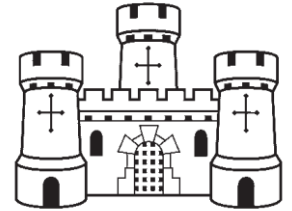


Public Document Pack

Date of meeting Wednesday, 4th December, 2019
Time 2.00 pm
Venue Lancaster Buildings - Lancaster Buildings, Newcastle, Staffs
Contact Geoff Durham



**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 OF A PREVIOUS MEETING** (Pages 5 - 8)
- 4 TOWN DEALS** (Pages 9 - 12)
- 5 RENEWAL OF MICROSOFT ENTERPRISE SUBSCRIPTION AGREEMENT** (Pages 13 - 20)
- 6 PROCUREMENT OF ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND OPERATOR TO SUPPORT UPTAKE OF ELECTRIFIED TAXIS AND PRIVATE HIRE VEHICLES** (Pages 21 - 26)
- 7 FORWARD PLAN** (Pages 27 - 32)
- 8 URGENT BUSINESS**
To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act 1972.
- 9 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.

ATTENDANCE AT CABINET MEETINGS

Contacting the Council:

Switchboard 01782 717717 . Text 07800 140048

Email webmaster@newcastle-staffs.gov.uk.

www.newcastle-staffs.gov.uk

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 if 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), S. Sweeney (Vice-Chair), M. Holland, T. Johnson, P. Northcott 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.

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CABINET

Wednesday, 6th November, 2019

Time of Commencement: 2.00 pm

Present:	Councillor Simon Tagg (Chair)	
Councillors:	S. Sweeney M. Holland	T. Johnson J Waring
Officers:	David Adams Caroline Elwood Martin Hamilton Jan Willis Geoff Durham Janet Baddeley	Executive Director Operational Services Interim Head of Legal / Monitoring Officer Chief Executive Interim Executive Director - Resources and Support Services and Section 151 Officer Mayor's Secretary / Member Support Officer Communications Manager

Also in attendance:

1. **APOLOGIES**

Apologies were received from Councillor Northcott.

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

3. **MINUTES OF A PREVIOUS MEETING**

Resolved: That the Minutes of the meeting held on 16 October, 2019 be agreed as a correct record.

4. **PROGRESS ON PREVENTING UNAUTHORISED ENCAMPMENTS**

A report was submitted to Cabinet updating Members on the management and enforcement activity regarding unauthorised encampments across the Borough.

The Portfolio Holder for Environment and Recycling, Councillor Trevor Johnson advised that the number of travellers incursions had reduced significantly since 2017.

Members' attention was drawn to paragraph 2 which listed where preventative measures had been taken, the type of deterrent and costings.

Reference was made to the draft Protocol that had been circulated to all Staffordshire District Councils for consultation. Members were advised that the protocol was

largely based on the successful approach adopted by Newcastle Borough Council over recent years.

A copy of the draft protocol was attached at page 19 of the agenda.

The Leader, Councillor Simon Tagg thanked Councillor Johnson, stating that it was a work in progress with Howard Place, Westlands now being considered for preventative measures.

The stumps had made a difference. They were a deterrent and, while some people may move them, the police had powers to evict.

Members welcomed the report and thanked the Executive Director for Operations – Dave Adams and Councillor Johnson for their work on this matter.

- Resolved:**
- (i) That the successful progress achieved in protecting the Borough's public spaces from unauthorised encampments be noted.
 - (ii) That the County-wide protocol proposed by Staffordshire Police be endorsed.

5. ASPIRE HOUSING AND NEWCASTLE-UNDER-LYME BOROUGH COUNCIL - PROSPECTUS FOR JOINT WORKING

Consideration was given to a report seeking approval of a prospectus setting out agreed areas for collaboration between the Council and Aspire Housing.

The Leader introduced the report stating that the Council had a very close working relationship with Aspire.

The Council and Aspire are keen to work closely on streetscene issues.

The new Administration wanted to build an even closer relationship, working with the LAP's and also, PM Training who had produced artwork on the roundabouts round the town centre.

Aspire would be taking a seat on the LEP. They are a voice both locally and nationally.

A copy of the Prospectus was attached at page 49 of the agenda.

Members welcomed the report.

- Resolved:**
- (i) That the prospectus attached at Appendix 1 of the agenda report be approved.
 - (ii) That a briefing be arranged for all members of the council on the work of Aspire Housing and its associated companies, PM training and Realise Foundation.

6. KIDSGROVE SPORTS CENTRE UPDATE

The Leader gave a verbal update on the current position regarding Kidsgrove Sports Centre.

The Kidsgrove Sports Centre Refurbishment – Cabinet Panel met for its first meeting on 5 November, a site visit had also taken place that morning led by Mr Dave Rigby of the Kidsgrove Sports Centre Community Group..

The meeting had included a verbal update from Mr Rigby, a presentation from The Council's Chief Executive Martin Hamilton and consideration of a confidential document.

The Leader was pleased with the cross-party approach of the Cabinet Panel and all Members felt encouraged by the site visit.

Members were surprised at the sound structure of the building although the plant and equipment did need replacing. The size of the structure in terms of its activity rooms was also encouraging.

The Leader advised that information on the Sports Centre would be included in his Statement to Full Council on 20 November.

Resolved: That the information be received.

7. FINANCIAL AND PERFORMANCE REVIEW REPORT - SECOND QUARTER (JULY - SEPTEMBER) 2019-20.

The Portfolio Holder for Finance and Efficiency, Councillor Stephen Sweeney updated Members on the revenue aspect of the report. Members' attention was drawn to paragraph 3 of Appendix A which showed the Revenue Budget position and the reasons for the variance.

The Leader stated that it was a positive report for this quarter.

Councillor Sweeney referred Members to page 59 of the agenda report advising that a total of £92,500 had been invested in 'A town centre for all'.

The Leader spoke on the performance part of the report.

The Portfolio Holder for Environment and Recycling – Councillor Trevor Johnson stated that all of the indicators relating to his Portfolio were on target.

The Leader advised that all Customer and ICT indicators were also on target. Absence figures were also improving with the Sickness Management Policy embedding into the Authority. In addition, a new HR Manager had been appointed and would be starting work early in the new year.

Councillor Sweeney advised that the Revenue and Benefit's indicators were also good.

The Leader advised on the indicators for Planning on behalf of the Portfolio Holder for Planning and Growth, Councillor Paul Northcott, stating that the indicators were fairly fluid with none that were not on target where targets had been set.

The Portfolio Holder for Community Safety and Wellbeing, Councillor Jill Waring sated that the indicators were good. The Leader added that the Community Safety Team had been working with partners and the numbers of rough sitters and Anti-Social Behaviour incidents had fallen.

