

Public Document Pack

Date of meeting Wednesday, 8th September, 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 5 - 6)
To consider the Minutes of the meeting held on 21 July, 2021.
- 4 REVIEW OF COVID IMPACT** (Pages 7 - 18)
- 5 WALLEYS QUARRY - ODOUR ISSUES**
Report to follow
- 6 LOCAL PLAN ISSUES AND STRATEGIC OPTIONS** (Pages 19 - 42)
Additional documents can be accessed by following the links at the end of the report.
- 7 DRAFT STATEMENT OF COMMUNITY INVOLVEMENT 2021** (Pages 43 - 112)
- 8 CAR PARKING STRATEGY - 2019-2029 UPDATE** (Pages 113 - 120)
- 9 JUBILEE2 UPDATE** (Pages 121 - 130)
- 10 PROCUREMENT OF A CUSTOMER E-PAYMENT SYSTEM** (Pages 131 - 136)
- 11 FINANCIAL AND PERFORMANCE REVIEW REPORT - FIRST QUARTER (Apr-Jun) 2021-22.** (Pages 137 - 160)
- 12 FORWARD PLAN** (Pages 161 - 166)
- 13 URGENT BUSINESS**
To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act 1972.

14 DISCLOSURE OF EXEMPT INFORMATION

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

ATTENDANCE AT CABINET MEETINGS

Councillor attendance at Cabinet meetings:

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

Public attendance at Cabinet meetings:

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

Members: Councillors Simon Tagg (Chair), Stephen Sweeney (Vice-Chair), 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.

SUBSTITUTE MEMBER SCHEME (Appendix 9, Section 4 of Constitution)

The Constitution provides for the appointment of Substitute members to attend Committees. The named Substitutes for this meeting are listed below:-

Substitute Members:

If you are unable to attend this meeting and wish to appoint a Substitute to attend in your place you need to:

- Identify a Substitute member from the list above who is able to attend on your behalf
- Notify the Chairman of the Committee (at least 24 hours before the meeting is due to take place) NB Only 2 Substitutes per political group are allowed for each meeting and your Chairman will advise you on whether that number has been reached

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.

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CABINET

Wednesday, 21st July, 2021
Time of Commencement: 2.30 pm

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

139. **APOLOGIES**

There were no apologies for absence.

140. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

141. **MINUTES OF A PREVIOUS MEETING**

Resolved: That the minutes of the meeting held on 7th July be approved as a correct record.

142. **WALLEY'S QUARRY - ODOUR ISSUES**

Cabinet considered an update report on Walley's Quarry.

The report outlined work being undertaken to assess whether the odours from Walleys Quarry amounted to a Statutory Nuisance, and should therefore trigger the serving of an Abatement Notice.

The report explained the Council powers relating to statutory nuisance and summarised the various strands of evidence collected to date. Evidence had been gathered from a number of sources including complaint data, air quality monitoring, community impact, assessments by Environmental Health Officers, measurements by handheld air quality monitoring equipment, potential alternative sources of the odour, and the conclusions of experts advising the Council.

It was noted that any decision regarding Statutory Nuisance and the serving of Abatement Notices was not a matter for Cabinet but would be a decision taken by the Head of Environmental Health Services as the appropriately qualified officer.

Resolved: that Cabinet:

(1) Notes that despite the further 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.

(2) Notes the officer advice regarding the evidence, risks, financial implications and potential outcomes surrounding formal Statutory Nuisance action as set out in the confidential appendix to this report.

(3) Approves an initial reserve in the sum of £1,000,000 to meet the costs associated with taking formal action (in the event of a decision to do so) and authorises the Executive Director – Operational Services, in consultation with the Leader of the Council, to call on this reserve, to meet the potential costs associated with serving and progressing any Notices served.

(4) Agrees to update Full Council on the decision and the next steps in the legal process.

143. URGENT BUSINESS

There was no Urgent Business.

144. DISCLOSURE OF EXEMPT INFORMATION

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

145. WALLEY'S QUARRY - ODOUR ISSUES - CONFIDENTIAL APPENDIX

Cabinet considered the confidential appendix relating to odour issues at Walley's Quarry.

Resolved: That the information contained in the confidential appendix be noted.

COUNCILLOR SIMON TAGG
Chair

Meeting concluded at 2.55 pm

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S

REPORT TO CABINET

Choose an item.

08 September 2021

Report Title: Review of Covid Impact

Submitted by: Chief Executive

Portfolios: All

Ward(s) affected: All

Purpose of the Report

To inform the Cabinet of the overall impact of the Covid 19 pandemic on the Council, its services, and the borough, and of the priority actions being taken across the Council to ensure the Borough is well placed to recover from the Pandemic.

Recommendation

Cabinet is recommended to:

- 1. Note the impact of the Covid19 Pandemic on the community of Newcastle under Lyme, and on Council services**
- 2. Invite Finance & Performance Scrutiny Committee to review the impact of the pandemic on Council services**

Reasons

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

1. Background

1.1 The coronavirus pandemic is the greatest single risk to the health and economic wellbeing of the country since the Second World War. In February 2020 the Council established an Incident Management Team to plan the Council's response, ensuring that support to local residents and businesses was provided, that Council services were maintained, and the welfare of officers and members protected. The approach adopted was based on existing business contingency arrangements, with the Council's internal arrangements interfacing with a range of groups which have been set up countywide to co-ordinate the response to the pandemic, including the multi-agency Strategic Coordinating Group.

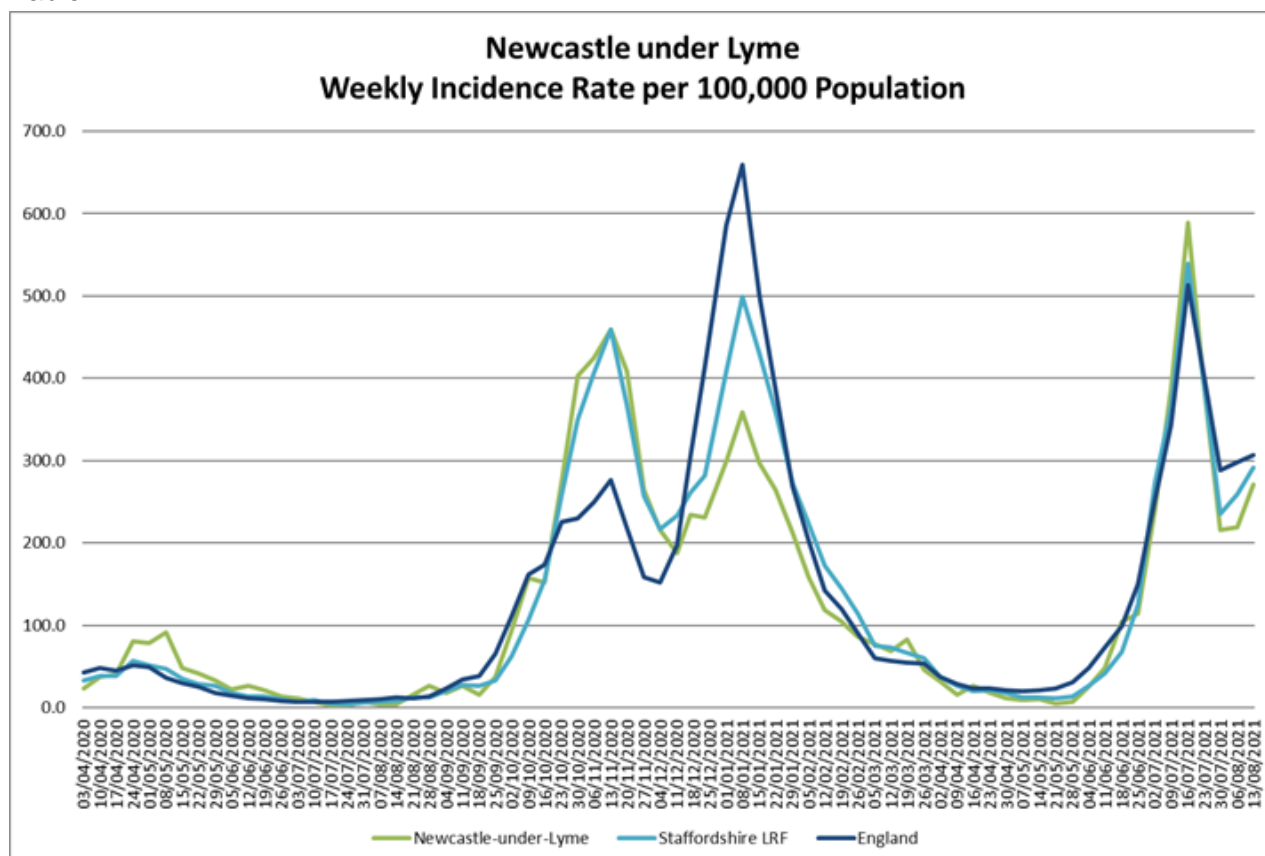
1.2 Cabinet has regular reports detailing the Council's response to the Coronavirus pandemic and delivery of the recovery plan. This report provides an overview of the composite picture over 2020-21 to date detailing the impact of the pandemic, the current position of the Borough in relation to the pandemic, and the impact on Council services.

- 1.3 Throughout the pandemic and lockdowns the Council has been heavily engaged in work to control the outbreak and to mitigate its impact. In terms of strategic leadership and oversight, this has involved:
- 1.4 The Leader of the Council sits on the County-wide Local Outbreak Board which has regular oversight infection rates and action being taken to respond.
- 1.5 The Leader of the Council Chairs a Local Incident Management Team, drawing together expertise from the Borough Council, County Council, health sector, and other agencies actively involved in responding to the pandemic;
- 1.6 A multi-agency board, under the chairmanship of the Deputy Leader, Cllr Sweeney, has been established to ensure that all possible steps are being taken across the key anchor institutions to reduce infection rates in the Town Centre, particularly in the 18 to 25 year old age group.
- 1.7 Since April 2020 Cabinet has received reports providing updates on the impact of the pandemic, and the Council's work to mitigate this. Reports have also been submitted to meetings of the Council's Scrutiny Committees.

2. Course of the Pandemic

- 2.1 Table 1 below shows graphically the course of the pandemic in the Borough, measured in "Cases per 100,000 population", which has been the measure used nationally to provide a standardised approach to reporting infection rates.

Table 1



2.2 The graph shows that the trajectory of infections in the borough has generally followed both the Staffordshire and all England trajectory. Three spikes in infections, have apparent – one in November 2020 at c.450/100,000, a second spike in January 2021 at c.350/100,000, and more recently in July 2021 when infections reached almost 600/100,000. The impact of these infection spikes on the community will differ, with the most recent, and highest spike, following the roll out of the vaccination programme, and therefore impacting on a younger cohort of the population and resulting in lower levels of hospitalisation and serious illness than the earliest spike.

Impact of the Pandemic on the Borough

Economic Impact

- 3 In terms of the economic impact, many businesses across the borough were either required to close or saw their trade significantly disrupted. The government furlough scheme, which supported the wage costs incurred by businesses enabled many businesses to retain their employees. Data on numbers of employees furloughed is difficult to distil to a local authority level, but from ONS data it is estimated that c15,800 individuals were furloughed, although this will include individuals furloughed more than once. The top three business sectors supported by furlough being:
 - Accommodation and food services
 - Wholesale and retail/repair of motor vehicles
 - Manufacturing
- 4 The Council administered a number of government grant schemes to support local businesses, paying out almost £40,000,000 across the grant schemes. This required setting up systems from scratch to receive and process applications and despite some initial teething problems an effective mechanism was established to deliver grant aid swiftly to eligible businesses.
- 5 Alongside towns and cities across the country, the local economy of the borough suffered from significant disruption. Unemployment (Claimant Count) in the borough rose slightly from 2.4% in March 2020 to a high of 4.7% in February 2021, declining steadily to 3.9% in July 2021. The July 2021 rate is the same as for Staffordshire as a whole but still significantly lower than for Great Britain (5.5%).
- 6 In terms of numbers rather than per cent rates, the 3.9% amounts to 3,160 claimants. The picture does vary across wards, with four wards having rates above the national average:

○ Town	6.4 per cent
○ Holditch and Chesterton	6.1 per cent
○ Cross Heath	6.0 per cent
○ Knutton	6.0 per cent

Community Impact

- 7 Within the Borough a total of 7,332 Clinically Extremely Vulnerable were required to shield under the government programme. These were residents whose particular pre-existing conditions put them at greatest risk of serious impact should they catch Covid19. As part of the response to this and to ensure that residents continued to have access to support, the Council set up both a help line operating from Castle House and a support service provided by the Realise Foundation. Support was provided for over 1100 individual residents with services provided:

- Shopping arranged for 488 individuals
 - Prescriptions delivered for 270 individuals
 - Support provided to 168 individuals who were feeling isolated/lonely
- 8 The Realise Foundation continue to contact 191 people on a bi weekly basis, although demand for support is reducing.
 - 9 Over the course of the pandemic, just over 400 borough residents sadly died within 28 days of a positive Covid test.
 - 10 Self-Isolation Support Payments of £177,000 have been made to residents of the Borough.
 - 11 During 2020/21 collection rates for Council Tax were 97.1%. The financial impact of Council Tax accounts proposed for write off is shared between the Council (11.3%), Staffordshire County Council (71.8%), Staffordshire Police and Crime Commissioner (12.5%) and the Staffordshire Fire and Rescue Service (4.4%) in line with each preceptor's element of Council Tax charged. The Council Tax accounts proposed for write off total £42,167. Of this the Council's share amounts to £4,765 This amount forms part of the estimated deficit declared to preceptors on the Council Tax Collection fund which will be payable by the Council under Collection Fund accounting principles during 2021/22.

Impact on Council Services

- 12 The impact of the pandemic on Council services varied significantly from service to service. For office based staff, the requirement to work from home was implemented at the first government lock down in March 2020, whilst non-office based staff continued as previously, but with additional safeguards in place around social distancing and face-coverings. Disruption to service, where it has occurred, has been either due to the need to comply with government guidance, losing staff to shielding or self-isolation, or the reprioritisation of work away from core business to covid specific activities.

Service Impacts

- 13 The information below sets out on a service by service basis the critical impacts of the pandemic:
- 14 **Leisure** - Jubilee 2 was required to close completely when the first lockdown began in March 2020 and subject to phased re-opening as restrictions were lifted. Jubilee 2 resumed its normal operating model in July 2021, when the final government restrictions were released. During the closure of Jubilee 2 staff were redeployed to other duties, including servicing a help line for concerned residents and delivering food and medicine to residents who were shielding. In addition, colleagues used this time to focus on developing new aspects of the business. Key impacts, positive and negative include:
 - Lost £1,413,000 in income, with £1,003,000 provided by central government to offset this loss;
 - Despite offering the opportunity to "freeze" memberships, 1,249 Jubilee 2 customers cancelled their memberships, resulting in a need to regrow membership subscriptions post lockdown. By August 2021 memberships had recovered to 69% of the pre-covid level;

- On-line classes were developed both as live and recorded sessions to maintain a service for customers.
- A in-house school swimming service has been developed, to teach the young people of the borough an essential life skill as well as supporting the over a commercial operation of Jubilee2.
- Working with the Newcastle Business Improvement District a Love Local Scheme was developed. This providing J2 members with discounts from local retailers, adding value to the J2 offer as well as supporting the town centre economy.
- Secured funding to be part of Sport England's National Leisure Recovery Fund and use of the Moving Communities project to measure impact. This offers to develop a greater understanding of Jubilee2's impact on the Borough's residents using qualitative and quantitative data.
- Successfully applied to the Commonwealth Games Organising Committee to bring the Queens Commonwealth Baton to the Borough in July 2022.
- Secured funding from Staffordshire's Commissioners Office to for the SPACE scheme. This enabled 500 young people of the Borough to access the gym, climbing wall, and swimming pools at Jubilee2 during the six weeks schools holidays.
- J2 has been selected to be part of a long Covid referral pilot project along with four other organisations across the County. This is being funded through the CSP and the MPFT, and will start sometime in September 2021.

15 **Brampton Museum** - was required to close completely when the first lockdown began. Works to extend the museum have progressed, resulting in the facility remaining closed to the public, with staff resource being focused on preparing for these works during the lockdown period;

16 **Environmental Health Services** – undoubtedly the most impacted of all non-closed services during the pandemic, this service was significantly refocussed on addressing the business and public health challenges directly arising from the pandemic. The service was required to visit businesses which had experienced a covid outbreak, undertake investigations and provide advice, direction and, if necessary take enforcement action. In addition, the team were involved in supporting the Track and Trace effort, following up contacts who had not responded to telephone contacts, and dealing with the complaints from the public about neighbours and businesses not complying with government guidelines. Much of this work was and is still being undertaken by officers from the Food and safety team however, support had also been diverted from all other teams to support the work of the pandemic as necessary. This has impacted all team's ways of working. The following provides details of the work undertaken in relation to the pandemic:

Covid-19	2020-21
Outbreaks investigated*	305
Complaints*	272
Marshal Visits*	791 plus estimated 1400 advisory/support visits
Advice*	150
Closure Breach*	85
Covid Notifications*	160
Enforcement	1

Critically, this has resulted in a significant backlog in the core work of this service, which is also the service which has been at the forefront of dealing with the Walleys Quarry issues.

- 17 **Town Centre** – The initial lockdown saw the majority of town centre shops and hospitality venues close, including the Council’s historic market. In order to support those businesses which remained open, and to support the incremental re-opening of the town centre post lockdown, the Council allowed free car parking in its town centre car parks.
- 18 **Waste Management** – Despite loss of staff to shielding and self-isolation the waste management service fared well during the pandemic, with a much lower level of service disruption than experienced by many other Councils. Implementation of well-established business continuity plans allowed staff (in particular HGV drivers) to be redeployed from other service areas to maintain this function. Key impacts included:
- Recycling, residual, and garden waste collections were maintained throughout the pandemic, with only food waste collections suspended for 4 months. In the most recent period when self-isolation increased as restrictions have been eased, all services have continued to be maintained.
 - The tonnage of waste collected was significantly increased in the first lockdown, as many families undertook spring cleaning activities and Household Waste Recycling Centres were closed. Residual Waste increased by 30%, before returning to normal levels once HMRCs re-opened, and recycling increased by around 20%, with this level continuing, aided by the new recycling service.
 - The new recycling service was rolled out in the summer of 2020, with every household receiving new containers, information, etc ahead of the service going live by the end of July 2020. This service has seen an increase in the level and quality of recyclable material being collected.
- 19 **StreetScene** – Two issues combined to impact on the look and feel of the borough usually maintained by this service – the loss of drivers and other staff to Waste Management to ensure that the waste service was maintained, and the loss of the Community Payback Teams who normally provide valuable additional resource to address issues such as clearing “grot spots” around the borough, and undertaking other labour intensive projects which fall outside of the day to day work of the team. Whilst this was partially offset by lower footfall in the town centre, nonetheless some deterioration of standards in critical areas has been apparent, resulting in a fresh Cabinet focus on street cleanliness;
- 20 **Bereavement Services** - Whilst over 400 Covid related deaths have been recorded in the Borough, the Council carried out 1717 cremations in 2020, the same number as in 2019, although with a greater concentration in March 2020 to June 2020 than in previous years. The service increased capacity from 10 cremations a day to 15 a day from 30 April 2020 to 26 June 2020 in order to deal with the demand. The number of coffined burials (191) was higher in 2020 than in 2019 but only slightly higher than in 2018.
- 21 **Housing and Homelessness** - The Housing Advice Service saw a significant increase in demand in the early stages of the pandemic, with telephone calls for April – June 2020 being roughly double the level now being received, likewise with requests for out of hours assistance. During the pandemic a scheme was launched by the government to get “Everyone In”, and ensure that all those sleeping rough, or at risk of being made homeless, had safe accommodation.
- 22 **Temporary Accommodation** - over the COVID period remained at a manageable level despite the increased demand due to rough sleepers and homelessness and the emergency legislation to

house all of this cohort. The Council procured additional temporary accommodation in hotels, bed and breakfast accommodation who could open their facilities, temporary accommodation units through local charities and hostels in Newcastle and adjacent areas. Temporary accommodation numbers remain fairly static with approximately 17 households in TA at any one time. 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.

- 23 **Economic Development** – The Economic Development Team have been driving three separate, but related, programmes of work – preparing for the re-opening of the High Street, Progressing priority projects funded under the Advanced Town Deal programme, and progressing the main Town Deal and Future High Streets Fund programmes which will be central to longer term recovery:
- 24 In preparing for the re-opening of the “high street” economy, the team have focused on ways to grow footfall in the town. European Funding in the form of ‘Welcome Back Funding’ has provided safety signage, hand sanitiser stations, the refresh of town centre street furniture and is enabling cleaning and improvement to the appearance of the town centre;
- 25 Welcome Back Funding also provided for Covid-19 Business Marshals to visit businesses and advise on Covid Secure measures. This has enabled colleagues in Environmental Health to focus on more challenging issues of non-compliance and track and trace for local outbreaks;
- 26 Action to promote footfall have included delivery of a programme of markets, enabling town centre events such as the Homecoming and AstleyFest to be provided in a Covid Secure way and targeted initiatives around parking charges to incentivise visits. Data provided by the BID indicated that footfall has increased in response to the specialist markets and events that have been held. It is also showing that average footfall in the town centre is starting to return to pre-Covid levels.
- 27 The Additional Restrictions Grant has contributed to the innovative £5 million Staffordshire Means Back to Business support scheme, which includes an investment to fund wages for apprentices, a training top-up fund for businesses to upskill their employees, a grants scheme to enable small businesses to thrive, a loan scheme for people who want to set up their own business and have completed the online Start-Up training course and more funding to support entrepreneurs currently in further education students to set up their own business. As at the end of May 2021 this had supported 10 Apprenticeship opportunities, 31 Training Top-ups, 1 business start-up loan, 88 Ignite students, 69 businesses on the start-up scheme and 2 small business ‘to thrive’ loans.
- 28 In partnership with the Growth Hub The Council is also supporting up to 27 micro businesses with the opportunity of no-cost membership of the Federation of Small Businesses for a year to support their recovery from the impact of Covid-19
- 29 Advance Town Deal Funding has been used to improve the town centre experience, including major improvements to the Sunken Roundabout, addressing flooding issue at Bridge Street and Nelson Place subways, CCTV and lighting improvement at key subways into the town centre. It

has also been used to expand Town Centre WiFi coverage, something which will be formally launched by the BID later this year;

- 30 Advance Town Deal Funding has been used to develop the WorkShop, at Lancaster Building. Converting a derelict retail unit to provide skills development, training and retraining to enable residence to access or move toward employment. Facilities at the Guildhall are being improved to provide more flexible space and two small office areas that can be used to deliver more intensive one to one support for local residents. The former Zanzibar nightclub site, which has stood derelict for over a decade has been cleared to enable its development for both residential and business units.
- 31 In Kidsgrove, Advance Town Deal Funding has been focused on health and wellbeing projects, with a new Pump Track being built and opened, 3G Pitch brought back into use at the Kings School and commencement of the Kidsgrove Sports Centre refurbishment. Clough Hall Park has also seen improvements to its facilities, including drainage improvements to address flooding issues, refurbishment of the large pavilion to provide improved changing and kitchen facilities and demolition of the un-used small pavilion. A Masterplan for the park has been developed to assist in attracting funding for future improvements to the park.
- 32 **Planning Service** - throughout the pandemic, the Planning team have worked from home and continued to deliver the service with minimal disruption. Key performance indicators remain on target;

Support for Businesses & Economic Recovery

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

Major Programmes

- 34 Earlier reports to Cabinet highlighted the role which the Future High Street Fund and the two Town Deals would have on the longer term recovery of the local economy. Progress continues with those programmes:
- 35 The Council bid under the Future High Streets Fund has been successful, with an agreement for just over £11m being announced in December 2020 and signed in July 2021. These funds will facilitate the regeneration of Newcastle Town Centre, with a specific focus on the Ryecroft site. The first of the schemes to be commenced is the demolition of the former Civic Building on the Ryecroft site in the Town Centre, which will be complete in June 2022.
- 36 Advance Town Deal Funds of £1.75m secured for initiatives in Newcastle & Kidsgrove has enabled work to begin on a range of projects including the refurbishment of a unit in Lancaster Buildings for use as a employment and skills advice hub, expansion of town centre WiFi, Improvements to the “bear pit” subway including CCTV and artworks, redevelopment of the Zanzibar site, and reconfiguring the Guildhall reception to increase usable space and improving market

infrastructure. In Kidsgrove, works include the strip out of Kidsgrove Sports Centre as part of the refurbishment and development of a 3G pitch at The Kings School, and park improvements in Newchapel Recreation Ground, and Clough Hall Park.

