

# Public Document Pack

**Date of meeting** Wednesday, 14th October, 2020  
**Time** 2.00 pm  
**Venue** Astley Room - Castle  
Visiting Members and members of the public can watch the meeting live via YouTube  
**Contact** Denise French 742211



**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 - 10)  
To consider the Minutes of the meeting held on 9<sup>th</sup> September 2020.
- 4 BACK ON TRACK - CORONAVIRUS PANDEMIC RECOVERY PLAN UPDATE** (Pages 11 - 16)
- 5 TEMPORARY ACCOMMODATION PROVISION FROM 1st NOVEMBER 2020 - 31st MARCH 2021** (Pages 17 - 22)
- 6 JUBILEE 2 UPDATE** (Pages 23 - 26)
- 7 FORWARD PLAN** (Pages 27 - 30)
- 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

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**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 Simon Tagg (Chair), Stephen Sweeney (Vice-Chair), Trevor Johnson, Helena Maxfield, Paul Northcott and Jill 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, 9th September, 2020

Time of Commencement: 2.00 pm

<b>Present:-</b>	Councillor Simon Tagg – Chair
Councillors	Stephen Sweeney, Trevor Johnson, Helena Maxfield and Paul Northcott
Officers	David Adams, Martin Hamilton, Jan Willis, Daniel Dickinson and Denise French
Apologies	Councillor Jill Waring

### 16. **APOLOGIES**

An apology for absence was received from Councillor Jill Waring.

### 17. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

### 18. **MINUTES OF A PREVIOUS MEETING**

That the minutes of the meeting held on 8<sup>th</sup> July 2020 be agreed as a correct record.

### 19. **BACK ON TRACK - CORONAVIRUS PANDEMIC RECOVERY PLAN UPDATE**

Cabinet considered a report on actions being taken across the Council to recover from the impact of the Coronavirus Pandemic.

The report outlined the 5 areas of the Recovery Plan:

#### *Reopening Safe, Successful Retail Centres*

The Portfolio Holder for Finance and Efficiency, Councillor Stephen Sweeney, referred to the successful opening of Newcastle town centre and that positive feedback had been received from the Police. The Leader, Councillor Simon Tagg, noted that the town centre was busy and social distancing was being maintained.

#### *Supporting Health and Wellbeing*

The Portfolio Holder for Community Safety and Wellbeing, Councillor Helena Maxfield, explained that support remained for homeless people and rough sleepers. The service was now making preparations for the winter weather including instances of severe weather when the temperature fell below zero.

#### *Economic Recovery*

Councillor Sweeney outlined the focus on longer term recovery through the Future High Streets Fund and Town Deals. A separate item on the agenda would give more details.

#### *Stepping-up Council Services*

The Leader referred to the successful reopening of both J2 and the Brampton Museum, with Covid secure measures in place and limited access to both facilities. The pool at J2 was out of use due to an issue which was being looked at. Councillor Sweeney referred to the reintroduction of some Customer Services facilities at Castle House while still offering phone and online services.

The Portfolio Holder for Waste and Recycling, Councillor Trevor Johnson, reported that he was pleased that there was now an increase in numbers of mourners able to attend funerals while still maintaining social distancing.

The Portfolio Holder for Planning and Growth, Councillor Paul Northcott, referred to the excellent performance of the Planning department in determining 100% of planning applications, both majors and minors.

The Council had taken on a new responsibility for managing any local Covid outbreaks associated with businesses or high risk premises. The Council had received £50k of Government funding and was expected to take a proactive approach of visiting high risk premises to identify potential issues and help to address them.

#### *Financial Recovery*

The current forecast was for a net revenue overspend of £321k this financial year based on an assumption of no further lockdown measures being imposed. The financial position would continue to be monitored and work was continuing on the development of a financial recovery plan.

**Resolved:** That the report be noted and the work being undertaken to recover from the pandemic be endorsed.

## 20. **ADVANCED TOWN DEAL FUNDING**

Cabinet considered a report outlining that the Council had been invited to develop proposals for the Government's Advanced Town Deal Funding for both Newcastle and Kildgrove and some funding had been awarded towards the development of the proposals. Members welcomed the opportunity to develop projects in the two towns.

**Resolved:** That Cabinet supports the development of proposals for the Government's Advanced Town Deal Funding for both Newcastle and Kildgrove and that the Executive Director Commercial Development and Economic Growth in consultation with the Section 151 Officer and the Portfolio Holder for Corporate and Service Improvement, People and Partnerships is authorised to:

- (i) Continue to work with both of the Town Deal Boards to develop the proposals for Newcastle and Kildgrove Advanced Town Deal Funding and to make any minor alterations to funding allocations.
- (ii) Negotiate the terms and any contracts for accelerated funding payments to external delivery partners where they will be the lead partner in delivery.

- (iii) Negotiate on any property matters including purchase, lease or sale relating to the accelerated funding projects.
- (iv) Assess the procurement options linked to the delivery of each of the accelerated funded projects, and should this be required that they have the authority to finalise the specification, undertake the tendering process, if required to complete any post tender negotiations and award the contract.

**21. KIDSGROVE SPORTS CENTRE REFURBISHMENT**

Cabinet considered a report on the refurbishment of Kidsgrove Sports Centre. The report outlined that since May 2020 a series of intrusive surveys had been undertaken which had provided detailed information on the condition of the building and enabled cost estimates to be firmed up. Following a number of meetings with the Community Group, Wilmott Dixon and their leisure architects had produced a new design which made the most of the existing layout, satisfied anticipated users requirements and provided a 25 year lifespan for the building. The costs of the project had now increased from £5.6m to £5.998m. The confidential Appendix 1 comprised the RIBA Stage 2 report summarising survey findings and setting out the cost plan. The timescale would see a transfer of the building from Staffordshire County Council to the Borough Council in October 2020.

