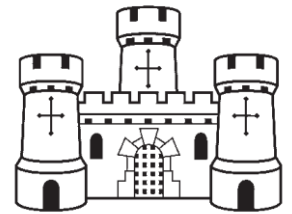


Public Document Pack

Date of meeting Tuesday, 17th December, 2019
Time 7.00 pm
Venue Lancaster Buildings - Lancaster Buildings, Newcastle, Staffs
Contact Jayne Briscoe 2250



**NEWCASTLE
UNDER LYME**
BOROUGH COUNCIL

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

Economy, Environment & Place Scrutiny Committee

AGENDA

PART 1 – OPEN AGENDA

- 1 APOLOGIES**
- 2 DECLARATIONS OF INTEREST**
- 3 MINUTES OF 25 SEPTEMBER MEETING OF THE COMMITTEE (Pages 5 - 8)**
To consider the minutes of the 25 September meeting of the Committee.
- 4 CLIMATE CHANGE MITIGATION (Pages 9 - 30)**
To approve the minutes of the Climate Change Mitigation meeting held on 25 November 2019.
- 5 UPDATE FROM CABINET**
This item provides an opportunity for the Portfolio Holder to update members of the Scrutiny Committee on the response of Cabinet to the suggestions made by the Committee at their last meeting.

Nothing to report.
- 6 BENCHMARKING EXERCISE (Pages 31 - 40)**
- 7 STATUTORY GUIDANCE ON OVERVIEW AND SCRUTINY COMMITTEES (Pages 41 - 52)**
- 8 RECYCLING SERVICE UPDATE (Pages 53 - 56)**
- 9 TOWN CENTRE FUNDING UPDATE (Pages 57 - 60)**
- 10 HOMELESSNESS AND ROUGH SLEEPING STRATEGY (Pages 61 - 130)**

- 11 WALLEYS QUARRY (Pages 131 - 142)**
12 WORK PROGRAMME (Pages 143 - 148)
13 PUBLIC QUESTION TIME

Any member of the public wishing to submit a question must serve two clear days' notice, in writing, of any such question to the Borough Council.

14 URGENT BUSINESS

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

Members: Councillors Mrs J Cooper, A. Fear, G. Heesom (Vice-Chair), D. Jones, M. Olszewski, B. Panter, M. Reddish, A. Rout, J Tagg and G White (Chair)

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:	G. Burnett	A. Parker
	T. Kearon	J. Walklate
	H. Maxfield	P Waring
	K.Owen	

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 EVENING SO IF THE FIRE ALARM DOES SOUND, PLEASE LEAVE THE BUILDING IMMEDIATELY THROUGH THE FIRE EXIT DOORS.

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Agenda Item 3

Economy, Environment & Place Scrutiny Committee - 25/09/19

ECONOMY, ENVIRONMENT & PLACE SCRUTINY COMMITTEE

Wednesday, 25th September, 2019

Time of Commencement: 7.00 pm

Present: Councillor Andrew Fear (Chair)

Councillors: M. Olszewski M. Reddish
B. Panter J Tagg

Substitutes: Councillor Kenneth Owen (In place of Mayor's Consort -
Councillor Gary White)
Councillor Andrew Parker (In place of Councillor Mrs Gill
Heesom)

Officers: Andrew Bird Head of Recycling, Waste and
Fleet Services
Jayne Briscoe Democratic Services Officer
Rob Foster Head of Leisure and Cultural
Services
Jo Halliday Head of Housing
Martin Hamilton Chief Executive
Simon Sowerby Business Improvement
Manager

Also in attendance: Councillor Trevor Johnson Portfolio Holder - Environment
and Recycling
Councillor Stephen Sweeney Deputy Leader of the Council
and Portfolio Holder - Finance
and Efficiency

1. DECLARATIONS OF INTEREST

There were no declarations of interest stated.

2. APPOINTMENT OF CHAIR FOR THE MEETING

Councillor A Fear was appointed as Chair for the meeting

3. APOLOGIES

An apology was received from the Chair, Councillor G White, from the Vice Chair, Councillor Gill Heesom and Councillor A Rout.

4. MINUTES OF LAST MEETING - 20 JUNE 2019

The minutes of the meeting held on 20 June 2019 were agreed as a correct record subject to a note being made within the final paragraph of item 5 – Allocation and Homeless Policy that Councillor Fear was not supportive of activities to help and support rough sleepers.

5. UPDATE FROM CABINET

The Deputy Leader, Councillor Sweeney presented the report from the Leader, circulated at the meeting, which provided an update in response to the recommendations made by the Scrutiny Committee on 20 June.

Visits by the Cabinet Member to town centres and markets had continued, including recently Wigan, Leek and Market Drayton as part of the benchmarking exercise. All the visits would be reported to the 12 December meeting.

Footfall figures provided by the BID showed that there was a fall of 13.27% and a fall of 14.38% from 3pm compared with the year 2018/2019.

Meetings were ongoing regarding diverted giving schemes

Provision has been made to recruit to the senior planning team, on an interim basis initially. A new case management strategy has been put in place and the department exceeded government targets in the first quarter.

A Communications Plan dedicated to the introduction of the new recycling service has been produced which will be monitored and updated.

Agreed: That the report be noted

.

6. CAR PARKING STRATEGY

The Cabinet member for Finance and Efficiency, Councillor S Sweeney, represent the report on the draft Car Parking Strategy for pre-decision scrutiny.

The strategy reviewed the current car parking provision and set out the future options to ensure the most effective provision. The Strategy highlighted the key objectives:-

- 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

To deliver these objectives the strategy set out a range of issues together with an action plan.

Members scrutinised the strategy and asked:-

- For Pay on Exit to be given priority.
- For the strategy to include informative signage relating to the types and location of the car parks on entry to the Town Centre
- A flat rate of charge to support all businesses both large and small

Agreed: That, Cabinet be requested to take the comments of members into account when considering the Car Parking Strategy.

7. RECYCLING SERVICE UPDATE

The Head of Recycling and Fleet Services presented a report which updated members on progress on the development for the introduction of the new recycling collection service together with Quarter 4 performance.

Round modelling had taken place and testing of the new rounds with operational staff and with the correct type of vehicle was planned for October for a minimum of 12 weeks. In addition procurement of wheeled bins, bags to hold cardboard and paper, vehicles, changes to the Knutton Lane Depot Station to accommodate the new service and the installation of a material recovery facility to process glass, cans and plastic.

The officer explained that the majority of the missed bins related mainly to the assisted collection service and that this was the main area of focus. Overall in June 2019 99.92% of bins had been collected successfully.

The officer confirmed that the disused plastics boxes would not be collected and residents were free to reuse them. Operationally, they could not continue to be used.

Agreed: That the report be noted

8. REVIEW OF SINGLE USE PLASTICS REDUCTION STRATEGY

The Business Improvement Manager presented the strategy on the reduction/elimination of single use plastics (SUP) for review by this Committee.

Work to date included:-

- The development of baseline data
- SUP elimination or replacement
- Collection and recycling of SUP
- Internal and Town Centre Campaigns

With regard to the Action Plan members asked for a column to be included to detail when the specific actions had been completed.

Agreed: That the report be noted.

9. CLIMATE CHANGE MITIGATION

This item will be considered at a special meeting of the committee on a date to be confirmed.

10. WORK PROGRAMME

The Chief Executive submitted a report which set out the future work programme.

Economy, Environment & Place Scrutiny Committee - 25/09/19

Agreed: That, in addition the report from Cabinet on the benchmarking visits to other town centres and markets, the 12 December meeting consider a report on Bradwell Crematorium to include the expenditure and maintenance programme and the feasibility of setting up of a Friends of Bradwell Crematorium Group.

11. PUBLIC QUESTION TIME

There were no members of the public present at the meeting.

12. URGENT BUSINESS

There were no items of urgent business.

**Councillor Andrew Fear
Chair**

Meeting concluded at 8.10 pm

Agenda Item 4

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO ECONOMY, ENVIRONMENT & PLACE SCRUTINY

17 November 2019

Report Title: Climate Change Mitigation
Submitted by: Chief Executive
Portfolios: Environment and Recycling
Ward(s) affected: All

Purpose of the Report

To note the recommendations of the Special meeting of the Committee on the 25 November 2019 and to agree the terms of reference for a Task and Finish Group to consider further the issue of climate change Mitigation

Recommendation

That members approve the terms of reference set out at paragraph 3.2 of this report for the task and finish group on climate change mitigation.

Reasons

At the special meeting of the Committee on 25 November 2019 members resolved to set up a task and finish group and to agree draft terms of reference at their next meeting.

1. Background

- 1.1 Members met at a special meeting on the 25 November 2019 to consider the motion relating to climate change approved by full council on the 3 April 2019 and to consider what actions can be taken by the Borough Council to address the adverse effects of climate change.
- 1.2 A copy of the report to 25 November special meeting is attached for members ease of reference.
- 1.3 Members resolved:

That a task and finish group, including representatives from Keele University and other experts to be determined, be established to progress the actions set out in the report of the Executive Director – Operational Services now submitted; the terms of reference to be agreed at the next meeting of this Committee.

2. Issues

- 2.1 At its 25th November meeting on Climate Change, Committee received a report from the Executive Director of Operational Services which noted that following the April Council resolution, the Council

aimed to make Newcastle under Lyme a carbon-neutral borough by 2030 for both Borough Council activities and Borough wide. Members were informed that this was more radical than the UK Governments target of 2050 and that the implications of this may be an issue that Scrutiny Members might wish to understand more fully, as work develops.

- 2.2 In terms of the Government's position, on 12 June 2019, the Government announced that the UK would eradicate its net contribution to climate change by 2050 and it is understood that the Government intended that a statutory instrument would be laid before Parliament to amend the Climate Change Act 2008, in order to implement the announcement. This would mean that the UK would be the first G7 country to legislate for net zero emissions and is likely to introduce statutory responsibilities upon all levels of government, including Borough Councils.
- 2.3 The Director suggested that as part of their work members might wish to assess the extent to which this new legislation would require Council to act, and how this relates to the already stated commitment and aims of the Council in relation to carbon neutrality once more information was known. There was no indication at this stage whether the Government would provide funding to progress this work or whether it will be left to each local area to identify funding opportunities. If funding was not made available, this could present a major barrier to the achievement of carbon neutral aspirations.
- 2.4 The Committee also heard from Professor Zoe Robinson, from Keele University, who explained the scientific measurements and data which led to the declaration of a climate emergency, explained what carbon neutral meant, what measures were being introduced and what the Borough, its partners and residents could do in response.
- 2.5 At the meeting, Committee resolved to form a Task & Finish Group, including representatives from Keele University and other experts to be determined, to progress the actions set out in the report of the Executive Director – Operational Services. Members agreed to determine the terms of reference for this group at its next meeting.
- 2.6 In setting the terms of reference for this Task & Finish Group, members may wish to be aware of other work which is also taking place regarding this agenda in line with the Council resolution:
 - The Vice Chancellor of Keele University is hosting a series of cross sector meetings comprising key decision makers and influencers from across the Borough with a view to shaping and driving change across the Borough;
 - The Chief Executive is working with the Staffordshire Chief Executives' group to shape as far as practical a county wide agenda on climate change.

3. **Proposal**

- 3.1 Across Staffordshire Councils have set different targets for securing Carbon Neutral status, with target dates ranging from 2030 to 2050 (the gov't target). In due course it may be desirable to align the Council's target date with those of other organisations for some specific areas of work. In considering how best the Council should move forward with this agenda, it will be useful to draw a distinction between work to make the *Council* a carbon neutral organisation, and work to make the *Borough* carbon neutral across all sectors. To avoid duplication of effort, members may wish to focus their Task & Finish Group on the additional actions to be taken by the Council to secure carbon neutrality as an organisation by 2030, as opposed to the wider work at Borough & County level which is being shaped by a wide range of organisations across a much larger geography.
- 3.2 Proposed terms of reference for the Task & Finish Group:

- To review the Council's record on mitigation and adaptation on climate change and to make recommendations to Cabinet with regard to future action
- To establish a baseline in respect of the Council's current carbon footprint
- To consider work to date to mitigate the adverse effects of the Council's services
- To review options and timelines to achieve the target of the Council as an organisation being carbon neutral by 2030.

4. **Reasons for Proposed Solution**

To agree formal Terms of Reference for the Task and Finish Group

5. **Options Considered**

This matter was referred to the Scrutiny Committee by the meeting of Council 3 April which invited this Committee to review the Council's record on mitigation and adaptation in respect of climate change and to make recommendations to Cabinet with regard to future action. It would have been possible to deal with this by way of reports to Committee but a Task and Finish Group was felt to be a more appropriate option given the complex nature of the subject matter.

6. **Legal and Statutory Implications**

There are currently no statutory requirements for local councils to set or negotiate targets to reduce their own or area wide emissions, although this may change as and when the Climate Change Act 2008 is amended by Statutory Instrument.

7. **Equality Impact Assessment**

Not completed at this stage.

8. **Financial and Resource Implications**

None directly arising from this report but this will need to be assessed as work proceeds.

9. **Major Risks**

None directly arising from this report but a full risk assessment will form part of a Carbon Neutral Plan for the Borough.

10. **Sustainability and Climate Change Implications**

The Task & Finish Group, once established, will inform the Council's approach to both climate change and sustainability.

11. **Key Decision Information**

N/A

12. **Earlier Cabinet/Committee Resolutions**

25 November Special Meeting and Council 3 April 2019

13. **List of Appendices**
Report to 25 November 2019 meeting and minute

14. **Background Papers**

N/A

ECONOMY, ENVIRONMENT & PLACE SCRUTINY COMMITTEE

Monday, 25th November, 2019
Time of Commencement: 7.00 pm

Present:

Councillors:	Mrs J Cooper	T. Kearon	A. Parker
	G. Heesom	M. Olszewski	M. Reddish
	M. Holland	B. Panter	J Tagg

Officers: Jayne Briscoe Democratic Services Officer

Also in attendance: Professor Zoe Robinson and Mr Phil Butters from Keele

1. APOLOGIES

Apologies were received from the Chair (Councillor G White), Councillor Fear who was represented by Councillor Parker, Councillor Jones, Councillor Rout and Councillor T Johnson.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. CLIMATE EMERGENCY MOTION

The Executive Director of Operational Services submitted a report following a decision of Council (03/04/2019) to acknowledge that there was a climate emergency and the role this Authority would play in addressing its adverse effects.

The report noted that the Council aimed to make Newcastle under Lyme a carbon-neutral borough by 2030 for both Borough Council activities and Borough wide and that this was more radical than the UK Governments target of 2050 and that the implications of this may be an issue that Scrutiny Members might wish to understand more fully, as work develops.

In terms of the Governments position, on 12 June 2019, the Government announced that the UK would eradicate its net contribution to climate change by 2050 and it is understood that the Government intended that a statutory instrument would be laid before Parliament to amend the Climate Change Act 2008, in order to implement the announcement. This would mean that the UK would be the first G7 country to legislate for net zero emissions and is likely to introduce statutory responsibilities upon all levels of government, including District Councils.

The Director suggested that as part of their work members might wish to assess the extent to which this new legislation would require Council to act, and how this relates to the already stated commitment and aims of the Council in relation to carbon neutrality once more information was known. There was no indication at this stage whether the Government would provide funding to progress this work or whether it

will be left to each local area to identify funding opportunities. If funding was not made available, this could present a major barrier to the achievement of carbon neutral aspirations.

In conclusion the Director referred members to the Council report which set out the resolutions made at Council and the action required of this Committee to examine and recommend to Cabinet a plan of action to achieve the ambitions.

The Chair introduced Professor Zoe Robinson and Mr Phil Butters from Keele University.

Professor Zoe Robinson presented to Committee on the scientific measurements and data which led to the declaration of a climate emergency, explained what carbon neutral meant, what measures were being introduced and what the Borough, its partners and residents could do.

Members engaged in the discussions with examples including concerns about deforestation and the need to ensure ethical procurement and, in relation to the need to eat less meat, change the vegetarian option to a meat option. In terms of purchasing, people could buy music as a service rather than an object.

In terms of an individual response one of the most important measures was to insulate their own home, this also had related implications for local authority building stock. Acting collectively the residents of N-u-L could deliver a community energy project.

Members of this Committee asked for clarification on the relationship with the climate change action group and pointed out the requirement to hold the Executive to account in respect of the requirements set out in the Council resolution.

All members agreed that representatives from Keele University be invited to share their expertise.

Agreed: That a task and finish group, including representatives from Keele University and other experts to be determined, be established to progress the actions set out in the report of the Executive Director – Operational Services now submitted; the terms of reference to be agreed at the next meeting of this Committee.

4. **PUBLIC QUESTION TIME**

There were no members of the public present at the meeting.

5. **URGENT BUSINESS**

There were no items of urgent business.

Chair

Meeting concluded at 8.20 pm

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL
EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE
Economy Environment & Place Overview and Scrutiny Committee

Date: 25th November 2019

REPORT TITLE: **Climate Emergency Council Motion**

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

Portfolio: **Environment & Recycling**

Ward(s) affected: **All**

Purpose of the Report

This report has been prepared for members to consider following a Motion to Members of the Council at its meeting of 3rd April 2019 where the Council acknowledged that there is a Climate Emergency and that as an Authority, we can play a part in trying to address it.

This Motion invites the Economy, Environment and Place Scrutiny Committee to review the Councils record on mitigation and adaptation in respect of climate change and to make recommendations to Cabinet with regard to necessary future actions.

Recommendations

Scrutiny are requested to consider the role that they wish to take in taking the Climate Emergency Motion forward both within the Council and on the Borough wide scale in conjunction with a range of potential partners.

There are a number of actions that Scrutiny may consider progressing including the following:

- a) As agreed in the Motion, review the Councils record on mitigation and adaptation in respect of climate change and make recommendations to Cabinet with regard to necessary future action.
- b) Request and scrutinise a report that sets out the Councils record in relation to a) above, but that also sets out the Councils current carbon footprint, plans in place to reduce emissions from its activities and options for further avoidance, reduction and mitigation.
- c) Request that the Members submitting the Motion be invited to attend a meeting of this Committee to discuss and explore how the Carbon Neutral Borough commitment can be progressed.
- d) Following scrutiny of the issue, submit a report to Cabinet recommending a plan of action to make significant steps towards achieving a carbon neutral Borough by 2030.

1. Background

1.1 The Council Motion

At its meeting on 3rd April 2019, Full Council received and debated the following motion:

This Council notes:

That over 41 councils have passed 'climate emergency' motions since the IPCC (Intergovernmental Panel on Climate Change) report on Global Warming of 1.5°C was published in October 2018. This report describes the major environmental harms that a 2°C rise in world temperature is likely to cause and urges that governments and related authorities world-wide seek to limit global temperature rises to 1.5°C.

That there is cross party support for climate emergency motions and ambitious carbon reduction strategies – the 41 councils that have already passed such a motion include Labour led, Conservative led, Liberal Democrat led and NOC authorities.

That the IPCC's Special Report on Global Warming of 1.5°C argues that limiting Global temperature rises to 1.5°C may still be possible with ambitious action from national Governments AND local Government working in collaboration with partner agencies, organisations, groups and local communities.

This Council further notes:

The establishment in 2007 and facilitation by Staffordshire County Council of the Staffordshire Climate Change Partnership and climate change adaptation group.

That in 2008 this council was a signatory to the Nottingham Declaration, making a public commitment to tackle climate change in concert with other councils.

That this council subscribed in September 2013 to the 'Climate Local' commitment, preparing and authorising an action plan to reduce carbon emissions and to promote action to tackle climate change with our partners and residents.

That since 1990, the UK has cut its carbon emissions by more than any other G20 country as a proportion of its economic growth, through the ambitious measures of the Climate Change Act 2008; is on target to reduce all greenhouse gas emissions by 80 per cent by 2050; and will see the closure of all coal-fired power stations by 2025.

That the councils, businesses and individuals of Newcastle-under-Lyme have demonstrated their ongoing commitment to reducing CO2 emissions in the Borough, which have fallen from 1024.4 kilotons in 2005 to 807.8 kt in 2016, the most recent year for which data is available (source: BEIS/National Atmospheric Emissions Inventory).

1.2 The Council subsequently resolved:

- a. *To acknowledge that there is a climate emergency and that as an authority we can play a part in trying to address it.*
- b. *To aim to make Newcastle under Lyme a carbon-neutral borough by 2030.*
- c. *To establish and support a climate change action group that is chaired by an individual from outside of the borough council and is comprised of representatives of all parties on the council, council officers, representatives of local employers, local education establishments, partner organisations, local community groups, faith groups, local*

environmental groups, trade unions and other representatives of local civil society to encourage and coordinate the drive towards a carbon-neutral borough.

- d. To require the cabinet and senior officers to collaborate with this action group, to examine what more can be done by the borough council to deliver a carbon-neutral borough, and for cabinet to work with the action group to produce and publish a plan setting out how the council, through its policies, practices and actions will help to deliver a carbon-neutral borough by 2030.*
- e. To require that cabinet, as part of the regular performance review process routinely review progress against this plan and if necessary take action to expedite progress towards the carbon-neutral goal.*
- f. For the Chief Executive to host in Newcastle a meeting of CEOs, leaders and cross party representatives from Staffordshire County Council, Stoke City Council, District councils across Staffordshire and our neighbouring non-Staffordshire councils to produce a regional climate emergency strategic collaboration plan to move to a carbon-neutral region. Regular meetings of this group will become a part of the battle for a carbon neutral region.*
- g. To require that the chief executive and the leaders of all groups on the council jointly write to the Secretary of State for the Environment, Food and Rural Affairs declaring a climate emergency and urging him to give local government across the region powers and funding to take meaningful action to address this emergency.*
- h. To invite the Economy, Environment and Place Scrutiny Committee to review the council's record on mitigation and adaptation in respect of climate change and to make recommendations to cabinet with regard to necessary future action.*
- i. To ask that the chief executive and the leaders of all groups on the council jointly write to the Secretary of State for the Environment, Food and Rural Affairs urging him to give local government across the UK powers and funding to take meaningful action to address this emergency, and to legislate for a binding UK-wide net zero emissions target at the earliest practicable point in the future.*

1.3 What is the Meaning of Carbon Neutral?

At the crux of the motion is the aim to make the Borough 'Carbon Neutral' by 2030.

However, it is important to establish what is meant by the term Carbon Neutral. There appear to be some variances in a definition of the term and indeed how this is achieved.

One common interpretation is that achieving Carbon Neutrality is around a process of:

- 1. Calculating the carbon/greenhouse gas emissions of a particular entity. This is typically known as a 'Carbon Footprint'*
- 2. Avoiding emissions by finding alternatives to the 'business as usual' scenario*
- 3. Reducing emissions through low carbon efficiency measures*
- 4. Offsetting/mitigating any residual emissions*

It is intended that the end result of the process is that a carbon balance is achieved whereby any residual carbon emissions that remain after avoidance and reduction measures, are offset or mitigated in some way to achieve a 'net carbon zero' balance.

1.4 The Emergence of the Climate Emergency Agenda

Since the Intergovernmental Panel on Climate Change (IPCC) report in October 2018 the Climate Emergency movement has emerged; originating in Australia and shifting to the UK in November 2018 when Bristol City Council became the first UK local authority to declare a Climate Emergency. Since then a whole host of councils have declared Climate Emergencies and set targets to become carbon neutral.

The most commonly set date is 2030, with others setting targets for dates such as 2028, 2038 and 2050. The majority of local authority carbon neutral targets that have been inspired by the Climate Emergency movement, including this Councils target of 2030 is more radical than the UK Governments target of an 80% reduction in emissions by 2050.

The Climate Emergency movement has emerged following the October 2018 IPCC special report on the state of global warming. The report warned of the rapid and far reaching consequences of over 1.5 °C of warming to temperatures and the report outlines that limiting global warming to 1.5°C would require rapid, far-reaching and unprecedented changes in all aspects of society.

The report outlines that there are clear benefits to people and natural ecosystems of limiting global warming to 1.5°C compared to 2°C which could go hand in hand with ensuring a more sustainable and equitable society. It is therefore widely recognised that carbon neutrality is a necessary target if all is to be done to keep global warming below the 1.5 °C limit.

A major motivator for declaring a Climate Emergency is to galvanise support for the climate change agenda and set a clear target by which the Borough, through working with a wide range of partners, will be become carbon neutral.

An increasing number of Councils are declaring Climate Emergencies in a similar way to that declared by this Council. As recently in late July this year, Staffordshire County Council has also made the following commitment:

Staffordshire County Council 'Declares a 'Climate Emergency', and commits to supporting Staffordshire councils in their work to tackle climate change by providing a strong unified voice for councils in lobbying for support to address this emergency, and sharing best practice'

2. Issues

2.1 The Challenge

This motion commits the Council to ensuring that the Borough of Newcastle under Lyme (not just the Borough Council) becomes carbon neutral by 2030. Becoming a carbon neutral Borough is by no means whatsoever an easy task as carbon is currently embedded into all aspects of modern life, whether that be in the public, private, educational, health, transport and utility sector.

What this means in reality is that the Councils, residents, businesses and all sectors will in some way need to adapt and change on a strategic, operational and practical level if a carbon neutrality target is to be realised.

Therefore, the Climate Emergency declaration and carbon neutrality target needs to be accompanied by a clear and agreed action plan that is developed, supported by and embedded in the local authority area as a whole. The Council has commercial activities and industries that operate within the locality and large companies and SMEs will need to be on board with any target setting too.

In the Committee on Climate Change (CCC) report '*How local authorities can reduce emissions and manage climate change*' (May 2012) it is considered that there is a significant risk that local authorities will not develop and implement sufficiently ambitious low-carbon plans, following the removal of the national indicator framework and given the highly constrained fiscal situation.

It is worth noting that the local authority fiscal situation has worsened significantly since that time too. The Committee concluded that in order to mitigate this, the Government should seriously consider providing additional funding and/or introduce a statutory duty for local authorities to develop and implement low-carbon plans.

The Committee set out 10 key messages for Local Authorities:

1. Local authorities play an important role in delivering national carbon targets
2. Action on climate change has many local benefits
3. Improving energy efficiency in building is a key area for action
4. Planning functions are a key lever in reducing emissions
5. Low carbon district heating should be pursued
6. Transport policies plays an important part in reducing emissions
7. Waste prevention and sustainable waste management are important roles.
8. Local authorities should develop low-carbon plans
9. Reducing emissions from Local authorities own estates demonstrates leadership
10. Adaptation of buildings and infrastructure to increase resilience is a crucial role.

Examples of successful actions already undertaken by the Borough Council over the last few years to reduce its own carbon output (footprint) include changes to current practices and high profiles schemes such as:

- Incorporated a wide range of energy efficiency measures at Jubilee 2.
- Developed Keele Cemetery using sustainable building methods.
- Reduced the Councils energy use through sharing accommodation in Castle House
- Improved sustainability of fleet operations through procurement of latest fuel and emissions efficient vehicles, route optimisation and multi-purposing.
- Supporting residents in reducing energy consumption in their homes through the Warm Zone initiative
- Installed energy efficient lighting and controls in a number of public buildings and car parks.
- Installed and operate mercury emission abating cremators.
- Promote sustainability and environmental responsibility through the Britain in Bloom campaign.
- Completed energy Audits of key public buildings
- Exploration of green energy supply alternatives.
- New Policies in place to guide how open spaces are managed to mitigate climate change impacts.

In a recent briefing from the Association of Public Sector Excellence (APSE) it is considered that it is highly likely that Climate Emergency declarations by local authorities will lead to

more renewable energy initiatives, which could also provide opportunities for revenue generation.

They consider that the reason for this is that energy is the preferred route to tackle this problem for many of the authorities concerned and that many local authorities understand that they can have an impact on climate change by focusing on energy generation and energy efficiency programmes and see this as an area that is within their control, certainly so far as their own assets and land is concerned and one where they can demonstrate real progress.

2.2 The Evidence

In May this year, the Committee for Climate Change (CCC) published the report of their investigation into climate change in the document '*Net Zero – The UK's contribution to stopping global warming*'. In this report, the Committee on Climate Change recommends a new emissions target for the UK: net-zero greenhouse gases by 2050.

In the foreword to the report, the Chair of the Committee, The Rt Hon. the Lord Deben, states:

'Our recommendation emerges clearly from the extensive evidence presented here for the first time. We have reviewed the latest scientific evidence on climate change, including last year's IPCC Special Report on Global Warming of 1.5°C, and considered the appropriate role of the UK in the global challenge to limit future temperature increases.

We have built a new understanding of the potential to achieve deep emissions reduction in the UK and made a fresh appraisal of the costs and benefits to the UK economy of doing so'. And goes on to say:

'We conclude that net-zero is necessary, feasible and cost-effective. Necessary – to respond to the overwhelming evidence of the role of greenhouse gases in driving global climate change, and to meet the UK's commitments as a signatory of the 2015 Paris Agreement.

Feasible – because the technologies and approaches that will deliver net-zero are now understood and can be implemented with strong leadership from government. Cost effective – because falls in the cost of key technologies permit net-zero within the very same costs that were accepted as the likely costs by Parliament in 2008 when it legislated the present 2050 target'.

An 'info-graphic' extracted from the Net Zero Report is attached as an appendix to this report. This explains the current and projected damaging climate impacts and how the UK can, using known technologies, end its contribution to global warming by reducing emissions to Net Zero by 2050.

2.3 The Governments Response

On 12th June 2019, the Government subsequently announced that the UK will eradicate its net contribution to climate change by 2050.

It is intended that a statutory instrument will be laid in Parliament which will amend the Climate Change Act 2008, in order to implement the announcement. This would mean that the UK would be the first G7 country to legislate for net zero emissions and is likely to introduce statutory responsibilities upon all levels of government including District Councils.

