

Public Document Pack

Date of meeting Tuesday, 14th March, 2023
Time 2.00 pm
Venue Astley Room - Castle
Contact Geoff Durham 742222



**NEWCASTLE
UNDER LYME**
BOROUGH COUNCIL

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

Cabinet

AGENDA

PART 1 – OPEN AGENDA

- 1 APOLOGIES**
- 2 DECLARATIONS OF INTEREST**
To receive declarations of interest from Members on items included in the agenda.
- 3 MINUTES OF PREVIOUS MEETINGS** (Pages 5 - 8)
To consider the Minutes of the previous meeting.
- 4 WALLEYS QUARRY UPDATE** (Pages 9 - 30)
- 5 HOUSING ASSISTANCE POLICY 2023** (Pages 31 - 48)
- 6 ENERGY BILLS SUPPORT SCHEME (EBSS) ALTERNATIVE FUNDING AND COUNCIL TAX SUPPORT FUND 2023** (Pages 49 - 54)
- 7 FUTURE DELIVERY OF DEBT AND BENEFIT ADVICE SERVICES** (Pages 55 - 58)
- 8 PROCUREMENT OF FLEET - SUSTAINABLE ENVIRONMENT DIRECTORATE** (Pages 59 - 64)
- 9 IRRECOVERABLE ITEMS 2022-23** (Pages 65 - 68)
- 10 FINANCIAL AND PERFORMANCE REVIEW REPORT - 3RD QUARTER 2022-23** (Pages 69 - 100)
- 11 FORWARD PLAN** (Pages 101 - 106)
- 12 URGENT BUSINESS**
To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act 1972.
- 13 DISCLOSURE OF EXEMPT INFORMATION**

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

14 IRRECOVERABLE ITEMS CONFIDENTIAL APPENDIX (Pages 107 - 108)
ATTENDANCE AT CABINET MEETINGS

Councillor attendance at Cabinet meetings:

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

Public attendance at Cabinet meetings:

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

Members: Councillors S Tagg (Chair), Sweeney (Vice-Chair), Heesom, Johnson, J Waring and Fear

Members of the Council: If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.

Meeting Quorums :- Where the total membership of a committee is 12 Members or less, the quorum will be 3 members....Where the total membership is more than 12 Members, the quorum will be one quarter of the total membership.

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

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

Substitute Members:

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

- Identify a Substitute member from the list above who is able to attend on your behalf
- Notify the Chairman of the Committee (at least 24 hours before the meeting is due to take place)

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.

This page is intentionally left blank

CABINET

Tuesday, 7th February, 2023
Time of Commencement: 2.00 pm

[View the agenda here](#)

[Watch the meeting here](#)

Present:	Councillor Simon Tagg (Chair)	
Councillors:	Sweeney Heesom	Johnson Fear
Apologies:	Councillor(s) J Waring	
Officers:	David Adams Martin Hamilton Geoff Durham Simon McEneny Daniel Dickinson Sarah Wilkes	Executive Director - Sustainable Environment Chief Executive Mayor's Secretary / Member Support Officer Executive Director - Growth and Development Head of Legal & Governance /Monitoring Officer Head of Finance / S151 Officer

1. **APOLOGIES**

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

3. **MINUTES OF PREVIOUS MEETINGS**

Resolved: That the Minutes of the meeting held on 10 January, 2023 be agreed as a correct record.

4. **WALLEYS QUARRY UPDATE REPORT**

The Chief Executive provided an update on the problematic odours in the Borough associated with Walleys Quarry going through the report that had been circulated.

Paragraph 3 deals with the complaint data. There had been a rise in complaints received in the second and third week of January by both the Council and the Environment Agency although these were still lower than those received two years ago by some margin.

Regarding the information coming from the monitoring stations which record the percentage of time when the stations are picking up hydrogen sulphide concentration that is above the World Health Organisation's threshold, three of the units are now

Cabinet - 07/02/23

consistently recording very low levels. The fire station hasn't recorded anything for the last three months.

The Galingale View monitoring station, that is usually the area where recorded levels are highest, recorded higher levels two weeks in December and one week in January. What happened then was that an exceedance was noted from 5pm on the 20th January to 10am the next day. The gas management contractor which is now monitoring the site remotely had metrics that show there had been an increase in suction in the gas infrastructure which turned out to be due to a blockage caused by ice which was dealt with in the morning. This was considered a good example of dynamic response.

The complaints and air quality data appear to be relatively consistent although there was a spike of complaints on the 23rd January for which the reasons couldn't be identified yet.

The Environment Agency continues monitoring the site too.

The month's summary in terms of waste acceptance is attached to the report. There had been no issue of non-conformity raised with the operator. The key performance indicator number 7 shows that the concentration of hydrogen sulphide within the gas is down to 1,500 vs 6,000 two years ago.

The Leader expressed his satisfaction over the report and thanked the Chief Executive and team of officers involved.

Responding to questions from members the Chief Executive elaborated on the mediation agreement which had successfully reset the dialogue with the operator. It was felt that things were moving in the right direction.

The Leader informed the meeting that both the monitoring data and cabinet report would be accessible from the main page of the Council website so that information is readily available for residents.

Resolved: That the contents of the report be noted.

[Watch the debate here](#)

5. REVENUE AND CAPITAL BUDGETS AND STRATEGIES 2023/24

The Deputy Leader presented the last version of the Revenue & Capital Budgets & Strategies 2023/24 to be presented to Full Council on 15th February.

This was an updated medium term financial strategy and the proposals to be recommended towards a balanced 2023/24 General Fund Revenue Budget along with the Capital Program for 2023/24 to 2025/26. It also included the flexible use of Capital Receipts Strategy (updated for 2023/24), the Capital Strategy for 2023/33, the Treasury Management Strategy for 2023/24 and the Investment Strategy for 2023/24 for approval by Full Council.

The Cabinet considered the report and expressed their agreement with the recommendations put forward.

Resolved:

- (i) That the Revenue and Capital Budgets as detailed in this report and in the report to Cabinet dated 10 January 2023 be recommended to Full Council for approval.
- (ii) That the updated Medium Term Financial Strategy 2023/24 to 2027/28 (Appendix 2) be recommended to Full Council for approval.
- (iii) That the strategy for ensuring a balanced revenue outturn position for 2022/23 be approved.
- (iv) That the calculation of the Council Tax base and the Council Tax increase to be proposed for 2023/24 of 1.99% per Band D equivalent property be recommended to Full Council for approval.
- (v) That the risk assessment at Appendix 3 and the Section 151 Officer's recommendation on the level of reserves and contingencies provisionally required to be maintained in 2023/24 be recommended to Full Council for approval.
- (vi) That the Flexible Use of Capital Receipts Strategy (Appendix 5) for 2023/24 be recommended to Full Council for approval.
- (vii) That the Borough Growth Fund Priorities for 2023/24 be approved.
- (viii) That the Capital Strategy (Appendix 6) for 2023/33 be recommended to Full Council for approval.
- (ix) That the Treasury Management Strategy (Appendix 7) for 2023/24 be recommended to Full Council for approval.
- (x) That the Investment Strategy (Appendix 8) for 2023/24 be recommended to Full Council for approval.
- (xi) That the Local Council Tax Reduction Scheme (Appendix 9) for 2023/24 be recommended to Full Council for approval.

[Watch the debate here](#)

6. POLICE, FIRE & CRIME COMMISSIONER - SAFER STREETS ROUND 4

The Community Safety and Wellbeing Portfolio Holder introduced the report on the grant funding offer from the Police, Fire and Crime Commissioner (PFCC) under the Safer Streets Round 4 scheme along with the request for approval to accept and spend the grant on an agreed programme of projects.

The PFCC came to Newcastle in October 2022 and various projects were identified with partners to reduce violence and antisocial behaviours. £750,000 was subsequently awarded to the PFCC and split across 5 areas in North Staffordshire of which Newcastle-under-Lyme which was awarded £150,000.

Part of the funding needs to be defrayed by the end of March. Projects this could go to include improved lighting, more CCTV, environmental works and alley gating as well as the provisions of Street Pastors and a £40,000 antisocial behaviour campaign, all very good for the town centre.

Members welcomed the proposal as very good news and all agreed.

Resolved: That the acceptance of the Safer Streets Round 4 grant be approved and proper officers, in consultation with the Portfolio Holder for Community Safety and Wellbeing, be authorised to seek tenders/quotations for the agreed projects and award contracts to deliver the schemes.

[Watch the meeting here](#)

7. PROCUREMENT OF A SERVICE PROVIDER FOR THE GENERATION OF INCOME FROM ADVERTISING REVENUE

The Leader introduced the report on the award of a contract for the provision of a service provider to deliver a solution for the generation of income from advertising streams ahead of the expiration of the current contract at the end of February.

So that the Leader could be content with the detail of the tender and evaluation process, he moved that the recommendation be amended so that the authority to award the contract be delegated to himself as Leader and Portfolio Holder in consultation with the Executive Director on Growth and Development. All agreed.

Resolved: That the Leader and Portfolio Holder for One Council, People, and Partnerships, in consultation with the Executive Director – Growth and Development be authorised to award a contract for the provision of advertising services.

8. FORWARD PLAN

Members reviewed and agreed on the Cabinet Forward Plan upcoming items.

Resolved: That the Forward Plan be received.

9. URGENT BUSINESS

There was no Urgent Business.

10. DISCLOSURE OF EXEMPT INFORMATION

Resolved: That the public be excluded from the meeting during consideration if the following matter because it is likely that there will be disclosure of exempt information as defined in paragraphs 1,2, and 7 in Part 1 of Schedule 12A of the Local Government Act, 1972.

11. CONFIDENTIAL APPENDIX

Resolved: That the confidential appendix be received.

**Councillor Simon Tagg
Chair**

Meeting concluded at 2.37 pm

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO CABINET

14th March 2023

Report Title: Walleys Quarry – Odour Issues

Submitted by: Chief Executive

Portfolios: Environment & Recycling; 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.

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 15th December 2022 and a publically 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: <https://www.youtube.com/watch?v=Nb3ISSX866Q>] The next meeting is planned for March 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.
- f. In early March 2023, Officers will undertake a site visit and inspection of the landfill site, looking at elements of the landfill gas management infrastructure and 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
December 2022	43	163
5/12/22 – 11/12/22		
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	12	32
02/01/23 – 08/01/23		
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	13	66
30/01/23- 05/02/23		
06/02/23-12/02/23	26	115
13/02/23-19/02/23	7	39
20/02/23- 26/02/23	3	15

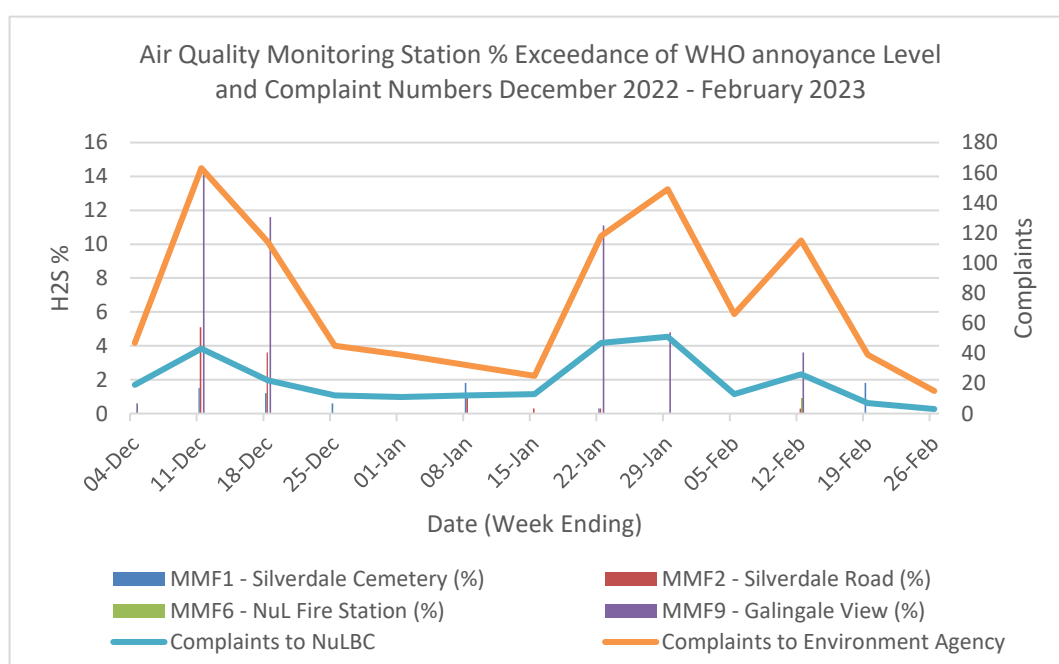
4. Air Quality Monitoring Stations

- 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.

4.2 Over the last 3 months, no H2S concentrations were above the World Health Organisation’s health threshold. 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 (%)
December 2022 5/12/22 – 11/12/22	1.5	5.1	0	14.3
12/12/22 – 18/12/22	1.2	3.6	0	11.6
19/12/22 – 25/12/22	0.6	0	0	0
26/12/22 – 01/01/23	0	0	0	0
January 2023 02/01/23 – 08/01/23	1.8	1.2	0	0
09/01/23 – 15/01/23	0	0.3	0	0
16/01/23 – 22/01/23	0.3	0.3	0	11.1
23/01/23 – 29/01/23	0	0	0	4.8
February 2023 30/01/23- 05/02/23	0	0	0	0
06/02/23-12/02/23	0	0.3	0.9	3.6
13/02/23-19/02/23	1.8	0	0	0
20/02/23- 26/02/23	0	0	0	0

4.3 The complaint and air quality data is combined and shown in the graph below. The data continues to show that the percentage of time above the World Health Organisation odour annoyance guideline level fluctuate across the four locations. The complaint numbers and % exceedance of the WHO annoyance level show a downward trend in February.



4.4 Each monitoring station (MMF) records the percentage exceedance over a week which results in 16 readings over a 4 week period. In February 2023 it is noted that there were no exceedances above the annoyance threshold in 75% of the readings (12 readings recorded zero).

4.5 The EA report that 'it's important to note that there will always be short-term fluctuations in the concentrations of hydrogen sulphide leaving the site, especially given the low concentrations we are monitoring. The causes can include factors such as the impact of improvement works being carried out on site and changes in the weather. Concentrations of landfill gas emissions generally increase overnight, during periods of colder weather, and in still wind conditions with clear skies'. 'Hydrogen sulphide concentrations continue to be greatly reduced compared with the period when monitoring began, in both the source emission and ambient air measurements. Air quality monitoring data provides additional confidence that our ongoing regulation is ensuring the source emission of hydrogen sulphide from the landfill site continues to remain low'.

4.6 **Odour Expert Data Review**

The Council has commissioned an industry expert to review data relating to odour between November 2022 to January 2023. This will be reported once complete. The information considered includes:

- surface emission monitoring reports;
- the effect of meteorological factors on complaints numbers;
- air quality monitoring data;
- Compliance Assessment Reports (CAR) issued by the EA;
- Sniff test results for observations carried out by NULBC staff;
- Sniff tests results from the EA.

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. These updates reflect regular EA officer presence at the site to review progress with the Contain Capture Destroy strategy. Extracts from the last 4 weekly updates are summarised below:

Site Visits - Officers carried out an announced site inspection on 1 February 2023, which focused on evaluating gas infrastructure. A further a site inspection was completed on 15 February 2023, focusing on leachate management within the landfill.

Gas Wells - A review of a Construction Quality Assurance (CQA) plan for the installation of 10 additional landfill gas extraction wells was undertaken. The installation of the 10-12 new full-depth wells in the south-east quadrant of the site, where temporary capping has taken place, will begin in the week commencing Monday 20 February, it was reported as completed on 2 March.

Gas Capture - Data relating to the gas utilisation plant (GUP) continues to remain relatively steady. 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)
2 February	3086	1600
9 February	2950	1500
16 February	2936	1510

23 February	2929	1600
2 March	3015	1660

The conclusion provided was that the results are within the normal operational fluctuations the EA expect.

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 December 2022 to February 2023, and provides complaint numbers, air quality data, H2S and officer assessments. Some of the data for February is unavailable and will be updated in subsequent reports.
- 6.3 The data from Walleys Quarry Limited covers the period February 2023 and 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, which will be contained within Appendix 4. The publication of this appendix will follow.

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 Councils work regarding Walleys Quarry Landfill.

13. Major Risks

13.1 There are no new risks beyond those explored in previous reports.

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 and 7th February 2023.

17. List of Appendices

- 17.1 Appendix 1. Historical Complaint data
- 17.2 Appendix 2. Historical Monitoring Station data
- 17.3 Appendix 3. NUL Key Performance Data
- 17.4 Appendix 4. WQL Key Performance Data (publication to follow)

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

Appendix 2. Historical Monitoring Station Data

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



Date of Report : 01 March 2023

NULBC		Information	Measurement	Dec 2022	Jan 2023	Feb 2023	Summary and Actions
KPI 1	COMPLAINTS	Complaints reported to NULBC	Number	<p>93</p> <p>Number of unique properties: 44</p> <p>Rating 0 = 0 complaints Rating 1 = 2 complaints Rating 2 = 7 complaints Rating 3 = 14 complaints Rating 4 = 16 complaints (17.2%) Rating 5 = 23 complaints (24.7%) Rating 6 = 31 complaints (33.3%)</p> <p>% of complaints reporting odour entering the property = 74 complaints (79.6%) % of complaints reporting health effects = 84 complaints (90.3%)</p>	<p>129</p> <p>Number of unique properties = 50</p> <p>Rating 0 = 0 complaints Rating 1 = 1 complaints Rating 2 = 5 complaints Rating 3 = 17 complaints Rating 4 = 41 complaints (31.8%) Rating 5 = 38 complaints (29.5%) Rating 6 = 27 complaints (20.9%)</p> <p>% of complaints reporting odour entering the property = 96 complaints (74.4%) % of complaints reporting health effects = 118 complaints (91.5%)</p>	<p>47</p> <p>Number of unique properties = 25</p> <p>Rating 0 = 0 complaints Rating 1 = 1 complaints Rating 2 = 1 complaints Rating 3 = 11 complaints Rating 4 = 8 complaints (17%) Rating 5 = 10 complaints (21.3%) Rating 6 = 16 complaints (34%)</p> <p>% of complaints reporting odour entering the property = 35 complaints (74.5%) % of complaints reporting health effects = 36 complaints (76.6%)</p>	

KPI 2		Complaints reported (daytime 07:00-23:00)	Number	85	113	41	
KPI 3		Complaints reported (night-time 23:00-07:00)	Number	8	16	6	
KPI 4		Highest number of complaints during the period	Date (number of complaints)	07/12/22 (13 complaints)	24/01/23 (22 complaints)	06/02/23 (9 complaints) 07/02/23 (9 complaints)	
		Information	Measurement				
KPI 5	AIR QUALITY	Percentage exceedance Odour Annoyance Guideline (Hydrogen Sulphide 30 minute average)	%	MMF 1 (Silverdale Cemetery)	0.5	0.5	Awaiting data
				MMF 2 (Silverdale Road)	2	0.3	
				MMF 6 (Fire Station)	0	0.2	
				MMF 9 (Galingale View)	6	4	
KPI 6		Monthly Average H ₂ S* *data not final as ratification process not complete	ug/m ³ over the month	MMF 1 (Silverdale Cemetery)	1.1	0.9	Awaiting data
				MMF 2 (Silverdale Road)	1.2	0.8	
				MMF 6 (Fire Station)	0.9	0.6	

				MMF 9 (Galingale View)	1.4	1.1		
KPI 7	H ₂ S PEAK LEVEL	Level measured over a 5 minute period Date & Time	ug/m3	MMF 1 (Silverdale Cemetery)	29.99 (25/12 09:20)	19.86 (03/01 00:45)	Awaiting data	
				MMF 2 (Silverdale Road)	27.14 (11/12 01:55)	19.41 (02/01 20:15)		
				MMF 6 (Fire Station)	8.08 (15/12 19:35)	10.13 (24/01 07:35)		
				MMF 9 (Galingale View)	40.96 (07/12 05:45)	33.29 (20/01 16:55)		
		Information	Measurement					
KPI 8	OFFICER ASSESSMENTS	Odour Rating - Officer odour assessment (5 minute)	Max Odour Rating	KPI not reported as the monitoring time < 5 minutes for each assessment	7 assessments on 18/1 and 24/1	KPI not reported as the monitoring time < 5 minutes for each assessment		

Date of Report: 07-03-2023			
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.
KPI 2		No of loads inspected.	each
			0 Non-conformance raised with operator. 0 CCS scores received
			1471 loads received. 1471 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
			53 tours
			4 external 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
			101,048m2
			24,635m2
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 34,737m2 (35%) Permanent Capping 40,032m2 (40%) Total Capped area 74,769m2 (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
			0 FID surveys completed 0 actions open

WALLEYS QUARRY KPI REPORT

KPI 9	LANDFILL GAS MANAGEMENT	Concentration of Hydrogen Sulphide in 'raw' bulk gas	ppm	1609 ppm – recorded from CLP H2S GUP input data
KPI 10	LANDFILL GAS MANAGEMENT	Landfill Gas capture rate (monitored at the GUP)	m3/hr	2,983 m3/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: 1 st February 2023 – 0449851 15 th February 2023 – 0451600 28 th February 2023 - 0450660
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

Date of Explanatory Notes:

KPI 1 and KPI 2 Waste Acceptance

No non-conformances have been received from the regulator within the month. Acceptance procedures under review by the Environment Agency, through the undertaking of an audit in cooperation with WQL, including upstream audits of waste processing sites supplying residues to the landfill business sector.

Waste acceptance carried out in accordance with (Environment Agency) agreed preacceptance and acceptance protocols. 1471 loads were inspected within the period and no loads rejected.

Pre-acceptance/acceptance procedures reviewed by WQL to adopt the updated Environment Agency guidance relating to domestic seating disposal, including updated producer information and relevant declarations received. Updated preacceptance and acceptance procedures now active.

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 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.

53 odour tours conducted by WQL, with 49 reflecting no odours experienced. 4 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 at during these times. And all appropriate actions were being taken.

KPI 5 and 6 Active Tipping Area

The overall current landfill area remains consistent at 101,048m². The active area is confined to Cell 4 and a small section of cell 2. The current active area remains contained and measures some 24,635m². 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, 34,737m² 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. 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.

KPI 8 - 10 Landfill gas management

WQL continues to undertake the extensive regime of surface emission surveys, as agreed with the Environment Agency. No FID survey was undertaken in February 2023, in line with the program agreed with the Environment Agency. The next FID survey at the facility will be undertaken in March 2023.

The concentration of H₂S at the facility remains within expected limits and in January, averaging 1690ppm 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 2983m³/hr. 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 for review in January 2023. The LFGMP has also been issued to NuLBC.

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 with the Environment Agency are ongoing, with an initial meeting held in January, with a response issued to the Agency. A further submission has been made to the Agency on 10 March 2023, in response to CAR report 0450660 by WQL with support from specialist engineering consultants.

KPI 13- 15

Two Environment Agency visits were undertaken at the facility in February. No non-conformances have been received from the regulator within the month, relating to these extensive audits of the site.

CAR report 0449851 has been received, for the visit on 1st February 2023. No compliance scores were received.

CAR report 0451600 has been received for the site visit on 15th February 2023. No Compliance scores were received.

CAR report 0450660 has been received in relation to the Q4 2023 monitoring data review. The following CCS scores were received:

Infrastructure

CCS 3 score 2.7.1 – this is in relation to leachate levels at the facility, which have reduced significantly over time, with the trend continuing. Due to the basal topography of the facility, rapid changes in leachate levels can be seen, both in terms of rising and falling levels.

Emission

CCS3 x 3 Land and Groundwater – 3.1.1

Ammoniacal Nitrogen – this has been detected in external groundwater, at low levels but above compliance levels set. Specialist external review indicates that this is due to external agricultural impact.

Methane has been identified in external boreholes, which is being monitored weekly and has shown a significantly reduced trend in levels monitored.

CO2 has been detected in two external boreholes and is likely to be a result of external factors.

LS1 and LS2 – were unable to be monitored during the period, due to historic movement and deformation caused as the waste compacts and degrades. The wells are hydrologically linked to other monitoring and extraction wells within the facility and due to be replaced, through the actions within the Leachate Management Plan. Progress with the plan is subject to ongoing discussion with the Environment Agency.

Reporting and notification – 4.3.1 – a minor administrative issue due to the submission of the Quarterly monitoring report and the submission of a separate Schedule 5 notification.

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO

Cabinet
14 March 2023

Report Title: Housing Assistance Policy 2023

Submitted by: Director of Sustainable Environment and Operations

Portfolios: Community Safety and Wellbeing

Ward(s) affected: All

Purpose of the Report

This policy sets out how we will offer financial assistance for improving and adapting homes. The aim is to support residents to improve their health and wellbeing by addressing problems with unsuitable homes that do not meet their needs

Recommendation

That Cabinet

1. Formally approves the proposed Housing Assistance Policy 2023 as set out in appendix A.
2. Delegate authority to the Head of Regulatory Services to make minor amendments to the policy.
3. Delegate authority to the Head of Regulatory Services in consultation with the Cabinet Member for Community Safety and Wellbeing to revise, prioritise or withdraw discretionary assistance as appropriate, considering the council's available resources and annual funding allocations.

Reasons

The administration of Disabled Facility Grants is changing on 1st April 2023 from being a commissioned service to return to in-house delivery. Such grants are the main form of housing financial assistance offered by the Council for home adaptations. The delivery of housing assistance is established around the Housing Assistance Policy 2023, which if approved will commence from the in-house service delivery.

1. **Background**

- 1.1 The Housing Grants, Construction and Regeneration Act 1996 placed a statutory duty on local housing authorities to provide Disabled Facilities Grants (DFGs) for residential adaptations where the appropriate legislative conditions are met.
- 1.2 The Grant is designed to improve the lives of people with disabilities by enabling access and movement around their own home with the use of adaptations. It also reduces hospital admissions, enables earlier hospital discharges and reduces the need for domiciliary and residential care.

- 1.3 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) provides general powers for local housing authorities to provide assistance for housing renewal, including home adaptations. The powers can only be used in accordance with a published Housing Assistance Policy.
- 1.4 The wide-ranging powers enable authorities to give assistance to people directly, or through a third party such as a Home Improvement Agency, providing the assistance will improve living conditions in their area.
- 1.5 Assistance can also be given to pay for any associated fees and charges, including in cases where the work does not in the end proceed, as long as the authority is satisfied those fees fall within the terms of their local Housing Assistance Policy.
- 1.6 By publishing a Housing Assistance Policy the Council can ensure we meet our duties and use available funding more flexibly.

2. **Issues**

- 2.1 The proposed Housing Assistance Policy 2023 sets out how Newcastle-under-Lyme Borough Council will offer financial help for improving and adapting homes in the borough, together with the conditions and eligibility criteria that apply. The objectives of the policy are;
 - to have a clear, transparent grants policy that is fair, equitable and accessible;
 - to ensure funding is available and targeted at those people in the community in greatest need.
- 2.2 The types of assistance included in the proposed Housing Assistance Policy 2023 are set out below.

2.3 Mandatory Disabled Facilities Grants (DFG)

- 2.3.1 These are grants that local authorities must make available to their disabled residents who meet the qualification criteria as set out in the Housing Grants, Construction and Regeneration Act 1996, the accompanying regulations and subsequent amendments. Works carried out must be necessary, appropriate, reasonable and practicable. Grants are means tested for over 18s and are for a maximum amount of £30,000. For certain grants over £10,000 repayment conditions are applied. Further details about eligibility and terms and conditions are set out in the proposed Housing Assistance Policy 2023 in Appendix 1.

2.4 Discretionary Grants

- 2.4.1 The aim of the discretionary grants is to help vulnerable members of the community where the Mandatory DFG is insufficient to cover the full cost of the works or where the works are outside of the eligibility criteria. However completing them would provide significant benefits to the applicant and/or their family/carers and would create savings to the wider public purse. Further details about eligibility and terms and conditions are set out in the proposed Housing Assistance Policy 2023 in Appendix 1 and summarised below.

2.5 Top-up Assistance

- 2.5.1 To top-up the financial assistance for adaptation works where the cost exceeds the DFG maximum (currently £30,000). The amount of top-up assistance in such circumstances must be reasonable up to a maximum of £15,000. The Council reserves

the right to consider alternative solutions where they appear more cost effective, reasonable, practicable or appropriate.

2.6 Relocation Grant

2.6.1 In some instances it may not be possible to adapt accommodation to meet the needs of the disabled occupant or the works required would be so major that it would be cost prohibitive. A discretionary relocation grant, which is means tested, provides assistance to move to a more suitable or more adaptable property by helping with removal costs and legal expenses.

2.7 Support for essential repairs that otherwise present hazards to health

2.7.1 To assist residents whose health is being affected by hazards to health in the home that will otherwise exacerbate existing health conditions and create ill health or an unplanned hospital admission. Examples include repairs to heating and hot water provision, first time heating, preventing falls or accidents, preventing damp conditions and support to clear hoarded properties. This would be applicable where the hazard has been assessed under the Housing, Health and Safety Rating system as a serious hazard to health.

2.8 Fees Grant

2.8.1 Fees can be charged on a grant for specific works set out in the legislation and the [Disabled Facilities Grant \(DFG\) Delivery: Guidance for Local Authorities in England](#). It is recognised that the fees can limit the available grant to an applicant especially if the cost of works is approaching the mandatory limit. It is therefore proposed to offer a discretionary grant to cover fees where this may adversely affect the works which can be completed or where there are upfront fees that need to be met to allow a grant to proceed ie architects drawings.

3. Proposal

That Cabinet

- 3.1** Formally adopts the proposed Housing Assistance Policy 2023 as set out in appendix A.
- 3.2** Delegate authority to the Head of Regulatory Services to make minor amendments to the policy.
- 3.3** Delegate authority to the Head of Regulatory Services in consultation with the Cabinet Member for Community Safety and Wellbeing to revise, prioritise or withdraw discretionary assistance as appropriate, considering the council's available resources and annual funding allocations.

4. Reasons for Proposed Solution

- 4.1** The administration of Disabled Facility Grants is changing on 1st April 2023 from being a commissioned service to return to in-house delivery. Such grants are the main form of housing financial assistance offered by the Council for home adaptations. The delivery of housing assistance is established around the Housing Assistance Policy 2023, which if approved will commence from the in-house service delivery
- 4.2** Adopting a Housing Assistance Policy ensures that the Council can use funding flexibly to allow discretionary as well as mandatory grant funding.

5. **Options Considered**

- 5.1 Adopt the Housing Assistance Policy 2023. This will allow the council to offer a flexible range of grants in accordance with the Regulatory Reform Order (Housing Assistance) (England and Wales) 2002 (RRO).
- 5.2 Do not adopt the policy. The Council could continue to issue grants under the mandatory Disabled Facilities Grants legislation. This would prevent the council from delivering grants more flexibly and offering a wide range of grants to benefit vulnerable and disabled residents.
- 5.3 Different discretionary options. The discretionary grant options could be reduced or changed to reflect different priorities. Figures indicate the top up grant is vital to allowing some of the bigger schemes to progress ie an extension for ground floor facilities without which care arrangements would be unsustainable. The fees grant is similarly a way to allow larger schemes to move forward without the fees eating into the funding for works. The relocation grant has been rarely used but with the service returning in house will be better utilised where works simply cannot be completed due to prohibitive costs. The grant for hazards to health is vital as a preventative measures to stop ill health, accidents in the home and preventable hospital admissions. This mix of discretionary grants is seen as being responsive to the current needs but will be kept under review.
- 5.4 More creative use of discretionary grants. The flexibilities under the regulatory reform act do allow and encourage local authorities to be creative and respond to local priorities. This can include expanding the range of discretionary grant, for example hospital discharge grants, telecare grants to use technology to keep people safe in their homes, dementia grants and waiving the means test in some circumstances to speed up grant processing. It is anticipated that as the service matures work can be done to analyse the local situation and funding availability to consider including these options in future iterations of the policy.

6. **Legal and Statutory Implications**

- 6.1 The Council is required by the Housing Grants Construction and Regeneration Act 1996 to approve valid applications for DFG. Additional powers are provided in the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to not only provide the mandatory assistance but also offer more flexible preventative alternatives linked to local health and social service priorities.
- 6.2 The proposed Housing Assistance Policy 2023 sets out how the council will meet these statutory duties and exercise its flexible powers when awarding housing assistance grants.

7. **Equality Impact Assessment**

- 7.1 The proposal is intended to have a positive impact on residents who have a disability and are eligible for a DFG by speeding up the process and quality of work. Also by seeking to develop innovative policies and practices once the service has become established.

8. **Financial and Resource Implications**

- 8.1 The Council has a statutory duty to provide DFGs, irrespective of the funds available. The Government determines the Disabled Facilities Grant allocation to the Council which is contained within the Better Care Fund provided to Staffordshire County Council. Funds are transferred to the Council through a pass porting agreement. The budget for 2021/22 was £1.7M.

8.2 An annual audited return is made to Staffordshire County Council regarding use of the funds.

8.3 A fee on the grant funds the current contracted service ending on 31st March 2023, it is proposed to continue this approach once it returns in house. Following detailed preparatory work the proposed fee is 18%. This will be kept under review as the service matures. The discretionary grant for fees ensures this figure does not impact on funding available to individuals.

8.4 If the discretionary elements of the policy are not included, it may hinder the ability to fully invest the money into resident's homes as it will prevent larger schemes progressing.

9. **Major Risks**

9.1 The return of the DFG service in house carries with it a number of risks, predominantly in terms of how quickly the new service can become established and start tackling current backlogs. The cabinet report on 6th September 2022 contained a risk assessment relating to the transfer of the service. The adoption of a Housing Assistance Policy is seen as protecting against the risk that the council does not have a clear, consistent, transparent policy on how monies are distributed and how flexibilities in the funding are targeted.

9.2 There is a risk that the use of discretionary policies takes funding from mandatory grants and the Council fails in its duty to provide these grants. In order to mitigate this risk all mandatory and discretionary grant applications, at all stages of the process, will be kept under monthly monitoring to ensure there are sufficient funds for all applications. Discretionary grants will be withdrawn, prioritised or delayed if funding becomes restricted.

9.3 There is a risk that the budget is overspent, so mandatory grants cannot be approved, or underspent, so available money is not invested into homes. The mitigation of the risk is in effective and regular budget monitoring of grants at all stages and in close adherence to the eligibility criteria so that all approved grants are appropriate use of public funds.

9.4 There is a risk that the discretionary grants are seen as the wrong priorities to the local situation or are not responsive enough to adapt to changing situations. The intention is for the policy to be kept under review to ensure it meets its aim of ensuring funding is available and targeted at those people in the community in greatest need. Foundations is The National Body for Disabled Facilities Grants and Home Improvement Agencies in England. They are active in researching, disseminating and promoting good practice, which will be reviewed against our policy to ensure it reflects good practice within the available funding.