The Portfolio Holder for Leisure, Culture and Heritage, Councillor Mark Holland advised that issues with J2 had impacted upon the growth of membership at the facility. The Council had contracted Alliance Leisure to increase and retain the membership.

The Leader added that steps were being taken to deal with the condition of the building and thanked Mr Hamilton for his work on the matter.

Members' attention was drawn to page 73 of the agenda – 'a town centre for all'. The Leader wanted to see businesses doing well on the run up to Christmas. Councillor Sweeney advised Members of the free parking for late night shopping and the switching on of the Christmas lights and also the reduced rate after 3pm.

The Leader advised that the new Town Centre Officer was now in post and was already helping to invigorate the market.

Resolved: That the contents of the agenda report be noted and that Members continue to monitor and challenge the Council's performance alongside its financial performance for the same period.

8. FORWARD PLAN

Consideration was given to the Forward Plan which listed upcoming key decisions to be made by the Cabinet.

Resolved: That the Forward Plan be received and noted.

9. URGENT BUSINESS

There was no Urgent Business.

COUNCILLOR SIMON TAGG
Chair

Meeting concluded at 2.36 pm

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO CABINET

04 December 2019

Report Title: Town Deals

Submitted by: Head of Housing, Regeneration and Assets

Portfolios: Corporate and Service Improvement, People and Partnerships

Ward(s) affected: All but primarily Newcastle Town and Kidsgrove

Purpose of the Report

To outline that the Council has been invited to develop proposals for the Government's Town Deal for Newcastle and Kidsgrove. As part of this the Council has been awarded funding to develop proposals in line with the Town Deal Prospectus.

Recommendation

- 1) That the Council supports the establishment of a Town Deal Board for Newcastle and a Town Deal Board for Kidsgrove.
- 2) That the Executive Director - Commercial Development and Economic Growth in conjunction with the Leader and Portfolio Holder for Corporate and Service Improvement, People and Partnerships is authorised to establish the membership of the Boards.
- 3) That the Executive Director - Commercial Development and Economic Growth in conjunction with the Portfolio Holder for Finance and Efficiency is authorised to appoint project management support and procure consultancy support for the development of proposals for the Town Deals.
- 4) The Council works with the Town Boards to develop proposals for Newcastle and Kidsgrove Investment Plans.

Reasons

On 1st November 2019 MHCLG published the Town Deal Prospectus for which the Council is invited to develop proposals for Newcastle and Kidsgrove. The Prospectus asks communities, businesses and local leaders to draw up ambitious plans to transform their town's economic growth prospects. As part of this it is necessary to establish Town Boards by the end of January 2020 and develop Town Investment Plans by Summer 2020.

1. **Background**

- 1.1 On 6 September 2019 the government invited 100 places to develop proposals for a Town Deal, as part of the £3.6 billion Towns Fund. This is a fantastic opportunity for the Borough with both Newcastle and Kidsgrove being invited to participate. It is a competitive process whereby towns can bid for up to £25m to drive long term economic growth in their area.
- 1.2 On 1st November 2019 the Government released the Town Deal Prospectus this set out a 2 stage process:

Stage 1 – providing capacity support to places to put the structures and vision in place in order to move to the next stage of agreeing a town deal.

Stage 2 – places to use their locally-owned Town Investment Plan to put together a business case to apply for funding for interventions. (Further guidance will be published on this in due course).

1.3 The objective of the Towns Fund is to drive long-term economic growth and resilience, and to improve living standards and productivity sustainably in these areas. It will support the long-term transformation of towns through investment in connectivity, place, enterprise and skills.

- Urban regeneration, planning and land use: ensuring towns are thriving places for people to live and work, including by: increasing density in town centres; strengthening local economic assets including local cultural assets; site acquisition, remediation, preparation, regeneration; and making full use of planning tools to bring strategic direction and change.
- Skills and enterprise: driving private sector investment and ensuring towns have the space to support skills and small business development.
- Connectivity: developing local transport scheme that complement regional and national networks, as well as supporting the delivery of improved digital connectivity.

1.4 MHCLG have launched the MyTown campaign <https://www.gov.uk/guidance/mytown-campaign> which gives people a say in how a new generation of Town Deals, each worth up to £25 million, should transform the place they call home. Working with our local communities to develop high quality Investment Plans will be essential to ensuring success to the second stage.

2. **Issues**

2.1 There are a number of issues to be considered quickly in order to progress from this initial stage to development of the Investment Plans. Key to this will be the establishment of the Town Board for each of the towns by the end of January 2020. The Board membership must include public, private and voluntary sector representation. As the Board will be responsible for shaping the proposals for the area, it is essential that the governance and operation is effective.

2.2 Officers are also in discussions with MHCLG representatives over the boundaries of the two town deal areas.

2.3 The Town Boards need to consider a range of issues for the Investment Plans:

Urban Regeneration - The Prospectus recognises that perception of place is an important pull factor in business location decisions and can affect a place's capacity to attract and retain workers. Investing in cultural assets as part of an integrated regeneration strategy can rejuvenate places, leading to positive economic outcomes by retaining skilled workers and attracting tourism.

There are also opportunities to redevelop vacant sites for new business and leisure uses. By aligning with other complementary investment, including transport, the town deals can ensure that developments support the economy into the future and create wider strategic benefits. Town Boards should work with public and private landowners to identify and unlock land across the town and its periphery, thus creating a sustainable land supply for the town's future.

Skills - Challenges still exist with businesses securing employees with the right skills. Equally town centre employment sites are not always well connected to workers or attractive to business. Universities, college and other skills providers already often play a significant role in many communities and collaborating with local businesses on skills and economic development and education providers is important to deliver a more highly skilled workforce.

The Prospectus highlights that investment in buildings that provide both office space and areas for training could be achieved, alongside improving business support facilities to enable effective collaboration in delivering business support, trade and investment advice.

The Prospectus highlights that addressing the skills that local employers need is essential and Town Boards should consider how additional support to young people can help them access traineeships or apprenticeships.

Connectivity – Improving speed and reliability of transport connectivity or ensuring internet speeds are fit for the needs of business, infrastructure investment will be key to spreading prosperity in towns. The Town Board will need to consider disconnection between where people live and where jobs and leisure can be found. This will include road networks including cycle and walkway as prioritised in Local Authority Local Cycling and Walking Infrastructure Plans.

The Prospectus highlights the need to reduce barriers to deployment of new gigabit-capable connectivity, including 5G and fibre connectivity to support our businesses to compete globally. It is recognised that the provision of reliable digital infrastructure is a key determinate of some business location and therefore digital infrastructure could underpin a new wave of entrepreneurialism.

