

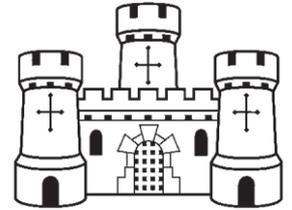
Public Document Pack

Date of meeting Thursday, 21st September, 2023

Time 7.00 pm

Venue Astley Room - Castle

Contact Geoff Durham - 742222



**NEWCASTLE
UNDER LYME**
BOROUGH COUNCIL

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

Economy & Place Scrutiny Committee

AGENDA

PART 1 – OPEN AGENDA

- 1 APOLOGIES
- 2 DECLARATIONS OF INTEREST
- 3 MINUTES OF PREVIOUS MEETING (Pages 3 - 12)
To consider the minutes of the last meeting of the Committee.
- 4 UPDATE FROM CABINET ON ITEMS RAISED BY THE COMMITTEE
- 5 FUTURE HIGH STREET FUND AND TOWN DEALS UPDATE (Pages 13 - 22)
- 6 HOUSING TASK & FINISH WORKING GROUP REPORT (Pages 23 - 24)
- 7 BOROUGH LOCAL PLAN UPDATE (Pages 25 - 32)
- 8 WORK PROGRAMME (Pages 33 - 36)
- 9 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.
- 10 URGENT BUSINESS
To consider any business which is urgent within the meaning of Section 100B (4) of the Local Government Act 1972.

Members: Councillors Beeston, Bettley-Smith (Vice-Chair), Burnett-Faulkner, Edginton-Plunkett, Gorton, Grocott, Holland, Johnson, Panter, Skelding 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 :- Where the total membership of a committee is 12 Members or less, the quorum will be 3 members....Where the total membership is more than 12 Members, the quorum will be one quarter of the total membership.

SUBSTITUTE MEMBER SCHEME (Section B5 – Rule 2 of Constitution)

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

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

- 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)

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.

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

Agenda Item 3

Economy & Place Scrutiny Committee - 08/06/23

ECONOMY & PLACE SCRUTINY COMMITTEE

Thursday, 8th June, 2023
Time of Commencement: 7.00 pm

[View the agenda here](#)

[Watch the meeting here](#)

Present:	Councillor Gary White (Chair)		
Councillors:	Burnett-Faulkner Edginton-Plunkett Gorton	Grocott Johnson Moffat	Panter Skelding
Apologies:	Councillor(s) Beeston and Bettley-Smith		
Substitutes:	Councillor Andrew Fox-Hewitt (in place of Councillor Susan Beeston) Councillor Mark Holland		
Officers:	Allan Clarke Simon McEneny	Planning Policy Manager Deputy Chief Executive	
Also in attendance:	Councillor Andrew Fear Councillor Stephen Sweeney	Portfolio Holder - Strategic Planning Deputy Leader of the Council and Portfolio Holder - Finance, Town Centres and Growth	

1. **APOLOGIES**

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

3. **MINUTES OF PREVIOUS MEETING**

Resolved: That the minutes of the previous meeting held on 16th March 2023 be approved as a correct record.

4. **UPDATE FROM CABINET**

There were no update from Cabinet.

Cllr Moffat expressed her concern over the number of substantial items on the agenda which may have required more than one meeting. The Chair wished to re-assure everyone that the necessary time would be spent on each topic.

5. **HS2 PROJECT UPDATE**

Mrs Victoria Roberts, Senior Community Engagement Manager for the HS2 Project, gave an update presentation on the Phase 2a constructions works involved in delivering the railway between the West Midlands and Crewe. The project, which

formed part of the Government transport capital investment programme, was to be paused for two years while activity was being rephased. Some preparatory works were nonetheless to be carried out.

Three questions had been received from members of the Public and were passed on by the Chair before being discussed.

Question 1:

“I Reside on Whitmore Heath which before HS2 was a very sought after area to live, I always enjoyed walking around the Heath until now with padlocked chained up gates, empty eerie houses and hs2 security doing laps around the Heath. I'm disgusted by how many of these houses are sat empty, many for over 6 years, which has resulted in three properties costing over £3 million being turned into Cannabis Plantations. Another property worth £1.4 million has been taken over by squatters which would never have happened if these properties had been let out, instead of renting it out, HS2 have now set up a welfare unit for their security on a neighbouring empty property which cost hs2/the taxpayer £1.3 million last year. Just on my walk alone I pass properties worth over £11 million which are all currently sat empty with some being empty since the day they were purchased by hs2 many years ago. The security alone on our road is needlessly costing the taxpayer hundreds of thousands if these properties had been rented out, I'm fully aware this is a recurring story all the way along the trace wasting millions of tax payers money. My question is why aren't these properties being rented out, is there anyone even accountable for renting out these properties?”

It was confirmed that HS2 acquired 35 properties around Whitmore Heath, 16 of which were rented out and 19 currently unoccupied. Among the latter 3 were on the market, 5 were undergoing works and remaining properties were subject to governance approval processes and surveys to ensure they were meeting rental standards. Regarding security, regular patrols were operating and would stay in place regardless of properties being rented out or not. This applied to other areas as well across the whole of the HS2 route. Illegal occupiers had also been evicted and the related property secured.

The Chair asked questions and responses were provided as follows:

- How many properties were currently unoccupied under the consideration that the cost of bringing them up to standards would be exceeding taxpayers' money? – Three of the properties were concerned.
- Given the rentable value of these properties, and the fact they had been unoccupied for so many years, who was accountable for scrutinising whether taxpayers' money was indeed not being wasted? – A property management company was managing the properties on behalf of HS2 and required to supply reports demonstrating good governance. HS2 was in turn reporting to the Department of Transport which had to give approval for any public money spent by HS2.
- Was the information about those processes and how taxpayers' money was spent in relation to these properties publically available? – Mrs Roberts would investigate and report back to the Committee.

Cllr Moffat asked two further questions: how did HS2 allow the properties to end up in such a state and how would HS2 ensure that other areas would not be devastated the same way? – The properties had been maintained to the state they were at on the date of purchase and so would future properties acquired. Cllr Moffat rephrased her questions as referring to the decline, deterioration and illegal possession of the

properties. – It was confirmed that the properties were maintained in the conditions they were purchased at and clarified that the security issues encountered originated from tenants in situ. Mrs Roberts would look into the challenges raised by Cllr Moffat and report back to the Committee.

Question 2:

“What structure do HS2 have to ensure all people and businesses are not disadvantaged in any way by the HS2 project?”

As part of the project HS2 aimed to minimise and mitigate the disruption resulting from the works. Clear guidelines to adhere to had been set out however it was to be recognised that there would still be disruption during the construction. Minimum requirements set out by the Government included taking into account and minimizing the effects on both the environment and people. The Code of Construction practice would also apply for matters such as noise and vibrations and there would be a compensation scheme for land owners as well as a discretionary property scheme for those impacted by the works based on the level of disruption. Finally the community engagement team was there to listen and look at ways to further minimise any impacts.