- 37 Town Investment Plan for Kidsgrove submitted to Government in October 2020 has been successful, with £16.9m allocated to the town to deliver a range of physical and social regeneration projects. To date the Town Deal Board have had confirmation of the Kidsgrove Sports Centre refurbishment financial contribution from MHCLG and the funding contribution to the Chatterley Valley industrial site entrance works has been submitted to MHCLG for approval. Work continues to work up the business cases for the remaining schemes for funding release.
- 38 Town Investment Plan for Newcastle was submitted in January 2021 and has been successful, with £23.6m allocated to the town to also deliver a range of physical, social and cultural regeneration projects. Schemes will now be worked up into business cases for submission to MHCLG over the next twelve months for funding release.

Democracy

- 39 With the initial lockdown the Council's formal decision making processes moved from physical meetings to online meetings on the Zoom platform. Whilst a steep learning curve for both officers and members, online meetings proved to be a successful means of working around the Covid restrictions.
- 40 The Council was one of the first Councils to build back face to face meetings, with a hybrid of face to face and Zoom meetings being used for the September 2020 Annual Council, and then steadily rolled out until it was once again possible to revert to normal practice.

3 Financial Recovery

- 3.1 The Council has secured over £5m from central government for the financial year 2020/21 to cover income losses and activities required to mitigate the impact of Covid.
- 3.2 As 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.
- 3.3 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).
- 3.4 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 2020/21 amounted to £3.075m, net of furlough scheme assistance of £0.197m
- 3.5 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.

- 3.6 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).
- 3.7 As the Coronavirus pandemic continues to have an impact on the Council's financial position, primarily through lost income, although this is showing a marked improvement compared to the losses incurred during 2020/21. To date un-ringfenced Government funding of £0.842m has been secured (including £167k of new burdens funding to offset the costs of administering Coronavirus business support grants) in relation to 2021/22, which has reduced the immediate pressure on additional spending on the Council finances.
- 3.8 Further specific Government funding to assist with the Council's response to the Coronavirus during 2021/22 has also been secured in relation to elections (£0.035m), outbreak control (£0.174m) and the Welcome Back fund (£0.115m).
- 3.9 As previously advised, 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. Taking account of the current restrictions it is forecast that income losses from fees and charges for the current financial year will amount to £1.001m (£0.442 for quarter 1).
- 3.10 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 the quarter 1 of the current financial year, this will help to insulate the Council from income related financial risks for quarter 1 only. It is forecast that the Government's income compensation scheme will offset these income losses to the sum of £0.360m.
- 3.11 Additional expenditure pressures continue to be incurred as a result of the Coronavirus pandemic, albeit at a vastly reduced rate when compared to 2020/21.

Lessons Learnt

- 3.12 The Council's performance during the pandemic has offered the opportunity to identify and reflect on the various lessons which have emerged from such a period of atypical operations. Many of these lessons have now been drawn together into the One Council Programme which will adopt and develop the best practice which was observed. Key issues identified include:
 - Silo Working – in responding to the pandemic there was an immediate recognition that any “service silos” which existed had no place in the new operating environment where sharing information, intelligence and resources across services was imperative. Examples of this included staff retraining to work on helplines, bereavement services and refuse collection in order to maintain these core services.
 - Agile Working – The Council moved swiftly to enable officers to work remotely, with minimal impact on service delivery. Whilst the provision of appropriate IT equipment was essential for this, as important has been the development of appropriate means of team support and supervision, with a clear focus on outcomes achieved rather than time “present” in the workplace. The importance of this approach to management was highlighted by some of the early challenges experienced in rolling out the initial business grants;
 - Going Online – the enforced closure of council buildings required an increased move to online service delivery rather than face to face delivery. As more and more residents have access to smart phones and computers, this will increasingly become the norm for all but

a relatively small number of residents who need specific support. This shift is central to the One Council agenda.

- Working with partners - delivering to the most vulnerable, and delivering on infection control has meant that colleagues across the Council have been working closely with partners such as the Realise Foundation, Support Staffordshire, and the County Council at an unprecedented scale. This has provided a valuable baseline for further work in a post pandemic world. The close work with the County Council in particular will be critical to extending further the concept of “enhanced two tier” working.

4. **Proposal**

- 4.1 Note the impact of the Covid19 Pandemic on the community of Newcastle under Lyme, and on Council services;
- 4.2 Invite Finance & Performance Scrutiny Committee to review the impact of the pandemic on Council services;

5. **Reasons for Proposed Solution**

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

6. **Options Considered**

- 6.1 N/A

7. **Legal and Statutory Implications**

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

8. **Equality Impact Assessment**

- 8.1 None directly arising from this report.

9. **Financial and Resource Implications**

- 9.1 The Council's General Fund balance as at 1st April 2020 was £1.548m. Careful monitoring of the financial position will be required over coming weeks and months leading to prompt corrective action where necessary to ensure that reserves are not exhausted and the Council remains in a stable position in the current financial year and beyond.

10. **Major Risks**

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

11. **Sustainability and Climate Change Implications**

- 11.1 N/A

12 **Key Decision Information**

- . 12.1 This is not a key decision.

13 **Earlier Cabinet/Committee Resolutions**

- . 13.1 Regular reports have been provided to Cabinet and to the Council's Scrutiny Committees on the impact of the Covid19 Pandemic.

14 **List of Appendices**

- . 14.1 None

15 **Background Papers**

- . 15.1 None

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO

Cabinet
08 September 2021

Report Title: Local Plan Issues and Strategic Options

Submitted by: Executive Director Commercial Development and Economic Growth

Portfolios: Planning & Growth

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

Purpose of the Report

To seek Cabinet approval to undertake a period of not less than six weeks public consultation on the draft Local Plan Issues and Strategic Options Paper.

Recommendation

That Cabinet:

- 1. Delegates to the Executive Director - Commercial Development & Economic Growth, in consultation with the Cabinet Member for Strategic Planning, authority to finalise the public consultation arrangements and associated documentation for the Issues and Strategic Options Paper.**
- 2. Cabinet approves a period of not less than six weeks public consultation to conclude no later than Tuesday 14th December 2021 on the draft Issues and Strategic Options Paper and the publication of the accompanying Sustainability Appraisal Scoping Report.**
- 3. Receives a report at a future meeting summarising the findings of the consultation event**

Reasons

To ensure that the process of adopting the Local Plan is undertaken in accordance with the requirements of the Planning and Compulsory Purchase Act 2004

1.0 Background

- 1.1** Local Plans are a statutory requirement set by the Government under the Planning and Compulsory Purchase Act 2004 which require Local Authorities to set out a local development plan for their area.
- 1.2** The Council currently has a Local Plan in place which was adopted in 2003 and this is supported by the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy which was adopted in 2009. Both of these documents though were in place prior to the National Planning Policy Guidance (NPPF) being issued in 2012 and are now considered to have limited weight in terms of decision making.

- 1.3 Work was undertaken to deliver a new Joint Local Plan (JLP) with Stoke but due to an increasing recognition to ensure the Plan gave consideration to the needs of the Borough and in particular the role of Neighbourhood Planning, the Council chose to separate from Stoke at the beginning of 2021 and commence work on its own Local Plan.
- 1.4 The new Local Plan sets the vision and framework for how Newcastle-under-Lyme will grow to 2040. It sets out targets for the number of homes and jobs to be delivered in the Borough and a spatial strategy to guide development and infrastructure to the most sustainable locations.
- 1.5 The process of taking a plan to adoption is set out in legislation, notably The Town and Country Planning (Local Planning) (England) Regulations 2012 and the Planning and Compulsory Purchase Act 2004.
- 1.6 The three key stages consist of a consultation process for the Council to seek opinions on the issues that are of concern to the plan area and to look at how local and national needs around development can be met, this is known as the Issues and Options Stage. The next step is the production and subsequent consultation on a draft plan which seeks to identify sites and provide distinct policies which will help shape future development. Based on the feedback received at consultation, the Council can then reconsider the proposed plan before it is submitted to the Planning Inspectorate for examination. The examination process is an independent evaluation of whether the plan is “sound” and can therefore be adopted and brought into effect.
- 1.7 It is expected that by presenting a combined Issues and Strategic Options document at this time, more thorough engagement can be archived with the public and consultees thus helping to bring forward the draft plan as early as possible.
- 1.8 It should be noted that the Plan will need to be supported by evidence to show how impacts generated through development can be mitigated and where impact does occur, how alternative options have been considered. Whilst most of the evidence is thematic in nature e.g. open space study, retail study etc. two key pieces of work, the Sustainability Appraisal and the Habitats Regulations Assessment (SA and HRA) are overarching studies which look at the plan as a whole.
- 1.9 The SA and the HRA will be produced alongside the emerging Local Plan and draft documents will be presented for consideration at the time the draft Local Plan is published next year.
- 1.10 At this initial stage of plan preparation, a scoping report has been prepared for the SA and this will be published alongside the Issues and Strategic Options Paper for consultation purposes.

2.0 Issues

- 2.1 There are different approaches Councils can adopt to the preparation of their consultation paper ranging from quite open ended requests for options to more focused documents. Two key tests though are that the options presented should be deliverable and the manner in which they are presented is not seen as steering peoples thinking either through design or omission. If the consultation is perceived as being pre-determinative in nature there is the potential of challenge on the grounds that the plan is biased in favour of, or against, certain policies or sites.
- 2.2 It is not essential for Councils to put forward site proposals at this stage but if sites are being presented for discussion, the Council needs to be clear that the land owner is party to the

proposal and willing to bring the site forward for development in the lifetime of the plan. The site also needs to be technically deliverable in principle i.e. access can be gained from the adopted highway, pollution, flooding and other technical and environmental challenges can theoretically be addressed and the site is viable.

- 2.3 This, pre-assessment is not a pre-determination of any subsequent planning application that may follow if a site is eventually allocated in the plan. National policies both for planning and those adopted by consultees may change prior to any application being submitted, new development may change the character of an area since the plan was adopted and neighbour comments may affect arguments in favour or against certain material planning considerations affecting the weight given in debate to these points.
- 2.4 The second point though is of more importance, the need to present a document that could not be perceived as being pre-determined in nature supporting one option to the detriment of any another.
- 2.5 It is for the next stage of plan preparation to select sites and certain policies which in turn will be supported by the Council as means to try and deliver the widest benefits for the Borough in a manner that balances the environmental, social and economic matters as highlighted in the NPPF.
- 2.6 At this initial stage of plan preparation, officers are presenting a range of options which seek to explore people's interests on a number of issues around the delivery of new housing and employment provision in particular but also to protect and enhance local centres, enhance the environment and deliver a sustainable transport system for example.
- 2.7 It is recognised that some of these options will be preferable to others and some by quite a wide margin. Nevertheless, all of the options are viable and if it proves impossible for more appealing options to come forward in the draft plan e.g. a landowner withdraws their interest in releasing a site for development, then it may prove necessary for considerations to be given to these less desirable locations.
- 2.8 The Issues and Strategic Options paper is structured around our vision and 12 strategic objectives. The vision is set out in section 3 and reads:

By 2040, the Borough will have delivered sustainable new homes and jobs meeting local needs and providing more opportunities for people. We will have respected and improved the character and distinctiveness of our Staffordshire market towns, villages and rural areas with a particular focus on broadening our network of Neighbourhood Plans.

We will have enabled new infrastructure, supported the growth of businesses and our University, whilst preserving and enhancing our natural and built assets and taken action to tackle the impacts of climate change.

- 2.9 The 12 strategic objectives are:
 - Create development with character
 - Support Kidsgrove railway station
 - Diversify employment base
 - Support neighbourhood planning
 - Mitigate climate change
 - Invest in regeneration
 - Maintain open spaces
 - Enable growth of Keele University
 - Balanced growth and conservation

- Provide a mix of housing types
 - Protect the Green Belt
 - Support rural villages
- 2.10 The opening section of the paper looks at the current local plan position and the national requirements on all councils with regard to what should be included in the plan before stating the vision and the objectives. The context for both employment and housing needs are then set out.
- 2.11 In section 6, the consultation document then sets out options for growth for the council. At the heart of this work are the three growth models as defined through the Council's work with Turleys which was completed last summer and the projections from the econometrics firm Experian.
- 2.12 The three scenarios begin with the lowest growth option known as the Standard Methodology as it reflects the Governments minimum standards for housing growth before looking at two additional options which seek to facilitate a degree of enhanced growth in the employment sector namely Experian Baseline and Experian Plus which in turn support additional housing supply to provide for a growing workforce in the borough.
- 2.13 In accordance with Government guidance on plan making, the consultation does not look at a nil growth scenario as this approach is not supported by Government Policy and if pursued, would be unlikely to meet the requirements of the planning framework when brought to examination thus resulting in the plan being found to be unsound.
- 2.14 Recognising the importance of the local communities that make up the Borough, the document then seeks to ask for opinions on the hierarchy of centres in the Borough. Officers have sought to ensure all local centres have been recognised as these locations will form the starting point for consideration around the provision of new infrastructure e.g. transport hubs, medical facilities, libraries etc. and wider retail provision which in turn will be heart of any community.
- 2.15 A series of six growth directions for the wider spatial strategy lie at the heart of the consultation paper and in turn, these may be adopted by the subsequent Draft Local Plan due next summer.
- 2.16 These options have been presented as although officers have sought to pursue a brownfield first agenda to meeting even the lowest growth figures i.e. those based on the Standard Methodology, there are insufficient brownfield sites available in the borough to meet the target figures.
- 2.17 The Draft Plan may be structured on one or more of these growth directions and this will depend on a series of inputs to the drafting of the local plan next summer following the public consultation this autumn and national planning guidance which will need to be taken to account.
- 2.18 It should be highlighted that all these options are being presented to the public to ensure that there can be no criticism that the Council has sought to steer people away from certain options through omission. Taken on their own, it is feasible that some options may be heavily criticised or even supported through the public consultation but this in itself would not be sufficient justification to support the addition or omission of a site from the Draft Local Plan. The feedback from the consultation will inform the allocation process but it will be one of many factors that contribute to the final document.
- 2.19 In summary, the six options to meet housing need beyond the capacity of brownfield sites are as follows:

- Development on Strategic Sites outside the Green Belt: This option seeks to identify a series of large sites adjoining villages beyond the Green Belt. Whilst it protects the Green Belt, the option is considered difficult to deliver as a standalone solution due to matters around sustainability and impact on a small number of communities.
 - Urban Extension at Keele University Growth Corridor: This option relies on the release of the former golf course site which is in the Green Belt for the housing element but also incorporates an expansion of the employment provision to the east of the University. As a Green Belt site, it will be imperative that strong arguments are put forward to pass the exceptional circumstances tests set by the Planning Inspectorate.
 - Release of Green Belt sites at Talke and Chesterton: As with option 2, strong arguments will be needed to meet the exceptional circumstances tests. The sites though do provide good opportunity to improve local infrastructure.
 - Green Belt expansion at Kidsgrove: A number of sites have historically been submitted to the north and east of the town for development. The town could be considered a sustainable location especially given the presence of the railway station and capacity at the high school to accommodate more pupils but as with the previous two sites, exceptional circumstances will need to be presented to support Green Belt release.
 - Green Belt sites around Audley: This options looks at the six villages around Audley including Halmer End at Bignall End. The area has a number of key facilities including a medical centre, small supermarket and secondary schools and some employment options but the land around the villages is Green Belt so the exceptional circumstances will need to be met.
 - A combination of sites: This option seeks to take parts from each of the other five scenarios. Whilst this may allow the impacts to be dispersed, additional resourcing will be required to deliver a more complex matrix of sites to meet identified needs and with a requirement for infrastructure for each site, the opportunities for infrastructure gain will be diminished.
- 2.20 The document looks at options for meeting areas of specific housing need including gypsy and travel sites, affordable housing, and self-build units.
- 2.21 Two strategic employments sites are presented at this time at Keele as part of the Growth Corridor and adjacent to Junction 16 on the M6. These sites are being explored as opportunities for the Borough to move its employment offer into areas currently under served by the existing stock and so diversify opportunities for the Borough meet wider employment needs in north Staffordshire, the West Midlands and onto the North West.
- 2.22 The retail section highlights a number of possible changes to the existing boundaries of Newcastle and Kidsgrove town centres. This is significant as the boundary can affect how development proposals for non-retail use are considered and what changes may happen in the future in these locations.
- 2.23 In closing, the document looks at key planning matters linked to the development management process supporting the national policy framework. These matters include, design, natural environment, historic environment, flood risk, open space, transport, renewable energy and air quality.

3.1 It is requested that Cabinet:

- Delegates to the Executive Director - Commercial Development & Economic Growth, in consultation with the Cabinet Member for Strategic Planning, authority to finalise the public consultation arrangements and associated documentation for the Issues and Strategic Options Paper.
- Approves a period of not less than six weeks public consultation to conclude no later than Tuesday 14th December 2021 on the draft Issues and Strategic Options Paper and the publication of the accompanying Sustainability Appraisal Scoping Report and
- Receives a report at a future meeting summarising the findings of the consultation event

4.0 Reasons for Proposed Solution

- 4.1 The options within the Issues and Strategic Options paper have been presented to firstly allow consideration of a range of wide range of options to accommodate development in the borough and secondly, to ensure that the process of preparing the plan is undertaken in accordance with the legislative requirements for the preparation and adoption of a plan that is deemed by the Planning Inspectorate to be sound, i.e. correctly processed and reasonable in its allocations and policies.
- 4.2 It is considered that the document represents a fair balance between the need to present options for discussion, facilitate the opportunity for new thoughts to be presented by consultees whilst also not delving into a multitude of theoretical of options that would overwhelm consultees to the point where it would become difficult for people to engage with the process.
- 4.3 Whilst it is recognised that some of the options are less palatable than others, it is also noted that there is a requirement on the Council by Government to meet a number of competing aims. Notably, the Council is expected to meet basic housing requirements as set through the standard methodology whilst also enabling the delivery of sustainable development in a form that supports the local and national economy whilst supporting support strong, vibrant and healthy communities and not causing unacceptable harm to the environment.
- 4.4 The Plan seeks to reconcile these competing aims in the least harmful way possible and where impacts may arise, provide mechanisms to secure appropriate mitigation.

5.0 Options Considered

- 5.1 There are two main alternative options to that being presented. Approve an Issues and Strategic Options Paper with different options within it for consultation in the autumn or not to proceed with the approach being proposed and undertake consultation in separate stages addressing initially issues and then opportunities at a later date.
- 5.2 There is a third option which is not to proceed with the production of a Local Plan and cease work. This is the 'do-nothing' scenario.
- 5.3 It is considered this third option is not viable as it would directly conflict with the Governments aims for all Local Planning Authorities to have a Local Plan in place by the end of 2023. If the Council is seen as not having reached this goal or at least made good progress towards it, there is the potential the Government may seek to intervene in the Councils making process

and even if that were not the case, the Council would be exposed at each appeal reliant primarily on national policies to defend its position

- 5.4 It is officers view that the document put forward offers the Council the greatest scope to engage with the views of the public and consultees whilst also progressing consultation in an expedient manner
- 5.5 As the proposed document does not seek to preclude options for development, it is felt that it offers an opportunity for progress to be made towards the adoption of the Local Plan.
- 5.6 Whilst a multi stage approach to undertaking consultation could provide greater opportunities for members of the public to engage in the planning process, these opportunities are dependent on the outcomes of each previous stage. Accordingly, consultees would need to take into account earlier decisions and it would not be possible for them to keep reopening matters previously considered. Should this occur, progress towards adoption could be significantly delayed with the plan entering a repeating loop of consultation.

6.0 Legal and Statutory Implications

- 6.1 The Local Plan is a statutory requirement and needs to conform to the requirements set out within the Planning and Compulsory Purchase Act, 2004 ("the 2004 Act") and the Town and Country Planning (Local Planning) (England) Regulations 2012 ("the 2012 Regulations").
- 6.2 Once adopted, the Local Plan will replace the adopted Core Spatial Strategy, 2009 and saved policies of the Newcastle-under-Lyme Local Plan 2003 - 2011.
- 6.3 The National Planning Policy Framework and the National Planning Practice Guidance, contain guidance on how to prepare a Local Plan and this has been taken into account in the preparation of this report together with the legal requirements as set out in 2004 Act and the 2012 Regulations.

7.0 Equality Impact Assessment

- 7.1 An Equality Impact Assessment (EqIA) has been undertaken for the Issues and Strategic Options document. At this stage of plan preparation, it is considered there are no specific detrimental equality impacts arising as a result of this report. The EqIA has been published alongside the main report.
- 7.2 The EqIA has assessed how the Issues and Strategic Options document and the questions raised within, impact on the nine protected characteristics identified in the Equalities Act 2010.
- 7.3 Whilst there are no negative impacts arising for people with any of the protected characteristics, it is anticipated that the Plan will bring about a number of positive impacts. These include securing a range of housing types, increased open space provision, improved health care provision and safer environments. These gains will be of benefit to people with disabilities and of different ages or those who are pregnant. People from different ethnic or racial groups and those who experience hostility and are threatened in the environment for their sexuality or sexual orientation will also benefit from the policies in the Plan.
- 7.4 When the Plan moves on to its next stage and sites are proposed and specific policies put forward which may affect individuals and groups, an Equality Impact Assessment will be carried out on the recommendations.

8.0 Financial and Resource Implications

- 8.1 The costs of the public consultation exercise are provided for in the Planning Policy Team budget.
- 8.2 Additional resources will be provided during consultation events to ensure not only basic public health requirements are taken into account but to also try and offer a reassurance to the public that the consultation events will be safe to secure the widest engagement with the public possible.

9.0 Major Risks

- 9.1 There are some significant risks associated with the consultation process which have been considered and addressed.

- 9.1.1 Failure to provide robust evidence base for the emerging Local Plan.

The risk here is that the policies and allocations subsequently proposed are based on erroneous or out of date data. This is being addressed through the work already undertaken on some key pieces of the evidence base, notably the employment and housing study by Turleys and also ongoing review of evidence as the plan progresses to adoption.

In addition to the thematic evidence base, the Council will need to evidence how the associated tasks around duty to cooperate, sustainability appraisal, viability appraisal and other work has been undertaken.

- 9.1.2 Failure to meet the timetable for the preparation and adoption of the Local Plan.

There is some potential for slippage in the time line of the Plan and this will be dependent on a number of factors notably the amount and diversity of the comments received at each consultation stage and the availability of staff to support this requirement. This risk though can be addressed through managing staffing levels and utilising other sources of external and internal staff support as appropriate.

Another factor that may affect the timeline for the delivery of the Plan is the emerging Planning Act expected in response to the 2020 Planning White Paper: Planning for the Future. It is hoped that the new Plan can be brought forwards before any requirements to deliver the Plan in a new format may be in place under anticipated transitional arrangements.

An update of this risk will be provided as details of any new Planning Bill become known.

- 9.1.3 Failure to demonstrate transparency and inclusiveness in our engagement and consultation with stakeholders on strategy development.

This is possibly the most significant risk. If an aggrieved party e.g. a developer who's site hasn't be allocated or a resident group who are facing a major allocation near their houses feels the process has not been clear or biased to a certain site either through under or over promoting it may launch a challenge to the validity of the plan through the judicial review process.

It is therefore important that the plan presents itself in a manner where each part has the opportunity to present their case fully.

- 9.2 Whilst these risks could in result in either the plan being found to be unsound, delays through legal challenge or work proceeding too slowly such that more decisions on applications are made without the benefit of a local policy framework, it is felt appropriate mitigation is in place to reduce the possibility of these events occurring and in the unlikely event they do, any harm is minimised.

