

Public Document Pack

Date of meeting Thursday, 7th 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

Health, Wellbeing & Environment Scrutiny Committee

AGENDA

PART 1 – OPEN AGENDA

- 1 APOLOGIES
- 2 DECLARATIONS OF INTEREST
- 3 MINUTES OF PREVIOUS MEETING (Pages 5 - 10)
To consider the Minutes of the last meeting of the Committee.
- 4 UPDATE FROM CABINET
- 5 STAFFORDSHIRE HEALTH & CARE OVERVIEW & SCRUTINY (Pages 11 - 14)
To receive feedback from members of this committee who attended the meetings of the Healthy Staffordshire Select Committee
- 6 WALLEYS QUARRY UPDATE (Pages 15 - 44)
- 7 HOMELESSNESS - REVIEW OF NEW ARRANGEMENTS (Pages 45 - 56)
- 8 REVIEW OF ALLOTMENT WAITING LIST (Pages 57 - 82)
- 9 CHIEF FIRE OFFICER - Q & A (Verbal Report)
- 10 CYCLE ROUTES & LANE PROVISION (Pages 83 - 96)
- 11 WORK PROGRAMME (Pages 97 - 100)
- 12 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.
- 13 URGENT BUSINESS

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

14 DISCLOSURE OF EXEMPT INFORMATION

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

15 HOMELESSNESS CONFIDENTIAL APPENDIX 2

(Pages 101 - 102)

16 DATE OF NEXT MEETING

Members: Councillors Adcock (Vice-Chair), Barker MBE, Brown, Crisp, Dymond, S Jones, Northcott, Reece, Richards, Wilkes (Chair) and Wright

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 Quorum: The meeting quorum for Scrutiny Committees is 4 of the 11 members.

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:-

Substitute Members:	Beeston	Holland
	Bryan	Parker
	Burnett-Faulkner	J Tagg
	Edginton-Plunkett	S White
	Fox-Hewitt	

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)

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

Health, Wellbeing & Environment Scrutiny Committee - 14/06/23

HEALTH, WELLBEING & ENVIRONMENT SCRUTINY COMMITTEE

Wednesday, 14th June, 2023
Time of Commencement: 7.00 pm

[View the agenda here](#)

[Watch the meeting here](#)

Present: Councillor Ian Wilkes (Chair)

Councillors:	Adcock	Dymond	Reece
	Barker MBE	Hutchison	Richards
	Brown	S Jones	
	Crisp	Northcott	

Apologies: Councillor(s) Wright

Substitutes: Councillor Joel Edgington-Plunkett (In place of Councillor Ruth Wright)

Officers:	Nesta Barker	Service Director - Regulatory Services
	Andrew Bird	Service Director - Sustainable Environment

1. **APOLOGIES**

2. **DECLARATIONS OF INTEREST**

Cllr Northcott declared a non-pecuniary interest as County Council Cabinet Support Member for Public Health and Integrated Care which would be relevant to item 5.

3. **MINUTES OF PREVIOUS MEETING**

Resolved: That the minutes of the previous meeting held on 6th March 2023 be agreed as a correct record.

4. **UPDATE FROM CABINET**

The Portfolio Holder for Sustainable Environment reported on his first Cabinet meeting and recommendation for the Council to adopt the Staffordshire Adaptation Strategy. As an active member of Staffordshire Sustainability Board the Council was in a good position to help facilitate actions in relation to the strategy which included the following objectives:

- infrastructure and buildings resilient to climate related hazards;
- natural environment and green spaces allowing for biodiversity, recreation and reduction of air pollution;
- health, wellbeing and safety, e.g. minimising the impacts of heat related stress and reduced air quality in the summer;

Health, Wellbeing & Environment Scrutiny Committee - 14/06/23

- local economy taking into account that extreme weather events and change in weather can disrupt business operations e.g. overheating premises, flooding etc.

The Staffordshire Adaptation Strategy was supported unanimously by Cabinet.

Questions were asked and responses were provided as follows:

- Cllr Northcott found the decision encouraging and asked if this would imply pursuing law makers to change the law. Land owners and developers for instance could be asked to put measures in place to help mitigate risks of flooding and other drainage issues. – The Service Director for Sustainable Environment confirmed that the Board as an organisation gathering local authorities had some lobbying powers and that changes at government level should be sought. The Council would be developing its own adaptation strategy through the Local Plan.
- Cllr Brown asked if there were any contingency plans with regard to tree planting and the assumption that trees would look after themselves after a while, which may be compromised by the climate crisis. – While it was to be acknowledge that tree planting would always include a percentage of failure as it had in the past, a management strategy seating on the back of the Urban Tree Planting Strategy was currently being pulled together. The Chair commented that 10% of trees planted would usually die before reaching maturity.

Resolved: That the update from Cabinet be noted.

[Watch the debate here](#)

5. STAFFORDSHIRE HEALTH & CARE OVERVIEW & SCRUTINY

Resolved: That the District and Borough Council Digest from Staffordshire County Council Health and Care Overview and Scrutiny Committee be received.

[Watch the debate here](#)

6. WALLEYS QUARRY UPDATE

The Head of Regulatory Services presented an update on Walleys Quarry as previously submitted to Cabinet.

Questions were asked and responses were provided as follows:

- Cllr Adcock: with the rise of complaints over the last couple of months, would the Council consider re-using the drones monitoring devices previously in place around the site? – The drones were used to support officers' visits which had proven to be most effective.
- Cllr Barker: could the odours coming from Walleys Quarry be confused with those originating from the old Mc Guinness site? – Complaints had been made assuming it was Walleys and efforts were put to differentiate the potential sources of odours. Complaints relating to the Mc Guinness site could be addressed to Stoke-On-Trent City Council or the Environment Agency.

Newcastle residents who were affected could also complain to the Council using the general pollution online form as opposed to the Walleys Quarry one.

- Cllr Adcock: things had been happening since the report was drafted, Walleys having been doing permanent capping on the Eastern flank and the Environment Agency having announced a public dropping at the fire station on the 20th June which the Council would need to advertise. – It was confirmed that the capping would indeed help contain the odours and that the team would be present at the dropping session, talking to people about the Council's activities.

Resolved: That the contents of the update report be noted.

[Watch the debate here](#)

7. **POLICE COMMANDER REVIEW OF THE NEW POLICING MODEL**

The Police Commander gave a verbal report on the new policing model.

Questions were asked and responses were provided as follows:

- Cllr Brown: crime nationally was on the rise; did we know what this related to? – This was intrinsically linked to drug and alcohol addiction.
- Cllr Barker: was it correct to say that people were very reluctant to report crimes and this may be part of the problem? – Indeed crime and antisocial behaviours were not always reported by people however it was now possible to do this online which would hopefully make things easier.
- Cllr Adcock: was the new model under continuous review or was it something done on a quarterly or yearly basis? – The model was under constant evaluation regarding what is working and what isn't. A new Chief had recently joined and started implementing successful changes, leading the organisation in the right direction.
- Cllr Dymond: what was the best way to report off-road bikes? – They should be reported through 101 or the online reporting system. Drones were used to help catching them although this was mainly after the event.

Cllr Dymond expressed her concern over one particular bike she had been repeatedly reporting with a girl wearing no helmet at the back. The Police Commander asked that all details be emailed to him so that he could investigate the case.

- Cllr Northcott: would it be possible to have an update on any improvements of the 101 service regarding response time as well as initiatives in the rural area to combat crime? – There had been improvement in response time for both 101 and 999 calls. There were now also officers dedicated to rural areas which hadn't always been the case, with one of two stationary people per shift.
- The Chair: following the announcement that the METs were no longer going to be called out for mental health, would it be likely to be the same here? – Indeed the decision was taken nationally by various forces and the Staffordshire Police was following that track, partnering with the NHS so that

there weren't gap in service. The police would also still be there in situations when there was a risk that someone would get hurt or someone would harm somebody.

- Cllr Crisp: how was a situation categorised as mental health issue? – It would differ depending on the circumstances but typically this was when someone was in a crisis requiring medical attention and support for which the Police was not the best qualified and equipped.

Resolved: That the update be noted.

[Watch the debate here](#)

8. **MODULAR HOUSING**

A presentation on modular housing modern methods of construction through the case study of a pilot project undertaken in Wolverhampton had been shared with the meeting documents.

As the author was unable to attend the Chair gave an overview of the benefits of modular housing including non-reliance on the weather during the construction phase, lower cost of material and manpower flexibility. Modular housing meant more affordable houses and was used by governments to combat homelessness.

Questions were asked and responses were provided as follows:

- Cllr Northcott wished that more information be provided on the maintenance regime and costs of repairs to assess the viability of the project. – Modular housing had a sixty years lifespan but could last even longer if appropriate maintenance was carried out. This could be discussed further with Wolverhampton Housing at a later meeting.
- Cllr Crisp asked what the walls were made of. – The interior was usually wooden frame with an exterior cladding such as bricks and PVC.

Resolved: That Wolverhampton Housing be invited to come to a later meeting to do their presentation and respond to questions.

[Watch the debate here](#)

9. **WORK PROGRAMME**

Members requested that the presentation on Modular Housing be postponed to the September meeting and that the Sustainable Environment Strategy Annual Report be moved to the November meeting along with a review of the 850 Celebrations.

Resolved: That the work programme be received.

[Watch the debate here](#)

10. **PUBLIC QUESTION TIME**

A request to speak at the meeting had been received from a member of the public who did not attend.

11. **URGENT BUSINESS**

There was no urgent business.

12. **DATE OF NEXT MEETING**

Resolved: That the next meeting be held on 7th September 2023.

**Councillor Ian Wilkes
Chair**

Meeting concluded at 8.04 pm

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Health and Care Overview and Scrutiny Committee

District and Borough Council Digest

Under the Health Scrutiny Code of Joint Working with District and Borough Councils, Authorities have undertaken to keep relevant Partners informed of their consideration of health matters having regard to the general working principle of co-operation and the need to ensure a co-ordinated Staffordshire approach. Therefore, the following is a summary of the business transacted at the meetings of the Health and Care Overview and Scrutiny Committee held on 24 July 2023 and 31 July 2023.

Health and Care Overview and Scrutiny Committee 24 July 2023 & 31 July 2023

Integrated Care Partnership Operating Plan

The Committee considered the Integrated Care Partnership Plan and were informed that the plan set out key priorities as a system for 2023/24 and a collective aim to reduce the number of Category 2 and 3 ambulance calls. The four system level priorities were identified:

- Urgent and Emergency Care
- Tackling backlogs
- General Practice
- Complex individuals

The Committee noted the final version of the Staffordshire and Stoke-on-Trent ICP Operating plan and agreed to work with Healthwatch in their scoping of a deep dive into primary care and to review the patients journey for the frail and elderly into the care system.

System Performance

The Committee received an update on the system performance from the ICB. The Committee received the Performance Overview Dashboard from 2022/23 and an overview of the approach and progress to date in developing the Staffordshire and Stoke-on-Trent ICB Performance Report for 2023/24.

The Committee noted the performance overview dashboard for 2022/23 and the development of the 2023/24 performance report.

System Pressures

The Committee considered the system pressures and were informed that the ICS had developed a full system winter plan to manage winter 2022/23 however the position in Staffordshire was challenged with high levels of pressure and cumulative factors contributed to the system declaring a Critical Incident from 29 December 2022 to 12 January 2023. It was reported that there were three key components which exacerbated pressure:

- Workforce
- Demand
- Supply

The Committee were informed that the ICB agreed that a priority action would be to carry out a thorough assessment and review of the plans effectiveness in March 2023 and a lessons learned workshop event was held with all constituent system partner organisations. The Committee were advised that the Urgent and Emergency Care Improvement Plan had been

agreed. The Committee were updated on current performance of 111, Ambulance Activity, ED Activity, Medically Fit for Discharge and Discharge pathways.

The Committee noted the system pressures and requested the full winter plan be brought to Committee before Winter 2023/24.

Update on Elective care performance and recovery

The Committee received an update on Elective care performance and recovery.

It was reported that COVID had a significant impact on the delivery of Elective care and as a result there were significant backlogs of patients awaiting treatment. The Committee were informed that NHS England required all 104-week waiters to have been treated by March 23 however in Staffordshire there were 10 patients awaiting treatment, although 9 of these patients would be treated in July. It was also reported that the NHS England had set a target to treat all patients who had been waiting more than 78 weeks by June 2023, however there were still a number of patients awaiting treatment. The NHS operational planning guidance for 2023/24 required local ICS to have treated all 65-week waiters by the end of March 2024.

The Committee noted the report and actions being taken to reduce waiting times.

SSOT ICS People, Culture and Inclusion Annual Report and update.

The Committee received the SSOT ICS People, Culture and Inclusion annual report and it was reported that the report was developed in collaboration with ICS clinical workforce leads alongside partners across the system.

Adult Social Care Enhanced Assurance

The Committee received a presentation on Adult Social Care Enhanced Assurance.

It was reported that the Health and Care Act 2022 gave the Care Quality Commission (CQC) new regulatory powers to undertake independent assessment of local authorities' delivery of the statutory duties set out in part 1 of the Care Act 2014. The Council has commenced preparations for Enhanced Assurance, including a "CQC readiness review" from West Midlands Association of Directors Social Services in March 2023.

It was reported that the CQC had released a framework that they intended to use for assessment which comprises of four themes and within those themes there were nine quality statements:

1. Assessing needs
2. Supporting people to live healthier lives
3. Equity in experiences and outcomes
4. Care provision, integration and continuity
5. Partnerships and communities
6. Safe systems, pathways and transitions
7. Safeguarding
8. Governance, management and sustainability
9. Learning, Improvement and innovation

The Committee agreed to set up an Adult Social Care Enhanced Assurance Working group.

To see the reports in full and view the webcast of the meeting see the links below:

[Browse meetings - Health and Care Overview and Scrutiny Committee - Staffordshire County Council](#)

The next meeting will be held on Monday 11 September 2023 at 10.00 am, County Buildings, Stafford.

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

CORPORATE LEADERSHIP TEAM'S

REPORT TO CABINET

18 July 2023

Report Title: Walleys Quarry – Odour Issues

Submitted by: Chief Executive

Portfolios: Sustainable Environment; One Council, People & Partnerships

Ward(s) affected: All

Purpose of the Report

To update Cabinet on the latest position regarding the problematic odours in the Borough associated with Walleys Quarry including progress in relation to agreement reached following mediation with the operator.

RECOMMENDATIONS

Cabinet is recommended to:

- 1. Note the contents of this update report.**

Reasons

To ensure Cabinet is kept updated on the ongoing work regarding the problem odours associated with Walleys Quarry landfill. To note the current odour complaint and data available, which shows an improvement in the odour issue.

1. Background

- 1.1** For a number of years, parts of the borough have suffered from foul odours from the Walleys Quarry Landfill Site in Silverdale operated by Walleys Quarry Ltd, part of the RED Industries group of companies. The Environment Agency (EA) is the lead regulator for such sites, testing and enforcing compliance with the permit under which the site operates. The Council also has a role in influencing the operation and performance of such sites, where an operator fails to comply with actions required under an abatement notice issued by the Council in relation to any statutory nuisance caused by the site.
- 1.2** In March 2021, Council held an extraordinary meeting to receive the report of the Economy, Environment and Place Scrutiny Committee review into the Walleys Quarry issues, and to debate a motion demanding the immediate suspension of operations and acceptance of waste at the Walleys Quarry Landfill site.
- 1.3** Cabinet has received monthly updates on the issues relating to the odours, and Council has also been regularly updated.

2. Statutory Nuisance

- 2.1 Following extensive work, officers determined that the odours from the Walleys Quarry site amounted to a Statutory Nuisance and, on 13 August 2021, served an Abatement Notice on Walleys Quarry Ltd. (WQL).
- 2.2 The Abatement Notice afforded WQL a period of 5 months to abate the nuisance, with this timeframe being informed by discussion on the nature and extent of potential works required at the site with colleagues from the Environment Agency and with our own landfill and odour experts.
- 2.3 On 2 September 2021, WQL lodged an appeal against the Abatement Notice with the Magistrates Court. This has the effect of “stopping the clock” on the 5 month timeframe to abate the nuisance.
- 2.4 At the Cabinet meeting on 18 October 2022, Members received a report detailing the outcome of a mediation process that had been undertaken. The mediation process was guided by the former Supreme Court Judge and environmental law specialist the Right Honourable Lord Carnwath of Notting Hill. As a result of that process, the Council and WQL were able to agree terms for a settlement which enabled WQL to withdraw their appeal against the notice.
- 2.5 On 6 October 2022, His Honour District Judge Grego approved the settlement that the parties had reached, and issued a court order upholding the Abatement Notice and dismissing WQL’s appeal.
- 2.6 The 5 month compliance period ended at midnight on 5 March 2023 meaning that the notice can be enforced, should there be evidence to substantiate a breach and Walleys Quarry Ltd are not following best practice in operating the landfill site.
- 2.7 The Council will continue to assess the prevalence of odours off site. In the event that there are further instances of statutory nuisance identified which amount to a breach of the Abatement Notice, the Council’s Enforcement Policy will guide the process to be followed [Reference: [Environmental Health enforcement policy – Newcastle-under-Lyme Borough Council \(newcastle-staffs.gov.uk\)](https://www.newcastle-staffs.gov.uk/environmental-health-enforcement-policy)]. This would determine what action the Council would take, and whether that would be formal or informal. Enforcement is usually considered sequentially but should the circumstances or nature of the breach be such, escalation direct to prosecution is possible. The Council would need to obtain the consent of the Secretary of State before it is able to prosecute an offence of breaching an abatement notice, as the site is permitted by the Environment Agency.
- 2.8 Progress with key elements of the settlement agreement

As part of the Agreement, Council officers, including the Chief Executive are meeting with senior representatives of Walleys Quarry Limited (WQL) to ensure that all aspects of the agreement are implemented. Meetings are taking place on a regular basis with the outcome to date including:

- a. WQL have published a comprehensive set of its operational plans on its website in a publicly accessible format. [Reference: <https://walleysquarry.co.uk/site-permits-and-policies#MGMTPlans>]
- b. WQL notify any operational changes that may impact on odour emissions from the site. Notifications are published on the WQL ‘Latest Information’ webpage. In February advance notice was given by WQL of the installation of new vertical wells that had the potential to create short-lived odour emissions. [Reference: <https://walleysquarry.co.uk/#information>]

- c. A set of standard key performance indicators in a score card format monitor the performance of the operator. Further detail is provided in Section 6.
- d. The last Liaison Committee meeting took place on 22 June 2023 and a viewable recording of the meeting is available at the link below. Updates were provided by Walleys Quarry Limited, Environment Agency, Staffordshire County Council, Borough Council, Silverdale Parish Council and resident representatives.
[Reference: [Walleys Liaison Committee Meeting 22nd June 2023 173150 Meeting Recording - YouTube](#)] The next meeting is planned for 28 September 2023.
- e. The agreement requires WQL to notify the Council of any written amendments to the listed Operational Plans/Procedures within 48 hours of such notification by the Environment Agency, and this has occurred in line with the agreement. As an example in June 2023 Walleys Quarry Limited notified of the commencement of permanent capping of the eastern flank of Cell 4 (the area nearest to Galingale View).
- f. In April 2023, Officers undertook a site visit and inspection of the landfill site, looking at the current on site operations.

3. Complaint Data

3.1 Below is a schedule of complaints received by the Council and by the Environment Agency over the last 3 months, on a weekly basis. Complaints rise and fall broadly in line with the H2S levels recorded at the four monitoring stations around the site, with higher levels of H2S generally causing more annoyance in the community. Historical complaint data is attached to this report as Appendix 1.