Members noted the cross-party Cabinet Panel had met regularly and supported the project. There was a plan of the layout on the Council website.

**Resolved:** That

- (i) The progress made on the project since April 2020 Cabinet in terms of scope, design and budget in consultation with the Kidsgrove Leisure Centre Community Group be noted;
- (ii) It be noted that following detailed survey work, the target cost of the project is now £5.998m;
- (iii) The submission of a bid under the Town Fund Advance Funding for a contribution towards the refurbishment of the Centre be noted;
- (iv) A supplementary capital estimate be approved of up to £400,000 to be drawn down from the Council's 2020/21 capital programme contingency in the event that external funding contributions cannot be secured; and
- (v) The Executive Director Commercial Development and Economic Growth, conjunction with the Portfolio Holder for Corporate and Service Improvement, People and Partnerships, continue to work with the Community Group to progress the refurbishment.

**22. DELIVERY OF THE COUNCIL'S NEW RECYCLING SERVICE AND FUTURE DEVELOPMENTS**

Cabinet considered a report on the introduction of the new recycling service, subscribed garden waste service and proposed future developments for the development of recycling services for flats, schools and businesses.

The Portfolio Holder for Waste and Recycling, Councillor Trevor Johnson, explained how a decision had been taken to accelerate the introduction of the new service on a phased basis from the end of May to the middle of July. The report outlined that communication with residents was important as the service swapped from a weekly collection to fortnightly. In addition training and briefing sessions were undertaken with Customer Service and Operational staff. The separate food waste service

recommenced in mid-August. The levels of take up for the garden waste collection service had increased to 52% of eligible households in 2020. Councillor Johnson explained that the future service would focus on the service to flats, schools and commercial waste.

Members welcomed the successful introduction of the new service, noting that few complaints were received and any issues were addressed swiftly.

**Resolved:** That:

- (i) The report be noted.
- (ii) The further steps in development of the recycling service for flats, schools and businesses be approved.
- (iii) The proposal to enter into a joint procurement for a contract to commence from April 2022 for the processing of dry recycling materials collected with the Staffordshire Waste Partnership (SWP) be approved.
- (iv) Cabinet place on record its thanks to all members of staff involved in the implementation of the new Recycling Service.
- (v) Cabinet place on record its appreciation of local residents' patience during the transition phase to the new arrangements.

## **23. STATEMENT OF COMMUNITY INVOLVEMENT**

Cabinet considered a report on the Newcastle-under-Lyme and Stoke on Trent Joint Statement of Community Involvement which set out the policy for how residents and the wider community, such as businesses and land owners, could be involved in the planning process.

**Resolved:** That

- (i) The review and recommended changes to the Newcastle-under-Lyme and Stoke-on-Trent Joint Statement of Community Involvement be noted; and
- (ii) The amended Newcastle-under-Lyme and Stoke-on-Trent Joint Statement of Community Involvement be approved and adopted as detailed at Appendix A.

## **24. FINANCIAL AND PERFORMANCE MANAGEMENT REPORT - QUARTER ONE**

Cabinet considered a report detailing the financial position and Council performance for quarter 1. The report looked at the General Fund Revenue Budget and the impact of Covid-19. During this quarter the pandemic had impacted the Council's finances both due to lost income and increased costs although there had been £1.573 funding from Government secured to date. The Government had also advised that they would be sharing income losses incurred as a result of Covid 19. The report outlined that a review of the Capital Programme had taken place and how the revised Programme now looked.

The report detailed service performance for Quarter 1 and set out monitoring information for 16 Performance Indicators. The data showed that 87% of indicators had met their target (where set) or were within tolerance levels.

A number of council priorities were highlighted – Customer and ICT had performed well and the target exceeded in one area; the Revenues and Benefits target could not be met due to the suspension of recovery action; staff sickness levels were just over the target which was a much better performance than expected within the context of Covid-19. For Property Services the vacancy rates for Council owned property were low and planning and development services had performed well.

Incidences of Anti-Social Behaviour were low, the new CCTV in the Town Centre was effective in helping visitors to feel safe. Both J2 and the museum had remained closed during Quarter 1 but had reopened in a Covid secure way in Quarter 2. The market was successful with a number of themed markets taking place and high occupancy among stall holders.

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

**25. FORWARD PLAN**

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

**Resolved:** That the Forward Plan be received.

**26. URGENT BUSINESS**

There was no Urgent Business.

**27. DISCLOSURE OF EXEMPT INFORMATION**

**Resolved:-** That the public be excluded from the meeting during consideration of the following matter because it is likely that there will be disclosure of exempt information as defined in paragraph 3 in Part 1 of Schedule 12A of the Local Government Act, 1972.

**28. KIDSGROVE LEISURE CENTRE REFURBISHMENT -CONFIDENTIAL APPENDIX**

Cabinet considered the RIBA Stage 2 report for Kidsgrove Leisure Centre. The Leader explained that a report on the Kidsgrove Leisure Centre project would be submitted to Council to enable all Members to be updated on the details of the project.

**Resolved:** That the report be noted and endorsed.

**COUNCILLOR SIMON TAGG**  
**Chair**

Meeting concluded at 3.00 pm

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**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**

**EXECUTIVE MANAGEMENT TEAM'S  
REPORT TO CABINET**

Choose an item.

**14 October 2020**

**Report Title:**            **Back on Track - Coronavirus Pandemic Recovery Plan Update**

**Submitted by:**        **Chief Executive**

**Portfolios:**            **All**

**Ward(s) affected:**    **All**

**Purpose of the Report**

To inform the Cabinet of the actions being taken across the Council to recover from the impact of the Coronavirus Pandemic.