3. **Proposal**

- 3.1 The Council does not have the necessary capacity to develop two Investment Plans therefore it is proposed to bring in additional project management support and to procure external support utilising the allocated capacity funding. A key element will also be public engagement and officers are looking into options to have specialist communication support.

4. **Reasons for Proposed Solution**

- 4.1 Progressing to Investment Plan stage does not guarantee any funding as this is a competitive process where plans may not develop to the second stage of business case. It is therefore crucial that the Council expedites the commissioning of external support to ensure that the Council can meet the MHCLG deadlines.

5. **Options Considered**

- 5.1 The MHCLG wants to see that areas have good partnerships which are able to deliver within the Town Deal deadlines. If the Council wants to have successful Town Deals then there is no other option but to push forward with the establishment of Boards and appointment of additional support.

6. **Legal and Statutory Implications**

- 6.1 The Council's financial regulations and standing orders set out that services over £50,000 should be competitively procured through a tender process. Due to the tight timescales officers have commenced investigations to secure external support with the Investment Plans Proposals. Officers have commenced a review of the ESPO 664-17 Consultancy Service Framework which contains Lot 8g (Regeneration & Regional Development) and the Homes England Framework. A direct award could be made through these frameworks.

7. **Equality Impact Assessment**

- 7.1 The nature of the project is intended to seek benefits for all residents of the Borough.

8. **Financial and Resource Implications**

- 8.1 The Council has been allocated £335,048 capacity funding; this comprises £173,029 for Newcastle Town and £162,019 for Kidsgrove Town. This funding will be paid via a s31 grant to the Council, to support the development of a Town Deal Board and development of the Investment Plans for the areas.

9. **Major Risks**

- 9.1 The Council will need to show clear leadership and ambition to work with partners, local businesses and local communities to develop Investment Plans. Without effective Town Boards there is a major risk that Newcastle and Kidsgrove will not progress to the second stage.
- 9.2 There is a risk that if the Council went to open procurement that the Council would not be able to secure a suitably qualified consultancy able to deliver within the Government timescales. Equally without procuring additional management support the Council will not be able to meet partner or community expectations or Government deadlines.
10. **Sustainability and Climate Change Implications**
- 10.1 There are no implications at this stage.
11. **Key Decision Information**
- 11.1 This is a key decision as it involves the expenditure of more than £50,000.
12. **Earlier Cabinet/Committee Resolutions**
- 12.1 None.
13. **List of Appendices**
13. None.
14. **Background Papers**
- 14.1 The Towns Fund Prospectus is available at <https://www.gov.uk/government/publications/towns-fund-prospectus>

Agenda Item 5

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE CABINET

Date: 4th December 2019

Report Title: Renewal of Microsoft Enterprise Subscription Agreement

Submitted by: Executive Director (Resources & Support Services)

Portfolios: Corporate and Service Improvement, People and Partnerships

Ward(s) affected: All indirectly

Purpose of the Report

To seek approval to renew the Council's Microsoft Enterprise Subscription Agreement.

Recommendation

That Cabinet approves renewal of the Microsoft Enterprise Subscription Agreement for a further period of three years, following the completion of due diligence and a procurement exercise, delegating authority to enter into a contract to the Executive Director, Resources & Support Services in consultation with the Leader of the Council.

Reasons

- (a) The Council's existing Microsoft Enterprise Subscription Agreement expires in May 2020. Realistically the Council has no option but to renew this.
- (b) Conducting a due diligence exercise (Effective Licensing Position audit and Software Optimisation) will help to ensure the Council understands its licensing requirements over the life of the agreement and avoids costly mistakes.
- (c) The procurement exercise will help to ensure the Council achieves best value amongst its Large Account Resellers.
- (d) Delegating authority to the Executive Director, Resources & Support Services in conjunction with the Leader will ensure the Council can react quickly to any opportunities which avoid increased costs, whilst still operating in a transparent and safeguarded way.

1. **Background**

- 1.1. At present, the Council's ICT service supports nearly 400 active ICT users, including staff, Councillors, partner organisations and suppliers. They also look after 400 desktop machines, two data centres, 221 servers and 97tb of stored information, providing around the clock access to services which are core to the day to day business of the Authority. .
- 1.1. All Council owned desktop computers and the majority of the Council's servers use the Microsoft Windows Operating System. Many of the Council's core ICT requirements such as file access, print, email and productivity software are provided using Microsoft products. Just as ICT underpins the provision of all services, Microsoft products underpin the provision ICT.
- 1.2. In order to legally use Microsoft products, the council has to ensure that it has the correct types and numbers of licenses in place. Under current arrangements, the Council purchases and maintains its

Microsoft obligations through an Enterprise Subscription Agreement, provided by a certified Microsoft Reseller. The agreements are typically procured through Crown Commercial Services, which allows the Council to access software at discounted rates.

1.3. The Council's current Enterprise Subscription Agreement expires in 2020 and this report outlines the options available to the Council to procure a suitable replacement.

2. **Issues**

2.1. *Our Agreement is Expiring*

Our current Enterprise Subscription Agreement (ESA) expires on May 31st, 2020. Aside from a small number of server products, the vast majority of our Microsoft software is provided through this agreement, on a subscription basis. As a result, when the agreement expires, we will no longer be able to legally use the associated applications, which include Windows desktop, Microsoft Office, Exchange (which underpins our email) and a number of other business critical systems.

2.2. *Our Software Assurance Benefits End*

The Council's ESA provides access to a programme called Software Assurance. This allows the Council to maximise the benefits of its Microsoft software and facilitates:

- The use of a single licence to cover multiple locations e.g. for home/agile working.
- License mobility supporting service continuity.
- Unlimited Internet Based User Training
- 24x7 problem resolution support
- Home Use programme
- Rights to new software releases at no additional cost

Software Assurance is an essential part of how the Council's ICT operates and without it, programmes such as agile working and the software infrastructure for line of business applications would become unfeasibly expensive.

2.3. *Our Maximisation Rights Will End*

The Council operates a heavily virtualised environment, meaning a small number of physical machines run a much larger number of virtual machines. Our ESA provides "maximisation rights" which allow the Council to run as many virtual servers and databases as required, simply by licensing the underlying physical infrastructure. To do this without an ESA would be extremely expensive, as each virtual server would require separate licensing arrangements.

2.4. *Our Costs Will Increase*

When the Council last renewed its ESA in 2017, it was preceded by an Early Commitment agreement signed in December 2016. The Early Commitment allowed the Council to fix its costs for three years, avoiding a 20% price increase activated in January 2017 and protecting the Council from further price rises of between 10% and 18%, introduced in October 2018. However, when our ESA expires both uplifts will be applied.

