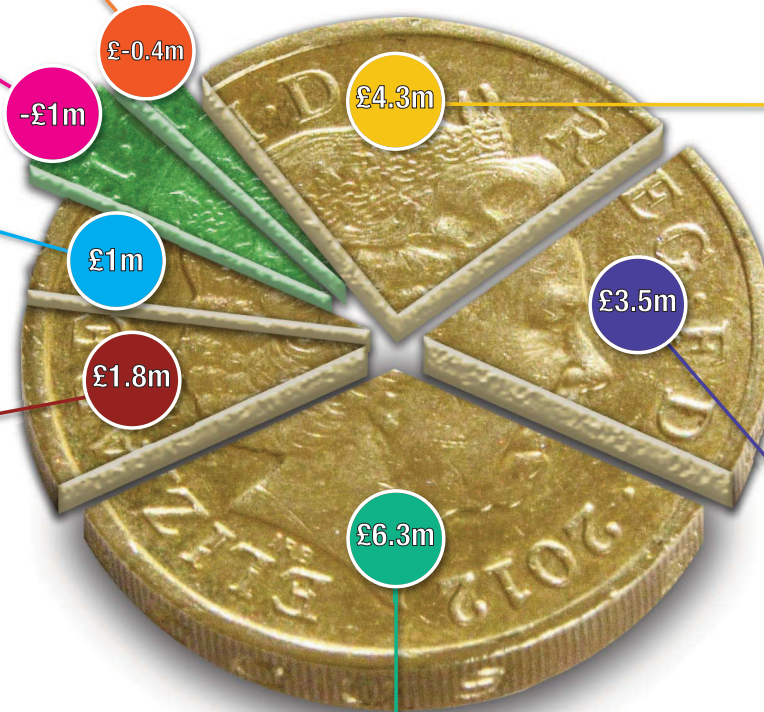
Housing Services

Housing Strategy
Housing Advice
Housing Advances
Homelessness

Private Sector Housing Renewal
Housing Benefit Payments
Housing Benefit Administration
Enabling
Licensing of Private Sector Landlords

Planning Services

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



Central Services

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



Cultural Services

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

Environmental Services

Cemetery and Cremation Services
Environmental Protection
Pollution Control
Environmental Crime
Food and Safety
Public Conveniences
Licensing
Dog Warden Services

Infectious Diseases
Pest Control
Public Health
Water Safety
Community Safety - Crime Reduction
Community Safety - CCTV
Community Safety - Safety Devices
Footpath Lighting
Flood Defence and Land drainage
Street Cleansing

Waste Collection
Recycling
Waste Disposal
Waste Strategy
Trade Waste
Waste Minimization
Climate Change Costs
Environmental Management and Support Services
Streetscene



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LOCAL ENTERPRISE PARTNERSHIP – PLANNING CHARTER MARK

Submitted by: Executive Director - Regeneration & Development

Portfolio: Planning, Regeneration and Town Centres

Ward(s) affected: All

Purpose of the Report

To give Cabinet the opportunity to decide whether or not the Council should sign up to aspire to achieve a Planning Charter Mark that has been developed by the Stoke on Trent & Staffordshire Local Enterprise Partnership (LEP). The LEP is seeking commitment from local authorities to adopt the 'Red Carpet approach' to businesses by delivering against a set of five outcomes (detailed below).

Recommendations

- (a) That the Council should sign up to the LEP's Planning Charter Mark on the basis set out in this report.**
- (b) That the LEP be informed of the council's decision and be invited to keep under review the council's current decision-making processes, procedures and performance in relation to planning applications for development relating to the safeguarding and/or growth of jobs with a view to achieving continuous improvement.**
- (c) That the Planning Committee be advised of this decision and asked to introduce specific monitoring of business-related planning applications into its current performance monitoring regime.**
- (d) That officers bring forward proposals to a future meeting of Cabinet on the steps that are likely to be required to achieve Planning Charter Mark status in 2013.**

Reasons for recommendations

The outcomes identified by the LEP are desirable and would be considered to be the qualities of a good planning service. Additionally the said outcomes would be consistent with the Council's priority around promotion of a borough of opportunity.

