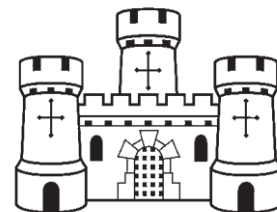


Public Document Pack

Date of meeting Wednesday, 17th March, 2021
Time 2.00 pm
Venue Hybrid Meeting - Castle
Contact democraticservices@newcastle-staffs.gov.uk



**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)
To consider the Minutes of the meeting held on 3rd February 2020.
- 4 BACK ON TRACK UPDATE** (Pages 9 - 14)
This item includes a supplementary report.
- 5 KIDSGROVE TOWN DEAL** (Pages 15 - 30)
- 6 KIDSGROVE SPORTS CENTRE REFURBISHMENT** (Pages 31 - 36)
This item includes a supplementary report.
- 7 REVIEW OF ECONOMIC DEVELOPMENT STRATEGY** (Pages 37 - 48)
- 8 ASPIRE HOUSING - PROSPECTUS FOR JOINT WORKING** (Pages 49 - 64)
- 9 LOCAL DEVELOPMENT SCHEME** (Pages 65 - 78)
- 10 DRAFT NEWCASTLE-UNDER-LYME STATEMENT OF
COMMUNITY INVOLVEMENT 2021 CONSULTATION
DOCUMENT** (Pages 79 - 142)
- 11 IRRECOVERABLE ITEMS 2020/21** (Pages 143 - 146)
- 12 FORWARD PLAN** (Pages 147 - 150)
- 13 URGENT BUSINESS**

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

14 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.

15 IRRECOVERABLE ITEMS - CONFIDENTIAL APPENDIX (Pages 151 - 152) ATTENDANCE AT CABINET MEETINGS

Councillor attendance at Cabinet meetings:

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

Public attendance at Cabinet meetings:

- (1) If a member of the public wishes to ask a question(s) at a meeting of Cabinet, they should serve two clear days' notice in writing of any such question(s) to the appropriate committee officer.
- (2) The Council Leader as Chair of Cabinet is given the discretion to waive the above deadline and assess the permissibility 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.

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

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

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

CABINET

Wednesday, 3rd February, 2021
Time of Commencement: 2.00 pm

Present:-	Councillor Simon Tagg – Chair
Councillors	Stephen Sweeney, Trevor Johnson, Helena Maxfield, Paul Northcott and Jill Waring
Officers	David Adams, Martin Hamilton, Simon McEneny, Daniel Dickinson, Denise French and Sarah Wilkes

77. APOLOGIES

There were no apologies for absence.

78. DECLARATIONS OF INTEREST

There were no declarations of interest stated.

79. MINUTES OF A PREVIOUS MEETING

Resolved: that the minutes of the meeting held on 13th January 2021 be agreed as a correct record.

80. REVENUE AND CAPITAL BUDGETS AND STRATEGIES 2021-22

Cabinet considered a report on Revenue and Capital Budgets for 2021/22. The draft budgets were based on the assumptions set out in the 5 year Medium Term Financial Strategy for 2021/22 to 2025/26. There were also a number of Strategies submitted – Flexible Use of Capital Receipts, Capital Strategy, Treasury Management Strategy and Investment Strategy.

The Leader introduced the item and drew attention to the Borough Growth Fund for 2021/22 with priorities including £100k for the Environmental Sustainability Strategy; £50k to provide specialist support to address community concerns around odour; £100k for the One Council programme to transform public access to council services and provide some efficiency savings and £70k for Town Centre recovery following the pandemic.

The impact on the Council tax payer would be a £5 increase on Band D equivalent properties.

The Council's Balances and Reserves had been reviewed and it was recommended that there be a minimum General Fund balance of £3m and an Income Reserve of £0.100m to safeguard financial resilience and to reflect the ongoing impact of the Coronavirus pandemic.

Councillor Sweeney, Portfolio Holder for Finance and Efficiency, reported that the Finance, Assets and Performance Scrutiny Committee had reviewed the budget and strategies at their meeting on 18th January. He also referred to the public consultation on the budget which highlighted the following areas as most important to residents; the consultation had also found that residents felt services should be protected as far as possible even if a Council tax increase was required:

- Town Centre regeneration
- Refuse Collection
- Parks, playgrounds and open spaces
- Recycling Facilities
- Street cleansing

The budget included funding for the refurbishment of Kidsgrove Sports Centre. He endorsed the budget for recommendation to full Council on 24th February.

Resolved:

- (a) That the Revenue and Capital Budgets as detailed in this report and in the report to Cabinet dated 13 January 2021 be recommended to Full Council for approval.
- (b) That the updated Medium Term Financial Strategy 2021/22 to 2025/26 (Appendix 2) be recommended to Full Council for approval.
- (c) That the strategy for ensuring a balanced revenue outturn position for 2020/21 be approved.
- (d) That the calculation of the Council Tax base and the Council Tax increase to be proposed for 2021/22 of £5 per Band D equivalent property be recommended to Full Council for approval.
- (e) That the risk assessment at Appendix 3 and the Section 151 Officer's recommendation on the level of reserves and contingencies provisionally required to be maintained in 2021/22 be recommended to Full Council for approval.
- (f) That the Flexible Use of Capital Receipts Strategy (Appendix 6), updated for 2021/22, be recommended to Full Council for approval.
- (g) The Borough Growth Fund Priorities for 2021/22 be approved.
- (h) That the Capital Strategy (Appendix 7) for 2021-31 be recommended to Full Council for approval.
- (i) That the Treasury Management Strategy (Appendix 8) for 2021/22 be recommended to Full Council for approval.
- (j) That the Investment Strategy (Appendix 9) for 2021/22 be recommended to Full Council for approval.
- (k) That the Local Council Tax Reduction Scheme (Appendix 10) for 2021/2022 be recommended to Full Council for approval.

81. FINANCE AND PERFORMANCE REVIEW REPORT - THIRD QUARTER (OCTOBER - DECEMBER) 2020-21

Cabinet considered a report detailing the financial position and Council performance for quarter 3. The report outlined the broad financial position and how services had performed during quarter 3 – October – December 2020. Councillor Sweeney explained that the financial picture was as expected and the Council was on track to report a balanced outturn on both revenue and capital budgets. Councillor Northcott, Portfolio Holder for Planning and Growth, referred to Appendix A which set out the revised Capital Programme based on changes as a result of the pandemic and its financial impact on the Council. The funding for the works to Brampton Museum had

increased slightly and was to fund expansion works which would include some space for events.

The performance for Quarter 3 was presented with a total of 18 indicators monitored for the period. Councillor Johnson, Portfolio Holder for Waste and Recycling, referred to the number of missed kerbside collections which was above the target. The individual figures needed to be taken in the context of the overall volume of 1,640,364 total collections over the quarter which included the Christmas and New Year period when staff had worked over the weekend to manage a backlog due to the bad weather conditions. Levels of street and environmental cleanliness had performed highly.

In relation to percentage of unmet calls to the Contact Centre this was explained due to the continuing high volume of calls this Quarter arising from various reasons including embedding the new recycling service, the Elections Campaign, Council Tax recovery and calls relating to the Newcastle Housing Advice Service. It was expected that there would continue to be a high volume of calls to the Contact Centre during Quarter 4 as Council Tax bills would be sent out and due to the forthcoming election for a Police, Fire and Crime Commissioner for Staffordshire.

Councillor Northcott noted the planning team continued to perform well and all targets were met.

Councillor Maxfield, Portfolio Holder for Community Safety and Wellbeing, explained that the Council was continuing in its Navigator role for temporary accommodation and some rough sleepers who had previously refused accommodation were now engaging with services. The Severe Weather Emergency Protocol had been active for 17 nights in January.

Councillor Waring, Portfolio Holder for Leisure, Culture and Heritage explained how the Museum remained closed but live talks had been carried out online which were popular. J2 was also closed but online classes were being offered; membership numbers had reduced but it was hoped this would improve when facilities could open.

Councillor Sweeney referred to the successful Artisan Markets held before Christmas in a Covid secure way. The Town Centre officer was keeping in contact with stall holders in preparation for future markets and was providing lots of information through social media.

Resolved:

That the contents of the report together with Appendices A and B be noted and Cabinet will continue to monitor and Challenge the Council's performance alongside its financial performance for the same period.

82. PLANNING AGREEMENTS AND COMMUNITY INFRASTRUCTURE LEVY (CIL)

Cabinet considered a report that outlined how contributions from Section 106 agreements and Community Infrastructure Levy (CIL) could be used in future. The Planning White Paper – Planning for the Future – was issued in August 2020 and one of the proposals related to a review of the S106 and CIL process. Councillor Northcott introduced the report which proposed that a review of the use of S106 and CIL be undertaken in the light of the White Paper; also to reflect any update of the

Infrastructure Delivery Plan in view of the Council's decision to now undertake a Borough Local Plan and a review of the Council's Supplementary Planning Document on Developer Contributions be also undertaken.

Resolved:

(a) That Cabinet will review the use of S106 and the Community Infrastructure Levy in light of the findings of the Planning White Paper review and the emerging Borough Local Plan.

(b) A review be undertaken of the Developer Contributions Supplementary Planning Document adopted in 2007 with particular focus on the role which contributions have on supporting local communities and especially those with an adopted Neighbourhood Plan in place.

83. HOUSING SELF BUILD REGISTER

Cabinet considered a report that outlined the current status of the Council's Self-Build register and proposed opportunities to improve engagement with prospective developers and land owners. Councillor Northcott explained the provisions in the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) which required the Council to keep a register of those wanting to acquire plots of land to develop a self or custom build house. Councils must have sufficient 'shovel ready' plots available to meet demand. There were Regulations from 2016 that allowed Councils to set local eligibility criteria. The Council faced three issues relating to how the Register of interested people was kept; how serviceable plots were identified; and how the Council addressed its duty to show how the need was met on an annual basis. The report proposed a review to ensure these issues could be addressed.

Resolved:

That the creation of a Local Connection Test be approved and a new Register be implemented to comprise Parts 1 and 2 and the Register including a charging schedule be administered on an ongoing basis.

84. 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.

85. URGENT BUSINESS

There was no Urgent Business.

COUNCILLOR SIMON TAGG
Chair

Meeting concluded at 2.38 pm

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S

REPORT TO CABINET

Choose an item.

17 March 2021

Report Title: Back on Track

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 in response to the Coronavirus restrictions on the Borough, and to ensure the Borough is well placed to recover from the Pandemic.

Recommendation

1. It is recommended that Cabinet note this report and endorse the work being undertaken in response to the Coronavirus restrictions.

Reasons

To allow Cabinet to publicly consider the actions being undertaken in relation to the coronavirus pandemic and the associated restrictions.

1. **Background**

- 1.1 Cabinet has regular reports detailing the Council's response to the Coronavirus pandemic and delivery of the recovery plan.
- 1.2 At time of writing, the 7 day infection case rate in Newcastle under Lyme was c.75 cases per 100,000 population. This is broadly in line with the Staffordshire rate of c.72/100,000 and above the England average of c.60/100,000. The figure reflected a marked decrease in infections in the early part of 2021. In addition to the reducing infection rate strong progress is being made in the roll out of vaccinations across the County, with over 400,000 vaccinations having been administered, and the programme now offering vaccinations to the over 55 year old cohort.
- 1.3 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.
 - The Leader of the Council is chairing a Local Incident Management Team, drawing together expertise from the Borough Council, County Council, health sector, and other agencies actively involved in responding to the pandemic;

- 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;
- A team of colleagues has been assembled from across the Council to work as “Covid Marshalls”, mainly focussed on engagement with businesses to encourage and advise on good practice on Covid security.
- The Council is encouraging, through its Communications activity, the drive to recognise the whole borough as a Covid “hotspot” and encourage take up of testing regardless of whether individuals have symptoms. It is recognised that identifying asymptomatic carriers is an important means of breaking the infection chain and reducing spread.

2. Easing Restrictions

2.1 In mid-February the government published its roadmap for easing restrictions from early March, when schools returned, to 21st June, when it is hoped that all remaining restrictions can be stood down. This roadmap provides a guide to the work of the Council in supporting and facilitating the rebuilding of the local economy.

Support for Businesses & Economic Recovery

2.2 The Council continues to administer the Local Restrictions Support Grant (LRSG) to support businesses forced to close or severely affected by local or national restrictions. Across a number of grant programmes the Council has now paid out over £32m and is paying out approximately £2m per month.

2.3 This funding is crucial to enable businesses to weather this particular phase of the pandemic, and be in a position to recover once restrictions have been eased. The Council has moved quickly to ensure that funds get paid to eligible businesses at the earliest possible opportunity.

2.4 The Council is working to prepare the town centre for the phased re-opening, starting with the non-essential retail and outdoor dining from 12th April. The Council’s re-opening plan includes:

- Allocating resource to support the Police to prepare the licensed trade for re-opening
- Administering applications for pavement licences (café/ restaurants/pubs) to enable premises to re-open to take advantage of serving food/drink in outdoor area
- Refresh of social distance/covid secure markers around the town
- Proactive work by Environmental Services and Covid Marshalls promoting compliance in targeted workplaces, in particular hairdressers/barbers/ gyms.
- Business Covid Marshals - monitoring of compliance across the business sector.
- Licensing anticipate an increase in the number of Temporary Event Notice applications and Premises Licences for events as organisers start to plan post 21 June and a return to normal.
- Reopening the Market, and continuing the programme of special event markets, to encourage visitors to the town

2.5 Officers are conscious that a heavy burden from this work falls on the Environmental Services team, which is also the team at the centre of work to deal with the complaints from Walleys Quarry, and particular attention is being paid to ensuring resources can be flexed to adequately address both of these priorities.

2.6 The Council, in partnership with Staffordshire County Council, has developed a wide ranging business advice and support programme, funded from the government's Additional Restrictions Grants, under the banner "Staffordshire Means Back to Business" which will see a range of training and support rolled out to local businesses.

Major Programmes

2.7 Earlier reports to Cabinet highlighted the role which the Future High Street Fund and the two Town Deals would have on the longer term recovery of the local economy. Progress continues with those programmes:

- The Council bid under the Future High Streets Fund has been successful, with provisional agreement for just over £11m being announced in December 2020. These funds will facilitate the regeneration of Newcastle Town Centre, with a specific focus on the Ryecroft site; The Council has submitted further information to the government regarding the bid and an announcement to enable the release of funds is expected imminently.
- Advance Town Deal Funds of £1.75m secured for initiatives in Newcastle & Kidsgrove has enabled work to begin on a range of projects including the refurbishment of a unit in Lancaster Buildings for use as a employment and skills advice hub, expansion of town centre WiFi, Improvements to the "bear pit" subway including CCTV and artworks, redevelopment of the Zanzibar site, and reconfiguring the Guildhall reception to increase usable space and improving market infrastructure. In Kidsgrove, works include the strip out of Kidsgrove Sports Centre as part of the refurbishment and development of a 3G pitch, and park improvements in Newchapel Recreation Ground, and Clough Hall Park.
- Town Investment Plan for Kidsgrove submitted to Government in October 2020 has been successful, with £16.9m allocated to the town to deliver a range of physical and social regeneration projects.
- Town Investment Plan for Newcastle has been submitted to the Government and a decision is awaited.

Support for Vulnerable People

2.8 The Council has maintained its support to vulnerable people, with three specific lines of work being prioritised:

2.9 The support service delivered through the Realise Foundation has stepped up to receive calls from people made vulnerable by the restrictions. Typically this call centre and web portal provides advice and support to individuals who are isolated, or who need help to access food and medicine.

- 2.10 The Council's homelessness team continues to work with vulnerable people who are sleeping rough, or who are at risk of homelessness, placing them into temporary accommodation. Additional accommodation in St George's Chambers has been brought on line for use in severe weather.

Council Services

- 2.11 From 12th April, Jubilee 2 will be able to recommence some services, with access to the Gym and Swimming Pool being the first functions able to come back on stream. The full operation, with classes will not be re-opened until mid May 2021.
- 2.12 Other services continue to be available with minimal disruption.

3 Financial Recovery

- 3.1 The Council has secured over £5m from central government for the current financial year to cover income losses and activities required to mitigate the impact of Covid in areas ranging from support for the homeless to the Council Tax Hardship Relief Fund. In addition it has received just over £39m to fund grants to businesses and residents in the borough impacted by the pandemic, bringing the total amount of financial support provided by central government to over £44m. This financial support covers financial pressure which has been put on Council services together with income losses and support provided to small business within the Borough. Further details are provided below.
- 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. Taking account of the restrictions to date it is forecast that income losses for the financial year will amount to £2.963m. The Government's income compensation scheme offset these income losses to the amount of £2.079m, the first instalment of this was received in November. In conjunction with the income compensation scheme the Council has received £196k from the Furlough job retention scheme in connection with those income loss services.
- 3.3 To date emergency Coronavirus Government funding of £2.280m has been secured (including £299k of new burdens funding to offset the costs of administering Coronavirus business support grant, self-isolation and hardship relief schemes), which has reduced the immediate pressure on additional spending and on the Council finances. The Monthly report monitoring actual spending against budget at period 11 show a balanced position against the budget and it is anticipated that a balanced outturn will be presented at the year end, any variance will be paid into or from the general fund reserve. Close management of the financial position will continue for the remaining weeks of the current financial year and into the first quarter of 2021/22 and remains absolutely essential.
- 3.4 Further Government funding to assist with the Council's response to the Coronavirus has also been secured in relation to rough sleepers (£0.196m), outbreak control (£0.179m), enforcement (£0.061m) and the reopening of the high street (£0.115m).
- 3.5 In addition to the initial business grants funding administered by the Council (£21.673m paid over to businesses), a further £10.688m has been distributed (as per para 2.2). This is in addition to funding allocated by Government for the Council to administer to assist with Council Tax Hardship (£1.036m) and self-isolation (£0.104m).
- 3.6 Further funding will also be paid to the Council to assist with COVID-19 related pressures in 2021/22. Again, this will represent un-ringfenced grant support and uses the distribution

methods applied to funding received during 2020/21. The Council's initial allocation is for £0.675m.

- 3.7 The Government has also indicated that it is providing funding to broadly meet the additional costs associated with increases in local council tax support caseloads in 2021/22. The funding will be un-ringfenced and can be used to provide other support to vulnerable households, including through local welfare schemes. Allocations have not yet been published.
- 3.8 The Government also intend to continue the current income compensation scheme to support local authorities for the first quarter of 2021/22, it is anticipated that the Government will continue to use 2020/21 budgeted income as the baseline to assess losses.
- 3.9 The Council continues to work closely with the Borough's Members of Parliament and the Local Government Association to lobby central government for the ongoing support which will be required.

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 1st April 2020 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 stable 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

Published 16th March 2021

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 None

15. **Background Papers**

15.1 None



NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO

Cabinet
17 March 2021

Report Title: Kidsgrove Town Deal

Submitted by: Executive Director Commercial Development and Economic Growth

Portfolios: Corporate and Service Improvement, People and Partnerships

Ward(s) affected: Newchapel & Mow Cop, Kidsgrove & Ravenscliffe, Talke & Butt Lane, Bradwell

Purpose of the Report

To update Cabinet on the award of the Kidsgrove Town Investment Plan by MHCLG and to consider the next steps in its delivery.

Recommendation

That:

1. That Cabinet accepts the award of £16.9m for the Kidsgrove Town Deal Investment Plan submitted in October 2020, as announced on the 3rd March 2021 – Offer Letter attached.
2. That Officers are authorised to continue working with the Town Deal Board and other organisations as necessary to progress development and delivery of projects in the Kidsgrove Town Deal Investment Plan in line with the timescales set out within the award criteria and within the allotted funds.
3. That the multi-disciplinary officer group established to support delivery of the Advance Town Deal Projects continues this role to support delivery of the Kidsgrove Town Investment Plan.
4. That the Executive Director Commercial Development and Economic Growth, in consultation with the Section 151 Officer and the Portfolio Holder Corporate and Service Improvement, People and Partnerships are authorised to pursue delivery of the Kidsgrove Town Investment Plan.

Reasons

To enhance the economic, social and community wellbeing of the Kidsgrove Town Deal area.

To deliver on the Kidsgrove Town Centre objective in the Growth Deal for Newcastle-under-Lyme 2019 – 2023.

To pursue Council Plan Objective Four - A Town Centre for All, as it relates to Kidsgrove.

1. **Background**

- 1.1 As previously noted by Cabinet in September 2019 the government invited 100 places to develop proposals for a Town Deal as a part of the £3.6 billion Towns Fund. Within the Borough both Newcastle and Kidsgrove were invited to participate in this valuable opportunity to drive significant investment into the Borough. This report focuses on the Kidsgrove element of that work.
- 1.2 The work to establish a Town Deal Board for Kidsgrove and to establish robust and sustainable projects to deliver change to the area has been ongoing since that time and culminated in the submission of a Town Deal Fund application in October 2020
- 1.3 MHCLG have now confirmed that this application has been successful and has awarded the Kidsgrove Town Board £16.9m. See Appendix One for Award Letter.

2. **Issues**

- 2.1 In line with the award the following projects have been supported and will be worked up into full business cases for submission to MHCLG for the final release of funds over the next twelve months to enable physical works to begin as soon as possible:-
 - Objective 1: To drive growth and opportunity through enhanced enterprise infrastructure in Kidsgrove
 - i. Investment in enabling works at Chatterley Valley to release a significant employment site.
 - ii. Investment in enterprise units.
 - To create a connected, accessible town centre which links key assets, retains the heritage and uniqueness of Kidsgrove and delivers and drives new demand and footfall.
 - i. Upgrade facilities at Kidsgrove station to complement improvements funded the Access for All programme.
 - ii. Canal enhancements to create a safe attractive canal corridor
 - iii. Shared service hub & housing investment, to bring together services that are currently dispersed through the town into a one stop shop.
 - To maximise the leisure and recreation opportunities available in Kidsgrove, providing facilities that are supported by communities and opportunities for residents to improve their health and wellbeing.
 - i. Kidsgrove Sports Centre
 - ii. Park Improvements
- 2.2 The Council has also applied for £100,000 from MHCLG for additional support for the dedicated staff resource to develop the business cases for each scheme and to work up the necessary financial appraisals to satisfy the final fund release criteria, within the next twelve months. The award of this is yet to be announced.

3. **Proposal**

- 3.1 That Cabinet formally accepts the award of £16.9m for the Kidsgrove Town Deal Investment Plan.

- 3.2 That Officers are authorised to continue working with the Town Deal Board and other organisations as necessary to progress development and delivery of projects in the Kidsgrove Town Deal Investment Plan.
- 3.3 That the multi-disciplinary officer group established to support delivery of the Advance Town Deal Projects continues this role to support delivery of the Kidsgrove Town Investment Plan.
- 3.4 That the Executive Director Commercial Development and Economic Growth, in consultation with the Section 151 Officer and the Portfolio Holder Corporate and Service Improvement. People and Partnerships are authorised to pursue delivery of the Kidsgrove Town Investment Plan.

4. **Reasons for Proposed Solution**

- 4.1 Delivery of the Kidsgrove Town Investment Plan is a significant opportunity to attract Government funding to the Kidsgrove Town Deal area to support its economic, social and community wellbeing.
- 4.2 To deliver on the Kidsgrove Town Centre priority of the Growth Deal for Newcastle-under-Lyme 2019 – 2023.
- 4.3 To maintain momentum of delivery of the Kidsgrove Town Investment Plan.

5. **Options Considered**

- 5.1 The Council is not obliged to accept the Kidsgrove Town Investment award but its delivery is in line with Council Plan Objective four A Town Centre for All and the priorities of the Growth Deal for Newcastle-under-Lyme 2019 – 2023.

6. **Legal and Statutory Implications**

- 6.1 As Accountable Body for the Kidsgrove Town Deal the Council has a number of obligations, including to ensure that decisions made by the Town Deal Board are in accordance with good governance principles and to support delivery arrangements for the Town Deal. This includes:
 - Upholding the Seven Principles of Public Life (The Nolan Principles);
 - Developing a delivery team, delivery arrangements and agreements;
 - Ensuring that decisions are made by the Board in accordance with good governance principles;
 - Ensuring transparency requirements are met through publication of information on the Council's website or on a Town Deal specific website;
 - Developing agreed projects in detail and undertaking any necessary feasibility studies;
 - Undertaking any required Environmental Impact Assessments or Public Sector Equalities Duties
 - Helping develop detailed business cases;
 - Liaising with potential private investors in identified local projects and schemes;
 - Signing the Heads of Terms Agreement with Government;
 - Monitoring and evaluating the delivery of individual Town Fund projects;
 - Submitting regular monitoring reports to the Towns Hub;
 - Receiving and accounting for the Town's funding allocation.