9.5 Risks relating to the Disabled Facility Grant service and budget management are monitored through the Council's risk management system Grace.

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

10.1 The proposal contributes to the following UN Sustainable Goals.



10.2 There is also an opportunity to consider how the service can contribute to sustainable development goals as it matures. This includes building materials specified, relating to sustainability and source, and re use and recycling of equipment, i.e. stair lifts. Also using every contact with households to promote other activities i.e. energy efficiency schemes and cost of living support.

11. **Key Decision Information**

11.1 This is a key decision as it relates to a budget of £1.7M and it relates to residents in all wards of the borough.

12. **Earlier Cabinet/Committee Resolutions**

12.1 [Disabled Facilities Grant Service from 1st April 2023](#) – Cabinet Report September 6th 2022. This report dealt with the return of the service to Newcastle-under-Lyme Borough Council and outlined the need to return with a Housing Assistance Policy Report in early 2023.

13. **List of Appendices**

13.1 Appendix A - Housing Assistance Policy 2023

14. **Background Papers**

14.1 [Disabled Facilities Grant \(DFG\) Delivery: Guidance for Local Authorities in England](#). Department for Levelling Up Housing and Communities: Department of Health and Social Care.

14.2 Grace Risk Management – Disabled facilities Grant Delivery.

HOUSING ASSISTANCE POLICY

2022 - 2026



1.	Introduction	3
2.	How this policy contributes to our Housing Strategy and priorities.....	3
3.	Legal Context	3
4.	Types of Assistance	4
4.1	Mandatory Disabled Facilities Grants	4
4.2	Discretionary Grants.....	4
4.2.1	Top-Up Assistance	5
4.2.2	Relocation Grant.....	5
4.2.3	Support for essential repairs that otherwise present hazards to health	5
4.2.4	Fees Grant.....	5
5.	How assistance is delivered.....	5
5.1	Direct application.....	5
5.2	Equipment application	5
5.3	Landlord Application.....	6
5.4	Supported Application	6
6.	Prioritisation	6
7.	Fees	6
8.	Applicant Responsibilities	6
9.	Appeals / Complaints	6
	Appendix 1 - Mandatory Disabled Facilities Grant	8
1.	Eligible works	8
2.	Qualifying Criteria.....	8
3.	Necessary and Appropriate	8
4.	Test of Financial Resources	9
5.	Conditions relating to Contractors, Standard of Works and Invoices	9
6.	Unexpected works.....	9
7.	Repayment of Assistance.....	10
8.	Preferred Schemes	10
9.	Terms and Conditions	10
	Appendix 2 - Discretionary Disabled facilities Grants	11
1.	Eligibility	11
2.	Test of Resources	11
3.	Repayment clauses.....	11
4.	Types of Assistance	11
4.1	Top-Up Assistance	11
4.2	Relocation Grant.....	11
4.3	Support for essential repairs that otherwise present hazards to health	12
4.4	Fees Grant.....	12

1. Introduction

This policy sets out how Newcastle-under-Lyme Borough Council will offer financial help for improving and adapting homes in the borough, together with the conditions and eligibility criteria associated with each type of assistance. Its aim is to support residents to improve their health and wellbeing by addressing problems with unsuitable homes that do not meet their needs.

The objectives of the policy are to have;

- A clear and transparent grants policy that is fair, equitable and accessible to all sectors of the community.
- To ensure that the funding is available and targeted at those people in the community in greatest need.

2. How this policy contributes to our Housing Strategy and priorities

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

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

Priority 1 of the Housing Strategy relates to housing, health, wellbeing and partnerships and includes an objective to;

- Work in partnership to deliver an efficient and responsive grants service for adaptations.

3. Legal Context

The Housing Grants, Construction and Regeneration Act 1996 places a statutory duty on Local Authorities to provide assistance to qualifying disabled people for home adaptations. These eligible works must be “necessary and appropriate” to meet their needs and “reasonable and practicable” with regard to the age and condition of the property. These are mandatory Disabled Facilities Grants (DFGs).

The Council also has discretionary powers under The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to provide assistance in any form for the purpose of improving living conditions.

The Care Act 2014 requires local authorities to identify, provide and arrange services, facilities and resources to prevent, delay or reduce the needs of individuals either for care and support. This includes the adaptation of properties.

Under the Housing Act 2004, Local Authorities have a duty to keep housing conditions under review, including having regard to particular hazards that might be dangerous or prejudicial to health for certain vulnerable groups.

The Home Energy Conservation Act 1995 requires each authority to assess the energy conservation needs for their local area and the policies, strategies and practical measures which

will help to make improvements. This includes providing assistance for those residents that are experiencing fuel poverty.

Funding for assistance is provided through the Better Care Fund which combines money from health and social care budgets to successfully deliver the integration of health and social care in a way that supports person-centred care and better outcomes for people and carers. Any assistance provided from this fund must only be used for the specific purpose of funding adaptations for disabled people who qualify for a DFG made under the 1996 Act or the Regulatory Reform Order.

In March 2022 the Department for Levelling Up, Housing and Communities and the Department of Health and Social Care issued Disabled Facilities Grant (DFG) Delivery: Guidance for Local Authorities in England.

This policy is written having regard to the relevant legislation and the national guidance.

4. Types of Assistance

4.1 Mandatory Disabled Facilities Grants

These are grants that local authorities must make available to their disabled residents who meet the required qualification criteria as set out in the Housing Grants, Construction and Regeneration Act 1996, and the accompanying regulations and subsequent amendments.

Eligible works are contained in section 23 (1) of the Act which defines 12 classes of adaptations for disabled occupiers that are mandatory and are based around:

- Giving access into and around the dwelling;
- Making a dwelling safe for the disabled person residing there;
- Accessing sleeping and bathing facilities;
- Facilitating the preparation and cooking of food;
- Ensuring the power, heating and lighting system are suitable;
- Giving access to the garden.

In determining eligibility for a Disabled Facilities Grant, the local housing authority must be satisfied, that the 'relevant works' are 'necessary and appropriate' to meet the needs of the disabled occupant and it is 'reasonable and practicable' to carry out the works having regard for the age and condition of the housing to which the works will be carried out.

Grants for over 18s are means tested and repayment conditions may apply. There is a £30,000 maximum amount set for a mandatory DFG. Further details on the grant, eligibility criteria and terms and conditions are set out in appendix 1.

4.2 Discretionary Grants

It is the Council's primary responsibility to deliver Disabled Facilities Grants and control the budget accordingly to ensure its statutory duties are met in a timely manner. However, if the budget allows, the Council may decide there are sufficient resources to accept applications for discretionary aid.

The aim of the discretionary grants is to help vulnerable members of the community where the Mandatory DFG is insufficient to cover the full cost of the works or where the works are outside of the eligibility criteria. However completing them would provide significant benefits to the applicant and/or their family/carers and would create savings to the wider public purse. Further details on all the discretionary grants can be found below and in appendix 2.

Means testing will apply to discretionary grant applications. However if the grant is for top up assistance to a mandatory DFG where the applicant is subject to a means test and has a contribution no further contribution will be requested.

For discretionary funding the Council will assess each case on its own individual merits and has the discretion to refuse, part fund or fully fund a request.

Discretionary grants will be kept under review to understand how they contribute to supporting needs locally. Following assessment of needs and the resources available new forms of discretionary assistance may be proposed and added in the future.

4.2.1 Top-Up Assistance

To top-up the financial assistance for adaptation works where the cost exceeds the DFG maximum (currently £30,000). The amount of top-up assistance in such circumstances must be reasonable up to a maximum of £15,000. The Council reserves the right to consider alternative solutions where they appear more cost effective, reasonable, practicable or appropriate. It is expected that other funding sources will also be sought by the applicant including landlord contributions and charity applications.

4.2.2 Relocation Grant

In some instances it may not be possible to adapt accommodation to meet the needs of the disabled occupant or the works required would be so major that it would not be cost effective. A discretionary relocation grant, which is means tested, provides assistance to move by helping with removal costs and legal expenses.

4.2.3 Support for essential repairs that otherwise present hazards to health

To assist residents whose health is being affected by hazards to health in the home that will otherwise exacerbate existing health conditions and create ill health or an unplanned hospital admission. Examples include repairs to heating and hot water provision, first time heating, preventing falls or accidents, preventing damp conditions and support to clear hoarded properties. This would be applicable where the hazard has been assessed under the Housing Health and Safety Rating system as a serious hazard to health.

4.2.4 Fees Grant

Fees can be charged on a grant for specific works set out in the legislation and the Disabled Facilities Grant (DFG) Delivery: Guidance for Local Authorities in England. Fees can limit the available grant to an applicant especially if the cost of works is approaching the mandatory limit. This discretionary grant can cover fees where this may adversely affect the works which can be completed or where there are upfront fees that need to be met to allow a grant to proceed ie occupational therapy report or architects drawings.

5. How assistance is delivered

5.1 Direct application

This option is where an applicant completes all elements of the application themselves. This includes completing forms, obtaining competitive, itemised estimates, managing and overseeing contractors.

5.2 Equipment application

This option is for equipment only applications ie stair lift, step lift, through floor lift, modular ramp where the Council works with specific contractors to supply the equipment. The applicant completes the application forms and the contractor will provide the on-site support.

5.3 Landlord Application

This option is to allow registered provider landlords to handle applications on behalf of their tenants. This allows the registered provider to fully consider available housing options and to have greater involvement in the design and specification and delivery of works.

5.4 Supported Application

This option is where the local authority case workers and surveyors will manage the grant process, obtaining estimates from contractors and on site supervision.

6. Prioritisation

Where possible the Council will process requests for financial assistance in chronological order following receipt of an initial enquiry. However it may be necessary to prioritise applications at times of high demand.

An enquiry will be considered as urgent if the customer meets one of the criteria as outlined in the 2022 DFG Guidance;

- Coming out of hospital and at risk,
- Living alone and deemed at risk,
- Severe cognitive dysfunction and at risk,
- Living with a carer who is elderly or disabled,
- Living without heating or hot water and at risk,
- Limited life expectancy,
- The property is in such a condition as to present an immediate and significant danger to the occupants or visitors.

7. Fees

Fees can be charged on a grant for specific works set out in the legislation and the [Disabled Facilities Grant \(DFG\) Delivery: Guidance for Local Authorities in England](#). Following detailed preparatory work the proposed fee is 18%. This will be kept under review as the service matures. The discretionary fees grant ensures this figure does not impact on funding available to individuals.

8. Applicant Responsibilities

Within the grant process there are applicant responsibilities.

- To have adequate resources available for any means tested contribution to the grant or to discuss any concerns at an early stage in the process.
- To respond to requests for information or appointments, case officer's time is taken up if we have to chase for responses.
- To understand that compromises do often have to be made ie in moving furniture, re-arranging rooms, reducing stored items in order that all space can be fully and appropriately utilised.
- To notify the Council if any circumstances change ie change in financial or medical situation which may affect eligibility.
- If choosing to undertake a preferred scheme rather than a mandatory scheme to take responsibility for the scheme via a direct application.

9. Appeals / Complaints

Grant funding is limited to essential works to meet a need and therefore cannot cover desirable works or those not specifically covered by the eligibility criteria. Applicants may appeal against funding decisions made under both the mandatory and discretionary schemes. Appeals can be

made through the Council's formal route for complaints with written reasons for the appeal and supporting information. Similarly this route should be used for complaints relating to the policy and grants process. Complaints will be reviewed on a regular basis to inform improvements and developments to the service.

<https://www.newcastle-staffs.gov.uk/customer-service/comments-compliments-complaints>

This Housing Assistance Policy 2023 cannot account for every situation, in determining appeals and complaints relating to any stage of the process the relevant legislation and guidance will be used to guide the determination.

Appendix 1 - Mandatory Disabled Facilities Grant

1. Eligible works

The purposes for which adaptation must be provided are set out in section 23 of the Housing Grants, Construction and Regeneration Act 1996 as amended, and are;

- a) facilitating access by the disabled occupant to and from the dwelling or the building in which the dwelling or, as the case may be, flat is situated; including facilitating access to and from a garden by a disabled occupant and making access to a garden safe for a disabled occupant.
- b) making the dwelling or building safe for the disabled occupant and other persons residing with him/her;
- c) facilitating access by the disabled occupant to a room used or usable as the principal family room;
- d) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room used or usable for sleeping;
- e) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a lavatory, or facilitating the use by the disabled occupant of such a facility;
- f) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a bath or shower (or both), or facilitating the use by the disabled occupant of such a facility;
- g) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a hand-wash basin, or facilitating the use by the disabled occupant of such a facility;
- h) facilitating the preparation and cooking of food by the disabled occupant;
- i) improving any heating system in the dwelling to meet the needs of the disabled occupant or, if there is no existing heating system in the dwelling or any such system is unsuitable for use by the disabled occupant, providing a heating system suitable to meet his/her needs;
- j) facilitating the use by the disabled occupant of a source of power, light or heat by altering the position of one or more means of access to or control of that source or by providing additional means of control;
- k) facilitating access and movement by the disabled occupant around the dwelling in order to enable him/her to care for a person who is normally resident in the dwelling and is in need of such care;
- l) such other purposes as may be specified by order of the Secretary of State.

2. Qualifying Criteria

All owner-occupiers and tenants, licensees or occupiers who can satisfy the criteria in sections 19-22 of the 1996 Act are eligible to apply for a DFG, but applicants must be aged 18 or over (this does not apply to the disabled person, who may be younger).

As a part of the application process, the Council will require certificates relating to property ownership and future occupation, and will request permission from the owner for the work to be carried out.

3. Necessary and Appropriate

Works must be identified as necessary and appropriate by an Occupational Therapist or Trusted Assessor. Their report should include an analysis of options and justifications for the eligible

works. These works must meet the eligibility criteria set out in legislation and be the simplest, most straightforward and cost effective means to meet the need taking into account all available space and facilitates within the property.

4. Test of Financial Resources

A mandatory DFG will be subject to a test of financial resources in accordance with the regulations made under the 1996 Act, as amended. The maximum mandatory DFG award is £30,000 minus any contribution required by the test of financial resources. Successive applications may be awarded for those persons whose condition is degenerative, or they develop additional needs.

Where successive applications are awarded, the applicants' assessed contribution to the first grant award will be considered if within the time period of the contribution originally calculated (10 years if owner, 5 years if tenant).

Where an applicant is in receipt of a recognised, qualifying, means tested benefit they will not be further means tested and they will have no calculated contribution to make. Where works are for the benefit of a child or young person of 19 years age or younger at the date of application – they too will be exempt from a test of financial resources.

5. Conditions relating to Contractors, Standard of Works and Invoices

In approving an application for financial assistance, the Council will require that the eligible works are carried out in accordance with any specification provided.

Unless otherwise directed two competitive estimates for the work will be required broken down so that individual elements can be compared like for like and against standard costs. The amount of financial assistance will usually be based on the lower of the two estimates.

The grant approval will specify the amount of grant and the contractor(s) on whose estimate it has been based and who should carry out the work. Any changes to the contractor will require prior approval or the grant approval will be invalidated.

It is a condition of the financial assistance that the eligible works are carried out within 12 months of the date of approval of the application. This period may be extended by the Council if it thinks fit, particularly where it is satisfied that the eligible works cannot be completed for good cause, requests for additional time must be made in writing before the 12 month period ends.

The payment of the financial assistance to the applicant will be dependent upon the works being carried out to a standard that is satisfactory to the Council and upon receipt of a satisfactory invoice, demand or receipt for the works and any preliminary or ancillary services or changes.

The Council will usually make payments direct to the contractor on behalf of the applicant which will be by electronic means.

6. Unexpected works

Unforeseen works which arise during the carrying out of eligible works will be considered for assistance if the additional works could not have been reasonably foreseen before commencement and are vital to the completion of a safe and effective scheme.

Unforeseen works carried out without prior approval of the Council will not be eligible for assistance. Approval should always be sought in writing, timed and dated with details of the extra

items and costs. Where unforeseen works are necessary these will be added to the grant up to the specified maximum for mandatory DFG. Costs above the mandatory grant maximum may be supported by discretionary assistance in accordance with this policy.

7. Repayment of Assistance

The Council will require that any grant amount over £5,000 given to a qualifying owner is repaid up to a maximum repayment of £10,000 if the recipient disposes of, (whether by sale, assignment, transfers or otherwise) the premises in respect of which the grant was given within 10 years of the certified date. Providing that:

- The recipient of the grant would not suffer excessive financial hardship were they required to repay all or any of the grant.
- The disposal of the premises was not to enable the recipient of the grant to take up employment, or to change the location of his employment.
- The disposal was not made for reasons connected with the physical or mental health or well-being of the recipient of the grant or of a disabled occupant of the premises.
- The disposal was not made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity.
- The Council is satisfied that it is reasonable in all the circumstances to require the repayment.

The condition requiring repayment will be a local land charge and will be binding on any person who is for the time being an owner of the dwelling or building.

8. Preferred Schemes

Under the grants process the Council will specify the works that can be funded both through mandatory and discretionary works. If the applicants chooses to fund an alternative scheme, termed a preferred scheme, then the grant amount can be put towards the alternative scheme. For example if a through floor lift is identified as the eligible works for a disabled occupant to reach their bedroom however the applicant wishes to pursue an alternative approach of building an accessible ground floor extension. The identified cost of the through floor lift can be put towards the extension works. In such cases the Council will ask the applicant to follow the direct application route.

9. Terms and Conditions

The Housing Grants, Construction and Regeneration Act 1996 lays down legal requirements for mandatory DFGs and the application and payment processes.

Appendix 2 - Discretionary Disabled facilities Grants

1. Eligibility

Discretionary grants are designed to help those eligible for Mandatory DFG assistance.

2. Test of Resources

A test of resources will be applied to discretionary funding. This will be waived if the assistance is top-up funding where the applicant already has a means tested contribution to the mandatory grant.

3. Repayment clauses

Discretionary funding will be registered as a local land charge against the property and will be recovered on the sale or transfer of the property, subject to rules regarding exempt sales. Note this is separate to any funds recoverable under a mandatory DFG which expires at 10 years from certification of works completion.

4. Types of Assistance

4.1 Top-Up Assistance

To top-up the financial assistance for adaptation works where the cost exceeds the DFG maximum (currently £30,000). The amount of top-up assistance in such circumstances must be reasonable. The Council reserves the right to consider alternative solutions where they appear more cost effective, reasonable, practicable or appropriate. It is expected that other funding sources will also be sought by the applicant or home improvement agency including landlord contributions and charitable applications.

The maximum assistance will be for £15,000 and the same criteria and conditions will apply as for a mandatory DFG.

4.2 Relocation Grant

In some instances it may not be possible to adapt accommodation to meet the needs of the disabled occupant or the works required would be so major that it would not be cost effective. A discretionary relocation grant, which is means tested, provides assistance to move by helping with removal costs and legal expenses

The alternative property must be assessed by an Occupational Therapist as being suitable or easily adaptable to meet long term needs. Properties which require extending or will be overcrowded on occupation will not usually be considered suitable.

4.2.1 Maximum Grant

The maximum grant will be £5,000 for owner occupiers and £2,000 for tenants.

4.2.2 Eligible works

The grant can be used to assist with moving and resettlement costs, such as reinstatement of utilities, disconnection and reconnection of household appliances and any disability equipment. Legal and other fees, including solicitors, surveys, estate agents. Whilst the grant is open to tenants and owner-occupiers for tenants it will only cover the removal and resettlement costs and consideration will be given to the long term suitability of the tenancy.

The grant will only be approved once the purchase process in relation to the property has been completed. However, a provisional approval may be given prior to this which will indicate the amount of grant available.

Payment of the grant will only be made upon receipt of satisfactory invoices and receipts for eligible works/costs. If these have already been paid, then reimbursement to the applicant will be paid upon satisfactory proof of payment.

4.3 Support for essential repairs that otherwise present hazards to health

To assist residents whose health is being affected by hazards to health in the home that will otherwise exacerbate existing health conditions and create ill health or an unplanned hospital admission. Examples include repairs to heating and hot water provision, first time heating, preventing falls or accidents, preventing damp conditions and support to clear hoarded properties. This would be applicable where the hazard has been assessed under the Housing Health and Safety Rating system as a serious hazard to health. Grants will usually only be available to owner occupiers, as the works are the landlord or owner's responsibility in other tenures. The maximum grant will be £5,000.

4.4 Fees Grant

The fees grant will be available to DFG applicants where the fees on the grant will adversely affect funding to complete the scheme or where upfront costs are needed for technical and feasibility studies.

The following fees will be eligible for financial assistance if they have been properly incurred in making an application or seeking approval for the proposed works, or to ensure the satisfactory completion of works assisted under this policy when funded through options in the Housing Assistance Policy.

- Confirmation that the applicant has a relevant owner interest,
- Relevant legal fee,
- Technical and structural surveys,
- Design and preparation of plans and drawings,
- Preparation of schedules of relevant works,
- Assistance in completing forms,
- Applications for building regulations approval (including application fee and preparation of related documents), planning permission, listed building consent and conservation area consent (and similar),
- Obtaining of estimates,
- Consideration of tenders,
- Supervision of the relevant works,
- Disconnection and reconnection of utilities where necessitated by relevant works,
- Payment of contractors,
- In a case where the application is for adaptations support, the reasonable services, and charges of an occupational therapist in relation to the relevant works.

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL
EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE
CABINET

Date 14th March 2023

Report Title: Energy Bills Support Scheme (EBSS) Alternative Fund, Alternative Fuel Payment Alternative Fund and Council Tax Support Fund 2023.

Submitted by: Head of Finance and Head of Neighbourhood Delivery

Portfolio: Finance, Town Centres and Growth

Ward(s) affected: All

Purpose of the Report

To inform Cabinet of the current government grant support schemes in relation to the cost of living crisis and seek approval to accept and distribute the grants via the mechanism prescribed by the government.

Recommendations

That Cabinet approves the acceptance and distribution of the EBSS Alternative Funding, Alternative Fuel Payment Alternative Fund and Council Tax Support Fund 2023 grants and authorises Officers, in consultation with the Portfolio Holder for Finance, Town Centres and Growth, to distribute the grants via the mechanisms prescribed by the government in support of households in the Borough impacted by the cost of living crisis.

Reasons

To support households in the Borough being impacted by the current cost of living crises and who ensure that government grant support is distributed to eligible Borough residents and businesses in a timely and compliant manner to assist with current cost of living pressures.

1. Background

- 1.1 The Government is making provision for further support to householders and businesses in relation to the current cost of living crisis. The latest support is in the form of Energy Bills Support Scheme (EBSS) Alternative Funding and Council Tax Support Scheme 2023.
- 1.2 Final details regarding eligibility for support and mechanisms for distribution are now being disseminated from government, and the Borough Council will play a vital role in supporting its residents by making arrangements to accept the grants, put a process in place to assess or validate eligibility, and distribute the funds as quickly as possible. There will also be a need to provide audit assurances to government at the completion of the schemes.

2. Issues

- 2.1 The EBSS Alternative Funding scheme and Alternative Fuel Payment Alternative Fund

As stated above, the details are being finalised by government, but an online application process opened on 27th February 2023 (EBSS Alternative Funding Scheme) and 6th March 2023 (Alternative Fuel Payment Alternative Fund) for households in England, Scotland and Wales who are eligible for the £400 EBSS Alternative Funding to submit their details, alongside a helpline for those without online access.

The scheme will close to new applications on 31st May 2023, with final reconciliation data to be submitted to government (DESNZ) by 31st July 2023.

Payments to households that meet the eligibility criteria – including people who get their energy through a commercial contract or who are off-grid – will be made by local authorities in Great Britain. This is likely to include:

- care home residents
- residents of park homes
- tenants in certain private and social rented homes
- homes supplied via private wires
- residents of caravans and houseboats on registered sites
- farmers living in domestic farmhouses
- off-grid households

Once customers have applied to receive support and their applications have been processed and verified, eligible customers' details will be shared with local authorities across England, Scotland and Wales, who will deliver the one-off, non-repayable support this winter.

Applicants will only be able to submit information through GOV.UK from February 2023 and should not contact their local authority in the meantime. The exact date that an eligible household will receive support will depend on when the application is made and when the payment can be processed by the relevant local authority.

2.2 The Council Tax Support Fund 2023.

Funding through this scheme will be allocated to Councils based on their share of Local Council Tax Support claimants according to the latest data. The government expects local authorities to use the majority of their funding allocations to reduce bills for current working age and pension age Local Council Tax Support (LCTS) claimants by up to £25. Councils can use their remaining allocation as they see fit to support vulnerable households with council tax bills.

Where a taxpayer's liability for 2023-24 is, following the application of council tax support, less than £25, then their liability would be reduced to nil. Where a taxpayer's liability for 2023-24 is nil, no reduction to the council tax bill will be available and those bills should not be credited.

There should be no need for any recipient of LCTS to make a separate claim for a reduction under this scheme. The Council, as the billing authority, will assess who is eligible for support and automatically apply the discount.

Council tax reductions should be applied from the beginning of the 2023-24 financial year for existing LCTS recipients and discounts should be reflected in council tax bills issued in March. It is for local authorities to decide how to treat households that become eligible for LCTS during the financial year.

2.3 Further Discretionary support

The government also recognises that existing support mechanisms vary locally, including LCTS schemes, discretionary council tax discount/hardship schemes and local welfare schemes and recognise that Councils will want to consider using a proportion of their allocation to establish their own local approach to helping economically vulnerable households with council tax bills.

Government advice is that Local authorities should revisit their discretionary approach at intervals during the financial year, in order to ensure expenditure for 2023-24 remains within their allocation.

Council tax reductions should be applied from the beginning of the 2023-24 financial year for existing LCTS recipients and discounts should be reflected in council tax bills issued in March

The Council will identify current working age and pension age Local Council Tax Support (LCTS) claimants and allocate £25.00 or less if they have a balance to pay on their 2023/24 C Tax bill. This needs to be ready for the annual bills issued in March 2023. The Council has been awarded £212,367 in grant funding.

The government also recognises that the implementation of this policy will place an additional burden on local authorities. Therefore, in accordance with the new burdens doctrine the government will conduct an assessment of the expected reasonable additional costs associated with the implementation of the policy, such as staffing and software costs, working closely with local government in doing so.

3. Proposal

3.1 That Cabinet approves the acceptance of the EBSS Alternative Funding, Alternative Fuel Payment Alternative Fund and Council Tax Support Fund 2023 grants and authorises proper officers, in consultation with the Portfolio Holder for Finance, Town Centres and Growth, to distribute the grants via the mechanisms prescribed by the government.

4. Reasons for Preferred Solution

4.1 To support households in the Borough being impacted by the current cost of living crises and who ensure that government grant support is distributed to eligible Borough residents and businesses in a timely and compliant manner to assist with current cost of living pressures.

5. Options Considered

5.1 The grant support schemes and their distribution mechanisms are prescribed by government, so there are no other feasible options to consider.

6. Legal and Statutory Implications

6.1 The grants and eligibility/distribution mechanisms will comply with the Local Government Finance Act 1998 and the Localism Act 2011.

7. **Equality Impact Assessment**

7.1 The eligibility criteria and distribution mechanism will seek to ensure that all recipients are treated equally, fairly and consistently.

8. **Financial and Resource Implications**

8.1 The EBSS Alternative Funding allocation to the Borough Council is £472,800 and is based on the estimated number of eligible applications which will be received by the government. The Council has received £378,240 to date, which represents 80% of the allocation. The Council will also receive £80,000 allocation for the Alternative Fuel Payment Alternative Fund.

The government will advise the Council of eligible recipients and the Council will forward the funds where appropriate. There will be a staff resource requirement to administer this grant so appropriate teams across the organisation have been identified to assist in delivering this additional work, and other tasks will need to be reprioritised to create the required capacity.

8.2 The Council Tax Support Fund 2023 allocation to the Borough Council is estimated to be £212,367. To date, 4,560 initial eligible claimants have been identified which takes up £110,525 of the grant allocation and this has been credited to Council Tax accounts in the billing run for 2023/24.

Further eligible claimants may become apparent after 1st April 2023 and credits will be made to Council Tax accounts at appropriate times where they are identified. Any surplus grant could be used, at the Council's discretion, to further support eligible claimants.

A "New Burdens" payment (unknown value at present) may be made available to the Council to offset administration costs in relation to assessing eligibility and distributing the grants via Council Tax accounts. It is proposed to utilise any funding received to offset additional staff costs in administering the grants, as no capacity exists within core teams and work programmes to undertake this additional work in the short timescales prescribed by the government.

9. **Major Risks**

9.1 Failure to accept and distribute the grants from government is highly likely to lead to severe reputational damage to the Council, potential intervention and penalties from central government, and challenge and legal action from eligible recipients. To mitigate these risks, it is recommended that the Council accepts and distributes the grants via the prescribed mechanisms.

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

10.1 In considering this decision, the following UN sustainable development goals will be considered:



11. **Key Decision Information**

11.1 This is a key decision as defined in the Council's Constitution. The item is included in the Cabinet's Forward Plan for the period in which the meeting is to take place.

12. **Earlier Cabinet/Committee Resolutions**

12.1 None.

13. **List of Appendices**

13.1 None.

14. **Background Papers**

14.1 None.

This page is intentionally left blank

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO

Cabinet
21 February 2023

Report Title: Future Delivery of Debt and Benefit Advice Services

Submitted by: Chief Executive

Portfolios: Community Safety and Wellbeing

Ward(s) affected: All

Purpose of the Report

To ask cabinet for authority to procure a renewed Financial and Wellbeing Advice Service.

Recommendation

That Cabinet

- 1. Approve the proposal to re-procure the Financial and Wellbeing Service and**
- 2. Delegate to the Head of Legal and Governance Services, in consultation with the Community Safety and Wellbeing Portfolio Holder, authority to award the contract arising from the procurement.**

Reasons

To continue to provide financial advice to our most vulnerable residents.

1. Background

- 1.1 The Council and other local public sector organisations have funded debt/welfare/consumer advice for a number of years to ensure that the citizens of Newcastle have access to personal support and advice.
- 1.2 Faced with the current economic climate with rising inflation, increased utility costs, the likelihood of an increase in the number of residents of the borough experiencing fuel poverty, there remains the need for the delivery of this type of support service.
- 1.3 The Financial Wellbeing & Debt Advice service is currently delivered by the Citizens Advice Staffordshire North & Stoke on Trent (SNSCAB) from their Wells Street office in Newcastle and in addition a drop in service is also run from the Kidsgrove Customer Service Centre on selected and agreed days.
- 1.4 The current commissioned service offers access for residents to self-help online support, telephone and face to face access, with a service emphasis for earlier intervention to reach clients at a timely stage to prevent escalation of issues. The service delivery also, requires a good working relationship with Newcastle Housing Advice to make referrals if the client is

threatened with homelessness or is homeless. Contacts to the service are rising and are expected to continue to do so given current economic climate.

- 1.5 Nationally there has been a fundamental review of welfare with a number of key reforms implemented over the last few years, with further reforms envisaged for the years ahead. The introduction of Universal credit and Personal Independence Payments has had, and will continue to have, an impact on claimants and recipients across the borough of Newcastle-under-Lyme.
- 1.6 The migration to Universal Credit re-started in May 2022 but only in certain areas across the country at the moment. This migration means anyone claiming Child Tax Credit, Housing Benefit, Income Support, income based Jobseekers Allowance; income related Employment and Support Allowance and Working Tax Credit (known as legacy benefits) will be migrated across to Universal Credit at some point between now and the end of 2024. The DWP have not yet released details of when the relevant residents of Newcastle under Lyme will be migrated across. This will be a huge change for some people and lots of support will need to be put in place for those that require it e.g. budgeting advice, IT support etc.
- 1.7 This support service remains a priority for the Council particularly in the current economic climate, and it is envisaged that the positive outcomes will contribute to priority indicators and targets of the Council.

2. **Issues**

- 2.1 The current contract with the Citizens Advice Service is nearing the end of its contract and a decision is required with regard to the retendering of this service.

3. **Proposal**

- 3.1 Approve the proposal to re-procure the Financial and Wellbeing Service and
- 3.2 Delegate to the Head of Legal and Governance Services, in consultation with the Community Safety and Wellbeing Portfolio Holder, authority to award the contract arising from the procurement.

4. **Reasons for Proposed Solution**

- 4.1 Given the current economic climate, re-provision of this contract will support our most vulnerable residents.

5. **Options Considered**

- 5.1 Decommission the service and review allocation of funds. However the service has had positive outcomes for residents over the life of the contract and continues support is recommended.

6. **Legal and Statutory Implications**

- 6.1 There are no statutory requirements to deliver a Debt and Benefit Advice Service.

6.2 The current contract arrangement ends on the 31st March 2023 and should the council decide not to fund this service, officers need to advise the service provider allowing them to review their future options and resourcing.

7. Equality Impact Assessment

7.1 An equalities and risk impact assessment will be produced by the service provider as part of the commissioning and procurement process.

8. Financial and Resource Implications

8.1 The allocation of funds will continue to be made as part of the council's medium term financial strategy. The current allocation being £70,000 per annum and the contract has potential to run for 3 years subject to funding.

9. Major Risks

9.1 If funding is not approved and/or a contract not awarded, there will be no contracted service, which will impact locally on residents, some who are vulnerable, facing difficulties dealing with debt, financial and benefit problems. Added to this is the resulting impact on officers and partners, and a need to signpost to other agencies.

10. UN Sustainable Development Goals (UNSDG)

10.1 The award of contract and successful delivery of a Debt and Benefit Advice Services supports the delivery of the following Sustainable Development Goals and Climate Change Implications:



11. Key Decision Information

11.1 This is a key decision as set out in the Council Constitution under clause 4.1 A Key Decision is any Cabinet Decision (regardless of who takes it) which is likely to:- (a) result in the Council incurring expenditure or making savings of £100,000 or more (revenue).

12. Earlier Cabinet/Committee Resolutions

12.1 N/A.

- 13. **List of Appendices**
 - 13.1 N/A
- 14. **Background Papers**
 - 14.1 N/A

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**EXECUTIVE MANAGEMENT TEAM'S
REPORT TO**

Cabinet
14 March 2023

Report Title: Procurement of Fleet – Sustainable Environment Directorate

Submitted by: Executive Director of Sustainable Environment

Portfolios: Recycling & Environment

Ward(s) affected: All

Purpose of the Report

To ask cabinet for authority to go out to procurement using the Hertfordshire NEPO frameworks for the supply and delivery of 7 Street Sweepers for the Streetscene Service and the ESPO NEPO frameworks for the procurement of 14 Refuse Collection vehicles for the Recycling and Waste Service.