	Complaints to NuLBC	Complaints to Environment Agency
April 2023		
03/04/23 – 09/04/23	45	152
10/04/23-16/04/23	11	64
17/04/23-23/04/23	48	101
24/04/23 – 30/04/23	148	278
May 2023		
01/05/23 – 07/05/23	50	150
08/05/23 – 14/05/23	53	164
15/05/23 – 21/05/23	147	320
22/05/23 – 28/05/23	90	210
June 2023		
29/05/23 – 04/06/23	24	43
05/06/23 – 11/06/23	19	75
12/06/23 – 18/06/23	76	154
19/06/23 – 25/06/23	80	170
26/06/23 – 02/07/23	40	99

3.2 There are a number of odour events where complaints have increased (10 complaints and above):

- 12 June
- 16 June

- 19 – 21 June
- 23 June
- 29 June

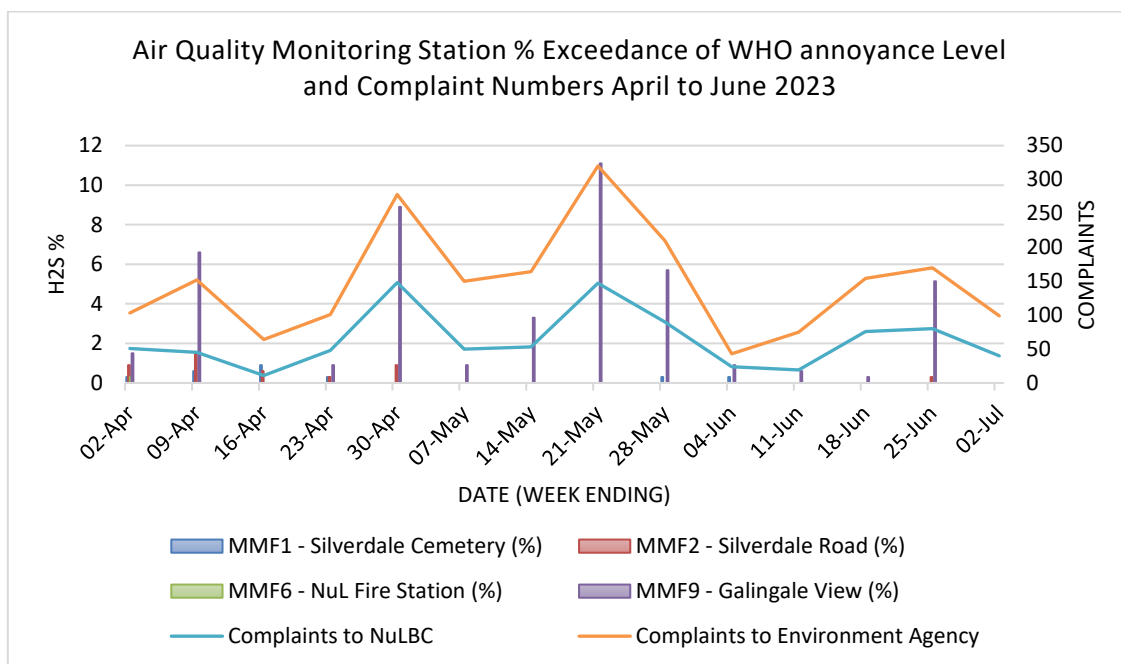
The highest number of odour reports during this period was received on 12 June 2023 when the Council received 26 complaints. The longest period where complaints have been consistently above 10 complaints was from 19 – 21 June 2023 (3 days).

4. Air Quality Monitoring Stations

- 4.1 The Council, Staffordshire County Council, and the Environment Agency are jointly funding a campaign of air quality monitoring utilising four static air monitoring stations. Data from these stations is reviewed to provide information in relation to two standards relating to Hydrogen Sulphide (H₂S) – the WHO Health threshold and the WHO odour annoyance guideline, with this analysis published by stakeholders. In June 2023 MMF6 at NUL Fire Station was removed by the EA. This is due to it consistently recording low (Zero) results. The following link explains the reasons for the removal of MMF6 <https://engageenvironmentagency.uk/engagementhq.com/air-quality-monitoring/widgets/70807/videos/4024>
- 4.2 Over the last 3 months, no H₂S concentrations were above the World Health Organisation's health threshold (150 µg/m³, 24-hour average). H₂S levels were above the odour annoyance guideline level (7 µg/m³, 30-minute average) for the following percentages of each week. Historical data is attached to this report in Appendix 2.

Location	MMF1 - Silverdale Cemetery (%)	MMF2 - Silverdale Road (%)	MMF6 - NuL Fire Station (%)	MMF9 - Galingale View (%)
April 2023				
03/04/23 -09/04/23	0.6	1.5	0	6.6
10/04/23-16/04/23	0.9	0.6	0	0
17/04-23/04/23	0.3	0.3	0	0.9
24/04/23 – 30/04/23	0	0.9	0	8.9
May 2023	0	0	0	0.9
01/05/23 – 07/05/23				
08/05/23 – 14/05/23	0	0	0	3.3
15/05/23 – 21/05/23	0	0	0	11.1
22/05/23 – 28/05/23	0.3	0	0	5.7
June 2023	0.3	0	0	0.9
29/05/23 – 04/06/23				
05/06/23 – 11/06/23	0	0	0	0.6
12/06/23 – 18/06/23	0	0	0	0.3
19/06/23 – 25/06/23	0	0.3	0	5.14
26/06/23 – 02/07/23	0	0		0

- 4.3 The complaint and air quality data has been combined and shown in the graph below. The complaint numbers and % exceedance of the WHO annoyance level shows good correlation.



4.4 In the UKHSA report ‘Health Risk Assessment of air quality monitoring results’ states ‘in May 2023 the concentrations of hydrogen sulphide were above the WHO odour annoyance guideline value for a considerable percentage of the time at one of the monitoring sites, MMF9’.

4.5 Each monitoring station (MMF) records the percentage exceedance over a week, which results in 19 readings over a 5 week period. In June, 0% was recorded for 68.5% of the time, a figure of <1% exceedance was recorded for 26.5% of the time and >1% exceedance was recorded for 5%. The peak % exceedance was 5.14%, this is lower than May’s peak of 11.1%.

5. **Environment Agency Regulatory and Enforcement Action**

5.1 The Environment Agency has continued to provide weekly updates on their regulatory activity on the Walleys Quarry Landfill Citizens Space website. Please note that the EA have launched a new website for people interested in the regulation of Walleys Quarry Landfill Site. This will be replacing Citizen Space and can be accessed here: <https://engageenvironmentagency.uk.engagementhq.com/hub-page/walleys-quarry-landfill>.

These updates reflect regular EA officer presence at the site to review progress with the Contain Capture Destroy strategy. Extracts from the recent weekly updates are summarised below:

EA Site Visits –

- 07 June 2023 - unannounced site inspection to carry out a general inspection
- 09 June 2023 - announced site inspection to inspect the capping works being undertaken.
- 12 June 2023 - follow-up site inspection focussing on the geomembrane capping works undertaken since 5 June 2023. Phase 3 is now in progress, with 2000m² of geotextile and overlying geomembrane installed to date.
- 19 June 2023 – site inspection focusing on the geomembrane capping works, sidewall clay liner works and general compliance with permit conditions.

Gas Capture - Data relating to the gas utilisation plant (GUP) the extraction rate and H2S concentrations are recorded as follows:

News in Brief Date	Extraction Rate (m ³ /hr)	Hydrogen Sulphide Level at GUP (ppm)
01 June 2023	3332	1990
08 June 2023	3345	2120
15 June 2023	3400	2160
22 June 2023	3500	1850
30 June 2023	3400	1930
06 July 2023	3349	1990

5.2 **Public Drop-in event**

A public drop-in event for the local community was held on 20 June 2023 at the Newcastle-under-Lyme Community Fire Station, between 3:30pm and 7pm. Representatives from the Environment Agency, Newcastle-under-Lyme Borough Council, Staffordshire County Council, Staffordshire Police and the UK Health Security Agency attended.

This provided an opportunity for members of the community to talk about their experience, and for agencies to talk about their work regarding Walleys Quarry Ltd. Forty-seven people attended the drop-in event.

6. **Key Performance data**

- 6.1 Through the settlement agreement both Walleys Quarry Ltd and the Council have developed key performance indicators in relation to relevant data from each organisation. These key performance indicators are shown in Appendix 3 and 4.
- 6.2 The data from the Council covers the period from April to June 2023, and provides complaint numbers, air quality data, H2S and officer assessments. Some of the data for June is unavailable and will be updated in subsequent reports.
- 6.3 The data from Walleys Quarry Limited provides data on waste acceptance, odour management, landfill operations, landfill gas management, leachate management and information relating to the EA regulator as the primary regulator of the site. The data is supported by explanatory notes, is contained within Appendix 4.

7. **Proposal**

- 7.1 **Cabinet is recommended to note the contents of this update report.**

8. **Reasons for Proposed Solution**

- 8.1 To ensure Cabinet is kept updated of the ongoing work to address the issues associated with the odours from Walleys Quarry landfill and to keep under review opportunities to further action.

9. **Options Considered**

- 9.1 To provide regular updates to Council.

10. Legal and Statutory Implications

10.1 Part III of the Environmental Protection Act 1990 is the legislation concerned with statutory nuisances in law. This is the principal piece of legislation covering the Council's duties and responsibilities in respect of issues relating to odour nuisance:-

- The Environmental Protection Act 1990, section 79 sets out the law in relation to statutory nuisance. This is the principal piece of legislation covering the Council's duties and responsibilities in respect of issues relating to odour nuisance.
- The relevant part of Section 79 defines a statutory nuisance as any smell or other effluvia arising on industrial, trade or business premises which is prejudicial to health or a nuisance. The Council is responsible for undertaking inspections and responding to complaints to determine whether or not a statutory nuisance exists.
- Where a statutory nuisance is identified or considered likely to arise or recur, section 80 of the Act requires that an abatement notice is served on those responsible for the nuisance. The abatement notice can either prohibit or restrict the nuisance and may require works to be undertaken by a specified date(s).
- It is then a criminal offence to breach the terms of the abatement notice. Because the site is regulated by the Environment Agency under an Environmental Permit, the council would need to obtain the consent of the Secretary of State before it is able to prosecute any offence of breaching the abatement notice.
- The Act provides powers in respect of a breach. If a person on whom an abatement notice is served, without reasonable excuse, contravenes or fails to comply with any requirement or prohibition imposed by the notice, they shall be guilty of an offence. If this is on industrial, trade or business premises shall be liable on conviction to a unlimited fine. It is a defence that the best practicable means were used to prevent, or to counteract the effects of, the nuisance.

11. Equality Impact Assessment

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

12. Financial and Resource Implications

12.1 Dedicated officer resource has been allocated to continue the Council's work regarding Walleys Quarry Landfill.

12.2 From April 2023 there is £100k reserved for legal action associated with Walley Quarry landfill site. In the event that formal action is required, a separate report will be brought to full Council to approve additional funds.

13. Major Risks

13.1 A GRACE risk assessment has been completed including the following main risks:

- Failure to achieve a reduction in odour levels;
- Community dissatisfaction at odour levels;
- The ability to take enforcement action against abatement notice;
- Failure to evidence a breach of the abatement notice;

- Secretary of State refuses permission to undertake prosecution proceedings.

13.2 Controls have been identified and implemented in order to control these risks, the main controls include:

- Provisions in settlement agreement ensures greater transparency for public;
- Provisions in settlement agreement ensures regular meetings with Walleys Quarry which enable issues to be discussed;
- Dedicated officer resource for Walleys Quarry work has been secured;
- Continued air quality monitoring provision;
- Robust procedure for investigating complaints with experienced officers;
- Specialist expert advice maintained;
- Multi-Agency partnership working continues.

14. Unsustainable Development Goals (UNSDG)



15. Key Decision Information

15.1 As an update report, this is not a Key Decision.

16. Earlier Cabinet/Committee Resolutions

16.1 This matter has been variously considered previously by Economy, Environment & Place Scrutiny Committee, Council and Cabinet on 21 April 2021, 9th June 2021, 7th July 2021, 21st July 2021, 8th September 2021, 13th October 2021, 3rd November 2021, 17th November, 1st December 2021, 12th January 2022, 2nd February 2022, 23rd February 2022, 23rd March 2022, 20th April 2022, 7th June 2022, 19th July 2022, 6th September 2022, 18th October 2022, 8th November 2022, 6th December 2022, 10th January 2023, 7th February 2023, 13th March 2023, 5th April 2023, 6th June 2023.

17. List of Appendices

- 18.1 Appendix 1. Historical Complaint data
- 18.2 Appendix 2. Historical Monitoring Station data
- 18.3 Appendix 3. NUL Key Performance Data
- 18.4 Appendix 4. WQL Key Performance Data

Appendix 1. Historical Complaint Data

	Complaints to NuLBC	Complaints to Environment Agency
January 2022 3/1/22- 9/1/22	73	352
10/1/22 -16/1/22	258	1045
17/1/22 -23/1/22	134	651
24/1/22 – 30/1/22	25	139
February 2022 31/1/2 – 6/2/22	16	64
7/2/22 – 13/2/22	31	120
14/2/22 – 20/2/22	49	166
21/2/22 – 27/2/22	40	264
March 2022 28/2/22 – 6/3/22	118	571
7/3/22 – 13/3/22	72	285
14/3/22 – 20/3/22	224	1126
21/3/22 – 27/3/22	412	1848
28/3/22 – 3/4/22	243	1072
April 2022 4/4/22 -10/4/22	132	895
11/4/22 – 17/4/22	156	752
18/4/22 – 24/4/22	65	310
25/4/22 – 1/5/22	49	213
May 2022 2/5/22 – 8/5/22	39	193
9/5/22 – 15/5/22	35	160
15/5/22 – 21/5/22	43	134
22/5/22 – 29/5/22	20	81
June 2022 30/5/22 – 5/6/22	27	169
6/6/22 – 12/6/22	42	234
13/6/22 – 19/6/22	25	263
20/6/22 – 26/6/22	28	208

26/6/22 – 2/7/22	9	54
July 2022 3/7/22 – 9/7/22	4	34
10/7/22 – 16/7/22	14	72
17/7/22 – 23/7/22	21	52
24/7/22 – 30/7/22	12	93
August 2022 31/7/22 – 6/8/22	22	124
7/8/22 – 13/8/22	32	133
14/8/22 – 21/8/22	11	79
22/8/22 – 28/8/22	12	89
29/8/22 – 4/9/22	10	30
September 2022 5/9/22 – 11/9/22	9	64
12/9/22 – 18/9/22	13	83
19/9/22 – 25/9/22	14	79
26/9/22 – 2/10/22	13	58
October 2022 3/10/22 – 9/10/22	42	102
10/10/22 – 16/10/22	52	165
17/10/22 – 23/10/22	73	186
24/10/22 – 30/10/22	30	82
November 2022 31/10/22 – 6/11/22	27	116
7/11/22 – 13/11/22	23	86
14/11/22 – 20/11/22	60	113
21/11/22- 27/11/22	28	70
28/11/22 – 4/12/22	19	47
December 2022 5/12/22 – 11/12/22	43	163
12/12/22 – 18/12/22	22	114
19/12/22 – 25/12/22	12	45
26/12/22 – 01/01/23	11	39
January 2023 02/01/23 – 08/01/23	12	32

09/01/23 – 15/01/23	13	25
16/01/23 – 22/01/23	47	118
23/01/23 – 29/01/23	51	149
February 2023 30/01/23- 05/02/23	13	66
06/02/23-12/02/23	26	115
13/02/23-19/02/23	7	39
20/02/23- 26/02/23	3	15
March 2023 27/2/23 – 05/03/23	7	13
06/03/23 – 12/03/23	12	74
13/03/23 – 19/03/23	23	63
20/03/23 – 26/03/23	19	56
27/03/23 – 02/04/23	51	103
April 2023 03/04/23 – 09/04/23	45	152
10/04/23-16/04/23	11	64
17/04/23-23/04/23	48	101
24/04/23 – 30/04/23	148	278
May 2023 01/05/23 – 07/05/23	50	150
08/05/23 – 14/05/23	53	164
15/05/23 – 21/05/23	147	320
22/05/23 – 28/05/23	90	210
June 2023 29/05/23 – 04/06/23	24	43
05/06/23 – 11/06/23	19	75
12/06/23 – 18/06/23	76	154
19/06/23 – 25/06/23	80	170
26/06/23 – 02/07/23	40	99

Appendix 2. Historical Monitoring Station Data - Weekly percentage of time that each monitoring station location has recorded hydrogen sulphide concentrations above WHO odour annoyance guideline level (7 µg/m³).

Location	MMF1 - Silverdale Cemetery (%)	MMF2 - Silverdale Road (%)	MMF6 - NuL Fire Station (%)	MMF9 - Galingale View (%)
19/4/21 – 25/4	18	8	4	21
26/4 – 2/5	4	10	13	35
3/5 – 9/5	6	21	6	48
10/5 – 16/5	15	20	1	10
17/5 – 23/5	1	9	10	53
24/5 – 30/5	7	15	16	47
31/5 – 6/6	30	1	6	18
7/6 – 13/6	1	10	10	19
14/6 – 20/6	11	7	9	13
21/6 – 27/6	2	1	4	12
28/6 – 4/7	1	8	8	10
5/7 – 11/7	5	18	3	17
12/7 – 18/7	0.4	2.4	2.1	23
19/7 – 26/7	3.6	0	3.6	16
27/7 – 1/8	1.8	1.5	11	26
2/8 – 8/8	1	4	5	10
9/8 – 15/8	0.3	7	3	6
16/8 – 22/8	1	1	4	6
23/8 – 29/8	0	0	1.5	17
30/8-5/9	0	0	0.3	2.1
6/9 -12/9	0	1	13	18
13/9 – 19/9	0	0.6	7.3	11.7
20/9- 26/9	3	2	6	11
27/9-3/10	0	0	0	0.3
4/10 – 10/10	0	0	0.3	5
11/10 – 17/10	0	0.5	1.5	9
18/10-24/10	0	0	0	1.5
25/10-31/10	0	0	0	0
1/11 – 7/11	2.9	0	3.3	13.5
8/11 – 14/11	0	0	1	10
15/11 – 21/11	0	0	0	1.2
22/11-28/11	0	0	0	11
29/11-5/12	0.6	0.9	0	9
6/12 – 12/12	0.6	0	0.9	2.4
13/12-19/12	0.9	0	3	18.5
20/12-26/12	0	0	0	3
27/12-2/1	0	0	0	2.4
3/1-9/1	1.2	0	2.1	16.2
10/1-16/1	14.9	11.9	21.4	53.3
17/1-23/1	6	7	10	41
24/1 – 30/1	0	0	0	5.1
31/1-6/2	0	0	0	0

7/2 – 13/2	0	0	0.9	2.4
14/2 – 20/2	0	3.6	0.3	2.4
21/2 – 27/2	0	4.8	0.6	8.0
28/2 – 6/3	2.4	0	0.3	15
7/3 – 13/3	0.3	3.3	4.2	6.0
14/3-20/3	3.3	8.1	10.8	21.2
21/3-27/3	6.8	10.1	21.1	43.2
28/3 – 3/4	1.9	9.3	18.8	25.2
4/4-10/4	1.8	2.5	6.1	26.0
11/4 – 17/4	11.9	6.6	9.6	19.7
18/4 - 24/4	7.1	1.8	2.7	10.4
25/4 -1/5	5.1	0	1.5	9.0
2/5 – 8/5	2.7	4.8	n/a	n/a
9/5 – 15/5	0.9	1.2	0	1.8
15/5 – 21/5	0.6	2.1	0	2.7
22/5 – 29/5	0.3	0	0	0.9
30/5 – 5/6	0.3	0	1.2	7.4
6/6 – 12/6	0.3	0.6	2.1	3.6
13/6 – 19/6	0	0.6	0.6	11
20/6 – 26/6	0	0.9	0.3	15.5
26/6 – 2/7	0	0	0	0
3/7 – 9/7	0	0	0	0
10/7 – 16/7	0	0	0	0.9
17/7 – 23/7	0	0	0.3	1.5
24/7 – 30/7	0	0	0.3	1.2
31/7 – 6/8	0	0	0	1.5
7/8 – 13/8	0	0	0	1.8
14/8 – 21/8	0	0	0	0.6
22/8 – 28/8	0	0.3	0	0
29/8 – 4/9	0	0	0	0
5/9 – 11/9	0	0	0	4.2
12/9 – 18/9	0	0.3	0	2.9
19/9 – 25/9	0	0	0	1.8
26/9 – 2/10	0	0	0	4.2
3/10 - 9/10	0	0.4	0	3.7
10/10 – 16/10	0	1.9	0	0
17/10 – 23/10	0	0.6	0.3	1.5
24/10 – 30/10	0	0	0	0
31/10 – 6/11	0	2.2	0	1.8
7/11 – 13/11	0	0	0	0
14/11 – 20/11	4.5	1.2	0	0
21/11 - 27/11	4.5	0	0	0
28/11 – 4/12	0	0	0	0.6
5/12 – 11/12	1.5	5.1	0	14.3
12/12 – 18/12	1.2	3.6	0	11.6
19/12 – 25/12	0.6	0	0	0
26/12 – 01/01	0	0	0	0