7. **Equality Impact Assessment**

- 7.1 The nature of the Kidsgrove Town Investment Plan is intended to seek benefits for all residents of the Kidsgrove Town Deal area. Individual projects will require Equality Impact Assessments as their business case development is done.

8. **Financial and Resource Implications**

- 8.1 The Council was allocated £162,019 development funding to support development of the Kidsgrove Town Investment Plan.
- 8.2 In delivering the Town Deal the Council will be expected to manage the grant payments as needed. Subject to all projects being successful this equates to £16.9m over 6 years from 2020/21.
- 8.3 The Kidsgrove Town Investment Plan includes a revenue element for project management/Board support and assurance and business case development. It is likely that the Council will need extra capacity in some form to fulfil its obligations as set out in 6.1 above.

9. **Major Risks**

- 9.1 The Kidsgrove Town Investment Plan business cases are not accepted by MHCLG in order to release the funding amount for each scheme. The mitigation against this is that a dedicated resource will be allocated for the Kidsgrove Town Deal to ensure delivery and development of the business cases.
- 9.2 Individual project specific risk assessments will be developed as a part of the business case development process.

10. **UN Sustainable Development Goals (UNSDG)**

- 10.1 Clean and inclusive growth is a cross cutting theme of the Kidsgrove Town Investment Plan. Projects in the Investment Plan include improvements based around a key public transport hub at Kidsgrove Railway Station and the aspiration to improve the flow and pedestrian connectivity between Kidsgrove's key assets including the train station, canal and town centre. As such, it positively supports the following UNSDG objectives:-



11. **Key Decision Information**

- 11.1 This is a key decision as it requires the Council to administer funds to the value of £16.9m.
- 11.2 The Town Deal area includes the Wards of Newchapel & Mow Cop, Kidsgrove & Ravenscliffe, Talke & Butt Lane and Bradwell

12. **Earlier Cabinet/Committee Resolutions**

- 12.1 4 December 2019

12.2 September 2020

12.3 November 2020

13. **List of Appendices**

13.1 Kidsgrove Town Investment Plan – Award Letter

14. **Background Papers**

14.1 Kidsgrove Town Deal page on the Council's website: <https://www.newcastle-staffs.gov.uk/all-services/business/business-information/kidsgrove-town-deal>

14.2 Towns Fund Prospectus November 2019 (MHCLG)

14.3 Towns Fund Guidance June 2020 (MHCLG)

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Ministry of Housing,
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3 March 2021

Dear Mr Gray and Mr Hamilton,

Kidsgrove Town Deal

In September 2019, the Government announced the initial 101 places invited to develop Town Deal proposals as part of the £3.6 billion Towns Fund.

Kidsgrove was included in this initial 101 places and we were pleased to receive Kidsgrove Town Investment Plan in October. We are grateful for your hard work, and that of your team and Town Deal Board, in developing this set of project proposals to deliver long-term and sustainable economic growth in Kidsgrove.

I am delighted to be offering you a Town Deal for Kidsgrove to a value of up to £16.9 million. The Draft Heads of Terms for this deal are attached to this letter. A list of the projects that we are content to support within this funding envelope is also attached, with conditions as appropriate; it is for Kidsgrove to choose which projects to proceed with.

I understand that you will need to secure the agreement of the Town Deal Board to take up this offer. I would therefore request that you do so and return to us the signed Heads of Terms as confirmation by 24 March 2021. My officials are of course on hand to answer any questions you may have.

This is an exciting opportunity to come together to drive long-term economic and productivity growth in Kidsgrove, particularly as we meet the challenges presented by Covid-19. I look forward to working with you to make Kidsgrove's plans a reality.

Yours sincerely,

LUKE HALL MP

Heads of Terms offer for Kidsgrove

Introduction

Kidsgrove is a growing, well-connected town with a strong community, proud heritage, strategic employment sites and rich natural environment. Kidsgrove and its satellite villages offer residents an attractive, affordable location to live with excellent road and rail links to major nearby cities. The town suffers from low levels of productivity and a weak employment base which is being exacerbated by COVID19. Kidsgrove lacks a defined town centre which is characterised by a poor sense of arrival and outdated buildings; residents experience poor health outcomes and have low levels of physical activity; and Kidsgrove's key heritage assets - the canal and its parks - are underexploited and suffer from a historic lack of investment.

Government will work with Kidsgrove and its Town Deal Board to support the delivery of a Town Deal, with the goal of ensuring all Kidsgrove residents have a share in the town's success.

The commitment

This document lays out the Heads of Terms offer to Kidsgrove, under the Towns Fund. This is not a contractually binding document and the offer is subject to various conditions being met. The Heads of Terms will act as a Memorandum of Understanding for the future development and delivery of Kidsgrove's Town Investment Plan and project proposals. It sets out joint expectations as Kidsgrove enters the business case development phase.

Government will provide up to **a total of £16.9 million from the Towns Fund**, which will be used to help transform Kidsgrove into a dynamic and well-connected town via its rail station and access to and from the M6, which is strategically located on the border of the Northern Powerhouse and Midlands Engine. Kidsgrove will capitalise on its location; strategic employment sites and heritage and leisure assets, including the canal network, to forge a reputation as an attractive, welcoming and successful town which is a desirable place to live and invest.

The vision for Kidsgrove is underpinned by a set of three strategic objectives: to drive growth and opportunity through enhanced enterprise infrastructure in Kidsgrove; to create a connected, accessible town centre which links key assets, retains the heritage and uniqueness of Kidsgrove, promotes active travel and diversifies and drives new demand and footfall; and to maximise the leisure and recreation opportunities available in Kidsgrove, providing facilities that are supported by communities and opportunities for residents to improve their health and wellbeing.

Kidsgrove has proposed a range of projects that will contribute towards achieving this vision. These include:

- The delivery of the Shared Services Hub
- The delivery of Canal Enhancements
- The redevelopment of Kidsgrove Station
- The development of Chatterley Valley
- The refurbishment of Kidsgrove Sports Centre

- The development of West Avenue Light Industrial Units
- The delivery of Park Improvements

Kidsgrove will need to prioritise these projects within the funding envelope being offered. Funding for individual projects will be subject to successfully completing Phase 2 of the Towns Fund process. This includes detailed project development and business case assurance at local level.

Process, governance and assurance

Local partners will work with government to demonstrate the feasibility, viability and value for money of their projects by developing and submitting the Town Deal Summary Document, including (as per the Further Guidance and Stage two guidance: business case development):

- A list of agreed projects
- Details of business case assurance processes followed for each project
- An update on actions taken in relation to the Heads of Terms key conditions and requirements
- A Delivery Plan (including details of the team, working arrangements and agreements with stakeholders)
- A Monitoring and Evaluation Plan
- Confirmation of funding arrangements and financial profiles for each project
- Undertaking Public Sector Equalities Duty analysis
- Approval from the Town Deal Board and Lead Council

Kidsgrove should conduct project assurance in line with agreed routes for each individual project and should provide further evidence of the lead authority's capacity to manage the delivery of the Town Deal. This should include its approach to risk management and the governance arrangements that will be put in place and further information on plans to engage the private sector specifically.

If the priority projects identified for funding do not progress, MHCLG cannot guarantee that funding can be assigned to alternative projects or that if it is those will be to the same value. This may result in an overall reduction in the amount of funding received.

Within two months of accepting this offer, Kidsgrove should confirm in writing details of projects being taken forward and a plan for addressing key conditions relating to those projects and the overall Town Investment Plan. This should be sent to towns.fund@communities.gov.uk, copied to the town lead.

Kidsgrove must then complete business cases for the projects being taken forward and submit the Summary Document within 12 months of the deal being agreed. MHCLG will then provide the agreed funding up to the maximum amount of **£16.9m** for those projects, provided that all conditions are met.

Signed:

Chair of the Town Deal Board

Chief Executive of lead Council

MHCLG Secretary of State / Minister

Date

ANNEX TO THE HEADS OF TERMS: PROJECTS WITHIN SCOPE OF THE TOWN DEAL

The Town Deal offer is a maximum of **£16.9 million** of MHCLG funding in total.

Within this maximum amount Kids Grove may take forward projects selected from those listed below.

This funding will be subject to successfully completing Phase 2 of the Towns Fund process as set out in the Towns Fund Further Guidance, including detailed project development and business case assurance at local level. It is also dependent on final spending profiles, including the RDEL/CDEL split being provided, and the further project-specific conditions set out below being met.

Project	Funding offer limit	Match	Expected outputs and outcomes	Conditions	Fast track (Y/N)
Shared Service Hub A package of investment to redefine the town centre through land assembly and delivery of town centre housing linked with a public sector Shared Service Hub.	£8.29m	£20.96m	<ul style="list-style-type: none"> Remediation and/or development of 6300sqm of abandoned or dilapidated sites Delivery of quality residential or commercial space in key locations (town centres, gateway areas, employment sites). 1 new, upgraded or protected community hubs, spaces or assets, where this links to local inclusive growth 75 new housing units delivered 5 service providers delivering from the high-quality shared service hub 	N/A	N
Canal Enhancement Upgrades to the towpath and canal corridor including ramps, lighting, upgrades to access points, public realm improvements.	£2.2m	N/A	<ul style="list-style-type: none"> 587.1m new or upgraded cycle or walking paths Delivery of 1778sqm new public spaces 1 new, upgraded or protected community centres, sports or athletics facilities, museums, arts venues, theatres, libraries, film facilities, 	N/A	N

			<p>prominent landmarks or historical buildings, parks or gardens</p> <ul style="list-style-type: none"> • Improved accessibility of the canal network in Kidsgrove - TBC • Improved active travel links between key town centre locations in Kidsgrove - TBC 		
<p>Kidsgrove Station</p> <p>This project proposes the redevelopment of Kidsgrove Station to improve accessibility and the overall passenger experience, connectivity to the town centre and a greater sense of arrival to Kidsgrove for visitors and residents</p>	£5.17m	£9.47m	<ul style="list-style-type: none"> • 1 new, revived, or upgraded train and tram lines and stations • 1 new, upgraded or protected community hubs, spaces or assets, where this links to inclusive growth • Relocated and expanded car park of 200 spaces • 6300 sqm area of land redeveloped • 9% year-on-year increased station usage and sustainable transport modes over 5 years • Modal shift in passengers accessing Kidsgrove station - TBC 	<ul style="list-style-type: none"> • Provide delivery plan, setting out which body is responsible for each aspect of the project, clear costings for each element, and sources of finance. 	N
<p>Chatterley Valley</p> <p>This project will deliver site access and associated water main diversions, as part of the project's Section 278 agreement, to de-risk the site and allow it to be brought forward.</p>	£3.68m	N/A	<ul style="list-style-type: none"> • 126000sqm increase in the amount (and diversity) of high quality, affordable commercial floor space • Remediation and/or development of 38 ha of abandoned or dilapidated sites • 700m new or upgraded road infrastructure 	<ul style="list-style-type: none"> • Provide further detail setting out how the viability gap will be bridged through match funding. • Provide further details of outcomes related to needs as identified in the Town Investment Plan, including for example business counts. 	N

			<ul style="list-style-type: none"> • 14 business births, deaths and survival rates • 1940 jobs generated as a result of the build-out of floorspace on the site • Increased (indirect) £72m GVA generated 		
Sports Centre The project is for the refurbishment of Kidsgrove Sports Centre, to allow the re-opening of the dry and wet-side facilities to the public under community management, with proposed designs to satisfy user requirements and provide a 25-year life span for a key community asset.	£2.45m	£3.70m	<ul style="list-style-type: none"> • 1 new, upgraded or protected community centres, sports or athletics facilities, museums, arts venues, theatres, libraries, film facilities, prominent landmarks or historical buildings, parks or gardens • 26300 people with access to high quality leisure facilities • 6400 sqm of derelict town centre land redeveloped • 1% reduction per year in adult inactivity rates per year for 5 years 	N/A	Y
West Avenue Light Industrial Units Light industrial units would be located on a 2.83-hectare site to be taken forward as a phased, multiple unit scheme focused towards B2 and B8 uses.	£1.1m	N/A	<ul style="list-style-type: none"> • Remediation and/or development of 2.83ha abandoned or dilapidated sites • 8500sqm increase in the amount (and diversity) of high quality, affordable commercial floor space • 11 enterprises utilising new, high quality commercial space • 142 new manufacturing and logistics jobs 	<ul style="list-style-type: none"> • Provide details of the match funding and how this relates to the overall funding profile. • Provide further analysis of costs. 	N
Park Improvements	£2.1m	N/A	<ul style="list-style-type: none"> • 9.2ha area of public parks improved 	<ul style="list-style-type: none"> • Provide further analysis of costs. 	N

Improvements to Clough Hall Park and Newchapel Recreation Ground (key recreational sites and green spaces within the Town Deal Investment Area).			<ul style="list-style-type: none"> • New, upgraded or protected sports or athletics facilities: 2 – tennis courts and MUGA • 26300 residents with access to high quality, regenerated public parks • Increased use of Clough Hall and Newchapel Parks by local residents and sports teams - TBC • Reduced incidents of anti-social behaviour in Newchapel and Clough Hall Park - TBC 		
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General conditions

There are also the following requirements for the process and governance:

- **TIP improvements:** Provide further evidence of the lead authority's capacity to manage the delivery of the Town Deal i.e. its approach to risk management and the governance arrangements that will be put in place and further information on plans to engage the private sector specifically.
- **Assurance:** The business cases for projects will be taken through Newcastle-Under-Lyme Borough Council, in line with local assurance processes.
- **Public Sector Equalities Duty:** Kidsgrove will undertake programme-wide level impact assessment, relevant project-level impact assessment and relevant Environmental Impact Assessments.

If the priority projects identified for funding do not progress, MHCLG cannot guarantee that funding can be assigned to alternative projects or that if it is those will be to the same value. This may result in an overall reduction in the amount of funding received.

Within two months of accepting this offer, Kidsgrove should provide the following information to towns.fund@communities.gov.uk, copied to the town lead (annex a in business case guidance):

- Details of the projects being taken forward (including for each project the capital/revenue split and the financial profile)
- Overall capital/revenue split and financial profile for the Town Deal
- A plan for addressing key conditions relating to those projects and the overall Town Investment Plan.

Kidsgrove must complete business cases for the projects being taken forward and submit the Town Deal Summary Document within 12 months of accepting this offer. Business cases should follow the Lead Council's usual assurance processes and be undertaken in partnership with the Town Deal Board.

If Kidsgrove wishes to alter the projects being developed, change them for other projects, or otherwise depart from the conditions placed on the projects above, it will inform the Towns Hub as soon as possible setting out clear justifications and evidence. A form for requesting such changes is in the business case guidance.

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO

Cabinet
17 March 2021

Report Title: Kidsgrove Sports Centre Refurbishment

Submitted by: Executive Director Commercial Development and Economic Growth

Portfolios: Corporate and Service Improvement, People and Partnerships

Ward(s) affected: Kidsgrove & Ravenscliffe

Purpose of the Report

To note the progress made to date on the refurbishment works to Kidsgrove Sports Centre.

Recommendation

That Cabinet

1. **Notes the progress made on the project since the September 2020 Cabinet meeting in terms of scope, design and budget in consultation with the Kidsgrove Leisure Centre Community Group.**
2. **Notes that the Kidsgrove Town Deal funding allocation announced by MHCLG on the 3rd March includes up to £2.3m towards the overall cost of the project.**
3. **Notes the further work to be undertaken to secure the release of the Town Deal funding and authorises the Executive Director – Commercial Development and Economic Growth, in consultation with the Portfolio Holder, Corporate and Service Improvement, People and Partnerships and the Kidsgrove Town Deal Board to progress this work with all haste to maintain momentum with the project.**

Reasons

This project will allow the Council to fulfil its commitment to provide sports facilities in Kidsgrove that are modern, attractive and high quality that meet public expectations.

1. Background

- 1.1 The refurbishment and redevelopment of Kidsgrove Sports Centre and Swimming Pool is a corporate priority and will enable the centre to fully reopen to the public under community management, through the Kidsgrove Sports Centre Community Interest Company (KSC CIO).
- 1.2 Previously Cabinet has approved that this scheme be developed in line with the expectations of the KSC CIO to refurbish Kidsgrove Sports Centre. At its meeting in September 2020, Cabinet considered a report which allowed the project to develop beyond initial cost estimates through Willmott Dixon Construction Ltd being contracted to undertake detailed design and contract award price build up exercises in order to provide certainty of the cost of the refurbishment, informed by strip out of part of the building. The report noted that this work would be

completed in early 2021. This work has now been substantially completed and is the subject of this report.

2. Update

2.1 Since Cabinet received its September 2020 update on the project, there have been four areas where significant progress has been made:

- The process of transferring the site from Staffordshire County Council to the Borough Council was completed in November 2020; this is a significant milestone and has enabled the Council to progress discussions with the CIO regarding the onward lease from the Council to the CIO. In addition, the transfer released £352,273 in funding for the project from Staffordshire County Council.
- A community use agreement and funding agreement has been signed with The Kings School in respect of the Advance Town Deal funded new 3G pitch at the school, and works have commenced to build this facility. These agreements protect access to the sport centre.
- Willmott Dixon have continued their build-up of contract cost for the overall cost of the refurbishment.
- The Government announced in March 2021 that the Kidsgrove Town Deal had been successful, with £16.9m being awarded for projects in Kidsgrove, including up to £2.3m for the Kidsgrove Sports Centre project.
- The Town Deal Board at its meeting on March 15th confirmed its support for 'fast tacking' of the allocation of £2.3 million for Kidsgrove Sport Centre.

2.2 In December 2020 a strip out and enablement contract was awarded to WDC, which commenced in January 2021. These works have helped investigate further the building condition and the extent of the refurbishment works required.

2.3 The Project Steering Group which includes the CIO will meet shortly to receive the final costing from WD.

Town Deal Funds – Process

2.4 In early March the Leader of the Council and the Executive Director for Commercial Development & Economic Growth met with the Minister at MHCLG overseeing the Town Deal Fund to discuss the process for releasing funds for "shovel ready" projects such as this. Release of the funds require the Council to work with the Town Deal Board to undertake a particular process:

- Development of full business case for each agreed project in line with HMT Green Book, to be approved by Cabinet.
- Confirm to MHCLG, via a "Summary Document" an overview of the business case. This Summary Document will be assessed by MHCLG before funding is released, and MHCLG reserve the right to scrutinise the Green Book business case if needs be.

2.5 Kidsgrove Sports Centre was included in the Town Deal bid as a "fast track" scheme. This has been supported by the Town Deal Board. The following work will now be undertaken:-

- Finalise the terms of the lease between the CIO and the Council which needs to be in place before a contract to complete the refurbishment can be let.

- Through the Green Book business case preparation, undertake a further process of value engineering and design consideration to test and challenge all elements of the budget.
- Through the Green Book business case, afford the CIO an opportunity to test their business assumptions in the light of the impact of Covid on the leisure and fitness sector.

3. **Proposal**

3.1 It is proposed that Council officers, the CIO, and the Town Deal Board work at pace to prepare the business case and Summary Document required by MHCLG and, once funding has been confirmed, bring forward a report to authorise the awarding of a contract for the complete refurbishment of the Kidsgrove Leisure Centre.

4. **Reason for Proposed Solution**

4.1 The decision will enable the project to progress in a way which is compliant with both the MHCLG requirements for Town Deal.

5. **Legal and Statutory Implications**

- 5.1 Section 2(1) of the Local Government Act 2000 permits local authorities to do anything they consider likely to promote or improve the economic, social and environmental well-being of their area. That would include the intended provision at Kidsgrove Sports Centre.
- 5.2 In addition, the Council has a general fiduciary duty in respect of achieving best value in the proper use of public funds. Cabinet needs to be content that the proposal still represents value for money and meets an identified need which remains present and relevant in a post Covid 19 climate and market place.
- 5.3 There will be a need to ensure proper and effective agreements are entered into in order to ensure that the site is effectively and efficiently managed once operational. In addition to a lease, there will need to be a management agreement defining the rights and obligations of the various parties which ensures that the council is adequately protected against operating risks. The various contractual arrangements necessary to bring about the refurbishment will have to be undertaken in accordance with the Council's Contract Procedure Rules and Financial Regulations, which allow procurement through the use of frameworks such as SCAPE.

6. **Equality Impact Assessment**

6.1 Leisure has an important contribution to make to the wellbeing of the community. Programmes at the Centre can contribute to economic and social activity; improve the health of residents; bring communities together and introduce an identity; enable groups to represent themselves; develop sport and other skills; and provide opportunities for the voluntary sector and community activity.

7. **Financial and Resource Implications**

7.1 As previously reported, an options appraisal has been completed to compare the value for money offered by refurbishment of the existing Sports Centre and the alternative option of building a new Sports Centre in Kidsgrove. The appraisal has confirmed that the option of refurbishing the existing Sports Centre provides better value for money than the rebuild option with both a lower cash outlay and a lower NPV. This cost will be accommodated via funding within the existing approved capital programme, together with funding from the Town Deal as referred to in paragraph 2.7 subject to a successful outcome via the Town Deal Fund process.

- 7.2 The total expenditure incurred against the capital allocation for the scheme as at 10 March 2021 is £530k. This expenditure predominately covers site and structural surveys and strip out works which have taken place in order to be able to calculate the refurbishment costs. These costs are being monitored and reported to the “Capital, Assets and Commercial Investment Review Group” (CACIRG) as part of the overall Capital Programme.

8. **Major Risks**

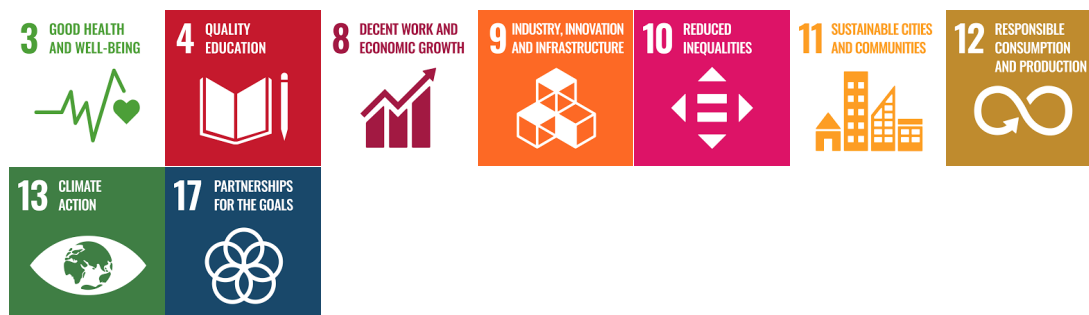
- 8.1 Risk has been considered as part of this report and two main specific high risks are included below:

8.1.1 There is insufficient capital budget – A sizeable capital allocation, sufficient to re-open the sports centre, is being resourced by the Council and the opportunity for external funding is being explored on behalf of the Council.

8.1.2 Community expectations - it is clear from the latent demand analysis that the community demand is not currently being met. The refurbished sports centre provides the opportunity to address this. However, there remains a risk that commercial leisure operators will enter the local leisure market seeking to capture this demand and in particular the more profitable elements. The Post COVID operating environment may impact on this but as yet it is untested.

9. **UN Sustainable Development Goals (UNSDG)**

- 9.1 This project is intended to enable the updating and re-use of a dilapidated community leisure facility bringing with it sustainability improvements, regeneration and economic benefits as well as social and health benefits associated with leisure provision. In that respect, the project supports the realisation of the following UNSDG objectives:-



10. **Key Decision Information**

- 10.1 This is not a Key Decision.

11. **Earlier Cabinet/Committee Resolutions**

- 11.1 The following previous reports relate:-

- Cabinet 9 September
- Cabinet 22 April 2020
- Cabinet 18 March 2020
- Cabinet 15 January 2020
- Cabinet 6 November 2019
- Cabinet 16 October 2019

Published 16th March 2021

12. **List of Appendices**

12.1 None

13. **Background Papers**

13.1 None

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO

Cabinet
17 March 2021

Report Title: Review of Economic Development Strategy

Submitted by: Regeneration Manager

Portfolios: Corporate and Service Improvement, People and Partnerships

Ward(s) affected: All

Purpose of the Report

To report on progress with delivery of the Economic Development Strategy Action Plan in the light of changed circumstances since development of the Strategy and to prioritise action for the next 12 months of delivery.

Recommendation

That

1. That the changed circumstances in which progress against the Economic Development Strategy has been made are noted.
2. That progress on delivering the Economic Development Strategy Action Plan is noted
3. That the opportunities presented by Future High Street Fund and Town Deal are noted and that these continue to be prioritised for delivery against Council Priorities in the next 12 month period

Reasons

To continue to support the economic regeneration of the Borough.