Recommendation

That Cabinet:-

- 1. Approve the scheduled replacement of vehicles within the Streetscene and Recycling & Waste service, namely street sweeping, and refuse collection vehicles.**
- 2. Cabinet approve the use of the Hertfordshire NEPO frameworks for the procurement of 7 Street Sweepers and the ESPO NEPO frameworks for the procurement of 14 Refuse Collection vehicles, delegating authority to the Head of Sustainable Environment in consultation with Portfolio holder For Recycling & Environment for the award of contract on the completion of the procurement and evaluation process.**

Reasons

The Council has a rolling ten-year fleet replacement programme which sees a number of vehicles and plant equipment replaced each year. Over the next twelve months the Council needs to replace a large proportion of its street sweeping equipment, and a large number of refuse collection vehicles, as the current fleet is aging, and becoming increasingly unreliable.

1. Background

- 1.1 For a number of years the Council has produced and maintained a vehicle and plant replacement programme, which looks forward by up to ten years. This is reviewed on an annual basis by officers from both finance and Sustainable Environment to ensure the Councils Capital programme accurately reflects vehicles and plant which requires replacing, and the costs for doing so.

- 1.2 A full and detailed review of the fleet replacement programme was undertaken in September 2022, and has been revised to reflect the outcome of the review.
- 1.3 Importantly this time the review looked at bringing alternative powered vehicles and plant into the Councils fleet as part of the Councils journey towards net zero by 2030,

2. **Issues**

- 2.1 The Streetscene service currently operates 2 x 15 tonne large HGV Sweepers, 4 x 4.2 tonne Compact Sweepers and 2 x 1.5 tonne sub-Compact Sweepers.
- 2.2 Of the two large sweepers, one is now ten years old, with high incidents of breakdown, which is impacting on sweeping schedules. The four Compact Sweepers are four years old and used intensively, and are now becoming increasingly unreliable, with increasing costs in relation to repair and maintenance. These vehicles are typically operated in the town centres, zone 1's and residential areas. These Compact Sweepers are no longer available in the market, therefore requiring the Council to rethink its sweeping operations moving forward. The two Sub Compact Sweepers are five years old and used for sweeping in tight locations, supporting the town centre cleansing, as well as being used for residential footpaths, subways, and open space /parks, pavements, tennis courts and so on.
- 2.3 One of the Councils key priorities (P3) of the new Council Plan is to 'Secure a step change in street cleanliness and the quality of the public domain' The current fleet is both unreliable and inefficient given the resources employed to carry out sweeping operations, and needs to be rationalised in terms of the various sizes of sweepers currently operated and updated.
- 2.4 The refuse vehicle fleet for domestic, garden and trade waste services are now approaching seven years old, and are starting to show signs of age, with increasing numbers of breakdowns and unreliability. Their age is considered within the industry to be the optimum time for replacement.
- 2.5 Officer engagement and vehicle demonstrations and trials have been undertaken with suppliers of both street sweeping and refuse collection vehicles, including electric street sweeping vehicles.
- 2.6 Over the next ten years the market for these vehicles will change dramatically, as legislation forces the end of traditional combustion engines being produced. Currently the market for sweepers and refuse collection vehicles has electric vehicle options, although limited to certain types and sizes of vehicle, therefore not the whole of the Councils current fleet. There is some movement towards hydrogen power for RCV's but it is unlikely this technology will be sufficiently developed on a fully commercial scale for some years to come. Additionally the infrastructure at the depot will need to change to support more electric powered vehicles moving forward.

3. **Proposal**

- 3.1 With the street sweeping vehicles it is proposed that the current fleet is replaced with the following without delay –

- Replace one sub compact sweeper with a similar available vehicle.
- Replace two of the current compact sweepers with new version of compact sweeper.
- Procure three large sweepers to replace the current ten year old one and two of the current compact sweeper and one of the subcompact sweepers.

3.2 These changes in sweeping fleet configuration will enable the Council to better achieve its environmental quality standards in terms of tackling road litter and detritus and to ensure there is sufficient vehicle resource to tackle leaf fall. By increasing the large sweeper fleet a number of efficiencies and service enhancements will be achieved in comparison to the current use of compact sweepers, namely –

- Increased speed in sweeping suburban estates
- Increased area of coverage during operational hours circa 40%
- Increased sweeping frequencies during January to September further enhancing street cleanliness
- Increased leaf fall clearance, from October to December again enhancing street cleanliness and reducing flood risk issues.
- Reduced time and travel associated with less offloading of sweepings. It is estimated that the large sweepers will generally only require tipping off once a day compared to three to four times a day by the current compact sweepers.
- Large sweepers have increased suction in comparison with compact sweepers providing improved quality of debris removal and therefore reducing repeat sweeping of localised issues.

3.3 There are 17 refuse collection vehicles that are scheduled for replacement on the Councils fleet replacement programme. These are standard single bodied vehicles utilised for the collection of refuse, garden waste, and trade waste. 13 are standard 26 tonne vehicles with 1 x 16 tonne vehicle.

3.4 That an option to procure electric street sweeping vehicles and refuse collection vehicles is fully explored as part of the procurement process.

4. **Reasons for Proposed Solution**

4.1 The current street sweeping fleet is unreliable, and the market changes for Compact Sweepers in the same configuration to the ones the Council currently operates necessitates a change in thinking. The proposal will significantly improve efficiency of street sweeping and provide a more robust resource.

4.2 The refuse collection vehicles utilised for refuse, garden and trade collections are nearing the end of their economic life and need to be replaced if the Council is to maintain high standards of collection services.

5. **Options Considered**

5.1 The Council could opt to delay procurement, however this would result in increased revenue costs for increased maintenance and hire vehicles to ensure statutory services were still delivered to residents.

5.2 The Council could also look to contract hire vehicles moving forward rather than purchase and maintain in-house. Experience shows that this would not necessarily save any money,

and would be a significant change which requires more research and modelling, which could not be achieved in the time frame necessary to replace the vehicles detailed in this report.

6. Legal and Statutory Implications

6.1 The use of the Hertfordshire and NEPO frameworks for the sweepers and NEPO, ESPO or Alton Housing for the refuse collection vehicles, offers a compliant procurement process in line with Public Contract Regulations 2015.

6.2 Regularity and Assurance Compliance is established as part of the methodology offered by both suppliers proposal/s.

7. Equality Impact Assessment

7.1 An equality impact assessment is not required as part of this report.

8. Financial and Resource Implications

8.1 A Capital Budget as part of the fleet replacement programme is agreed and available for the replacement of a number of street sweepers and refuse collection vehicles.

8.2 For 2023/24 there is £790,000 Capital funding Agreed for the sweepers, and £3,460,000 for the refuse vehicles following the annual review of the fleet replacement programme. This includes an option for two electric vehicles.

8.3 Based on quotations obtained indicate that the likely cost of the sweepers will be around £720,000. It is anticipated that the refuse vehicles will come within budget

9. Major Risks

9.1 The use of a compliant framework agreement to procure vehicles and plant minimises possible procurement challenges.

9.2 The timely and controlled processes that will be provided as part of the solution for the supply of temporary staffing is intended to minimise the risks caused to service delivery to residents as a result of any shortfalls in staffing due a range of factors.

9.3 Failure to have an up to date fleet, in an ever changing world of technology places a risk in the Councils reputation, as service standards could fall through unreliable old machinery and vehicles, as well as adverse revenue implications for increased maintenance, and hire of replacement vehicles and plant, which can quickly run into tens of thousands of pounds.

10. UN Sustainable Development Goals (UNSDG)

10.1 The procurement of streetscene sweepers and refuse collection vehicles will include the option for purchasing electric vehicles, will support the Councils target for being net zero for its own operations by 2030, as well as delivery of the following UNSDG:





11. **Key Decision Information**

11.1 This is a key decision as expenditure over the life of the contract will exceed £250,000 capital expenditure.

12. **Earlier Cabinet/Committee Resolutions**

12.1 There are no earlier Cabinet/Committee Resolutions.

13. **List of Appendices**

13.1 There are no appendices.

14. **Background Papers**

14.1 There are no background papers.

This page is intentionally left blank

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**EXECUTIVE MANAGEMENT TEAM'S
REPORT TO**

**Cabinet
14 March 2023**

Report Title: Irrecoverable Items 2022/23

Submitted by: Head of Finance (Section 151 Officer)

Portfolios: Finance, Town Centres and Growth

Ward(s) affected: All

Purpose of the Report

To consider items deemed irrecoverable.

Recommendation

1. That the items details at appendix 1 be considered irrecoverable for the reasons stated and be written off.

Reasons

For a variety of reasons, from time to time, it is considered that certain items are unable to be recovered from debtors. When this occurs, it is necessary to write off these balances from the appropriate Council account records.

1. **Background**

- 1.1 For a variety of reasons, following the issue of accounts for amounts due to the Council, it is considered the debt is no longer able to be collected. Normally, these reasons follow from the debtor having been subjected to insolvency proceedings or other legal processes in respect of their debts or even the death of a debtor. There is then no further redress to recover the outstanding amounts and it is necessary to write off the outstanding balances from the Council's records.
- 1.2 Financial Regulations require that any irrecoverable items in excess of £10,000 require Cabinet approval, balances below this amount are approved by the Section 151 Officer (below £5,000) and the Portfolio Holder in conjunction with the Section 151 Officer (£5,000 to £10,000).

2. **Issues**

- 2.1 Collection procedures in respect of business rates and council tax are operated in accordance with legislative guidelines. Other debts are collected by a variety of schemes, suitable to the type of account involved. Items are only ever considered for write-off following robust adherence to the appropriate collection policy.
- 2.2 Irrecoverable amounts are considered to be of a confidential nature and in order to comply with data protection regulations the details of the irrecoverable items that are the subject of this report are set out in the confidential appendix. It would also obviously be inappropriate

to disclose information for instance about deceased debtors, with the potential for causing further distress to bereaved family members.

- 2.3 Where debts are in respect of commercial organisations, there is the potential in cases such as administration that disclosure could jeopardise the potential recovery of the business in the long term.

3. **Proposal**

- 3.1 That the items listed at appendix 1 be considered irrecoverable for the reasons stated and that these balances be approved by Cabinet for written off.

4. **Reason for Preferred Solution**

- 4.1 The debts itemised in the confidential appendix are no longer considered recoverable. Accounting regulations require that such items be periodically reviewed and written off.

5. **Options Considered**

- 5.1 None.

6. **Legal and Statutory Implications**

- 6.1 Ultimately, sums of money owed to the Council can only be recovered through court proceedings. That requires bringing an action to prove the debt, so as to secure a judgement that the sum is owed. There are costs (court & legal fees and officer time) associated with that process which usually increase in tiers depending on the amount claimed.

- 6.2 Once judgement is secured, further court proceedings (incurring further associated costs) will be required if the sum secured in the judgement is not paid by the debtor. There are various enforcement methodologies that may be ordered in successful enforcement proceedings, all of which will incur additional costs to execute. However, none of those methods will bear fruit unless the debtor can be traced and owns assets that can be easily liquidated for a sum in excess of the amount of the judgement debt and the associated costs.

- 6.3 Thus a primary consideration is one of proportionality in terms of an evaluation of the level of debt against the likely cost of recovery, and the likelihood of identifying a traceable debtor who owns assets of the requisite value and liquidity. That analysis has been undertaken in respect of the debts proposed to be written off here.

- 6.4 It is essential that the council has in place systems that enable it to spot and log any trends in the way in which bad debts are arising, and which identify repeat bad debtors, so that it can take any prudent steps that may be available to it to avoid further bad debts arising.

7. **Equality Impact Assessment**

- 7.1 Not applicable.

8. **Financial and Resource Implications**

- 8.2 The financial implications of debtors (including housing benefit overpayments) accounts proposed for write off fall on the Council only. The debtors proposed for write off during the financial year 2022/23 total £51,812. The bad debt provision provides for a percentage of debtors becoming irrecoverable, the older the debt becomes the greater the provision

made. In relation to the £51,812 recommended for write off, the bad debt provision allows for £36,071. The balance can be met from budgeted contributions to provisions.

8.3 The financial impact of National Non Domestic Rates accounts proposed for write off is shared between the Council (40%), Central Government (50%), Staffordshire County Council (9%) and the Staffordshire Fire and Rescue Service (1%) under the Business Rates Retention scheme. The National Non Domestic Rates accounts with a balance in excess of £10,000 proposed for write off during the financial year 2022/23 total £180,026, of this the Council's share amounts to £72,010. This amount is within the estimated balance declared to preceptors regarding the National Non Domestic Rates Collection Fund for 2022/23.

8.4 There are no Council Tax accounts with a balance in excess of £10,000 proposed for write off.

9. **Major Risks**

9.1 Failure to write off irrecoverable debts in a timely manner could potentially lead to the Council overstating its income, leading to qualification of its annual accounts and associated reputational damage.

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

10.1 In shaping detailed budget proposals consideration will be given to the need for investment in order to deliver the Council's Sustainable Environment Action Plan.



11. **Key Decision Information**

11.1 This is not a key decision.

12. **Earlier Cabinet / Committee Resolutions**

12.1 Not applicable.

13. **List of Appendices**

13.1 Appendix 1 – Irrecoverable Items 2022/23.

14. **Background Papers**

14.1 None.

This page is intentionally left blank



NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

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

14 February 2023

Report Title: Financial and Performance Review report – Third quarter (October-December) 2022-23.

Submitted by: Executive Management Team

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

Ward(s) affected: All

Purpose of the Report

To provide Cabinet with the Financial and Performance Review report for the third quarter of 2022-23.

Recommendation

That Members note

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

Reasons

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

1. Background

- 1.1 This quarterly report provides Members with a detailed update on how the Council has performed during the third quarter 2022/23 by presenting performance data and progress summary set within a financial context. The report provides broad financial information (Appendix A) and also details service performance (Appendix B) for the second quarter 2022/22
- 1.2 This report includes, as a comparison, the period when a number of customer facing services were required to close, or where the customer base simply stopped using the service due to the Covid 19 situation. Despite these unprecedented circumstances, as the summary of the overall performance picture is presented in section 4 of this report reflects, performance has generally seen a lot of positive movement in recovery from Covid-19 pandemic.

2021-22 Revenue and Capital Budget Position

- 1.3 The Council approved a General Fund Revenue Budget of £15,268,760 million on 23 February 2022. Further financial information is provided in Appendix A.

Performance

- 1.4 The Q3 report (April to December 2022) has been produced using new business intelligence tools in order automate and improve the monitoring, analysis and reporting of Council performance. The indicators included are those agreed as part of the new Council Plan and reflect the priorities for the Borough. In addition to reporting on key performance indicators,

the report also includes progress summaries for each priority action, detailing the progress with the delivery of planned activities.

- 1.5 Contextual performance information is provided (indicators without a target), not only to ensure the monitoring of the corporate activities of the Council, but also to inform Members, businesses and residents of performance in their local area that the Council cannot directly control.
- 1.6 Any indicators failing to meet the set targets include a comment explaining why the indicator has not performed well, and what steps are being taken to ensure improvement in the future.
- 1.7 For this report a total of 44 indicators were monitored, 14 of these indicators were contextual and had no set target. Of the remaining 30 indicators the proportion of indicators which met their target during this period stands at 80%. The proportion of indicators showing an improvement on the previous year stands at 75%.

2. **Issues**

- 2.1 There are 6 indicators off target this quarter, and officers consider that the performance against these indicators does not give rise to serious cause for concern at present (see commentaries provided in Appendix B). The management of each of the service areas concerned continue to monitor and take steps to deal with under achievement of targets where possible and/or appropriate.
- 2.2 Progress on delivery of planned activities is summarised for each priority and no concerns are highlighted.

3. **Proposal**

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

4. **Reasons for Proposed Solution**

- 4.1 To enable financial and performance information to be presented for continued scrutiny and encourage improvement within council delivery.

5. **Options Considered**

- 5.1 At this time it is felt there is no other option necessary for consideration, however the presentation of information is continually reviewed.

6. **Legal and Statutory Implications**

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

7. **Equality Impact Assessment**

7.1 Local authorities have a responsibility to meet the Public Sector Duty of the Equality Act 2010. The Act gives people the right not to be treated less favourably due to protected characteristics. There are no differential equality issues arising directly from this report.

8. **Financial and Resource Implications**

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

9. **Major Risks**

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

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

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



11. **Key Decision Information**

11.1 Included on the Forward Plan

12. **Earlier Cabinet/Committee Resolutions**

12.1 N/A

13. **List of Appendices**

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

14. **Background Papers**

14.1 Working papers held by officers responsible for calculating indicators.

This page is intentionally left blank

Financial Position Quarter Three 2022/23

1. General Fund Revenue Budget

- 1.1 The Council approved a General Fund Revenue Budget of £15.269m on 23 February 2022. The actual and forecast position compared to this budget is continuously monitored by managers, EMT and Portfolio Holders in order to detect any significant variances of expenditure or income from the approved amounts contained in the budget.
- 1.2 The Coronavirus pandemic continues to have an impact on the Council's financial position, primarily through lost income, although this is showing a marked improvement compared to the losses incurred during 2020/21 and 2021/22. No Government funding for 2022/23 in respect of financial pressures relating to the Coronavirus pandemic (including income compensation) is likely to be received.
- 1.3 The Council's revenue budget relies on service income from fees and charges income of around £725k per month across a wide range of services, with a significant proportion coming from Jubilee 2 and car parking. Taking account of the current restrictions it is forecast that income losses from fees and charges for the financial year will amount to £0.631m.
- 1.4 Expenditure continues to be reduced wherever possible throughout the Council to ensure that only absolutely necessary spending is being incurred, this helps to reduce the adverse variance on a service by service basis. It has been forecast that this situation continues throughout the remainder of the financial year.
- 1.5 Further consequences of the Coronavirus on the Council's financial position will depend significantly on any future restrictions being imposed, the recovery of income from fees and changes and on any further Government financial support that may be received.
- 1.6 Careful monitoring of the financial position will be required over coming weeks leading to prompt corrective action where necessary to ensure the Council remains in a position of being able to deliver a balanced budget position in the current financial year and beyond.

2. Revenue Budget Position

- 2.1 As at the end of the third quarter, the general fund budget showed an adverse variance of £0.072m. It is forecast that a balanced position will be achieved as at the close of the financial year.
- 2.2 A number of variances from the budget are forecast, these include:
 - a. Income shortfalls from sales, fees and other charges (£0.548m at quarter three), it is forecast that these losses will increase to £0.631m by the close of the financial year.
 - b. Income shortfalls from commercial rents (£0.077m at quarter three) and the recovery of housing benefit overpayments (£0.047m), it is forecast that these losses will amount to £0.197m by the close of the financial year.
 - c. A pay award of £1,925 per full time employee, which is in excess of the amount provided for in the budget (2.5%), including national insurance and pension the additional amount is estimated to total £0.591m for the financial year.
 - d. Increased fuel (£0.081m at quarter three), electricity (£0.108m at quarter three) and gas (£0.108m at quarter three) prices when compared to the amounts provided for in the budget, it is forecast that these variances will amount to £0.396m by the close of the

financial year. Energy bills in respect of J2 are being closely monitored in respect of heating the pools.

- 2.3 These adverse variances are forecast to be offset in full by the following favourable variances:
- a. Utilisation of the Cost of Living Reserve that was established during the budget setting for 2022/23 in order to respond to any above inflationary increases in costs. It is anticipated that the £0.400m paid into this reserve will be fully used.
 - b. Use of £0.240m New Homes Bonus funding paid into the Budget Support Fund that was established during the budget setting for 2022/23 in order to boost the Council's financial resilience during 2022/23 as a result of the continued impact of the Coronavirus pandemic.
 - c. Application of £0.167m Administration grant paid to the Council and set aside during 2021/22 in relation to Coronavirus grants.
 - d. Interest receivable on cash that the Council holds in terms of Town Deal and Future High Street funding, together with Section 31 grant and remaining Coronavirus grant funding (that are repayable to Central Government) is forecast to increase significantly following recent interest rate hikes to £0.513m for the financial year.
 - e. Expenditure continues to be reduced wherever possible throughout the Council to ensure that only absolutely necessary spending is being incurred, including staffing costs (£0.408m underspend at quarter three, forecast to amount to £0.544m for the financial year), this helps to reduce the adverse variance on a service by service basis. It has been forecast that this situation continues throughout the remainder of the financial year.
- 2.4 Cabinet and the Executive Management Team will continue to be updated on the Council's financial position and actions taken in the forthcoming weeks and months. This includes a recommended level of reserves and the financial implications of this.

3. Collection Fund

- 3.1 Local tax income is collected by billing authorities and paid into local 'collection funds' (the Council is a billing authority). Where there is a shortfall in tax receipts (compared to expected levels), this leads to a deficit on the collection fund. Billing and major precepting authorities are usually required to meet their share of any deficit during the following financial year.
- 3.2 In response to the continued impact of the Coronavirus pandemic on retail business, the government has continued its retail discount business rates relief scheme, for 2022/23. For 2022/23 eligible businesses were awarded a 50% reduction in the business rates liability, up to a cash cap limit of £0.110m per business.
- 3.3 This has the impact of a reduction in income that was expected to be received by the Council from business rates payers during 2022/23 which, all things being equal, would generate a deficit on the collection fund. However, the government will award Section 31 grant to the Council to offset the losses incurred by this, any surplus Section 31 grant received will be paid into the general fund and will be set aside to offset the reduced income that will be incurred on the collection fund. Any shortfall in expected Section 31 grant will be funded via the Business Rates Reserve.

Classification: NULBC **PROTECT** Organisational

3.4 A deficit is currently being forecast in respect of the Business Rates collection fund as a result of a significant change in rateable value for a large business rates payer which has been backdated by the Valuation Office to 2010.

3.5 A surplus is currently being forecast in respect of the Council Tax collection fund as a result of residents becoming ineligible for Council Tax Support due to a return to work or an increase in working hours.

3.5 The current forecast of tax receipts and Section 31 grant are shown below:

Tax	Forecast (Surplus)/Deficit at 30.6.22	Forecast (Surplus)/Deficit at 30.9.22	Forecast (Surplus)/Deficit at 31.12.22	Council's Share
Council Tax	(£0.352m)	(£0.424m)	(£0.552m)	(£0.064m) (11.6%)
Business Rates	(£0.300m)	£0.988m	£0.996m	£0.398m 40%
Business Rates Section 31 Grant	£0.406m	£0.502m	£0.622m	£0.249m 40%
Total	(£0.246m)	£1.066m	£1.066m	£0.583m

3.6 In addition, the Council is due a reimbursement of £0.972m relating to the difference between the declared and actual business rates collection fund outturns for 2021/22, this will be repaid to the Council, and into the Business Rates Reserve, in 2023/24.

4. Capital Programme

4.1 A Capital Programme totalling £32.309m was approved for 2022/23. Of this total £30.309m relates to the total cost of new schemes for 2022/23 together with £1.000m for schemes funded by external sources (Disabled Facilities Grants) and £1.000m contingency. In addition £5.548m was brought forward from the 2021/22 Capital Programme (including £4.017m from the Town Deals Fund and the Future High Streets Fund), resulting in a total Capital Programme of £37.857m for 2022/23.

4.2 A mid-year review of the capital programme for 2022/23 has subsequently been undertaken as part of the Efficiency Board and budget setting process in order to identify any projects that may need to be re-profiled from 2022/23 into future years. The revised capital programme for 2022/23 totalling £32.977m was approved by Cabinet on 6 December 2022.

4.3 At the close of quarter three the profiled capital budget amounts to £5.525m, actual spend for this period totals £5.574m.

4.4 The variance shown above relates to additional costs (£0.028m) incurred in the refurbishment and redevelopment of Kidsgrove Sports Centre and Swimming Pool and a small number of insignificant overspends.

5. Capital Programme Funding Position

5.1 The expected total capital receipts due to be received this year following the sale of assets amount to £3.713m, £0.100m of this will be set aside for the flexible use of capital receipts during 2022/23. A summary of the expected income is shown in the table below.

Funding	Amount
Proceeds from Right to Buy sales	£0.500m
Land sales	£3.213m
Flexible use of capital receipts	(£0.100m)
Total	£3.613m

6. Major Projects Funding

- 6.1 The Council has been awarded £4.8m over a 3 year period of UK Shared Prosperity Funding as part of the governments mission to level up opportunity and prosperity and to overcome geographical inequalities. It also aims to level up people's pride in the places they love and seeing that reflected back in empowered local leaders and communities, a stronger social fabric and better life chances. The 2022/23 allocation of £0.6m has been received and funding agreements are currently being drafted.
- 6.2 £23.6m was awarded to the Council via the Town Deals Fund for Newcastle to enable a vision to improve communications, infrastructure and connectivity in Newcastle-under-Lyme to become a reality. £12.5m has been received to date of which £0.5m has been spent.
- 6.3 £16.9m has also been awarded via the Town Deals fund for Kidsgrove to enable real and lasting economic benefits to be realised in Kidsgrove and the surrounding area. To date £7.9m has been received of which £3.6m has been spent.
- 6.4 The Council was awarded Future High Streets Fund funding in June 2021 of £11.0m to progress exciting and unique projects to help future economic growth. £7.9m has been received to date of which £5.1m has been spent.

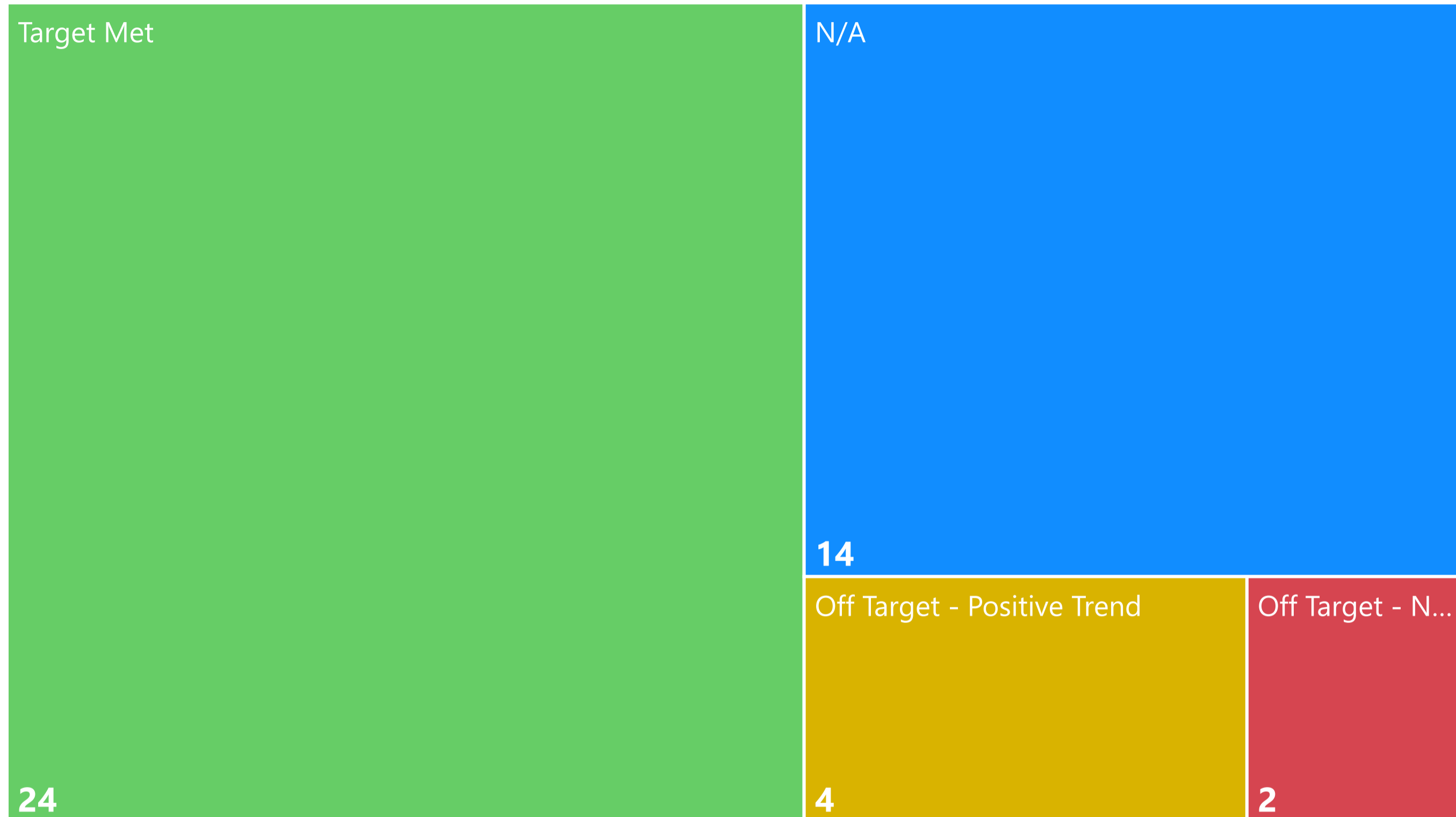
7. Treasury Management

- 7.1 It was expected that borrowing would be required during 2022/23 to fund the capital programme however no borrowing arrangements have been required to date, primarily due to advanced monies being received in terms of Town Deals and Future High Streets funding.
- 7.2 Although not utilised in recent years, the Council has previously considered the option of long-term borrowing from the PWLB. After the utilisation of capital receipts and internal borrowing, the Council will look to borrow short term from other local authorities in the first instance and will then review any other sources of funding if required.
- 7.3 Advice from the Council's Treasury Management Advisors, Arlingclose, is to continue to utilise internal funding whilst it is available as opposed to borrowing whilst the interest rates are high. This approach also reduces the need to place funding in long term deposits, whilst minimising any potential investment risks.
- 7.4 Interest receivable on temporary cash receipts that the Council holds in terms of Town Deal and Future High Street funding, together with Section 31 grant and remaining Coronavirus grant funding (that are repayable to Central Government) is forecast to increase significantly following recent interest rate hikes by the Bank of England to £0.513m by the close of the financial year. For information purposes short term deposits made with the Debt Management Office attracted an interest rate of 0.55% at the start of the financial year and attracted an interest rate of 3.32% as at 24 January 2023.



Quarter 3 - April 2022 to December 2022

All Performance Indicators Current Status



Corporate Aim (Priority)	Number of Indicators
Priority 1: One Council delivering for Local People	21
Priority 3: Healthy, Active and Safe Communities	14
Priority 2: A Successful and Sustainable Growing Borough	6
Priority 4: Town Centres for All	3
Total	44

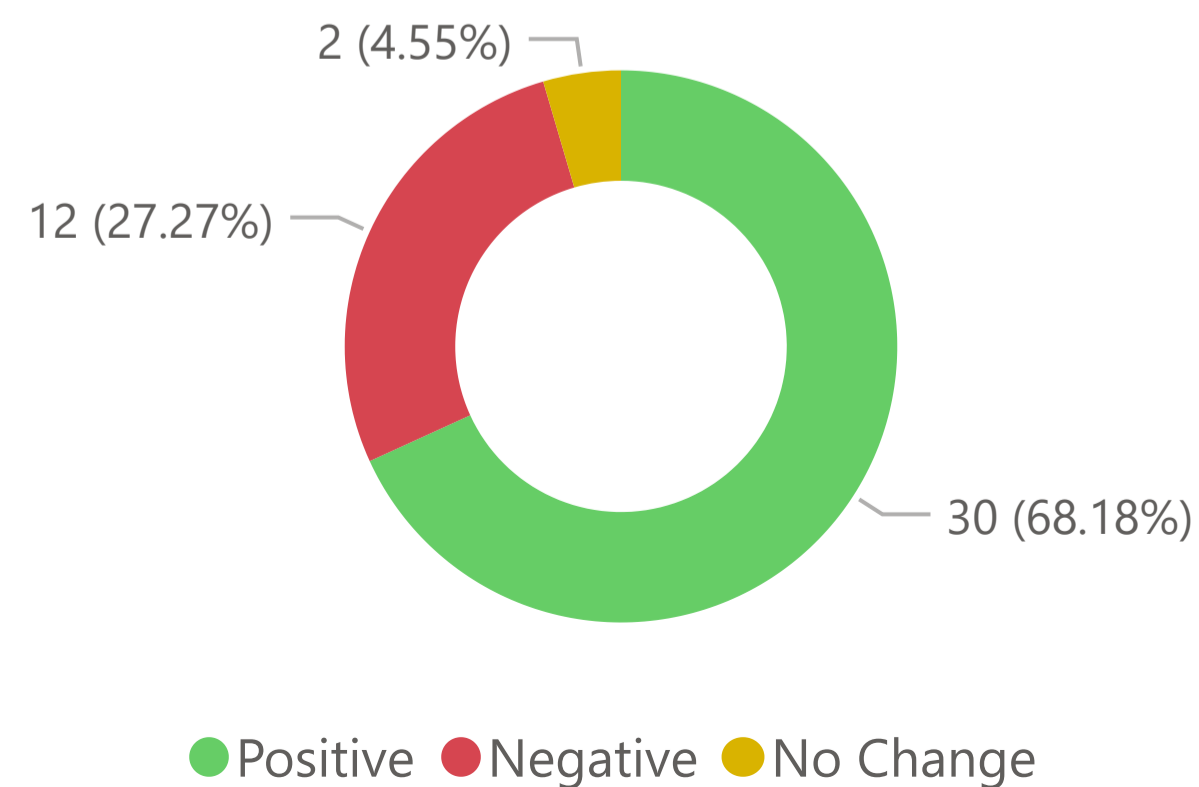
Smart Narrative

Within N/A category - 14 Indicators are contextual and do not have a target to meet. When compared to last year, 9 of the contextual measures showed a positive trend and 5 showed a negative trend.