**Recommendation**

- 1. It is recommended that Cabinet note this report and endorse the work being undertaken to recover from the pandemic.**

**Reasons**

To allow Cabinet to publicly consider the actions being undertaken in order to recover from the pandemic.

**1. Background**

- 1.1 Cabinet has regular reports detailing the Council's response to the Coronavirus pandemic and, latterly, progress in delivering its recovery plan. This report provides the current position regarding the recovery effort, and the ongoing work to combat the spread of the Virus.
- 1.2 The recovery plan continues to be closely monitored by the Leader and Cabinet Members who are leading on specific work streams, with the Executive Management Team continuing to manage the day to day recovery effort alongside the ongoing elements of incident response which continue to be required.
- 1.3 At time of writing, the 7 day infection case rate in Newcastle under Lyme was 141 cases per 100,000 population, and steadily increasing. This is broadly in line with the England average (141/100,000), but above the Staffordshire average of 103/100,000. In the figures include a cluster associated with students who have come back for the new term at Keele University students, although most of the cases are off campus.
- 1.4 The Government has announced a new three tier alert system for England, with Newcastle currently being in the "medium" alert area, with no additional restrictions in place.
- 1.5 This provides a context for the work of the Council in both recovery of the local economy, and in standing up local services. With the infection rate at its current level, the Council is heavily engaged in its outbreak control work, with specific avenues of work being progressed:

- The Leader of the Council sits on the County-wide Local Outbreak Board which has regular oversight infection rates and action being taken to respond. This board is intensifying its work in light of the increased infections.
- A multi-agency board, under the chairmanship of the Deputy Leader, Cllr Sweeney, has been convened to ensure that all possible steps are being taken across the key anchor institutions to reduce infection rates in the Town Centre, particularly in the 18 to 25 year old age group.
- Colleagues from Environmental Services continue to work closely with the Director of Public Health and colleagues from across the public sector to investigate infections in high risk premises in the borough and provide advice to those running high risk premises to minimise infection spread. Government funding of c£115,000 has been secured, via Staffordshire County Council to assist in resourcing this work;
- A team of colleagues has been assembled from across the Council to work as “Covid Marshalls”, encouraging the public to socially distance and to practice good Covid security in the town centre, and to support businesses to maintain strong Covid security in terms of compliance with government guidance. Funding of £60,000 has been secured from the Government to underpin this work

## 2. **The Recovery Plan**

2.1 This report addresses the Council’s current position across five areas of the recovery work:

- Reopening Safe, Successful Retail Centres
- Supporting Health & Wellbeing
- Economic Recovery
- Stepping-up Council Services
- Financial Recovery

### **Reopening Safe, Successful Retail Centres**

2.2 Through work undertaken since June 2020, and previously reported to Cabinet, the Council has put arrangements in place to enable the safe re-opening of Newcastle and Kidsgrove town centres and the various district centres across the borough.

2.3 More recently, the Council supported the safe re-opening of pubs and cafes, with activity focussed on:

- Provision of advice to pubs and cafes on how to re-open in a Covid secure way;
- Facilitating pavement licenses for pubs and cafes, and nil cost to the businesses;
- Monitoring compliance with government guidance regarding social distancing;

2.4 To encourage footfall in the town centre, the Council has continued its strategy of hosting new, special interest, markets including two record fairs and, in October, a “makers market”, selling local craft items.

2.5 Covid Marshalls have been deployed in the town centre at peak times to encourage social distancing and good Covid security. Arrangements are in place to ensure that signage and pavement stencils are refreshed from time to time to keep the advice re social distancing and hygiene uppermost in the publics’ mind when visiting our centres.

## Supporting Health & Wellbeing

- 2.6 Following the easing of lockdown, and significant reduction in demand for the service, the Council discontinued its standalone helpline for individuals to reach out for assistance, and reverted to taking calls through its overall call centre. Access to support is also available on line.
- 2.7 Homeless & Rough Sleepers - in March the Government required District and Borough Councils to provide emergency accommodation for any rough sleepers in their area and provided funds to support this. The Council is currently providing emergency accommodation for 19 individuals in a mix of bed and breakfast and range of temporary accommodation, with support tiered according to need.
- 2.8 Work is continuing to ensure ongoing support for this cohort, in line with Government guidance.
- 2.9 The Council has secured £125,000 from the government to support the ongoing pressure to provide emergency accommodation for homeless people. A report elsewhere on this agenda addresses the use of these funds, which will include entering into contracts for supported accommodation for the remainder of this financial year.
- 2.10 People will be required by law to self-isolate from 28 September, supported by payment of £500 for those on lower incomes who cannot work from home and have lost income as a result. This fund – the Test & Trace Support Payment – will be administered by lower tier Council's, with this Council's Revenues and Benefits Team managing the service for Newcastle. This fund will incentivise people required to self-isolate, but who would lose income by doing so, to comply with the requirements of the Test and trace programme and thus reduce the spread of the virus.

## Economic Recovery

- 2.11 The Council's economic recovery programme is currently focussed on progressing the major regeneration and growth schemes:
- As previously reported, a bid has been submitted to the Future High Streets Fund for schemes to facilitate the regeneration of Newcastle Town Centre, with a specific focus on the Ryecroft site;
  - Advance Town Deal Funds of £1.75m have been secured for initiatives in Newcastle & Kidsgrove
  - Town Investment Plan for Kidsgrove & Newcastle are in preparation with the Town Deal Boards, with the Kidsgrove Plan targeted for submission to Government in October and the Newcastle Plan in January.