1. Background

1.1 In 2019 the Council's Economic Development Strategy was refreshed in line with Council Plan priorities. This was considered and approved at the Cabinet meeting of 4 September 2019.

1.2 The Year one action plan had actions grouped around three priorities:

- a. Business Environment
- b. Place and Infrastructure
- c. People and ideas

1.3 Since approval of the action plan a number of issues have changed both the priorities for delivery and the means of delivering them. These are set out in further detail below.

2. **Issues**

2.1 Since approval of the action plan there has been a need to flex and adapt delivery against the action plan for a number of reasons.

2.2 National issue with a local impact:

- a. A period of uncertainty around the Brexit trade deal and final arrangements for the end of the Brexit Transition Period which had the potential to impact both on the wider economy of the Borough and also on the Council and its suppliers.
- b. The emergence and spread of the Covid-19 pandemic, resulting in actions on a national scale to manage the spread of infection and also action locally by the Council to adapt its service delivery, respond to new challenges and continue to serve both the residents and businesses of the Borough. This was set out in the Back on Track Coronavirus Recovery Plan.

2.3 New opportunities to attract funding to the Borough

- a. The development and submission of a Future High Street Fund bid for Newcastle town centre which has resulted in £11 million Government funding being announced for Newcastle town centre.
- b. The development and submission of Kidsgrove Town Investment Plan, working with the Kidsgrove Town Deal Board to submit investment proposals to Government in October 2020
- c. The development and submission of Newcastle Town Investment Plan, working with the Newcastle town Deal Board to submit investment proposals to Government in January 2021.
- d. The grant of £1.75 Million Accelerated Town Deal monies.

2.4 The Council has responded to these challenges and opportunities in a number of ways, most notably for the Economic Development Strategy delivery has taken place through co-operative working across a number of services and has needed a whole Council approach. For example the Revenues team has paid out 950 business support grants for Covid-19.

2.5 The degree of adaptation has meant that delivery of some actions in the Economic Development Strategy Action Plan have received greater attention than others. The scale of opportunity presented by Future High Street Fund and Town Deal meant that delivering against these opportunities was prioritised over other activity as this is where the greatest impact would be delivered for the Economic Development Strategy and Council priorities.

2.6 Further detail about the Future High Street Fund and Town Deal have been separately reported to Cabinet in previous Cabinet reports. A more detailed summary of progress against actions proposed in the Economic Development Strategy is Appendix 1. It is clear that over the next 12 months the Council will continue to need to respond to the challenges presented by Covid-19 and the need to support the re-opening of local High Streets and the wider local economy and will require some degree of flexibility in responding to these issues.

3. **Proposal**

- 3.1 That the changed circumstances in which progress against the Economic Development Strategy has been made are noted.
- 3.2 That progress on delivering the Economic Development Strategy Action Plan is noted
- 3.3 That the opportunities presented by Future High Street Fund and Town Deal are noted and that these continue to be prioritised for delivery against Council Priorities in the next 12 month period.

4. **Reasons for Proposed Solution**

- 4.1 To use the resources of the Council for greatest impact in delivering for the economic benefit of the Borough economy.

5. **Options Considered**

- 5.1 Delivery against the Economic Development Strategy Action Plan is intended to delivery benefit for residents and businesses of the Borough. Use of the Action Plan assists with the prioritisation of actions and resources for this area of the Council's activity. Without such a mechanism there is a risk that the Council's activity in this area would lose focus.

6. **Legal and Statutory Implications**

- 6.1 The Local Government Act 2000 gives local authorities the powers to promote the economic, social and environmental well-being of their areas

7. **Equality Impact Assessment**

- 7.1 Delivery of the Economic Development Strategy Action Plan is intended to deliver wide reaching benefits for residents and businesses of the Borough.

8. **Financial and Resource Implications**

- 8.1 The Council is delivering against the Economic Development Action Plan using staffing resources from a number of services in the Council. This will need to continue to ensure effective delivery.
- 8.2 The Council seeks opportunities to attract external funding that is relevant to this work area, some of which are set out in paragraph 2.3 above. It will continue to seek such opportunities. Such funding needs effective management and control to ensure both compliance with funding body requirements and maintenance of Council standards.
- 8.3 Cross departmental officer groups will continue to be needed to ensure effective management and oversight of the grant funding received by the Council.

9. **Major Risks**

- 9.1 The greatest risk to the Council would be in not fulfilling its obligations as a local leader in delivering activities for the economic benefit of the Borough.
- 9.2 Each funding opportunity has requirements to fulfil, if these are not met then the Council risks loss of external funding and potential liabilities as a result.

9.3 Risk assessments are developed for individual project and programmes in line with corporate standards.

10. **UN Sustainable Development Goals (UNSDG)**

10.1 The Economic Regeneration Strategy Action Plan supports UNSDG objectives in a number of ways. Principally, through partnership working, promoting sustainable development, the re-use of land, enterprise, infrastructure and skills, the following UNSDGs are supported.



11. **Key Decision Information**

11.1 Delivery of the Action Plan affects all Wards in the Borough however for the major funding streams of Future High Street Fund and Town Deal delivery is focused in a defined area within urban Newcastle.

12. **Earlier Cabinet/Committee Resolutions**

12.1 Cabinet 4 September 2019

13. **List of Appendices**

13.1 Appendix 1 Economic Development Action Plan Progress Report

14. **Background Papers**

14.1 Economic Development Strategy 2019 – 2023 <https://bit.ly/3aqnytb>

Economic Development Plan Action Plan Progress Report

1) Business Environment

Action Proposed	Partners / Lead	Proposed Resources / timescale	Year one result
Focus on support and development of local SMEs including our town centre independent sector	Council SSLEP Chamber Growth Hub Business Boost	Staff Time / Ongoing	<p>Brexit:</p> <ul style="list-style-type: none"> Co-operated with Staffordshire Chamber of Commerce to deliver a workshop on Brexit preparedness for local businesses in October 2019. Information established and updated on the Council's website signposting businesses to national sources of support and advice. <p>Covid-19:</p> <ul style="list-style-type: none"> New pages established and updated on the Council website to signpost businesses to useful information and support administration of the Government's Covid-19 grant schemes, to date 950 support grants have been paid. Payment of business support grants through the various Government schemes on offer to Borough businesses. Over 1050 support enquiries responded to via a business enquiry form. NBC business information twitter account set up. Shop Local page established to give local businesses the opportunity to update local residents on their offer. Ongoing visits to business premises by the Council's Covid Marshals to offer advice on safety measures and assist with compliance on Government guidelines. <p>Markets:</p> <ul style="list-style-type: none"> Supported market traders throughout the different permitted trading opportunities in Lockdown and Covid tiers. Raised social media profile for the market to help keep customers up to date with service changes as a result of Covid-19.

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			<ul style="list-style-type: none"> • Held a Young Trader event that resulted in 2 traders being nominated to attend the national final. • Introduced additional specialist markets including a record fair, Love Local and Newcastle Artisan market. • Successfully hosted continental style market. <p>Town Centre independents:</p> <ul style="list-style-type: none"> • Social Media profiles for 19 town centre independents highlighted pre-pandemic. • Positive communications about the town centre have continued on social media. <p>Business Support:</p> <ul style="list-style-type: none"> • Supporting the Staffordshire means back to business £5 million business support scheme. • Work starting with the Federation of Small Businesses to promote membership to Newcastle businesses.
Seek to optimise the benefit to local companies from public sector procurement	Council SCC Anchor institutions	Staff time / 2020	<ul style="list-style-type: none"> • Local companies continue to be routinely used through the Council's procurement process. • Progress with more strategic work was interrupted by Covid-19.
Support continuation of the annual Newcastle Business Boost competition	Business Boost Steering Group	Staff time + £500 contribution / Annual Awards event	<ul style="list-style-type: none"> • Business Boost awards held November 2019 with 15 quality finalists and a range of prizes on offer. • Competition suspended in 2020 due to impact of Covid. • Steering Group are considering options for 2021 in view of continuing impact of Covid.
Support the re-use of existing property in the town for start-up business and innovative new uses	Council BID Aspire	Staff time / 2019 - 2023	<ul style="list-style-type: none"> • Successful Future High Street Fund includes elements of this, primarily at the Ryecroft site. Delivery to commence in the 2021-22 financial year. • Unit 4 at Lancaster Building is currently being re-purposed as an employment and training support hub using Accelerated Town Deal monies. • In partner activities Appetite is using empty shop units for Artist in Residence and extending exhibitions from Stoke on Trent into Newcastle town centre, which include outdoor exhibitions that

Classification: NULBC **UNCLASSIFIED**

			enhance people's shopping experience whilst keeping them COVID safe. There has been positive social media coverage of this approach.
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2) Place and Infrastructure

Action Proposed	Partners / Lead	Proposed Resources / timescale	Year one result
Work with Staffordshire County Council and partners to deliver the Growth Deal Priorities	Council Staffordshire County Council Aspire	Staff time, funding identified project by project	Delivery has continued through key activities on Town Deal, Future High Street Fund and Town Centre re-opening which are reported separately on through this update.
Work with Newcastle BID and Go Kidsgrove to promote the town centres as places to visit, work and live and focus on the promotion of our distinctiveness	BID Go Kidsgrove Council SCC Town Centre Businesses Appetite York Place and other investors	BID membership levy Go Kidsgrove fundraising Arts Council and Heritage funding Staff time	<ul style="list-style-type: none"> • Successful bid for Future High Street Funding for Newcastle Town Centre. Indicative grant offer of £11 million. • Established two Town Deal Boards, one each for Kidsgrove and Newcastle to develop a Town Investment Plan. • Kidsgrove Town Investment Plan submitted October 2020. • Newcastle Town Investment Plan submitted January 2021. • Delivery has commenced on a range of projects in both town centres using Accelerated Town Deal Funding. • Support given for Newcastle BID business plan renewal and renewal ballot. • Continue to support Go Kidsgrove with weekly online meetings. • Support given for re-opening town centres, including installation of hand sanitising stations, social distancing markers around the town centres and on the market, street safety marshals and visits to businesses to assist with Covid control measures. • Continues to work informally with partners to promote positive messages about Newcastle town centre.

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Work with the developers of the Ryecroft scheme to secure a development that will add to the economic vitality of the town.	HDD Council SCC SSLEP	Private sector investment Possibly LEP funding Possibly Sustainable Transport funding Staff time	<ul style="list-style-type: none"> The Council is now directly pursuing re-development of the Ryecroft site using Future High Street Funds as a lever for additional investment on this site. Indicative grant offer of £11 million Future High Street Funding has been received which will enable development of this key site to commence.
Work with Newcastle Sustainable Transport Group to improve town centre wayfinding and road signage.	SCC Council BID Sustrans	County funding through the LEP and developer contributions	<ul style="list-style-type: none"> Replacement of road signage around the ring road was substantially completed by Staffordshire County Council in 2020. Town Centre wayfinding included in the future High Street Fund bid. Improvements to a number of subways are being funded through Accelerated Town Deal Funding. Further transport measures around walking, cycling and public transport included in Newcastle Town Deal.
Work with partners in the Enterprise Zone to attract employment investment to sites and premises around the borough including land of Chatterley Valley	SSLEP Council SCC Stoke CC Private Investors	Private sector investment EU funding SCC funding Possible central government funding Staff time	<ul style="list-style-type: none"> Work continues with the developer of Chatterley Valley and Staffordshire County Council and LEP to find ways to reduce the scheme's viability gap and to use Enterprise Zone mechanisms to secure future development of this site. Kidsgrove Town Deal includes a project to develop small business units. Newcastle Town Deal includes projects at Knutton and in Newcastle town centre to re-model or provide new business accommodation. Future High Street Fund bid includes non-retail uses in plans for the re-developed sites.
Bring forward proposals for retail, leisure and business accommodation in Newcastle town centre with priority placed on growing its professional services and independent sector.	BID Council HDD York Place	Private sector investment Rural Enterprise Grants Staff time	<ul style="list-style-type: none"> Successful Future High Street Fund submission has resulted in a grant offer of £11 million, this includes alternative uses for key sites in the town centre. Accelerated town Deal Funding is funding the refurbishment of Unit 4 at Lancaster Building for an employment hub. Business accommodation has been included as a part of the planned re-development of the Zanzibar site.

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			<ul style="list-style-type: none"> Contact has been made with the owner of the Roebuck Shopping Centre with a view to reviving activity in this key town centre location.
Bring forward new sites for employment and housing through the Joint Local Plan to enable the further growth of the Borough	Council Staffordshire County Council Stoke CC	Staff time	<ul style="list-style-type: none"> The Joint Local Plan has now been superseded by plans for a Newcastle Borough Local Plan. Consultation on plans for Housing on land at Chatterley Close in Bradwell is underway. Consultation on the Knutton Masterplan is currently being undertaken. Further investigation of re-use of the former golf course at Keele to explore how best to secure planning permission for housing development in advance of the site's designation in the local plan.. Continued with the programme of land sales to facilitate housing and business growth in the Borough. Working with Keele University through Town Deal to devise a workable means of reducing the impact of additional traffic arising from the growth of the science park.

3) People and Ideas

Action Proposed	Partners / Lead	Proposed Resources / timescale	Year one result
Work with Newcastle Employment and Skills Group and local providers to support people furthest from training and jobs and ensure effective communication	Council Aspire Housing NSCG DWP National Careers SCC / Libraries Providers Support Staffordshire	Staff time / ongoing	<ul style="list-style-type: none"> Taking forward plans for establishing an Employment and Skills Hub in a vacant unit in Lancaster Building, which has been empty for 9 years, with the refurbishment being funded by Accelerated Town Deal Funding. Realise Charity are funding a full time coordinator and taking on a three year lease of the unit. Partners are developing arrangements for the services to be delivered from this hub.

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between service deliverers	Combined Health Business Enterprise Support		
Support the delivery of the SSLEP Skills Strategy to increase training and employment rates especially for those furthest from employment	SSLEP Education Trust Council Careers and Enterprise Company	Staff time EU funding/Stronger Towns/Shared Prosperity Fund	<ul style="list-style-type: none"> Regular attendance at Skills Advisory Panel focusing on: <ul style="list-style-type: none"> Careers Information Advice and Guidance, Kickstart Programme Regular overview of Skills Strategy Which is then used at the Newcastle Employment and Skills Group. Attendance at the County Redundancy Task Group where possible sharing information and updating relevant information on the Council's website as appropriate.
Encourage a more enterprising culture working with the Cultural Education Partnership and Cultural Forum	Cultural education Partnership NuLB Council	Staff time Creative people and places	Our main cultural work has focused on the Creative People and Places programme, which has provided opportunities to extend exhibitions from the City into Newcastle – focusing on empty shops and outdoor exhibitions that enhance people's shopping experience whilst keeping them COVID safe.
Support the development and delivery of The New Keele Deal and Keele Deal Culture	Keele University and Science and Innovation Park SSLEP NuLBCouncil Staffordshire County Council	Staff time	Work is currently ongoing.
Work with partners to deliver the Creative People and Places programme in	New Vic Theatre, Newcastle BID, Go Kids Grove,	Staff time	<ul style="list-style-type: none"> Activity severely impacted by Covid-19 restrictions however the Consortium has continued to meet to explore opportunities for a different approach within COVID safety guidelines focusing on outdoor exhibitions and social media coverage.

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Newcastle and Kidsgrove	Keele University, Staffordshire University, Partners in Creative Learning and Six Towns Radio		<ul style="list-style-type: none">• AstleyFest took place online in August, reaching 3,500 people.• Three Counties outdoor exhibition was presented in Newcastle town centre.• Covid-secure 'Projector Bikes' provided Christmas entertainment in areas of Kidsgrove and Newcastle. This was warmly received.
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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO CABINET

Cabinet
17 March 2021

Report Title: Aspire Housing – Prospectus for Joint Working

Submitted by: Executive Director - Commercial Development & Economic Growth

Portfolios: Corporate and Service Improvement, People and Partnerships

Ward(s) affected: All Wards

Purpose of the Report

To consider a proposal by Aspire Housing for the development of a formal joint working platform to jointly deliver housing on Council land via a commercial arrangement with Aspire Housing.

Recommendation

That

1. Cabinet accepts in principle that the Council will work in partnership with Aspire Housing in the delivery of residential developments throughout the Borough.
2. The Executive Director Commercial Development and Economic Growth is authorised to work with the Leader of the Council to deliver the projects on a case by case basis.
3. Further Cabinet updates will be presented to highlight progress on the working arrangement.

Reasons

To pursue a healthy future for Newcastle Borough whilst ensuring that development opportunities are maximised in achieving Council Plan objectives.

1. Background

- 1.1 There have been many previous discussions internally about how the Council might undertake housing development on its own land and be more commercial in its approach to land sales/ development.
- 1.2 One hurdle to this approach is the skills and competences that would be required for such activities as the Council has never undertake this type of activity directly.
- 1.3 In discussions with Aspire Housing about the various developments that we are considering developing out – Ryecroft new HQ building, Zanzibar site etc, the suggestion was made that maybe a closer working relationship could be developed where the necessary skills are provided for our schemes that could be developed out jointly.

2. **Issues**

2.1 The attached proposal has been received as a consequence of the discussions setting out the key objectives that any such partnership would set and deliver against:-

- Sustained housing offer
- Kick start to difficult sites
- Maximisation of return to both parties
- Commercialised approach to development

2.2 The proposal sets out the benefits of any such partnership detailing the experience of the Group and what skills and capacity they can bring the partnership.

3. **Proposal**

3.1 The proposal sets out two framework suggestions for the Council to consider:-

- Contractual collaboration agreement, where sites are worked up together and the commercial aspects of each project are developed in line with the specifics relevant to the project – for example, the value of the land, the development itself and objectives for the site – shared housing , private housing etc
- The more formal Special Purpose Vehicle could be established where the SPV delivers against set objectives of each party. It is a more formal basis of partnership working.

3.2 It is considered that the first of these two options is considered to be the better approach at this point in the proposal as the ultimate delivery model, which may involve the later creation of one or more SPVs, may change on a project by project basis.

4. **Reasons for Proposed Solution**

4.1 The proposed first framework solution above enables the necessary commitment to proceed with working up proposals at this stage, whilst enabling flexibility to be retained in terms determining the appropriate vehicle to adopt on a scheme by scheme basis as matters progress.

5. **Options Considered**

5.1 Other options considered include seeking to progress otherwise than in partnership, but it is considered that the option proposed is the most viable bringing in an experienced and trusted partner to assist in formulating proposals.

6. **Legal and Statutory Implications**

6.1 There will be a number of considerations to take into account when the time comes to implement any particular project identified, those considerations being adequately summarised in the partnership proposal document. They relate to issues such as procurement requirements, realising land values and managing risk.

7. **Equality Impact Assessment**

7.1 The nature of the arrangement is intended to seek benefits for all residents across the Borough to have access for modern and sustainable housing options.

8. **Financial and Resource Implications**

8.1 The financial and resource implications will be dependent on the nature of the partnership. Further work on the financial risks and the management of them will be completed in due course. The following areas will need to be taken into consideration:-

Financial Implications

- Land value expectations
- Access to finance for developers/registered providers
- Cash flow and interest payments
- Potential grant funding
- Best value

Resource Implications

- Availability of sites
- Skills and labour availability
- Provision of materials
- Availability of developers
- Brexit

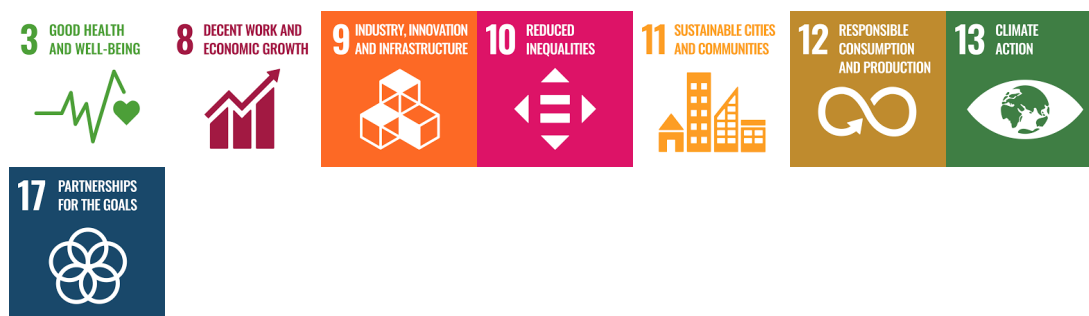
8.2 Good governance arrangements will need to be in place to ensure the intended objectives are achieved for residents and service users.

9. **Major Risks**

9.1 A full programme risks will be worked up and monitored as part of the Governance arrangements established for the arrangement.

10. **UN Sustainable Development Goals (UNSDG)**

10.1 With a partnership proposal that is aiming to delivery housing opportunities in a sustainable and inclusive way, there a number of UNSDG are supported by this proposal including:-



11. **Key Decision Information**

11.1 This is not a Key Decision

12. **Earlier Cabinet/Committee Resolutions**

12.1 N/A

13. **List of Appendices**

13.1 Partnership Offer from Aspire Housing.

14. **Background Papers**

14.1 None



Newcastle-under-Lyme Borough Council
& Aspire Housing Partnership Proposal

Development & Regeneration



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Introduction

Further to the Prospectus for Joint Working adopted by Newcastle under Lyme Borough Council and Aspire Housing in November 2019, and building on a long and successful history of partnership working, the Council and Aspire have agreed areas where there is clear alignment of interest and opportunities for joint working to deliver further benefits for the Borough. The five areas identified in the Prospectus include Development and Regeneration. This paper explores next steps for bringing that to fruition and considers two types of scenario – discrete housing development sites and strategic regeneration projects.

Discrete housing development sites

Shared objectives

Including but not limited to:

- 1) Sustained increase in supply of new housing for sale or rent across all tenure types.
- 2) Kick-start new schemes without expensive development vehicles needing to be established.
- 3) The Council and Aspire to realise the best overall return for their assets from sites with development potential, delivering on their corporate plans in compliance with vires.
- 4) Scope for the Council to take some commercial risk on development in order to realise enhanced return on value or income stream where that would be attractive.
- 5) Solutions for delivery of difficult sites where enabling costs reduce value to nil or negative land value/where not viable for commercial housebuilder.

Aspire's offer

- 1) Aspire's offer includes a range of financial and non-financial benefits as part of the overall package.
- 2) Options for the financial offer for housing development sites on the Council's land include:
 - Land value only at point of sale – the traditional approach where the Council receives a one-off premium at the point of sale based on an open market valuation.
 - Deferred land payment – the price is based on an open market valuation at the point of sale, but payment would be deferred until end of the build/sale to end purchaser(s) and the Council would receive an increased payment reflecting finance cost savings.
 - Overage - the price payable to the Council is based on a residual valuation at the point of sale, but if profit/sales exceed expectations the surplus would be shared with the Council.

- Risk sharing on sale - the Council would 'invest' its land value in the scheme so there is risk and return for the Council – the Council's receipt could go up or down subject to a threshold depending on the level of risk and return proposed.

3) Additional benefits alongside the financial offer may include:

- Enhanced design and quality of housing offer.
- Increased affordable housing delivery and quality above local planning requirements.
- Sustainability outcomes over and above Building Regulations requirements.
- Measurable social value outputs in line with the National Housing Federation's Local Economic Impact Calculator.
- Employment and training deliverables that Aspire would deliver through PM Training.

Partnering framework

1) For discrete sites, where speed and simplicity are important, a Memorandum of Understanding would serve as a framework under which Aspire and the Council can work together to bring these forward. An illustration of how this could work is set out in Appendix 1.

2) Next steps for moving this forward would involve:

- Agreeing the sites to which a Memorandum could apply and any specific parameters.
- Drawing up a Memorandum incorporating these sites.

Strategic regeneration projects

Shared objectives

- 1) Sustained increase in supply of new housing for sale or rent across all tenure types.
- 2) Revitalisation of neighbourhoods and communities where market-led solutions have been unviable.
- 3) Tackling obsolete stock through remodelling or demolition and re-build.
- 4) Releasing land for development and to address the shortage of housing.
- 5) Collaboration with other stakeholders including Staffordshire County Council and 3rd party landowners.
- 6) Additionality through social value capture and increased viability of housing delivery.
- 7) Long term partnering developing trust and understanding to deliver strategic objectives.

Partnering with Aspire

- 1) Aspire's role as development partner would include:
 - Working with the Council on masterplanning and viability assessment of selected regeneration sites and initiatives.
 - Engaging with other stakeholders and providing a united approach with the Council.
 - Leading negotiations with 3rd parties
 - Access to funding through its own treasury arrangements and external grant providers.
 - Project managing discrete development schemes for the partnership.
 - Sharing in the risks and the returns.
- 2) As a development partner, Aspire brings:
 - Strong financial stability and capacity.
 - High governance standards.
 - Aligned expertise in housing, regeneration and building communities – Aspire is not just seeking to make a commercial return.