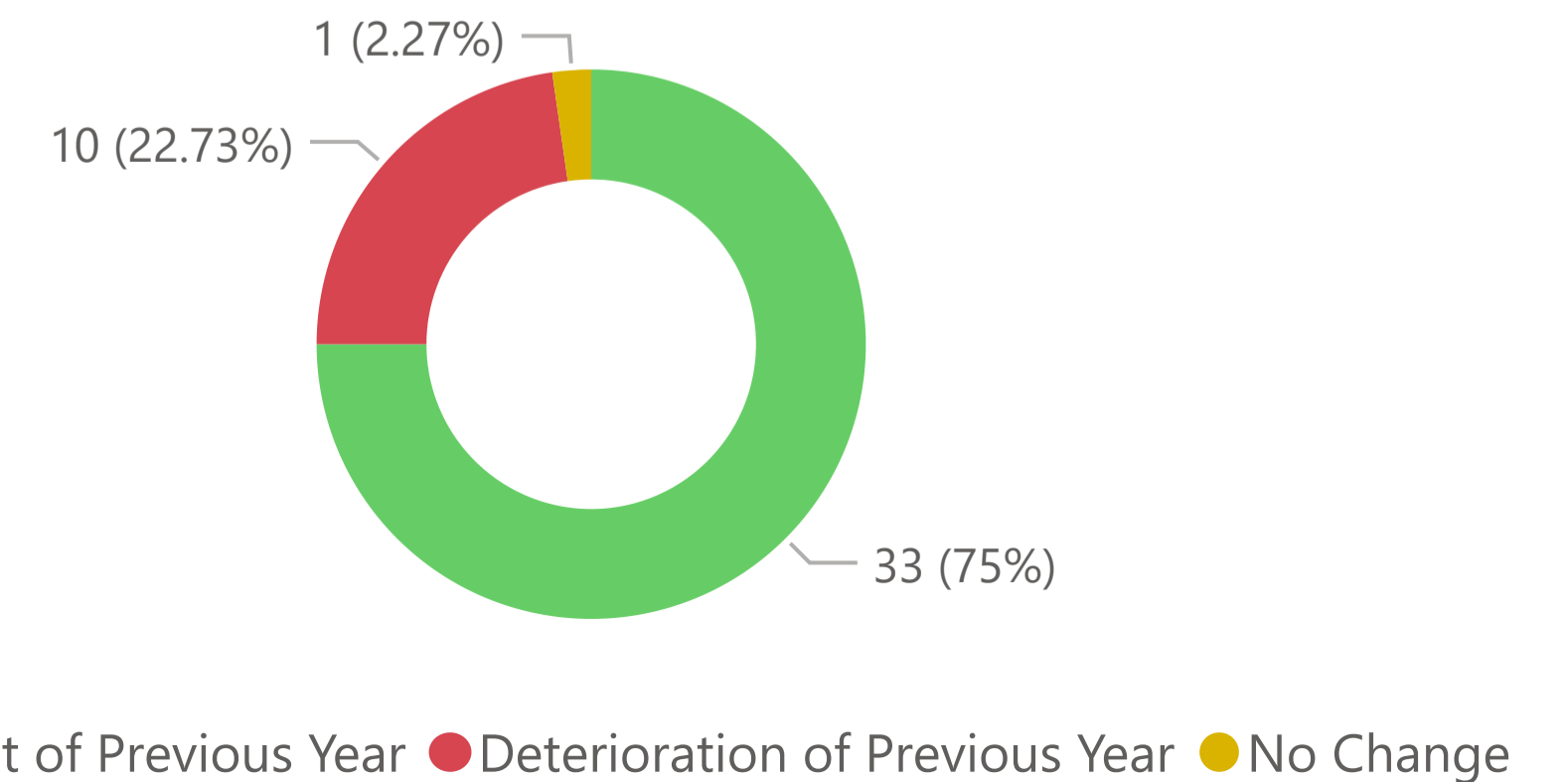
Of the remaining 30 Indicators, 80% met their targets within this quarter. 20 Indicators which met their target also showed improvement when compared to the same time period last year. 3 Indicators which met their target showed a negative trend when being compared to last year; and one indicator showed no change.

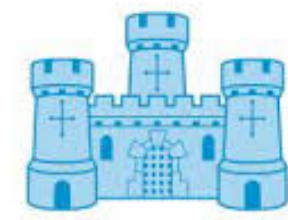
20% of Indicators were off target this quarter. 4 of these indicators showed an improvement when compared to last year whereas 2 indicators showed a negative trend.

All Qtr.3 Trend Direction of PI's Compared to Previous Quarter



All Qtr.3 Trend Status of PI's Compared On Same Qtr in the Previous Financial Year





"Good Is" Identifier

- Defines what "Good Is" for each of the indicators. Example being "Low is Good" meaning the lower the value the better

Yearly Trend Identifier

- States whether there has been an improvement or not when compared against the same time period in the last financial year.

Metric Measure

Shows how the measure has been captured.

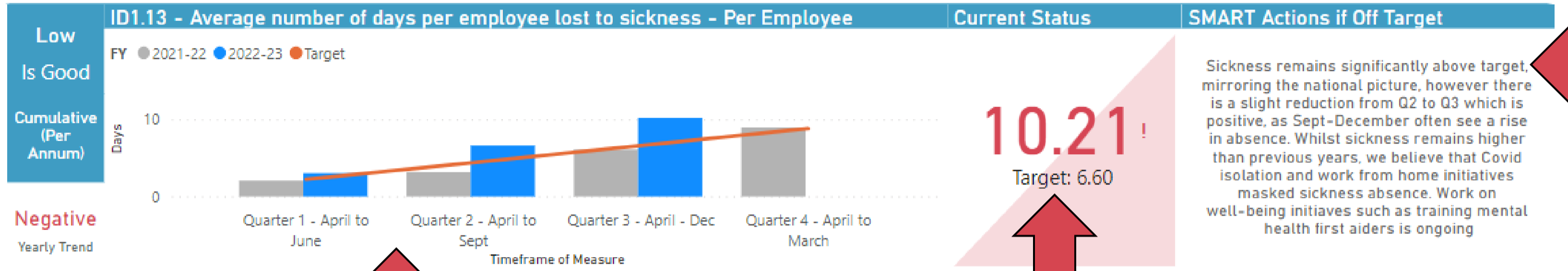
- Snapshot shows the measure at the end of each quarter at that specific point in time, Snapshot in time.
- Cumulative (Per Annum) is a cumulative year to date measure showing the picture over time from the start of the financial year (E.g. April to December for Quarter 3)

Priority Icon

- 4 Icons in total to which align to each Priority

Priority Title

- Defines the Priority that the measures on the page fall within.

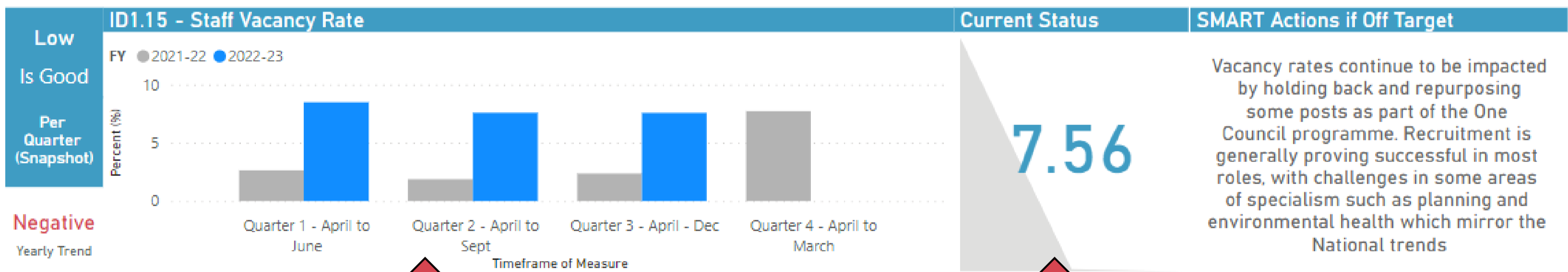


Quarterly Indicator Measure

- Shows the measure over each specific quarter (Light Blue bars) and compare it against previous years measure (Grey bars)
- Target measure in orange if there has been one set

Current Quarter Status

- The larger number shows what the current quarter measure is. "Target" is the current Quarter Target
- Red Indicator highlights off target measures. Green indicator shows value has met its target.
- Background shape shows trend direction from previous quarters.



Quarterly Indicator Measure for Contextual Measures

- Shows the measure over each specific quarter (Light Blue bars) and compare it against previous years measure (Grey bars)
- As no set target this has been removed - the Smart Narrative box will provide details supplied by Indicator owner on how measure is performing.

Current Quarter Status Contextual Measures

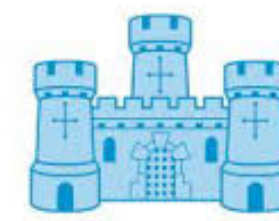
- The large number in blue shows what the current quarter measure is.
- Grey Background shape shows trend direction from previous quarters.
- No colour coding due to no target value - SMART Narrative box provides more context and detail on this type of measure.

SMART Narrative

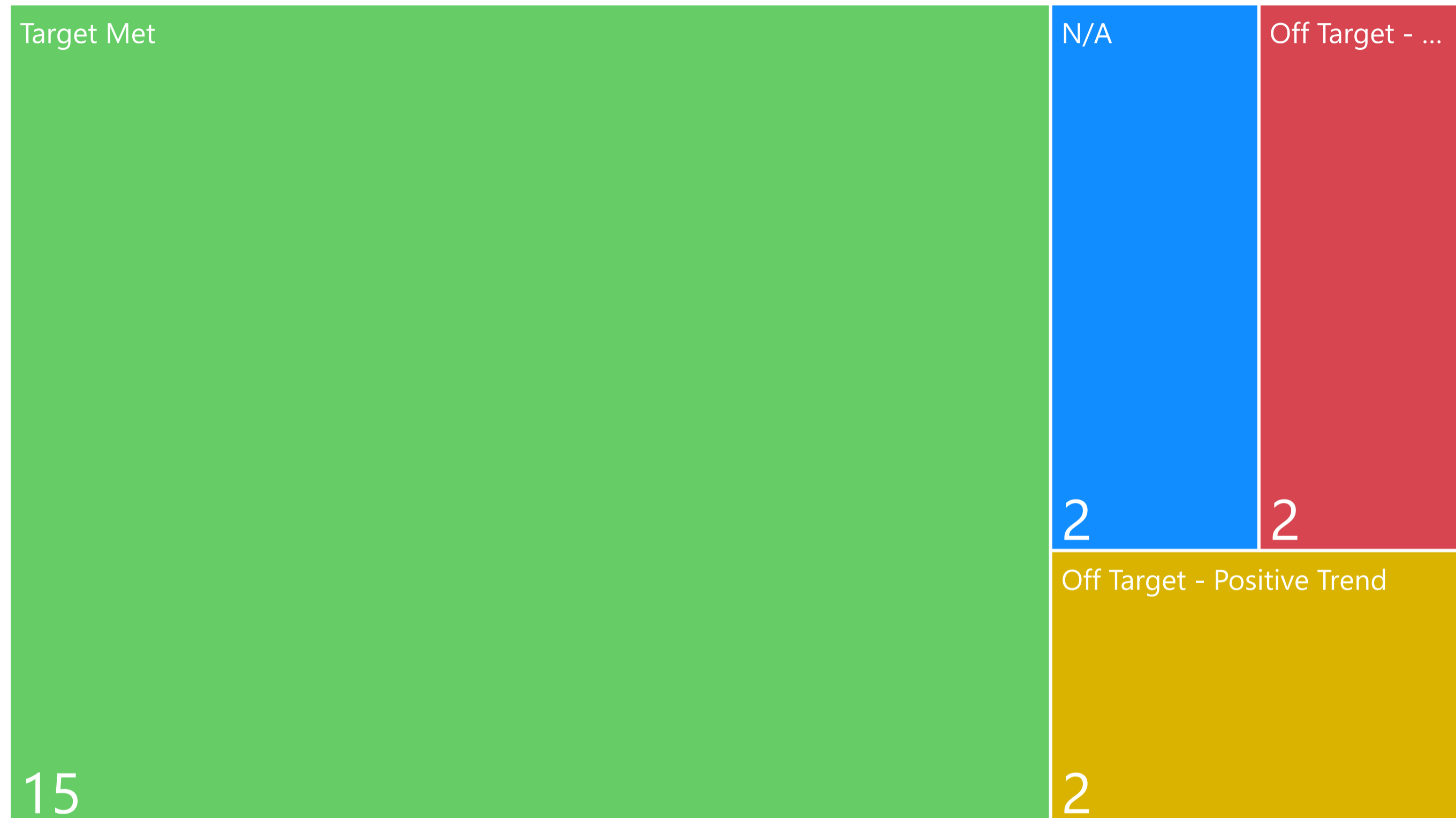
- If the measure is off target, owner will write narrative to provide context against the measure and also to provide detail on how the service is planning to improve the measure for the next report.

SMART Narrative for Contextual Measures

- If the measure does not have a target and/or is contextual. Indicator owners have been asked to supply a narrative to provide the context to understand how the measure is performing and if cause for concern what is being done to improve the measure.



Priority 1: Performance Indicators Current Status



Corporate Aim (Priority)	Number of Indicators
Priority 1: One Council delivering for Local People	21

Smart Narrative

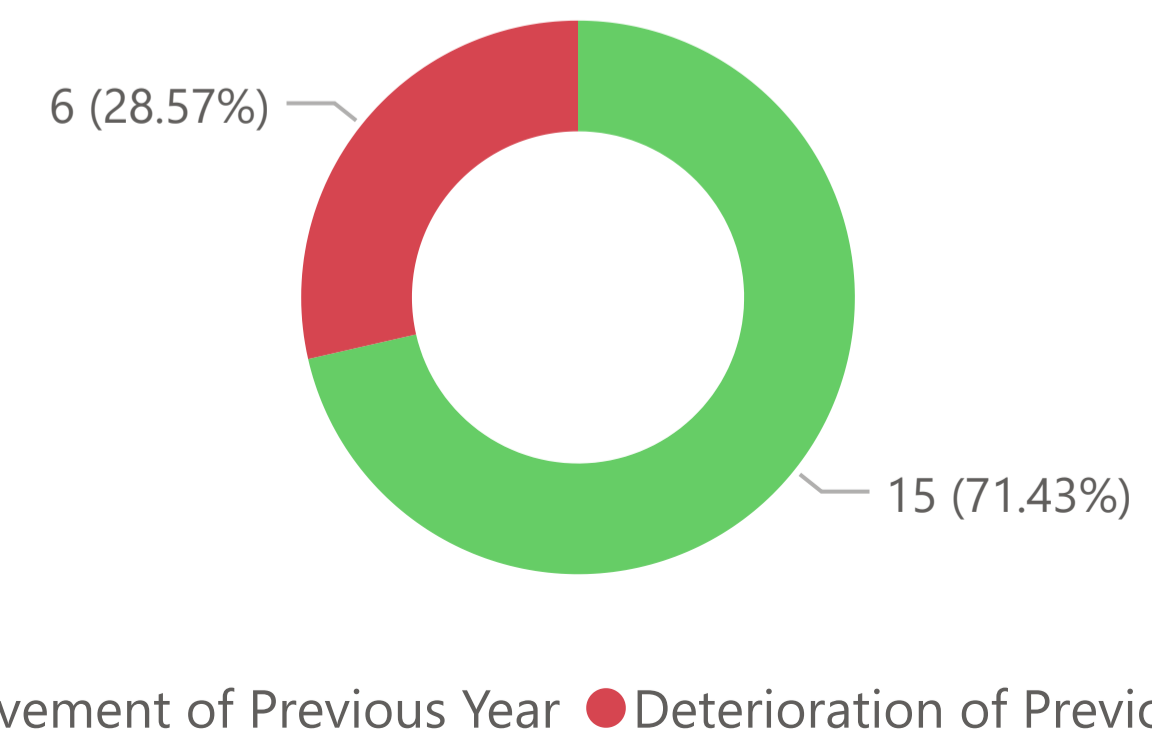
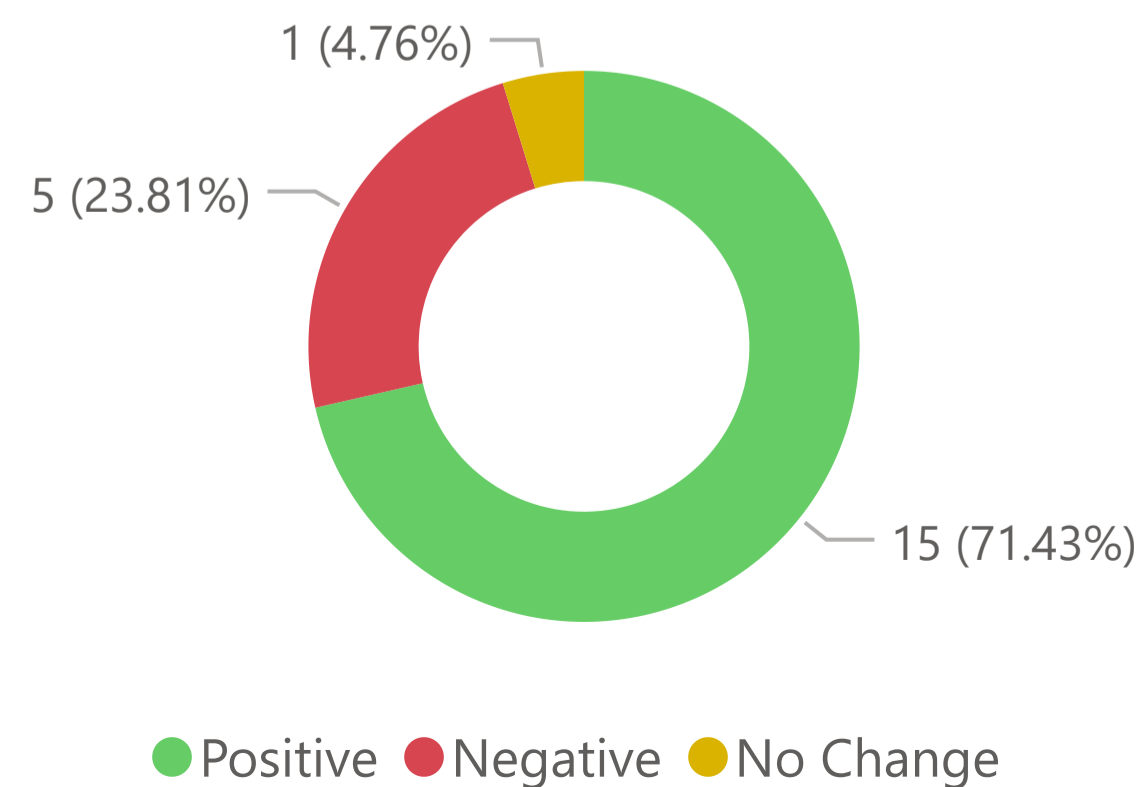
Within Priority 1 there are 2 contextual performance indicators which do not have set targets, these are included within N/A category. Both of these indicators showed a negative trend when compared to the same period last year.

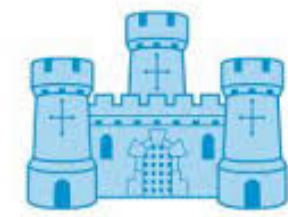
Of the remaining 19 Indicators within Priority 1, 79% have met their target this quarter. 13 indicators which met their target also showed improvements when compared to the same time period last year with 2 indicators that met their targets showing a negative yearly trend.

21% of indicators were off target this quarter which totalled 4 measures. These were split in terms of yearly trend with 2 indicators (ID1.13 & ID1.5a) showing a negative trend and 2 with a positive trend (ID1.4a & ID1.8) when compare to the same time period last year. The detail of these indicators are explained in the following pages of the report

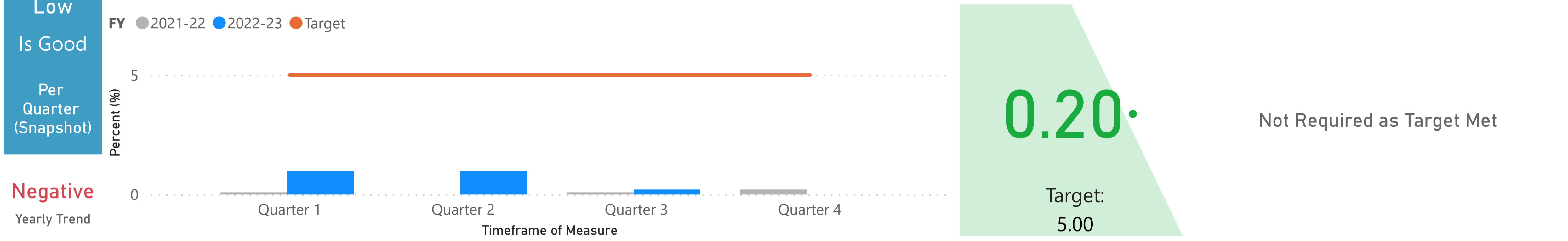
Priority 1: Qtr.3 Trend Direction of PI's Compared to Previous Quarter

Priority 1: Qtr.3 Trend Status of PI's Compared On Same Qtr in the Previous Financial Year

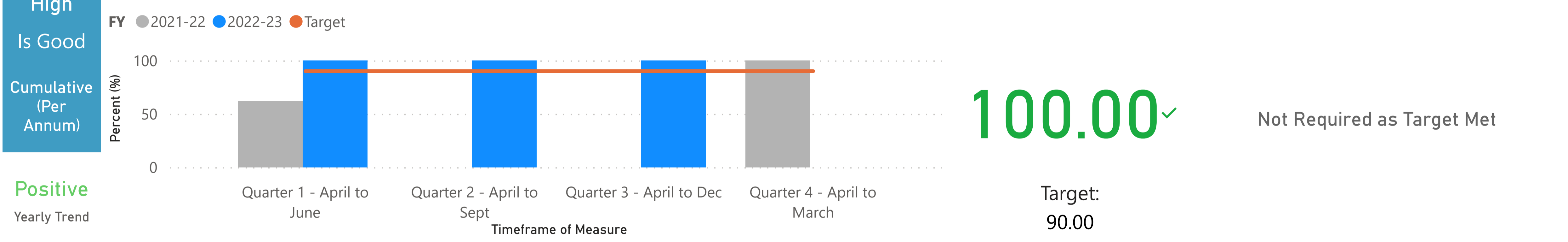




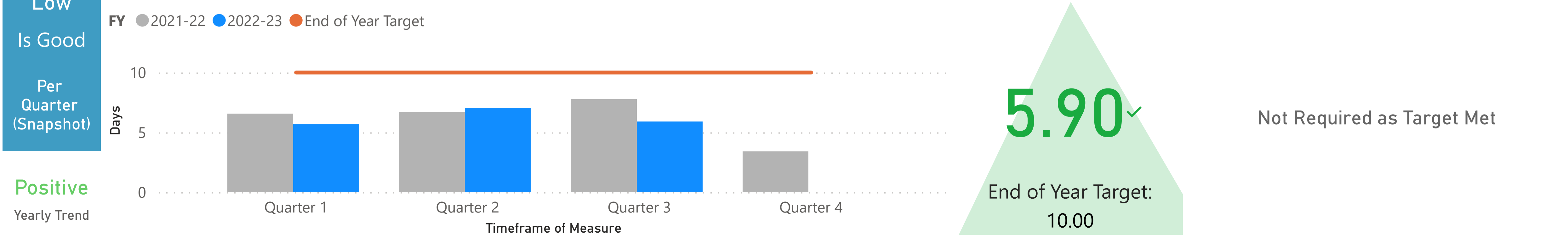
ID1.1 - Percentage of food premises that have a zero or one national food hygiene rating Current Status SMART Actions if Off Target



ID1.2 - Percentage of category A and B food business inspections completed on time Current Status SMART Actions if Off Target

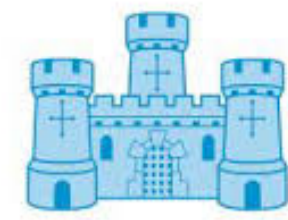


ID1.10 - Time taken to process Housing Benefit new claims/change events (Days) Current Status SMART Actions if Off Target





Priority 1: One Council delivering for Local People



NEWCASTLE UNDER LYME
BOROUGH COUNCIL

2021-22
2022-23

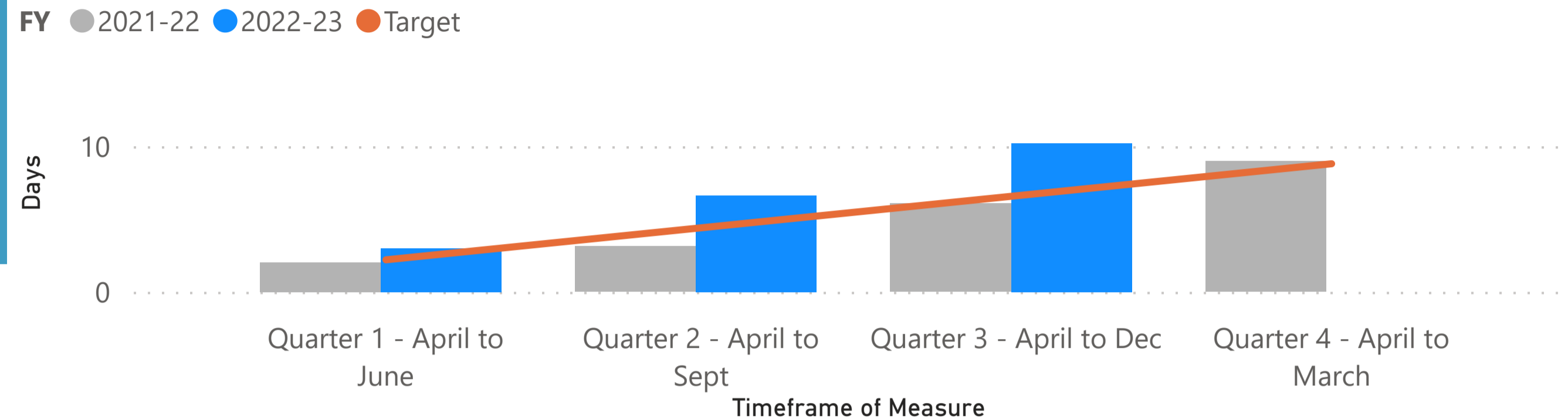
ID1.13 - Average number of days per employee lost to sickness - Per Employee

Current Status

SMART Actions if Off Target

Low
Is Good
Cumulative
(Per Annum)

Negative
Yearly Trend



10.21 !

Target:
6.60

Sickness remains significantly above target, mirroring the national picture, however there is a slight reduction from Q2 to Q3 which is positive, as Sept-December often see a rise in absence. Whilst sickness remains higher than previous years, we believe that Covid isolation and work from home initiatives masked sickness absence. Work on well-being initiative such as training mental health first aiders is ongoing

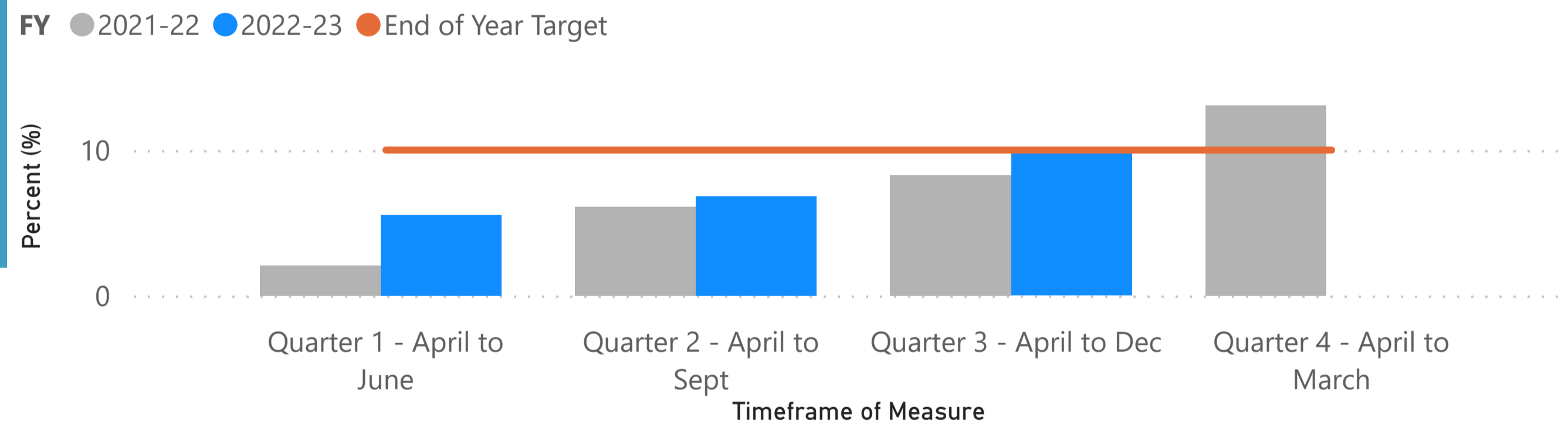
ID1.14 - Staff Turnover

Current Status

SMART Actions if Off Target

Low
Is Good
Cumulative
(Per Annum)

Negative
Yearly Trend



9.75

Target:
10.00

Not Required as Target Met

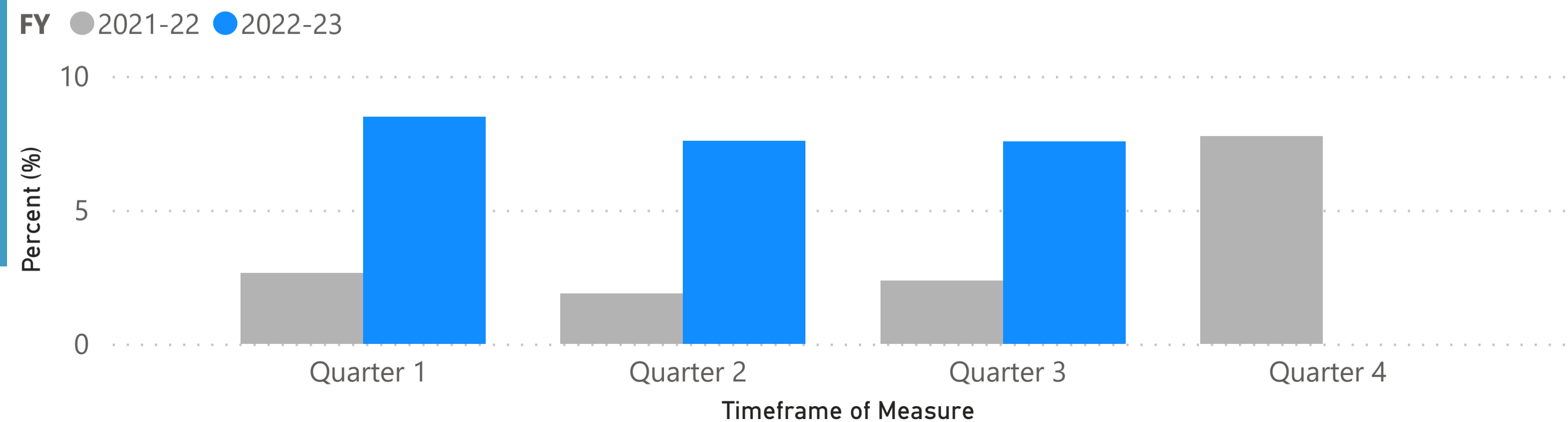
ID1.15 - Staff Vacancy Rate

Current Status

SMART Actions if Off Target

Low
Is Good
Per Quarter
(Snapshot)

Negative
Yearly Trend

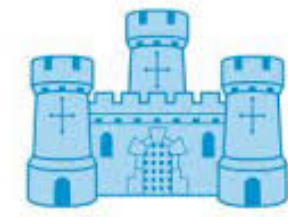


7.56

Vacancy rates continue to be impacted by holding back and repurposing some posts as part of the One Council programme. Recruitment is generally proving successful in most roles, with challenges in some areas of specialism such as planning and environmental health which mirror the National trends



Priority 1: One Council delivering for Local People



NEWCASTLE UNDER LYME
BOROUGH COUNCIL

2021-22
2022-23

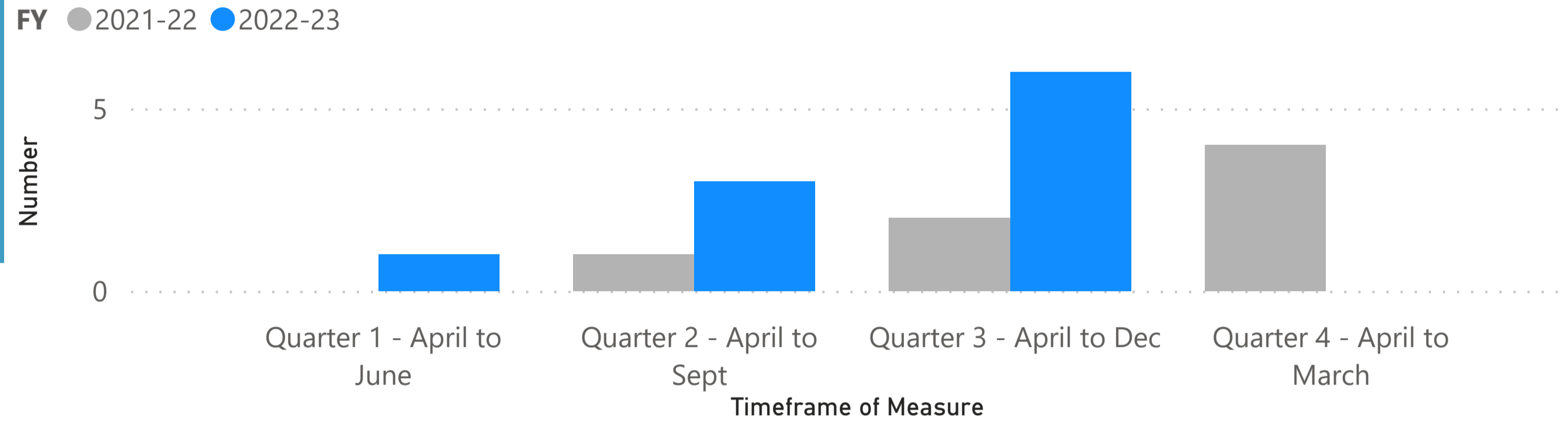
ID1.3 - No. Accidents/Incidents reported (RIDDOR)

Current Status

SMART Actions if Off Target

Low
Is Good
Cumulative (Per Annum)

Negative
Yearly Trend



The slight increase this year reflects returning to normal working conditions post COVID and causes no concern at the present rate. This will be continually monitored as standard.