02/01 – 08/01	1.8	1.2	0	0
09/01 – 15/01	0	0.3	0	0
16/01 – 22/01	0.3	0.3	0	11.1
23/01 – 29/01	0	0	0	4.8
30/01- 05/02	0	0	0	0
06/02-12/02	0	0.3	0.9	3.6
13/02-19/02	1.8	0	0	0
20/02- 26/02	0	0	0	0
27/2 – 05/03	0	0	0	0
06/03– 12/03	0.3	0	0	5.1
13/03 – 19/03	0.6	0	0	0.3
20/03 – 26/03	0.6	0	0	1.5
27/03 – 02/04	0.3	0.9	0.3	1.5
03/04-09/04	0.6	1.5	0	6.6
10/04-16/04	0.9	0.6	0	0
17/04-23/04	0.3	0.3	0	0.9
24/04-30/04	0	0.9	0	8.9
01/05–07/05	0	0	0	0.9
08/05–14/05	0	0	0	3.3
15/05– 21/05	0	0	0	11.1
22/05–28/05	0.3	0	0	5.7
29/05 – 04/06	0.3	0	0	0.9
05/06 – 11/06	0	0	0	0.6
12/06 – 18/06	0	0	0	0.3
19/06 – 25/06	0	0.3	0	5.14
26/06 – 02/07	0	0		0

Appendix 3 – NUL Key Performance Indicators

NULBC		Information	Measurement	April 2023	May 2023	June 2023
KPI 1	COMPLAINTS	Complaints reported to NULBC	Number	<p>253</p> <p>Number of unique properties = 203</p> <p>Rating 0 = 0 complaints Rating 1 = 0 complaint Rating 2 = 1 complaints Rating 3 = 40 complaints Rating 4 = 57 complaints (22.5%) Rating 5 = 71 complaints (28.1%) Rating 6 = 84 complaints (33.2%)</p> <p>% of complaints reporting odour entering the property = 194 complaints (76.7%) % of complaints reporting health effects = 200 complaints (79.1%)</p>	<p>353</p> <p>Number of unique properties = 276</p> <p>Rating 0 = 0 complaints Rating 1 = 0 complaints Rating 2 = 8 complaints Rating 3 = 39 complaints Rating 4 = 64 complaints (18.1%) Rating 5 = 118 complaints (33.4%) Rating 6 = 124 complaints (35.1%)</p> <p>% of complaints reporting odour entering the property = 315 complaints (89.2%) % of complaints reporting health effects = 235 complaints (66.6%)</p>	<p>230</p> <p>Number of unique properties = 93</p> <p>Rating 0 = 0 complaints Rating 1 = 0 complaints Rating 2 = 3 complaints Rating 3 = 32 complaints Rating 4 = 58 complaints (25.2%) Rating 5 = 61 complaints (26.5%) Rating 6 = 76 complaints (33.0%)</p> <p>% of complaints reporting odour entering their property = 204 (88.7%) % of complaints reporting health effects = 184 complaints (80%)</p>
KPI 2		Complaints reported (daytime 07:00-23:00)	Number	199	271	188
KPI 3		Complaints reported (night-	Number	54	82	42

		time 23:00-07:00)				
KPI 4		Highest number of complaints during the period	Date (number of complaints)	25/04/23 (47 complaints)	21/05/23 (34 complaints)	12/06/23 (26 complaints)
		Information	Measurement			
KPI 5	AIR QUALITY	Percentage exceedance Odour Annoyance Guideline (Hydrogen Sulphide 30 minute average)	%	0.2	0	Awaiting data
				0.8	0	
				0.3	0	
				3.8	5	
KPI 6		Monthly Average H ₂ S	ug/m3 over the month	1.1	0.9	Awaiting data
				0.9	0.7	
				0.5	0.4	
				1.2	1.5	
KPI 7	H ₂ S PEAK LEVEL	Level measured over a 5 minute period Date & Time	ug/m3	32.85 (09/04 04:40)	9.08 (22/05 04:40)	Awaiting data
				20.50 (25/04 06:00)	16.15 (08/05 23:55)	
				6.47 (04/04 05:30)	10.06 (21/05 05:10)	

				58.83 (25/04 23:10)	52.41 (12/05 01:55)	
		Information	Measurement			
KPI 8	OFFICER ASSESSMENTS	Odour Rating - Officer odour assessment (5 minute)	Max Odour Rating	8 assessments 04/04 1 assessment 06/04 1 assessment 08/04 12 assessments 27/04 3 assessments 29/04	4 assessments 5/05 1 assessment 6/05 2 assessments 13/05 2 assessments 18/05 1 assessment 19/05 17 assessments 21/05 2 assessments 25/05	1 assessment 11/06 1 assessment 12/06

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Date of Report: May 2023			
Landfill Operations	Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 1	WASTE ACCEPTANCE	Non-conformance raised with waste operator	CCS score(s) including summary and actions.
		No of loads inspected.	each
KPI 2			2 Non-conformance raised with operator. 2 CCS scores received
			1670 loads received. 1670 loads inspected. 0 loads rejected.
Landfill Operations	Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 3	ODOUR MANAGEMENT	Non-conformance raised with waste operator	CCS score(s) including summary and actions.
KPI4		No of odour tours	
		No of odour tours where odour detected off site	
			0 Non-conformance raised with operator. 0 CCS scores received. 0 non conformances identified.
			52 tours
			2external odours – rated 1 or less and local to the facility.
Landfill Operations	Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 5	ACTIVE TIPPING AREA	Operational Surface area total	m3
KPI 6	ACTIVE TIPPING AREA	Active tipping area	m3
			113,047m2
			28,646m2
Landfill Operations	Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 7	CAPPING OF OPERATION AREA	Temporary capping	m3
		Permanent capping	m3
			Temporary Capping 35,597m2 (31%) Permanent Capping 40,032m2 (35%) Total Capped area 75,629m2 (67%)
Landfill Operations	Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 8	LANDFILL GAS MANAGEMENT	Surface & Gas infrastructure emission surveys	Number of remaining matters open in the month
			1 FID survey completed, 2 & 3 May 23 0 actions open

KPI 9	LANDFILL GAS MANAGEMENT	Concentration of Hydrogen Sulphide in 'raw' bulk gas	ppm	2,110 ppm – recorded from CLP H2S GUP input data
KPI 10	LANDFILL GAS MANAGEMENT	Landfill Gas capture rate (monitored at the GUP)	m3/hr	3,227m3/hr - averaged across period
KPI 11	LANDFILL GAS MANAGEMENT	Appendix A LGMP Gas Management Plan (live document)	Progress including summary and actions	See explanatory notes
Landfill Operations		Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 12	LEACHATE MANAGEMENT ACTION PLAN	Actions (13 actions)	Progress including summary and actions	See explanatory notes.
Landfill Operations		Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 13	PRIMARY REGULATOR	Compliance Assessments Visits	Number undertaken for which CAR form issued to operator	Two visits within the period: 11 th May 2023 – 0462659 18 th May 2023 – awaiting CAR report
KPI 14	PRIMARY REGULATOR	Compliance Assessments Visits	Number Undertaken where a CCS score is raised with operator, including summary and actions	1 regulatory compliance assessments undertaken which resulted in a compliance assessment score – see explanatory notes.
KPI 15	PRIMARY REGULATOR	Compliance Assessments Visits	Number Undertaken where no CCS score is raised with operator, including summary and actions	1 regulatory compliance assessments undertaken which resulted in 0 compliance assessment scores – see explanatory notes.

Date of Explanatory Notes: May 2023

KPI 1 and KPI 2 Waste Acceptance

Two non-conformances have been received from the regulator, relating to their review of acceptance procedures and their implementation at WQ, through the undertaking of an Environment Agency audit including upstream audits of waste processing sites supplying residues to the landfill business sector.

In addition, a Regulation 36 (Enforcement Notice) Notice and associated CAR report (0460919) has been issued by the Environment Agency. A response to CAR report 0460919 has been submitted to the Environment Agency.

The conclusions to the Waste Audit Report are now being reviewed in detail, by WQL with the support of external, expert environmental consultants. The aim is to respond and provide further clarification to the Environment Agency into the waste preacceptance and acceptance procedures at the facility.

KPI 3 and KPI 4 Odour Management

No non-conformances have been received from the regulator within the month, with two site regulatory inspections confirming no direct offsite odour detected by Environment Agency officers. The Agency assessments cover a wide scope of permit conditions including engineering, containment, operational activities, landfill gas management, odour and pest management.

52 odour tours conducted by WQL, with 50 reflecting no odours experienced. 2 visits recorded minor odour (1 or less) local to the facility. Contemporaneously with these odour tours, checks on the gas collection and treatment infrastructure, site engineering and operations and local weather factors were reviewed to ensure all appropriate actions were being undertaken. No non-conformances were identified during these times. And all appropriate actions were being taken.

KPI 5 and 6 Active Tipping Area

The overall current landfill 113,047m². The active area is confined to Cell 4 and a small section of cell 2. The current active area remains contained and measures some 28,646m². This is in line with the approved capping and phasing plan, as agreed with the Environment Agency. The active operational area is progressively covered during the day to minimise the time that fresh waste remains uncovered. This is in line with best practice and our operating techniques. We retain healthy stockpiles of cover material to facilitate this progressive covering.

KPI 7 Temporary Capping

Currently, 35,597m² of the surface area of the facility is temporarily capped, either using a high specification, low permeability engineering clay or an installed geomembrane. This is in line with the capping and phasing plan for the facility, as agreed with the Environment Agency and an increase on the previous period. Maintenance works continue to clay capped areas in line with the agreed (by the Environment Agency) CQA (Construction Quality Assurance) specifications.

Permanent Capping

Relating to permanent capping, 40,032m² of the surface area of the facility is capped, by the installation of a low permeability geomembrane. This is in line with the capping and phasing plan for the facility, as agreed with the Environment Agency with all perm capping works being conducted under the process of Construction Quality Assurance (CQA). On completion of the permanent capping works, cover soils continue to be imported to the facility as part of the site restoration process.

The permanent capping to the eastern flank of Cell 4 has commenced. Preparatory works to prepare the surface area for capping have begun and the subsequent installation of geofabric and membrane commenced in early June. It is anticipated that the works will conclude in late June 2023. There may be the need to have a second phase of permanent capping installed to Cell 4 depending upon progress with the landfill operations in this area.

KPI 8 - 10 Landfill gas management

WQL continues to undertake the extensive regime of surface emission surveys, as agreed with the Environment Agency. A FID survey was conducted in May 2023, with any remedial actions now closed.

The concentration of H₂S at the facility remains within expected limits and in January, averaging 2110ppm at the Gas Utilisation Plant (GUP), as measured by CLP Envirogas Ltd.

The volume of gas captured at the facility remains within expected limits, at 3227m³/hr. The flow rate has remained high and consistent across the period. WQL continue to review this position and drive the gas management contractor, CLP Envirogas Ltd to ensure that gas collection is continually reviewed to assess relevant developments that can be made.

KPI 11 Landfill Gas Management - Landfill Gas Management Plan

The LFGMP continues to be developed by WQL and adopted by CLP Envirogas Ltd. From Appendix A of this document, three actions remain open and in progress, namely:

Site Specific Balancing Plan – this is being developed by WQL, in conjunction with the Environment Agency and CLP Envirogas Ltd. A draft has been received and is being reviewed, prior to agreement and submission to the Environment Agency.

Regular monitoring, requested by the Environment Agency of CLP Envirogas Ltd continues and is likely to remain in place.

Installation of horizontal wells in active operational areas continues as the site develops, in line with the approved LFGMP.

The LFGMP has been reviewed and issued to the Environment Agency, with comments received from the regulator on 2 June 2023 following the submission on 15 January 2023.

The LFGMP has also been issued to NuLBC, with comments received from the council. These have been subject to collaborative discussions.

KPI 12 Leachate Management Plan

Regarding the implementation of the LMP, discussions with the Environment Agency continue regarding installation of additional replacement leachate wells to ensure these are completed with the minimum weather-condition risk, environmental risk and risk to the engineering of the facility. Discussions are ongoing in this regard.

The availability of an appropriate, specialist drilling contractor has been obtained and the work scheduled in for August 2023. This will see the installation of 5 replacement leachate wells at the facility.

KPI 13- 15

11 May 2023

(CAR report 0462659) – general site inspection and review of engineering works. Minor administrative C4 received following the installation of the “trial pad” relating to the sidewall engineering. The work progressed due to a weather window between periods of inclement wether, with the Environment Agency contacted but without the specified 2 day notice period, detailed in the CQA plan.

18 May 2023

CAR report outstanding. No issues or odours identified by the Agency.

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Date of Report: June 2023			
Landfill Operations	Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 1	WASTE ACCEPTANCE	Non-conformance raised with waste operator	CCS score(s) including summary and actions.
		No of loads inspected.	each
KPI 2			0 Non-conformance raised with operator. 0 CCS scores received
			1708 loads received. 1708 loads inspected. 0 loads rejected.
Landfill Operations	Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 3	ODOUR MANAGEMENT	Non-conformance raised with waste operator	CCS score(s) including summary and actions.
KPI4		No of odour tours	
		No of odour tours where odour detected off site	
			0 Non-conformance raised with operator. 0 CCS scores received. 0 non conformances identified.
			68 tours
			0 external odours.
Landfill Operations	Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 5	ACTIVE TIPPING AREA	Operational Surface area total	m3
KPI 6	ACTIVE TIPPING AREA	Active tipping area	m3
			113,047m2
			24,955m2
Landfill Operations	Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 7	CAPPING OF OPERATION AREA	Temporary capping	m3
		Permanent capping	m3
			Temporary Capping 34,458m2 (30%) Permanent Capping 50,355m2 (45%) Total Capped area 84,813m2 (75%)
Landfill Operations	Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 8	LANDFILL GAS MANAGEMENT	Surface & Gas infrastructure emission surveys	Number of remaining matters open in the month

KPI 9	LANDFILL GAS MANAGEMENT	Concentration of Hydrogen Sulphide in 'raw' bulk gas	ppm	1,995 ppm – recorded from CLP H2S GUP input data
KPI 10	LANDFILL GAS MANAGEMENT	Landfill Gas capture rate (monitored at the GUP)	m3/hr	3,359m3/hr - averaged across period
KPI 11	LANDFILL GAS MANAGEMENT	Appendix A LGMP Gas Management Plan (live document)	Progress including summary and actions	See explanatory notes
Landfill Operations		Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 12	LEACHATE MANAGEMENT ACTION PLAN	Actions (13 actions)	Progress including summary and actions	See explanatory notes.
Landfill Operations		Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 13	PRIMARY REGULATOR	Compliance Assessments Visits	Number undertaken for which CAR form issued to operator	Four visits within the period: 7 th June 2023 – 0466098 9 th June 2023 – 0466107 12 th June 2023 – 0466112 19 th June 2023 – not received
KPI 14	PRIMARY REGULATOR	Compliance Assessments Visits	Number Undertaken where a CCS score is raised with operator, including summary and actions	1 regulatory compliance assessments undertaken which resulted in a compliance assessment score – see explanatory notes.
KPI 15	PRIMARY REGULATOR	Compliance Assessments Visits	Number Undertaken where no CCS score is raised with operator, including summary and actions	2 regulatory compliance assessments undertaken which resulted in 0 compliance assessment scores 1 regulatory compliance assessment pending, no scores expected

Date of Explanatory Notes: June 2023

KPI 1 and KPI 2 Waste Acceptance

No non-conformances have been received from the regulator, relating to their review of acceptance procedures and their implementation at WQ, through the undertaking of an Environment Agency audit including upstream audits of waste processing sites supplying residues to the landfill business sector.

1708 loads inspected within the period, with 0 loads rejected.

KPI 3 and KPI 4 Odour Management

No non-conformances have been received from the regulator within the month, with three site regulatory inspections confirming no direct offsite odour detected by Environment Agency officers (1 CAR report outstanding – see below). The Agency assessments cover a wide scope of permit conditions including engineering, containment, operational activities, landfill gas management, odour and pest management.

68 odour tours conducted by WQL, with 68 reflecting no odours experienced. Contemporaneously with these odour tours, checks on the gas collection and treatment infrastructure, site engineering and operations and local weather factors were reviewed to ensure all appropriate actions were being undertaken. No non-conformances were identified during these times. And all appropriate actions were being taken.

KPI 5 and 6 Active Tipping Area

The overall current landfill 113,047m². The active area is confined to Cell 4 and a small section of cell 2. The current active area remains contained and measures some 28,646m². This is in line with the approved capping and phasing plan, as agreed with the Environment Agency. The active operational area is progressively covered during the day to minimise the time that fresh waste remains uncovered. This is in line with best practice and our operating techniques. We retain healthy stockpiles of cover material to facilitate this progressive covering.

KPI 7 Temporary Capping

Currently, 34,458m² of the surface area of the facility is temporarily capped, either using a high specification, low permeability engineering clay or an installed geomembrane. This is in line with the capping and phasing plan for the facility, as agreed with the Environment Agency and an increase on the previous period. Maintenance works continue to clay capped areas in line with the agreed (by the Environment Agency) CQA (Construction Quality Assurance) specifications.

Permanent Capping

Relating to permanent capping, 50,335 m² of the surface area of the facility is capped, by the installation of a low permeability geomembrane. This represents an increase of 10,335 m² on the previous month. This is in line with the capping and

phasing plan for the facility, as agreed with the Environment Agency with all permanent capping works being conducted under the process of Construction Quality Assurance (CQA). On completion of the permanent capping works, cover soils continue to be imported to the facility as part of the site restoration process.

KPI 8 - 10 Landfill gas management

WQL continues to undertake the extensive regime of surface emission surveys, as agreed with the Environment Agency. A FID survey was conducted in May 2023, with any remedial actions now closed.

The concentration of H₂S at the facility remains within expected limits and in January, averaging 1,995ppm at the Gas Utilisation Plant (GUP), as measured by CLP Envirogas Ltd.

The volume of gas captured at the facility remains within expected limits, at 3359m³/hr. The flow rate has remained high and consistent across the period. WQL continue to review this position and drive the gas management contractor, CLP Envirogas Ltd to ensure that gas collection is continually reviewed to assess relevant developments that can be made.

KPI 11 Landfill Gas Management - Landfill Gas Management Plan

The LFGMP continues to be developed by WQL and adopted by CLP Envirogas Ltd. From Appendix A of this document, three actions remain open and in progress, namely:

Site Specific Balancing Plan – this is being developed by WQL, in conjunction with the Environment Agency and CLP Envirogas Ltd. A draft has been received and is being reviewed, prior to agreement and submission to the Environment Agency.

Regular monitoring, requested by the Environment Agency of CLP Envirogas Ltd continues and is likely to remain in place.

Installation of horizontal wells in active operational areas continues as the site develops, in line with the approved LFGMP.

The LFGMP has been reviewed and issued to the Environment Agency, with comments received from the regulator on 2 June 2023 following the submission on 15 January 2023.

The LFGMP has also been issued to NuLBC, with comments received from the council. These have been subject to collaborative discussions.