In addition, some of our existing products are no longer attract preferential pricing as previously secured through the Crown Commercial Services framework. As such, these products have seen significant price rises on top of the percentages previously mentioned.

2.5. *Our Current Agreement Isn't Cloud Optimised*

For a number of years, Microsoft has been aggressively pushing its customers towards cloud based provisions; more specifically the Office 365 and Azure cloud services. The Council's ICT strategy is moving in the direction of cloud provisioning. In addition, our Kidsgrove Datacentre is half way through its useful life and will not be replaced like for like. Our current ESA is not optimised for cloud provisioning and could result in excess costs should a significant change to our cloud utilisation be made.

3. **Proposal**

3.1. It is proposed that the Microsoft Enterprise Subscription Agreement is renewed by undertaking the following steps:

a) Undertake an Effective Licensing Position Audit

The Council's Large Account Reseller, Phoenix, will undertake an audit of our Microsoft estate to ensure that our licensing is appropriate for our usage. Any shortfalls found within the audit will be disclosed to the Council in order for appropriate mitigations to be made (such as removing under/inappropriately licensed software or adding required items to our current ESA).

The ELP audit will act as a baseline for our replacement ESA and help us to ensure that any significant issues are dealt with appropriately.

b) Complete a Software Optimisation Exercise

Microsoft offers multiple types of volume licensing agreements, within which there are multiple license types and terms. Each of these agreements are tailored to meet a specific market and need and choosing the right combination can mean the difference between achieving best value and significantly overpaying for a prolonged period.

ICT will engage with our Large Account Reseller to perform a software optimisation exercise. The intention being to identify the optimal licence types to meet both our current and future needs. The outcomes of the exercise in combination with our effective licensing position audit will make up the basis of a procurement exercise.

c) Undertake a Procurement

The value of the Council's Microsoft commitments is considerable. In 2019, we spent in excess of £115,000 and as mentioned previously, this will increase in 2020. To limit the Council's future exposure, ICT will conduct a procurement exercise through Crown Commercial Services using framework RM3733, Lot 2. This exercise will have to be completed prior to March 2020 as the extended framework expires at this point and currently, there is no replacement listed.

The procurement will be a competitive tendering exercise amongst all appropriate large account resellers awarded on a most economically advantageous basis.

d) Delegate Authority to the Executive Director, Resources & Support Services to Execute the Agreement

The precise value of the Council's future ESA will not be known until the aforementioned procurement exercise is undertaken. However, like-for-like comparison prices are included in section 8, Financial and Resource Implications.

It is proposed that following the completion of an appropriate procurement exercise, authority be delegated to the Executive Director, Resources & Support Services to execute a contract with the successful bidder, in consultation with the Leader of the Council. This authorisation would be on the provision that costs are no higher than those included within section 8. In all instances, the Head of Customer and Digital Services would be required to provide an overview of the procurement outcomes to Cabinet, explaining how best value is being achieved.

In the event that the final costs are higher, a report will be returned to Cabinet at the earliest possible convenience to explain the differences and seek further authorisation.

4. **Reasons for Proposed Solution**

4.1. *Effective Licensing Position Audit*

Whilst our existing ESA makes it easy for the Council to introduce new software as required and "true up" on its anniversary period, that same flexibility also makes it extremely easy to miss-license or under license the software we are using. In addition, Microsoft licensing is an ever changing field

with many subtle differences and varying entitlements between license types, which are easy to misinterpret.

In 2015 for example, a Microsoft sponsored ELP audit identified that our SQL Server estate was licensed using a client-server rather than core-processor model. The latter was the appropriate model given that most of our services are online and as such, we cannot count users. The ELP audit allowed us to correct this error and acquire the appropriate license types without incurring “historical” licensing costs.

The ELP audit will ensure that our baseline licensing is appropriate for our current needs before we introduce anything further.

4.2. *Software Optimisation Exercise*

As mentioned, Microsoft’s licensing arrangements are extremely complex. Whilst the Council’s currently licensed products are appropriate for its usage today, they may be very costly in the future when the Council decides to move more of its services to the cloud. As such, we must ensure that the items included on our procurement requirements meet our future needs.

During our last renewal for example we included a single copy of Office 365 – not because we immediately required it, but because we knew that within the life of the agreement we would begin to explore it. Adding in one licence locked in the pricing for a further three years. Without this, any subsequent additions would have been at today’s prices, which are significantly higher.

The software optimisation exercise will not immediately save the Council money. It will however ensure that our procurement aligns with our strategic aspirations and supports the Council’s ambitions plans, at the least cost possible.

4.3. *Undertake a Procurement*

Due to the value of the Contract the Council’s standing orders mandate conducting a procurement exercise. The Crown Commercial Services framework RM3733, Lot 2, will allow the Council to undertake a competitive tendering exercise and maximise our value for money return.

During our last ESA procurement for example, two suppliers were monetarily pennies apart. However, our incumbent supplier was willing to offer significant “value add” initiatives such as complimentary support from product experts, ongoing account optimisation facilities and training “double ups” for the value of our training vouchers.

4.4. *Delegate authority to the Executive Director, Resources & Support Services to Execute the Agreement*

Undertaking an ESA procurement requires significant resources from both the Council and its suppliers. In addition, prices acquired are only typically valid for a maximum of 28 days and can be instantly invalidated if there is a substantial shift in external factors (such as the dollar/pound exchange rate or the announcement of a further price rise).

As mentioned in 2.4, the costs of our last ESA procurement were significantly reduced by executing an Early Commitment agreement. This was facilitated by delegating authority to the Executive Director, Resources & Support Services in consultation with the portfolio holder, allowing the Council to react quickly to shifting market conditions. This would not have been possible under the normal Cabinet decision making cycle.

Under this proposal, Cabinet are being made aware that a significant award will be made and the delegated authority will facilitate us completing this agreement promptly. However, the thresholds set will also mean that a degree of control remains in place. The follow up report provided by the Head of Customer and Digital Services will ensure complete transparency is maintained throughout, reducing the overall risk faced by the Council.

4.5. *There Are No Other Viable Options*

For a number of years the Council’s priority with regard to Microsoft licensing has been one of cost optimisation. This is because in reality, the Council has no choice but to enter into a renewed ESA;

our dependency on Microsoft products is such that we simply have to keep using them and at present, there is no alternative.

Whilst a small number of systems have migrated away from the Microsoft technology stack and undoubtedly more will in the future, in terms of our line of business applications, these are few and far between.

5. **Options Considered**

5.1. *Option 1: Do nothing*

The Council could allow its ESA to lapse but this would mean the authority would no longer be able to use its ICT. Our desktop and server infrastructure is underpinned by Microsoft products. Without these systems, the Council would not be able to conduct its day to day business for any significant length of time.

