

# Public Document Pack

**Date of meeting** Wednesday, 7th July, 2021  
**Time** 2.00 pm  
**Venue** Astley Room - Castle  
**Contact** Denise French 742211



**NEWCASTLE  
UNDER LYME**  
**BOROUGH COUNCIL**

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

## Cabinet

### AGENDA

#### PART 1 – OPEN AGENDA

- 1 APOLOGIES**
- 2 DECLARATIONS OF INTEREST**  
To receive declarations of interest from Members on items included in the agenda.
- 3 MINUTES OF A PREVIOUS MEETING** (Pages 3 - 7)  
To consider the Minutes of the meeting held on 9<sup>th</sup> June 2021.
- 4 WALLEY'S QUARRY UPDATE REPORT** (Pages 9 - 18)
- 5 PROVISIONAL FINANCIAL OUTTURN 2020/21** (Pages 19 - 25)
- 6 HOUSING STRATEGY 2021 - 25** (Pages 27 - 44)
- 7 FUTURE PROVISION OF TEMPORARY ACCOMMODATION** (Pages 45 - 51)
- 8 URBAN TREE PLANTING STRATEGY** (Pages 53 - 65)
- 9 ENCOURAGING GREATER USE OF PARKS AND OPEN SPACES** (Pages 67 - 70)
- 10 JUBILEE 2 - IMPROVEMENTS TO THE HEALTH AND FITNESS OFFER AT JUBILEE 2** (Pages 71 - 75)
- 11 FORWARD PLAN** (Pages 77 - 80)
- 12 URGENT BUSINESS**  
To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act 1972.
- 13 DISCLOSURE OF EXEMPT INFORMATION**

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

## **ATTENDANCE AT CABINET MEETINGS**

### **Councillor attendance at Cabinet meetings:**

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

### **Public attendance at Cabinet meetings:**

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

**Members:** Councillors Simon Tagg (Chair), Stephen Sweeney (Vice-Chair), Gill Heesom, Trevor Johnson, 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, 9th June, 2021  
Time of Commencement: 2.00 pm

**Present:-** Councillor Simon Tagg – Chair

Councillors Stephen Sweeney, Gill Heesom,  
Trevor Johnson, Paul Northcott and  
Jill Waring

Officers David Adams, Martin Hamilton, Simon  
McEneny, Daniel Dickinson, Denise  
French and Sarah Wilkes

### 111. APOLOGIES

There were no apologies for absence.

### 112. DECLARATIONS OF INTEREST

There were no declarations of interest stated.

### 113. MINUTES

**Resolved:** That the minutes of the meeting held on 21<sup>st</sup> April be approved as a correct record.

### 114. WALLEY'S QUARRY UPDATE REPORT

Cabinet considered a report on Walley's Quarry. The report outlined the background to the odour issues that had been experienced for a number of years around the vicinity of the Quarry site.

Since February 2021 there had been a step change in multi-agency working following a spike in complaints to both the Borough Council and Environment Agency. The council had also approved a specific budget of £50,000 to enable specialist advice to be secured and targeted work to take place.

The report set out the latest position regarding the odours, the action to regulate the site and actions being taken by the council including the serving of a letter before action on Walleys Quarry Ltd.

**Resolved:** That Cabinet:

(1) Notes that work to date by Council officers, supported by the efforts of other agencies, has ruled out the existence of any credible source of the borough odour problem other than Walleys Quarry, and once again calls on the operator of Walleys Quarry to accept its role in this issue and work to resolve it.

(2) Notes that a letter before action has been served on Walleys Quarry Ltd informing them of the Councils work regarding statutory nuisance and affording them the opportunity to provide to this Council any information to satisfy it that the company has an effective action plan and acceptable timeline in place to prevent the emission of regular, persistent and offensive odours detectable beyond the site boundary.

(3) Notes that any information received from Walleys Quarry Ltd to the letter before action will be considered after the expiry of the 14 day period for response, to inform the subsequent decision on the appropriateness of the Council serving a statutory abatement notice.

(4) Agrees that the Council continues to work with and support multi agency partner organisations in order to investigate and resolve the odour issues.

(5) Welcomes the proposal put forward by Councillor Derrick Huckfield and requests officers to evaluate the approach with the Environment Agency to inform future actions.

(6) Requests that officers prepare with Staffordshire County Council a letter to residents in affected areas highlighting the work of the two Councils

(7) Asks officers to investigate, in consultation with the portfolio holder, the case for establishing an emergency accommodation scheme for those with underlying health conditions in areas most affected by hydrogen sulphide emissions.

(8) Invites the Health, Wellbeing and Partnerships Scrutiny Committee to discuss the health issues arising from the gas odours from Walleys Quarry.

#### **115. KIDSGROVE SPORTS CENTRE REFURBISHMENT**

Cabinet considered a report on the refurbishment of Kidsgrove Sports Centre. The report noted that progress since the last report to Cabinet in March 2021 included:

- Confirmation from Willmott Dixon Construction Limited that the overall target cost for the scheme was £7.5m (which included all works undertaken to date).
- The Community Group had confirmed that the first five years of operation would require £480k of revenue support from the Council in the worst case scenario.
- The lease for the Sports Centre had been issued to the Community Group and agreed in principle.
- Successful discussions had taken place between the Community Group and the Kings Academy on sharing of facilities and the undertaking to jointly appoint a facilities manager who would work across both sites/operations.

**Resolved:** That Cabinet:

1. Notes the progress made on the project since the March 2021 Cabinet meeting in terms of scope, design and budget in consultation with the Kidsgrove Leisure Centre Community Group.

2. Notes that expenditure to date is £1.063m.

3. Notes that the Kidsgrove Town Deal funding allocation announced by MHCLG on the 3<sup>rd</sup> March including £2.45m towards the overall cost of the project has now been confirmed as guaranteed funding by MHCLG on 10.05.21.

4. Approves the overall capital cost of the project is £7.5m (which includes the works undertaken to date on site and the funding, including external funding sources, for the scheme is contained in section 8.1).

5. Approves the revenue support from the Council for the scheme for the first five years of the sport centre operation to the Community Group – Kidsgrove Sports Centre – is £480k worst case scenario.

6. That a further contract award is given to Willmott Dixon Construction Ltd for the amount of £6.437m to complete the works in readiness for opening in May 2022.

7. Authorises the Executive Director – Commercial Development and Economic Growth, in consultation with the Portfolio Holder, One Council, People and Partnerships to take such actions and enter such agreements as are reasonably necessary or prudent to ensure the refurbishment is complete and the centre operational by the target date.

**116. KNOTTON MASTERPLAN: REPORT ON PUBLIC CONSULTATION AND SUGGESTED AMENDMENTS TO THE DRAFT KNOTTON MASTERPLAN**

Cabinet considered a report on the outcome of public consultation on the draft Knutton masterplan. The consultation had taken place in January and February and the details were presented; there had been 93 responses received. The report set out a number of suggested amendments based on the outcome of the consultation.

**Resolved:** That

(1) The draft master plan be amended along the lines set out in section 3 of this report:

- to introduce 'traffic calming' at the entrance into Knutton from the west of Black Bank Road/ Knutton High Street,
- to introduce flood risk mitigation as part of the development of the Black Bank Road site,
- investment in shop frontages on the High Street,
- footpath and cycleway improvements,
- a reconfiguration of the proposed Acacia Avenue play facilities, and
- a more ambitious range of use and activities of the proposed Village Hall.

(2) A further report be made shortly on the level of funding offered to the Newcastle Town Deal Board which will have a significant bearing on the financial implications to the Borough Council in implementing the proposed investment in Knutton set out in the master plan.

**117. PROPOSED EXTENSION TO NEWCASTLE CREMATORIUM GROUNDS AND DEVELOPMENT OF ADJACENT LAND OFF CHATTERLEY CLOSE**

Cabinet considered a report on a proposed extension to Newcastle Crematorium grounds and development of land off Chatterley Close. The proposals had been subject to consultation which had generated 153 responses which were summarised in the report and attached in full as an appendix. A petition of 1700 signatures had been received. The subject had also been considered by Finance, Assets and Performance Scrutiny Committee whose views were included in the report.

**Resolved:** That Cabinet

(1). Notes the comments received following consultation with appropriate stakeholders along with observations received from the Finance, Assets and Performance Scrutiny Committee.

(2). Agrees to allocate space for the Crematorium extension and direct officers to look at options to finance the associated extension scope of works.

**118. RECYCLING MATERIAL PROCESSING CONTRACTS**

Cabinet considered a report on the tender process for the contract to process Dry Mixed Recyclate and recommending a process to market and sell separated paper and card (fibre) collected through the kerbside recycling service.

**Resolved:** That

1. The contract for processing Dry Mixed Recyclate is awarded to bidder C with a contract start date of the 1<sup>st</sup> April 2022, for a three year term, with an option to extend by three, one year extensions, subject to satisfactory performance as deemed by the Council, or the completion of the proposed Staffordshire Material Recovery Facilities.
2. The proposed formal process to market and contract the sale of fibre (mixed paper and card) is agreed and implemented

**119. LOCAL PLANNING ENFORCEMENT PLAN - ONE YEAR UPDATE**

Cabinet considered a report on progress to date with the updated Local Planning Enforcement Plan following adoption in 2020.

**Resolved:** That the continued use of the Local Planning Enforcement Plan in the Borough be approved and a second review of the Plan be undertaken in June 2022.

**120. PROPOSED COMPULSORY PURCHASE ORDER - 12 CHEDDAR DRIVE, NEWCASTLE, STAFFORDSHIRE, ST5 6QR**

Cabinet considered a report on an empty property in Newcastle under Lyme. The council had carried out extensive work but had been unable to identify an owner or next of kin. It was proposed that the property be purchased by the council.

**Resolved:** That the Executive Director – Commercial Development & Economic Growth be authorised to work up proposals to compulsorily acquire 12 Cheddar Drive, Newcastle, Staffordshire, ST5 6QR under Part II and section 17 of the Housing Act 1985

**121. FINANCE AND PERFORMANCE REVIEW REPORT - FOURTH QUARTER JANUARY - MARCH (2020-2021)**

Cabinet considered the regular finance and performance monitoring review report. The report related to the fourth quarter of 2020/21 – January – March 2021. The performance report continued to reflect the impact of Covid particularly in relation to J2, museum, car parking and markets. The unmet call volumes was high due to increased activity during the quarter including due to the census, annual Council Tax bills, elections and ongoing Covid related queries.

**Resolved:** That the contents of the report and 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.

**122. PROCUREMENT OF A FINANCIAL TRANSACTION AND LEGAL CASE MANAGEMENT SYSTEM**

Cabinet considered a report on the re-procurement of financial transaction and legal case management systems. The decision had been taken under urgency powers as explained in the report.

**Resolved:** That the decision taken under urgency powers be noted.

**123. 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.

124. **URGENT BUSINESS**

There was no Urgent Business.

125. **DISCLOSURE OF EXEMPT INFORMATION**

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

126. **PROCUREMENT OF A FINANCIAL TRANSACTION AND LEGAL CASE MANAGEMENT SYSTEM - CONFIDENTIAL APPENDIX**

Cabinet considered the background detail to the procurement of a financial transaction and legal case management system which had been taken under urgency powers.

**Resolved:** That the background detail relating to the decision taken under urgency powers be noted.

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

Meeting concluded at 3.17 pm

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## NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

### EXECUTIVE MANAGEMENT TEAM'S REPORT TO CABINET

7 July 2021

**Report Title:** Walleys Quarry Update Report

**Submitted by:** Chief Executive

**Portfolios:** Environment & Recycling; One Council, People & Partnerships

**Ward(s) affected:** All

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

To provide Cabinet with a further update regarding ongoing work to address problem odours in the Borough associated with Walleys Quarry.

#### **RECOMMENDATIONS**

**Cabinet is recommended to:**

- (1) Note that a response has been received to the letter before action, served on Walleys Quarry Ltd, which was not, in the view of Officers, sufficient to address the concerns raised.**
- (2) Note that despite the works that have taken place at Walleys Quarry landfill site, a significant level of complaints continue to be received from residents of the Borough and air monitoring data continues to show odour levels in exceedance of annoyance levels.**
- (3) Agree to hold a Special Cabinet Meeting on 21<sup>st</sup> July 2021 to carefully consider all of the evidence collated to date, and receive advice on whether or not an Abatement Notice should be served, and consider the financial implications of this.**
- (4) Progress the next steps in developing a temporary respite accommodation scheme including requesting financial support for the scheme from Government.**
- (5) Note the formation of the SCG and agree that the Council continues to work with and support multi agency partner organisations in order to investigate and resolve the odour issues.**
- (6) Prepare an update report for the Full Council Meeting on 21<sup>st</sup> July 2021.**

#### **Reasons**

To ensure that Cabinet are aware of the latest position regarding this high priority area of work and make arrangements to consider what next steps need to be taken.

#### **1. Background**

- 1.1 Previous reports have detailed how, for a number of years, parts of the borough have suffered from problematic foul odours, widely believed to come from the Walley's Quarry Landfill Site. The site is in Silverdale and is operated by Walleys Quarry Ltd which is part of the RED Industries group of companies. Addressing this issue has been a priority for the current administration, with a specific

budget of £50,000 agreed in February to enable specialist advice to be secured and targeted work to be undertaken.

1.2 The Environment Agency is the lead regulator for such sites, testing and enforcing compliance with the permit under which the site operates. The Council also has a role in influencing the operation and performance of such sites, where an operator fails to comply with actions required under an abatement notice issued by the Council in relation to any statutory nuisance caused by the site. Issuing an abatement notice may enable enforcement action to be taken in respect of future breaches.

1.3 At the last meeting of the Cabinet, a number of actions were agreed as follows:

- (1) Note that work to date by Council officers, supported by the efforts of other agencies, has ruled out the existence of any credible source of the borough odour problem other than Walleys Quarry, and once again calls on the operator of Walleys Quarry to accept its role in this issue and work to resolve it.
- (2) Note that a letter before action has been served on Walleys Quarry Ltd informing them of the Councils work regarding statutory nuisance and affording them the opportunity to provide to this Council any information to satisfy it that the company has an effective action plan and acceptable timeline in place to prevent the emission of regular, persistent and offensive odours detectable beyond the site boundary.
- (3) Note that any information received from Walleys Quarry Ltd to the letter before action will be considered after the expiry of the 14 day period for response, to inform the subsequent decision on the appropriateness of the Council serving a statutory abatement notice.
- (4) Agreed that the Council continues to work with and support multi agency partner organisations in order to investigate and resolve the odour issues.
- (5) Welcomed the proposal put forward by Councillor Derrick Huckfield and requests officers to evaluate the approach with the Environment Agency to inform future actions.
- (6) Request that officers prepare with Staffordshire County Council a letter to residents in affected areas highlighting the work of the two Councils
- (7) Ask officers to investigate, in consultation with the portfolio holder, the case for establishing an emergency accommodation scheme for those with underlying health conditions in areas most affected by hydrogen sulphide emissions.
- (8) Invite the Health, Wellbeing and Partnerships Scrutiny Committee to discuss the health issues arising from the gas odours from Walleys Quarry.

1.4 This report summarises both the latest position following a detailed report at your last meeting regarding the odours, action to regulate the Walleys Quarry site, and the actions being taken by the Council.

## 2. **Issues**

2.1 Since the incident on the 26-28 February, and the subsequent Council debate, there continues to be a step change in multi-agency working regarding the landfill operation, associated odours, and in particular the potential impact on health. Agencies involved in overseeing aspects of the local impact of the landfill continue to have been in regular meetings, as well as senior level meetings between the Council and the Environment Agency. A concerted focus on the issue has enabled progress to be made in a number of key areas, as summarised in the last report.

### **Complaints**

2.2 Complaints of foul odours escaping from the site continue to be made by residents to both the Council and the Environment Agency. Table 1 below shows complaints made since January 2021, reflecting the major spike in complaints at the end of February 2021.