It is anticipated that the reviewed LFGMP will be submitted to the Agency in August 2023.

KPI 12 Leachate Management Plan

Regarding the implementation of the LMP, discussions with the Environment Agency continue regarding installation of additional replacement leachate wells to ensure these are completed with the minimum weather-condition risk, environmental risk and risk to the engineering of the facility. Discussions are ongoing in this regard.

The availability of an appropriate, specialist drilling contractor has been obtained and the work scheduled in for August 2023. This will see the installation of 5 replacement leachate wells at the facility.

KPI 13- 15

7 June 2023

(CAR report 0466098) – general site inspection and review of engineering works. C3 received, based on the overlap of the underlying geomembrane. This was rectified, with works continuing in line with the CQA plan.

9 June 2023

CAR report (0466107) received. No issues or odours identified by the Agency.

12 June 2023

CAR report (0466112) received. No issues or odours identified by the Agency.

19 June 2023

CAR report not received. No issues or odours identified by the Agency expected.

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

CORPORATE LEADERSHIP TEAM'S REPORT TO

Health Wellbeing and Partnerships Scrutiny Committee
07 September 2023

Report Title: Homelessness Review of New Arrangements

Submitted by: Services Director – Regulatory Services

Portfolios: Community Safety and Wellbeing

Ward(s) affected: All

Purpose of the Report

To advise the committee on the development of roles and activities to support individuals who are or have been homeless and rough sleeping.

Recommendation

That the Committee

- 1. Receive the report on Homelessness Review of New arrangements**
- 2. Provide views on the roles and activities included in the review**

Reasons

To ensure the Committee is kept updated on the ongoing work to ensure rough sleeping is prevented where possible or otherwise is rare, brief and non-reoccurring.

1. Background

1.1 Ending rough sleeping for good is an ambition of a Government Strategy launched in 2022. It focuses on putting structures in place to protect people from the traumas of rough sleeping and that when it does happen there is a rapid and tailored response, putting a roof over the person's head, supporting their recovery and helping to move away from life on the street for good.

1.2 A number of initiatives and funding has been made available to support local authorities in these activities.

2. Issues

2.1 Two are key support services responding to homelessness need within the borough, rough sleeper services and Newcastle Housing Advice.

2.2 **Rough Sleeper Services** – this service has developed significantly over the last year in response to the Government strategy, funding options and an increase in complex situations leading to rough sleeping. These new arrangements are reviewed in the accompanying documents in Appendix 1.

2.3 The roles and services identified in the review have been created to develop a pathway of support;

- Reactive – responding to incidence of rough sleeping with outreach activities, hub facilities, access to health care and support to find accommodation.
- Preventative – accommodation programmes and support to main tenancies.
- Recovery – supporting people to maintain a new life and not have reoccurring rough sleeping.

2.4 The review also identifies the accommodation options that are available and ones that are being developed.

2.5 **Newcastle Housing Advice** - The service supports families and individuals who become or are threatened with homelessness for multiple reasons including following loss of tenancies, relationship or family breakdowns, discharges from hospitals and prison and care leavers. This is the work to ensure the council adheres to its homelessness duties. Advice and support is provided to secure alternative accommodation or join the choice based letting waiting list. In certain circumstances temporary accommodation is provided to prevent homelessness or to allow further investigations to be made. Figures for this area of work are also included in the review in appendix 1.

2.6 The service is also responsible for managing the choice based waiting list through a joint allocations policy with Aspire. This is the mechanism for the fair and consistent allocation of social housing.

3. **Proposal**

That the Committee

3.1 Receive the Homelessness Review of New arrangements.

3.2 Provide views on the roles and activities included in the review

4. **Reasons for Proposed Solution**

4.1 To ensure the Committee is kept updated on the ongoing work to ensure rough sleeping is prevented where possible or otherwise is rare, brief and non-reoccurring

5. **Options Considered**

5.1 The roles and activities outlined in the Review of New Arrangements in appendix 1 are the result of analysing the local situation and needs and how this aligns with funding opportunities. The options with the Review of New Arrangements are to provide a view on the ongoing work and activities and to suggest any further enhancements and funding.

6. **Legal and Statutory Implications**

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

6.2 Other relevant statutory guidance includes:

- Homelessness Act 2002
- Homelessness Code of Guidance for Local Authorities 2006
- Homelessness (Suitability of Accommodation) Order 1996
- Homelessness (Suitability of Accommodation) (England) Order 2003
- Localism Act 2011 (Commencement No 2 and Transitional Provisions) (England) Order 2012
- Supplementary Guidance on Changes in Localism Act 2011
- Supplementary Guidance on Domestic Abuse and Homelessness 2014
- Homelessness Reduction Act 2017.

6.3 Not having a fit for purpose service will leave the Council open to a legal challenge.

7. **Equality Impact Assessment**

7.1 The activities reviewed in this report do not adversely affect any protected groups.

7.2 The activities are designed to have a positive impact on vulnerable individuals or families who become homeless.

8. **Financial and Resource Implications**

8.1 There are no financial implications arising out of this review and report. There are financial implications arising out of temporary accommodation and supported accommodation use. A Temporary Accommodation Policy update is scheduled to be presented to Cabinet in November 2023 which will review budgets and spend.

9. **Major Risks**

9.1 There is a risk that despite all the activities and support available the rough sleeping figures do not reduce or continue to increase. This mitigation to this is in developing the right expertise and knowledge within our team, continually developing our support and accommodation offers so that any increases can be managed within these services. Additionally, accurately collating statistics on numbers, activities and outcomes so that we are in a position to continue to bid for all available funding sources.

9.2 There is a risk that at the end of the RSI funding round in March 2025 that we are not successful in obtaining further ongoing funding and services have to cease. We work closely with our Department for Levelling Up, Housing & Communities (DLUHC) Advisor for the Rough Sleeping Initiative and through this we will be kept informed of future funding rounds in order to be ready to maximise funding opportunities.

9.3 Due to the funding insecurity there is a risk that we lose skilled, experienced staff due to their posts being fixed term and them seeking permanent posts and security.

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

10.1 The activities contribute towards the UN Sustainable Development Goals below:



11. **Key Decision Information**

11.1 This report does not contain a key decision.

12. **Earlier Cabinet/Committee Resolutions**

12.1 [Temporary Accommodation Policy](#) – Health, Wellbeing and Partnerships Scrutiny Committee 7th December 2020.

12.2 [Future Provision of Temporary Accommodation](#) – Cabinet 7th July 2021.

13. **List of Appendices**

13.1 Appendix 1 – Review of New Homelessness Arrangements

13.2 Appendix 2 – Confidential: Additional data from DLUHC not cleared for publication

14. **Background Papers**

14.1 www.gov.uk/government/publications/ending-rough-sleeping-for-good

Appendix 1

Homelessness Review of New Arrangements

1. Introduction

The number of homeless individuals resorting to rough sleeping is unfortunately increasing. In line with this so has our services and support to try and tackle this complex issue. The service has been successful in bidding for funding allowing us to increase our support available and to demonstrate results. These services and support activities are detailed in this review.

The figures for rough sleeping in the borough in 2023 are set out below. Further figures are shown in confidential appendix 2. These are still classed as confidential as they are from government statistics not yet cleared for release.

2023	Jan	Feb	March	April	May	June	July
Single Night	4	5	3	5	9	9	6
Monthly	12	13	9	11	17	12	18

2. Rough Sleeping Initiative (RSI) Funding

This is funding from the Department of Levelling Up, Housing and Communities (DLUHC) as part of the government's programme to tackle rough sleeping. The Council has been successful in applying for funding for 3 years July 2022 – 31st March 2025, this has allowed us to create a support pathway of reactive work, preventative interventions and focus on recovery. The following roles and commissioned services are being funded by RSI.

2.1 Reactive - Rough Sleeper Navigator

This role commenced on 8th August 2022 and focuses on reactive work. This role assists rough sleepers to access and engage in services; offering advice and support on all options; advocating and negotiating on behalf of customers; and working closely with other agencies externally & internally in order to provide options, prevent and relieve homelessness and rough sleeping.

2.2 Preventative - Tenancy Sustainment Officer

This role commenced on 1st August 2022 and is part of our preventative work. The role is to help rough sleepers attain and maintain accommodation. This includes; actions to prevent evictions from temporary and supported accommodation (one of the key reasons for repeat rough sleeping); actions to support moving on from temporary and supported accommodation; building individual relationships to identify what type of accommodation in what location is suitable; ensuring practical aspects of moving are completed; negotiating with landlords to prevent any landlord tenant concerns / rent arrears.

2.3 Recovery - Part time Rough Sleeper Support Officer

This role commenced on 15th August 2022 and is part of the recovery work. Working with rough sleepers in temporary accommodation / newly into a tenancy looking for support to develop and maintain their new life. Including diversionary activities, education, sport, practical activities, volunteering, peer support programmes and developing work opportunities. The role has a personalised budget to help smooth the way into activities or essentials to compliment activities i.e. work clothes, bus pass, memberships, interview expenses, uniform.

2.4 Rough Sleeper Co-Ordinator

This role is jointly commissioned with Stoke-on-Trent City Council and commenced on 1st July 2020. The role seeks out innovative solutions and interventions where barriers and blockages occur in the system. Through the use of problem solving with a range of partner agencies, voluntary sector, community groups businesses and residents.

2.5 Homeless Healthcare worker – GP Federation: role commenced 1st April 2021

This role is jointly commissioned with Stoke-on-Trent City Council via Staffordshire and Stoke-on-Trent Integrated Care Board ICB and commenced on 1st April 2020. The role provides frontline healthcare to rough sleepers, a cohort who don't usually engage with preventative health or attend appointments. Also developing relationships to encourage further health engagement including with mental health and addiction services.

3 Homelessness Prevention Grant

This is funding from Government to support our homelessness prevention activities, this is also a key funding source for our Newcastle Housing Advice service supporting non rough sleeping homelessness. This funding also supports the following work.

3.1 Brighter Futures

Brighter Futures are jointly commissioned with Stoke City Council. They are our rough sleepers outreach team and carry out outreach 365 days of the year, providing support and monthly data that we report to DLUHC. This service is usually the first point of contact for rough sleepers, they will assess immediate needs, verify they are in fact rough sleeping and signpost onwards for services.

3.2 Housing Outreach Advisor under Newcastle Housing Advice

This person will be working closely with our Navigator and Discharge Officer to support our verified rough sleeper cohort into accommodation. They will oversee the housing applications and referrals for our rough sleepers and seeing them through their journey from the streets into settled accommodation.

4 Shared Prosperity Fund (SPF): 1st April 2023-31st March 2025

The service had an opportunity to bid for Shared Property Fund money and were successful in two additional posts to focus on two areas of increasing need; mental health and prison / hospital discharges.

4.1 Discharge Officer

This role will oversee discharge/release plans from prisons/hospitals for those with a Newcastle-under-Lyme connection and no fixed address. They will ensure plans are in place and seek accommodation for individuals prior to their discharge/release to prevent any being released onto the streets and help reduce our rough sleeper figures.

4.2 Mental Health Liaison Worker

This role will work with our rough sleeper cohort and those in accommodation to support them with their mental health and ensure they are receiving the right support and medication to support with their recovery.

5 Support Activities

5.1 NUL Multi Agency Homelessness Hub – Thursdays

A need was identified for a one stop shop where individuals can meet to access support from various agencies, which negates the need for appointments, a barrier which often hinders engagement. As a result we have set up a Hub, which started 1st September 2022. It runs 9am-12pm. The first hour is where partners meet to problem solve complex cases, discuss hotspot locations and share partner updates and as of 10am the Hub is open for service users to get food, advice and support. On first opening we had 10 service users and 22 partner agencies such as; DWP, Concrete, Brighter Futures, Homeless health, mental health, probation, CAB and various housing associations. This has grown and developed and we now have over 25 service users and over 25 agencies turn up on a weekly basis. We have had some great success stories of supporting individuals, fast tracking them in services and preventing/reducing rough sleeping in the area. See statistics below:



5.2 NUL Multi Agency Homelessness Hub – Tuesdays

We launched a Tuesday Hub on 18th July 2023 9am-11am, due to the popularity and need for a drop in service in the area. This gives service users an opportunity to access food and support and will be invaluable during the winter months.

6 Temporary Accommodation

Under housing and homelessness legislation, the Council has duties to provide interim (or temporary) accommodation to certain households who present as homeless and are considered to be in priority need. In the majority of cases, this is when a household presenting as homeless states that they do not have access to housing and therefore they are placed in temporary accommodation whilst the Council investigates their application.

The Homelessness Reduction Act 2017 widened the Council's duties and means that applicants under a Relief Duty may also be eligible for interim accommodation if required. Subsequently the Council's use of temporary accommodation, both in terms of frequency and expenditure has increased significantly.

In addition to households applying to the Council for accommodation under homelessness legislation, other households can require temporary accommodation. This includes people who are rough sleeping, people who require emergency accommodation due to (risk of) fire or flood etc.

Temporary accommodation is an umbrella term and includes supported housing (both social and private rented), hostels and bed and breakfast accommodation.

The use of bed and breakfast accommodation as temporary accommodation is not only expensive but is considered unsuitable as it is not designed for residential use.

Following a formal Review of Temporary Accommodation in 2020 and a comprehensive market testing and intelligence gathering exercise, a Temporary Accommodation Policy for the Borough was created and approved by Cabinet in January 2021. This outlines the Council's approach in seeking to create alternative options for homeless households, to ensure that the use of temporary accommodation is suitable, cost-effective and meets local needs. An updated Policy will be presented to Cabinet later in 2023.

The Temporary Accommodation Review highlighted that options for temporary accommodation in the Borough are extremely limited because the Council has no accommodation of its own and relies on other arrangements with local providers which can be costly.

7 Temporary Accommodation Pathway

As a result of these findings and to seek to reduce expenditure for the Council, a Temporary accommodation pathway was created in conjunction with Aspire.

Bronze - four 2 bed family units that Newcastle Housing Advice can place families that present at any time of the day or night. This has been increased to 5 due to the demand of larger families presenting to NHA. This model is funded through monthly charges to the Council.

Silver – 10 single units with low level support that Newcastle Housing Advice can discharge duty to. This means we have suitably housed and can end our duty. We have now added two 3 bed family properties to this model due to the high presentations of large families. This model is funded through housing benefit and not at a cost to the council.

Gold - Rough Sleeper Accommodation Programme (RSAP) - additional funding was applied for in conjunction with Aspire to the Department of Levelling Up, Housing and Communities (DLUHC). This has created 6 single units with full time support, which would encourage further engagement, as part of a pathway approach towards individual recovery, positive activity and working towards more sustainable and permanent housing options for individuals, who would otherwise face exclusion from general needs accommodation.

7.1 Accommodation for rough sleepers

We know from our partnership working and consultation with customers who are rough sleeping, they are often reluctant to accept hostels out of area, individuals would prefer to sleep rough in the town centre then move out of area. We are also limited to where we can send individuals with complex needs as most out of area hostels/supported accommodation has a local connection requirement and our Newcastle service users do not meet that threshold.

7.1.1 Homeless Accommodation Hub

One of our biggest needs in the area therefore is for a 24/7 supported accommodation hub to compliment and plug the gaps in the accommodation pathway. This would be a step towards longevity / sustainability and therefore assists the Council to address the needs identified specifically for customers with more complex and challenging needs, which could otherwise not be met and then who would not otherwise engage, remain rough sleeping, which will impact our rough sleeper figures and town centre ASB issues. The service has been successful in bidding for Shared Prosperity Funds to develop a homeless accommodation hub, this project is in its infancy with a report being submitted to Cabinet on September 19th 2023 to gain permissions to proceed with procuring a location for it.

7.1.1 Night Shelter-Severe Weather Emergency Protocol

Since 2011, Public Health England have produced an annual Severe Weather Plan which includes recommendations for local authorities and partners to take action to avoid and raise awareness of the adverse health effects of cold weather on the local population.

Within this national plan, Public Health England identify homeless people (especially rough sleepers) as one of the four population groups most at risk of excess winter deaths:

“Homeless people / street sleepers are vulnerable to the cold due to exposure to outdoor temperatures, and other factors which increase vulnerability to cold such as social isolation, smoking, substance dependencies, mental illness and chronic and respiratory diseases which are more prevalent in this population”

Despite this, there is no additional statutory duty on public authorities to provide shelter, even when weather conditions are life-threatening. However, there is a humanitarian obligation on local authorities and partner agencies to try to prevent death on the streets. Most areas fulfil this moral responsibility through the production of a Severe Weather Emergency Protocol (SWEP).

In Newcastle-under-Lyme, the Severe Weather Emergency Protocol has been developed with partners at Stoke-on-Trent City Council and Brighter Futures, who deliver the Council's Rough Sleeper Team service as an emergency response for people sleeping rough and support to engage with services.

The SWEP provision does not apply to those who may have other forms of accommodation available to them, but who chose not to stay/live in it. It is for those who would genuinely be sleeping rough were the SWEP provision not in place. For the purposes of this protocol, available accommodation must be safe for the individuals to live in without risk of harm.

In 2020, during the Covid Pandemic and most B&B's closing, we utilised a council building to run over the winter period (1st Nov-31st March) on an ad-hoc basis when SWEP was activated to ensure our obligations were met to safeguard those at risk of rough sleeping in the cold months. This has been running successfully at St George's Chambers on Merrial Street since then.

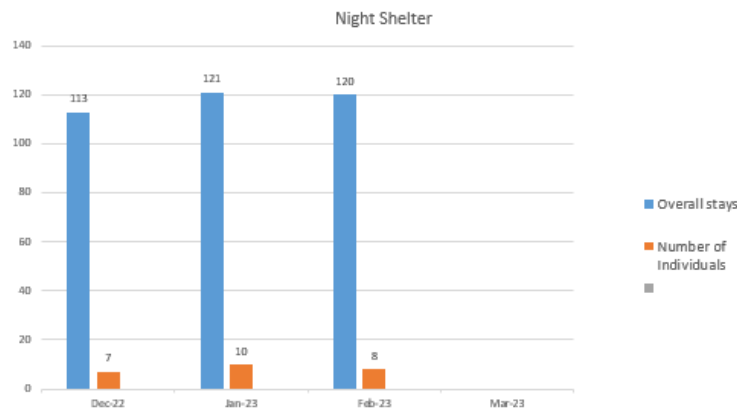
We had wanted to run this as a night shelter over the winter months, but due to cost implications, it was not feasible to do so.

In 2022, after carrying an expression of interest exercise, we were fortunate enough to be approached by Veterans Connect (now known as Connect 2 Combat Homelessness C2CH) opened up a 7 bed night shelter over the winter period (1st Nov-31st March) to support our rough sleepers to access accommodation during the coldest months and engage with support so that appropriate accommodation can be sought after March.

We have had some great success with this provision and were able to work with and engage our most entrenched sleepers and move them on into suitable accommodation. See data below;



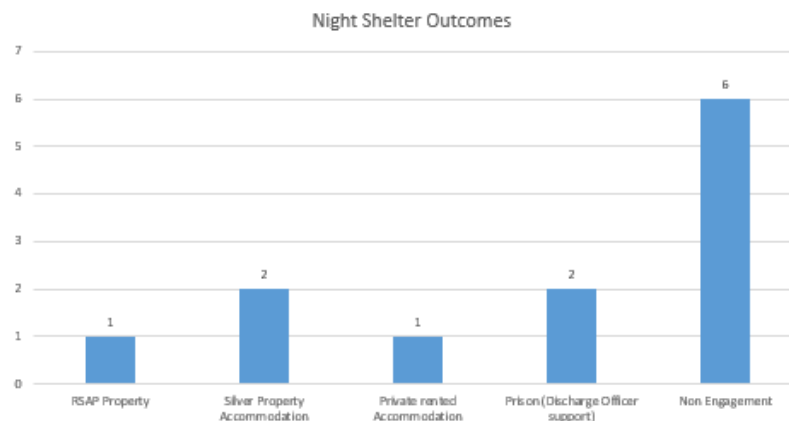
Night Shelter December 2022 – March 2023



UNCLASSIFIED



Night Shelter Outcomes December 2022 – March 2023



UNCLASSIFIED

7.1.2 Connect 2 Combat Homelessness (C2CH) charity

Since 2022, we have made strong links with C2CH charity and they work closely with us to support our homeless and those vulnerable in our community. They conduct outreach every Monday morning with our homeless healthcare worker. They have purchased a van and will

be adding showers to it, so we can have a mobile shower unit outside the hub, which we have needed for some time.