If the Council were to continue using its ICT infrastructure unlicensed, it would be subject to significant legal action. Representatives of the Federation against Software Theft (FAST) would also be entitled to remove any (and all) unlicensed equipment from the organisation, resulting in further costs, loss of data and significant reputational damage.

5.2. *Option 2: Move to Open Source*

For years, open source software has promised an alternative to the effective monopolies of major software providers such as Microsoft and Oracle. In some spaces this has been extremely successful, particularly new, “as-a-service” cloud systems that have been designed from the ground up to use open source solutions such as Linux, Apache and MySQL (to name but a few).

The Council uses open source software where ever possible but the vast majority of our line of business applications still require Microsoft products to function. Where systems are integrated with productivity tools, these are typically Microsoft Office products. Our print, email and file stores all run on Microsoft products and Windows servers. Our security is underpinned by Microsoft Active Directory and many of our applications store their data within Microsoft SQL Server databases. Put simply, we have no viable alternative to Microsoft products.

5.3. *Option 3: Move Entirely to Cloud Based Provisions*

The adoption of Cloud services within the public sector has been rapidly accelerated by central government’s “Cloud First” ICT policy. A number of authorities within Staffordshire have recently started introducing cloud based productivity software such as Office 365, alongside specific line of business applications; at Newcastle, most recently our Customer Relationship Management system was moved to the cloud and this has been highly effective.

Whilst “as a service” and utility based computing will play an increasingly important part in the Council’s future ICT mix, moving our services to the cloud is not an alternative to an ESA. Cloud infrastructure still requires the Council to obtain and license Microsoft products and cloud productivity software still requires a subscription and computer to run on. As such, cloud services must be considered as a complement to our ESA, not a replacement.

5.4. *Option 4: Renew Our ESA*

The Council has the option to renew its ESA for a further period of up to three years. Our previous agreement was signed under a Crown Commercial Services Memorandum of Understanding called the Cloud Transition Agreement. This agreement was replaced in 2018 by the Digital Transformation Agreement which still provides preferential pricing for government customers and runs until 2021. As our current agreement expires in May, our renewal can be completed before the DTA expires, securing any preferential pricing for the medium term.

Renewing our ESA will ensure that the Council remains in an appropriate licensing position and will protect the authority from further price increases for a period of three years. This will also give the Council greater flexibility in terms of new products, changing requirements and access to value add software assurance products.

6. **Legal and Statutory Implications**

- 6.1. The General Data Protection Regulations and Data Protection Act (2018) mandate that the Council takes every reasonable technical precaution to protect the personal information that it processes. Keeping software up to date is a well-recognised and accepted method of reducing the risk of a cyber-related incident and a key activity identified by the National Centre for Cyber Security.
- 6.2. Having a valid ESA in place will ensure that the Council continues to have access to the latest Microsoft software and security updates, which is essential given that the majority of the world's malware targets Microsoft based products. This trend is not because Microsoft make inherently insecure products, it's simply because of numbers; more of the world's computers run Microsoft software than anything else.

7. **Equality Impact Assessment**

No adverse impact has been identified as a result of delivering this proposal.

8. **Financial and Resource Implications**

- 8.1. The costs below outline how much the authority would have to pay if it renewed "as is" with its incumbent Large Account Reseller at today's prices.

Licensing Item	Cost (2017-20 ESA)	Cost (2020-23 ESA)	Difference
Client Access Licences	£9,157.50	£56,897.40	£47,739.90
Office Professional Plus	£25,140.00	£52,752.00	£27,612.00
Windows Virtual Desktop OS	£5,857.40	£31,638.60	£25,781.20
Windows Desktop OS	£4,699.56	£8,452.15	£3,752.59
Windows O365 Add on	0	£4,486	£4,485.60
Office 365 E3	£875	£4,939	£4,064.20
Windows Remote Desktop	£1,278.06	£1,346.30	£68.24
Exchange Server	£497.37	£691.68	£194.31
SharePoint	£1,306.71	£2,129.60	£822.89
SQL Server	£46,662.51	£67,020.14	£20,357.63
Windows Server OS	£15,055.08	£15,380.49	£325.41
Windows Server External Connect	£2,893.35	£2,893.23	-£0.12
Microsoft Project	£2,081.40	£2,276.60	£195.20
Total	£115,503.94	£250,902.99	£135,399.05

- 8.2. The costs shown above are per year. The total value of the ESA is estimated to be £752,708.97.
- 8.3. Our ESA costs are covered from ICT's main revenue budget. The likely additional pressures for 2020/21 onwards have been noted within the MTFS. A year one allocation of £50,000 for any unexpected expenses has also been included in ICT's capital spending plans for 2020/21 however, this will need to be reconsidered if the software optimisation exercise fails to identify alternatives.
- 8.4. Advanced preparations, such as undertaking the ELP Audit and Software optimisation exercise have already been accounted for by ICT and resources have been allocated from 2019/20 Capital funding to undertake these exercises, at a cost of £6,500.
- 8.5. It should be noted that ICT are considering these figures as worst case. They represent like-for-like costs for our current ESA products which, as mentioned, are not cloud optimised and in some instances are no longer the most cost effective option. Alternative licensing models could potentially reduce our costs by £80,000-£100,000 per year in comparison to the 2020-23 ESA estimates. The planned Software Optimisation exercise is expected to confirm this.

9. **Major Risks**

- 9.1. A full risk assessment has been completed. The main risks identified include:

- Failure of the Software Optimisation exercise to identify suitable, more cost effective alternatives resulting in significant budget pressures
- Failure to renew our ESA resulting in legal action by Microsoft
- Failure to renew our ESA resulting in significant operational disruption
- Limitations on the Council's virtual server infrastructure and additional expense caused by lapsed software assurance
- Inability to utilise new technology and applications, undermining the Council's Digital Strategy

10. **Sustainability and Climate Change Implications**

10.1. No adverse impact has been identified as a result of delivering this proposal.

11. **Key Decision Information**

11.1. The overall contract value will be in excess of £50,000 and as such is considered as a key decision.

12. **Earlier Decisions**

12.1. March 2017, Cabinet – Renewal Options for Microsoft Enterprise Agreement
<https://moderngov.newcastle-staffs.gov.uk/documents/s22500/ESA%20Renewal%202.2%20Cabinet%202.pdf>

12.2. March 2014, Cabinet – Renewal of Microsoft Software Licensing Agreement
<https://moderngov.newcastle-staffs.gov.uk/documents/s10569/Microsoft%20Software%20Renewal.pdf>

13. **List of Appendices**

13.1. None

14. **Background Papers**

14.1. September 2019, Finance, Assets and Performance Scrutiny Committee – ICT Strategy and Development Programme
<http://svmma/documents/s30731/5%20ICT%20Strategy%20and%20Development%20Programme%20202.pdf>

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO CABINET

04 December 2019

Report Title: Procurement of electric vehicle charging infrastructure and operator to support uptake of electrified taxi's and private hire vehicles

Submitted by: Environmental Health Business Manager

Portfolios: Environment & Recycling

Ward(s) affected: All

Purpose of the Report

To inform EMT and Cabinet of the successful outcome of the £780k bid to OLEV Electric Taxi Infrastructure Scheme and to approve arrangements to deliver this project within the Borough through working with partners to procure the installation and operation of equipment by an experienced supplier and operator.