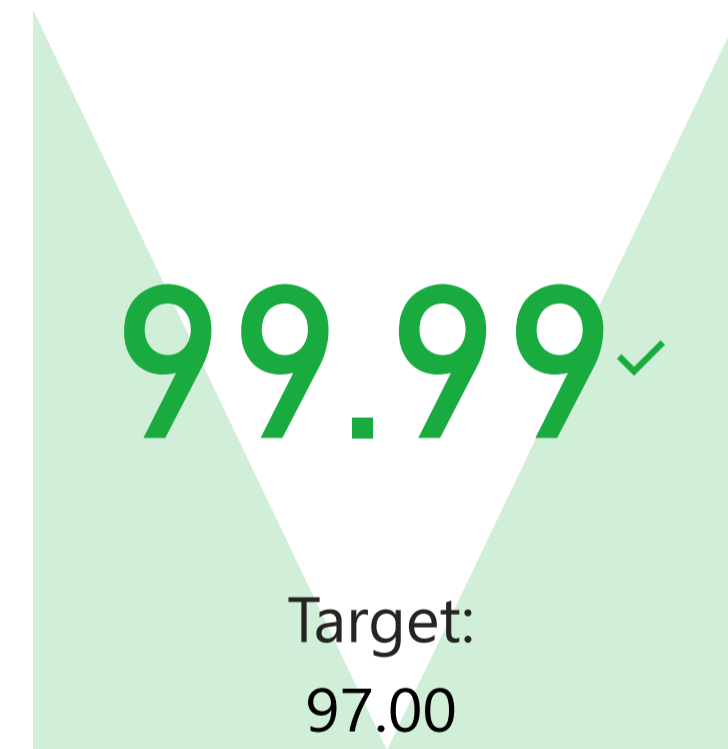
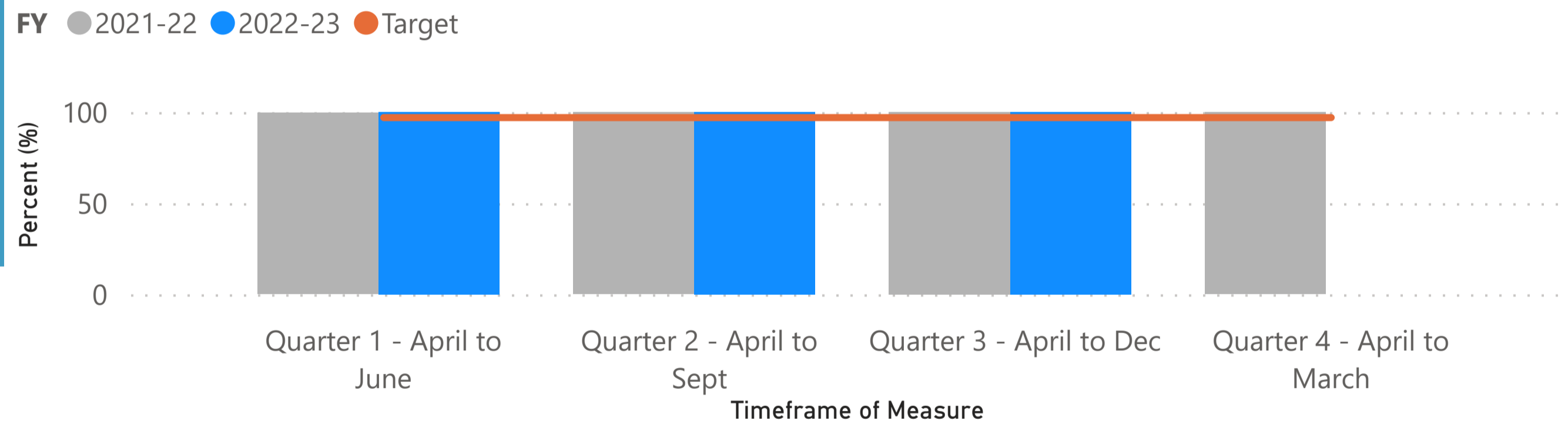
ID1.6 - Percentage of Customer Hub requests resolved at first point of contact

Current Status

SMART Actions if Off Target

High
Is Good
Cumulative (Per Annum)

Positive
Yearly Trend



Not Required as Target Met

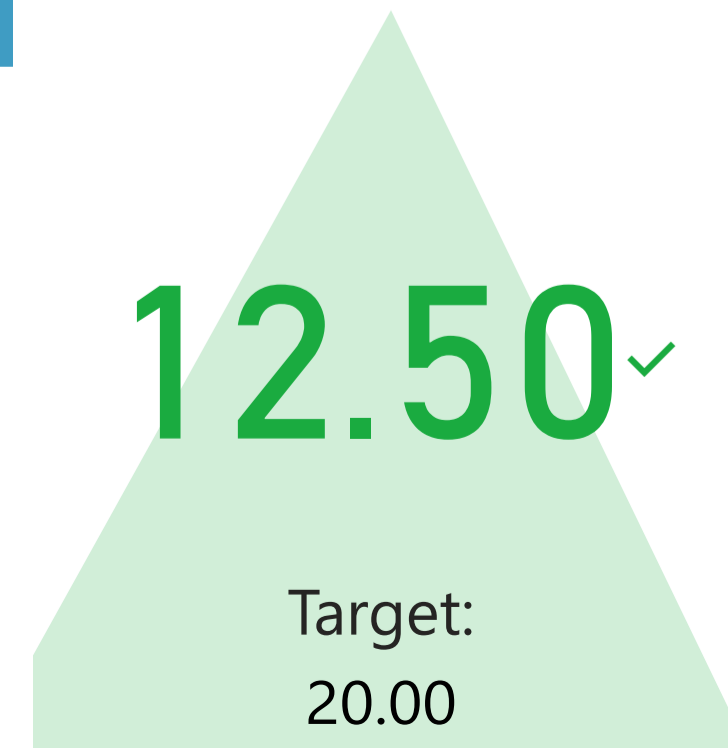
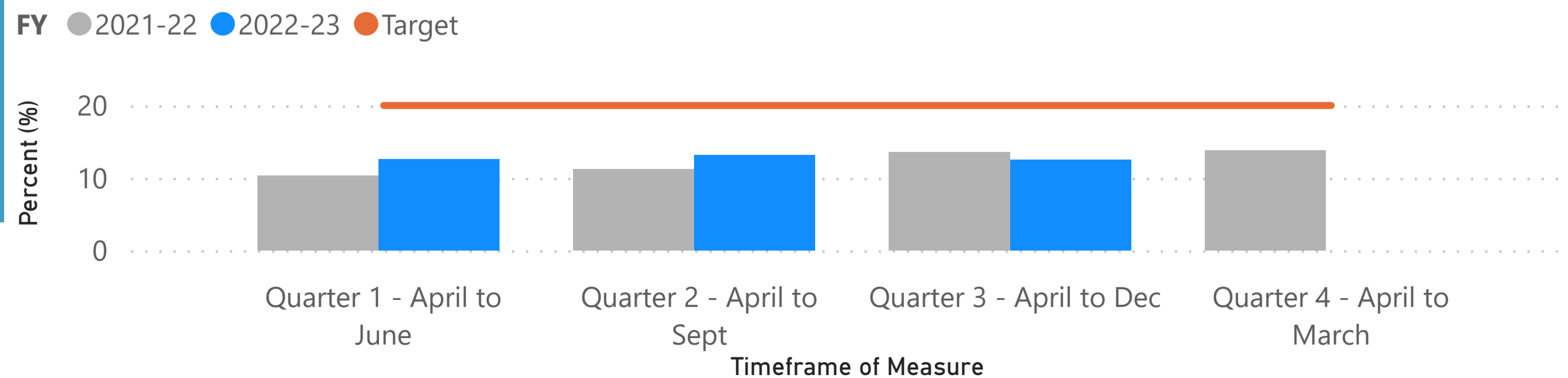
ID1.7 - % Unmet demand (number of calls not answered as a % of total call handling volume)

Current Status

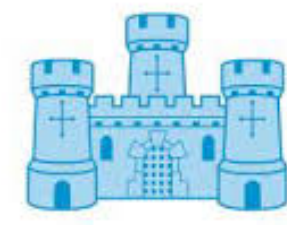
SMART Actions if Off Target

Low
Is Good
Cumulative (Per Annum)

Positive
Yearly Trend



Not Required as Target Met



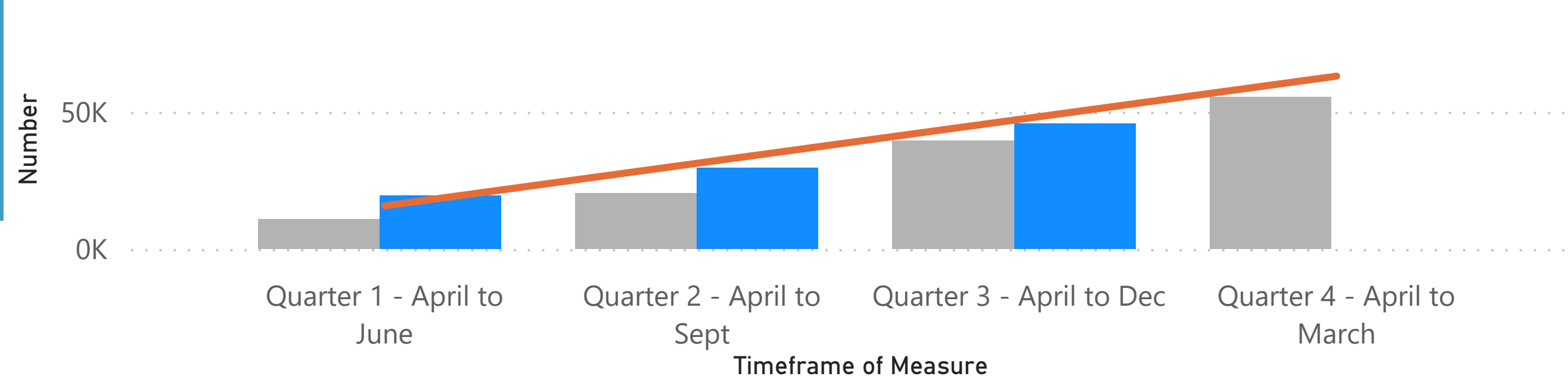
ID1.8 - Total number of digital online transactions

Current Status

SMART Actions if Off Target

High
Is Good
Cumulative (Per Annum)
Positive
Yearly Trend

FY ● 2021-22 ● 2022-23 ● Target



45.69K

Target:
47.25K

Off Target but improvement from last year's figures showing more digital transactions taking place and growth is relative to the target goal.

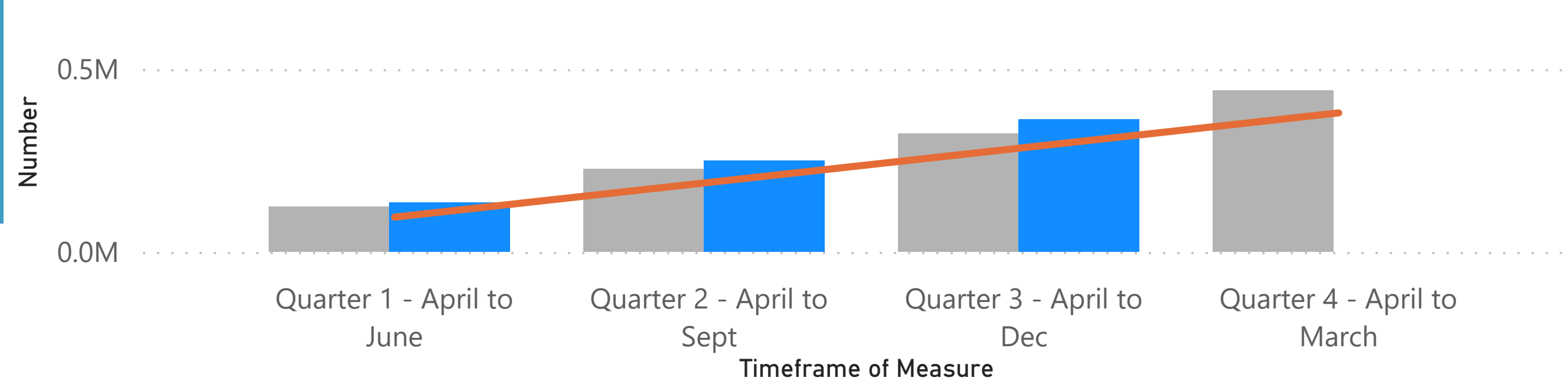
ID1.9 - Total number of unique users to the website

Current Status

SMART Actions if Off Target

High
Is Good
Cumulative (Per Annum)
Positive
Yearly Trend

FY ● 2021-22 ● 2022-23 ● Target



361.80K

Target:
285.00K

Not Required as Target Met

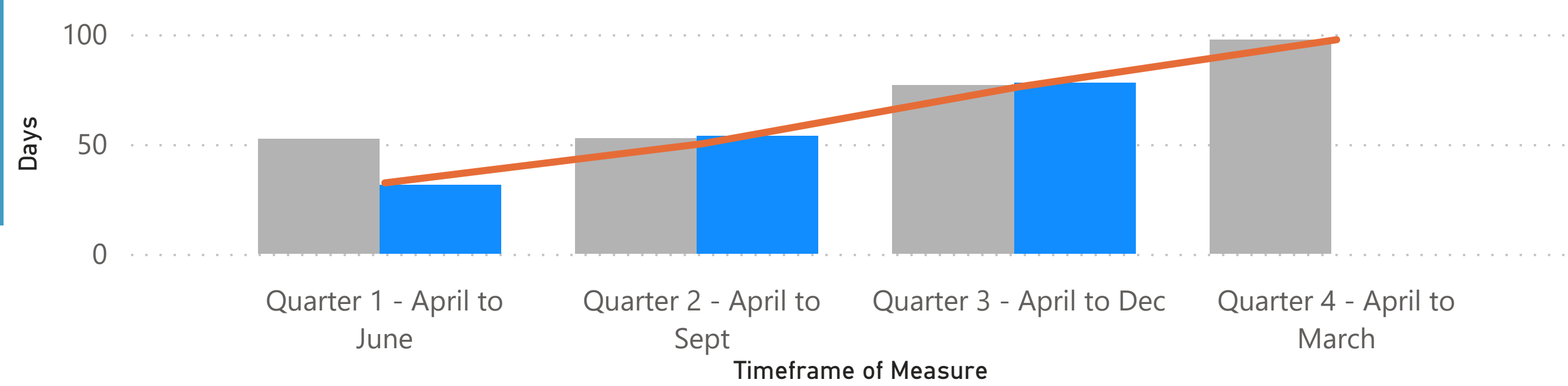
ID1.11 - Percentage of Council Tax collected

Current Status

SMART Actions if Off Target

High
Is Good
Cumulative (Per Annum)
Positive
Yearly Trend

FY ● 2021-22 ● 2022-23 ● Target



77.70

Target:
76.08

Not Required as Target Met

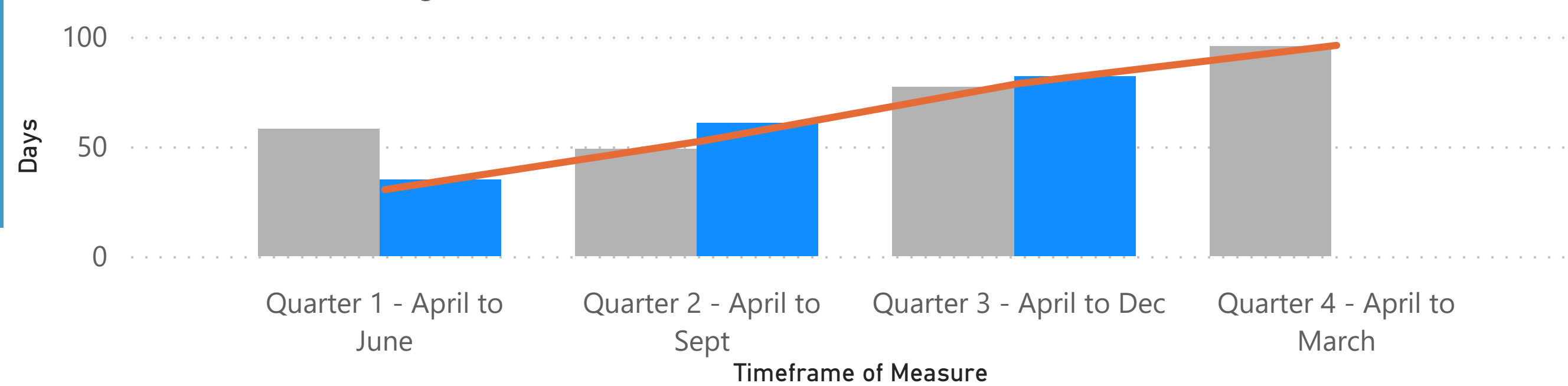
ID1.12 - Percentage of National non-domestic rates collected

Current Status

SMART Actions if Off Target

High
Is Good
Cumulative (Per Annum)
Positive
Yearly Trend

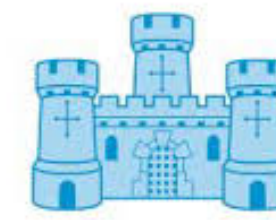
FY ● 2021-22 ● 2022-23 ● Target



81.80

Target:
78.66

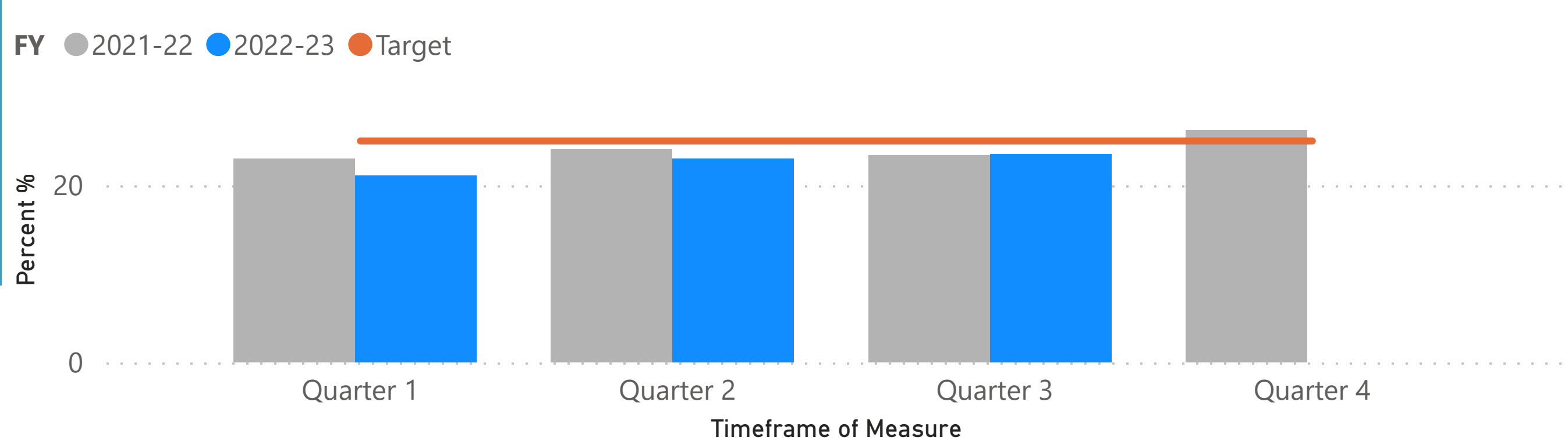
Not Required as Target Met



ID1.4a - Dry Recycling:- Household collections from the kerbside (%) Current Status SMART Actions if Off Target

High
Is Good
Per Quarter (Snapshot)

Positive
Yearly Trend

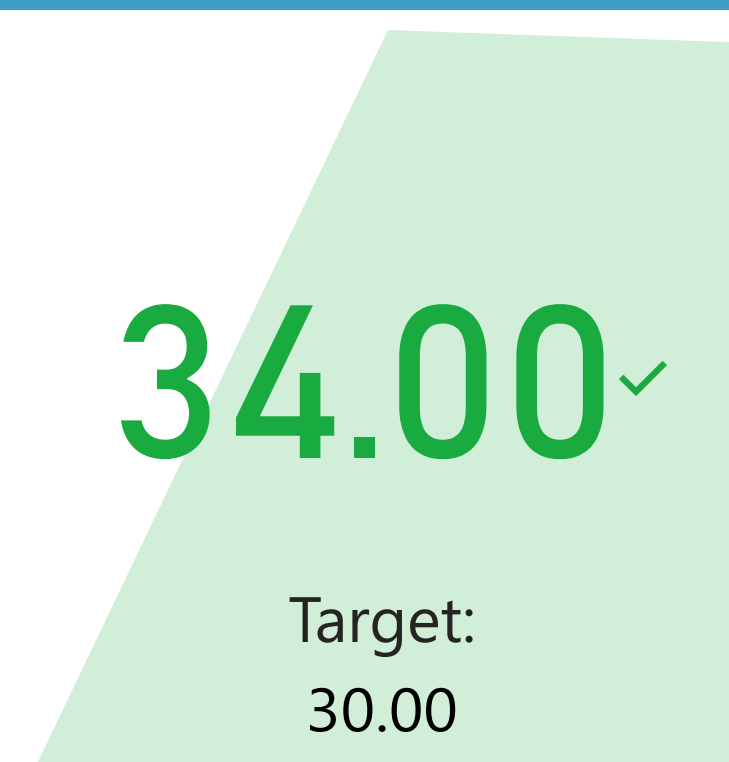
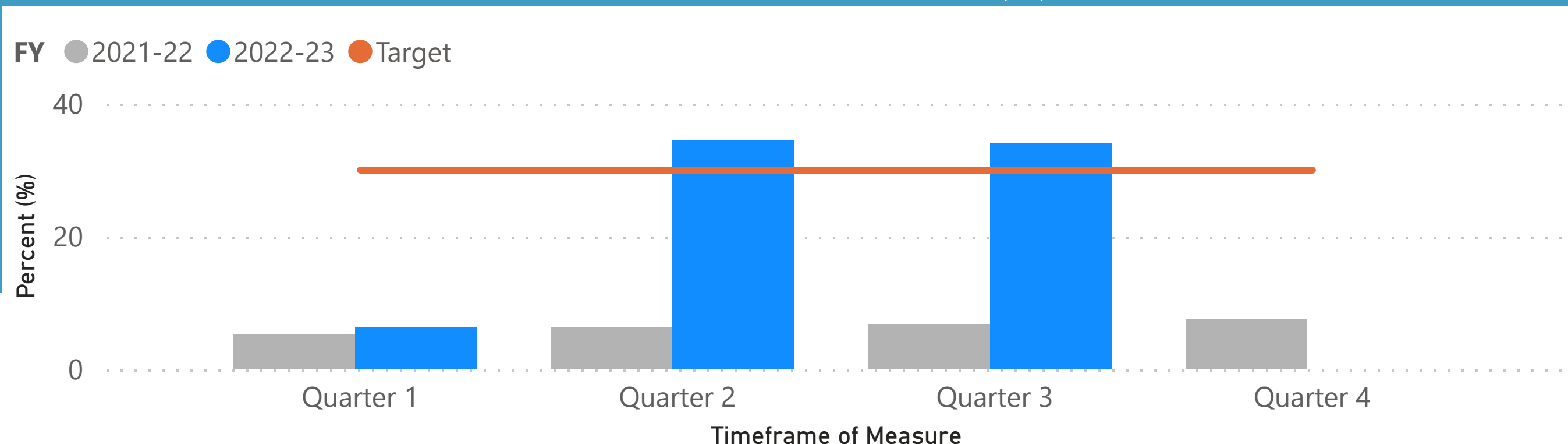


Metric is off target but has improved when compared with Quarter 3 from last year. Improvement is also seen from Quarter 2 of this year. We will continue to promote service on social media.

ID1.4b - Food:- Household collections from the kerbside (%) Current Status SMART Actions if Off Target

High
Is Good
Per Quarter (Snapshot)

Positive
Yearly Trend

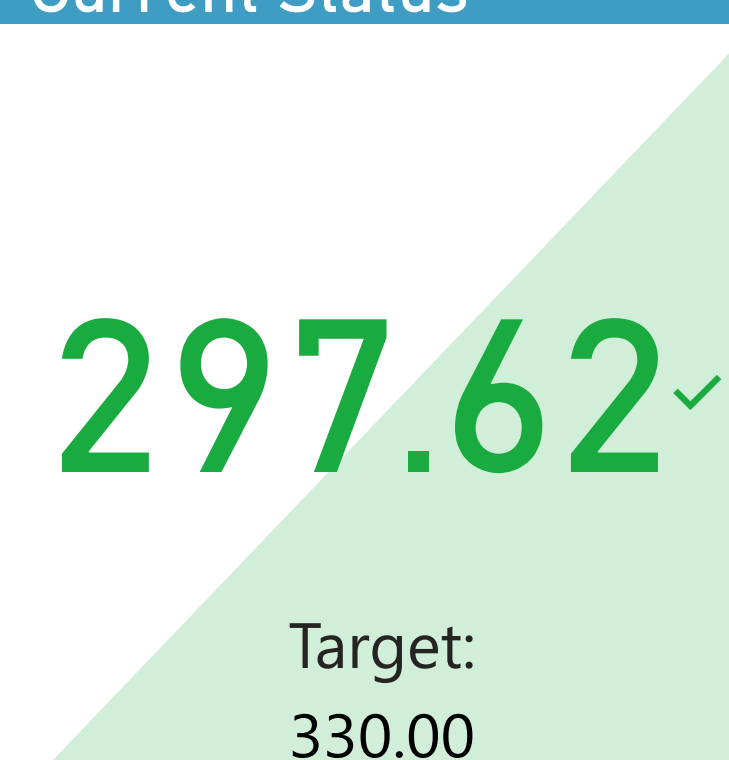
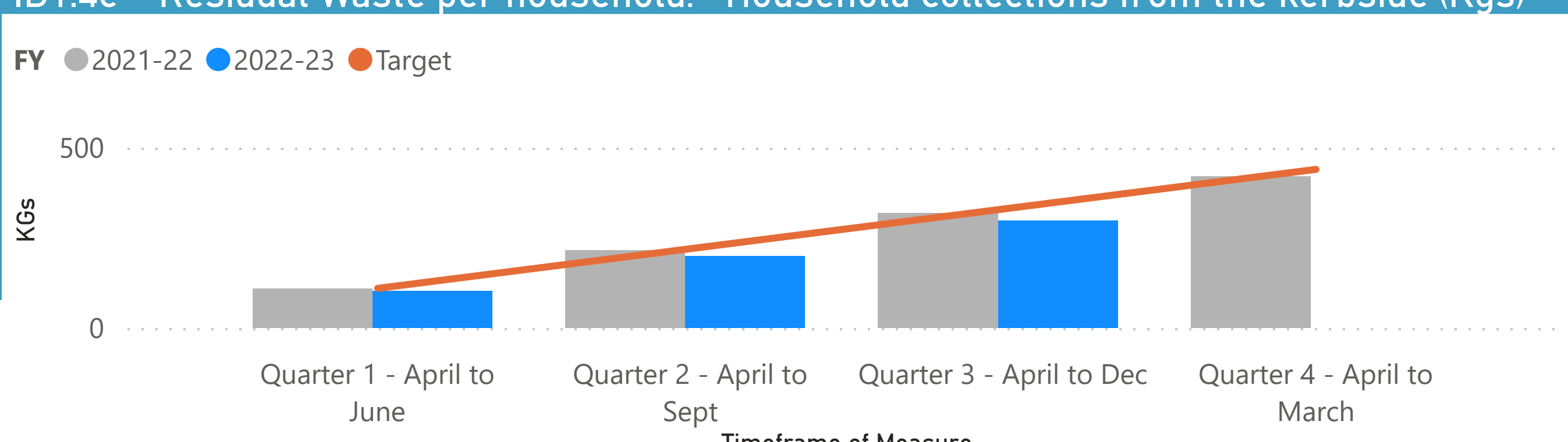


Not Required as Target Met

ID1.4c - Residual Waste per household:- Household collections from the kerbside (Kgs) Current Status SMART Actions if Off Target

Low
Is Good
Cumulative (Per Annum)

Positive
Yearly Trend

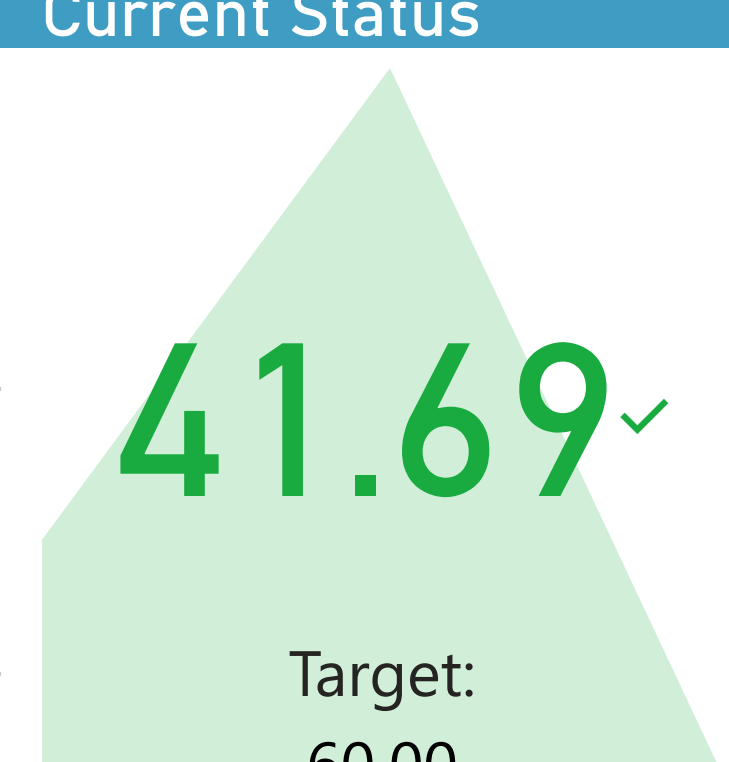
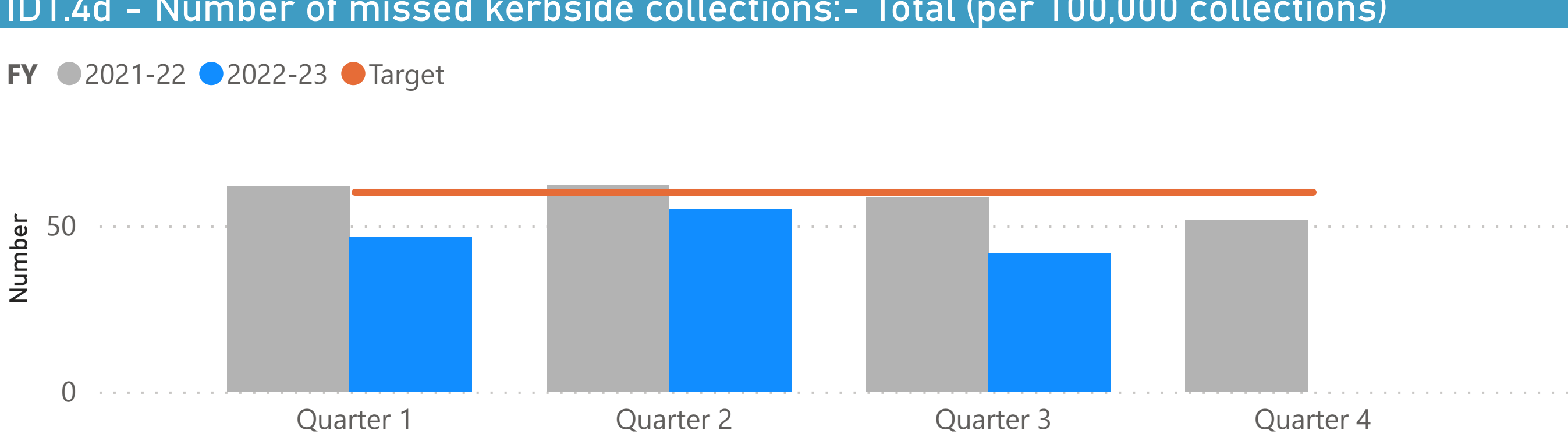


Not Required as Target Met

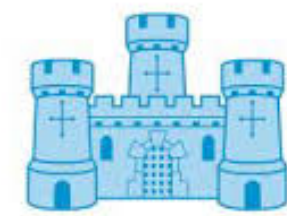
ID1.4d - Number of missed kerbside collections:- Total (per 100,000 collections) Current Status SMART Actions if Off Target

Low
Is Good
Per Quarter (Snapshot)

Positive
Yearly Trend



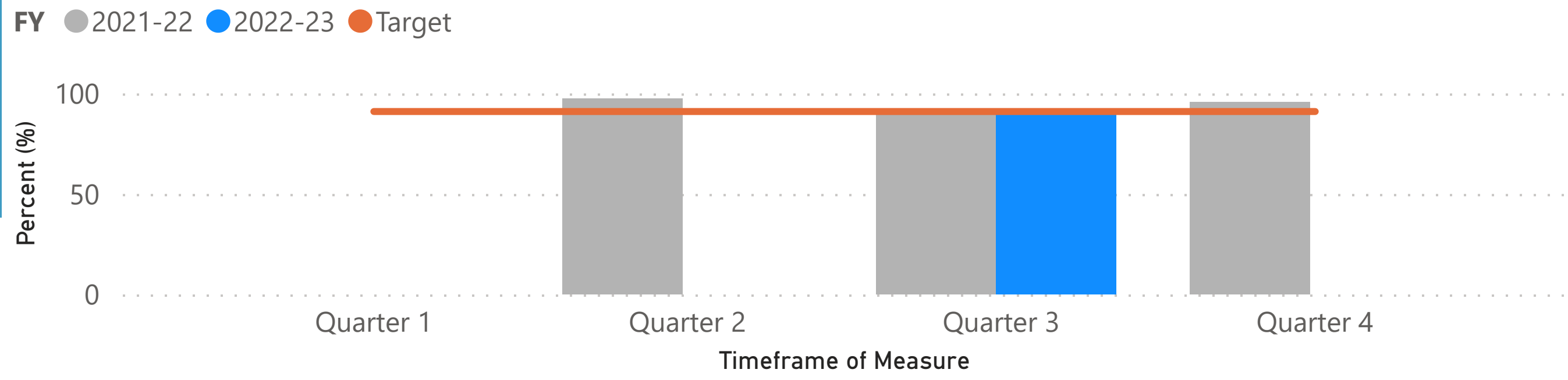
Not Required as Target Met



High
Is Good
Per
Quarter
(Snapshot)

Negative
Yearly Trend

ID1.5a - Litter: Levels of street and environment cleanliness (LEQ survey) free / predominantly free of litter



Current Status SMART Actions if Off Target

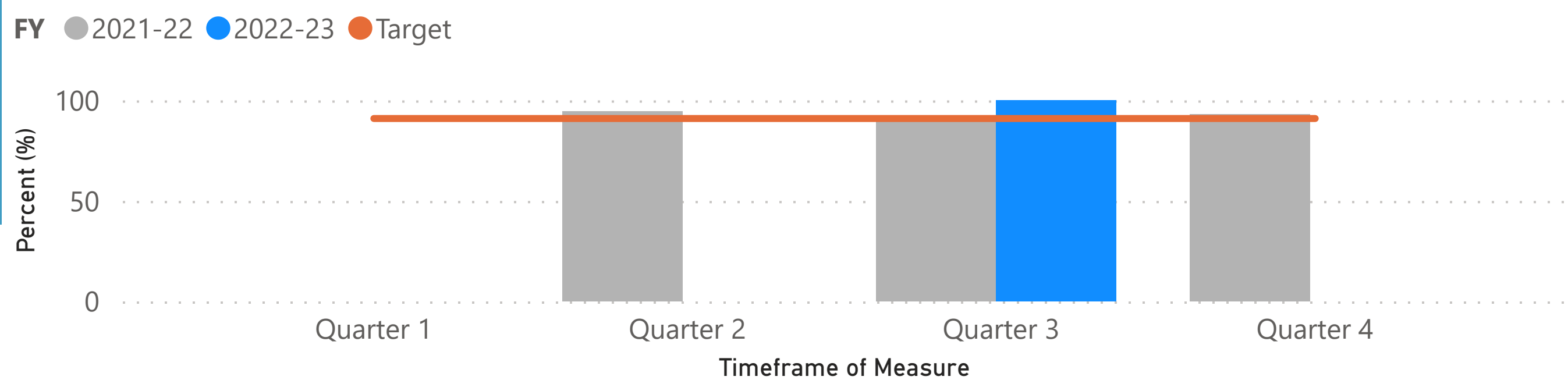
90.00!
Target: 91.00

Off Target by 1% and under last year's measure by 1.73%. This is the first survey undertaken by the Council using the LAM's system as opposed to the former Keep Britain Tidy LEQ system. LAM's is far more in-depth, and covers grounds, which LEQ's did not. Moving forward the data from LAM's will provide far better management information of litter hot spot and trends, which can then be managed far more effectively. As we are now implementing BARTEC into streetscene, inspectors using the LAM's system will be able to raise a job digitally in the LAM's system which will raise a service request in BARTEC.