In the first 6 months of 2021 the Council has received a total of 17,638 complaints, and the Environment Agency 29,712. The Council routinely shares anonymised complaints with the landfill operator so that they can be aware of and address community concerns. In some cases the same complaint will have been submitted to both the Environment Agency and the Borough Council.

Crucially, whilst complaint levels appear to have decreased, they continue at a level which indicates that the issue with odours escaping the site have not abated and continue to have a negative impact on residents.

Complaints To	January 2021	February 2021	March 2021	April 2021	May 2021	June 2021 To date	Total Year to Date
Council*	921	3,263	4,799	3,316	3,466	1,873	17,638
Environment Agency	2,050	4,098	6,347	6,181	8,482	2,554	29,712

\*verification of complaints data has been undertaken since the last reported figures.

### Update Council Activity in relation to the Odour Problems

2.3 At the last meeting it was reported that a Letter before Action had been served on the operator, Walleys Quarry Ltd to give the company the opportunity to provide to this Council any information to satisfy it that the company has an effective action plan and acceptable timeline in place to prevent the emission of regular, persistent and offensive odours detectable beyond the site boundary.

Cabinet noted that any information received from Walleys Quarry Ltd to the letter before action would be considered after the expiry of the 14 day period for response, to inform the subsequent decision on the appropriateness of the Council serving a statutory abatement notice.

A response to the Council's letter has been received from Walleys Quarry Ltd. Whilst the Officer's view at this stage is that its content was not sufficient to address the concerns put to Walleys Quarry Ltd, it will be considered alongside the full range of information and evidence that is currently being prepared to establish whether there is a case for an Abatement Notice to be served.

2.4 In terms of progress made against the actions agreed at your last meeting, this is set out below:

- That the Council continues to work with and support multi agency partner organisations in order to investigate and resolve the odour issues.

The Council continues to be engaged in a multi-agency effort to secure co-ordinated action to address the issues related to Walleys Quarry. This work has involved colleagues from Environment Agency, Staffordshire County Council, Public Health England and the Clinical Commissioning Group.

A review of this work has been completed and in recognition that the issue has not yet been resolved, as well as the additional wider support and funding that may be required, a decision was made to move to a Strategic Co-ordinating Group structure to co-ordinate the partnership response to the ongoing incident.

- Welcome the proposal put forward by Councillor Derrick Huckfield and requests officers to evaluate the approach with the Environment Agency to inform future actions.

The proposal put forward by Cllr Huckfield has been evaluated and consists of steps to close the site, manage the gas and leachate removal infrastructure, manage dust and restore the site. With the exception of site closure, the effective management of gas, leachate and dust from the site are actions that sit with the EA are in their role of principle regulator.

The Environment Agency has also been engaged in respect to these proposals which also includes the question of the potential impact of a geological fault, which is in the vicinity of the landfill. A response from the EA is expected in respect of that latter point.

- Request that officers prepare with Staffordshire County Council a letter to residents in affected areas highlighting the work of the two Councils

Following the updating of health advice regarding the situation with Walleys Quarry, a multi-agency news release was produced highlighting the changed advice and the community engagement event arranged where the work of all agencies could be highlighted.

- Ask officers to investigate, in consultation with the portfolio holder, the case for establishing an emergency accommodation scheme for those with underlying health conditions in areas most affected by hydrogen sulphide emissions.

Investigations into options for the provision of temporary respite accommodation have been undertaken and a proposal prepared that would allow eligible residents to make use of a respite accommodation scheme. If implemented, the scheme envisages:

- Scheme open to any Newcastle-under-Lyme resident, and any family members with whom they live, whose GP confirms they have a health condition which is being adversely impacted by the odours from Walleys Quarry to the extent that short term respite is required;
- Respite for 1 two day break in any 6 month period;
- Respite accommodation to be in Staffordshire, to support local economy;
- Respite accommodation to be either 2-3 Star on Dinner, Bed, and Breakfast basis OR 2-3 Star Self Catered;
- Scheme to run for one year.

The case for respite accommodation is well understood in the arena of social care in providing positive impacts on mental health and personal resilience, and a scheme used by Highways England to provide relief for householders adjacent to certain major highways works is being researched to establish whether it provides a useful precedent.

The costs of the scheme which has been outlined is significant and for that reason it is proposed to seek urgent financial support from the Government to allow the scheme to be delivered.

- Invite the Health, Wellbeing and Partnerships Scrutiny Committee to discuss the health issues arising from the gas odours from Walleys Quarry.

Arrangements are being finalised for a joint scrutiny to be undertaken by the relevant Members from Staffordshire County Council and Newcastle-under-Lyme Borough Council to be held in Newcastle. It is envisaged that representatives from Staffordshire County Council Public Health, Public Health England and the local Clinical Commissioning Group will be in attendance.

- 3.1 The Council, Staffordshire County Council, and the Environment Agency are jointly funding a campaign of air quality monitoring which will run until August utilising four static air monitoring stations. Data from these stations is reviewed to provide information in relation to two standards relating to Hydrogen Sulphide (H<sub>2</sub>S) – the WHO Health threshold and the WHO annoyance threshold, with this analysis published by stakeholders.
- 3.2 Hydrogen sulphide concentrations were above the World Health Organization’s odour annoyance guideline level (7 µg/m<sup>3</sup>, 30-minute average) for the following percentages of each week:

Location	19/4 – 25/4	26/4- 2/5	3/5 – 9/5	10/5- 16/5	17/5- 23/5	24/5 – 30/5	31/5 – 6/6	7/6 – 13/6	14/6 – 20/6	21/6 – 27/6	28/6 – 4/7
MMF1 - Silverdale Cemetery	18%	4%	6%	15%	1%	7%	30%	1%	11%	2%	
MMF2 - Silverdale Road	8%	10%	21%	20%	9%	15%	1%	10%	7%	1%	
MMF6 - NuL Fire Station	4%	13%	6%	1%	10%	16%	6%	10%	9%	4%	
MMF9 - Galingale View	21%	35%	48%	10%	53%	47%	18%	19%	13%	12%	

- 3.3 From this data it is apparent that whilst the periods when the annoyance level has been in exceedance has reduced overall, there remained potential for significant odour complaints to occur over these periods, with the Galingale View area remaining the most significantly impacted.

Although the EA has ensured the operator has undertaken significant improvements to gas capture, capping and leachate management, It is considered premature to view the reductions in gas detected at the monitoring stations as a permanent reduction in gas escaping from the landfill. There may be seasonal atmospheric factors in play that reduce the detection of H<sub>2</sub>S gas at this time of year. Further measures such as on site gas emission testing will be necessary to determine whether there has been a significant reduction of gas escaping the landfill.

### Odour Nuisance Investigations

- 4.1 The Council’s environmental health officers have been following up complaints to establish whether a statutory odour nuisance exists under the provisions of section 79 of the Environmental Protection Act 1990.

Work is now focusing on the collation and assessment of a range of potential evidence sources that will be used to consider whether a Statutory Abatement Notice should be served on Walleys Quarry Ltd. before the end of July.

## 5. Environment Agency Enforcement Action

- 5.1 The Environment Agency are engaged in a programme of compliance checking and enforcement activity relating to the Walleys Quarry site, with the priority objective of addressing the odour issues associated with the site experienced by the community.

## 5.2 Actions Required by the Environment Agency (EA) of Walleys Quarry Ltd

Since your last meeting, the EA have issued further updates on regulatory and enforcement action:

- EA 24<sup>th</sup> June update: *We have held a meeting with the operator to discuss gas management on the site and have agreed an action plan to improve gas containment and collection to further reduce odour. An additional 500 cubic metres per hour of landfill gas is now being collected and managed by the gas plant since February following the works which have been completed on site. This included additional capping, the installation of additional gas extraction wells and better sealing of the gas wells. Further capping on the flanks of the landfill is expected to commence mid-July.*

*We have recently installed continuous water quality monitors downstream of the landfill and are also in the process of installing an additional monitor upstream of the site. The monitors will allow us to obtain live data on some key water quality parameters remotely. We know this has been a local concern and will allow us to monitor water quality in the local area continuously. Currently the landfill is not discharging to the local watercourse.*

- EA 17<sup>th</sup> June update: *We have assessed monitoring data submitted by the operator for Quarter 1. As part of this process we have recorded three minor breaches. These include:*

*Breaches of the permitted limits for leachate levels within the landfill. The company submitted an application in July 2020 to increase their permitted leachate level limits. We are currently considering their application.*

*The methane limit was exceeded at two boreholes. This was a minor exceedance of the limit which is 1%. The recorded level was 1.8%. Additional monitoring has been instigated to monitor this.*

*The company failed to monitor all the leachate points as required by their permit and one groundwater point which was reported as blocked. In response to these breaches we have issued the company with a compliance assessment report (CAR) that details action that they need to take by 25<sup>th</sup> June 2021.*

- EA 10<sup>th</sup> June update: *WLQ are continuing to work on the necessary actions from the Environment Agency's recent compliance assessment reports. As a result the operator has identified areas suitable for additional sealing works to reduce the odour. This will see a further 17,200m<sup>2</sup> of uncapped areas sealed. Additional sealing would help to reduce the odour by ensuring it doesn't escape and instead is captured by the gas wells.*

- EA 1<sup>ST</sup> July update: *Walleys Quarry Limited is currently working to deliver the actions we've instructed them to carry out to manage the odour and landfill gas originating from the site. This includes:*

*An action plan to improve the gas management and gas collection. This will see a further 22 gas collection wells drilled across the site over the coming months bringing the total to 77 gas wells.*

*Activity to cap the steep flanks of the landfill. This means nearly 70% of the site will be permanently or temporarily capped. Capping is important as landfill gas from the site needs to be better 'contained' on the site, rather than escaping off the site. Once contained, it can be processed and destroyed through the gas management system.*



- *Walleys Quarry Limited raised concerns about a potential other source of hydrogen sulphide on the 25 March. Following that, the Environment Agency, along with the Coal Authority and Severn Trent Water investigated the issue and found no evidence of another source. On the 22 June we received a further, more detailed report from the operator on other potential sources of hydrogen sulphide in the vicinity of the landfill. We welcome this report from Walleys Quarry Limited and will now consider its findings.*
- *In March, we instructed the operator to permanently cap cell one and temporarily cap cell two, install further gas wells and better seal existing gas wells. This work now means an additional 500 cubic metres per hour of landfill gas is collected and managed, on top of the levels already being managed on the site. Previously this landfill gas may have been escaping off the site.*
- *The Environment Agency has deployed significant resources to monitor emissions in the air around Walleys Quarry. Our 4 mobile monitoring facilities (MMFs) monitor for hydrogen sulphide and other chemicals including benzene, toluene, ethylbenzene and xylene (BTEX). These are some of the most commonly produced chemicals in the world and are seen at low levels almost everywhere in the country. Our raw monitoring data has so far shown low levels of BTEX, in the vicinity of the Walleys Quarry. We have agreed with our partners to produce the full BTEX data set in the final report at the end of the monitoring exercise.*

The current focus of the remedial work being required by the Environment Agency remains consistent with the issues identified by the Council's own advisors as being necessary to bring the odour problems under control.

## **6. Health Surveillance**

- 6.1 The data provided to Public Health England (PHE), by the Environment Agency (EA) have been compared to available health-based air quality guidelines and standards or assessment levels for hydrogen sulphide, particulate matter, nitrogen dioxide and methane. Where the concentrations in air are shown to be lower than appropriate health-based standards or guidelines, it may be assessed that the risk to health is minimal.

The 24-hour average guideline value for hydrogen sulphide was exceeded at MMF9 on two days during the monitoring period: 7 and 8 March 2021, the highest of which was 202 µg/m<sup>3</sup>. Exposure to concentrations of hydrogen sulphide above the WHO 24-hour guideline value does not necessarily mean eye irritation or other health effects will occur, but it reduces the margin of safety that is considered desirable to protect health.

The current hydrogen sulphide data up to the end of May shows continuing exposure to the population around the site, although any risk to long-term physical health is likely to be small. However, we would stress that we cannot completely exclude a risk to health from pollutants in the area, especially if exposure continues at these levels. Short-term health effects may be experienced such as irritation to the eyes, nose and throat. People who have health conditions that affect breathing, such as asthma, may experience increased frequency and/or severity of symptoms.

It is important however, to note public concerns in relation to odours. The human nose is very sensitive to odours, and substances that are perceived as odorous are commonly present at levels below which there is a direct toxicological effect. Odours can cause nuisance amongst the population possibly leading to stress and anxiety. Some people may experience symptoms such as nausea, headaches or dizziness, as a response to odours even when the substances that cause those smells are themselves not harmful to physical health.

Staffordshire County Council are maintaining an online “Symptom Tracker” to enable residents to log any health impacts which they are experiencing, and work is ongoing with Keele University to review existing health data to identify whether there are any identifiable changes in GP or other medical presentations which correlate to the impact of the landfill operation.

## **7. Proposal**

### **7.1 That Cabinet:**

- (1) Note that a response has been received to the letter before action, served on Walleys Quarry Ltd, which was not, in the view of Officers, sufficient to address the concerns raised.
- (2) Note that despite the works that have taken place at Walleys Quarry landfill site, a significant level of complaints continue to be received from residents of the Borough and air monitoring data continues to show odour levels in exceedance of annoyance levels.
- (3) Agrees to hold a Special Cabinet Meeting on 21<sup>st</sup> July 2021 to carefully consider all of the evidence collated to date, and receive advice on whether or not an Abatement Notice should be served, and consider the financial implications of this.
- (4) Progress the next steps in developing a temporary respite accommodation scheme including requesting financial support for the scheme from Government.
- (5) Note the formation of the SCG and agree that the Council continues to work with and support multi agency partner organisations in order to investigate and resolve the odour issues.
- (6) Prepare an update report for the Full Council Meeting on 21<sup>st</sup> July 2021.

## **8. Reasons for Proposed Solution**

- 8.1 To ensure that Cabinet are aware of the latest position regarding this high priority area of work and make arrangements to consider what next steps need to be taken.

## **9. Options Considered**

- 9.1 Consideration has been given to a variety of forms of monitoring and enforcement activity, however the expert advice secured has informed the direction selected.

## **10. Legal and Statutory Implications**

- 10.1 The Environmental Protection Act 1990, section 79 is the legislation concerned with statutory nuisances in law. This is the principal piece of legislation covering the Council’s duties and responsibilities in respect of issues relating to odour nuisance
- The Environmental Protection Act 1990, section 79 sets out the law in relation to statutory nuisance. This is the principal piece of legislation covering the Council’s duties and responsibilities in respect of issues relating to odour nuisance.
  - The relevant part of Section 79 defines a statutory nuisance as any smell or other effluvia arising on industrial, trade or business premises which is prejudicial to health of a nuisance. The Council is responsible for undertaking inspections and responding to complaints to determine whether or not a statutory nuisance exists.
  - Where a statutory nuisance is identified or considered likely to arise or recur, section 80 of the Act requires that an abatement notice is served on those responsible for the nuisance.



The abatement notice can either prohibit or restrict the nuisance and may require works to be undertaken by a specified date(s).

- There is a right of appeal against any abatement notice issued on a number of grounds, one of which is that the site operator is using “best available techniques” to prevent the odours complained of. Compliance with the Environmental Permit issues by the Environment Agency, and any actions required by the Environment Agency will often be sufficient to demonstrate that an operator is using “best available techniques” and that can result in an abatement notice being quashed on appeal.
- The appeal process represents a significant resource commitment for the council in both time and expense, so it is important for the Council to be content that it stands a reasonable prospect of defending an appeal against any abatement notice that it issues.
- If the council succeeds in securing an abatement notice following any appeal process, it is then a criminal offence to breach the terms of the abatement notice. Because the site is regulated by the Environment Agency under an Environmental Permit, the council would need to obtain the consent of the Secretary of State before it is able to prosecute any offence of breaching an abatement notice.