The Chair asked a follow up question: what was HS2 going to do to speed up and resolve the compensation payment processes? – The challenges being mainly about the collection of information and evidence, it was about making sure to communicate what was needed. There were two channels of compensation: the Compulsory Purchase Compensation and the Business Claim that allowed farmers to claim retrospectively on any business losses relating to HS2 works.

Question 3:

“In June 2018 at HS2a Select Committee Justine Thornton KC promised on behalf of HS2 to alleviate the stressful and detrimental impact of HS2, making particular reference to Whitmore Heath. Also in June 2018, the same Select Committee asked HS2 to report on Mental Health and Wellbeing. In December 2022 HS2 produced a progress report (tabled this evening) and they are not living up to any of their promises made in it, in fact, they have made the situation worse. 16 residents of Whitmore Heath have died since HS2 started, all living under the stress and as Justine Thornton said (statement tabled this evening), the detrimental impact of HS2. Many people are vulnerable and yet none of the commitments within the progress report have been put in place, in fact, the situation has worsened. The residents have had to contend with empty properties, properties having been turned into cannabis farms and the security thereafter was so none existent that a large property now has people squatting in it. Security guards are now patrolling the area but this only adds to the detrimental impact of this once peaceful and desirable area. Anyone wishing to sell to HS2 in this area should be allowed to do so. At present only those who, according to HS2's Need to Sell rules, can do so, but even they have to jump through hoops. People are told they can apply through Atypical but are still refused adding to the stress this places upon them. People have been living with this situation since 2013, 10 years already and they are now being told 2a will be completed between 2038 and 2041, another 18 years. The question is: When is HS2 going to live up to its promises to Parliament? Look after the welfare of people, because this won't just be happening in this area, do regular face-to-face welfare checks and assist those who want to sell up and move, for any reason, to do so with as little fuss as possible.”

Mrs Roberts responded that there was a designated engagement officer for the community, a role she was currently filling until a new person was hired. Residents could contact her directly to raise any issues and have insight on what would be the right support for them. Newsletters and leaflets were also being distributed to inform the community of upcoming works in their area and there were drop-in sessions in

Economy & Place Scrutiny Committee - 08/06/23

places for people wishing to have face-to-face discussions. Residents could furthermore use the help of an independent advocate to go through the various processes via a charity called Power which HS2 was working with.

A wellbeing survey was currently underway in partnership with the National Institute of Health and Care looking at the welfare impacts of large construction projects. Finally a support scheme was available to help people go through the process when needing to sell their property.

Cllr Fox-Hewitt asked if the health support referred to included paid access to therapy and treatments. – The support provided depended on personal circumstances and the support team was there to assess what was the best this could be done. Mrs Roberts would look into the options that were offered and report back to the Committee.

The Chair asked who had been so far engaging into face-to-face discussions. – The previous Engagement Manager had been doing it and Mrs Roberts had taken over. Other team members would also be involved and experts would be brought in as required.

The Chair commented that this wasn't enough to give the community what they needed and wished to know how to escalate this to HS2 as a scrutiny committee. Mrs Roberts responded that as contractors would come on board they would be taking on some of this engagement activity, along with the design delivery partner who would be coming towards the end of the year.

The Chair wished that an official request for more support to be available for the community be escalated. There were no objections.

Cllr Fox-Hewitt asked how the community funding grant was administrated and defined. – The level of disruption was evaluated looking at the environmental statement that outlined where the works had an actual impact and how to minimize it.

Cllr Fox-Hewitt also wished to know the origin of the steel used to build the railway. – 98% was UK sourced. Mrs Roberts would look into the exact location and get back to the Committee.

Resolved: That the update be noted along with the request for the HS2 Senior Community Engagement Manager to come back and respond to questions raised at the meeting.

[Watch the debate here](#)

6. BOROUGH LOCAL PLAN UPDATE

The Planning Policy Manager presented an update on the Borough Local Plan that had been presented to Cabinet earlier in the week.

Questions were asked and responses were provided as follows:

- Cllr Gorton expressed his disappointment that members only had limited opportunity to feed into the Local Plan before it went live; what were the arrangements to scrutinize the Local Plan once the consultation would have ended? – The Chair commented that this was a regular standing item on every scrutiny committee and the Strategic Planning Portfolio Holder added

that members would be able to scrutinize the plan then. It was confirmed that the Local Plan was at the draft stage and would be reviewed by the committee following the consultation. It would then go through full Council for approval before being submitted to the Planning Inspector.

- The Chair asked when the consultation would finish and if any information would be available at the next committee meeting in September. – The consultation would end on the 14th August and the responses would then take a couple of months to process. A sense of how many responses had been received as well as key themes could be shared with members at the next meeting. The Chair commented that there wouldn't be many items on the agenda then, which would allow members to ask questions and decide next steps.
- Cllr Gorton asked if any public events were scheduled in the Wolstanton area in relation with the consultation. The Chair followed up wondering about the choice of the locations, who and why were the decisions made. – The Strategic Planning Portfolio Holder responded that the choice was down to where the consultation would generate the most interest which included the centre of the Town. Having an extra event in Wolstanton could be considered. The Chair encouraged other members to contact the portfolio holder directly if felt that other locations would need to be added to the list.
- Cllr Gorton commented on the length of the document and wished to know if there could be a stronger statement on section 106 than the current one, as well as if other aspects of health and wellbeing could be addressed rather than focussing only on takeaway hot food shops. – The Strategic Planning Portfolio Holder responded that these were very useful remarks and could be taken into account in the next version of the document.
- Cllr Panter asked if there could be paper copies of the presentation to be submitted to the Planning Committee and commented on the fact there were no reference to measures taken to generate employment in the area to match the 500 houses to be built. – The Strategic Planning Portfolio Holder responded that employment sites were taken in consideration in the Local Plan as well as overall sustainable development as required by paragraph 11d. About the presentation material the goal was to move towards paperless agendas and only print out paper as and when required.
- Cllr Fox-Hewitt asked about government former targets and whether residents would be consulted on whether or not they were appropriate for the borough and development. – The Strategic Planning Portfolio Holder clarified that despite muted ideas that the targets would be taken away these were still in place and the Council would need to fulfil the required criteria. Officers confirmed that the plan presented a position reflective of the standard method of calculation set by the government. Cllr Fox-Hewitt commented that the Government statutory housing targets had been replaced by advisory guidance on 6th December 2022.
- Cllr Fox-Hewitt asked about the monitoring framework of how section 106 budget was spent and the indicator according to which should housing not be delivered within the expected trajectory, the proposed action would be to review section 106 agreements; what assurance could members have that social housing community projects and infrastructures would be delivered? – The Strategic Planning Portfolio Holder responded that it would be the

Economy & Place Scrutiny Committee - 08/06/23

developers' right to ask for renegotiation. Officers added that an Infrastructure Delivery Plan would be included in the Local Plan to that extent.