- Extensive knowledge of the local property market.
- A history of collaborating with the Council across a range of projects including Knutton and Cross Heath Masterplan, with an understanding of the Council and the environment within which it operates.
- An experienced development management team.
- A reputation for delivering excellent building standards and housing supply.
- Mature and successful experience in community engagement and consultation.
- The resources and track record of Aspire's in-house employment and training subsidiary, PM Training.

Partnering framework

A formal collaboration between the Council and Aspire may sit within a contractual agreement or a corporate vehicle set up specifically to deliver the shared objectives. An illustration of these types of arrangement is set out in Appendix 2.

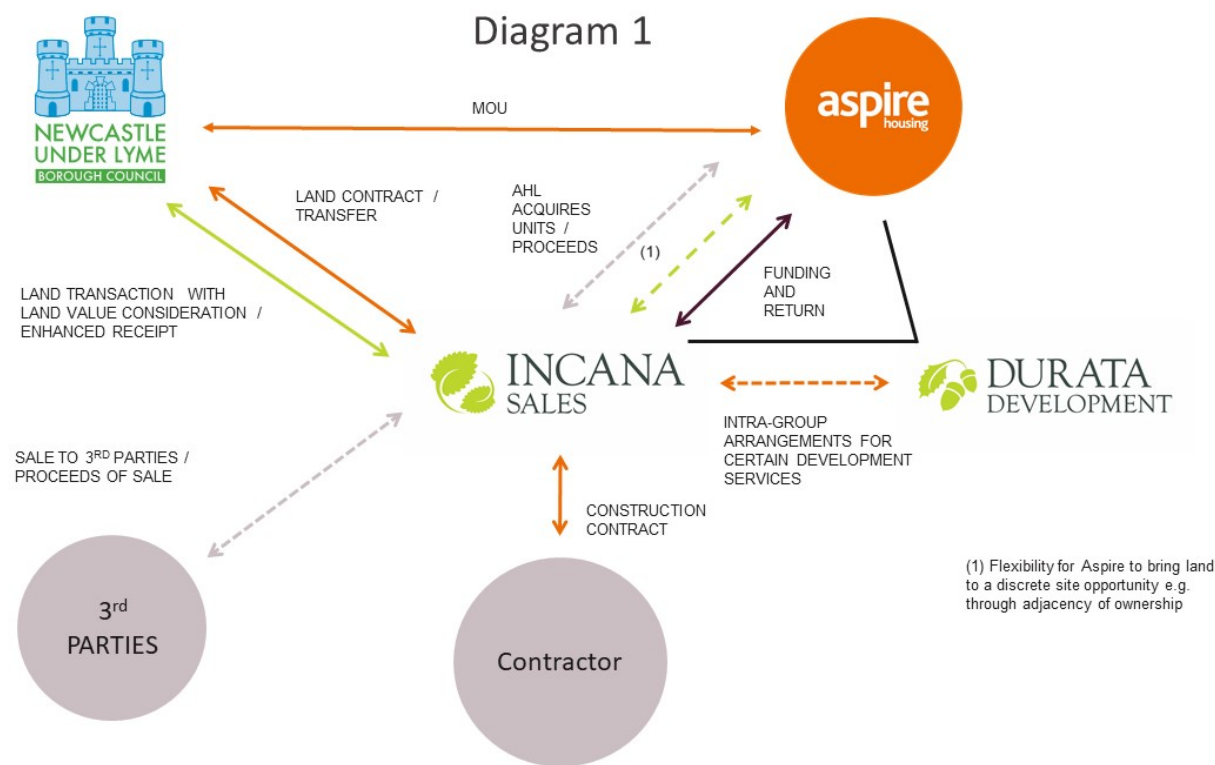
Next steps for moving this forward would include:

- 1) Identifying a geographical scope that the parties would wish the collaboration to cover and specific areas of focus.
- 2) Discussing the roles of the parties, what each can bring and individual objectives.

Appendix 1

Legal framework for discrete sites

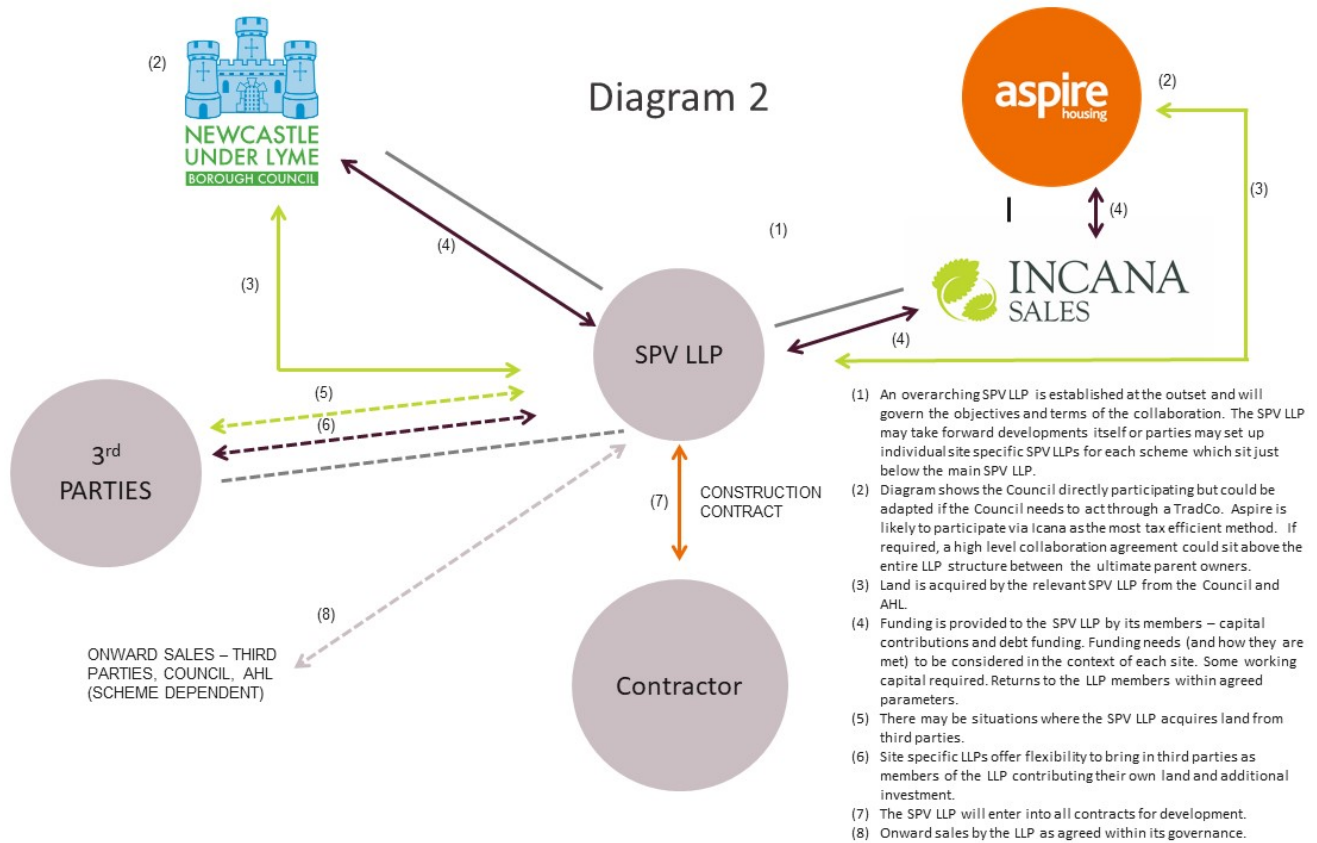
1. The Memorandum of Understanding could cover:
 - The specific sites which have been identified for delivery and the desired outcomes to be achieved.
 - Aspire will put forward development proposals with relevant supporting documents (scheme appraisals, etc).
 - The parties will review the proposals and agree a methodology for delivering the financial outputs for the Council/Aspire and an appropriate mechanism for sharing the cost of due diligence.
 - If proposals are agreed, the parties will enter into formal legal agreements for the sale of the site.
2. This option is designed on the basis that the Council will only ever be entering into a land transaction and will not be entering into a public works contract (and is therefore not subject to EU procurement requirements).
3. The Council will ensure that it meets its duties to obtain best consideration when considering the terms of any offer.
4. The acquisition and development by Aspire Housing and/or its subsidiaries Incana Sales/Durata Development provides maximum flexibility for the range of tenure types that can be delivered on the site.
5. Diagram 1 on the following page illustrates the above.



Appendix 2

Legal framework for strategic regeneration projects

1. **Option 1:** A contractual collaboration agreement between the Council and Aspire to set out the framework for delivering regeneration sites including:
 - the joint objectives of Aspire and the Council which may cover a whole geographical area;
 - a process for how the Council and Aspire will generate proposals for regeneration;
 - the criteria to determine whether a proposal is taken forward;
 - the parameters for the parties (and third party) inputs into any proposal, including how funding might be made available;
 - the roles of the parties for entering into contracts/ownership of assets;
 - the approach of the parties to determine returns (financial and non-financial) in any proposal;
 - Individual sites could be taken forward by a specific special purpose vehicle (SPV).
2. **Option 2:** Alternatively, the Council and Aspire could establish an SPV at the outset that would either develop all/most sites or establish further SPVs (including with third parties to develop sites):
 - The governance of the SPV would contain all of the elements outlined above in respect of a collaboration agreement.
 - The masterplan for each scheme would be developed by the Council and Aspire and would then be implemented by the SPV.
 - The SPV would acquire all sites and enter all contracts. It would not be a contracting authority. That means it will be free to let contracts outside of the public procurement rules. However, the framework for developing proposals should build in appropriate safeguards to ensure that value for money is being achieved in purchasing.
 - Acknowledging both the Council and Aspire are bound by statutory and regulatory requirements concerning the disposal of assets, Aspire anticipates that a starting point would be for any assets/funding put into the SPV to be provided on market evidenced terms.
 - A limited liability partnership (LLP) may be the most appropriate vehicle for any overarching SPV. It has greater governance and operational flexibility than a company limited by shares and would more easily allow the parties to build the framework set out above. However, Aspire appreciates that this is subject to detailed discussions including tax and legal advice.
3. Diagram 2 on the following page illustrates how an SPV model could work.





Aspire Housing Limited

Kingsley, The Brampton ST5 0QW

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO

Cabinet
17 March 2021

Report Title: Local Development Scheme

Submitted by: Executive Director Commercial Development and Economic Growth

Portfolios: Planning and Regeneration

Ward(s) affected: All

Purpose of the Report

To seek approval for the Local Development Scheme (LDS) for the Newcastle-under-Lyme Local Plan. The LDS is a project plan which sets out a timetable for key stages of development of a Local Plan.

Recommendation

That approval is given for the Local Development Scheme comprising the timetable for the production of the Local Plan and that approval is given for publication of LDS on the Councils website.

Reasons

To provide certainty for the public on the timeline of production of the Local Plan. In compliance with Section 15 of the Planning & Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) which requires each local planning authority to prepare and maintain a scheme known as their LDS.

1. Background

1.1 The Local Development Scheme (LDS) is a project plan which sets out what development plan documents are being produced by the Council and sets out the key development milestones for the production of the document/s over a 3 year period. The LDS must be made publicly available and kept up to date. A Local Development Scheme is required to be produced under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended).

1.2 The LDS must specify:

- Local development documents which are to be 'development plan documents' (i.e. Local Plan policies);
- The subject matter and geographical area to which each document is to relate;
- Which (if any) are to be prepared jointly with one or more other local planning authorities;
- Any matter or area in respect of which the authority has agreed (or proposes to agree) to the constitution of a joint committee;
- The timetable for the preparation and revision of the documents; and
- Such other matters as are prescribed.

- 1.3 This report presents a LDS for the Borough's Local Plan which covers the period 2021-2024. The proposed Local Development Scheme is attached as Appendix A. The LDS includes the Borough Local Plan as the single local development plan document to be produced and sets a timescale for its development. The major milestones for the production of the plan are set at the proposed points of public consultation:
- Issues and Strategic Options [Autumn 2021]
 - Publication Draft [Autumn 2022]
 - Submission (Final Plan) [Summer 2022]
- 1.4 If progress on plan making is delayed and is not in accordance with the published LDS, then the document must be revised. It is therefore important to make as accurate prediction on the key milestones for the Local Plan as possible at the beginning of the plan making process to provide certainty to the public and stakeholders on the estimated timeline, and to avoid having to revise the LDS, where possible. Progress on plan making activity can be kept up to date in an Authority's Monitoring Report.
- 1.5 It is considered that this is an ambitious but reasonable timescale provided the team is fully staffed and there are no unavoidable delays. It must be acknowledged that some aspects of plan making are dependent on the availability of other organisations, for example when seeking to hold Duty to Cooperate discussions or when undertaking informal consultation on evidence or specific proposals with statutory consultees.
- 1.6 Agreement of the LDS and Statement of Community Involvement (SCI) (see separate Cabinet report) will enable the authority to commence work on the new Borough Local Plan.

2. **Issues**

- 2.1 External factors which have had an impact on plan making in recent years include changes to national planning policy in 2018 and the unprecedented impact of the corona virus in 2020. Whilst we are still experiencing the impact of the pandemic, the majority of the evidence is able to be updated remotely and the Council and consultancy firms have greatly improved communications and ICT development to be able to work remotely. The new Local Plan will be created with an understanding of the impact of the pandemic 'factored in' when devising policies and proposals.
- 2.2 At present it is known that the government has intentions to amend the planning process and housing calculation method substantively as indicated by the consultation on the Planning White Paper which ended in October 2020. However, communications from the Ministry for Housing, Communities and Local Government (MHCLG) to Chief Planners have clarified that the government still strongly encourage local authorities to continue in the preparation and adoption of local plans. It will take some time for policy development after the receipt of the responses to the White Paper followed by the preparation and progress of any legislation required to implement the planning reforms. As part of the detailed design of the reforms a suitable transition period from approved to new local plans will be implemented. It is envisaged that the Boroughs Local Plan would be able to be produced utilising any transitional arrangements to complete the end stages, if required.
- 2.3 Whilst it is not possible to predict with absolute certainty the timescale for production of a Local Plan, this LDS presents an optimistic and reasonable timeline which will enable the Council to have an up to date Local Plan in place as soon as practicable. For this reason only the Local Plan is included in the LDS as it is anticipated that all available resources will be required to produce the Local Plan in this timeframe. This does not preclude the Council

from amending the LDS in future, particularly at the end stages of plan production, should there be a desire to produce further Local Development Documents or to any proposed Supplementary Planning Documents that the authority may consider beneficial to the implementation of proposed policies in the Local Plan.

3. **Proposal**

- 3.1 That Cabinet members consider the proposed timescale for production of the Borough's Local Plan and approve the attached Local Development Scheme for publication on the Borough Council's website.

4. **Reasons for Proposed Solution**

- 4.1 To provide certainty for the public on the timeline of production of the Local Plan. In compliance with Section 15 of the Planning & Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) which requires each local planning authority to prepare and maintain a scheme known as their LDS.

5. **Options Considered**

- 5.1 The authority could choose not to publish a new LDS although this is not considered a reasonable option. It should be noted that the government is monitoring all local authorities to ensure that their Local Plans are prepared in accordance with the published local development scheme. Failure to have an up-to-date Local Development scheme could therefore result in poor national monitoring outcomes with the consequential reputational damage.
- 5.2 The Authority could consider adding more documents to the Local Development Scheme such as Area Action Plans, a Community Infrastructure Levy or it could also report on Supplementary Planning Documents (SPD's) and Neighbourhood Plans (there is no requirement to report on the latter two in an LDS). In the instance that the Council does have additional priorities and further resources were provided for additional development plan documents to be produced, it would be advisable to wait until the Government clarifies the next stage of the Planning White Paper review to determine whether additional documents were likely to be relevant or necessary in future. This is particularly the case for implementing a Community Infrastructure Levy (CIL) as the government have consulted on significant changes to infrastructure funding through the Planning White Paper.
- 5.3 At this stage, it is not envisaged that any Supplementary Planning Documents (SPD's) will be required to assist implementation of policies in the new Local Plan but this assumption can be revisited at a later stage, once policies have been provisionally drafted at Preferred Options stage. The LDS could be revised accordingly at any time, should the Council decide to add any additional development plan documents to their local development framework. It is difficult to accurately report on the production of Neighbourhood Plans as these are produced by Parish Councils and Neighbourhood Forums and therefore the timescale is not under the Council's control. The Council will continue to assist Neighbourhood Plan groups to progress their plans to referendum.
- 5.4 The other factor for consideration in terms of adding additional development plan documents to the LDS which require Examination is the ability of the Planning Inspectorate (PINS) to examine development plan documents which are all being progressed with the aim of avoiding government intervention after year 2023. In the event of insufficient capacity, it is likely PINS will prioritise Local Plan examinations above others such as Community Infrastructure Levy documents due to the significant implications for authorities

without an up to date development plan in place. This point is not relevant to SPD's as they are not subject to external Examination.

- 5.5 The Authority could also consider extending the timetable for production of the Local Plan. This would likely have adverse financial considerations and increase risks associated with production of the plan (considered later in this report). Additionally it would risk intervention from MHCLG if the Council were not to have an up-to-date plan in place by year 2024. It is therefore not recommended to extend the LDS timetable.

6. **Legal and Statutory Implications**

- 6.1 It is a statutory duty to produce a development plan. Section 19(1B) - (1E) of the Planning and Compulsory Purchase Act 2004 sets out that each local planning authority must identify their strategic priorities and have policies to address these in their development plan documents.
- 6.2 The Borough Council are required to produce the LDS to specify (among other matters) the development plan documents (i.e. local plans) which, when prepared, will comprise part of the development plan for the area. The relevant legislation is detailed in Section 15 of the Planning & Compulsory Purchase Act 2004 (as amended). Local Development Schemes must also be produced in compliance with any data standard for this purpose published by MHCLG.

7. **Equality Impact Assessment**

- 7.1 The LDS is not considered to have any impact on equality.

8. **Financial and Resource Implications**

- 8.1 This report and LDS have no direct financial and resource implications. However, indirectly it sets out the timescale for production of the Local Plan, which must be adequately resourced to meet the project timescale set in the LDS.
- 8.2 In order to meet the key milestones of the LDS, an appropriate budget is required for resourcing the production of the development plan which will be reviewed on an annual basis. The indicative staff resourcing and cost for production of the plan was set out in the Local Plan Update Cabinet Report 9 December 2020, an extract of which is provided below:
- 8.3 Following consideration of the structure of the team, it is proposed the following structure being adopted

Role	Percentage of officer time dedicated to the development plan
Team Leader	70%
Principal Planning Officer	80%
Senior Planner	80%
Planner x2	100%
Support worker	80%

- 8.4 Whilst production of the Local Plan could be projected to be slower with a smaller team, this increases the risk of external factors preventing completion or adoption of the Local Plan, particularly a timescale that could, in theory, go beyond the transitional period for changes made to the planning system at national level. This could have an adverse financial

implication as staff time and additional financing may be required to amend or restart the plan to make it compliant with any changes at national level. Additionally the evidence base dates quickly (most key evidence is only considered up to date for a 2 year period). Producing the Plan as soon as practicable minimises the need to update the evidence base therefore reducing costs.

9. **Major Risks**

- 9.1 The major risks which are within the Councils control are failure to recruit or retain staff to enable the production of the Local Plan to meet the LDS timescale. At the point of writing the Council is still in the process of recruitment for the Planning Policy Team. The LDS is based on the assumption that staff are in place to undertake work on the Local Plan. An officer with responsibility for the programme will be sought to oversee the project planning elements which will help to minimise risk in terms of the programme but can also identify and communicate the impact of any potential staff shortages. An emergency budget or reserve fund may require consideration for agency staff, if necessary to reach the key milestones
- 9.2 The other major risk as described earlier in the report is the anticipated changes to the planning system at national level and the speed at which these are implemented. However the government are encouraging Local Authorities to continue to produce plans under the current system so there is no directive to pause plan making.
- 9.3 A major risk is the potential for strategic cross boundary issues arising from this Plan, or plans being produced in neighbouring authority areas. There is no duty to agree but there is a duty to cooperate and therefore the availability of other parties to hold discussions or to sign formal Statement of Common Grounds at key points in the plan process is critical. Forward planning regular liaison meetings helps to minimise, but does not eliminate the risk. In addition to need to work with statutory consultees on key evidence or proposals reduces some control the authority has on the timetable. Such correspondence, meetings and discussions does however help to reduce the risk of objections to the Local Plan at consultation and amendments to the LDS is a smaller risk than a statutory consultee raising an issue of soundness at Examination, the end stage of the process.
- 9.4 There is no risk to producing the LDS itself. This document can be revised at any point and agreed at a subsequent Cabinet meeting. It should be noted that government will use the LDS to determine how effective the Council has been at producing the Local Plan, should timescales slip drastically.

10. **UN Sustainable Development Goals (UNSDG)**

- 10.1 The SCI underpins the Local Plan process. The Local Plan will have significant impacts on the built and natural environment in the borough and all those who interact with it. As such, the development of a local plan supports the following UNSDG objectives:-



11. **Key Decision Information**

11.1 This is not a key decision though the LDS is an essential part of delivering a sound Borough Local Plan which in itself prescribes policies and site allocations affecting the whole borough and the manner in which we operate with our neighbouring Councils and key partners e.g. the LEP.

12. **Earlier Cabinet/Committee Resolutions**

12.1 None

13. **List of Appendices**

13.1 Appendix A: Local Development Scheme (LDS)

14. **Background Papers**

14.1 None

Newcastle-under-Lyme Borough Council

Local Development Scheme

2021-2024

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Local Development Scheme 2021-2024

1. Introduction

- 1.1. The Local Development Scheme (LDS) is a three-year project plan which sets out what development plan documents the Council are producing and when they will be delivered.
- 1.2. Complex documents such as the Local Plan take a number of years to produce. The LDS shows the anticipated key milestones in the production of the Local Plan such as the stages it will be subject to public consultation and when this is predicted to occur.

2. Why is a Local Development Scheme produced?

- 2.1. A Local Development Scheme is required to be produced under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). The document must be publicly available and should be kept up-to-date. This enables local communities and other interested parties to keep track of progress.

3. What is included in a Local Development Scheme?

- 3.1. The LDS must report on which development plan documents (dpd's) are to be produced. This includes the Local Plan, but some authorities may choose to undertake a number of documents such as Area Action Plans or Site Allocation dpd's in addition to the central strategy or Local Plan. The LDS can also report on Supplementary Planning Documents which are used to support dpd's, although this is not mandatory.
- 3.2. Whilst Neighbourhood Development Plans will become part of the development plan framework after referendum, they are produced by local communities led by Parish Councils or Neighbourhood Forums. As such, the Local Planning Authority cannot set a timeline for their production in the LDS. However, the Council will continue to support neighbourhood planning groups to progress their Neighbourhood Plans. For more details on Neighbourhood Plans in the Borough, please see the relevant pages of the website: <https://www.newcastle-staffs.gov.uk/all-services/planning/planning-policy/neighbourhood-planning>

4. How does it link to the Statement of Community Involvement?

- 4.1. The Statement of Community Involvement (SCI) sets out how the Council intend to engage with local communities, businesses and other interested parties when developing and reviewing planning documents and determining planning applications. The SCI contains more detail on how we will consult on the Local Plan at each key milestone.

The development plan for Newcastle-under-Lyme Borough

5. Current Development Plan

- 5.1. The Development Plan for the borough currently consists of a number of documents and some selected saved policies. These are as follows:
- Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy
 - Saved Policies of the Newcastle under Lyme Local Plan (Adopted 2003)
 - Minerals Local Plan for Staffordshire (2015-2030), produced by Staffordshire County Council
 - Staffordshire and Stoke-on-Trent waste Local Plan (2010-2026), produced by Staffordshire County Council
- 5.2. All documents, including a document which contains the Newcastle-under-Lyme Local Plan saved policies are available on the Councils Planning Policy website, under the 'Current Development Plan' page¹.
- 5.3. The made Neighbourhood Plans also form part of the current development plan. These are listed in section 6.
- 5.4. It is likely more Neighbourhood Development Plans will be subject to referendum over the three year lifespan of the LDS, and therefore for current information about Neighbourhood Plans and for a list of the Neighbourhood Development Plans which form part of the Newcastle-under-Lyme Development Plan framework, please check the planning policy pages of the website under the 'Current Development Plan' page.