Further work will be needed to assess the extent to which this new legislation will require the Council to act, and how this relates to the already stated commitment and aims of the Council in relation to carbon neutrality will be evaluated once more information is known.

This announcement has been welcomed by the CCC which acknowledges that this is the first step and the target must now be reinforced by credible UK policies, across government, inspiring a strong response from business, industry and society as a whole. They also consider that the government has not yet moved formally to include international aviation and shipping within the target, but they have acknowledged that these sectors must be part of the whole economy strategy for net zero.

The CCC has committed to assist by providing further analysis of how emissions reductions can be delivered in these sectors through domestic and international frameworks.

There is no indication at this stage whether the Government will provide funding to progress this work or whether it will be left to each local area to identify funding opportunities. This could present a major barrier to the achievement of carbon neutral targets unless funding support is forthcoming.

2.4 Progress so far

In respect of the Motion and all its parts as set out in section 1.3 above, progress has been made with the following aspects:

To acknowledge that there is a climate emergency and that as an authority we can play a part in trying to address it.

The debate and subsequent passing of the Climate Emergency Motion at Full Council makes this acknowledgment both that there is an emergency and that the Council can play a part in trying to address it.

To ask that the chief executive and the leaders of all groups on the council jointly write to the Secretary of State for the Environment, Food and Rural Affairs urging him to give local government across the UK powers and funding to take meaningful action to address this emergency, and to legislate for a binding UK-wide net zero emissions target at the earliest practicable point in the future.

A letter has been sent to the Secretary of State, signed by all Group Leaders. A reply has not been received at the date of publication of your agenda.

2.5 Next Steps

The following section sets out the further elements of the Motion that require consideration in terms of how these can be progressed. EEP Scrutiny are asked to consider whether it is practical for the Council and its partners to take these aspects can be taken forward and incorporate appropriate actions into its Work plan, and ultimately make recommendations to Cabinet in these respects. The notes under each remaining element of the motion below are meant to assist Scrutiny in considering their subsequent responses.

To aim to make Newcastle under Lyme a carbon-neutral borough by 2030.

As above, the Motion itself provides the aspirational framework for achieving this aim, however, this requires a very substantial body of pan-Borough work including but not restricted to work to:

- a. Identify how, where and when carbon emissions are produced through a full audit of activities,
- b. Audit current and planning work already underway locally to reduce carbon emissions,

- c. Identify and develop options for ceasing, reducing or off-setting carbon emissions,
- d. Consider cost and identify available funding streams to progress preferred options,
- e. Identify delivery capacity, mechanisms and realistic timescales and,
- f. Agree monitoring and reporting structures.

To invite the Economy, Environment and Place Scrutiny Committee to review the council's record on mitigation and adaptation in respect of climate change and to make recommendations to cabinet with regard to necessary future action.

It is proposed to prepare a report for Scrutiny to consider that sets out the actions that have already been completed over the last 5 years to mitigate the Councils carbon footprint and adapt its management and operation of services in respect of climate change as well as options for how this work can be accelerated in the future.

This will require significant Officer Input and potentially require the procurement of external support due to the current availability of Officer capacity and expertise in this area.

To establish and support a climate change action group that is chaired by an individual from outside of the borough council and is comprised of representatives of all parties on the council, council officers, representatives of local employers, local education establishments, partner organisations, local community groups, faith groups, local environmental groups, trade unions and other representatives of local civil society to encourage and coordinate the drive towards a carbon-neutral borough.

Officers are exploring with Keele University the potential make up of a Climate Emergency Partnership for the Borough. Clearly the University is a world class leader in environmental technologies and sustainability and policy development and practices and could, with their agreement, make a significant contribution to the development and implementation of a Borough wide Climate Emergency Action Plan.

Members will wish to explore the opportunities that exist in partnering closely with the University and as a next step; an invitation could be extended to the University to meet with the EEP Scrutiny Committee further and discuss the role of the University in this work.

To require the cabinet and senior officers to collaborate with this action group, to examine what more can be done by the borough council to deliver a carbon-neutral borough, and for cabinet to work with the action group to produce and publish a plan setting out how the council, through its policies, practices and actions will help to deliver a carbon-neutral borough by 2030.

The Council would be a key member of the Action Group from the perspectives of both adaptation and mitigation of its own operations but also in the wider pan-Borough work to achieve the Carbon Neutral Borough.

The resource implication of this is not quantifiable at this stage but is expected to be significant nonetheless and it will be necessary to consider how existing capacity will be prioritised as well as the areas of the Councils work that will have to reduce to meet this new aspiration.

To require that cabinet, as part of the regular performance review process routinely review progress against this plan and if necessary take action to expedite progress towards the carbon-neutral goal.

An appropriate performance monitoring and review process can be agreed as part of the development of the Climate Emergency Action Plan once agreed by the Action Group.

For the Chief Executive to host in Newcastle a meeting of CEOs, leaders and cross party representatives from Staffordshire County Council, Stoke City Council, District councils across Staffordshire and our neighbouring non-Staffordshire councils to produce a regional climate emergency strategic collaboration plan to move to a carbon-neutral region. Regular meetings of this group will become a part of the battle for a carbon neutral region.

This may be an appropriate early action that could be chaired and co-ordinated by the Climate Emergency Action Group once established.

3. Proposal

- 3.1 Scrutiny are requested to consider the role that they wish to take in taking the Climate Emergency Motion forward both within the Council and on the Borough wide scale in conjunction with a range of potential partners.

There are a number of actions that Scrutiny may consider progressing including the following:

- a. As agreed in the Motion, review the Councils record on mitigation and adaptation in respect of climate change and make recommendations to Cabinet with regard to necessary future action.
- b. Request and scrutinise a report that sets out the Councils record in relation to a) above, but that also sets out the Councils current carbon footprint, plans in place to reduce emissions from its activities and options for further avoidance, reduction and mitigation.
- c. Request that the Member submitting the Motion be invited to attend a meeting of this Committee to discuss and explore how the Carbon Neutral Borough commitment can be progressed.
- d. Following scrutiny of the issue, submit a report to Cabinet recommending a plan of action to make significant steps towards achieving a carbon neutral Borough by 2030.

4. Outcomes Linked to Sustainable Community Strategy and Corporate Priorities

The achievement of a Carbon Neutral Borough is an overarching aim that links to the Councils priorities for a sustainable economy, a safe environment and improving the health and quality of life for residents and visitors.

5. Legal and Statutory Implications

The Climate Change Act 2008 has the following provisions:

5.1 Carbon targets and carbon budgeting

The Act places the government under a legal duty to reduce greenhouse gas emissions by 80% below 1990 levels by 2050. There is also an interim target to reduce carbon dioxide emissions by 26% by 2020. The government must set out a series of five year carbon budgets which will begin to lay out the reduction pathway to 2050. The first three carbon budgets will run from 2008-12, 2013-17 and 2018-22. The government must prepare policies that will keep emissions inside these budgets.

5.2 The Committee on Climate Change

The Act also establishes the Committee on Climate Change, an independent, expert body to advise government on the appropriate level for the targets, budgets, and on matters relating to mitigation and adaptation. The Committee will submit annual reports to parliament on progress towards the targets and the government must respond to this report.

5.3 Councils Duty to reduce carbon emissions

There are currently no statutory requirements for local authorities to set or negotiate targets to reduce their own or area wide emissions. Any statutory duty to develop an area-wide low-carbon plan and report on its implementation would be beneficial in ensuring an uniform approach to the contribution local authorities would make to carbon reduction, however, it would also require the Council to prioritise carbon avoidance and reduction actions within its existing financial budgets unless additional funding support is made available from the Government

However, in view of the recent announcement by the UK Government outlined in section 2.3 of this report, in that it is intended that a statutory instrument will be laid in Parliament which will amend the Climate Change Act 2008, it is likely that this would introduce statutory responsibilities upon all levels of government including potentially District Councils.

6. Equality Impact Assessment

6.1 At this stage an Equality Impact Assessment has not been undertaken. It will be necessary, as work progresses, to assess the impact of proposed actions for any equality impacts.

7. Financial and Resource Implications

7.1 There are no direct financial implications for the Council arising from this report. However, the impact of the Motion passed by Council could have significant financial and resource implications for the Council but at this stage it is too early to identify what those would be.

7.2 In the meantime, it is envisaged that there will be significant Officer time required arising from the outcome of this report and this will need to be balanced alongside the Councils existing priorities and projects.

8. Major Risks

8.1 A full risk assessment will form a part of the development of a Carbon Neutral Plan for the Borough.

9. Sustainability and Climate Change Implications

9.1 This report has significant implications for sustainability and climate change as it seeks to agree a formal response to the Climate Emergency Motion passed at Council.

10. Key Decision Information

10.1 Not applicable to this report.

11. Earlier Cabinet/Committee Resolutions

11.1 Not applicable to this report.

12. List of Appendices

12.1 Committee on Climate Change info-graphic

13. Background Papers

13.1 None.

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Damaging climate impacts are already being felt today.

Reducing global emissions faster will hold warming to lower levels.

Every degree matters.

Climate change is here today:

- The frequency of heatwaves has increased around the world. Many extreme events are being made more likely due to climate change.
- Sensitive ecosystems, such as coral reefs, are being damaged due to extreme heat.
- Animals on the land and the ocean are shifting their territories in response to climate change.

Unchecked emissions growth would lead to very severe and widespread climate change at 4°C or more by 2100.

The world is moving towards a low-carbon future, reducing some risks. We are currently on track for around 3°C of warming by 2100.

The world has committed to reduce emissions faster to keep warming 'well-below' 2°C. This would help limit the most damaging effects of climate change.

Keeping below 1.5°C would limit many important risks further, helping to protect key ecosystems and reducing impacts on poorer people around the world.

UK action to address climate change can have an international impact



The UK can and should act as a leader in the global response to climate change - UK emissions contributed to causing it, and its leadership can have an international impact.



The UK has been a leader on climate change action. The UK has the opportunity to continue its leadership and join other countries already pursuing net-zero emissions targets.



The UK has committed to act by signing the Paris Agreement. This provides many options for countries to collaborate to reduce their emissions and prepare for the impacts of climate change.

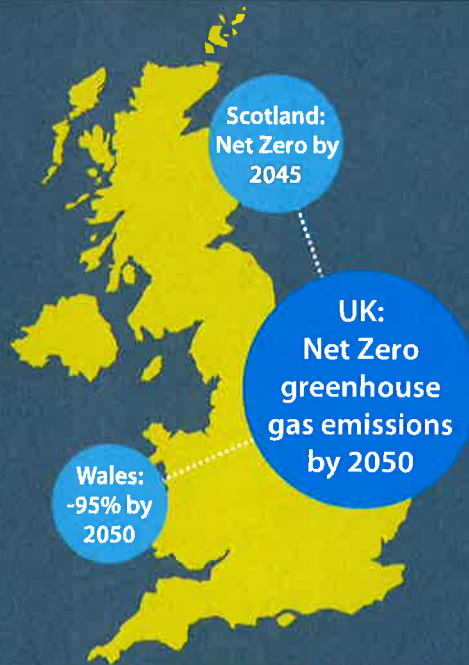
Annual costs of achieving net-zero emissions are between 1-2% of GDP in 2050, comparable to those estimated in 2008 for achieving an 80% target.



80% reductions in emissions relative to 1990 levels
estimated 2008

100% reduction in emissions in 2050
estimated today

- ✓ Innovation has driven down the costs of key technologies, such as offshore wind & battery storage.
- ✓ Some costs to consumers, such as increased heating bills, can be offset by cheaper transport costs (thanks to a widespread shift to electric vehicles) and cheaper electricity bills (thanks to low cost renewable electricity).



There are many benefits of phasing out harmful emissions



For the economy
New green industries with new jobs and export opportunities for the UK.



For the individual
Quieter streets, cleaner air, less congestion.
Smarter cities and more comfortable homes.

Healthier lifestyles, with more active travel and healthier diets.



For the country
More biodiversity, cleaner water, more green space to enjoy.
Reduced global warming, avoiding climate damages like flooding.

Using known technologies, the UK can end its contribution to global warming by reducing emissions to Net Zero by 2050



Emissions today

This transition will require a concerted effort and action by all



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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE
ECONOMY, ENVIRONMENT AND PLACE COMMITTEE**

17 December 2019

1. **Title** Town Centre Benchmarking
- Submitted by:** Regeneration and Economic Development Manager
- Portfolio:** Corporate and Service Improvement, People and Partnerships
- Ward(s) affected:** All

Purpose of the Report

To conclude the report on benchmarking with other town centres.

Recommendations

- That members consider the findings from the benchmarking and the actions proposed in the Town Centre Benchmarking Appendix.

Reasons

In order to sustain and improve our town centre to increase footfall, rejuvenate our historic market and support town centre businesses.

1. **Background**

- 1.1 A report was presented on Newcastle-under-Lyme's town centre at Scrutiny meeting on 14 March 2019 and an update provided to Scrutiny Committee on 20 June 2019. Members asked that benchmarking with other successful town centres was undertaken by Cabinet members to see what can be learnt from other towns and their approaches to improve our town centre.

2. **Issues**

- 2.1 We followed previous online research by narrowing the list of similar towns to seven for a benchmarking visit. The towns were selected as they all had markets at the heart of their town centres, most were undertaking wider regeneration schemes and some had similar attractors. They were:

Nantwich
Wigan
Leek
Warrington
Lancaster
Market Drayton
Stafford

The benchmarking findings focussed mainly on town centre parking and open market offer but also considered the instances of anti-social behaviour present on the day of visit and other attractors.

2.2 The work commenced June 2019 and was completed on 13 November 2019.

3. **Proposal**

3.1 The proposed actions are shown in the "Action" column of the appendix for Scrutiny Committee consideration.

4. **Reasons for Preferred Solution**

4.1 In order to sustain and improve our town centre offer for the benefit of our communities it is appropriate for Scrutiny Members to review the issues outlined in the Town Centre Benchmarking document.

5. **Options**

5.1 Previous Scrutiny committees have confirmed that they wanted benchmarking to take place and it is clear from the comparative review that many of the issues interlink with other existing policies and strategies. By implementing the actions in the appendix this will support the town centre and market rejuvenation, which are clearly within the corporate priority of a Town Centre for All.

6. **Legal and Statutory Implications**

6.1 None.

7. **Equality Impact Assessment**

7.1 There are no specific requirements.

8. **Financial and Resource Implications**

8.1 Projects requiring additional funding above existing budgetary provision will need to be considered by Cabinet as part of the relevant approval to proceed.

9. **Major Risks**

9.1 If we do nothing it is likely the town centre footfall will decline even further, which may impact on local job and services for the people of the Borough.

10. **Sustainability and Climate Change Implications**

10.1 The Newcastle Sustainable Transport Group's wayfinding improvement work will support minimising unnecessary car journeys and effective walking routes through the town centre.

11. **Key Decision Information**

11.1 This is not a key decision item.

12. **Earlier Cabinet/Committee Resolutions**

12.1 Economy, Environment &Place Scrutiny meeting on 14 March 2019 and an update provided on 20 June 2019 to the same Committee.

13. **List of Appendices**

13.1 Town Centre Benchmarking.

14. **Background Papers**

14.1 None.

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Issue	Newcastle-under-Lyme offer	Benchmarked Town offer	Action
<p>Cost of town centre parking</p>	<p>Newcastle-under-Lyme parking rates at £1 for 1 hour are comparable with four of the seven benchmarked towns.</p> <p>Nantwich at 70p, Market Drayton at 50p for 1 hour and Stafford at £1 for two hours is cheaper.</p>	<p>Nantwich – 70p for 1 hour</p> <p>Market Drayton – 50p for 1 hour.</p> <p>Wigan - £1.10 for 1 hour. Free weekend parking.</p> <p>Leek - £1 for 1 hour.</p> <p>Warrington - £1.10 for 1 hour.</p> <p>Lancaster - £1.50 for 1 hour. Park and ride option £1.60 daily return.</p> <p>Stafford - £1 for 2 hours.</p>	<p>Retain current prices. Continue to work with NuL BID to monitor footfall figures and the effectiveness in increasing footfall in the town centre.</p> <p>Keep parking offers and initiatives under periodic review.</p> <p>Deliver the measures in the Car Parking Strategy to transform the cost of parking in the town centre, including working with the BID for the Goose Street Shoppers car parking offer.</p>
<p>Standard of town centre car parking</p>	<p>Newcastle-under-Lyme surface parking is generally good. Multi-storey parking quality is problematic when compared with most benchmarked towns</p> <p>Surface car parking on the periphery of the town centre is of a good quality. The number of car parks and their convenient locations allow for quick, convenient access to the town centre.</p> <p>The Midway multi-storey car park compares unfavourably to equivalents from benchmarked towns.</p> <ul style="list-style-type: none"> There is no provision of electric charging points on council-owned car parks. 	<p>Nantwich – All car parks are outdoor and within easy walking distance to the main shopping streets.</p> <p>Market Drayton – All car parks within easy walking distance to the main shopping streets.</p> <p>Wigan - Outdoor and multi-storey car parks within easy walking distance to the main shopping streets.</p> <p>Leek – Outdoor parking within easy walking distance of the town centre.</p> <p>Warrington - Outdoor and multi-storey car parks within easy walking distance to the main shopping streets.</p> <p>Lancaster – Outdoor and multi-storey car parks within easy walking distance to the main shopping streets. Electric vehicle charging points.</p>	<p>Deliver the measures in the Car Parking Strategy to transform the facilities and safety of parking in the town centre.</p> <p>Review the cleaning regime at the Midway multi-storey car park.</p> <p>Improve the lighting in the Midway multi-storey car park. Check with Facilities Management regarding any maintenance issues.</p> <p>Enhance the CCTV provision within the Midway to increase security and safety.</p> <p>Use the Newcastle Sustainable Transport Group’s wayfinding improvement work to signpost toilet facilities from the Midway multi-storey car park.</p>

	<ul style="list-style-type: none"> • The cleanliness of the floors of the multi-storey is poor. • The multi-storey is dimly lit. • Security appears ineffective with no visible CCTV system or regular patrols by enforcement staff. • There are no toilet facilities for visitors undertaking long journeys and parking at the Midway multi-storey car park. 	<p>Stafford - Outdoor car parks easily walkable to the main shopping streets. Clean, secure multi-storey parking.</p>	
<p>Ease of use town centre car parking</p>	<p>Payment at Newcastle-under-Lyme car parks are pay-on-entry which limits the time that visitors spend in the town centre.</p>	<p>Nantwich – Pay by cash, card transactions and contactless. Pay by phone service also offered.</p> <p>Market Drayton - Payment by cash, card or mobile app.</p> <p>Wigan - Pay on exit, pay and display, cash, card and mobile phone.</p> <p>Leek - All car parks observed were Pay and Display with no option for pay by card.</p> <p>Warrington - Pay on exit, pay and display, cash, card and mobile phone.</p> <p>Lancaster – Cashless parking card, mobile and cash.</p> <p>Stafford - Payment by cash, card or mobile app. Season tickets available.</p>	<p>Deliver the measures in the Car Parking Strategy by modernising the payment methods for motorists, including the introduction of car payments / contactless payments on the machines.</p> <p>Offer a range of payment options in line with other areas to improve user experience and encourage re-visits, specifically investing in a new mobile APP which is easy to use and can extend the length of stay without the customer returning to their car.</p>
<p>Town Centre attractors</p>	<p>Newcastle’s attractors include a town centre market, BID events programme, Laura Ashley store, library, independent shops and cafes, real ale bars and cinema.</p>	<p>Nantwich – Town centre museum, theatre, Heritage buildings, independent shops plus high value chains, e.g. Pockets, Aga, Laura Ashley, Large church with</p>	<p>Promote art, culture and heritage by continuing to work with Appetite - Creative People and Places programme to extend our existing events programme.</p>

	<p>New Vic Theatre, art Galleries including the Nationally recognised Trent Art, Jubilee2, Keele University are outside of the town centre ring road.</p> <p>The variety of attractors is comparable with the benchmarked towns.</p>	<p>adjacent garden area, outdoor and indoor market, town centre events programme including festivals.</p> <p>Market Drayton - Street market and an indoor market.</p> <p>Wigan - Vibrant indoor and low occupancy street market on day of visit. Shopping centre. Good town centre signage.</p> <p>Leek – Vibrant markets. Good night life offer, historic town centre with heritage charm. Totally locally scheme engages businesses. Arts and culture rich. Antiques centre.</p> <p>Warrington – Two railway stations, University town, flagship town centre regeneration scheme “Time Square” opens 2020, Warrington riverbank Regatta, cultural quarter.</p> <p>Lancaster - English Heritage City. Vibrant, quirky and historical. Cultural and creative charm. Two shopping centres. Outdoor and indoor market. Two shopping centres. Independent and ethical traders. Antique shopping. One railway station. Theatre in the round.</p> <p>Stafford – Street market, indoor market, late market. Historic town centre, good night life offer.</p>	<p>Promote art, culture and heritage.</p> <p>Promote independent shops and cafes.</p> <p>Rejuvenate the historic market by implementing the actions proposed through the Markets review. Including refocussing of the markets on the south side of the Guildhall, new electric provision to key stalls, and use of unique visiting markets to offer variety to the existing general market.</p> <p>Work with Town Centre informal communications group to promote positive stories about the town.</p>
<p>Market offer</p>	<p>Newcastle-under-Lyme's historic town centre has markets on six days a week - Monday through to Saturday. Set in High Street, at the heart of Newcastle town centre, the market benefits from being in a busy retail area that is close to the bus</p>	<p>Nantwich – three day street and indoor market, monthly farmer’s market, quarterly seasonal market, 5 per year handmade and vintage market, 5 per year Antique market.</p> <p>Market Drayton - two day street market and a two day indoor market.</p>	<p>Attract new traders to existing markets with incentive offers. Retain the current stall prices.</p> <p>Improve the layout and look of the market.</p> <p>Build on visiting markets such as the Continental Market and Festive Feast. Explore a visiting late</p>

	<p>station and taxi ranks. There are town centre car parks nearby.</p> <p>Trading days vary from low stall occupancy to near full capacity depending on visiting markets supplementing the established stall holders.</p> <p>It compares favourably only on occasional days with benchmarked towns.</p>	<p>Wigan – six day indoor market and six day street market.</p> <p>Leek – One day a week charter market spread over three locations in the town. Saturday Antique market, Monthly food market. Three day indoor market.</p> <p>Warrington – Award winning six day indoor market, Monthly outdoor maker’s market.</p> <p>Lancaster – Two day outdoor charter market. Six day indoor market (including Sunday and Bank Holidays).</p> <p>Stafford – One day a week general market, monthly farmer’s, makers and street late markets. Four day indoor market.</p>	<p>opening market as was present in benchmarked towns.</p> <p>Improve promotion through social media.</p> <p>Deliver on the findings of the independent Market Health Check and Newcastle-under-Lyme Market – A Vision & Action Plan reports.</p>
<p>Anti-social behaviour</p>	<p>Newcastle-under-Lyme has occasional issues with anti-social behaviour such as congregation of youths, homeless sleeping, begging and anti-social drinking in the town centre.</p> <p>This is a national issue also seen in the high streets of benchmarked towns, and not a unique problem for Newcastle-under-Lyme.</p>	<p>Nantwich - No anti-social behaviour, beggars or rough sleepers seen in the town on the day of the visit.</p> <p>Market Drayton - No beggars or rough sleepers seen in the town on the day of the visit.</p> <p>Wigan – No evidence of begging on day of visit.</p> <p>Leek – No evidence of begging on day of visit.</p> <p>Warrington – Has experienced issues with anti-social behaviour in the town centre resulting in arrests.</p> <p>Lancaster – Has experienced Youth anti-social behaviour in the city.</p>	<p>Working with partners and stakeholders to reduce the incidents of anti-social behaviour.</p> <p>Utilise existing multi-agency control measures to deal with problems, such as PSPO, community trigger review, fixed penalty notices, community protection order.</p>

		Stafford - No evidence of beggars on the day of visit but Chuggers reported as a problem and not controlled.	
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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**EXECUTIVE MANAGEMENT TEAM'S
REPORT TO ECONOMY, ENVIRONMENT AND PLACE SCRUTINY COMMITTEE**

17 December 2019

1. **Report Title** **Statutory Guidance on Overview and Scrutiny Committees**
- Submitted by:** **Chief Executive**
- Portfolios:** **All**
- Ward(s) affected:** **All**

Purpose of the Report

To update Members on the recent statutory guidance issued by the Ministry of Housing, Communities and Local Government to help Councils carry out their Overview and Scrutiny functions effectively. This has been complemented by launch of The Good Scrutiny Guide by the CfPS which replaces their earlier guidance issues in 2014. The two papers are intended to ensure councils are aware of the purpose of Overview and Scrutiny, know what effective Scrutiny looks like, and understand how to conduct it and the benefits it can bring.

Recommendations

That Members:

1. Note the requirements within the Statutory Guidance and the recommendations within the CfPS Good Scrutiny Guide.
2. Agree to benchmark current practice against the Statutory Guidance and to explore the option of commissioning external support to assist in the benchmarking process.
3. Agree to develop an Action Plan based on the recommendations within the Statutory Guidance and the Good Scrutiny Guide.
4. Agree to develop an "Executive-Scrutiny Protocol" in accordance with the guidelines at Appendix A
5. Agree to commission training for Scrutiny Members to build on their current skills in undertaking effective scrutiny reviews

Reasons

Local Authorities must have regard to the statutory guidance from the Ministry of Housing, Communities and Local Government when exercising their functions, i.e. the guidance must be followed unless there is good reason not to in a particular case. The Good Scrutiny Guide does not have the formal status of statutory guidance but represents best practice across the sector.

1. **Background**

- 1.1 The Ministry of Housing, Communities and Local Government issued new Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities in May of this year primarily aimed at Senior Leaders, Members of Overview and Scrutiny Committees and Support Officers. Although the Guidance recognises that authorities themselves are best-placed to know what Scrutiny arrangements are most appropriate for their own individual circumstances, it includes a number of policies and procedures which all Councils are urged to adopt. In his foreword the Minister urges all Councils to cast a critical eye over their arrangements in the light of the guidance and above all to embed a culture which allows Overview and Scrutiny to flourish.
- 1.2 The Centre for Public Scrutiny (CfPS) subsequently issued their Good Scrutiny Guide which was designed to complement the Statutory Guidance. Taken together the two reports provide a practical guide to effective scrutiny.

2. **Issues**

- 2.1 The Statutory Guidance states that effective overview and scrutiny should:
- Provide constructive “critical friend” challenge
 - Amplify the voices and concerns of the public
 - Be led by independent people who take responsibility for their role
 - Drive improvement in public services
- 2.2 It goes on to identify the key factors which help determine whether scrutiny will succeed or fail. These include:
- The organisational culture
 - The allocation of sufficient resources,
 - The selection of committee members
 - The power to access information
 - Effective work planning.
- 2.3 These key factors are explored further below.

3.0 **Culture**

- 3.1 Chapter 2 of the Statutory Guidance deals with organisational culture and underlines that, while everyone in the authority has a role in creating a strong culture to support the Scrutiny function, it is important that this is led and owned by Elected Members. Both Members and Senior Officers should note that the performance of the Scrutiny function will often also be considered by external bodies, such as regulators and inspectors and therefore highlighted in public reports, so that the lack of effective Scrutiny can help create a negative public image of the work of the Council as a whole.
- 3.2 The guidance advises that authorities can help establish a strong organisational culture in the following ways:

Recognising Scrutiny’s legal and democratic legitimacy – by recognising that it was created to act as a check and balance on the Executive and it is a statutory requirement for authorities to establish Overview and Scrutiny committees

Identifying a clear role and culture – by ensuring Scrutiny has a clear focus and role and can demonstrate it adds value. This means it needs to focus on delivering work of genuine value and relevance to NULBC. Councils should also ensure that there is a clear division of responsibilities between the Audit and Scrutiny function.

Ensuring early and regular engagement between the executive and scrutiny – Councils should ensure early and regular discussions take place between Scrutiny and the Cabinet regarding the Cabinet Work Plan. However, the Cabinet should not try to exercise control over the work of the Scrutiny Committee, whether that is through whipping, patronage or by directing specific matters are considered. Everyone should recognise that Scrutiny has a role of “critical friend” and is not “de facto” opposition.

Managing disagreements – effective Scrutiny can involve looking at politically contentious issues with the potential for the Cabinet to disagree with the findings, or recommendations, of the Committee. One suggestion is that an “Executive-Scrutiny Protocol” can provide a framework in these circumstances and the example from the Statutory Guidance is at Appendix A.

Providing the necessary support – the level of resources for Scrutiny is for the Council to determine but should be adequate to provide an effective Scrutiny function and support should also be given by Members and Senior Officers to Scrutiny Committees.

Ensuring impartial advice from officers – Officers must be free to provide impartial advice to Scrutiny Committees and the Head of Paid Service, s151 Officer and Monitoring Officer have a particular role in ensuring timely and high quality advice is provided.

Communicating Scrutiny’s role and purpose to the wider authority – there can be a lack of awareness amongst both Members and Officers of the specific role of Scrutiny and its relevance to the Council’s wider work and so Councils should take particular steps to raise awareness of the role.

Maintaining the interest of full Council in the work of the Scrutiny Committee – steps should be taken to ensure full Council is informed of the work of the committee. This might include appropriate reports and recommendations being submitted to full Council to supplement the annual report.

Communicating Scrutiny’s role to the public – Councils should ensure that Scrutiny has a profile in the wider community by engaging the Council’s Communication team to get the message across.