## Stepping-up Council Services

- 2.12 Since the commencement of the lockdown, staff who have been able to effectively work from home have done so and as a consequence, the majority of services have continued with

minimal disruption. As the lockdown has eased, services most impacted by the lockdown have been stepping back up to normal levels. Key issues are:

- **J2** – following the reopening in August on a Covid secure basis, attendances at J2 have grown steadily. Notwithstanding this, memberships have reduced by c.25%, despite an ongoing 50% reduction in the membership fee. Steps are now being taken to increase capacity at the centre, whilst maintaining the high level of Covid security that the service has established and maintained.
- **Taxi Licensing** –Taxi testing has recommenced, but the period of lockdown, and the associated service closure, means that the service is working its way through a considerable backlog of tests which should be cleared in 5-6 months. Arrangements are being put in place to now enable new driver applicants to take the Local Knowledge Test and to undertake the Safeguarding Training.
- **Food Inspections** – Food safety inspections were largely stopped during lock down, and the re-opening of premises, and hence the need for inspections, has coincided with a demand on this service to divert resource to providing advice, inspection, and enforcement activity related to Covid outbreaks in the Borough. This has resulted in a significant backlog, and attention is being given to addressing the highest risk premises as a priority.

2.13 **Other Pressures** – in addition to addressing the service pressures above, the Council is responding to the financial impact of the pandemic by refreshing its Medium Term Financial Plan, and accelerating work on the Digital Strategy and Commercialisation. This will be an additional work pressure across the Council alongside the service specific issues.

2.14 The challenges identified fall disproportionately on a number of services. Environmental Services, which covers licencing & environmental health and is leading on the air quality project on behalf of the Borough and Stoke-on-Trent City Council, is likely to be the focus for significant additional demands. This is under constant review by the Executive Management Team and Cabinet, which will direct priorities and resourcing.

### 3. Financial Recovery

3.1 The pandemic continues to have a significant impact on the Council's financial position through a mix of lost income and additional costs. To date Government funding of £1.743m has been secured (including £170k of new burdens funding to offset the costs of administering Coronavirus business support grant and hardship relief schemes), which has reduced the immediate pressure on Council finances. Additional costs have continued to fall with the return of a degree of normality in line with forecasts. However, the current forecast is a net revenue overspend of £333k in this financial year, assuming no further tightening of current lockdown measures. The forecast overspend will need to be met from existing reserves.

3.2 The Council's revenue budget relies on service income from fees and charges of c£850k per month across a wide range of services, with a significant proportion coming from J2 and car parking. The Council has been actively monitoring the impact of the lockdown and the working practices required to ensure safe practice. Across the business, net monthly income losses stabilised at c£276k during the first quarter reducing to c£258k during the second quarter. The Government will fund income losses above the first 5% at the rate of 75p in the pound in the current financial year, this will to a significant degree insulate the Council from income related financial risks.

3.3 The scheme compensates for income that local authorities generate independently which is defined as a sale, fees and charges, and is unable to be recovered – for example, car parking charges or receipts from museum charges. It does not include commercial income,

such as rents. The 5% deductible will be calculated using sales, fees and charges budgets for 2020/21 as this represents what the Council expected to collect from these income sources at the start of the year. Compensation will be provided to mitigate the net budget gap which income losses have created, i.e. after the savings that the Council has made regarding the furlough scheme. It is currently estimated at the close of quarter 2 that of the £2.292m forecast income losses in 2020/21 the Government will fund £1.558m leaving the Council with a deficit of £0.734m which is accounted for in the forecast overspend for the year.

- 3.4 Local tax income is collected by billing authorities and paid into local 'collection funds' (the Council is a billing authority). Where there is a shortfall in tax receipts (compared to expected levels), this leads to a deficit on the collection fund. Billing and major precepting authorities are usually required to meet their share of any deficit during the following financial year. In response to forecast shortfalls in tax receipts relating to COVID-19, the government has announced that repayments to meet collection fund deficits accrued in 2020- 21 will instead be phased over a three-year period (2021-22 to 2023-24) to ease immediate pressures on budgets. The phased amount will be the entire collection fund deficit for 2020-21 as estimated on the 15 January 2021 for council tax and in the 2021-22 NNDR1 for business rates.
- 3.5 The current forecast shortfalls in tax receipts, and the proposed repayments under this scheme are shown below:

Tax	Total Deficit Forecast	Council's Share	Repayable 2021/22	Repayable 2022/23	Repayable 2023/24
Council Tax	£1.292m	£0.144m (11.8%)	£0.048m	£0.048m	£0.048m
Business Rates	£15.015m	£6.006m (40%)	£2.002m	£2.002m	£2.002m
Business Rates Section 31 Measures	(£14.358m)	(£5.631m) 40%	(£1.877m)	(£1.877m)	(£1.877m)
<b>Total</b>	<b>£1.949m</b>	<b>£0.519m</b>	<b>£0.173m</b>	<b>£0.173m</b>	<b>£0.173m</b>

- 3.6 The Government announcement made on 2 July referred to a further apportionment between MHCLG and Local Government of irrecoverable tax losses (i.e. debts required to be written off), however details of how this will operate in practice are still awaited.
- 3.7 Work is continuing on the implementation of a financial recovery plan including:
- Benchmarking of Council service performance and budgets;
  - Review of performance against the Council Plan to date, and confirmation of Council priorities post Covid;
  - Identification of savings opportunities, including accelerated delivery of the digital and commercial strategies and exploration of alternative service delivery models;
  - Refresh of the Medium Term Financial Plan in the light of the above.

#### 4. **Proposal**

- 4.1 Cabinet are recommended to note this report.

#### 5. **Reasons for Proposed Solution**

- 5.1 This report serves to brief Cabinet on the work being undertaken to address the Coronavirus pandemic, and the financial impact that the pandemic is having on the Council, and the recovery arrangements being put in place.