## 11. Equality Impact Assessment

- 11.1 The work of the Council in this regard recognises that the problematic odours in the area may impact on some groups more than others. The work is focussed on removing this impact.

## 12. Financial and Resource Implications

- 12.1 None directly arising from this report, however the adoption of a temporary respite accommodation scheme has significant financial implications, in the range of £525k – £1.03m dependant on take-up, which is currently unaffordable if the Council were required to fund the costs itself. For that reason it is proposed to seek urgent financial support from the Government to allow the scheme to be delivered

## 13. Major Risks

- 13.1 While the complaints from the public remain at their current level, the Council faces a reputational risk in terms of the public perception of the action it takes to reduce the harm experienced by the public. It needs to balance that risk against the risk of issuing an abatement notice in circumstances where it does not stand a reasonable prospect of succeeding in any appeal against any notice that it issues.
- These risks are best abated by the Council continuing to work alongside its partner agencies to shape action taken by the Environment Agency as the primary regulator of the site and to encourage all partners to play active roles in addressing this issue.

## 14. Unsustainable Development Goals (UNSDG)





## 15. Key Decision Information

15.1 This is not a Key Decision.

## 16. Earlier Cabinet/Committee Resolutions

16.1 This matter has been variously considered previously by Economy, Environment & Place Scrutiny Committee, Council and most recently, Cabinet on 21<sup>st</sup> April 2021 and 9<sup>th</sup> June 2021.

## 17. List of Appendices

None

## NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

### EXECUTIVE MANAGEMENT TEAM'S REPORT TO

Cabinet  
07 July 2021

**Report Title:** Provisional Financial Outturn 2020/21

**Submitted by:** Head of Finance (Section 151 Officer)

**Portfolios:** Finance, Town Centres and Growth

**Ward(s) affected:** All

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

To report upon the provisional financial outturn for 2020/21. The report highlights key issues, including a commentary on the General Fund outturn, the Collection Fund, the Capital Programme and the Council's reserves.

#### **Recommendation**

**1. The provisional General Fund outturn and key issues in respect of the Council's financial position as at 31 March 2021 be noted.**

#### **Reasons**

Regular reporting of the Council's financial position is a key discipline supporting sound financial management and corporate governance.

#### **1. Background**

- 1.1 Regulations, extending the audit publication deadline for the Statement of Accounts to 30 September for 2 years, came into force on 31 March 2021. At the close of this period a review will be undertaken to determine whether there is a continued need to have an extended deadline.
- 1.2 The regulations require the draft Statement of Accounts to be published on or before 1 August. This in turn means that they will be made available for public inspection during the first 10 working days of August.
- 1.3 The draft Statement of Accounts for 2020/21 will be presented to the Audit and Standards Committee for approval on 26 July 2021. The external audit will commence during the week commencing 19 July 2021, primarily for the selection of samples and will be completed during the period 6 September 2021 to 30 September 2021.
- 1.4 The final Statement of Accounts will be presented to the Audit and Standards Committee for approval on 27 September 2021.
- 1.5 This report focuses on reporting the provisional outturn position and the key elements of the Council's provisional financial position as at 31 March 2021.

## 2. Issues

### **The General Fund Outturn**

- 2.1 The General Fund is the main revenue account of the Council and relates to all of those services which are funded by the Council Tax, Retained Business Rates and Government Grant.
- 2.2 The COVID pandemic has had a significant impact on the Council's financial position through a mixture of lost income and additional costs. For 2020/21 Government COVID funding of £2.328m has been secured (including £346k of new burdens funding to offset the costs of administering Coronavirus business support grant, hardship relief, and self-isolation grant schemes), this has significantly reduced the pressures of additional spending and pressures on the futureproof of the Council finances.
- 2.3 Further Government funding to assist with the Council's response to the Coronavirus has also been secured during 2020/21 in relation to rough sleepers (£0.196m), outbreak control (£0.179m), enforcement (£0.061m) and the reopening of the high street (£0.115m).
- 2.4 The Council's revenue budget relies on service income from fees and charges of around £850k per month across a wide range of services, with a significant proportion coming from J2 and car parking. Income losses from fees and charges for the financial year have amounted to £3.075m, net of furlough scheme assistance of £0.197m.
- 2.5 The Government announced that it will fund income losses, relating to irrecoverable fees and charges, above the first 5% at the rate of 75p in the pound for 2020/21, which again has significantly insulated the Council from income related financial risks. The Government's income compensation scheme will offset these income losses to the sum of £1.994m.
- 2.6 Additional expenditure pressures have inevitably been incurred as a result of the COVID-19 pandemic. These amount to £1.865m for 2020/21 (excluding the provision of services/activity for which specific funding has been received).
- 2.7 Expenditure has been reduced wherever possible throughout the Council to ensure that only absolutely necessary spending has been incurred, this has helped to reduce the adverse variance on a service by service basis.
- 2.8 The Council approved a General Fund Revenue Budget of £15.690m on 19 February 2020. The provisional outturn is a favourable variance of £0.005m against this budget.
- 2.9 A number of adverse variances have occurred, these include:
  - a. Income shortfalls from sales, fees and charges which are eligible for partial reclaim via the Income Losses Scheme, these amount to £3.075m for the financial year.
  - b. Additional expenditure pressures as a result of the COVID-19 pandemic amount to £1.865m (a further £551k has been spent regarding the provision of services/activity for which specific funding has been received).

These include Waste and Recycling (£798k disposal costs and hire of vehicles to allow social distancing) and a top up of the general fund reserve to its minimum level regarding the 2019/20 deficit of £0.207m.

- c. Housing Benefits payments made by the Council which are not fully subsidised by the Department of Works and Pensions, mainly around the provision, often emergency, of accommodation for vulnerable and homeless people, the shortfall from this and the under recovery of overpayments will amount to £0.450m for 2020/21.

2.10 These adverse variances have been offset in full by the following favourable variances:

- a. Government Funding to offset pressures that the Council has/will continue to face as a result of the COVID-19 pandemic, £3.076m has been received or is due for the financial year (£551k relates to the specific provision of services/activity and £196k relates to Furlough).
- b. The Council will be reimbursed £1.994m in relation to the Income Losses scheme for eligible sales, fees and charges income shortfalls for the year.
- c. Expenditure has been reduced wherever possible throughout the Council to ensure that only absolutely necessary spending is being incurred, this has helped to reduce the adverse variance on a service by service basis.

### **Flexible Use of Capital Receipts**

2.11 The former Interim Executive Director of Resources and Support Services informed the Ministry of Housing, Communities and Local Government by letter on 5 December 2019 of the Council's intention to make flexible use of up to £0.400m of capital receipts in the financial year 2020/21. The flexible use of capital receipts has been utilised in 2020/21 for expenditure to a value of £0.400m that meets the eligibility criteria, in that it relates to initiatives (Digital Delivery - £0.099m, New Recycling Services - £0.151m and the time of existing staff in preparing the One Council Programme - £0.150m), that are forecast to generate, or have generated, on-going revenue savings through reducing the costs of service delivery.

### **The Collection Fund**

2.12 Local tax income is collected by billing authorities and paid into local 'collection funds' (the Council is a billing authority). Where there is a shortfall in tax receipts (compared to expected levels), this leads to a deficit on the collection fund. Billing and major precepting authorities are usually required to meet their share of any deficit during the following financial year.

2.13 In response to forecast shortfalls in tax receipts relating to COVID-19 (primarily incurred regarding additional Council Tax Support, Business Rates reliefs and Business Rates bad debts), the government has announced that repayments to meet collection fund deficits accrued in 2020- 21 will instead be phased over a three-year period (2021-22 to 2023-24) to ease immediate pressures on future budgets. The phased amount will be the collection fund deficit for 2020-21 as estimated on the 15 January 2021 for council tax and in the 2021-22 NNDR1 for business rates.

2.14 It was announced as part of the Local Government Finance Settlement that there would be an equitable sharing of irrecoverable local taxation collection losses between local authorities and the Treasury. The government intends to use a scheme similar to the income compensation and cover 75% of local government's collection fund deficits, with a small number of exclusions.

2.15 The shortfalls in tax receipts for 2020/21, and the forecast repayments under this scheme are shown below:

Tax	Total Deficit Forecast	Council's Share	Repayable 2021/22	Repayable 2022/23	Repayable 2023/24
Council Tax	£1.119m	£0.134m (11.8%)	£0.048m	£0.043m	£0.043m
Business Rates	£18.500m	£7.400m (40%)	£5.375m	£1.013m	£1.012m
Business Rates Section 31 Measures (above budgeted)	(£13.343m)	(£5.337m) 40%	(£5.337m)	-	-
<b>Total</b>	<b>£6.276m</b>	<b>£2.197m</b>	<b>£0.086m</b>	<b>£1.056m</b>	<b>£1.055m</b>
<b>75% Income Compensation</b>	<b>N/A</b>	<b>(£1.394m)</b>	<b>(£0.086m)</b>	<b>(£1.056m)</b>	<b>(£0.252m)</b>
<b>Levy Saving (Pooling)</b>	<b>N/A</b>	<b>(£0.537m)</b>	<b>-</b>	<b>-</b>	<b>(£0.537m)</b>
<b>Remaining Repayment</b>	<b>N/A</b>	<b>£0.266m</b>	<b>-</b>	<b>-</b>	<b>£0.266m</b>

## Reserves

2.16 The Council has usable revenue reserves totalling £13.510m. The main items, with their balances at 31 March 2021, and a comparison to the balances forecast per the 2021/22 budget setting, are:

Reserve/Fund	Balance 31.03.21 (£'000's)	Balance Forecast Budget Setting (£'000's)	Variance (£'000's)	Comments
General Fund	3,000	3,000	-	Unforeseen adverse events. Approved balance of £3.000m
Income Contingency	100	100	-	To manage year to year income variations. Approved balance of £0.100m
Equipment Replacement	48	23	25	Replacement of Environmental Heath equipment, contribution to Cremator Maintenance
Budget Support – General	286	-	286	Funding committed to during 2020/21 to be utilised in 2021/22
Budget Support – Planning Policy	375	360	15	To provide funding for the Borough Local Plan
Budget Support – Housing	81	-	81	Homelessness funding to be utilised in future periods
Borough Growth	70	70	-	To fund investment in corporate priorities
Conservation & Heritage	26	27	(1)	To provide repair grants to owners of historic buildings
Mayor's Charity	4	-	4	To hold funds on behalf of the Mayor's charity

Museum Purchases	178	-	178	Balance held to be utilised on Museum capital project
Business Rates	9,275	6,549	2,726	£7.268m transferred into reserve (Section 31 grant, Tax Income Losses grant and levy saving) to offset 2020/21 deficits repayable in future years (£7.400m). £0.220m held as business rates contingency. £1.655m held as contingency re. forthcoming fair funding review
Keele Master Plan	8	-	8	To meet the costs of the Keele master planning exercise
Elections	50	50	-	To provide budget on a 4 year cycle for Borough Elections
Clayton Community Centre	9	9	-	Sinking fund held on behalf of Committee (contributions made by Committee)
<b>Totals</b>	<b>13,510</b>	<b>10,188</b>	<b>3,322</b>	

2.17 The General Fund Balance is £3.000m as at 31 March 2021, an increase from £1.448m as at 31 March 2020. The amount required to be held in this reserve is assessed each year when the revenue budget is compiled, by identifying and quantifying the risks applicable to the revenue budget and using this information as the basis to calculate a prudent sum to keep in reserve to meet those risks should they arise. Covid-19 related and other financial risks are being kept under continuous review and Cabinet will be advised should the need to increase these in-year arise.

2.18 The levels of reserves will be considered as part of the budget preparation process for 2022/23. Some may require contributing to, either from the revenue budget or a transfer from another reserve.

### Capital Expenditure

2.19 A Capital Programme totalling £12.454m was approved for 2020/21. Of this total £10.454m relates to the total cost of new schemes for 2020/21 together with £1.000m for schemes funded by external sources (Disabled Facilities Grants) and a £1.000m contingency. In addition £3.025m was brought forward from the 2019/20 Capital Programme, resulting in a total Capital Programme of £15.479m for 2020/21.

2.20 Due to the COVID-19 pandemic and the financial impact this has placed on the Council, a review of the 2020/21 Capital Programme has been completed with the assistance of Budget Holders and members of the Capital, Assets and Commercial Investment Review Group. The rationale behind this review was to establish which of the capital projects approved in the programme were essential or health and safety related, were unable to be commenced due to the pandemic, could be deferred to the following year due to resources and services available during the crisis or were no longer required.

2.21 The revised 2020/21 Capital Programme totalled £7.303m which includes £1.000m for schemes funded by external sources (Disabled Facilities Grants) and £0.250m contingency to reflect the remainder of the year.



2.22 In addition to the revised 2020/21 Capital Programme, capital expenditure of £1.750m regarding the Advanced Towns Deal funding £0.400m regarding the Flexible Use of Capital Receipts, £0.103k of One Council expenditure and £0.220m regarding Section 106 works were planned.

2.23 Planned expenditure financed via capital for 2020/21 therefore totalled £9.776m. Actual expenditure has totalled £7.521m, £2.255m below that planned. This relates in its entirety to expenditure that has been rolled forward into 2021/22.

2.24 The expenditure of £7.521m was financed as shown below:

<b>Financed by:</b>	<b>£ (000)</b>
Capital Receipts	3.119
Government Grants and Other Contributions	3.330
Internal Borrowing	1.072
<b>Total</b>	<b>7.521</b>

3. **Proposal**

3.1 The provisional General Fund outturn and key issues in respect of the Council's financial position as at 31 March 2021 be noted.

4. **Reasons for Proposed Solution**

4.1 Regular reporting of the Council's financial position is a key discipline supporting sound financial management and corporate governance.

5. **Options Considered**

5.1 The report on the provisional General Fund outturn is for informational purposes and is considered best practice, as opposed to not providing an update.

6. **Legal and Statutory Implications**

6.1 The report on the provisional General Fund outturn is for informational purposes and is considered best practice. Further reports on the draft and audited Statement of Accounts will be considered by the Audit and Standards Committee in accordance with the Accounts and Audit Regulations 2015.

7. **Equality Impact Assessment**

7.1 The report on the provisional General Fund outturn is for informational purposes and is considered best practice, there are no differential equality issues arising.

8. **Financial and Resource Implications**

8.1 The provisional General Fund outturn for the financial year 2020/21 shows a favourable variance against the budget of £0.005m. This amount will be paid into the Budget Support Fund.

8.2 The Capital Programme outturn shows a balanced position at the close of the financial year 2020/21. £2.255m of this will be carried forward to the financial year 2021/22.



8.3 The General Fund Reserve has been increased from £1.448m to £3.000m in accordance with the risk assessed minimum value as approved as part of the 2021/22 budget setting process.

8.4 The Council's share of the Collection Fund deficit amounts to £7.400m which is repayable in future years, this will be met from amounts contributed to the Business Rates Reserve.

## 9. **Major Risks**

9.1 The ongoing COVID pandemic and changing market conditions represents the greatest risk to the revenue budget, particularly with regard to the impact it may have upon income receivable in relation to services where customers may choose whether or not to use Council facilities or in the case of the waste/recycling service where the volume of recycled materials is liable to fluctuate. The impact of Covid 19 is apparent in the reporting of this provisional outturn, impacting on many areas and the situation will continue to be monitored through the normal budget monitoring procedures during the financial year 2021/22.

8.2 The capital programme requires regular monitoring to identify any projects which are falling behind their planned completion dates. This will be carried out by the Capital Programme Review Group, which meets on a monthly basis together with quarterly and annual reports to Cabinet.