1. Background

- 1.1 Members will be aware that LEPs are the relatively new bodies that promote enterprise and deliver economic growth and jobs following the abolition of the Regional Development Agencies. These bodies are business-led and include representation from local authorities. This Council is part of the Stoke-on-Trent & Staffordshire LEP. Councillor Boden, the Deputy Leader is a member of the LEP Board.
- 1.2 Last year the Stoke on Trent and Staffordshire LEP announced an intention to devise what they termed a Planning Charter Mark which would be awarded to Local Authorities that have met its requirements. They held a seminar/workshop in October 2011 for LEP members and representatives from Local Planning Authorities across Staffordshire at which they presented evidence from the experience of the Stoke on Trent and Staffordshire business community with the planning system. One of the purposes of the seminar was to explore the potential of a Charter Mark. At their meeting on 14 December 2011, the LEP adopted the Planning

Charter Mark, and this was formally launched at an LEP event held on the 9th February 2012.

- 1.3 The LEP see the proposed Planning Charter Mark as a process that will encourage economic growth and job creation in the LEP area. The Borough Council has been invited to sign up to this process.
- 1.4 The LEP seeks certain 'outcomes' to be delivered by the Local Authorities. The LEP do say that they are not being prescriptive about exactly how these outcomes will be delivered but they have suggested proposals which are detailed below that they consider meet the needs of businesses, based upon a confidential survey they undertook of businesses.
- 1.5 The Stoke and Staffordshire Red Carpet is described as a process which provides single points of contact, individual case officers and a streamlined process for business development, inward investment and planning
- 1.6 The LEP indicate that the red carpet approach *"requires the whole organisation to acknowledge the importance of sustainable economic growth."* In terms of Local Authority functions the focus of the Charter is the Planning system. Nevertheless there is a clear message in this statement about the LEP's expectation that councils will support economic growth in exercising all of its functions. The recent Peer Review process highlighted the importance of aligning the strategies and policies of regulatory functions (including the related decision-making processes) with the council's corporate priorities. Given that "a borough of opportunities" is one of this council's priorities the policy framework is in place to achieve the LEP's objective
- 1.7 Members should be aware that there are a number of systems/measures in place to capture and manage development enquiries including both member and officer forums for considering pre-application proposals for major development schemes. Also the Council subscribes to the Stoke-on-Trent and Staffordshire Inward Investment Service, including regular officer support.
- 1.8 Turning back to the Planning Service the LEP suggest that *"every part of the planning process from initial enquiry to issuing the decision should be focussed on the importance of securing economic growth, and that this should ensure that incoming and existing businesses will receive clear advice so that they can plan for their future needs and secure the permissions that they need in a timely fashion"*.
- 1.9 The LEP has put together the following proposals as a way of meeting the concerns of businesses:

"Outcome 1 – Clarity and consistency

A clear statement of the Local Planning Authority's strategy for economic growth that business can be rely on to be followed in every case and a single point of contact for guidance and advice

Outcome 2 – Effort and focus

Local Planning Authorities to have a process review with a customer feedback element. The review should address ways to prioritise applications that deliver jobs and growth and help applications succeed rather than find reasons for them not to succeed. Ideally the process will deliver pre-application advice within 4-6 weeks, focus on business needs and explore all avenues for a satisfactory outcome, even if it results in refusal. There should be dialogue to identify potential sticking points and resolve them

Outcome 3 Competence and respect

LPAs to adopt a formal training regime to support all committee members and ensure that they have an adequate and up to date knowledge of the planning system and an understanding of appropriate demeanour at planning committee. Special training and support for Chairs of Planning Committees

Outcome 4 Accuracy and fairness

LPAs to ask if there are any disputed matters of fact after debate at committee, before making the decision

Outcome 5 Dialogue and understanding

Central to the whole initiative, the LEP will promote face to face workshops with officers and members of the LPAs and representatives of the business community to build mutual understanding. This will enable closer and more co-operative working and lead to more appropriate and better quality schemes being brought forward”

2. **The Next Steps**

- 2.1 Local Authorities are invited to sign up to the process. If they do so they will receive the Red Carpet Charter Mark when they have adopted measures to deliver the ‘outcomes’, and thereafter in subsequent years retention of the Charter Mark will depend upon sustained and measurable improvements in the service experienced by businesses.
- 2.2 The LEP indicate that they are seeking commitment from Local Authorities to adopt the red carpet approach by delivering the outcomes set out above. They say these outcomes are not definitive and that other action and existing good practice that can be demonstrated to deliver these outcomes would be equally welcomed by them.