6. **Options Considered**

6.1 N/A

7. **Legal and Statutory Implications**

7.1 Addressing the impact of Coronavirus locally has involved adjustment to some service provision. When making such changes there are a number of legal and statutory implications to take into account. These are all appropriately factored into decision taking by the Incident Management Team.

8. **Equality Impact Assessment**

8.1 None directly arising from this report.

9. **Financial and Resource Implications**

9.1 The Council's General Fund balance as at 31<sup>st</sup> March 2019 was £1.548m. Careful monitoring of the financial position will be required over coming weeks and months leading to prompt corrective action where necessary to ensure that reserves are not exhausted and the Council remains in a position of being able to deliver a balanced budget position in the current financial year and beyond.

10. **Major Risks**

10.1 The Coronavirus pandemic, in the round, represents a significant risk to the Council. This report sets out how that risk is being addressed.

11. **Sustainability and Climate Change Implications**

11.1 N/A

12. **Key Decision Information**

12.1 This is not a key decision.

13. **Earlier Cabinet/Committee Resolutions**

13.1 None

14. **List of Appendices**

14.1 Back on Track – Recovery Plan

15. **Background Papers**

15.1 None

## NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

### REPORT TO CABINET

14 October 2020

**Report Title:** Temporary Accommodation Provision from 1<sup>st</sup> November 2020 to 31<sup>st</sup> March 2021

**Submitted by:** Housing and Partnerships

**Portfolios:** Community Safety and Wellbeing

**Ward(s) affected:** All

#### **Purpose of the Report**

To seek Cabinet approval to let two short term contracts for temporary accommodation for homeless people.

#### **Recommendation**

- 1) Subject to finalising legal agreement with the Specialist Homeless Advisor at Ministry of Housing, Communities and Local Government:
  - a. To let a five month contract (1<sup>st</sup> November 2020 to 31<sup>st</sup> March 2021) to Open Door Stoke-on-Trent for the provision of supported accommodation for rough sleepers from the street with complex and high level support needs.
  - b. To let a five month (1<sup>st</sup> November 2020 to 31<sup>st</sup> March 2021) contract to Open Door Stoke-on-Trent for the provision of shared houses to provide lower level supported accommodation for single homeless people with complex needs.
- 2) To note the financial needs regarding the above services for 2021/22 and that subject to successful allocations of Central Government funding the above contracts are extended for 2021/22.
- 3) To direct officer to bid for Rough Sleeper Initiative 4 funding for medium term self-contained supported accommodation for homeless with complex needs.

#### **Reasons**

A Temporary Accommodation Review was undertaken and recommended that a mini procurement exercise was undertaken to identify preferred partners and best accommodation options and costings for our homeless households.

This report follows that procurement exercise for temporary accommodation provision from 1<sup>st</sup> November 2020, when the current contracts end, to 31<sup>st</sup> March 2021, with the option to extend for 2021/22 subject to funding.

#### 1. **Background**

- 1.1 The Council has a duty to provide assistance to homeless households including securing temporary accommodation. Rising demand, escalating costs and the recent impact of the Coronavirus “everyone in” policy led to a Temporary Accommodation Review being undertaken in July 2020.
- 1.2 Recommendations included:
  - Work with Newcastle Housing Advice and other partners to reduce the use of B & B placements, maximise the use Housing Benefit claims and manage move on, and to

- Undertake a mini procurement exercise to identify preferred partners and best accommodation options and costings for our homeless households.

1.3 The current provision for temporary accommodation is:

- A 7 bed unit for entrenched rough sleepers with support systems in place, this was commissioned as a direct result of the “everyone in” policy. However it has been life changing for some accommodated there who instead of being ‘trapped in a revolving door’ continually returning to homelessness have through the intensive support engaged with services and are now on a path to gaining and maintaining permanent accommodation.
- an 8 bed unit (4 x male and 4 x female) as supported temporary accommodation for single homeless people.

1.4 While the services are demonstrating sound outcomes they have not been market tested other than by comparison to B & B use in the Temporary Accommodation Review.

## 2. **Issues**

2.1 Although the tender was promoted to many providers working in the borough only one submission was received for each of the two lots. On analysis each submission scored highly for ‘Project Purpose’ and ‘Impact and project outcomes’ and were sufficiently well detailed to demonstrate compliance with the specification.

2.2 The submissions are from the current provider of the services and represent a continuation of the current service and cost.

2.3 The costs of the submissions are:

Lot 1 - To let a five month contract to Open Door Stoke-on-Trent for the provision of supported accommodation for rough sleepers from the street with complex and high level support needs.

Nov1<sup>st</sup> 2020 to 31<sup>st</sup> March 2021 = £106,754.90

This is based on a 7 bed temporary accommodation unit being full every night at a cost of £95 per room for 5 single rooms and £110 per night for 2 double occupancy rooms. With a 1% management fee applied to monthly invoices.

2.4 Lot 2 - To let a five month contract to Open Door Stoke-on-Trent for the provision of shared houses to provide lower level supported accommodation for single homeless people with complex needs

Oct 1<sup>st</sup> 2020 to 31<sup>st</sup> March 2021 = £79, 874.12.

This is based on an 8 bed temporary accommodation unit being full every night at a cost of £65 per room per person with a 1% monthly management fee on the invoice.

2.5 While Housing Benefit covers the cost of the temporary accommodation and is payable by the Council, there is an element of the overall cost of the temporary accommodation that can be reclaimed by the Council from DWP. At the time of writing this equates up to £80.77 per person per week, which by contrast to the average cost of £80 per night, leaves a considerable deficit for the Borough Council to cover. Therefore the best case scenario is that £14,560 can be reclaimed to offset Lot 1 and £16,640 can be reclaimed to offset Lot 2 from DWP.