- Cllr Fox-Hewitt passed on a question from a resident: why was the Local Plan not easier to find, as they had to go through several pages of scrolling and links to access it? – The Strategic Planning Portfolio Holder commented this could be raised with IT and that having the plan straight on the front page would be a good thing. Officers clarified that the links were currently accessible through the Cabinet Papers only as the consultation hadn't started; there would be a dedicated Local Plan page on the website as soon as the consultation would go live.
- Cllr Edgington-Plunkett asked why the Local Plan did not consider a place based approach for the availability of open spaces. – The Strategic Planning Portfolio Holder confirmed that the Local Plan was promoting green space in the borough.
- Cllr Grocott wished to know how to ensure the social housing standards would be driven forward, what the standards would apply to social providers and if the Council would engage with town and parish clerks to bring these forward with local residents. – The Strategic Planning Portfolio Holder confirmed that social housing standards would be built into the Local Plan and that if there was anything members or local clerks wished to be conveyed to future developers now was a good time to send comments to be processed for the next stage of the draft. The Chair added that the link would be sent to all town and parish councils.
- Cllr Moffat reminded the Committee that a number of residents and local clerks had expressed the wish for housing needs assessment processes to be revisited by the Council. A petition had notably be brought to the Council with suggestions to enhance the Local Plan and make sure it was fit for purpose. Why had this petition not been received yet and why was it deceptively described as aiming to stop the Local Plan? – The Strategic Planning Portfolio Holder wished to draw members' attention to section 5.3 of the report and the risk of unwanted development the longer the process would go on and until a proper Local Plan was adopted. The petition would be received in July and more information could be sought with the legal team. The Chair added the suggestion that group leaders reach out to the Leader of the Council so that a written answer is provided.
- Cllr Moffat asked about the 49 hectares allocated for employment exceeding the amount required for growth option 1 and why 118 additional hectares would be allocated for indicative employment. – The plan was supported by evidence based documents of which the Housing Economic Needs Assessment ensuring a balance between economic and housing growth in line with government standards. Cllr Moffat wished to seek reassurance that sites identified and associated benefits were not fixed deals. It was confirmed that the plan being at the draft stage the Council was currently seeking views on the matter.
- Cllr Moffat had another long technical question and asked if she could perhaps submit it in writing. – The Chair confirmed that this could be passed on to the portfolio holder and officers.

- Cllr Moffat asked why the consultation was taking place during the summer holidays. – The Strategic Planning Portfolio Holder responded that eight weeks were allocated to the consultation i.e. two weeks more than the government required, leaving people plenty of time outside of any scheduled holiday. Responses to the consultation and constructive proposals for amendments would be genuinely considered and everyone was encouraged to take part in the process.
- Cllr Moffat asked about the key points in Policy HOU 1 and 2 as well as SE5 and SE6 that mitigated against the selection of LW53. Why were the 400 objections to the Loggerheads not taken into account? – A rigorous set of criteria had been used and comments would be welcome on the sites suggested as part of the consultation.
- Cllr Holland expressed his enthusiasm over the process and emphasised the importance of avoiding un-necessary delays as the Local Plan would once and for all give a framework of reference as opposed to leaving local development in the hands of corporations. Keeping substantial housing targets in all wards to give a home to future generations was also evoked.
- Cllr Moffat wished to clarify that comments made and questions asked were aspirational, not to delay the Local Plan but to get the best out of it. Was this acceptable? – The Chair confirmed the approach was appropriate and requested that no reference to political affiliation be made during committee meetings.
- Cllr Fox-Hewitt was concerned that not all information was available despite the consultation being just about to be launched. What was the hierarchy of priorities on the authority's decision making: meeting the targets and the plan with regards to housing or conforming to policies? – The Strategic Planning Portfolio Holder reiterated the need to demonstrate the five-year rolling supply of housing in line with the presumption for sustainable development set in the National Planning Policy Framework.

The Planning Policy Manager reminded members that all documents supporting the Local Plan would be available on the consultation page on the 19th July.

Resolved: That a report had been considered by Cabinet on the 6th June with a recommendation to consult on the First Draft Local Plan (Regulation 18) from the 19th June until the 14th August 2023 be noted.

[Watch the debate here](#)

7. NEIGHBOURHOOD PLANNING UPDATE

The Planning Policy Manager presented an update on Neighbourhood Planning including background information and current neighbourhood plans in the borough.

Issues were raised and responses were provided as follows:

- The Chair asked about the neighbourhood plan covering Baldwin's Gate and the relevance of the plan in the decision making process. – It was clarified that there were processes for communities to modify their plans however matters such as five years supply would come into play when decisions were made. The Chair commented that a lot of time and money were put in those

Economy & Place Scrutiny Committee - 08/06/23

plans by communities who would need to know what to do to stay compliant and keep the weight of it. Were there any mechanisms to help them achieve that? – There were indeed and the planning team was always open to provide advice and guidance to communities.

- Cllr Holland shared that the Localism Act provided communities with mechanisms to have greater control over development in their local area. Their weight however was reliant on having a proper Local Plan in place.
- Cllr Gorton wished to thank the Planning Policy Manager for his presentation and report extremely timely and helpful for members.
- Cllr Moffat wished to emphasise the importance of neighbourhood plans in building positive relationships between the Council and local parishes and areas embarking into neighbourhood planning.

Resolved: That the progress update provided on Neighbourhood Planning in the Borough be noted.

[Watch the debate here](#)

8. FUTURE HIGH STREET FUND & TOWN DEAL

The Portfolio Holder for Finance, Town Centres and Growth introduced a presentation from the Deputy Chief Executive who provided an update on Future High Street Funds and Town Deals.

Members commented and responses were provided as follows:

- Cllr Fox Hewitt asked when and how residents had had a say on shaping the strategic vision for the town on projects such as the car park, the circus school and the hotel. – There had been an exhibition in the library and a public consultation resulting in a lot of favourable responses had taken place as part of the bidding process.
- Cllr Moffat wondered what the contingency payment plans were in case of change in economic circumstances. – The section 151 Officer was responsible to ensure projects were financially viable and measures were put in place to address economic risks. Regarding borrowing money the Council would only do this while having a plan how to pay back and bankruptcy was an unlikely scenario.
- Cllr Moffat asked that going forward presentations be shared with members before the meeting so that they can think on it and prepare questions. – It was confirmed that officers would arrange that.
- Cllr Gorton commented that the development were unusual as he would have expected the authority to have sold the site and for the developers to handle the risks. How would the Council manage those, such as ensuring a prospective owner or tenant for the hotel was found? – Hotel brands did not buy buildings, they rented them. The Council would be the landlord and owner, taking most of the revenue in. An operator would operate it and a hotel brand would take a franchise, both charging a fee. A feasibility study had been completed to demonstrate the need for a hotel in the area.

The Chair wished to clarify and the Deputy Chief Executive confirmed that risk assessments were carried out for all projects and while moving from one stage to another.

Resolved: That the update be noted.

[Watch the debate here](#)

9. **WORK PROGRAMME**

Resolved: That the work programme be received.

[Watch the debate here](#)

10. **PUBLIC QUESTION TIME**

Public questions had been addressed under item 5 – the HS2 project update.

11. **URGENT BUSINESS**

There were no urgent business.