Recommendation

That Cabinet gives authority to the Executive Director (Operational Services), in consultation with the Portfolio Holder for Environment and Recycling, to enter into a joint procurement processes led by Stoke-on Trent-City Council, as outlined in this report, for the joint procurement of electric vehicle charging infrastructure and network operator for electrified taxi's and private hire vehicles and public use within the Borough. This is to be funded by the OLEV Electric Taxi Infrastructure grant awarded in 2019 to Newcastle-under-Lyme, Stoke-on-Trent City Council and Stafford Borough Council with a minimum of 25% private sector investment.

Reasons

1. OLEV expect that the grant award is committed in the current financial year. The three authorities within Staffordshire have an aspiration to each deliver a network of fully operational EV Fast Chargers –for Taxi and Private Hire Vehicle's alongside provision for public use.
2. The charging network, once fully operational will provide confidence to the taxi and private hire trade that they can purchase an electric vehicle without concerns about range anxiety and that there will be dedicated accessible charging infrastructure to support their daily usage.
3. The installation provides a kick-start to the provision of electric vehicle charging infrastructure on council owned car parks as per the recently adopted Car Parking Strategy and supports policies and initiatives to secure cleaner air, encourage the uptake of low and zero emissions vehicles and reductions in transport related CO₂ as well as the political commitment to becoming Carbon Neutral Borough by 2030.

1. **Background**

- 1.1. The Borough Council, in common with a number of unitary and second tier councils is responsible for licensing hackney taxis operating within the Borough under the Town Police Clauses Act 1847 and private hire vehicles under the Local Government (Miscellaneous Provisions) Act 1976. The owners and operators of these vehicles play an integral part in supporting the local economy and transporting people to where they need to go for work, leisure, shopping and visits to friend and family.

- 1.2. The Borough currently licences circa 842 taxis and private hire vehicles. The majority of these vehicles, 676 (80% of the licensed fleet) based on 2018 DVLA data are diesel fuelled vehicles which do not meet modern Euro 6 emission standards for oxides of nitrogen and particulates.
- 1.3. There are currently over 2600 licensed taxi and private hire vehicles operating across Newcastle, Stoke and Stafford serving a population of over half a million people. Licensed vehicles will often travel across all three authorities.
- 1.4. Aside from cost, one of the biggest barriers to take up of electric and alternative fuelled low emission vehicles in the taxi and private hire trade has been identified as range anxiety caused by a perception of lack of appropriate and sufficient charging infrastructure to enable vehicles to be charged during the working shift.
- 1.5. To help facilitate the take-up of electric vehicles by the taxi and private hire trade, The Office for Low Emission Vehicles (OLEV) announced a competitive bid for funding under the OLEV Electric Taxi Infrastructure Scheme in 2018. Funding was initially intended to be targeted to those authorities experiencing issues with poor air quality and which had designated air quality management areas or were subject to ministerial direction for non-compliance with EU Limit values.
- 1.6. Newcastle-under-Lyme currently has four designated air quality management areas declared due to exceedances of the NO₂ UK annual mean objective and locations along the A53 at Basford which has been identified as being non-compliant with the NO₂ annual mean EU Limit Value. Furthermore, both Stoke and Newcastle have been issued with ministerial directions to secure compliance with the NO₂ EU Limit Value in the shortest possible time. Air quality within Stafford Borough is currently legally compliant; however, with the anticipated Stafford Railway station upgrade to accommodate HS2 trains, there is the potential for significant increases in taxi journeys to serve the station, with some of these journeys being made to and from the Potteries conurbation.
- 1.7. In October 2018, three Staffordshire Councils (Newcastle-under-Lyme BC, Stafford BC and Stoke on Trent City Council) partnered together to submit a joint bid to the OLEV Electric Taxi Infrastructure Scheme for 30 Double Headed Rapid Electric Vehicle Chargers to be installed across the three local authority areas. The bid submission provided detailed information on the number of licenced private hire and taxi vehicles, age, fuel type and Euro emission class as well as information on the local air quality picture in the three local authority areas.
- 1.8. The bid requested funding of £780k to fund the installation of the charging infrastructure based on a 75% maximum grant award and an anticipated roll out of upto 30 double headed Rapid Chargers across the three councils. Double headed chargers are designed to charge two vehicles at the same time. The bid was co-ordinated by Stoke-on-Trent City Council with significant input and support from officers within the Environmental Health and Taxi Licensing Teams across the three councils.
- 1.9. The Councils were notified in February 2019 that the bid had been successful and that OLEV were prepared to award the full bid amount of £780k subject to a minimum of 25% match funding coming from other sources. Our bid made it clear that the Councils were unable to match fund any element and would be looking to secure a commercial operator to install and operate the network.
- 1.10. The roll out of rapid chargers will help support the taxi and private hire trade to move away from using diesel and petrol engine vehicles with associated tail pipe emissions and impacts on local air quality and health to zero tail pipe emissions dedicated battery electric vehicles (BEV's) and reduced tail pipe emissions plug in hybrid electric vehicles (PHEV's). It will be possible for vehicles to be charged from zero to 80% in as little as 20 minutes, dependant on battery capacity, or to provide top up reassurance charging during the working day. For safety and technical reasons, rapid charging is limited to a maximum of 80% battery capacity. However,

whilst the vehicle is parked overnight or for extended periods of time, it is possible to go from zero to 100% charge from a 7KW charge in around 8 hours by using a Fast Charger, typically installed at a workplace or home. There is currently grant aid available to businesses and private individuals to support home and workplace charging infrastructure. Officers from the district councils are also working with the County Council to explore opportunities for the development of on street charging facilities, particularly in residential terraced streets without off road parking provision and to explore opportunities to develop a county wide public charging network.

1.11.

All the major mass market vehicle manufactures are providing BEV and PHEV options, with the purchase of new vehicles subsidised by government incentives depending on them achieving a minimum battery only range. Research undertaken by a number of major vehicle manufacturers predicts that parity in pricing and whole life costs with conventional fuelled new vehicles is likely to occur sometime before 2026.