10.0 UN Sustainable Development Goals (UNSDG)

- 10.1 As the Local Plan is primarily focused on the use of land and properties and how these relate to peoples use of the environment a number of the UN Sustainable Development Goals will overlap with the aims of the Plan.
- 10.2 At this stage and as the draft plan is worked up, the following goals will be taken into account:
- Goal 2. End hunger, achieve food security and improved nutrition and promote sustainable agriculture
 - Goal 3. Ensure healthy lives and promote well-being for all at all ages
 - Goal 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all
 - Goal 6. Ensure availability and sustainable management of water and sanitation for all
 - Goal 7. Ensure access to affordable, reliable, sustainable and modern energy for all
 - Goal 8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all
 - Goal 9. Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation
 - Goal 11. Make cities and human settlements inclusive, safe, resilient and sustainable
 - Goal 12. Ensure sustainable consumption and production patterns
 - Goal 13. Take urgent action to combat climate change and its impacts]
 - Goal 15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss
 - Goal 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels
 - Goal 17. Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development



11.0 Key Decision Information

- 11.1 The policies and allocations in the draft plan will affect sites all wards in the Borough over time.

12.0 Earlier Cabinet/Committee Resolutions

- 12.1 Cabinet - Wednesday, 9th December, 2020. Please follow this link:

<https://moderngov.newcastle-staffs.gov.uk/ieListDocuments.aspx?CId=118&MIId=3422&Ver=4>

Cabinet resolved to undertake a review on the viability of commencing work on a Borough Local Plan and ceasing work on the Joint Local Plan

- 12.2 Cabinet - Wednesday, 13th January, 2021. Please follow this link:

<https://moderngov.newcastle-staffs.gov.uk/ieListDocuments.aspx?CId=118&MIId=3423&Ver=4>

Following completion of the review agreed at the previous meeting, Cabinet resolved to cease work on the Joint Local Plan and commence work on the Borough Local Plan.

- 12.3 Planning Committee - Tuesday, 31st August, 2021. Please follow this link:

<https://moderngov.newcastle-staffs.gov.uk/ieListDocuments.aspx?CId=119&MIId=3819&Ver=4>

Presentation of draft Issues and Strategic Options Paper to Planning Committee for consideration and for opportunity to pass comment on the plan to Cabinet

13.0 List of Appendices

- 13.1 Draft Issues and Strategic Options Paper. Please follow this link:

<https://www.newcastle-staffs.gov.uk/Local-Plan-Issues-and-Strategic-Options.pdf>

- 13.2 Sustainability Appraisal Scoping Report. Please follow this link:

<https://www.newcastle-staffs.gov.uk/SA-Scoping-Final.pdf>

- 13.3 Equality Impact Assessment – Attached to the report

14.0 Background Papers

- 14.1 Housing and Economic Needs Assessment; Turleys: 2020

- 14.2 Climate Change Adaptation and Mitigation Report; AECOM Limited; 2020

- 14.3 Playing Pitch Strategy 2020; Knight, Kavanagh & Page Ltd; 2020

- 14.4 Green Belt Assessment; Arup; 2020
- 14.5 Gypsy and Traveller and Travelling Showperson Accommodation Assessment; Arc4; 2020
- 14.6 Water Cycle Study; JBA Consulting; 2020
- 14.7 Newcastle-under-Lyme and Stoke-on-Trent Retail and Leisure Study; Nexus Planning; 2019
- 14.8 Strategic Housing Land Availability Assessment (SHLAA); NULBC; 2020
- 14.9 Strategic Housing Land Availability Assessment Methodology; NULBC; 2017
- 14.10 Level 1 Strategic Flood Risk Assessment Report; JBA Consulting; 2019.

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Newcastle-under-Lyme Local Plan

Equality Impact Assessment



August 2021

1. Introduction

Newcastle-under-Lyme Borough Council is in the process of producing a new Local Plan. The emerging Local Plan will replace the Core Spatial Strategy adopted in 2009 and the Newcastle-under-Lyme Local Plan adopted in 2003. The emerging Local Plan will set out where different types of development should be located until 2040, and ensure that the needs of the entire community are being met, whilst protecting and enhancing the natural and built environment.

The need for an Equality Impact Assessment (EIA) on new policies is set out in the Equality Act 2010. Local Authorities must actively work to eliminate discrimination against any members of the local community. This includes:

- Age
- Disability
- Gender reassignment
- Marriage and Civil Partnership
- Religion or Belief
- Pregnancy and Maternity
- Race
- Sex
- Sexual orientation

The Equality Act 2010 states that councils must:

- Remove or minimise disadvantages suffered by people due to their protected characteristics;
- Take steps to meet the needs of people from protected groups where these are different from the needs of other people; and
- Encourage people from protected groups to participate in public life or in other activities where their participation is disproportionately low. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups.

1.1 What is an Equality Impact Assessment?

The equality impact assessment is a systematic and evidence-based tool, which enables us to consider the likely impact of work on different groups of people. Completion of equality impact assessments is a legal requirement under race, disability and gender equality legislation.

An EIA provides a way of ensuring that existing or proposed policies do not have negative impacts on equality, diversity, individuals or one or more groups.

EIAs allow for an organisation to pinpoint any areas of needed improvement in existing policies and procedures, as well as mitigating any negative impacts that may arise in new policies, ensuring that equality and diversity is maintained.

1.2 Why is an Equality Impact Assessment Needed?

The Equality Act 2010 states that local authorities should carry out an EIA on all new policies. Local authorities also have a general duty of care to all of the community that it serves.

The production of an EIA is not a legal requirement in England, but it is an established and credible tool for demonstrating due regard to the Public Sector Equality Duty (PSED), which is required by law.

The production of an EIA for the Emerging Local Plan will ensure that equality is placed at the centre of policy development and review. The EIA will analyse the impacts of the Local Plan policies on all groups of people in the local community and show how the needs of each group have been taken in to consideration during the development of new policies.

The EIA can anticipate and recommend ways to avoid any discrimination or negative consequences for a particular group, on the grounds of race, ethnicity, gender, disability, faith, sexuality or age. It provides the opportunity to demonstrate the potential benefits for equality target groups arising from a proposed policy or project.

Newcastle-under-Lyme Borough Council has the following vision:

“Good local services, a prosperous borough, and safe and welcoming places for all.”

As part of this vision, four priorities have been outlined:

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

The use of an EIA for new policies, plans and procedures will aid the council in achieving the vision and priorities outlined above. The EIA will ensure that equality and diversity is central to the council’s work.

1.3 Equality Impact Assessment Process

Staff carrying out impact assessments must always remember that impact assessments should be carried out on all the nine main characteristics of equality and diversity, but also on other possible indirect or direct discrimination on individuals and communities, for example poverty level.

The nine characteristics of equality and diversity are defined as:

Age

This refers to a person having a particular age (for example 32 years old) or being within an age group (for example 18-30 years old). This includes all ages, including children and young people.

Disability

A person has a disability if she or he has a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day to day activities (for example sensory loss).

Gender Reassignment

Someone who is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning his, her or their sex by changing physiological or other attributes of sex. It is not necessary for the individual to be under medical supervision or undergoing surgery. This includes Trans people, androgynous/polygender people and others who define a gender variant.

Marriage and Civil Partnership

Marriage and civil partnership means someone who is legally married or in a civil partnership. Marriage can either be between a man and a woman, or between partners of the same sex. Civil partnership is between partners of the same sex. Civil partners must be treated the same as married couples on a range of legal matters. This characteristic is protected but only in respect of the requirement to have due regard to the need to eliminate discrimination.

Religion or Belief

Religion means any religion, including a reference to a lack of religion. Belief includes religious and philosophical beliefs, including lack of belief (for example Atheism).

Pregnancy and Maternity

This includes expectant mothers and mothers who have recently had a child. Protection against maternity discrimination is for 26 weeks after giving birth, including as a result of breastfeeding.

Race

This includes colour, nationality (including citizenship), ethnic or national origins.

Sex

This is someone identifying as a man or a woman.

Sexual Orientation

This is whether a person's emotional, romantic and sexual attraction is towards their own sex, the opposite sex or to both sexes – gay, lesbian, bisexual or heterosexual.

2. Title of Policy

Newcastle-under-Lyme Local Plan 2020-2040

2.1 Description of Policy – The Local Plan

The Newcastle-under-Lyme Local Plan will set out a vision for the borough, from 2020 to 2040. The Local Plan will address planning issues which are currently being faced in the borough such as a lack of strategic employment sites and housing choice. The Local Plan will also ensure that the borough's assets are protected and enhanced to ensure future investment within the plan area.

The Local Plan sets out key objectives, includes strategic objectives and detailed policies and identifies sites for development of new housing, employment, leisure facilities and associated infrastructure. It contains policies to guide this development, whilst protecting the existing assets and characteristics of the borough. These policies will be used to determine planning applications.

The Plan will cover the entire borough of Newcastle-under-Lyme and will include land allocations and development management policies. Once adopted, the Local Plan will replace the 2011 Saved Policies and the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy.

Work on the production of the Emerging Local Plan in its current format, began in January 2021 after it was decided that Newcastle-under-Lyme Borough Council would produce a Local Plan independent of Stoke-on-Trent City Council. The Council consider a new plan presents the opportunity to reflect the aspirations for the borough and its unique characteristics, will link effectively with Neighbourhood Plans and will be responsive to wider changes in the economy.

The preparation of the Local Plan will be guided by the timetable in the Council's Local Development Scheme and its content guided by the Statement of Community Involvement. Its performance and progress will be monitored by the Annual Monitoring Report.

2.2 Who are the stakeholders?

Newcastle-under-Lyme Borough Council has produced a consultation database which lists all stakeholders which are communicated with throughout the consultation process. Appendix X outlines stakeholders who have been consulted in relation to each of the nine characteristics of equality and diversity, throughout the production of the emerging Local Plan.

3. Summary of Research and Relevant Data

Below is an outline of research and data which has been used in order to determine whether the Newcastle-under-Lyme Local Plan may have a negative impact or discriminate against any of the nine characteristic groups outlined in chapter 1.

Qualitative and quantitative, local and national data have been used to produce a profile of each equality characteristic group.

Equality Group	Research/Data Summary
Age	<p>The 2011 Census shows that the population size in Newcastle-under-Lyme is 123,871. The borough is more densely populated in the urban areas to the East, with fewer people living in villages and rural areas.</p> <p>The largest age group is 25-64 with 51.4% of the population being between these ages. 16.9% are under 16, 13.5% between 16 and 24 and 18.2% being aged 65 and over. Life expectancy has been on a general increase since 2001 and is expected to continue increasing during the plan period.</p>
Disability	<p>Data from Public Health England and the Office for National Statistics show that the health of residents in Newcastle-under-Lyme is slightly poorer than the England average. Newcastle-under-Lyme has a lower life expectancy, higher mortality rate, and higher levels of disease such as liver disease and cardiovascular disease compared to the England average.</p> <p>In Newcastle-under-Lyme in 2019, 500 people had learning difficulties, 15,000 had mental health issues, 6200 were registered as having a moderate disability and 1800 were registered as having a severe disability.</p>
Gender Reassignment	<p>There are currently no official statistics stating the size of the trans community in Newcastle-under-Lyme. However, based on the UK average of 600 per every 100,000 of the population identifying as having some form of gender variance, approximately 1200 people would identify as trans/gender variant across the NHS North Staffordshire CCG (which includes Newcastle-under-Lyme).</p>
Marriage and Civil Partnership	<p>According to 2011 Census data, 50.2% of people in Staffordshire (incorporating data for Newcastle-under-Lyme) stated that they were married. 0.13% of people stated they were in a same-sex civil</p>

	<p>partnership. 2.4% stated that they were separated but still legally married or still legally in a same-sex civil partnership. 9.2% were divorced or formerly in a same-sex civil partnership which is now legally dissolved. 7.5% were widowed or a surviving partner from a civil partnership. 30.6% of people were single.</p> <p>In 2019, just over half of the England population (50.4%) were in a legally recognised partnership (50.2% were married with a further 0.2% in a civil partnership). An estimated 35.0% of the population were single (never married or in a civil partnership), with divorced/dissolved civil partnership and widowed/surviving civil partner accounting for 8.2% and 6.5% of the population, respectively.</p>
Religion or Belief	<p>2011 Census data shows that 65.7% of residents in Newcastle-under-Lyme are Christian, 24.6% have no religion and 7.4% did not state their religion. 1.1% are Muslim, whilst Hindu, Buddhist, Sikh, Jewish and Agnostic all have percentages under 1%.</p>
Pregnancy and Maternity	<p>The latest data in relation to pregnancy and maternity shows that the rate per 1000 under 18 conceptions in Newcastle-under-Lyme is 29, higher than 27.6 for England but lower than 29.5 for Staffordshire.</p> <p>The latest general fertility rate per 1000 women in Newcastle-under-Lyme is 52, lower than 64 in England and 58 in Staffordshire.</p> <p>Data shows that 20% of women in Newcastle-under-Lyme were smokers at the delivery time of their baby, higher than 14% in England and 14% in Staffordshire. 8% of babies in Newcastle-under-Lyme are born underweight, compared to 7% in England and 7% in Staffordshire.</p> <p>Breastfeeding initiation (breastfeeding after delivery) in Newcastle-under-Lyme stands at 66% of mothers, compared to 74% in England and 60% in Staffordshire. Breastfeeding prevalence (6-8 weeks) is 35% in Newcastle-under-Lyme, compared to 47% in England and 33% in Staffordshire.</p>
Race	<p>The 2011 Census data shows that 95% of the population in Newcastle-under-Lyme are white, 2.8% are Asian, 0.7% are Black, 1.2% are Mixed/Multiple and 0.3% are 'other'.</p> <p>The 2011 Census data also shows that 95% of the population were born in the UK, 1.3% in EU countries, 0.3% in the Republic of Ireland and 3.4% in other countries.</p>
Sex	<p>The total population in Newcastle-under-Lyme is 123,871, of which 61,206 are male and 62,665 are female. This means that 49.4% of the population are male and 50.6% of the population are female.</p> <p>The life expectancy for males and females in Newcastle-under-Lyme is slightly younger than the England and United Kingdom averages. In 2018, the life expectancy for a male was 3 months younger than average, whilst female life expectancy was one year younger.</p>
Sexual Orientation	<p>The Office for National Statistics states that in Staffordshire, 97.2% identify as being heterosexual, 0.4% as Gay or Lesbian, 0.4% as Bisexual, 0.2% as Other and 1.8% 'Don't know or refuse' to answer.</p>

	<p>In England, 93.6% identify as being heterosexual, 1.1% as Gay or Lesbian, 0.6% as Bisexual, 0.3% as Other and 4.5% as 'Don't know or refuse' to answer.</p> <p>This shows that Newcastle-under-Lyme has a below average proportion of people identifying as being part of the LGBTQ+ community compared to England, and above average proportion of people identifying as heterosexual.</p>
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3.1 What evidence is there around the impacts of the policy?

The Newcastle-under-Lyme Local Plan is written to cater for the needs of all members of the local community, and must not benefit one group more than others. Because of this approach taken to producing the Plan, it is unlikely that a disproportionate impact would be seen on any group or individual. There are, however, proposals within the Local Plan which could have a positive impact on some individuals or groups. For example, policies designed to meet the accommodation requirements of older people and gypsies and travellers. If these policies weren't present, there could be adverse impacts on the living conditions of these particular groups.

4. Key Questions

Key Questions	Positive Effect	Negative Effect	Other/Additional Response	Evidence
Does the Local Plan have a positive or negative impact on people of a particular age? Such as children, young people and the elderly.	The Local Plan is aimed to serve people of all ages. This will be achieved by identifying housing choice and quality for all age groups as well as employment opportunities, leisure facilities and sport and athletic provisions.	None identified.	The Local Plan is intended to have a positive impact on all groups in society.	<p>The Housing Need chapter of the Local Plan ensures that the plan will cater for people of all ages. The chapter outlines the need for affordable housing, housing for elderly and the disabled, the need for families with children and finally the needs for students.</p> <p>The Local Plan also outlines how Open Space can be made accessible to people of all age groups.</p>

Does the Local Plan have a positive or negative impact on people with disabilities?	It is intended that the Local Plan will positively impact people living with disabilities through the identification of housing need and quality, employment opportunities, leisure facilities and sport and athletic provisions. This will be achieved by consulting with relevant bodies and organisations across the plan area.	None identified.	The Local Plan is intended to have a positive impact on all groups in society.	The Housing Needs chapter of the Local Plan outlines the need for housing for people with disabilities and how the Local Plan can cater for this group.
Does the Local Plan have a positive or negative impact on people going through gender reassignment or those who define as a gender variant?	It is intended that the Local Plan will facilitate social inclusion. This will be achieved by consulting with relevant bodies and organisations across the plan area.	None identified.	Whilst the plan aims to have a positive impact on all members of the community, it will not make specific reference to those going through gender reassignment. Instead, these individuals will be included under the data for which they identify as; male, female or other.	The Planning Policy team will consult on the Local Plan with LGBTQ+ groups across the borough as part of the wider consultation stages during the plan making process. Their expertise will be utilised to ensure that the Local Plan can have a positive impact on the community.
Does the Local Plan have a positive or negative impact on people who are married or in a civil partnership?	None identified.	None identified.	Whilst it is intended that the Local Plan will have a positive impact on all members of the community, no specific reference	The Planning Policy Team will consult with a wide range of groups and individuals throughout the

			will be made to people's relationship status.	<p>evolution of the Plan.</p> <p>The relationship status of residents is not relevant to the formation of the policies within the Plan, however the involvement of any individual will continue to be welcomed.</p>
Does the Local Plan have a positive or negative impact on people with particular religion or belief?	<p>It is intended that the Local Plan will facilitate social inclusion.</p> <p>This will be achieved by consulting with religious groups across the plan area.</p>	None identified.	Whilst it is intended that the Local Plan will have a positive impact on all members of the community, no specific reference will be made to people's religious beliefs. Instead, their comments will be interpreted as part of the wider consultation process.	The Planning Policy Team are consulting with various faith groups throughout the plan making process to ensure they are represented. Their involvement is welcomed at all stages of consultation.
Does the Local Plan have a positive or negative impact on pregnancy and maternity?	The Local Plan promotes the development of healthy communities and access to health care facilities.	None identified.	Whilst it is intended that the Local Plan will have a positive impact on all members of the community, no specific reference will be made to pregnancy and maternity. Instead, pregnancy and maternity will be included under the broader 'healthcare' category.	<p>The Planning Policy team are consulting with maternity and pregnancy related organisations within the borough to ensure that the Local Plan caters for these needs.</p> <p>The Local Plan will have an overarching aim of improving the health and wellbeing of all</p>

				within the borough.
Does the Local Plan have a positive or negative impact on any racial groups or minority ethnic communities?	It is intended that the Local Plan will facilitate social inclusion and have a positive effect on all racial groups and ethnic communities.	We are aware that all Local Plan documents and the Local Plan webpages on the council website are only available in English. Upon a formal request, translation will be made possible.	Whilst it is intended that the Local Plan will have a positive impact on all members of the community, no specific reference will be made to racial groups or ethnic minorities.	<p>The Planning Policy team will consult with many racial and cultural groups throughout the plan making process and take in to consideration their representations to ensure that the plan positively caters for these groups.</p> <p>The Local Plan will cater for Gypsies and Travellers and their ongoing needs.</p>
Does the Local Plan have a positive or negative impact on women or men?	It is intended that the Local Plan will facilitate social inclusion and have a positive effect on women and men from all communities.	None identified.	Whilst it is intended that the Local Plan will have a positive impact on all members of the community, no specific reference will be made to gender.	The Planning Policy team will work to ensure that the Local Plan creates a healthy, active and safe borough for those identifying as any gender.
Does the Local Plan have a positive or negative impact on people who identify as certain sexual orientations?	It is intended that the Local Plan will facilitate social inclusion and have a positive effect on people identifying as all sexual orientations.	None identified.	Whilst it is intended that the Local Plan will have a positive impact on all members of the community, no specific reference will be made to people's sexual orientation.	The Planning Policy team will consult on the Local Plan with LGBTQ+ groups across the borough as part of the wider consultation stages during the plan making process. Their expertise will be utilised to ensure that the Local Plan can

				have a positive impact on the community.
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The impact of the Plan will be monitored using a number of targets and indicators, which can be found in the Authorities Monitoring Report (AMR) and Sustainability Appraisal (SA).

5. Consultation Methods

Numerous consultations will take place throughout the plan making process, in line with the proposals outlined in the Statement of Community Involvement. The Planning Policy Department has produced a consultation database, which includes the details of members of the public who wish to be consulted, organisations and community groups across the borough.

Consultation on the emerging Local Plan will take place during the following stages:

- Issues and Strategic Options Consultation – Autumn 2021
- Publication Draft Consultation – Autumn 2022
- Submission Plan Consultation – Summer – Autumn 2023

The table below provides a short summary of the consultation methods, which are either directly targeted at individual groups, or where a consultation methods used to target the wider community may have indirectly benefitted a particular equality group.

Equality Group	Consultation Method
Age	<p>During consultations, all necessary documents will be made available on the council's website, from the Planning Department at Castle House and in local libraries.</p> <p>Everyone who has requested for their details to be added to the Consultation Database will be contacted as part of each consultation, meaning that people from each age group will be consulted.</p> <p>In line with the latest Covid-19 guidance, where possible, in person consultation events will take place. This will give people of all ages an opportunity to speak to the Planning Department at various locations across the borough.</p>
Disability	<p>Consultation documents will be made available on the council's website, from the Planning Department at Castle House and in local libraries.</p> <p>Upon request, documents can be made available in large print.</p> <p>When in-person consultation events are held, all necessary adjustments will be made to ensure the venue is accessible to people of all abilities.</p>
Gender Reassignment	<p>The council has reached out to LGBTQ+ groups across the plan area to consult with them throughout the plan making process. They will act as a representative for LGBTQ+ people within the borough.</p>

Marriage and Civil Partnership	The Council has consulted with a wide range of residents in the Borough throughout the plan preparation process. This will include people who are married or in a civil partnership.
Religion or Belief	The consultation database includes representatives of faith groups and these groups were consulted as part of the plan preparation process. Any faith groups which were not already on the consultation database have been contacted by the council.
Pregnancy and Maternity	The council has reached out to organisations across the plan area which give advice on pregnancy, teenage pregnancy and child and family health care.
Race	The translation of all documents to a variety of different language formats is available upon request.
Sex	The Council has consulted with a wide range of residents in the Borough throughout the plan preparation process who identify as all genders.
Sexual Orientation	The council has reached out to LGBTQ+ groups across the plan area to consult with them throughout the plan making process. They will act as a representative for LGBTQ+ people within the borough.

6. Monitoring and Evaluation

The Newcastle-under-Lyme Local Plan will be tested against the key questions outlined in chapter 4 of this Equality Impact Assessment and positive and negative effects have been identified in order to determine whether there are likely to be any equality impacts as a result of the Local Plan being adopted.

It is expected that the new Local Plan will not negatively impact any of the groups identified in this report.

At the Issues and Options stage of the plan making process, no issues have been identified that would suggest any of the nine equality groups outlined in the Equality Act 2010 would be impacted negatively by the adoption of the new plan. This will continue to be reviewed throughout the policy drafting process.

The EIA has allowed for the Local Plan to be critically appraised and provides the Council with all of the necessary information needed to ensure that discrimination does not take place within the borough that opportunity is equally available to all residents and that social cohesion is promoted.

The Council will continue to monitor the impact of its policies on different groups concurrently with the monitoring of the Local Plan. This will ensure that it conforms with the Statement of Community Involvement to consult widely with individuals, groups and organisations across the Borough.

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO

Cabinet
08 September 2021

Report Title: Draft Statement of Community Involvement 2021

Submitted by: Executive Director Commercial Development and Economic Growth

Portfolios: Planning and Regeneration

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

Purpose of the Report

To ask Cabinet for the authority to adopt the Draft Newcastle-under Lyme Statement of Community Involvement 2021 for the purposes of consulting on planning applications submitted to the Council for determination and the preparation of planning policy documents notably the Local Plan.

Recommendation

That Cabinet approve the adoption of the Newcastle-under-Lyme Statement of Community Involvement 2021

Reasons

To ensure that consultation undertaken by the Local Planning Authority (LPA) is undertaken in a clear and consistent manner which is understood by those making proposals to the Council and those affected by such proposals.

1.0 Background

- 1.1 The Statement of Community Involvement (SCI) is aimed at a wide range of stakeholders, individuals and groups with the intention of informing people how and when they will be consulted by the planning department. The planning process also impacts on the wider community, and not just residents. The wider community includes businesses, land owners and the development industry, as well as statutory agencies and local interest groups.
- 1.2 Community involvement is encouraged for both planning policy and planning applications (development management), and consultation is a statutory requirement at key stages. Whilst the SCI is a statutory requirement, the Borough Council recognises that engagement is an essential part of the planning process.
- 1.3 In September 2020 the Newcastle-under-Lyme SCI was reviewed and updated to ensure consistency and compliance with legislation, and to reflect the circumstances the circumstances of Covid-19 which restricted some of the methods used to communicate with the public during the Local Plan Process, especially in regards to physically accessing planning policy documents and face to face community engagement.

