

Public Document Pack

Date of meeting Wednesday, 5th June, 2019
Time 2.00 pm
Venue Astley Room - Castle House
Contact Geoff Durham 01782 742222



**NEWCASTLE
UNDER LYME**
BOROUGH COUNCIL

Castle House
Barracks Road
Newcastle-under-Lyme
Staffordshire
ST5 1BL

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 5 - 8)

To consider the minutes of the previous meeting.

There is an amendment to Minute item 6, which should read:

That the Chief Executive be authorised to enter into a contract by direct award (and inform the Cabinet member for Environment and Recycling), to a known and previously used supplier for the delivery of technical consultancy work required to meet Ministerial Directive relating to Air Quality deadline of 31st October 2019.

4 NEWCASTLE-UNDER-LYME TOWN CENTRE MARKET

(Pages 9 - 30)

5 ATTENDANCE MANAGEMENT POLICY

(Pages 31 - 48)

6 MUTUALLY AGREED RESIGNATION SCHEME (MARS)

(Pages 49 - 60)

7 SINGLE USE PLASTICS

(Pages 61 - 76)

**8 FINANCIAL AND PERFORMANCE MANAGEMENT REPORT TO
END OF QUARTER FOUR (January-March) 2018-19**

(Pages 77 - 86)

9 FORWARD PLAN

(Pages 87 - 92)

10 URGENT BUSINESS

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

11 DISCLOSURE OF EXEMPT INFORMATION

To resolve that the public be excluded from the meeting during consideration of the following reports, because it is likely that there will be disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972.

12 ATTENDANCE AT CABINET MEETINGS

Councillor attendance at Cabinet meetings:

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

Public attendance at Cabinet meetings:

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

Members: Councillors S Tagg (Chair), M. Holland, T. Johnson, P. Northcott, S. Sweeney and J Waring

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

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

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

NOTE: THERE ARE NO FIRE DRILLS PLANNED FOR THIS EVENING SO IF THE FIRE ALARM DOES SOUND, PLEASE LEAVE THE BUILDING IMMEDIATELY THROUGH THE FIRE EXIT DOORS.

ON EXITING THE BUILDING, PLEASE ASSEMBLE AT THE FRONT OF THE BUILDING BY THE STATUE OF QUEEN VICTORIA. DO NOT RE-ENTER THE BUILDING UNTIL ADVISED TO DO SO.

CABINET

Wednesday, 24th April, 2019
Time of Commencement: 2.00 pm

Present:- Councillor Simon Tagg – Chair

Councillors M. Holland, T. Johnson, P. Northcott, S. Sweeney and J Waring

Officers Executive Director Operational Services- David Adams,
Geoff Durham - Mayor's Secretary / Member Support Officer, Interim
Executive Director - Resources and Support Services - Jan Willis,
Chief Executive - Martin Hamilton,
Janet Baddeley - Communications Manager and
Nick Moore - Information Officer

1. APOLOGIES

There were no apologies.

2. MINUTES

Resolved: That the Minutes of the meeting held on 20 March, 2019 be agreed as a correct record.

3. DECLARATIONS OF INTEREST

There were no declarations of interest stated.

4. NEWCASTLE-UNDER-LYME TOWN CENTRE GROWTH

A report was submitted to Cabinet seeking agreement to an extensive programme for regeneration and economic growth of Newcastle-under-Lyme Town Centre.

The Leader, Councillor Simon Tagg introduced the report drawing Members' attention to paragraph's three and four which set out the plans for a 'Healthy High Street' and the need for diversification of land use in the town centre.

The Deputy Leader, Councillor Stephen Sweeney agreed with everything within the report and stated that he had visited the town centre over the Easter weekend and the Borough's market stalls were in use with very few unoccupied. The Market had a future and a meeting was to be held with stall holders to discuss their requirements.

With regard to car parking, a report would be brought to a future Cabinet meeting proposing ideas for the future.

Councillor Sweeney said the days of just retail had gone and that Newcastle needed a town centre for 'work, rest and play'.

The Portfolio Holder for Environment and Recycling, Councillor Trevor Johnson said that Streetscene were doing a tremendous job in the town centre, especially with the rough sitter programme.

The Portfolio Holder for Planning and Growth, Councillor Paul Northcott was encouraged by the report and acknowledged the importance of appropriate governance and delivery mechanisms. Branding and marketing of the town was also important.

The Portfolio Holder for Community Safety and Wellbeing, Councillor Jill Waring said that it was vitally important to make the town centre safe and comfortable. The cctv cameras were currently being looked at for upgrading /increasing which would benefit everyone from visitors to the town centre to the police.

The Portfolio Holder for Leisure, Culture and Heritage, Councillor Mark Holland welcomed the report stating that the reinvigoration of the Market was very important and Newcastle needed to continue as a market town. Further, the profile of the Town needed raising to bring in people from outside of the area, giving people a reason to visit and, to return.

Councillor Tagg proposed a fourth recommendation to produce a prospectus which would set out what the Council planned to do. This could then be passed to the BID to put out to businesses.

Councillor Tagg stated that this was a two town Borough – Newcastle and Kidsgrove and a Kidsgrove version of this was being put together.

- Resolved:**
- (i) That the strategic approach set out in the report be approved.
 - (ii) That the programme of action set out in the report be approved.
 - (iii) That the leadership and delivery mechanisms described in section 5 of the report be established, and that partner agencies be invited to play an active role.
 - (iv) That a prospectus setting out the Council's objectives be produced

5. RECOGNITION AGREEMENT

A report was submitted to Cabinet informing Members that a Recognition Agreement had been written and consulted on with the recognised Trade Unions and seeking approval of the revised document.

The Leader introduced the report drawing Members' attention to paragraph one which outlined the background of the Agreement and paragraph three which gave an update of what had happened leading up to the signing of the Recognition Agreement in March, 2019, by all parties.

One of the Council's priorities was to 'Transform the Council' and this document was the building block for this.

Councillor Sweeney stated that he had attended the first meeting in December, 2018 and drew Members' attention to paragraph two which identified issues which had been encountered by the Trade Unions.

Councillor Holland stated that good industrial relations were essential to the Council.

The Leader expressed his thanks to Councillor Bert Proctor who sat on the Committee, stating that his background and experience in this field was invaluable.

Resolved: That the revised Recognition Agreement be approved.

6. AWARD OF AIR QUALITY LOCAL DEVELOPMENT PLAN - TECHNICAL CONSULTANT CONTRACT

A report was submitted to Cabinet seeking approval of the procurement approach taken and awarding of a contract for the Air Quality Local Development Plan Technical Consultant work.

The Portfolio Holder for Environment and Recycling, Councillor Trevor Johnson introduced the report drawing Members' attention to paragraph four.

Councillor Johnson stated that the costs of the study would be met by DEFRA, via a grant. So far, a grant commitment of £500,000 had been provided for completion of the Plan.

Councillor Holland supported the report, stating that it was important to move forward and to seek a way of avoiding charging for a Clean Air Zone.

Resolved: That the Cabinet member for Environment and Recycling, in consultation with the Chief Executive, be authorised to enter into a contract by direct award to a known and previously used supplier for the delivery of technical consultancy work required to meet Ministerial Directive relating to Air Quality deadline of 31st October 2019.

7. URGENT BUSINESS

There was no Urgent Business.

COUNCILLOR SIMON TAGG
Chair

Meeting concluded at 2.25 pm

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

Date 5 June 2019

1. **REPORT TITLE** Newcastle-under-Lyme Town Centre Market
- Submitted by:** Markets and Regeneration Officer
- Portfolio:** Portfolio Holder - Finance and Efficiency
- Ward(s) affected:** Town directly (and wider Borough indirectly)

Purpose of the Report

To update Members on progress with the review of the management and operation of the market in Newcastle town centre and seek authority to progress actions arising so far as a result of the review.

Recommendations

- a) That authority be delegated to the Chief Executive in consultation with the Portfolio Holder to progress with officers and other interested parties a programme of market improvement arising from the National Association of British Market Authorities' review of Newcastle-under-Lyme market.

Reasons

To revitalise the market function in Newcastle-under-Lyme town centre and contribute to delivery of the Council's Healthy High Street programme of work.

1. **Background**

- 1.1 At its meeting of November 2018 Cabinet resolved to review the management and operation of the market in Newcastle town centre in co-operation with local interested parties. It additionally resolved to seek the views of the Economic Development and Enterprise Committee as a part of the review. A range of review activity has been undertaken, and key elements of the consultation are now complete. These are detailed further below.
- 1.2 A consultation with the general public was conducted by the Council's Communications Team in co-operation with members of the Council's Market Team (Appendix 1). This attempted to reach both people who shop in the market currently and also those who use the town centre but do not shop on the market. For those who shop on the market the consultation asked what was valued about the market and also what could be improved. For those who do not shop on the market it asked why this was the case and what might attract them as market shoppers. The consultation closed in February 2019.
- 1.3 Consultation with market traders was completed with the support of the National Association of British Market Authorities (NABMA) who attended the market in February to conduct semi-structured interview with a number of market traders.

1.4 The findings of the public consultation were considered at the March 2019 Economic Development and Enterprise Scrutiny Committee and a number of proposals were made by this committee which have been considered in the programme of work going forward.

2. **Issues**

2.1 The market is considered to be an integral part of the town centre offer and contributes to the overall retail experience for local people and visitors to enjoy. The market has however declined in recent years with a number of vacant stalls dominating the southern end of the market.

2.2 At its April 2019 meeting Cabinet considered a programme for the regeneration and economic growth of Newcastle-under-Lyme town centre. This report proposed a Healthy High Street programme of work which included re-invigorating the market through preparation of an action plan with the Market Traders and the BID. The actions proposed in this report support the Health High Streets programme of work.

2.3 Newcastle's town centre has suffered economically, alongside most town centres across the UK, driven by changing shopping habits, and the migration of major foot-fall generating stores to out of town locations. Town centres have, historically, weathered many economic changes, evolving and refocussing to meet emerging needs. As Newcastle-under-Lyme Borough Council prepares to support Newcastle town centre through the latest challenges, it is timely to consider the role of the market in that regeneration.

2.4 Newcastle's market has declined over a number of years, with vacant stalls now dominating the southern end of the market. The market has been a feature of the town for centuries, and remains important both culturally and economically, albeit that it is not currently fulfilling its economic role and potential. Recent national research shows:

- Markets positively impact on town centres. Markets can generate footfall increases of around 25% for town centres on market days;
- Markets increase retail sales, with significant numbers (55%-71%) of market visitor's spending money in other shops.
- Markets increase town centre resilience. Resilient towns respond and adapt to change by representing more flexible and adaptable retail space, markets can respond quickly, satisfying the current trend for an increased convenience offer.

2.5 These findings assume a strong, vibrant market, with a modern offer relevant to the rest of the town. Whilst the NABMA report crisply summarises the issues, there is a further driver for this decline which needs to be taken into account in shaping the response by the Council and by other stakeholders such as traders, and the BID. To date, the Council has managed the market with a "Property" focus – a series of small parcels of real estate to be individually rented. To effect a turnaround in the fortunes of the market, and secure the best impact of the market on the fortunes of the high street, the market needs to be managed as a whole, with its mix of products effectively curated, rather than regarded in isolation.

2.6 Key themes emerging from the consultation programme and market review, include:

- i) The need to concentrate the market to create a vibrant space. This responds to feedback that the market is too spread out and lacks a sense of vibrancy.

- a) Options to address this include reducing the number of fixed market stalls to create a smaller market site and remove the visual impact of empty stalls, or concentrating the market more around the Guildhall by relocation of some stalls to this higher footfall area. Additionally a reduction in the number of market trading days could be considered to concentrate activity around fewer trading days.
 - ii) The need to attract new traders to the market and diversify the market offer. This responds to feedback from the public consultation that a wider range of commodities would be welcome and also support for event style markets to vary the town centre offer.
 - a) To respond to this the Council needs to implement a range of actions to attract more traders to the market through:
 - a. incentives to try trading and also by supporting new and growing businesses to ensure that they are economically sustainable.
 - b. Targeting specific product lines not currently represented on the Market
 - c. Exploring periodic event style markets delivered through partners and external providers
 - iii) Encourage trader loyalty and support successful trading. This recognises that the Council has some work to do in modernising and improving its market management policies and in re-shaping the existing relationship with traders whilst working to encourage new traders to the market. This element of work could include:
 - a) moving to cashless forms of payment for traders;
 - b) updating the market regulations and daily licence terms for traders.
 - c) Support to develop the next generation of traders, developing trader skills, and providing access to relevant forms of training such as social media.
 - iv) Bring about a step change in the promotion and marketing of the market, as a destination and event;
- 2.7 Implementing a raft of changes across the market will need to be undertaken sensitively, and in consultation with existing traders and operators. This paper sets out a framework of priority areas for action, and seeks delegated authority for the Chief Executive and Portfolio Holder to engage in such consultation and to introduce operating changes as necessary.
3. **Options Considered** (if any)
- 3.1 The Council has the option to continue to manage the market as it does now but it is apparent that the current mode of operation for the market has been unable to stabilise or improve its performance. In the longer term then continuing to run the market on the current basis would not be the recommended option.
 - 3.2 Taking action to implement changes to the management and operation of the market supports delivery of the Healthy High Street programme of work agreed by Cabinet in April 2019 and enables the Council to respond to the results of the review and consultation on the operation of the market that has been undertaken in recent months.
4. **Proposal**
- 4.1 That authority be delegated to the Chief Executive in consultation with the Portfolio Holder to progress with officers and other interested parties a programme of market improvement

arising from the National Association of British Market Authorities' review of Newcastle-under-Lyme market.

5. **Reasons for Preferred Solution**

- 5.1 To enable timely delivery of a programme to revitalise the market in Newcastle-under-Lyme town centre.
- 5.2 To support delivery of the Health High Street programme of work.

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

- 6.1 It is considered that the future management, operation and success of Newcastle Market contributes to the following priorities in the Council plan 2018-22:
 - a) Local Services that Work for Local People
 - b) A Town Centre for All

7. **Legal and Statutory Implications**

- 7.1 The Borough has an ancient Charter right to operate a market within Newcastle but no statutory obligation to run one. The ancient right is supported by the Council's adoption of the provisions within Part III of the Food Act 1984.

8. **Equality Impact Assessment**

- 8.1 There is no identified equality issues as the proposed improvement of the market is intended to benefit all customers. It could be considered that by retaining a street market in Newcastle town centre the Council is retaining a highly accessible form of retail in the town centre.

9. **Financial and Resource Implications**

- 9.1 The programme of work will be substantially undertaken within the existing staffing and financial resources of the Council from a range of service areas.
- 9.2 The Council has previously established as a part of its 2019-20 budget a Growth Fund, of which the market was one of the identified action areas. Subject to appropriate approval some elements of the market revitalisation programme will be funded from this budget.

10. **Major Risks**

- 10.1 The major risk at this stage is that if no action is taken to improve the performance of the town centre market then it will continue to face challenges and decline.
- 10.2 Any significant risks identified as a result of the market review will be recorded in the Council's Corporate Risk Register.

11. **Sustainability and Climate Change Implications**

- 11.1 Markets remain a sustainable retail option. In particular Newcastle market operates in a town centre location that is accessible by public transport and is within easy walking distance

of a number of residential areas. The fresh produce on offer on the market uses less packaging than is commonly used by larger retailers and so offers consumers a less plastic intensive shipping option. The market supports a number of local businesses operated by residents from the North Staffordshire area.

12. **Key Decision Information**

12.1 This is not a key decision item. The town centre market is in the Town Ward however market customers will be drawn from a wider area of the Borough.

13. **Earlier Cabinet/Committee Resolutions**

13.1 7 November 2018 Cabinet

13.2 14 March 2019 Economy, Environment and Place Scrutiny Committee

13.3 24 April 2019 Cabinet

14. **List of Appendices**

14.1 None

15. **Background Papers**

15.2 Newcastle-under-Lyme NAMBA Healthcheck



Newcastle market survey



[Background](#)

[Headline findings](#)

[Location of respondents](#)

[Age profile](#)

[Customer insight data](#)

[Analysis](#)

Background

- 287 questionnaires were submitted between 19 December 2018 and 1 February 2019.
- Responses have been received from every ward except for Talke and Butt Lane.
 - 30 responses from Stoke-on-Trent

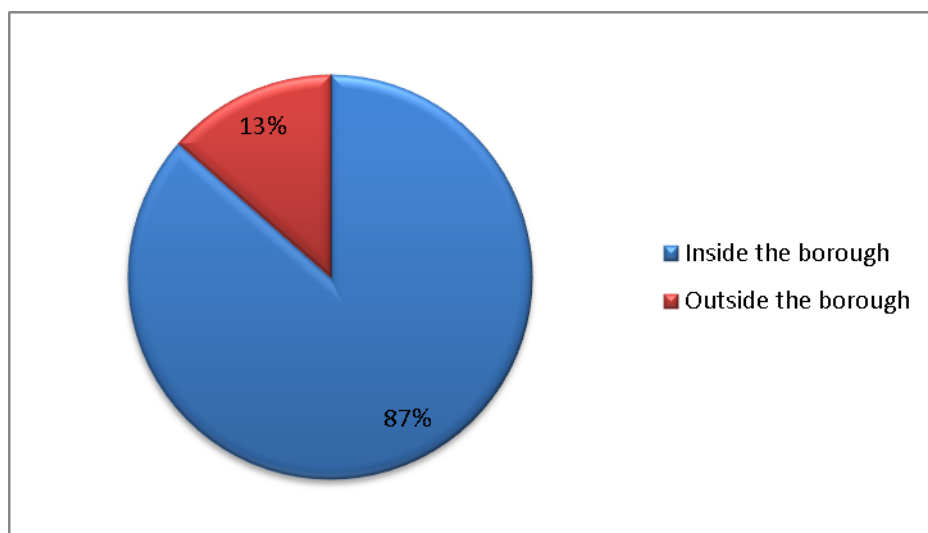
Headline findings

- 59 per cent aged over 50
- 56 per cent shopped at least several times a week
- Food, plants/flowers and bric-a-brac the most popular stalls
- Saturday and Friday the most popular days, followed by Monday
- 87 per cent think the market is in the right location
- Farmers market and general market seem welcoming
 - Antique and bric-a-brac markets not seen as welcoming
- 57 per cent feel the market is too spread out.
 - 64 per cent would look more if they were clustered more closely together
- Themed markets would be popular
 - In particular food, craft and continental
- 42 per cent would visit more if the general market was on fewer days
- 86 per cent who don't shop on the market did so in the past
 - 44 per cent shop on other markets – Leek and Hanley the most popular
- 94 per cent would shop more if they were offering something special
 - Food was the most popular response
- 56 per cent would shop more if card payment was accepted

Location of respondents

Respondents were asked to provide their home postcode – 252 did provide some sort of answer, but unfortunately 43 only put ST5 (40) or ST7 (3). For the purposes of this analysis they have been classed as being in the borough as almost all such postcodes are (though ST7 can cover the Cheshire East towns/villages of Alsager, Rode Heath and Scholar Green).