7.1.3 Night Shelter Transformation Fund - Purpose

The Rough Sleeping Strategy (published in September 2022) committed to a 3-year Night Shelter Transformation Fund to support the faith and community sector to embed single-room provision as standard for individuals experiencing rough sleeping and continue to move away from communal sleeping arrangements.

The fund also supports the sector to diversify its services and develop non-residential support, working in partnership with local authorities to ensure that services funded by the Night Shelter Transformation Fund help to fill gaps in local provision for people experiencing rough sleeping.

The programme will aim to provide funding for organisations in areas with the greatest need, and for organisations providing specialist services for at risk groups where gaps in provision have been identified locally.

The Department of Levelling Up, Housing and Communities (DLUHC) will prioritise funding for organisations working in areas with higher numbers of people experiencing rough sleeping and the greatest need for services funded through the Night Shelter Transformation Fund.

C2CH have been working on a bid from the Transformation Fund to support us to create a supported 6 bed self-contained units that are open 365 days that will help us reduce the need for B&B use, which is not appropriate for our vulnerable individuals with complex needs.

8 Newcastle Housing Advice

Rough sleeping is not the only form of homelessness, increasing number of homeless tonight presentations are being dealt with by Newcastle housing advice. This includes people who are sofa surfing, relationship / family breakdowns, incidents in the home and eviction of individuals and families from private rented sector or social tenancies. The tables below show numbers being dealt with. Where there are no other housing options and there is priority need individuals and families may be placed into temporary accommodation while the service works with them to find accommodation options. Where possible this is the silver properties identified above but is also bed and breakfast accommodation.

Data below from Newcastle Housing Advice on people presenting as homeless tonight, which are dealt with as an emergency and numbers presenting to the out of hours serviced operated by the team on a duty rota.

2022/23	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	total
Homeless tonight presentations	24	29	25	45	62	48	38	29	21	38	34	51	444
Out of hours homeless presentations	6	12	6	12	13	16	15	2	18	30	12	19	171

2023/34	Apr	May	Jun	Jul	Aug	total
Homeless tonight presentations	48	35	35	40		

Out of hours homeless presentations	18	19	19	23		
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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**EXECUTIVE MANAGEMENT TEAM'S
REPORT TO HEALTH, WELLBEING AND ENVIRONMENT SCRUTINY
COMMITTEE**

7th September 2023

Report Title: Review of Allotment Waiting List

Submitted by: Service Director – Neighbourhood Delivery

Portfolios: Sustainable Environment

Ward(s) affected: All

<u>Purpose of the Report</u>	<u>Key Decision</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
To advise the committee of the current position in relation to the waiting list for allotment plots on the Council's 6 allotment sites and to seek the committee's views on potential affordable and sustainable community solutions to address the demand	
<u>Recommendation</u>	
<p>That the Committee:-</p> <ol style="list-style-type: none"> 1. Receive the report 2. Provide views on potential affordable and sustainable community solutions to address the demand for allotment plots 	
<u>Reasons</u>	
To seek to support the community in addressing the current demand for allotment plots	

1. Background

1.1 The Council currently provides 190 allotment plots, spread over 6 sites at Basford, Dimsdale, Lyme Valley, Thistleberry, Blackbank and Jason Street. Current occupancy is at 98% and the current waiting list contains 524

names. Waiting times vary from a few months for new applicants to 5/6 years for those who have been on the list for a length of time. Waiting times can be dependent on whether people wish to specify a particular site, or if they are satisfied to take a plot on any site which becomes available. There is a mix of management approaches across sites, with some having established committees who assist the Council with various duties and others with no committees which are completely reliant on the Council to administer and manage the site.

- 1.2 There are other providers of allotments in the Borough. In parished areas, it is the duty of town and parish councils to provide allotments. There are currently an estimated 310 plots spread over 8 sites provided by town and parish councils in Kidsgrove (Crown Bank - 27 plots and 15 people on waiting list; Lamb Street is self-managed and data isn't available for this site), Silverdale (Park Road – 40 plots no data on waiting list; the Acre – 45 plots and 12-15 people on waiting list), Audley (1 site with estimated 30 plots), Madeley (Wharf Terrace – 38 plots and 8 people on the waiting list; Manor Road – private charity site – 41 plots and 2 people on waiting list) and Loggerheads (Eccleshall Road – 30 plots and 9 people on waiting list).
- 1.3 The Council produced the current Allotment Strategy in 2014 which was intended to be reviewed after 2020. One of the guiding principles of the strategy was to facilitate community management of allotments and move to self-management models where possible. It is now an opportune time to refresh and update the strategy in light of the Council's Sustainable Environment Strategy.
- 1.4 Due to the successful delivery of the Allotment Strategy, the service costs have reduced and the income has increased, meaning that the net cost to the Council is currently only £6490 per annum. Any increase to costs would result in an unbudgeted additional pressure on the Council's revenue budget.

2. Issues

- 2.1 Allotment gardening has become more popular in recent times, prompted partly by the Covid 19 pandemic which brought the benefits of outdoor green space into sharper focus, and also by the cost of living crisis which has made people think about growing their own food. In addition, a heightened awareness amongst communities of the climate change agenda has resulted in more people seeking a more sustainable lifestyle.
- 2.2 This has resulted in an increase in demand for allotment plots, which is currently outstripping supply. Analysis of the geographical spread of demand in the Borough has not identified any particular concentrations, rather it is spread across a range of mainly urban locations (see attached map). Where demand exists in rural areas, responsibility for additional provision rests with the relevant town or parish council so interested parties could engage with those organisations to discuss supply and demand.

- 2.3 In urban areas of the Borough, demand is sporadic and does not indicate any particular geographic area which would be an obvious location for an additional allotment site. This brings other sustainability considerations into play around accessibility and travel to and from sites, as well as affordability to the council taxpayer if additional sites are provided at public expense. The affordability issue also has to be balanced against the benefits new sites would bring to a relatively small percentage of residents, when considered in the context of other service provision for services which benefit a much larger proportion of the community. Prioritisation must be a factor in considering potential solutions to the current demand.
- 2.4 The creation and operation of new sites by the Borough Council would result in both significant financial pressure to acquire and/or lay out land for allotments, and the need for a staffing resource to manage new sites, neither of which are available within current budgets or staffing levels. Therefore, other alternatives need to be considered which are led and managed by the community to ensure that provision is sustainable in the longer term.
- 2.5 The Borough Council could, for its part, provide advice and support to community groups in terms of forming a constituted organisation or management committee, sourcing and bidding for funding, and commissioning project management support. It could also potentially consider making land available in its asset holdings for allotment purposes, subject to consultation with the wider community and any other planning or legislative restrictions which might apply. However, there would need to be a firm commitment and proven critical mass of demand before a feasibility study for a new site could be supported with Council resources. Any new provision on Council land would be subject to a constituted organisation being in a position to secure full funding for the laying out of the site and committing to set up a suitable management committee for the operation of the site, including the waiting list, letting of plots, collection of rents, enforcement, maintenance and paying of all running costs. The site would potentially be leased to the group with a management agreement from the Council to ensure that the site is managed appropriately.
- 2.6 There may be other potential solutions to address demand, which do not require support or assistance from the Council, and members are invited to consider and discuss ideas with interested residents and potential allotment plotters to determine the appetite for additional provision and community management models.

3. Recommendation

- 3.1 That the report is received.
- 3.2 That the committee provide views on potential affordable and sustainable community solutions to address the demand for allotment plots.

4. Reasons

- 4.1 To seek to support the community in addressing the current demand for allotment plots.

5. Options Considered

- 5.1 Option 1 – continue with the current waiting list system for the existing plot provision. This is unlikely to reduce demand in the foreseeable future.
- 5.2 Option 2 – consider ideas from members and residents on how an affordable and sustainable community solution to address demand could be progressed.

6. Legal and Statutory Implications

- 6.1 The Council has a duty under the Small Holdings and Allotments Act 1908 and Allotments Act 1950, if they are of the opinion that there is a demand for allotments, then the council shall provide a sufficient number of allotments.
- 6.2 Under the same legislation, in parished areas, Town and Parish Councils have a duty to provide allotments where if they are of the opinion that there is a demand for allotments, then the council shall provide a sufficient number of allotments.
- 6.3 Other providers can provide allotment plots

7. Equality Impact Assessment

- 7.1 There are not considered to be any adverse impacts on equality directly related to this report.

8. Financial and Resource Implications

- 8.1 There are no financial and resource implications directly related to this report. However, future provision of new allotment sites would require both capital and revenue investment, staff resource and the need to acquire or make land available for this purpose.
- 8.2 The Council has no current provision in existing capital and revenue budgets for this purpose, nor is it likely that such provision could be made at present in light of other competing service priority pressures. Therefore it would be incumbent on other providers or community organisations to source funding for the acquisition, laying out and running of any new sites.

9. Major Risks & Mitigation

- 6.1 There is a risk that demand for allotments continues to be unmet. This could be mitigated by providing support to community groups to set up and manage new sites where demand and appetite can be clearly demonstrated.

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

- 10.1 The proposal contributes towards the following UNSDGs



11. **Key Decision Information**

- 11.1 N/A

- 11.2 Depending on the decision of the committee, it may be necessary to report to Cabinet for a decision on next steps.

12. **Earlier Cabinet/Committee Resolutions**

- 12.1 None

13. **List of Appendices**

- 13.1 Allotments Strategy 2014 - 20

- 13.2 Plan showing distribution of residents wishing to rent an allotment.

14. **Background Papers**

- 14.1 None

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Newcastle under Lyme Borough Council

Allotment Strategy 2014 - 2020



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1. Introduction

The Borough Council's Allotment Strategy was last reviewed in 1989/90. There have been significant changes in a number of factors affecting the demand for allotments and the way allotments are provided and managed since this time, meaning that there is now a need for a modern, fit for purpose strategy.

Since early 2000 there has been a significant improvement in the quality of Council allotments as a result of better management and administration, through the provision of more support to voluntary associations, targeted investment, better publicity and information, the closure of unusable plots and the introduction of minor improvements and changes over this period. These changes have been mirrored by an increase in occupancy reflecting a growing interest both locally and nationally in allotments. As a result occupancy rates on the Council's sites have remained at the 80 – 89% occupancy rate over the last 3 years, with the waiting list sitting at 133 residents spread over the Council's 6 sites.

To help maintain this momentum of improvement it is proposed to adopt an Allotment Strategy with the aim of creating an efficient, flexible and effective service that reflects best practice. The adoption of the proposed Strategy action plan will then guide the work of the allotment team over the coming 5 years.

The Allotment Strategy is a response to these demands. It has been prepared in conjunction with the Council's Allotment Review Task and Finish Group, and in consultation with plotholders and voluntary site association members, Parish Councils, residents who are on the waiting list and other stakeholders. Advice has also been provided by the Allotment management team and the National Society of Allotment and Leisure Gardeners.

The Allotment Review Task and Finish Group set out to capture the future aspirations and needs of the tenants, whilst looking into detailed areas where improvements could and should be made, such as current expenditure, rules and regulations, working methods, rents and concessions. These areas of improvements along with many other ideas have all been woven into the strategy and action plan to create a working document that will take the allotment service through to 2020 and beyond. The Strategy laid out below will be used by staff and partners of Newcastle-under-Lyme Borough Council as a working document to ensure that the allotments are being managed efficiently and effectively and meet our customers' needs and aspirations.

2. Background

Newcastle-under-Lyme Borough Council allotment sites are managed by the Operations Service, including all grounds maintenance, construction works and administration.

The Borough Council currently manages 6 allotment sites offering 188 allotment plots. The demand for allotments is significant, with a current waiting list of 133 people. The size of allotment sites vary considerably with the smallest site having only seven plots and the largest having 70 plots. The sizes of the plots also vary ranging from 150 m² – 350 m² with each tenant paying a standard rate. Concessionary rates apply to tenants who are over 60 years of age and those who are unemployed. This concession has been set at a 50% reduction for many years.

The service is currently managed by the Council which in the main is an administration role in managing the allotment waiting list, dealing with complaints and enquiries and the letting and eviction process.

The Council also carries out regular site inspections and identifies and manages any work required for regular maintenance, repairs or construction, subject to the limited budgets available.

There are also a number of other allotment sites within the Borough which are managed by Audley and Madeley Parish Councils and Kidsgrove Town Council, as well as other charitable and voluntary organisations. These allotment plots number approximately 174 in total across 8 sites. With allotments becoming more and more publicised on TV programmes such as Gardeners World and through organisations such as the Royal Horticultural Society and the National Trust, the demand for allotments nationally is rising.

3. Legislation

Allotments are governed by a number of pieces of legislation.

- The Small Holdings and Allotments Act of 1908
- The Land Settlement Facilities Act 1919
- The Allotments Act 1922
- The Allotment Act 1925
- The Town and Country Planning Act 1947
- The Allotments Act 1950

The Small Holdings and Allotments Act of 1908 consolidated previous allotment legislation and established the modern day allotment system that is seen today. This Act placed a responsibility on the local authority to provide allotments so to meet the demand of the general public.

The Land Settlement Facilities Act 1919 provided some assistance to servicemen and opened allotments up to the whole population rather than the 'laboring population'. The popularity of allotments increased to a peak of 1,400,000 plots nationally at the height of 'Dig for Victory'. Following this high demand for allotments there has been a slow decline since, with 265,000 plots nationally in 1997.

The Allotments Act 1922 and the Allotment Act 1925 both provided the allotment holder with more security over their tenure, and greater compensation at the termination of a tenancy. The Allotments Act 1925 also intended to initiate the further acquisition of allotments. This was later removed under the Town and Country Planning Act 1947.

The Allotments Act 1950 made better provision for compensation following the termination of a tenancy. It also clarified the system for collecting rent, and included some further allotment management issues. Other further acts have influenced allotment legislation; however the Allotments Act 1950 is still the dominant legislation.

4. Benefits of Allotments

Allotments have been an important and valuable part of the urban community for over 150 years. They were created to empower those on low incomes to improve their quality of life, health and diet, by growing their own food. The common land these people worked was the remains of land that had once been communal agricultural land. Post war Britain saw a fall in allotment use due to changes in society with 'cheap' food and the negative stereotyping of allotment gardening as the leisure pursuit of those on low incomes, or the white, retired male.

Allotment law was last updated under The Allotments Act 1950. There remains the need for alteration in the law to reflect changes in allotment gardening. In modern allotment gardening people of all ages and backgrounds are creating vibrant communities that produce fresh, healthy food and offer a healthy lifestyle too. In 1998 the Department of Environment Transport and the Regions published a White Paper on the Future of Allotments. 'A Good Practice Guide' from the Local Government Association has followed this. Both documents highlight the contribution that allotments make to an improved quality of life.

During the past ten years gardening has become a very popular leisure activity in the UK because it offers a relaxing alternative to the stressful pace of modern day life. Increasingly allotments are being valued for their therapeutic benefits in providing a quiet refuge, where people can have the sense of gardening in the country, within an urban environment.

There has been a recent surge in demand for allotments, with an estimated 13,000 people on waiting lists in the UK. Another reason for this demand for allotments is increasing concerns over the safety and quality of our food. Food scares and the poor vitamin and mineral quality of food grown in depleted, intensively farmed soils have led to an increasing awareness of the value of home grown produce, free of chemicals. This desire for 'home grown food' and concern over environmental damage from 'air miles', is leading many people to turn to allotment gardening as a means of producing healthy, fresh, locally produced food that is often organically grown. This concern over our diet is acknowledged at government level with increasing concern over obesity in the population. Public health campaigns are consistently highlighting the necessity of a diet high in fruit and vegetables, along with adequate exercise.

The benefits of open spaces and in turn allotments are increasingly being recognised and documented in the public domain. This is through such schemes as Green Flag, BTCV's Green Gym's and various bodies such as Natural England.

Over the last few years there is an increasing amount of research being undertaken regarding the benefits of allotment gardening. These benefits assist local authorities in meeting government objectives in areas such as health, education, environment, social inclusion and crime reduction.

5. Purpose of the Strategy

As there are no nationally agreed standards for the provision of allotments either in terms of quality or quantity it is difficult to judge how well the Borough compares nationally. The National Society of Allotment and Leisure Gardeners suggest that there should be a minimum of 15 plots per thousand households (or 1 plot for every 65 households). For Newcastle-under-Lyme Borough Council and other providers (Parish and Town Councils/voluntary and charitable organisations) there are 8.6 plots per thousand households. Other authorities compare the number of plots per thousand populations; this would give the Borough a figure of 3.9 plots per thousand population.

Many developments have taken place during 2000 -2014, which have led to an increase in demand for allotments in Newcastle Borough. The purpose of this Strategy is to build on these improvements in order to create an efficient, flexible, effective Allotments Service that reflects best practice in allotment management and provision. This will enable the Borough's allotment sites to be used to their full potential, whilst improving the service offered to allotment tenants.

In order to achieve this vision, the Allotment Strategy provides recommendations to allotment gardeners and council officers on the policies, procedures and guidelines for allotment management.

The Allotment Strategy will:

- Support the uptake of allotments and the development of associations
- Improve and speed up the administration processes relating to allotments
- Decrease the over-all cost of allotments to the public
- Increase the sustainability of allotments
- Reflect recognised good practice in allotment management

The Allotment Strategy reflects wider corporate objectives such as "A Healthy and Active Community", "A Clean, Safe and Sustainable Borough" and "Becoming a Co-operative Council".

In summary Newcastle Borough Council's allotments will offer:

- The opportunity to grow fresh food and flowers
- The opportunity to grow organic produce
- The opportunity for fresh air and exercise
- The chance to be part of a community
- The ability to take part in an enjoyable leisure activity
- Valuable areas for people without a garden
- Places for children to experience the outdoors and to learn
- The opportunity for adults to develop new skills and participate in lifelong learning
- The opportunity to develop skills that could assist with employment
- Places to grow food locally so reducing an area's environmental footprint
- Support for biodiversity and conservation
- Contribution to sustainability
- Green corridors in urban and suburban settings

6. Next Steps for the Allotment Service

Aims and Objectives

To deliver the Strategy five aims have been identified. The aims and objectives have been drawn up in accordance with the outcomes agreed by the Allotment Review Task and Finish Group.

The intention is to use the Strategy document to manage the Borough Council's allotment sites, through an improved method of operation. This is detailed in appendix B and through a new set of rules and regulations (tenancy agreement) which are detailed in appendix A.

The new working methods combined with the improved rules and regulations will bring in efficiencies which will reduce revenue expenditure, speed up the re-allocation of plots and increase income.

These objectives along with the new rules and regulations and improved methods of working will be delivered by the Community Management Section over the next 5 years, and reviewed thereafter.

Aim 1: To ensure appropriate provision of allotments in the Borough

To regularly review and rationalize the waiting list to improve the lettings and eviction process

To carry out a basic needs assessment and set a local standard for allotment provision based on current demand and provision levels

To engage with other providers to explore shared service potential

To consider the potential for additional provision should demand arise

To explore opportunities for funding for additional provision and/or improvements to existing provision

To identify potential sites for future provision should demand arise

Aim 2: To manage allotments co-operatively

To offer varying plot sizes and tenancies to meet differing needs. To set rents based on varying plot sizes (charged per m² rather than standard rate) to ensure fairness and consistency

To improve administrative and billing procedures to achieve efficiencies

To improve enforcement procedures to tackle non-payment, non-cultivation and speed up eviction/re-letting

To review tenancy agreements and operating procedures to achieve efficiencies and devolve responsibilities to tenants

To develop community management models for all allotment sites

To assist community management groups to identify funding sources to manage and improve sites

To encourage site membership of the National Allotment Organisation

To encourage volunteering, education and learning opportunities on allotment sites

Aim 3: To make best use of resources

To review support service recharges to manage down costs

To reduce maintenance and repair costs and devolve responsibilities to tenants and community management groups where such groups are successfully set up (water charges, waste removal, toilets)

To increase rents incrementally over the life of the strategy to reduce the gap between cost and income.