1.12.

A number of PHEV's and BEV's are also available on the second hand market, which although still attracting a premium purchase price compared to diesel and petrol vehicles, provide an attractive alternative for the licensed taxi and private hire trade due to significantly reduced operating and whole life cycle costs.

1.13.

Based on November 2019 data from the DVLA and ONS¹, Newcastle-under-Lyme currently ranks in the lowest 40% of local authority areas for publicly accessible rapid charging points, with a provision of 19.3 charging points per 100,000 head of population. With 19 out of 25 public charging points being of the rapid type. Analysis of data from ZapMap² (a free to use app and map service for publicly accessible facilities showing EV charging type, locations, pricing and operators) shows that as of November 2019, the only publicly accessible charging facilities within the Borough are

1.14.

located at Keele University (Fast), Keele Motorway Service Area North and South (Rapid), Holiday Inn at Clayton (Rapid) and The Higherland Service Station on the Keele Road (Rapid).

In recognition of the need to encourage the wider take up of BEV's and PHEV's, OLEV have advised that the charging locations funded through the grant can also be enabled to support public use, so long as one side of the double headed charging unit is dedicated solely to taxi and private hire vehicle use.

2. **Issues**

2.1. Since the funding was announced, officers from the three authorities have been working together to identify procurement approaches which meet all the relevant criteria for award of funds and which maximise the benefits to the local communities whilst also minimising risk by securing a specialist provider to install and operate the infrastructure.

2.2. Stoke-on-Trent-City Council will be the lead procurement authority and are assuming responsibility for ensuring full compliance with all legal procurement requirements as well as the OLEV grant award terms including monitoring and reporting requirements. The Borough Council will retain responsibility for agreeing site selection with the appointed operator and monitoring delivery and operator performance for sites within its boundary.

2.3. Given the project value, procurement must be fully compliant with OJEU requirements. There are a number of procurement routes which can be followed which are OJEU compliant. Currently it is proposed to procure via an OJEU compliant framework developed specifically to facilitate public sector procurement of electric vehicle infrastructure.

2.4. There are a number of such frameworks which cover a range of delivery models, including design, supply, installation, support and maintenance of electric vehicle charging points.

¹<http://maps.dft.gov.uk/ev-charging-map/>

² <https://www.zap-map.com/live/>

- 2.5. Framework benefits include.
- Pricing based on the aggregated spend in the public sector
 - Central point of contact with in the supplier's customer service team
 - Compliant buying even on large value orders
 - All suppliers have been assessed for their suitability to provide into the Public Sector
 - Full insurance cover including Public & Product Liability Insurance
 - Some frameworks also provide for direct award to an individual supplier
- 2.6. A number of the framework agreements provide for the procurement of a turnkey service covering the following key areas:
- **feasibility study** – to include assessing viability of locations, obtaining any required permissions, licences or planning consent, product selection, liaising with all relevant operators and authorities, providing a full report of financial options and costs to the customer,
 - **installation and deployment** – to provide and install the correct equipment to requested location as per the purchase order, including, but not limited to, electrical vehicle (hereby referred to as EV) chargers, signage ,parking bay markings, cabling and back office connections,
 - **service and management** – to include service, maintenance, monitoring and management of charging points (this will include any existing charge points that have been adopted), provision of management information, ensuring public awareness and collaboration with suitable media such as Zap Map and the National Chargepoint Registry (NCR).
- 2.7. It is anticipated that the award will be made on a concession basis such that the chosen provider will assume full responsibility and risks including exposure to the vagaries of the market. This will minimise exposure and risk to the council.
- 2.8. For Newcastle-under-Lyme, charge point facilities provided under the OLEV Grant will be targeted for installation on Borough Council owned car parks which are accessible on a 24/7 basis. This would currently preclude the Midway Multi Storey Car Park as a location to be provided with EV charging infrastructure under this project. However, all other council owned car parks are potential candidate locations. Actual site selection will take account of a number of factors including proximity to main transport routes, ease of access, cost to install and if the electrical network has capacity. Officers are keen to have a network that provides support for use and charging of EV vehicles across the whole Borough, primarily for the licensed taxi and private hire trade, especially in areas not currently provided with publicly accessible rapid chargers.
- 2.9. The appointed provider will also be required to actively promote and demonstrate the benefits of using electric taxi and private hire vehicles to both the trade and wider public.

3. Proposal

- 3.1. The proposal is that the Executive Director (Operational Services) be authorised, in consultation with the Portfolio Holder for Environment and Recycling, to enter into a joint procurement process led by Stoke-on-Trent City Council, as outlined in this report.

4. Reasons for Proposed Solution

- 4.1. To ensure that rapid charging provision is made to encourage the taxi and private hire trade and general public to make the switch to BEV's and PHEV's and to contribute positively to emissions reductions to air with beneficial effects for local air quality and public health and to make a positive contribution to the Council's stated ambition to become a Carbon Neutral Borough by 2030.

5. **Options Considered**

- 5.1. There are options in terms of the procurement methods and operational arrangements that can be used, however, the proposed approach outlined above is considered to represent value for money and, provides a legally compliant process and minimises risk and liability for the Council.

6. **Legal and Statutory Implications**

- 6.1. The procurement process proposed is compliant with the Council's Regulations and procurement rules and will satisfy all statutory and legal requirements.
- 6.2. The appointed operator will assume all responsibility for the design, installation, operation and management of the infrastructure for a predetermined period of time with the preferred model of operating model being based on a concession.

7. **Equality Impact Assessment**

- 7.1. The specification of requirements will require charge point locations to be fully Equalities Act compliant. Specifications for size of bays, signage and equipment are detailed within various technical documents and standards which have been developed at a national level and which are referenced in the procurement documents.

8. **Financial and Resource Implications**

- 8.1. Funding for the project is grant aided with a minimum of 25% match funding required from the private sector. The Councils have made it clear that there is no funding available from them over and above the grant. The operator will assume all financial and operational risk and responsibility and on this basis derive any profits. We are however looking at opportunities to generate income to the Council whilst also being cognisant that it may take some time before operators start to generate a profit from this network.
- 8.2. Officers from the Environmental Health, Legal, Procurement and Facilities Management teams will need to be involved in taking the project forward at a local level.