- 1.4 On 9 December 2020 Cabinet formally decided to review the suitability of continuing with the Joint Local Plan with Stoke-on-Trent City Council, or to undertake work on a new standalone Newcastle-under-Lyme Local Plan. The review was formed within a two stage process with Cabinet seeking a second report in January 2021. During this process the Borough Council invited comments and opinions from those involved in the development plan process. The Borough Council also sought advice from an external consultant to explore a way forward.
- 1.5 On 13 December 2020 Cabinet made the decision to cease work on the Joint Local Plan, and begin work on the provision of a new Borough Local Plan. The Covid-19 outbreak and the UK's separation from the European Union in 2021 presents an uncertain economic and social climate. In these unprecedented times, departure from the production of the Joint Local Plan was considered appropriate to enable the Borough Council to be flexible and adaptable whilst planning for the future. Furthermore, a Borough Local Plan will be more aligned with the needs and growth aspirations of businesses and residents in the Borough of Newcastle-under-Lyme.
- 1.6 Whilst the SCI has recently been reviewed and updated, it was produced jointly with Stoke-on-Trent City Council reflecting the timetable of the Joint Local Plan, and the methods of community involvement as part of that process. In light of Cabinets decision to start a new Local Plan for the Borough of Newcastle-under-Lyme, a new SCI is required that is aligned with the new timetable for the production of the Local Plan, and sets out proposals for community engagement as part of this process.
- 1.7 The Draft SCI was published on the Councils website along with guidance on how to make a representation. The consultation was open for 6 weeks, in accordance with legislation, and closed at 5pm on 31st May 2021.

2.0 Issues

2.1 Policy Context

- 2.1.1 Section 18 of the Planning and Compulsory Purchase Act 2004 requires all Local Planning Authorities to prepare a SCI, setting out their policy for involving persons with an interest in the development of the area when preparing and revising their local plan. Furthermore, the Town and County Planning (Local Planning) (England) (Amendment) Regulations 2017 requires Local Planning Authorities to review their SCI's at least once every five years starting from the date of its adoption.
- 2.1.2 The National Planning Policy Framework states that plans should:

'a) be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees' (NPPF 2021, Paragraph 16a)
- 2.1.3 The SCI is important to help a wide section of the community to express their views on draft proposals and to ensure Local Plans reflect a collected vision and priorities for the sustainable development of the Borough. Furthermore, the involvement of all sections of the community within local plan making and decision making is viewed as a way of creating healthy and safe places (NPPF 2021, Paragraph 92).
- 2.1.4 From a development management perspective, the National Planning Policy Framework states:

'Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties' (NPPF 2021, Paragraph 39)

- 2.1.5 The SCI is important to help communities understand the planning application process, and how and when they can express their views to help achieve an improved or desired outcome at the decision making stage.

2.2 Key Issues

- 2.2.1 In January 2021 members of Cabinet formally made the decision to depart from the Joint Local Plan, and start production of a new standalone Local Plan for the Borough of Newcastle-under-Lyme.
- 2.2.2 The current adopted SCI reflects both Newcastle-under-Lyme Borough Council's and Stoke-on-Trent City Council's methods of community engagement for the Joint Local Plan. A new SCI is required because the Borough Council is starting the plan making process again through the production of a new Local Plan. It is important the SCI is up to date and reflects the Borough Councils independent approach to plan making.
- 2.2.3 The Draft SCI provides a structured approach to engaging with local communities across the local authority area on a variety of planning matters. It attempts to describe the main functions of the planning system in a user friendly manner to help local people and organisations understand the processes with planning policy, neighbourhood planning and development management. Specifically, this refers to the preparation of planning policy documents and determining planning applications.
- 2.2.4 All representations made during the consultation have been considered by the Borough Council. It is considered that no further amendments to the SCI are required and therefore, it is requested that the SCI be formally adopted in its current form
- 2.2.5 The Draft SCI was published in April 2021 as a consultation document to give the public, businesses, parish and town councils and interest groups an opportunity to express their views on how they want to be involved in guiding development with the Borough of Newcastle-under-Lyme. It also gives the opportunity for people to tell us what they like and dislike within the proposals set out to involve them.
- 2.2.6 It is split into four main sections. Part one is an introduction to the planning system and explains the background to the SCI, and why it is beneficial to engage with the local community at an early stage. Part two focuses on what planning policy documents are and the key stages in preparing Development Plan Documents and Supplementary Planning Documents (SPD's).
- 2.2.7 The Draft SCI goes on to show who the key stakeholders are and explains when and how people are consulted during the preparation of planning policy documents. This section also shows the Borough Council's commitment towards fulfilling the Duty to Co-operate legal requirement. This is designed to provide the community with information to improve their understanding of planning policy processes and procedures rather than being a necessary part of producing an SCI.
- 2.2.8 Part three describes the key stages of neighbourhood plan development, where the majority of the workload is undertaken externally by the Qualifying Body (i.e. Neighbourhood Forum or Town or Parish Council). The Borough Council plays a more supporting role within neighbourhood plan development.
- 2.2.9 Part four focuses on the types of planning applications and explains who, when and how people are consulted on development proposals. The types of applications and forms of engagement with planning applications are presented within Appendix 2 to 7

of the Draft SCI. The Borough Council is committed to meeting the requirements when consulting with the local community in the process of determining planning applications.

- 2.2.10 The Borough Council consulted on a new Draft SCI between 19th April and 31st May 2021 to provide local communities the opportunity to express their views on draft proposals for engagement, and to help shape how and when they are consulted on within planning policy and development management matters. This specifically related to the development of planning policy documents such as the new Local Plan, or the determination of planning applications.
- 2.2.11 The Draft SCI consultation provided the public an opportunity to identify what they like and dislike about how the Borough Council proposes to involve them within planning matters. Representations were received from the following bodies:
- Natural England
 - Historic England
 - Staffordshire Police
 - The Coal Authority
 - Keele Parish Council
 - Audley Parish Council
- 2.2.12 Summarised comments from these bodies can be found in Appendix B
- 2.2.13 The examination of the Local Plan by the Planning Inspectorate will consider whether the preparation of the plan was carried out in accordance with the adopted SCI. Therefore it is essential that the SCI is up to date and reflects the Borough Council's aspirations for community engagement. The Borough Council aims to provide transparent, user friendly and accessible ways to encourage and maximise public participation.
- 2.2.14 Complex community involvement exercises can be costly and labour intensive in the preparation, attendance and follow up. The consultation proposals presented within the Draft SCI seeks to achieve a balance between giving confidence to the community that their voice will be heard, and delivering a service that is cost efficient. Furthermore, the proposals seek to support the delivery of a planning service without overloading local communities with consultation exercises
- 2.2.15 It is important to note that the Covid-19 outbreak has forced the Government to place restrictions on people's movements and social interactions in order to prevent the spread of the Coronavirus. These restrictions will impact on the scope and nature of community involvement within planning matters.
- 2.2.16 Dependent on the impacts of Covid 19, the Borough Council may unable to fulfil some of its commitments as set out in the Draft SCI, and will compensate through maximising the use of virtual and electronic forms of communication. The Borough Council will continue to be guided by public health advice from the Government and other related bodies to protect the health and safety of all those involved in the planning process whilst ensuring effective community involvement. Temporary measures are presented within Appendix 8 of the Draft SCI on page 53.

2.3 Update from Planning Committee 22nd June 2021

- 2.3.1 At the meeting on the 22nd June, Planning Committee considered the draft SCI in terms of the consideration of planning applications and the delivery of planning policy documents notably the emerging Local Plan.

2.3.2 The Planning Committee resolved two items:

- i. That Cabinet be advised that the Planning Committee recommend the adoption of the Newcastle-under-Lyme Statement of Community Involvement 2021 and that it be published on the Council's website.
- ii. That Cabinet be advised that the Planning Committee would welcome the use of digital resources and communication for those consultees unable to attend physical meetings.

2.3.3 The SCI has been slightly amended since it was presented to Planning Committee notably to reflect the cessation of the Local Authorities and Police Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings (England and Wales) Regulations 2020 in May 2021

2.3.4 Appendix 8 of the revised SCI though still provides the Council with the opportunity to undertake virtual consultation as appropriate and going forward, it is expected that consultation, particularly in respect of the Local Plan will be undertaken in a hybrid form, both online and in-person thus meeting the expectations of the Planning Committee.

3.0 Proposal

- 3.1 It is recommended that the SCI is adopted as per the amendment to reflect the cessation of the temporary arrangements for meetings to be held virtually and the SCI to be placed on the Council's website and utilised for the consideration of planning applications and the preparation of the Local Plan.

4.0 Reasons for Proposed Solution

- 4.1 To enable the Local Planning Authority to undertake lawful consultation on planning applications and ensure sufficient opportunities are provided for people to engage in the preparation and subsequent adoption of the Local Plan is

5.0 Options Considered

- 5.1 By law Local Planning Authorities are required to have an adopted SCI, and to take responsibility to monitor and review the SCI accordingly. The current SCI was produced jointly with Stoke-on-Trent City Council and reflects methods of community involvement for the Joint Local Plan. A new SCI is required for Newcastle-under-Lyme to reflect the changes in the plan making process and forms of engagement with the public. A new SCI will demonstrate how and when the Borough Council will consult on key stages of the new Local Plan as set out within the agreed timetable
- 5.2 There is no reasonable alternative option to creating a new SCI. A new SCI provides an opportunity for the Borough Council to develop an efficient and effective approach to consultation, and support the successful involvement of local communities in the development of the new Local Plan. Without a transparent and up to date SCI the Borough Council risks criticism and complaints from the public.

6.0 Legal and Statutory Implications

- 6.1 Section 18 of the Planning and Compulsory Purchase Act 2004 requires all Local Planning Authorities to prepare an SCI, setting out their policy for involving persons with an interest in the development of the area when preparing and revising their local plan. Furthermore, the Town and County Planning (Local Planning) (England) (Amendment) Regulations 2017 requires Local Planning Authorities to review their SCI's at least once every five years starting from the date of its adoption.
- 6.2 Failure to have an up to date SCI can render decisions made by the Council to be at risk of challenge through a judicial review on the basis that a third party may feel disadvantaged in their ability to engage with the decisions making process and thus prejudiced by the outcome.
- 6.3 Likewise, the Local Plan may also be subject to challenge if prepared in a manner not compliant with the expectations set in the SCI.
- 6.4 It is considered that the draft SCI meets the requirements of the relevant Acts thus enabling the Council to make sound planning decisions on the applications brought before it and to proceed to the adoption of a lawfully sound Local Plan.

7.0 Equality Impact Assessment

- 7.1 In Part 1, the SCI considered how the process of consulting on planning applications and the development plan relates to the requirements of the Equalities Act 2010
- 7.2 It is considered that the SCI not only doesn't create any additional challenges to people to engage with the planning process but it looks at opportunities for the service to improve and widen our methods of ensuring groups and individuals are aware of proposals that may affect them.
- 7.3 The SCI does not prescribe specific measures that the Council will use in each situation e.g. to facilitate access to events, learn about schemes being considered or provide feedback to officers on proposals but it does set out a series of overarching principles that the service will adhere to in pursuit of ensuring comprehensive engagement has taken place.

8.0 Financial and Resource Implications

- 8.1 The Council has had in place a SCI for a number of years now. This amended version does not present any new financial burdens on the Council that have not previously been taken into account.
- 8.2 In terms of resourcing, the amended document, in line with the 2020 version, does allow the Council to engage with digital technologies to a greater degree than before. Over the past year, officers have become more adroit at using these opportunities and it is considered sufficient skill sets now exist within the relevant teams to ensure these resources can be utilised effectively.
- 8.3 Should new systems be brought in with the aim of enhancing accessibility to the planning process, training will be provided as appropriate.

9.0 Major Risks

- 9.1 As noted earlier, the Council has had a SCI in place for a number of years. It is not considered that the new version of the document would create any new risks.

10.0 UN Sustainable Development Goals (UNSDG)

- 10.1 As the mechanism for ensuring through consultation and engagement on development proposals, the SCI relates to the Councils wider abilities to meet a number of the UN Sustainable Development Goals (UNSDG). These are:-

- Goal 3. Ensure healthy lives and promote well-being for all at all ages
- Goal 6. Ensure availability and sustainable management of water and sanitation for all
- Goal 7. Ensure access to affordable, reliable, sustainable and modern energy for all
- Goal 8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all
- Goal 9. Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation
- Goal 11. Make cities and human settlements inclusive, safe, resilient and sustainable
- Goal 13. Take urgent action to combat climate change and its impacts
- Goal 15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss
- Goal 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels



11.0 Key Decision Information

- 11.1 This is a key decision as the requirements of the SCI affect all development proposals in all wards in the Borough from small scale extensions to major new developments

12.0 Earlier Cabinet/Committee Resolutions

- 12.1 9 September 2020 Cabinet Report – Decision was made to review and recommend changes to the adopted SCI to ensure consistency with legislation, and reflect circumstances regarding

Covid-19 and impacts on community engagement and public consultation for the Joint Local Plan.

- 12.2 9 December 2020 Cabinet Report – Decision was made to undertake a Joint Local Plan review following the economic and social impact of Covid-19 and Brexit, and to explore the option of continuing, or to split from the Joint Local Plan.
- 12.3 13 January 2021 Cabinet Report – Provided a consultation update for the continuation of the Joint Local Plan, taking into account the review as permitted from the previous Cabinet meeting. It was resolved to start production of a standalone Local Plan for the Borough of Newcastle-under-Lyme.
- 12.4 17 March 2021 Cabinet Report – Decision was made that the Newcastle-under-Lyme Draft Statement of Community Involvement would be approved for public consultations.
- 12.5 22 June 2021: Planning Committee – Decision to accept the findings of the consultation exercise and make recommendations to Cabinet to adopt the Statement of Community Involvement

13.0 List of Appendices

- 13.1 Appendix A: Draft Statement of Community Involvement 2021.
- 13.2 Appendix B: Summarised Comments from SCI Consultation

14.0 Background Papers

- 14.1 Planning and Compulsory Purchase Act 2004
- 14.2 Town and County Planning (Local Planning) (England) (Amendment) Regulations 2017
- 14.3 National Planning Policy Framework (NPPF) 2021



Statement of Community Involvement

Newcastle-under-Lyme Borough Council

September 2021

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Part 1: Introduction and Background

What is a Statement of Community Involvement?

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

Why should the community get involved in the planning process?

- 1.5 The planning process aims to encourage investment and growth, to help ensure that the long term economic and social needs of a community are met. It does this by providing land for: housing; jobs, shopping; leisure and community facilities etc. These needs often compete with one another and can put pressure on the environment. The planning process exists to balance these competing interests and create the conditions for business to grow and to deliver spaces and buildings that raise the quality of life. The aim is to do this without creating an unacceptable long term impact on the environment. This is often referred to as 'sustainable development'.
- 1.6 Since planning has a direct impact on the daily lives of ordinary people and the business community it is very important that development proposals are transparent and that you have the opportunity to have a say in the planning decisions that are made on your behalf.

- 1.7 Getting involved at an early stage of the planning process means that you stand the best chance of influencing a decision, so this SCI is designed to tell you about the different stages when you can get involved and how. See Parts 2 and 3 to find out how to get involved in Planning Policy and Neighbourhood Planning, and Parts 3 and 4 to know more about the Development Management process.
- 1.8 Your local knowledge is very valuable in helping to make good decisions and it's important that decision makers understand the type of community you want to live in. It is very important that we understand the aspirations of those who are ultimately responsible for delivering future development, i.e. the developers and land owners, so that we can work together to bring forward development which is in the public interest.
- 1.9 Our approach to community involvement therefore aims to:
- Inform** people of the planning process and to provide people with the information they need to be involved at the earliest opportunity possible.
- Involve** individuals and/or groups by creating opportunities for active participation and dialogue with planning officers.
- Consult** with the local communities and a range of stakeholders, in line with statutory requirements and regulations.
- Respond** to any comments received, giving proper consideration and explanation of how these views will be incorporated into the planning documents and decisions.

Challenges and objectives

- 1.10 The Borough Council recognises that there can be barriers to effective public participation and will work hard to address and overcome these where possible.
- 1.11 The main constraints are:
- **Cost** - complex community involvement exercises can be costly and labour intensive in the preparation, attendance and follow up. These costs need to be balanced with the complexity of the subject matter of the consultation document and the extent of the area covered by proposals;
 - **Managing expectations** – balancing the need for consultation with resource constraints.
 - **Consultation fatigue** – it is important that the councils can deliver their objectives for community involvement but there is also a need to ensure that the local community does not become overloaded with consultation;
 - **Technical terminology** - although the current planning system seeks to open up the process, there are still many technical terms and expressions. Plain

English will be used wherever possible, and glossaries provided within each planning policy document;

- **External constraints** - it is sometimes not possible to give a 'free rein' to an issue due to national policy or other 'rules' which are beyond the control of the council. Where these are known, the Borough Council will make these clear from the outset; and
- **Technology** - the use of e-technology makes communication and involvement in a complex process much easier for the public to self-serve. E-technology enables communities to have 24/7 access to information posted on the council websites. This supports an open and transparent planning system and should reduce the number of planning enquiries. However, the Borough Council recognises that not all of the community is able to use a computer, the internet or email, and therefore traditional methods of consultation will continue to be utilised.

National Health Emergencies

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

Equal Opportunity

- 1.13 The way in which we consult on planning matters will aim to meet the specific local needs of the local authority area.
- 1.14 In our endeavour to work in an inclusive manner we will consider the way we deliver our planning services from the perspective of a range of potential users. We will do this in a number of ways, including the following:
- Meeting our duties as set out in the Equalities Act 2010.
 - Promoting race equality and ensure fairness and equal treatment when carrying out consultation and community engagement.
 - Providing equal standards of service to disabled people.
 - Considering the need to offer planning policy documents in other formats on request.

- Offering some consultation and community engagement approaches in plan-making that do not involve writing.
- Organising consultation events to maximise involvement in plan-making, i.e. workshops.

1.15 Making the service accessible to those who are unfamiliar with the terms, processes and structures of the planning system is always a challenge. We will continuously review the ways we do this and will endeavour to cater for a range of levels of literacy and comprehension and will seek to clarify the relevance of planning to people's everyday lives.

Equal Opportunity - Accessibility

1.16 Accessibility regulations came into force for public sector bodies on 23 September 2018. They indicate that websites or mobile apps need to be more accessible by making it 'perceivable, operable, understandable and robust'. Following the introduction of this new regulation all future and documents/ reports and information which have been used within up-to-date will be made accessible on the website to help people who have impaired vision, motor difficulties, cognitive impairments or learning disabilities, and deafness or impaired hearing.

1.17 Any significant changes to the way the community are involved will be subject to public consultation.

1.18 The Tables on pages 13 to 18 and in Appendices 5 to 7 set out how different groups and individuals can get involved.

The Planning System: Plan-Making and Decision-Taking

Plan-making:

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

Decision-Taking:

1.20 Planning is something that affects everyone's lives although, for many of us, the only direct involvement we may have in the planning system is if we decide to build an extension and need to obtain planning permission from the council, or we may receive a letter from the council to let us know that a new development is proposed near where we live or work. This part of the planning process is often referred to as '**Development Management**', which involves making decisions on planning applications.

- 1.21 This SCI sets out what the key stages are in the plan making and planning decision making process and how you can expect to be involved. Planning Regulations also require, when making development plans, that a number of statutory bodies (including Town and Parish Councils) should be consulted and these are listed in Appendix 1.

Part 2: Planning Policy

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

How can you get involved in plan-making?

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

Who we will be consulting?

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

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

Consultation Database

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

2.7 These include:

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

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

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

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

Duty to Cooperate

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

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

- Cheshire East Council

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

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

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

The Newcastle-Under-Lyme Local Plan

2.15 The Newcastle-under-Lyme Local Plan will be comprised of a new overarching planning strategy which will capitalise on the advantages of the local authority area to create the environment for investment and economic growth over a 20 year period, setting targets for housing, employment and retail provision. It will focus on the key issues that need to be addressed and be aspirational but it will also be realistic in what it proposes. In this way the Local Plan will make clear what is intended to happen in the area over the life of the plan, where and when this will occur and how it will be delivered.

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

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

How will the Local Plan be prepared?

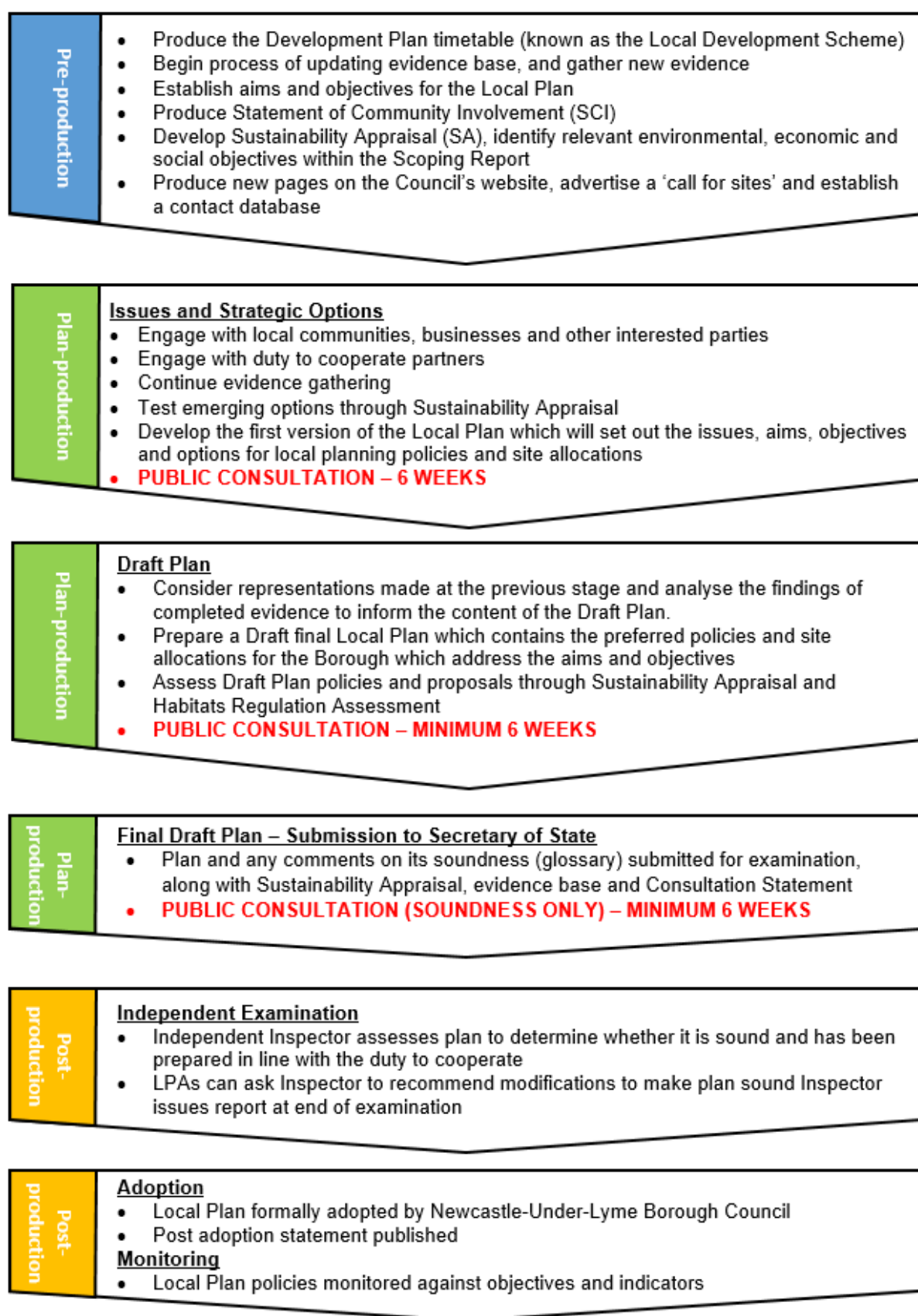
2.18 National planning policy sets clear expectations as to how a Local Plan must be developed in order to be justified, effective, consistent with national policy and positively prepared to deliver sustainable development that meets local needs and national priorities.