To reduce the concession offered from 50% to 20% to reduce the gap between cost and income

To review the billing procedure to issue one annual bill, payable in advance and non-refundable

Aim 4: To improve sustainability

To devolve responsibility for waste management and removal on allotment plots/sites to tenants/community management groups and to encourage recycling/re-use wherever possible to improve the efficiency of site management

To seek to devolve responsibility for mains water supply and costs on allotment plots/sites to tenants/community management groups (where such groups are successfully set up) and to encourage sustainable water supplies such as water butts. Increase tenant involvement with the management of allotment sites

To devolve responsibility for toilet provision, maintenance and cleansing on allotment sites to community management groups and to encourage sustainable toilet provision if it is required to provide efficient allotment administration

To encourage bio-diversity on allotment sites and assist community management groups to develop habitats where appropriate

To encourage sustainable practices including reduced use of chemicals, reduced pollution and organic gardening

Aim 5: To promote allotment gardening and its' benefits

To promote the benefits of allotment gardening through a variety of media and events

To promote links with the Council's Health and Wellbeing Strategy

To develop partnerships to improve allotment provision, management and improvement where opportunities arise

To consult stakeholders on the Strategy and action plan, and on other issues affecting allotment provision, management and improvement

To review the Council's webpages and provide good quality information to service users and non-users

Outcomes of an Allotment Strategy

The delivery of this Allotment Strategy will ensure:

- Good access and security, well-maintained pathways, adequate water provision and a system for dealing with neglected plots
- Promotion and encouragement to individuals and communities interested in becoming involved in the cultivation of allotment gardens
- Sustainable allotments
- Efficient, effective and accessible allotment administration
- Active involvement of gardeners in allotment management through tenants meetings, allotment associations and site secretaries/stewards
- Effective and appropriate allocation of resources
- Equal opportunities
- Educational opportunities
- Improving social inclusion
- Developing partnerships
- Promotion of organic gardening
- Increased opportunities for recycling and composting
- Fully occupied allotment sites
- Development of good environmental practices

Action Plan

The following action plan sets out the specific tasks and timescales which will be undertaken over the 5 year life of the Strategy to deliver the aims:

Year 0 (2014/15)				
ID Number	Task	Timescale	Lead Officer	Commentary
A001	Report to Cabinet	April 2014	RT	Draft strategy approved for consultation
A002	Consultation with stakeholders	July/August 2014	SM	Consider responses and amend draft strategy
A003	Report to Cabinet	November 2014	RT	Approve and adopt strategy
A004	Complete transfer of Park Road Allotments to Silverdale Parish Council	April 2014	SM	Transfer agreement completed

A005	Complete transfer of Acre Allotments to Silverdale Parish Council	December 2014	SM	Rationalise plots and sign transfer agreement
A006	Give notice to plotholders of new tenancy agreements and rents	April 2014	SL	Issue letters and update web pages
A007	Set up new billing arrangements	September 2014	SL	Create database and plot measurements to determine rent
A008	Measure all plots	September 2014	SL	Determine charge based on m2
Year 1 (2015/16)				
ID Number	Task	Timescale	Lead Officer	Commentary
A009	Set up Allotment Associations for all sites	April 2015	SL/BS	Complete constitutions
A010	Affiliate Allotment Associations to NAO	September 2015	SL/BS	Complete registration/membership
A011	Issue rent bills and review rent for following year	April 2015	SL/BS	Single annual bill in advance, including supplement for water charges. Determine rent increase for following year
A012	Review waiting list	April 2015	SL/BS	Rationalise list
A013	Set local standard	April 2015	SM	Needs assessment and plans showing demand and provision
A014	Identify sites for future provision	September 2015	SM	Plans showing potential sites and capacity
A015	Promote allotment gardening	April 2015	SL	Organise local competitions, open days, projects

Year 2 (2016/17)				
ID Number	Task	Timescale	Lead Officer	Commentary
A016	Issue rent bills and review rent for following year	April 2016	SL/BS	Determine rent increase for following year
A017	Review waiting list	April 2016	SL/BS	Rationalise list
A018	Update webpage	April 2016	SL/BS	Provide up to date information
A019	Hold stakeholder meeting	September 2016	SL/BS	Annual meeting to discuss issues and opportunities
A020	Promote allotment gardening	April 2015	SL	Organise local competitions, open days, projects
Year 3 (2017/18)				
ID Number	Task	Timescale	Lead Officer	Commentary
A021	Issue rent bills and review rent for following year	April 2017	SL/BS	Determine rent increase for following year
A022	Review waiting list	April 2017	SL/BS	Rationalise list
A023	Hold stakeholder meeting	September 2017	SL/BS	Annual meeting to discuss issues and opportunities
A024	Promote allotment gardening	April 2015	SL	Organise local competitions, open days, projects
Year 4 (2018/19)				
ID Number	Task	Timescale	Lead Officer	Commentary
A025	Issue rent bills and review rent for following year	April 2018	SL/BS	Determine rent increase for following year
A026	Review waiting list	April 2018	SL/BS	Rationalise list
A027	Hold stakeholder meeting	September 2018	SL/BS	Annual meeting to discuss issues and opportunities
A028	Promote allotment gardening	April 2015	SL	Organise local competitions, open days, projects

Year 5 (2019/20)				
ID Number	Task	Timescale	Lead Officer	Commentary
A029	Issue rent bills and review rent for following year	April 2019	SL/BS	Determine rent increase for following year
A030	Review waiting list	April 2019	SL/BS	Rationalise list
A031	Hold stakeholder meeting	September 2019	SL/BS	Annual meeting to discuss issues and opportunities
A032	Review Strategy	September 2019	SM	Report to Cabinet
A033	Promote allotment gardening	April 2015	SL	Organise local competitions, open days, projects

7. Monitoring and Review

It is proposed that the aims and objectives will be reviewed and updated every year so that they reflect any changes in government, corporate, site and tenant priorities. Part of this review process will be undertaken through meetings with site representatives and tenants, as well as regular research and feedback. In addition developments with national allotment organisations such as the National Society of Allotment and Leisure Gardeners will be included within the review processes. The Action Plan will be amended accordingly each year and progress will be reported annually to the Cabinet of the Council.

At the end of the 5 year life of the Strategy, a full review will be undertaken.

8. Conclusion

The history of allotments has always reflected the changing needs of our society. At the beginning of the twenty first century people are increasingly searching for ways of improving the quality of their lives. Concerns over health and diet are encouraging people to garden on an allotment. The intensity of urban living and loss of open spaces strengthens the value of allotment sites as ‘being in the country whilst living in a town.’ The variety of habitats within an allotment site allows them to develop as vital wildlife habitats, enhancing the biodiversity of an area and adding to ‘green corridors’.

Finally, the fast pace of twenty first century life leads increasingly to a sense of isolation and loss of community. Allotments allow people to enjoy a sense of being in a strong community, where people get to know each other well, to talk, share ideas and make friends.

In recognition of the vital role allotments have to play within the Borough this Allotment Strategy aims to build on current good practice and from this develop a vibrant, sustainable allotment community.

Allotment Tenancy Agreement and Rules

The Allotment site is managed (“the site”) on behalf of Newcastle-under-Lyme Borough Council (“the Council”)

This agreement explains the rules that you and we must obey when the council let you an allotment. Do not sign this agreement unless you understand and agree to be bound by these rules.

1. Rent

- a. The plots are to be let on an annual tenancy, which commences on 1st April each year and ends on the 31st March the following year.
- b. All tenants agree to pay a rent payable in advance for the months due up to 31st March that year or following year, this will be apportioned at a rate of 1 / 12th of the annual sum. This payment is due in one annual payment in advance on issue of the agreement, and each subsequent rent demand on April 1st each year, which is non-refundable.
- c. Failure to pay the rent by the due date will result in termination of the agreement.
- d. The current rent for the year 2015/16 is £70.80 for a full plot.
- e. The council will review and fix the rent annually and advise tenants in writing 3 months before the increase is to take effect. The tenant will be deemed to have accepted the rent increase unless they give notice to terminate the tenancy.
- f. A concessionary rate of 20% reduction in the annual rent will be available to tenants who are over 60 years of age or who are unemployed. Tenants will be required to provide proof of qualification for the concessionary rate every year prior to tenancy renewal and payment of rent.

2. Conditions of Letting for the Council.

The Council will:

- a. Divide the allotment land into plots (allotments) of an approximate size of between 150 - 250 Sq m or other size to be agreed in advance.
- b. Provide a key for each allotment holder (there will be a £10.00 deposit paid by the tenant with the initial tenancy rent, with £5 returned at the end of the tenancy)
- c. Not agree to succession tenancies. A plot may only be recorded as being a joint tenancy with the prior written agreement of the Council at the outset of the tenancy.
- d. Define the proportion split of the allotment between leisure area and vegetable growing, this will be a maximum of 25% leisure area, with the remainder for vegetable, fruit and flower growing.
- e. Have a plan of the site, with a register of plot holders, the vacant plots, keep and manage a waiting list of those persons wishing to rent a plot on that site
- f. Identify any plot deemed as neglected and will give notice to the plot holder that the situation will have to be rectified within 30 calendar days otherwise the tenancy will be terminated and the plot allocated to the next person on the

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waiting list. Mitigation such as illness will be taken into account where this has been advised to the Council Officer managing allotment sites.

- g. Allow a person to be on only one allotment waiting list, and have only one plot.
- h. Priority in plot lettings will be given to residents of the Borough of Newcastle-under-Lyme.

3. Conditions of Letting for the Tenant

The Tenant will:

- a. Use the allotment / leisure garden during daylight hours for growing vegetables, fruit and flowers for their personal use (but not by the way of trade or business)
- b. Not cause any nuisance or annoyance to any other person, including other allotment tenants and neighboring residents.
- c. Not use glass in constructions of any sort e.g. greenhouses, cold frames etc without the prior agreement of the council, and keep all glass maintained safely, removing broken glass immediately.
- d. Be permitted to have small bonfires on plots for the purpose of disposing of organic material only (no burning of tyres/plastics/polystyrene etc is permitted and tenants must not bring material onto site for burning). Tenants will be responsible for ensuring that such bonfires do not cause a nuisance to other ploholders or neighbours.
- e. Be restricted to one shed per plot, which will be apex in style, maximum size 2.44 x 1.83 (8 ft x 6 ft) and or a poly-tunnel no longer than 5 meters in length x 1.83 wide by 2.44 meters high.
- f. Require written permission from the Council prior to erecting any additional structure on the plot (e.g. poly tunnels, additional sheds) (see note above)
- g. Not keep any livestock (e.g. cattle, pigs, horses, rabbits, chickens, pigeons etc)
- h. Park within the defined parking bays only (where these are provided) and use the site roadway for unloading purposes only
- j. Not use any of the following items on the plot: barbed/razor wire, tyres, carpet underlay (horticultural weed suppressant material is allowed)
- k. Remove any harmful material from the allotment plot
- i. Be responsible for any guests and their subsequent actions. Any child under the age of 16 must be accompanied by a responsible adult
- n. Lock the gates upon entering and leaving the site.
- o. Report any damage to the site to the Council or Site Steward as soon as is possible.
- p. Not use the allotment for storage of vehicles or goods, or the storage of any crops which have not been grown on site
- q. Keep all paths clean and tidy, maintain and trim hedges and not obstruct access for other allotment users.
- r. Not fly tip or dump rubbish on any part of the allotment site.
- s. Not underlet, share, sign or part with the possession of the allotment or any part of it.
- t. Allow access to council staff, at any time to enter and inspect the allotment. This includes access to any building.
- u. Keep all dogs on a lead when on allotment land, including when on the paths.
- v. Advise the council if changing your address to allow correspondence to be sent to you.
- w. Give back the allotment in good condition at the end of the tenancy period. (the Council will pursue recovery of cost to clear a badly littered plot from

tenants)

- x. Not remove from the plot any identification number affixed to the plot by the Council.
- y. Maintain the plot in a proper state of cultivation; weed free with the soil kept in fertile condition.

4. Termination of the Agreement

If any of the rules are breached termination of this agreement may result.

It is hereby agreed and declared that the tenancy may be terminated:

- a. By the Council, by giving twelve months' notice to quit, expiring on or before the 6th day of April, or on or after the 29th day of September in any year; or.
- b. By the Tenant, by giving three months or longer notice to quit; or
- c. By the Council, by re-entry upon the allotment garden after three months previous notice in writing to the Tenant on account of the same being required by the Council for a purpose (not being the use of land for agriculture) for which it was acquired by the Council, or has been appropriated under any statutory provision; or
- d. By the Council, by re-entry upon the allotment garden for non-payment of rent or breach of any term or condition of this agreement by the Tenant, or on account of the Tenant becoming bankrupt or compounding with his creditors.
- e. In the event of non-cultivation, the Council will give 30 days notice, followed by 7 days Notice to Quit if cultivation is not resumed within the 30 day period.

5. Notice of Termination

Any notice to be served on the Tenant may be served personally, by the Council, or by leaving it at his/her last known address, or by recorded delivery addressed to him/her or by posting a notice on the allotment plot.

6. Agreement

As witness the hands of the parties hereto the day and year first before written.

SCHEDULE

Plot Number: :

Site: :

Signed on behalf of the Council
and in the presence of:-

Head of Operations

Counterpart
Signed by the tenant in the presence of :

Name & Address:
Telephone:

ALLOTMENT OPERATING PROCEDURES

Procedure for Notice of Non-Cultivation: -

1. Any complaints received to be forwarded via service request e-mail to Community Management Section.
2. Community Management Section to follow up complaints and undertake general inspections of sites.
3. Community Management Section to issue a non-cultivation notice (30 days) to plot holder if appropriate.
4. Community Management Section to re-inspect plot 30 days later.

Procedure for Notice to Quit: -

1. Following the above, if non-cultivation still evident, Community Management Section to issue a Notice to Quit (7 days) as follow up to Non-cultivation notices.
2. Community Management Section to re-inspect plots 7 days later.
3. If no improvements have been made Community Management Section to evict tenant and offer allotment plot to next person on the waiting list.

Procedure for new tenants: -

1. Current procedure to be followed when offering vacant plots to potential tenants
2. Community Management Section to ascertain what services the new tenants require from the Council to help them start.

It should be noted that the service is offered as an aid to the new tenant for an agreed fee (to be provided on request) and that the tenant is free to undertake the work themselves which may prove more beneficial in the long term [especially cultivation].

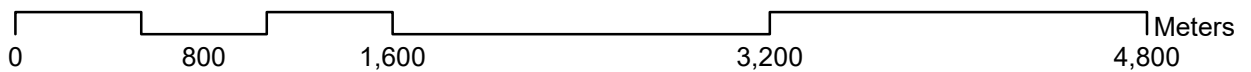
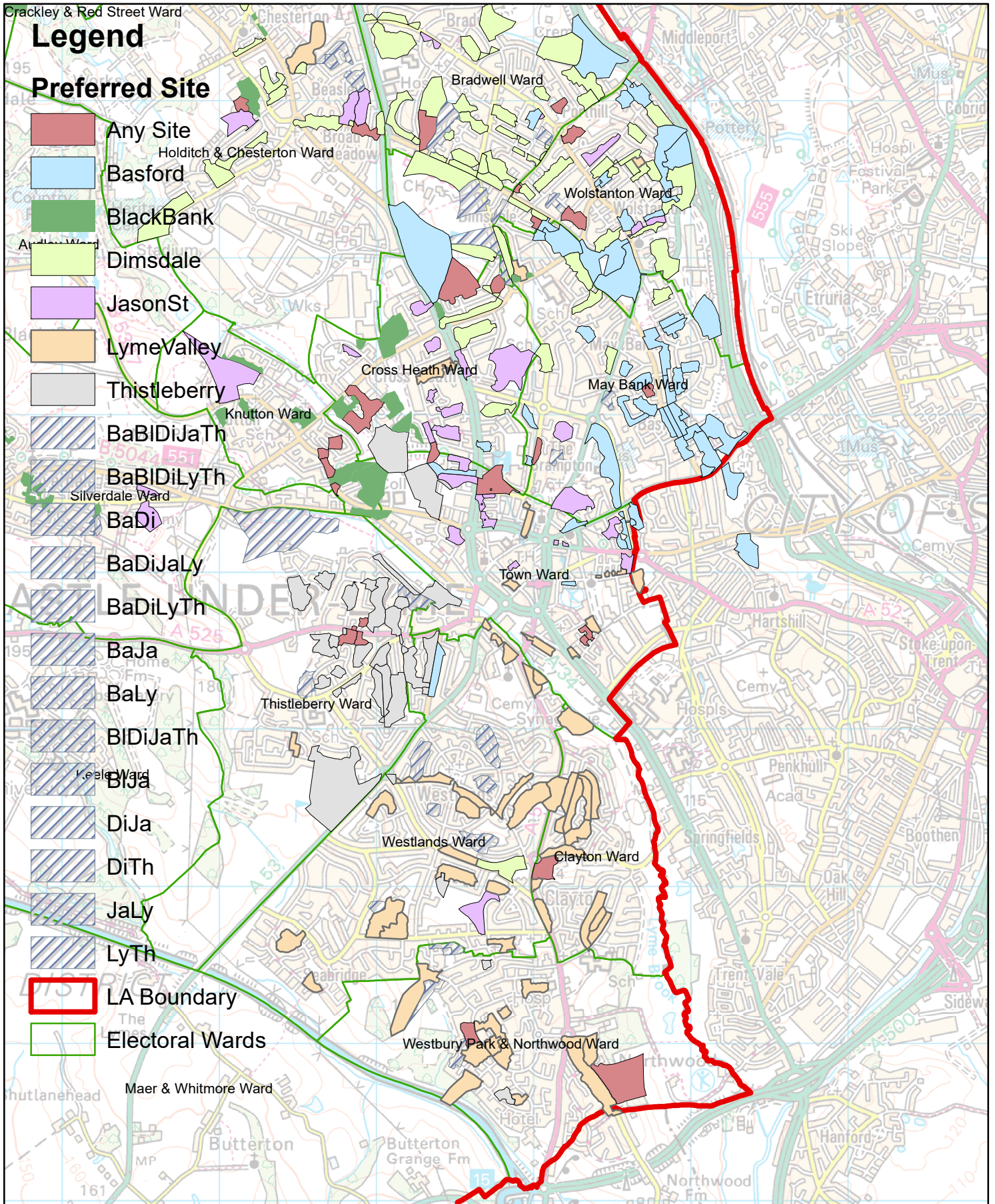
- The four services on offer are;
- Plot clearance – removal of rubbish, old sheds etc.
- Vegetation removal – Usually strimming but also removal of unwanted fruit trees etc.
- Weed killing – with glyphosate weedkiller
- Cultivation – Usually rotavating

When offering service, tenant to be advised that work will be undertaken upon receipt of payment.

3. Community Management Section to advise Streetscene team by e-mail which if any of the above services are required by new tenant.