2.6 The Council has been successful in securing Next Steps funding for the continuation of the 7 bed temporary accommodation unit with £125,610 allocated from October to the end of the financial year.

- 2.7 It is anticipated that there will be an announcement at Christmas for the national Rough Sleepers Initiative 4 with funding to commence April 2021. This funding will be aimed at projects that provide supported self-contained accommodation for up to 2 years. It is recommended that Officers seek to develop proposals for this funding round.
- 2.8 The Council is planning for Severe Weather Emergency Provision (SWEP) this is where any rough sleeper must be offered indoor space when the weather forecast is zero or below for 3 consecutive nights. In previous years space has been offered through a range of supported housing schemes and hostels, including 'upright spaces' which are where the person stays in the communal space not in a bed. It is anticipated that this will be very difficult this year as Covid restrictions have led to different practices being adopted by accommodation providers compared to previous years.
- 3.0 **Proposal**
- 3.1 To approve the two short term contracts to maintain an appropriate temporary accommodation service.
- 3.2 To ensure the contract is closely monitored for the specified outcomes and effective reclaiming of housing benefit funds.
- 3.3 That further proposals are developed for the service from 1<sup>st</sup> April 2021. Newcastle Housing Advice is provided by Midland Heart Ltd on behalf of the Council. This contract ends on 31<sup>st</sup> March 2021 and the service will be returning in house. Temporary Accommodation proposals for post April 2021 need to be considered and financial allocation made for beyond March 2021.
4. **Reasons for Proposed Solution**
- 4.1 Market testing has shown limited providers in this specialist field.
- 4.2 The temporary accommodation review evidenced that supported housing is more cost effective than B&B accommodation which also doesn't have the added advantage of support services.
- 4.3 Open Door Stoke-on-Trent are the current provider so it will ensure a smooth continuation of service and vulnerable residents will not be asked to move accommodation or support workers which may be unsettling for them.
- 4.4 Having a continuation of service ensures vulnerable previous rough sleepers will not simply be returned to the streets. The needs of this client group will continue and the Council needs to plan for the medium term to ensure appropriate provision is available. The procurement stated that a 5 month contract would be issued until March 2021 then subject to funding a further years contract extension may be given.
5. **Options Considered**
- 5.1 As the recommendations follow the temporary accommodation review outcome and market testing no other options have been considered.
6. **Legal and Statutory Implications**
- 6.1 **The Housing Act 1996, Part VII** (as amended) sets out the circumstances when a local authority is required to provide temporary accommodation to homeless households. The expectations for this temporary accommodation are then set out in the Homelessness (Suitability of Accommodation) (England) Order 2012.
- 6.2 Other relevant statutory guidance includes.
- Homelessness Act 2002
  - Homelessness Code of Guidance for Local Authorities 2006

- Homelessness (Suitability of Accommodation) Order 1996
- Homelessness (Suitability of Accommodation) (England) Order 2003
- Localism Act 2011 (Commencement No 2 and Transitional Provisions) (England) Order 2012
- Supplementary Guidance on Changes in Localism Act 2011
- Supplementary Guidance on Domestic Abuse and Homelessness 2014
- The Homelessness Reduction Act 2017.

6.3 Not having a fit for purpose service will leave the council open to a legal challenge.

## 7. **Equality Impact Assessment**

7.1 Temporary accommodation placements are made purely on merit and there are no disproportionate outcomes to any sector.

## 8. **Financial and Resource Implications**

8.1 The overall cost of both lots is £186,629.

8.2 Subject to the legal agreement and final discussions with the Specialist Homeless Advisor it is expected that the Next Steps funding of £125,610 can be used to cover some of the costs of the 7 Bed Copeland Street temporary accommodations from October to 31<sup>st</sup> March. It is expected that around £26,000 can be claimed (over the total 15 beds / claimants) from Housing Benefit. The remaining £35,109 can be met from the Budget Support Fund (Housing) from previous years grants and contributions.

8.3 Extension of the lots for 2021/22 would be subject to sufficient funding being received from Central Government, at the current time no certainty has been provided.

8.4 Officers are currently drafting a SWEP scheme to meet the Council's obligations this winter and funding will be required. This is subject to a separate report and discussions are to take place about utilising national Rough Sleeper Initiative 2 funding.

## 9. **Major Risks**

9.1 There is a risk that this provision is insufficient to meet rising demand and additional B&B may be needed.

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

## 10. **Sustainability and Climate Change Implications**

10.1 There are no sustainability or climate change implications.

## 11. **Key Decision Information**

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

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

## 12. **Earlier Cabinet/Committee Resolutions**

12.1 None.

13. **List of Appendices**

13.1 None

14. **Background Papers**

14.1 Temporary Accommodation Review July 2020

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

**Date: 14<sup>th</sup> October 2020**

1. **REPORT TITLE** Jubilee2 Update
- Submitted by:** Executive Director Commercial Development & Economic Growth
- Portfolio:** Leisure, Culture & Heritage
- Ward(s) affected:** All

**Purpose of the Report**

This report provides Cabinet with an update on the ongoing building defects at Jubilee 2 and the actions being taken to resolve these.

**Recommendations**

1. That Members note the information and endorse the approach outlined in this report to address the ongoing building defects and agree that further reports be received to update Members on progress made.
2. That the Executive Director Commercial Development & Economic Growth arrange for further survey work to be undertaken to identify any further undiscovered defects.

**Reason**

The Council made a significant capital investment in providing Jubilee2 and to protect this investment for the benefit of the health and wellbeing of residents of the Borough requires action as set out in this report. Additionally, these actions are required to secure the membership and casual usage to support the recovery strategy for Jubilee2 following the Covid-19 closure.