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

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

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

Diagram 1: Local Plan Production Process:



The Role of Elected Members in Local Plan Preparation:

Cabinet and Full Council

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

Local Plan – Methods of Communication

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

Table 1: Local Plan Pre-Production Stage

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

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

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

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

Table 2: Local Plan Production Stage

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

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

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

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

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

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

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

Table 3: Local Plan Post Production Stage

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

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

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

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

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

¹³ See Glossary

¹⁴ See Glossary

Supplementary Planning Documents (SPD's)

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

Table 4: SPD Production

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

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

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

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

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

¹⁷ See Glossary

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

Preparation and Review of this Statement of Community Involvement

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

Table 5: Statement of Community Involvement Consultation

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

Part 3: Neighbourhood Planning

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

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

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

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

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

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

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

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

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

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

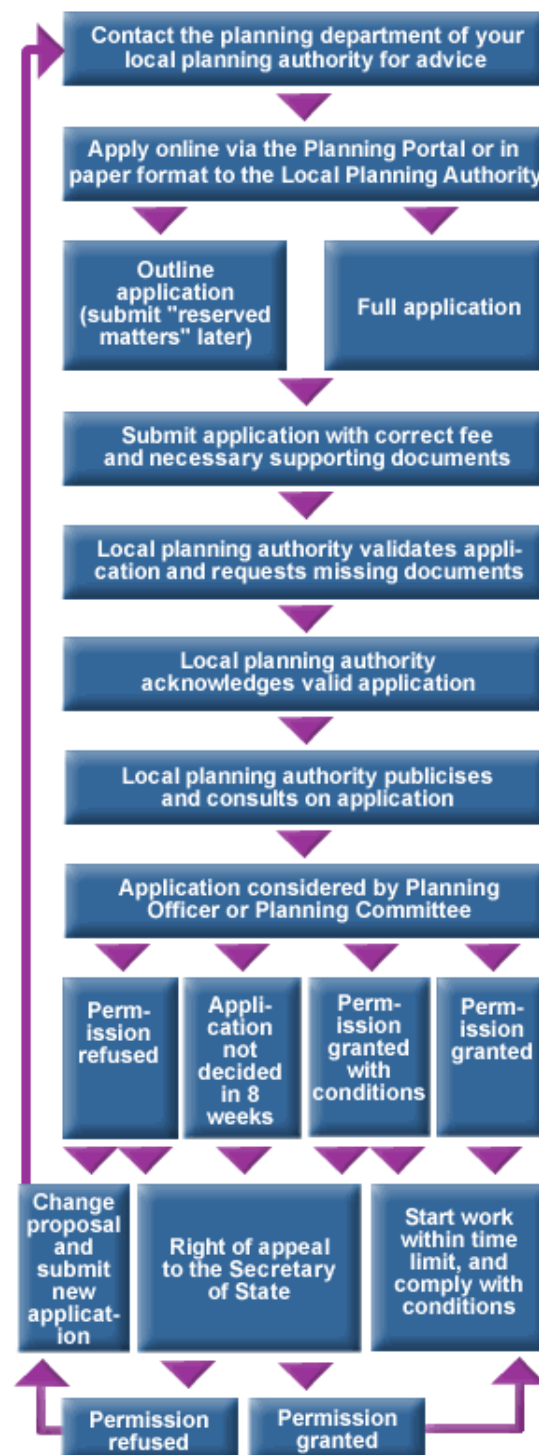
¹⁹ <https://www.newcastle-staffs.gov.uk/all-services/planning/planning-policy/neighbourhood-planning/neighbourhood-planning-tools-and-support>

Part 4: Development Management

The Development Management Process

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

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



Types and Categories of Applications

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

Community Involvement in Decision making

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

Pre-Application Planning Advice

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

Community Involvement in preparing planning applications

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

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

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

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

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

The Decision-Making Process

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

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

Consultation

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

Public Consultation:

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

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

Who is eligible to respond to a consultation?

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

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

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

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

What is the time period for making comments?

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

Will receipt of my comments be acknowledged?

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

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

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

Representations

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

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

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

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

Decisions

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

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

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

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

Enforcement

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

Planning Aid

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

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

Appendix 1: Local Plan and Neighbourhood Plan Consultation Bodies

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

Specific Consultees:

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

General Consultees:

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

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

Specific Consultees:

Local Planning Authorities:

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

Parish Councils within the Local Plan area:

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

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

Adjoining Parish & Town Councils:

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

Other Organisations:

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

General Consultees:

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

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

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

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

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

Appendix 3: Development Types

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

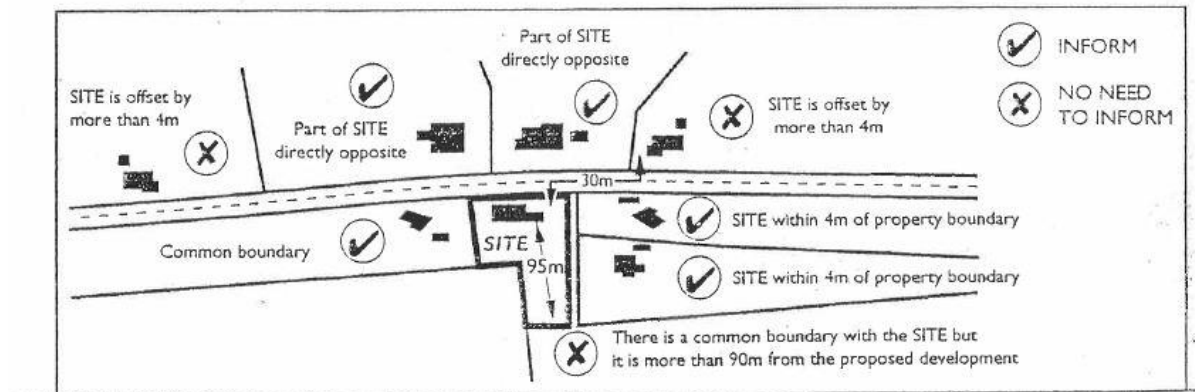
Appendix 4: Identification of adjoining land whose owners/occupiers are to be notified of an application

Which neighbours are to be notified?

Notifications are to be sent to:

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

The diagram below provides further guidance



Appendix 5: Pre-Application Consultation

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

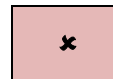
Type of Application:	Method of Consultation to be Applied:					
	Direct Mailing	Press and other Media releases	Press Notice	Site Notice	Exhibition	Public Meeting
Applications for planning permission for Wind farms (more than 2 turbines) and turbines of a hub height of more than 15 metres	✓	◇	◇	◇	◇	◇

Key:

Method will be appropriate=



Method will not be appropriate =



Method will sometimes be applied =



Appendix 6: Publicity for planning applications made under planning legislation

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

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

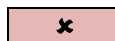
Planning application for	Methods of publicity to be used by Newcastle-under-Lyme Borough Council								
	During application Process						Following decision		
	Publication on the Council website	Making hard copy of application documents available for inspection	Press Notice	Site Notice	Neighbour Notification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

Key:

Method will be used =



Method will not be used =



Method might be used =



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

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

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

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

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

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

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

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

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

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

Key:

Method will be used =



Method will not be used =



Method might be used =



Appendix 8: COVID-19 Statement

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

Public Consultation Events on Planning Matters

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

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

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

Planning Committee and Cabinet

8. The Local Authorities and Police Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings (England and Wales) Regulations 2020 came into force on 4th April 2020. During a time where social distancing and self-isolation measures were fully in place, the 2020 regulations enabled local authorities and parishes to make provisions for holding remote meetings via video and telephone conferencing for a specified period until May 2021. The regulations applied to local council meetings, committee meetings and parish meetings.
9. As the regulations have not been carried forward, the Borough Council has reverted to undertaking in person meetings including Planning Committee, Cabinet and Full Council. Whilst voting members are required to attend in person, the Council has taken on board some opportunities for improved public engagement including the live streaming of meetings via the YouTube website and allowing some remote public speaking where the meetings are live hosted on platforms like Zoom or Microsoft Teams.
10. The Council will continue to use opportunities created through such solutions to improve public access to its meetings and as the technology evolves, the Council will provide guidance on its website for the benefit of the public to improve access online and also through in person routes for those cases where a more traditional forms of engagement are appropriate. For further information about access and taking part in the virtual meetings please contact

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

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

Neighbourhood Plans

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

Appendix 9: Glossary

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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Body	Comment	Response	Changes Proposed (if applicable)
Natural England	<ul style="list-style-type: none"> - Supportive of meaningful and early engagement of the community, organisations and statutory bodies in local planning matters, both in policy and determining planning decisions. - Unable to comment in detail on individual SCIs. 	<ul style="list-style-type: none"> - Comments welcomed 	<ul style="list-style-type: none"> - No changes proposed
Historic England	<ul style="list-style-type: none"> - Satisfied that they are stated as being a specific consultation body. - Welcome the inclusion of HE as a consultee for Neighbourhood Plans, prior to the provision of a SEA screening opinion. - Would like to be notified of proposed neighbourhood plan areas as well as consultation on draft plans. - Under development management, HE suggests it may be helpful to add clarification of when they would be consulted on an application. - HE welcomes consultation at an informal level. 	<ul style="list-style-type: none"> - The Council will consult Historic England along with other Statutory Consultees on emerging Neighbourhood Plans when local groups are formed - With regard to consultation on planning applications, the Development Management service will consult Historic England and other consultees in line with the procedures prescribed in The Town and Country Planning (Development Management Procedure) (England) Order 2015 as amended. - The Council will seek to include Historic England in pre-applications discussions as appropriate and encourage prospective applicants to engage with all consultees effectively 	<ul style="list-style-type: none"> - No changes proposed

Staffordshire Police	<ul style="list-style-type: none"> - Inclusion as a consultee is welcomed for the Local Plan, Neighbourhood Plans and planning applications. - Opportunities for pre-application advice with Staffordshire Police on major planning applications would be welcomed. - The SCI document is sufficiently clear, informative, well-structured and comprehensive. - No omissions, errors or unnecessary content were identified. 	<ul style="list-style-type: none"> - The Council will continue to work with the Police service on allocations, policy creation and applications - Along with other consultees, the Police will be included in pre-application discussions on relevant schemes. 	- No changes proposed
The Coal Authority	-	No specific comments to make on the SCI.	- Noted

Audley Parish Council	<ul style="list-style-type: none"> - Requests physical consultations (which are in line with Covid-19 measures only when there are new housing sites being proposed within the Local Plan. 	<ul style="list-style-type: none"> - The Council will seek to consult with all Parish Councils in line with The Town and Country Planning (Development Management Procedure) (England) Order 2015. Where planning applications are submitted for major residential schemes, the Council will comply with the legislation on the use of site notices, press articles, neighbour letters and other forms of consultation. It is not proposed that the Council will host physical consultation events on planning applications for major housing development as this would require significant resourcing, add an additional process into the determination of an application with inevitable impact on the duration of the assessment process and most importantly, provide a developer with an effective route to legal challenge on the grounds that the Council went above and beyond its statutory duties to consult thus providing potential objectors with an enhanced opportunity to challenge an application beyond what is considered necessary. 	<ul style="list-style-type: none"> - No changes required
Keele Parish Council	<ul style="list-style-type: none"> - Pleased SCI recognises need for traditional methods of consultation alongside digital methods. "A naïve enthusiasm for ecommunication can result in limited reach and a failure in transparency rather than improvement". - Urge that the borough moves at pace to reinstate face to face consultations after restrictions end. <p>Agree that "early and meaningful engagement and collaboration" is essential. They note that their overtures about such engagement in the Local Plan have not borne fruit and remain</p>	<ul style="list-style-type: none"> - The absence of many in person meetings in 2020 and early 2021 has been a great regret to the Council and it is recognised that in person meetings allow for consultations to be undertaken in different formats than on-line only. - A move to just in-person events does though have the potential to disadvantage some sections of the community e.g. people with poor mobility, care responsibilities or work commitments that may preclude attendance at a traditional consultation event. <p>Both on-line and in person events have their own merits and the Council will look to utilise one or both</p>	<ul style="list-style-type: none"> - No changes proposed

	<ul style="list-style-type: none"> - unaware of developments with the University Growth Corridor. It is unclear what is meant by 'early' or 'meaningful' in this context. Urge that NULBC take the same level of detail that the joint local plan did when consulting on site allocations. - Note that consultations take place over too short period of time or at inappropriate times of the year. "Can we request that sensitivity is shown when timetabling consultations?" "The sooner consultees can be engaged in planning and have sight of critical documents, the more informed and useful the response will be". - 	<ul style="list-style-type: none"> - methods to undertake consultation as appropriate. Consultation events for the local plan could be extended but 6 weeks allows a balance between - individuals and organisations to accommodate annual leave patterns and independent consultation on potential comments to the emerging plans. For planning applications, the 21 day consultation period, is prescribed in Part 3 of The Town and Country Planning (Development Management Procedure) (England) Order 2015. Arbitrarily extending this time to allow consultees additional time to formulate their comments impacts on the time to process applications in a timely manner to meet Government expectations on performance and could result in decisions being challenged but applicants aggrieved at unfavourable decisions. Regarding the timing of consultation events, it is not possible to defer consultation on planning - applications that are submitted just in advance of events like Bank Holidays. For consultation on the development plan, the Council will always seek to avoid large parts of any consultation exercise being affected by holiday periods though at Easter and Christmas it may not prove possible to avoid all holiday events e.g. due to a requirement for the Council to meet statutory deadlines. 	
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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S

REPORT TO

Cabinet
08 September 2021

Report Title: Car Parking Strategy 2019-2029 - Update

Submitted by: Executive Director - Commercial Development & Economic Growth

Portfolios: Finance, Town Centres and Growth

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

Purpose of the Report

To provide an update to Members on the Newcastle-under-Lyme Borough Council Car Parking Strategy 2019 – 2029, which sets out the Council's plans and ambitions for our car parks for the next 10 years.

Recommendation

That Cabinet:

1. notes the update to the Council's Car Parking Strategy 2019-2019.
2. approves the recommendation for Christmas Car Parking charges including the Town Centre Covid Recovery free car parking on the Midway as noted within the report and delegate authority to the Executive Director – Commercial Development & Economic Growth, in consultation with the Portfolio Holder for Finance, Town Centre's and Growth to implement these charges.

Reasons

The current car parking strategy was adopted in 2019 for a duration of ten years. It is considered an appropriate time to review and refresh the car parking strategy, to evaluate the current issues and to formulate strategic priorities.

1. Background

- 1.1 The Council has a wide range of car parks in Newcastle town centre which are recognised to play an important role in the operation of the town centre for visitors and businesses. This strategy sets out how the Council will utilise these resources to balance the demands of the various users of car parks, support town centre businesses, and ensure operational costs are met.
- 1.2 Importantly the Council wants to work with partners including the Business Improvement District to ensure that our car parks meet the needs of local businesses. Equally the Council is committed to investing in our car parks to ensure that they meet the developing expectations of customers and maximise the use of developing technology.

- 1.3 Management of our car parks also relates to the use of cars in our town centre and through the Council's commitment to reducing carbon emissions it is important that the car parks support good traffic / parking practices and the use of electric vehicles.

2. **Objectives**

2.1 The Car Parking Strategy 2019-29 has established three objectives, which are:

- To provide car parking which meets the current and future needs of the town centre for visitors, businesses and residents that will live in the town centre;
- Optimise the cost-efficiency of the car park assets;
- Minimise congestion and improve air quality.

2.2 The strategy covers a 10 year period, with actions analysed into Short (1year) medium (2-5 years) & long term (5-10years). Under these objectives, a number of priorities have been set:-

- Priority 1 - to provide good quality car parks
- Priority 2 – to improve the customer experience of parking in Newcastle
- Priority 3 – to support the economic development of Newcastle Town Centre

3. **Update**

3.1 The following will provide an update on these priorities and the activities that have taken place to achieve the targets set.

3.2 **Priority 1 - to provide good quality car parks**

- The Council's main multi-storey car park is the Midway, this provides considerable parking for many town centre users, however, this car park is now at a stage whereby it needs to be renewed.
- The decision has been made to replace the Midway with a new build multi-storey car park on the site of the Ryecroft.
- This will provide approximately 450 spaces with many EV charging points, good lighting and a safe modern environment to service the Town Centre.

3.3 **Priority 2 – to improve the customer experience of parking in Newcastle**

- Twelve new ticket machines were installed in the autumn of last year, with the facility to pay by card – either chip or contactless, as well as by cash. These new machines have proven very popular with an initial 30% take up of payment by card. Subject to future capital funds being available it is hoped to replace further older ticket machines that do not offer card methods of payment.
- The contract to pay for parking by phone was renewed last autumn too, however with a new provider. This service is now with one of the leading providers in the country, PaybyPhone. This also resulted in a reduction of the convenience charge to the customers from 20p to 7p.
- CCTV monitoring and surveillance requirements have been improved in the Midway with new cameras and monitoring provided by our CCTV contractor.
- Supporting the County Council's implementation of the new street signing as part of the Wayfinding Strategy. This has involved replacing older signage, updating directional information and showing capacity numbers for borough car parks.

3.4 **Priority 3 – to support the economic development of Newcastle Town Centre**

- A shoppers discount of £1 after 1pm was a proposed trial for 8 months, however due to the covid19 pandemic this has continued to the present day. From November 2018 to the penultimate week of March 2019, a total of 73,567 tickets were purchased for the Midway car park. BID parking proposals around the control of the Goose Street car park is now not being taken forward.
- Offer free parking for 5 event days per year where there is a clear business engagement plan to demonstrate economic impact – there is insufficient data due to COVID-19.
- Supported Christmas retail and town centre shoppers in the run up to Christmas with free parking from 5pm for Christmas late night shopping.
- To support business owners and workers in the town centre the council simplified the quarter permit scheme based on £2.00 per day for all day parking, which equates to £130 (excl VAT) per quarter. Permit income for 2019/20 was in line with the previous financial year. In comparison to the £183,000 generated during 2019/20, the income in 2020/21 for permits drastically reduced to £24,000. This was due to the restrictions put in place due to COVID-19.

3.5 Priority 4 – to ensure that car parks meet the future demands of car users

- The Parking Service is working with colleagues from Environmental Health to establish electric charging points for taxis as part of the Clean Air project. These proposals are reaching the final stages of design with colleagues from Stoke City & Stafford Borough Council in partnership with the chosen contractor Swarco. It is proposed to install electric chargers initially at 3 sites within the town, sited on council car parks. These chargers will be available for the public to use, as well as the taxi service providers.
- Experience will be gained from this initial trial of electric charging points to enable the council to establish a funding model to achieve the provision of electric charging points on all council car parks.

4.

Proposals

- 4.1 Free Parking for the run up to Christmas including the Town Centre Covid Recovery free car parking on the Midway Car Park from 9am to 1pm, thereafter the £1 after 1pm will continue, to generate increased footfall into the Town Centre. This will commence on the 1st October 2021 unto the 5th January 2022. This will cover the following: Castle Artisan Markets; Vegan Market; and Festive events on the market in conjunction with the BID.
- 4.2 The Council has written to the Secretary of State to request Business Rate Relief for Car Parks in the Borough to promote the back to business following the effects of the COVID pandemic and the Government's initiative to get the high streets and retailers back to normal and cover the costs of the free parking. (see appendix).

5. Legal and Statutory Implications

- 5.1 There are no legal or statutory issues arising directly from the recommendations in this report, which simply ask Cabinet to note a strategy update and delegate authority to implement Christmas car parking charges. There will be statutory/legal

implications when individual actions considered take place. Full and proper regard will be had to these at the relevant time.

6. **Equality Impact Assessment**

- 6.1 It is not envisaged that these proposals will have an adverse impact of the users of the Town Centre car parks as the proposals are aimed at increasing footfall into the Town Centre for a more vibrant centre for all.

7. **Financial and Resource Implications**

- 7.1 Income for parking in 2021/22 is forecast to be £376,319 less than budgeted. This does not include the potential impact of proposed free parking before 1pm as detailed in 7.4.
- 7.2 Overall parking income, including penalty charge notices and season tickets, amounts to £153,139 for the first four months of 2021/22. This equates to a reduction of 47% compared with the same period in 2019/20, prior to COVID-19. It is also £167,253 less than budgeted for this period in 2021/22.
- 7.3 Between March and June 2021, the monthly income from off street parking has risen c.30% month on month. However between June and July 2021 this plateaued at a 10% increase, with monthly income for July reaching £36,922. This is a 26% decrease on the average monthly off street income received during 2019/20.
- 7.4 The cost of proposed free before 1pm parking from 1st October 2021 to 5th January 2022 is estimated to be in the region of £53,600, this is an in year pressure for which funding will need to be identified. The pressure is based on a 26% reduction on the 2019/20 income level of £148,000 for the same period, with 49% of ticket sales being purchased before 1pm (based on cashless ticket sale data). This would also potentially have a knock on effect of reducing both season ticket sales and penalty charge notices issued.

8. **Major Risks**

- 8.1 There are not considered to be major risks to this update or proposal as the aim is to increase the number of visitors into the Town Centre.

9. **UN Sustainable Development Goals and Climate Change Implications**

- 9.1 The car park strategy is aiming to support the following UNSG and Climate Change objectives in a number of ways.



10. **Key Decision Information**

- 10.1 Not Applicable.

11. **Earlier Cabinet/Committee Resolutions**

11.1 Cabinet 16th October 2019

12. **List of Appendices**

12.1 None.

13. **Background Papers**

13.1 Car Parking Strategy 2019 – 2029.

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

Our ref:

Your ref:

Date: 19th August 2021

Robert Jenrick
Secretary of State for Housing, Communities and Local Government
2 Marsham Street
London
SW1P 4DF

Dear Robert

I am writing to you today to request your support in respect of granting business rate relief on one of our car parks during the run up to Christmas.

As you will be aware the closure of almost all non-food retail venues, combined with a collapse in commuter road traffic has caused revenues at paid car parks to significantly reduce. Safe, accessible car parking is vital to our economy, and in addition enables users to maintain social distancing and help to minimise the spread of Covid-19 which on public transport is considerably more problematic.

As an authority we are currently working hard in supporting our local businesses to get back on their feet whilst ensuring the financial sustainability of the Council. A large proportion of our businesses situated within the town centre will be relying on revenue generated during the autumn months and Christmas period. We are currently reviewing our Car Parking Strategy and are proposing to offer shoppers using our main town car park known as the Midway Car Park, free parking between October 2021 and early January 2022. We feel that this will encourage shoppers to come back into town and support the businesses situated there.

Our request is for your agreement to grant business rate relief for this period of free car parking (October 2021 – January 2022) on our main town centre car park which has annual business rate of £96,810. Your support in our request will assist local businesses in their financial recovery, help get residents safely back into town and contribute to the Council's financial sustainability.

I would like to thank you for taking the time to review our request and look forward to hearing from you in due course.

Yours Sincerely

Cllr Stephen Sweeney
Deputy Leader of Newcastle-under-Lyme Borough Council and
Portfolio Holder – Finance, Town Centres and Growth

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO CABINET

Cabinet
08 September 2021

Report Title: Jubilee2 Update

Submitted by: Executive Director – Commercial Development and Economic Growth

Portfolios: Leisure, Culture & Heritage

Ward(s) affected: All Wards

Purpose of the Report

This report is aimed at providing an overview of the work undertaken by officers to develop and sustain the Council's Jubilee2 leisure facility, highlighting the formal governance arrangements during the construction process and the significant building issues faced post construction.

1. Since 2012 there have been a number long standing and or significant building defects that have had an adverse impact on the reputation of Jubilee2. It is therefore noted that since 2017 significant progress has been made to resolve some long standing building issues at Jubilee2
2. That Officers of the Borough Council alongside Morgan Sindall complete the intrusive Building survey to identify any other unknown building defects that may cause future failures of the fabric of the building or failure of fixed electrical and mechanical plant or equipment prior to their normal life expectancy.
3. Officers of the Borough Council alongside Morgan Sindall having completed the above survey establish and agree appropriate corrective actions where building defects are identified.

Reasons

The Council made a significant capital investment in providing Jubilee2. Maintaining the facilities in a good condition protects this investment for the benefit of the health and wellbeing of residents of the Borough and is essential to support the commercial operation of Jubilee2 as well as the Council's cross-cutting objectives for its communities.