Ensuring Scrutiny members are supported in having an independent mind-set – formal meetings provide Scrutiny Members with the opportunity to question Senior Members (often from the same political party) and Senior Officers and it is a fundamental requirement that members must adopt an independent mind-set. In practice the Scrutiny Chair will have a role in identifying and managing contentious issues.

4.0 **Resourcing**

4.1 The Guidance recognises that the resource an authority allocates to the Scrutiny function plays a pivotal role in determining how successful the function is and the value it adds to the Council. Resources are a matter for individual authorities but there must be a recognition that creating and sustaining an effective Scrutiny function requires them to allocate resources to it.

4.2 Support is not solely about budgets and officer time but also about the way the wider authority engages with the Scrutiny function. The guidance states that the factors an authority should consider include:

- Scrutiny's legal powers and responsibilities
- The particular role and remit Scrutiny will play at NULBC
- The training requirements of Scrutiny Members and Support Officers especially in effective questioning and making effective recommendations
- The need for ad hoc external support where expertise does not exist in the Council
- Recognition that effectively resourced Scrutiny adds value and improves the ability to meet the needs of local people and can help policy formulation and so minimise the need for the call in of Executive decisions

4.3 Officer resource models vary, but the Guidance stresses that Councils must ensure that all Officers tasked with providing Scrutiny support are able to provide impartial advice.

5.0 **Selecting Committee Members**

5.1 Selecting the right members to serve on Scrutiny Committees is essential if Committees are to function effectively. The Guidance stresses that a Committee of Members with the necessary skills and commitment is far more likely to be taken seriously by the wider authority.

5.2 Members of the Cabinet may not be Members of a Scrutiny Committee and the Constitution should set out how conflicts of interest between Executive and Scrutiny responsibilities should be managed, including where Members stand down from the Executive and move to Scrutiny and vice versa. Family links should also be considered and it is strongly recommended that the Chair must not preside over the scrutiny of their relatives.

5.3 When selecting individual Members to serve on Scrutiny Committees the Council should consider their experience, expertise, interests, ability to act impartially, ability to work as part of a group and capacity to serve. It is not appropriate to consider the perceived level of support or opposition to a particular party and care must be taken by the Chair to ensure that the Committee is not viewed as "de facto" opposition to the Executive.

5.4 The Chair plays a leadership role on a Scrutiny Committee as Chairs are largely responsible for establishing the profile, influence and ways of working. The Chair should possess the ability to lead and build a sense of teamwork and consensus amongst Committee Members.

5.5 The Guidance recommends Members must be offered induction when they take up their role and ongoing training particularly to ensure Members are aware of their legal powers and clear how to prepare and ask relevant questions at Scrutiny sessions.

6.0 **Power to Access Information**

6.1 Scrutiny Committees need to be able to access any relevant information the Council holds and receive it in good time if they are to be able to do their job effectively. The Access to Information Regulations give enhanced powers to Scrutiny Committee to have access to confidential and exempt information.

6.2 Whilst requests for information should be judged on their merits authorities should adopt a default position of sharing the information they hold, on request, with Scrutiny Members. If it is necessary to refuse to provide information, then particular care must be taken to ensure requests are not refused for party political reasons or reputational expediency and before

refusing to share information serious consideration should be given to sharing the information in closed session.

- 6.3 Scrutiny Members should have access to a regularly available source of key information about management of the Council especially on performance, management and risk.
- 6.3 Committees should also be aware of the legal power to require members of the executive and officers to attend before them to answer questions.
- 6.4 From time to time the Committee may need to approach external organisations to supplement information held within the Council should be taken to explain the role of Scrutiny and to consider the option of an informal approach to help reassure the company on the purpose of the approach and the manner in which evidence will be given. Although approaches to external organisations will be on a case by case basis in the case of contentious issues the Committee may want to emphasise this is an opportunity “to set the record straight” in a public setting.
- 6.5 Finally, in this section the Guidance notes that Committees may have a keen interest in “following the Council Pound” ie scrutinising those organisations that receive public funding to deliver goods and services. This is a legitimate interest and councils are urged to consider requiring such bodies to appear before, or to supply information to, Scrutiny Committees in their contract documentation.

7. **Planning Work**

- 7.1 Effective Scrutiny should have an impact and make a tangible difference to the work of the Council. This means that work should be planned so that there is a long term agenda but with enough flexibility to accommodate any urgent short term issues which might arise in the year. Where there is more than one Scrutiny Committee consideration needs to be given to how to coordinate the various Committees to make best use of resources.
- 7.2 Scrutiny works best with a clear role and functions, which then provides focus and direction. Scrutiny Committees have the power to look at anything which affects the area, or the area’s inhabitants, but need to be able to prioritise and consider whether the relative importance of a particular topic justifies the positive impact the Scrutiny Committee’s involvement can bring, as it is impossible to scrutinise all matters. In identifying topics the Committee should be supported by key Senior Officers and will need to gather evidence to inform the work planning process.
- 7.3 The Guidance suggests that gathering evidence requires conversations with:
 - **The public** – formal consultation is unlikely to be effective and often asking individual members to have conversations with individuals and groups in their area can work better. Council Communication Officers can help Scrutiny engage with the public and local knowledge and expertise from members and officers can all make a contribution
 - **Local Authority Partners** – a range of partners are likely to have useful insights including public sector, voluntary sector, contractors and commissioning partners, town and parish councils, neighbouring authorities, LEPs and large local employers
 - **The Cabinet** – although the executive must not direct the Scrutiny programme, ongoing discussions with Cabinet Members will help Scrutiny Members better understand how their work might be aligned to ensure there is the best opportunity to influence the Council’s wider work

- 7.4 To be plan an effective work programme Scrutiny Committees may need to access information from a range of areas, including performance indicators, finance and risk, corporate complaints, business and option appraisals as well as general feedback from members' surgeries and reports and recommendations from the local government ombudsman. As committees can meet in closed session this should not preclude the sharing of commercially confidential information.
- 7.5 Shortlisting topics can be achieved in various ways but the kind of questions which the committee might ask include:
- Do we understand the benefits Scrutiny can bring
 - How could we best carry out work on this topic
 - What would be the best outcome of this work
 - How would this work engage with the activity of the Cabinet and or partners
- 7.6 The guidance concludes that the Committee needs to accept that shortlisting can be difficult and that there may be issues which a Committee wish to look at which is not possible.
- 7.7 Selected topics can be scrutinised in several ways:
- **As a single item on a committee agenda** – whilst this may mean there is limited opportunity for effective Scrutiny, this may be appropriate for some issues or where the Committee wants to maintain a formal watching brief over an issue.
 - **At a single meeting** – this could be a Committee meeting or at a less formal meeting. There may be the opportunity to have a single public meeting about a matter or have a meeting where evidence is taken from a number of witnesses.
 - **At a Task and Finish Review of 2/3 meetings** – short, sharp Scrutiny reviews are likely to be effective even for more complex topics. Properly focused they ensure members can swiftly reach conclusions and make recommendations perhaps over a couple of months or less.
 - **Via a long term Task and Finish Review** – this has been the more traditional model with say 6/7 meetings over several months and will still be appropriate for a complex topic where the Scrutiny Committee needs to go into significant detail. However, the resource implications and it length can make it unattractive for all but the most complex issues.
 - **By establishing a “standing panel”** – this falls short of setting up a new Committee but may reflect the need to keep a watching brief over a critical local issue where members feel they need to convene regularly to carry out that oversight. However, the resource implications mean this will be rarely used.

8. Evidence Sessions

- 8.1 Evidence sessions are a key way in which Scrutiny Committees inform their work. This may happen at formal committee meetings, in less formal task and finish groups or at standalone sessions. The Guidance stresses that good preparation is a vital part of conducting effective sessions with Members having a clear idea of what the Committee hopes to get out of each session and appreciating that success will depend on their ability to work together on the day.

- 8.2 Effective planning need not be onerous. It can be as simple as setting overall objectives and then considering what type of questions will best elicit the information. This applies as much to individual agenda items as for longer evidence sessions and means there should always be consideration in advance of what scrutiny is trying to get out of a particular evidence session. Chairs play a vital role in leading discussions on objective setting and ensuring all members are aware of the specific role each will play during the evidence session.
- 8.3 The Guidance recognises that although as far as possible there should be consensus amongst members on the objectives for a session, members may have different perspectives and so have divergent views on a particular matter and the Chair needs to be bear this in mind.
- 8.4 At the end of the session the Chair should draw together themes and highlight key findings. It may be helpful to have a short “wash up” meeting to review whether objectives were met and to see if lessons could be learned for future meetings.
- 8.5 Recommendations should be developed by members but with due regard to Officer advice, especially by the Monitoring Officer. Scrutiny Reports will normally be drafted by Officers as directed by Members and, whilst practice varies, reports are normally developed through two or three main stages:
- A “heads of report” – which sets out general findings which Members can discuss as they consider the overall structure and focus of the report and its findings.
 - The development of the findings – which will set out some of the areas on which recommendation’s might be made.
 - The drafting of the full report.
- 8.6 Recommendations should be evidence based and SMART (specific, measurable, achievable, relevant and timed) and it may be appropriate to share them in draft with relevant parties. The Guidance stresses that sharing draft recommendations with Cabinet Members is an opportunity for errors to be identified and for a general “sense-check” but should not provide an opportunity for the Executive to revise or block recommendations. Generally 6-8 recommendations are adequate although a more complex matter may require more.

9. **Centre For Public Scrutiny – The Good Scrutiny Guide**

- 9.1 The CfPS has also published “The Good Scrutiny Guide” which has been written to complement the Statutory Guidance. Unlike the Statutory Guidance it has no formal status, but is a comprehensive guide of best practice consisting of some 56 pages divided into 6 sections.
- 9.2 The CfPS provides a free helpdesk as a resource for all Councils and Councillors wishing to understand how better to carry out the scrutiny role. The Helpdesk is able to provide advice on the Rules and Procedures under which Scrutiny operates, can advise on best practice and signpost to other organisations and resources.
- 9.3 The Guide is divided into the following sections:
- **An overview of Scrutiny** – stresses the importance of organisational culture in making Scrutiny effective and sets out the range of statutory functions which act as the foundation of Scrutiny work.

- **Scrutiny's Stakeholders** – notes that there are a wide range of stakeholders both within the Council and external to it. Comments on the value of a “Executive-Scrutiny Protocol” and stresses there is no “off the peg protocol” instead the value is in the conversations which precede any document and sets out common themes and principles. Looks at how to work effectively with stakeholders and how to give the public a stake in the scrutiny process. Recommends that Scrutiny has a webpage which clearly sets out Scrutiny's role and links to evidence of recent impact
- **Role and Priority** – urges a move away from a “general watching brief” over everything in the local area to a move to adopt a more primary area of focus. Stresses the need for effective work planning to include an annual work plan but with flexibility for some shifts in priority in topics during the year. Outlines methods and prioritisation and topic choice and gives advice on pre- Scrutiny, post-decision Scrutiny and the call in process
- **Using Evidence and Gaining Experience** – looks at the principle sources of information within the local authority and suggests circulation of an “Information Digest” with key information for Members. Urges Members to “triangulate” evidence by looking at other sources of data to see what themes emerge. Sets out the process for scoping a review, looks at how to gather evidence and how to prevent “scope creep” by departing from the scope and advises how to engage the public.
- **Making and Proving Impact** – emphasises this is done by the Committee making effective, high quality recommendations and understanding how those make a difference to local people's lives. Looks in more detail at how to draft recommendations, how to get a response from the Executive and how to monitor recommendations over time. Looks at the value of the Annual Scrutiny Report to Council.
- **Committee structure, chairing and resourcing** – notes there are many different models and approaches to Scrutiny and looks at membership of the Committee, including the possibility of co-option.

10. **Proposal**

- 10.1 Members are recommended not only to note the requirements within the Statutory Guidance and the CfPS Good Scrutiny Guide but to agree to benchmark current practice against the Guidance. This would probably be best achieved with external support to assist in the process, both from a resource perspective, and in order to bring an independent and objective rigour to the review. Members are also recommended to consider developing an Action Plan based on any recommendations from the review and to look at commissioning training for members to build on their current skills in undertaking scrutiny reviews.
- 10.2 A further specific recommendation is that Members agree to develop an “Executive-Scrutiny Protocol” in accordance with the guidelines at Appendix A. This is recommended by both the Statutory Guidance and CfPS Good Scrutiny Guide as adding value in structuring a conversation between the Cabinet and Scrutiny Committees by developing and reviewing practical expectations, themes and principles between the parties.

11 **Reasons for Proposed Solution**

- 11.1 Members must have regard to the Statutory Guidance and an exercise to benchmark current practice against the recommendations within the Guidance would be appropriate, especially in view of the forthcoming Peer Review which is due to take place in early 2020. A detailed

review would act as a springboard for an Action Plan and development opportunities for members in order to build on the work of the three Scrutiny Committees to date.

- 11.2 An Executive-Scrutiny Protocol is seen as a benefit as it provides a framework for disagreement and debate and the way to manage it should it happen. Much of the benefit of a Protocol is considered to be in the dialogue between the parties in negotiating the Protocol.

12 **Options Considered**

- 12.1 Members have the option of receiving and noting the report without taking any specific action as a result, however this makes it more difficult to demonstrate there has been due regard for the Statutory Guidance,

13. **Legal and Statutory Implications**

- 13.1 Local Authorities must have regard to the statutory guidance from the Ministry of Housing, Communities and Local Government when exercising their functions ie the guidance must be followed unless there is good reason not to in a particular case. The Good Scrutiny Guide does not have the formal status of statutory guidance but represents best practice across the sector.

14. **Equality Impact Assessment**

- 14.1 None specifically

15. **Financial and Resource Implications**

- 15.1 There will be resource implications if external support is sought and this will need to be scoped.

16. **Major Risks**

- 16.1 The performance of the scrutiny function will often be considered by external bodies, such as regulators and inspectors and therefore highlighted in public reports, so that the lack of effective scrutiny can help create a negative public image of the work of the Council as a whole. The Council's forthcoming peer review will be likely to focus on how effective the scrutiny function is as part of the review as a whole.

17 **Sustainability and Climate Change Implications**

- 17.1 None specifically.

18. **Key Decision Information**

- 18.1 Not applicable.

19. **Earlier Cabinet/ Committee Resolutions**

- 19.1 None specifically.

20. **List of Appendices**

- 20.1 Appendix 1 – Creating an Executive – Scrutiny Protocol

21. **Background Papers**

21.1 The Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/800048/Statutory_Guidance_on_Overview_and_Scrutiny_in_Local_and_Combined_Authorities.pdf

CfPS – The Good Scrutiny Guide

<https://www.cfps.org.uk/wp-content/uploads/CfPS-Good-Scrutiny-Guide-v5-WEB-SINGLE-PAGES.pdf>

APPENDIX A

Annex 1: Illustrative Scenario – Creating an Executive-Scrutiny Protocol

An executive-scrutiny protocol can deal with the practical expectations of scrutiny committee members and the executive, as well as the cultural dynamics.

Workshops with scrutiny members, senior officers and Cabinet can be helpful to inform the drafting of a protocol. An external facilitator can help bring an independent perspective.

Councils should consider how to adopt a protocol, e.g. formal agreement at scrutiny committee and Cabinet, then formal integration into the Council's constitution at the next Annual General Meeting.

The protocol, as agreed, may contain sections on:

- The way scrutiny will go about developing its work programme (including the ways in which senior officers and Cabinet members will be kept informed);
- The way in which senior officers and Cabinet will keep scrutiny informed of the outlines of major decisions as they are developed, to allow for discussion of scrutiny's potential involvement in policy development. This involves the building in of safeguards to mitigate risks around the sharing of sensitive information with scrutiny members;
- A strengthening and expansion of existing parts of the code of conduct that relate to behaviour in formal meetings, and in informal meetings;
- Specification of the nature and form of responses that scrutiny can expect when it makes recommendations to the executive, when it makes requests to the executive for information, and when it makes requests that Cabinet members or senior officers attend meetings; and
- Confirmation of the role of the statutory scrutiny officer, and Monitoring Officer, in overseeing compliance with the protocol, and ensuring that it is used to support the wider aim of supporting and promoting a culture of scrutiny, with matters relating to the protocol's success being reported to full Council through the scrutiny Annual Report.

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE
Economy Environment & Place Overview and Scrutiny Committee**

Date 17th December 2019

REPORT TITLE: Recycling & Waste Service

Submitted by: Head of Recycling & Fleet Services - Andrew Bird

Portfolio: Environment & Recycling

Ward(s) affected: All

Purpose of the Report

This report has been prepared for members to consider following requests from the Chair for updates and statements on the following issues:-

- Progress on the development for the introduction of the new recycling collection Service.

Recommendations

That the report be noted.

1. **Background**

- 1.1 At its meeting on 17th October 2018, Cabinet resolved that the Economy, Environment and Place Scrutiny Committee receive regular updates from the Cabinet Member on the detailed planning and modelling of the new recycling service including timescales and costs in the run up to its implementation to help shape its design and direction and report back into the Cabinets decision making process.

2. **Issues**

2.1 **Progress on the development for the introduction of the new recycling collection service.**

In terms of specific work streams, the following progress has been made –

Round Modelling

Round modelling is now complete, and is now going into testing and fine tuning. The service will remain on a five day working week, and there will be minimal day changes for residents.

Procurement

Procurement of the following items has been completed with contracts awarded and orders placed for the following –

- Wheeled bins to hold Glass, Cans and Plastic
- Bags to hold cardboard and paper.
- Vehicles for the supply of at least 7 split body RCV's, and 7 food waste vehicles.
- Processing of Glass Cans and Plastic through a Material Recovery Facility (MRF) – the Council has opted to join the Staffordshire Waste Partnerships contract with Biffa, as it offers the best value for the Council, and allows it to align with other districts in Staffordshire for future potential joint contracts.

3. **Options Considered** (if any)

Not applicable to this report

4. **Proposal**

Not applicable to this report

5. **Reasons for Preferred Solution**

Not applicable to this report

6. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

6.1 Development of a new recycling service is a key Corporate Priority.

7. **Legal and Statutory Implications**

7.1 The Council has a legal duty under the Waste Framework Directive 2012, to provide collection services for non-recyclable waste, and to collect separately four streams of recycling, namely, paper/card (fibre), metal, plastic, and glass all free of charge.

8. **Equality Impact Assessment**

All recycling and waste collection services, both current and proposed are subject to the department undertaking a Equality Impact Assessment.

9. **Financial and Resource Implications**

9.1 This report details financial implications as detailed in section 2.2 above.

10. **Major Risks**

Not applicable to this report

11. **Sustainability and Climate Change Implications**

Not applicable to this report

12. **Key Decision Information**

Not applicable to this report

13. **Earlier Cabinet/Committee Resolutions**

Not applicable to this report

14. **List of Appendices**

None

15. **Background Papers**

None

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE ECONOMY ENVIRONMENT & PLACE OVERVIEW AND SCRUTINY COMMITTEE

17 December 2019

Report Title: Town Centres Funding Update

Submitted by: Regeneration Manager

Portfolios: Finance and Efficiency

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

Purpose of the Report

To update on progress and key deadlines with Future High Street Fund and Town Deal

Recommendation

- 1 That Members note the progress with and deadlines for the future High Street Fund bid and welcome this positive opportunity to attract investment for the benefit of the town centres.
- 2 That Members note the requirements of the Town Deal and the development process and deadlines to be met to develop a Town Investment Plans and Town Deal Boards.
- 3 That Members note the need for the Council to engage external support to meet the specified deadlines for submission

Reasons

It is appropriate that members of the Scrutiny Committee are aware of the bidding processes and are engaged in the development of the funding bids as appropriate.

1. **Background**

- 1.1 Members will be aware that The Borough of Newcastle-under-Lyme has the opportunity to benefit from two Government funding opportunities, the Future High Street Fund and The Towns Fund. An overview of these opportunities has previously been given in reports to Cabinet for the October 2019 (Future High Street Fund) and December 2019 (Town Deal) meetings.
- 1.2 These opportunities are a significant and exciting opportunity to bring economic benefit to those people who live and work in the Borough.
- 1.3 The phase one bid for the Future High Street Fund project focused on the Ryecroft area of Newcastle town centre as the prime opportunity to create a positive change for the town centre. This was successful and the Council's bid has progressed to phase two. Due to the short timescale for submission of a phase two bid, and the technical expertise needed to submit a comprehensive and compelling submission it has been necessary to procure external support for this work. Following a competitive procurement process a partnership led by Peter Brett Associates has been appointed. They will lead on completing an options appraisal for the site and developing a business case for investment which will be submitted to MHCLG. A prime consideration in the completion of this work is consideration of how the Ryecroft site can support the wider health of the town centre as it evolves within the changing High Street environment.

- 1.4 The Town Fund has a different focus. The two that are proposed for the Borough are based around the town centres of Newcastle and Kidsgrove, however they also cover the surrounding area and seek opportunities around the themes of:
- Urban regeneration, planning and land use;
 - Skills and enterprise infrastructure;
 - Connectivity

Following the initial announcement that the Council would be invited to bid for these two Town Deals a more detailed Prospectus was published on 1 November 2019.

2. **Issues**

- 2.1 Due to sensitivities in the period prior to the general election on 12th December 2019 MHCLG has delayed some elements of activity relating to these two funding opportunities however in view of the challenging deadlines for these two pieces of work Officers have continued preparations in order to hit the deadlines that have been set.

Future High Street Fund

- 2.2 The key deadlines for the Future High Street Fund phase 2 bid published by MHCLG are:
- Early First Draft Business Case Submission 15 March 2020 (feedback from MHCLG on this is expected in May 2020)
 - Full Business Case Submission 30 June 2020
 - Announcement of successful places Autumn 2020.
- 2.3 To be successful the bid will have to show that there is a realistic and achievable development scheme for the Ryecroft site that meets the assessment criteria of the Future High Street Fund. In order to reach a technical assessment stage the bid has to demonstrate that it:
- Addresses market failure;
 - Delivers investment;
 - Meets the spending timescale; and
 - Demonstrates co-funding for the scheme.
- Accordingly it is likely that a substantial amount of the work to develop this funding bid will be commercially sensitive whilst the market is tested and potential interested parties are approached.
- 2.4 MHCLG is clear that the bidding process is a competitive process and there is no guarantee that bids will be successful. Additionally, some bids may not receive the full amount requested therefore bidding authorities are expected to list within their bid a prioritised order of investment.

Town Deal

- 2.5 The key deadlines for the Town Deal Investment Proposals are set out in the Towns Fund Prospectus and are:
- Submission of a Readiness Checklist on 19 December 2019
 - Town Deal Boards to have been convened and the boundaries of the Town Deal areas published by the end of January 2020
 - Further guidance on the development of Town Deal Investment Plans published by MHCLG in early 2020.
 - Town Investment Plans produced in Summer 2020
 - Town Deals agreed 2020-21
- 2.6 The Towns Fund process is a two part process, part one is capacity funding to put the structures and vision in place to move to the next stage of agreeing a deal. Part two of the process is for places to use their locally owned and developed Town Investment Plan to put together a business case and apply for funding for interventions. So whilst the investment opportunity from MHCLG is up to £25 million per town, the final level of intervention will depend on the projects and interventions that are put forward for support.

- 2.7 There are a number of issues to be considered quickly in order to progress from this initial stage to development of the Investment Plans. Key to this will be the establishment of the Town Board for each of the towns by the end of January 2020. The Board membership must include public, private and voluntary sector representation. As the Board will be responsible for shaping the proposals for the area, it is essential that the governance and operation is effective.
- 2.8 In pursuit of the Town Deal's aim of creating a step change in economic performance MHCLG expects that a significant amount of co-funding will be levered in to match the Town Deal funding bid over the life of the Town Investment Plan. Potential sources of co-funding will need to be identified in the Town Investment Plan.
- 2.9 Development of the Town Deal investment proposals is expected to be a consultative process that will engage local communities, business and investors, local anchor institutions and public sector bodies in its development. MHCLG has developed the #MyTown social media presence to support this consultation.

3. Proposal

- 3.1 That Members note the progress with and deadlines for the future High Street Fund bid and welcome this positive opportunity to attract investment for the benefit of the town centre.
- 3.2 That Members note the requirements of the Town Deal and the development process and deadlines to be met to develop a Town Investment Plan and Town Deal Board.
- 3.3 That Members note the need for the Council to engage external support to meet the specified deadlines for submission.

4. Reasons for Proposed Solution

- 4.1 To ensure that the Council maximises the opportunity for investment through these funding opportunities and works with partners to deliver economic benefit to the Borough.

5. Options Considered

- 5.1 If the Council wants to produce successful bids for these funding opportunities then it needs to follow the required processes to meet the bid requirements. In order to do this it must use external support to develop the bids and in the case of Town Deal work in partnership to ensure local ownership of the Town Investment Plans.

6. Legal and Statutory Implications

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

7. Equality Impact Assessment

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

8. Financial and Resource Implications

- 8.1 The Council has received £150,000 grant funding to support development of the funding bid and business case for the Future High Street Fund. The grant has been made under Section 31 of the Local Government Act 2003 and a grant award letter has been received.
- 8.2 The Council has been allocated £335,048 capacity funding to develop the two Town Deals. This comprises £173,029 for Newcastle Town and £162,019 for Kidsgrove Town. This funding will be

paid via a Section 31 grant to the Council, to support the development of a Town Deal Board and development of an Investment Plans for each of the areas.

9. Major Risks

9.1 The significant risk is the opportunity lost to the Borough if these funding bids do not produce a successful result.

10. Sustainability and Climate Change Implications

10.1 There are no implications at this stage. This would be considered on a project by project basis as each proposal is developed.

11. Key Decision Information

11.1 The funding proposals cover a number of wards in the Borough

11.2 At this stage the Council is using MHCLG capacity funding to develop the funding bids however as the funding proposals are developed the Council's contribution would be considered on a case by case basis.

12. Earlier Cabinet/Committee Resolutions

12.1 Cabinet 16th October 2019

12.2 Cabinet 4th December 2019

13. List of Appendices

13.1 None

14. Background papers

14.1 Town Deal Cabinet Report 4th December 2019

14.2 Future High Street Fund Cabinet Report 16th October 2019

14.3 Information on the Future High Street Fund is available at:

<https://www.gov.uk/government/publications/future-high-streets-fund/future-high-street-fund>

14.4 The Towns Fund Prospectus is available at: <https://www.gov.uk/government/publications/towns-fund-prospectus>

Newcastle under Lyme Borough Council

Homelessness Review 2019

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- 3.7 Mortgage and Landlord Possessions

4. Prevention Homelessness and Meeting Housing Need

- 4.1 Homelessness Services in Newcastle-under-Lyme
- 4.2 Homelessness Prevention
- 4.3 Supply of accommodation
- 4.4 Supporting Vulnerable People
- 4.5 Partnership Working

5. Issues & Recommendations for the Homelessness Strategy

- 5.1 Summary of Initial Homelessness Review Findings
- 5.2 Issues highlighted through consultation
- 5.3 Recommendations / Issues for the Updated Strategy to Consider

1. Introduction and Review Process

1.1 Introduction and Context

The Homelessness Act 2002 requires each local authority to carry out a review of homelessness within its area every 5 years and to use the findings to publish a Homelessness Strategy in consultation with other local partners and stakeholders.

The Strategy must set out how the authority will prevent and reduce homelessness and provide support to those affected by it. In a bid to improve accountability and local responses to rough sleeping, the Government's Rough Sleeping Strategy (2018) stipulates that all local authorities must produce a revised Homelessness and Rough Sleeping Strategy by winter 2019.

1.2 Achievements since our last Strategy

Newcastle Council and its partners have achieved a great deal over the past few years.

- **Successful implementation of the Homelessness Reduction Act 2017 within the Newcastle Housing Advice Service (NHA)**
The Homelessness Reduction Act 2017 has been successfully implemented within NHA. The service has always operated with a prevention ethos, however, the legislation has changed the way that homeless cases are now managed and the NHA service has been improved to effectively deal with these changes.
- **Joint commissioning of the rough sleeper's outreach service**
Over the past 10 years, both Newcastle Borough Council and Stoke-on-Trent City Council have commissioned a rough sleeper's outreach service in their areas. During the current strategy, the Councils have worked together to strengthen and enhance this service, which provides outreach and support to rough sleepers in both Newcastle and Stoke-on-Trent.
- **Review of the Housing Allocations Policy**
In line with the introduction of the Homelessness Reduction Act 2017, our Allocation's Policy has been reviewed and amended to enable us to meet our responsibilities under this new legislation.
- **A new temporary accommodation (TA) units**
The Council now has arrangements in place for the use of 8 new temporary accommodation units within 2 properties to accommodate homelessness households. The provision allows for low level support to customers during their stay and following their move on to longer term accommodation.
- **Successful bid outcome to recruit a Rough Sleeper Coordinator for the Borough**
During the period of the current strategy, the Ministry of Housing, Communities and Local Government (MHCLG) made £528,000 of funding available to regional groups of local authorities to invest in the prevention of homelessness. The Borough Council has been successful in the receipt of £45,000 for the recruitment of a Rough Sleeper Coordinator, for the period of 2019 and 2020.

- **MHCLG Domestic Abuse funding**
In partnership with Stoke-on-Trent City Council, Staffordshire Moorlands and Grow North Staffs, we were able to extend support in the community where refuge or other support accommodation is not appropriate across North Staffordshire.
- **The recommissioning of a borough wide Welfare Advice Service**
The Borough Council has commissioned a generalist independent welfare advice service. In addition to the borough wide service is access to specialist housing advice which includes court representation when required.
- **Delivery of 188 affordable homes**
Since the production of the last Homelessness Strategy in 2016, 188 affordable homes have been delivered in Newcastle-under-Lyme.