So 87 per cent of respondents were from the borough, with the remaining 13 per cent from outside – almost completely from Stoke-on-Trent.



There was a reasonable geographical spread – 20 of the borough’s 21 wards were represented (all except Talke & Butt Lane), with quite a high number from neighbouring Stoke-on-Trent. It will be of little surprise to see that the most common ward for respondents was Town, where the market is based, with relatively few from wards in the north of the borough like Kidsgrove & Ravenscliffe and Newchapel & Mow Cop or the south such as Loggerheads and Maer & Whitmore.

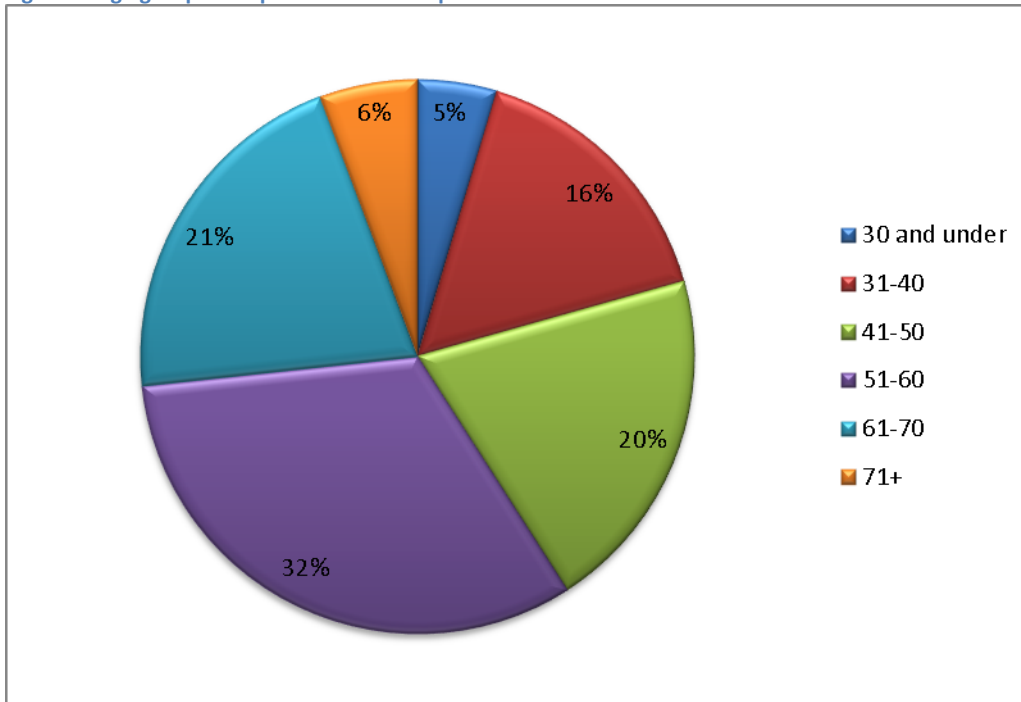
Table 1: Responses by Newcastle-under-Lyme Borough ward or non-borough area. 248 respondents

| | | | |
|-------------------------------------|----|--------------------------------------|----|
| Audley | 9 | Newchapel & Mow Cop | 2 |
| Bradwell | 11 | Silverdale | 5 |
| Clayton | 7 | Thistleberry | 16 |
| Crackley & Red Street | 2 | Town | 25 |
| Cross Heath | 13 | Westbury Park & Northwood | 12 |
| Holditch & Chesterton | 9 | Westlands | 19 |
| Keele | 3 | Wolstanton | 10 |
| Kidsgrove & Ravenscliffe | 1 | Unspecified ST5 | 40 |
| Knutton | 5 | Unspecified ST7 | 3 |
| Loggerheads | 2 | Stoke-on-Trent | 30 |
| Madeley & Betley | 6 | Endon | 1 |
| Maer & Whitmore | 3 | Macclesfield | 1 |
| May Bank | 15 | Preston | 1 |

Age profile of respondents

281 respondents said which age group they were in and this shows that 59 per cent were aged 51 and above. 21 per cent were aged 40 and below, but only 5 per cent were aged 30 and below.

Figure 1: Age group of respondents. 281 respondents



Customer insight data

Experian's Mosaic data suggests that the sample of respondents are largely representative of the borough's population. One group that is massively under-represented is group M, which contains fairly deprived families, normally with young children. Also under-represented is group A, which contains affluent (often retired) rural residents. Over-represented particularly are group N, made up of mostly pensioners who are struggling financially.

Table 2: Socioeconomic groups based on the postcode of 191 respondents

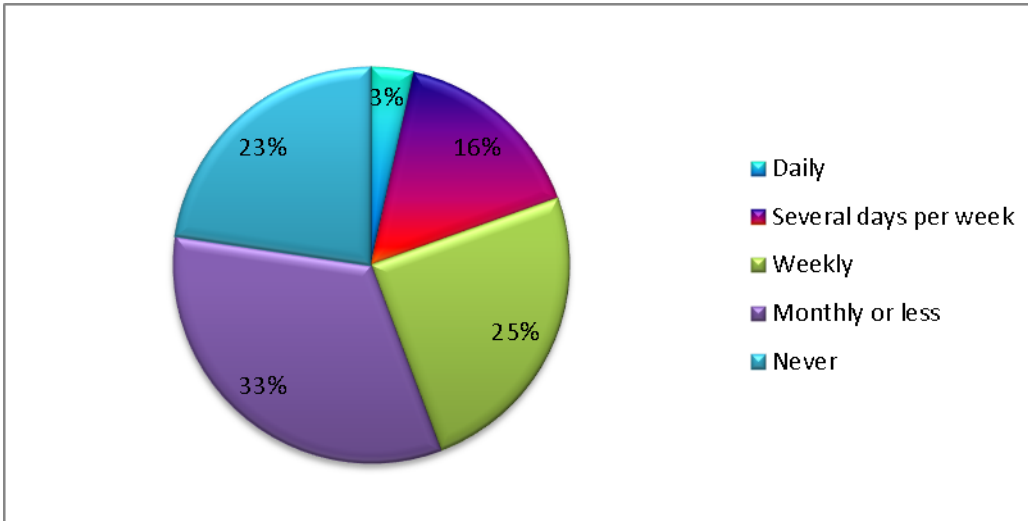
| Group name and brief description | % of respondents | % of households |
|--|------------------|-----------------|
| A-Country Living – Well-off residents in rural locations | 1.6 | 5.5 |
| B-Prestige Positions – Upmarket families in large homes | 4.2 | 4.3 |
| City Prosperity – very high-earners | 0.0 | 0.0 |
| D-Domestic Success – Thriving families concerned with careers and their children | 6.8 | 5.4 |
| E-Suburban Stability – Mature suburb-dwellers in mid-range housing | 10.5 | 9.3 |
| F-Senior Security – Elderly people enjoying a comfortable retirement | 13.6 | 13.6 |
| G-Rural Reality – Village communities in inexpensive homes | 4.2 | 4.1 |
| H-Aspiring Homemakers – Younger households in housing priced within their means | 13.1 | 11.1 |
| I-Urban Cohesion – Settled urban communities | 1.6 | 0.2 |
| J-Rental Hubs – Well-educated young renters | 2.1 | 2.5 |
| K-Modest Traditions – Mature homeowners enjoying stable lifestyles | 12.0 | 11.0 |
| L-Transient Renters – Single people, privately renting low-value houses for the short-term | 11.0 | 9.6 |
| M-Family Basics – Families with limited resources struggling to make ends meet | 1.6 | 9.0 |
| N-Vintage Value – Elderly residents relying on support for financial or practical help | 11.0 | 8.8 |
| O- Municipal Challenge – Urban renters in social housing facing many challenges | 6.8 | 5.8 |

Analysis of data

Q1) How often do you shop on Newcastle-under-Lyme market?

Nearly half of respondents (45 per cent) shopped on the market weekly or more often, with just over half (55 per cent) only shopping monthly or not at all.

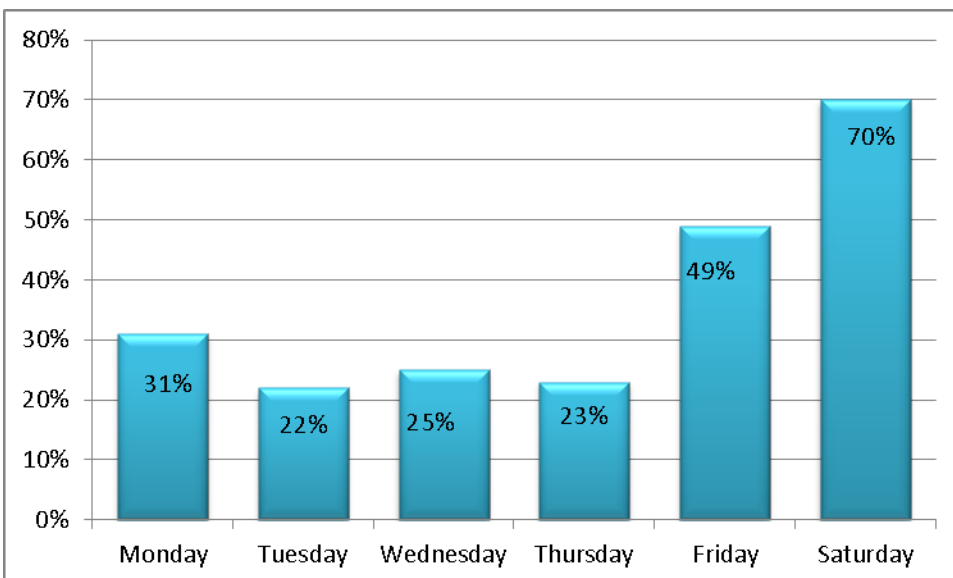
Figure 2: Are you satisfied with the weekly frequency of the service? 287 respondents



Q2) On which days do you shop?

Friday, and especially Saturday, were the most popular days – Friday attracted around double the visitors from Tuesday to Thursday, and Saturday attracted around triple.

Figure 3: On which days do you shop? 287 respondents



Please rate the markets that you shop at in order of preference.

There seems to have been some mis-understanding about how to answer this question, with several respondents rating more than one market as their number one choice. But giving each day an average score from all respondents shows the following order of preference (the scores are kept in to show how much more popular the top few were than the bottom two – you might expect the scores to be closer to one to seven than they are, but as several respondents gave a choice of 1 to more than one option, and most did not give grades to those markets they did not shop on, this explains the lower numbers):

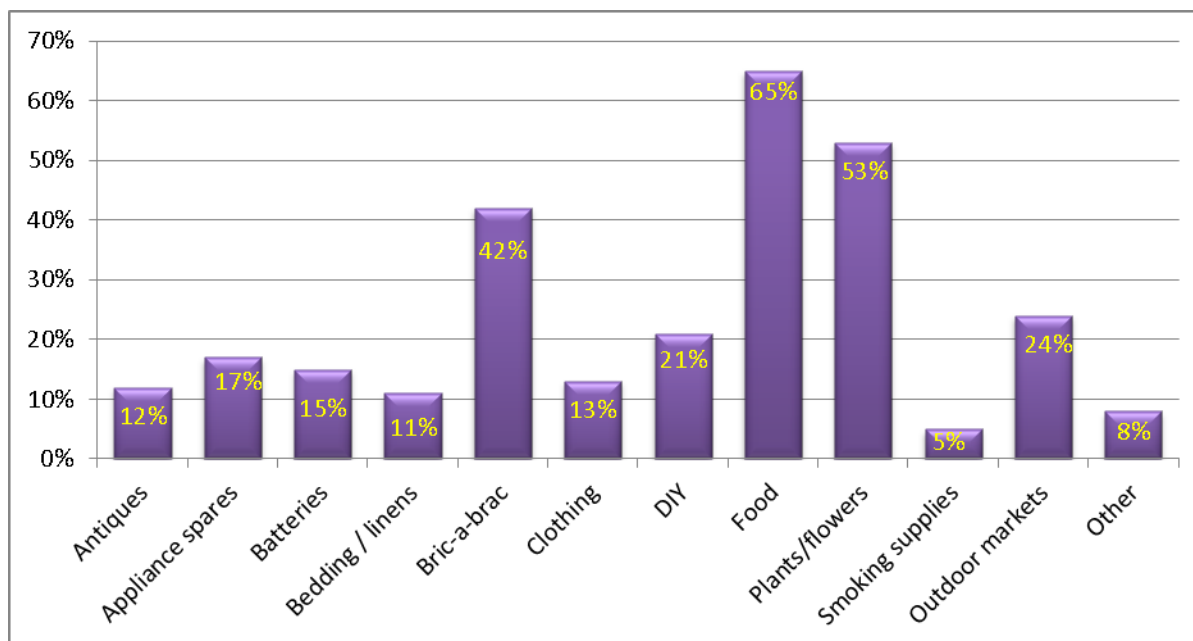
- Friday farmers (average score of 2.50)
- Saturday 2.52
- Friday general 2.7
- Monday 2.8
- Wednesday 3.1
- Tuesday 3.8
- Thursday 4.0

Which stalls do you buy from?

Three stalls were comfortably the most popular:

- Food (65 per cent)
- Plants/flowers (53 per cent)
- Bric-a-brac (42 per cent)

Figure 4: Which stalls do you buy from? 220 respondents



Respondents were also given the chance to say which ‘other’ stalls they bought from:

- Art Books
- Arts and crafts (2)
- Bryn McDonald
- Coffee stall
- Eggs (2)
- Fish man
- Pet

- Records and CDs (2)
- Toiletries and household goods
- Tool man
- Vacuum Cleaner bags

What else would you like to see on Newcastle-under-Lyme market?

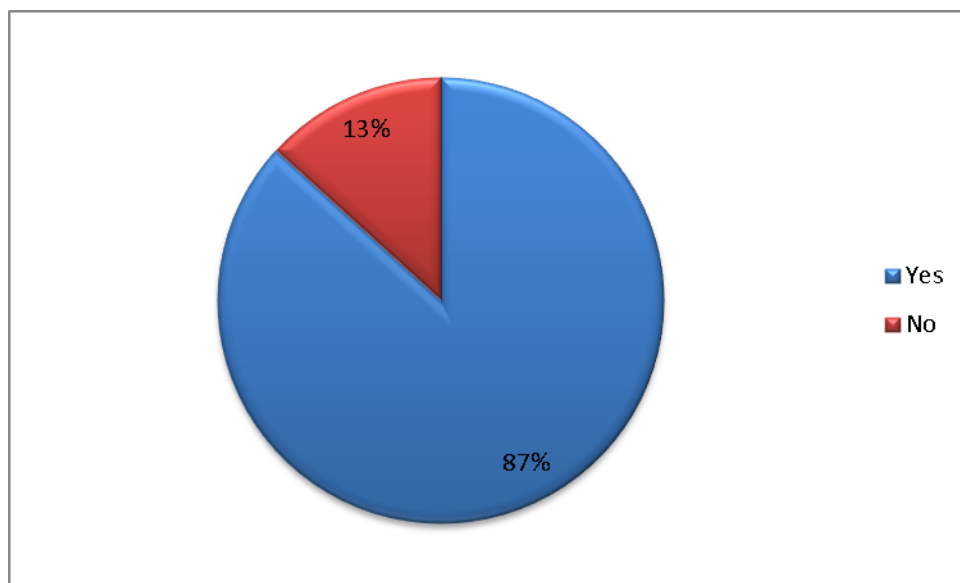
106 comments were left, with three key themes:

- More stalls/wider variety 39 respondents
- Food (artisan, eggs, vegetables) 32
- Clothes 6

Do you think that the market is in the right place in the town centre?

A clear majority (87 per cent) did think that the market was indeed in the right place.