**Councillor Gary White
Chair**

Meeting concluded at 9.31 pm

This page is intentionally left blank

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

CORPORATE LEADERSHIP TEAM'S
REPORT TO

Cabinet
19 September 2023

Report Title: Procurement of a Joint Venture Development Partner and the appointment of Capital and Centric for Key Regeneration Projects

Submitted by: Deputy Chief Executive

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

Ward(s) affected: Town

Purpose of the Report

To provide Cabinet an update and to note the progress made with the appointment of Capital and Centric for key regeneration projects in Newcastle Town Centre as a result of the work undertaken recently to procure a Joint Venture Development Partner.

Recommendation

Key Decision: Yes

That Cabinet:-

1. Notes the progress made to date with the procurement exercise for the Joint Venture Development Delivery Partner redevelopment plans for key town centre sites;
2. Note the benefits of the Capital and Centric operating model as set out in Paragraph 2.14-2.21 of this report;
3. Agree to the procurement through a direct award under the Pagabo Development Management Framework of Capital and Centric to develop plans and development business cases for the York Place and Midway Car Park sites, at a cost not exceeding £256,500;
4. Authorise the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centres and Growth, and Portfolio Holder for One Council, People and Partnerships to progress discussions with third parties for the sale or lease of a portion of the York Place site;
5. Authorise the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centres and Growth, and Portfolio for One Council, People and Partnerships to undertake the necessary preparatory work for the closure of the Midway Carpark in autumn 2024.

Reasons

The Council has been developing plans for several key sites across the Town Centre of Newcastle-under-Lyme as part of the Future High Street Fund and Town Deal Fund.

This report enables progress to be made across these sites.

1. **Background**

1.1 As reported to previous Cabinets, the Council has secured Future High Street Fund and Town Deal Fund for the redevelopment of several key regeneration sites across the Town Centre. Work has been continuing in the development of the schemes for the past couple of years, and the current position regarding each is as follows:

- Castle Car Park (Ryecroft)– Planning consent was secured in June 2023 and a contract for delivery has been let to Morgan Sindall. Construction will commence in September 2023.
- New Hotel (Ryecroft) - A procurement exercise is ongoing for the brand that the hotel will operate under. This in turn will inform procurement of a design and build contractor to provide initial cost and design advice on. These are due to be reported at a future Cabinet for agreement on next steps.
- York Place – The Council purchased this site in March 2022 and secured planning consent in June 2023 for the demolition of the current building and rebuilding of a mixed-use development. Demolition works are due to commence in October 2023, funded from the Future High Street Fund.

1.2 In order to identify advantageous delivery models which could leverage external finance and expertise, a procurement exercise was undertaken in the spring of 2023 to gauge market interest in a joint venture partnership to develop out Key town centre sites. This is detailed later in this report.

2 **Update**

York Place – Update on Current position

2.1 The York Place complex was purchased by the Council March 2022 and in April 2022 Willmott Dixon were appointed as Design and Build Contractors through the Pagabo Framework to develop the design and costs for the replacement of York Place, including the demolition of the existing building. We have a process in place where the project is broken down into RICS Stages and at each stage we can choose whether or not to place an order for the next stage. These stages are:

- To prepare designs and secure planning consent for the demolition of the existing building and construction of the replacement. This stage has been completed, with the Council securing planning consent in June 2023 This has been funded from the Future High Street Fund.
- Let contract for demolition of the existing buildings - The planning consent for demolition was granted in June 2023 alongside the permission for the replacement development. The contract for demolition has not been progressed, although funding from the Future High Streets Fund is allocated for this element of the project.
- The next stage would have been to get full construction drawings and costings finalised and to commence construction of the new development once the demolition works are complete in spring 2024. This has not been commissioned and we are not now planning to undertake the work in this manner.

Midway – Update on Current Position

2.2 The Midway Car Park site will be unlocked for development once the new Castle Car Park becomes operational. Funds are allocated in the Town Deal for its demolition, and the site is earmarked for residential development. The next steps for this development are to develop deliverable plans for the site, and also to arrange for its decommissioning as a car park once the new facility on Ryecroft, Castle Car Park, is open.

Joint Venture Development Delivery Partner Exercise

2.3 In developing the York Place scheme in particular, but the town centre sites in general, the Council has been acutely aware of the need to strike an appropriate balance between commercial risk and commercial return, particularly in the light of current interest rate and inflation rates. Over the last eighteen months whilst these have been in development we have seen construction costs increase sharply. Alongside this we have seen the cost of borrowing increase by several percentage points over the same period. There are early signs that early next year and into 2024 these effects could start to ease, but there remains considerable uncertainty.

2.4 Whilst the immediate local commercial interest in York Place is positive, the Council has taken the opportunity to explore other delivery options which might enable the scheme to be brought forward more quickly or reduce the risk burden on the Council. The Council has been out to tender to gauge interest from the market for a joint venture development delivery partner to see what assistance we could get from the market to deliver schemes such as York Place and Midway. Specifically, the tender invited responses which would bring a level of engagement and innovation that the Council would benefit from in terms of access to alternative means of borrowing, shared risk taking, innovative or established routes to end users, and market intelligence for such developments (what does the market need / want / will embrace).

2.5 We have had three interesting returns from well renowned contractors / developers. Which are summarised below:

- Submission A – a national contractor, with extensive experience of constructing and the delivery of similar projects, who wished to be our preferred contractor to build out our schemes, without the need to procure further phases of our regeneration programme. They proposed to provide pre contact advice on the development of the regeneration project plans
- Submission B - a national contractor, with extensive experience of constructing and the delivery of similar projects, who wished to be our preferred contractor to build out our schemes, without the need to procure further phases of our regeneration programme. They proposed to provide pre contact advice on the development of the regeneration project plans
- Submission C – a national development professional services group who partner with third parties, construction companies and developers to shape and deliver regeneration projects. They indicated that they would be happy to partner with either of the companies who submitted interest (as noted above).

2.6 In reviewing the submissions it is unclear what would be provided over and above the procurement / construction route that the Council has used in the three past projects – Kidsgrove Sports Centre, Civic Building Demolition and the forthcoming

new Castle Car Park. Specifically, the submissions are all structured such that all the critical risks sit with the Council, eg the end users, programme and cost. Whilst this is usual for a straightforward construction project, it adds no value to a more complex regeneration project such as those with which the Council is now engaged.

- 2.7 Analysis of the three submissions indicate that the procurement of a development delivery partner through this route will merely provide a 'lock in' for one contractor for our programme of projects in the future, and a profit share mechanism that would reduce the Council's revenue potential, without any 'extra' benefits which would offset these potential downsides. This is adding another layer of costs to the projects – these could be used to contribute to potential construction inflationary pressures instead.
- 2.8 Had the procurement resulted in innovative solutions, then the 6-12 months required to progress to establish a Joint Venture would be worthwhile, notwithstanding potentially another year of construction cost inflation.
- 2.9 There is no legal obligation to progress with the development partner procurement exercise if we don't feel that the market is providing anything over and above that which we are delivering ourselves directly.
- 2.10 In addition to the three submissions received, the procurement exercise has drawn the Council's attention to opportunities which exist within Pagabo Framework, which the Council has used previously.