1.3 Review Process

The aim of this review is to understand the current and possible future situations in Newcastle and identify any changes that may have taken place since the last Homelessness review in 2015. On completion of the review it will enable the Council to identify the key aims and objectives to inform the future strategic direction of local homelessness services and shape actions that will effectively prevent and tackle homelessness between now and 2025.

Each Homelessness Review must consider the following:-

- a. Current and likely future levels of homelessness
- b. The activities, which are carried out for any of the following purposes (or contribute to achieving any of them)
 - Preventing homelessness in the Borough.
 - Securing that accommodation is or will be available for people in the Borough who are or may become homeless.
 - Providing support for people in the Borough who are, or may become, homeless or have been homeless and need support to prevent them from becoming homeless again.
- c. The resources available to the local housing authority, the social services authority, other public authorities, voluntary organisations and other persons for the activities outlined in (b) above.

The Council's existing Housing Strategy, the Allocations Policy and the Strategic Tenancy Strategy have been considered as part of this review to ensure a coherent strategic approach to reducing homelessness is delivered in Newcastle.

In order to complete this review the following activities have taken place:

1.3.1. Data Collection

Research data was taken from the following sources:

- Statutory returns
- Monitoring Information from the Newcastle Housing Advice Service
- Monitoring Information provided by stakeholders and partners

1.3.2. Service Mapping

Staff collated information on the services currently available in the Borough that assist people who are at risk of or experiencing homelessness.

1.3.3. Consultation

Consultation is vital to inform the development of the strategy and improvement to Council services.

Please note, the data collated for this review has been provided through a variety of sources, some of which are monitored on a calendar year basis whilst others are measured in financial years and therefore the totals reported may be different depending on which method has been used.

2. Context

Homelessness is a key strategic issue for Newcastle Borough Council and its partners. However the Homelessness Strategy does not exist in isolation, national, regional and local policies influence its aims, objectives and priorities. Nationally the Government has had the priority to reduce the Country's budget deficit through a range of measures including an extensive reduction in public spending. Investment in local government has reduced significantly on a national scale, which together with substantial changes to the welfare system and a 'broken' housing market has had a significant impact on homelessness.

2.1 National Context

Since the last homelessness review, there have been significant changes which have impacted homelessness and service provision in the borough and nationwide.

Welfare Reform

The Coalition Government introduced a series of welfare reforms and changes to the welfare to work provision under the Welfare Reform Act of 2012. The Act was designed to simplify the benefit system and help more people move into work whilst also seeking to support vulnerable people. These changes include the introduction of Universal Credit which brings together a range of working age benefits into one payment, including housing benefit; Personal Independence Payments (PIP) which replaces Disability Living Allowance for people aged 16 to 64; new rules to restrict the amount of Housing Benefit working age council or housing association tenants could claim if they are deemed to be under occupying their home; and a new regime for Job Seekers Allowance.

Reforms continue to impact those in receipt of benefits, from April 2016 Local Housing Allowance (LHA) rates were frozen for four years. Rents tend to rise faster than prices (CPI) and these changes have negatively impacted access to the private rental sector to the extent that, according to a recent report by Chartered Institute of Housing (CIH, August 2018), private renting has now become unaffordable for most low income households.

Health

There is a direct correlation between homelessness and poor health. Homeless people can face great inequalities in accessing health services, yet their health can often suffer from being homeless or living in poor quality temporary accommodation. Poor health – physical, mental or both can also cause a person to become homeless in the first place. Homeless people may often leave health problems untreated until they reach crisis point and then present inappropriately at A&E. This combines to make health problems more expensive to treat, hospital waiting lists longer and leads to people being less able to support themselves in their homes.

Improving the health of the homeless is dependent on effective commissioning of appropriate healthcare services, under the Health and Social Care Act 2012, reducing health inequalities is now a requirement. Since April 2013 the new NHS Commissioning Board and local clinical commissioning groups are responsible for the commissioning of healthcare services. Local Health and Wellbeing boards will be responsible for determining their commissioning priorities based on strategic needs assessments. Clinical Commissioning Groups (CCGs) have the duty to provide services for all patients in their locality whether registered or not, including services for the homeless.

Brexit

The impact that Brexit may have on homelessness is hard to predict, dependent upon the final arrangements, we may see a number of EEA nationals with uncertain statuses with regard to employment, benefits and housing rights.

Homelessness Reduction Act 2017

The 2017 Homelessness Reduction Act is the biggest change to the rights of homeless people in England for 15 years. It places new legal duties on local housing authorities, amends existing homelessness legislation within Part VII of the Housing Act 1996 and places a renewed emphasis on the prevention of homelessness.

Rough Sleeping Strategy 2018

The Rough Sleeping Strategy sets out the Government's plans to help people who are sleeping rough. Its vision is to halve rough sleeping by 2022 and to end it by 2027 and builds on other programmes underway to tackle homelessness, such as the Homelessness Reduction Act 2017. The Government is supporting the Strategy with £1.2 billion of funding to tackle homelessness, including the Rough Sleeping Initiative (RSI), the Cold Weather Fund and Rapid Rehousing Pathway.

The Strategy includes a range of 61 commitments made by departments across Government, intended both to help those who are sleeping on our streets or currently at risk of doing so and to lay the foundation around three core values: prevention, intervention and a rapid rehousing approach to recovery. Prevention focuses on providing timely support before someone becomes homeless. Intervention sets out how the Strategy will help people who are already in crisis to get swift, targeted support to get them off the streets and the third principle, Recovery, emphasises how people will be supported to find a new home quickly and rebuild their lives via a new rapid rehousing approach.

Rough Sleeping Delivery Plan 2018

Following the publication of the Rough Sleeping strategy, the Government published its Rough Sleeping Delivery Plan, which identifies the priorities and plans to tackle rough sleeping. The plan includes a number of approaches and measures, which complement other government action in place to tackle homelessness and rough sleeping. The measures include:

- a new specialist team to oversee the Rough Sleeper Initiative (RSI), made up of nine specialist rough sleeping advisers and five specialist advisers covering health, employment, prisons and probation, drawn from and funded by government departments and agencies with specialist knowledge across a wide-range of areas including; housing, mental health and addiction.
- a £30 million fund for 2018 to 2019 with further funding agreed for 2019 to 2020 targeted at local authorities with high numbers of people sleeping rough; the Rough Sleeping Advisory Team will work with local authority areas to support them to develop tailored local interventions to reduce the number of people sleeping on the streets.
- £100,000 funding to support frontline Rough Sleeping workers across the country to make sure they have the right skills and knowledge to work with vulnerable rough sleepers.

2.2 Local context

Newcastle under Lyme Borough Council's Corporate Plan (2018-22)

The Council is committed to four corporate priorities within its Corporate Plan:

- Local Services that Work for Local People
- Growing our People and Places
- Healthy, Active and Safe Borough
- A Town Centre for All

The plan sets out how the Council will work to make the borough an even better place for everyone who lives, works, studies or visits Newcastle.

The Homelessness Strategy is one of a number of strategies within the Authority that will deliver the Council's Corporate Plan.

The Newcastle Partnership

The Newcastle Partnership is the strategic partnership for the Borough of Newcastle-under-Lyme. The Partnership replaces the former Local Strategic Partnership (LSP) and Community Safety Partnership (CSP) and is the mechanism for the delivery of the statutory partnership function in the Borough.

The Partnership represents the different sectors in the Borough and plays a vital role in bringing together a range of organisations with a shared purpose through co-operative and co-ordinated joint working that will improve social, economic and environmental wellbeing for our residents.

The Newcastle Partnership aims to be inclusive and is intended to be broadly representative of public, private, voluntary and community sectors in the Borough of Newcastle-under-Lyme. The Partnership aims to be accountable to the local community it serves and open and transparent in all its dealings.

The shared vision for the Newcastle Partnership is:

“Newcastle Communities together, securing a prosperous future”

The Partnership is committed to continuously improving the quality of life and experiences of people, who live, work, invest, study and visit Newcastle-under-Lyme.

The vision for the Partnership will be delivered via two Partnership priorities:

- Enhancing economic growth; and
- Tackling vulnerability

The Partnership aims to achieve its ambitions through:

- A common strategic framework made up of a common vision, priorities, and outcomes;
- The alignment of activities and resources to deliver against the priorities of the Partnership;
- Joint delivery supported by effective performance management of outcomes linked to strategic priorities;

- Reduce duplication and bureaucracy and improved co-operation through commissioning and delivery within the Partnership's structure;
- Communicating the achievements of the Partnership and remaining accountable to the whole community of the Borough.

Newcastle-under-Lyme Borough Council is the accountable body (lead partner) for the Newcastle Partnership.

Newcastle under Lyme's Housing Strategy

Newcastle's Housing Strategy (2016 -2021) is the overarching document for all housing activity and investment in the borough by the Council and its partners.

The strategy seeks to support the Council to achieve its aims and objectives for housing within the Borough, working to improve the quality, choice, supply and access to housing for current and future residents.

The strategy has the following strategic objectives;

1. To support the delivery of affordable housing and development
2. To provide help and advice for finding a home
3. To reduce the number of empty homes
4. To give support to the Private Sector
5. To promote independence and inclusion to our most vulnerable residents.

The strategy sets out how these objectives have been prioritised and the action plan demonstrates how these objectives will be met.

2.3 Legal context

Local authorities have a duty to find accommodation for the homeless under Part VII of the Housing Act 1996, as amended by the Homelessness Act 2002. Under the 1996 Act, local authorities have responsibilities to those who they believe are either homeless or threatened with homelessness.

The statutory definition of homelessness was unaltered by the Homelessness Act 2002 and remains as that defined by the Homelessness Act 1996 s.175;

'A person is homeless if he or she has no accommodation in the UK or elsewhere which is available for his or her occupation and which that person has a legal right to occupy. A person will also be homeless where he or she has accommodation but cannot secure entry to it, or where he or she has accommodation that is a moveable structure (such as a caravan or a house boat) and there is no place where it can be placed in order to provide accommodation. A person who has accommodation is to be treated as homeless where it would not be reasonable for him or her to continue to occupy it'

The 2017 Homelessness Reduction Act places new legal duties on local housing authorities, amends existing homelessness legislation within Part VII of the Housing Act 1996 and places a renewed emphasis on the prevention of homelessness

. The changes include:

1. Prevention Duty 'take reasonable steps to help the applicant to secure that accommodation does not cease to become available'. This applies to all eligible applicants who are threatened with homelessness within 56 days. Housing authorities have a duty to

assess and to provide a personalised housing plan. The duty ends in the following circumstances:

- The applicant is successfully prevented from becoming homeless
- The 56 day timescale lapses (except in the case of a section 21 notice)
- The applicant becomes homeless, which then triggers the relief duty below
- The applicant deliberately and unreasonably refuses to cooperate

2. Relief duty: 'take reasonable steps to help the applicant to secure that suitable accommodation becomes available'. This applies to all eligible applicants who are homeless. As with the Prevention duty, the local authority has a duty to assess and provide a personalised housing plan. The duty ends in the following circumstances:

- The applicant is successfully relieved from homelessness
- The 56 day timescale lapses
- The applicant deliberately and unreasonably refuses to cooperate
- The applicant refuses a suitable offer of accommodation

Applicants who are in a priority need, who are deemed to be unintentionally homeless and who remain homeless when the relief duty ends will fall into the original re-housing duty. This duty secures that accommodation is available for occupation by the applicant.

3. Vulnerable Groups: The Act requires advice services to be designed with certain vulnerable groups in mind, for example, care leavers, former armed forces, people leaving custody, victims of domestic abuse or people with mental health issues.

4. Duty to refer: Specified public authorities will have a duty to notify a local authority of service users thought to be homeless or at risk of homelessness. The public authorities need to gain the consent of the individual before referring them.

The Council fulfils its legal duties through Newcastle Housing Advice (NHA), which is a housing advice, options and homelessness service, currently delivered on behalf of the Council under contract.

3. Newcastle under Lyme – The Local Picture

3.1 The Borough Profile

Newcastle under Lyme is part of the North West conurbation of North Staffordshire. It is the most populated borough in Staffordshire with a population of around 129,000 and has an area of 81 square miles. The two main towns within the borough are Newcastle-under-Lyme and Kidsgrove, there is also an extensive rural area in the West of the borough.

The following data has been extracted from the Newcastle under Lyme Data Pack (September 2018), Staffordshire County Council, Strategy Team.

3.1.1 Population

- Newcastle-under-Lyme is resident to 129,000 people. The population has a lower proportion of people aged under five and under 16 compared to England. There are more people aged 16-64 and 65 and over in Newcastle-under-Lyme compared to average.
- The overall population of Newcastle-under-Lyme is projected to increase between 2017 and 2027 by 5% with a significant growth in people aged 65 and over (15%) and aged 85 and over (27%). The rate of increase in the number of older people in Newcastle-under-Lyme is faster than the England average and equates to 900 additional residents aged 85 and over by 2027.
- 11% of Newcastle-under-Lyme residents (14,400 people) live within the most deprived national quintile.
- The dependency ratio for older people in Newcastle-under-Lyme is 32 older people for every 100 people of working age which is higher than England.

3.1.2 Be able to access more good jobs and feel the benefits of economic growth

- The proportion of children in Newcastle-under-Lyme who reach a good level of development at the age of five (75%) is better than the national average (71%).
(This indicator refers to the percentage of children achieving Grade 5 or above in English and Maths).
- GCSE attainment for Newcastle-under-Lyme pupils is similar to the England average. There are however inequalities within the borough with attainment ranging from 21% in Silverdale & Parkside ward to 75% in Keele ward.
- Newcastle-under-Lyme has a higher than average proportion of children who are absent or permanently excluded from school.
- The percentage of adults aged 16-64 with NVQ level 32 or above is lower than the national average. There is also a higher number of adults with no qualifications compared to average.
- Unemployment and youth unemployment rates in Newcastle-under-Lyme (as at May 2018) are lower than the national average.
- The gap in the employment rate between those with a long-term health condition and the general population is 29%, similar to the national average (29%). Other vulnerable groups (for example those with mental health conditions or who have a learning disability) have relatively low employment rates.

- Around 28.0% (34,000) of the population in Newcastle-under-Lyme are estimated to be financially stressed, i.e. find it difficult or very difficult to cope on their current income. This is lower than the national average (27.5%).
- The proportion of older people in Newcastle-under-Lyme who are aged 60 and over living in income deprived households is significantly better than the national average.
- The average house price (£130,500) now stands at 5.2 times the average gross salary (£24,943).

3.1.3 Be healthier and more independent

- Overall life expectancy at birth in Newcastle-under-Lyme is 79 years for men, similar to the national average, and 83 years for women, lower than the national average. Men and women living in the most deprived areas of Newcastle-under-Lyme live eight and ten years less than those living in less deprived areas respectively.
- Healthy life expectancy in Newcastle-under-Lyme is 62 years for men and 64 years for women; both lower than average. Women in Newcastle-under-Lyme spend more of their lives in poor health than men (19 years compared to 17).
- Around 27% of children aged four to five in Newcastle-under-Lyme have excess weight (overweight or obese) with rates being higher than average. Around 34% of children aged 10-11 have excess weight.
- Teenage pregnancy rates in Newcastle-under-Lyme are higher than England and higher in three wards.
- During 2016/17 around 200 children under 15 were admitted for unintentional and deliberate injuries, with rates similar to England.
- The rate of hospital admissions caused by self-harm and alcohol was higher than the England averages.
- Around two out of three adults have excess weight (either obese or overweight) which is higher than the national average. The proportion of people who are obese in Newcastle-under-Lyme is also higher than the England average.
- Two out of ten Newcastle-under-Lyme adults are physically inactive, similar to the England average (equating to around 24,600 people). Around half of Newcastle-under-Lyme adults are not eating the recommended five portions of fruit and vegetables per day.
- The number of people on dementia, depression, diabetes and hypertension registers in Newcastle-under-Lyme is higher than the national averages - although this could reflect good case finding, diagnosis and recording. However, there is a higher proportion of residents in Newcastle-under-Lyme with a limiting long-term illness compared to the national average, particularly amongst those aged 65 and over which would suggest levels of long term conditions are high.
- Emergency hospital admissions are higher than the national average. The number of Newcastle-under-Lyme residents who die early from causes considered preventable is also higher than the national average.
- End of life care is a concern for the borough with the proportion dying at home or usual place of residence worse (42%) than the national average (46%).

3.1.4 Feel safer, happier and more supported

- Data from 'Feeling the Difference' suggests that 93% Newcastle-under-Lyme respondents were satisfied with the area as a place to live.
- The rate of children in need is higher than the Staffordshire average.
- Newcastle-under-Lyme has a higher proportion of lone pensioner households compared to the national average.
- More residents in Newcastle-under-Lyme provide unpaid care compared to the England average. This equates to around 14,700 people. In particular, 15% (3,400 people) of residents aged 65 and over provide unpaid care which is higher than the England average of 14%.
- More than one in ten Newcastle-under-Lyme households are living in fuel poverty. This is higher than the national average.
- Based on Feeling the Difference Survey, more than twice as many people are fearful of being a victim of crime (17%) compared with those who have actually experienced crime (6%) in Newcastle-under-Lyme.
- The rate of overall crime in Newcastle-under-Lyme is below the national average. However, levels of anti-social behaviour and violent crime are higher than the national average.

3.2 Housing in Newcastle under Lyme

3.2.1 Number of dwellings and tenure

There are currently 56,470 dwellings in Newcastle of which 9900 are Registered Provider stock, 46,560 are within the owner occupied and private rented sector, 0 are owned by the local authority. (*source: number of dwellings by tenure, table 100 dwelling stock England 2018 www.gov.uk*).

3.2.2 Property condition

In 2016 The Council commissioned Building Research Establishment (BRE) to undertake a private sector housing stock condition survey. The survey estimated that there are 5,761 dwellings in the private rented sector, and 1,140 of these have category 1 Housing Health and Safety Rating System (HHSRS) hazards. This equates to 20 per cent of properties in the private rented sector. 12.7 per cent (730) of private rented dwellings in Newcastle-under-Lyme are estimated to have an EPC rating below band E.

3.2.3 Right to Buy

In 1980 the Housing Act gave tenants who rented local authority stock an opportunity to buy their homes. In 2000, the local authority housing stock was transferred to Aspire Housing (Registered Provider of Social Housing) with existing tenants retaining a preserved Right to Buy. From 2016 to 2019 there have been 70 Right to Buy sales in Newcastle under Lyme.

3.2.4. Affordability

The Strategic Market Housing Assessment (SMHA) update in 2017 concluded that 'Newcastle needs 242 affordable homes each year to meet newly arising need over the next five years.

Average house prices in Newcastle are nearly 7 times the average individual income.

The table below shows the average price by type of property in Newcastle under Lyme.

Date	Average Sold Price	Average Detached Price	Average Semi-Detached Price	Average Terraced Price	Average Flat / Maisonette Price
Jan 2019	£153,818	£231,612	£146,534	£115,443	£108,158
Jan 2018	£149,298	£223,164	£141,617	£112,175	£108,429
Jan 2017	£142,217	£213,957	£134,321	£106,885	£103,009
Jan 2016	£136,290	£203,875	£128,942	£103,066	£96,521
Jan 2015	£128,085	£190,761	£120,939	£97,411	£92,228
Jan 2014	£126,313	£188,066	£119,093	£96,225	£91,647

Source: www.LandRegistry.data.gov.uk

3.3 Renting

3.3.1 Renting from a Registered Provider

The table below illustrates the average weekly Registered Provider rent within Newcastle-under-Lyme between 2014 and 2018.

Registered Provider Average Weekly Rents for Newcastle-under-Lyme				
2014	2015	2016	2017	2018
£73.88	£77.37	£79.20	£78.08	£77.04

Source: *housing statistics communities.gov table 704*

Aspire Housing is the largest registered provider within Newcastle. The table below illustrates its average weekly rents per number of bedrooms for Aspire stock.

Aspire Housing – Average Weekly Rent for General Needs Social Housing – 2019				
	General needs	General needs - (£s)	Affordable rent -	Affordable rent - (£s)
Bedsit	115	£66.85	2	£69.64
One Bedroom	1916	£73.08	35	£73.59
Two bedroom	2644	£82.01	200	£85.82
Three bedroom	2320	£89.26	155	£96.95
Four Bedroom	134	£96.57	32	£114.21
Five Bedroom	2	£128.17	2	£142.89
Total	7131		426	

Source: Statistical Data Return dataset 2019 –

<https://www.gov.uk/government/statistics/statistical-data-return-2018-to-2019>

Note: figures shown do not include service charges

The tables, in comparison to the private rented data shown further on in this review, demonstrate that renting from a social landlord is still the most affordable tenure in Newcastle.

The affordability gap has increased the demand for affordable rented housing. The table below shows the number of households waiting for housing on the Housing Register in Newcastle by bedroom requirement.

Households on Housing Register as 1st April by bedroom requirement					
	2015	2016	2017	2018	2019
Households requiring 1 Bedroom	834	582	622	568	678
Households requiring 2 Bedrooms	557	378	383	329	356
Households requiring 3 Bedrooms	197	141	152	188	182
Households requiring more than 3 Bedrooms	35	28	28	37	42
Total	1623	1129	1185	1122	1258

Source: Local authority housing statistics

The table above illustrates that the highest demand on the register is for one and two bedroom properties. The information within the tables above also highlight that the numbers on the waiting list in the Borough far outweighs the number of relets per year of social housing stock.

3.3.2 The Private Rented Sector

The table below gives a summary of the average rents per property type for Newcastle under Lyme, the West Midlands and England between 1st April 2018 and 31st March 2019.

Type of Property	Newcastle Average Rent	West Midlands Average Rent	England Average Rent
1 Bed House	£ 427 Monthly	£ 514 Monthly	£ 731 Monthly
2 Bed House	£518 Monthly	£ 623 Monthly	£800 Monthly
3 Bed House	£635 Monthly	£ 732 Monthly	£ 916 Monthly
4 Bed or more House	£ 997 Monthly	£1111 Monthly	£1611 Monthly

Source: Gov.uk private-rental-market-summary-statistics-april-2018-to-march-2019

In comparison, the local housing allowance (LHA) is a flat rate of housing benefit for people who rent from private landlords and are entitled to assistance with their rent.

The table below illustrates the LHA for Newcastle in 2019 and 2018

	Shared	1 Bed	2 Bed	3 Bed	4 Bed
Weekly 2019	£55.19.	£80.55	£90.90	£109.32	£144.04

Weekly 2018	£53.58	£80.55	£90.90	£109.32	£139.84.
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Source: LHA rates-NBC website 2019

The data indicates that for many households who are in receipt of benefits or are working but on low incomes finding affordable accommodation in the private sector may still be difficult due to rental fees.

★ Review findings

The demand for social rented homes far outweighs the supply available.

There is an increasing need to access accommodation in the private sector in order to meet housing need.

Due to the limited supply of accommodation we must wherever possible support households to remain in their current accommodation.

Landlords want to work with us but also want assurance that support is available if things go wrong in tenancies.

4. Current Levels of Homelessness

4.1 Levels and nature of Statutory Homelessness

On a regular basis, the Council collates a wide range of statistics relating to all aspects of homelessness in the Borough. From this data the Council reports its findings to a number of sources. The Council is required to submit to the MHCLG relating to approaches made to them by homeless applicants. Historically, these statistics have been known as the P1E returns. However since the implementation of the Homelessness Reduction Act 2017 the submission of data has changed to a system known as Delta H-click, data from H-click is still being classed as experimental therefore within this review is data both from P1e and H-click sources.

The data gives a useful insight into the levels and nature of homelessness within the Borough; however it must be remembered that the figures only account for people who approach the Council and not the other services that operate in the Borough.

All people who approach Newcastle Housing Advice who are in housing need or facing homelessness will see a Housing Advisor to discuss the range of options available to them. Wherever possible, the Advisor will work with the individuals to prevent the homelessness occurring either by working with them to find alternative accommodation, referring them to partner organisations for support and assistance or accessing one of the homelessness prevention schemes which operate in the Borough.

4.1.1 Homelessness Decisions

The table below shows the number of decisions between 2015 and 2017, prior to the introduction of H-click (HRA 2017).

	Eligible, unintentionally homeless & In Priority Need	Eligible in Priority Need but Intentional	Eligible Homeless but in no Priority Need	Eligible but not homeless	Ineligible households	Total
2015	11	9	17	11	1	49
2016	10	7	12	8	0	37
2017	10	8	13	10	0	41

Source: NULBC Contract Monitoring Stats

The table above shows that during the three years the total number of homeless households owed a duty decreased in 2016 then began to increase again in 2017. The table below shows the performance information captured through the Delta recording systems, following the introduction of the Homelessness Reduction Act. Please note this information is still classed as experimental data, while the monitoring systems continue to be developed between local Authorities and the MHCLG.

	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total
H-Click 2018/9	April-June	July-September	October - December	January-March	
Initial decision if duty owed	84	83	96	116	379
Prevention duty	49	49	60	68	226
Relief duty	34	44	36	48	162
Not Homeless	1	1	2	1	5
Main Duty	5	6	2	4	17
TA at end of quarter	4	4	4	4	16

When considering this information compared to the number of homeless decisions, the statistics show that during each quarter of H-click data, there has been an increase numbers.

The table below shows the level of activity carried out by NHA over the past five years.

Activity	2014/2015	2015/2016	2016/2017	2017/2018	2018/19
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Telephone Enquiries	9181	8629	8258	9898	11981
Reception Enquiries Housing Options and Homelessness	1581	1354	1447	1280	1575
Reception Enquiries Housing Register	3226	2428	2373	2343	2075
Interviews (by appointment)	566	526	576	494	538
Interviews (walk-ins / emergency)	86	54	115	116	126
Homeless Decisions	102	37	39	40	*n/a
Homelessness Preventions	642	580	571	563	*n/a

Source: NULBC Contract Monitoring Stats

★ Review findings

Following the introduction of the Homelessness Reduction Act 2017, there has been more than a 10% increase in the number of individuals the NHA service are assisting.

4.1.2 Who becomes homeless?

The tables below illustrate the age, household type and ethnicity breakdown of those people who have been accepted as homeless in Newcastle up to 2017 using P1e data and where possible data from 2018 using the H-click reporting systems. Please note that the two data sources are not like for like. The P1e data reports on those households owed a duty and H-click data reports on all applicants owed a prevention or relief duty.

Age

The majority of those accepted as homeless fall within the age group of 25 – 44 year olds. This has remained consistent with data from previous reviews.

Age of Households owed a statutory Duty (P1e) Yearly				
	2014	2015	2016	2017
Age	No	No	No	No
16-24	3	2	3	2
25-44	8	9	7	7
45-59	0	0	0	1
60-64	0	0	0	0
65-74	0	0	0	0
75 & Over	0	0	0	0
Total	11	11	10	10

Source: NULBC Contract Monitoring Stats (P1e)

Age of Applicants owed a prevention or relief Duty (H-click) Quarterly				
	April to June 2018	July to September 2018	October to December 2018	January to March 2019

Age	No	No	No	No
16-17	2	0	3	7
18-24	19	32	21	29
25-34	24	25	31	36
35-44	17	19	23	23
45-54	10	8	8	10
55-64	8	10	6	7
65-74	3	1	1	3
75 & Over	1	1	2	1
Total	84	96	95	116

Source: NULBC Contract Monitoring Stats (H-click)

Household Type	2014	2015	2016	2017
	No	No	No	No
Couple with or expecting dependent children	1	3	3	4
Lone parent (male) household with or expecting dependent children	0	0	0	0
Lone parent (female) household with or expecting dependent children	4	1	1	2
One person household (male)	4	4	4	4
One person household (female)	2	2	2	0
All other household groups	0	1	0	0
TOTAL	11	11	10	10

Source: NULBC Contract Monitoring Stats

As the data shows just over half of the households accepted as homeless by Newcastle over the past four years are one person households and just under are households with dependent children.

Ethnicity

Ethnic Group	2014	2015	2016	2017
	No	No	No	No
White	9	10	10	9
Black or Black British	0	0	0	0
Asian or Asian British	0	0	0	0
Mixed	2	1	0	1
Other ethnic group	0	0	0	0
Not Stated	0	0	0	0
TOTAL	11	11	10	10

Source: NULBC Contract Monitoring Stats

Ethnicity of Applicants owed a prevention or relief Duty (H-click) Quarterly				
	April to June 2018	July to September 2018	October to December 2018	January to March 2019
	No	No	No	No
White	69	89	84	103
Black, African, Caribbean, Black British	7	0	4	7
Asian or Asian Black	2	3	0	0
Mixed or Multiple ethnic Group	1	1	0	0
Other	2	1	4	4
Not Known	3	2	3	2
Total	84	96	95	116

Data collected on the ethnicity of priority need homeless households demonstrates that the majority of service users describe themselves as White. Data suggested that the proportion of household found to be in priority need that has been recorded as belonging to a black or minority ethnic group (BME) is less proportionate to the percentage of BME households in Newcastle. This can be partially explained due to the Borough having 'affluent' pockets of ethnicity, which have not historically required the Council's homelessness services.