Figure 5: Do you think that the market is in the right place in the town centre? 219 respondents



From the 13 per cent who did not think it was in the right place, some suggestions came through:

- Around the Guildhall 13 responses
- Ironmarket 8 responses
- The old Sainsbury's/Ryecroft 3 responses

Does the market feel welcoming when you walk around it?

There was a significant difference in responses here – whereas more people answered negatively than positively for the antique market and the bric-a-brac market, responses for the general market and, especially, the farmers market, were far more positive.

Table 3: Does the market feel welcoming when you walk around it? 182 respondents

| | Yes | No | Don't know |
|--|-----|----|------------|
|--|-----|----|------------|

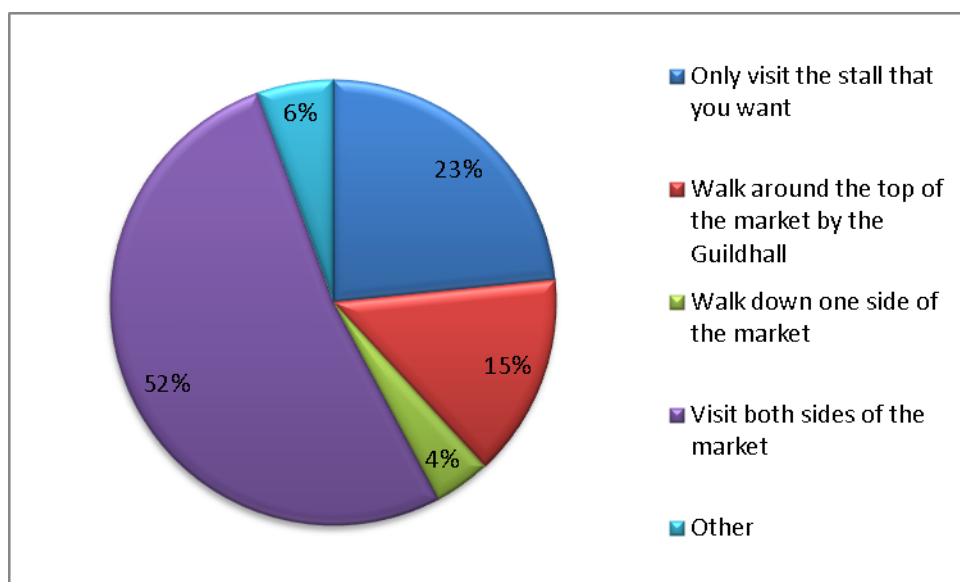
| | | | |
|---------------------------|-----|-----|-----|
| Antique market | 37% | 39% | 23% |
| Bric-a-brac market | 36% | 40% | 25% |
| General market | 58% | 34% | 9% |
| Farmers market | 69% | 18% | 14% |

When you visit the market do you....

Respondents were asked what they did when they visited the market.

- Slightly more than half (52 per cent) said that they visited both sides of the market
- Around one-quarter (23 per cent) only visited the stall that they wanted
- 15 per cent walked around the top of the market, by the Guildhall
- Four per cent walked down one side of the market
- The remaining six per cent chose 'other' and their comments are listed here
 - Varies depending on where else I'm going.
 - The market has been ruined because some fool at the council decided to change the layout of the market. The market stalls have always been back to back so why did you think it would be a good idea to separate them?
 - I usually visit all the stalls when it's the antique or bric-a-brac markets, otherwise just go to the stall I want.
 - There are so few stalls these days I never bother looking. I remember when the market was the 'go to' place for fabric, haberdashery, men's shirts, fruit and veg. Everything looks second rate these days.
 - I aim for stalls I know but also take a look around.
 - would browse if there were more stalls
 - Visit stalls I want on general market. Walk around all on Tues & Thurs market.
 - No stalls left to walk around
 - Would visit more stalls if they were there and need to stay til at least 3:30pm
 - Depends on time of year e.g. look for Xmas wreaths on visits to stalls in December.
 - Newcastle is not welcoming nothing worth a visit for

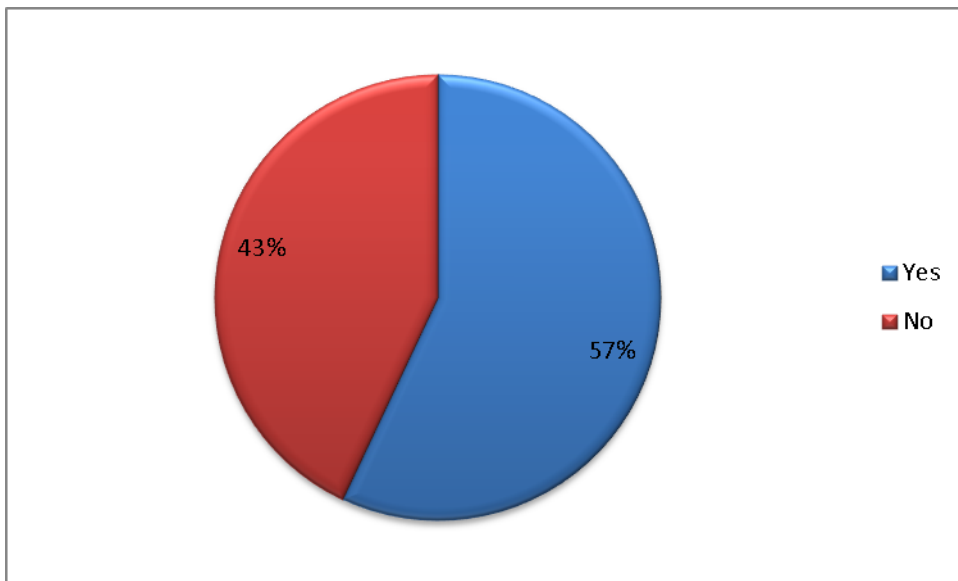
Figure 6: When you visit the market do you.... 218 respondents



Do you feel that the stalls are too spread out?

Nearly three-fifths of respondents (57 per cent) thought that the stalls were too spread out, with the remaining 43 per cent thinking that they were not.

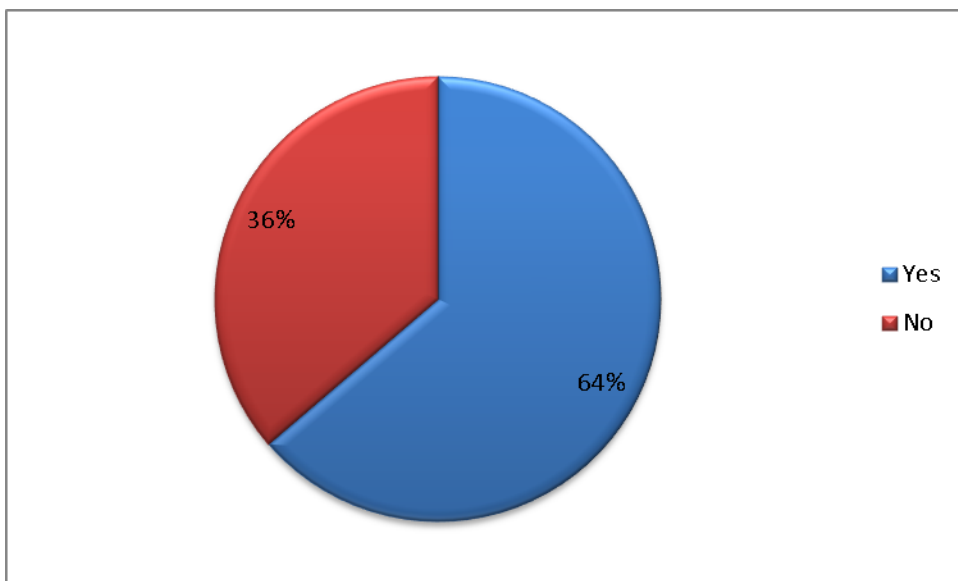
Figure 7: Do you feel that the stalls are too spread out? 221 respondents



Would you be likely to look at more of the stalls if they were clustered more closely together?

Almost two-thirds of respondents said that they would be likely to look at more stalls, with a little over one-third (36 per cent) saying that they would not.

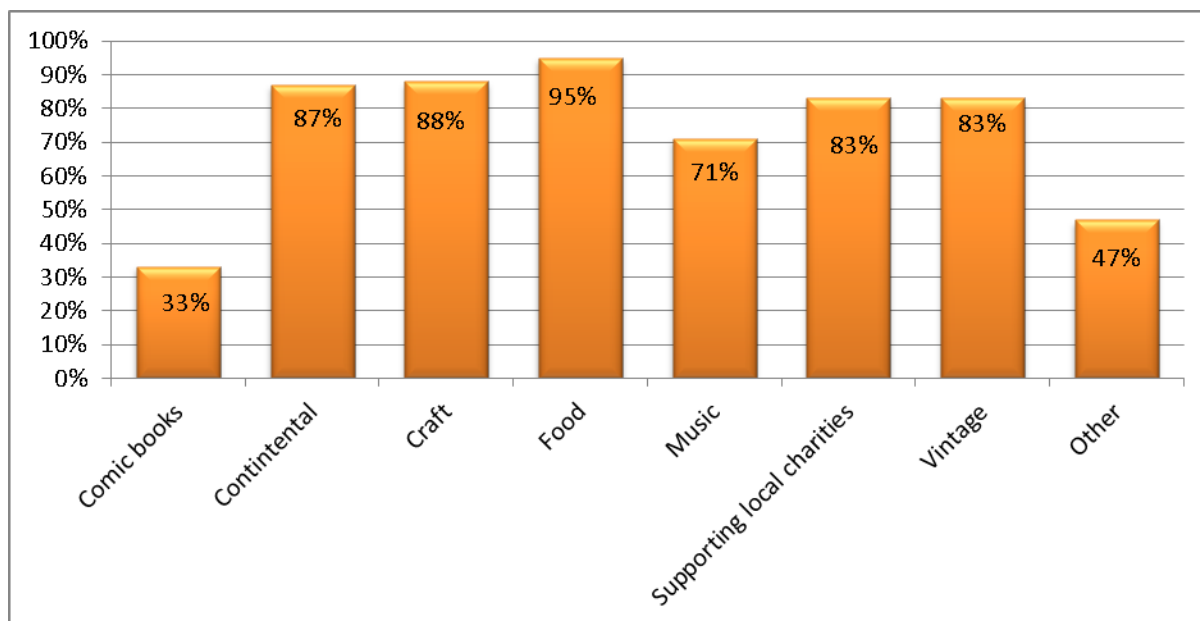
Figure 8: Would you be likely to look at more of the stalls if they were clustered more closely together? 215 respondents



If occasional themed markets were held in the town centre would you be likely to visit these?

Most of the ideas seemed to be popular – with the exception of comic books where only one in three respondents seemed keen. Five options were chosen by more than 80 per cent, as the following chart shows.

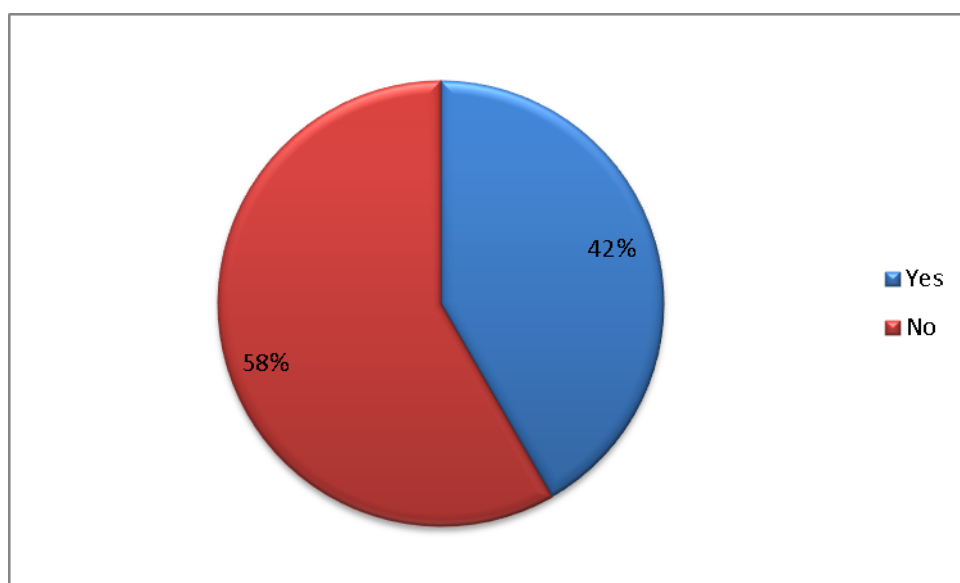
Figure 9: If occasional themed markets were held in the town centre would you be likely to visit these? 195 respondents



If the general market was held on fewer days a week would you be more likely to visit the town on a market day?

42 per cent of respondents said that they would be more likely, with 58 per cent therefore saying that they would not.

Figure 10: If the general market was held on fewer days a week would you be more likely to visit the town on a market day? 211 respondents

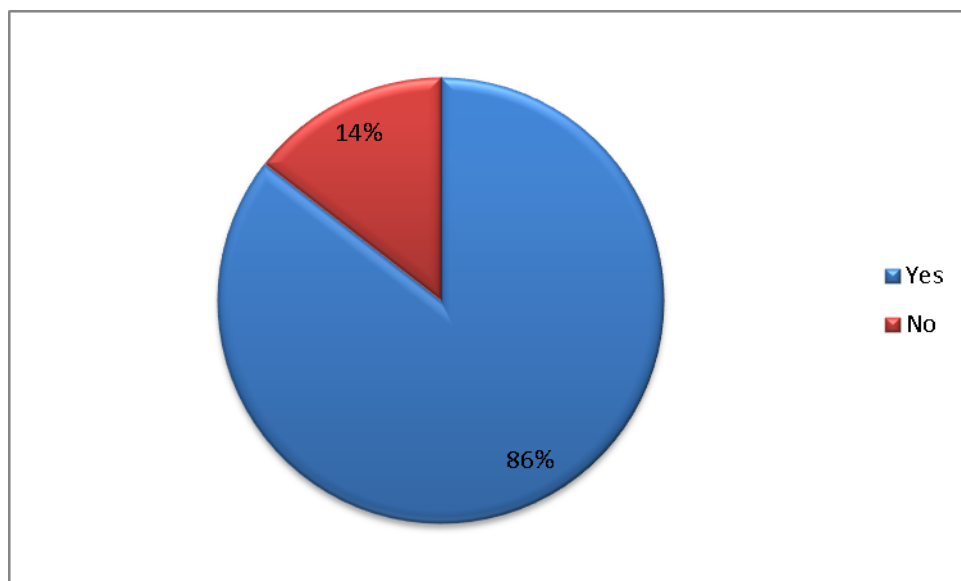


There was then a section of questions aimed at respondents who no longer visited the market.

Have you shopped on Newcastle market in the past?

A clear majority (86 per cent) had done so, with the remaining 14 per cent saying that they had not.

Figure 11: Have you shopped on Newcastle market in the past? 69 respondents



A follow-up question then asked why they don't shop at the market anymore and several comments were left. There were a few key themes:

- Nothing that appeals to me / poor quality products 25 responses
- Not enough stalls 14
- Poor selection of other shops nearby / unattractive town 6
- Inconvenient times 4

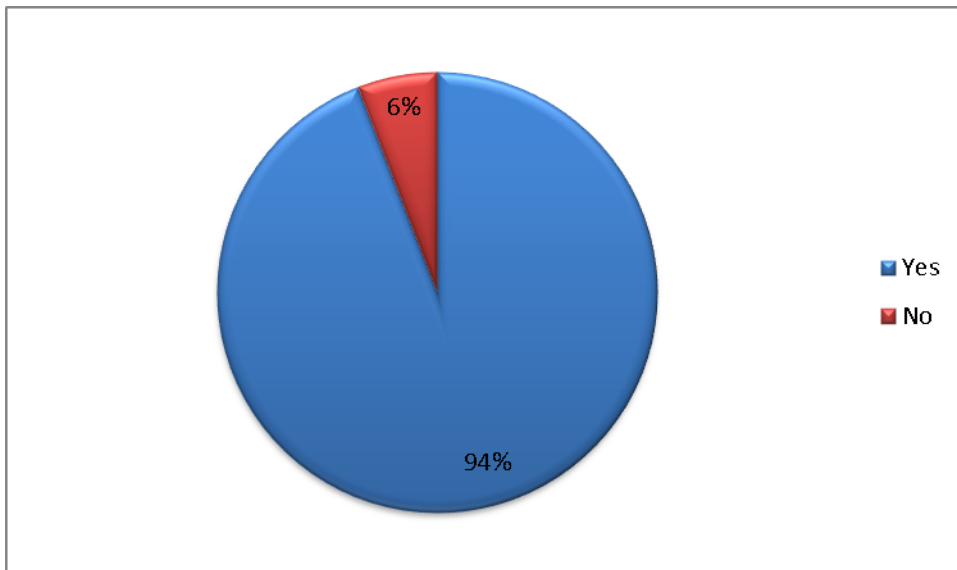
Do you shop on other markets?

- Just over half (56 per cent) said that they did not
- 44 per cent said that they did (the following were chosen by more than one)
 - Hanley 7
 - Leek 7
 - Famers markets 3
 - Macclesfield 3
 - Nantwich 3
 - Altrincham 2
 - Christmas markets 2
 - Sandbach 2
 - Shrewsbury 2
 - Stoke-upon-Trent 2
 - This might be of interest – 30 respondents were from Stoke-on-Trent and therefore visited Newcastle market, but only 9 said they visited the markets in Hanley or Stoke-upon-Trent
 - Stone 2

Would you be more likely to shop on a market if you felt that it was offering something special or different?