6. Neighbourhood Development Plans

- 6.1. Parish Councils and Neighbourhood Forums have the opportunity to produce Neighbourhood Plans for their area. The Borough Council has a duty to support communities producing neighbourhood plans, and the Council is keen to encourage more groups to produce local planning policies to help guide and shape development in their area. Whilst the LDS does not set a timeline for production, the Neighbourhood Plan pages of the Councils website have a map of all designated neighbourhood areas and more information on each of the plans. As of March 2021 there are two made Neighbourhood Plans and a number in development.
- 6.2. Made Neighbourhood Development Plans as of March 2021
- Loggerheads Neighbourhood Development Plan (made 15 February 2019)

¹ <https://www.newcastle-staffs.gov.uk/all-services/planning/planning-policy/current-development-plan>

- Chapel and Hill Chorlton, Maer and Aston and Whitmore Neighbourhood Development Plan (made 21 January 2020)

Neighbourhood Development Plans in development as of March 2021

- Audley Parish Neighbourhood Development Plan
- Betley, Balterley and Wrinehill Neighbourhood Development Plan
- Kidsgrove Neighbourhood Development Plan
- Keele Neighbourhood Development Plan
- Madeley Neighbourhood Development Plan

Newcastle-under-Lyme Local Plan

7. The Local Plan for the Borough

7.1. On 13 January 2021, Cabinet resolved to produce a new Local Plan for Newcastle-under-Lyme authority area. In order to deliver this as efficiently as possible, the Local Plan is the only document included in the three year project plan. The Local Plan will include the spatial strategy for development, strategic and detailed local planning policies and site allocations.

7.2. The Local Plan will be divided into three key stages which will be subjected to public consultations:

- **Issues and Strategic Options**

7.3. The first version of the Local Plan sets out the proposed vision and objectives for the plan and key options for the spatial strategy. It also sets out the intended detailed policies that the plan will provide. This is scheduled for consultation in autumn 2021.

- **Publication Draft**

7.4. The second stage of the Local Plan scheduled for consultation in autumn 2022 will contain the preferred spatial strategy, site allocations and detailed policies to guide future development. It will have been informed by final evidence documents, joint working under the Duty to Cooperate and the responses to the first Strategic Options document.

- **Final Plan**

7.5. The final Plan is the conclusion of all earlier stages of plan production, evidence and responses to the two consultations which will result in the final version of the Local Plan. This is anticipated to be consulted on in summer 2023 and submitted to the Planning Inspectorate later that year.

7.6. Following these key milestones the Local Plan is subject to Independent Examination by the Planning Inspectorate. This stage is difficult to accurately estimate in terms of timescale because it is not in the Councils control. It is hoped that the Examination can be concluded

in year 2024, that the Plan is found sound by the Inspectorate and that the Council can move forward to adopt the Local Plan.

8. Evidence

- 8.1. A range of evidence is required to inform the content of policies and proposals in the Local Plan. Some evidence is produced in house and a number of documents are produced by specialist external consultants. The policy team continually work on developing the evidence base at the same time as the Local Plan document. Once evidence has been approved by the Council it is added to the Council's website. Policies in the Local Plan will make clear which evidence has been used to inform the wording of the policy. The full evidence library will also be subject to independent scrutiny once the Local Plan has been submitted to the Planning Inspectorate for Examination.

9. Sustainability Appraisal

- 9.1. The Local Plan is supported by sustainability appraisal which meets the requirements of the Strategic Environmental Assessment (SEA) Directive. The process of sustainability appraisal is iterative, beginning with a scoping report which identifies the criteria to assess the sustainability of each policy and proposal including any site allocations. At key stages of consultation on the Local Plan, the plan will be supported by an appraisal of the sustainability of proposed policies and of reasonable alternative options. This demonstrates the Council has met the SEA Directive as decisions made accord with the objectives of sustainable development.

10. Habitats Regulation Assessment

- 10.1. A Habitats Regulations Assessment (HRA) identifies whether a plan is likely to have a significant effect on the protected features of a European site, also known as 'habitats sites' in the National Planning Policy Framework, either alone or in combination with other plans or projects. This fulfils the obligations of the Conservation of Habitats and Species Regulations 2017 (as amended). Along with the Sustainability Appraisal, the HRA is produced at each key stage of plan production.

Local Development Scheme

Development Plan Document: Newcastle-under-Lyme Local Plan

Plan Period: 2021-2040

Coverage: District wide

Role and Content: It is intended that the Local Plan will set out strategic and detailed policies including allocating sites for development. Once adopted, it will form the single comprehensive set of local planning policies for the Borough and will replace all documents listed as currently part of the Development Plan in section 5, except for Neighbourhood Plans which will be used alongside the new Local Plan to guide development. The Local Plan will set a framework for the future sustainable development of the District. It will be used in conjunction with made Neighbourhood Plan to guide development in the Borough.

Timetable of key stages:

Spring	Summer	Autumn	Winter	Spring	Summer	Autumn	Winter	Spring	Summer	Autumn	Winter
2021				2022				2023			
Statement of Community Involvement update	Prepare Plan	Issues & Strategic Options consultation	Prepare Publication Draft			Publication Draft consultation	Prepare Submission draft	Submission Plan consultation	Review consultation responses	Submission to the Planning Inspectorate	

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO

Cabinet
17 March 2021

Report Title: Draft Newcastle-under-Lyme Statement of Community Involvement 2021 Consultation Document

Submitted by: Planning Policy

Portfolios: Planning and Growth

Ward(s) affected: All Wards

Purpose of the Report

The purpose of this report is to consider the recommendations of the Planning Committee prior to considering approval of the Draft Newcastle-under-Lyme Statement of Community Involvement 2021 for public consultation purposes, and to seek authority to go out to consultation.

Recommendation

That

1. That Cabinet agree to approve the Draft Newcastle-under-Lyme Statement of Community Involvement 2021 for public consultation.
2. That Officers in consultation with the portfolio holder for Planning and Growth be authorised to make minor editorial changes prior to the publication of the Draft SCI for public consultation.
That Cabinet agree to receive a future consultation report setting out the recommendations of the Planning Committee, and the results of the public consultation before considering the adoption of the Statement of Community Involvement.

Reasons

To ensure that the Borough Council has an up to date Statement of Community Involvement to maintain an efficient and effective planning service which supports meaningful engagement with the community and stakeholders in planning policy and development management matters.

1. Background

- 1.1 The Statement of Community Involvement (SCI) is aimed at a wide range of stakeholders, individuals and groups with the intention of informing people how and when they will be consulted by the planning department. The planning process also impacts on the wider community, and not just residents. The wider community includes businesses, land owners and the development industry, as well as statutory agencies and local interest groups.
- 1.2 Community involvement is encouraged for both planning policy and planning applications (development management), and consultation is a statutory requirement at key stages. Whilst the SCI is a statutory requirement, the Borough Council recognises that engagement is an essential part of the plan making and decision making.

- 1.3 The Draft Newcastle-under-Lyme Statement of Community Involvement 2021 (Draft SCI) appended to this report has been agreed by the planning policy team and head of planning, and now requires sign off prior for going out to public consultation.

2. Issues

- 2.1 Section 18 of the Planning and Compulsory Purchase Act 2004 requires all Local Planning Authorities to adopt a Statement of Community Involvement (SCI), setting out their policy for involving persons with an interest in the development of the area when preparing and revising their local plan. Furthermore, the Town and County Planning (Local Planning) (England) (Amendment) Regulations 2017 requires Local Planning Authorities to review their SCI's at least once every five years starting from the date of its adoption.
- 2.2 The National Planning Policy Framework states that plans should:
- 'be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees'* (NPPF, Paragraph 16a)
- 2.3 The Statement of Community Involvement is important to help a wide section of the community to express their views on draft proposals and to ensure Local Plans reflect a collected vision and priorities for the sustainable development of the Borough. Furthermore, the involvement of all sections of the community within local plan making and decision making is viewed as a way of creating healthy and safe places (NPPF 2019, Paragraph 91).
- 2.4 From a development management perspective, the National Planning Policy Framework states:
- 'Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties'* (NPPF 2019, Paragraph 39)
- 2.5 The Statement of Community Involvement is important to help communities understand the planning application process, and how and when they can express their views to help achieve an improved or desired outcome at the decision making stage.
- 2.6 The Borough Council wishes to consult on a new Draft SCI to provide local communities the opportunity to express their views on draft proposals for engagement, and to help shape how and when they are consulted on within planning policy and development management matters. This specifically relates to the development of planning policy documents such as the new Local Plan, or the determination of planning applications. The Draft SCI consultation will also provide the public an opportunity to identify what they like and dislike about how the Borough Council proposes to involve them within planning matters.
- 2.7 The examination of the Local Plan by the Planning Inspectorate will consider whether the plan is carried out in accordance with the adopted Statement of Community Involvement. Therefore it is essential that the SCI is up to date and aligned with the Borough Council's aspirations for community engagement. The Borough Council aims to provide transparent, user friendly and accessible ways to encourage and maximise public participation.
- 2.8 Complex community involvement exercises can be costly and labour intensive in their preparation, attendance and follow up. The consultation proposals presented within the Draft SCI seeks to achieve a balance between giving confidence to the community that their voice will be heard, and delivering a service that is cost efficient. Furthermore, the

proposals seek to support the delivery of a planning service without overloading local communities with consultation exercises.

- 2.9 It is important to note that the Covid-19 outbreak has forced the Government to place restrictions on people's movements and social interactions in order to prevent the spread of the Coronavirus. These restrictions will impact on the scope and nature of community involvement within planning matters.
- 2.10 Temporarily, the Borough Council will be unable to fulfil some of its commitments as set out in the Draft SCI, and will compensate through maximising the use of virtual and electronic forms of communication. The Borough Council will continue to be guided by public health advice from the Government and other related bodies to protect the health and safety of all those involved in the planning process whilst ensuring effective community involvement. Temporary measures are presented within Appendix 8 of the Draft SCI on page 53.
- 2.11 By law, Local Planning Authorities are required to have an adopted Statement of Community Involvement (SCI), and take responsibility to monitor and review the SCI accordingly. A new SCI is required for Newcastle-under-Lyme to reflect the changes in the plan making process and forms of engagement with the public. A new SCI will demonstrate how and when the Borough Council will consult on key stages of the new Local Plan as set out within the agreed timetable.
- 2.12 There is no reasonable alternative option to creating a new SCI. A new SCI provides an opportunity for the Borough Council to develop an efficient and effective approach to consultation, and support the successful involvement of local communities in the development of the new Local Plan. Without a transparent and up to date SCI the Borough Council risks criticism and complaints from the public.

3. **Proposal**

- 3.1 The Draft Newcastle-under-Lyme Statement of Community Involvement (Draft SCI) provides a structured approach to engaging with local communities across the local authority area on a variety of planning matters. It attempts to describe the main functions of the planning system in a user friendly manner to help local people and organisations understand the processes with planning policy, neighbourhood planning and development management. Specifically, this refers to the preparation of planning policy documents and determining planning applications.
- 3.2 The Draft SCI is scheduled to be published in March as a consultation document to give the public, businesses, parish and town councils and interest groups an opportunity to express their views on how they want to be involved in guiding development with the Borough of Newcastle-under-Lyme. It also gives the opportunity for people to tell us what they like and dislike within the proposals set out to involve them.
- 3.3 The Draft SCI is split into four main sections. Part one is an introduction to the planning system and explains the background to the Statement of Community Involvement, and why it is beneficial to engage with the local community at an early stage. Part two focuses on what planning policy documents are and the key stages in preparing Development Plan Documents and Supplementary Planning Documents (SPD's).
- 3.4 The Draft SCI shows who the key stakeholders are and explains when and how people are consulted during the preparation of planning policy documents. This section also shows the Borough Council's commitment towards fulfilling the Duty to Co-operate legal requirement. This is designed to provide the community with information to improve their understanding

of planning policy processes and procedures rather than being a necessary part of producing an SCI.

- 3.5 Part three describes the key stages of neighbourhood plan development, where the majority of the workload is undertaken externally by the Qualifying Body (i.e. Neighbourhood Forum or Town or Parish Council). The Borough Council plays a more supporting role within this process.
- 3.6 Part four focuses on the types of planning applications and explains who, when and how people are consulted on development proposals. The types of applications and forms of engagement with planning applications are presented within Appendix 2 to 7 of the Draft SCI.
- 3.7 Prior to going out to consultation the Draft Statement of Community Involvement 2021 (Draft SCI) will be formatted and styled to ensure the document is accessible and user friendly. As part of the sign off process it may be necessary to make minor editorial changes to the draft document based on feedback internally within the Borough Council, or recommendations from Planning Committee. It is proposed that this is done in consultation with the portfolio holder for Planning and Growth.
- 3.8 The consultation on the Draft SCI will be carried out in accordance with the proposals set out in Table 5: Statement of Community Involvement Consultation on page 22 of the Draft SCI. All comments received will be reviewed and necessary amendments made before the Borough Council takes steps to adopt the SCI. These will be summarised within a consultation report following the public consultation.

4. **Reasons for Proposed Solution**

- 4.1 To comply with the requirements in statute and to ensure full public engagement with the Local Plan process.

5. **Options Considered**

- 5.1 Discussed in paragraph 2.12 above.

6. **Legal and Statutory Implications**

- 6.1 Under Section 18 of the Planning and Compulsory Purchase Act 2004 all Local Planning Authorities are required to prepare a Statement of Community Involvement (SCI). Furthermore, the Town and County Planning (Local Planning) (England) (Amendment) Regulations 2017 requires Local Planning Authorities to review their local plans and SCIs every 5 years. Planning practice guidance on plan reviews states that:

“it is important that Statements of Community Involvement are kept up-to-date to ensure effective community involvement at all stages of the planning process.” (Paragraph 071, Reference ID: 61-071-20190315)

- 6.2 Therefore, Local Planning Authorities should regularly review and update their Statement of Community Involvement to reflect any changes to engagement within planning matters.
- 6.3 The Draft SCI satisfies the legal requirement for the Borough Council to provide a ‘specific’ consultation list of bodies (statutory) that must be consulted and a ‘general’ consultation list of those who may wish to be consulted on planning policy documents and planning applications.

6.4 The SCI provides an important supporting document to ensure that the Local Plan process is robust and can help deliver a legally compliant plan at the Examination stage.

7. **Equality Impact Assessment**

7.1 The SCI is designed to ensure equality of engagement with the Local Plan process.

8. **Financial and Resource Implications**

8.1 The Draft Statement of Community Involvement (Draft SCI) commits the Borough Council to meeting a list of requirements when consulting with the local community. The resource implications of these requirements have been carefully considered in the preparation of the Draft SCI. The proposals aim to maximise participation without over promising. Any proposal to increase the proposed minimum standards will need to consider the budget implications otherwise there would be a risk of expectations being raised unrealistically as well as triggering complaints from the public.

9. **Major Risks**

9.1 The major risk around having an inadequate or absent SCI is that the local plan is ultimately found “unsound” as a result of inadequate community engagement.

10. **UN Sustainable Development Goals (UNSDG)**

10.1 The SCI underpins the Local Plan process. The Local Plan will have significant impacts on the built and natural environment in the borough and all those who interact with it. As such, the development of a local plan supports the following UNSDG objectives:-



11. **Key Decision Information**

11.1 This is not a Key Decision

12. **Earlier Cabinet/Committee Resolutions**

12.1 9 September 2020 Cabinet Report – Decision was made to review and recommend changes to the adopted SCI to ensure consistency with legislation, and reflect circumstances regarding Covid-19 and impacts on community engagement and public consultation.

13. **List of Appendices**

13.1 Appendix A: Draft Statement of Community Involvement 2021

14. **Background Papers**

14.1 None.



Statement of Community Involvement

Newcastle-under-Lyme Borough Council

March 2021

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Part 1: Introduction and Background

What is a Statement of Community Involvement?

- 1.1 A Statement of Community Involvement (SCI) describes how the public, businesses, parish and town councils and interest groups within a local authority area can get involved in the creation of local planning policy and the decision making process aimed at shaping where we live, work and trade.
- 1.2 The Borough Council is legally required to prepare an SCI under the Planning & Compulsory Purchase Act 2004, and once adopted it becomes a statutory part of the development plan, and the council will be required to implement the proposals within the document when undertaking consultation on planning matters.
- 1.3 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) requires the Statement of Community Involvement (SCI) to be reviewed every five years. It is important to review the SCI, and make necessary updates, where appropriate, to reflect revisions in national policy or legislation, and changes in circumstances internally within the council where certain practices or procedures may no longer apply.
- 1.4 The SCI establishes a minimum standard of consultation whilst promoting transparency and openness to ensure all sections of the public, including businesses, local groups and organisations have the opportunity to be pro-actively involved in decision making on planning policy documents and planning applications.

How can I comment on the Draft SCI?

- 1.5 The Draft Newcastle-under-Lyme SCI 2021 has been published to give residents, businesses, parish and town councils and other groups an opportunity to have a say in how they want to be involved in guiding development of the Borough of Newcastle-under-Lyme (the 'borough council'). We want people to tell us what they like and do not like about the councils proposals to involve them. We will do our best to take these comments on board so that people can feel confident that their voice is going to be heard and considered.
- 1.6 The proposals set out in this Draft SCI aim to give people plenty of opportunities to tell us what they think and in many cases go beyond the minimal legal requirements. However, the Borough Council also recognise the need to deliver a service which is effective and cost efficient.

- 1.7 You can comment on this document by submitting a representation to the planning policy team during the public consultation period for the Draft SCI. The consultation will be held **[insert date and period here]**. For more information about the consultation please visit the planning policy section of the Borough Council's website at this link: [Planning Policy Consultation](#)
- 1.8 Following the consultation on the Draft SCI **[insert date and period here]**, we will review all comments received and make amendments, before taking steps to 'adopt' the SCI as its policy for involving the community in the way it respectively guides and controls development.

Why should the community get involved in the planning process?

- 1.9 The planning process aims to encourage investment and growth, to help ensure that the long term economic and social needs of a community are met. It does this by providing land for: housing; jobs, shopping; leisure and community facilities etc. These needs often compete with one another and can put pressure on the environment. The planning process exists to balance these competing interests and create the conditions for business to grow and to deliver spaces and buildings that raise the quality of life. The aim is to do this without creating an unacceptable long term impact on the environment. This is often referred to as 'sustainable development'.
- 1.10 Since planning has a direct impact on the daily lives of ordinary people and the business community it is very important that development proposals are transparent and that you have the opportunity to have a say in the planning decisions that are made on your behalf.
- 1.11 Getting involved at an early stage of the planning process means that you stand the best chance of influencing a decision, so this SCI is designed to tell you about the different stages when you can get involved and how. See Parts 2 and 3 to find out how to get involved in Planning Policy and Neighbourhood Planning, and Parts 3 and 4 to know more about the Development Management process.
- 1.12 Your local knowledge is very valuable in helping to make good decisions and it's important that decision makers understand the type of community you want to live in. It is very important that we understand the aspirations of those who are ultimately responsible for delivering future development, i.e. the developers and land owners, so that we can work together to bring forward development which is in the public interest.
- 1.13 Our approach to community involvement therefore aims to:
- Inform** people of the planning process and to provide people with the information they need to be involved at the earliest opportunity possible.

Involve individuals and/or groups by creating opportunities for active participation and dialogue with planning officers.

Consult with the local communities and a range of stakeholders, in line with statutory requirements and regulations.

Respond to any comments received, giving proper consideration and explanation of how these views will be incorporated into the planning documents and decisions.

Challenges and objectives

1.14 The Borough Council recognises that there can be barriers to effective public participation and will work hard to address and overcome these where possible.

1.15 The main constraints are:

- **Cost** - complex community involvement exercises can be costly and labour intensive in the preparation, attendance and follow up. These costs need to be balanced with the complexity of the subject matter of the consultation document and the extent of the area covered by proposals;
- **Managing expectations** – balancing the need for consultation with resource constraints.
- **Consultation fatigue** – it is important that the councils can deliver their objectives for community involvement but there is also a need to ensure that the local community does not become overloaded with consultation;
- **Technical terminology** - although the current planning system seeks to open up the process, there are still many technical terms and expressions. Plain English will be used wherever possible, and glossaries provided within each planning policy document;
- **External constraints** - it is sometimes not possible to give a 'free rein' to an issue due to national policy or other 'rules' which are beyond the control of the council. Where these are known, the Borough Council will make these clear from the outset; and
- **Technology** - the use of e-technology makes communication and involvement in a complex process much easier for the public to self-serve. E-technology enables communities to have 24/7 access to information posted on the council websites. This supports an open and transparent planning system and should reduce the number of planning enquiries. However, the Borough Council recognises that not all of the community is able to use a computer, the internet or email, and therefore traditional methods of consultation will continue to be utilised.

National Health Emergencies

1.16 The Government has issued advice on the importance of progressing local plan production and continuing development management services during the

COVID-19 pandemic in order to support the country's economic recovery. The Borough Council will continue to carry out its planning role in accordance with Government advice on social distancing. However, there may be some circumstances which are beyond the Borough Council's control, such as a time of national lockdown which may impact on the way the Council carries out consultation, with greater reliance on virtual and electronic forms of communication. In such circumstances the Borough Council will remain committed to involving the community as much as practically possible. Appendix 8 sets out how the Borough Council will ensure effective community involvement will continue to take place during the pandemic.

Equal Opportunity

- 1.17 The way in which we consult on planning matters will aim to meet the specific local needs of the local authority area.
- 1.18 In our endeavour to work in an inclusive manner we will consider the way we deliver our planning services from the perspective of a range of potential users. We will do this in a number of ways, including the following:
- Meeting our duties as set out in the Race Relations (Amendment) Act 2000 and the Equalities Act 2010.
 - Promoting race equality and ensure fairness and equal treatment when carrying out consultation and community engagement.
 - Providing equal standards of service to disabled people.
 - Considering the need to offer planning policy documents in other formats on request.
 - Offering some consultation and community engagement approaches in plan-making that do not involve writing.
 - Organising consultation events to maximise involvement in plan-making, i.e. workshops.
- 1.19 Making the service accessible to those who are unfamiliar with the terms, processes and structures of the planning system is always a challenge. We will continuously review the ways we do this and will endeavour to cater for a range of levels of literacy and comprehension and will seek to clarify the relevance of planning to people's everyday lives.

Equal Opportunity - Accessibility

- 1.20 Accessibility regulations came into force for public sector bodies on 23 September 2018. They indicate that websites or mobile apps need to be more accessible by making it 'perceivable, operable, understandable and robust'. Following the introduction of this new regulation all future and documents/ reports and information which have been used within up-to-date will be made accessible

on the website to help people who have impaired vision, motor difficulties, cognitive impairments or learning disabilities, and deafness or impaired hearing.

- 1.21 Any significant changes to the way the community are involved will be subject to public consultation.
- 1.22 The Tables on pages 13 to 18 and in Appendices 5 to 7 set out how different groups and individuals can get involved.

The Planning System: Plan-Making and Decision-Taking

Plan-making:

- 1.23 Plan-making involves thinking ahead about where it might be best to build new development to provide new homes and new jobs, whilst at the same time thinking about the necessary support facilities such as shops, schools, doctors, etc. This type of planning is normally dealt with by **Planning Policy**.

Decision-Taking:

- 1.24 Planning is something that affects everyone's lives although, for many of us, the only direct involvement we may have in the planning system is if we decide to build an extension and need to obtain planning permission from the council, or we may receive a letter from the council to let us know that a new development is proposed near where we live or work. This part of the planning process is often referred to as '**Development Management**', which involves making decisions on planning applications.
- 1.25 This SCI sets out what the key stages are in the plan making and planning decision making process and how you can expect to be involved. Planning Regulations also require, when making development plans, that a number of statutory bodies (including Town and Parish Councils) should be consulted and these are listed in Appendix 1.

Part 2: Planning Policy

- 2.0 Recent legislation and planning regulations have changed the way in which we plan for the future. The key document containing planning policies and future development proposals is now called a Local Plan. It is intended to replace core strategies and site allocation documents, and to become the document that plays a key role in guiding investment and decisions made in the Development Management process. Additional guidance may be set out in Supplementary Planning Documents, commonly known as SPDs. Together all the planning documents adopted by a local authority form a council's 'Local Development Framework' (see Glossary).

How can you get involved in plan-making?

- 2.1 Early and meaningful engagement and collaboration with individuals, neighbourhoods, local organisations and businesses is essential in the development of a Local Plan. The Borough Council acknowledges the importance of proactively engaging with a wide section of the community, so that the Local Plan reflects a collective vision and a set of agreed priorities for the sustainable development of the area.
- 2.2 A range of methods and techniques will be used to involve communities across the local authority area. Details of the methods of community involvement to be used at each stage of Local Plan preparation are set out in Tables 1, 2 and 3.
- 2.3 If you don't want to get involved, but you do want to know what's going on and what stage a policy document has reached, or what progress has been made towards the completion of each plan making stage then you can view the Local Plan programme published on each council's website, this document is also known as the Local Development Scheme.
- 2.4 Planning policy can also be set out in Neighbourhood Plans, but the decision to prepare such plans is not the responsibility of the local authority. This rests with a Town or Parish Council, or Neighbourhood and Business Forums. The methods of communication that are adopted for these types of plan will be at the discretion of these lead bodies.