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

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

10.1 Not applicable for this report.

## 11. **Key Decision Information**

11.1 This is not a key decision, the report is for informational purposes and is considered best practice.

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

12.1 Finance and Performance Review Report to Cabinet (9 June 2021).

## 13. **List of Appendices**

13.1 No appendices are provided with this report.

## 14. **Background Papers**

14.1 Finance and Performance Review Report to Cabinet (9 June 2021).

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## NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

### EXECUTIVE MANAGEMENT TEAM'S

#### REPORT TO

Cabinet  
07 July 2021

**Report Title:** Housing Strategy 2021-2024

**Submitted by:** Executive Director - Commercial Development & Economic Growth

**Portfolios:** Community Safety and Wellbeing

**Ward(s) affected:** All Wards within the Borough of Newcastle-under-Lyme

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

To gain approval for the draft Newcastle-under-Lyme Borough Council Housing Strategy 2021 – 2024, which sets out the strategic priorities for the next four years, to be issued for public consultation prior to being formally adopted.

#### **Recommendation**

**That:**

- 1. The Draft Housing Strategy 2021-2024 is approved for an eight week public consultation.**
- 2. The Executive Director – Commercial Development & Economic Growth and Portfolio Holder for Community Safety and Wellbeing be authorised to agree the final version for publication following the public consultation stage.**

#### **Reasons**

The current housing strategy was adopted in 2016 for a duration of for five years. It is considered an appropriate time to review and refresh the housing strategy, to evaluate the current issues and to formulate strategic priorities.

#### **1. Background**

- 1.1 Housing is integral and important to the lives of people. Local authorities regularly formulate and update housing strategies, as a way to develop the necessary framework on how it will engage and work with our many stakeholders and partners to deliver housing and housing related services within its area.
- 1.2 The current housing strategy for the Borough was adopted in 2016. The duration of this was for five years.

#### **2. Issues**

- 2.1 The Housing Strategy 2021- 24 has established three housing priorities, which are thematic, cross cutting and acknowledge the correlation between different policies areas and how they interplay with each another. These are:
  - Housing, Health and Wellbeing and Partnerships,
  - Housing and Economic Recovery,
  - Homelessness and Rough Sleeping.

2.2 Under these priorities, a number of objectives have been set. These are:

**Priority 1 Housing, Health and Wellbeing and Partnerships**

- To integrate the housing and health and wellbeing agendas.
- To improve housing standards and the energy efficiency of the housing stock.

**Priority 2 Housing and Economic Recovery**

- To develop a housing market that is vibrant and economically prosperous, which will meet the needs of our residents.
- To facilitate the development of a range of affordable housing, that meets identified housing needs.
- To take on the direct role of developing housing, specifically on Council's own land.
- To contribute to the economic regeneration of the high street by incorporating mixed use developments within the town centres.

**Priority 3 Homelessness and Rough Sleeping**

- To provide early intervention and partnership working to prevent homelessness.
- To support those who are faced with homelessness issues; specifically those rough sleeping.
- To operate a housing allocation system; both registration and allocation which will allow those in housing need to access appropriate social housing.
- To create more emergency and temporary accommodation options which are cost effective and have the appropriate support.

2.3 Early consultation has been undertaken with partners and stakeholders, to get a 'sense-check'. A steer from them about the priorities and objectives, before, drafting a detailed strategy, to ensure that the strategy addresses the most pertinent issues and not those that were 'perceived' to be important.

2.4 Under each objectives, actions have been identified. These have been placed in an Action Plan, which is an appendix to the Strategy. It is intended that the actions will be incorporated into annual service plans. This will ensure these actions are enshrined into actual work programmes, with annual reporting on their achievability.

3. **Proposal**

3.1 That the Draft Housing Strategy 2021-2024 is approved for an eight week public consultation

3.2 That The Executive Director – Commercial Development & Economic Growth and Portfolio Holder for Community Safety and Wellbeing be authorised to agree the final version for publication following the public consultation stage.

3.3 That comments and observations received from the public consultation will be noted and where appropriate will be incorporated into the final Housing Strategy.

4. **Reasons for Proposed Solution**

4.1 The current housing strategy was adopted in 2016. The duration of this was for five years. It is considered an appropriate time to review and refresh the housing strategy, to evaluate the current issues and to formulate strategic priorities.

5. **Options Considered**

- 5.1 The option to 'do nothing', would mean that the current housing strategy, drafted in 2016, would remain in place. Housing strategies must take into account current issues and should be refreshed and updated. Failure to do so, would mean that the strategic priorities and objectives may become obsolete and based on housing and economic realities that are no longer valid and relevant.
- 5.2 As a period of five years has passed, it is considered appropriate to review and refresh the housing strategy, to evaluate the current issues and to formulate strategic priorities.

## 6. Legal and Statutory Implications

- 6.1 Although, the formulation of the housing strategy is not a statutory duty, it is an important strategic document that has implications for a number of policy areas; planning policy, housing standards, disabled facilities grants and partnership working.

## 7. Equality Impact Assessment

- 7.1 The Housing Strategy is not likely to have an adverse impact on the residents of the Borough. It is common place that at the delivery stage of the housing services; the policies and processes are subject to an EIA.

## 8. Financial and Resource Implications

- 8.1 Under each objectives, actions have been identified which form the action plan. It is intended that the action plan will feed into existing and future service plans. This will ensure that the actions within the Housing strategy are enshrined into actual work programmes, with annual reporting on their achievability. This is likely to have financial and resource implications which will be factored into the service plans.

## 9. Major Risks

- 9.1 There are no major risks associated with approving the Housing Strategy 2020-24 for consultation and subsequent approval. Activities arising from the strategy will be incorporated into annual service plans which undergo risk assessment processes.

## 10. UN Sustainable Development Goals (UNSDG)

- 10.1 As the priorities identified in the Housing Strategy are thematic, cross cutting. They will impact a number of UN Sustainable Development Goals (UNSDG). These are:-
- End poverty in all its forms everywhere
  - Ensure healthy lives and promote well-being for all at all ages
  - Achieve gender equality and empower all women and girls
  - Ensure access to affordable, reliable, sustainable and modern energy for all
  - Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all
  - Make cities and human settlements inclusive, safe, resilient and sustainable
  - Take urgent action to combat climate change and its impacts





11. **Key Decision Information**

11.1 This is not a key decision as the costs arising directly out of the Strategy will not exceed the Key Decision threshold.

12. **Earlier Cabinet/Committee Resolutions**

12.1 None

13. **List of Appendices**

13.1 Draft Housing Strategy 2021- 2024.

14. **Background Papers**

14.1 None





## Housing Strategy 2021 – 2025

### Introduction

Housing is fundamental to the wellbeing of people, their families and their wider communities. Improving housing standards, options, conditions and neighbourhoods within the Borough is essential for enhancing economic growth, tackling vulnerabilities, improving outcomes for our children including their educational attainment, health and wellbeing, and community cohesion.

Our Housing Strategy sets out our strategic housing priorities and details a range of actions the Council intends to take in partnership with relevant partners and stakeholders to support residents to access good quality, suitable and affordable housing while preventing homelessness and rough sleeping.

We recognise that the most dominant issues currently facing the Borough and the United Kingdom are the challenges of Covid 19. It has brought to fore housing affordability, rough sleeping and homelessness. This housing strategy has attempted to capture the more permanent impacts of Covid 19, which are likely to require a strategic response.

Our housing priorities are thematic, cross cutting and we acknowledge the correlation between different policies areas and how one will interplay with another. These are:

Housing, Health and Wellbeing and Partnerships

Housing and Economic Recovery

Homelessness and Rough Sleeping

Early consultation has been undertaken with partners and stakeholders, to get a 'sense-check'. A steer from them about the themes and the priorities, before, drafting a detailed strategy, to ensure that the strategy addresses the most pertinent issues and not those that were 'perceived' to be important.



## Newcastle-under-Lyme Borough Council Strategies

The Housing Strategy exists alongside a range of interconnected plans, policies and strategies. We aim to strengthen this relationship through this strategy and associated activities.



## Demographics

In 2019 the population of Newcastle-under-Lyme was 129,441 people. This was an increase of 4 % (5,337) since 2012. Of the 129,441 people in Newcastle-under-Lyme, 18.1% (23,481) were children aged under 18, 61.2 % (79,198) were adults aged 18 to 64 and 20.7% (26,762) are aged 65 and over; 2.8% (3,562) of the resident population are 85 and over.

The population has a lower proportion of people aged under five and under 16 compared to England. There are more people aged 16-64 and 65 and over in Newcastle-under-Lyme compared to average.

The overall population of Newcastle-under-Lyme is projected to increase between 2017 and 2027 by 5% with a significant growth in people aged 65 and over (15%) and aged 85 and over (27%). The rate of increase in the number of older people in Newcastle-under-Lyme is faster than the England average and equates to 900 additional residents aged 85 and over by 2027. The dependency ratio for older people in Newcastle-under-Lyme is 32 older people for every 100 people of working age which is higher than England.

## Housing Stock

There are 56,479 dwellings in the Borough (Council Tax Base Form 2020), of which approximately 70% are owner-occupied, 11% private rented and 19% social rented.

In 2016 the Housing Stock Condition Survey reviewed the levels of stock condition in the Borough. The survey estimated that 7,276 private sector dwellings exhibited Category 1 hazards. Furthermore 9.5% (4,156) of private sector dwellings and 12.7% (730) of private

rented dwellings are estimated to have low levels of energy efficiency with Energy Performance Certificate (EPC) rating below band E.

In 2020, 727 have been classed as empty properties, of these 461 have been empty for more than six months.

In 2019, 8,873 units of general needs housing were managed by RSL within the Borough, 876 units of housing for older people and 124 units of supported housing.

### **Housing Need**

A minimum local housing need, of 355 per annum has been identified for the Borough for the following size of properties: 1 bed 13%, 2 beds 31%, 3 beds 43%, and 4 beds 13% and the types of properties; House, 73%, Bungalow 13%, and Flat 15%

The estimated net need for affordable housing (rented housing) is estimated at a 28 households per annum.

It is estimated that 34% of households within the Borough are unable to afford a market rented property and 22% are unable to purchase from the open market.

### **Homelessness**

In 2019-2020, the overall data for prevention and relief duties that were accepted were 456, broken down into Prevent – 260 and Relief – 196.

The majority of those accepted as homeless fell within the age group of 25 – 44 year olds.

The causes of homelessness in the Borough reflect the national picture of parental / relatives / friends no longer willing / able to accommodate.

According to the annual figures, 2019-2020; domestic abuse continues to be the biggest cause of homelessness.

### **Local Economy**

The average house price within the Borough, in January 2020, was £159,059. The average (mean) monthly private rent within the Borough was £590.00 (October 2019-2020).

When compared to 2016, both have increased. The average house price; a £22,769 increase, 16.7% increase and the monthly rents an increase of £47.00; an 8.7% increase.

The Gross Weekly pay for full time workers, who are residing within the Borough is £535.10. This is lower than the West Midlands region and UK.

30% of employee jobs within the Borough are within the Wholesale / Retail Industry (20%) and Storage and Transport (10%)

## Council Plan

The Council Plan 2018 – 22 sets out a vision of good local services, a prosperous borough, and safe and welcoming places for all. There are four priorities to deliver the outcomes.

### Local Services that Work for Local People

- This underpins everything we do. Our aim is to be a council that listens to its local residents and communities by being responsive to their needs, and to work with them to deliver first class services.

### Growing our People and Places

- We aim to build a strong and sustainable economy to ensure opportunities and support are available to everyone to improve their lives.

### A Healthy, Active and Safe Borough

- We will ensure everyone enjoys a safe environment, and access to a wide range of facilities and activities to support residents and visitors to improve their health and quality of life

### A Town Centre for all

- Creating two vibrant town centres in Newcastle and Kidsgrove where everyone can live, work, shop, study and spend their leisure time.

Our key priorities for the Housing Strategy 2021-24 contribute to achieving this overarching vision.

## Our priorities

### Priority 1 – Housing, Health and Wellbeing and Partnerships

#### **Objective 1 – to integrate the housing, health and wellbeing agendas**

There is recognition that a range of complex and inter-linked challenges that impact on the quality of life of people cannot be effectively tackled by any one partner alone and more can be achieved by working together.

We work in partnership with other organisations such as social care, health (including mental health and drug and alcohol services); advice agencies; money advice; voluntary and community sector groups; the Police and other emergency services; and domestic abuse services. In Staffordshire, the Health and Social Care sectors are undergoing transformation to ensure people are provided with better integrated care and support. The need for good quality housing forms a central part of this transformation.

In 2018, Staffordshire County Council approved a five-year 'Whole-Life Disability Strategy', which sets out the principles and actions that will underpin the way it works with families, communities, local authorities, health and care providers and partners to meet the requirements of people with physical or learning disabilities, autism, and sensory impairments, recognising the need for people to be 'independent and equal in society and have choice and control in their own lives'.

We will:

- Seek to influence local commissioning and provider's plans to ensure they work together for a common purpose.
- Continue to lead the work of the Newcastle Partnership to identify opportunities for joint working and responding to local needs.
- Facilitate the availability and encourage the further development of supported accommodation for our residents who have a range of needs, including physical and/or mental health needs, challenging behaviours and homelessness.
- Work in partnership to deliver an efficient and responsive grants service for adaptations.
- Seek external funding opportunities for the ongoing development of additional supported accommodation with local providers, particularly for those customers with complex needs.
- Encourage local specialist providers to provide supported accommodation that meets the needs of Borough residents, using intelligence we have from the housing advice and housing register functions.
- Contribute to the delivery of the actions in the Health and Wellbeing Strategy.

## **Objective 2 – to improve housing standards and energy efficiency in the housing stock**

### **Housing Standards**

We respond to approximately 600 service requests each year from residents and partners seeking help with housing related matters across the privately rented and owner occupied sectors.

We run a well-regarded Landlord accreditation scheme is a partnership between Newcastle-under-Lyme Borough Council and Stoke-on-Trent City Council and provides a means for dialogue between the council and engaged and conscientious landlords.

It aims to improve the physical and management standards in the private rented sector by providing encouragement, support and incentives to members. There are over 450 members of the scheme, around 200 of these own and let over 700 properties within the Borough.

We have licenced 193 Houses in Multiple Occupation (HMOs) in the Borough providing housing for up to 1197 residents forming 1127 households. A large proportion of these are students households, however, HMOs also provide essential affordable housing for some of the most vulnerable residents.

We work in close partnership with local lettings agencies, Staffordshire Fire Authority, Keele University to improve standards.

We will:

- Target the worst performing landlords with the poorest quality housing.
- Support responsible landlords and work with them to become professional and grow their business.
- Continue to commit to the Landlord Accreditation Scheme: North Staffordshire.
- Use our stock modelling and other available intelligence to target properties for a proactive programme of inspections and use our statutory powers to ensure they comply with legal duties.

### **Empty homes**

There are many complex reasons why a home may be left empty, we seek to take actions on a case on case basis including measures to encourage and persuade owners to bring their properties up to a good standard and let them to tenants:

We will:

- Use the full range of tools and powers available to us to return empty homes to use.

### **Energy Efficiency**

We promote the Energy Company Obligation (ECO), a programme to deliver energy efficiency measures to cut fuel bills and reduce carbon emissions. To date 4025 ECO measures have been installed within the Borough, of these 1777 have been directed to those deemed to be vulnerable and in fuel poverty.

We work with Beat the Cold, a local charity (funding by the National lottery, North Staffs Clinical Commissioning Group, and Western Power).

We are part of Staffordshire Warmer Homes; run by Staffordshire County Council, in partnership with local councils. The scheme has developed a number of major projects for the installation of energy efficiency measures and low carbon technologies in Staffordshire. We are working with Staffordshire Warmer Homes to bid for and deliver Local Authority Delivery (LAD) funded schemes.