Pagabo Framework

- 2.11 The Pagabo Procurement Framework is built up of OJEU compliant series of frameworks which allow access to both construction and professional services, without the need to go out with 'open procurement' exercises, as the procurement has already been undertaken prior to the framework being made available to local authorities and others. There are a number of such frameworks which allow easy access and save time and costs of lengthy procurement exercises. The Council has used this framework on several schemes to date.
- 2.12 One of the "lots" within the Pagabo framework enables the appointment of Development Partners. The Council has taken the opportunity to engage with one of the companies on that framework which has a particular reputation for place making developments to discuss potential collaborations on our regeneration projects – Capital & Centric, who are an innovative and socially minded development company – see section 2.14 to 2.21 below for further details.
- 2.13 Capital and Centric) are on the Pagabo framework, Lot 3, which allows a direct award to a contractor / developer. This framework is an OJEU compliant framework with all contractors and developers having gone through a procurement exercise to gain entry to the framework and the Lot they have bid for. As the Council's direct procurement exercise, where an open call was issued to the market for a Joint Venture Development Delivery Partner, did not produce the results or participation that it had hoped for (we understand that the market is extremely busy with pipeline and current tender works at the moment), the opportunity to engage directly with Capital and Centric is attractive due to their market presence, their track record, and their national profile, which can all add real value to the plans that the Council has for its town centre regeneration.

Capital and Centric

- 2.14 Capital and Centric are property developers based in Manchester and responsible for some of the most innovative and exciting new developments in Manchester City, as well as developments under way in Stockport and Stoke-on-Trent. A particular characteristic of Capital & Centric (C&C) is that once construction and fit out of a development has been completed, they continue to manage the development, as owners, to ensure it remains successful in terms of end user experience and satisfaction.
- 2.15 The Capital and Centric approach, whereby they retain ownership and management of developments once completed has a significant positive impact for the Council in terms of both financial and operational risk:
- The model requires only short-term financing by the Council, rather than long term borrowing. This reduces interest costs from c.40 years to 2-3 years; the model also removed the need for the Council to fund Minimum Revenue Provision (MRP), which is in effect the “capital repayment” element of PWLB borrowing as the asset would transfer ownership once complete;
 - The model shifts the ongoing risk of maintaining occupancy of the finished development away from the Council and onto the operator;
- 2.16 We have received a proposal from Capital and Centric to take a lead role in the development of York Place and Midway. As outlined above, one of the keys stages in the development of a regeneration project is to define project costs such that a credible business case can be developed. Capital and Centric have submitted a proposal to develop a RIBA Stage 1 proposal for each of the sites, developing plans and business cases for further approval for assisting with us to complete York Place, develop plans for Midway Car Park.
- 2.17 The proposal covers work which the Council would need to commission individually if it chose not to go down this route, such as preparing the design and indicative costings for redevelopment of Midway.
- 2.18 From their initial work, completed at risk, Capital and Centric have identified a redevelopment route for York Place which is both lower cost and more environmentally sustainable, through retention and re-use of key elements of the original construction frame of the building – an approach they have successfully deployed elsewhere.
- 2.19 Capital and Centric propose to undertake this work for a fee of up to £256,500 and deliver within six months.
- 2.20 If the Council is satisfied with the RIBA Stage 1 works, it would then be able to use the Pagabo Framework to commission Capital and Centric to develop the schemes to RIBA 4, which provides a fully costed scheme with planning applications made.
- 2.21 In terms of commerciality, the Capital and Centric model would involve:
- Capital and Centric design and cost the schemes
 - NuLBC fund the build (utilising Town Deal, external bidding, and borrowing through PWLB)
 - Upon completion, Capital and Centric purchase and operate the developments, thereby removing a key risk to the Council of maintaining end users.

Third Party Interest

2.22 In addition to the Capital and Centric proposal, the Council has been approached by a third party regarding their potential purchase of a portion of the York Place site for a complementary development. This has the potential to enable one element of the development to be funded without Council borrowing, with a capital receipt from the sale contributing to the overall scheme. It is essential that, were this proposal to progress, it works as part of the overall development and is consistent with the design values overall.

2.23 Through this report authority is sought to progress discussions and, if possible and appropriate, bring them to legal completion.

Next Steps

2.24 Whilst the Capital and Centric model envisages taking developments through to completion and then purchasing the completed development and assuming the lead role in managing the operation of the development, as with all developments, there are a series of gateways through which schemes must pass to assure their viability. These are based upon agreements through the Pagabo Framework and once each stage is complete a subsequent agreement is signed for the next stage of the project development:

- Once feasibility is assessed then a new agreement to take the scheme up to planning permission and a cost envelope are obtained;
- Upon receipt of planning permission, the final construction drawings are produced and a contract sum is agreed;
- Construction will then commence to an agreed plan / design and cost

2.25 At this stage, the commitment to Capital and Centric extends only to step 1, after which the Council would need to take a formal decision to progress to step 2, and incur the expenses for full planning drawings and submission to gather planning approval and new target cost. The final decision on whether or not to commit to borrow and develop is then taken before the final Stage 3. A critical part of this final stage would be determining which of the elements would remain in Council ownership, and which would be bought by Capital and Centric.

2.26 Critically, the model which involves Capital and Centric purchasing the end development is highly significant in terms of the Council's borrowing for the schemes. Rather than borrowing over, say, a 40 year period, during which the Council would need to both pay interest and capital, the Council's borrowing would only be for, approximately, the duration of the build, as any loan and associated interest would be repaid upon sale of the asset. This minimises the revenue impact of the schemes for the Council.

3. Proposal

3.1 That Cabinet

- a. **Notes the progress made to date with the procurement exercise for the Joint Venture Development Delivery Partner redevelopment plans for key town centre sites;**

- b. **Note the benefits of the Capital and Centric operating model as set out in Paragraph 2.14-2.21 of this report;**
- c. **Agree to the procurement through a direct award under the Pagabo Development Management Framework of Capital and Centric to develop plans and development business cases for the York Place and Midway Car Park sites, at a cost not exceeding £256,500;**
- d. **Authorise the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centres and Growth, and Portfolio Holder for One Council, People and Partnerships to progress discussions with third parties for the sale or lease of a portion of the York Place site;**
- e. **Authorise the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centres and Growth, and Portfolio Holder for One Council, People and Partnerships to undertake the necessary preparatory work for the closure of the Midway Carpark in autumn 2024.**

4. **Reasons for Proposed Solution**

- 4.1 The decision will enable the project to progress as per the programme agreed with Government and the Future High Street Fund awards and commitments and get York Place underway
- 4.2 To use this Government funding opportunity to support delivery of Council Plan objectives.
- 4.3 To uplift the status of Newcastle Town Centre as the heart of economic, social and community life in the Borough.
- 4.4 Bring a national developer to Newcastle to assist in the transformational programme of regeneration that is being undertaken.

5. **Options Considered**

- 5.1 The report above highlights the options that have been considered in some detail.

6. **Legal and Statutory Implications**

- 6.1 Section 2(1) of the Local Government Act 2000 permits local authorities to do anything they consider likely to promote or improve the economic, social and environmental well-being of their area. That would include actions to deliver the Future High Street Fund and Town Deal Fund programme for Newcastle Town Centre.