There was a high level on enthusiasm here, with 94 per cent saying that they would be more likely and only six per cent saying they would not be.

Figure 12: Would you be more likely to shop on a market if you felt that it was offering something special or different? 68 respondents



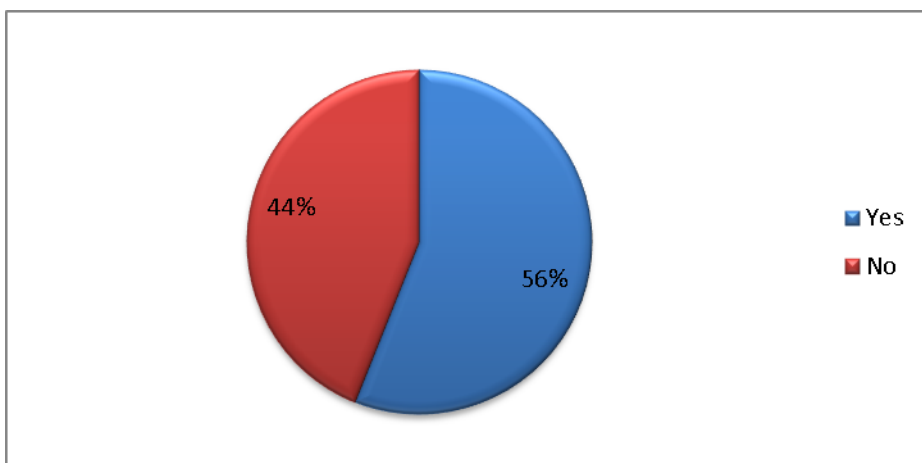
Respondents were asked to specify what would make them more likely to shop there and there were a few key themes

- Food/drink (artisan, local, specialist) 14 respondents
- Craft/handmade items 5 respondents
- More/different stalls 5 respondents
- Stalls where you can eat/drink 4 respondents

Would you be more likely to shop on a market if you could pay by contactless / card?

This was quite a popular idea, with a majority of respondents (56 per cent) saying that they would be more likely to shop with this option.

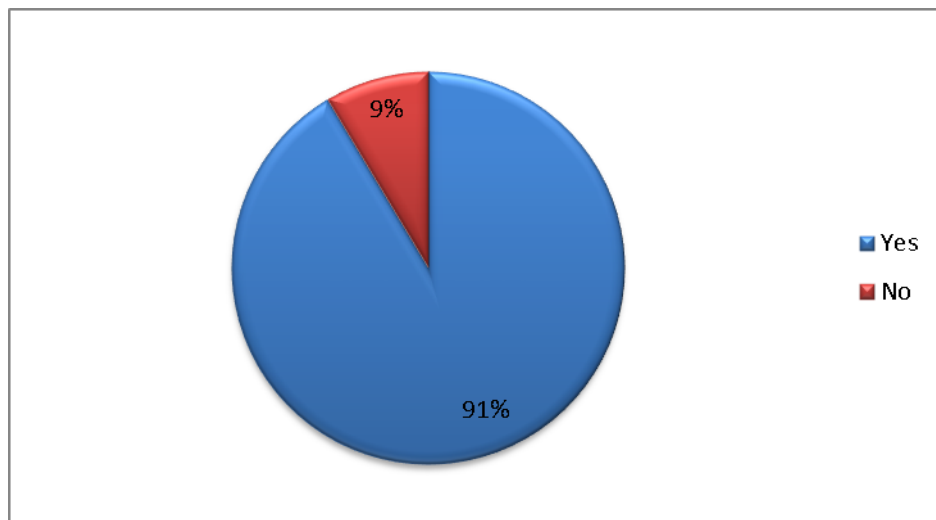
Figure 13: Would you be more likely to shop on a market if you could pay by contactless / card? 66 respondents



If occasional themed markets were held in the town centre would you be more likely to visit these?

Again, this idea was popular – 91 per cent of respondents said that they would be more likely.

Figure 14: If occasional themed markets were held in the town centre would you be more likely to visit these? 70 respondents



There was a lot of variance in the popularity of the suggested themed market, with food, craft and continental being far more popular than the rest:

Table 4: Which markets would you be likely to visit?

| Type of market | % of respondents who were interested |
|----------------------------|--------------------------------------|
| Comic book | 12% |
| Continental | 65% |
| Craft | 68% |
| Food | 85% |
| Music | 32% |
| Supporting local charities | 32% |
| Vintage | 50% |
| Other | 10% |

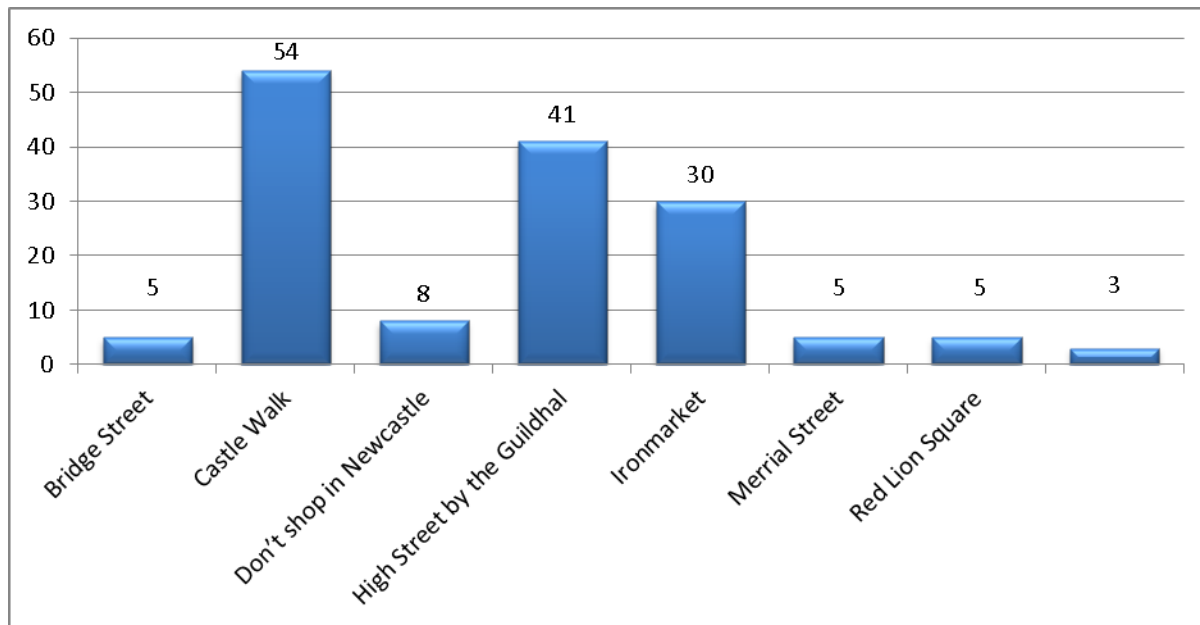
Respondents were asked to specify what they meant by other – due to the small number they are included as written here:

- various workshops, participant events
- Christmas markets
- Artisan food of all descriptions - bread, olives, free-range and outdoor-bred meat products.
- computer
- European Xmas market. My kids might like comics/music
- Regarding the charity stalls, I would prefer if the proceeds were kept local and not National
- Books
- I think you need to get the general market strong before you start jazzing it up.
- Baby. Home design (not craft or regular homewares). Art and artists.

When you visit Newcastle town centre which are you most likely to visit:

Castle Walk, the High Street and Ironmarket were chosen significantly more than the other options. {note the last option which does not show up is *The bottom of High Street (below Hassell Street)*}

Figure 15: When you visit Newcastle town centre which are you most likely to visit:



Are there any other comments that you would like to make on Newcastle Market?

This was an open comments box that elicited several responses which are themed below.

- Support for the idea of specialist markets in the town.
- The opening hours of the market not being convenient for people who work full time.
- A recognition that the market is facing the same challenges as other retail outlets due to the change in consumer shopping habits.
- The need to attract a variety of different traders linked to a desire to see different things on the market and a perception that some of the traders sell lower quality items.
- An appreciation for some of the stallholders who were considered to be helpful.
- Some comments made about the wider appeal of the town, transport and car parking which are not the focus of this survey.

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

Date: 5th June 2019

1. **REPORT TITLE** **Attendance Management Policy**
- Submitted by:** **Alyson Podmore, Interim Head of HR**
- Portfolio:** **Corporate and Service Improvement, People and Partnerships**
- Wards affected:** **All**

Purpose of the Report

The purpose of this report is to propose implementing a new Attendance Management policy and procedure for the Council in order to tackle its attendance management issues and to ensure that all staff are being treated fairly and consistently and additional supportive measures are put in place where appropriate.

Recommendations

It is recommended that Cabinet approve the proposed Attendance Management policy.

Reasons

To provide a more simplistic, consistent, fair and transparent attendance management policy that can be understood by all with the additional support of guidance material and mandatory training for all line managers and trade union representatives.

2. **Background**

- 2.1 The current Attendance Management policy was implemented in August 2016 which predominately changed the absence triggers from number of days / occurrences to a Bradford Factor Scoring methodology.
- 2.2 When approved at the JNCC meeting in 2016, it was agreed that there would be a review period at 12 months to determine how the policy was working in practice.
- 2.3 A review period was never undertaken.

3. **Issues**

- 3.1 Unions, managers and HR do not like the current policy due to:
- The policy is not clear and creates inconsistency in advice
 - Bradford factor triggers provide complexity for employees and managers

- Long term sickness has a separate process which avoids the employee hitting the long term absence trigger and leads to employees not being supported during this period plus long term sickness absences not being addressed.
- Resources required to calculate the Bradford score is a manual process and as such resource intensive
- In some cases, the triggers have occurred to far in the past as it relies on HR informing managers of trigger events
- The policy does not proactively tackle attendance management issues

4. **Proposal**

4.1 The proposed policy outlines a framework which:

- New triggers are based on hours / days, occurrences and patterns
- One process manages long and short term sickness absence but ensuring that employees on long term sickness are dealt with in a sensitive manner
- More simplistic
- Introduces a 'support plan' which is for both the employer and employee

4.2 The policy will be supported by a Guidance document which will include letters for each event to aid consistency, and will include templates such as support plans, return to work etc.

4.3 The policy and guidance will be further supported by a mandatory training course for all line managers to attend which will be delivered by HR to aid consistency and to enable managers to take the lead in dealing with attendance management issues, with the support of HR.

5. **Recommendations**

5.1 For Cabinet to approve the proposed Attendance Management policy (Appendix X) for Newcastle Under Lyme Borough Council.

6. **Legal and Statutory Implications**

6.1 None

7. **Equality Impact Assessment**

7.1 N/A

8. **Financial and Resource Implications**

8.1 N/A

9. **Major Risks**

9.1 N/A

10. **Management Sign-Off**

- 10.1 EMT, Trade Unions and JNCC have approved in principle the proposed Attendance Management policy
- 10.2 It is intended that on approval this policy will be supported by a 'Guidance' document and training for all line managers and Trade Union representatives will be delivered internally by HR

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ATTENDANCE MANAGEMENT POLICY AND PROCEDURE

DRAFT

May 2019

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Information about this Policy

Managers should ensure that they and their employees are familiar with the latest version of the Attendance Management Policy and Procedure, along with the supporting Guidance and Toolkit which provide additional detail and template documentation to assist managers in the application of this policy.

Managers should refer to these sources of information in the first instance when addressing attendance management issues. To access further advice and information about specific cases, managers should contact the HR department.

Scope

This document applies to all employees of Newcastle Under Lyme Borough Council except for:

- Employees in their probation period, during which the Probation Policy and Procedure will apply;
- Workers engaged under a casual contract for services.

Confidentiality

Sickness absence and health information are highly sensitive and personal issues.

Sickness absence data held by the Council falls into the General Data Protection Regulations (GDPR) definition of 'sensitive personal data', and any monitoring of sickness absence will therefore need to comply with the General Data Protection Regulation (GDPR) outlined within this legislation.

When communicating electronically regarding any sickness absence matter, the Council's Security Classification scheme must be observed. Appropriate technical measures to protect information being sent outside of the authority must also be employed.

Purpose

The Council expects all of its employees to attend work and to achieve full attendance unless genuinely they are unable to do so.

Therefore the purpose of the Attendance Management Policy and Procedure is to provide a framework that managers can use to support employees to improve, achieve and maintain a high standard of attendance expected by the Council. Where an employee is absent from work, it is intended to support them to return to work and maintain their attendance.

Reporting Absence and Maintaining Contact

Reporting Absence

Managers must ensure that employees are aware of absence reporting procedures including any service-specific reporting and maintaining contact procedures that may apply.

Employees must telephone their manager on the first day of absence, before their start time, if they are unable to attend work for any reason. This must be done personally unless the employee is prevented from doing so. If the employee's manager or designated point of

contact is not available, the employee should speak to another manager to report their absence. Text messages, emails or voicemails should only be used where a manager or other designated point of contact is not available to take the call. In these circumstances, the manager should contact the employee as soon as possible in response to their message.

The following details will be established:

- The reason for the absence.
- The day on which the employee first became unable to work (which may be a non-working day).
- The expected duration of the absence.
- Any appointments that the employee may need to attend to support their recovery.
- Any other action they could take to assist their recovery such as visiting a pharmacist.
- Whether there are any urgent work-related activities to be covered;
- Details of how they can be contacted if necessary, especially where the employee is staying at a different address during their absence.

If the absence is likely to last for more than one day, the employee will be expected to contact their manager or designated point of contact, or to be available to be contacted, at a time to be agreed. The frequency of the reporting arrangements will be appropriate to the circumstances.

In certain circumstances, an employee may not be fit enough to attend work but may still feel able to work remotely. In such circumstances, and where it is suitable for the service and the type of work done by the employee, the employee may ask that agile working arrangements are considered and agreed as a means of reducing the need for the employee to take sick leave. The period of agile working will be reviewed on a regular basis and should not be considered a permanent solution.

Where an employee becomes ill while at work and feels too unwell to continue working, they must speak to their manager who will give permission for them to leave work (either temporarily or for the day). If the employee has been given permission to leave work then they will be recorded as sick for the hours of work they are absent.

Failure to Report an Absence

If the employee fails to report an absence in accordance with this policy without good reason, then the absence will be deemed to be 'unauthorised absence' and may be addressed as a matter of potential misconduct. The employee will not be paid for the period of the unauthorised absence, and this should be confirmed in writing to the employee by the manager.

Maintaining Contact during Sickness Absence

It is important for regular contact to be maintained during any period of absence in order to discuss appropriate support and assistance. Managers should take reasonable steps to initiate and maintain communication with employees who are absent. The extent, frequency, format and method of contact will need to be judged on a case by case basis. A brief record of all contact should be made and retained by the manager.

Although communication is a two way responsibility between the manager and the employee, in some cases, because of the nature of the illness, it may be necessary to agree that contact with the employee will be made indirectly through a third party (e.g. trade union representative, partner, or close relative).

However it is managed, the important principle is that some reasonable level of contact with the employee is maintained. Failure by either party to engage in this process may, in some circumstances, lead to disciplinary action being taken.

Return to Work Interview

The Return to Work Interview plays a vital role in helping employees to achieve and maintain satisfactory attendance levels. Therefore it is mandatory for managers to ensure that a Return to Work Interview is completed with the employee as soon as possible following the employee's return from every period of sickness absence. This interview should ideally be completed on the employee's first day back from sick leave to ensure that they are fit to undertake their duties but should be no later than 5 working days.

If the employee's manager is/will be absent, responsibility for carrying out the Return to Work Interview should be taken up by the manager's manager or another appropriate manager. A record of the Return to Work Interview must be kept and the absence recorded as detailed in the Attendance Management Guidance.

If there are indications that the employee's attendance levels are likely to become a cause for concern, the manager should remind the employee during the Return to Work Interview that further absences may lead to attendance management procedures being progressed.

Support Plans

Support Plans are used to document actions to be taken, by the employee and/or the manager, to assist the employee in attaining satisfactory levels of attendance and, where appropriate, to help the employee to manage their health and wellbeing. A Support Plan may be used at any time, including:

- While the employee is at work, regardless of whether they have been absent due to sickness;
- During a period of sickness absence;
- Following a period of absence;
- Following a Stage 1 or Stage 2 Attendance Meeting or Stage 3 Attendance Hearing.

A Support Plan will cover a period of 4 to 8 weeks, depending on the circumstances. The duration of a Support Plan may be extended, where considered appropriate. Alternatively, it may be necessary to implement an amended Support Plan. The manager and employee may discuss and agree, where possible, amendments to the Support Plan at any time.

Managers are recommended to put a Support Plan in place at an early stage unless the circumstances indicate that a plan will not assist an employee in achieving satisfactory attendance. In such circumstances, it is still important that the attendance management procedure is followed as regular or ongoing periods of absence are unsustainable.

Supportive Measures

Managers and employees must consider what options may be available to support the employee in improving their attendance levels and/or returning to work in line with the service needs. These may include, but are not limited to:

- a) **Reasonable adjustments or changes to reasonable adjustments** to support an employee with a disability. The Council's Occupational Health provider or another

appropriate medical professional may be able to offer advice on reasonable adjustments.