We have declared a Climate Emergency and made a commitment to Carbon Neutrality, in line with the Government's target by 2050, and reducing the emissions from homes within the Borough will be integral in achieving this target.

We will:

- Continue to work with Beat the Cold to support households out of fuel poverty.
- Continue to work with the Staffordshire Warmer Homes scheme to bid for funding and deliver energy efficient projects focusing on external Wall Insulation, Loft insulation, air source heat pumps and Solar PV.

## **Priority 2 - Housing and Economic Recovery**

### **Objective 1 - To develop a housing market that is vibrant and economically prosperous, which will meet the needs of our residents.**

Newcastle-under-Lyme's five-year Housing Land Supply Statement (2020-2025)) forecasts a requirement for 2364 houses up to 2025 (473 per annum).

We are developing a new Local Plan that will set a housing requirement taking into consideration an up-to-date objective assessment of housing need for the Borough's, and constraints to development. The Local Development Scheme has been published on our website ([www.newcastle-staffs.gov.uk/all-services/planning/planning-policy](http://www.newcastle-staffs.gov.uk/all-services/planning/planning-policy)) which presents a timetable for the new Local Plan. A submission to the Secretary of State has been planned for winter 2023.

We provide a professional development management approach including pre-application advice and support. It works to attract funding for, and facilitates the delivery of, essential infrastructure to enable new development to take place and co-ordinates with Homes England to fund affordable housing with commuted sums via the planning process. We promote high development standards/quality in new builds through the planning process.

We will

- Ensure that housing needs are properly assessed and quantified by updating the local evidence base, including the Housing Needs Assessment and the Gypsy & Traveller Accommodation Assessment (GTAA).
- Develop and enhance policies to further improve housing standards in the borough, including design, accessibility, security and environmental performance, taking account of developing national guidelines and published evidence.
- Adopt a new a Local Plan which has a strong planning framework which embodies the principles of sustainability affordability and integration.

**Objective 2: To facilitate the development of a range of affordable housing, that meets identified housing**

There are households within the Borough whose housing need cannot be met by the market; i.e. they are unable to afford to either buy or rent from the private market.

We work with Homes England to support bids for grant funding by providers to deliver new affordable homes. This has been both through the main bidding round of their Shared Ownership and Affordable Housing Programme (SOAHP), and subsequent 'Continuing Market Engagement' (CME) or 'thematic' bidding rounds.

We seek early engagement with housing associations to support their development programmes and help ensure that their proposals will most effectively meet local needs. We implement our current affordable housing planning policy, whereby major developments are expected to provide 25% affordable housing on site, and this being apportioned as 15% social rented and 10% shared ownership.

We will

- Adopt a Local Plan; with an affordable housing policy to meet the identified need.
- Continue to work collaboratively with partner organisations; Registered Providers and Homes England to maximise new affordable housing supply and deliver a real, long term increase in the size of the social housing sector.

**Objective 3 - To take on the direct role of developing housing, specifically on Council's own land**

We have an Assets Management Strategy 2019-2022. This has identified landholdings in the ownership of the Council, which have been approved for disposal. Certain sites will be disposed of by way of a sale and the local authority will take a land receipts, other sites, we will have greater involvement in.

We will:

- Continue to implement the Asset Management Strategy
- Seek to work jointly with registered providers to deliver housing on Council land via a commercial arrangement.

**Objective 4: To contribute to the economic regeneration of the high street by incorporating mixed use developments within the town centres.**

We have Town Deal proposals for both Newcastle-under-Lyme and Kidsgrove. The Newcastle-under-Lyme Town Investment Plan states that" the area contains a significant amount of housing stock which is no longer fit-for-purpose, including at key town centre sites, while several areas are subject to significant market failure as signified through their inclusion in the Housing Market Renewal Initiative. Moreover, the ageing population in Newcastle-

under-Lyme – with the number of residents aged 65+ expected to increase by 14.7% over the next decade– suggests future demand for older person’s accommodation will increase over time. As such, there is scope for the regeneration and redevelopment of assets and residential areas to improve the breadth and quality of the residential offer and overall quality of life within Newcastle-under-Lyme.”

We will

- Use the Town Deal and Future High Street Funding to work alongside private investment to unlock key sites both at the gateways to the town centre and in the town centre core.
- Encourage the development of residential units in sustainable locations within the Town Centres, which will provide doorstep access to retail, leisure and services, supporting the healthy economy of the town and adding to its footfall.

### Priority 3 – Homelessness and Rough Sleeping

#### **Objective 1 – To provide early intervention and partnership working to prevent homelessness.**

We recognise that we need to be much more ambitious about providing early help and intervention to prevent people becoming homeless, but also provide better support after the immediate crisis of homelessness has been resolved, to ensure that people can sustain their housing and avoid repeat homelessness.

We will;

- Ensure that a range of homelessness prevention tools are developed and refined for use by the Newcastle Housing Advice (NHA) service.
- Establish appropriate Data Sharing Protocols, in order to allow for greater communication about cases to assist individuals and the wider community.
- Contribute to the work of the Borough’s Vulnerability (Harm Reduction) Hub and Multi Agency Risk Assessment Conference (MARAC).
- Seek continual improvements to services for our customers, including development of digital accessibility.
- Explore how the private rented sector can contribute to meeting housing need.

#### **Objective 2 - To support those who are faced with homelessness issues; specifically those rough sleeping.**

We jointly commission our Rough Sleeper’s Outreach service with Stoke-on-Trent City Council, to help rough sleepers move off the streets with a view of securing accommodation and access to other services.

We have Rough Sleeper Coordinator to ensure rough sleeping issues are understood more widely and to work with all areas to collectively deliver a joined up approach on the aspirations to reduce rough sleeping. Additionally we have a Rough Sleeper Navigator to engage directly with and case manage, those rough sleeping and with complex needs to ensure that they are supported into treatment services and pathways to accommodation.

We work with a number of support services who provide their own outreach service within the Borough and also hold drop in sessions and participate in multi-agency meeting to develop targeted actions and solutions for individual rough sleepers.

We will:

- Actively seek funding opportunities to maintain the Rough Sleeper Co-ordinator and Navigator roles.
- Continue to monitor and identify our local needs, and be able to feed these into future strategic plans.
- Work closely with MHCLG colleagues to develop more innovative solutions and housing options for our residents with complex needs.
- Seek external funding opportunities to assist in the development of additional tools to assist with rough sleeping and to encourage engagement with specialist support services.
- Work with other commissioners to influence the development of joined up services for customers who are homeless and who have complex needs e.g. specialist healthcare worker.
- Provide appropriate housing pathways off the streets for those who are sleeping rough in our Borough.
- Deliver the objectives highlighted in the Homelessness Strategy action plan.

**Objective 3 - To operate a housing allocation system; both registration and allocation which will allow those in housing need to be able to access appropriate social housing.**

In collaboration with Aspire Housing, we have created a Joint Housing Register and implemented an on line system for the allocation of social housing, which is via a Choice Based Lettings (CBL) system, allowing those on the housing register to bid for properties.

The Council has a range of Nominations agreements with a number of Registered Providers with social housing stock in the Borough, in order to ensure that available social housing is used in the most effective manner to meet housing needs and to ensure that homeless households are accessing the most appropriate housing stock available.

We will:

- Continue to work with our Registered Provider partners to ensure that the Joint Housing Allocation Policy and Housing Register are working well to ensure households with a housing need gain appropriate access to available social housing stock.
- Contribute to the work of the North Staffordshire Lettings Forum to encourage good practice and opportunities for joint working with Registered Providers in the Borough.
- Continue to work with Registered Providers to encourage an increase in the supply of social housing in the Borough.

**Objective 4 - To minimise the use of temporary accommodation as a long-term objective, and to create more emergency and temporary accommodation options (which are cost effective with the appropriate support)**

We have created a Temporary Accommodation Policy setting out the Borough's approach to the use of temporary accommodation, to ensure that it is suitable, cost-effective and meets local needs. We continue to explore and develop the procurement of temporary accommodation options to provide support for homeless singles and families and individuals presenting with more complex needs, including Rough Sleepers.

We will:

- Continue to monitor the use and the costs of temporary accommodation.
- Implement the objectives of the Temporary Accommodation Policy, to ensure that households have access to suitable emergency and / or temporary accommodation for an appropriate duration.



- Create appropriate temporary accommodation pathways for homeless individuals with complex needs to encourage continued engagement.
- Seek to minimise the use of temporary accommodation by preventing and reducing homelessness where practically possible.

### Delivery and Action Plan

The following table collates the objectives identified through the strategy. In order for them to be translated into specific actions they will be incorporated into Service Area Annual Service Plans. This allows for detailed planning including any challenges being faced, financial details, equality assessments and risk assessments, targets, timescales and responsibility. An annual report on activities and outcomes from the Housing Strategy will be published on our website.

#### Housing Strategy Action Plan 2021-2025

Priority	Objectives	Actions
Housing, Health and Wellbeing and Partnerships	To integrate the housing and health and wellbeing agendas	<ul style="list-style-type: none"> <li>• To seek to influence local commissioning and provider's plans to ensure they work together for a common purpose.</li> <li>• To continue to lead the work of the Newcastle Partnership to identify opportunities for joint working and responding to local needs.</li> <li>• To facilitate the availability and encourage the further development of supported accommodation for our residents who have a range of needs, including physical and/or mental health needs, challenging behaviours and homelessness.</li> <li>• To work in partnership to deliver an efficient and responsive grants service for adaptations.</li> <li>• To seek external funding opportunities for the ongoing development of additional supported accommodation with local providers, particularly for those customers with complex needs.</li> <li>• To encourage local specialist providers to provide supported accommodation that meets the needs of Borough residents, using intelligence we have from the housing advice and housing register functions.</li> <li>• To contribute to the delivery of the actions in the Health and Wellbeing Strategy</li> </ul>
	To improve housing standards and the energy efficiency of the housing stock	<ul style="list-style-type: none"> <li>• To target the worst performing landlords with the poorest quality housing.</li> <li>• To support responsible landlords and work with them to become professional and grow their business.</li> <li>• To continue to commit to the Landlord Accreditation Scheme: North Staffordshire.</li> <li>• To use our stock modelling and other available intelligence to target properties for a pro-active programme of inspections and use our statutory powers to ensure they comply with legal duties.</li> <li>• To use the full range of tools and powers available to us to return empty homes to use.</li> <li>• To continue to work with Beat the Cold to support households out of fuel poverty.</li> <li>• To continue to work with the Staffordshire Warmer Homes scheme to bid for funding and deliver energy efficient projects focusing on external Wall Insulation, Loft insulation, air source heat pumps and Solar PV.</li> </ul>

Housing and Economic Recovery	To develop a housing market that is vibrant and economically prosperous, which will meet the needs of our residents.	<ul style="list-style-type: none"> <li>To ensure that housing needs are properly assessed and quantified by updating the local evidence base, including the Housing Needs Assessment and the Gypsy &amp; Traveller Accommodation Assessment (GTAA).</li> <li>To develop and enhance policies to further improve housing standards in the borough, including design, accessibility, security and environmental performance, taking account of developing national guidelines and published evidence.</li> <li>To adopt a new a Local Plan which has a strong planning framework which embodies the principles of sustainability affordability and integration.</li> </ul>
	To facilitate the development of a range of affordable housing, that meets identified housing needs.	<ul style="list-style-type: none"> <li>To adopt a Local Plan; with an affordable housing policy to meet the identified need.</li> <li>To continue to work collaboratively with partner organisations; Registered Providers and Homes England to maximise new affordable housing supply and deliver a real, long term increase in the size of the social housing sector.</li> </ul>
	To take on the direct role of developing housing, specifically on Council's own land	<ul style="list-style-type: none"> <li>To continue to implement the Asset Management Strategy</li> <li>To seek to work jointly with Aspire Housing to deliver housing on Council land via a commercial arrangement</li> </ul>
	To contribute to the economic regeneration of the high street by incorporating mixed use developments within the town centres.	<ul style="list-style-type: none"> <li>To use the Town Deal and Future High Street Funding to work alongside private investment to unlock key sites both at the gateways to the town centre and in the town centre core.</li> <li>To encourage the development of residential units in sustainable locations within the Town Centres, which will provide doorstep access to retail, leisure and services, supporting the healthy economy of the town and adding to its</li> </ul>
Homelessness and Rough Sleeping	To provide early intervention and partnership working to prevent homelessness.	<ul style="list-style-type: none"> <li>To ensure that a range of homelessness prevention tools are developed for use by the Newcastle Housing Advice (NHA) service.</li> <li>To establish appropriate Data Sharing Protocols, in order to allow for greater communication about cases to assist individuals and the wider community.</li> <li>Contribute to the work of the Borough's Vulnerability (Harm Reduction) Hub and Multi Agency Risk Assessment Conference (MARAC).</li> <li>To seek continual improvements to services for our customers, including development of digital accessibility.</li> <li>To explore how the private rented sector can contribute to meeting housing need.</li> </ul>
	To support those who are faced with homelessness issues;	<ul style="list-style-type: none"> <li>To actively seek funding opportunities to maintain the Rough Sleeper Co-ordinator and Navigator roles.</li> <li>To continue to monitor and identify our local needs, and be able to feed these into future strategic plans.</li> <li>To work closely with MHCLG colleagues to develop more innovative solutions and housing options for our residents with complex needs.</li> </ul>

	<p>specifically those rough sleeping.</p>	<ul style="list-style-type: none"> <li>• To work with other commissioners to influence the development of joined up services for customers who are homeless and who have complex needs.</li> <li>• To provide appropriate housing pathways off the streets for those who are sleeping rough in our Borough.</li> <li>• Deliver the objectives highlighted in the Homelessness Strategy action plan.</li> </ul>
	<p>To operate a housing allocation system; both registration and allocation which will allow those in housing need to be able to access appropriate social housing.</p>	<ul style="list-style-type: none"> <li>• To continue to work with our registered provider partners to ensure that the Joint Housing Allocation Policy and Housing Register are working well to ensure households with a housing need gain appropriate access to available social housing stock.</li> <li>• Contribute to the work of the North Staffordshire Lettings Forum to encourage good practice and opportunities for joint working with Registered Providers in the Borough.</li> <li>• To continue to work with registered providers to increase the supply of social housing in the Borough.</li> </ul>
	<p>To create more emergency and temporary accommodation options, which are cost effective with the appropriate support</p>	<ul style="list-style-type: none"> <li>• To continue to monitor the use and the costs of temporary accommodation.</li> <li>• To implement the objectives of the Temporary Accommodation Policy, to ensure that household have access to suitable emergency and / or temporary accommodation for an appropriate duration.</li> <li>• To create appropriate temporary accommodation pathways for homeless individuals with complex needs to encourage continued engagement</li> <li>• Seek to minimise the use of temporary accommodation by preventing and reducing homelessness where possible.</li> <li>• To identify opportunities that bridge the gap between temporary accommodation and longer-term housing opportunities</li> </ul>

## NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

### EXECUTIVE MANAGEMENT TEAM'S REPORT TO

Cabinet  
07 July 2021

**Report Title:** Future Provision of Temporary Accommodation

**Submitted by:** Executive Director Commercial Development and Economic Growth

**Portfolios:** Community Safety and Wellbeing

**Ward(s) affected:** All

#### Purpose of the Report

To inform Members of the progress made with the identification and development of temporary accommodation options for the Borough and to seek approval to make direct contract awards for provision with suitably experienced providers (within the Borough), without a call for further competition (or use of a compliant framework), based on Officer engagement to date and the limited supplier /market responses previously received.