7. **Equality Impact Assessment**

- 7.1 The nature of the project is intended to seek benefits for all people who use the town centre and to support the economic and social health of Newcastle Town Centre as a destination.

8. **Financial and Resource Implications**

York Place

8.1 The demolition of the existing York Place complex is funded through the Future High Street Fund which has been confirmed and allocated as shown in the table below:-

Project	FHSF allocation (inc contingency)	Spend as at 31 August 23	Balance remaining
Ryecroft	£3,756,191	£2,776,507	£979,684
MSCP Development	£3,500,000	£642,761	£2,857,239
York Place (Purchase, relocation and demolition)	£3,015,218	£1,933,349	£1,081,869
Stone public realm	£321,251	£0	£321,251
Market Stalls	£75,600	£2,990	£72,610
Programme Management	£380,000	£252,657	£127,343
Total	£11,048,260	£5,608,264	£5,439,996

8.2 The estimated build costs for the new development, which will be sourced from borrowing, are circa £16.8m. If the Council operate the development the cost of borrowing will be covered by rental income from the commercial units and the offices over the useful life of the development but will require a budget pressure of £0.297m in year 1 of operation (which reduces to nil in year 16 of operation) in addition to interest costs incurred during the construction phase. Should the preferred developer take on the ownership of the completed development then the proceeds from the sale will be used to repay the development loan and interest costs that the Council incurs. Interest costs (based on current interest rates) up to the completion date relating to the loan would amount to £0.583m (£0.245m in 2024/25 and £0.339m in 2025/26).

Midway Development

8.3 The estimated build costs for a development of the Midway site, which will be sourced from borrowing are circa £14.0m. Should the preferred developer take on the ownership of the completed development then the proceeds from the sale will be used to repay the development loan and interest costs that the Council incurs. Interest costs (based on current interest rates) up to the completion date relating to the loan would amount to £0.509m (£0.067m in 2024/25 and £0.441m in 2026/27).

Development of Business Case

8.4 Funding for the development of the business case for York Place and the Midway via Capital and Centric is available through Future High Streets Funding allocated for the demolition of York Place and remaining allocations in the approved 2024/25 Capital Programme for feasibility studies and master planning.

9. Major Risks

9.1 The main risk to the demolition element of the York Place project is achieving vacant possession of the site by ensuring that the last remaining tenant is relocated in time for the demolition works to be completed by the end of the Future High Street Programme in March 2024.

9.2 The proposed demolition of York Place is in a densely occupied town centre location and therefore will require careful management throughout the contract.

- 9.3 The potential for multiple demolition and / or construction projects being undertaken in a short period of time in the Town Centre could impact negatively on the enjoyment of the town amenities by users and will need careful messaging and monitoring. Each stakeholder will be able to assist with this.
- 9.4 The scheme for Midway could be based around partial demolition to save construction programmes, development costs and the carbon footprint of the scheme. Clearly the structure needs to be examined to see what elements can be retained, and if the structure is unusable then these benefits won't be achieved.
- 9.5 The inflationary pressures and the cost of borrowing is a risk to the delivery of all of the schemes and each needs to be planned carefully to minimise the effects of each prior to the start or award of any contract.
- 9.6 Each scheme / project will have a dedicated risk register for the potential risks of each scheme from the feasibility stage to the construction phases.

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

10.1 Newcastle Town Centre is a highly accessible location, encouraging greater use of its land and assets enhances its role as a centre for services, leisure, retail and living and its connection to local residents. Further this project is intended to enable the redevelopment of a underused retail complex that is in a poor state of repair and currently blocks good connectivity between the Rycroft site and Ironmarket / High Street, bringing with it sustainability improvements, regeneration and economic benefits as well as in that respect, the project supports the realisation of the following UNSDG objectives:-



11. **Key Decision Information**

11.1 This is a Key Decision

12. **Earlier Cabinet/Committee Resolutions**

- 12.1 October 2019, Cabinet concerning development of the second stage FHSF bid and procurement of consultancy support.
- 12.2 December 2019, Economy Environment & Place Overview and Scrutiny Committee Town Centre Funding Update (information item).
- 12.3 July 2020, Cabinet concerning approval for submission of bid into MHCLG (now DLUHC).
- 12.4 April 2021 Cabinet accepting FHSF Grant monies and grant conditions.
- 12.5 December 2021 Cabinet purchase of York place Newcastle under Lyme.
- 12.6 March 2022 Cabinet award of contract for design and build contractor
- 12.7 January 2023 Cabinet progress report on the York Place project
- 12.8 June 2023 Cabinet award of contract for the demolition of York Place
- 12.9 June 2023 Cabinet approval for procurement of Hotel Brand and Design and Build Contractor
- 12.10 June 2023 Cabinet award of contract for Castle Multi Storey Car Park

13. **List of Appendices**

13.1 None.

14. **Background Papers**

14.1 None

Housing Task & Finish Working Group

Report to Economy & Place Scrutiny Committee: Thursday 21 September 2023

The Housing Task & Finish Working Group met on 19 July and 13 September. Good progress has been made. A draft report will be tabled at the next meeting of the Working Group, on 1 November, with the report being finalised on 29 November for submission to the Economy & Place Scrutiny Committee on 7 December. The Council Officers involved are comfortable with this timetable.

The Working Group has received written responses from the key providers of social housing in the Borough and met with Aspire on 13 September. The Working Group was unanimous in the view that the condition of the housing stock is much better than we were led to believe, when the group was set up, in response to concerns raised by some Councillors. The case cited by former Cllr Sue Moffat would appear to be atypical; unfortunately, that case cannot be investigated further, due to the absence of details, following the resignation of Cllr Moffat. Both the Working Group and Aspire thought it would have been useful to understand exactly what had happened in that case.

The Working Group's views on the need for a housing stock survey has changed, given the situation is significantly better than the group anticipated and there is a considerable amount of work in progress to enhance the quality of the housing stock, along with proactive measures to deal with damp and mould. Additionally, reporting mechanisms and response times to repair requests are being improved. Consequently, the Working Group are unanimous in their view that a Housing Stock Condition Survey should not take place before 2025-26 and noted that, given the last survey was undertaken in 2016, the next survey could possibly be delayed until 2026-27. [The Housing Stock Condition Survey 'lifetime' is 10 years maximum.] Clearly, with significant enhancement work being undertaken by the providers, in terms of energy efficiency and mitigating risks such as damp and mould, it makes sense to assess the condition of the housing stock once these improvements have been made; particularly, as such a survey will inform Borough Council policy.

Aspire agreed, at the request of the Working Group, they would be willing to give a presentation, via TEAMS (available for all Councillors), to enable Councillors to hear what progress was being made to improve their housing stock and their response times, along with information on the reporting mechanisms and the complaints escalation process.

A brief 'snapshot' report on the private sector will be included as an Annex for completeness: there are no obvious trends in terms of issues. However, concern was expressed that tenants may not complain to private landlords because of fear of eviction.

The proposed reforms in the White Paper have been considered by the Public Protection Committee; however, reference will be made to several concerns about particular aspects contained in the White Paper, raised by the providers (Wrekin and Aspire).