- b) Seeking up-to-date **medical information** and advice.
- c) **Referral to the Counselling Service** to access counselling support.
- d) **Phased return to work** to support an employee's return to work following an absence. The phased return to work will only be used where the reasons for the absence has had a substantial effect on the employee, but they are likely to be able to return to their normal hours and duties by the end of the phased return. A phased return will usually occur over a period of 1 to 4 weeks, although it may last up to 6 weeks when appropriate. In exceptional circumstances, a phased return may be extended if recommended by medical advice (e.g. Occupational Health report, fit note). In certain circumstances, it may be appropriate to use a phased 'return to work' even if the employee has not been absent from work in order to prevent them from going off sick. Advice is available from the HR Department.

Employees will be paid their full basic pay during the phased return.

- e) **Agile Working arrangements** to support the employee's work/life balance. Arrangements will only be implemented if they are suitable for the service or team as well as the employee.
- f) **Reduction in hours or change of working patterns**, whether on a temporary or indefinite basis. These must be mutually agreed and subject to the needs of the service or team.
- g) **Redeployment status** to obtain alternative work (in cases of ill health or disability related capability). If appointed to another post, the employee will not be entitled to pay protection or additional travel expenses.
- h) **Ill-health retirement**, if the employee is a member of the pension scheme and likely to be eligible following medical assessment.

The effectiveness of any supportive measures and/or reasonable adjustments should be reviewed on a regular basis, in conjunction with Support Plans. These may be adjusted or removed, following discussion with the employee, if they cease to be appropriate.

Medical Advice

When meeting with an employee, the manager should gather as much information as possible about the employee's state of health and any measures that the employee feels could support them. In some circumstances, it may be appropriate to seek additional medical advice from the Council's Occupational Health provider. Before making a referral, the manager should discuss this with the employee to determine whether the referral is likely to result in additional information being received.

Employees are required to make every effort to attend appointments that have been arranged. Where an employee fails to attend or fails to provide the required notice to cancel an appointment without an acceptable reason, the cost of the appointment (up to £100) may be passed onto the employee.

Medical advice may be sought at any stage and may be requested more than once if considered appropriate, usually where there has been a change in an employee's condition.

Managers should discuss any medical reports received with the employee promptly following receipt, including any intended actions that will be taken as a result of the report.

Managing Stress-Related Absences

Where a manager is aware of, or suspects that, an employee's sickness absence may be fully or partially linked to a work-related or personal cause (e.g. stress, issues concerning working environments, team relationships, family problems, etc.), managers should take appropriate action to identify and, where relevant, seek to address the cause, irrespective of whether the employee is absent from work. This should be carried out in addition to, and in conjunction with, any steps under the attendance management process. In these cases, managers should not wait until the employee has met a sickness absence trigger before taking action.

The manager should discuss the cause with the employee and, irrespective of whether or not it is work-related, should identify, using a Support Plan, any measures or actions which could assist them to deal with their situation and improve their attendance. This approach should also be followed in circumstances where a manager is aware of, or suspects that, an employee is suffering from stress but has not been absent from work.

Managers and employees may refer to the Counselling Service at any time for further assistance and support in dealing with issues, regardless of the cause.

Certification of Sickness Absence

The employee is required to complete and submit the relevant section of the self-certification form to their manager if they have been absent due to sickness for up to 7 calendar days. If their absence extends to 8 calendar days or more, they are required to obtain medical certification, usually known as 'Fit Notes' or 'Statements of Fitness for Work', from their GP or a hospital doctor to cover the entire period of absence beyond the first 7 calendar days. The employee is required to submit this to their manager without delay.

While it is accepted that the employee may not be able to see their GP to request medical certification on or before the 8th day of sickness absence, they must make all reasonable attempts to do so as soon as possible. The employee may be asked to provide evidence of appointments and attempts to obtain medical certification.

In some cases, the employee may be asked to obtain medical certification for a period of sickness absence lasting up to 7 calendar days, and they may be charged for this service. The Council will reimburse the employee for this charge, and the employee will need to provide copies of invoices and/or receipts to support the claim along with the required medical certification.

Failure to Supply Medical Certification

If the employee fails to submit medical certificates in accordance with this policy without good reason, then the absence will be deemed to be 'unauthorised absence' and may be addressed as a matter of potential misconduct. The employee will not be paid for the period of the unauthorised absence, and this should be confirmed in writing to the employee by their manager.

Recording and Monitoring of Employee Absence

Managers are responsible for ensuring that sickness absence information, including medical certificates and Return to Work Interview details and documentation, are recorded as

detailed in the Attendance Management Guidance. This must be done on a timely basis ensuring that all details recorded are accurate, in particular dates of and reasons for absence.

Managers will use information about sickness absence to promptly identify any trends that may need to be addressed or individual cases in which further action is required.

Sickness Absence Triggers

It is important that managers act in a timely manner in regard to attendance issues as regular or ongoing periods of absence are unsustainable.

The following sickness absence triggers will prompt managers to initiate attendance management procedures:

- 8 working days absence in any 12 month rolling period (pro-rata accordingly);
- 4 or more occasions in any 12 month rolling period;
- A long term sickness of one absence of 4 weeks or more;
- A pattern of absence, e.g. regular absences on Fridays or Mondays, or linked to annual leave;
- Regular repetition of the same or similar type of illness;
- Any pattern of absence which reasonably gives the manager cause for concern.

Pregnancy-related sickness absence will be discounted for the purposes of deciding whether an employee has met an absence trigger point.

For stress-related absences, managers should, where possible, seek to take prompt action to attempt to address the cause, irrespective of whether or not the employee has met a sickness absence trigger.

Where managers anticipate concerns about an employee's absence levels, they should not wait until a sickness absence trigger has been met to initiate informal discussions with the employee with the intention of proactively supporting the employee's ability to attend work and carry out their duties, if it is possible to do so. This is especially important if there are signs that the employee may have a disability or long term condition, or where sickness absences are related to the employee's pregnancy. A record of these informal discussions should be taken by the manager.

In exceptional circumstances, sickness absence triggers may be modified on an individual basis, and this will be confirmed to the employee in writing. Managers should contact the HR Department for advice before taking this course of action.

Management of Cases involving Disabilities and Long Term Conditions

Managers are expected to approach these cases in a positive and supportive manner, with a view to implementing reasonable adjustments and supportive measures to assist the employee's return to work wherever possible.

Resolution of Long Term Sickness Absence Cases

It is expected that the majority of long term sickness absence cases will be resolved within 12 months.

Escalation to Stage 3 Attendance Hearing

The procedure may be escalated to a Stage 3 Attendance Hearing at any time if:

- The available evidence and up to date medical information indicate that the employee is unlikely to be able to return to work within a reasonable period of time. In these cases, the manager must have fully explored and implemented reasonable adjustments where possible prior to proceeding to a Stage 3 Attendance Hearing.

Or:

- It is apparent that the employee is unwilling or unable to take steps to enable them to make the required improvements to their attendance.

The employee must be forewarned that escalation to a Stage 3 Attendance Hearing is being considered prior to taking this decision. Managers should contact a member of the HR team for advice before proceeding.

Procedure for Managing Sickness Absence

STAGE 1 ATTENDANCE MEETING

If an employee's absence levels give cause for concern, the manager will invite the employee to a Stage 1 Attendance Meeting whereby the employee could be issued with a First Written Warning. The employee may be accompanied at this stage by a work colleague or Trade Union representative.

The manager will inform the employee in writing of the outcome of the Stage 1 Attendance Meeting within 5 working days.

Managers should seek advice by contacting the HR Department where an employee has been, or there are indications that the employee will be absent for 3 months or more.

Support Plan

The manager should prepare a draft Support Plan (covering a period of 4 to 8 weeks) for discussion and agreement at the Stage 1 Attendance Meeting. This may be based on an existing Support Plan, if one is already in place. If a Support Plan is not finalised at the Stage 1 Attendance Meeting, the manager should provide a copy to the employee as soon as possible following the meeting.

Monitoring Period and Reviews

The employee's attendance levels will continue to be monitored for a period of 6 months from the end of the support plan period. If the employee's absence levels during the monitoring period continue to be of concern, the matter will be addressed at a Stage 2 Attendance Meeting, or be escalated to a Stage 3 Attendance Hearing if the conditions outlined above are met.

Review meetings will be held as necessary during the 6-month monitoring period, especially where reasonable adjustments have been agreed and/or a Support Plan is in place, but should not normally occur less frequently than on a quarterly basis.

STAGE 2 ATTENDANCE MEETING

Where the employee's absence levels continue to be of concern, the manager will invite the employee to a Stage 2 Attendance Meeting whereby the employee could be issued with a Final Written Warning.

The employee will be given at least 5 working days' notice of the Stage 2 Attendance Meeting in writing, and the employee will have the right to be accompanied by a work colleague or a Trade Union representative.

The manager will inform the employee in writing of the outcome of the Stage 2 Attendance Meeting within 5 working days.

Support Plan

The manager should prepare a draft Support Plan (covering a period of 4 to 8 weeks) for discussion and agreement at the Stage 2 Attendance Meeting. This may be based on an existing Support Plan, if one is already in place. If a Support Plan is not finalised at the Stage 2 Attendance Meeting, the manager should provide a copy to the employee as soon as possible following the meeting.

Monitoring Period and Reviews

The employee's attendance levels will continue to be monitored for a period of 9 months from the end of the support plan period. If the employee's absence levels during the monitoring period continue to be of concern, the matter will be addressed at a Stage 3 Attendance Hearing.

Review meetings will be held as necessary during the 9-month monitoring period, especially where reasonable adjustments have been agreed and/or a Support Plan is in place, but should not normally occur less frequently than on a quarterly basis.

STAGE 3 - ATTENDANCE HEARING

Where the employee's absence levels continue to be of concern, and as a result dismissal is being considered, the manager will make arrangements for a Stage 3 Attendance Hearing to take place and will invite the employee to attend. The manager will also arrange a note-taker. In cases of long term sickness absence, managers will take reasonable steps to facilitate the employee's attendance in person.

If the employee's sickness absences are connected to a disability or long term condition, the manager must have obtained up to date medical information, and have considered and implemented any reasonable adjustments before proceeding to a Stage 3 Attendance Hearing.

The Stage 3 Attendance Hearing will be heard by a Business Manager, Head of Service or Executive Director (Decision Maker) who has had no prior involvement in the employee's case and the Head of HR.

The employee will be given at least 5 working days' notice in writing of the Stage 3 Attendance Hearing. The employee must be made aware of the evidence that will be considered at the Stage 3 Attendance Hearing, and provided with copies in advance if they are not already in possession of them. The employee may also submit evidence for consideration, and where this is the case the Decision Maker must receive it no later than 2 working days before the Stage 3 Attendance Hearing. The consideration of any documentation submitted after that date will be at the discretion of the Decision Maker and Head of HR.

Having carefully considered the information presented, the Decision Maker and Head of HR may find that:

1. It is appropriate in the circumstances to terminate employment.
2. It is appropriate to provide a further period of time in order for the employee to improve their attendance or return to work.
3. The employee's attendance is acceptable and that no further action should be taken.

N.B: It is not necessary for sick pay to have been exhausted before dismissal can take place.

Where the Decision Maker and Head of HR determines that the employee should be provided with a further period of time monitoring, they may also make recommendations to the manager regarding any supportive measures which it considers should be included in the Support Plan. If the employee's attendance remains a cause for concern after that further period of time, the manager will arrange for the Stage 3 Attendance Hearing to be reconvened. Such a hearing will usually be with the same Chair and Head of HR, unless that is not possible or would cause unreasonable delay.

Where possible, the employee will be notified of the decision on the day of the hearing. In any event, a letter confirming the decision will be sent to the employee within 5 working days of it being reached.

Support Plan

If the employee has not been dismissed, or any decision to dismiss has been overturned following appeal, the manager and employee will meet to draw up a Support Plan as soon as possible following the meeting, or will meet to review any existing Support Plan, if one is already in place.

Monitoring Period and Reviews

If the employee has not been dismissed, or any decision to dismiss has been overturned following appeal, their attendance levels will continue to be monitored for a period of 12 months following the Stage 3 Attendance Hearing. If the employee's absence levels during the 12-month monitoring period continue to be of concern, the case will be referred to a further Stage 3 Attendance Hearing. Review meetings will be held as necessary during the monitoring period, but should not normally occur less frequently than on a quarterly basis.

Failure to Attend

Where the employee fails to attend a Stage 3 Attendance Hearing or reconvened Stage 3 Attendance Hearing without an acceptable reason, the hearing may go ahead in their absence.

Right to Appeal

An employee who is dismissed from the Council has the right to appeal. The appeal must be submitted by the employee within 5 working days of receiving the hearing outcome letter. The employee should submit their grounds of appeal in writing to the Head of Human Resources outlining their grounds for appeal which **must** fall into one of the categories below:

- that the Attendance Management procedure has not been properly followed;
- that all the evidence was not considered at the hearing;
- that the employee has been unfairly treated due to the Officer conducting the hearing showing unfair bias against an employee;
- new evidence

The appeal letter should include:

- any supporting documentation;
- details of the name of the Trade Union representative or work colleague who will be accompanying
- Any witnesses that they wish to call

The employee has the right to be accompanied by a Trade Union Representative or a work colleague.

The appeal will be heard by a Sub-Committee established by the Council's Staffing Committee, supported by a representative to give legal advice. The sub-committee's decision shall be final and there is no further right to appeal. The appeal hearing will be recorded for clarity and consistency.

The purpose of the appeal hearing will normally be to consider the employees grounds for appealing against the 'penalty' issued and whether or not the decision should be amended. It is important to note that the appeal is not an opportunity to rehear the case. It should only consider the grounds of the appeal stated in writing at the time of the notification.

The employee will be given notice in writing at least 10 working days in advance of the time and place of the appeal hearing. They will be allowed to be represented by a trade union representative or work colleague and will be entitled to call witnesses and produce documents (subject to this being part of their grounds for appeal) relevant to their defence at the hearing. Please note it is the responsibility of the employee or their representative to invite witnesses to any appeal hearing.

An 'evidence pack' will be submitted to the Sub-Committee, employee (2 copies) and the manager presenting the case at 5 working days before the appeal hearing. It is the responsibility of the employee to provide their trade union representative or work colleague with a copy of this 'evidence pack' prior to the hearing.

Appeal Process

The process for the appeal hearing will be as follows:

Introduction

- a) The Chair conducting the hearing will explain that the hearing is being conducted as part of the Council's formal Attendance Management Procedure, explain the purpose of the hearing and how it will be conducted.
- b) All parties present at the appeal hearing will introduce themselves and confirm their respective roles in the appeal hearing.

Employee's Case

- c) The Chair will invite the employee to state their case, i.e. the grounds for the appeal against the decision/penalty issued, determine what outcome they are seeking and why. The employee may do this personally or the employee's trade union representative/work colleague may do this on the employee's behalf.
- d) The manager, who may be supported by a representative from the HR team, will be invited to ask questions of the employee. The employee's representative must not answer any questions on behalf of the employee.
- e) The Sub-Committee may ask questions of the employee. The employee's representative must not answer any questions on behalf of the employee.

Employee Witnesses

If the employee has requested for any witnesses to attend this appeal hearing then they will be invited into the hearing on an individual basis and items (f) to (j) will be repeated as appropriate.

- f) The employee (or their representative) will invite their witness into the appeal hearing.
- g) The employee (or their representative) will ask questions to their witness.
- h) The manager will be invited to ask questions to the witness.
- i) The Sub-Committee will ask questions to the witness.
- j) The witness will be excused from the hearing process.

Manager's Case

- k) The Chair will invite the manager to state their case against the employee's grounds for appeal.
- l) The employee (or their representative) will be invited to ask questions of the manager.
- m) The Sub-Committee may ask questions of the manager.

Manager Witnesses

If the manager has requested for any witnesses to attend this appeal hearing then they will be invited into the hearing on an individual basis and items (n) to (r) will be repeated as appropriate.

- n) The manager will invite their witness into the appeal hearing.
- o) The manager will ask questions to their witness.
- p) The employee (or their representative) will be invited to ask questions to the witness.
- q) The Sub-Committee will ask questions to the witness.
- r) The witness will be excused from the hearing process.

Deliberation / Decision

- s) The Chair will request for the employee, manager and their representatives to leave the hearing
- t) The Sub-Committee and a representative from Legal Services will deliberate in private, only recalling all parties (excluding witnesses) to clear points of uncertainty on evidence already given. For transparency purposes, if recall is necessary both parties will be invited to return even if the point of clarity is regarding the other party.
- u) When a decision has been reached, all parties (excluding witnesses) will be invited back to the hearing to hear the decision.

Outcome

- v) Written confirmation of the Sub-Committee's decision will be issued to the employee within 5 working days. There is no further right of appeal.

Please note the Chair may adjourn the appeal hearing proceedings if it appears necessary or desirable to do so, including for the purpose of gathering further information.

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

Date: 5th June 2019

1. **Report Title** **Mutually Agreed Resignation Scheme (MARS)**
- Submitted by:** **Alyson Podmore, Interim Head of HR**
- Portfolio:** **Corporate and Service Improvement, People and Partnerships**
- Wards affected:** **All**

Purpose of the Report

The purpose of this report is to propose implementing a Mutually Agreed Resignation Scheme (MARS) which will enable the Council to target service areas and / or specific jobs whereby organisational change is envisaged.

Recommendations

It is recommended that Cabinet approve the proposed MARS policy.