Who we will be consulting?

- 2.5 The Borough Council is keen to extend opportunities for involvement to everyone who has a desire to take some part in the plan-making process. We recognise that many people, whilst having an interest in local affairs, may find the bureaucratic and cumbersome nature of the process both frustrating and off-putting. We do however want to take every opportunity to raise people's

awareness of how development plans are relevant to their concerns and how they can influence the debate that leads to their formation.

Consultation Database

2.6 The Borough Council will be consulting directly with groups and organisations whose details it keeps on a database for this purpose.

2.7 These include:

- Local community and voluntary sector groups.
- Parish or town councils and neighbouring local authorities.
- Local MPs and county councillors.
- Locally based statutory bodies and other providers.
- Utility and commercial infrastructure provision companies.
- Land owners and developers
- Government departments or agencies and other statutory bodies (national and regional level).
- National and regional non-governmental organisations and interest groups.

2.8 We will continue to strive to make this database as inclusive as possible. If you wish to be added or deleted please inform us by contacting the planning policy team by email: planningpolicy@newcastle-staffs.gov.uk, or by telephone: 01782 742467

2.9 Appendix 1 sets out a list of 'specific' and 'general' consultees and stakeholders. Both lists are used to notify individuals and stakeholders of the proposal to prepare the Local Plan and to seek comments. Such notification is necessary to comply with section 18 of the Planning and Compulsory Purchase Act 2004.

2.10 However, anyone can respond to public consultation they do not need to be notified directly. For planning policy documents such as a supplementary planning document that covers only a limited area or topic, the Borough Council will engage those organisations with an interest in the area or topic and any others who have requested it.

Duty to Cooperate

2.11 The 'duty to cooperate' as set out in the Localism act (2011) requires local planning authorities, county councils and other public organisations to engage with one another and consider joint approaches to plan making. The NPPF sets out that strategic policy-making authorities should prepare and maintain one or more statements of common ground.

2.12 The Borough of Newcastle-under-Lyme is located in the north of Staffordshire and share its boundaries with a total of six other local authorities:

- Cheshire East Council

- Shropshire Council
- Stafford Borough Council
- Staffordshire County Council
- Staffordshire Moorlands District Council
- Stoke-on-Trent City Council

2.13 It is important for the councils to communicate with their partner organisations, particularly regarding cross boundary and county-wide issues. The councils also take part in regular discussions through forums such as the Staffordshire Development Officers Group.

2.14 The Borough Council will continue to work closely with their partners to deliver planning under the duty to cooperate.

The Newcastle-Under-Lyme Local Plan

2.15 The Newcastle-under-Lyme Local Plan will be comprised of a new overarching planning strategy which will capitalise on the advantages of the local authority area to create the environment for investment and economic growth over a 15 year period, setting targets for housing, employment and retail provision. It will focus on the key issues that need to be addressed and be aspirational but it will also be realistic in what it proposes. In this way the Local Plan will make clear what is intended to happen in the area over the life of the plan, where and when this will occur and how it will be delivered.

2.16 The planning strategy will form the starting point for considering whether a planning application is acceptable, but the Local Plan will also contain site specific allocations and a set of generic development management policies to be used in the determination of planning applications.

2.17 A timetable for preparation of the Newcastle-under-Lyme Local Plan is set out in the Councils Local Development Scheme which is available on the Borough Council website which is available here ([LINK](#)) . Furthermore, the development plan and its constituent parts can be viewed within the Local Development Scheme published on the Borough Council's website.

How will the Local Plan be prepared?

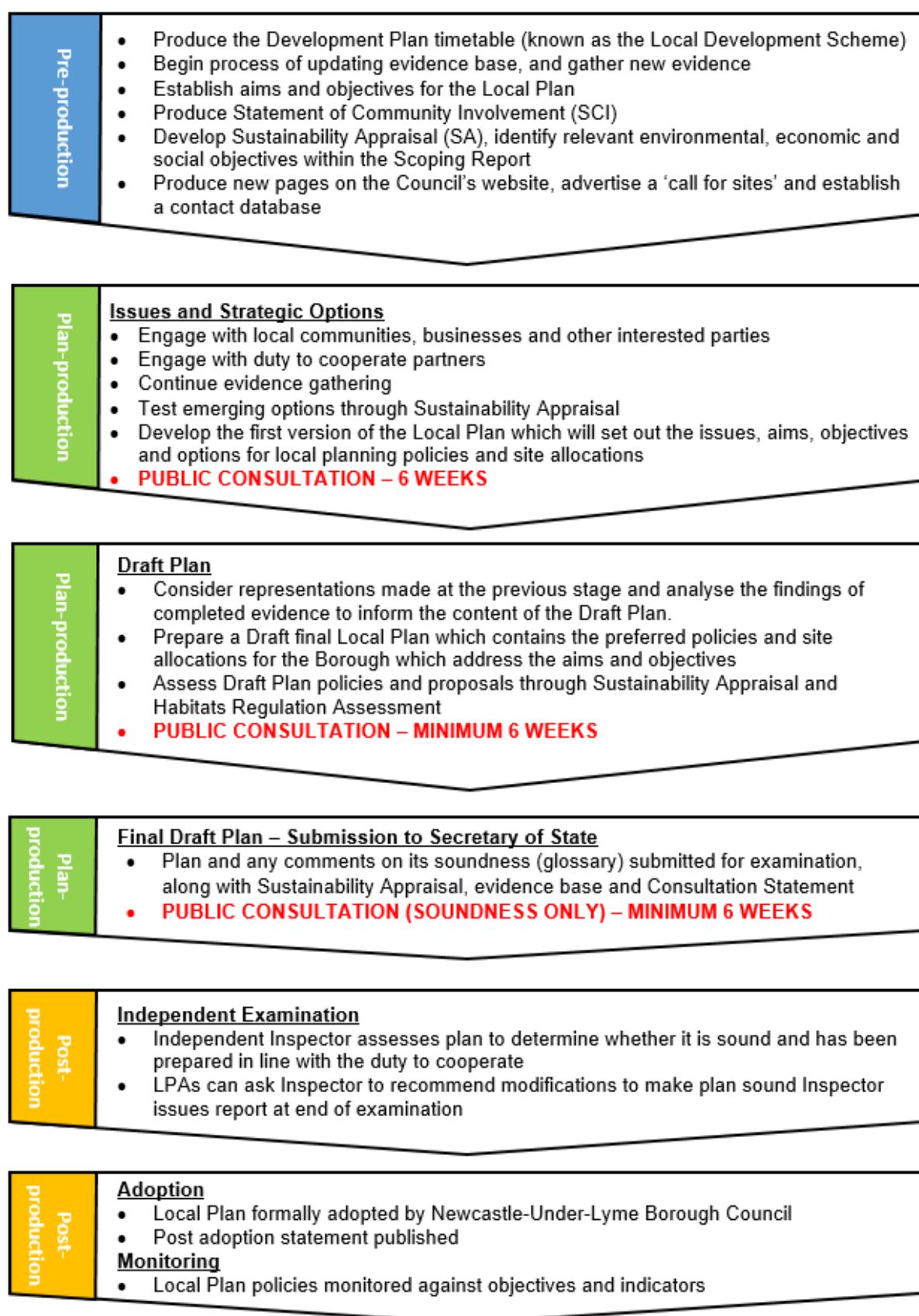
2.18 National planning policy sets clear expectations as to how a Local Plan must be developed in order to be justified, effective, consistent with national policy and positively prepared to deliver sustainable development that meets local needs and national priorities.

2.19 The key stages of plan preparation are prescribed within the Planning and Compulsory Purchase Act 2004 and Local Planning Regulations 2012. The

production of a Local Plan is an iterative process where the overarching strategy is developed through a number of stages in consultation with the public and key stakeholders. Local planning authorities should firstly assess the future needs and opportunities of their area (i.e. understanding the issues). Following on from this, options for addressing these issues should be developed. Finally, a preferred approach should be identified which will ultimately form the basis of the Local Plan.

- 2.20 To ensure all potential development land for housing, employment, retail, leisure and other uses are taken into account during the local plan making process, the Borough Council will invite site submissions through 'Call for Site' exercises. This will enable land owners, agents and developers to submit sites to the Borough Council for them to be considered for potential future development, and allocation within the Local Plan. More information can be found within the call for site section of the Borough Councils website [\(need to add footnote reference / link\)](#).
- 2.21 The Local Plan will be prepared in accordance with the requirements of the National Planning Policy Framework and National Planning Practice Guidance (NPPG). The following diagram shows both the key stages of plan production, adapted from the NPPG and identifies the key stages when we will be consulting.

Diagram 1: Local Plan Production Process:



The Role of Elected Members in Local Plan Preparation:

Cabinet and Full Council

- 2.22 The responsibility for preparing the Local Plan will rest with the separate Executive Bodies, i.e. Cabinet. Development of the Borough Local Plan will be achieved under the stewardship of a member Steering Group chaired by the Leader of the Council or the relevant Portfolio Holder.
- 2.23 Significant Local Plan items will also be taken to the Strategic Planning Consultative Group to ensure cross party member engagement on the plan making process before reaching public forums such as Planning Committee and Cabinet.
- 2.24 The legal requirement for the Full Council of the local authority to ratify policies set out in the Draft and Final Local Plan and to formally adopt the Local Plan (following examination) also remains. Comments will be sought from Newcastle-under-Lyme's Planning Committee at appropriate times to inform this process.

Local Plan – Methods of Communication

2.25 The following tables set out the detail about the methods of communication with stakeholders and the public that will be used by the Borough Council in preparing the Local Plan. This indicates the minimum standards that will be applied. Occasionally other methods of involvement may be applied in response to needs identified at the time.

Table 1: Local Plan Pre-Production Stage

	Duty to Cooperate Discussions and Liaison with Statutory Consultees & Partners ¹	Draft Versions of Documents Published Online	Reference Copies of Final Documents Made Available ²	Enable Public Consultation Responses to be Submitted	Publish and consider all comments received	Make changes to documents, where considered appropriate	Final Versions of Documents Published Online	Produce a Consultation Statement
Update Evidence / Production of New Evidence³	✓						✓	
Production of SCI	✓	✓	✓	✓	✓	✓	✓	✓
Production of Sustainability Appraisal Scoping Report	✓	✓			✓	✓	✓	

¹ Duty to Cooperate discussions will be held with relevant bodies when relevant cross boundary or strategic issues are identified

² Reference copies will be made available at public venues (see Glossary). Hard copies may be made available for purchase in exceptional circumstances (e.g. where the consultee is unable to use a computer).

³ Occasionally, wider engagement may take place on scoping and evidence gathering where there is a need to input more specialist knowledge. This may take the form of focus groups, workshops, surveys or one to one conversations with relevant parties.

Table 2: Local Plan Production Stage

	Duty to Cooperate Discussions. Liaison with Statutory Consultees & Partners ⁴ .	Publish Documents Online & Make Reference Copies Available ⁵	Publicise via Press Release and Social Media	Leaflets and Posters	Display Site Notices ⁶	Hold Exhibitions ⁷	Focus Groups & Workshops	Enable Public Responses to be Submitted ⁸	Publish and consider all comments received	Make appropriate changes to documents	Produce a Consultation Statement ⁹
Issues & Strategic Options	✓	✓	✓	✓		✓	✓	✓	✓	✓	
Draft Local Plan	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Final Draft Local Plan	✓	✓	✓	✓	✓	✓		✓	✓		✓

⁴ Duty to Cooperate discussions will be held with relevant bodies when relevant cross boundary or strategic issues are identified

⁵ Reference copies will be made available at public venues (see Glossary). Hard copies may be made available for purchase in exceptional circumstances (e.g. where the consultee is unable to use a computer).

⁶ Where there are site specific proposals (such as the proposed allocation of sites at Draft Local Plan and Final Draft Local Plan stages) notices will be placed in publicly accessible and visible frontages at the boundaries of sites.

⁷ Exhibitions will be held and will provide the opportunity for people to submit comments.

⁸ A facility to submit comments online during the public consultation periods will be provided. Response forms will be provided alongside hard copy reference documents during public consultation periods.

⁹ This will be submitted to the Planning Inspectorate along with all other supporting documents in advance of the Independent Examination.

Table 3: Local Plan Post Production Stage

	Publish Details on Council Websites ¹⁰	Publicise via Press Release and Social Media	Reference Copies Available ¹¹	Duty to Cooperate Discussions and Liaison with Statutory Consultees & Partners ¹²	Host Formal Examination Hearings	Enable Papers & Statements to be Submitted	Councils & Inspector to consider all comments received	Produce a Consultation Statement ¹³	Publish an Adoption Statement On Council Websites ¹⁴
Independent Examination	✓	✓	✓	✓	✓	✓	✓	✓	
Adoption	✓	✓	✓	✓					✓

2.26 Following adoption, performance and progress against the Local Plan policies and land allocations will be presented in the Authorities Monitoring Report (AMR).

¹⁰ Details of the Independent Examination will include the venue, dates and times of the Hearing Sessions, along with agendas, papers and other relevant documents. The Inspectors Report and adopted Local Plan documents will also be made available online.

¹¹ Reference copies will be made available at public venues (see Glossary). Hard copies may be made available for purchase in exceptional circumstances (e.g. where the consultee is unable to use a computer).

¹² Details of the Examination, publication of the Inspectors Report and adoption of the Local Plan will be sent via email or letter to those who have provided comments at any stage of plan production, have requested to be kept informed of these stages, or if they are listed as a specific consultee in Appendix 1.

¹³ See Glossary

¹⁴ See Glossary

Supplementary Planning Documents (SPD's)

- 2.27 Supplementary Planning Documents (SPD's) will occasionally be produced in order to add greater detail and guidance to planning policies or allocations. SPD's could relate to a location or area or they may be topic-based, such as affordable housing, design guidance, etc. SPD's do not have the same status as a Local Plan but, once adopted, an SPD will be a 'material consideration' in planning decisions. National policy advises that SPD's should only be prepared where necessary, and should not be used to add unnecessarily to the financial burdens on development.
- 2.28 The Borough Council is committed to involving communities in the preparation of SPD's. The process for SPD preparation is different to Local Plan preparation. Key stages and opportunities for community involvement are set out below.

Table 4: SPD Production

	Duty to Cooperate Discussions	Liaise with Statutory Consultees/ Partnerships	Publish Documents Online & Make Limited Hard Copies Available. ¹⁵	Publicise via Press Release	Publicise via Social Media	Leaflets and Posters	Enable Public Responses to be Submitted ¹⁶	Publish and consider all comments received	Make changes to documents, where considered appropriate	Produce a Consultation Statement ¹⁷ and consult on this	Publish Adoption Statement and send a copy to those who have requested it
Evidence Gathering and SPD Preparation Stage		✓	✓		✓	✓	✓	✓	✓		
Publication Stage¹⁸	✓	✓	✓	✓	✓					✓	✓

2.29 Exhibitions may be used to publicise and receive feedback on SPDs. This will be particularly considered where the SPD is focused on a location or area. Focus groups, public meetings / webinars, workshops, surveys or one to one conversations with relevant parties may be held where there is a need for more specialist knowledge to input to SPD preparation.

2.30 Final versions of SPDs will be adopted by the council's Cabinet. Where an SPD is withdrawn a statement will be published online and those who previously made comments on it will be notified.

¹⁵ Limited numbers of hard copy SPDs will be made available for reference only at public venues (see Glossary). Copies may be made available for purchase in exceptional circumstances

¹⁶ This will be within a six week consultation period. A facility to submit comments online during the public consultation periods will be provided. Response forms will be provided alongside hard copy reference documents during public consultation periods.

¹⁷ See Glossary

¹⁸ Notification of the publication of the final version of the SPD will be sent via email or letter to those who have registered interest or provided comments.

Preparation and Review of this Statement of Community Involvement

2.31 The following table sets out how the community will be involved in the preparation and future review of this Statement of Community Involvement.

Table 5: Statement of Community Involvement Consultation

Stage:	Method of Involvement:
Production of SCI	<ul style="list-style-type: none"> ✓ The draft version of the SCI will be published and consulted on for a six week period. ✓ The draft and the final versions of the SCI will be made available on the Councils website and in hard copy reference format in council offices, contact centres, libraries and local information centres. ✓ A press release will be made to local media organisations to publicise the production of the draft and final versions of the SCI. ✓ The council will consult with neighbouring authorities and individuals, organisations and interest groups named on the Local plan database upon publication of the draft and final versions of the SCI. ✓ Publication of the SCI will be promoted using the councils' social media accounts. ✓ Response forms will be made available online and in public venues (see Glossary) for people to provide comments on specific aspects of the draft SCI, or the document as a whole. ✓ The Borough Council will consider all comments received and make appropriate changes to the SCI, where necessary. <p>Where further publicising of the SCI may be necessary, leaflets and posters may be produced and will be displayed in a range of public venues (see Glossary).</p>
Review of SCI	<ul style="list-style-type: none"> ✓ The Borough Council will make minor revisions to improve the SCI or implement changes required by new regulations via a council resolution. ✓ More fundamental changes to the document that warrant a 'fresh' SCI will repeat the process laid out above. ✓ You will be able view monitoring reports online to see how the Borough Council consider they are performing against the standards set out in the SCI

Part 3: Neighbourhood Planning

Neighbourhood planning was introduced by The Localism Act 2011. It gives local communities powers to help shape the areas in which they live. Unlike Development Plan Documents, Neighbourhood Development Plans (NDP) are produced by local communities themselves with the support of the Local Planning Authority. NDP can allocate land or establish policies for the development of land in a designated Neighbourhood Area if the majority of voters in that Area give their approval at a Neighbourhood Plan Referendum. These plans must be in general conformity with the strategic policies in the adopted Development Plan and have regard to national planning policy. NDP, once 'made' or adopted, are statutory plans which carry equal weight to any adopted Local Plan in making decisions on planning applications.

NDP must be prepared in accordance with the relevant Regulations which includes:

- [The Neighbourhood Planning \(General\) Regulations 2012 \(SI 2012 No. 617\)](#)
- [The Neighbourhood Planning \(General\) \(Amendment\) Regulations 2015 \(SI 2015 No. 20\)](#)
- [The Neighbourhood Planning \(General\) and Development Management Procedure \(Amendment\) Regulations 2016 \(SI 2016 No. 873\)](#)
- [The Neighbourhood Planning \(General\) and Development Management Procedure \(Amendment\) Regulations 2017 \(SI 2017 No. 1243\)](#)

In parished areas, only the town or parish council, or a group of parish councils can prepare a NDP. In non-parished areas, a Neighbourhood Forum must be formed and 'designated' to prepare a NDP. A designated group is known as the Qualifying Body (QB). To progress a NDP, a QB must apply to have a Neighbourhood Area designated.

Consultation on the early stages of the NDP preparation is carried out by the QB preparing it. A statement has to be submitted along with the draft plan indicating what consultation has been carried out and how it has informed the preparation of the draft plan.

The Borough Council, as a Local Planning Authority (and relevant bodies), have a duty to support the preparation of a NDP. The Council will consult and engage during the NDP process as set out below:

Stage:	Newcastle-under-Lyme Borough Council's consultation activities:
Designation	<ul style="list-style-type: none">• Applications to designate a Neighbourhood Area will be published on the Council's website. Designations of Neighbourhood Areas, and decisions to refuse the

	<p>application to designate, will also be published on the Council's website.</p> <ul style="list-style-type: none"> • In certain cases the Council will need to consult for a minimum of 6 weeks on the application to designate a Neighbourhood Area.
Preparation	<ul style="list-style-type: none"> • The Council will provide, following consultation with the Environment Agency, Natural England and Historic England, a Habitat Regulations Assessment and Strategic Environmental Assessment screening opinion of the draft plan on formal request from the Qualifying Body. • When the Qualifying Body carries out its six week consultation on the draft plan (Regulation 14) the Council will provide a link to the Qualifying Body's website on the Council's website. • The Council will make formal comments to the consultation on the draft plan (Regulation 14).
Publication	<ul style="list-style-type: none"> • Once the neighbourhood plan and the required supporting documents are formally submitted for examination by the Qualifying Body these will be made available for viewing on the Council's website as part of the Council undertaking a six week consultation on the plan (Regulation 16). • Consultation Bodies referred to in the submitted Consultation Statement will be notified of the publication of the neighbourhood plan by email or letter. • Details for how to make representations on the neighbourhood plan will be provided on the website. • Submitted representations on the neighbourhood plan will be published on the Council's website.
Examination and Referendum	<ul style="list-style-type: none"> • Correspondence from and to the Examiner during the examination will be, where requested by the Examiner, published on the Council's website. • The Examiner's Report and the Council's Decision Statement will be made available to view on the Council's website, the central library and a venue within the Neighbourhood Area. • The Council will send the decision statement to the Qualifying Body and any consultees that have made representations or requested to be kept informed of the plan's progress. • The Council will publish an information statement and notice of the referendum on their website.

	<ul style="list-style-type: none"> • The results of the referendum will be published on the Council's website.
'Making' of the Neighbourhood Plan	<ul style="list-style-type: none"> • The 'made' plan will be published for viewing on the Council's website and notifications via email or letter will be sent to consultees who have made representations or requested to be kept informed of the plan's progress.

Further details of how the Council will support Qualifying Bodies to prepare a Neighbourhood Development Plan can be found on the Borough Council's website on the ['Neighbourhood Planning Tools and Support'](https://www.newcastle-staffs.gov.uk/all-services/planning/planning-policy/neighbourhood-planning/neighbourhood-planning-tools-and-support)¹⁹ page.

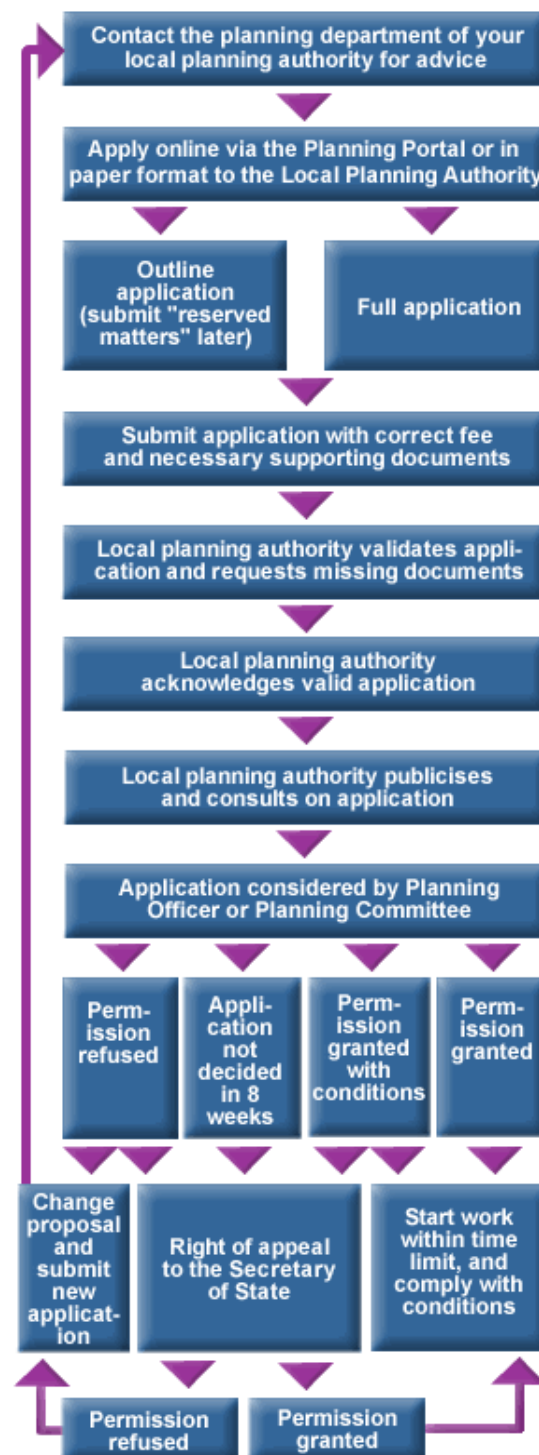
¹⁹ <https://www.newcastle-staffs.gov.uk/all-services/planning/planning-policy/neighbourhood-planning/neighbourhood-planning-tools-and-support>

Part 4: Development Management – DM to check this section

The Development Management Process

- 3.1 Development Management includes the process by which the Borough Council consider and decide applications made under planning legislation. Development Management aims to deliver the vision and objectives set out within the Local Plan and it therefore has a key role to play in improving the quality of life for the community and in achieving sustainable development.
- 3.2 The Borough Council decides approximately 1000 applications made under 'planning' legislation each year, with proposals ranging from the more minor householder developments such as extensions, through to major applications for housing developments, retail and industrial schemes, and new infrastructure. There are numerous different types of applications – the principal ones being planning applications, or applications for planning permission.
- 3.3 The Borough Council is within a two-tier system (not unitary), and so planning decisions for certain types of development will be made by Staffordshire County Council. For example, all applications under 'planning' legislation dealing with quarrying, mineral processing and waste disposal, and the County Council's own developments, in Newcastle-under-Lyme are dealt with by the County Council.