Robert Bettley-Smith
Chairman, Housing Task & Finish Working Group

This page is intentionally left blank

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**EXECUTIVE MANAGEMENT TEAM'S
REPORT TO**

21 September 2023

Report Title: Borough Local Plan Update

Submitted by: Deputy Chief Executive

Portfolios: Strategic Planning

Ward(s) affected: All

<u>Purpose of the Report</u>	<u>Key Decision</u> Yes <input type="checkbox"/> No <input type="checkbox"/>
To provide an update following consultation on the First Draft Local Plan.	
<u>Recommendation</u>	
That:-	
1. Members note the update following consultation on the First Draft of the Borough Local Plan	
<u>Reasons</u>	
To provide an update on the Local Plan. To ensure that the process of adopting the Local Plan is undertaken in accordance with the requirements of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).	

1. Background

- 1.1 The Local Plan sets the vision and framework for how the Borough will grow up to 2040. It sets out targets for the number of jobs and homes to be delivered in the Borough and a spatial strategy to guide development to the most sustainable locations.
- 1.2 The Economy & Place Scrutiny Committee, on the 12 December 2022, requested that a standard item be added to the agenda to provide an update on the current position with the emerging Borough Local Plan.
- 1.3 Consultation on the First Draft Local Plan ended on the 14th August 2023. At the last Economy & Place Scrutiny Committee (8th June), Members requested a sense of the number of responses received and whether there

were any key themes arising following the consultation on the First Draft Borough Local Plan. Officers are still in the process of registering comments to the First Draft of the Borough Local Plan on the consultation portal before analysing comments that have been received. Therefore, the position outlined in this report should be regarded as an interim position.

2. Issues

First Draft Local Plan Consultation

- 2.1 Consultation on the First Draft Local Plan took place from the 19th of June until the 23 August 2023 (a period of 8 weeks, 2 weeks longer than the statutory period of 6 weeks).
- 2.2 The consultation was held in line with the Council's approved Statement of Community Involvement (SCI). The Statement of Community Involvement sets out how the Council will engage with residents, communities and stakeholders across the Borough on matters relating to planning, including preparation of the Local Plan.
- 2.3 Consequently, in respect of the Local Plan and the consultation period, the Council: -
- a. Published consultation documents online, alongside all the evidence base which supports the First Draft Local Plan. A frequently asked question webpage and a video presentation was also made available on the website
 - b. Made copies of the consultation documents available in local libraries and customer service centres
 - c. Advertised the consultation via press release and social media channels
 - d. Displayed site notices where there are site specific proposals included in the Plan. The site notices have provided information about the consultation and how residents can submit comments to the consultation
 - e. Enabled responses to be submitted, via a dedicated website but also by e-mail and letter to the Council
 - f. Held a programme of consultation exhibitions (drop in events) across the Borough providing information on the Plan, details of proposals relevant to the locations where events are being held and allowing attendees to ask questions of officer's present at the events.
- 2.4 In terms of the consultation exhibition 'drop in' events, the events were held on the following dates and listed locations: -

Event	Date	Number of residents who completed a 'sign in' sheet
Silverdale (Library)	22 June 2023	79
Kidsgrove (Town Hall)	28 June 2023	237

Ashley, Loggerheads (Oddfellows Hall)	05 July 2023	40
Audley (Methodist Church)	12 July 2023	191
Madeley (Madeley Centre)	13 July 2023	39
Keele (Village Hall)	20 July 2023	62
Chesterton (Holy Trinity Church)	27 July 2023	57
Silverdale (Methodist Church)	02 August 2023	72
Newcastle-under-Lyme Library (by appointment only)	03 August 2023	11
Bradwell (Bradwell Lodge Community Centre)	08 August 2023	7
Guildhall (NUL Town Centre)	10 August 2023	19

- 2.5 Most of the 'drop in' events were held from 5pm until 7pm. The exception was the event at Newcastle-under-Lyme Library where an appointment could be made to speak to a planning officer between 10am – 6pm.
- 2.6 There has been a strong response to the First Draft of the Local Plan. It is difficult to provide a full picture of the responses received until after all the responses have been processed. The Council is currently processing in the order of 550 hard copy responses (letters) and approximately 680 e-mail comments to the First Draft Local Plan and associated consultation documents. It is difficult therefore to provide a final number of consultation responses at this stage. This is due, in part, to the fact that a single e-mail may contain multiple comments on the draft Plan.
- 2.7 As outlined in the paragraph above, comments are still being processed but the interim position for responses registered on the system currently, as at the 06 September 2023 is:
- a. 1,488 comments on the First Draft Local Plan from 519 consultees currently registered on our consultation portal
 - b. 12 comments on the Sustainability Appraisal from 10 consultees currently registered on our consultation portal
 - c. 17 comments on the Habitats Regulations Assessment from 10 consultees registered on our consultation portal
- 2.8 There have also been four recorded petitions submitted to the consultation, these include: -
- a. A petition considered at Full Council on the 26th of July 2023 regarding a review of the Council's housing targets. At the time of preparing the Full Council report this had recorded 427 hard copy signatures and 1,657 signatures online. As at the 06 September 2023, 1,855 people have signed the online petition.
 - b. A petition entitled 'save your Newchapel and Harriseahead Green Belt from housing development (sites NC77 and NC13) with 88 signatures currently.
 - c. A petition regarding housing proposals at Red Street, High Carr Farm, Talke Pitts, Butt Lane, West Avenue and Congleton Road. The petition notes that infrastructure cannot take that level of development in such a

small area, no plans for additional schools or GP surgeries with 289 online and 296 written signatures.

- d. A petition submitted by several local businesses on Hassell Street entitled 'Save Hassell Street Car Park' with over 450 signatures.

- 2.9 The immediate next steps for the planning policy team are to continue to register and publish consultation responses onto our consultation portal <https://consult.newcastle-staffs.gov.uk/kse/>. Once this has been completed, the team will then analyse responses received identifying the key issues raised and prepare a consultation report. The process of identifying key issues will be issue based rather than a bespoke individual response to comments made to the First Draft Local Plan. The outcome of the consultation will also help prepare the next stage on the Local Plan, identifying where further evidence may be required. The Council will then look to prepare the next iteration of the Local Plan, the Final Draft Local Plan for consultation and submission to the Planning Inspectorate for examination next year.

Consultation themes

- 2.10 As all the responses have not yet been processed on the system, it is difficult to provide a comprehensive review of key themes raised at this stage as this will be undertaken once the consultation responses are registered on our consultation portal. However, the following are themes in the consultation responses received to date, including: -
 - a. That the overall housing numbers should be recalculated and are either too high or too low.
 - b. That further work is required to understand the infrastructure requirements of the Local Plan
 - c. Views expressed on the sites proposed in the draft Plan
 - d. Concerns expressed over the need and justification for Green Belt release
 - e. That brownfield sites should be prioritised in the Plan

3. Recommendation

- 3.1 That Members note the update following consultation on the First Draft of the Borough Local Plan

4. Reasons

- 4.1 To provide an update on the Local Plan. To ensure that the process of adopting the Local Plan is undertaken in accordance with the requirements of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

5. Options Considered

- 5.1 The Council has already expressed its clear intention through its Local Development Scheme and through the preparation of the Local Plan to date that it intends to put in place a comprehensive set of up-to date planning policies for the Borough.
- 5.2 The option of not to proceed with the Local Plan and to cease work is not considered a reasonable option as the Council has a statutory duty to prepare development plan documents. Other consequences are the diminishing weight applied to out-of-date policies in existing development plan and the possibility without a forward supply of development sites that the Council fails to demonstrate a 5-year land supply. This would result in planning applications being determined in line with the presumption of sustainable development.