#### Recommendation

**That Cabinet:-**

- 1. Supports the planned development of temporary accommodation as outlined in this report to ensure that there is appropriate availability of temporary accommodation in the Borough.**
- 2. Approves the preferred option as outlined in Section 2.7 below, namely the award of contracts for the provision of temporary accommodation by suitably experienced providers, done on an opportunistic basis where necessary without a call for further competition given the circumstances set out in the report.**
- 3. Delegates authority be to the Executive Director, Commercial Development and Economic Growth in consultation with the Portfolio Holder for Community safety and Well Being to directly award (if needs be) a single contract or contracts with an aggregated value exceeding £100,000 per annum to the same supplier if the need arises to secure the provision of suitable and timely temporary accommodation in line with the Council's agreed Temporary Accommodation Policy. Such awards at all times being made within the Council's allocated grant budget.**

#### Reasons

Officers already have an approved budget and delegated authority to enter into contracts up to the value of £100,000 per annum. That includes the authority to waive competition requirements and approve direct contract awards in appropriate circumstances. Officers wish to provide visibility to their intention to use those powers, in light of the prevailing circumstances, where appropriate. Officers also seek delegated authority to award higher value contracts (at all times within approved budgets), directly if needs be, without the specific prior approval of Cabinet because of uncertainty in fast moving markets. This flexibility would enable the Council to respond rapidly and take best advantage of market conditions in fulfilling its statutory homelessness obligations to provide suitable accommodation for the most vulnerable and those eligible for an interim accommodation solution.

## 1. **Background**

- 1.1 Under housing and homelessness legislation, the Council has duties to provide interim (or temporary) accommodation to certain households who present as homeless and are considered to be in priority need. In the majority of cases, this is when a household presenting as homeless states that they do not have access to housing and therefore they are placed in temporary accommodation whilst the Council investigates their application.
- 1.2 The Homelessness Reduction Act 2017 widened the Council's duties and means that applicants under the Relief Duty may also be eligible for interim accommodation if required, subsequently to Council's use of temporary accommodation, both in terms of frequency and expenditure has increased significantly over the last couple of years. The impact of the COVID pandemic has also added pressure to the Council in terms of use temporary accommodation.
- 1.3 In addition to households applying to the Council for accommodation under homelessness legislation, other households can require temporary accommodation. This includes people who are rough sleeping, people who require emergency accommodation due to (risk of) fire or flood etc.
- 1.4 Temporary accommodation is an umbrella term and includes supported housing (both social and private rented), hostels and bed and breakfast accommodation.
- 1.5 The use of bed and breakfast accommodation as temporary accommodation is not only expensive and subject to public sector procurement rules, but is considered unsuitable as it is not designed for residential use. In addition, it is unlawful for Councils to allow homeless families with children or pregnant women stay in bed and breakfast accommodation for more than six weeks.
- 1.6 Following a formal Review of Temporary Accommodation in 2020 and a comprehensive market testing and an intelligence gathering exercise, a Temporary Accommodation Policy for the Borough was created and approved by Cabinet in January 2021, outlining the Council's approach in seeking to create alternative options for homeless households, to ensure that the use of temporary accommodation is suitable, cost-effective and meets local needs.

## 2. **Issues**

- 2.1 The Temporary Accommodation (TA) Review highlighted that options for temporary accommodation in the Borough are extremely limited because the Council has no accommodation of its own and relies on other arrangements with local providers which can be costly. The majority of single person households presenting for assistance are accommodated in short term Bed and Breakfast in the Borough, pending enquiries. There are no hostels for single people in the Borough and the hostels in neighbouring authorities prioritise placements for customers with a local connection to their area so they are rarely available for Borough use.
- 2.2 Officers have been working to formalise a procurement process for TA. The annual expenditure over the last 3 years on temporary accommodation is considered to be significant and has increased substantially over the last 12 months since the pandemic began and the instruction from Government was made to bring 'Everyone In'. In the period 2020/21, over £315,000 was spent on various temporary accommodation options, compared to approximately £135,000 in the previous year.

- 2.3 Attempts have been made to review/benchmark the approaches adopted by neighbouring authorities, the response has been poor and it is believed that the majority adopt a reactive informal spot pricing process in acquiring suitable accommodation outlets, based on any urgent needs that arise.
- 2.4 Attempts have also been made to engage with local temporary accommodation providers (small hotels and B & B), and it is evident that some do not wish to be involved/engage in a compliant procurement process, adopting and offering a 'take it or leave it' approach as the providers state they are able to fill vacant rooms and units without any necessary bureaucratic procedures.
- 2.5 While there is a shortage of available emergency and temporary accommodation in the Borough, there are also issues with customers presenting as homeless, who are owed a duty, but who because of their behaviour or lifestyle choices are excluded from most types of accommodation. The Council still has a statutory duty to accommodate while investigating their homelessness application and generally struggles with solutions. Ideally there would be more available supported accommodation in the Borough to negate the reliance and heavy cost burden of emergency Bed and Breakfast type accommodation. The challenge for the Council is to facilitate the development with specialist partners, more supported accommodation that meets the needs of the Housing register and Homelessness presentations.
- 2.6 Compliance with the Council's governance procedures (procurement) have recently been raised with and reviewed by the Council's Statutory Officers Group (SOG) and there was agreement that based on the Council's need to source a range of TA solutions and the restrictions from local supply chains, alternate approach solutions need to be presented and delivered.
- 2.7 An Exception Report to the Chief Executive dated 23<sup>rd</sup> April 2021, sought approval for Officers to;
- 2.7.1 Create a select list for emergency access temporary accommodation, in order to facilitate urgent and reactive needs presenting to the service. It is proposed that the select list will be reviewed on a half yearly basis to assess the provision from the range of (24) service providers included within the list. The select list will remain in place for a period of 4 years and it is estimated that the aggregated spend for the reactive service will be in the region of up to £400,000 for the total contract period (based on historic spend data). Alternative procurement routes had been considered, however based on market intelligence and engagement, it is believed that the number of responses would, in the main be minimal, if any responses were received at all.
- 2.7.2 Extend the arrangement of the existing Bronze temporary accommodation supported housing units from 2 to 4 (which had already been procured through a market testing exercise with limited response), from the existing provider, as a direct award of contract without a further call for competition, based on officer engagement and the limited supplier /market responses previously received. The current service is initially for 12 months (until the 31<sup>st</sup> March 2022) and Officer also recommended to add an option to extend for a further 2 + 2 years, subject to an initial satisfactory review of the provision/service delivery in each preceding period. The estimated aggregated spend for this service over the total contract period will be in the region of up to £150,000. This would enable Officers to concentrate on the longer term development of alternative solutions for supported temporary accommodation in the Borough, to support the acute business need.

2.7.3 Permit Officers to encourage, through the Council's strategic enabling role, the setup of suitable temporary accommodation with low/medium levels of support, as a Partnership arrangement willing local providers, with social housing stock and expertise with supporting homeless households in Staffordshire. This may necessitate provision of small scale 'start up' funding, from MHCLG homelessness grant allocations, to cover the cost of furnishings and to enable a longer term model of accommodation that could then be funded through IHM / Housing Benefits or may enable the Council to develop specialist floating support with a specialist partner to support sustaining temporary accommodation placements. Officers propose that the MHCLG homelessness uplift grant (anticipated to be in region of up to £60k for 20/21) is used creatively with local specialist providers to meet the needs of the customers. Again faced with a restricted supply base this may necessitate a direct award of contracts without a call for competition and establishment of a budget for the service direct costs being attributed to the Council.

2.7.4 Enable Officers to work with willing specialist homelessness and social housing partners, operating in the North Staffordshire conurbation, to create alternative supported temporary accommodation options for customers with complex needs, to achieve available external funding from MHCLG and Homes England grants. Based on the limited supply base (based on recent market engagement) Officers sought to make any direct contract award/s without a call for formal competition. Officers also highlighted the need to consider the introduction of a budget for this service as there may be the need for requests of match funding from the Council to facilitate this development, albeit further approval would be sought in due course as appropriate/if necessary.

### 3. **Proposal**

- 3.1 That Cabinet support the planned development of the preferred temporary accommodation options as outlined in Section 2.7 above of this report and authorise Officers to continue the development of temporary accommodation options to ensure that there is appropriate availability of temporary accommodation in the Borough.
- 3.2 That Cabinet note that in developing the preferred options contracts may be directly awarded without competition in appropriate circumstances in light of the limited and fast-paced market provision in this sector. That the preferred option is approved and an exception to Council Contract Procedure Rules is agreed to enable a direct contract awards without a call for competition for the provision of temporary accommodation by suitably experienced providers as set out in the report in Section 2.7.2 – 4 above.
- 3.3 That Cabinet note that all expenditure will be within the Council's allocated grant budgets as set out above in para 8.3, and contract awards made mainly under existing officer delegations. However, there may be exceptional circumstances where a need arises to let a single contract or contracts with an aggregated value exceeding £100,000 to the same supplier, perhaps on a direct award basis. This report seeks delegated authority to do this without specific prior Cabinet approval so that the council is best place in terms of its flexibility and responsiveness to take advantage of market opportunities.
- 3.4 Officers continue to work with MHCLG on a number of funding streams to support a range of services linked to rough sleeping, temporary accommodation and accommodation to support those fleeing domestic abuse. As such there is a requirement to spend money expeditiously, utilising local partners and neighbouring authorities to identify and commission appropriate service delivery mechanisms/options and to undertake direct awards (without a call for competition) in line with the Borough Council's requirements and based on the niche delivery requirements of these services, subject to specialist service



availability. In order to do this Officers are seeking delegated approval to the Portfolio Holder to approve the expenditure of such monies based on the recommendations made by Officers.

#### 4. **Reasons for Proposed Solution**

- 4.1 This report seeks Members approval for Officers to continue the development of temporary accommodation options in the Borough, using existing homelessness base budgets and new income generated from grants, without the need for further competitive tendering to enable the Council to meet its responsibilities to people who are homeless or threatened with homelessness in Newcastle-under-Lyme. This would enable the Council to fulfil its statutory homelessness obligations and provide suitable accommodation for the most vulnerable and those eligible for interim accommodation.
- 4.2 The Temporary Accommodation Review in July 2020, demonstrated that the provision and use of specialist temporary accommodation is more cost effective than B&B accommodation, which also doesn't have the added advantage of support services and is most beneficial to assist vulnerable customers access more sustainable housing options.
- 4.3 Whilst there remains an ongoing reactive/urgent need for short term placements in temporary accommodation, this will be managed initially via a select list of providers being 'spot priced' as and when there is an urgent need, with Officers aiming to limit the duration of stay at such TA. The proposals outlined in Section 2.7 above would enable the Council to meet the statutory homelessness duties more effectively and to have more control over the increasing expenditure of the TA used and create additional temporary accommodation options.
- 4.4 Officers have established that a number of other Local Authorities do not follow a formal procurement route for the use of temporary accommodation and supported accommodation in place, because of the strategic enabling role of a District authority and the unpredictable urgency of the need. There has been limited market engagement prior to the last 12 months but Officers have made considerable efforts to engage the market to no avail. A small number of specialist local housing and support providers have indicated a willingness to engage. The removal of the competitive tendering requirement in appropriate cases is led by experience of limited market provision and enables the council to respond to acute need rapidly.
- 4.5 The requested exemption from competitive tendering requirements if provided for in the council's Contract Procedure Rules under clause 4.1(f):

*4.1(f) "In any case of work to be executed or goods or services to be supplied the Authorised Officer, in consultation with the Section 151 Officer, decides that there can be no genuine competition"*

#### 5. **Options Considered**

- 5.1 All available options have been explored through the recent outcomes of Temporary Accommodation Review and subsequent and market engagement and testing.

#### 6. **Legal and Statutory Implications**

- 6.1 The Housing Act 1996, Part VII (as amended) sets out the circumstances when a local authority is required to provide temporary accommodation to homeless households. The expectations for this temporary accommodation are then set out in the Homelessness (Suitability of Accommodation) (England) Order 2012.

- 6.2 Other relevant statutory guidance includes.
- Homelessness Act 2002
  - Homelessness Code of Guidance for Local Authorities 2006
  - Homelessness (Suitability of Accommodation) Order 1996
  - Homelessness (Suitability of Accommodation) (England) Order 2003
  - Localism Act 2011 (Commencement No 2 and Transitional Provisions) (England) Order 2012
  - Supplementary Guidance on Changes in Localism Act 2011
  - Supplementary Guidance on Domestic Abuse and Homelessness 2014
  - Homelessness Reduction Act 2017.
- 6.3 Not having a fit for purpose service will leave the Council open to a legal challenge.

## 7. **Equality Impact Assessment**

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

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

- 8.1 The proposed expenditure for temporary accommodation enables the Council to improve the availability and options for temporary accommodation in the Borough and may, in the longer term, contribute to reducing revenue costs to the Council's General Fund for use of emergency accommodation. In previous reports it was recognised that achieving reductions in expenditure may take some time and that some initial investment in capacity would be required to take this work forward with local providers.
- 8.2 The procurement of temporary accommodation will be facilitated using existing Council resources from the Partnerships Team, with support from Business Improvements and Legal services.
- 8.3 A financial budget allocation is required for the provision of temporary accommodation for 2021/22. This has been sourced from existing homelessness base budgets and new income generated from grants from MHCLG. The anticipated homelessness grants for expenditure for 21/22 are expected to be in the region of approximately £198k. Of this approximately £120k is already allocated towards existing expenses such as emergency accommodation costs, the Rough Sleepers Navigator role and the planned shared Rough Sleepers Co-ordinator and Healthcare worker roles with the City Council. The remainder of the grants received would be used for the development of a range supported temporary accommodation options with local specialist providers as described in 2.7.3 and 2.7.4 above.
- 8.4 Any expenditure will be within approved budgets as set out above in para 8.3 under existing officer delegations but in exceptional circumstances there may be a need to let a single contract or contracts with an aggregated value exceeding £100,000 to the same supplier. This report seeks authority to do this.
- 8.5 For information, the Council is also working with local specialist providers to develop a further partnership proposal to the MHCLG Rough Sleepers Accommodation Programme (RSAP), seeking funding to facilitate units of accommodation specifically for rough sleepers. It is intended that this funding application would be led by the Borough Council, in partnership with one or more local housing providers, who are able to contribute an element of match funding for the scheme. Any funding achieved from the RSAP would be payable

to the provider, so while this could not be used to offset direct costs of the provision of temporary accommodation to the Council, there would be a direct referral route through to the properties (if successful), which could reduce the burden on other temporary accommodation expenditure to the Council.

## 9. **Major Risks**

- 9.1 There is a risk that this provision is insufficient to meet rising demand and additional temporary accommodation options may be required to assist the Council in fulfilling its statutory obligations.
- 9.2 There is a risk of reputational damage to the Council if it does not deliver its statutory duties lawfully and effectively.

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

- 10.1 The proposed approach to temporary accommodation provision for the Borough supports UNSG and Climate Change objectives in a number of ways. Principally, through partnership working and supporting sustainable cities and communities via the correct use of public monies. The following UNSGs are supported.



## 11. **Key Decision Information**

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

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

- 12.1 Temporary Accommodation Provision from 1<sup>st</sup> November 2020 - 31<sup>st</sup> March 2021 – October 2020.
- 12.2 Temporary Accommodation Policy 2020 – December 2020.

## 13. **List of Appendices**

- 13.1 None.

## 14. **Background Papers**

- 14.1 Temporary Accommodation Review July 2020.
- 14.2 Temporary Accommodation Policy 2020.

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## NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

### EXECUTIVE MANAGEMENT TEAM'S REPORT TO

Cabinet  
07 July 2021

**Report Title:** Urban Tree Planting Strategy

**Submitted by:** Executive Director – Operational Services

**Portfolios:** Environment and Recycling

**Ward(s) affected:** All

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

To seek the approval of Cabinet of the proposed Urban Tree Planting Strategy.