Reasons for Priority Need

Priority Need	2014/15	2015/16	2016/17	2017/18
Households with Children	5	4	2	2
Household includes a pregnant women and there are no other dependent children	0	0	0	0
Applicant aged 16 /17 years	0	0	0	0
Applicant formerly in care and aged 18 to 20 years old	0	0	0	0
Old Age	0	1	0	0
Physical Disability	0	0	0	0
Mental illness or disability	2	4	4	4
Drug dependency	0	0	0	0
Alcohol Dependency	0	0	0	0
Former Asylum Seeker	0	0	0	0
Homelessness due to emergency (fire or flood etc)	0	0	0	0
Other	0	0	0	0
Been in Care	0	0	0	0
Served in HM Armed Forces	0	0	0	0
Been in Custody / On remand	0	0	0	0

Violence / Threat of Violence	0	0	0	0
Domestic Violence	4	2	4	4
Total	11	11	10	10

Source: NULBC Contract Monitoring Stats (P1e)

Support Needs of a Household owed a prevention or relief duty by local authority – H-click (Quarterly)				
	April to June 2018	July to September 2018	October to December 2018	January to March 2019
Households with no support needs	39	41	42	65
Households with unknown support needs	0	0	0	0
Households with 1 or more support needs	45	55	53	51
Of which				
Young Person aged 16 – 17 years		3	5	5
Young Person aged 18 – 25 requiring support to manage to live independently	2	1	1	1
Young Parent requiring support to manage independently	0	0	0	1
Care leaver 18 -20 years	8	7	7	6
Care leaver 21+years	0	2	1	0
Physical ill health and disability	11	7	12	9
History of mental health problems	19	21	19	19
Learning disability	2	1	1	0
At risk of / has experienced sexual abuse / exploitation	1	1	1	1
At risk of / has experienced domestic abuse	12	20	13	11
At risk of / has experienced abuse (non) domestic abuse	1	2	2	1
Drug dependency needs	3	7	7	7
Alcohol dependency needs	2	3	6	3
Offending history	3	3	8	4
History of repeat homelessness	4	1	5	0
History of rough sleeping	2	0	5	3
Former asylum seeker	0	0	2	2
Old age	0	0	1	2
Served in HM Forces	1	1	0	0
Access to education, employment or training	1	0	0	0
Total	74	80	96	75

The table shows that the majority of priority need homeless households are those with dependent children, mental illness or disability and Domestic Violence.

The numbers also demonstrate an increase in the number of people in priority need who are vulnerable. This reflects messages we are receiving from stakeholders that they are also experiencing about the increased levels of vulnerability in their customers.

Finally it is worth noting, that many households may fall into more than one priority need category but for the purposes of data recording, households are only recorded against the main priority need category.

Why do people become homeless?

The table below reports upon the main reasons for loss of settled accommodation for applicants found to be eligible, unintentionally homeless and in priority need in Newcastle.

Reason	2014/15	2015/16	2016/17	2017/18
Parent no longer willing to accommodate	0	5	4	4
Other relatives or friends no longer willing to accommodate	3	1	1	1
Non Violent breakdown of relationship	0	0	0	0
Violence: Violent breakdown of relationship involving partner	4	3	3	3
Violence: Violent breakdown of relationship involving associated persons	0	0	0	0
Violence: Racially motivated violence	0	0	0	0
Violence: Other forms of violence	0	0	0	0
Harassment, threats or intimidation: Racially motivated harassment	0	0	0	0
Harassment, threats or intimidation: Other forms of harassment	0	0	0	0
Mortgage Arrears (repossession or other loss of Home)	0	0	0	0
Rent arrears on: Local authority or other public sector dwellings	0	0	0	0
Rent arrears on: Registered provider dwelling	0	0	0	0
Rent arrears on: private sector dwelling	0	0	0	0
Loss of rented or tied accommodation due to termination of AST	3	0	0	0
Loss of rented or tied accommodation due to: Reasons other than termination of AST	0	0	0	0
Required to leave accommodation provided by Home Office as asylum support	0	0	0	0
Left an institution or LA care: Left prison/ on remand	0	0	0	0
Left an institution or LA Care: Left hospital	0	0	0	0
Other reasons for loss of last settled home: Left HM Forces	0	0	0	0

Other reason for loss of last settled home: Other reasons (eg homeless in emergency, sleeping rough or in hostel, returned from abroad).	1	2	2	2
Total	11	11	10	10

Source: NULBC Contract Monitoring Stats

Reason for loss of last settled home for households owed a prevention or relief duty.				
	April to June 2018	July to September 2018	October to December 2018	January to March 2019
End of assured shorthold (AST) Private rented tenancy due to...				
Rent arrears due to..				
Tenant difficulty budgeting or making other payments	3	1	1	1
Increase in rent	0	1	0	0
Reduction in employment income	0	0	0	2
Changes in benefit entitlement	0	0	0	0
Change in personal circumstances	0	1	4	5
Breach of tenancy not related to rent arrears	0	1	0	0
Landlord wishing to sell or re-let the property	7	11	9	12
Tenant complained to the council / agent / landlord / about disrepair	0	1	1	1
Illegal eviction	0	0	0	0
Tenant abandoned the property	0	0	0	0
Other reasons / not known	5	6	1	4
End of non AST private rented tenancy	0	0	0	1
Family or Friends no longer willing or able to accommodate	12	13	16	15
Non-violent relationship breakdown with partner	5	12	11	23
Domestic Abuse	11	22	20	17
Other Violence or harassment	0	1	1	3
End of social rented tenancy, due to				
Rent arrears	0	0	2	3
Breach of tenancy, not related to rent arrears	0	1	1	1
Other reasons / not known	0	0	0	0
Eviction from supported housing, due to..				
Rent arrears	0	0	0	0
Breach of tenancy or licence, not related to rent arrears	0	4	6	3
Other reasons / not known	6	4	5	4
Left Institution with no accommodation available	1	1	2	0

Required to leave accommodation provided by home office as asylum support	0	0	1	1
Other reasons / not known	34	16	14	20
Total	84	96	95	116

Source H-Click Delta 2018

The causes of homelessness in Newcastle do reflect the national main causes of parental / relatives / friends no longer willing / able to accommodate and the loss of rented or tied accommodation (termination of assured tenancy).

In addition the figures above also evidence that Domestic Abuse, non-violent relationship breakdown with partner, the landlord wishing to sell or re-let the property and other reasons are also regular reasons for the loss of the last settled home.

★ Review findings

In addition to the national main causes of homelessness and loss of last settled home, Domestic Abuse, non-violent relationship breakdown and landlords wishing to sell or re-let their private rented tenancies are regular reasons for households in Newcastle.

Other reasons are recorded as a regular reason for loss of last settled home, as data recording develops through H-click we will need to identify whether there are also trends developing under this category.

Annual figures under H-Click analysis are still uncertain whilst trends bed in. What is clear is that the introduction of the HRA has significantly increased the volume of those entitled to assistance. This is also impacting upon the need for temporary accommodation and staff resources and dependencies on limited supported accommodation.

Housing Benefit Information

The Housing Benefit Department (HB) fulfils two major functions with regard to homelessness prevention, the provision of subsidy to enable people to afford their rented homes and the provision of discretionary housing payments to prevent hardship by covering a shortfall between benefit levels and rent.

Delays in HB payments, problems with under and over payments and failures to renew claims create rent arrears, can result in evictions. In Newcastle the HB team works to process HB claims swiftly with a three week target. In addition the team works closely with officers from the Council's Housing Strategy Team and Officers at NHA, which further reduces the likelihood of claimant problems.

The housing benefit provision for private rented and social housing tenants is different in so much as for private tenants the provision is known as the Local Housing Allowance (LHA), which is paid to the tenant rather than the landlord for all but the most vulnerable tenants. This was designed to encourage a greater level of tenant responsibility and greater certainty over what they will be expected to pay.

The LHA does open the risk of tenants defaulting on rent payments, although the scheme does allow for direct payments to be made to landlords for tenants who are unable to manage their finances or fall into arrears. The Council is working with various partners to ensure that

where those customers are considered to be at risk (e.g. many of those who receive housing support services) will have their LHA paid direct to the landlord.

Discretionary Housing Payments are used by the Benefits Team at Newcastle to can assist those who might otherwise suffer hardship, including homelessness. These are considered on a case by case basis. The Council's budget for the financial year 2018-2019 was £171,687.00 of which £166,924.46 was spent.

The NHA team continue to work closely with the Council's housing benefit team in order to prevent homelessness and the application of discretionary Housing Benefit payments.

4. Preventing Homelessness and Meeting Housing Need

The adoption of the homelessness prevention ethos has had a considerable impact on the homelessness work in the Borough. A prevention centred approach means a pro-active rather than a reactive approach with increased emphasis on networking, negotiation and creativity.

4.1 Homelessness Services in Newcastle

Newcastle Housing Advice Service (NHA)

The homeless legislation places a duty on the Council to provide up-to-date, advice and assistance to our residents, not only about housing options but also on the broad range of factors that can contribute to homelessness. Reasons for housing need and homelessness can be due to a range of environmental and personal circumstances.

The Homelessness Code of Guidance states that the duty to provide advice can be fulfilled by the local authority or through another agency on their behalf. The Council has fulfilled its duty to provide advice and assistance through the Newcastle Housing Advice Service (NHA).

The NHA service is delivered under a contract for the Council to deliver homelessness, housing advice and housing register services to residents of the Borough.

The service offers customers advice and assistance in enabling them to remain in their homes or to assist with moves into more suitable and sustainable accommodation by offering a range of housing options. Advice is provided regardless of priority and intentionality and tailored towards the needs of the customer. This approach enables all alternative options to be explored and wherever possible resulting in the prevention of homelessness. If it is inevitable that the homelessness will not be able to be prevented the service will take a formal homeless application and carry out investigations as to whether they are eligible for assistance under the homelessness legislation.

The service operates 37 hours per week from premises within Newcastle town centre and operates an emergency out of hour's service at all other times. NHA offers the following services:

- General Housing Advice
- Specialist advice and assistance on tenancy law and security of tenure
- General Benefits advice
- Access to homelessness prevention schemes
- Referrals to specialist support providers
- Assistance in accessing accommodation
- Homes Direct (online housing options advice toolkit and online registration system for the housing register)
- Links to private sector assistance and adaptations of home
- Money advice

The NHA service has a designated officer who works with private landlords. At present the service assists customers to access accommodation into the private rented sector, via the rent deposit and rent in advance guarantee schemes. The service also works with landlords to improve relationships between landlords and tenants where relationships have broken down and the tenancy is at risk of being ended. Due to the limits on what alternative accommodation is available in the borough, the team work hard to sustain current tenancies wherever possible.

The Council works with the service provider to regularly review the service to ensure that it remains responsive and effective focusing on prevention and early intervention.

★ Review findings

It should be noted that all the staff within the team have been in post for a number of years and have amassed valuable knowledge and expertise. It is clear that the team show passion and commitment towards tackling the issue of homelessness and those affected by it.

The NHA service is a busy service, responding to the growing demand for housing advice and assistance as demonstrated above.

There are also a range of agencies that provide services in the borough that complement the work of NHA. Some of these services receive funding from the Council to assist service delivery.

Commissioning in Newcastle

For many years a commissioning framework has been in place for Council commissioned services. The framework ensures that the Council receives outcome-led, value-for-money, services from the organisations that better meet the Council's priorities while providing a fair and transparent funding allocation process.

There are three key objectives: -

1. To make better use of Council resources
2. To provide a transparent and equitable process for the Voluntary and Community (Third Sector) and Private Sector to access funding
3. To deliver against the Council's Corporate Priorities and the Sustainable Community Strategy Priorities

Newcastle Partnership Commissioning

In an attempt to deal with the ongoing reductions in funding, the Council recognises that more can be achieved collectively by partnership working than individually. Therefore work has taken place to develop the commissioning role within the Newcastle Partnership.

Open Door Weekly Drop in

Open Door operates twice weekly drop sessions which aim to provide a Hub based approach of support along with the provision of hot food and drinks to those who are vulnerable and / or homeless in Newcastle.

This year we have commissioned a further 8 units of temporary accommodation. Open Door Stoke-on-Trent is working in partnership with ourselves and NHA to provide the accommodation unit with a low level support package. There are two properties providing 4 units of accommodation each, this can be per night agreements or on a longer term week to

week basis. The properties have shared facilities with laundry and cooking facilities. Support is available to help customers whilst they stay and to also to help prepare to move on to more long term sustainable accommodation and this support continues with the customer to help with the transition to their new home. The project commenced September 2019 and is commissioned for an initial 12 month contract subject to satisfactory performance and further funding being available.

Joint Commissioning with Stoke on Trent City Council

The Rough Sleepers Outreach Service

In 2011 and 2015, Cabinet gave approval for Officers to embark on a joint commissioning process with Stoke on Trent City Council to combine the resources from both local authorities and develop a rough sleeper's outreach service which meets the needs of both authority areas whilst maximising efficiencies.

The service operates in line with No Second Night Out (NSNO) principles and responds to reports of rough sleepers. The sessions provide advice and guidance for rough sleepers on what options are available to help to secure accommodation and support services for them. The service plays a key role in helping people get off the streets and is the key partner in the delivery of the rough sleepers 'winter provision' service that local authorities have a responsibility to provide.

The service has continued to evolve throughout the service duration, acknowledging the aims and objectives of the National Rough Sleeper's Strategy 2018.

Following the success of this jointly commissioned service, Cabinet has given approval for this service to again be re-commissioned in partnership with Stoke-on-Trent City Council once the present contractual arrangement comes to an end.

Homelessness Prevention schemes and services

In order to successfully prevent homelessness before crisis occurs, the Council needs to have various options available that they can offer to customers.

The use of prevention initiatives is proven to be far more cost effective than reactive responses to crisis situations. The challenge for the Council is to find the right balance between the need to make immediate savings in services and investment in measures which will result in long term savings.

Deposit Guarantee Scheme

The scheme operates by the Council guarantying the value of the rent deposit with the private landlord for two years and reimbursing the landlord if any damage occurs during the two year tenancy period. The scheme has been in operation for a number of years and has enabled customers to access private rented accommodation, who otherwise would have been at risk of homelessness due to them being unable to access the amount of money required for a rent deposit.

★ Review findings

The deposit guarantee scheme is a useful tool in the prevention toolkit. It is specifically useful for customers with complex needs who may have needs that cannot be supported by Registered Housing Providers

Rent Guarantee

In addition to the requirement for customers to provide a deposit when accessing private rented accommodation, it is also usual practice for landlords to request at least four weeks rent in advance before considering someone for their property. This adds to the financial burden for our customers, this scheme was originally developed so the Council could agree to guarantee the rent for a four week period, in a similar process as the deposit guarantee. The take up of the rent guarantee has declined since previous years because many landlords will not accept the guarantee and request that a monetary payment is made before the commencement of the tenancy.

★ Review findings

Take up of the Rent Guarantee scheme has fallen because Landlords request a monetary payment prior to the start of the tenancy.

One off payment fund

This scheme enables one off payments to be made which will assist in the prevention of someone becoming homeless. Cases are considered on an individual basis and Advisers at NHA are given the opportunity to be innovative and flexible in how this funding is spent, as long as the outcome is the prevention of homelessness. Previous examples as to how this has been used are to cover the cost of removal fee's or a credit reference check, which will enable someone to move into a property.

The Council has also incorporated into the one off payment fund, the budget for mediation, legal advice services and referrals for furniture support, and a dedicated sum to ensure that Private Sector Landlords can engage with incentives to support our customers into their accommodation. If a customer will benefit, these services will now be spot purchased on an individual customer basis as opposed to the council commissioning a particular provider to offer these services.

Also during the period of the current strategy, it has become standard practice for registered providers to request an upfront monetary payment for at least the value of four weeks rent, before a tenancy can commence. Despite the support of discretionary housing payments in suitable cases, we have found that many of our homeless customers require assistance with this payment to enable them to access accommodation.

★ Review findings

Further investigation is required on the impact the requirement of a cash payment for rent in advance is having on the one off payment fund.

The one off payment is proven to be a flexible approach for diverse incentives to support vulnerable customers as a homeless prevention tool.

4.3 Supply of Accommodation

The provision of new housing and other affordable options can in certain circumstances help people to address their housing issues / needs at an earlier stage thus preventing homelessness. However as the evidence in this Review highlights the demand for housing continues to increase at a faster rate than the supply of affordable housing options.

There has been a decrease in property development in the Borough, both in the private and social sectors of the housing market. It is therefore essential that the Council looks at every possible opportunity available to increasing access to long term accommodation in the Borough. One area of work is that of bringing empty homes back into use. Empty homes represent waste, financial expense and missed opportunity. They can blight communities, attract fly tipping and vandals and tie up the resources of the Council and the emergency services. Bringing empty homes back into use is a sustainable way to contributing to meet future housing demand.

The Council's Private Sector Housing Team in line with the Council's Housing Strategy work hard to bring long term empty homes back into use with a focus on long term empties in a deteriorating condition. In 17/18, a total of 156 properties were recorded as being empty homes for over two years, 15 of these have been brought back into use through the direct intervention of the Council.

Emergency and 'short term' Temporary Accommodation

The Council is not only faced with supply issues in the 'permanent' housing market but also in the provision of temporary accommodation. Despite the prevention work delivered in the Borough, there are still instances where people do become homeless and the Council has a statutory duty to provide temporary accommodation, either whilst investigations are being carried out or a more permanent housing solution is found. For example, the Council has a statutory duty to provide temporary accommodation for eligible homeless families, until their homeless duty ends. We have also seen an increase in usage since the introduction of the HRA.

The accommodation also needs to be suitable for the needs of the household and it is nationally recognised that families should not be placed in Bed & Breakfast (B&B) accommodation for longer than 6 weeks. The Council fully acknowledges that B&B accommodation it is not the most user friendly option for households faced with homelessness, particularly if they have children.

During the period of the current strategy we have increased the number of temporary accommodation units we have available to 10. This consists of the original 2 family units and an additional 8 one bedroom units.

Work continues to try and find further accommodation providers within Newcastle willing to accommodate homeless households in emergency situations on a more regular basis. However many of the feedback we are receiving is that the services are not set up to manage the many of our clients placed through the homeless service, who are often vulnerable or present with challenging circumstances.

The table below shows the breakdown of the type of household assisted and the average length of stay for each year.

Households Assisted in TA					
Category	2014/15	2015/16	2016/17	2017/18	2018/19
Single Person households	40	40	55	62	61
Two person households, no children	1	2	2	4	2

One or two person households with children	6	4	6	9	7
Total Households	47	46	63	73	70
Average length of stay (nights)	16	20	15	18	19

★ Review findings

We have seen an increase in more than 50% in the need to place people in temporary accommodation during the past 5 years.

It is increasingly more difficult to source emergency accommodation that is suitable to for our customers with more complex needs.

We have placed customers in temporary accommodation who have then misbehaved themselves, this has resulted in certain providers refusing to accommodate any more of our customers

The emergency accommodation available to NHA is in high demand we are in direct competition with a number of North Staffordshire agencies who also use it to temporarily accommodate their customers.

In emergency situations despite our desire not to we may have to place young people in emergency accommodation.

In emergency situations we do have to rely on using most emergency accommodation which is not based in our borough.

Permanent – sustainable accommodation

Home ownership has been increasingly more difficult and this has led to increased demand for social and affordable housing options.

Choice Based Lettings

The Housing Register is composed of households seeking housing association rented accommodation as well as existing housing association tenants seeking to transfer. The housing register comprises of many different household groups including single people, childless couples, and families with children and elderly people. Households are registered in accordance with their housing needs and based upon their household size and type. The housing register is managed by NHA.

The Council's choice based lettings (CBL), allows those on the housing register to search and bid for available properties. The scheme is managed by NHA according to the Council's Allocation's Policy.

Preventing homelessness through allocations, the Council can't reward re-housing priority to every household that is at risk of homelessness, however the Allocation's policy does provide alternatives to making a homeless approach for households in need. The Allocation's policy gives priority for households that are severely overcrowded, living with significant disrepair or has a move on priority from planned moves from home or supported housing schemes.

The Council also has nomination rights of at least 50% from all registered providers in the Borough. This is a system whereby partner social housing providers inform NHA of a vacancy

and suitable applicants are nominated from the housing register. The type of accommodation that is nominated depends upon the stock that has become available from the social housing provider.

A snapshot at the beginning of April 2019 highlighted that there were a total of 1258 applicants registered on the Housing Register.

Housing Allocation's Policy

Under Part V1 of the Housing Act 1996 local authorities are required to have an Allocations policy and procedure in place to allocate social housing and under Part V11 of the Housing Act 1996 (as amended by Homelessness Act 2002) to make provision for homeless households. Therefore alongside the housing register, the Council's Allocations Policy outlines how an applicants' housing need will be assessed and prioritised against other applicants and the mechanism for letting social housing in the borough.

In line with the introduction of the HRA our Allocation's Policy was reviewed and amended to enable us to meet our responsibilities under the new legislation.

The Private Rented Sector

The private rented sector offers an alternative source of accommodation that can prevent homelessness. By taking into account the needs and aspirations of both landlords and households, working with the private rented sector can help to avoid homelessness and provide more settled homes for those in insecure accommodation. The demand for private rented properties is high in Newcastle, which means that low income / benefit dependant households may be in competition with working people for the same properties. More people are also turning to the sector since mortgages have become more difficult to obtain. Nevertheless the Council believes that working with the private rented sector is essential in order to increase housing opportunities for our customers.

The tenure provides a huge range in terms of costs and standards, 40 per cent were built prior to 1919, and therefore are more likely to fail to meet modern standards. There are accreditation schemes which help to raise standards and support landlords. Newcastle is part of the North Staffordshire landlord's forum and our staff actively participate in its delivery. The Council understands that working with private landlords can therefore not only help to avoid homelessness but also provide an alternative housing option for those in housing need.

Discharging the Homelessness Duty into the Private Rented Sector

The Localism Act introduced a new power that allows Local Authorities to meet their statutory homelessness duty by providing good quality privately rented homes.

Past homelessness legislation enabled homeless households to refuse offers of accommodation in the private rented sector and insist that they should be housed in temporary accommodation until a long-term social home becomes available.

Following approval of the Council's Strategic Tenancy Strategy, cabinet members supported the notion that where appropriate and by no means to the detriment of the household, Newcastle could use this power to discharge its homelessness duty into the private rented sector.

Whilst this option offers an alternative solution for people experiencing homelessness in Newcastle, the power comes with a number of duties and responsibilities for the Council. These were set out by Government in the suitability of accommodation order.

The Council sees improving access to private rented properties, as part of the wider homelessness prevention agenda, rather than specifically for the new power to discharge our homelessness duty.

★ Review findings

Access to and sustaining current tenancies in the private rented sector is crucial in both addressing and preventing homelessness. Developing good working relationships with landlords is key in support our aims to prevent homelessness.

There is competition for properties in the private rented sector.

Some Private Landlords are unwilling or have no need to let to customers who seek assistance from NHA.

Landlords must feel confident that there will be support available should tenancies start to fail.

There are many properties in the private rented sector which are unaffordable, this is accentuated further by low local housing allowance rates across North Staffordshire.

Assistance and incentives are fundamental in enabling better access to the private rented sector in Newcastle. Work needs to continue to engage with landlords to further enhance services.

Supporting Vulnerable People

A vulnerable person is someone who is or may be in need of services by reason of mental or other disability, age or illness and / or who is unable to take care of themselves against harm or exploitation. Such vulnerability can mean that people have a greater risk of homelessness for either short or long periods of their lives.

Young people (including those leaving care)

Young people who are experiencing homeless issues are an extremely vulnerable group, who may have often encountered educational and / or family disruption, violence at home, and mental health and / or substance misuse issues. A high proportion may also not be in education, employment or training. It is clear that providing accommodation alone is not the sole solution for this group as their needs go far beyond a simply a roof over their head.

Historically, the Council has had a duty to house 16 & 17 year olds affected by homelessness who were defined as children, under the Children (leaving Care) Act 2000 as they have a priority need when it came to assessing their homelessness situation. However in 2009 case law (G v LB Southwark 2009) 16 & 17 year olds are now defined as being the responsibility of Children's Services and may fall under the criteria of the Children's Act 1989. This means that if found to be in need, the 16 / 17 year will be become the responsibility of Children's services and be assisted as a 'child in need' rather than under homelessness legislation.

Since the Southwark judgement work has been ongoing between the Council, partner authorities and the Children's services at County in order to develop an effective process for jointly assessing the housing and support needs of this group to ensure that they receive prompt assistance to remedy their homelessness issues. During 2018 work commenced on a

thorough review of the Countywide 16 & 17 year old Homeless Protocol. This is in the final stages of completion and it is anticipated that it will be adopted by the end of 2019.

In addition, Children's services at County and Newcastle under Lyme Borough Council as their role of 'Corporate Parent' have developed a local offer for Care Leavers to ensure that looked after children and young people are prepared for independence. Within the offer is the development of a pathway plan which sets out what the young person needs and what support they will get. Accommodation and housing is part of the offer and within the Borough is a project between Children's services, the Council, NHA and Aspire Housing. The project identifies looked after children who are due to leave care services in the next 12 months and the agencies work together to ensure that suitable properties are available to meet the needs of the young people. The project is seen as a successful model that is to be replicated across the whole of Staffordshire. This will also be supported with a joint protocol for Care Leavers to be developed between County and all Staffordshire Districts. County have also been successful in a recent MHCLG funding round which enabled the recruitment of 2 support workers who offer support to prevent homelessness in care leavers across Staffordshire.

The risk of homelessness does not however only affect 16 & 17 year olds or those leaving care, young people with or without children and on low incomes can be particularly vulnerable to homelessness and its consequences. They have restricted access to the private rented sector due to local housing allowance eligibility rules. This may be exacerbated further if the young person is trying to complete studies or training.

★ Review findings

The pathway model for Care Leavers is considered good practise and is to be replicated across Staffordshire.

The Council welcomes the added resources the posts at County have brought to the area.

It is becoming increasingly more difficult to access accommodation for young people, who seek assistance at NHA

The LHA rates have led to a reduction in the availability of properties for younger people, as the shared room rate was increased to 35 years

People at risk of Domestic Abuse

Domestic abuse can affect women, men and children. The abuse may be physical or psychological, causing severe harm. The principle consideration for most escaping violence is to find safety. For many this may mean leaving the family home as they no longer feel it is a safe place to be. Newcastle has a well-established multi agency response to domestic abuse.

This includes a children and young person's independent domestic violence advocate, and pan Staffordshire Domestic Abuse service commissioned through a partnership of Staffordshire Commissioner's Office, Stoke-on-Trent City Council and Staffordshire County Council. The service is for both Vulnerable Victims and Perpetrators and includes prevention approaches, Independent Domestic Abuse Advisors (IDVAs) to support individuals, plus awareness campaigning and training.

The Council also supports the MARAC pilot which meets in order to deescalate risk to the most vulnerable victims (survivors) of DA in order to ultimately prevent homicide.

The Council was also successful in the receipt of a joint funding bid with Stoke-on-Trent and Staffordshire Moorlands Councils and Grow. The funding has provided a joint domestic abuse housing advice advocate that operates across the three local authority areas plus units of supported accommodation in the private sector, again spread across the three local authority areas.

Grow – Elizabeth House Refuge

Elizabeth House provides 15 bed spaces for women and children (boys must be under the age of 15). The service offers advice and advocacy, offer emotional and practical support to residents and assists them to overcome the trauma of abuse helps them to develop new confidence and achieve independence. It also supports the development of skills and access to employment and had referral mechanisms in place for additional forms of support (for example drug abuse or mental health issues).

In October 2019, the Government confirmed its plans to amend the Domestic Violence Bill and place a new statutory duty on local authorities to provide support. Ahead of the duty coming into force further funding will be made available to local authorities. We will work with our partners to ensure we meet the new duties and support those affected by domestic abuse in our borough.

★ Review findings

The advocate grant funded role has been a welcome boost to support customers, statutory and voluntary agencies within the Borough

Domestic violence and relationship breakdown is a regular cause of homelessness in our borough.

In 2021 there will be a new statutory duty placed upon local authorities to provide support to survivors of domestic abuse.

Rough Sleepers

In the past Rough Sleepers have not tended to be represented in P1e data and we have relied on data provided via our outreach service and annual estimates. In response to the revised government guidance, we carry out an annual rough sleeper estimate every November. The estimates are based on consultation with and verification by local partners likely to encounter rough sleepers during the course of their activities, such as the Rough Sleeper’s Outreach Team, members of the Homelessness Forum, and Voluntary Groups. The returns to government over the last five years are shown in the table below.

Year	Annual Rough Sleeper Estimate
2019 (subject to final Homelessness Link verification)	6
2018	4
2017	5
2016	0
2015	7

Source: NBC annual estimate submission to DCLG

The number of individuals who sleep rough in Newcastle remain in single figures per night and are relatively comparative to previous years. However there has been an increase in the

number of people referred to and verified as rough sleepers in the borough. Using data from the outreach service, between 1st April and 29th September 2019 37 people have been identified as sleeping rough in the Borough. Using MHCLG definitions these are broken down in 13 New, 9 returning and 15 Stock. The majority of customers (15) are aged between 35 and 44, they are predominantly white males however we have seen an increase in the number of females who have slept rough (7).

The data also identifies a high prevalence of mental ill health and substance misuse amongst those who are sleeping rough. Partners report that this combination makes it very difficult to support rough sleepers and finding appropriate forms of accommodation, especially in Newcastle is also a challenge.

We have also seen a dramatic increase in begging particularly in the town centre by people who may portray themselves as but are not actually homeless. Public awareness of homelessness (in particular rough sleeping) and its impact on people and communities has also grown significantly over the past few years.

In comparison to other local authorities our overall figures still remain low; the Council believes this is due to the work of the jointly commissioned Rough Sleepers Outreach Service that operates in the borough and complementary services delivered by our partners.