Reasons

MARS enables the Council to:

- Address periods of change
- Service redesign
- Make budgetary savings
- Provide development opportunities
- Avoid compulsory redundancies

2. **Background**

2.1 MARS is a well-known scheme which enables organisations to address periods of change by allowing its employees to voluntarily leave the Council in return for a severance payment. These schemes enable organisations to redesign its service areas / departments, provide develop opportunities and avoids compulsory redundancies.

2.2 Newcastle Under Lyme Borough Council currently does not have a MARS policy in place.

3. **Consultation / Negotiation**

3.1 The Interim Head of HR has met with EMT and unions to discuss this policy and have informally agreed to the proposed policy (attached).

3.2. The unions were initially concerned that this policy would replace any typical settlement agreements that arose from employer relations issues. The interim Head of HR has confirmed that this policy is not designed or intended to replace those typical agreements.

4. **Proposal**

4.1 The proposed policy outlines a framework which:

- Allows the Council to offer MARS applications from employees which is on a voluntary basis to help increase flexibility and to address periods of change
- Acceptance of any application of MARS will be entirely at the Council's discretion
- Provides a clear and transparent process including an application form and payment table
- Exits from the Council will be legally compliant as this will be completed via a Settlement Agreement

5. **Recommendations**

5.1 For Cabinet to approve the proposed MARS policy (Appendix X) for Newcastle Borough Council.

6. **Legal and Statutory Implications**

6.1 None

7. **Equality Impact Assessment**

7.1 N/A

8. **Financial and Resource Implications**

8.1 N/A

9. **Major Risks**

9.1 N/A

10. **Management Sign-Off**

10.1 EMT, Trade Unions and JNCC have approved in principle the proposed MARS policy.



MUTUALLY AGREED RESIGNATION SCHEME

May 2019

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Introduction

A Mutually Agreed Resignation Scheme (MARS) has been designed to address periods of change and service redesign in order to make budgetary savings, enable development opportunities and to avoid compulsory redundancies.

This scheme enables the Council to offer employees to voluntarily resign from the Council in return for a severance payment.

The scheme will be used to target service areas and / or specific jobs whereby organisational change is envisaged. This will be for a time-limited period only.

Principles

The Council should be clear about the reasons for offering the MARS application, ensuring transparency and providing evidence that this is not a 'disguised redundancy'. Any MARS should be time-limited for the deadline for applications outlining the latest date for resignations to be effective.

MARS will be used by the Council to meet the financial challenges including management costs, workforce reductions and other efficiency needs to help increase our flexibility and to address periods of rapid change.

MARS enables individual employees, in agreement with the Council, to choose to leave their employment voluntarily on a mutually agreed date in return for a discretionary severance payment in accordance with the approved payment table. **MARS is not a redundancy payment.**

MARS enables job vacancies to be created that may be filled by the redeployment of staff, for those seeking career developments or by recruiting to the position in line with the Recruitment and Selection policy.

The MARS scheme should:

- Create sufficient turnover to avoid future compulsory redundancies
- Enable the redeployment of resources to higher priority areas of work
- Reduce costs in lower priority service areas

This scheme **does not form part of an employee's terms and conditions of employment** and establishes a fair, transparent and effective process for dealing with such situations.

Scope

This scheme applies to all employees of Newcastle Under Lyme Borough Council with at least one year's continuous service employed under the conditions of service of the following bodies:

- National Joint Council for Local Government Services;
- Joint Negotiating Committee for Chief Officers of Local Authorities;

This policy does not apply to agency staff or where individuals are employed on a self-employed basis.

The policy is not applicable for:

- Posts that are under review as part of the Council's organisational change process
- Employees who are in a consultation process which may result in their role being at risk of redundancy
- Employees who have indicated their intention to resign and / or retire prior to the scheme going live
- Where an employee has already secured employment with another employer
- Where an employee has been notified of the date of the termination of their contract of employment
- Temporary staff
- Casual workers
- Apprentices

Data Protection

The Council processes personal data for employees in accordance with the General Data Protection Regulations (GDPR) definition of 'sensitive personal data'.

When communicating electronically regarding any organisational change matter, the Council's Security Classification scheme must be observed. Appropriate technical measures to protect information being sent outside of the authority must also be employed.

Roles and Responsibilities

The roles and responsibilities of key stakeholders are outlined below:

Managers

Managers are responsible for leading on any organisational change. They should ensure that they engage with the HR department and the trade unions as early as possible and throughout the organisational change process, including involving them in informal discussions.

HR Department

The role of HR is to support and advise managers throughout the organisational change process in order to ensure a smooth a transition as possible.

Trade Unions

The Council is committed to working with its recognised trade unions to minimise the need for, and impact of, organisational change wherever possible. Consultation will be undertaken with a view to reaching agreement and any representations or proposals will be fully considered by the manager, with the support of HR.

Head of HR and Executive Director

The relevant Executive Director and Head of HR can decide to offer the scheme whenever it is considered appropriate.

They are also both responsible for authorising the MARS application to ensure that the business case demonstrates that the costs of the severance payment will be recovered through salary savings within a specified period of the termination date. The saving could be achieved by simply not replacing posts or replacing them in a different way.

Applications

It is entirely a decision for each employee to decide whether to apply for MARS or not as this scheme is voluntary and not contractual.

An application under MARS must demonstrate that the departure of an employee on voluntary terms would be in the financial and operational interests of the Council.

Acceptance of any application for MARS will be entirely at the Council's discretion. Criteria that may be taken into consideration may include:

- Why the severance payment represents value for money
- This will not have an adverse effect on service delivery
- It will not affect the Council's financial targets
- Whether the service area is under consultation for reorganisation, at risk of redundancy etc.
- Retention of relevant skills / experience that cannot be replaced at a lower cost
- Whether there is anyone else who can undertake the work
- Compassionate grounds or other special circumstances
- The employee's ability to adapt to future changes and requirements
- Creation of internal job / promotion opportunities which provide for succession planning
- Potential impact on other staff

Stage 1 – The Process

Invitations to apply, together with the process and any time limits for doing so, will be communicated to staff by a range of communication methods.

If an employee is interested in leaving the Council under MARS then they must:

1. Consider all the details fully and if required speak to the line manager or HR in confidence
2. Complete the application form (**Appendix A**)
3. Applications will be reviewed by the Council. Approval or rejection of any application will be provided within the set timescale of the specified scheme
4. If the application is approved, the date of termination will be mutually agreed i.e. not imposed by the Council but should not be later than the latest date for resignations agreed when the scheme was launched

Each application made in accordance with MARS will be considered on its own merits. The employer reserves the right to determine whether or not an application will be approved and there will be no right of appeal on the part of those employees whose applications are not successful.

Payment Table

MARS payments can be calculated using the Payment Table attached at **Appendix B**.

In line with the HMRC rules, current legislation can allow for voluntary severance payments to be paid tax and national insurance free up to a maximum of £30,000. Any payment above this amount will be subject to tax and national insurance contributions.

No provision will be made for payment of any notice period. Successful applicants will be expected to terminate their employment at a mutually agreed date but in line with the stipulated time period of the specified scheme.

Notice not worked will not attract payment in lieu of notice.

Pensions

Employees whose applications under MARS is accepted, and who have reached their normal pensionable retirement age, will also be eligible to claim their pension benefits should they wish. Please note this will not involve the Council incurring additional costs related to the payment of pension benefits.

For further information about your pension scheme please contact HR.

Stage 2 - Settlement Agreement

If a MARS application is approved by all parties then the employee will be issued with a settlement agreement to sign, which will set out the financial and other terms under which the employment relationship will end.

Independent legal advice will need to be obtained by the employee before signing a settlement agreement. The cost of this will be reimbursed by the Council up to a maximum of £400. For further information please contact HR or your Trade Union representative.

Employees accepting a severance payment will be required to sign a settlement agreement.

Employers will either reimburse the employee or pay the legal costs that are required to agreeing a settlement agreement. This will be up to a maximum of £400 and will be on receipt of an invoice being produced.

Re-Employment

Employees who leave under MARS would not be re-employed in the same or a similar position within 12 months of leaving the Council. If an individual does return within this period then they will be liable to repay the MARS payment in full.

Equality

The Council will ensure that, when implementing this procedure, no employee will be disadvantaged on the basis of their gender or transgender, marital status or civil partnership, racial group, religion or belief, sexual orientation, age, disability, pregnancy or maternity.

Monitoring

Data relating to MARS terminations will be collated after each period the scheme is used to ensure that it is operating fairly, consistently and effectively. Any issues that are identified from this data will be dealt with accordingly.

Support for Employees

When considering applying for voluntary severance under MARS, employees will need to understand the consequences of their decision.

MARS is viewed as being a voluntary resignation on the part of the individual employee in return for a severance payment. As there may be significant financial and life-style implications for the employee, the Council should support the decision making process by assisting individuals with understanding these implications.

Some of the implications for employees to consider when resigning would include for example:

- The possible loss of entitlement to welfare benefits
- Mortgage protection insurance policies not covering resignations
- Any impact on pensions
- Lease car penalties
- Multiple-post contracts
- Salary sacrifice schemes i.e. cycle to work

The Council is not legally authorised under the Financial Services Act to give pensions or other financial advice to individuals. Therefore, employees are encouraged to seek further independent financial advice.

MARS – Application Form

SECTION 1

This section must be completed by the employee

PERSONAL INFORMATION

| | |
|---------------------------------|--|
| Full Name: | |
| Date of Birth: | |
| NI Number: | |
| Continuous Service Date: | |
| Telephone Number: | |
| E-Mail Address: | |

POST INFORMATION

| | |
|-------------------------------|--|
| Department: | |
| Job Title: | |
| Grade / SCP: | |
| Salary: | |
| Proposed Leaving Date: | |

I wish to apply for the Mutually Agreed Resignation Scheme. I understand that the information above will be validated and the outcome of my application will be communicated to me in writing.

| | |
|---------------|--|
| Signed | |
| Date: | |

Once completed by the employee, this form should be passed to the Head of HR who will review the application with the appropriate Executive Director / Chief Executive and complete the following section:

SECTION 2

This section must be completed by the Head of HR / Executive Director / Chief Executive

BUSINESS CASE

| | |
|---|--|
| 1. | Why is the employee being considered for voluntary severance? |
| 2. | Savings to be delivered as a result of agreeing a MARS payment? |
| 3. | Voluntary severance costs? |
| 4. | Does this application create an opportunity for other employees? |
| I do / do not support this application and the reason for this is: (Delete as appropriate) | |

| | |
|-------------|--|
| Signed | |
| Full Name: | |
| Post Title: | |
| Date: | |

Payment Table

MARS payments are calculated using the following model:

| Continuous Service | Scale of Payment |
|---------------------------|-------------------------|
| 2 – 10 Years | 16 Week's Basic Pay |
| 11 Years | 17 Week's Basic Pay |
| 12 Years | 18 Week's Basic Pay |
| 13 Years | 19 Week's Basic Pay |
| 14 Years | 20 Week's Basic Pay |
| 15 Years | 21 Week's Basic Pay |
| 16 Years | 22 Week's Basic Pay |
| 17 Years | 23 Week's Basic Pay |
| 18 Years | 24 Week's Basic Pay |
| 19 Years | 25 Week's Basic Pay |
| 20 Years | 26 Week's Basic Pay |
| 21 Years | 27 Week's Basic Pay |
| 22 Years | 28 Week's Basic Pay |
| 23 Years | 29 Week's Basic Pay |
| 24 Years | 30 Week's Basic Pay |
| 25 Years | 31 Week's Basic Pay |
| 26 Years | 32 Week's Basic Pay |
| 27 Years | 33 Week's Basic Pay |
| 28 Years | 34 Week's Basic Pay |
| 29 Years | 35 Week's Basic Pay |
| 30 Years | 36 Week's Basic Pay |

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE CABINET COMMITTEE

Date 5th June 2019

1. **REPORT TITLE** SINGLE USE PLASTICS
- Submitted by:** Chief Executive – Martin Hamilton
- Portfolio:** Environment and Recycling
- Ward(s) affected:** Not applicable

Purpose of the Report

To present Cabinet and Scrutiny an update on the Borough Council's approach to minimising the use of 'Single Use Plastics' (SUP)

Recommendations (to be in bold)

To note progress to date in preparing a draft Single Use Plastics Reduction Strategy

To invite Economy, Environment & Place Scrutiny Committee to review the Strategy and inform its completion.

Reasons

To enable progress to be made on the implementation of the Council resolution.

1. **Background**

At a meeting of Full Council 21st November 2018 the council noted that:

- (1) Estimates of the amount of plastic waste entering the world's oceans range from 4.8 million tonnes to 13 million tonnes annually. A 2016 study found that a majority of this waste comprised single use plastic items and packaging.
- (2) It is forecast that, without urgent action to cut demand, UK plastic production will reach 34 billion tonnes by 2050.
- (3) The Marine Conservation Society reported an average of 718 items of litter per 100m of UK beach in 2017, an increase of 10% compared to 2016.
- (4) Following the broadcast of the documentary series 'Blue Planet II' one year ago, public awareness of marine plastic pollution and concern about the long-term harmful effect on the environment and wildlife of plastic waste has greatly increased.

The Borough Council welcomes the UK Government's 25-year plan to eliminate avoidable plastic waste and the recent resolution of the European Parliament endorsing an EU-wide ban on a range of single-use plastic items.

The Borough Council believes that in support of national and supranational efforts, we should lead by example in our own borough and take all measures possible to reduce plastic waste and eliminate completely plastic waste that is avoidable.

2. **Issues**

The Council resolved to:

- 2.1 To seek to eliminate all single-use plastics within Council-managed premises and facilities by 2023, the 850th anniversary of our loyal and ancient borough's charter;
- 2.2 To encourage our partners in Castle House to adopt a similar goal;
- 2.3 To work with suppliers to reduce single-use plastics within the Council's supply chain, with the ambition of eliminating single-use plastics from goods and services provided to the Council by 2025;
- 2.4 To ask the Portfolio Holder for Environment and Recycling to raise this matter at the next meeting of the Staffordshire Joint Waste Management Board;
- 2.5 To ask the Leader of the Council to write to the Secretary of State for Environment, Food and Rural Affairs:
 - 2.5.1 informing him of this Council's policy;
 - 2.5.2 responding positively to his consultation on proposals to ban the distribution and sale of plastic straws, plastic-stemmed cotton buds and plastic drink stirrers in England;
 - 2.5.3 urging him to bring forward plans for an England-wide plastic bottle deposit return scheme, in line with similar schemes that are forthcoming from the devolved administrations in Wales and Scotland.

3. **Options Considered** (if any)

- 3.1 To do nothing is clearly not an option adopted by both Members and Officers alike;
- 3.2 The preferred option is to respond positively to UK Government's 25-year plan to eliminate avoidable plastic waste and in doing so formulate a borough council plan that addresses the needs in reducing SUP.

4. **Proposal**

Officers have:

- 4.1 Established an officer group to establish an approach to be adopted by the borough council to:
- 4.2 draft and embed on approval a Single Use Plastic Reduction Strategy for the borough council;
- 4.3 draft a supporting action plan in delivery of the Single Use Plastic Reduction Strategy;

5. **Reasons for Preferred Solution**

To respond positively to the UK Government's 25-year plan to eliminate avoidable plastic waste and the recent resolution of the European Parliament endorsing an EU-wide ban on a range of single-use plastic items.

6. **Outcomes Linked to Corporate Priorities**

Whilst at this stage the delivery of the project relates directly to the borough council and its various operational sites, the outcomes linked to this project either have a direct and/or indirect impact on the council four corporate priorities

- *Local services that work for local people.*
- *Growing our people and places.*
- *A healthy, active and safe borough.*
- *A town centre for all.*

7. **Legal and Statutory Implications**

There is currently no legal or statutory requirements linked to the delivery of this project, albeit the impacts of recent consultation by UK Government prior to finalising a Resource and Waste Strategy may result in statutory implications.

8. **Equality Impact Assessment**

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

9. **Financial and Resource Implications**

There are currently no financial implications, however in researching alternate products to SUP this may result in an increase in the supply and/or replacement of certain goods.

There will be an additional officer resource requirement in assessing the council's baseline SUP position and researching alternate solutions to reduce/eliminate SUP.

10. **Major Risks**

The major risks in not delivering this project impact on the local and general environmental pollution considerations that have been nationally publicised some of which are reported in para 1 above.

11. **Sustainability and Climate Change Implications**

The council approach, its strategy and action plan is aimed to contribute to reducing the impacts on climate change and risk in reducing/eliminating SUP.

12. **Key Decision Information**

This report is not linked to a key decision as stipulated in section 13.2 of the Council's Constitution.

13. **Earlier Cabinet/Committee Resolutions**

Full Council 21st November 2018 the council noted that:

- To seek to eliminate all single-use plastics within Council-managed premises and facilities by 2023, the 850th anniversary of our loyal and ancient borough's charter;
- To encourage our partners in Castle House to adopt a similar goal;
- To work with suppliers to reduce single-use plastics within the Council's supply chain, with the ambition of eliminating single-use plastics from goods and services provided to the Council by 2025;
- To ask the Portfolio Holder for Environment and Recycling to raise this matter at the next meeting of the Staffordshire Joint Waste Management Board;
- To ask the Leader of the Council to write to the Secretary of State for Environment, Food and Rural Affairs:
 - informing him of this Council's policy;
 - responding positively to his consultation on proposals to ban the distribution and sale of plastic straws, plastic-stemmed cotton buds and plastic drink stirrers in England;
 - urging him to bring forward plans for an England-wide plastic bottle deposit return scheme, in line with similar schemes that are forthcoming from the devolved administrations in Wales and Scotland.