1.0 **Background**

- 1.1 Jubilee2 was procured on a "Design & Build" basis, although the Council took the design to a fairly advanced stage to mitigate the risk of cost overrun. Following a competitive tender process Morgan Sindall were awarded the Contract to construct Jubilee2, handing the building over to the Council upon practical completion in December 2011. Since opening in 2012 the building has had a number of ongoing issues which have compromised both effective service delivery and reputation. Some have been addressed, but at this stage, 7 years after opening, there are a number of significant defects remaining.
- 1.2 It has been a priority of the current administration to deal with the longstanding building defects. This report addresses three separate defects leaking roofs, defects within the aqua sauna, and the failure of the main pool circulation system.

## 2.0 **Issues**

- 2.1 Given that the Council entered into a JCT Building contract with Morgan Sindall under seal there is the potential for the Council to call upon the building guarantee to address latent defects for a period of twelve years from the building completion date in December 2011.
- 2.2 Three significant defects have had, and in some instances continue to have, a negative impact on the operation of Jubilee2:
- Roof leaks on the first and second floors of the building;
  - The closure of the Aqua Sauna due to water ingress into the changing village below;
  - The close of the main pool due to a significant loss of water caused by fractured pipework.

### **Roof Leak**

- 2.3 Since the opening of Jubilee2 there have been ongoing issues with roof leaks around the building and numerous attempts to repair these leaks by Morgan Sindall have failed. This has led to staff routinely placing buckets in corridors and stair wells to collect rain water, and action which does little to portray and image of a professional and high quality leisure facility.
- 2.4 After resetting the dialogue with Morgan Sindall concerning this issue they agreed to undertake an inspection of the roof in February 2020. This identified a significant number of issues that need to be addressed due to poor workmanship, and or inadequate building materials being used. As a result, at their cost, they have undertaken the following works to the roof:
- Relined the rainwater gutters;
  - Installed an additional water proof membrane over the existing roofing structure;
  - Increased the size of rain water hoppers to assist with the displacement of persistently heavy rainfall;
  - Replaced and refitted seals between the roofing structure and glazed atrium on the main stair case;
  - Replaced roofing capping's in various locations of the roof.
- 2.5 The above works were completed in September 2020 but, regrettably, some leaks persist. Morgan Sindall have given their commitment they will work with the Council under the terms of the JCT contract to address these and any future issues.

### **Aqua Sauna**

- 2.6 The Aqua Sauna (Health Suite) - which is on the first floor, initially started leaking water into the ground floor changing village in 2014 and from 2016 until earlier this year part of the changing village has been closed to the public. Extensive investigations were undertaken and Morgan Sindall resolved the issue to the satisfaction of the Council.
- 2.7 Closure of the Aqua Sauna has provided an opportunity to consider whether to reinstate the Aqua Sauna as previously, or whether to develop the space for some alternate use. An evaluation of the income generation potential of alternate uses indicate that the preferred solution is to repurpose this space into a Pilate's studio which will enhance the health and wellbeing offer to the residents of the Borough. A specification has been prepared and the tender process for this work is expected to be concluded in the autumn of 2020.

### **Swimming Pool**

2.8 On the 18th August 2020 the Council took the regrettable decision to close the main pool at Jubilee2 due to a significant loss of water. The Council's retained pool contractor (Sterling Hydrotech) attended site and over a period of two days identified that the leak was not associated with the pool filtration system, but they did identify the most likely cause of the leak to be a fracture in the pipework which runs around the side of the pool. Excavation of a section of the pool surround at the deep end of the main pool confirmed this assessment, with two fractured pipes uncovered.

2.9 Morgan Sindall (who completed the original construction of Jubilee2) have taken over the responsibility for the repairs with immediate effect. They have proposed a course of action to rectify the leak in the deep-end of the main pool as well as undertaking investigatory works in other locations around the pool hall including the training pool. At this stage it is envisaged these works will be completed and the pool reopen by the end of October 2020, with any further works to other areas of the pool being completed overnight so that Jubilee2 can remain operational.

### 3.0 **Proposal**

3.1 Work undertaken to date to establish positive working relationships with Morgan Sindall have allowed progress to be made on a number of the defects and, whilst work is ongoing, the indications are positive that a successful resolution of all apparent issues will be secured.

3.2 Members are therefore invited to note the information set out in this report and endorse the approach outlined in this report to address the ongoing building defects.

3.3 Notwithstanding this, the failure of the main swimming pool in J2 has understandably undermined Cabinet's confidence that further defects in the building remain, but have yet to manifest themselves. As such, through this report, Cabinet direct officers to commission a survey to identify whether other defects exist to ensure that the facility can properly meet the needs of its customers.

### 4.0 **Reason for Preferred Solution**

4.1 The Council made a significant capital investment in providing Jubilee2 and to protect this investment for the benefit of the health and wellbeing of residents of the Borough maintaining the facilities in good condition and is vital to attract significant footfall to support the recovery stagey for Jubilee2 in light of the Covid-19 pandemic

### 5.0 **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

5.1 To ensure that high quality services are provided to the Borough's residents whilst continuing to support their health and wellbeing.

### 6.0 **Legal and Statutory Implications**

6.1 There are clear legal implications in relation to the latent defect in the design and build contract for Jubilee2. The issues are being pursued with appropriate professional advice in relation to negligence and contractual obligations.

### 7.0 **Equality Impact Assessment**

7.1 There are no equality implications arising directly for the Council as a result of rectifying the building defects.

8.0 **Financial and Resource Implications**

8.1 Members are referred to the confidential appendix of this report for the financial implication in relation to rectifying ongoing building defects.

9.0 **Major Risks**

9.1 In relation to the building latent defects, there are significant financial and reputational risks as service disruption takes place to address them. There are shorter term health and safety risks (in particular slips) which the staff team at Jubilee2 effectively manage through on-going dynamic risk assessment.