3. **Issues**

- 3.1 Members will be aware of the Planning for Growth Statement issued by the Minister of State for Decentralisation in March 2011. The approach set out in the LEP’s Planning Charter Mark is consistent with the Government’s approach to encouraging sustainable economic development. Additionally, as indicated above, one of the Council’s four corporate priorities (‘borough of opportunity’) seeks to achieve a similar outcome.
- 3.2 With respect to the outcomes identified by the LEP it is difficult to dispute that they are desirable and would be considered to be the qualities of a good planning service.
- 3.3 Whilst the adoption of a ‘red carpet approach’ to businesses in the sphere of economic regeneration – with the emphasis on a streamlined and effective response to enquires - is perfectly reasonable and indeed has been the approach of this Authority for many years, caution does need to be exercised with respect to the determination of planning applications. Local Planning Authorities are required by law to determine planning applications in accordance with the provisions of the approved development plan and any other material planning considerations relevant to the development. So in simple terms development proposals which would enable the safeguarding and/or growth of jobs should normally be approved in cases where they raise no material conflict with relevant planning considerations. All other things being equal it is reasonable for the LEP to expect local planning authorities to administer the process/systems to make speedy and positive decisions in such cases. That said it would be important for the Council to avoid any impression being given that favourable consideration will automatically be given to proposals from businesses, as that could lay it open to challenge, particularly in cases where such proposals are contrary to important development plan policies.

- 3.4 Giving an explicit priority to the determination of applications that deliver jobs and growth, and similarly to enquiries for such types of development, whilst it could well lead to concern by other applicants and enquirers, is a matter for the Council to decide to do if it wishes. In practice it may be somewhat difficult to determine which types of development do not fall within this category – in that almost all forms of proposals have some economic impact. Business applications would undoubtedly include both employment generating uses and housing developments.
- 3.5 In considering this particular point it is noteworthy that this council is maintaining above average performance in the processing of all planning applications and there is no evidence of complaints about determination timescales. So perhaps at this stage members might want to reassure the LEP in this regard but offer to monitor decision-making on business-related planning applications.
- 3.6 The proposal seeks active and positive engagement by the Authority with the business community to seek to resolve problems with proposals where this is achievable within the context of relevant planning policies. On that basis it would be entirely appropriate for the Council to aspire to the LEP Planning Charter Mark.
- 3.7 The resource implications of this will very much depend upon the nature of the proposals that come forward. One of the LEP proposals – that the Authority undertake a process review with a customer feedback element - would inevitably require some diversion of resources away from current tasks. Previous experience of similar reviews – such as the Lean Systems Review undertaken in 2008/2009 – indicates that such exercises can be resource demanding, although the intention is to provide longer term benefits following such a review. However it is not expected that aspiring to the Charter would lead to any long term financial savings, if the intention is to identify business customer requirements and aspire to meet them. To the contrary, seeking to meet such expectations – as to the level of service – may have cost implications.
- 3.8 Therefore rather than adopting a knee-jerk response on this point your officers would recommend inviting the LEP to review our current processes, procedures and performance record in order that any potential areas for improvement can be considered in a more focussed manner.
- 3.9 With respect to the detailed proposals advanced by the LEP some further comments are considered necessary.
- 3.10 The LEP refer in the context of **Outcome 3 (Competence and respect)** to the need for members to be provided with training so that they have both an adequate and up to date knowledge of the planning system and “*an understanding of appropriate demeanour at Planning Committee*”. The LEP in later correspondence with one of the other Staffordshire districts have elaborated as follows:
- “The reference to appropriate demeanour at planning meetings has come directly from the initial business evidence. Unfortunately at some Planning Committee, members have been known to behave inappropriately with pre-determination, inappropriate comments, not reading reports, etc.... it does happen in Staffordshire and the LEP has to try and improve this”.*
- 3.11 The Planning Committee has already agreed that there should be the provision of mandatory training for members of the Planning Committee, although it is some time since that occurred and the need to move forward on that is recognised by your officers. In the context of such mandatory training the level of experience and knowledge of the Committee Chair would inform the need for any additional special training to be undertaken by the Chair as the LEP

seeks. Nevertheless the over-arching principle of having suitably trained members on this important regulatory committee is accepted.