6. Legal and Statutory Implications

- 6.1 In accordance with section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) the Council has a statutory duty to prepare planning policies and maintain an up to-date development plan. Secondary legislation contained in the Town and Country Planning (Local Planning) (England) Regulations 2012 provides additional guidance on Plan making.

7. Equality Impact Assessment

- 7.1 The Local Plan will be supported by an Equality Impact Assessment. This will consider how development proposed and planning policies impact on different groups within the community.

8. Financial and Resource Implications

- 8.1 The preparation of the Local Plan is resourced through the Planning Policy budget.

9. Major Risks & Mitigation

- 6.1 Failure to demonstrate transparency and inclusiveness in our engagement and consultation with stakeholders on strategy development - If an aggrieved party feels the process has not been followed correctly then it may launch a challenge to the validity of the plan through the judicial review process. It is therefore important that the plan presents itself in a manner where each party can present their case fully. The Borough Council will also follow its Statement of Community Involvement during consultation stages.
- 6.2 Changes in National Policy, Legislation and Guidance - The Levelling-Up and Regeneration Bill is currently before parliament. The Bill will have

implications to produce Local Plans, once it receives Royal Ascent (anticipated to be later in the year). The Government has outlined that Councils have until 30 June 2025 for old style Plans to be submitted for examination (to be adopted by 31 December 2026). Alongside this, the government has recently consulted on proposed changes to the National Planning Policy Framework. This may result in changes to the approach to Plan making, particularly in respect of the Green Belt. Again, this position will be kept under review. Transitional arrangements are likely to apply and implications of any changes to the approach and content of the Local Plan will be kept under review.

10. UN Sustainable Development Goals (UNSDG)

10.1 As the Local Plan is primarily focused on the use of land, overall levels of growth and the relationship to the environment and infrastructure then a number of the UN Sustainable Development Goals will overlap with the aims of the Plan.



11. Key Decision Information

11.1 This report provides an update following consultation on the First Draft Local Plan. Decision reports associated with the formal consultation and submission of the Local Plan will affect all wards in the Borough.

12. Earlier Cabinet/Committee Resolutions

12.1 Cabinet – 6 June 2023 – Cabinet decision to consult on the First Draft Local Plan - <https://moderngov.newcastle-staffs.gov.uk/ieListDocuments.aspx?CI=118&MI=4234>

13. List of Appendices

13.1 None

14. Background Papers

14.1 Information on the emerging Local Plan including a link to the Borough Council's consultation portal can be viewed here: - <https://www.newcastle-staffs.gov.uk/planning-policy/local-plan>

This page is intentionally left blank

ECONOMY AND PLACE SCRUTINY COMMITTEE



Work Programme 2023/24

Chair

Cllr G. White

Vice-Chair

Cllr R. Bettley-Smith

Members

Cllrs S. Beeston, G. Burnett, J. Edgington-Plunkett, R. Gorton, D. Grocott, M. Holland, T. Johnson, B. Panter, C. Skelding

Scrutiny Champion

Simon McEneny

Portfolio Holders within the Committee's remit

Cllr S. Sweeney - Deputy Leader – Finance, Town Centres and Growth
Cllr T. Johnson – Environment and Recycling
Cllr A. Fear – Strategic Planning

This committee scrutinises how the council influences, affects and interacts with the natural and built environment. It also scrutinises how the council influences, affects and interacts with the local, regional and national economy.

This Work Programme is set and reviewed at quarterly meetings of the Scrutiny Management Group. The Chair and Vice Chair also meet regularly with the Portfolio Holders to discuss this Work Programme. There is an opportunity for committee Members to discuss the Work Programme at each committee meeting. Part D of the Council's [Constitution](#) governs the scrutiny process.

For more information on the Committee or its work Programme please contact the Democratic Services:

✚ Geoff Durham at geoff.durham@newcastle-staffs.gov.uk or on (01782) 742222

✚ Alexandra Bond at alexandra.bond@newcastle-staffs.gov.uk or on (01782) 742211

Planned Items

DATE OF MEETING	ITEM	NOTES
21 September 2023	<ul style="list-style-type: none"> • Future High Streets Fund and Town Deals for Kidsgrove and Newcastle under Lyme • Borough Local Plan • Report of the Housing Task and Finish Group 	
7 December 2023	<ul style="list-style-type: none"> • Planning Enforcement & Performance • Future High Streets Fund and Town Deals for Kidsgrove and Newcastle under Lyme • Borough Local Plan 	
18 March 2024	<ul style="list-style-type: none"> • Knutton Master Plan • Future High Streets Fund and Town Deals for Kidsgrove and Newcastle under Lyme • Borough Local Plan 	

Special Meeting

A53/Bus Gate – Final Business Case – joint meeting with HWE Scrutiny when appropriate

Pending

BID Update – To be presented by the BID Manager

Previous Items

DATE OF MEETING	ITEM	NOTES
15 June 2022	<ul style="list-style-type: none"> • HS2 – look ahead to the next 12 months on works impacting on the Borough • Sustainable Environment Strategy, Action Plan • Future High Streets Fund update & Town Investment Plans for Newcastle and Kidsgrove – update on progress • Borough Local Plan • Police presence in the town centre 	
1 August 2022	<ul style="list-style-type: none"> • Borough Local Plan Call-In 	
1 September 2022	<ul style="list-style-type: none"> • Recycling and Waste Services Update – Town Centre Impact • Future High Streets Fund and Town Deals for Kidsgrove and Newcastle under Lyme 	
12 December 2022	<ul style="list-style-type: none"> • Strategic management of the Town Centre • Future High Streets Fund and Town Deals for Kidsgrove and Newcastle under Lyme • 850 Commemorations • Local Plan timings and next steps 	
16 March 2023	<ul style="list-style-type: none"> • Strategic Management of the Town Centre/NUL BID • Future High Streets Fund and Town Deals for Kidsgrove and Newcastle under Lyme • Borough Local Plan • Housing Provision – set up Working Group 	

8 June 2023	<ul style="list-style-type: none">• HS2 Update• Borough Local Plan • Neighbourhood Planning• Future High Streets Fund and Town Deals for Kidsgrove and Newcastle under Lyme	Including consultation responses and housing numbers Including an update on York Place and the Multi-Storey Car Park
12 June 2023	<ul style="list-style-type: none">• Local Plan Reg 18 Call In – TBC	Meeting date held for potential Reg 18 Call In

Last updated on 13th September 2023