14. **List of Appendices**

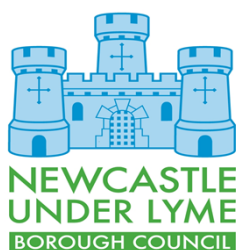
Appendix A

Appendix B

15. **Background Papers**

There are no supporting background papers.

Appendix 'A'



Single Use Plastic Reduction Strategy 2019 - 2022

Contents

3. Introduction and Context
4. Strategy Scope
4. Reduction and Removal of Single Use Plastics in Newcastle-under-Lyme Borough Council
5. Promoting the reduction and removal across Newcastle-under-Lyme
6. Impact
6. Reporting
7. Appendix 1 – Motion for Full Council, 21 November 2018
9. Appendix 2 – Action Plan

Section 1 – Introduction and Context

This *Single Use Plastic Reduction* Strategy has been developed to support the Council Motion approved at full council on 21 November 2018 (a copy of which can be found at appendix 1).

The Government in January 2018 has recently pledged to work towards eliminating all avoidable waste by 2050 and all avoidable plastic waste by end of 2042, but this strategy aims to reduce and eliminate where possible single use plastics as soon as possible within The Borough Council of Newcastle-under-Lyme (“the Council”).

Most of plastic currently produced can be recycled. However, the extent to which plastics are recycled depends upon various technical, economic and logistical factors. As a valuable and finite resource, given that it is derived from fossil fuels such as oil and coal, the optimum recovery route for most plastic items at the ‘end-of-life’ is to be recycled, preferably back into a product that can then be recycled again and again, ad infinitum.

It is estimated that 8.3 billion tonnes of plastic have been produced globally, with 6.3 billion tonnes of this becoming plastic waste. Only 9% of plastic is recycled, 12% is incinerated, resulting in 79% of the plastic produced to date either ending up in landfill or the natural environment. Single Use Plastics (SUP) make up a significant proportion of this total. SUP often also referred to as disposable plastics, are commonly used for plastic packaging and include items intended to be used only once before they are thrown away or recycled.

These include, among other items, grocery bags, food packaging, soft drink bottles, straws, containers, coffee vending and water cups and cutlery, condiment sachets, plastic waste sacks,

The Council recognises that discarded plastics, including non-recyclable food containers, cups and straws are a major environmental pollutant and of detrimental impact to the Newcastle-under-Lyme region.

This strategy has been developed to expedite a program of plastics reduction actions that will have a long-term effect on the current issues raised within this area.

Section 2 – Strategy Scope

This strategy in line with the council motion aims to reduce and eliminate SUP from the Council and support partners across the Borough of Newcastle-under-Lyme.

The key objectives which form the scope of this strategy are:

- Identification of Council use of SUP and alternatives to implement change which will reduce / remove these from Council use;
- Work with our suppliers and contractors to encourage businesses to reduce / remove single use plastics;
- Raise awareness of the impact of single use plastics across the Borough of Newcastle-under-Lyme.

The delivery of the commitments and actions' within this strategy will need to be delivered through a collaborative approach, not just across the Council but across wider public sector and through our supply chains.

Section 3 – Reduction / Removal of SUP within the Borough Council

To reduce and remove SUP within the Council, there are three key steps that need to be undertaken:

- Identify current use;
- Identify and develop alternative sources of supply; and
- Implement change.

A review of all single use plastics across the Council needs to take place, to identify the SUP products currently used:

- Cutlery;
- Coffee machine vending cups;
- Water cups;
- Food containers;
- Straws;
- Condiment sachets;
- Soft drink bottles;
- Supply of consumable materials and chemicals from the councils suppliers;

The Council procures a range of sundries either directly or by its service providers, which accounts for most of the products noted above, through both framework agreements and/or open procurement processes. A partnership approach with framework providers,

service providers and our supply chains to bring about change is essential; to promote innovation and identify alternative products and solutions to ensure functionality and ongoing customer needs are met.

Relevant tenders, by the Council, shall include criteria to consider how our supply chain look at the circular economy in relation to plastics, with businesses being encouraged to minimise waste and to recycle from cradle to cradle. Such criteria shall support elimination and reduction of plastic packaging.

Following identification of alternative products, access to current products shall be removed from the Council's ordering system catalogues where these exist.

Further details of benchmarks and actions to be developed are provided within the Action Plan at Appendix 2 of this Strategy.

Section 4 – Promoting the Reduction and Removal of Single Use Plastics across the Borough

Through taking a lead on the reduction and removal of SUP across all Council offices we will take forward the opportunity to lead and to educate and promote awareness of the negative impact they have and identify alternative products for Council staff, visitors and work with partners, which can directly inform the Newcastle-under-Lyme community.

In addition to the work undertaken by the council directly to reduce and manage its SUP, the council works closely will engage with the Business Improvement District (BID) and the Council's partners across the region demonstrating commitment to the management and removal of plastics locally. The region has seen projects such as 'Plastic Free Newcastle under Lyme' a page dedicated to helping Newcastle under Lyme reduce its reliance on single-use/disposable plastics and to raising awareness of the Plastic Free Communities movement (developed by national marine conservation charity, Surfers Against Sewage).

The Council will work collaboratively with Keele University Sustainability Hub to identify how best to communicate the adverse impacts on the environment as a result of the continued use of SUP.

Through the partnership work undertaken by the council there is an opportunity to engage with external groups and influence the activities or resources being utilised to ensure consideration is given to reducing single use plastics at source.

Section 5 – Impact

Environmental

Growing plastic waste generation and its leakage into our environment must be tackled if we are to achieve a truly circular lifecycle for plastics. Today, littering and leakage of plastic waste harm the environment, cause economic damage to a range of activities and may affect human health through the food chain.

Economic

With the achievement of this strategy within Newcastle-under-Lyme Borough Council, depending on cost implications from the supply chain to innovate and develop alternative solutions, there may be potential cost increases; however this will be defined as further described within the action plan.

Section 6 – Reporting

Outcomes will be reported half yearly highlighting progress against the proposed activities contained within the council's action plan identified in Appendix 2.

Appendix 1 – Motion for Full Council

Motion for Full Council, 21 November 2018: Single-use plastics

Proposer: Cllr Mark Holland

Seconder: Jennifer Cooper

Council notes that:

- (5) Estimates of the amount of plastic waste entering the world's oceans range from 4.8 million tonnes to 13 million tonnes annually. A 2016 study found that a majority of this waste comprised single use plastic items and packaging.
- (6) It is forecast that, without urgent action to cut demand, UK plastic production will reach 34 billion tonnes by 2050.
- (7) The Marine Conservation Society reported an average of 718 items of litter per 100m of UK beach in 2017, an increase of 10% compared to 2016.
- (8) Following the broadcast of the documentary series 'Blue Planet II' one year ago, public awareness of marine plastic pollution and concern about the long-term harmful effect on the environment and wildlife of plastic waste have greatly increased.

Council welcomes the UK Government's 25-year plan to eliminate avoidable plastic waste and the recent resolution of the European Parliament endorsing an EU-wide ban on a range of single-use plastic items.

Council believes that in support of national and supranational efforts, we should lead by example in our own borough and take all measures possible to reduce plastic waste and eliminate completely plastic waste that is avoidable.

Council resolves:

- (1) To seek to eliminate all single-use plastics within Council-managed premises and facilities by 2023, the 850th anniversary of our loyal and ancient borough's charter.
- (2) To encourage our partners in Castle House to adopt a similar goal.
- (3) To work with suppliers to reduce single-use plastics within the Council's supply chain, with the ambition of eliminating single-use plastics from goods and services provided to the Council by 2025.
- (4) To ask the Portfolio Holder for Environment and Recycling to raise this matter at the next meeting of the Staffordshire Joint Waste Management Board.
- (5) To ask the Leader of the Council to write to the Secretary of State for Environment, Food and Rural Affairs:
 - (a) informing him of this Council's policy
 - (b) responding positively to his consultation on proposals to ban the distribution and sale of plastic straws, plastic-stemmed cotton buds and plastic drink stirrers in England

- (c) urging him to bring forward plans for an England-wide plastic bottle deposit return scheme, in line with similar schemes that are forthcoming from the devolved administrations in Wales and Scotland.

DRAFT

Appendix 2 – Action Plan

| Action: | Responsible Officer/s: | Timescales: | Comments/Progress: |
|--|---|--------------------|---------------------------|
| 1. Create a baseline of current SUP used across the Council: | Simon Sowerby, Business Improvement & SUP Officer Group | June 2019 | |
| 2. Identify any investment required to implement reuse products (e.g. water bottles instead of cups) and consider budget options available to support this activity: | Simon Sowerby, Business Improvement & SUP Officer Group | August 2019 | |
| 3. Evaluate and trial alternative solutions: | Simon Sowerby, Business Improvement & SUP Officer Group | Ongoing | |
| 4. Identify where no alternative products are currently available within the market and work with local partners and current suppliers to develop solutions: | Simon Sowerby, Business Improvement & SUP Officer Group | Ongoing | |
| 5. Roll out of alternate products | Simon Sowerby, Business Improvement & SUP Officer Group | Ongoing | |

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| | | | |
|---|--|------------------------------|--|
| 6. Where catalogues exist remove SUP products from ordering catalogues. | Simon Sowerby; Creditors - Procurement & Commissioning | Ongoing | |
| 7. Remove use of SUP cups at water coolers and coffee machines across the Council | Facilities Services Simon Sowerby, Procurement & Commissioning | October 2019 | |
| 8. Review current café contract with service provider identifying the use of SUP and examine alternate solutions | Simon Sowerby, Business Improvement & SUP Officer Group | September 2019 | |
| 9. Within the Leisure Centre a review of water fountains will take place with recyclable drinking cones and signage to encourage refilling of bottles | Simon Sowerby, Business Improvement & SUP Officer Group | September 2019 | |
| 10. Undertake research into what other council's / like partners are doing to reduce / eliminate SUP. | Simon Sowerby, Business Improvement & SUP Officer Group | Initial Research May 2019 | |
| 11. Support and encourage the Borough's businesses and institutions to commit to reducing single use plastic waste in their | Simon Sowerby, Business Improvement & SUP Officer Group, BID... | Ongoing | |

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| | | | |
|---|---|---------------|-----------|
| organisation, for example, by taking the 'plastic free pledge'. | | | |
| 12. Engage with external partners to further develop the borough council's strategy. | Simon Sowerby, Business Improvement & SUP Officer Group, Dr. Sharon George Keele University | Ongoing | |
| 13. Engage with external partners to further develop the borough council's strategy. | Simon Sowerby, Business Improvement & SUP Officer Group, Jenny Mason – Plastic Free Newcastle-under-Lyme | Ongoing | |
| 14. Portfolio Holder for Environment and Recycling to raise this matter at the next meeting of the Staffordshire Joint Waste Management Board | Portfolio Holder for Environment and Recycling | March 2019 | Completed |
| 15. Research into available support groups and any accrediting bodies that the council might wish to engage with and/or support. | Simon Sowerby, Business Improvement & SUP Officer Group, | May 2019 | |
| 16. To ask the Leader of the Council to write to the Secretary of State for | Leader of the Council - SUP Officer Group, | February 2019 | Completed |

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| | | | |
|--|--|----------------|--|
| <p>Environment, Food and Rural Affairs:</p> <ul style="list-style-type: none"> (a) informing him of this Council's policy; (b) responding positively to his consultation on proposals to ban the distribution and sale of plastic straws, plastic-stemmed cotton buds and plastic drink stirrers in England; (c) urging him to bring forward plans for an England-wide plastic bottle deposit return scheme, in line with similar schemes that are forthcoming from the devolved administrations in Wales and Scotland. | | | |
| <p>17. Avoidance of unintended consequences¹ e.g. replacement for SUPs are either not biodegradable, recyclable or create un-beneficial impacts to the council:</p> | | <p>Ongoing</p> | |
| <p>18.</p> | | | |

Notes:

¹ outcomes that are not the ones foreseen and intended by a purposeful action...

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE CABINET

Date 5 June 2019

REPORT TITLE: FINANCIAL AND PERFORMANCE MANAGEMENT REPORT TO
END OF QUARTER FOUR (January-March) 2018-19

Submitted by: Executive Management Team

Portfolio: Corporate & Service Improvement, People & Partnerships,
Finance & Efficiency

Wards Affected: All

Purpose

To provide Cabinet with the Financial and Performance Review report with the Financial and Performance Review report – fourth quarter 2018/19.

Recommendations

- (a) That Members note the contents of the attached report and agree to the recommendation that the Council continues to monitor performance alongside the latest financial information for the same period.
- (b) That Members support the future development of the Financial & Performance report to reflect the vision and priorities of the Council Plan 2018-2022.

Reasons

The Financial and Performance Management monitoring reports provide information on a quarterly basis regarding the performance of individual council services, alongside related financial information on the organisation.

1. Background

- 1.1 This quarterly report provides Members with a detailed update on how the Council has performed during the fourth quarter of 2018/19 by presenting performance data set within a financial context.
- 1.2 This report provides broad financial information (Appendix A) and also details performance (Appendix B) for the fourth quarter of 2018/19.
- 1.3 A summary of the overall performance picture is presented in section 3 of this report and members will note that performance is generally progressing well.

2. 2018/19 Revenue and Capital Budget Position

- 2.1 The Council approved a general fund revenue budget of £13,335,420 on 21 February 2018. Further financial information is provided in Appendix A.

3 Performance

- 3.1 The latest performance information for quarter four has been analysed.

- 3.2 All indicators monitored for this period are listed in the table found in Appendix B.
- 3.3 Any indicators failing to meet the set targets include a comment explaining why the indicator has not performed well, and what steps are being taken to ensure improvement in the future.
- 3.4 The layout for Appendix B changed in early 2018.
- 3.5 For this report a total of 21 indicators were monitored, and the proportion of indicators which have met their target or are within tolerance levels during this period stands at 67%.
- 3.6 There are 7 indicators off target this quarter, and officers consider that the performance against these indicators does not give rise to serious cause for concern at present (see commentary provided at Appendix B). The management of each of the service areas concerned continue to monitor and take steps to deal with under achievement of targets where possible and/or appropriate.

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

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

4. Development of the Financial and Performance Report

- 4.1 The performance section –Appendix B was updated in quarter two and the indicators align to the new vision and priorities of the new Council Plan 2018-2022.
- 4.2 The performance measures are currently being reviewed to reflect the priorities in the new Council Plan.
- 4.3 During the next months, the format and content of the report will be reviewed and developed in order to reflect the progress of the planned aims of the Council Plan 2018-2022.
- 4.4 Additional performance information will be provided, not only to ensure the monitoring of the corporate activities of the council, but also to inform Members, businesses and residents of performance in their local economy.

5. Outcomes Linked to Sustainable Community Strategy and Corporate Priorities

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

6. Legal and Statutory Implications

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

7. Equality Impact Implications

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

8. Financial and Resource Implications

- 8.1 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.

9. Major Risks

- 9.1 The ongoing changing market conditions represents the greatest risk to the revenue budget, particularly with regard to the impact it may have upon income receivable in relation to services where customers may choose whether or not to use Council facilities or in the case of the waste/recycling service where the volume of recycled materials is liable to fluctuate. The situation will be monitored through the normal budget monitoring procedures.
- 9.2 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.
- 9.3 The above represents a high level view of risk. There are detailed risk registers available if members wish to see them.

10. List of Appendices

Financial information (Appendix A), and performance information (Appendix B).

11. Background Papers

Working papers held by officers responsible for calculating indicators.

12. Management sign off

Each of the designated boxes need to be signed off and dated before going to Executive Director/Corporate Service Manager for sign off.

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Financial Position Quarter Four 2018/19

1. General Fund Revenue Budget

- 1.1 The Council approved a General Fund Revenue Budget of £13,335,420 on 21 February 2018. The actual position compared to this budget is continuously monitored by managers, EMT and Portfolio Holders in order to detect any significant variances of expenditure or income from the approved amounts contained in the budget.
- 1.2 The unaudited outturn in respect of the General Fund Revenue Account was a surplus of £8,155 compared to the budget of £13,335,420. Whilst there were adverse variances against some budget heads, these have been offset by positive variances against others. The Audit and Standards Committee agenda for its meeting on 24 June 2019 will contain a commentary on the outturn in the report in relation to the Statement of Accounts for 2018/19 which can be referred to for further details such as areas where variances occurred. The formal external audit of the Statement of Accounts commences on 10 June 2019. The findings of the audit will be reported to the Audit and Standards Committee at their meeting on 29 July 2019.