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Allotment - request distribution by postcode



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Cycle Routes in Newcastle-under-Lyme

Annabel Chell

Head of Connectivity Strategy

20th June 2023





Local Cycling and Walking Infrastructure Plans

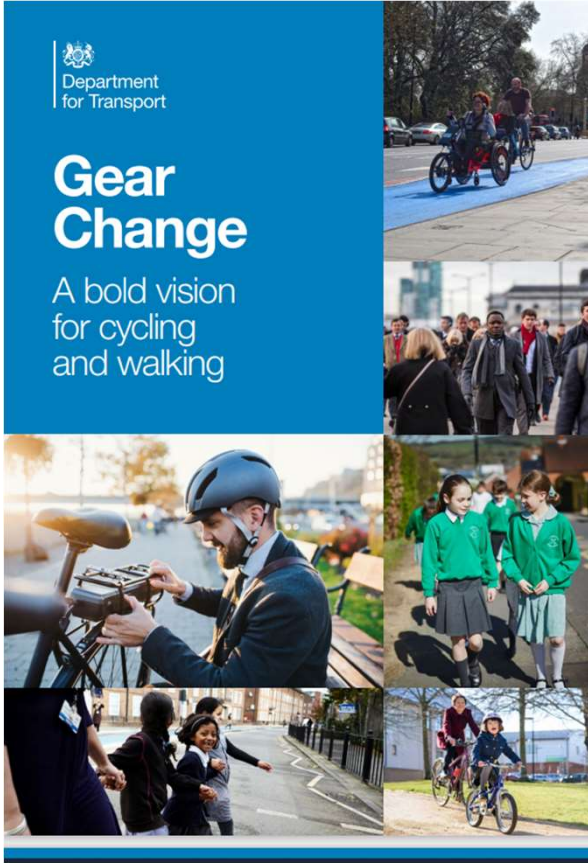
Technical Guidance for Local Authorities

April 2017



Gear Change

A bold vision
for cycling
and walking



Cycle Infrastructure Design

Local Transport Note 1/20
July 2020





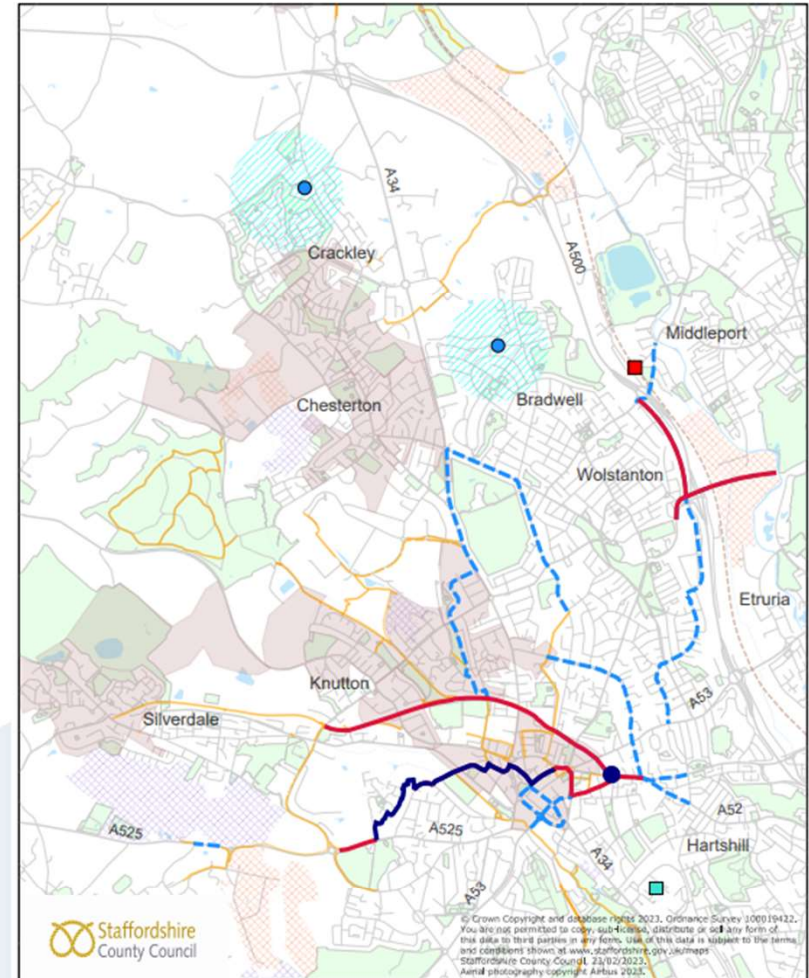
Newcastle-under-Lyme Town Centre

Local Cycling and Walking Infrastructure Plan 2021 - 2031

March 2021



Two Waters Way, Stafford

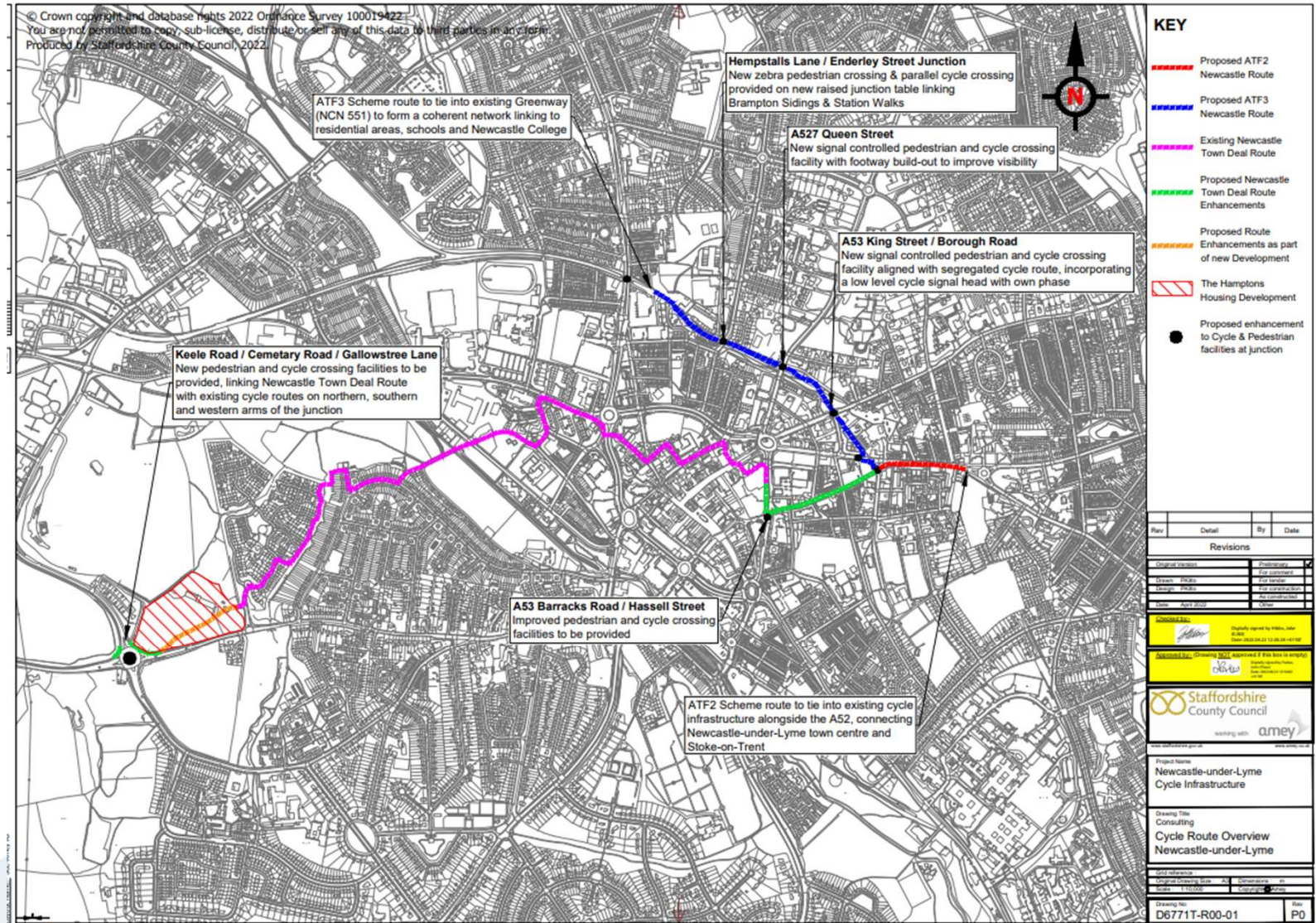


Active Travel Fund 4: Newcastle-under-Lyme

- | | | |
|---|---|--|
|  Proposed Residential Sites |  Existing Cycle Network |  Key Schools |
|  Proposed Employment Sites |  Active Travel Fund for Proposed Schemes |  Rail Station |
|  Future Access for All School Projects |  Committed or Completed Cycle Routes |  Hospital |
|  Top 25% Area of Deprivation |  Future Schemes | |

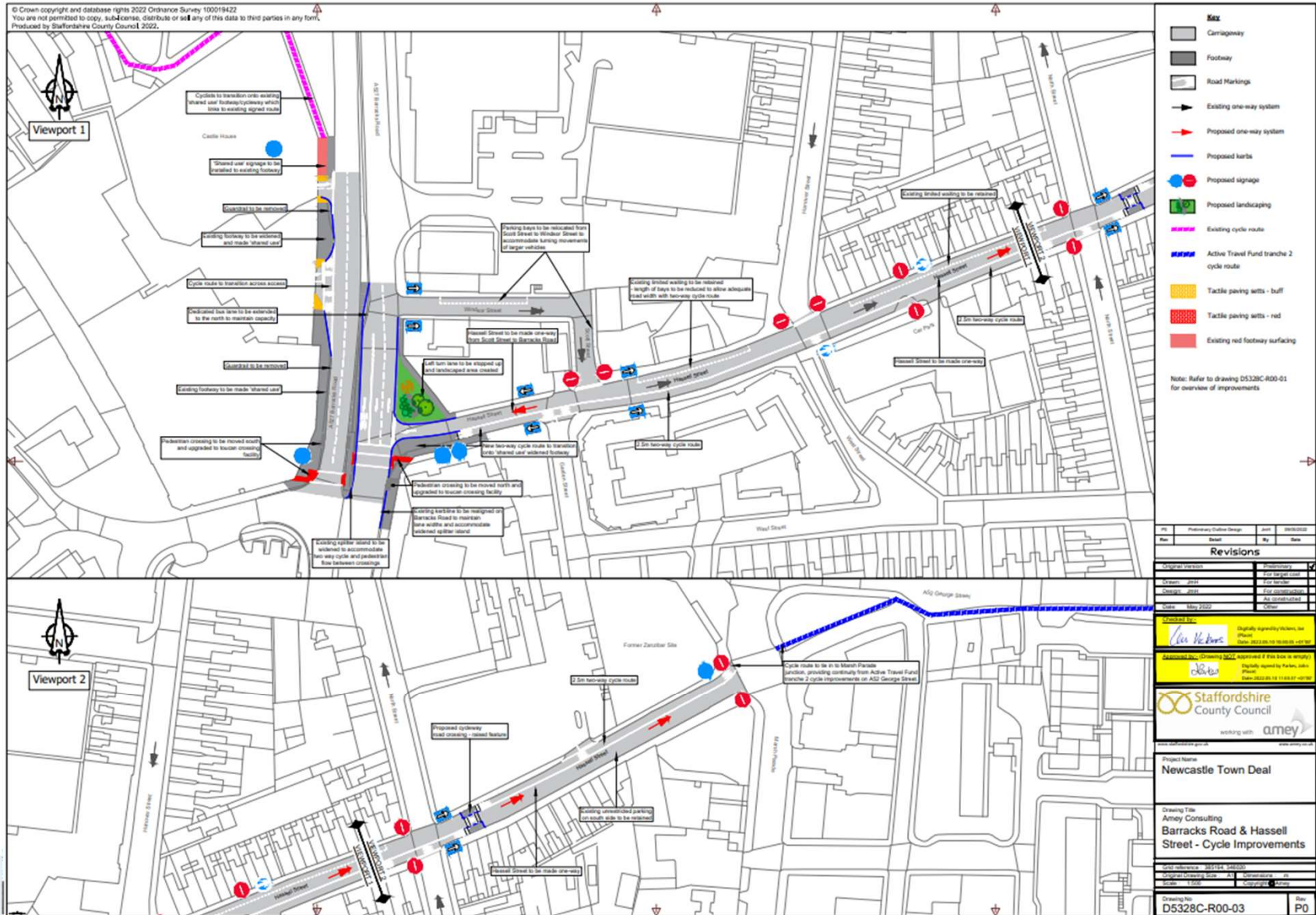
East – West Cycle Route

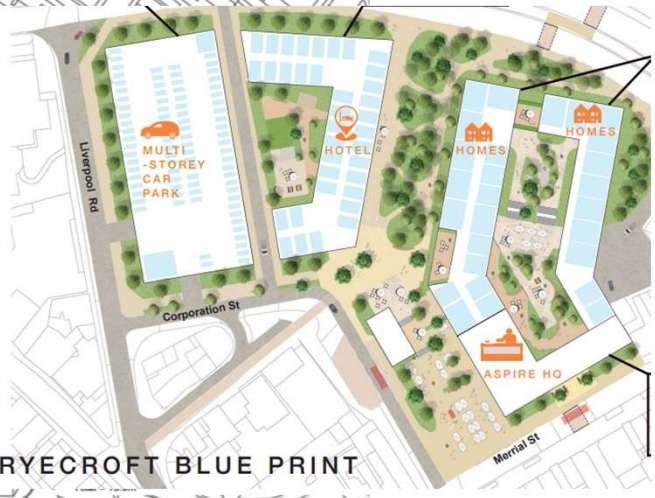
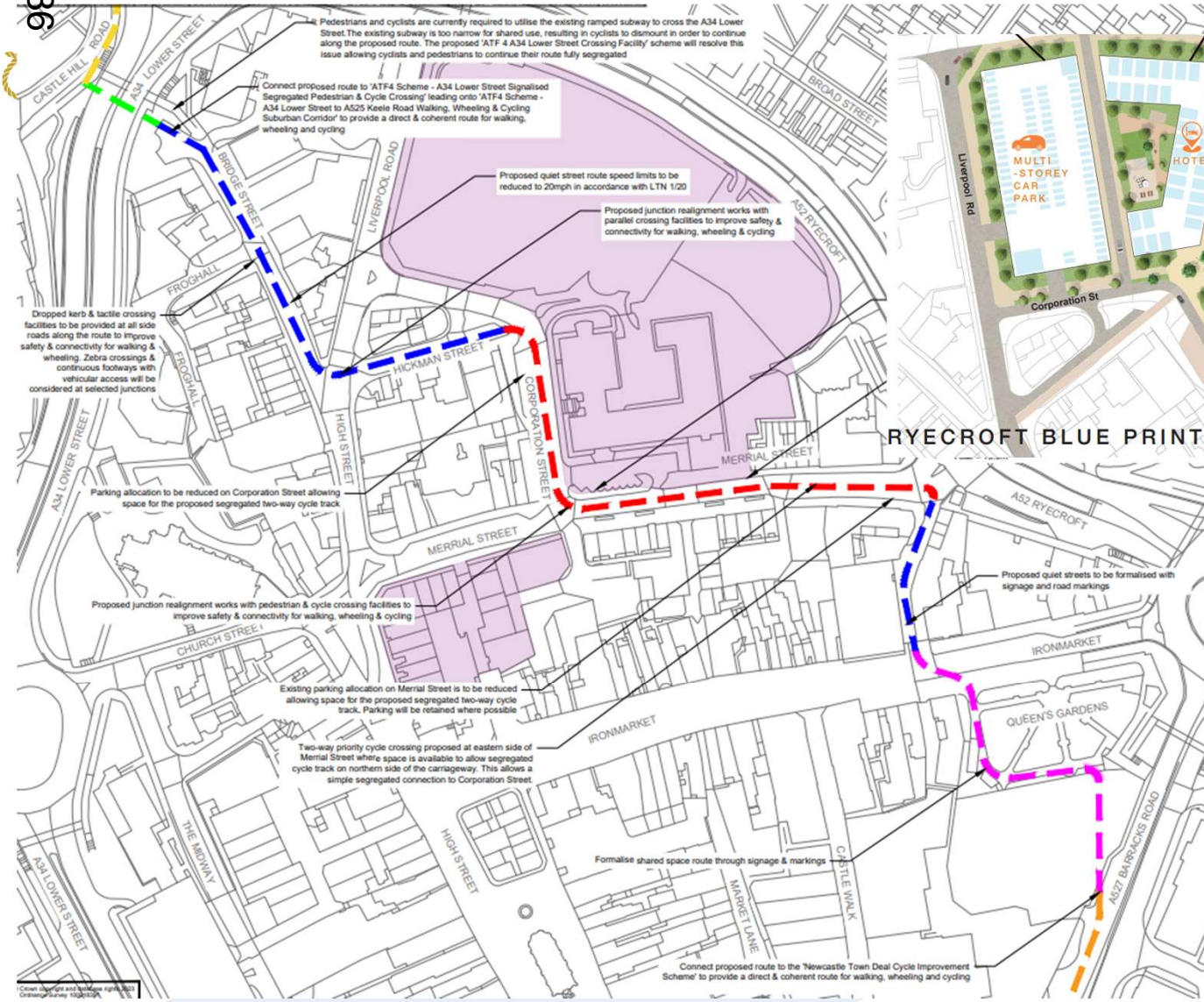
- Stoke-on-Trent
- Silverdale
- Newcastle town centre
- Keele