1. Background

1.1 **Governance Arrangements:** The general project management of Jubilee2 was supported by the following tiered Structure between August 2009 and January 2012.

- Tier 1 - Project Board: The project board was chaired by the leader of the Council and met on a quarterly basis. This group comprised of the Councils Executive management Team, Cabinet, Key Officers, who made key project decisions in relation to finances, design, significant variations to the project and the project time frame etc.
- Tier 2 - Project Steering Group: This Group was chaired by the then Executive Director for Regeneration and Planning as the project director and met on a monthly basis. It

incorporated Senior Officers of the Council with the responsibility to drive the project forward. This group was supported by the external Project Manager GMG Associates who provided advice and guidance on key elements of the project to ensure that it was delivered on time and within budget, and supported recommendations made by the group to the project board.

- Tier 3 - Working Groups: Smaller working groups to focus on key areas of the project such as procurement, communications and funding applications, and making recommendations to the steering group.

1.2 Design & Supporting Professional Services: To support the design and development of Jubilee2 the following expert practices were engaged in accordance with the Council procurement procedures:

- William Saunders Architects: principal designer (Subsequently novated to Morgan Sindall);
- Furness Partnership: Structural Engineers (Subsequently Novated to Morgan Sindall);
- Silcock Dawson: Mechanical and Electrical Engineers;
- Sheerwater Consultancy: appointed as Pool Consultants;
- GMG Associates: appointed as Project Manager and Employers Agent;
- GMG Associates: appointed as Quantity Surveyor;
- Silcock Dawson: appointed as BREEAM Bespoke Consultants;
- RFS Consultancy: appointed as CDM Coordinator;
- Staffordshire County Council: delivered Section 278 Highways Works;
- Stoke-on-Trent City Council: delivered Building Control Services;

1.3 Procurement of the Main Contractor: Following a three stage OJEU compliant tender process (with the support of a number of the above professional services) Morgan Sindall (Construction) Limited were appointed to construct the Jubilee2 leisure facility in the summer of 2010 with an anticipated build programme of 18 months at a fee of circa £7,436,982. It should be noted that Morgan Sindall were appointed on a design and build contract and they assumed design responsibility for the construction of Jubilee2. A performance bond was agreed in November 2010 to a value of £743,000 (the final part of the bond/retention being repaid in February 2016 on the advice of the Council's Facilities Manager at that time). In essence it has been recognised that this was a poor decision and the retention monies should have been retained given the on-going problems with the building.

1.4 Clerk of Works: A clerk of works oversees the quality and safety of work on a construction site, making sure that building plans and specifications are being followed correctly. Duties include: performing regular inspections of the work on site and comparing completed work with drawings and specifications. It was recommended by the Council Officers that a Clerk of Works was not required in connection with the construction works, given that the Council's Facilities Manager (at the time) could undertake this role and liaise with GMG Associates as the Council's Employers Agent to address any issues that arose during the construction phases and these were to be addressed as part of the regular site meetings. GMG Associates were also responsible for verifying all contractors' invoices in their role as a Quantity Surveyor.

1.5 Variations during Construction: Any Variations to the J2 building works were administered by GMG Associates following liaison with specialist advisors and the Council as their client, these variations went through due process in accordance with the governance / contract requirements. Some examples of variations made to the original contract for Jubilee2 were the inclusion of a changing places room, the addition of solar panels on the roof, additional drainage in the aqua sauna and the addition of underfloor heating in the aqua sauna etc.

However it is unlikely that these variations led any of the significant building issues that were encountered at Jubilee2.

- 1.6 Throughout the construction period regular meeting took place with Morgan Sindall and the Borough Council, supported by their professional advisers.
- 1.7 Completion of Works: In December 2011 Jubilee2 reached practical completion with the Building being signed off in a satisfactory condition by GMG Associates acting in their Project Management / Employers Agent Role/s and in consultation with the Council's Facilities Management team.

2. Issues

- 2.1 **Building Defects:** Since 2012 Jubilee2 has been plagued by a number of significant one off or long standing building defects. In accordance with the JCT building contract Officers attempted to resolve these defects with Morgan Sindall. However it should be noted that until 2017, little progress was made to resolve some of these long standing defects and or work undertaken to identify any future building risks which may have an adverse impact on service delivery.
- 2.2 **Building Maintenance:** Following the handover of the Building to the Council in December 2011, the Council assumed responsibility for the up keep and maintenance of Jubilee2. This role became the responsibility of the Councils Facilities Management team under the direction of the then Executive Director for Regeneration and Planning. There were two aspects of this a) to ensure that planned preventative maintenance contracts were put in place and b) to identify any defects/latent defects post completion whilst the was still under warranty until December 2023 under the terms of the JCT contract. Where defects were identified these were to be addressed with Morgan Sindall as the main contractor to investigate and or rectify. Unfortunately Jubilee2 has encountered a number of significant building defects which have occurred since it opened and these are summarised in points 2.2 – 2.6.
- 2.3 **Roof Leak:** The roof leaks at Jubilee2 materialised in 2012 within twelve months after practical completion. Morgan Sindall made unsuccessful attempts at repair the roof, which at times appeared to resolve this issue but unfortunately this issue has continued to reoccur. These continued leaks have had a negative impact on the reputation of Jubilee2 as buckets were routinely placed in the stairwell of the building to collect rainwater, an action which does little to portray an image of a professional and high quality facility. In 2018 the Council put Morgan Sindall on notice to repair the roof leak above the main stairwell, studios, and the perspective gallery. Since then Morgan Sindall have undertaken extensive roof surveys and remediation works at their costs to try and rectify these leaks. Whilst this has been a challenging exercise Officers now believe that the issues have been resolved, following the roof being independently reviewed, a report submitted and signed off. Officers are currently reviewing the findings of this report and they are now in discussions with Morgan Sindall about an extended warranty period for the roof structure.
- 2.4 **Gym Floor:** In 2013 significant issues were identified with the Gym floor as it was becoming evident that the vinyl covering was becoming uneven and or lifting. This was investigated by Morgan Sindall and it was identified that the cause of this was due to incorrect packers being used to support the flooring system. As a result Morgan Sindall at their cost replaced the entire flooring system in two phases in order to allow users still to maintain access to the gym albeit capacity within the gym area was significantly reduced.
- 2.5 **Hydraulic System in the Training Pool:** In 2015 there was a significant failure of the hydraulic system in the training pool which led to oil residues entering the pool. This led to a

shutdown of the training pool for approximately two months whilst remediation works were carried out. The Council absorbed the cost of these works at a significant cost with a view to recovering monies from Morgan Sindall. Expert independent third party advice was obtained from a hydraulics engineer who indicated that the design of the fixing of the hydraulics was flawed. However, legal advice was sought in regards to this failure and Counsel advised that the cost of litigation would be higher than the costs towards repair or any consequential losses and therefore this avenue was not explored further on the advice of the Executive Management Team.

2.6 Aqua Sauna: Since 2016 leaks started to appear into the changing village which was located directly beneath the aqua sauna. In March 2019 following ongoing concerns water ingress to the fabric of the building and the damage being caused to the changing Village below (ceiling tiles and lockers etc) the decision was taken to close this facility. The Council undertook its own investigations with the support of a third party specialist at a cost of circa £3,000 to ascertain the cause of the leaks. Subsequently it was identified that the root cause was inadequate tanking allowing water to seep through the fabric of the building. As a result the Chief Executive Officer of the Council contacted Morgan Sindall with a view to re-engaging with the Council to discuss this particular issue and the longstanding problems with the roof leakages. To support this work legal advice was sought (external legal experts Weightmans solicitors were appointed to help with negotiation and possible litigation, to do this Keith Millers from Byron Clark Roberts limited were instructed, expert witnesses in architecture, building surveying and structural engineering who attended site visits). As a result of this engagement Morgan Sindall agreed to:

- Contribute a significant financial contribution towards the reinstatement of the area into a useable space;
- Commit to undertaking an independent roof survey and correct/fix both current and any longer term problems identified;
- Work with the Council to undertake an intrusive survey of Jubilee2 to identify any additional potential significant risk which could impact on the operation of Jubilee2 in the future;
- Work constructively with the Council to address any potential future latent defects in a proactive and collaborative manner.

2.7 Pool Leak: In August 2020 the main swimming pool was closed due to a significant water loss. The Council's retained pool specialist Sterling Hydrotech were asked to visit to investigate / ascertain the cause of the leak, and over a period of fifteen(15) weeks and significant investigatory work it was concluded that the loss of water was due to a fractured in let pipe (the probable cause being un-supported piping). Prior to recommissioning the pool it was identified that there was a strong likelihood that additional pipes had fractured and therefore the Council, following consultation handed over the responsibility of these repairs and costs to Morgan Sindall who took on full responsibility for the failure.

2.8 Having assumed the responsibility for the remediation works for the leaks to the main pool at the request of the Council, Morgan Sindall undertook further investigative works in relation to the cause of the fractured pipework and identified that the pipe work had failed due to:

- a) Pipe hangers being omitted from the original design and
- b) Inadequate backfill material being used to fill the voids below the pool surround ultimately leading to poor ground conditions.

2.9 In essence both of these issue posed a real concern for the Council in that there would be a (strong) likelihood that other sections of the pipe work would fail in the near future. At Morgan Sindall's cost they have now rectified the faults (linked to both pools) and stabilised the grounds with an injected resin system which has a 10 year warranty and retiled the pool

surrounds where appropriate to do so. Both swimming pools reopened to the public in April 2021 following the easing of Covid-19 restrictions.

2.10 Building Survey: On the 14 October 2020 Cabinet received an officer report concerning the ongoing building issues at Jubilee2 and recommended that the Council in conjunction with Morgan Sindall undertook an intrusive building survey to identify any significant risks ensuring that these can/will be addressed prior to the latent defects period ending. Following positive dialogue Officers have now received a number of proposals from Morgan Sindall which are now being reviewed to ensure that the scope of works identified meets industry best practice. It is therefore envisaged that this survey will now commence in September 2021, and officers should be in receipt of a draft report six to eight weeks later.

2.11 Lessons Learned: Taking into account the ongoing building issues that Jubilee2 has encountered since 2012 officers have concluded that the building issues could have been dealt with better if:

- An external clerk of works had been appointed to oversee the construction of Jubilee2, who would have identified that there was inadequate tanking for example in the construction of the aqua sauna etc.
- That Greater pressure was applied to Morgan Sindall to resolve the significant building issues in a timely manner. One significant factor that reduced Officers ability to exert a greater influence over Morgan Sindall to address the building issues was the release of the retention payment in February 2016 when there were known ongoing issues with the building. That said it should be noted that due to a significant change in Morgan Sindall's after care team in 2019 a positive working relationship materialised which allowed Officers to close out some of these long standing issues, with Morgan Sindall showing a real commitment and intent to resolve these building issues at their expense.
- Cabinet had been provided with regular updates concerning the significant building issues in order to keep them fully informed about the progress being made and the impact that these were having on the delivery of services, customer retention and the reputation of Jubilee2. Since December 2017 Cabinet has requested and has been receiving these updates on a regular basis.

2.12 Covid 19: The Covid 19 pandemic has been a testing time for Jubilee2 over the past 18 months due national lockdowns and the delivery of services being restricted by the social distancing measures introduced at the time. However since the reopening of Jubilee2 in April 2021 Jubille2 has seen some positive growth in gym membership's from 1650 In April 2021 to 1999 at the end of July 2021, and officers now working towards a pre-Covid membership target of circa 2,900 members by the end of this financial year.

2.13 In addition to the above Jubilee2 has received very positive feedback from some of their members and an example of this is shown below:

"Myself and my fiancé went swimming on Wednesday evening at Jubilee2 and before going in to the main reason I wanted to write a note of appreciation, I thought it would be worth mentioning how smooth, safe and efficient the process was with lockers, changing rooms and swimming numbers. We both really enjoyed the experience and thought that the process was being handled as professionally and safe as possible. The main reason for my wanting to write to you came about after swimming though when we were both signing up to become members. From initial sign up with Jeanette, to Rob offering to give us a tour of the gym and Hayley joining him in doing so, we couldn't have been made to feel more welcomed and appreciated. The level of detail everybody was willing to go into to help us was up there with some of the best customer service experience I've ever received. To highlight this, I've never felt the need to, or ever written, a note of appreciation

before, but I felt the experience we received on Wednesday went so far above even good customer service that it warranted me writing this. Please pass on my/our thanks."

2.14 Sport England: In March 2021 Jubilee2 secured funding to be part of Sport England's National Leisure Recovery Fund and use of the Moving Communities project to measure impact. This offers to develop a greater understanding of Jubilee2's impact on the Borough's residents using qualitative and quantitative data, and a summary of this information for the first quarter of this financial year can be seen below:

- The net promoter score was 55.81% and this being the percentage of customers who would actively promote Jubilee2 to family and friends.
- 76.74% of customers felt totally confident in returning to Jubilee2.
- 94.29% of customers thought the standards of cleanliness were high.
- 86% of customers identified that they would prefer to exercise in a leisure facility as opposed to an informal setting.
- 85% of customers identified that they intend to exercise in a leisure facility at least once a week.
- The social value for the Jubilee2 was £349,494 for the past twelve months broken down into the following areas (but it should be noted that Jubilee2 was closed for most of this period due to the Covid-19 pandemic):
 - £64,690 improved health i.e. what it saves the NHS;
 - £278,099 improved sense of wellbeing;
 - £6,591 increased educational attainment in 11-18 year olds;
 - £115 reduced crime.

3. **Proposal**

3.1 Since 2012 there have been a number long standing and or significant building defects that have had an adverse impact on the reputation of Jubilee2. It is therefore noted that since 2019 significant progress has been made to resolve some long standing building issues at Jubilee2.

3.2 That Officers of the Borough Council alongside Morgan Sindall complete the intrusive Building survey to identify any other unknown building defects that may cause future failures of the fabric of the building or failure of fixed electrical and mechanical plant or equipment prior to their normal life expectancy.

3.3 Officers of the Borough Council alongside Morgan Sindall having completed the above survey establish and agree appropriate corrective actions and delivery plan where building defects are identified.

4. **Reasons for Proposed Solution**

4.1 The Council made a significant capital investment in providing Jubilee2. Maintaining the facilities in a good condition protects this investment for the benefit of the health and wellbeing of residents of the Borough and is essential to support the commercial operation of Jubilee2 as well as the Council's cross-cutting objectives for its communities.

5. **Options Considered**

- 5.1 To do nothing is not an option for the Council to follow. It is imperative that the Council understands whether or not there are likely to be significant building defects in the future prior to the end of the latent defects period in December 2023, so that these can be addressed with Morgan Sindall in a timely manner.
- 5.2 To engage with Morgan Sindall in undertaking an intrusive building survey to identify any other unknown building defects that may cause future failures of the structure and establish corrective actions to address any existing/future defects that would impact on the ongoing operation of the facility and impact on the customer and member experience.

6. **Legal and Statutory Implications**

- 6.1 Whilst completion and handover of the facility took place in December 2011 and whilst a defects liability period was established (the time period specified in the contract during which a contractor is legally required to return to a construction site to repair any defects which have appeared in that contractor's work since the date of construction) officers have been constructively working with the contractor to identify issues and shortfalls and address these to the satisfaction of both parties, prior to the end of the latent defects period.

7. **Equality Impact Assessment**

- 7.1 It is not envisaged that the intrusive survey will have an adverse impact of the users of Jubilee2 and therefore an equality impact survey is not required at this moment in time.

8. **Financial and Resource Implications**

- 8.1 There is no doubt that these significant building issues have hindered the ability for Jubilee2 to achieve the financial targets set out in the original business case.
- 8.2 It is anticipated that the Councils contribution towards the intrusive building survey will be in the region of £5,000 - £10,000 with Morgan Sindall contributing the same value towards the survey.
- 8.3 Consideration should be given to the potential future repair costs of Jubilee2 should potential building failures go unnoticed as a result of not completing the building survey at this time.

9. **Major Risks**

- 9.1 The company undertaking the building survey will be expected to produce and provide their risk assessments and method statement/s for officer's approval prior to undertaking any work.

10. **UN Sustainable Development Goals and Climate Change Implications**

- 10.1 The ongoing maintenance and 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 The content of this report looks to advise on subsequent impacts and outcomes as a result of shortfalls during the construction of J2 leisure facility, this being a key decision at the time of award of contract.

11.2 Under clause 13.2(b) of the Borough Council's Constitution the content of the report may "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 10th July 2019

12.2 14th October 2020

13. **List of Appendices**

13.1 None

14. **Background Papers**

14.1 Jubilee2 project management documents, Cabinet Reports Identifying key decisions prior to the opening of Jubilee2.

14.2 Sport England's Moving Communities Platform

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO

Cabinet
08 September 2021

Report Title: Procurement of a Customer E-Payment System

Submitted by: Head of Finance (S151 Officer)

Portfolios: Finance, Town Centres and Growth / One Council, People and Partnerships

Ward(s) affected: All

Purpose of the Report

The report seeks Cabinet approval to enter into a new partnership contract for a Customer E-Payment System.

Recommendation

That Cabinet delegate the authority for Head of Finance (S151 Officer), in consultation with the Portfolio Holder, to enter into a new partnership contract for a Customer E-Payment System.

Reasons

To ensure there is no interruption to the Council's Customer E-Payment Service when the current contract ends and that the system complies with FCA (Financial Conduct Authority) rules for Strong Customer Authentication for card-based e-commerce transactions.

1. Background

- 1.1 Through a partnership with four other Councils (Cannock Chase District Council, Lichfield District Council, Stafford Borough Council and Staffordshire County Council) the Council has used the customer payments system from the incumbent supplier Capita Business Services Limited since 2011.
- 1.2 The system allows residents and businesses to easily make payments for services online, over the telephone or face-to-face and is integrated with the Jadu CXM (Customer Light CRM system) and Gladstone Plus2 leisure system.
- 1.3 The system is cloud-based and hosted by Capita, who maintain the system. The computer infrastructure is shared by the partnership to minimise costs although each partner's data is stored separately in support of improved security and data protection.
- 1.4 The current partnership contract with Capita ends on 8th September 2021 and cannot be extended. A new contract must be in place from 9th September 2021 to ensure there is no disruption to the customer e-payments service.

2. Issues

- 2.1 The current customer e-payments system is provided by Capita through a partnership with four other Councils.
- 2.2 The Council relies on the system to take payments from residents and businesses for the services it provides. The system has an Income Management module for income reconciliation, comprehensive reporting and allows reformatting of data for integration with other systems.
- 2.3 During the period 01/11/2019 to 30/10/2020 the system processed credit and debit card transactions totalling £9,920,043.
- 2.4 The partnership first procured the system from Capita in 2011. A new contract was awarded to Capita in 2015 under the Crown Commercial Services Framework Agreement RM1059 for an initial 3 years with options to extend by initially 2 years and a subsequent further 1 year. It is not possible to extend the current contract further and it will end on 8th September 2021.
- 2.5 The FCA (Financial Conduct Authority) is introducing new rules for Strong Customer Authentication for card-based e-commerce transactions. The current version of Capita's payments portal for online payments used by the partnership does not support the new functionality required to comply with these rules and Capita have advised support for the current portal will end on 30th September 2021. Capita have replaced the old portal with a Secure Card Portal version that is fully compliant with the FCA rules.
- 2.6 Two of the five original partner Councils (Cannock Chase DC and Staffs BC) have purchased a new finance system that includes a customer payment system and will not use the Capita system when the current contract ends. South Staffordshire District Council purchased the Capita system a few years ago and their contract ends in 2022. The remaining Councils from the original partnership (Staffs CC, Lichfield DC and NuLBC) and South Staffs DC have agreed to form a new partnership for the new contract.
- 2.7 Transferring to a new and critical business system requires considerable off-boarding and on-boarding work (project planning, data migration, system and interface configuration, custom report writing, testing, training, communication etc.). This work requires staff resources and time, and it takes further time to build up experience and knowledge in a new system. Moving to a new supplier and new system also brings new risks.
- 2.8 The new partnership has considered the options available when the current contract with Capita ends and has had detailed discussions with Capita about a new partnership contract and identified KCS Professional Services a trading unit of Commercial Services whom are wholly owned by Kent County Council (KCC). The agreed solution is to enter into a new partnership contract with Capita through the KCS Managed Services Framework Y16018. County Council colleagues having utilised the services of KCS in the recent past.
- 2.9 The new contract will be between Capita and Staffordshire County Council and will refer to each partner Council as users of the system. Staffs CC require each partner Council to sign a document confirming their involvement in the contract. Each of the partners receiving their own billing directly from Capita.

3. **Proposal**

- 3.1 That Cabinet delegate the authority to the Head of Finance (S151 Officer) to enter into a new 5 year partnership contract with Capita for their customer payments system.

4. **Reasons for Proposed Solution**

- 4.1 All partner Councils are in agreement that retaining Capita's customer e-payment system is the best solution.
- 4.1 KCS is a compliant framework that allows for a direct award without a call for further competition.
- 4.2 A new contract with Capita avoids the additional cost, time, resource and risk involved in transferring to a new supplier and new system for this critical financial service.
- 4.3 Annual support and maintenance costs are fixed for the 5 year contract, whereas they currently increase each year. Based on 2020/21 transaction volumes the proposed transaction charges would be in line with the current contract. If the transaction fees were moved to 'blended' in the future, then there is potential for £7,000 of additional savings across the four Council's. Blended transaction fees include an element for Capita's transaction fees plus an additional fee for acquirer fees, which the Council currently pays separately. This will need further review to clarify the saving benefit that has been identified by Capita.
- 4.4 Upgrading to Capita's Secure Card Portal will ensure the Council achieves compliance with FCA rules for Strong Customer Authentication for card-based e-commerce transactions.
- 4.5 Capita's customer payment system is used by 200+ local authorities and 1600+ other public sector organisations.
- 4.6 A partnership with other Councils offers a number of benefits, including:
- Considerable cost savings compared to each partner having an individual contract;
 - Stronger negotiating and leverage position and economies of scale from collaborative working;
 - Benefits from sharing experience of the system and supplier;
 - Shared and more varied testing of new software versions.
- 4.7 This will be a Cloud based solution which is in line with the ICT Cloud Migration strategy for a more secure and efficient Application.

5. **Options Considered**

- 5.1 Do nothing is not an option as the current contract ends on 8th September 2021 and the Council must have a customer payments system.
- 5.2 There are very few alternative systems in the market for the supply of this business critical system and whilst work commenced on reviewing available options in 2020 there were a number of un-expected delays that impacted on the delivery of this work, including loss of key officers during the review, the impact of COVID-19 on officer availability and the complications around identifying whether other partner organisations were considering a partnership approach.
- 5.3 A new partnership contract to continue using Capita's customer e-payments system with like councils delivering ongoing benefits for all partners.

6. Legal and Statutory Implications

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

6.2 The County Council's legal team have reviewed the framework terms and confirmed compliance.

7. Equality Impact Assessment

7.1 N/A

8. Financial and Resource Implications

8.1 The overall cost of Capita's Pay360 customer payments system comprises capital, revenue and transactional charges.

8.2 The capital cost covers one-off charges for system licences and the new Secure Card Portal. There is provision for this capital expenditure within the 2021/22 capital programme.

Capital Items	Cost (one off)
Pay360 licences	£11,000.00
Secure Card Portal	£11,500.00
Total	£22,500.00

8.3 The revenue cost covers annual support and maintenance charges. This annual expenditure is currently within ICT revenue budgets.

Revenue Items	Cost per annum	Total 5 year cost
Pay360 system	£8,000	£40,000
Secure Card Portal	£750	£3,750
Touch Tone and Internet Payments Licences	£7,000	£35,000
Total	£15,750	£78,750

8.4 The Council also incurs transaction charges for each card payment processed by the system. The annual transaction charges vary depending on the volume of transactions, transaction type and type of card used and are a percentage of each card payment. There is already a revenue budget for all card processing charges, and these transaction costs form part of this budget.

8.5 There has been an increase in the number of card transactions since 2017/18, partly fuelled by COVID-19. The following transaction charge estimate is based on 2020/21 transaction volumes. This increase has already been identified and will be considered as a pressure for within the Medium Term Financial Strategy.