High
Is Good
Per
Quarter
(Snapshot)

Positive
Yearly Trend

ID1.5b - Detritus: Levels of street and environment cleanliness (LEQ survey) free / predominantly free of detritus



Current Status SMART Actions if Off Target

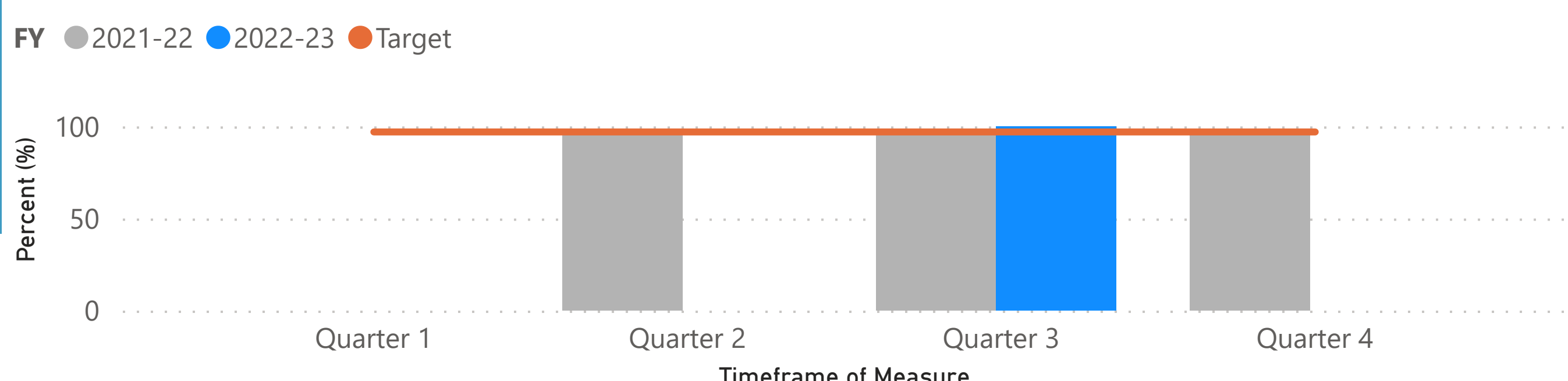
100.00✓
Target: 91.00

Data not available for Q1 or Q2 as this is the first survey undertaken by the Council using the LAM's system as opposed to the former Keep Britain Tidy LEQ system.

High
Is Good
Per
Quarter
(Snapshot)

Positive
Yearly Trend

ID1.5c - Graffiti: Levels of street and environment cleanliness (LEQ survey) free / predominantly free of graffiti



Current Status SMART Actions if Off Target

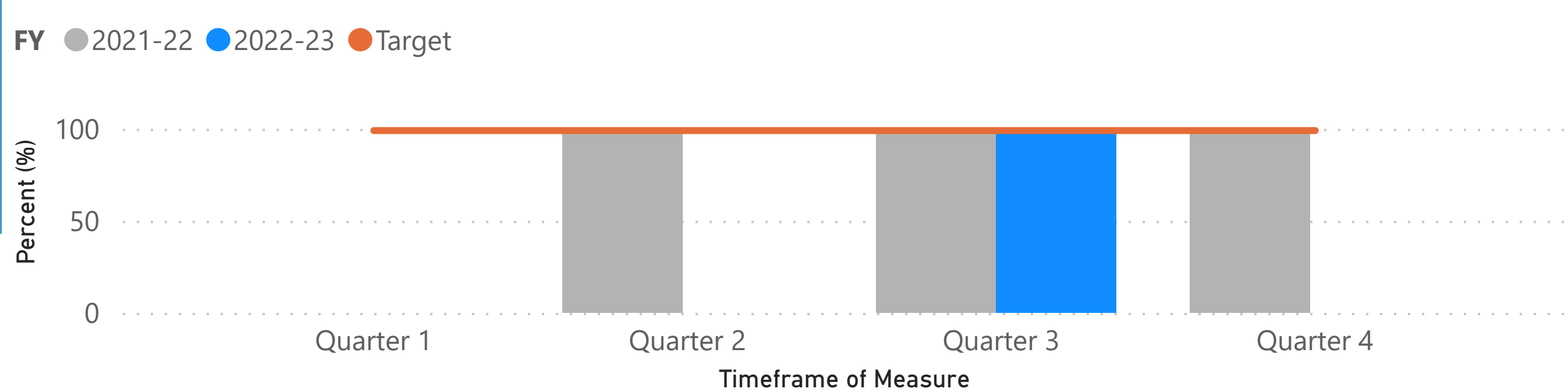
100.00✓
Target: 97.00

Data not available for Q1 or Q2 as this is the first survey undertaken by the Council using the LAM's system as opposed to the former Keep Britain Tidy LEQ system.

High
Is Good
Per
Quarter
(Snapshot)

Positive
Yearly Trend

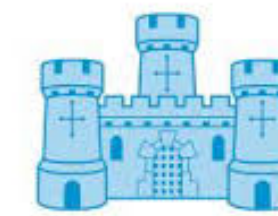
ID1.5d - Fly-Posting: Levels of street and environment cleanliness (LEQ survey) free / predominantly free of fly-posting



Current Status SMART Actions if Off Target

100.00✓
Target: 99.00

Data not available for Q1 or Q2 as this is the first survey undertaken by the Council using the LAM's system as opposed to the former Keep Britain Tidy LEQ system.

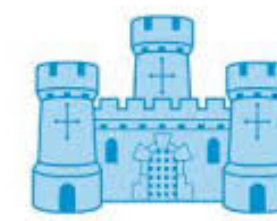


Project Status Split for Priority 1.

Project/Action is Progressing as Expected

5

Portfolio Holder	Service Area	Action	Corporate Objective	Status report	Commentary on progress
Cllr. Simon Tagg	1. Strategy, People and Performance 2. All services	Deliver a Workforce Strategy	Develop professional talent across the Council and provide opportunities for staff to grow their careers	✔ Project/Action is Progressing as Expected	A workforce strategy is in design with initial focus on growing our own and apprenticeships.
Cllr. Simon Tagg	1. Strategy, People and Performance 2. IT and Digital 3. Neighbourhoods 4. All (digital enablement)	Deliver the One Council Programme	Ensure our services are efficient and accessible	✔ Project/Action is Progressing as Expected	The One Council Programme continues on track for Q3 with financial savings projected in line with the MTFS. Improvements continue to be made regarding the processes used by the Customer Service hub which has led to an increased uptake of digital opportunities and improved customer service and call data. Services across the council are engaging with the process improvement and redesign initiatives which will directly impact on quality and efficiency of services we provide.
Cllr. Stephen Sweeney	1. Commercial Delivery 2. Finance 3. Legal & Governance	Identify and deliver opportunities to generate income from commercial development	Ensure strong financial discipline across the Council	✔ Project/Action is Progressing as Expected	1. The museum is trialling new events with varying charges to attract a wide range of audiences. 2. The Bereavement service has introduced a menu of options to suit those booking funerals and are working on new memorial options especially at Bradwell Crematorium delivery of new memorial and service enhancements at the Crematorium 3. Investigations are taking place for a solar array at Keele.
Cllr. Simon Tagg	1. Strategy, People and Performance 2. All services	Work with our communities to ensure services reflect local need	Work with our communities to ensure services reflect local need	✔ Project/Action is Progressing as Expected	The Strategy team are actively using data from our communities to ensure that services are designed with outputs and KPIs being set with the needs of the residents in mind.
Cllr. Simon Tagg	1. Strategy, People and Performance 2. neighbourhoods 3. Regulatory	Work with partners to deliver the best for our communities	Work with partners to deliver the best for our communities	✔ Project/Action is Progressing as Expected	The Newcastle Partnership is focused on delivering against community wide and common needs. We are working together to ensure our response to the increased Cost of Living is supportive and wide reaching. Council services are engaged with cross cutting themes, particularly in response to vulnerability, safety and Town Centres experience through improvements made to the Neighbourhood Delivery process and structure.



Priority 2: Performance Indicators Current Status



Corporate Aim (Priority)	Number of Indicators
Priority 2: A Successful and Sustainable Growing Borough	6

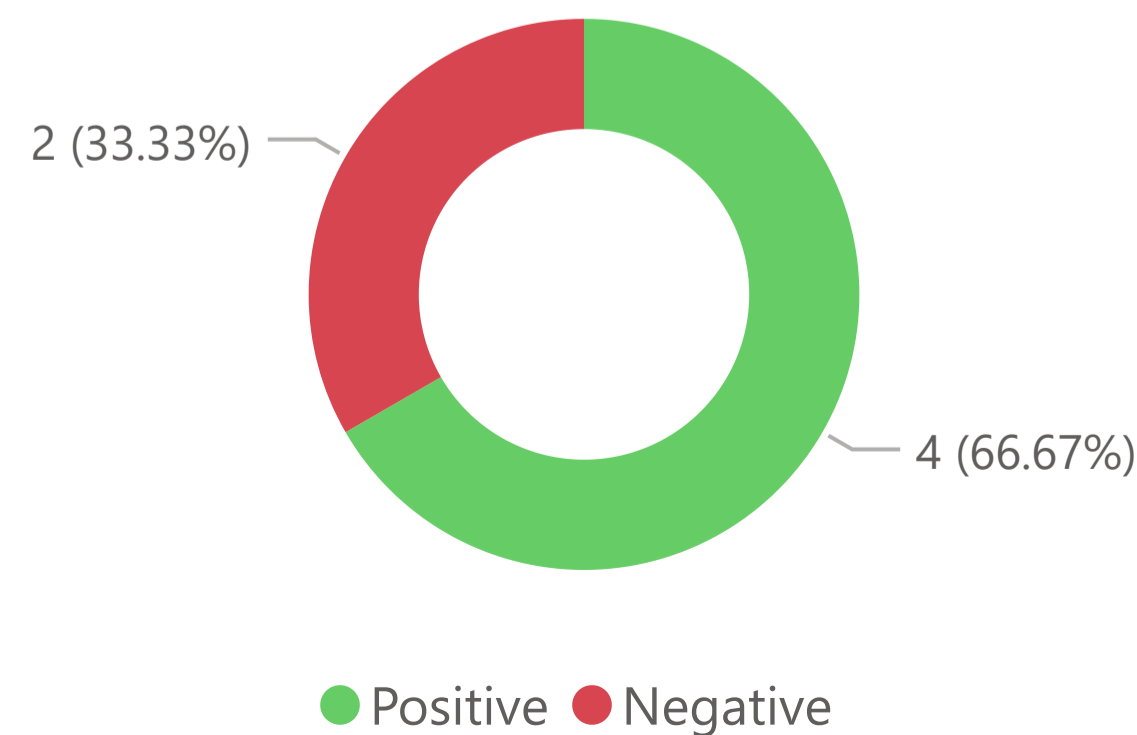
Smart Narrative

Within Priority 2 there are no contextual performance indicators.

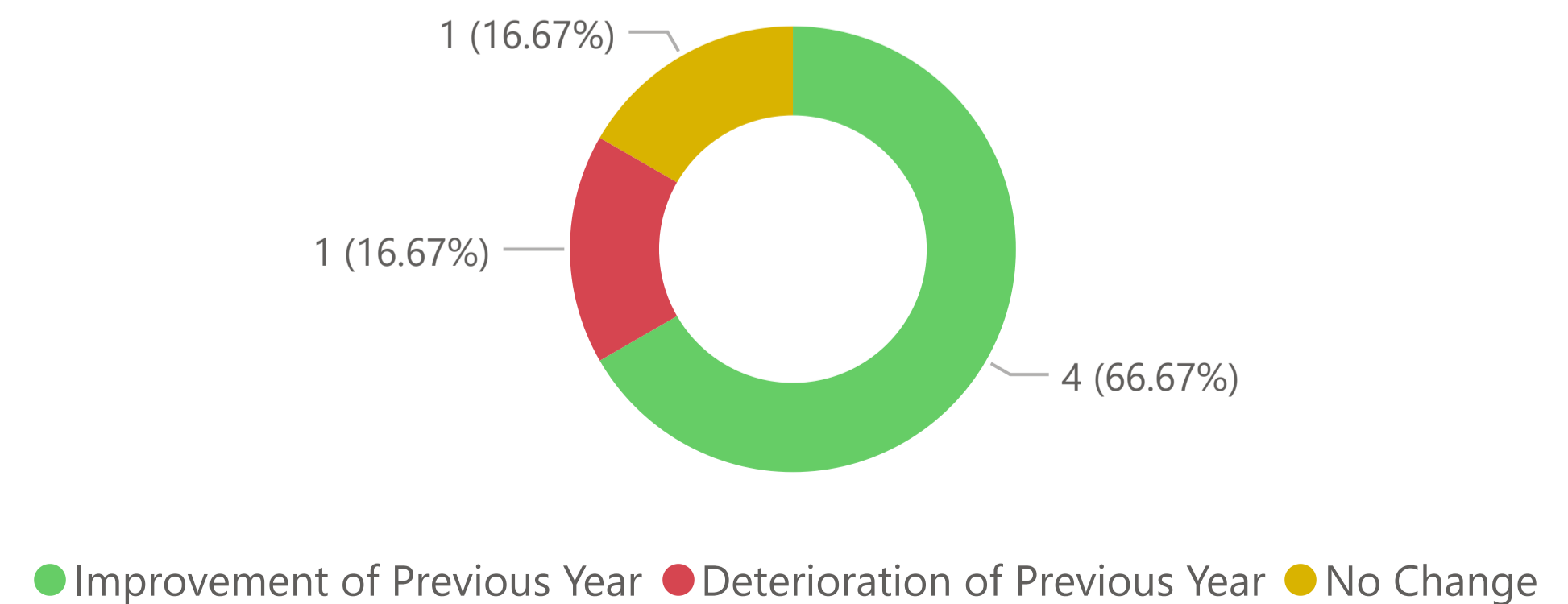
The 6 Indicators within Priority 2 with set targets, 83% met their target this quarter. 3 of those indicators which had met their target had improved from last year. 1 indicator showed a negative trend and 1 indicator showed no change when compared to the same time period last year.

Only 1 indicator was off target (ID2.6) however this metric showed a positive trend when being compared to the same time period last year. ID 2.6 shows this positive trend due to no reporting being available for 2021/22. The detail of this is shown in the following pages of the report.

Priority 2: Qtr.3 Trend Direction of PI's Compared to Previous Quarter



Priority 2: Qtr.3 Trend Status of PI's Compared On Same Qtr in the Previous Financial Year





ID2.1 - Percentage of investment portfolio vacant (NBC owned)

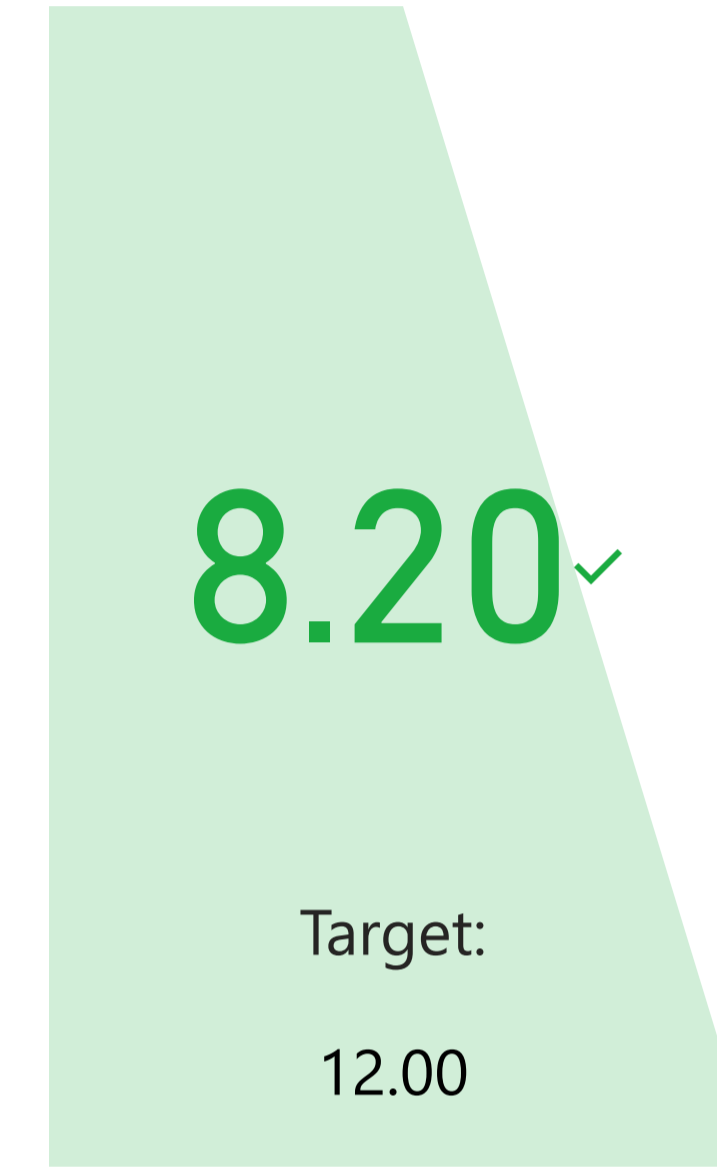
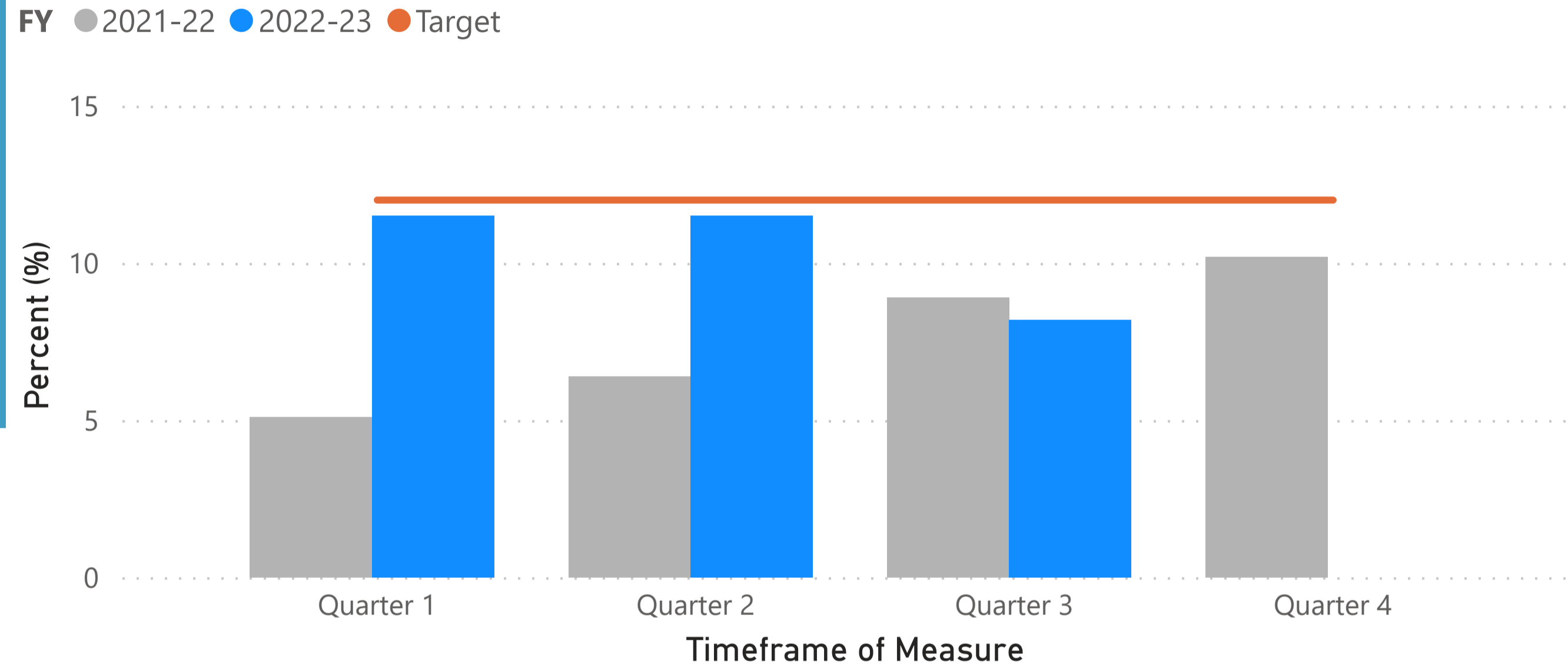
Current Status

SMART Actions if Off Target

Low
Is Good

Per
Quarter
(Snapshot)

Positive
Yearly Trend



Not Required as Target Met

ID2.6 - Percentage of complainants informed within the required timescales of any action to be taken about alleged breaches of planning control

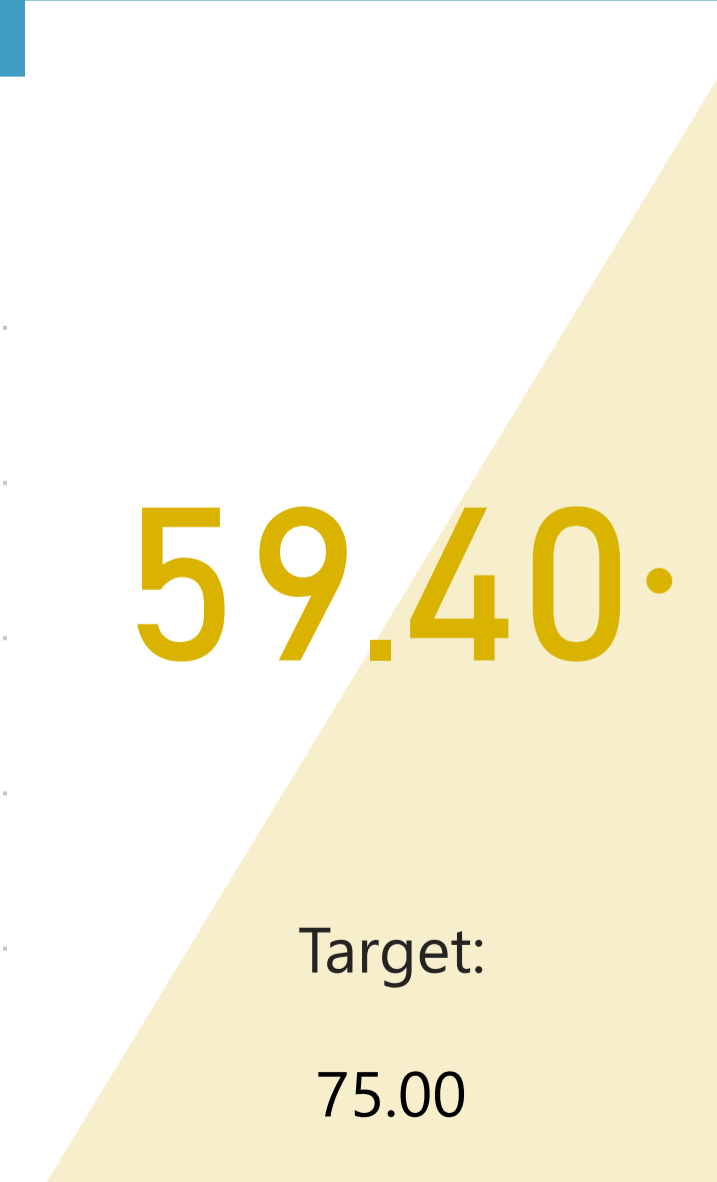
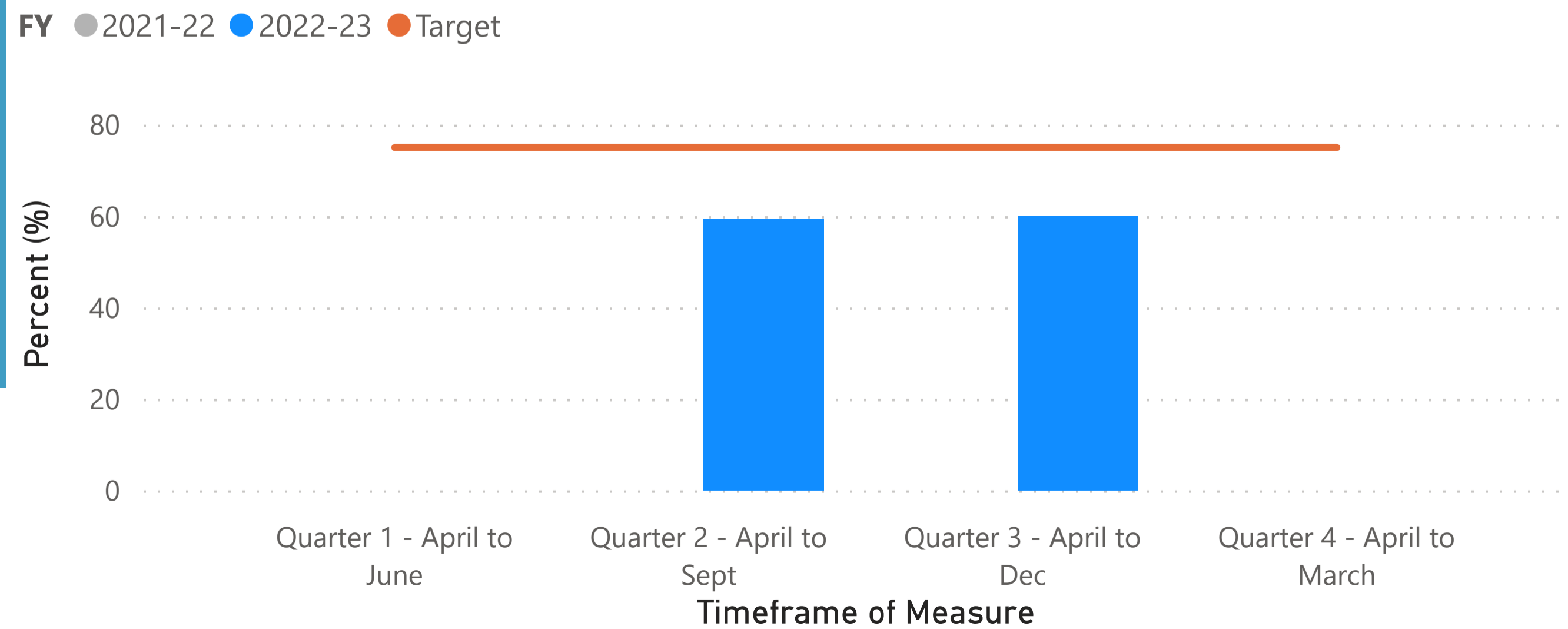
Current Status

SMART Actions if Off Target

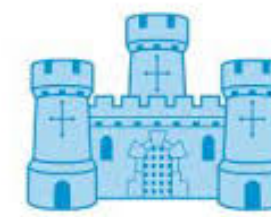
High
Is Good

Cumulative
(Per
Annum)

Positive
Yearly Trend



New metric for 2022/23 so no comparison from previous years available - The number of complaints received remain high. A review is currently being undertaken of the enforcement policy and procedures including the resource levels required. The service is also currently under review as part of the 'One Council' approach.

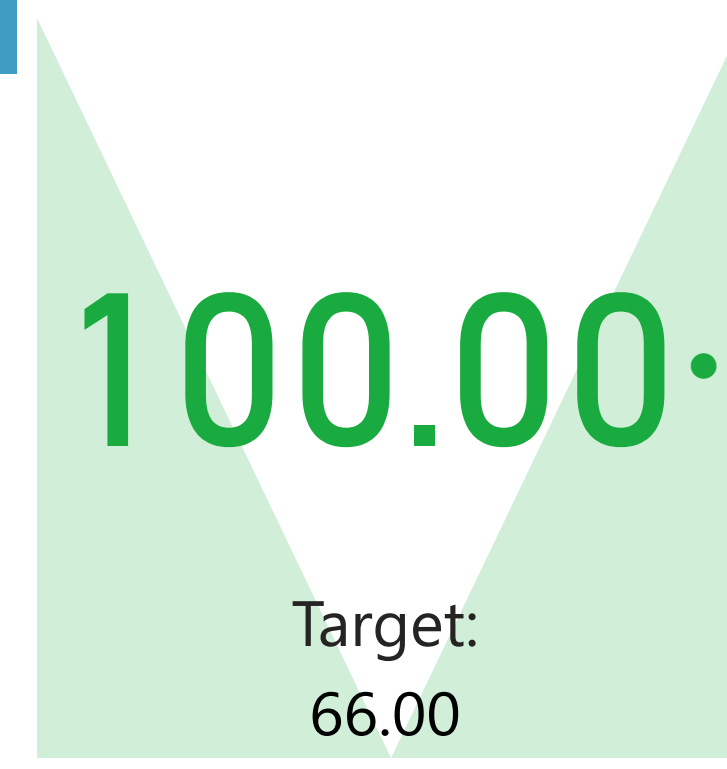
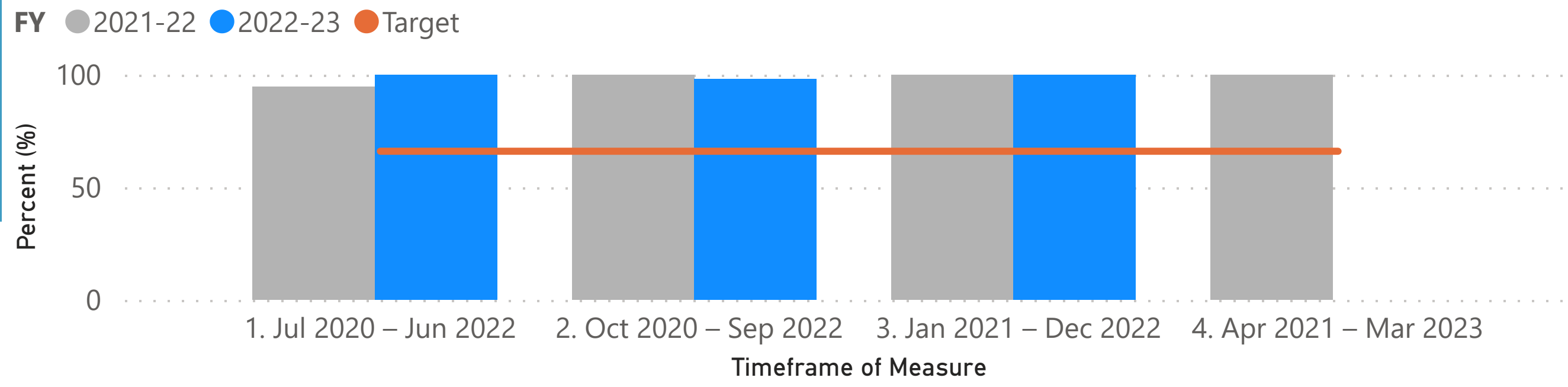


High
Is Good
Planning

ID2.2 - Speed of major development applications (P151a - 24 Month Rolling Period up to End of Each Quarter)

Current Status SMART Actions if Off Target

No Change
Yearly Trend



SMART Actions if Off Target

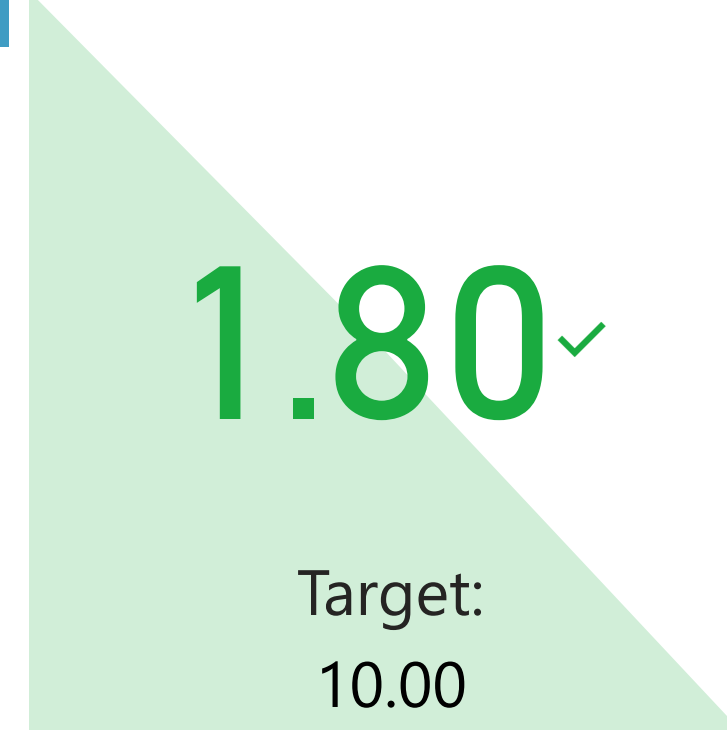
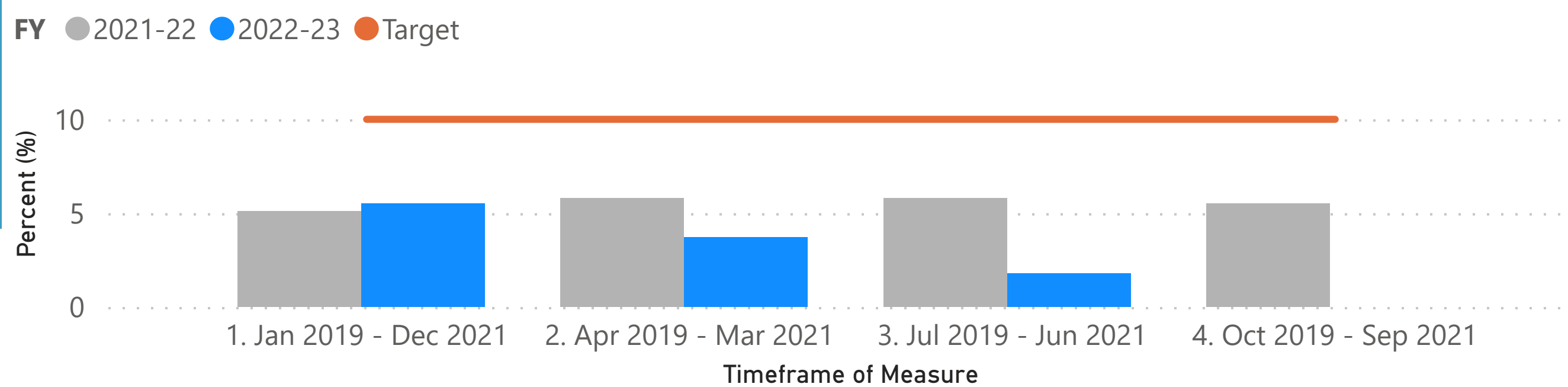
Measure shown is the % within 13 weeks or within agreed time - Central Gov metric which measures a rolling time period of 24 months - Newest metric shows the following time period Jan 2021 – Dec 2022