Towns Fund

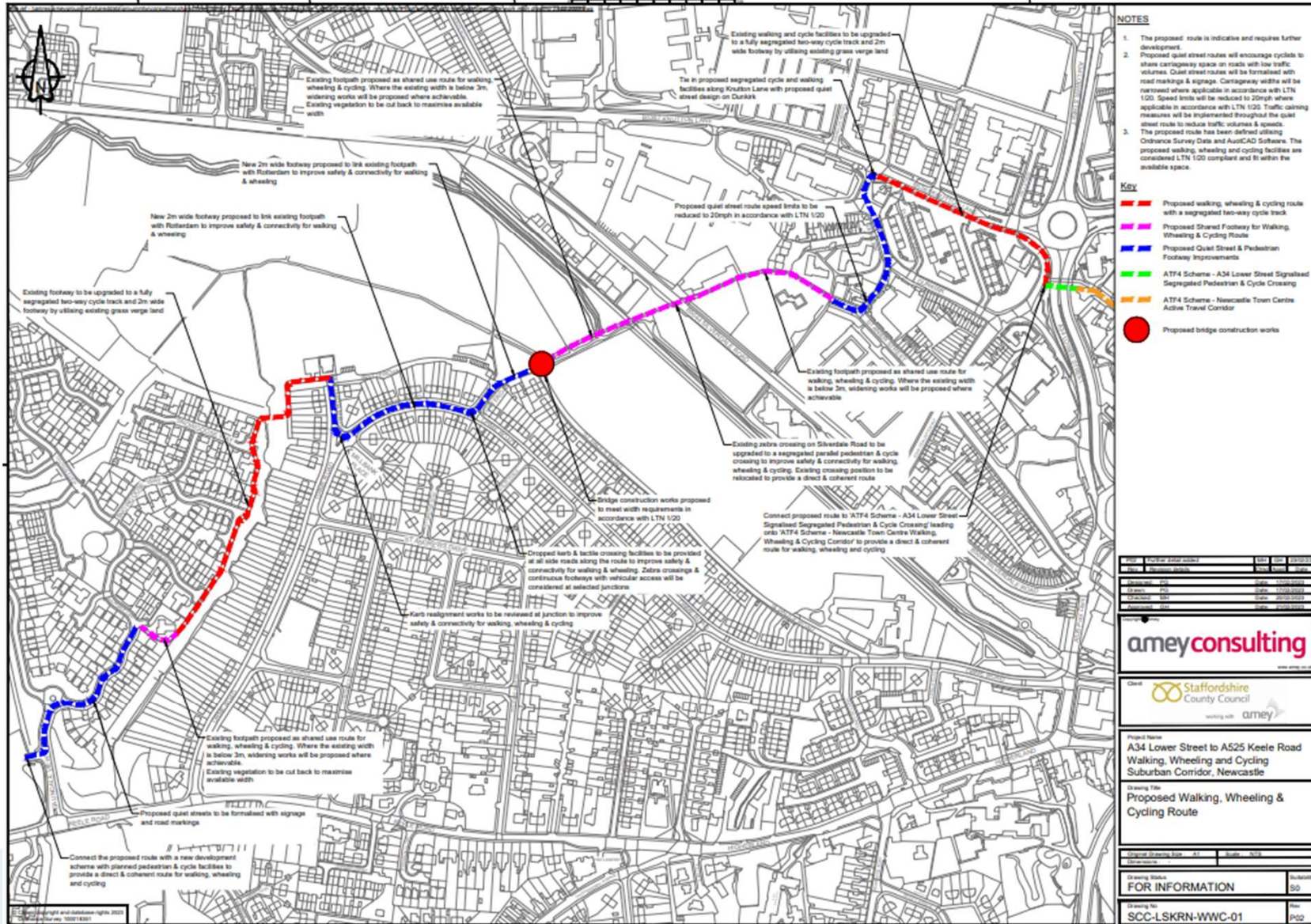
Hassell
Street /
Barracks
Road Route





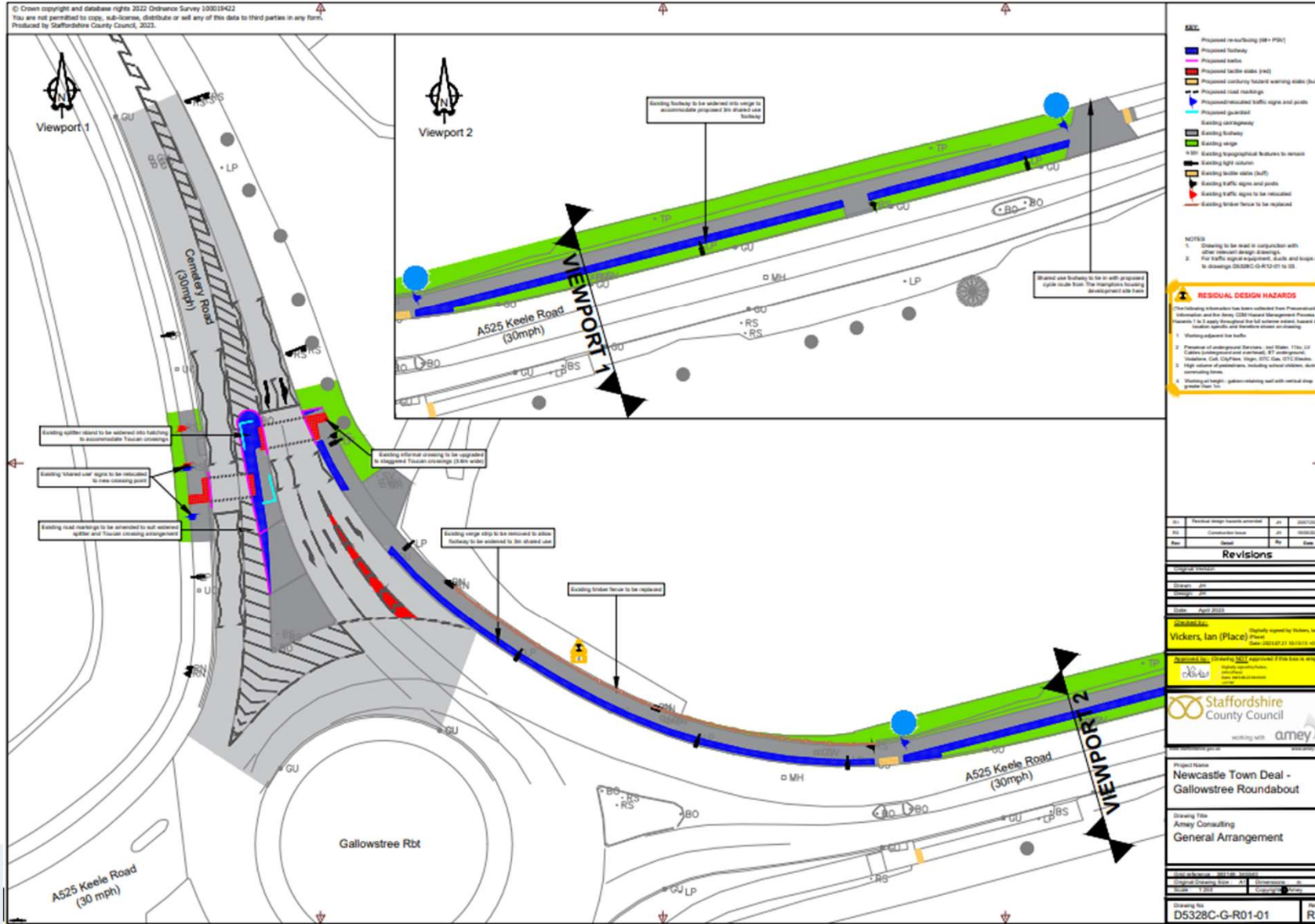
Proposed Town Centre Route

Proposed A34 to A525 Suburban Route

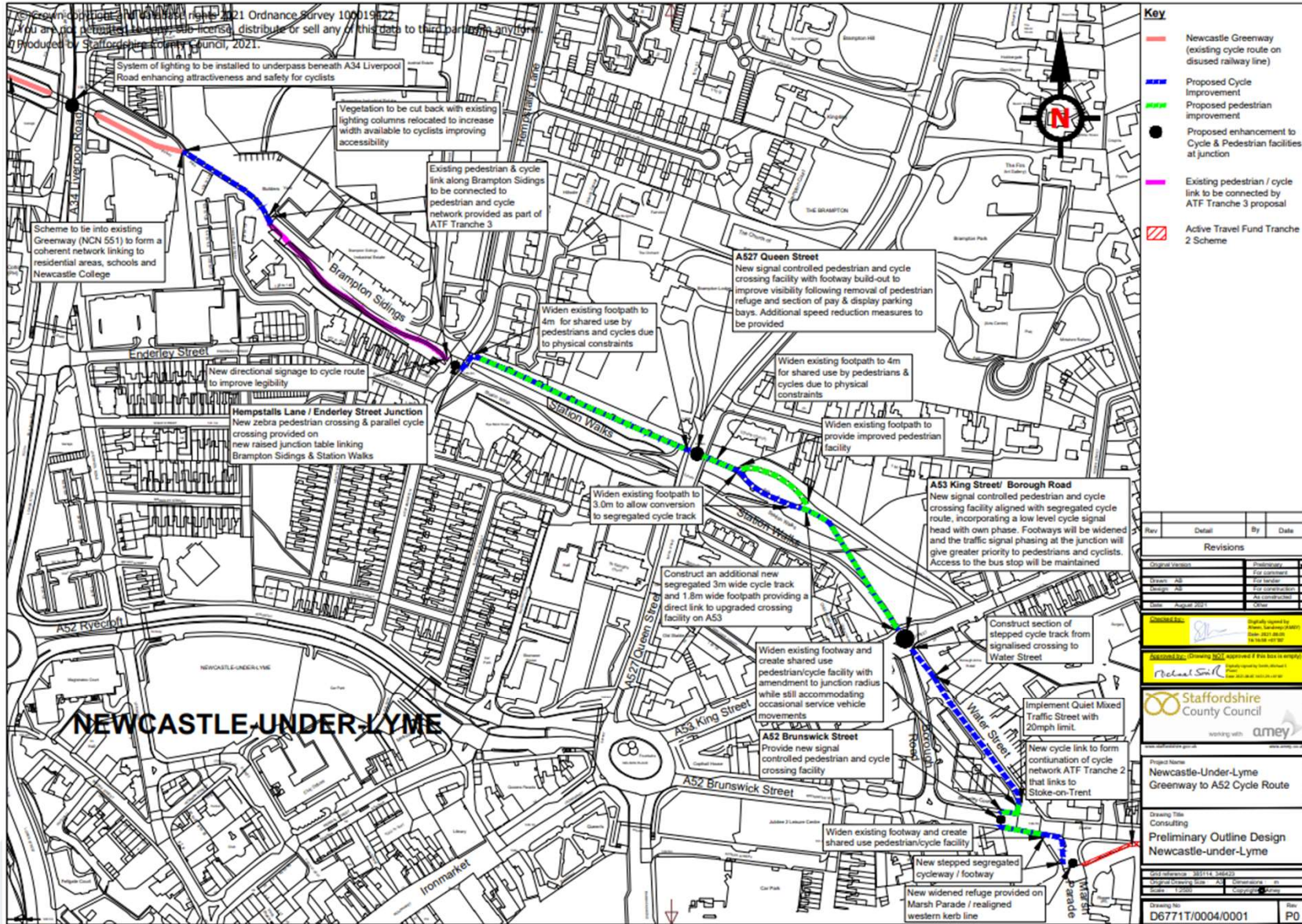


Gallowstree Lane junction

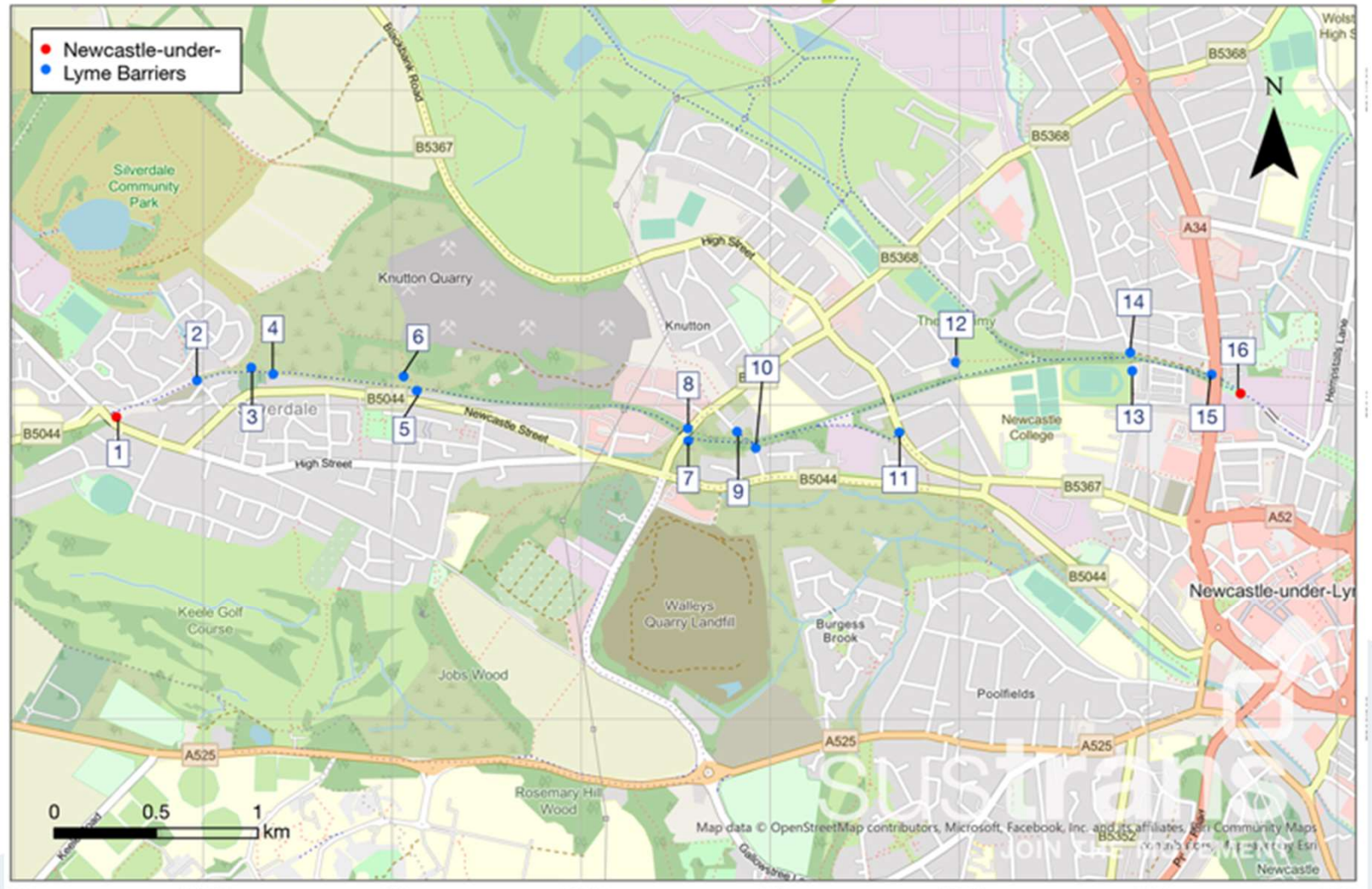
Footway widening and Toucan crossing

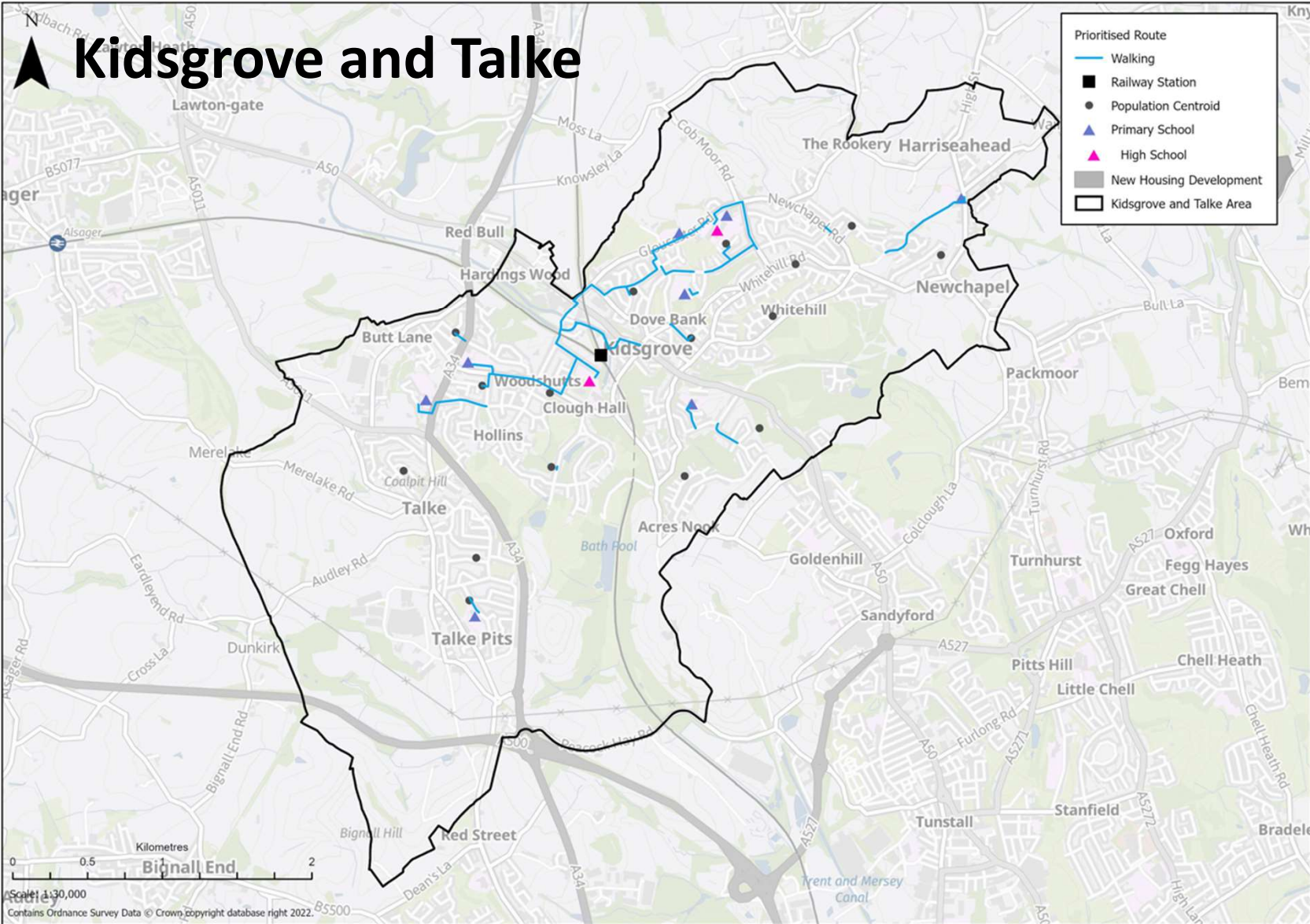


Greenway to A52 route via Station Walks



Silverdale Greenway Barriers





Using GIS analysis to prioritise walking routes in our smaller towns

School Streets



Any Questions?

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HEALTH, WELLBEING AND ENVIRONMENT SCRUTINY COMMITTEE



Work Programme 2023/24

Chair

Cllr I. Wilkes

Vice-Chair

Cllr R. Adcock

Members

Cllrs L. Barker, J. Brown, N. Crisp, S. Dymond, S. Jones, P. Northcott, P. Reece, L. Richards, R. Wright

Scrutiny Champion`

Portfolio Holders within the Committee's remit

Cllr Gill Heesom – Community Safety and Well Being
Cllr Jill Waring – Leisure, Culture and Heritage
Cllr Trevor Johnson – Environment and Recycling

This committee scrutinises policies, strategies and initiatives that are intended to improve health and wellbeing outcomes for the people who work and live in the borough. It scrutinises things such as leisure, open space and cultural provision, crime and antisocial behaviour, homelessness, health and other behaviours or environmental factors that affect health and well-being.

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
7 September 2023	<ul style="list-style-type: none"> • Homelessness – review of new arrangements • Allotments – review of current provision and plans • Walleys Quarry Update • Chief Fire Officer – Andrew Bourne • Cycle routes/lane provision • Modular Housing 	<p>Officer: Nesta Barker</p> <p>The CFO to give an overview of what the fire service was providing in the Borough i.e.: services, training and community provision. To be SCC presentation (current provision, existing plans for improvement and potential future developments/funding). Wolverhampton Homes</p>
27 November 2023	<ul style="list-style-type: none"> • Town Centre Safe Spaces/ Community Safety/ASB • Walleys Quarry Update • Sustainable Environment Strategy Annual Report • Review of 850 Celebrations 	<p>Officer: Nesta Barker</p> <p>Annual review</p>

Task/Finish Groups
<ul style="list-style-type: none"> • Joint Scrutiny Working Group – Integrated Care Hubs
Special Meeting
<ul style="list-style-type: none"> • A53/Bus Gate – Final Business Case – joint meeting with E&P Scrutiny when appropriate

Previous Items

DATE OF MEETING	ITEM	NOTES
23 rd June 2022	<ul style="list-style-type: none"> • Sustainable Environment Strategy Annual Report • Walley's Quarry – health impacts • Police and Crime Panel • Staffordshire Health and Care Overview and Scrutiny Committee digest • Integrated Care Board 	
5 September 2022	<ul style="list-style-type: none"> • Police Update – Commander and DCI John Owen • Walley's Quarry update • Recycling and Waste Services Update • Police and Crime Panel • Staffordshire Health and Care Overview and Scrutiny Committee digest • Integrated Care Board • Air Quality Ministerial Direction 	<ul style="list-style-type: none"> • Raised at Council 6 July 2022
28 November 2022	<ul style="list-style-type: none"> • Tri-Services • Review of Tennis Provision • Use of grazing animals • Walley's Quarry 	<ul style="list-style-type: none"> • Requested by the committee
6 March 2023	<ul style="list-style-type: none"> • Urban Tree Planting Programme • Chief Fire Officer 	<p>The CFO to give an overview of what the fire service was providing in the Borough i.e.: services, training and community provision.</p>

	<ul style="list-style-type: none"> • Walleys Quarry Update • Clough Hall Park Community Garden 	Simon Beckett to give presentation on his proposals
14 June 2023	<ul style="list-style-type: none"> • Police Commander – review of the new policing model • Modular Housing <ul style="list-style-type: none"> • Walleys Quarry Update 	<p>Update on meeting held in September 2022 - Requested by the committee (attendance confirmed). Steve North Wolverhampton MBC to (remotely) give an overview of a project delivered in Wolverhampton.</p> <p>Zoom link needs sending to Steve.North@wolverhamptonhomes.org.uk</p> <p>Officer: Nesta Barker</p>

Last updated on 16th August 2023

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

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