Transaction Charges	Estimated cost per annum	Estimated total 5 year cost
Credit & Debit Card	£49,545	£247,725

8.6 The estimated total cost to the Council over the 5 year contract is £348,975.

8.7 The continuation of the partnership, rather than a standalone contract has cost benefits of £89,265 over the five year proposed contract period. This consists of savings in relation to £11,725 upfront setup costs, no system migration fees which would normally amount to £17,500, £9,200 annual license fees and £2,800 transaction costs.

9. **Major Risks**

9.1 Failure to enter into the new partnership contract with Capita or any delay past 8th September 2021 will leave the Council without a customer e-payments system and will impact residents and businesses.

9.2 The Secure Card Portal implementation must be completed before support for the current portal ends on 31st September 2021.

9.3 The new Secure Card Portal must be operational before the new Council website is launched.

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



11. **Key Decision Information**

11.1 This is a key decision under part 2, 13.2 (a) and (b) of the Council Constitution

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

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

08 September 2021

Report Title: Financial and Performance Review report – First quarter (Apr-Jun) 2021-22.

Submitted by: Executive Management Team

Portfolios: One Council, People & Partnerships, Finance, Town Centres & Growth

Ward(s) affected: All

Purpose of the Report

To provide Cabinet with the Financial and Performance Review report for the first quarter of 2021-22.

Recommendation

1. That Members note the contents of the attached report and Appendices A and B and continue to monitor and challenge the Council's performance alongside its financial performance for the same period.

Reasons

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

It should be noted that certain activities were impacted by Covid 19 and delivery in some cases noted in this report, continue to be affected and the resulting actions taken by the Council to protect and ensure support is available to everyone.

1. Background

- 1.1 This quarterly report provides Members with a detailed update on how the Council has performed during the first quarter 2021/22 by presenting performance data and progress summary set within a financial context. The report provides broad financial information (Appendix A) and also details service performance (Appendix B) for the first quarter 2021/22.
- 1.2 This report covers the period of the Covid 19 lockdown, when a number of customer facing services were required to close, or where the customer base simply stopped using the service. Despite these unprecedented circumstances, as the summary of the overall performance picture is presented in section 4 of this report reflects, performance has generally held up well.

2. 2021-22 Revenue and Capital Budget Position

- 2.1 The Council approved a General Fund Revenue Budget of £14.960 million on 24 February 2021. Further financial information is provided in Appendix A.

3. Development of the Financial and Performance Report

- 3.1 The performance section –Appendix B was reviewed and the indicators continue to reflect the priorities in the Council Plan. In addition to reporting on key performance indicators, the report includes a progress summary for each priority, detailing the progress with the delivery of planned activities.

- 3.2 Additional performance information is provided, not only to ensure the monitoring of the corporate activities of the council, but also to inform Members, businesses and residents of performance in their local economy.

4 Performance

- 4.1 The latest performance information for quarter four has been analysed and all indicators monitored for this period are listed in the table found in Appendix B.
- 4.2 Any indicators failing to meet the set targets include a comment explaining why the indicator has not performed well, and what steps are being taken to ensure improvement in the future.
- 4.3 For this report a total of 19 indicators were monitored, and the proportion of indicators which have met their target (where set) or are within tolerance levels during this period stands at 89%.
- 4.4 There are 2 indicators off target this quarter, and officers consider that the performance against these indicators does not give rise to serious cause for concern at present (see commentary provided at Appendix B). The management of each of the service areas concerned continue to monitor and take steps to deal with under achievement of targets where possible and/or appropriate, taking into account the limitations presented by the Covid19 situation.
- 4.5 Progress on delivery of planned activities is summarised for each priority and no concerns are highlighted.

5. Legal and Statutory Implications

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

6. Equality Impact Assessment

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

7. Financial and Resource Implications

- 7.1 Any positive variance for the full year on the General Fund Revenue Account will enable that amount to be transferred to the Budget Support Fund and will be available in future years for use as the Council considers appropriate. Conversely, if there is an adverse variance, the amount required to cover this will have to be met from the Budget Support Fund.

8. Major Risks

- 8.1 The ongoing changing market conditions represents the greatest risk to the revenue budget, particularly with regard to the impact it may have upon income receivable in relation to services where customers may choose whether or not to use Council facilities or in the case of the waste/recycling service where the volume of recycled materials is liable to fluctuate. The impact of Covid 19 is still apparent in the reporting of this quarter, impacting on many areas and the situation will continue to be monitored through the normal budget monitoring procedures.
- 8.2 The capital programme will require regular monitoring to identify any projects which are falling behind their planned completion dates. This will be carried out by the Capital Programme Review Group, which meets on a monthly basis together with quarterly reports to Cabinet.
- 8.3 The above represents a high level view of risk. There are detailed risk registers available if members wish to see them.

9. **Sustainability and Climate Change Implications**

9.1 N/A

10. **Key Decision Information**

10.1 Included on the Forward Plan

11. **Earlier Cabinet/Committee Resolutions**

11.1 N/A

12. **List of Appendices**

12.1 Financial information (Appendix A), and Performance (Appendix B).

13. **Background Papers**

13.1 Working papers held by officers responsible for calculating indicators.

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Financial Position Quarter One 2021/22

1. General Fund Revenue Budget

- 1.1 The Council approved a General Fund Revenue Budget of £14.960m on 24 February 2021. The actual and forecast position compared to this budget is continuously monitored by managers, EMT and Portfolio Holders in order to detect any significant variances of expenditure or income from the approved amounts contained in the budget.
- 1.2 It is forecast that adverse variances incurred will again be offset in total by the emergency Coronavirus funding received from the Government and by the Government income compensation scheme and that this will enable a balanced outturn to be presented at the year end, any variance remaining will be paid into or from the general fund reserve. Close management of the financial position will continue and remains absolutely essential.
- 1.3 The Coronavirus pandemic continues to have an impact on the Council's financial position, primarily through lost income, although this is showing a marked improvement compared to the losses incurred during 2020/21. To date un-ringfenced Government funding of £0.842m has been secured (including £167k of new burdens funding to offset the costs of administering Coronavirus business support grants) in relation to 2021/22, which has reduced the immediate pressure on additional spending on the Council finances.
- 1.4 Further specific Government funding to assist with the Council's response to the Coronavirus during 2021/22 has also been secured in relation to elections (£0.035m), outbreak control (£0.174m) and the Welcome Back fund (£0.115m).
- 1.5 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. Taking account of the current restrictions it is forecast that income losses from fees and charges for the financial year will amount to £1.001m (£0.442 for quarter 1).
- 1.6 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 the quarter 1 of the current financial year, this will help to insulate the Council from income related financial risks for quarter 1 only. It is forecast that the Government's income compensation scheme will offset these income losses to the sum of £0.360m.
- 1.7 Additional expenditure pressures continue to be incurred as a result of the Coronavirus pandemic, albeit at a vastly reduced rate when compared to 2020/21 (excluding the provision of services/activity for which specific funding has been received).
- 1.8 Expenditure continues to be reduced wherever possible throughout the Council to ensure that only absolutely necessary spending is being incurred, this helps to reduce the adverse variance on a service by service basis. It has been forecast that this situation continues throughout the remainder of the financial year.
- 1.9 Further consequences of the Coronavirus on the Council's financial position will depend significantly on any future lockdown or restrictions being imposed and on any further Government financial support that may be received.
- 1.10 Careful monitoring of the financial position will be required over coming weeks and months leading to prompt corrective action where necessary to ensure the Council

remains in a position of being able to deliver a balanced budget position in the current financial year and beyond.

2. Revenue Budget Position

- 2.1 As at the end of the first quarter, the general fund budget shows a balanced position. It is forecast that this position will be achieved as at the close of the financial year.
- 2.2 A number of variances from the budget are forecast, these include:
 - a. Income shortfalls from sales, fees and charges which are eligible for partial reclaim via the Income Losses Scheme, it is forecast that these losses will amount to £1.001m by the close of the financial year.
 - b. Income shortfalls from commercial property rents, it is forecast that these losses will amount to £0.105m by the close of the financial year. These losses are not eligible for any partial reclaim.
 - c. Income shortfalls from the recovery of housing benefits overpayments, it is forecast that these losses will amount to £0.126m by the close of the financial year. These losses are not eligible for any partial reclaim.
- 2.3 These adverse variances are forecast to be offset in full by the following favourable variances:
 - a. Un-ringfenced Government funding of £0.842m has been secured (including £167k of new burdens funding to offset the costs of administering Coronavirus business support grants) in relation to 2021/22.
 - b. It is anticipated that the Council will be reimbursed £0.360m in relation to the Income Losses scheme for eligible sales, fees and charges income shortfalls for the year.
 - c. Expenditure continues to be reduced wherever possible throughout the Council to ensure that only absolutely necessary spending is being incurred, this helps to reduce the adverse variance on a service by service basis. It has been forecast that this situation continues throughout the remainder of the financial year.
- 2.4 Cabinet and the Executive Management Team will continue to be updated on the Council's financial position and actions taken in the forthcoming weeks and months. This will include a revised recommended level of reserves and the financial implications of this.

3. Collection Fund

- 3.1 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.
- 3.2 In response to the continued impact of the Coronavirus pandemic on retail business, the government has continued its retail discount business rates relief scheme, for 2021/22. For the first quarter of 2021/22 eligible business will see a 100% reduction in the business rates liability, for the remainder of 2021/22 they will be awarded a 66% reduction (up to a total value of £2m per business).

- 3.3 This has the impact of a reduction in income that was expected to be received by the Council from business rates payers during 2021/22 which will generate a deficit on the collection fund. However, the government will award Section 31 grant to the Council to offset the losses incurred by this, this will be paid into the general fund and will be set aside to offset the deficit that will be incurred on the collection fund.
- 3.4 The Council has experienced an increase in the numbers of residents who have become eligible for Council Tax Support as a result of the COVID-19 pandemic, in 2020/21 this led to a deficit being incurred between the tax receipts initially expected and those that were received. For 2021/22 an increased amount of Council Tax Support was built into the tax base to allow for this, as such a small surplus is currently being forecast.
- 3.4 The current forecast of tax receipts and Section 31 grant are shown below:

Tax	Total Forecast (Surplus)/Deficit	Council's Share
Council Tax	(£0.161m)	(£0.018m) (10.9%)
Business Rates	£8.036m	£3.214m (40%)
Business Rates Section 31 Grant	(£7.875m)	(£3.150m) 40%
Total	£0.000m	£0.046m

4. Capital Programme

- 4.1 A Capital Programme totalling £12.923m was approved for 2021/22. Of this total £10.923m 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 £1.000m contingency. In addition £2.256m has been brought forward from the 2020/21 Capital Programme, resulting in a total Capital Programme of £15.179m for 2021/22 (as shown at Annex A).
- 4.2 At period 3 the profiled capital budget amounts to £1.566m, actual spend for this period totals £1.560m. There are no significant variances in expected spend at this point.

5. Capital Programme Funding Position

- 5.1 The expected total capital receipts due to be received this year following the sale of assets amount to £4.400m, £0.200m of this will be set aside for the flexible use of capital receipts during 2021/22. A summary of the expected income is shown in the table below.

Funding	Amount
Proceeds from disposal of assets	£3.900m
Proceeds from Right to Buy sales	£0.500m
Flexible use of capital receipts	(£0.200m)
Total	£4.200m

6. Supplementary Estimates

Revenue

- 6.1 The Council received a one off Lower Tier Services grant of £0.159m from the Government for 2021/22, the grant is un-ringfenced and has been paid into the Budget Support Fund.
- 6.2 At the Cabinet meeting on 21 July 2021, it was approved that following a review of the Financial Risk Assessment, £1m from the General Fund Reserve be set aside to meet the costs associated with taking formal Statutory Nuisance action at Walleys Quarry landfill site. It is recommended that the Lower Tier Services grant be utilised in the first instance within this financial year, with any additional costs to be covered as part of the £1m approved reserve. The reserve allocation will not exceed £1m and will only be applied as required. Further details of the allocation of reserves will be reported as part of the budget setting process for 2022/23.

Capital

- 6.3 Capital Assets and Commercial Investment Review Group authority was given to vire £0.030m from the purchase of poolside fitness equipment at Jubilee 2 to the replacement of gym equipment project. The existing poolside fitness equipment is considered to be fit for purpose and there is an increased need to improve the gym offer in order to attract new memberships.
- 6.4 The purchase of laptops to replace existing Wyse terminal devices at a cost of £0.092m has been vired from the server refresh project. The purchase of laptops has eliminated the requirement for the purchase of a Wyse terminal related server and will reduce maintenance costs in future periods.
- 6.5 Additional funding of £0.034m has been required for upgrades to Civica Financials and Legal casework, and Uniform software. This funding has been vired from the Capital E-Payments project.

7. Treasury Management

- 7.1 It is expected that borrowing will be required during 2021/22 to fund the revised capital programme however no borrowing arrangements have been made to date.
- 7.2 Although not utilised in recent years, the Council has previously considered the option of long-term borrowing from the PWLB. After the utilisation of capital receipts and internal borrowing, the Council will look to borrow short term from other local authorities in the first instance and will then review any other sources of funding if required.

CAPITAL PROGRAMME	2020/21 Brought Forward	2021/22	TOTAL
	£	£	£
PRIORITY - Local Services that work for Local People			
Service Area – ICT and Digital	143,450	649,000	792,450
Total	143,450	649,000	792,450
PRIORITY - Growing our People and Places			
Service Area - Housing Improvements	283,806	1,080,000	1,363,806
Service Area - Managing Property & Assets	20,000	466,174	486,174
Total	303,806	1,546,174	1,849,980
PRIORITY - A Healthy, Active and Safe Borough			
Service Area - Environmental Health	10000	0	10,000
Service Area - Streetscene and Bereavement Services	149,365	610,450	759,815
Service Area - Recycling and Fleet	19,000	971,500	990,500
Service Area - Leisure	607,821	5,671,000	6,278,821
Service Area - Museum	61,207	240,000	301,207
Service Area - Managing Property & Assets	20,400	275,957	296,357
Service Area - Engineering	111,160	383,000	494,160
Total	978,953	8,151,907	9,130,860
PRIORITY - A Town Centre for All			
Service Area - Managing Property & Assets	778,530	1,476,353	2,254,883
Total	778,530	1,476,353	2,254,883
CONTINGENCY			
	50,818	1,000,000	1,050,818
FEASABILITY STUDIES			
	0	100,000	100,000
TOTAL	2,255,557	12,923,434	15,178,991

FUNDING			
Capital Receipts	0	4,200,000	4,200,000
External Contributions	343,343	2,166,000	2,509,343
Borrowing/Leasing	1,912,214	6,557,434	8,469,648
TOTAL	2,255,557	12,923,434	15,178,991

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Corporate Performance Quarter 1 2021-22

Priority 1: Local Services that Work for Local People

Progress Summary

Overall, our performance with a combination of monitoring and target driven indicators for this priority is positive in this quarter but work is underway to impact on the result.

A summary of progress with planned activities for Priority One from the Council Plan 2018-2022 are as follows:-

- **Increase Access to Information;**

The Council continues to maintain services by encouraging customer self-service via the website, and through effective call centre support to answer questions, provide information and support residents of the Borough at this difficult time. Castle House reception is open to the public and enquiries are being managed through bookable appointments, self-service or telephone support. All customer enquiries are handled efficiently with all the digital processes in place.

- **Customer Services Activity**

Quarter 1 has been a busy time with Elections, Council Tax recovery, restart grants and landfill complaints and with the return of Newcastle Housing Advice to the Borough Council, from 1/4/2021, we have an increase of customer contacts of approximately 400 per month.

- **Deliver new Recycling and Waste Service:**

The new recycling service has been fully operational for nearly twelve months, to households across the borough, and continues to prove very popular with residents. Participation and tonnage of material collected has settled at a consistent level which is around 22% higher than that of the previous service. The quality of the material collected remains excellent, with very little contamination, and the Council receiving excellent feedback from the re-processing contractors used to recycle the various material streams. During this quarter we have seen the value of the separately collected paper and card maintaining a high value, and plastics increasing significantly in value, bringing additional income to the Council. This is a further reflection of the excellent quality of the material collected from residents.

- **Establish Workforce Strategy:**

- **Develop robust, innovative and efficient work force plans**




As work develops towards detailed design of the One Council transformation, the People Team will continue the focus on alignment of vision and people processes in partnership with the Trades Unions. As we move into the consultation period for change, fewer roles will be advertised externally and vacancies are ring-fenced for those undergoing change in their areas of work.





- **Develop organisational culture**






HR have commenced a programme of cultural development, working with cross sections of the organisation and with Trade Union colleagues, in line with the principles of One Council. A clear mission and values set has been agreed and work is now set to engage the staff with this and begin work against our target culture and ways of working. A staff survey is due for launch at the end of July.

- **Ensure staff wellbeing**

Due to the changed working conditions for many staff this year, the focus has been to ensure the support of mental health and wellbeing of staff during this time continues and our support and counselling services are available. In partnership with the Trade Unions, the Mental Health working group has continued to develop initiatives to support its agenda.

Ref	Service Area	Portfolio Holder	Indicator	Good is	Result Qtr. 1 2020-21	Result Qtr. 4 2020-21	Result Qtr. 1 2021-22	Target Qtr. 1 2021-22	How have we performed?	Status
1.1	Environmental Health	Cllr. Trevor Johnson	Percentage of food premises that have a zero or one national food hygiene rating	Low	088% (10 out of 1138 published premises)	-	0.08%	5%	Delivery of this programme continues on a limited basis due to prioritising Covid activities.	-
1.2 New	Environmental Health	Cllr. Trevor Johnson	Percentage of category A and B food business inspections completed on time	High	97%	-	62%	-		-
1.3 New	Environmental Health	Cllr. Stephen Sweeney	No. Accidents/Incidents reported (RIDDOR)	Low	1	1	0	-	There have been no incidents reported this quarter.	-
1.4a	Recycling & Fleet	Cllr. Trevor Johnson	Household collections from the kerbside (%):- • Dry Recycling	High	18.26%	28.06%	23.01%	25%	Quarter 1 has seen collected tonnage of recycling stabilise, and residual waste return to more normal levels following the impact of Covid which significantly affected performance last year. Separate food waste collections are increasing, and following a borough wide communications campaign starting in May, tonnages, especially in June have significantly increased. This is helping further reductions in residual waste.	
1.4b			• Food	High	0.10%	4.28%	5.21%	6%		
1.4c			• Amount of residual Waste per household	Low	131.19kgs	112.21kgs	109.19kgs	110kgs (per household) cumulative		

Ref	Service Area	Portfolio Holder	Indicator	Good is	Result Qtr. 1 2020-21	Result Qtr. 4 2020-21	Result Qtr. 1 2021-22	Target Qtr. 1 2021-22	How have we performed?	Status
1.4d	Operations	Cllr. Trevor Johnson	Number of missed kerbside collections:- Total (per 100,000 collections)	Low	119.51	103.54	61.87	80 (per 100,000 collections)	In this quarter there were a total of 1,629,144 collections of residual, garden waste, recycling and food. Missed collections of Residual- 189, Garden Waste – 74, Recycling- 312, and food waste - 148. The rates have reduced significantly this quarter following changes to the operational structure of the service.	
1.5	Operations	Cllr. Trevor Johnson	Levels of street and environment cleanliness (LEQ survey) free / predominantly free of litter, detritus, graffiti and fly-posting)	High	-	97.53% 95.76% 99.47% 100%	-	91% 91% 97% 99%	The first tranche surveys are programmed in Quarter 2 and will be reported when complete.	-
1.6	Customer & ICT	Cllr. Simon Tagg	Percentage of requests resolved at first point of contact	High	99.28%	99.66%	97%	97%	A new method of recording, allows us to feed the information to Services in the areas we fail to deliver at first point of contact. The outcome of this aims to improve these areas so repeat contact is cut to a minimum.	
1.7	Customer & ICT	Cllr. Simon Tagg	% Unmet demand (number of calls not answered as a % of total call handling volume)	Low	10.29%	18.06%	10.31%*	10%	A much improved target from the last quarter and just missed the target by a fraction. Increased council tax recovery action, elections, housing enquiries, restart grants and test & trace grants has kept the team very busy.	
1.8	Digital Delivery	Cllr. Simon Tagg	Total number of digital on-line transactions (Jadu).	High	18,640	23,516	20,533	-	The number of transactions is 20,533 this quarter.	-
1.9	Communication	Cllr. Simon Tagg	Total number of unique users to the website	High	124,917	107,288	123,430	79,500	There was a total of 123,430 unique users in this quarter, which is similar to 124,917 in Qtr 1 2020-21.	

Ref	Service Area	Portfolio Holder	Indicator	Good is	Result Qtr. 1 2020-21	Result Qtr. 4 2020-21	Result Qtr. 1 2021-22	Target Qtr. 1 2021-22	How have we performed?	Status
1.10	Revenues & Benefits	Cllr. Stephen Sweeney	Time taken to process Housing/Council Tax Benefit new claims and change events	Low	3.73 days	9.45 days	9.08 days	10 days	This result continues to be on target.	
1.11	Revenues & Benefits	Cllr. Stephen Sweeney	Percentage of Council Tax collected	High	26.5%*	96.8%	32.3%	24.12	The rate for Council Tax collection and Business rates is well above target for the quarter.	
1.12	Revenues & Benefits	Cllr. Stephen Sweeney	Percentage of National non-domestic rates collected	High	20.6%	89.2%	30.3%	26.22		
1.13	Human Resources	Cllr. Simon Tagg	Average number of days per employee lost to sickness	Low	2.32 days	1.48 days Qtr. 4 7.99 days (cumulative)	2.02 working days lost LTS - 1.55 working days Ordinary - 0.47 working days lost	2.2 days Annual 8.8 days (cumulative)	The result for Qtr. 1 sickness figure is 2.02 days, and is within target. The short term and long term sickness results for the quarter are 0.47 and 1.55 days respectively. It was anticipated that sickness absence may increase due to Covid-19 but that has not been the case.	
1.14 New	Human Resources	Cllr. Simon Tagg	Staff turnover	Low	0.95%	1.47%	0.62%	10%	The turnover rate is very low this quarter.	
1.15 New	Human Resources	Cllr. Simon Tagg	Staff vacancy rates	Low	0.19%	7.14%	7.91%	-		-

*The result is within tolerance

Priority 2: Growing our People and Places

Progress Summary

A summary of progress with planned activities for Priority 2 from the Council Plan 2018-2022 are as follows:-

- **Deliver Joint Local Plan**

Following a review of continued working on the Joint Local Plan with Stoke at the end of 2020 and into the beginning of 2021, the Council decided to cease work on that document and commence a Local Plan for the Borough. No further work is proposed for the old plan.

- **Deliver Borough Local Plan**

In January, work commenced on the creation of a new Borough Local Plan. The three key milestones are the publication of the Issues and Options Paper in September 2021; the first draft of the Local Plan in autumn 2022 and the submission of the amended draft to the Planning Inspectorate in the summer of 2023 with the aim of securing adoption by the end of that year. An updated Local Development Scheme (LDS) which sets out the new programme has been published and an update to the Statement of Community Involvement (SCI) has been out to consultation and is due to be adopted.

Delivery of the Economic Development Strategy and action plan

- Delivery of the Economic development Strategy and action plan is set out in more detail below against individual projects – One Public Estate, Prepare a Town Centre Strategy, market, and business support. The funding from Future High Street Fund - £11M, Kidsgrove Town Deal £16.9M and Newcastle Town Deal £23.6M will support delivery of priorities set out in Council and County Council Growth Deal and Town Investment Plans (TIPS) for Newcastle and Kidsgrove. The Town Deal accelerated funding £1.75M has enabled a number of projects to go ahead in advance of the main Town Deals and includes land and property acquisition and demolition, connectivity and safety measures, establishment of employment and skills hub, safe and secure routes (subway refurbishments), market improvements, public Wi-Fi, preparatory works on Kidsgrove Sports Village and improvements to recreational facilities in Newchapel and Clough Hall.

- **Progress University Growth Corridor**

The Council has revised its plans for the consultancy support that was reported last quarter and are now looking into how a development partner might be procured with a view to that partner developing and being directly involved in the sustainable energy provision and future home standards infrastructure on the site as well as assisting on the master planning work. Homes England continue to be involved and are showing an interest in our progress with an eye on how they contribute to the process.