Diagram 2: The Decision Making Management Process for applications for outline and full planning permission



Types and Categories of Applications

- 3.4 There are numerous different types of applications made under planning legislation to the Borough Council as the Local Planning Authority for the area. These are set out in detail in Appendix 2 to this Statement.
- 3.5 Applications are made for various different types of development. These are detailed in Appendix 3 to this Statement.

Community Involvement in Decision making

- 3.6 The Borough Council wish to ensure that any person, groups or organisations affected by or with an interest in a planning application, have the opportunity to comment on that proposal.
- 3.7 Planning officers will aim to work with the applicant, the community, elected members and other statutory consultees throughout the Development Management process. Different methods of community involvement will be appropriate, depending on the scale and nature of the individual proposal. Standards for community involvement are set out within the Tables in Appendices 5, 6 and 7.
- 3.8 There are however many types of applications made under planning legislation which do not require to be subject of any publicity. For the Borough Council these applications are available for members of the public to view on its website. It is possible for users of the Council's website to set up a "saved search" for any applications on a property and to receive email alerts whenever any application made under planning legislation is made to the Council, regardless of whether or not the Borough Council is taking any proactive steps to publicise the application.
- 3.9 Community involvement in planning applications is of great benefit to all affected, including the applicants themselves, and is encouraged from an early pre-application discussion stage through to the final decision.
- 3.10 Community involvement can allow the Development Management process to be carried out more efficiently by helping people who are most directly affected by the proposals to get involved at the outset and have a chance to influence the proposed development. This gives a 'sense of ownership' of new development, and is more likely to result in a development that is successful on the ground.
- 3.11 Applicants for major projects will be encouraged to engage with communities prior to submission of any formal planning application.

Pre-Application Planning Advice

- 3.12 The Borough Council welcome and encourage applicants to seek pre-application advice for all types of planning application, prior to submitting an application. This pre-application advice stage is an important opportunity for officers of the Council to provide an initial view on a proposal, to identify any elements which may need amending and to identify information which should be submitted to support the application.
- 3.13 *“Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community”* - NPPF para. 39, Feb 2019.
- 3.14 For all planning applications, the Borough Council can advise on what is required to support an application and how planning policies will be applied when considering the proposal. In some cases, both the Council will also negotiate Planning Obligations via S.106 agreements and undertakings. More significant applications will often require a series of pre-application meetings between the applicants (and/or their agents) and the Borough Council.

Community Involvement in preparing planning applications

- 3.15 In certain limited situations – where on shore wind development is proposed of more than 2 turbines, or where the hub height of a turbine exceeds 15 metres, the developer has to by statute carry out pre application consultation with the local community, and in submitting an application they have to explain how they have complied with the legislation, detail the responses received as a result of this consultation, and the account taken of these responses.
- 3.16 Where a development is likely to have significant impacts on local communities or where the site is particularly sensitive, the Borough Council will actively encourage applicants to undertake early consultation with that local community. However, it is not compulsory.
- 3.17 Various methods of community involvement may be adopted by an applicant, including: direct notification, public meetings, exhibitions, websites, surveys, questionnaires, etc. The Borough Council does not maintain a specific list of local organisations for this purpose. However, it can guide an applicant to contact a Town and/or Parish Council or Locality Action Partnership, as appropriate.
- 3.18 For the applicants, effective community involvement in preparing a planning application is an opportunity to explain proposals to that community and thereby reduce any misconceived objections; potentially it can help address some

problems before the application is submitted; and prevent abortive work, ultimately reducing the time and cost in reaching the decision-stage. For the community, this is an opportunity to help shape proposals from an early stage, drawing on valuable local knowledge.

- 3.19 Applicants should demonstrate how the community has been consulted, what comments have been received and how these have been taken into account in progressing the proposal. Applicants should produce their own 'statement of community involvement' or Consultation Statement to accompany the planning application. One local validation requirement that is currently applied by the Borough Council for applications for major development is that the developer submits with their application a 'Statement of Community Involvement'. Details of this and other local validation requirements can be obtained from the Borough Council's website. The validation requirements refer back to this Statement of Community Involvement.

Role of Elected Members (Councillors) in pre-application discussions

- 3.20 For more significant developments, generally proposals for 'major development', applicants may have the opportunity to present proposals to Elected Members (Councillors). At the Borough Council this is currently done at the Council's Strategic Planning Consultative Group (which comprises senior members of all political groups, together with the Chair and Vice Chair of the Council's Planning Committee).
- 3.21 Applicants may also wish to discuss proposals with the local ward Councillor(s). For information on how to contact Councillors, please visit: www.newcastle-staffs.gov.uk.

The Decision-Making Process

- 3.22 In dealing with applications for planning permission the Borough Council have to have regard to the provisions of the development plan for the area, what are termed local finance considerations, and any other material considerations. Where regard is to be had to the provisions of the development plan, the decision the Council will make should be in accordance with that plan unless material considerations indicate otherwise.
- 3.23 The Borough Council has a statutory period within which to determine applications made under planning legislation. Unless this statutory period is extended by the applicant, they have the right once that period has passed to appeal against the Council's failure to determine the application. The statutory period for most applications is 8 weeks. However, in the case of applications for 'major development' it is 13 weeks, and in the case of applications requiring an

Environment Impact Assessment it is 16 weeks. Appendix 3 explains what is meant by 'major development'.

Consultation

- 3.24 Once the Borough Council formally register a planning application, a period of consultation is undertaken during which views on the proposed development can be expressed. This formal consultation period will usually last for 21 days. There are different types of consultation; this Statement of Community Involvement is concerned only with the consultation with the public including consultation with neighbouring residents, and community groups. Other types of consultation include consultation with statutory consultees, consultation with non-statutory consultees, and consultations required by government direction.

Public Consultation:

What steps must the Borough Council take to involve members of the public on planning applications?

- 3.25 As far as applications for planning permission are concerned the Borough Council is required by statute to undertake a formal period of public consultation, prior to deciding the application. Similar requirements exist for applications for listed building consent, and some other types of applications.

Who is eligible to respond to a consultation?

- 3.26 Anyone can respond to public consultation – they do not need to be directly notified of the application by the Borough Council. In addition to individuals who might be directly affected by a planning application, community groups and specific interest groups may wish to make representations on planning applications. The Borough Council invite comments both for and opposed to proposals, and upon conditions which they may attach should permission be granted.

What publicity will take place to let the public know that a planning application has been received?

- 3.27 Within certain legislative requirements the Borough Council has discretion about how they inform the public about planning applications. The Borough Council, within and in addition to these legislative requirements, has its own policies on what method of publicity is to be used in specific cases. The publicity methods can include press notices, site notices, and direct neighbour notification. The method/s used will depend upon the scale and type of application, with details set out within Appendices 6 and 7.
- 3.28 In the local authority area it is possible for users of the Council's website to set up a "saved search" for any applications on a property or an area and to receive

email alerts whenever any application made under planning legislation is made to the Borough Council with respect to that property or area.

What is the time period for making comments?

- 3.29 The publicity given by the Borough Council will set out the time period within which comments are invited. This is normally 21 days from the date when the publicity was first given.
- 3.30 Whilst the application may be determined as soon as the time period has passed, it is current practice to take into account late representations received up to the point of determination of the application. However, with respect to items that are being considered by its Planning Committee, a guillotine or deadline is operated, after which any further representations received will not be reported to or considered by the Planning Committee.

Will receipt of my comments be acknowledged?

- 3.31 No acknowledgement will be sent but as representations are displayed on the Council's website you will be able to check that they have been received, provided you allow sufficient time for the representation to be uploaded.

If an application is amended after it has been submitted, will it be the subject of further consultation?

- 3.32 It is up to the Borough Council to decide whether further publicity and public consultation is necessary. In deciding whether this is necessary the following may be relevant:
- Were objections or reservations raised in the original consultation stage substantial and, in view of the Council, enough to justify further publicity?
 - Are the proposed changes significant?
 - Did earlier views cover the issues raised by the proposed changes?
 - Are the issues raised by the proposed changes likely to be of concern to parties not previously notified of the application?
- 3.33 Where the Borough Council decides that re-publicity and re-consultation is necessary, it must set the time frame for responses, balancing the need for the public to be given time to consider the issue that is being re-consulted upon and respond, against the need for efficient decision making.

Representations

- 3.34 Before making a decision, we will review all relevant planning policies, any comments received during the consultation and any other material considerations.

3.35 Representations on a planning application can only be taken into account if they relate to material planning considerations.

3.36 These do **not** include the following (note: this list is not exhaustive):

- the fact that development has already begun (people can carry out development at their own risk)
- the fact that an applicant has carried out unauthorised development in the past;
- “trade objections” from potential competitors
- moral objections, for instance against betting shops as a matter of principle
- the belief that an application is submitted by an owner with the intention of selling on the property at an enhanced value
- the loss of an attractive private view (for instance when development is proposed at the rear of an objector’s house)
- the fear that an objectors’ house or property might be devalued
- the fact that an applicant does not own the land to which his application relates (this being capable of being overcome by agreement with the owner)
- the fact that an objector is a tenant of land where development is proposed (the owner of land can terminate the tenancy whether or not he carries out the development; and therefore any consequences are therefore unrelated to the development, except in the case of agricultural tenants where the grant of planning permission has special consequences)
- allegations that a proposal might affect private rights e.g. restrictive covenants; property maintenance; ownership and private rights of way disputes.

Decisions

3.37 **Delegated Decisions:** Around 90% of planning applications are decided by Planning Officers within the Borough Council. The Borough Council has an ‘Approved Scheme of Delegation’ which gives certain officers powers to take decisions on behalf of the Council, under ‘delegated powers’. A link is provided to the agreed report which has led to the decision.

3.38 **Committee Decisions:** Where a planning application is of a more significant scale, the application may be considered and decided by a Committee, which is made up of elected Councillors. At the Borough Council the Committee is called the Planning Committee.

3.39 Committee meetings are open to the public, unless the Committee have expressly decided to exclude members of the public because it is likely that confidential information as defined in legislation is likely to be disclosed during the consideration of the item.

- 3.40 When a planning application is to be decided by Committee, the Officer will produce a report summarising details of the proposal, the key planning policies and issues, and comments made during the consultation period. The report will include a recommendation to either approve or refuse the application, and the reason for that recommendation. The report will be made publicly available at least 5 clear working days before the day of the Committee meeting. Supplementary reports are also often published immediately prior to or at the committee meeting.
- 3.41 Those who have made representations in writing concerning the application are advised at the date of the publication of the agenda of the meeting about how they can view the report that has been prepared on the application, how and by when they can request to address the Planning Committee and of the deadline for any further representations.
- 3.42 At the Committee meeting itself the Borough Council permit public speaking subject to certain criteria being met. Only those who have either made a written representation or who have submitted the application, or persons who speak on their behalf, are permitted to address the Committee. For each application only one supporter and one objector are allowed to address the Committee. Councillors are not able to ask questions of the speakers. Details of the procedure and the dates for the Committee meetings are available online: www.newcastle-staffs.gov.uk, or by contacting the Borough Council's Committee Services department.
- 3.43 Once an application has been decided, a copy of the planning decision notice will be sent to the applicant and will also be made available online by the Borough Council. Third parties will only be written to where there is a need to comply with legal requirements in this respect, but it will promptly make the decision available to view on its website, along with the reports that have been considered in the reaching of the decision.

Enforcement

- 3.44 Insofar as the consideration of whether or not it is expedient to take enforcement action in the case of unauthorised development, the Borough Council will consider comments that they receive from members of the public on the merits or otherwise of unauthorised developments. They will not however undertake any publicity expressly inviting comment upon such developments. In the event of any appeal being lodged against an Enforcement Notice appropriate publicity as required by legislation, will be given to the lodging of the appeal, providing an opportunity for members of the public to write to the Planning Inspectorate and provide comments.

Planning Aid

3.45 Planning Aid offers free, independent and professional planning advice on all planning issues, to people and communities who cannot afford to pay to hire a planning consultant. Planning Aid can help communities engage with the planning process and influence decisions that affect their local area.

3.46 For more information, please visit: <http://www.rtpi.org.uk/planning-aid/>

Appendix 1: Local Plan and Neighbourhood Plan Consultation Bodies

This appendix sets out the organisations which have been identified under the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012. Specific Consultation Bodies:

Specific Consultees:

- Adjoining Local Planning Authorities
- Adjoining Parish & Town Councils
- Neighbourhood Planning groups
- North Staffordshire Combined Healthcare NHS Trust
- Parish and Town Councils in plan area
- Relevant government agencies & departments (including those listed in the Regulations as “specific consultation bodies”)
- Staffordshire Police and Crime Commissioner
- Stoke-on-Trent and Staffordshire Local Enterprise Partnership
- Utility Companies
- North Staffordshire and Stoke-on-Trent Clinical Commissioning

General Consultees:

- Bodies which represent the interests of different racial, ethnic or national groups in the local planning authority areas.
- Bodies which represent the interests of different religious groups in the local planning authority areas.
- Bodies which represent the interests of disabled persons in the local planning authority areas.
- Bodies which represent the interests of persons carrying on business in the local planning authority areas.
- Voluntary bodies some or all of whose activities benefit any part of the local planning authority areas.

The below lists are the detailed list of consultees used as of 2021.

Specific Consultees:

Local Planning Authorities:

- Cheshire East Council
- Shropshire Council
- Stafford Borough Council
- Staffordshire County Council
- Staffordshire Moorlands District Council
- Stoke-on-Trent City Council

Parish Councils within the Local Plan area:

- Audley Rural Parish Council
- Betley, Balterley & Wrinehill Parish Council
- Chapel and Hill Chorlton Parish Council
- Keele Parish Council
- Kidsgrove Town Council
- Loggerheads Parish Council
- Madeley Parish Council

- Maer and Aston Parish Council
- Silverdale Parish Council
- Whitmore Parish Council

Adjoining Parish & Town Councils:

- Alsager Town Council
- Barthomley Parish Council
- Biddulph Town Council
- Cheswardine Parish Council
- Church Lawton Parish Council
- Doddington and District Parish Council
- Eccleshall Parish Council
- Hough & Chorlton Parish Council
- Market Drayton Town Council
- Norton in Hales Parish Council
- Odd Rode Parish Council
- Standon Parish Council
- Sutton Upon Tern Parish Council
- Swynnerton Parish Council
- Weston & Basford Parish Council
- Woore Parish Council

Other Organisations:

- Staffordshire & Stoke-on-Trent Partnership NHS Trust
- Staffordshire Police
- Utility Companies (Cadent, Seven Trent, United Utilities, Western Power)
- Relevant Government Agencies & Departments

General Consultees:

- Voluntary bodies some or all of whose activities benefit any part of the local planning authority areas.
- Bodies which represent the interests of different racial, ethnic or national groups in the local planning authority areas.
- Bodies which represent the interests of disabled persons in the local planning authority areas.
- Bodies which represent the interests of persons carrying on business in the local planning authority areas.

Appendix 2: Types of applications made under planning legislation to Local Planning Authorities

Types of Application	
Full	An application where full details are submitted at the outset, sometimes called a detailed application
Outline	<p>An application for planning permission for the erection of a building where details are not given for at least one of the reserved matters as defined below. Reserved matters means any of the following</p> <ul style="list-style-type: none"> (a) access (b) appearance (c) landscaping (d) layout, and (e) scale <p>Each of the above terms are themselves defined in legislation</p>
Reserved Matters	An application for the approval of a reserved matter of a previously granted outline planning permission
Variation of conditions	An application to undertake development without complying with conditions subject to which a previous planning permission has been granted
Retrospective	An application for permission for development that has already been carried out
Approval of details required by conditions of a condition of a planning permission	An application for approval of details required by conditions of a planning permission, other than a condition referring to the reserved matter of an outline planning permission
Non Material Amendment	An application to the Planning Authority to change the terms of a planning permission if they are satisfied that the change is not material
Extension of time application	An application to extend the period of time within which in the case of a planning permission it can commence, and in the case of an outline planning permission either the period of time within which any application for approval of its reserved matters must be made or the period of time within which the development can be commence
Prior Approval	An application for a determination by the Authority as to whether its approval is required of certain details, as required by various Parts and Classes of the General Permitted Development Order, and if it is required whether that approval is to be given
Modification or discharge of a	An application to vary or discharge a previously entered into planning obligation. A planning obligation can restrict development, can require specific operations to be carried out,

planning obligation	can require land to be used in a specific way or require the payment of money to the planning authority
Modification or discharge of affordable housing requirements	An application to vary, replace, remove or discharge an affordable housing requirement within a previously entered into planning obligation.
Lawfulness of existing use or development	An application for a certificate that an existing use or development was at the date of the application lawful in planning terms
Lawfulness of proposed use or development	An application for a certificate that a proposed use or development would have been, at the date of the application, lawful in planning terms
Works to Protected Trees	An application for works to trees which are the subject of a Tree Preservation Order
Work to Trees in a Conservation Area	Notice to the authority of proposed works to trees in a Conservation Area that are not the subject of a Tree Preservation Order
Advertisement	An application for express consent to display an advertisement
Listed Building	An application for consent under Listed Building legislation
Approval of details required by conditions of a Listed Building consent	An application for approval of details required by conditions of a previously granted Listed Building Consent
Lawfulness of works to a Listed building	An application for a certificate that works to a listed building do not require Listed building consent, or are already consented
Hazardous Substances Consent	An application to the authority for approval of the storage and keeping of hazardous substances
Householder	An application for <ul style="list-style-type: none"> (a) planning permission for the development of an existing dwellinghouse or development within the curtilage of that dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse (b) any consent, agreement or approval required by a planning permission, or development order in relation to such development
Permission in principle	An alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development.
Technical details consent following granting of permission in principle	Following a grant of permission in principle, the site must receive a grant of technical details consent before development can proceed. The granting of technical details consent has the effect of granting planning permission for the development. Other statutory requirements may apply at this stage such as those relating to protected species or listed buildings. Technical details consent can be obtained following submission of a valid

	application to the local planning authority. An application for technical details consent must be in accordance with the permission in principle that is specified by the applicant.
Schedule 17 approval of certain matters relating to the design and construction of HS2	Schedule 17 to the Act requires that the nominated undertaker (HS2 Ltd) seeks approval for matters of construction and design from the appropriate planning authority.

Appendix 3: Development Types

Types of Development	
Major Development	<ul style="list-style-type: none"> Residential: 10+ dwellings / Site area of over 0.5 Hectare Non-Residential: floorspace of 1,000+ m² / site area of over 1 Hectare (includes: office, industrial, retail) <p>The period after which an applicant can appeal against any failure to determine the application, unless they agree to extend that period, is 13 weeks</p>
Minor Development	<ul style="list-style-type: none"> Residential: 1-9 dwellings / under 0.5 Hectare Non-Residential: floorspace of up to 999 m² / site area under 1 Hectare (includes: office, industrial, retail) <p>The period after which an applicant can appeal against any failure to determine the application, unless they agree to extend that period, is 8 weeks</p>
Other Development	<p>Changes of use, Advertisements, Telecommunications, TPO's, Lawful Development Certificates, etc.</p> <p>The period after which an applicant can appeal against any failure to determine the application, unless they agree to extend that period, is 8 weeks.</p>

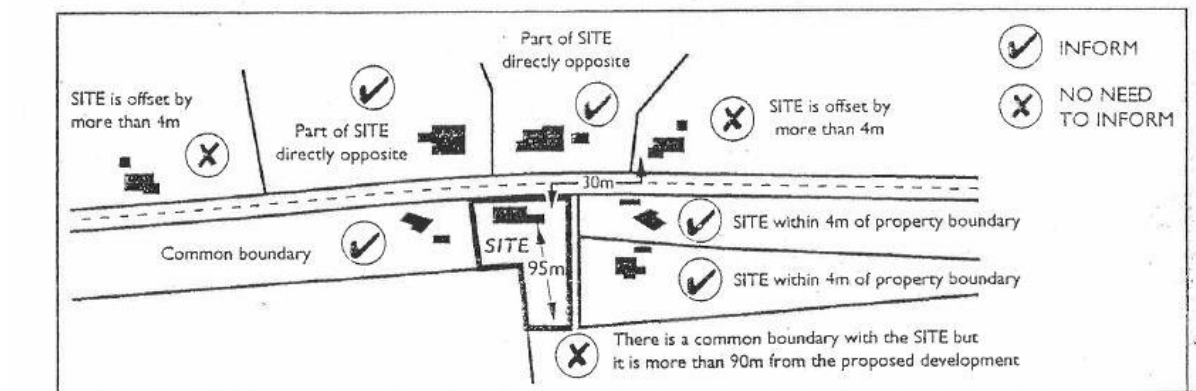
Appendix 4: Identification of adjoining land whose owners/occupiers are to be notified of an application

Which neighbours are to be notified?

Notifications are to be sent to:

- The occupiers/ owners of any land or buildings which share, or lie within 4 m of, a boundary of the application site (normally the area outlined in red) (ignoring any road 20 m or less in width when measuring the 4 m)
- No notification is required where a road wider than 20 m separates adjoining land from the application site
- No notification is required where there is at least 90 m between the application site and the boundary with adjoining land.

The diagram below provides further guidance



Appendix 5: Pre-Application Consultation

The following table sets out the methods to be applied where pre-application consultation is a compulsory requirement upon the developer.

Type of Application:	Method of Consultation to be Applied:					
	Direct Mailing	Press and other Media releases	Press Notice	Site Notice	Exhibition	Public Meeting
Applications for planning permission for Wind farms (more than 2 turbines) and turbines of a hub height of more than 15 metres	✓	◇	◇	◇	◇	◇

Key:

Method will be appropriate=



Method will not be appropriate =



Method will sometimes be applied =



Appendix 6: Publicity for planning applications made under planning legislation

Planning application for	Methods of publicity to be used by Newcastle-under-Lyme Borough Council								
	During application Process						Following decision		
	Publication on the Council website	Making hard copy of application documents available for inspection	Press Notice	Site Notice	Neighbour Notification letter	Notification to previous interested third parties on similar applications within 12 months	Publication on Council website	Press Notice	Direct Notice to affected owners or agricultural tenants of applications site ²⁰
Major Development	✓	✓	✓	✓	✗	✓	✓	✗	✗
Residential development up to 9 dwellings, or where number of units is not known up to 0.4ha	✓	✗	✗	✗	✓	✓	✓	✗	✗
Householder development	✓	✗	✗	✗	✓	✓	✓	✗	✗
All Other applications for planning permission	✓	✗	✗	✓	✓	✓	✓	✗	✗
Development that does not accord with the	✓		✓	✓		✓	✓	✗	✗

²⁰ Only where the owner or tenant has requested this and/or made an comment or objection to the application

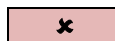
Planning application for	Methods of publicity to be used by Newcastle-under-Lyme Borough Council								
	During application Process						Following decision		
	Publication on the Council website	Making hard copy of application documents available for inspection	Press Notice	Site Notice	Neighbour Notification letter	Notification to previous interested third parties on similar applications within 12 months	Publication on Council website	Press Notice	Direct Notice to affected owners or agricultural tenants of applications site ²⁰
development plan									
EIA Development	✓	✓	✓	✓	✗	✓	✓	✓	✗
Development that affects a public right of way	✓	✗	✓	✓	✗	✓	✓	✗	✗
Development affecting the character or appearance of a Conservation Area (sn 73 of LBA)	✓	✗	✓	✓	✗	✗	✓	✗	✗
Development affecting the setting of a Listed Building (sn 67 if the LBA)	✓	✗	✓	✓	✗	✗	✓	✗	✗

Key:

Method will be used =



Method will not be used =



Method might be used =



Appendix 7: Publicity for other types of applications made under planning legislation

Application type:	Methods of publicity to be used by Newcastle-under-Lyme Borough Council										
	During application Process							Following decision			
	Publication on the Councils' website	Making hard copy of application documents available for inspection	Press Notice	Site Notice	Neighbour Notification letter	Notification to previous interested third parties on similar applications within 12 months	Notification to owner of tree to which works are to be done	Publication on Council website	Press Notice	Direct Notice to affected owners or agricultural tenants of applications site ²¹	Direct notice to other interested parties
Approval of details required by conditions of a condition of a planning permission	✓	✗	✗	✗	✗	✗	✗	✓	✗	✓	✗
Non Material Amendment	✓	✗	✗	✗	✗	✗	✗	✓	✗	✗	✗
Extension of time application	✓	◇	◇	◇	◇	✓	✗	✓	✗	✓	✗
Prior Approval	✓	✗	✗	✗	✓	✓	✗	✓	✗	✗	✗
Modification or discharge of a	✓	◇	◇	✗	✗	✓	✗	✓	✗	✗	✗

²¹ Only where the owner or tenant has requested this and/or made an comment or objection to the application

Application type:	Methods of publicity to be used by Newcastle-under-Lyme Borough Council										
	During application Process							Following decision			
	Publication on the Councils' website	Making hard copy of application documents available for inspection	Press Notice	Site Notice	Neighbour Notification letter	Notification to previous interested third parties on similar applications within 12 months	Notification to owner of tree to which works are to be done	Publication on Council website	Press Notice	Direct Notice to affected owners or agricultural tenants of applications site ²¹	Direct notice to other interested parties
planning obligation											
Lawfulness of existing use or development	✓	✗	✗	✗	✗	✓	✗	✓	✗	✗	✗
Lawfulness of proposed use or development	✓	✗	✗	✗	✗	✓	✗	✓	✗	✗	✗
Works to Protected Trees	✓	✗	✗	✗	✗	✗	✓	✓	✗	✓	✗
Work to Trees in a Conservation Area	✓	✗	✗	✗	✗	✗	✓	✓	✗	✓	✗
Advertisement	✓	✗	✗	✗	✗	✓	✗	✓	✗	✗	✗
Listed Building	✓	✗	✓			✓	✗	✓	✗	?	?
Approval of details required by conditions of	✓	✗	✓	✓	✓	✓	✗	✓	✗	?	?