The Severe Weather Emergency Protocol (SWEP) is implemented each winter by the Council and its partners. In previous years this has been activated when the temperature has been sub-zero for three consecutive days or when the weather is severe enough to increase the risk of serious harm to people sleeping rough. Extreme weather includes cold, wind and rain. However for the winter period 2019 -2020 SWEP will be activated when the temperature is forecast to be below zero for one night or more. When SWEP is active measures are in place to provide emergency shelter for anyone sleeping rough (following verification) until the weather improves. Whilst in the provision, the Rough Sleeper's Outreach Team will work with NHA to provide advice and assistance in order to try and prevent the reoccurrence of rough sleeping of individuals. Delivering SWEP is extremely challenging and resource intensive, the MHCLG offers local authorities the opportunity to bid for funding to enhance the SWEP offer available in their local areas. The Council would welcome the opportunity to work with partners to increase the provision available in Newcastle however to date has not found a partner agency willing to offer emergency provision for SWEP.

The Council is committed to tackling rough sleeping and will continue to work with local agencies and the community to ensure incidences of rough sleeping are minimised and where possible eliminated.

★ Review findings

The number of rough sleepers in the borough has increased since the last review, overall figures are monitored through the data provided by the Rough Sleeper's outreach service.

There has been an increase in the number of female rough sleepers.

Rough sleeping and begging has become much more visible in the town centre since the last review. Unlike annual rough sleeping estimates there are no national counts or estimates on the number of beggars in the UK.

The data identifies a high prevalence of mental ill health and substance misuse amongst those who are sleeping rough.

Finding suitable and sustainable accommodation in the Borough to support rough sleepers off the street is extremely difficult for all services working with rough sleepers.

There is no accommodation available in the borough which is specifically developed for rough sleepers.

Further provision is required locally to support the needs of rough sleepers and the annual delivery of the Severe Weather Emergency Protocol.

Mental Health and Homelessness

People with mental health issues are known to be at a higher risk of homelessness and have further difficulties in tenancy sustainment. It is also widely accepted that there are high rates of mental health issues for people who are already experiencing homelessness.

Partners have reported an increased prevalence of mental health issues amongst service users, some of which may not have had a clinical diagnosis.

The Lyme Trust is a locally based charity that provides supported accommodation for people living with mental health problems. The service also supports people with substance misuse and addiction difficulties alongside any mental health issues.

Brighter Futures operates a service called 'Safe Recovery' in Newcastle. The service provides targeted support to Newcastle residents aged 18 and over with multiple and complex needs who without support could be at risk of homelessness. Access is via referrals made through the Newcastle Partnership Hub.

★ Review findings

Health and Wellbeing boards are in the best position to ensure that the mental health needs of the whole local population are understood and prioritised appropriately in local commissioning

Feedback from Partner Agencies identify the beneficial work of the Safe Recovery service and partners to discuss future commissioning.

People with Drug and Alcohol issues

Those with drug and alcohol issues run the risk of homelessness when their addiction affects their ability to manage their affairs and / or exacerbates behaviour that may result in them losing their home. Also those who are homeless are at a higher risk of developing a drug or alcohol problem, which in turn can make re-housing more difficult as they are more likely to be excluded from supported accommodation. Whilst there are alcohol and drug services, not all are accessible to or geared to the needs of homeless people.

Homeless people with complex drug and/or alcohol problems face particular difficulties in finding accommodation or help and support to meet their needs.

However the numbers of those accepted as homeless because of a dependency are low. The reason for this could be that decisions in case law have directed that an alcohol or drug dependency relates to a life style choice and is not a relevant factor of establishing a priority need.

One Recovery Staffordshire, operates in Newcastle, workers are trained to treat primary addictions whilst developing recovery plans and linking in with other services to ensure personal needs are met.

There is no accommodation in the borough that offers specific rehabilitation support and services for purely drug and alcohol issues.

★ Review findings

Health and Wellbeing boards are in the best position to ensure that the drug and alcohol needs of the whole local population are understood and prioritised appropriately in local commissioning.

Local support services have reported an increase in the number of individuals who are seeking assistance that have been previously supported in other local authority areas. This is having an impact on service provision.

People with Disabilities (physical, learning or sensory)

We do not have any reportable data that suggests customers are presenting as homeless or at risk of homelessness due to their disability. Available information suggests that the biggest area of unmet need for people with physical disabilities is for adaptations in their own properties.

Choices housing association delivers a range of services to individuals who want to live independently.

Offenders

Many offenders can lose their accommodation during custody. It is a well-recognised fact that stable accommodation can also reduce the risk of re-offending therefore preventing homelessness for this client group has a much wider benefit for the community.

The West Midlands move on protocol assists offenders in gaining suitable accommodation on release from prison. The protocol is regularly reviewed to ensure that it is up to date and fit for purpose.

Currently Heantun Housing receives funding from Staffordshire County Council to provide 150 units of floating support to high risk offenders throughout Staffordshire.

The Saltbox offers support to ex-offenders aged between 21 and 65 years old. The scheme offers the person accommodation in a property under a license with a support package, although the service predominately operates in Stoke-on-Trent, there is a property in Newcastle which offers support to 6 ex-offenders.

★ Review findings

There are very low levels of prison leavers who present as homeless to NHA, however regular engagement with probation and prison services are vital to ensure we are actively involved in regional developments.

Older People

The main housing issues for older people tend to relate to the need for repairs and adaptations to enable them to remain in their own accommodation.

The Private Sector Housing Team supports older and disabled people with the installation of major disabled adaptations in their homes.

The NHA service does not encounter many older people presenting as homeless in Newcastle, however when an older person does present it can be extremely difficult to find services that meet the older person's needs.

★ Review findings

Whilst the older population is increasing, at present our homelessness service does not encounter many older people presenting as homeless

Gypsies and Travellers

There is an established Traveller's Site within the Borough, which is managed by Aspire Housing, following an assessment, funding was gained in order to increase the number of pitches from 17 to 19. Feedback from both NHA and housing register data indicate that there have been no incidents of this group presenting either in an emergency homeless situation or seeking housing assistance.

Complex Needs

Vulnerable people with complex needs are often identified by their multiple support needs. Services tend to be structured around single issues and this group may struggle to access support that meets all their needs. Sometimes a person's support need may be not severe enough to qualify for support or is too high to deal with under mainstream support services.

★ Review findings

Vulnerable people with complex needs may not be able to access services which offer the required level of support for multiple needs.

Partners report that they are seeing an increase in the number of customers who have complex needs.

Providing services for people with complex needs can be challenging due to the diverse mix of needs a person may have.

Hidden Homeless

The final area to consider when assessing levels of homelessness is the incidence of 'hidden homelessness' those who can be described as homeless but have found a temporary solution such as staying with friends or family or living in squats or other insecure accommodation. It's extremely difficult to quantify levels of hidden homelessness in the Borough, however we must acknowledge that they exist.

★ Review findings

The incidence of the 'hidden homelessness' exists in all local authority areas, although difficult to quantify we must acknowledge they exist. It is important that we develop plans that advertise and raise awareness of the services that area available in the borough.

Resources

MHCLG Homelessness Funding

Homelessness Prevention Grant

The government has continued to provide funding for homelessness prevention both to local authorities direct and through regional partnerships. The purpose of the funding is to enable local authorities to deliver prevention initiatives which will address homelessness in their local areas.

Local authorities receive an annual Homelessness Prevention Grant from the MHCLG which is partly rolled into the Business Rate Retention Scheme (BRRS). This amount is not ring fenced to homelessness; although the DCLG do expect Local Authorities to use the funding to prevent homelessness in their areas.

We have received £125,504 from the MHCLG to deliver homelessness prevention services during 2019 to 2020. Post 2020 we have not yet been notified as to what amount, if any we will be allocated.

Flexible Homelessness Support Grant

In addition to our main homelessness allocation we have received a further grant known as the Flexible homelessness support grant. We have received £40,000 for the past three financial years 2017-18, 2018-19, 2019-20. This grant funding has been ring fenced. We are not aware whether there is further grant funding allocated to Council's under this heading post 2020.

New Burden Funding

Finally we received a one off payment of c£100K under the new burden's scheme, this enabled us to implement the new duties bestowed upon us via the Homelessness Reduction Act 2017. This grant was used to support the NHA service for the implementation of activities and to increase staff resources.

Rough Sleeper Initiative Funding

During 2019 -2020 following a bid to the Rough Sleeper Initiative Fund, we received £45,000 to recruit a rough sleeper coordinator in Newcastle for an 18 month contract.

Discretionary Housing Payments

The Council's Discretionary Housing payments (DHP) assist customers who rent and receive housing benefit, but still have a shortfall in their rent. The DHPs are intended to be short-term payments, to help households whose tenancies are at risk due to them being unable to meet their housing costs. The provision of DHPs can assist us in our aim of homelessness

prevention and many of the DHP issued have been included in our homelessness prevention figures.

We have received a government contribution of £171,687.00 for discretionary housing payments in 2018 - 2019.

Accessing external funding sources

The Council is proactive in identifying funding sources that will assist us in preventing homelessness. When opportunities arise we have been successful in bringing in additional resources, during the current strategy we have been successful in securing additional domestic abuse funding across Newcastle, Stoke and Staffordshire Moorlands local authority areas.

The delivery of these services assists us in our aims to prevent homelessness.

★ Review findings

We have a very uncertain future in relation to the funding of services which assist us in preventing homelessness.

Many Government funding opportunities are now made with the expectation to match fund and also have further funding in place to continue services once the initial funding is exhausted

Homelessness grant allocations are not fully ring fenced.

Reductions in funding for supported accommodation and floating support services for vulnerable people at risk of homelessness do have a knock on effect across the homelessness and housing advice service.

Partnership approach

The production and delivery of a Homelessness Prevention Strategy is the statutory responsibility of the local authority. We acknowledge that the development and implementation of a meaningful strategy is not possible in isolation and requires multi-agency input at all levels.

A partnership approach to devising and delivering a Homelessness and Rough Sleeping Strategy is relevant now more than ever before. We live in a different world to that in which homelessness prevention activities were launched 10 years ago.

Challenges include:

- high levels of deprivation and poverty
- difficult housing market conditions
- recession, economic downturn and increased unemployment
- frugal government fiscal policy (including budget cuts and reform to welfare spending)

Ultimately, this environment means that there is increasing demand for services and assistance but reduced resources and capacity to deliver. Clear strategic direction and effective partnership delivery is crucial in these difficult times if we are to maintain delivering our successful programme of homelessness prevention.

Newcastle has strong and established partnerships across the community, voluntary and statutory sector. In order for the Homelessness and Rough Sleeping Strategy to achieve its aims and objectives will be the result of a wide range of partners involved in homelessness prevention working together.

5. Issues & Recommendations for the Homelessness and Rough Sleeping Strategy

5.1 Summary of Homelessness Review Findings

- The demand for social rented homes far outweighs the supply available.
- There is an increasing need to access accommodation in the private sector in order to meet housing need.
- Due to the limited supply of accommodation we must wherever possible support households to remain in their current accommodation.
- Landlords want to work with us but also want assurance that support is available if things go wrong in tenancies.
- Following the introduction of the Homelessness Reduction Act 2017, there has been more than a 10% increase in the number of individuals the NHA service are assisting.
- In addition to the national main causes of homelessness and loss of last settled home, Domestic Abuse, non-violent relationship breakdown and landlords wishing to sell or re-let their private rented tenancies are regular reasons for households in Newcastle.
- Other reasons are recorded as a regular reason for loss of last settled home, as data recording develops through H-click we will need to identify whether there are also trends developing under this category.
- Annual figures under H-Click analysis are still uncertain whilst trends bed in. What is clear is that the introduction of the HRA has significantly increased the volume of those entitled to assistance. This is also impacting upon the need for temporary accommodation, staff resources and dependencies on limited supported accommodation.
- It should be noted that all the staff within the team have been in post for a number of years and have amassed valuable knowledge and expertise. It is clear that the team show passion and commitment towards tackling the issue of homelessness and those affected by it.
- The NHA service is a busy service, responding to the growing demand for housing advice and assistance.
- The deposit guarantee scheme is a useful tool in the prevention toolkit. It is specifically useful for customers with complex needs who may have needs that cannot be supported by Registered Housing Providers.
- Take up of the Rent Guarantee scheme has fallen, the main reason being: Landlords request a monetary payment prior to the start of the tenancy over the Council's guarantee for rent.
- Further investigation is required on the impact the requirement of a cash payment for rent in advance is having on the one off payment fund.
- The one off payment is proven to be flexible approach for diverse incentives to support vulnerable customers as a homeless prevention tool.
- We have seen an increase of more than 50% the need to place people in temporary accommodation during the past 5 years.
- It is increasingly more difficult to source emergency accommodation that is suitable to for our customers with more complex needs.
- We have placed customers in temporary accommodation who have then misbehaved themselves, this has resulted in certain providers refusing to accommodate any more of our customers

- The emergency accommodation available to NHA is in high demand we are in direct competition with a number of North Staffordshire agencies who also use it to temporarily accommodate their customers.
- In emergency situations despite our desire not to we may have to place young people in emergency accommodation.
- In emergency situations we do have to rely on using most emergency accommodation which is not based in our borough.
- Access to and sustaining current tenancies in the private rented sector is crucial in both addressing and preventing homelessness. Developing good working relationships with landlords is key in support our aims to prevent homelessness.
- There is competition for properties in the private rented sector.
- Some Private Landlords are unwilling or have no need to let to customers who seek assistance from NHA.
- Landlords must feel confident that there will be support available should tenancies start to fail.
- There are many properties in the private rented sector which are unaffordable, this is accentuated further by low local housing allowance rates across North Staffordshire.
- Assistance and incentives are fundamental in enabling better access to the PRS in Newcastle.
- The pathway model for Care Leavers is considered good practice and is to be replicated across Staffordshire.
- The Council welcomes the added resources the posts at County have brought to the area.
- It is becoming increasingly more difficult to access accommodation for young people, who seek assistance at NHA
- The LHA rates have led to a reduction in the availability of properties for younger people, as the shared room rate was increased to 35 year
- The advocate grant funded role has been a welcome boost to support customers, statutory and voluntary agencies within the Borough
- Domestic violence and relationship breakdown is a regular cause of homelessness in our borough.
- In 2021 there will be a new statutory duty placed upon local authorities to provide support to survivors of domestic abuse.
- The number of rough sleepers in the borough has increased since the last review, overall figures are monitored through the data provided by the Rough Sleeper's outreach service.
- There has been an increase in the number of female rough sleepers.
- Rough sleeping and begging has become much more visible in the town centre since the last review. Unlike annual rough sleeping estimates there are no national counts or estimates on the number of beggars in the UK.
- The data identifies a high prevalence of mental ill health and substance misuse amongst those who are sleeping rough.
- Finding suitable and sustainable accommodation in the Borough to support rough sleepers off the street is extremely difficult for all services working with rough sleepers.
- There is no accommodation available in the borough which is specifically developed for rough sleepers.
- Further provision is required locally to support the needs of rough sleepers and the annual delivery of the Severe Weather Emergency Protocol.
- Health and Wellbeing boards are in the best position to ensure that the mental health needs of the whole local population are understood and prioritised appropriately in local commissioning
- Feedback from Partner Agencies identify the beneficial work of the Safe Recovery service and discussions with partners about future commissioning.

- Health and Wellbeing boards are in the best position to ensure that the drug and alcohol needs of the whole local population are understood and prioritised appropriately in local commissioning.
- Local support services have reported an increase in the number of individuals who are seeking assistance that have been previously supported in other local authority areas. This is having an impact on service provision.
- There are very low levels of prison leavers who present as homeless to NHA, however regular engagement with probation and prison services are vital to ensure we are actively involved in regional developments.
- Whilst the older population is increasing, at present our homelessness service does not encounter many older people presenting as homeless.
- Vulnerable people with complex needs may not be able to access services which offer the required level of support for multiple needs.
- Partners report that they are seeing an increase in the number of customers who have complex needs.
- Providing services for people with complex needs can be challenging due to the diverse mix of needs a person may have.
- The incidence of the 'hidden homelessness' exists in all local authority areas, although difficult to quantify we must acknowledge they exist. It is important that we develop plans that advertise and raise awareness of the services that area available in the borough.
- We have a very uncertain future in relation to the funding of services which assist us in preventing homelessness.
- Many Government funding opportunities are now made with the expectation to match fund and also have further funding in place to continue services once the initial funding is exhausted.
- Homelessness grant allocations are not fully ring fenced.
- Reductions in funding for supported accommodation and floating support services for vulnerable people at risk of homelessness do have a knock on effect across the homelessness and housing advice service.

5.2 Recommended Priorities for the new Newcastle under Lyme Homelessness and Rough Sleeping Strategy

After careful consideration of the evidence gathered during the production of this review and the issues identified and consulted upon with our partners and stakeholders, we have identified the following priorities for the Homelessness and Rough Sleeping Strategy 2020 – 2025.

1. Preventing Homelessness
2. Support homeless households into sustainable housing solutions
3. Work in partnership to address the causes of homelessness in Newcastle
4. Tackling Rough Sleeping

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

REPORT TO SCRUTINY COMMITTEE

DECEMBER 2019

Title: Homelessness and Rough Sleeping Strategy 2020 -2025

Submitted by: Head of Housing, Assets and Regeneration

Portfolios: Community Safety and Wellbeing

Ward(s) affected: All

Purpose of the Report

The Scrutiny Committee is asked to consider and comment on the priorities and key actions of the draft Homelessness and Rough Sleeping Strategy 2020 to 2025, prior to its submission to Cabinet.

Recommendation

That Scrutiny consider and comment upon the contents of the Homelessness and Rough Sleeping Strategy 2020 to 2025.

Reasons

The Homelessness Act 2002 places a statutory duty on Council's to publish a Homelessness Strategy. The Homelessness Strategy provides the framework for the delivery of our services designed to prevent homelessness and support those who may become homeless.

Newcastle's fourth homelessness strategy was for the period of 2016 to 2021, during 2018 following the publication of the National Rough Sleeping Strategy, Local Authorities have been tasked to ensure they have an up to date Strategy, which ensures future work around rough sleeping aligns with the National Strategy. Also that all Homelessness Strategies are rebadged as Homelessness and Rough Sleeping Strategies by Winter 2019. A draft for Newcastle-under-Lyme's fifth Homelessness Strategy has been produced and following the scrutiny process will be ready for Cabinet approval.

1. Background

1.1 The Council has a statutory duty under the Homelessness Act 2002 to publish a Homelessness Strategy every five years. Newcastle's last Homelessness Strategy was published in 2016 and covered the period of 2016 to 2021.

1.2 In August 2018, the Ministry of Housing, Communities & Local Government (MHCLG) published the Cross-Government Rough Sleeping Strategy, which committed to ensuring that all local authorities have an up to date homelessness strategy, which is available online by winter 2019. Within the strategy is the requirement for all local authorities to review their homelessness strategies and make the necessary amendments to ensure that future work on rough sleeping aligns with the national strategy. They also asked that strategies be rebadged as Homelessness and Rough Sleeping Strategies.

- 1.3 In response to the Cross Government Rough Sleeping Strategy, a new draft Homelessness and Rough Sleeping Strategy which sets out the Council's key priorities for the next five years been produced, informed by a recent review of homelessness in the borough and engagement with stakeholders.
- 1.4 Newcastle has had significant success in preventing homelessness, however since the implementation of the Homelessness Reduction Act 2017, there are more statutory duties so more people qualify for assistance. We are experiencing an increase in the number of customers who are eligible for support and assistance in the Borough, particularly single people.
- 1.5 The draft Homelessness and Rough Sleeping Strategy provides the framework for the delivery of our services designed to prevent homelessness and support those who become homeless over the next five years.
- 1.6 During 2019, the Council's Housing Strategy Team have undertaken a comprehensive review of the current Homelessness Strategy to determine:
- an up-to-date understanding of homelessness and housing need in Newcastle;
 - current and likely future levels of homelessness and homelessness trends; currently provided to prevent homelessness, to secure housing for homeless people and to provide them with support;
 - the resources available to the Council, other statutory organisations and voluntary organisations to provide services for homeless people; and
 - gaps in provision.
- 1.7 Stakeholders have been consulted during the review process. All partner agencies, community and voluntary groups that attend the quarterly Homelessness Forum are key to the future success and delivery of the new Homelessness and Rough Sleepers Strategy and Multi Agency Action Plan.

2. Issues

- 2.1 Preventing homelessness is better than dealing with the challenges that arise from homelessness. The Homelessness Reduction Act 2017 has a focus on prevention and relief. The proposed future Strategic Priorities within this draft Strategy are:
- Priority 1 - Prevention of Homelessness
 - Priority 2 - Support homeless households into sustainable housing solutions
 - Priority 3 - Work in partnership to address the causes of homelessness
 - Priority 4 - Tackling Rough Sleeping
- 2.2 There is no single reason why someone can end up without a home. Often someone facing homelessness approaches the Council for housing assistance when they are at the end of their homelessness journey having suffered many crisis and interactions with other public bodies and voluntary agencies along the way. The new Homelessness Strategy builds on the success of the old strategy and proposes to continue to focus on prevention and early intervention, whilst undertaking targeted work on the identified issues.
- 2.3 The new Strategy clearly sets out the practical ways the Council will achieve its aims and objectives.

- 2.4 The Council recognises that homelessness is a complex issue that cannot be solved by the Council alone. This strategy will continue to build a stronger network of partnerships and services to help deliver its strategic priorities.
- 2.5 How we will achieve our priorities are addressed in the Homelessness Strategy Action Plan. The action plan will be monitored by the Housing Strategy Team and the Homelessness Forum. They will be responsible for ensuring the actions and outcomes contained in the action plan are implemented. There is flexibility within the action plan over the next five years, to allow for change dependent on future homelessness trends.

3. Proposal

- 3.1 It is proposed that Scrutiny consider and comment upon the contents of the Homelessness and Rough Sleeping Strategy 2020 to 2025 prior to the strategy being considered by Cabinet.

4. Reason for preferred solution

- 4.1 By Scrutiny members considering the strategy prior to Cabinet it gives members the opportunity to be proactive in making representations.

5. Options Considered

- 5.1 No other options have been considered because there is a statutory duty to produce a Homelessness and Rough Sleeping Strategy.

6. Outcomes Linked to Corporate Priorities

- 6.1 The strategy supports all the Council's corporate priorities of:

- Local Services that Work for Local People
- Growing our People and Places
- Healthy, Active and Safe Borough
- A Town Centre for All

7. Legal and Statutory Implications

7.1 Homelessness Act 2002

The Act includes the requirement for Local Authorities to formulate reviews and strategies in order to tackle and prevent homelessness.

7.2 Homelessness Reduction Act 2017

The Act places more emphasis on the prevention and relief of homelessness at an earlier stage.

7.3 Housing Act 1996

The Act includes the duty of the Local Authority to provide advisory services and assistance to voluntary organisations in respect of homelessness.

7.4 Local Government Act 2000

The Act gives Local Authorities the power to do anything likely to promote the economic, social and environmental wellbeing of the area.

8. Equality Impact Assessment

- 8.1 No negative impacts are foreseen as a result of implementation of this strategy. There are opportunities to advance equalities, improve access to services and improving housing options advice for those with protected characteristics who may be vulnerable.

9. Financial and Resource Implications

- 9.1 Various budgets are in place to support the Council's statutory responsibilities for homelessness. The Government has previously awarded Homelessness Prevention Grant of £125,504 for 2019 – 2020. Homelessness Prevention Grant figures for future financial years have not yet been announced, so it is not known to date what amount we may get from this fund post 2020.
- 9.2 Government eligibility for funding has moved towards a prevention focus but the service continues to spend on temporary accommodation.
- 9.3 In order to achieve the priorities of this strategy there will be a reliance on grant funding, which is not guaranteed long term. The Council will need to ensure they remain committed to the prevention of homelessness agenda for the period of this Strategy.
- 9.4 There could be financial implications in respect of delivering the proposed action plan, if no further funding is obtained or made available to continue the Rough Sleeper Co-ordinator role, post 2021.

10. Major Risks

- 10.1 The risk of not having a Homelessness and Rough Sleeping Strategy will result in the Council being open to legal challenge for failing to produce a mandatory document.
- 10.2 The risk of less funding being available for the delivery of homelessness services in the borough could have adverse effects on the levels of homelessness in Newcastle and although funds may not be available to deliver prevention services, the Council still has a statutory duty to assist those who are eligible and in priority need.

11. Key Decision Information

- 11.1 Endorsing and adopting the Homelessness strategy will ensure that the Council has an up to date strategy and action plan in place to address the needs and gaps in provision in order to help those who are homeless or at risk of becoming homeless.
- 11.2 The strategy enables the emphasis on the prevention of homelessness to be at the forefront of Council thinking, whilst promoting value for money and cost effectiveness.

12. Earlier Cabinet/Committee Resolutions

- 12.1 None.

13. Appendices

- 13.1 Homelessness Review.
- 13.2 Homelessness and Rough Sleeping Strategy.

14.1 Background Papers

- 14.1 None.

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HOMELESSNESS AND ROUGH SLEEPING STRATEGY

2020 - 2025



NEWCASTLE
UNDER LYME
BOROUGH COUNCIL

Foreword

Welcome to Newcastle-under-Lyme's fifth Homelessness Strategy, which sets out how we, along with our partners intend to meet its priorities and future actions for preventing and tackling homelessness over the next five years. It aligns with our Corporate Plan and all of its corporate objectives.

Our new strategy aims to continue the work of preventing people from becoming homeless and supporting those who are faced with homelessness issues; we have recognised the increasing issue of rough sleeping and have identified actions to reduce it.

I am very pleased to endorse this strategy, knowing that the delivery of its aims will enable us to deliver good services which will impact positively on many people's lives.

I would like to extend my thanks to all our partners who have contributed to this document.

Cllr Waring

Introduction

We published our last Homelessness Strategy in 2016 and this strategy will build upon the achievements we made in our last strategy. Under the Homelessness Act 2002, we have a statutory duty to review and refresh our Homelessness Strategy every five years. This strategy sets out the Council's priorities for the development of its homelessness strategy for the period of 2020 to 2025.

This strategy is informed by an updated Homelessness Review which sets out the picture of homelessness in Newcastle. Consultation on the development of the Strategy has run through 2019 and involved partner agencies, in particular our Homelessness Forum.

Our overall vision for our strategy is;

'To ensure that homeless levels in the borough remain as low as possible through prevention and to provide in partnership effective and quality services to those affected by homelessness'.

The strategy has four priorities and for each priority our main considerations are set out along with key actions for ourselves and partners. The actions will be set out in more detail in a separate action plan.

This strategy covers the borough of Newcastle-under-Lyme. Some of our services are delivered across local authority boundaries and even on a sub-regional basis. This is due to the various partnership projects we are involved in where we recognise the benefits and efficiencies of working together and the funding opportunities that have been made available to us.

Corporate Context

This strategy has been developed to ensure that appropriate links have been made to other relevant strategies and action plans, especially the Housing Strategy which is the overarching document for our service and key to the wider housing issues and actions which impact on homelessness.

This strategy aligns and has key commitments with the Council Plan and all four of its priorities:

- Local Services that Work for Local People
- Growing our People and Places
- Healthy, Active and Safe Borough

- A Town Centre for All

Key facts

In addition to wider social and economic challenges that have contributed to homelessness and rough sleeping issues in the Borough, there are also a range of factors that can lead to homelessness which have been identified from the findings of our Homelessness Review.

Headline data from review,

- The new statutory duties placed upon us by the Homelessness Reduction Act 2017 mean more people qualify for assistance than under the previous legislation.
- In addition to the national main causes of homelessness and loss of last settled home, Domestic Abuse, non-violent relationship breakdown and landlords wishing to sell or re-let their private rented tenancies are regular reasons why households in Newcastle are homeless or at risk of homelessness.
- The majority of priority need homeless households are those with dependent children, mental illness or disability and Domestic Violence.
- Households aged between 18 and 44 are the most common group owed a prevention or relief duty in the Borough.
- Homelessness is not just a housing issue, many people faced with or at risk of homelessness have complex needs beyond the need for housing.
- There has been a significant increase in households placed in temporary accommodation which places a strain on our resources.
- The number of individuals who sleep rough in Newcastle remain in single figures per night and are relatively comparative to previous years. The 2019 annual rough sleeping estimate was 6 (subject to final Homelessness link verification). In 2018 the annual rough sleeping estimate was 4 and 5 in 2017.

The Challenges

WELFARE REFORM IMPACTS



Concerns about welfare reform have highlighted that claimants are having increasing financial problems affecting their ability to secure and maintain accommodation.

AFFORDABILITY

Property Prices remain high resulting in difficulties for households being able to afford suitable accommodation.



HOUSING SUPPLY

Suitable accommodation remains limited resulting in longer waiting time for properties.



FUNDING UNCERTAINTY

Funding from government for Homelessness prevention services are time limited, often only guaranteed for one or two years.

Strategic Priority 1

Preventing Homelessness

The Housing (Homeless persons) Act 1977, Housing Act 1996 and the Homeless Act 2002 placed statutory duties on local housing authorities to prevent and tackle homelessness in their areas.

The Homelessness Reduction Act (HRA) 2017 has placed a legal duty on councils to offer more support to a wider range of people who are homeless or threatened with homelessness and to intervene earlier. The HRA has not made any changes to the main duty but it puts in some additional steps in place with the aim of improving the prevention of homelessness to a greater number of people.