10.0 **Key Decision Information**

10.1 This is not a key decision and therefore does not appear on the Council's Forward Plan.

11.0 **Earlier Cabinet/Committee Resolution**

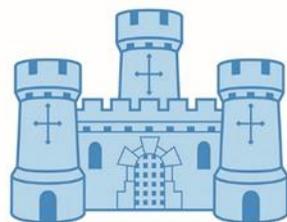
11.1 None

12.0 **List of Appendices**

12.1 None

13.0 **Background Papers**

13.1 None



**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**

This Plan gives 28 days' notice of Key Decisions which we are expecting to take over the next few months. Councils cannot take Key Decisions without first giving 28 days' notice, unless an urgent decision is required. Urgent Key Decisions may be taken under the urgency procedures set out in the Council's Constitution. A decision notice for each Key Decision made is published within 6 days of it having been made.

"Key decisions" are defined as those Executive (Cabinet) decisions which are likely:

- a. to result in the Council incurring expenditure or making savings of £100,000 or more (in the case of Revenue) and £250,000 or more (in the case of Capital); and/or
- b. to be significant in terms of the effects on communities living or working in an area comprising two or more wards of the Borough.

This Forward Plan also contains details of other important Cabinet decisions that we are expecting to take even if they do not meet this definition.

Whilst the majority of these decisions taken at meetings held in public, some decisions may be taken in private meetings because they deal with confidential information as defined in Schedule 12A of the Local Government Act 1972, and the public interest in withholding the information outweighs the public interest in disclosing it. If we intend to take a decision in private, that will be noted below with reasons.

If you object to a decision being taken in private, you can tell us why by emailing [DemocraticServices@newcastle-staffs.gov.uk](mailto: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 Helena Maxfield
Cabinet Portfolio Holder (Environment & Recycling)	Councillor Trevor Johnson
Cabinet Portfolio Holder (Leisure, Culture & Heritage)	Councillor Jill Waring
Cabinet Portfolio Holder (Planning & Growth)	Councillor Paul Northcott

#### Exempt Information Categories under Schedule 12A of the Local Government Act 1972

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, agendas and reports relevant to any key decision may be accessed on the Council's website [www.newcastle-staffs.gov.uk](http://www.newcastle-staffs.gov.uk) or may be viewed during normal office hours. Copies or extracts can be obtained on payment of a fee (unless the publication contains exempt information).

For all enquiries, please contact:-

**The Chief Executive's Directorate, Castle House, Barracks Road  
Newcastle-under-Lyme, Staffordshire ST5 1BL  
Telephone 01782 742222 Email: [DemocraticServices@newcastle-staffs.gov.uk](mailto:DemocraticServices@newcastle-staffs.gov.uk)**

<b>Title of Report</b>	<b>Brief Description of Report</b>	<b>Cabinet Portfolio</b>	<b>Intended Decision Date</b>	<b>Relevant Overview &amp; Scrutiny Committee</b>	<b>Wards Affected</b>	<b>Reason for Determining in Private Session (if applicable)</b>
J2 Building Report	To update Cabinet on the issues experienced with the J2 building	Leisure, Culture & Heritage	Cabinet 14 October 2020	Health, Wellbeing & Partnerships	All Wards	N/A
Temporary Accommodation Procurement	To authorise the award of a contract for the provision of temporary accommodation for homeless people	Community Safety & Wellbeing	Cabinet 14 October 2020	Health, Wellbeing & Partnerships	All Wards	N/A
Crematorium Ground Extension Project	To approve proposals to extend the crematorium and develop adjoining land	Planning & Growth	Cabinet 4 November 2020	Finance, Assets & Performance	Bradwell	N/A
Affordable Funerals	To approve an affordable funerals offer	Planning & Growth	Cabinet 4 November 2020	Finance, Assets & Performance	All Wards	N/A
MTFS 2021/22	To receive proposals in respect of the Medium Term Financial Strategy update for 2021/22	Finance & Efficiency	Cabinet 4 November 2020	Finance, Assets & Performance	All Wards	N/A
Land at Market Drayton, Loggerheads	To approve a proposal to dispose of land	Finance & Efficiency	Cabinet 4 November 2020	Finance, Assets & Performance	All Wards	N/A
Town Investment Plan – Kidsgrove	To approve a Town Investment Plan for submission to Government	Corporate & Service Improvement, People & Partnerships	Cabinet 4 November 2020	Economy, Environment and Place	All Wards	N/A

CIL S106 Refresh	To assess the viability of implementing a charging structure on new development in accordance with the Community Infrastructure Levy Regulations and to identify how any funds raised may be utilised. The review will also consider the existing s106 charging system and the overlap between the two methods.	Planning & Growth	Cabinet 4 November 2020	Economy, Environment and Place	All Wards	N/A
Knutton Master Plan Consultation	To approve a consultation exercise on a draft master plan for Knutton	Planning & Growth	Cabinet 4 November 2020	Economy, Environment and Place	All Wards	N/A
Air Quality Implementation Plan	To approve the Air Quality Outline Business Case	Environment and Recycling	Cabinet 2 December 2020	Economy, Environment and Place	All Wards	N/A
Sustainable Environment Strategy	To approve a sustainable environment strategy for the Council and Borough	Environment & Recycling	Cabinet 2 December 2020	Economy, Environment and Place	All Wards	N/A
Newcastle BID Ballot	To support a BID Ballot process	Planning & Growth	Cabinet 13 January 2020	Economy, Environment and Place	All Wards	N/A
Town Investment Plan - Newcastle	To approve a Town Investment Plan for submission to Government	Corporate & Service Improvement, People & Partnerships	Cabinet 13 January 2020	Economy, Environment and Place	All Wards	N/A