Low
Is Good
Planning

ID2.3 - Quality of major development applications (P152a - 24 Month Rolling Period - See SMART Actions)

Current Status SMART Actions if Off Target

Positive
Yearly Trend



SMART Actions if Off Target

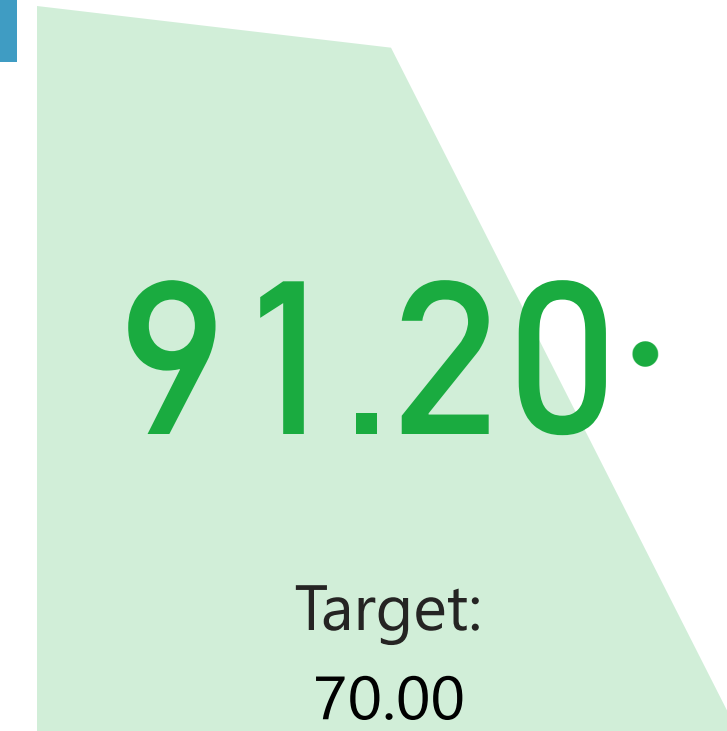
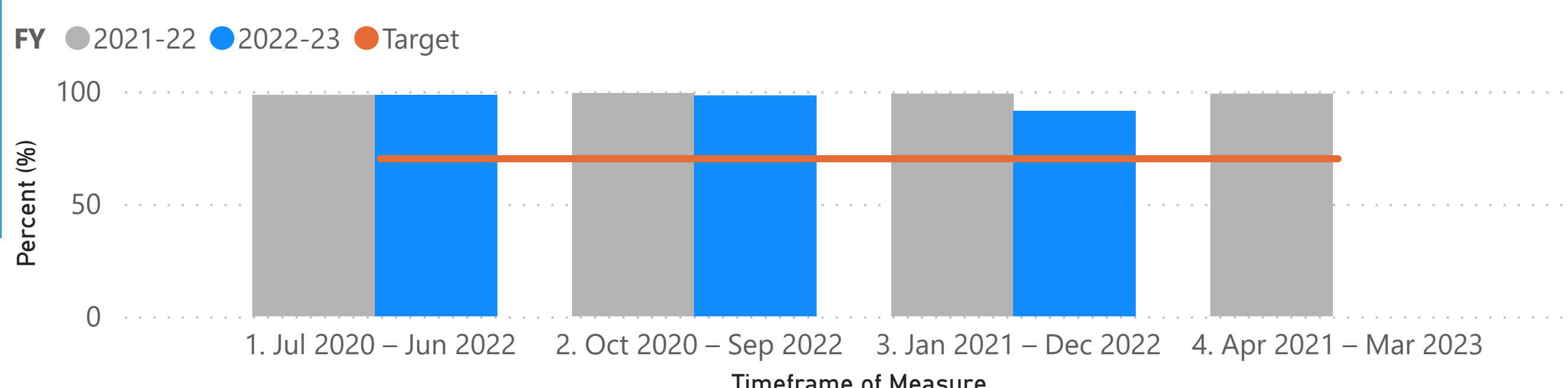
Measure shown is the Quality of decisions (% overturned at appeal) - Central Gov metric which measures a rolling time period of 24 months - They have currently advised they are behind schedule. Newest metric shows the following time period July 2019 – June 2021

High
Is Good
Planning

ID2.4 - Speed of non-major development applications (P153 - 24 Month Rolling Period up to End of Each Quarter)

Current Status SMART Actions if Off Target

Negative
Yearly Trend



SMART Actions if Off Target

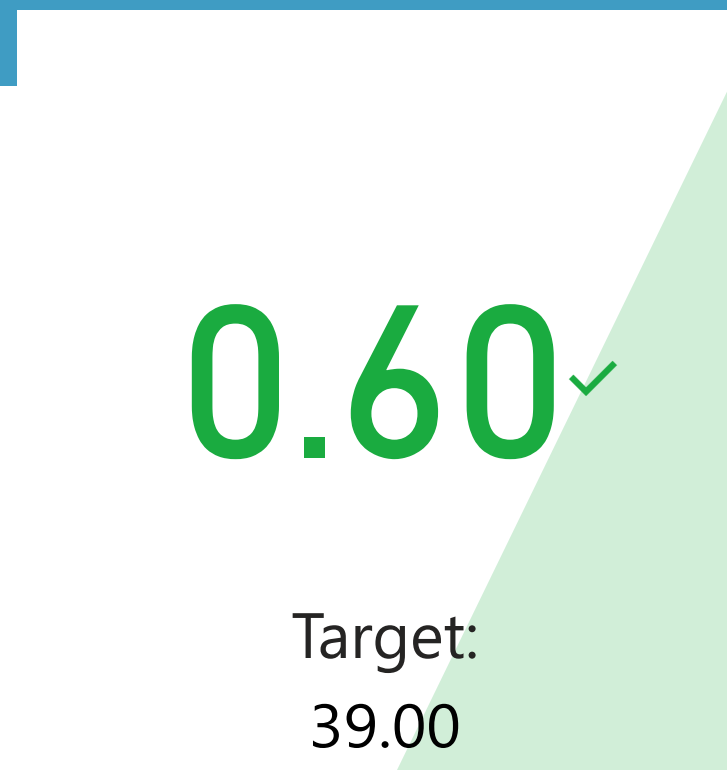
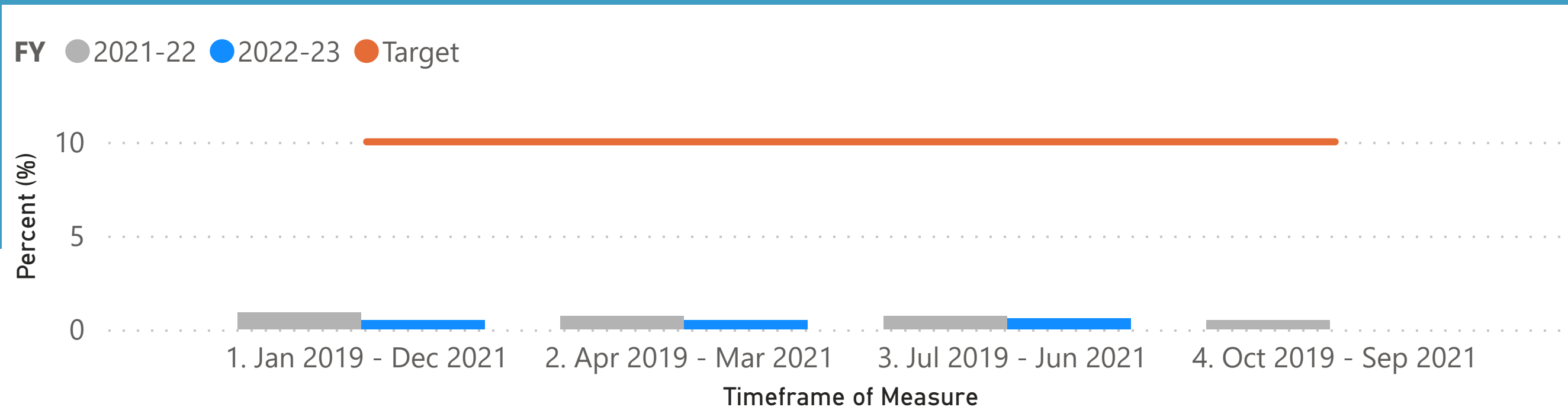
Measure shown is the % within 8 weeks or within agreed time - Central Gov metric which measures a rolling time period of 24 months - Newest metric shows the following time period Jan 2021 – Dec 2022

Low
Is Good
Planning

ID2.5 - Quality of non-major development applications (P154 - 24 Month Rolling Period - See SMART Actions)

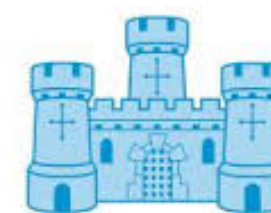
Current Status SMART Actions if Off Target

Positive
Yearly Trend



SMART Actions if Off Target

Measure shown is the Quality of decisions (% overturned at appeal) - Central Gov metric which measures a rolling time period of 24 months - They have currently advised they are behind schedule. Newest metric shows the following time period July 2019 – June 2021

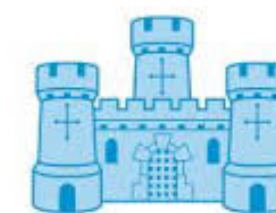


Project Status Split for Priority 2.

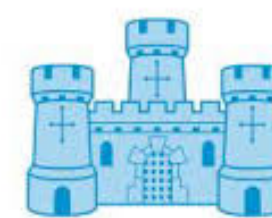
Project/Action is Progressing as Expected

9

Portfolio Holder	Service Area	Action	Corporate Objective	Status report	Commentary on progress
Cllr. Trevor Johnson	1. Neighbourhoods	Protect our parks and green spaces for future generations	Ensuring that the Council's operations are carbon neutral by 2030	✔ Project/Action is Progressing as Expected	The Open Space Strategy has been refreshed and updated and local standards are in place for the provision of parks and green spaces. Carbon capture sites have been identified as part of the ongoing Urban Tree Planting Strategy and the latest phase of tree planting is in progress, with completion due by 31st March 2023. The next phase is programmed for winter 2023/24
Cllr. Gill Heesom	1. Regulatory 2. Legal & Governance	Ensure that there are good homes for everyone and that every citizen has a safe and secure place to live	Ensure that there are good homes for everyone and that every citizen has a safe and secure place to live	✔ Project/Action is Progressing as Expected	Secured £500k from Department for Business Energy and Industrial Strategy to passport to Aspire to retrofit 38 properties with energy efficiency measures. Through joint working with Aspire mobilised 6 housing led supported units for rough sleepers with complex needs. Removed 41 category 1 hazards to health and 28 category 2 hazards to health from privately rented properties. 21 empty properties brought back into use as homes. 84 Disabled Facility Grants completed. Energy Efficiency ECO4 scheme launched to facilitate home improvements.
Cllr. Trevor Johnson	1. Sustainable Environment 2. All	Deliver the Sustainable Environment Strategy	Ensuring that the Council's operations are carbon neutral by 2030	✔ Project/Action is Progressing as Expected	Good progress is being made against the councils SES. Sustainability training to all staff and members is over 70% complete, and is on target for being fully completed by the end of March 2023. Procurement is complete and a contract is now ready to sign for a consultant to help write and fully cost our 'RoadMap' to net zero by 2030 for the Council's own estate and operations. The Council's HGV fleet is now being powered by Hydrotreated Vegetable Oil (HVO) which will reduce Co emissions by over 90%.
Cllr. Trevor Johnson	1. Regulatory 2. Neighbourhoods	Secure a successful resolution to the Walley's Quarry odour problem.	Protecting our communities by improving how we use our enforcement powers.	✔ Project/Action is Progressing as Expected	Following an intensive mediation process, guided by a former Supreme Court Judge, the Council and Walley's Quarry Ltd (WQL) have settled this dispute, with the court ratifying that agreement rather than hearing the entire case. This settlement is hugely significant for the community. It means that an Abatement Notice is now in place requiring WQL to abate the odour nuisance off site, and to prevent a re-occurrence of a Statutory Nuisance. This reflects the extent of the Council's powers, and provides a route to further action in the future should there be a reoccurrence of any significant odour problems. A range of agreed additional outcomes – including access to information about activities on the site – provide significant added value for the community compared to the likely outcome of a successful court process which would have been limited to putting the Abatement Notice in place and addressing costs. The Council will continue to actively monitor the prevalence of odours off site and in the event that there are further instances of Statutory Nuisance identified by the Council, the Council's Enforcement Policy will guide the process to be followed which could, ultimately, result in the Council seeking permission from the Secretary of State for the Environment to prosecute. This permission is required as the Environment Agency is primarily responsible for regulating this site.



Portfolio Holder	Service Area	Action	Corporate Objective	Status report	Commentary on progress
Cllr. Andrew Fear	1. Planning 2. Legal & Governance	Delivering the Newcastle Local Plan	Support the sustainable development of our towns and villages	✔ Project/Action is Progressing as Expected	A detailed NUL project plan has been produced following advice from PAS (Planning Advisory Service) and is currently being updated in line with data/commissioned evidence timelines in preparation for a Spring Reg 18 Public Consultation in line with the Adopted Local Development Scheme. Team resource considerations have been highlighted.
Cllr. Stephen Sweeney	Commercial Delivery	Delivering the £16m Kidsgrove Town Deal, including: Facilitating the Chatterley Valley Enterprise Zone development to deliver 1700 quality jobs for local people; Enhancing Kidsgrove Railway Station and access to the local canal network; Developing a Shared Service Hub with key partners.	A strong and sustainable economy where everyone benefits	✔ Project/Action is Progressing as Expected	All projects approved for delivery by DLUHC. Kidsgrove Sports Centre project is complete. Construction of the access road at Chatterley Valley is underway. Kidsgrove Railway station and Canal Improvement projects are at the design stage. Grant Funding Agreements are in the process of being developed and signed with East Midlands Railway, Canal & River Trust and Network Rail respectively. The Shared Service hub project is under development with the project sub group.
Cllr. Stephen Sweeney	Commercial Delivery	Delivering the £23m Newcastle Town Deal, including: Development of key gateway sites including the 'Zanzibar' and Midway; Connecting residents and businesses to skills training for the digital world; Improving bus, cycling and walking infrastructure; Delivering a circus-themed performing arts Centre; Building more than 400 homes in Knutton and Chesterton.	A strong and sustainable economy where everyone benefits	✔ Project/Action is Progressing as Expected	Eight of the Nine Newcastle Town Deal projects have been approved by DLUHC with one remaining project to be submitted in Q1 2023. Application for planning permission on a number of the projects are expected in Q1 2023. Further community consultation has been held in Knutton on aspects of the Knutton Village Masterplan. Grant Funding Agreements are being negotiated with a number of delivery partners to enable project progress in 2023.
Cllr. Stephen Sweeney	1. Commercial Delivery 2. Neighbourhoods	Delivering the £4.8m Uk Shared Prosperity Fund programme, including: Improving the town centre; Supporting culture and heritage; Skills development for local people; Supporting the most vulnerable people.	A strong and sustainable economy where everyone benefits	✔ Project/Action is Progressing as Expected	Shared Prosperity Fund Investment Plan approved by the SPF Board in December 2023. Contracting and delivery routes are being finalised and progressed.
Cllr. Stephen Sweeney	1. Commercial Delivery 2. Strategy, People and Performance 3. Finance	Continue to bid for government funding to support the borough's ambitions, including the further development of Keele Science and Innovation Park and the University Growth Corridor.	A strong and sustainable economy where everyone benefits	✔ Project/Action is Progressing as Expected	Successful bids for Future High Street Fund, two Town Deals and approval of the Shared Prosperity Fund Investment Plan. Awaiting the outcome of a Levelling Up Fund 2 bid, which is due to be announced in January 2023.
Cllr. Trevor Johnson	1. Sustainable Environment 2. All	Play an active role in the Staffordshire Sustainability Board	Secure a carbon neutral Borough by 2050	✔ Project/Action is Progressing as Expected	The Council is playing a key role in the Staffordshire Sustainability Board, supporting a number of working groups set up to help deliver the 10 base pledges agreed by the board, and approved by the Councils Cabinet. Cabinet have also approved support for the County Councils Electric Vehicle Strategy (EV) and joint Communications Strategy at the January Cabinet meeting. The Council is also working jointly with the County Council to procure food waste treatment services across the County, using Newcastle's food waste as base tonnage, which supports one of the key actions of the 10 base pledges.



Priority 3: Performance Indicators Current Status



Corporate Aim (Priority)	Number of Indicators
Priority 3: Healthy, Active and Safe Communities	14

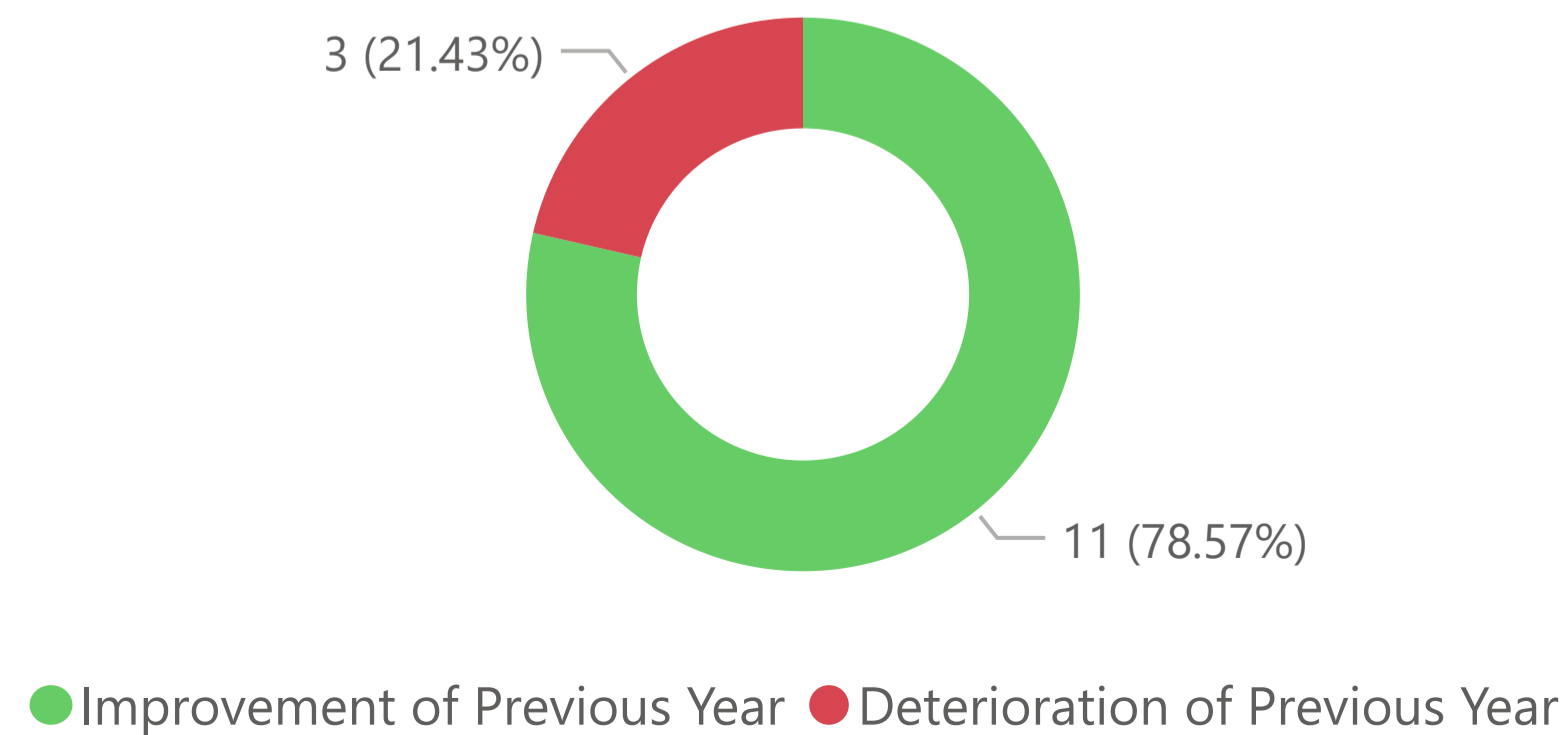
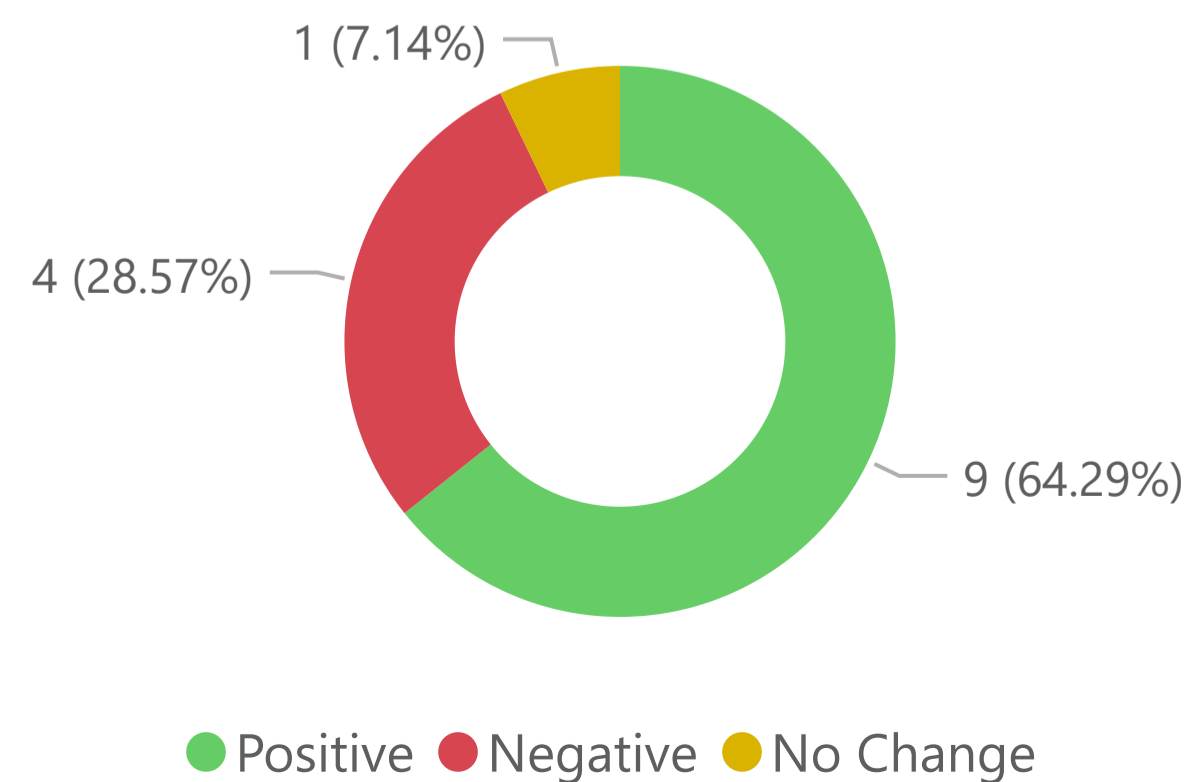
Smart Narrative

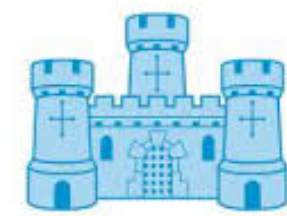
Within Priority 3 there are 11 contextual performance indicators which do not have set targets but are compared to last years outturn. Of these indicators 8 showed an improvement when compared to the same quarter last year. The remaining 3 indicators showed a negative trend.

Of the 3 indicators with set targets, 100% of these met their target this quarter. All of the indicators which met their targets also showed an improvement when being compared to last years measure for the same time period.

Priority 3: Qtr.3 Trend Direction of PI's Compared to Previous Quarter

Priority 3: Qtr.3 Trend Status of PI's Compared On Same Qtr in the Previous Financial Year



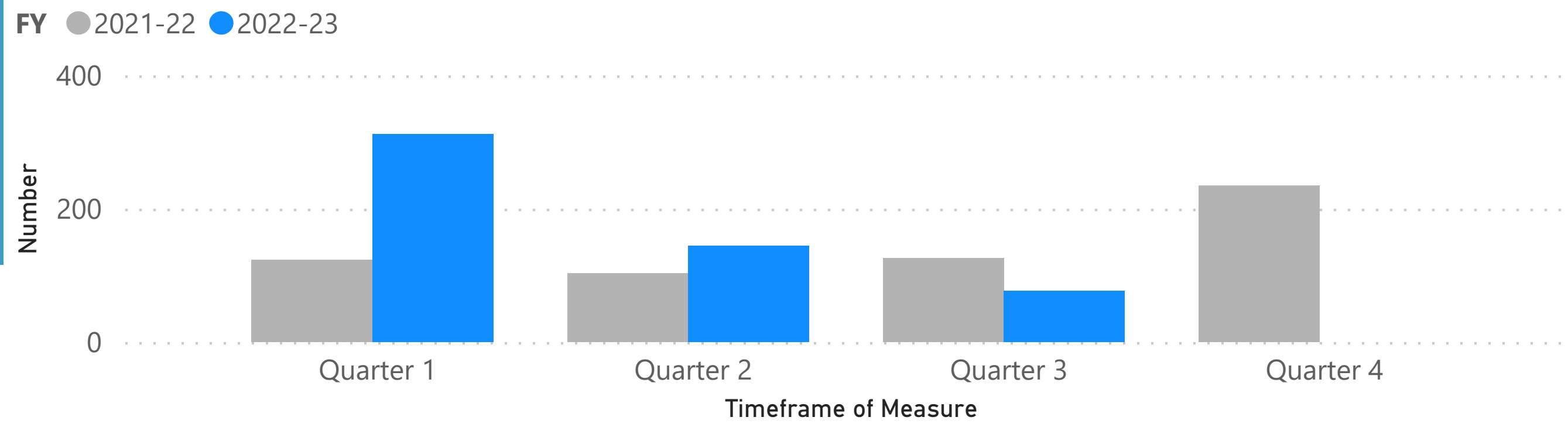


ID3.1a - Anti-Social Behaviour (ASB) cases - New cases received during the quarter

Current Status

SMART Actions if Off Target

Low
Is Good
Per Quarter (Snapshot)
Positive
Yearly Trend



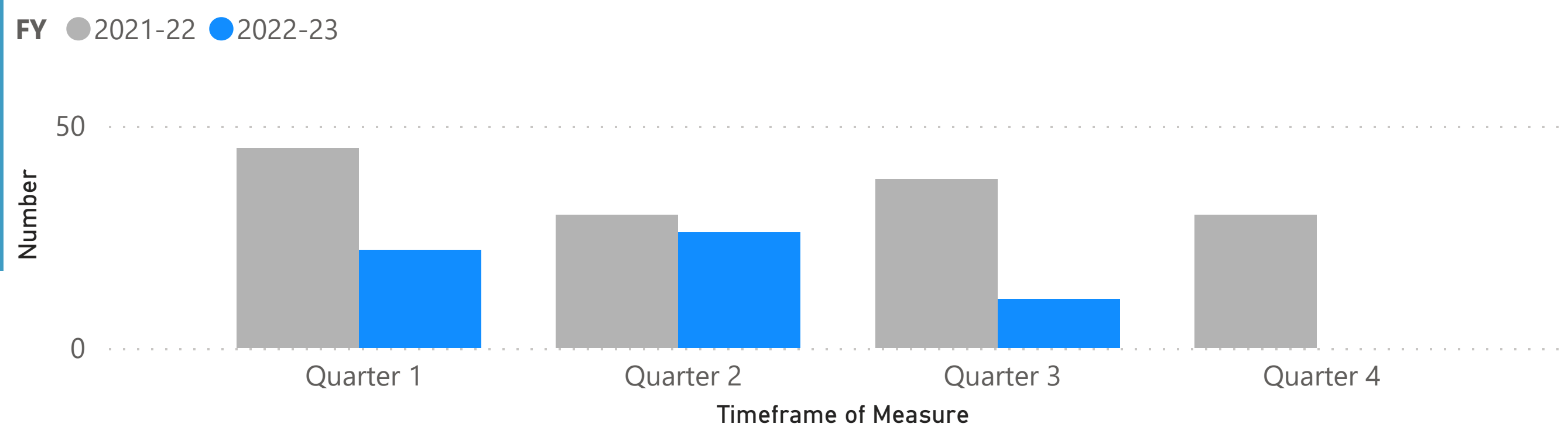
Continue partnership working to reduce ASB new cases.

ID3.1b - (ASB) cases - Current open cases at the end of the quarter

Current Status

SMART Actions if Off Target

Low
Is Good
Per Quarter (Snapshot)
Positive
Yearly Trend



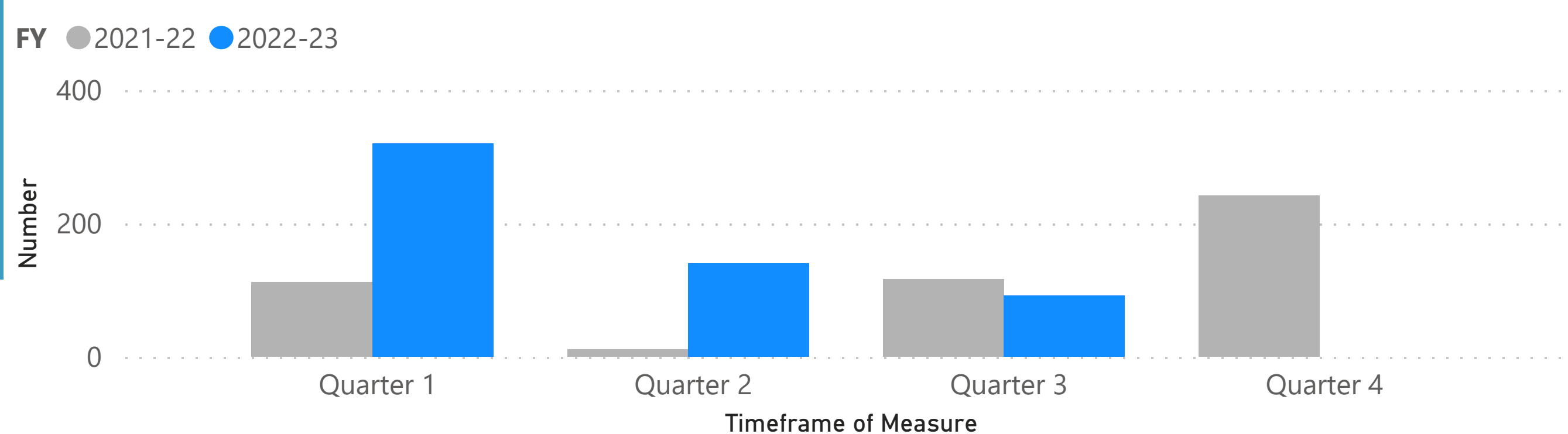
Continue partnership working to reduce ASB and ensure any complaints are dealt with efficiently and effectively in a timely manner

ID3.1c - (ASB) cases - Cases closed in the quarter

Current Status

SMART Actions if Off Target

High
Is Good
Per Quarter (Snapshot)
Negative
Yearly Trend



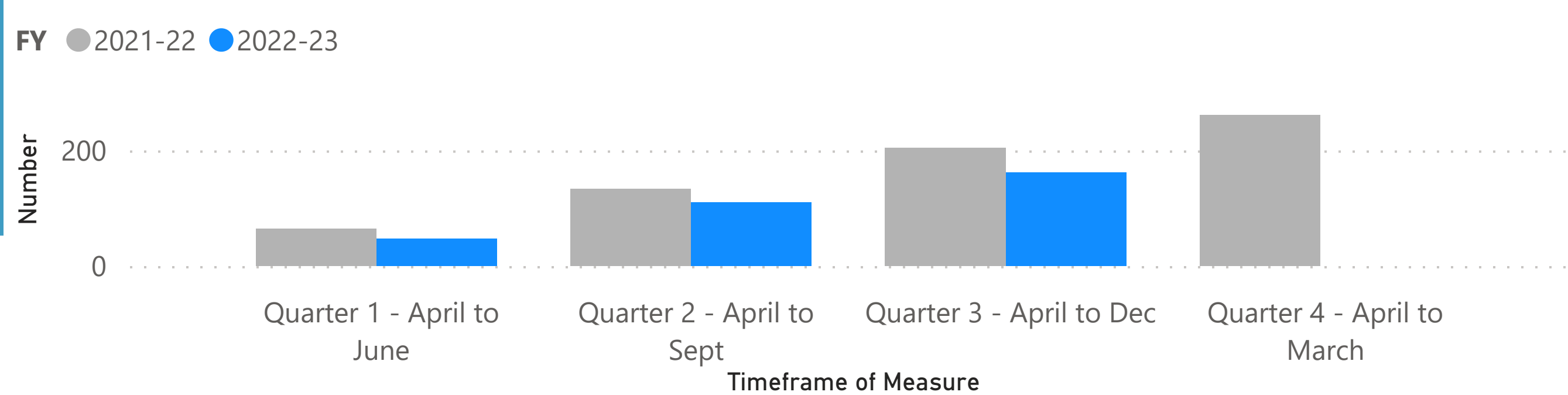
Continue partnership working to reduce ASB and ensure any complaints are dealt with efficiently and effectively in a timely manner. The total closed cases is relative to the drop in new and remaining open cases of ASB in the borough suggesting an overall decline in ASB Cases.