Before making a decision under the main duty, all local authorities in England must now work with anyone who is at risk of becoming homeless within 56 days to:

1. Agree and help them with a Personal Housing Plan for the next 56 days that will:
2. Seek to prevent them from becoming homeless, irrespective of whether or not they are in priority need, may be intentionally homeless or have a local connection and if this fails:
3. Seek to relieve their homelessness by helping them to find somewhere else, if they are still homeless after 56 days then consider what the Council's duty is under the main duty.
4. Everyone seeking assistance is required to agree the actions of their personal housing plan, if they refuse to cooperate then the Council does not have to offer any further help and is no longer under any duty to help.
5. Some organisations, such as hospitals, prisons, social care, job centres and the armed forces are now under a duty to refer anyone who wants help because they may become homeless within 56 days to a local housing authority of their choice.

Preventing homelessness at the earliest convenience remains the primary focus of our Council.

1.1 Early Interventions

Our main priority will always be to prevent homelessness wherever possible, ideally through the provision of robust housing advice early on which enables a household to remain in its current accommodation. Due to the challenges we face assisting households to access suitable and appropriate accommodation, we are more than ever working hard to keep households in their current accommodation. Where this is not possible we support the transition into alternative accommodation. This approach is firmly embedded within our Newcastle Housing Advice service.

The introduction of the Homelessness Reduction Act whilst challenging in terms of supporting infrastructure and resources, did not require a complete culture shift for the NHA service as preventing homelessness has always been their primary focus. Preparation for the HRA included training for all staff, a new and robust IT system and referral arrangements made with a wide range of partners.

Our Newcastle Housing Advice Service (NHA) has a range of prevention options available to residents. We want to ensure that the interventions we offer are effective in preventing homelessness, which in turn will reduce the demands on our frontline staff and should also assist in reducing the need for us to use temporary accommodation.

We recognise for early intervention, there is the need to ensure that there is a wide range of easily accessible information available to enable those who can self-help to access our resources and follow advice and guidance to remedy their personal situations. As our service is continuing to get busier we want to enable customers who are able to self-serve, are able to do so by offering comprehensive

online advice and self-help tools, which in turn will reduce demands on the team. This will also enable the team to focus their time and expertise on our more complex and vulnerable customers.

For customers who are more complex and vulnerable, we recognise there is the need to identify any underlying issues and risks they may have as early as possible and ensure that relevant services are able to intervene to prevent homelessness. This means encouraging our partners to work with us by fully embracing the prevention ethos in the delivery of their services. It is important that customers are swiftly referred to the correct organisations already providing assistance rather than other agencies working in isolation and who may be taking on unnecessary responsibilities.

1.2 Continuous Service Improvement

Sustaining and developing further homelessness prevention measures is key to providing more flexible and responsive services. We are committed to providing excellent fit for purpose homelessness and housing advice services to all our customers. Our commissioning processes ensure that agencies who deliver services on our behalf have experience and can demonstrate a wealth of knowledge and expertise.

Our NHA service is no exception, we have a professional team who possess an in depth knowledge with many years of experience in housing advice and homelessness issues. There are processes in place to ensure that this knowledge is retained and developed further. Staff have regular refresher training to ensure that the service is able to respond to developments in homelessness and housing law.

1.3 Annual Review of Homelessness Strategy

We remain in an extremely financially challenging time and this strategy has the role to ensure that resources ploughed into homelessness services are used to their full potential. This means that during the life of this Strategy, if budgets dictate we may need to look at what is currently being delivered, prioritise and if required reshape and restructure that provision in accordance with the demands of the changing market. With this in mind, our Strategy will in effect be constantly under review and its purposefulness and effectiveness considered annually.

1.4 Commission Services to Prevent Homelessness

Our Newcastle Housing Advice service is supported by a number of complementary homelessness services. These services offer practical assistance to specific groups in order to prevent homelessness. The ability to strategically commission specific services with our partners is critical in enabling us to deliver effective proactive services that will prevent homelessness and ensure that repeat homelessness is minimised.

As we plan to review the position of this Strategy on an annual basis, the findings will inform our future commissioning processes and enable us to respond to emerging local issues. Our commissioning processes ensure that services are compliant to equality and diversity issues and accessible to all our residents.

We will

- Ensure that the prevention and relief of homelessness remains the primary focus at NHA.
- Continue to strengthen and improve the working relationships with our partners across the Borough and North Staffordshire to ensure all those effected by or at risk of homelessness receive the best outcomes.
- Monitor and act upon the impact of the Homelessness Reduction Act 2017 within our services and partners.

- Annually review our Homelessness Strategy.
- Respond to local needs when embarking upon the procurement of future homelessness services.

Priority 2

Supporting Households into sustainable housing solutions

A key part of preventing and relieving homelessness is being able to access suitable accommodation.

2.1 Short Term Temporary Accommodation

We have a duty to secure short term temporary accommodation for unintentionally homeless households in priority need under Part 7 of the 1996 Housing Act (as amended). The circumstances when we will usually place households in temporary accommodation are:

- Pending the completion of inquiries into their homeless application.
- When an application is accepted until suitable secure accommodation becomes available.
- Under severe weather provisions.

The range of temporary accommodation options available to us are: Bed and Breakfast accommodation, temporary accommodation units, hostel accommodation in other local authority areas (although places are limited), private rented stock and refuges for women fleeing domestic violence.

We try to limit the use of all types of temporary accommodation in the Borough for alternative more long term sustainable options. Historically we have been extremely successful in our low usage by managing our requirements through our temporary accommodation unit and occasional use of Bed and Breakfasts. However, during the past few years and even more so since the introduction of the HRA we have seen an increase in the need for and use of temporary accommodation.

Despite increasing the number of temporary accommodation units available to us to 10, the increase in demand has occurred at a time when the range of accommodation options available to us has become more restricted. Funding restrictions, local connection criteria, and competing demand for bed spaces by other statutory agencies have led to a reduction in the choice of appropriate temporary accommodation options available to us. This has meant that we are still reliant upon Bed and Breakfast accommodation (sometimes out of the area) which is seen the most unsuitable choice of temporary accommodation.

To exacerbate our problems further, the increase in customers with more complex needs has meant that we have also been faced with the challenge that some providers are unwilling or do not have the resources to accommodate more complex individuals, deeming them too high risk.

The increase in numbers and limited accommodation options available to us is a cause for concern, it puts additional pressure on our staff who are trying to help households. We are looking for innovative solutions which also provide suitable support services.

2.3 Long Term Affordable and Sustainable Accommodation

The need for affordable and sustainable housing in Newcastle goes above and beyond homelessness, improving access to permanent accommodation is a much broader priority and meeting the need for more permanent affordable housing is fully addressed in our Housing Strategy. We recognise that the provision of affordable housing can reduce the length of time homeless households have to wait for

re-housing and in certain circumstances can help people address their housing needs at an earlier stage without having to make a homelessness application. Therefore this strategy will focus upon what improvements we can make on the long term housing options for households who are either homeless or at risk of homelessness.

2.3.1 Long Term – Social Housing

We have already acknowledged that we are no longer able to meet our objective of providing affordable sustainable accommodation as quickly as possible for homeless households solely through social housing stock alone. The turnover of register provider's (social landlords) stock has slowed, which means we have fewer opportunities for re-housing homeless households in this type of tenure. Therefore it is important for us to ensure that effective use is made of the housing stock that is available.

Part of NHA's remit is to operate the Council's Housing Register and Allocations Policy. Applicants who join the Housing Register are assessed in line with the criteria set out in the Housing Allocations Policy, which awards a 'Banding' priority to applicants based upon their housing needs and is the mechanism for letting social housing in the Borough. Applicants are then able to express an interest in properties that are advertised under the Choice Based Lettings (CBL) scheme.

2.3.2 Long Term - A Suitable Private Rented Sector Offer

Our objective is to provide affordable sustainable accommodation as quickly as possible for homeless households, as this will remove the need to provide temporary accommodation. It is clear that we are no longer able to meet this objective by relying solely on the social rented accommodation in our Borough. The pressures on waiting lists for social rented housing mean it's really important that we also make the best use of the alternative stock available, especially in the private rented sector. The private rented sector has an important role to play especially for households who cannot access social housing or afford to buy.

Promoting Access

As with temporary accommodation and social housing, demand for private rented stock in our Borough is continually increasing. When appropriate we will encourage private rented sector pathways as prevention measure. We are realistic with our customers about their options, what is available and affordable and we can support people into the private rented sector to meet their housing needs.

There are good working relationships in place with landlords, estate and letting agents and our housing benefit department, all who play a key role in assisting us in preventing homelessness and enabling access to the private rented sector. Within the NHA housing team there is a dedicated role to explore innovative ways to secure access and good quality accommodation in the private rented sector for our customers. Since the beginning of the role the officer has completed 26 Rent Deposit Guarantee Scheme sign ups, 22 of these were able to access the Deposit and Rent In Advance agreements, 4 solely accessed the Deposit scheme and 1 benefited from the Private Rented Scheme One off Payment Scheme.

We recognise the importance of the private rented sector in providing households with suitable housing options and want to develop our links into the sector further. Our focus is to increase the number of partners we work with in the private rented sector and develop the relationships we have with landlords further.

Quality of Stock

Our Housing Services Team work within the private rented sector to ensure that the stock is of good condition. The service takes a pro-active approach in the provision of advisory services, sign posting and providing advice on financial support that may be available to improve property condition. The service supports and promotes the North Staffordshire Landlord Accreditation Scheme and facilitates training to help landlords understand best practice and legal requirements, including tenancy management and the correct use of Section 21 legal notices.

The Team also works with a range of partners to encourage empty property owners to bring their empty properties back into use. They work closely with owners to advise and assist them into bringing their properties back into use and if necessary will use the enforcement powers available to ensure a positive outcome.

Supporting Landlords

The right landlord for our customers is someone who is accredited, understands their letting responsibilities and works with us to keep the rents low in return for the range of services / incentives we are able to offer.

We provide support to landlords through a variety of ways including our website, a specific private sector officer at NHA, regular newsletters, forums and officer advice and assistance. Whilst completing the homelessness review, feedback highlighted that landlords would like more support and assistance with households if things go wrong further into the tenancies.

Supporting Tenants

The ideal tenant is someone who cares for and keeps the property tidy, doesn't cause anti-social behaviour or a nuisance to neighbours and pays the rent on time.

We recognise that an effective way of preparing customers for independent living and giving them a greater chance of sustaining their tenancy successfully is to provide pre-tenancy training. However, during consultation on this strategy our partners indicated that the provision of pre tenancy training could mean that for those that do not participate in such training, it's becoming even harder to access accommodation. We support the offer of pre tenancy training and any work that prepares customers for the realities of independent living.

We will always seek to maximise the income of our customers and ensuring they are able to access all the benefits to which they are entitled. We recognise customers with money problems can be at high risk of losing their current accommodation if they don't pay their rent. If appropriate we will support our customers to access money and benefit advice and Discretionary Housing Payments (DHPs).

We will

- Continue to work with our register provider partners to ensure that the nominations through Housing register are working and we gain appropriate access to Social Housing Stock.
- Continue to work with registered providers to increase the supply of social housing. Opportunities for this are through section 106 agreements with private developers or through registered providers undertaking their own independent housing developments. The Housing strategy will continue to monitor and feed into this area of our activity.
- Review and develop the private rented sector offer in the Borough.
- Continue to work and engage with landlords, estate and letting agents in the Borough.
- Investigate opportunities where our homelessness households can access empty properties that have been brought back into use.
- Continue to ensure that information is readily available to landlords to facilitate understanding of the responsibilities involved in rented properties.

- Continue to ensure that our customers are offered a full range of advice and assistance to maximise their income.
- Work with our partners to identify ways to encourage and take on pre-tenancy training.

Priority 3

Work in partnership to address homelessness in Newcastle

Tackling homelessness and rough sleeping requires collective actions across the Borough. No one person or organisation can deliver solutions to homelessness on their own. We want to make sure throughout this strategy, that our partners understand what is needed to reduce homelessness and how important their contributions are.

3.1 Partnership Working

Effective partnerships are key to preventing homelessness, this ethos has been strengthened further by the HRA, the need to identify any underlying issues and risks our customers may have is paramount in enabling us to intervene and either prevent or address homelessness. This means encouraging our partners to work with us by fully embracing the prevention ethos in the delivery of their services. Alongside this, is the new Duty to Refer within the Homelessness Reduction Act 2017, it is becoming increasingly necessary to ensure that different services embed the prevention ethos within their work streams.

Our Homelessness services are commissioned by the Council in partnership with a number of organisations who deliver services on our behalf. In addition to the services we commission there are a wide range of organisations who provide services which assist in tackling homelessness without receiving any funding from us, these include support providers, housing providers, the advice sector, the voluntary sector, charities, churches and other faith groups. Other statutory agencies such as probation, health and social care providers and education also have a pivotal role.

We understand that just like us, there is an uncertainty for our partners in relation to what demands are going to be placed upon them in the future and therefore it is important to ensure that all our services run efficiently and customers are swiftly referred to organisations already providing assistance, we co-ordinate as many services energies, ideas, talents and expertise as possible.

We believe that through the work of our previous homelessness strategies we have built and developed a wide range of successful partnerships, in this strategy we will continue to strengthen those relationships with particular focus being given to mitigating the impacts of Welfare Reforms, Domestic Abuse and improving the health and wellbeing of our customers.

3.1.1 Mitigating the impact of Welfare Reform

The impact of welfare reform is something we cannot address in isolation. The reforms have reduced the income levels of many households, placed restrictions upon the type of housing a household can apply for and resulted in additional rental costs for those who are seen as under occupying tenancies.

Universal Credit which is administered by the Department of Works and Pensions, provides a single monthly payment to one member of the household, this is paid in arrears.

Potential implications for our customers include debt, rent arrears, an increased demand for smaller properties and housing transfers, budgeting and money management issues as households move onto Universal Credit and a higher risk of those in financial difficulties of becoming homeless. In order to

limit the risk of homelessness arising from the changes brought about by welfare reforms, we will need to manage the impacts and work closely with our partner agencies.

To date we have been proactive in addressing the impacts of the reforms and have trained staff so they are able to prepare, support and advise households affected by the changes. Customers are regularly referred to appropriate services, which provide financial and money advice about benefits, budgeting and debt management.

3.1.2 Domestic Abuse

Domestic abuse remains a main cause of homelessness in the Borough, with many presentations made by Domestic Abuse survivors. Households at risk of domestic abuse often have to leave their homes and the area they have lived. Alongside our role in tackling homelessness we also have an active role in identifying and referring victims for help and support.

Newcastle has a well-established multi agency response to domestic abuse and we are a key partner in local domestic violence partnerships and when appropriate provide representation at the Newcastle Multi Agency. We have also been successful in the receipt of a joint funding bid with Stoke-on-Trent and Staffordshire Moorlands Councils and Glow. The funding has provided a joint domestic abuse housing advice advocate that operates across the three local authority areas plus units of supported accommodation in the private sector, again spread across the three local authority areas.

3.1.3 Improving the health and wellbeing of our customers

Housing has always had a significant role in helping to improve people's health, be it through the homelessness prevention work we deliver to the provision of grants and adaptations that enable people to stay in their own homes. These services have always been part of our role, however, historically there has been little co-ordination between the delivery of housing and health services. Local clinical commissioning groups are now responsible for the commissioning of healthcare services and local health and wellbeing boards are now responsible for determining their commissioning priorities.

The links between health and homelessness are recognised but there remain health inequalities for those that are homeless or insecurely housed. Our team at NHA are increasingly seeing more people with complex needs. Mental health, drug and alcohol services are vital, as are basic primary health care requirements such as being able to see a GP, health visitor or a dentist, and access routine health screening services.

3.2 Housing Pathways

The Homelessness Reduction Act 2017 identifies the need for local authorities and their partners to develop clear housing pathways that include accommodation and support for key client groups. As a non-stock holding local authority it is clear that we can't do this alone.

We acknowledge that for some of our most vulnerable customers a more bespoke pathway approach would benefit their journey from institutional and supported accommodation into more settled and sustainable long term accommodation. We have identified that at present the key client groups that would benefit most from a housing pathways approach are vulnerable adults with complex needs and young people.

Young people are particularly vulnerable and we will work with services that specialise in providing specialist support and assistance to young people. There is a Staffordshire wide protocol for 16 & 17 year olds, which we are signed up to. However, we have a lack of emergency accommodation for this

age group and will be looking at ways of increasing future provision. Effective joint working with Children Services is crucial in assessing and supporting the often chaotic needs of young people.

3.2.1 Personal Housing Plans

As a local housing authority the Homelessness Reduction Act 2017 requires us to carry out an assessment on all cases who are eligible. Following this assessment we must work with the customer who has applied for help, to agree actions to be taken by both parties to ensure that the person has and is able to retain suitable accommodation. Depending upon individual needs of the customer, the personal housing plans will include the involvement of a wide range of our partner agencies.

3.2.2 Duty to refer

The Homelessness Reduction Act 2017 also places a duty on certain agencies to refer their customers if they are at risk of becoming homeless. This is to ensure that an individual's housing situation is considered when they come into contact with wider public services. It should also encourage all of those involved in building stronger relationships based on local need and circumstances. Those with a duty include public authorities working in the criminal justice system, hospitals, social care services, job centres and the armed services.

Our work around developing sustainable housing pathways is an important element which also contributes to priority 1 – preventing homelessness.

3.3 Working in partnership to support the development of diversional activities, employment, skills and training

We recognise that employment, education, training and the development of skills all play a role in preventing homelessness. However it can be difficult for unemployed people to get back into work and even harder to get and hold down a job when homeless. During our consultation process our partners also identified that more needed to be done to support individuals into diversional activities which would result in doing something meaningful with their time, prior to entering more formal employment or education opportunities. The benefits of offering opportunities to learn new life skills, participate in activities can improve health and wellbeing whilst also addressing isolation. The development of opportunities for planned activities is something we are keen to see an increase of within the Borough. Our partnership's team is currently involved in a restorative justice pilot project which is working with partners to get people involved in a variety of worthwhile activities in the Borough to fill their time.

3.4 Delivery of our Strategic Aims

3.4.1 Homelessness Forum

The main forum to drive forward the aims, objectives and actions from this strategy is our Homelessness Forum. The forum is made up of strategic partners and stakeholders who provide accommodation and support services within the Borough. The forum acts as a platform to share good practice, information and for us to provide direction on our strategic responsibilities. The forum also aids us with our commissioning requirements, as we are able to consult with partners over the development of future services based upon local needs.

3.4.2 Rough Sleeper's Action Group

This is a long standing multi-agency group that comes together fortnightly with the aim of collectively working through solutions for individual rough sleepers across both Newcastle and Stoke On Trent. The group has a broad membership and is always well attended, members discuss the needs of individuals and produce targeted actions which support our rough sleepers off the streets. Each

member is signed up to an information sharing agreement which enables intelligence to be shared across the group swiftly.

We will

- Challenge and resolve barriers to effective service delivery across the Borough.
- Continue to work on the development and improvement of protocols and pathways with statutory and voluntary providers which will enhance access opportunities and prevent homelessness.
- Build on the current referral arrangements introduced under the Duty to Refer within the HRA to other agencies.
- Continue to develop joint working relationships, raise awareness of joint initiatives and when appropriate implement joint training.
- Ensure we continue to monitor and identify our local needs, and be able to feed these into future strategic plans.
- Work with those who deliver drug and alcohol services to ensure joined up support is in place.
- Ensure our homelessness services are accessible to all our customers and partners.

Priority 4

Tackling Rough Sleeping

The Government aims to halve rough sleeping by 2022 and end it by 2027. In August 2018 it launched its National Rough Sleeping Strategy, within the strategy is the requirement that all Homelessness Strategies are reviewed and rebadged by the end of 2019 to include a specific focus on addressing rough sleeping. The National strategy has three pillars, prevention, intervention and recovery. Whilst recognising that rough sleeping is the most extreme form of homelessness the strategy acknowledges that to fix it, requires that the whole system is working to prevent all forms of homelessness.

At a local level the number of people sleeping rough is low, but is still too many. No one should have to sleep rough and we need to ensure we have sufficient provision in place to support people sleeping rough. We have seen an increase in the number of individuals at risk of rough sleeping and the number of referrals made to our outreach service. The number of individuals who sleep rough remain in single figures per night and have been relatively comparative to previous years; however we recognise that more must be done to provide appropriate pathways off the streets for those who are sleeping rough in our Borough.

We have also seen a dramatic increase in begging particular in the town centre by people who may look homeless but are not necessarily homeless. Public awareness of homelessness (in particular rough sleeping) and its impact on people and communities has grown significantly.

Outreach Service

We jointly commission our Rough Sleeper's Outreach service with Stoke-on-Trent City Council, the service provides assertive outreach and support to those who are sleeping rough within the boundaries of Newcastle and Stoke-on-Trent. The support provided aims to help rough sleepers move off the streets with a view of securing accommodation and access to other services. The service follows the No Second Night out ethos, where the aim is for no one to spend a second night sleeping rough. We have had this joint commissioning arrangement for a number of years and the service works very well across both areas with an extensive knowledge base.

Rough Sleeper Co-ordinator

A successful bid was made to the MHCLG Rough Sleeper Initiative funding to provide a Rough Sleeper Co-ordinator for the Borough. The role has a wide remit and works with all who have an interest in rough sleeping, ranging from council staff & members, partners who provide services that support rough sleepers. The role will also develop working relationships, develop initiatives, promote services and reach out to all areas of our communities. The responsibility of the role is to ensure rough sleeping issues are understood more widely and to work with all areas to collectively deliver a joined up approach on the rough sleeping aims within this strategy. This role also leads on any rough sleeping funding opportunities, business cases and also works with the MHCLG to share best practice and provide monitoring.

We will

- Via our outreach service continue to respond to reports of rough sleeping and ensure this response adequately engages with rough sleepers.
- Raise awareness to the public on the extent of homelessness and rough sleeping and street begging and what the council and partners are doing about it.
- Develop the local make it count scheme.
- Look at options which would support the accommodation of people rough sleeping including the severe weather emergency protocol (SWEPE) to ensure a multi-agency approach can be called upon to end their street homelessness.
- Develop closer links with voluntary and community agencies, such as foodbanks and faith based organisations to promote effective local responses and consistency in tackling homelessness across the Borough.
- Ensure those considered not in 'priority need' receive the same level of advice and assistance as those who trigger the statutory definition.
- Explore the viability of launching a Housing First model of support to the most complex and vulnerable to sustain tenancies.
- Deliver, monitor and review existing rough sleeping services to ensure value for money and the objectives are met.
- Work closely with the MHCLG rough sleeper advisor on existing and new grant opportunities to shape services for 20/21 and beyond.
- Gather data on the rough sleeping population to inform future bids for funding and feed into future service provision.
- Work with other statutory partners on identifying gaps in services for the most complex individuals.

Action Plan

Priority 1	Preventing Homelessness			
Action	Lead Responsibility	Resources	Timescale	Comments
Ensure that the prevention and relief of homelessness remains the primary focus at NHA.	Housing Strategy	Within current resources	Ongoing for the duration of strategy.	
Monitor and act upon the impact of the Homelessness Reduction Act 2017 within our services and partners	Housing Strategy Homelessness Forum	Within current resources	Monitor quarterly and review annually	
Annually review our Homelessness Strategy	Housing Strategy Homelessness Forum	Within current resources	Annually	
Respond to local needs when embarking upon the procurement of future homelessness services	Housing Strategy	Within current resources	Ongoing	Mapping current provision, consider best practice and consider the feasibility of implementing in the Borough.
Priority 2	Supporting Households into sustainable housing solutions			
Action	Lead Responsibility	Resources	Timescale	Comments
Continue to work with our register provider partners to ensure that the nominations through Housing register are working and we gain appropriate access to Social Housing Stock	Housing Strategy Lettings Forum	Within current resources	Quarterly	Quarterly monitoring via the lettings forum

Continue to work with registered providers to increase the supply of social housing	Housing Strategy and Development Control	Within current resources.	Ongoing	
Review and develop the private rented sector offer in the Borough	Housing Strategy NHA	Within current resources.	2021	
Continue to work and engage with landlords, estate and letting agents in the Borough	Housing Strategy	Within current resources	Ongoing	
Investigate opportunities where our homelessness households can access empty properties that have been brought back into use	Housing Strategy Private Sector Housing	Within current resources	2020	
Continue to ensure that information is readily available to landlords to facilitate understanding of the responsibilities involved in rented properties	Housing Strategy	Within current resources	Ongoing	
Continue to ensure that our customers are offered a full range of advice and assistance to maximise their income	Housing Strategy Partnerships	Within current resources Commissioning Budgets	Ongoing	
Work with our partners to identify ways to encourage take up on pre tenancy training	Housing Strategy Registered Providers	Within current resources	2020	
Priority 3	Work in partnership to address homelessness			

Action	Lead Responsibility	Resources	Timescales	Comments
Challenge and resolve barriers to effective service delivery across the Borough	Housing Strategy	Within current resources	Ongoing	
Continue to work on the development and improvement of protocols and pathways with statutory and voluntary providers which will enhance access opportunities and prevent homelessness	Housing Strategy	Within current resources	Ongoing	
Build on the current referral arrangements introduced under the Duty to Refer to other agencies within the HRA	Housing Strategy NHA	Within current resources	2020	
Continue to develop joint working relationships, raise awareness of joint initiatives and when appropriate implement joint training	Housing Strategy	Within current resources	Ongoing	
Ensure we continue to monitor and identify our local needs, and be able to feed these into future strategic plans.	Housing Strategy	Within current resources	Ongoing	
Work with those who deliver drug and alcohol services to ensure joined up support is in place	Housing Strategy Drug and Alcohol Services	Within current resources	2020	

Work with those who deliver mental health services to ensure joined up support is in place	Housing Strategy Mental Health Services	Within current resources	2020	
Ensure our homelessness services are accessible to all our customers and partners	Housing Strategy NHA	Within current resources	Ongoing	
Priority 4	Tackling Rough Sleeping			
Action	Lead Responsibility	Resources	Timescale	Comments
Via our outreach service continue to respond to reports of rough sleeping and ensure this response adequately engages with rough sleepers	Outreach Service Manager	Commissioning funds	Ongoing – quarterly monitoring via contract	
Raise awareness to the public on the extent of homelessness and rough sleeping and street begging and what the council and partners are doing about it	Rough Sleeping Coordinator Partnerships	RSI Funding	2020	
Develop the local make it count scheme	Rough Sleeping Coordinator Partnerships	RSI Funding	2020	
Look at options which would support the accommodation of people rough sleeping including (the severe weather emergency protocol (SWEP)) to ensure a multi-agency approach can be	Rough Sleeping Coordinator	RSI Funding	2020	

called upon to end their street homelessness				
Develop closer links with voluntary and community agencies, such as foodbanks and faith based organisations to promote effective local responses and consistency in tackling homelessness across the Borough	Rough Sleeping Coordinator	RSI Funding	2020	
Ensure those considered not in 'priority need' receive the same level of advice and assistance as those who trigger the statutory definition	Housing Strategy NHA	Housing Advice Service Contract Funding	Ongoing	Quarterly monitoring contract
Explore the viability of launching a Housing First model of support to the most complex and vulnerable to sustain tenancies	Housing Strategy Rough Sleeping Coordinator	Within current resources	2020	
Deliver, monitor and review existing rough sleeping services to ensure value for money and the objectives are met	Rough Sleeping Coordinator	Within current resources	Ongoing	Current outreach contract expires in 2020
Work closely with the MHCLG rough sleeper advisor on existing and new grant opportunities a to shape services for 20/21 and beyond	Rough Sleeping Coordinator	RSI Funding	Ongoing	

Gather data on the rough sleeping population to inform future bids for funding and feed into future service provision	Rough Sleeping Coordinator	RSI Funding	2020	
Work with other statutory partners on identifying gaps in services for the most complex individuals	Housing Strategy Rough Sleeping Coordinator	Within current resources	2020	

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO ECONOMY, ENVIRONMENT AND PLACE SCRUTINY COMMITTEE

17 December 2019

Report Title: Walley's Quarry Landfill

Submitted by: Darren Walters – Environmental Health Business Manager

Portfolios: Environment and Recycling

Ward(s) affected: Keele, Knutton, Silverdale, Thistleberry, Town and Westlands.

Purpose of the Report

To provide members with details regarding Walley's Quarry Landfill Site and information on the current issues giving the local community cause for concern regarding the operations and impacts of the site.

To consider the request made by Council on 20th November 2019 in respect of concerns raised by Members.

Recommendation

1. That Scrutiny receives the report and agrees to undertake a detailed examination of the concerns raised and receive input from relevant stakeholders.

Reasons

In accordance with the Council's Constitution (adopted February 2019) The Economy, Environment and Place Scrutiny Committee is able to consider any matter within its remit affecting the Borough or its community.

1. **Background**

- 1.1. At Full Council on the 20th November 2019, questions were tabled regarding the Borough Council's role and that of other regulators in relation to the investigation and resolution of odour complaints made about the landfill operations at Walley's Quarry Landfill Site on Cemetery Road Silverdale and the impacts on the health of residents living and working in the surrounding community from hydrogen sulphide emissions.
- 1.2. Members received a comprehensive response to the questions tabled. These are detailed in Appendix 1.
- 1.3. During the discussion that took place the Leader of the Council made a request that this matter be referred to the Economy, Environment and Place Scrutiny Committee for further consideration.
- 1.4. This Committee is able to undertake an examination of the issues giving cause for concern, including requesting the attendance of key stakeholders involved in the operation and regulation of the landfill activities, and to produce a report detailing its findings and recommendations for further action.