Application type:	Methods of publicity to be used by Newcastle-under-Lyme Borough Council										
	During application Process							Following decision			
	Publication on the Councils' website	Making hard copy of application documents available for inspection	Press Notice	Site Notice	Neighbour Notification letter	Notification to previous interested third parties on similar applications within 12 months	Notification to owner of tree to which works are to be done	Publication on Council website	Press Notice	Direct Notice to affected owners or agricultural tenants of applications site ²¹	Direct notice to other interested parties
a Listed Building consent											
Lawfulness of works to a Listed building	✓	✗	✗	✗	✗	✓	✗	✓	✗	✗	✗
Hazardous Substances Consent	✓	✗	✗	✗	✗	✗	✗	✓	✗	✗	✗
Permission in principle	✓	✗	✗	✓	✗	✗	✓	✗	✗	✗	✗
Technical details consent following granting of permission in principle	✓	✗	✗	✓	✗	✗	✓	✗	✗	✗	✗
Schedule 17 approval of certain matters relating to the	✓	✗	✗	✗	◇	✗	✓	✗	✗	✗	✗

Application type:	Methods of publicity to be used by Newcastle-under-Lyme Borough Council										
	During application Process							Following decision			
	Publication on the Councils' website	Making hard copy of application documents available for inspection	Press Notice	Site Notice	Neighbour Notification letter	Notification to previous interested third parties on similar applications within 12 months	Notification to owner of tree to which works are to be done	Publication on Council website	Press Notice	Direct Notice to affected owners or agricultural tenants of applications site ²¹	Direct notice to other interested parties
design and construction of HS2											
Application type:	Methods of publicity to be used by Newcastle-under-Lyme Borough Council										
	During application Process							Following decision			
	Publication on the Councils' website	Making hard copy of application documents available for inspection	Press Notice	Site Notice	Neighbour Notification letter	Notification to previous interested third parties on similar applications within 12 months	Notification to owner of tree to which works are to be done	Publication on Council website	Press Notice	Direct Notice to affected owners or agricultural tenants of applications site ²²	Direct notice to other interested parties
Approval of details required by conditions of a	✓	✗	✗	✗	✗	✓	✗	✓	✗	✓	✗

²² Only where the owner or tenant has requested this and/or made an comment or objection to the application

Application type:	Methods of publicity to be used by Newcastle-under-Lyme Borough Council										
	During application Process							Following decision			
	Publication on the Councils' website	Making hard copy of application documents available for inspection	Press Notice	Site Notice	Neighbour Notification letter	Notification to previous interested third parties on similar applications within 12 months	Notification to owner of tree to which works are to be done	Publication on Council website	Press Notice	Direct Notice to affected owners or agricultural tenants of applications site ²¹	Direct notice to other interested parties
condition of a planning permission											
Non Material Amendment	✓	✗	✗	✗	✗	✓	✗	✓	✗	✗	✗
Extension of time application	✓	◇	◇	◇	◇	✓	✗	✓	✗	✓	✗
Prior Approval	✓	✗	✗	✗	✓	✓	✗	✓	✗	✗	✗
Modification or discharge of a planning obligation	✓	◇	◇	✗	✗	✓	✗	✓	✗	✗	✗
Modification or discharge of affordable housing requirements	✓	◇	◇	✗	✗	✓	✗	✓	✗	✗	✗
Lawfulness of existing use or development	✓	✗	✗	✗	✗	✓	✗	✓		✗	✗
Lawfulness of proposed use	✓	✗	✗	✗	✗	✓	✗	✓		✗	✗

Application type:	Methods of publicity to be used by Newcastle-under-Lyme Borough Council										
	During application Process							Following decision			
	Publication on the Councils' website	Making hard copy of application documents available for inspection	Press Notice	Site Notice	Neighbour Notification letter	Notification to previous interested third parties on similar applications within 12 months	Notification to owner of tree to which works are to be done	Publication on Council website	Press Notice	Direct Notice to affected owners or agricultural tenants of applications site ²¹	Direct notice to other interested parties
or development											
Works to Protected Trees	✓	✗	✗	✗	✗	✗	✓	✓		✓	✗
Work to Trees in a Conservation Area	✓	✗	✗	✗	✗	✗	✓	✓		✓	✗
Advertisement	✓	✗	✗	✗	✗	✓	✗	✓		✗	✗
Listed Building	✓	✗	✓			✓	✗	✓		?	?
Approval of details required by conditions of a Listed Building consent	✓	✗	✓	✓	✓	✓	✗	✓		?	?
Lawfulness of works to a Listed building	✓	✗	✗	✗	✗	✓	✗	✓		✗	✗

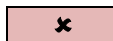
Application type:	Methods of publicity to be used by Newcastle-under-Lyme Borough Council										
	During application Process							Following decision			
	Publication on the Councils' website	Making hard copy of application documents available for inspection	Press Notice	Site Notice	Neighbour Notification letter	Notification to previous interested third parties on similar applications within 12 months	Notification to owner of tree to which works are to be done	Publication on Council website	Press Notice	Direct Notice to affected owners or agricultural tenants of applications site ²¹	Direct notice to other interested parties
Hazardous Substances Consent	✓	✗	✗	✗	✗	✗	✗	✓		✗	✗

Key:

Method will be used =



Method will not be used =



Method might be used =



Appendix 8: COVID-19 Statement

1. This Appendix presents how the Borough Council will continue to undertake effective community involvement within planning matters during the Covid-19 pandemic. The Covid-19 outbreak has forced the Government to place restrictions on people's movements and social interaction in order to prevent the spread of the coronavirus. These restrictions will impact on the scope and nature of community involvement. It will also impact on the Borough Council's ability to engage with the community.
2. Whilst the restrictions remain in place, the Borough Council will be unable to fulfil some of its commitments as set out within this document relating to how it consults on planning matters, such as the determination of planning applications and the production of planning policy documents. However, the Government has stressed the importance of progressing local plan production and continuing development management services during the Covid-19 pandemic in order to support the country's economic recovery.
3. Government guidance from the Ministry of Housing Communities & Local Government (MHCLG) recommends where necessary to review processes and procedures within local authorities SCIs to allow plan making and decision making to continue. This should be undertaken by making temporary amendments to community involvement processes.
4. The Borough Council will continue to be guided by public health advice from the Government and other relevant bodies to protect the health of council employees, community groups and other interested parties whilst ensuring effective community involvement.

Public Consultation Events on Planning Matters

5. The Covid-19 restrictions on people's movement and social interaction will have an impact on the ability to carry out public consultation events such as meetings or workshops. To support the Local Plan development process and decision making during the pandemic, the Government has recommended maximising existing methods of engagement where possible, and to use alternative methods that adhere to restrictions on social interaction.
6. Whilst social interaction is restricted and does not enable community events to take place, the Borough Council will seek to maximise the use of virtual

and electronic forms of communication, and engage with the community through online presentations, telephone meetings or appointments and video conferencing. The use of I.T tools such as Microsoft Teams or Zoom will help to facilitate this process. Furthermore, the Borough Council will liaise with relevant representatives of the public and community groups to ensure effective engagement and communication.

7. The Borough Council will temporarily suspend making hard copies of consultation material (such as planning policy documents or planning application information) available within the Newcastle Town Centre Library or at any other public venue to ensure safety and compliance with public health guidance.

Planning Committee and Cabinet

8. The Local Authorities and Police Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings (England and Wales) Regulations 2020 came into force on 4th April 2020. During a time where social distancing and self-isolation measures are in place, the 2020 regulations enables local authorities and parishes to make provisions for holding remote meetings via video and telephone conferencing for a specified period until May 2021. This date could be bought forward if Government rules are relaxed. The regulations apply to local council meetings, committee meetings and parish meetings. Details can be found online here ([LINK](#))

9. The Borough Council will undertake Planning Committee and Cabinet meetings through virtual (video) meetings online. For further information about access and taking part in the virtual meetings please contact

planningpolicy@newcastle-staffs.gov.uk or
planningapplications@newcastle-staffs.gov.uk

10. All documents subject to Planning Committee and Cabinet can be viewed within the meetings and agendas section of the Borough Councils website ([LINK](#))

Neighbourhood Plans

11. Neighbourhood planning groups are encouraged to continue the preparation of Neighbourhood plans, but must adhere to the restrictive measures on people's movements and social interaction as set out by the Government.
12. The Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020 states that no referendums can be undertaken until May 2021. The guidance and will be kept under review. ([LINK](#))
13. The Borough Council will continue to support Qualifying Bodies in preparing Neighbourhood Plans

Appendix 9: Glossary

Adoption Statement: A statement prepared when a local planning authority adopts a local plan, detailing the date at which a Local Plan has been adopted, any modifications made to the Local Plan and the grounds and time period within which aggrieved parties can apply to the High Court regarding the plan.

Business Forums: A group of businesses, investors, developers and other commercial organisations which has been formally designated as a body that can produce a neighbourhood plan for an area.

Consultation Statement: A statement produced describing how consultation has been undertaken and taken into account in preparing a planning scheme or policy document.

Development Management (Decision-taking): A function of the respective councils which considers and decides submitted planning applications against relevant planning policy and any other material considerations.

Development Plan/Development Plan Documents (DPDs): Planning strategies and policies to direct the future development of an area. They include Local Plans and neighbourhood plans (as defined in section 38 of the Planning and Compulsory Purchase Act 2004) and are prepared by the local planning authority or qualifying neighbourhood plan body in consultation with the community.

Duty to Cooperate: This is a legal requirement introduced by the Localism Act 2011. It requires that public bodies should engage constructively, actively and on an ongoing basis on strategic planning issues that cross administrative boundaries.

Enforcement Notice: A notice issued at the discretion of the local planning authority where a breach of planning control has occurred. The notice will contain information as to what the breach of planning control is and what steps will be required to correct this.

Environmental Impact Assessment: An assessment that establishes any likely significant effects a proposal is likely to have on the environment, so that these can be fully taken into account in the decision-making process. The types of development which require assessment are described in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

Evidence Base: Up-to-date and relevant studies, data, information and analysis on the economic, social and environmental characteristics and prospects of the area to inform and support the preparation of the Local Plan.

Examination in Public: Before it can be adopted, a Local Plan must be examined by an independent inspector whose role is to assess whether the plan has been prepared

in accordance with legal and procedural requirements, and whether it is considered 'sound'. To be 'sound' a document must be positively prepared, justified, effective and consistent with national policy.

General Consultee: General categories of interest groups that by law the local planning authority is required to consult with under the Town and Country Planning (Local Planning) (England) Regulations 2012.

Local Development Scheme: The Local Development Scheme sets out the Council's timetable for the production and review of planning documents that form the Local Development Framework.

Local Development Framework: The collection of local Development Plan Documents and Supplementary Planning Documents adopted by a local planning authority.

Local Plan: The Local Plan is being prepared by the Borough Council to guide future development across the authority's area. The final, adopted version of this development plan document will detail the strategy for development up to 2040 and will contain detailed policies which the Council will use to manage future development.

Local Planning Authority: The public authority whose duty it is to carry out specific planning functions for a particular area, such as creating planning policies or deciding planning applications. Stoke-on-Trent City Council and Newcastle-under-Lyme Borough Council are the local planning authorities for their respective areas.

Locality Action Partnership: Applies to Newcastle-under-Lyme only. Bodies that bring together elected members, residents, mainstream services (such as Police) and key local stakeholders (such as housing associations). These partnerships act as a mechanism to allow residents to set their own priorities for action in their neighbourhoods.

Material Consideration: A material consideration is a matter that should be taken into account in deciding a planning application or an appeal against a planning decision. Examples of material considerations include representations made by the public, comments made by statutory and non-statutory consultees, draft plans, design issues and development impacts. Some material considerations may be more significant than others.

Monitoring: Involves the collection and analysis of data and statistics to understand how patterns of development are changing. An example of this is the collection of housebuilding statistics. Monitoring data can show how effective planning policies are in influencing development. Such information is reported by local planning authorities in their Authority Monitoring Report (AMR).

National Planning Policy Framework (NPPF): The Government's planning policies for England, which provide a policy framework that sets the parameters in which Local

Plans and Neighbourhood Plans can be prepared, and decisions on planning applications should be made.

National Planning Practice Guidance (NPPG/PPG): The Government's more detailed online guidance on national planning policies, which adds detail to the NPPF.

Neighbourhood Plans: Development plan documents which can be prepared by local communities, such as neighbourhood forums, business forums or parish and town councils. Neighbourhood Plans must conform to the strategic development priorities of the Local Plan but can shape and direct local development within their neighbourhood area.

Parish and Town Councils: Elected local authority bodies responsible for civil parishes. Parish and town councils have the ability to be designated as bodies to produce Neighbourhood Plans for their local areas.

Planning Inspectorate: A national body which acts on behalf of the Secretary of State. The Planning Inspectorate deals with appeals on planning applications, as well as independently examining any local plans a local authority wants to adopt as planning policy.

Planning Obligations: Legally binding agreements entered into under section 106 of the Town and Country Planning Act 1990 between local planning authorities and applicants for planning permission. These agreements are used to ensure developments provide schemes and infrastructure to mitigate any unacceptable impacts they might have on an area. This often includes measures such as affordable housing or open spaces to be provided as part of a development.

Planning Policy (plan-making): A function of local planning authorities that prepares planning policies and development plan documents to direct decisions on development proposals within the authority's area.

Public venues: venues used for making reference copies of planning policy documents and response forms available, e.g. council offices, libraries, customer contact centres at Kidsgrove

Specific Consultee: Organisations named in the Town and Country Planning (Local Planning) (England) Regulations 2012 that the local planning authority is required to consult.

Statement of Community Involvement: A document adopted by a local planning authority which describes how the public, business and interest groups within a local authority area can get involved in plan-making and the decision-taking.

Supplementary Planning Documents (SPDs): Documents which add further detail to policies contained within Development Plan Documents. They can be used to provide further guidance for development on specific sites, or on particular issues,

such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.

Sustainability Appraisal: An assessment of the impacts of policies and proposals on economic, social and environmental issues, i.e. 'sustainable development'.

Sustainable Development: Development which contributes to meeting the long term economic and social needs of the community, whilst balancing this against the need to avoid creating an unacceptable long term impact on the environment.

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO

Cabinet
17 March 2020

Report Title: Irrecoverable Items 2020/21

Submitted by: Head of Finance (Section 151 Officer)

Portfolios: Finance and Resources

Ward(s) affected: All

Purpose of the Report

To consider items deemed irrecoverable.

Recommendation

That the items detailed at appendix be considered irrecoverable for the reasons stated and be written off.

Reasons

For a variety of reasons, from time to time, it is considered that certain items are unable to be recovered from debtors. When this occurs, it is necessary to write off these balances from the appropriate Council account records.

1. Background

- 1.1 For a variety of reasons, following the issue of accounts for amounts due to the Council, it is considered the debt is no longer able to be collected. Normally, these reasons follow from the debtor having been subjected to insolvency proceedings or other legal processes in respect of their debts or even the death of a debtor. There is then no further redress to recover the outstanding amounts and it is necessary to write off the outstanding balances from the Council's records.

2. Issues

- 2.1 Collection procedures in respect of business rates and council tax are operated in accordance with legislative guidelines. Other debts are collected by a variety of schemes, suitable to the type of account involved. Items are only ever considered for write-off following robust adherence to the appropriate collection policy.
- 2.2 Irrecoverable amounts are considered to be of a confidential nature and in order to comply with data protection regulations the details of the irrecoverable items that are the subject of this report are set out in the confidential appendix. It would also obviously be inappropriate to disclose information for instance about deceased debtors, with the potential for causing further distress to bereaved family members.
- 2.3 Where debts are in respect of commercial organisations, there is the potential in cases such

as administration that disclosure could jeopardise the potential recovery of the business in the long term.

3. **Proposal**

3.1 That the items listed at appendix be considered irrecoverable for the reasons stated and these balances be written off.

4. **Reasons for Proposed Solution**

4.1 The debts itemised in the confidential appendix are no longer considerable recoverable. Accounting regulations require that such items be periodically reviewed and written off.

5. **Options Considered**

5.1 None

6. **Legal and Statutory Implications**

6.1 Ultimately, sums of money owed to the Council can only be recovered through court proceedings. That requires bringing an action to prove the debt, so as to secure a judgement that the sum is owed. There are costs (court & legal fees and officer time) associated with that process which usually increase in tiers depending on the amount claimed.

6.2 Once judgement is secured, further court proceedings (incurring further associated costs) will be required if the sum secured in the judgement is not paid by the debtor. There are various enforcement methodologies that may be ordered in successful enforcement proceedings, all of which will incur additional costs to execute. However, none of those methods will bear fruit unless the debtor can be traced and owns assets that can be easily liquidated for a sum in excess of the amount of the judgement debt and the associated costs.

6.3 Thus a primary consideration is one of proportionality in terms of an evaluation of the level of debt against the likely cost of recovery, and the likelihood of identifying a traceable debtor who owns assets of the requisite value and liquidity. That analysis has been undertaken in respect of the debts proposed to be written off here.

6.4 It is essential that the council has in place systems that enable it to spot and log any trends in the way in which bad debts are arising, and which identify repeat bad debtors, so that it can take any prudent steps that may be available to it to avoid further bad debts arising.

7. **Equality Impact Assessment**

7.1 N/A

8. **Financial and Resource Implications**

8.1 The Council makes provision for unrecoverable sums and the amounts recommended for write-off are within the current budgeted bad debt provision.

8.2 The financial implications of Debtors accounts proposed for write off fall on the Council only. The debtors proposed for write off during the financial year 2020/21 is £156,742. There is budget provision of £30,000 for the write off of debtors accounts, however it is also proposed to utilise reserves from the Equipment Replacement Fund (ERF) of £126,742 in order to clear the outstanding debtors as some of them are of a considerable age and although extensive

recovery procedures have taken place they are still outstanding and now require to be written off.

8.3 The financial impact of National Non Domestic Rates accounts proposed for write off is shared between the Council (40%), Central Government (25%), Staffordshire County Council (34%) and the Staffordshire Fire and Rescue Service (1%) under the 75% Business Rates Retention scheme pilot for 2019/20. The National Non Domestic Rates accounts proposed for write off total £295,568 of this the Council's share amounts to £118,227, this amount forms part of the estimated deficit declared to preceptors on the National Non Domestic Rates Collection Fund which will be returned to the Council under Collection Fund accounting principles during 2021/22.

8.4 In addition to the above National Non Domestic Rates proposed for write off, New Look Distribution Centre have entered into a Company Voluntary Arrangement (CVA) in order to secure their business future due to Covid-19 and only 20% of their sales being online. As a result of this there is an uncollectable debt amounting to £1,699,840 in respect of the National Non Domestic Rates. As referenced above under the Business Rates Retention Scheme, 40% of this amount is attributable to the Council (£679,936). For 2020/21 Central Government have committed to compensating Local Government with 75% losses in Business Rates, as such £509,952 of the Council's share would form part of this compensation with the remaining £169,984 being attributable to the Council's share of the Collection Fund. As the forecast deficit on the Collection Fund for 2020/21 has been declared to preceptors in January and their repayments of this budgeted for in 2021/22, the £169,984 would not be repayable by the Council to the Collection Fund until 2022/23 under Collection Fund accounting guidance.

8.5 The financial impact of Council Tax accounts proposed for write off is shared between the Council (11.3%), Staffordshire County Council (71.8%), Staffordshire Police and Crime Commissioner (12.5%) and the Staffordshire Fire and Rescue Service (4.4%) in line with each preceptor's element of Council Tax charged. The Council Tax accounts proposed for write off total £42,167 Of this the Council's share amounts to £4,765 This amount forms part of the estimated deficit declared to preceptors on the Council Tax Collection fund which will be payable by the Council under Collection Fund accounting principles during 2021/22.

9. **Major Risks**

9.1 Failure to write off irrecoverable debts in a timely manner could potential lead to the Council overstating its income, leading to qualification of its annual accounts and associated reputational damage.

10. **UN Sustainable Development Goals (UNSDG)**

10.1 As the report relates to financial adjustments to the Council's accounts, there are no UNSDG implications.

11. **Key Decision Information**

11.1 This is not a key decision.

12. **Earlier Cabinet/Committee Resolutions**

12.1 N/A

13. **List of Appendices**

13.1 Appendix A – Irrecoverable Items 2020-21 (Part 2)

14. **Background Papers**

14.1 None



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 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 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**

Title of Report	Brief Description of Report	Cabinet Portfolio	Intended Decision Date	Relevant Overview & Scrutiny Committee	Wards Affected	Reason for Determining in Private Session (if applicable)
Irrecoverable Items	To note/authorise the writing off of irrecoverable debts	Finance & Efficiency	Cabinet 17 March 2021	Finance, Assets & Performance	All Wards	N/A
Economic Development Strategy Action Plan	To approve the economic development strategy action plan	Planning & Growth	Cabinet 17 March 2021	Economy, Environment and Place	All Wards	N/A
Kidsgrove Town Deal Update	To update on progress with the Kidsgrove Town Deal project	Corporate & Service Improvement, People & Partnerships	Cabinet 17 March 2021	Economy, Environment and Place	All Wards	N/A
Aspire Joint Partnership Proposal	To receive a proposal for joint working on housing delivery with Aspire	Corporate & Service Improvement, People & Partnerships	Cabinet 17 March 2021	Economy, Environment and Place	All Wards	N/A
Statement of Community Involvement	To approve an updated Statement of Community Involvement as part of the development of the Borough Local Plan	Planning & Growth	Cabinet 17 March 2021	Economy, Environment and Place	All Wards	N/A
Local Development Scheme	To approve an updated Local Development Scheme as part of the development of the Borough Local Plan	Planning & Growth	Cabinet 17 March 2021	Economy, Environment and Place	All Wards	N/A

Future High Street Fund Update	To report on progress with the Council's application for funding	Planning & Growth	Cabinet 21 April 2021	Economy, Environment and Place	All Wards	N/A
Recyclates Disposal Contract	To seek authority to award a recyclates disposal contract	Environment & Recycling	Cabinet 21 April 2021	Economy, Environment and Place	All Wards	N/A
Keele Golf Course Update	To update Cabinet on proposals for land at Keele Golf Course	Planning & Growth	Cabinet 21 April 2021	Economy, Environment and Place	All Wards	N/A
Playing Pitch Strategy	To approve a Playing Pitch Strategy for the Borough	Planning & Growth	Cabinet 21 April 2021	Economy, Environment and Place	All Wards	N/A
Planning Enforcement Policy Review	To receive an annual review of the Planning Enforcement Policy	Planning & Growth	Cabinet 9 June 2021	Economy, Environment and Place	All Wards	N/A
2020/2021 Outturn and Performance Report	To receive the outturn and performance report for 2020/2021	Finance & Efficiency	Cabinet 9 June 2021	Finance, Assets & Performance	All Wards	N/A

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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