2. Capital Programme

- 2.1 A Capital Programme totalling £2,549,000 was approved for 2018/19. Of this total £1,502,000 relates to the total cost of new schemes for 2018/19 together with £1,000,000 for schemes funded by external sources (Disabled Facilities Grants) and £47,000 brought forward from the original 2017/18 Capital Programme. In addition £347,630 slippage was incurred in 2017/18, and £446,134 additional Disabled Facilities Grants funding was received than originally budgeted for resulting in a total Capital Programme of £3,342,764 for 2018/19.
- 2.2 The position at the end of the fourth quarter is as follows:-

| | £ |
|---|-----------|
| Budget | 3,342,764 |
| Actual Expenditure | 2,031,788 |
| Committed orders and carry forwards for existing projects | 1,326,573 |
| Variance | 15,597 |

- 2.3 It should be noted that the Council's Capital Balance is at a minimum, it is therefore imperative that the sites earmarked for disposal within the Asset Management Strategy are progressed as soon as possible as any delays will only worsen the Council's overall financial position

3. Treasury Management

- 3.1 The Council had funds invested in the amount of £1,976,305 as at 31 March 2019

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Corporate Performance Scorecard Quarter 4 January- March 2018-19

Priority 1: Local Services that Work for Local People

| Ref | Service Area | Portfolio Holder | Indicator | Good is | Result Q4 2017-18 | Result Q4 2018-19 | Target 2018-19 | Target 2019-20 | Status | Notes |
|------|----------------------|-----------------------|--|---------|--|--|--------------------------|--------------------------|--------|--|
| 1.1 | Environmental Health | Cllr. Trevor Johnson | Percentage of food premises that have a zero or one national food hygiene rating | Low | 1.82% (16 out of 880 published premises) | 1.16% (13 out of 1,122 published premises) | 5% | 5% | | The result is above the set target. |
| 1.2 | Recycling & Fleet | Cllr. Trevor Johnson | Household collections from the kerbside (%):- | | | | | | | |
| 1.2a | | | · Dry Recycling | High | 22.83% | 18.97%* | 18% | TBC | | The annual figures for 2018-19 are as follows; Dry -18.00%, Food 5.22% and Garden waste for Quarter 3 and 4 include the 8 week winter shutdown where no material is collected. This together with the hot summer of 2018 has meant the annual target just been missed. |
| 1.2b | | · Food | High | 5.79% | 5.87%* | 5% | TBC | | | |
| 1.2c | | | · Green | High | 8.76% | 6.47%* | 20% | TBC | | |
| 1.3 | Operations | Cllr. Trevor Johnson | Levels of street and environment cleanliness (LEQ survey) free / predominantly free of litter, detritus, graffiti and fly-posting) | High | 84.5% 89.34% 99.83% 100% | 93.14% 93.14% 99.83% 100% | 91% 91% 97% 99% | 91% 91% 97% 99% | | The third survey for 2018-19 was undertaken in Qtr 4 and the results were above target, having improved on the results for litter and detritus for the same period in 2017-18. |
| 1.4 | Customer & ICT | | Percentage of requests resolved at first point of contact | High | 98% | 98% | 97% | 97% | | The result exceeds the target set for Qtr 4. |
| 1.5 | Customer & ICT | Cllr. Simon Tagg | % Unmet demand (number of calls not answered as a % of total call handling volume) | Low | 14.81% | 14.82% | 8% | 10% | | The result is below target this quarter due to long term sickness having an effect. As with other areas of the Council, absences are closely managed with a view to supporting colleagues back to work and addressing this service lag for future quarters. |
| 1.6 | Revenues & Benefits | Cllr. Stephen Sweeney | Time taken to process Housing/Council Tax Benefit new claims and change events | Low | 4.6 days | 4.36 days | 10 days | 10 days | | The results are above the targets set and equal to or above those achieved last year |
| 1.7 | | | Percentage of Council Tax collected | High | 97.70% | 97.70% | 97.50% | 97.50% | | |
| 1.8 | | | Percentage of National non-domestic rates collected | High | 98.00% | 98.90% | 96.00% | 96.00% | | |
| 1.9 | Human Resources | Cllr. Simon Tagg | Average number of days per employee lost to sickness | Low | 9.7 days (cumulative) | 10.03 days | 8 days annual | 8 days annual | | The new Attendance Management Policy has been agreed with the Trades Unions, and is on the June Cabinet meeting for approval. Human Resource officers have been tasked with addressing absences within their dedicated service areas. The new policy will support this effort. |

*Results are provisional at this time.

Priority 2: Growing our People and Places

| Ref | Service Area | Portfolio Holder | Indicator | Good is | Result Q4 2017-18 | Result Q4 2018-19 | Target 2018-19 | Target 2019-20 | Status | Notes |
|-----|------------------------|----------------------|---|---------|--|-----------------------------------|----------------------------------|---|---|--|
| 2.1 | Operations | Cllr. Trevor Johnson | Number of community volunteer groups/hours spent caring for their local green spaces and neighbourhoods | High | 1,023 hrs Qtr 4 (5,342 hrs cumulative) | 372 hrs | 250 hrs Qtr 4 1,000 hrs (annual) | 250 hrs Quarterly 1,000 hrs (annual) |  | The figure continues to exceed the target. |
| 2.2 | Culture & Arts | Cllr. Mark Holland | Number of hours worked by volunteers in council co-ordinated activities (museum) | High | 492hrs (2269hrs cumulative) | 459hrs Qtr 4 (2089hrs cumulative) | 300 Qtr 4 (1500 hrs cumulative) | Qtr 1 400 Qtr 2 500 Qtr 3 500 Qtr 4 400 (1800 cumulative) |  | The result continues to be above target for this indicator. |
| 2.3 | Planning & Development | Cllr. Paul Northcott | Percentage of Major Planning Applications decisions issued within an agreed extension of time | High | 78.4% (cumulative) | 70% (cumulative) | 72.50% | 72.50% |  | The result is slightly off target at the year end, with case management improving over the year. It is also worth noting that significant fluctuations in performance will arise because of the relatively small number of applications involved. |
| 2.4 | Planning & Development | Cllr. Paul Northcott | Percentage of Non Major Planning decisions issued within an agreed extension of time | High | 78.6% (cumulative) | 79.9% (cumulative) | 85% | 85% |  | This target has not quite been met again this quarter. The Council's performance remains above the Government target, in part because decisions have been issued on a significant number of applications which had been impacted by the Council's policy on seeking Public Open Space contribution for all residential developments. The recent change will assist the Council in respect of its performance, however more pro-active case management will continue. |

Priority 3: A Healthy, Active and Safe Borough

| Ref | Service Area | Portfolio Holder | Indicator | Good is | Result Q4 2017-18 | Result Q4 2018-19 | Target 2018-19 | Target 2019-2020 | Status | Notes |
|------|------------------|----------------------|--|---------|------------------------------------|--------------------------------------|--|--|--------|--|
| 3.1 | Operations | Cllr. Trevor Johnson | Number of parks which have Green Flag status | High | 7 | 7 | 7 | 7 | | |
| 3.2 | Operations | Cllr. Trevor Johnson | Level of satisfaction with Council run parks and open spaces | High | N/A | N/A | 66% | - | - | This will be reported at a later date. |
| 3.3 | Community Safety | Cllr. Jill Waring | Number of Anti-Social Behaviour (ASB):- | | | | | | | |
| 3.3a | | | -New ASB cases received during the quarter | Low | 91 | 162 | - | - | - | The number of cases reported this quarter have increased for the same period for last year however the current caseload remains low. A total of 455 cases have been received during 2018-19 and and a total of 448 cases have been closed. |
| 3.3b | | | -Current open ASB cases as at the end of the quarter | Low | 21 (31/03/18) | 14 (31/03/19) | - | - | - | |
| 3.3c | | | -ASB cases closed in the quarter | Low | 81 | 156 | - | - | - | |
| 3.4 | Culture & Arts | Cllr. Mark Holland | Number of people visiting the museum | High | 9,687 Qtr 4 (62,331 cumulative) | 13,152 (68,229 cumulative) | Qtr 1 16,000 Qtr 2 20,000 Qtr 3 10,000 Qtr 4 10,000 (56,000 cumulative) | Qtr 1 17,000 Qtr 2 22,000 Qtr 3 10,000 Qtr 4 10,000 (59,000 cumulative) | | The museum reached its annual target in Qtr 3. |
| 3.5 | Leisure | Cllr. Mark Holland | Number of people accessing leisure and recreational facilities | High | 157,353 Qtr 4 (639,902 cumulative) | 149,137** Qtr 4 (612,257 cumulative) | 150,000 Qtr 4 (600,000 annual) | 600,000 | | Slightly under target this quarter but within tolerance, and on target annually. |

** Result is within tolerance

Priority 4 : A Town Centre for All

| Ref | Service Area | Portfolio Holder | Indicator | Good is | Result Qtr 4 2017-18 | Result Qtr 4 2018-19 | Target 2018-19 | Target 2019-2020 | Status | Notes |
|-----|-------------------------------------|-----------------------|---|---------|----------------------|----------------------|----------------|------------------|--------|--|
| 4.1 | Regeneration & Economic Development | Cllr. Simon Tagg | Town Centre Vacancy Rate | Low | 16.9% | 19.21% | 15% | 20% | | The vacancy rate has, unfortunately, continued to rise over the last year, reflecting the national picture. The Roebuck Centre, Lymelight Boulevard, Lancaster Building and Castle Walks all have vacancies. However, we have seen positive changes with the opening of some new independents and movement due to business expansion. Cabinet has prioritised the town centre, including submission of a Future High Streets Fund bid and work to regenerate the market. |
| 4.2 | Property | Cllr. Paul Northcott | Percentage of investment portfolio vacant (NBC owned) | Low | 9.40% | 8.90% | 12% | 12% | | This indicator remains within target. |
| 4.3 | Regeneration & Economic Development | Cllr. Stephen Sweeney | Average stall occupancy rate for markets | High | 46% | 41% | 65% | 60% | | Qtr 4 is historically the weakest period for the market due to poor weather conditions. Cabinet has prioritised action to improve the market, as part of its wider work on the town centre. The national Association of British Market Authorities has undertaken a Health Check of the Market. Cabinet will consider proposals for improvement to the Market in June. |

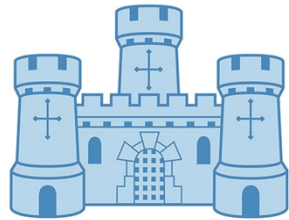
N/A Performance information not available at this time or due to be provided at a later date.

Performance is not on target but direction of travel is positive

Performance is not on target where targets have been set

Performance is on or above target.

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NEWCASTLE·UNDER·LYME
BOROUGH COUNCIL

Cabinet Forward Plan: Newcastle under Lyme Borough Council

Notice of Key Decisions to be taken under the Local Authorities (Executive Arrangements) (Meetings & Access to Information) (England) Regulations 2012 between 10 July 2019 and 6 November 2019

This Plan gives 28 clear days' notice of key decisions which either the Cabinet or individual Cabinet Portfolio Holders expect to take over the next few months. An authority cannot take a key decision without giving 28 clear days' notice unless an urgent decision is required.

"Key Decisions" are defined as those Executive/Cabinet Decisions which are likely:

- a. To result in the Council incurring expenditure or making savings of an amount which is significant having regard to the Council's budget for the service or the function to which the decision relates. (NB: The financial threshold above which expenditure or savings become significant has been set by the Council at £50,000).
- b. To be significant in terms of its effects on communities living or working in an area comprising two or more wards of the Borough.

Although it is not a statutory requirement this Forward Plan also contains details of other major decisions likely to be taken by the Cabinet, or individual Portfolio Holders, during the same period.

Occasionally it is not possible to give 28 days' notice of a specific decision and so include the details in the forward plan. In those circumstances urgent key decisions may still be made under the urgency procedures set out in the Access to Information Procedure Rules within the Council's Constitution.

A decision notice for each key decision made is published within 6 days of it having been made.

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Whilst the majority of decisions listed in this Plan will be taken at meetings which are open to the public to attend, there may be some decisions which are considered in private meetings because the reports for the meeting contain confidential or exempt information under Schedule 12A of the Local Government Act 1972 (see below for relevant paragraphs) and the public interest in withholding the information outweighs the public interest in disclosing it.

If you object to a report being considered in private you can tell us why by emailing DemocraticServices@newcastle-staffs.gov.uk or contacting the address below. Any representations received at least 8 working days before the meeting will be published with the agenda together with a statement of the Council's response. Any representations received after this time will be reported verbally to the meeting.

The Cabinet is made up of the Leader, Deputy Leader and Cabinet Members with the following portfolios:

| | |
|--|----------------------------|
| Leader of the Council (Corporate & Service Improvement, People & Partnerships) | Councillor Simon Tagg |
| Deputy Leader & Cabinet Portfolio Holder (Finance & Efficiency) | Councillor Stephen Sweeney |
| Cabinet Portfolio Holder (Community Safety & Well Being) | Councillor Jill Waring |
| Cabinet Portfolio Holder (Environment & Recycling) | Councillor Trevor Johnson |
| Cabinet Portfolio Holder (Leisure, Culture & Heritage) | Councillor Mark Holland |
| Cabinet Portfolio Holder (Planning & Growth) | Councillor Paul Northcott |

Paragraphs under Schedule 12A of the Local Government Act 1972 – Exempt Information

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals an authority proposes;
 - a. to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - b. to make an order or direction under any enactment
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of a crime

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Copies of the Council’s Constitution and agendas and reports relevant to any key decision may be accessed on the Council’s website www.newcastle-staffs.gov.uk or may be viewed during normal office hours and copies or extracts obtained on payment of a reasonable fee (unless the publication contains exempt information) at:

**The Chief Executive’s Directorate, Castle House, Barracks Road
Newcastle-under-Lyme, Staffordshire ST5 1BL**

Telephone 01782 742222 Or Contact: DemocraticServices@newcastle-staffs.gov.uk

| Title of Report | Brief Description of Report | Cabinet Portfolio holder / Officer contact | Decision maker & earliest date decision may be made | Relevant Overview & Scrutiny Committee | Wards affected | Reason for exemption under Sched 12A (if in private session) |
|---|--|---|--|---|-----------------------|---|
| J2 Performance Improvement | Consideration of various issues concerning J2 | Councillor M. Holland | Cabinet 10 July 2019 | Health, Wellbeing and Partnerships | All | Report will be in 2 parts. One part likely to contain exempt information under paragraphs 3 & 5 |
| Replacement Cremators - Feasibility Study | Feasibility study into replacing the cremators | Councillor T. Johnson | Cabinet 10 July 2019 | Health and Wellbeing | All | N/A |
| Homelessness Housing Advice Procurement | To review approach to procuring statutory Housing Advice Procurement | Councillor J. Waring | Cabinet 10 July 2019 | Economy, Environment and Place | All | N/A |
| 20 Sidmouth Avenue, Newcastle, ST5 0QN | To review options to progress site development | Councillor P. Northcott | Cabinet 10 July 2019 | Economy, Environment and Place | All | Report likely to contain exempt information under paragraph 3 |

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| Air Quality Update | To advise of work completed to date including air quality area of concern and feasibility study | Councillor T. Johnson | Cabinet 10 July 2019 | Economy, Environment and Place | All | N/A |
| Bedding Plant Supply Contract | Contract for the supply of spring and summer bedding plants | Councillor T. Johnson/ Councillor M. Holland | Cabinet 10 July 2019 | Economy, Environment and Place | All | N/A |
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| Air Quality Local Development Plan | To consider the air quality local development plan and preferred outcome to improve air quality | Councillor T. Johnson | Cabinet 4 September 2019 | Economy, Environment and Place | All | N/A |
| Affordable funerals | To consider introducing affordable funerals | Councillor T. Johnson | Cabinet 4 September 2019 | Economy, Environment and Place | All | N/A |
| Quarter 1 Finance and Performance Report | To consider agreed measures of performance and budget monitoring for Q1 of 2019/20 financial year | Councillor S. Tagg | Cabinet 4 September 2019 | Finance, Assets and Performance | All | N/A |
| New Economic Development Strategy | To review and adopt a new Economic Development Strategy for the Council | Councillor S. Tagg | Cabinet 4 September 2019 | Economy, Environment and Place | All | N/A |
| Car Parking Strategy | To review Council objectives for Car parking in Town Centre | Councillor S. Sweeney | Cabinet 4 September 2019 | Economy, Environment and Place | All | N/A |

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| Digital Strategy | To agree the Councils Digital and Outline Business Case | Councillor S. Tagg | Cabinet 4 September | Finance, Assets and Performance | All | N/A |
| Tree Contract Extension | Consideration of the extension of tree contract | Councillor T. Johnson | Cabinet 4 September 2019 | Economy, Environment and Place | All | N/A |
| Replacement Mobile Telephony Contract | To review the options available to the Council when renewing its mobile telephone contract and procuring replacement devices | Councillor S. Tagg | Cabinet 4 September | Finance, Assets and Performance | All | N/A |
| ICT Data Backup Solution | To review the options available to replace or extend the current ICT data backup solution to meet the Councils future needs | Councillor S. Tagg | Cabinet 4 September | Finance, assets and Performance | All | NB – There is a possibility this may be deferred for 12 months depending upon the success of recent changes to our compression software and backup routines |
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| Review of Housing Allocation | To review possible changes/improvements in the Housing Allocation Policy | Councillor J Waring | Cabinet 16 October 2019 | Economy, Environment and Place | All | N/A |
| Microsoft ESA Renewal Options | To review the options available to the Council when renewing its Microsoft Software Licensing Agreement for 2020-2023 | Councillor S. Tagg | Cabinet 16 October 2019 | Finance, Assets and Performance | All | N/A |
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| Homelessness Housing Advice Contract Award | To review tenders and award contract | Councillor J. Waring | Cabinet 6 November 2019 | Economy, Environment and Place | All | N/A |
| Quarter 2 Finance and Performance Report | To consider agreed measures of performance and budget monitoring position for Q2 of 2019/20 financial year | Councillor S. Tagg | Cabinet 6 November 2019 | Finance, Assets and Performance | All | N/A |
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