2. **Issues**

- 2.1. Walley's Quarry Landfill is located off Cemetery Road Silverdale and borders three electoral wards, Thistleberry, Silverdale and Knutton. The landfill is located on the site of a former clay extraction quarry. The location of the landfill site is shown in the plan in Appendix 2.
- 2.2. The current landfilling operations are giving rise to significant cause for concern about impacts on health, wellbeing and the environment in the surrounding communities. These concerns cover the following matters:
- Nuisance from gull activity and number of gulls;
 - Odours impacting the community in their homes, workplaces and outdoor environment;
 - Highway safety concerns relating to waste vehicles accessing the site;
 - Material falling from waste vehicles and
 - Concerns about the impact of emissions to land, air and water.
- 2.3. The current operator of the landfill is Red Industries RM Ltd (RED), who is legally responsible for complying with the terms of the Environmental Permit issued by the Environment Agency. Site activities are also regulated through planning permissions issued by Staffordshire County Council (SCC) as the Waste Planning Authority (WPA).
- 2.4. The landfill is currently permitted by the EA to receive 250,000 tonnes of waste per annum. The EA has temporarily allowed an increase in waste inputs up to 400,000 tonnes per annum pending a decision on a variation application made by RED to the EA in 2019 to permanently increase the waste inputs to 400,000 tonnes per annum.
- 2.5. The landfill has been in operation since 2007 and has planning permission for the tipping of non-hazardous waste until 2026, followed by the tipping of inert materials up until 2042. The site is required through the planning permission be fully restored by 2042 in accordance with details previously approved by SCC.
- 2.6. Post closure, the site will continue to be the legal responsibility of RED, with ongoing duties under the environmental permit until such time as the EA formally accept surrender of the environmental permit.
- 2.7. The roles and responsibilities of various parties concerned with the landfill are detailed as follows:

2.7.1. Red Industries RM Ltd (RED)

- 2.7.1.1. RED are the current landfill operators and holders of Environmental Permits (issued by the EA) which allows:-
- the operation of a Non-Hazardous waste landfill with a separate cell for Stable Non-Reactive Hazardous Waste (gypsum and asbestos). The permit also allows the operation of:
 - a leachate treatment plant for management of leachate arising from the landfill
 - landfill gas engine and flare for treatment and utilisation of landfill gas from the landfill
 - the treatment of waste to produce soil, soil substitutes and aggregates.

Monitoring is required for landfill gas, leachate, surface water and groundwater at a number of points at the facility at different frequencies (weekly, monthly, quarterly and annually).

- 2.7.1.2. RED are legally responsible for compliance with the Environmental Permit conditions along with compliance with the planning permission for the site.

2.7.1.3. A copy of the current Environmental Permit is available to view at <https://www.redindustries.co.uk/walleys-landfill-community/>

2.7.2. Planning Permission (Staffordshire County Council)

2.7.2.1. Staffordshire County Council are the Waste Planning Authority for the landfill. Landfilling at Walley's Quarry commenced in January 2007 in accordance with a planning permission which provides for the tipping of non-hazardous wastes until 2026 followed by tipping of inert waste materials up until 2042 and also the final secures the restoration of the site in accordance with approved details.

2.7.2.2. On 9 September 1992 an Interim Development Order (IDO) permission at Walley's Quarry was formally registered with the County Council and approval was sought for a Scheme of Conditions to be attached to that permission (ref. IDO/N/1).

2.7.2.3. The Scheme of Conditions was reported to the County Council's Planning Committee where it was resolved to amend several conditions and an amended IDO Scheme of Conditions was issued on 17 June 1994. This decision was appealed and a decision was received from the Secretary of State for the Department of Environment, Transport and Regions on 14 November 1997 this sets out the conditions relating to the planning permission for the winning and working of minerals and the depositing of waste. This permission contains conditions which cover the following matters, hours of operation, number of total HGV movements to and from the site across a working week, restoration and aftercare of the site, wheel washing, noise, mud and dust control and the period during which landfilling must cease.

2.7.2.4. Planning permission was granted in 13 March 2009 for the construction of a landfill gas utilisation compound to control and convert gas into electricity (ref. N.09/01/216 MW).

2.7.2.5. A review (ref. N.12/09/216 MW) of the IDO permission in accordance with the Environment Act 1995 was submitted in July 2013. The review was determined by the SCC in 2014 and a number of planning conditions were updated.

2.7.2.6. Monitoring of compliance with planning conditions is the responsibility of SCC.

2.7.2.7. Details of the planning history for the landfill can be found on SCC Planning Portal

2.7.3. Environmental Permit (Environment Agency)

2.7.3.1. The Environment Agency issued an Environmental Permit for Walley's Quarry's Landfill site on the 9 June 2005, to Lafarge Aggregates Limited.

2.7.3.2. The permit was transferred to RED on the 3 November 2016.

2.7.3.3. The permit allows the operation of a Non-Hazardous waste landfill with a separate cell for Stable Non-Reactive Hazardous Waste (gypsum and asbestos). The operator has never used a separate cell and therefore (SNRHW) is not accepted.

2.7.3.4. The total quantity of waste allowed to be accepted at the facility is 250,000 tonnes per year. Non-Hazardous waste includes municipal and industrial wastes.

2.7.3.5. The permit also allows the operation of:

- a leachate treatment plant for management of leachate arising from the landfill
- landfill gas engine and flare for treatment and utilisation of landfill gas from the landfill

- 2.7.3.6. Monitoring is required for landfill gas, leachate, surface water and groundwater at a number of points at the facility at different frequencies (weekly, monthly, quarterly and annual)
- 2.7.3.7. Landfill sites are required to hold an Environmental Permit, with the conditions of the permit and its regulation meeting with the requirements of The Landfill Directive (EU Directive 1993/31/EC).
- 2.7.3.8. The Landfill Directive is enacted into English law under The Environmental Permitting (England and Wales) Regulations 2016, and subsequent amendments. These regulations also provide the mechanism to regulate permitted activities, including landfills.
- 2.7.3.9. The objective of the Directive and resulting permit conditions is to prevent or reduce as far as possible negative effects on the environment, in particular on surface water, groundwater, soil, air, and on human health from the landfilling of waste by introducing stringent technical requirements for waste and landfills. For these purposes, the landfill operator is required to operate their site by employing Best Available Techniques (BAT).
- 2.7.3.10. The Landfill Directive defines the different categories of waste (municipal waste, hazardous waste, non-hazardous waste and inert waste) and applies to all landfills, defined as waste disposal sites for the deposit of waste onto or into land. Landfills are divided into three classes:
- landfills for hazardous waste;
 - landfills for non-hazardous waste;
 - landfills for inert waste.
- 2.7.3.11. A standard procedure for the acceptance of waste in a landfill is laid down so as to avoid any risks, including:
- waste must be treated before being landfilled;
 - hazardous waste within the meaning of the Directive must be assigned to a hazardous waste landfill;
 - landfills for non-hazardous waste must be used for municipal waste and for other non-hazardous waste;
 - landfill sites for inert waste must be used only for inert waste;
 - criteria for the acceptance of waste at each landfill class must be adopted by the Commission in accordance with the general principles of Annex II.
- 2.7.3.12. The following wastes may not be accepted in a landfill:
- liquid waste;
 - flammable waste;
 - explosive or oxidising waste;
 - hospital and other clinical waste which is infectious;
 - used tyres, with certain exceptions;
 - any other type of waste which does not meet the acceptance criteria laid down in Annex II of the Landfill Directive.
- 2.7.3.13. The Directive sets up a system of operating permits for landfill sites. Applications for permits must contain the following information:
- the identity of the applicant and, in some cases, of the operator;
 - a description of the types and total quantity of waste to be deposited;
 - the capacity of the disposal site;
 - a description of the site;
 - the proposed methods for pollution prevention and abatement;
 - the proposed operation, monitoring and control plan;
 - the plan for closure and aftercare procedures;
 - the applicant's financial security;

- an impact assessment study, where required under Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment.

- 2.7.3.14. Member States must ensure that existing landfill sites may not continue to operate unless they comply with the provisions of the Directive.
- 2.7.3.15. The current landfill permit, application documentation, information required from the operator to comply with permit conditions, inspections, investigations and monitoring undertaken by the EA are all a matter of public record. This information can be found on the Environment Agency Public Register which it is required by law to keep.
- 2.7.3.16. Compliance with the Environmental Permit is assessed by trained and experienced officers of the Environment Agency, and follows various technical protocols and procedures. Inspections and reports follow EA published policy and result in the production of Compliance Assessment Report (CAR) form. A copy of the form is left provided to the permit holder, with a copy also appearing on the EA's public register. Guidance on inspections and the production of CAR forms can be found at <https://www.gov.uk/government/publications/assessing-and-scoring-environmental-permit-compliance/assessing-and-scoring-environmental-permit-compliance>
- 2.7.3.17. The Environment Agency undertook an assessment of emissions from the landfill in 2018. This report has been published and for the pollutants monitored has not identified any exceedances of health based standards. It did however identify hydrogen sulphide emissions from two sources, these being from the landfill and the Silverdale Road sewage pumping station. This report is available to view at <https://www.redindustries.co.uk/walleys-landfill-community/>
- 2.7.3.18. A further more in depth study was undertaken by the EA in 2019. The results of this study are anticipated to be published by the end of 2019. In the interim, the EA have advised that the range of pollutants monitored in 2019 has not identified any exceedances of relevant World Health Organisation standards.

2.7.4. Newcastle under Lyme Borough Council - Environmental Health & Planning

Planning:

- 2.7.4.1. The Borough Council is the local planning authority with responsibility for planning matters in the area surrounding the site. It has no planning responsibility for current activities on the site as these fall within the remit of SCC as the Minerals and Waste Planning Authority.
- 2.7.4.2. In recognition of the environmental impacts of landfills and proximity to the surrounding residential areas, the Borough Council has sought to resist the use of the former quarry for landfilling both through the 1992 IDO application to the County Council and the subsequent appeal to the Secretary of State.
- 2.7.4.3. The Council in its capacity as the local planning authority also sought to resist residential development in close proximity to the site by refusing planning permission for residential development on the Hamptons Field site at Keele Road, citing grounds for refusal to include adverse impact on residential amenity caused by pollution from odours. The refusal of planning permission was subsequently appealed to the Planning Inspectorate (PI). The Council put forward a robust argument, supported by expert evidence about the then impacts of landfill odours and likely future impacts on the development and surrounding communities. The PI however granted permission for residential development and in dismissing the argument about odour impacts, made reference to national planning policy which assumes that pollution control regimes operate effectively and that this would protect amenity. The Planning Inspectorate decisions effectively mean that the Council is no longer able to refuse permission for development due to impacts of the landfill.

- 2.7.4.4. The Planning Inspectorate's decision can be viewed at <https://acp.planninginspectorate.gov.uk/ViewCase.aspx?CaseID=3138033&CoID=0>

Environmental Health:

- 2.7.4.5. The Council's Environmental Health Division is investigating complaints about odour where it affects people in their home or workplace to determine if the odour can be actioned as a statutory nuisance for the purposes of Part III of the Environmental Protection Act 1990. (EPA 1990) The Council is under a legal duty to undertake a reasonable investigation into complaints about odour nuisance which has the potential to unreasonably interfere with the reasonable use and enjoyment of a person's premises.
- 2.7.4.6. In relation to the legal role of the Council, where there is evidence which shows that the odour is actionable as a "statutory nuisance" and this can be linked back to the activities of the landfill, the Council is legally required to serve a nuisance abatement notice on the landfill operator. The decision on whether a matter constitutes an actionable statutory nuisance or not, is delegated to Environmental Health Officers who are trained and experienced in the assessment of statutory nuisances and the law.
- 2.7.4.7. An abatement notice cannot require the cessation of landfilling activities or the closure of the site. As with any notice there is a right of appeal on a number of specified grounds. In the event of an appeal, it would be for a Magistrates' Court to determine if the appeal grounds are met with the court then being able to confirm cancel or vary the notice.
- 2.7.4.8. A breach of an abatement notice is a criminal offence, however as the site is permitted by the Environment Agency, any decision by the Council to prosecute for non-compliance would require the formal approval of the Secretary of State. This is because the criteria for complying with an abatement notice served by the Council upon a business and the Environmental Permit issued by the Environment Agency are essentially the same.
- 2.7.4.9. Anyone affected by the activities of the site can also take their own action under section 82 of the Environmental Protection Act 1990.
- See the following for further information on the interaction between statutory nuisance and environmental permitting: <https://www.gov.uk/government/publications/environmental-permitting-guidance-statutory-nuisance/interaction-between-environmental-permitting-and-local-authorities-statutory-nuisance-duties-web-version>.
- 2.7.4.10. Complaints about the landfill can be made to the Council either in person, via the phone or online <https://account.newcastle-staffs.gov.uk/xfp/form/151>. Complaints made during the working day are sent through to officer's mobile phones, and officers are attempting to witness complaints reported as happening now and which are affecting people in their home or workplace. Visits are being made in pairs to ensure officer safety.
- 2.7.4.11. The Environmental Health Division has also published a dedicated webpage which provides details on the role of the council and others and also gives factual information and details Frequently Asked Questions <https://www.newcastle-staffs.gov.uk/all-services/environment/environmental-health/walley%E2%80%99s-quarry-%E2%80%93-what-we-can-do>
- 2.7.4.12. In respect of the current permit variation, officers from the Environmental Health Division have authored consultation responses on behalf of the Council which have been formally submitted to the EA These acknowledge the current issues of community concern and provide reasoned arguments objecting to the current permit variation application. The consultation responses are public documents.

2.7.5. Public Health England

- 2.7.5.1. Officers from the Council's Environmental Health Division have been and remain in contact with Public Health England (PHE). PHE review data relating to GP consultations and call's to NHS 111 to identify issues of local concern which require further investigation. PHE scientists also provide advice to government and regulators based on scientific research and understanding. PHE have provided the following comments to officers concerning the landfill site and current issues of community concern.
- 2.7.5.2. *PHE has not been presented with any environmental data relating to pollutant levels post February 2018, neither has PHE received any analysis regarding site-related odour complaints related to either local meteorological conditions or on-site practices. With respect to gull activity associated with the site, we would not anticipate that this should pose an issue on a well-run and maintained site, and should be controlled by adherence to environmental permit conditions.*
- 2.7.5.3. *PHE have assessed the environmental data provided by the EA (July 2017-February 2018) and note that these levels are low and would not expect there to be any long-term health consequences. However, odour can be a cause of stress and anxiety, even when the substances causing the odours are not harmful to health at the levels detected at these locations.*
- 2.7.5.4. *If residents have health concerns they are advised to contact their local GP, who (in turn) can seek advice from PHE.*
- 2.7.5.5. *From analysis of syndromic surveillance data for the period up to February 2018, PHE has no evidence at this stage of an increase in GP consultations or calls to NHS 111 by the neighbouring population for symptoms of breathing difficulties or eye problems. We are in the process of obtaining an update for the subsequent period.*
- 2.7.5.6. *PHE does not normally comment on individual research studies, instead reaching a view based on the weight of new and existing evidence. With respect to landfills, PHE's position is that living close to a well-managed landfill site does not pose a significant risk to human health. PHE is continuing to review the evidence base and this work is ongoing.*

2.7.6. Walley's Quarry Landfill Liaison Committee

- 2.7.6.1. It is a requirement of the county council issued planning permission, through a section 106 obligation, that the landfill operator sets up and operates a landfill liaison committee.
- 2.7.6.2. This committee has been in operation since the landfilling operations commenced in 2007. It operates in accordance with agreed Terms of Reference. The liaison committee is a forum for the local committee representatives to raise issues relating to the landfill operation but has no formal powers to act. This committee meets quarterly. Its membership consists of representative's from the following organisations:
1. Red Industries RM LTD (Current landfill operator and Environmental Permit holder)
 2. Environment Agency (National regulator for landfills)
 3. Staffordshire County Council (Waste Planning Authority and regulator for planning permission conditions)
 4. Newcastle under Lyme Borough Council officers (Environmental Health and Planning)
 5. Thistleberry Residents Association
 6. A residents representative from the local community
 7. A representative from Silverdale Parish Council
 8. Two County councillors (one of which also chairs the liaison committee)
 9. A councillor from the Thistleberry ward
 10. A councillor from the Silverdale ward
 11. A councillor from the Knutton ward

2.7.6.3. The liaison committee meeting minutes are available to view at <https://www.redindustries.co.uk/walleys-landfill-community/>

3. **Proposal**

- 3.1. That committee gives consideration to the information received and decides what further action it wishes to take in relation to the local community concerns arising from this site.
- 3.2. Scrutiny may wish to receive evidence from a number of Agencies and organisations such as:
- Red Industries;
 - Environment Agency,
 - Staffordshire County Council (Minerals and Waste Planning);
 - Staffordshire County Council Highways;
 - Staffordshire Police;
 - Public Health England;
 - Newcastle-under-Lyme Borough Council's Environmental Health and Planning Departments;
 - Thistleberry Residents Association;
 - Silverdale Parish Council;
 - Stop the Stink Campaign;
 - Newcastle under Lyme BID
 - A representative on behalf of the businesses located along Cemetery Road, Silverdale

4. **Reasons for Proposed Solution**

- 4.1. There is significant community concern about the impact on health, wellbeing and environment caused by the landfilling operations and related activities.
- 4.2. The scrutiny process provides a structured publicly accessible forum to formally acknowledge the issues of community concern, to hear factual information about the role and responsibilities of the landfill operator; the role and responsibilities of respective agencies and regulators; impact on the communities surrounding the site, current research and understanding of landfill impacts on health, wellbeing and the environment and where appropriate to do so to make recommendations for further consideration.

5. **Options Considered**

- 5.1. The 20th November 2019 Council resolved that this matter be referred to the Economy, Environment and Place Scrutiny Committee.
- 5.2. There are a number of options available for scrutiny to consider this matter. Council has outlined a preferred approach as detailed in 1.3.

6. **Legal and Statutory Implications**

- 6.1. The role and remit of scrutiny committee's is governed by the [Borough Council's Constitution](#).
- 6.2. The legal responsibility for the operation of the landfill site lies with the operator, Red Industries RM Ltd.

7. **Equality Impact Assessment**

- 7.1. Not applicable

8. **Financial and Resource Implications**

8.1. There is officer time involved in the investigation of complaints falling within the Councils remit and supporting the scrutiny process. This will be met from within existing resources. However, depending upon decisions made by committee this may require additional technical or specialist external support for which there is no budget identified.

8.2. In terms of other Agencies, there will be impacts on officer time and resource.

9. **Major Risks**

9.1. Participation in the scrutiny process cannot be compelled. Without appropriate involvement of relevant parties, there is a risk of the scrutiny process not meeting its objectives.

9.2. Reports and recommendations of a scrutiny committee are not legally binding on any affected party. The process does however provide an opportunity for examination of the issues of concern and understanding of the roles and responsibilities of various parties. This also provides an opportunity for public involvement.

10. **Sustainability and Climate Change Implications**

10.1. Not applicable

11. **Key Decision Information**

11.1. Not applicable.

12. **Earlier Cabinet/Committee Resolutions**

12.1. The 20th November 2019 Council resolved that this matter be referred to the Economy, Environment and Place Scrutiny Committee.

13. **List of Appendices**

Appendix 1 – Questions put to Council 20th November 2019 and answers given
Appendix 2 – Location map of Walley's Quarry Landfill Site

14. **Background Papers**

Not applicable

Appendix 1 –
Questions put to Full Council 20th November 2019 and answers given

1. Councillor Fear asked for an update into the investigation into foul odours believed to be coming from Walley's Quarry.

The Portfolio Holder for Environment and Recycling, Councillor Trevor Johnson advised that the site was regulated by the Environment Agency. The Council had launched its own investigation into this which had shown a clear linkage of the site with the odour.

Over the past six weeks, complaints had risen and the complainants were being asked to keep records in order to build up a picture.

Officers of the Council were liaising with the Environment Agency and a meeting had taken place with RED Industries.

The Leader had written to the Secretary of State and had sought the support of the sitting MP. The Council's Chief Executive had recently written to the Environment Agency to ensure that the issue remained high on the agenda.

The Leader referred to odours from Walley's Quarry and stated that he would like to see the relevant Scrutiny Committee looking into this in more detail.

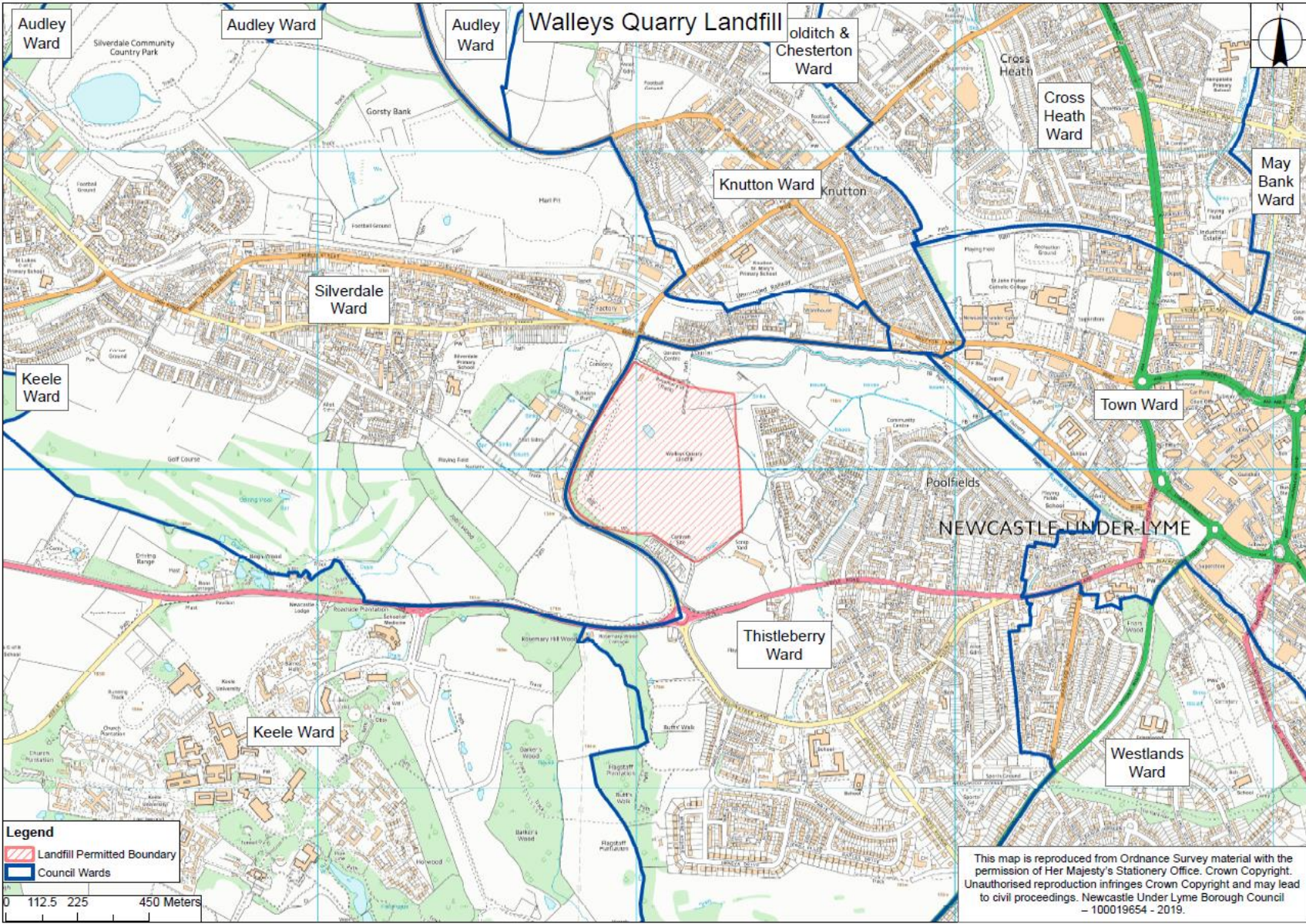
2. Councillor Jones asked the Portfolio Holder for Environment and Recycling if the landfill site at Wally's Quarry was producing hydrogen sulphite and if so, the quantities and finally a guarantee that this was not harmful to residents living near to the site.

Councillor Trevor Johnson advised the Environment Agency was undertaking air monitoring. The Environment Agency had, in 2017 carried out a study and concluded that the concentrations met the objectives. Another study was carried out earlier this year and those results were awaited. Members would be provided with the details once they were available.

Councillor Jones asked Councillor Trevor Johnson if he supported the concerns over health and the further investigation by Public Health England.

Councillor Johnson advised that he did support this and advised that the results of the Environment Agency investigation were expected by the end of the year.

Appendix 2 –
Location map of Walley's Quarry Landfill Site



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ECONOMY, ENVIRONMENT AND PLACE SCRUTINY COMMITTEE

Work Programme 2019/20

Chair: Councillor Gary White

Vice-Chair: Councillor G Heesom

Members: Jenny Cooper, Horsfall, Fear, Jones, Olszewski, Panter, Reddish, J. Tagg and Rout

Portfolio Holders covering the Committee's remit:

Councillor S Tagg, Leader – Corporate and Service Improvement, People and Partnerships (for Economic Development Strategy)

Councillor Trevor Johnson - Cabinet Member – Environment and Recycling

Councillor Paul Northcott - Cabinet Member – Planning and Growth



The following services fall within the remit of this Scrutiny Committee:

Planning Policy and Development Control	Facilities Management
Building Control	Recycling and Waste Management
Land Charges	Streetscene and Litter Control
Housing Strategy (incl Housing Advice and Homelessness) and Development	Crematorium and Cemeteries
Private Sector Housing	Climate Change, Sustainability and Energy Efficiency
Operational and Commercial Property Management	Environmental Enforcement
Strategic Transport	Environmental Health
Economic Development	Grounds Maintenance
Tourism	Community Open space
Taxi ranks	Parks and Gardens Maintenance
Bus Station	Flooding and Drainage
Markets	

Classification: NULBC **UNCLASSIFIED**

The core Work Programme is determined at the beginning of the municipal year. Issues can be added throughout the year with the Chair's approval or where a new priority area comes to the Committee's attention.

For more information on the Committee or its work Programme please contact Jayne Briscoe on 01782 742250 or at

Jayne.briscoe@newcastle-staffs.gov.uk

DATE OF MEETING	ITEM	BACKGROUND/OBJECTIVES
Wednesday 4 July 2018	Work Programme	To discuss the work programme and potential topics that Committee members would like to scrutinise over the forthcoming year
	Recycling Service - Update	Items listed at Chair's request. Relevant Officers and Cabinet members requested to attend.
	Grass Cutting Team – Performance	
	Arboriculture Department- Workload and Resource	
Planning/Development Control – Performance and Staffing		
Wednesday 26 September 2018	Work Programme	To discuss the work programme and progress of scrutiny activity and to consider any amendment/additions to the Programme
	Chair to report on Executive response to Tree Management representations	
	Recycling Service – Update	Report deferred from last Committee
	Borough Market Update	Committee to receive an interim update on the management of the Borough Market – report requested by Member of the Committee
	SMART Motorway (use of the hard shoulder as 4 th land)	Report to include action taken to lobby for the scheme to include Junction 15 – requested by Member of the Committee
	Representatives from the BID invited to attend the meeting	Request from Member of the Committee to look at how the Borough can support and help build a strategy to enhance the reputation of the Borough

Classification: NULBC **UNCLASSIFIED**

Thursday 13 December 2018	Work Programme	To discuss the work programme and progress of scrutiny activity and to consider any amendment/additions to the Programme
	Representatives from appropriate bodies invited to attend the meeting to enable Members to consider the issues surrounding development of the SMART Motorway and HS2	To encourage economic prosperity and development of our area
	Scrutiny of the charging policy at the Borough Town Centre car parks	Request from Members of the Committee to encourage footfall in the town centre
	Clarification of the Business Rates Support Scheme	Request from the BID
	Update on the planning and modelling of the new recycling service including the communication plan, what contingencies were put in place to deal with inclement weather and high staff absences in the department	
	Update on the Borough Market	
Thursday 14 March 2019	Work Programme	To evaluate and review the work undertaken during 2018/19
	Update on Tree Management Operations Budget Allocation	
	Economic Development Year 1 Action Plan	
	Homelessness Policy (deferred to June meeting)	
	Allocations Policy	
	Future Recycling Strategy	

Classification: NULBC **UNCLASSIFIED**

	Single Use Plastics – following motion at Council	
	Management of the Borough Market	
Thursday 20 June 2019	Update of Planning and Enforcement Recruitment	Request from the Chair
	Allocations and Homelessness Policy	Deferred from last meeting
	Recycling Service Update	Committee decision
	Work Programme	To discuss the work programme and potential topics that Committee members would like to scrutinise over the forthcoming year
Wednesday 25 September 2019	Update from Cabinet including car parking strategy	
	Recycling Service Update	
	Review of Single Use Plastics Reduction Strategy	Request from Cabinet – 5 June 2019
	Climate Change Mitigation	Request from Council – 3 April 2019 – deferred for special meeting
	Update on the development of the Ryecroft Area	Consideration deferred to December Committee
Monday 25 November 2019	Climate Change Mitigation & Air Quality Protect Report	
Tuesday 17 December 2019	Update on the development of the Ryecroft Area	
	Joint Allocations Policy	
	Benchmarking Exercise	Cabinet Report on benchmarking visits to town centres and markets.
	Bradwell Crematorium	Report on Bradwell Crematorium to include expenditure and maintenance programme and the feasibility of setting up a Friends of Bradwell Crematorium Group. Request from Member

Classification: NULBC **UNCLASSIFIED**

		of the Committee.
	Recycling Service Update	
Thursday 12 March 2020	Bradwell Crematorium	Report deferred from December meeting
Thursday 18 June 2020		
<p>To keep under review:</p> <ul style="list-style-type: none"> • Recycling Service Update • Development of the Rycroft area • Update report following review of the tree management contract in February 2020 		

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