9. **Major Risks**

- 9.1. A risk log is being developed in conjunction with Stoke-on-Trent City Council for this project. The following are considered to be the major risks relevant to the project.
- 9.1. The Councils are required to have entered into a legally binding contract with the nominated provider by the 31st March 2020 in order to remain eligible for OLEV funding. Failure to achieve this deadline will mean that funding ceases to be available for this project.
- 9.2. Non-compliance with the OLEV grant terms may result in clawback of the grant. Officers are mitigating this through a thorough understanding of and adherence to OLEV requirements.
- 9.3. Officers on the project team are also taking advice from relevant officers within Stoke-on-Trent to ensure that the project is fully legal compliant and that legal risks and liabilities are properly understood and mitigated.
- 9.4. The successful operator will be fully responsible for ensuring that all statutory, technical and local council requirements are met and observed in relation to the installation and operation of the network and each individual site.

10. **Sustainability and Climate Change Implications**

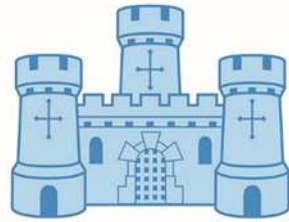
- 10.1. The roll out and usage of electric vehicles within the Borough will contribute positively to emissions reductions to air with beneficial effects for local air quality and public health and will make a positive contribution to the Council's stated ambition to become a Carbon Neutral Borough by 2030.
- 10.2. In developing a local specification for charging infrastructure, your officers consider that it ought to be possible to specify electricity for charging purposes to come from a carbon neutral energy generation source. This provides an opportunity to partly decarbonise local road transport emissions as well as contribute towards the governments stated goal of zero emissions vehicles by 2040.
- 10.3. Furthermore, through the use of appropriate technology it ought to be possible to quantify and publicise emissions saved in terms of Oxides of Nitrogen including Nitrogen Dioxide (NO₂), Particulate Matter less than 10 microns in diameter (PM₁₀), Particulate Matter less than 2.5 microns in diameter (PM_{2.5}) Carbon Dioxide (CO₂) when compared to a current Euro 5 diesel powered taxi or private hire vehicle.
11. **Key Decision Information**
 - 11.1 This project involves project related expenditure in excess of £50k, albeit solely grant aided by OLEV. When considered by members this will be a key decision item.
12. **Earlier Cabinet/Committee Resolutions**

None
13. **List of Appendices**

None
14. **Background Papers**

None

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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 7 November 2019 and 22 April 2020

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 £100,000 Revenue and £250,000 Capital Expenditure).
- 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.

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

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)
Electric Taxi Vehicle Intrastructure Scheme	Consideration of joint procurement with Stoke-on-Trent City and Stafford Borough Councils for Office for Low Emission Vehicles grant.	Cabinet Portfolio Holder - Environment and Recycling	Cabinet 4 December 2019	Economy, Environment and Place	All Wards	N/A
Renewal of Microsoft Enterprise Subscription Agreement	The Council's current ESA with Microsoft will require renewal prior to May 2020. This report will outline the options available to the authority in renewing this agreement for a further period.	Cabinet Portfolio Holder - Finance and Efficiency	Cabinet 4 December 2019	Finance, Assets and Performance	All Wards	N/A
Establishment of Governance Boards for the	To review the requirements for the Newcastle and	Cabinet Portfolio Holder - Corporate and Service	Cabinet 4 December 2019	Economy, Environment and Place	All Wards	N/A

Town Deals	Kidsgrove Town Deals to establish a Board to govern the programme.	Improvement, People and Partnerships				
Review of Housing Allocations Policy	The Report seeks Cabinet approval to amend the Council's Housing Allocations Policy to accord with changes in government legislation and guidance.	Cabinet Portfolio Holder - Community Safety and Wellbeing	Cabinet 15 January 2020	Economy, Environment and Place	All Wards	N/A
Newcastle - under-lyme Borough Council Homelessness and Rough Sleeping Strategy 2020/2025	The national rough sleeping strategy requires that all local authorities update their homelessness strategies and rebadge them as homelessness and rough sleeping strategies by winter 2019	Cabinet Portfolio Holder - Community Safety and Wellbeing	Cabinet 15 January 2020	Economy, Environment and Place	All Wards	N/A
Update on Kidsgrove Sports Centre	To update on progress.	Cabinet Portfolio Holder - Corporate and Service Improvement, People and Partnerships	Cabinet 15 January 2020	Finance, Assets and Performance	Kidsgrove & Ravenscliffe	3
Revenue and Capital Budget	To consider the Council's revenue and	Cabinet Portfolio Holder - Finance	Cabinet 15 January 2020	Finance, Assets and Performance	All Wards	N/A

	capital budgets.	and Efficiency				
Redeployment Policy	To implement a redeployment policy for the Council.	Cabinet Portfolio Holder - Corporate and Service Improvement, People and Partnerships	Cabinet 4 February 2020	Finance, Assets and Performance	All Wards	N/A
Organisation Change Policy	To implement a new organisation change policy for the Council.	Cabinet Portfolio Holder - Corporate and Service Improvement, People and Partnerships	Cabinet 4 February 2020	Finance, Assets and Performance	All Wards	N/A
Cremator Replacement Project	Authority to repair / replace cremators at Newcastle crematorium	Cabinet Portfolio Holder - Environment and Recycling	Cabinet 4 February 2020		Bradwell	N/A
Open Space Strategy Addendum	An addendum to the existing Open Space Strategy is required to ensure that the strategy remains current through the life of the Joint Local Plan.	Cabinet Portfolio Holder - Environment and Recycling	Cabinet 4 February 2020	Economy, Environment and Place	All Wards	N/A
Revenue and Capital Budget	To consider the Council's revenue and capital budget and propose Council Tax	Cabinet Portfolio Holder - Finance and Efficiency	Cabinet 4 February 2020	Finance, Assets and Performance	All Wards	N/A

	levels.					
Draft Joint Local Plan for Newcastle-under-Lyme and Stoke-on-Trent 2013/14 - 2037	To obtain approval to go out to public consultation on the draft joint local plan under Regulation 18 of the Town and Country (Local Planning) (England) Regulations 2012.	Cabinet Portfolio Holder - Planning and Growth	Cabinet 12 February 2020	Economy, Environment and Place	All Wards	N/A
Affordable Funerals	To consider introducing affordable funerals.	Cabinet Portfolio Holder - Environment and Recycling	Cabinet 18 March 2020	Economy, Environment and Place	All Wards	N/A
Future High Streets Fund (early first draft business case submission)	To review the early first draft business case submission.	Cabinet Portfolio Holder - Corporate and Service Improvement, People and Partnerships	Cabinet 18 March 2020	Economy, Environment and Place	All Wards	N/A
Crematorium Grounds Extension	Proposal to design an extension to the existing Crematorium Grounds	Cabinet Portfolio Holder - Environment and Recycling	Cabinet 22 April 2020	All Relevant Scrutiny Committees	Bradwell	N/A