- 3.12 It is noted that the LEP suggest with respect to **Outcome 4 (Accuracy and fairness)** that Local Planning Authorities should introduce a procedure whereby applicants are given an opportunity, at the end of the Committee's debate, to challenge any matters of fact which they dispute. Again in subsequent correspondence the LEP maintain that there is evidence of planning decisions being made on inaccurate material facts, and an example is quoted. The LEP have clarified that they are asking that *"in committee, after the debate, the Chairman checks for accuracy of material facts, with the applicant and objector, before the planning officer sums up and before the vote"*.
- 3.13 This would be a significant change from the Planning Committee's existing procedures. If something that is plainly factually incorrect has been said during the debate whether by a Member of the Committee or by a member of the public i.e. an immaterial consideration has been referred to and may be taken into account by members, it is already the responsibility of the attending case officer to draw this to the attention of the Committee, and for the Chairman to permit such a correction to be made. Your Officer's view is that the suggested procedural change is unnecessary, and may lead to unnecessary delays and the re-opening of debate. Consequently your officers would not recommend making any procedural change at this stage in the absence of any evidence of such poor decision-making. It is recommended that the LEP be invited to review the council's current decision-making procedure to satisfy themselves that it is consistent with the objective of Outcome 4. Additionally it is considered that pro-active monitoring (as recommended at paragraph 3.4) would enable the committee and the LEP to keep this matter under review.
- 3.14 It would be important in indicating this Council's intention to aspire to the LEP Planning Charter Mark to make clear this position to the LEP.
- 3.15 The Planning Committee's views on the proposal are being sought on the 4th December and will be reported to Cabinet.

4. **Options Considered**

- 4.1 Do nothing – whilst your officers feel that the efficiency and quality of decision-making on business related planning applications is satisfactory, to not sign-up to the Charter may undermine the council's credibility in the eyes of not only the LEP but the wider business community and government.
- 4.2 To sign up to the LEP's Planning Charter Mark process unconditionally – whilst this option might be preferred by the LEP it may result in the introduction of unnecessary and inefficient changes to procedures and practices.
- 4.3 To sign up to the LEP's Planning Charter Mark in terms of the overall spirit and intent – this option would enable the council to send a positive message to the LEP about our support for the principle of the Charter whilst affording us the opportunity to satisfy them about our decision-making approach in relation to planning applications for business-related development.

5. **Proposal/Preferred Option**

- 5.1 The preferred option is set out at paragraph 4.3, namely that Cabinet agrees that Council should sign up to the LEP's Planning Charter Mark on the basis set out in this report.

- 5.2 That the LEP be informed of the council's decision and be invited to keep under review the council's current decision-making processes, procedures and performance in relation to planning applications for development relating to the safeguarding and/or growth of jobs, with a view to achieving continuous improvement.
- 5.3 That the Planning Committee be advised of this decision and asked to introduce specific monitoring of business-related planning applications into its current performance monitoring regime.
- 5.4 That officers bring forward proposals to a future meeting of Cabinet on the steps that are likely to be required to achieve Planning Charter Mark status in 2013.
6. **Reasons for Preferred Solution**
- 6.1 The outcomes identified by the LEP are desirable, not least because they are broadly consistent with the council's corporate priority around the promotion of the borough of opportunity and would be considered to be the qualities of a good planning service.
7. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**
- Promoting a cleaner, safer, and sustainable Borough
 - Promoting a borough of opportunity
 - Transforming our council to achieve excellence
8. **Legal and Statutory Implications**
- None have been identified.
9. **Equality Impact Assessment**
- No adverse impact has been identified.
10. **Financial and Resource Implications**
- At this stage there are no known financial or resource implications arising from the recommendations.
11. **Major Risks**
- None identified relating directly to this report.
12. **Key Decision Information**
- Not a key decision.
13. **Earlier Cabinet Resolutions**
- None.