- **Deliver appropriate housing to those in need:**

- **Newcastle Housing Advice to be in-house service**

The Council brought the NHA service back in-house on 1st April 2021, and in the year preceding the Council worked with the former contractor to transfer the service effectively, including the TUPE of 9 staff and their Policies and Procedures. Performance monitoring for the NHA service continues to be recorded and is available on request. An internal working group continues to manage the post transition phase at the Council to ensure that continuous improvement can be made to processes, with the support of ICT, HR and Customer Services, already a number of improvements have been made and there are plans for longer term strategies that will be helpful to enable a better customer offer, which is more preventative in nature and thus further efficiencies for the Council. The NHA service is being managed within the Partnerships Team and has a strategic fit with the Council's work around vulnerability, there is a defined crossover between the NHA caseload and the work of the vulnerability hub and MARAC. The majority of calls to service for NHA deal with cases that are challenging or complex in nature and at the point of crisis. The Customer Services team field the initial calls to service and refer to the NHA team for more complex and challenging enquiries involving the housing register, housing advice and homelessness, including emergencies and out of hours availability.

Progress Summary continued

The NHA service has also recently launched a new Joint Housing register and Allocations Policy in partnership with Aspire Housing, branded as NHA Options (see below). The volume of calls and enquiries coming through to the service currently remain high but it is anticipated the registration process settles and the Customer service team become more accustomed and familiar with the service area that the demand to service will become more manageable, to enable a more preventative approach to be adopted, bringing further efficiencies.

- **Rough Sleepers and temporary accommodation**

The new Navigator has been recruited and started in post 1st June with further funding awarded from MHCLG. This role works closely with the rough sleepers' team at Brighter Futures, jointly commissioned with SOTCC and seeks to support rough sleepers into appropriate support pathways and accommodation. Using the MHCLG funding, the Council are also working with the City Council to recruit a shared Rough Sleepers Co-ordinator and a Healthcare Practitioner. A Cabinet report was submitted on 7th July which supports this work and gives delegated approval to the Executive Director in consultation with the Portfolio Holder for community Safety and Wellbeing, to approve further commissioning with specialist providers for the delivery of projects using this funding. Officers are continuing to work with MHCLG and partners on the development of a range of housing options and housing related support for the coming year. Officers have recently submitted a bid to MHCLG in partnership with Aspire Housing for 6 additional units of accommodation with support to rough sleepers and those at risk of rough sleeping, the outcome of which should be known by the end of August. Officers have been working with Aspire to extend the provision of unsupported furnished temporary accommodation units from 2 to 4, which will be particularly useful for families in order to minimise use of bed and breakfast.

- **Joint allocation policy and procurement of a Choice Based Lettings system**

The Council has adopted a new Joint Housing Allocations Policy in partnership with Aspire Housing. The joint Policy enables customers to access social housing owned and managed by Aspire Housing and other Private Registered Providers to whom the Council has partnerships within the Borough. The Council and Aspire Housing has also procured a joint Choice Based Letting (CBL) system during 2020/21 that will deliver the platform for the administration function of the housing register and advertising available housing stock. This new process allows customers to make just one application for social housing in the Borough, instead of needing to complete two separate processes as before. The system is marketed as NHA Options and has a dedicated website set up to administer an online offer for customers, with support in the back office from the team as appropriate.

- **One Public Estate**

The Borough Council received a grant from 'One Public Estate' to cover the cost of undertaking the masterplanning of Knutton Village. This involved preparing proposals for the use or development of a number of cleared sites around the centre of Knutton in the ownership of the Borough and County Councils and Aspire Housing. The objective is to bring forward new housing development in the area and to assess the potential for investing in the improvement and consolidation of community facilities. Aspire Housing also contributed to the Study with a view to reviewing provision of affordable housing in the area, including housing for the elderly. Consultation on the draft masterplan has been completed and the results were considered by Cabinet in June 2021. The project team are planning for delivery of the revised proposals following the consultation process. Elements of the Knutton masterplan are included in Newcastle Town Deal Town Investment Plan which was confirmed by MHCLG in June 2021.

Progress Summary continued

- **Consideration of a property investment model and Property Diversification**






Consideration is being given to the Borough Council taking a more active role in developing its sites (i.e. by way of forming a property development company or similar) either on its own or in a partnership arrangement. The Commercial Strategy 2019-24 was approved by Cabinet and commercial investment advisors appointed to review and advise in respect of the Council's commercial portfolio. Work on this is currently ongoing.

- **Masterplan of land at:- Chatterley Close area by Bradwell crematorium and Birchenwood**

The masterplan in respect of land in the Chatterley Close area, Bradwell was considered by Cabinet in November 2020. The scheme to extend the Crematorium was approved in principle and approval was given to consult with appropriate stakeholders. The consultation is now complete and the results were reported to FAPs committee in May and Cabinet in June. Following the Phase 1 environmental impact assessment for Birchenwood, a preliminary ground investigation survey has now been completed and next steps are currently being considered.

- **Planning Consent – Sidmouth Avenue**

Planning approval was granted in December 2019 for the partial demolition and change of use of the former Registry Office into a single dwelling and the provision of three new detached dwelling in Sidmouth Avenue. In Qtr. 4 2019/20 alternative options were considered in respect of developing the site, in quarter 1 2020/21 the decision was taken to market the site and in quarter 2 2020/21 the site was marketed, and negotiations are ongoing to dispose of the site.

Ref	Service Area	Portfolio Holder	Indicator	Good is	Result Qtr. 1 2020-21	Result Qtr. 4 2020-21	Result Qtr. 1 2021-22	Target Qtr. 1 2021-22	How have we performed?	Status
2.1	Property	Cllr Stephen Sweeney	Percentage of investment portfolio vacant (NBC owned)	Low	7%	5.1%	6.4%	12%	This indicator remains well within target.	
2.2	Planning & Development	Cllr. Paul Northcott	Speed of major development applications (P151a)	High	84.6% (Jul 18 – Jun 20)	92.6% (Apr 19 – Mar 21)	94.7% (Jul 19 – Jun 20)	60%	These indicators remain well within target and are improving or being maintained at an acceptable level.	
2.3			Quality of major development applications (P152a)	Low	3% (Apr 17 – Mar 19)	5.4% (Jan 18 – Dec 20)	5.1% (April 18 Mar 20)	10%		
2.4			Speed of non-major development applications (P153)	High	88.7% (Jul 18 – Jun 20)	95.6% (Apr 19 – Mar 21)	98.4% (Jul 19 – Jun 20)	70%		
2.5			Quality of non-major development applications (P154)	Low	1% (Apr 17 – Mar 19)	0.9% (Jan 18 – Dec 20)	1% (April 18 – Mar 20)	10%		

Priority 3: A Healthy, Active & Safe Borough

Progress Summary

Overall the performance for this priority advises the progress where possible, however the impact of Covid 19 is considerable to service provision or where facilities have had to close or reduce delivery since March 2020. A summary of progress with planned activities for Priority 3 from the Council Plan 2018-2022 are as follows:-

- **Jubilee2 moving forward**

The service has secured funding to be part of Sport England's National Leisure Recovery Fund and use of the Moving Communities project to measure impact. This will enable the benchmarking of Jubilee2 using qualitative and quantitative data. The net promoter score for the service was 55.81% and this is the percentage of customers who would actively promote Jubilee2 to family and friends. Other results were:-

- 76.74% of customers felt totally confident in returning to Jubilee2,
- 94.29% of customers thought the standards of cleanliness were high.
- 86% of customers identified that they would prefer to exercise in a leisure facility as opposed to an informal setting.
- 85% of customers identified that they intend to exercise in a leisure facility at least once a week.
- The social values for the service was £349,494 for the past twelve months broken down into the following areas (but it should be noted that the facility was closed for most of this period):

Officers will provide more information when available on a quarterly basis with effect from the 2nd quarter of 2021. More information can be found at : <https://youtu.be/E3oixmYVDNA>

- **Secure J2 commercialisation**

Despite the Covid 19- pandemic, the impact on the membership at Jubilee2 is in line with the local and national average. A detailed business recovery plan has now been completed which identifies opportunities to increase income and or reduce operating costs, subject to a detailed business case for each opportunity these will be implemented over the next twelve months. In the first quarter, the following initiatives have been implemented, the introduction of an online swimming lesson platform and also the development of a school swimming lesson service for delivery from the beginning of the new school year. Also a strategic review of the membership offer will be implemented in September 2021.

- **Kidsgrove Sports Centre**

A contract for £7.5m has been awarded to WDC for the completion of the refurbishment works which will be completed by June 2022. A lease for the centre with the Community Group is currently being finalised.

- **Museum Redevelopment Project**

Work on the construction phase of the project is ongoing with a completion date of September 2021. Work to re-interpret the ground floor galleries and ensure the public spaces are welcoming and safe for visitors will run alongside from August. Re-opening the building in stages is hoped to commence from late Autumn. In the meantime people are accessing the museum's collections through online digital platforms including FB, Instagram, Staffordshire Past Track and Art UK. Outreach activities are planned for September 2021.

- **Open Space Strategy**

Due to the pandemic, the Heart of England in Bloom campaign and all local Newcastle in Bloom competitions and activities will take place digitally in 2021. However, sponsorship from local businesses is continuing at near-normal levels and most of the planned community projects and activities are in progress, following Covid 19 guidelines and restrictions. A total of 7 of the Borough's strategic parks and cemeteries have entered the Green Flag awards this year.

Progress Summary continued

- **Streetscene Fleet procurement**

Procurement of fleet and equipment for Streetscene is progressing to renew the tractor fleet.

- **Feasibility study for Crematorium extension**

The feasibility study for the crematorium extension has been completed. Funding options for the project are now being explored. A business case is being prepared for further memorialisation options at the crematorium and should be completed in Quarter 2.

- **Affordable Funeral Scheme**

A contract has been awarded for a Resident Funeral scheme including an option for Direct Cremation. It is intended to launch the scheme in summer 2021.

- **Deliver Capital Programme projects**

Work is in progress on a number of sites to repair railing/fencing and footpaths, and replace play equipment.

- **Protect our communities by delivering priority community safety, food safety & licensing projects:**

- **Taxi Licensing Policy**

In the first quarter of 2019-20, members of the Licensing and Public Protection Committee approved the content of the taxi policy. The policy document is a wide scale reform of the current policy, to ensure that the Council has a policy that is fit for purpose in respect of the legislative framework and administration of the service. Members of the Licensing and Public Protection Committee approved the policy resulting in full implementation of the policy in January 2020. Statutory guidance was published in July 2020, this has resulted in amendments to the taxi policy being approved by Licensing and Public Protection committee for implementation from April 2021. The policy and amends are now implemented.

- **Environmental Health & Licensing**

A new but now ongoing responsibility for the authority this quarter is for the team to ensure the Covid 19 restrictions were applied and in place as directed by Government. Also the new pavement licensing regime has been implemented by the service, this is a temporary licence which allows premises to apply for a licence for tables & chairs and other furniture on the pavement outside of their premises, and such arrangements have been extended for a further year. In addition, the service is supporting the County Council in the Covid outbreak controls for high risk premises and is continuing with advising business, responding to complaints and undertaking enforcement for non-compliance with Covid controls. It is unknown at present how long these responsibilities will remain in place, but indications are that this will remain for at least this year.

- **Town Centre ASB enforcement**

A range of Partnership activity continued to be co-ordinated this quarter, including; the CCTV implementation and monitoring and an extension of the coverage using town deal funding for the subways in the town centre; identifying ASB hotspot areas and target hardening to make more secure and increase perceptions of safety for the public. Activity is co-ordinated by the Partnerships Team working closely with partners such as the Police and Rough Sleepers Team to identify individuals in need of support and utilising the Council's civil enforcement powers such as Community Protection Notice Warnings (CPNWs), Community Protection Notices and Injunctions, continued enforcement of PSPOs for the Town Centre and Queen Elizabeth Park, as appropriate. The partnership has been working closely with the Market Supervisor and new BID Manager to encourage reporting of incidents and to improve communication of positive interventions and activity.

Progress Summary

- **Commission new CCTV Service**



Following approval by Cabinet and the Business Improvement District Board for the commissioning of the CCTV service with Stoke City Council, the system is now live in Newcastle town centre with further enhancements have begun to be prepared for installation using town deal funding for additional coverage in the subways.

- **Vulnerability Hub and MARAC**

The Partnerships team continue to actively co-ordinate and contribute to the Vulnerability / Harm Reduction Hub and MARAC multi agency forums, which are designed to collaboratively de-escalate risk to our most vulnerable households, to prevent death and serious harm and to encourage appropriate support and assistance from the most relevant partners. There has been a noticeable increase in referrals to the Hub over the last 12 months and it is clear that more complex and challenging cases are being presented for assistance which is taking longer to respond to. Discussions with County Commissioners and local service providers have been ongoing to encourage best use of available and collaborative resources and an understanding of the issues / challenges raised at the forum requiring a multi-agency response.

- **Air Quality Local Development Plan**

Work is continuing with Stoke-on-Trent City Council and Staffordshire County Council to create the North Staffordshire Local Air Quality Plan to bring about improvements in Nitrogen Dioxide (NO2) levels. The outline business case has been presented to Economy, Environment and Place Scrutiny Committee and approved at Cabinet. Subject to approval by partners and the Joint Air Quality Unit at Government, work upon preparation of the Full Business Case will be progressed. Work on the retrofitting of busses operating on the A53 is well underway and is nearing completion.

Ref	Service Area	Portfolio Holder	Indicator	Good is	Result Qtr. 1 2020-21	Result Qtr. 4 2020-21	Result Qtr. 1 2021-22	Target Qtr. 1 2021-22	How have we performed?	Status
3.1a	Community Safety	Cllr. Gill Heesom	Anti-Social Behaviour (ASB) cases:- -New cases received during the quarter	Low	107	82	123	-	There are currently 45 cases discussed at the ASB, Youth Violence and Gangs Case conference. There has been a significant rise in demand for partnership input to ASB cases in the Borough.	-
3.1b			-Current open cases at the end of the quarter	Low	11	33	45	-		-
3.1c			-Cases closed in the quarter	High	102	87	112	-		-
3.2										
3.2	Community Safety	Cllr. Gill Heesom	Number of referrals made regarding vulnerability by participating organisations at the Daily Hub	High	56	47	64	-	A total number of 64 referrals were made from Daily Hub meetings that have taken place over the last quarter.	-
3.3 New	Culture & Arts	Cllr. Jill Waring	Number of People Accessing the Museum's collections online	High	-	-	30,565	Qtr 1 30,000 (126,000 cumulative)	The museum is temporarily closed due to the current redevelopment work and a new indicator is currently measured. Figures will include digital community engagement on Brompton Museum's Facebook and Instagram pages where we provide regular updates of the progress of the construction work and collection information. We also share selected images from the museum's photographic collection on the site Staffordshire Past Track:- http://www.staffspasttrack.org.uk/ and images from our fine art collection on the Art UK website https://artuk.org/	
3.4 New	Leisure	Cllr. Jill Waring	Membership growth	High	-	1650 members	1961* members	Target Qtr 1 1,962 Qtr 2 2,274 Qtr 3 2,586 Qtr 4 2,900	The activities at J2 leisure were affected by the Covid 19 pandemic, and the impact on the membership at Jubilee2 is in line with the local and national average. On 1 April 2021, membership figures were 1650, and the target for 2021-22 is to increase it to 2900, the pre-Covid position.	

Priority 4: A Town Centre for All

Progress Summary

For this quarter, the results demonstrate a varying level of activity and further comments are detailed in this report.

A summary of progress with planned activities for this priority from the Council Plan 2018-2022 are as follows:-

- **Prepare a Town Centre Strategy**

The Council has successfully bid for Future High Street Funding and has received an offer letter of £11 million, with the first instalment having been received to the Council. This will enable redevelopment of the Ryecroft area of the town centre, starting with demolition of the former Civic Offices in August 2021. For Town Deal, the Town Deal Board, which was established with partners has worked with the appointed consultants AECOM to develop a Town Investment Plan which received an offer of £23.6 million in June 2021. The Town Investment Plan includes projects in the key strands of digital, transport, gateway sites and culture. The Government also offered all Town Deals additional 'accelerated funding' to deliver quick win projects, which have demonstrated early progress on project delivery.

- **Market**

The focus for increasing footfall and visitor satisfaction remains by supplying a manageable number of specialist visiting markets, adding to our General Market and licensed Antique Markets. The Market team hosted another successful Continental Market, monthly Sunday Castle Artisan Markets and a number of Record Fairs. With high take up of stalls and excellent visitor numbers, both have remained popular monthly markets. On Sunday, 25 July 2021 we host our first Vegan Festival Market which has created considerable interest and a full allocation of stalls reserved by traders. Discussions have commenced for an Armed Services celebration in 2022 and involves closer working with BID to deliver a successful event. Work is now completed on-budget for lighting to lower high street market stalls which creates a fully lit market and power output to enable entertainment where unused stalls have been removed.

- **Business Support**

The 'Staffordshire Means Back to Business' package of support is going well, particularly the Skills Hub offer, where a total of 39 grants, totalling over £26k have been offered with 46 staff receiving training. To date, half of the FSB free memberships have been taken up and we are working with the local FSB co-ordinator to increase this number. The support package on offer from NBC is being widely publicised by the County Council and the Growth Hub, in addition to our own promotion. This includes an occasional Newsletter, containing information on business support on offer from NBC, which is sent to over 100 local SMEs. Work continues on keeping the current Business web pages up-to-date, however, we are also reviewing and refining the business information in preparation for the launch of the new website in autumn. The Business Boost 2021 competition is going ahead in a revised format. Businesses are being asked to submit their Covid success stories, how they have survived and even thrived during the pandemic. Two cash prizes are available, one for BID businesses and one for the wider borough. The BID is co-funding the competition and the closing date is in September.

- **Parking Policy**

The Council adopted a new Car Parking Strategy in 2019/20. Twelve new ticket machines were due to be installed at the end of March however the manufacturer had unfortunately placed production on hold due to Covid. This quarter, the installations were completed and in operation by the end of October 2020, with the facility to pay by card – either chip or contactless, as well as by cash. The contract to pay for parking by phone happened as planned too in October. This service is now with one of the leading providers in the country, PaybyPhone.

Progress Summary continued

- **Establish Town Centre Communications Group**

The Town Centre Communications Group, “Talking Up The Town”, will hold their bi-monthly meeting on 13 July where upcoming events and successes will be shared. The group has been expanded with Heather Dowler of Appetite and Elaine Needham of Aspire Housing joining the existing group of representatives from NSCG, N-u-L BID, Babababoon, Hitmix Radio, New Vic Theatre and Newcastle-under-Lyme Borough Council.

- **Develop a Kidsgrove Town Centre Investment Plan**

Partners formed a Kidsgrove Town Deal Board (KTDB) which was supported by the appointed consultants, AECOM, to develop the Kidsgrove Town Investment Plan. The Investment Plan will review and build on existing plans where appropriate; create the conditions for further investment; and realise lasting and sustainable benefits for the area’s residents and businesses. The Kidsgrove town Investment Plan was submitted to MHCLG at the end of October 2020 and in March 2021 confirmation of a £16.9 million award was received, lower than the original ask in the investment plan. The KTDB discussed and approved a revision of the projects that would be taken forward and all required paperwork has been submitted to MHCLG. This comprised the acceptance of the grant offer and the project confirmation forms, indicative financial profile and draft monitoring and evaluation scheme on 17 May. The Government has also offered all Town Deal additional ‘accelerated funding’ to deliver quick win projects, which has been used to deliver a suite of early interventions to enhance the projects included in the Investment. Included in the projects were, the strip out works to the sports centre, new sports pitches at the King’s school, a suite of improvements to Clough Hall Park and the opening of a ‘pump track’ on the Newchapel Rec. Using some capacity funding provided by Towns Fund, two additional project managers have been taken on to drive forward the two town deals and Future High Street funding and are working with stakeholder sub-groups to develop the remaining business cases. The Chatterley Valley business case has been prepared by Cushman & Wakefield and is currently out for consultation with the sub-group.

Ref	Service Area	Portfolio Holder	Indicator	Good is	Result Qtr. 1 2020-21	Result Qtr. 4 2020-21	Result Qtr. 1 2021-22	Target Qtr. 1 2021-22	How have we performed?	Status
Page 160	Regeneration & Economic Development	Cllr. Stephen Sweeney	Car parking usage:-Number of tickets purchased	High	-	30,077	71,834	-	Ticket sales have increased 138.8% in Qtr 1 from the previous quarter.	-
4.2	Regeneration & Economic Development	Cllr. Simon Tagg	Footfall	High	-	209,441	553,527	-	Footfall for this quarter has increased by 164%.	-
4.3	Regeneration & Economic Development	Cllr. Stephen Sweeney	Average stall occupancy rate for markets	High	-	Monday GM 4% Tuesday AFG nil* Wednesday GM 4% Thursday AFG nil * Friday GM 13% Saturday GM 15% *Antique Market closed for duration of Q4 due to Lockdown restrictions	Stall Occupancy Overall average) 64% Monday GM 22% Tuesday AFG 91% Wednesday GM 16% Thursday AFG 79% Friday GM 44% Farmers Mkt 100% Fourth Friday/month. Saturday GM 45% Record Fair Market 81% - Monthly. Castle Artisan Market 100% - Monthly.	-	The specialist visiting markets in addition to our regular offer, have proved very popular with high take up of stalls and excellent visitor numbers. For the Castle Artisan Market, there were 8 additional stalls to accommodate traders on our waiting list, with 61 traders in total.	-

*The result is within tolerance

N/A

Performance information not available at this time or due to be provided at a later date



Performance is not on target but direction of travel is positive



Performance is not on target where targets have been set



Performance is on or above target



Cabinet Forward Plan: Newcastle under Lyme Borough Council

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

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

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

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

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

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

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

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

Leader of the Council (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 or may be viewed during normal office hours. Copies or extracts can be obtained on payment of a fee (unless the publication contains exempt information).

For all enquiries, please contact:-

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

Title of Report	Brief Description of Report	Cabinet Portfolio	Intended Decision Date	Relevant Overview & Scrutiny Committee	Wards Affected	Reason for Determining in Private Session (if applicable)
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 pandemic	One Council, People & Partnerships	Cabinet 8 September 2021	Finance, Assets & Performance	All Wards	N/A
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
J2 Update Report	To receive a report on resolution of issues at J2	Leisure, Culture & Heritage	Cabinet 8 September 2021	Finance, Assets & Performance	All Wards	N/A
Procurement of a Customer Payment System	To consider a report about awarding a contract in relation to the Council's e-Payments solution.	Finance, Town Centres & Growth	Cabinet 8 September 2021	Finance, Assets & Performance	All Wards	N/A
Town Centre car parking strategy update	To consider an update on the Town Centre car parking strategy	Finance, Town Centres & Growth	Cabinet 8 September 2021	Finance, Assets & Performance	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
Procurement or a Revenue & Benefits System	To consider proposals to procure a cloud based Revenue & Benefits back office system	Finance, Town Centres & Growth	Cabinet 13 October 2021	Finance, Assets & Performance	All Wards	N/A
Energy Efficiency Programme	To consider proposals for an Energy Efficiency Programme	Environment & Recycling	Cabinet 13 October 2021	Finance, Assets & Performance	All Wards	N/A
One Council Programme Update	To receive an update on progress with the One Council Programme	One Council, People & Partnerships	Cabinet 13 October 2021	Finance, Assets & Performance	All Wards	N/A
Appointment of a supplier to refurbish the health and fitness offer at Jubilee2	To recommend a preferred procurement strategy for the design, and refurbishment of the health and fitness offer, and the provision of fitness equipment to ensure that the health and fitness offer at Jubilee2 is fit for purpose	Leisure, Culture & Heritage	Cabinet 13 October 2021	Finance, Assets & Performance	All Wards	N/A
Q2 Finance & Performance Report	To receive the Q2 Finance & Performance Report	Finance, Town Centres & Growth	Cabinet 3 November 2021	Finance, Assets & Performance	All Wards	N/A
Medium Term Financial Strategy 2022/23 Update	To consider updated proposals for the Medium Term Financial Strategy for 2022/23 following an Efficiency Board process	Finance, Town Centres & Growth	Cabinet 3 November 2021	Finance, Assets & Performance	All Wards	N/A
Draft Savings Proposals	To consider draft savings proposals for the 2022/23	Finance, Town Centres	Cabinet 1 December	Finance, Assets & Performance	All Wards	N/A

2022/23	financial year	& Growth	2021			
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