#### **Recommendation**

That

1. The proposed Urban Tree Planting Strategy is approved for immediate implementation and included in the Urban Forest Strategy when the review is completed.
2. That Ward Members of urban wards in the Borough be asked to propose potential sites for tree planting in their wards.
3. That opportunities to work together with local organisations and landowners be pursued.
4. An Urban Tree Planting Action Plan will be prepared to guide tree planting projects and link in to the Councils Sustainable Environment Strategy.

#### **Reasons**

To contribute to the Councils Sustainable Environment Strategy, with particular focus on carbon off-setting as part of its journey to net carbon zero

To contribute to the removal and sequestration of carbon from the atmosphere.

To provide a framework for the good management of the Borough Council's tree stock and appropriate decision making on future tree planting proposals

#### 1. **Background**

- 1.1 The Council adopted its Sustainable Environment Strategy in December 2020 which commits, under the "Offset" theme, to undertaking a feasibility study for a tree planting programme to facilitate carbon capture, and greening. The strategy also makes commitments in relation to tree planting in the priority outcomes for the Natural Environment theme.
- 1.2 In 2013 the Council adopted the Urban Forest Strategy which set out its approach for the management and improvement of the urban forest of Newcastle-under-Lyme.

- 1.3 The strategy was due to be reviewed and updated in 2020, but due to the Council's need to prioritise dealing with and recovering from the COVID19 pandemic, the review was postponed.
- 1.4 The Council adopted the Open Space Strategy and Green Infrastructure Strategy in 2017 which sets local standards for open space and identifies sites which are required to meet those standards, as well as sites which could potentially be repurposed, for example, to improve resilience to climate change.

## 2. **Issues**

- 2.1 The Urban Forest Strategy reaffirms the widely accepted range of benefits that trees bring to human life, not least by converting carbon dioxide into oxygen and thereby keeping us alive.
- 2.2 It makes the case that all of the trees in the Borough, whether individual specimens, groups or woodlands, together make up the concept of the urban forest as a single entity and need to be managed holistically in order to achieve maximum benefit.
- 2.3 It also acknowledges the importance of "the right tree in the right place", involving the community in managing existing trees and new planting schemes, and the long term nature of urban forest management, reflecting the lifespan of trees and the timescales (20 – 30 years) involved for newly planted trees to grow to the age where they begin to absorb large amounts of carbon dioxide.
- 2.4 There have been a number of recent developments in the climate change agenda (as set out in the Sustainable Environment Strategy) and the Council's response to it, which make the planned review and update of the Urban Forest Strategy even more relevant and intrinsically linked with the other strategies referred to in section 1 of this report as well as the emerging Borough Local Plan. It is therefore proposed to undertake the review over the course of 2021 and to bring a draft updated strategy forward for consultation later in the year.
- 2.5 The strategy contains a number of actions relating to new planting proposals, and guidance has also been recently published (January 2021) by APSE on "the 10 golden rules of tree planting in order to gain maximum climate change and biodiversity benefits". Therefore, as an interim measure, to facilitate some early work to progress on tree planting, it is proposed to adopt an Urban Tree Planting Strategy which will ultimately be incorporated into the Urban Forest Strategy.
- 2.6 The proposed Urban Tree Planting Strategy is based on the APSE guidance, and the principles contained in the Urban Forest Strategy, the Open Space Strategy, the Green Infrastructure Strategy and the Sustainable Environment Strategy. It seeks to pull these concepts and aims together into a single, coherent strategy to guide decision making with regard to potential new tree planting in the Borough in relation to appropriate species, locations, long term management and community impact. Ultimately, it will assist in the Council's aim of becoming carbon neutral through offsetting when the trees begin to mature.
- 2.7 It is intended that the Urban Tree Planting Strategy focuses on carrying out tree planting in the urban wards in the Borough. An initial site, on Sandy Lane, Newcastle, has already been planted with trees as a pilot site as part of an initiative in partnership with the Japanese Embassy who donated Cherry trees for the site.

2.8 There will be 2 phases of site selection. The first phase will look at suitable areas of open space that have less than 2 ha of open area. The second, later phase' will look at sites with larger than 2 Ha of open areas and a more comprehensive approach to appropriateness of those areas will be undertaken at the time.

2.9 Ward Members in the urban wards of the Borough will be invited to propose areas of Borough Council owned open space in their wards for planting and for each site that is considered suitable for planting consultation will take place with residents.

2.10 Although the main focus of the planting will be on land that is owned by the Borough Council, this does not preclude opportunities to work with other land owners, particularly where there is land in other ownerships that lies adjacent to Borough Council land. It is proposed to work closely with organisations including Staffordshire County Council and Aspire Housing who have their own sustainability commitments.

2.11 The Urban Tree Planting Strategy is attached to this report at Appendix 1 and is recommended for approval and subsequent inclusion in the Action Plan of the Urban Forest Strategy when the review is completed.

### 3. **Proposal**

3.1 That the proposed Urban Tree Planting Strategy is approved for immediate implementation and included in the Urban Forest Strategy Action Plan when the review is completed.

### 4. **Reasons for Proposed Solution**

4.1 To contribute to the Councils Sustainable Environment Strategy, with particular focus on its journey to net carbon zero in terms of removing and sequestering carbon emissions from the atmosphere.

4.2 To provide a framework for the good management of the Borough Council's tree stock and appropriate decision making on future tree planting proposals

### 5. **Options Considered**

5.1 The options considered are whether or not to review and update the existing Urban Forest Strategy to take account of developments in related fields over the 8 years since it was originally adopted, and to include an appropriate approach to future urban tree planting in the Action Plan.

5.2 It is recommended that the review and update is progressed to ensure that the strategy remains relevant, fit for purpose and aligned with the Council's Sustainable Environment Strategy.

### 6. **Legal and Statutory Implications**

6.1 The Council, as a landowner, has a statutory duty to ensure that it's tree stock is managed safely. It also has a "biodiversity duty" under the Natural Environment and Rural Communities Act 2006, to which the provision and management of trees and woodlands contributes.

### 7. **Equality Impact Assessment**

7.1 There are no direct equality impacts associated with this report.

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



- 8.1 There are no direct financial or resource implications arising from the proposed adoption of the Urban Tree Planting Strategy, nor the review of the Urban Forest Strategy. The preparation of both strategies can be programmed into the workload of existing staff.
- 8.2 However, should proposals for planting new trees come forward there will be a significant requirement for staff time to engage and consult with affected communities and other stakeholders, design schemes, seek tenders and appoint contractors. This will require reprioritising of other projects and work streams depending on the scale and timing of the proposals.
- 8.3 Also, new planting schemes will require funding as no provision is available in current revenue or capital budgets. It is understood that a sum has been included in the general fund capital programme for progression of some items in the Sustainable Environment Strategy Action Plan, and that a portion of this may be available for new planting schemes. Full costings will be prepared and reported for any planting proposals which are brought forward so that appropriate funding mechanisms can be agreed.
- 8.4 Opportunities to secure external funding for planting schemes will also be explored to supplement the Council's resources.

## 9. **Major Risks**

- 9.1 The major risks associated with this report relate to the Council's duty to safely maintain its current tree stock, and its ambition to be carbon neutral across its operations and assets by 2030 through a combination of reducing carbon production and offsetting of any residual carbon emissions. Tree planting, particularly in the urban areas of the Borough, would ultimately assist in such offsetting.
- 9.2 There is also a risk of a lack of community support for proposed new tree planting, depending on location and scale. This risk will be managed through community engagement and consultation on planting proposals for any sites identified for this purpose.

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

- 10.1 The Urban Forest Strategy and Urban Tree Planting Strategy will support the realisation of the aims of UN SDG 3, 13 AND 15.

<https://sdgs.un.org/goals>

[https://30312f94-9adb-4918-80dd-708c590bada3.usrfiles.com/ugd/30312f\\_79b08331d11e44bc888e1ee08c05474e.pdf](https://30312f94-9adb-4918-80dd-708c590bada3.usrfiles.com/ugd/30312f_79b08331d11e44bc888e1ee08c05474e.pdf)





11. **Key Decision Information**

11.1 Approval of the strategy is considered to be a key decision as it impacts on all wards in the Borough and may require cumulative expenditure of over £100,000 should the action plan be progressed. It has been included in the Forward Plan.

12. **Earlier Cabinet/Committee Resolutions**

12.1 None

13. **List of Appendices**

13.1 Appendix 1 – Urban Tree Planting Strategy (2021)

14. **Background Papers**

1. Urban Forest Strategy 2013
2. Open Space Strategy and Green Infrastructure Strategy 2017
3. Sustainable Environment Strategy 2020
4. APSE – The 10 golden rules of tree planting in order to gain maximum climate change and biodiversity benefits

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# Newcastle-under-Lyme Urban Tree Planting Strategy





## **URBAN FORESTRY**

Urban forestry is a simple concept. It aims to manage the urban forest in much the same way that a forester would manage a rural forest. The urban forester is less concerned with preserving every individual tree but more concerned with the health, vitality and productivity of the forest, as a whole.

The urban forester recognises the need to remove trees for the benefit of the forest, both to space trees out and to make way for new planting. The forester recognises that it is his or her job to ensure that future generations enjoy the same forest in years to come and that local communities are key stakeholders in guiding how the forest evolves.

The forester also recognises the importance of proper planning and management of any new tree planting, to ensure that the overall balance of the forest is not compromised.



## **WHY HAVE AN URBAN TREE PLANTING STRATEGY?**

The Council's newly adopted Sustainable Environment Strategy recognises the importance of and benefits to be gained from increased tree planting in the Borough to improve environmental sustainability and particularly to capture carbon from the atmosphere.

To communicate these benefits to local communities and drive positive change we need a plan. This will both drive the initiative and provide justification for actions in the face of challenge or opposition.

Key elements of the Urban Tree Planting Strategy are as follows:

- To involve urban Ward Members and members of the community in the selection, planting and protection of trees through promotion and consultations;
- Work towards minimising conflicts with the built environment and to provide protection to and from tree growth;
- To develop tree planting designs and strategies suited to the nature of the local community and built environment;
- To implement a priority based programme for the continual rejuvenation of trees within the whole of the urban forest.
- To examine traditional problem areas for urban tree planting and recommend innovative solutions to minimise problems with future plantings;
- To develop a species selection database of generally available stock suited to local conditions and local characters within the area;
- To increase our tree canopy and carbon sequestration by the combined efforts of the Council, town and parish councils, volunteers and residents
- To establish community orchards on appropriate urban green spaces and encourage community ownership
- To develop and promote a community tree sponsorship initiative for the Borough

The Newcastle Borough Council Urban Tree Planting Strategy has the following broad set of objectives:

- **Protect**  
Objective 1: Retain and protect existing woodland where appropriate  
Objective 2: Retain and protect existing hedgerows where appropriate  
Objective 3: Protect and enhance existing trees and groups including street trees where appropriate
- **Care**  
Objective 4: Care for woodlands and hedgerows to promote healthy growth and development  
Objective 5: Care for trees, and woodlands to promote healthy growth and development
- **Plant**  
Objective 6: Plant more woodlands and hedgerows, utilizing small urban

greenspaces and road verges

Objective 7: Plant more trees, tree groups and street trees

- **People**

Objective 8: Consult with public and interest groups over proposed tree planting schemes and initiatives

Objective 9: Listen to public opinion and manage Council-owned trees in the interests of good neighborliness and human comfort while protecting our tree stock

‘Protect’, ‘Care’, ‘Plant’ and ‘People’ are the guiding principles that Newcastle Borough Council will apply to the trees, woodlands, and hedges for which we have responsibility.

In any tree planting strategy, but especially one which may seek to consider large scale planting as a way of ameliorating the effects of climate change and mitigating carbon emissions, , it is important to recognise that poorly prepared schemes can actually reduce carbon absorption and damage local biodiversity and livelihoods.

Therefore, it is important to plan properly, and this strategy advises carefully considering the following guidance produced by APSE, via a paper produced by the Royal Botanical Gardens Kew, before embarking on new tree planting projects.



## **The Ten Golden Rules for Reforestation to Optimise Carbon Sequestration, Biodiversity Recovery and Livelihood Benefits**

### **Protect existing forests first**

Keeping forests in their original state is always preferable; undamaged, old forests soak up carbon better and are more resilient to fire, storm and droughts. Whenever there's a choice, halting deforestation and protecting remaining forests must be a priority

### **Put local people at the heart of tree planting projects**

Studies show that getting local communities on board is key to the success of tree planting projects. It is often local people who have most to gain from looking after the forest in the future

### **Maximise biodiversity recovery to meet multiple goals**

Reforestation should be about several goals, including guarding against climate change, improving conservation and providing economic and cultural benefits

### **Select the right area for reforestation**

Plant trees in areas that were historically forested but have become degraded, rather than using other natural habitats such as grasslands or wetlands



### **Use natural forest regrowth wherever possible**

Letting trees grow back naturally can be cheaper and more efficient than planting trees

### **Select the right tree species that can maximise biodiversity**

Where tree planting is needed, picking the right trees is crucial. Scientists advise a mixture of tree species naturally found in the local area, including some rare species and trees of economic importance, but avoiding trees that might become invasive

### **Make sure the trees are resilient to adapt to a changing climate**

Use tree seeds that are suitable for the local climate and how that might change in the future

### **Plan ahead**

Plan how to source seeds or trees, working with local people

### **Learn by doing**

Combine scientific knowledge with local knowledge. Ideally, small scale trials should take place before planting large numbers of trees

### **Make it pay**

The sustainability of tree replanting rests on a source of income for all stakeholders, including the poorest



## **CONCLUSION**



Newcastle Borough Council will follow the above guiding principles when considering new tree planting proposals on land within its ownership and control, and work in partnership with adjacent landowners. The Council will also promote these guiding principles with partner organisations and community groups, where new tree planting is proposed.

An Urban Tree Planting Action Plan will be prepared to guide tree planting projects and link in to the Councils Sustainable Environment Strategy.

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## NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

### EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE CABINET

Cabinet  
07 July 2021

**Report Title:** Encouraging Greater Use of Parks and Open Spaces

**Submitted by:** Executive Director – Operational Services

**Portfolios:** Environment and Recycling; Leisure, Culture and Heritage

**Ward(s) affected:** All

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

To report the findings of the Parks and Open Spaces Working Group of the Health, Wellbeing and Partnerships Scrutiny Committee in relation to the use of parks and open spaces for the benefit of physical and mental health and wellbeing, and to recommend actions to the Cabinet.

#### **Recommendation**

That the Cabinet receive the report of the Parks and Open Spaces Working Group of the Health Wellbeing and Partnerships Scrutiny Committee, and decide if the recommendations are to be endorsed and progressed.

#### **Reasons**

To respond to a request from members of the Health, Wellbeing and Partnerships Scrutiny Committee to explore the potential for encouraging greater use of parks and open spaces to promote physical and mental health and wellbeing.

#### 1. **Background**

1.1 A Parks and Open Spaces Working Group was established in March 2020 by the Health Wellbeing and Partnerships Scrutiny Committee and has met a number of times to consider how greater use of parks and open spaces could be encouraged to benefit physical and mental health and wellbeing. The following topic areas were explored:

What is the current level of use of parks and open spaces in the Borough?

Are there barriers to use and if so, what are they?

What knowledge is there among residents of the open spaces in their area? How is this promoted and publicised and is this effective?

1.2 The working group received reports exploring these topic areas and questioned officers on related matters.

#### 2. **Issues**

2.1 At the meeting of 15 April 2021, after final debate and discussion, the working group agreed the following:

- Working group recommend to the parent committee that the importance of open spaces for physical and mental health and wellbeing is emphasised and given appropriate priority in the Council's annual budget setting programme and the One Council programme in relation to digital promotion of the service and customer engagement with it.
  - Initial pilot work is undertaken to improve information on open spaces on the website, including a register of strategic open spaces with location maps, and QR codes at 2 sites (Lyme Valley and Bathpool Park) which enable users to upload feedback. Resources need to be made available to implement this work. Existing web "report it" functions are reviewed and improved via the One Council programme where necessary.
  - The existing tree planting project in the Environmental Sustainability Strategy is reviewed to incorporate potential community "sponsor a tree" initiatives (eg 850 trees to celebrate the Borough's 850th anniversary in 2023) and Britain in Bloom community projects. The Council's Urban Forest Strategy (2013) is also reviewed and updated to reaffirm support for such initiatives.
- External funding and partnership activity is reviewed and capacity issues highlighted.

2.2 The work of the Parks and Open Spaces Scrutiny Working Party therefore concluded at this stage, and the above recommendations were proposed to the Health, Wellbeing and Partnerships Scrutiny Committee at their meeting of 7<sup>th</sup> June 2021, where they were accepted for forwarding to Cabinet for consideration.

### 3. **Proposal**

3.1 That the Cabinet receive the report of the Parks and Open Spaces Working Group of the Health Wellbeing and Partnerships Scrutiny Committee, and decide if the recommendations are to be endorsed and progressed.

### 4. **Reasons for Proposed Solution**

4.1 To respond to a request from members of the Health, Wellbeing and Partnerships Scrutiny Committee to explore the potential for encouraging greater use of parks and open spaces to promote physical and mental health and wellbeing.

### 5. **Options Considered**

5.1 To determine whether or not to endorse and progress the 4 areas detailed above.

### 6. **Legal and Statutory Implications**

6.1 There are no implications arising from this report. The Council has the power to provide and maintain parks and open spaces for public use and enjoyment as part of its remit.

### 7. **Equality Impact Assessment**

7.1 Equality issues will be considered as part of any work which is taken forward, including exploration of any current barriers to use of parks and open spaces and how these can be overcome.

## 8. Financial and Resource Implications

8.1 Financial and resource implications will be considered as part of any work which is taken forward as a result of the decision of Cabinet. However, appropriate resource needs to be considered for any suggestions to be driven forward.

8.2 There are a number of parks and open spaces improvement projects currently included in the Council's 10 year capital programme, which are considered and prioritised each year as part of the budget setting process. The Council also seeks improvements through the planning process for either provision of new open space or improvement of existing.

8.3 In addition, there are external grant funding opportunities available, but resource is required to make applications, which can often be complex and time-consuming, particularly for larger scale projects. At present, capacity is very limited to facilitate grant applications for larger schemes.

8.4 For recommendation 2, it is estimated that short term project support is required to implement the initial improvement work to the website. A budget of around £5,000 would be needed to complete this work, and this will be accounted for from in existing revenue budgets.

8.5 For recommendation 3, it is considered that this work can be undertaken and funded as part of the Britain in Bloom "business as usual" work programme.

## 9. Major Risks

9.1 The major risks arising from this piece of work are the potential for creating expectations around options that might be identified but are not affordable or otherwise within the Council's ability to deliver.

## 10. UN Sustainable Development Goals (UNSDG)

10.1 Sustainability and Climate Change Implications will be considered as part of any work which is taken forward.

<https://sdgs.un.org/goals>

LGA Guidance is here:-

[https://30312f94-9adb-4918-80dd-708c590bada3.usrfiles.com/ugd/30312f\\_79b08331d11e44bc888e1ee08c05474e.pdf](https://30312f94-9adb-4918-80dd-708c590bada3.usrfiles.com/ugd/30312f_79b08331d11e44bc888e1ee08c05474e.pdf)





11. **Key Decision Information**

11.1 Proposals that might arise following on from this report, if taken forward, could be Key Decisions depending on the cost to the authority and/or impacts on communities working or living in the borough.

12. **Earlier Cabinet/Committee Resolutions**

12.1 Health, Wellbeing and Partnerships Scrutiny Committee 2 December 2019 minutes.  
12.2 Health Wellbeing and Partnerships Scrutiny Committee 7 June 2021 minutes

13. **List of Appendices**

13.1 None

14. **Background Papers**

14.1 Parks and Open Spaces Working Group 15<sup>th</sup> December 2020 minutes.  
Parks and Open Spaces Working Group 25<sup>th</sup> February 2021 minutes.  
Parks and Open Spaces Working Group 15<sup>th</sup> April 2021 minutes



**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**

**EXECUTIVE MANAGEMENT TEAM'S  
REPORT TO**

**Cabinet**  
**07 July 2021**

**Report Title:** Jubilee2 – Improvements to the health and fitness offer at Jubilee2

**Submitted by:** Executive Director - Commercial Development & Economic Growth

**Portfolios:** Leisure, Culture and Heritage

**Ward(s) affected:** All

**Purpose of the Report**

The report seeks Cabinet approval to enter in to a contract to improve the health and fitness offer at Jubilee2.

**Recommendation**

1. That Cabinet delegate the authority for the Executive Director Commercial Development & Economic Growth enter into a contract to enhance the health and fitness offer at Jubilee2 with Alliance Leisure.
2. That the Cabinet delegate the authority for the Executive Director Commercial Development & Economic Growth to agree the preferred supplier for each fitness package in consultation with the Cabinet Member for Leisure Culture and Heritage.

**Reasons**

The replacement of the health and fitness equipment will ensure the service takes advantage of opportunities for improving the health and wellbeing of residents whilst maximising commercial the operational recovery rate at Jubilee2.

1. **Background**

1.1 The fitness suite at Jubilee2 currently consists of 100 pieces of fitness equipment which was installed as part of the original fit out of Jubilee2 in 2011. This layout was designed at the time to meet customer expectation following input from leading industry providers.

1.2 The existing fitness equipment is now eight years old and reaching the end of its useful life. As a result the equipment breaks down more frequently and sometimes for a sustained period of time which has a negative impact the customer experience.

1.3 A key action in the Jubilee2 action plan is to refurbish the fitness suite at Jubilee2 and it is anticipated that the investment will support and exceed pre-Covid membership numbers. It has also become apparent from customer consultation that there are opportunities, to provide a more diverse fitness offer, improve membership satisfaction, utilise the floor space to its maximum potential, and provide a commercial opportunity to increase membership up-take and retention.

1.4 The Sport England Active Lives Survey identifies that the use of gyms still remains one of the most popular leisure activities for Borough residents. The replacement of the fitness equipment will therefore improve the health and wellbeing of residents and support increased participation in physical activity

## 2. **Issues**

2.1 The existing fitness layout comprises of 100 pieces of equipment which is divided into 60% cardiovascular and 40% resistance equipment. The proposed layout will see the fitness offer split into four key areas, resistance, cardiovascular, functional training (including free weights and stretch) and toning. This will support a more diverse fitness offer including personal training small group exercise classes and an enhanced health referral programme which has not been offered previously and will support the commercial viability of Jubilee2. In addition to replacing the fitness equipment and spin bikes it is now an ideal time to improve the gym set up through:

- Improving the ambience by redecorating, zoning of the equipment and potentially the relocation of the gym desk to allow for better supervision of the gym floor;
- Minor electrical works to accommodate the new fitness equipment layout;
- Installation of toning equipment in the former aqua sauna space;
- Subject to budgetary constraints to enhance the flooring in the studios to accommodate a wider range of activities;
- Installation of digital a solution to enhance the customer's experience and support customer retention.

2.2 Following Consultation with the Council's Business Improvement Manager and a review of procurement options, the UK Leisure Framework Agreement (hosted by Denbighshire County Council) offers a compliant procurement option and approach to procure both the gym refurbishment and gym equipment, with Alliance Leisure under the UK Leisure Framework Agreement.

2.3 Taking into account the scope of works and the limited capacity/resource in the Council it will be prudent to engage a leisure specialist company to oversee the tender process and provide the Council with a turnkey solution for the fitness suite with a targeted date for completion of December 2021. Benefits of using the Alliance Leisure framework include:

- Greater economies of scale for to purchase or lease the fitness equipment;
- The inclusion of a service contract for the equipment at no additional cost the Council excluding wearable items;
- Project management and coordination of all specialists to deliver the project by the designated date;
- The transfer of any risk of the project to ensure the project is completed on time and within the allowable budget;
- Marketing and communications in support of the relaunch of the fitness offer at no additional cost to the Council;
- The establishment of a training package for the health and fitness team at no additional cost to the Council;
- A national insight about what is on trend along with emerging new initiatives within the health and fitness industry.

2.4 It is therefore prosed to commission Alliance Leisure to undertake a detailed feasibility study to improve the health and fitness offer at Jubilee 2, which will include the following:



- Finalise the gym lay out ensuring best commercial use of the available space;
- Delivery of mechanical and electrical design;
- Professional fees e.g. mechanical and electrical design and architectural fees etc.;
- Cost Certainty for the project including any value engineering of the project should the need arise;
- Demonstration of best value for the Council through obtaining comparable competitive quotes against and agreed specification for the works;
- Production of a detailed project plan with estimated works to be phased over a 2-3 week period minimising customer disruption.

### 3. **Proposal**

3.1 That Cabinet delegate the authority to the Executive Director Commercial Development & Economic Growth to enter into a contract for the refurbishment of the fitness suite and activity space with Alliance Leisure.

3.2 That the Cabinet delegate the authority to the Executive Director Commercial Development & Economic Growth to agree the preferred supplier for each health fitness package in consultation with the Cabinet Member for Leisure Culture and Heritage.

### 4. **Reasons for Proposed Solution**

4.1 The replacement/improvements of the health and fitness equipment will ensure the service takes advantage of opportunities for improving the health and wellbeing of residents whilst maximising commercial opportunities to improve the operational recovery rate at Jubilee2.

### 5. **Options Considered**

5.1 Do nothing and decommission the equipment as it becomes unserviceable, this will have an adverse impact on residents/customers experience and possible loss of membership.

5.2 Replace the fitness equipment to meet the needs members at Jubilee2 and to support the Commercial viability of Jubilee2.

### 6. **Legal and Statutory Implications**

6.1 The use of the UK Leisure Framework offers a compliant procurement option in line with current legislation (Public Contract Regulations 2015 (PCR2015) and the Council's Constitution and as such will minimise the risk to the Council of a procurement challenge.

### 7. **Equality Impact Assessment**

7.1 The replacement of the fitness equipment will appeal to a broader range of the borough's residents. In addition the new fitness layout will enable the delivery of smaller group exercise classes and personal training ensure that Jubilee2 continues to attract a wider range of users include those with protected characteristics.

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

8.1 Initial estimates provided by Alliance Leisure have indicated the project can be delivered within the £360,000 allocated in the 2021 capital programme for Jubilee2 plus an estimated

£10,000 buy back fee for the existing fitness equipment. The indicative break down of costs are shown below:

Element of Work	Indicative Capital Cost
Fitness Equipment	£210,000
Spin Bikes	£30,000
Motorised exercise equipment	£54,000
Construction Costs (inclusive all design fees to get the project to cost certainty)	£34,750
Wearable tech solution in the studios to support customer retention	£10,000
Fees Payable to Alliance Leisure inclusive of Project Management Costs	£17,500
Framework Fees	£3,750
Project contingency	£10,000
Total Cost	£370,000
Existing equipment buy back fee	-£10,000
Total Project Cost (subject to cost certainty)	£360,000

8.2 Given that the initial timeframe to deliver the project is likely to take two to three weeks it is proposed to reduce membership fees in December 2021 by up to fifty percent to reflect the reduction in services available to members which is estimated to be to £20,000-£30,000.

### **Major Risks**

9.

9.1 It is proposed that all risks will be proactively managed through a small working group of officers from Sport and Active Lifestyles, ICT, and Facilities Management to ensure that the project is delivered on time and within budget.

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

10.1 The improvements to the health and fitness offer at Jubilee2 contribute to the UNSG and Climate Change objectives in a number of ways. Principally, through partnership working, improving health and wellbeing and supporting, infrastructure and skills, the following UNSGs are supported.



11. **Key Decision Information**

11.1 This is a key decision and appears on the Council's forward plan.

12. **Earlier Cabinet/Committee Resolutions**

12.1 None

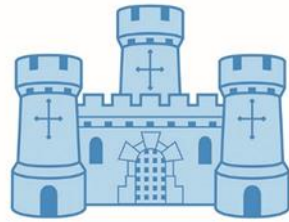
13. **List of Appendices**

13.1 None

14. **Background Papers**

14.1 None

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**NEWCASTLE·UNDER·LYME**  
**BOROUGH COUNCIL**

### **Cabinet Forward Plan: Newcastle under Lyme Borough Council**

#### **Notice of Key Decisions to be taken under the Local Authorities (Executive Arrangements) (Meetings & Access to Information) (England) Regulations 2012**

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

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

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

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

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

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

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

Leader of the Council (One Council, People & Partnerships)	Councillor Simon Tagg
Deputy Leader & Cabinet Portfolio Holder (Finance, Town Centres & Growth)	Councillor Stephen Sweeney
Cabinet Portfolio Holder (Community Safety & Well Being)	Councillor Gill Heesom
Cabinet Portfolio Holder (Environment & Recycling)	Councillor Trevor Johnson
Cabinet Portfolio Holder (Leisure, Culture & Heritage)	Councillor Jill Waring
Cabinet Portfolio Holder (Strategic Planning)	Councillor Paul Northcott

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

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

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

For all enquiries, please contact:-

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

<b>Title of Report</b>	<b>Brief Description of Report</b>	<b>Cabinet Portfolio</b>	<b>Intended Decision Date</b>	<b>Relevant Overview &amp; Scrutiny Committee</b>	<b>Wards Affected</b>	<b>Reason for Determining in Private Session (if applicable)</b>
Housing Strategy 2021-2025	To approve the Council's Housing Strategy	Community Safety & Wellbeing	Cabinet 7 July 2021	Health, Wellbeing and Partnerships	All Wards	N/A
Urban Tree Planting Strategy	To approve an urban tree planting strategy	Environment & Recycling	Cabinet 7 July 2021	Economy, Environment and Place	All Wards	N/A
Temporary Accommodation Strategy	To note and approve procurement options for providing Temporary Accommodation options in the borough	Community Safety & Well Being	Cabinet 7 July 2021	Health, Wellbeing and Partnerships	All Wards	N/A
Provisional Financial Outturn 20/21	To receive the provisional financial outturn for 20/21	Finance, Town Centres & Growth	Cabinet 7 July 2021	Finance, Assets & Performance	All Wards	N/A
Walley's Quarry Update Report	To receive update reports in respect of Walley's Quarry	Environment & Recycling	Cabinet 7/21 July 2021	Economy, Environment and Place	All Wards	Legal Advice
J2 Equipment Replacement	To receive a report proposing equipment replacement at J2	Finance, Town Centres & Growth	Cabinet 7 July 2021	Finance, Assets & Performance/Health, Wellbeing and Partnerships	All Wards	N/A
Q1 Finance and Performance Report	To receive the Q1 Finance and Performance Report	Finance, Town Centres & Growth	Cabinet 8 September 2021	Finance, Assets & Performance	All Wards	N/A
Covid Review	To receive a report reviewing the Council's response to the Covid-19	One Council, People & Partnerships	Cabinet 8 September 2021	Finance, Assets & Performance	All Wards	N/A

	pandemic					
Statement of Community Involvement	To approve the revised Planning Statement of Community Involvement	Strategic Planning	Cabinet 8 September 2021	Economy, Environment and Place	All Wards	N/A
Local Plan Issues and Options	To approve the proposed Local Plan Issues and Options	Strategic Planning	Cabinet 8 September 2021	Economy, Environment and Place	All Wards	N/A
Walley's Quarry Update Report	To receive an update report in respect of Walley's Quarry	Environment & Recycling	Cabinet 8 September 2021	Economy, Environment and Place	All Wards	N/A
Medium Term Financial Strategy 2022/23	To consider proposals for the Medium Term Financial Strategy for 2022/23	Finance, Town Centres & Growth	Cabinet 13 October 2021	Finance, Assets & Performance	All Wards	N/A