ID3.2 - Number of referrals made regarding vulnerability by participating organisations at the Daily Hub

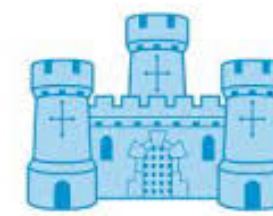
Current Status

SMART Actions if Off Target

Low
Is Good
Cumulative (Per Annum)
Positive
Yearly Trend



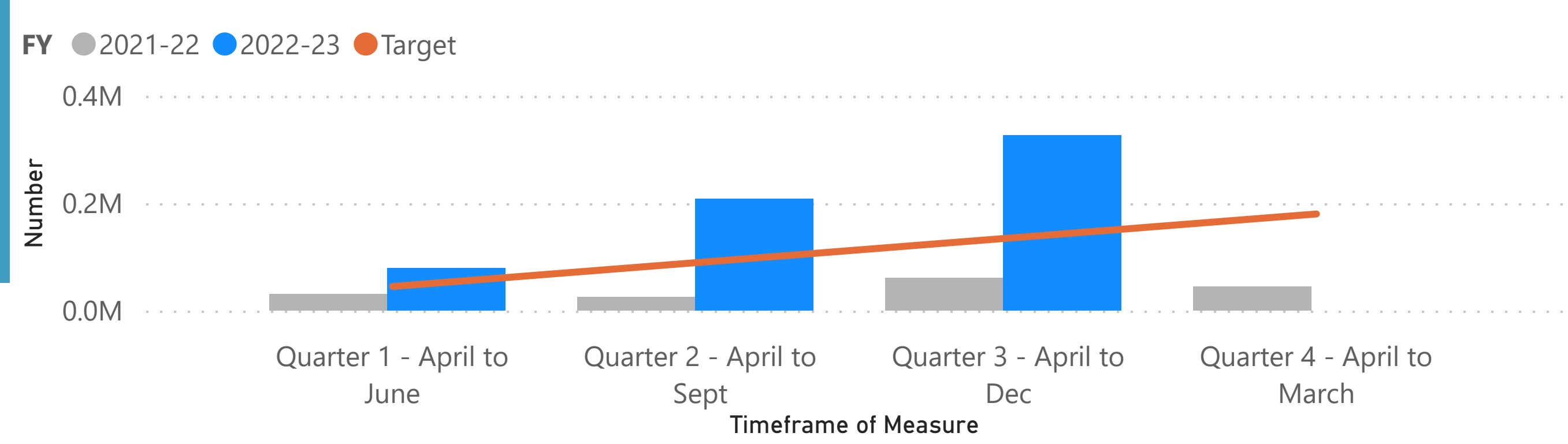
We continue to see a number of referrals in relation to hoarding and self-neglect. We have also seen an increase in referrals where debt is having a big impact on people's mental health. We anticipate an increase post-Christmas.



ID3.3 - Number of People Accessing the Museum's collections online and in person Current Status SMART Actions if Off Target

High
Is Good
Cumulative (Per Annum)

Positive
Yearly Trend



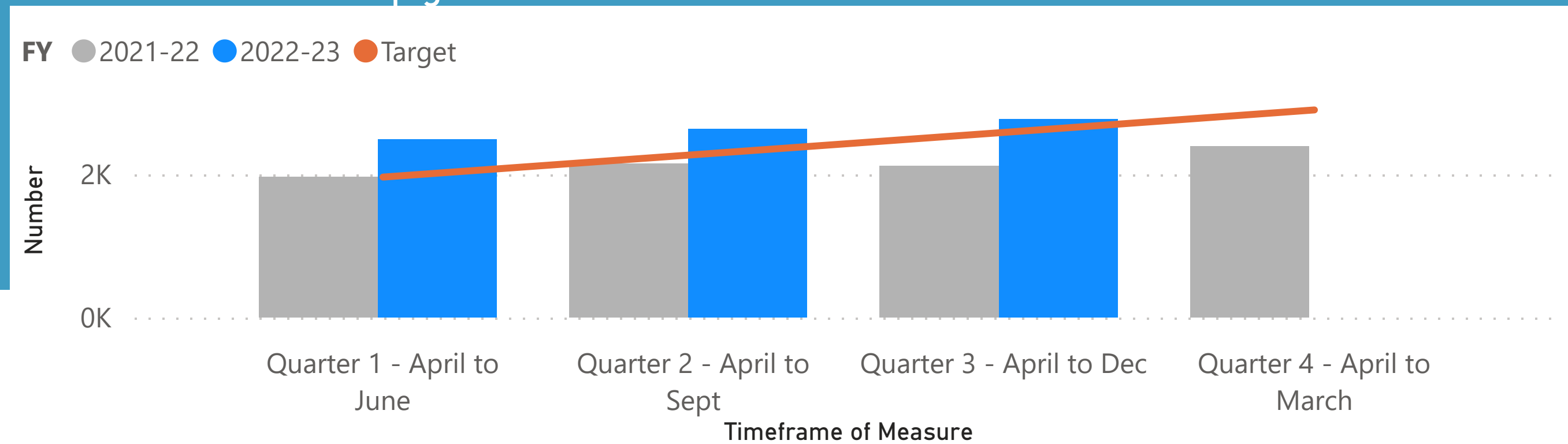
326.01K ✓
Target: 135.00K

Not Required as Target Met

ID3.4 - J2 Membership growth Current Status SMART Actions if Off Target

High
Is Good
Cumulative (Per Annum)

Positive
Yearly Trend



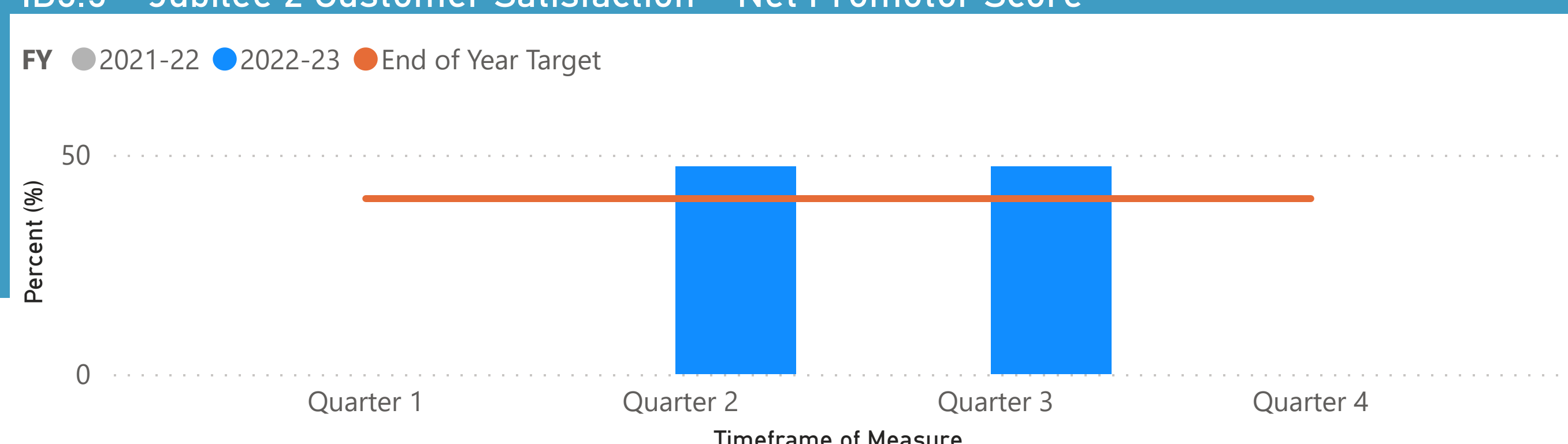
2.77K ✓
Target: 2.59K

Not Required as Target Met

ID3.5 - Jubilee 2 Customer Satisfaction – Net Promotor Score Current Status SMART Actions if Off Target

High
Is Good
Per Quarter (Snapshot)

Positive
Yearly Trend



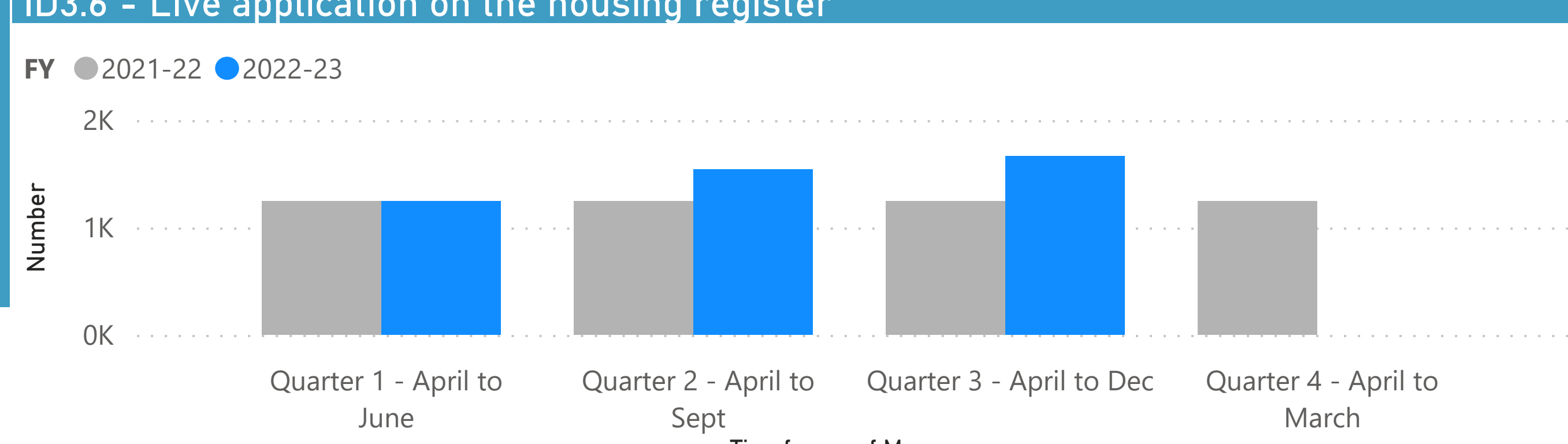
47.30 ✓
End of Year Target: 40.00

We continue to see a number of referrals in relation to hoarding and self-neglect. We have also seen an increase in referrals where debt is having a big impact on people's mental health. We anticipate an increase post-Christmas.

ID3.6 - Live application on the housing register Current Status SMART Actions if Off Target

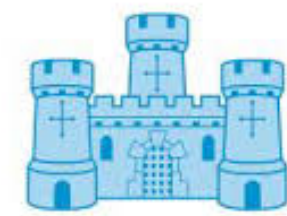
Low
Is Good
Cumulative (Per Annum)

Negative
Yearly Trend



1.67K

The council reviewed the housing allocations policy and launched a new database with Aspire housing in April 2021. The base line number was taken for those registered at the end of March 2021. The numbers on the register are normally lower following a full review of the housing register. The increase in demand for social housing is due to the shortage of available properties to rent in the borough.



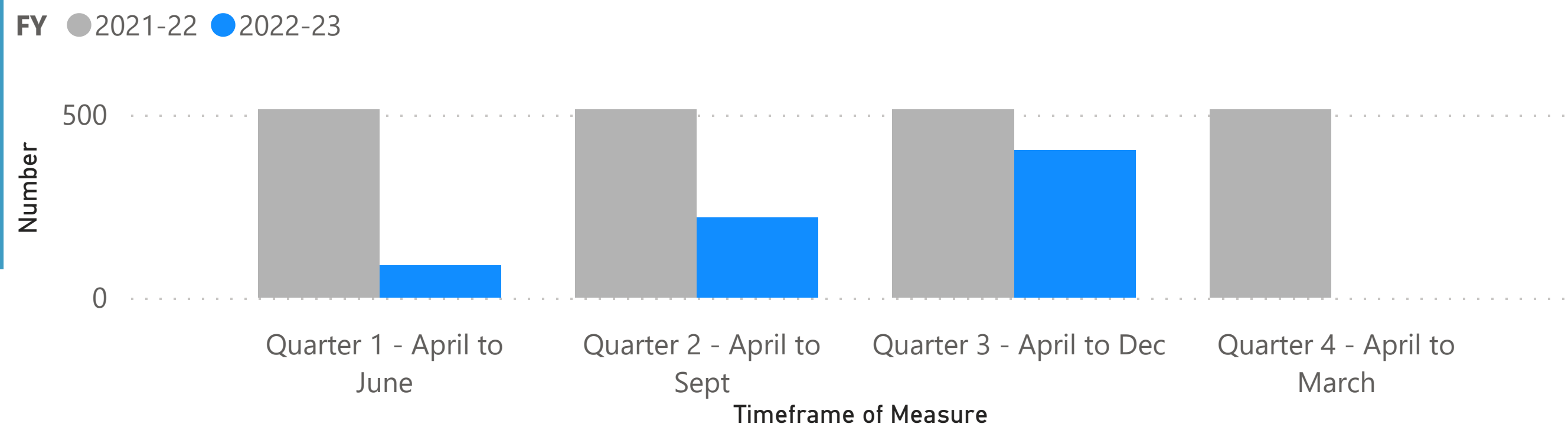
ID3.7 - Number of lets to registered providers from the housing waiting list

Current Status

SMART Actions if Off Target

High
Is Good
Cumulative
(Per
Annum)

Negative
Yearly Trend



402.00

This is the cumulative number of properties let as recorded on Locata for all partners. Increase of 183 since last quarter which is still under last year's outturn but trend suggests that this year's outturn will be greater than last.

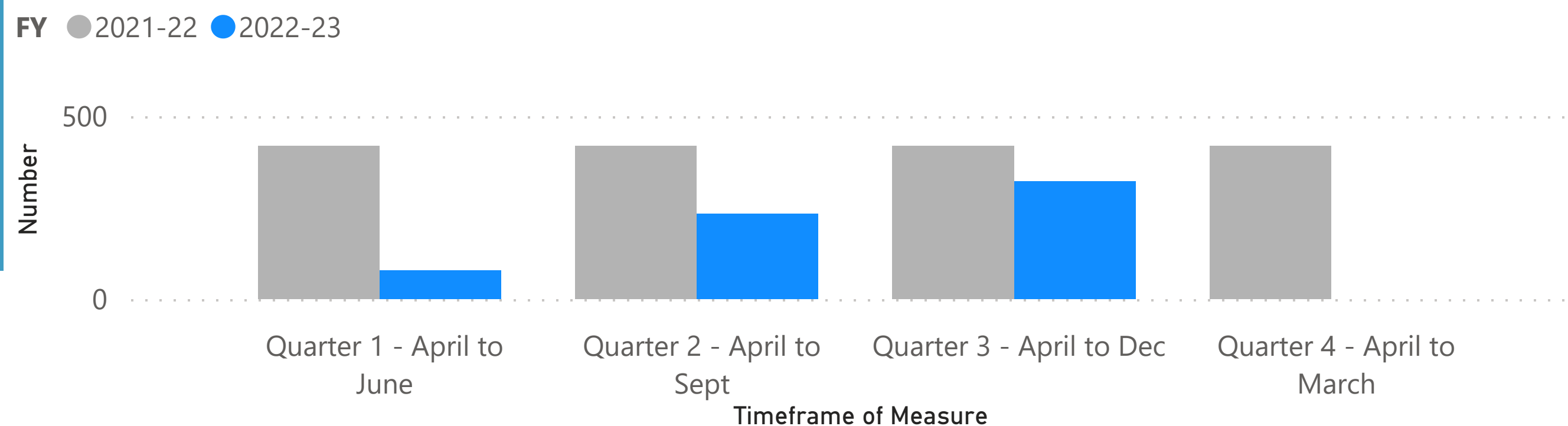
ID3.8 - Emergency homeless presentations

Current Status

SMART Actions if Off Target

Low
Is Good
Cumulative
(Per
Annum)

Positive
Yearly Trend



321.00

This is the cumulative total of emergency presentations received in office hours. Increase of 88 since last quarter and the metric is showing under last year's outturn. If trend continues for the next quarter, this year's outturn figure is anticipated to be lower than last years.

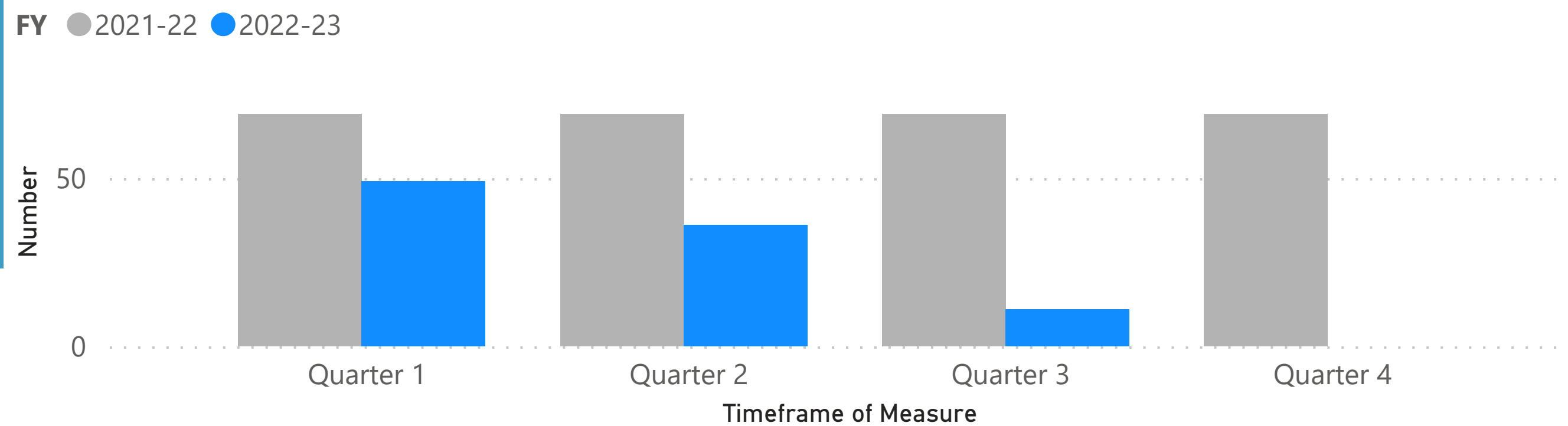
ID4.4 - Total Rough Sleepers Verified in Quarter

Current Status

SMART Actions if Off Target

Low
Is Good
Per
Quarter
(Snapshot)

Positive
Yearly Trend

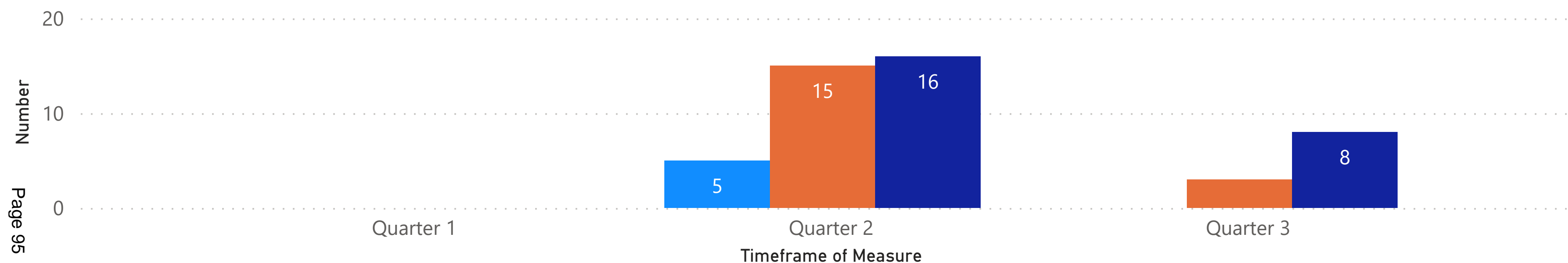


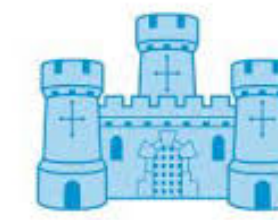
11.00

The number of rough sleepers overall have reduced due to the new team starting, which has had a positive impact overall. The Multi-Agency Hub which is held weekly has been very successful, with the one stop model being invaluable in partnership working and helping to find solutions for our rough sleepers, including housing options. We have been successful in acquiring funding through the Shared Prosperity Fund and will be looking at recruiting an Outreach mental Health Worker and Discharge officer and we have also secured funding for a one stop shop assessment centre with accommodation. These projects will enhance our current provision and make our support pathway even more robust, in order to reduce our rough sleeper figures even further.

ID4.4a, 4.4b and 4.4c - Breakdown of Rough Sleepers Verified in Quarter

Entrenched Rough Sleepers New Rough Sleepers Returning Rough Sleepers



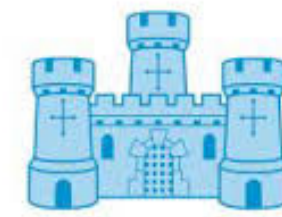


Project Status Split for Priority 3.

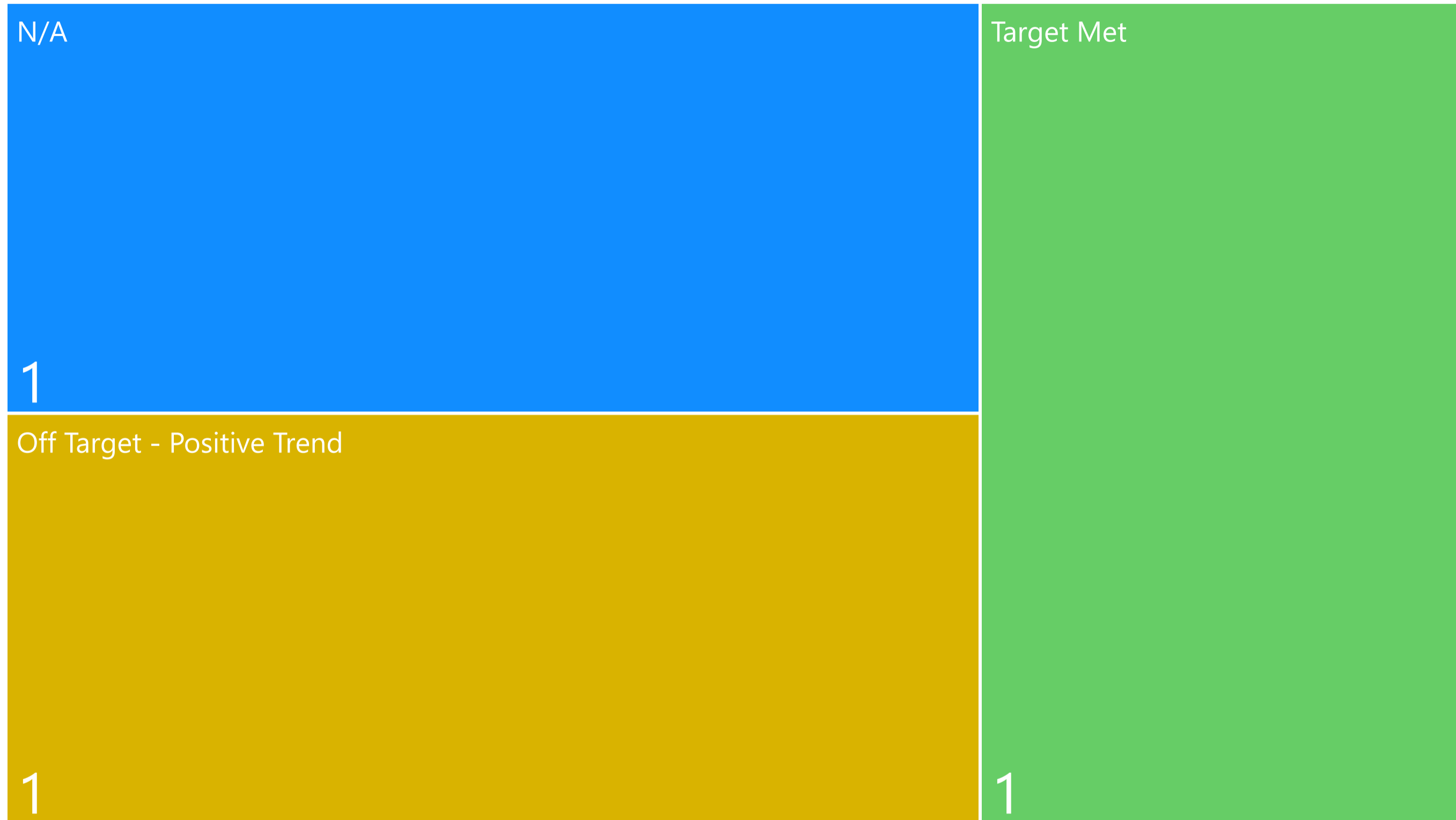
Project/Action is Progressing as Expected

6

Portfolio Holder	Service Area	Action	Corporate Objective	Status report	Commentary on progress
Cllr. Jill Waring	1. Commercial Delivery 2. Neighbourhoods	Delivering an economic and cultural legacy from the celebration of the borough's 850th anniversary in 2023.	Delivering an economic and cultural legacy from the celebration of the borough's 850th anniversary in 2023.	✔ Project/Action is Progressing as Expected	Cabinet have agreed the 850 programme for 2023, there is a launch on 19th January at the Museum. All activities provided by the Council and partner organisations will be promoted, including specific pages of the website.
Cllr. Trevor Johnson	1. Neighbourhoods 2. Sustainable Environment	Expansion of the street warden scheme and the creation of neighbourhood delivery teams.	Secure a step change in street cleanliness and the quality of the public domain	✔ Project/Action is Progressing as Expected	We are hoping to develop this early 2023 with the expansion of the street warden scheme being in place from April 2023
Cllr. Simon Tagg	1. Strategy, People and Performance 2. Neighbourhoods	Work collaboratively with the Newcastle Partnership	Ensure that our most vulnerable residents are supported through the impact of the rising cost of living.	✔ Project/Action is Progressing as Expected	The Newcastle Partnership is an active and outcome driven group. Current work programme focusses on support that we can deliver across our communities with regards to current Cost of Living difficulties
Cllr. Gill Heesom	Neighbourhoods	Build on our work with Staffordshire Police	Reduce anti-social behaviour and crime in our communities	✔ Project/Action is Progressing as Expected	We are continuing to build up this relationship and the introduction of the mobile multi-function team leader will also assist with strengthening of this partnership working. The PFCC are also looking to review policies and protocols in relation to ASB and how different partnerships utilise legislation. This will then produce a best practice guidance that the partnership will be able to use. Work on this is hoping to commence early 2023.
Cllr. Jill Waring	Neighbourhoods	Work with partners to develop effective community bodies	Support the development of community solutions to local problems	✔ Project/Action is Progressing as Expected	Work is in progress with two community bodies, working on community led projects
Cllr. Trevor Johnson	Sustainable Environment	Further increasing recycling rates across the borough with a particular focus on food waste	Further increasing recycling rates across the borough with a particular focus on food waste	✔ Project/Action is Progressing as Expected	Food waste participation is increasing, and is currently above target. this is resulting in a decrease in residual waste tonnage, which now puts the Council as best performer across the County in this area. Further initiatives are planned for the coming year to further increase recycling and food waste performance.



Priority 4: Performance Indicators Current Status



Corporate Aim (Priority)	Number of Indicators
Priority 4: Town Centres for All	3

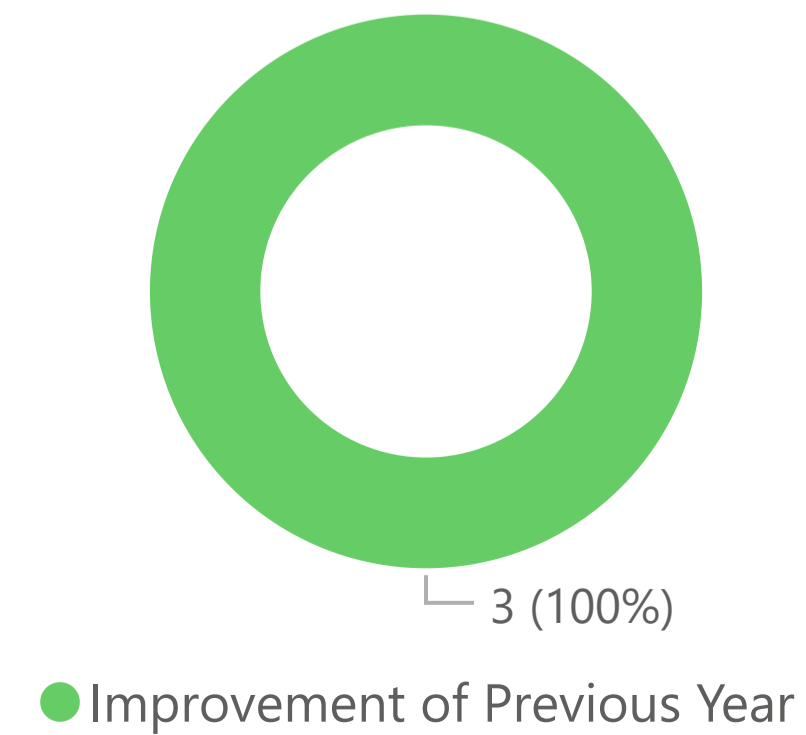
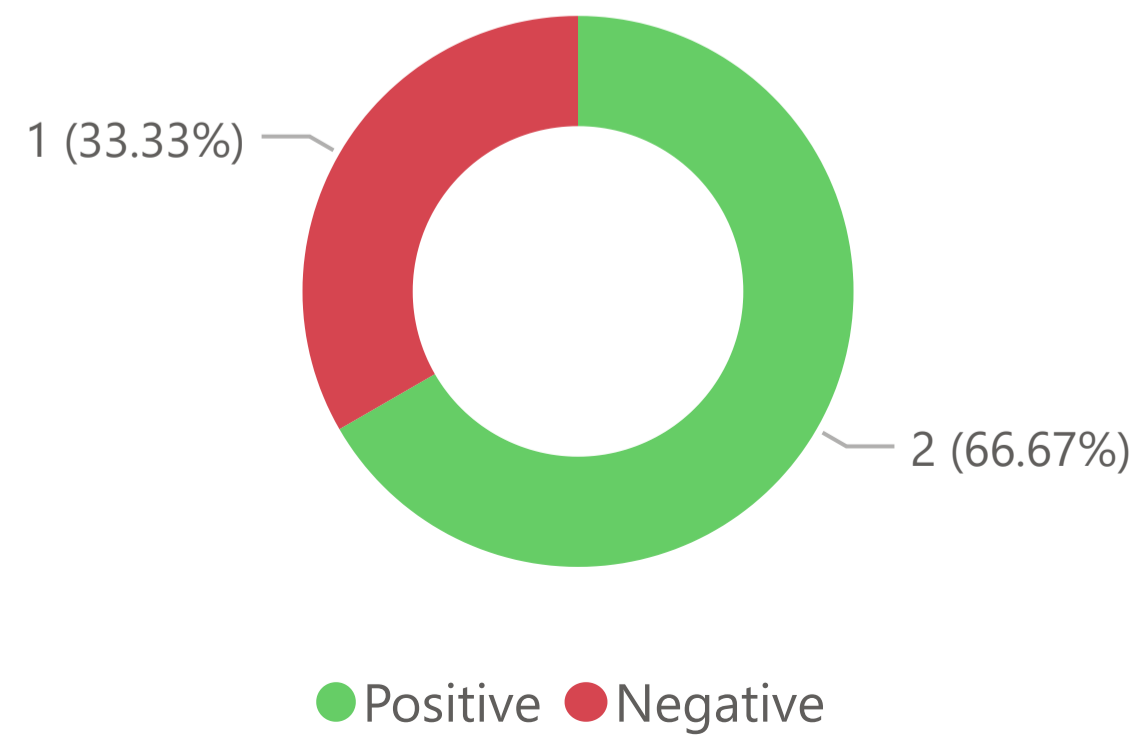
Smart Narrative

Within Priority 4 there is 1 contextual performance indicators which does not have a set target but is compared to last years outturn. This measure showed an improvement when compared to the same time period last year.

Of the remaining 2 Indicators within Priority 4, one indicator met their target and showed an improvement when comparing against the same time frame last financial year.

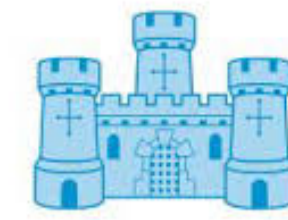
The other remaining indicator was off target (ID4.3) but showed an improvement when comparing to Quarter 3 of 2021/22. The detail of this indicator is shown in the following pages of this report.

Priority 4: Qtr.3 Trend Direction of PI's Compared to Previous Quarter Priority 4: Qtr.3 Trend Status of PI's Compared On Same Qtr in the Previous Financial Year





Priority 4: Town Centres for All



NEWCASTLE·UNDER·LYME
BOROUGH COUNCIL

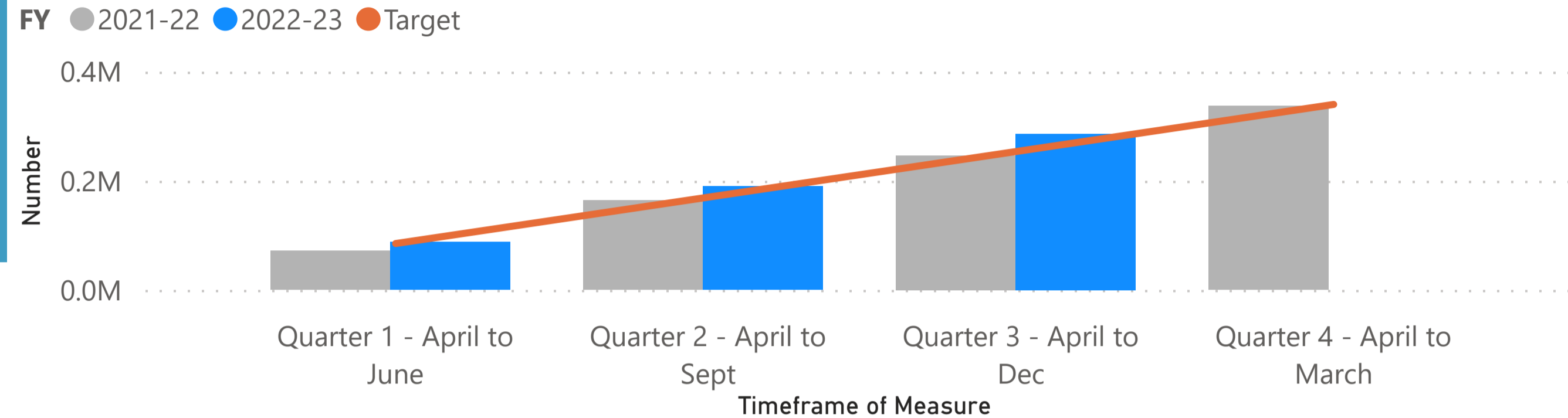
2021-22
2022-23

ID4.1 - Car parking usage:-Number of tickets purchased

Current Status

SMART Actions if Off Target

High
Is Good
Cumulative
(Per Annum)



286.02K ✓

Target:
255.00K

Not Required as Target Met

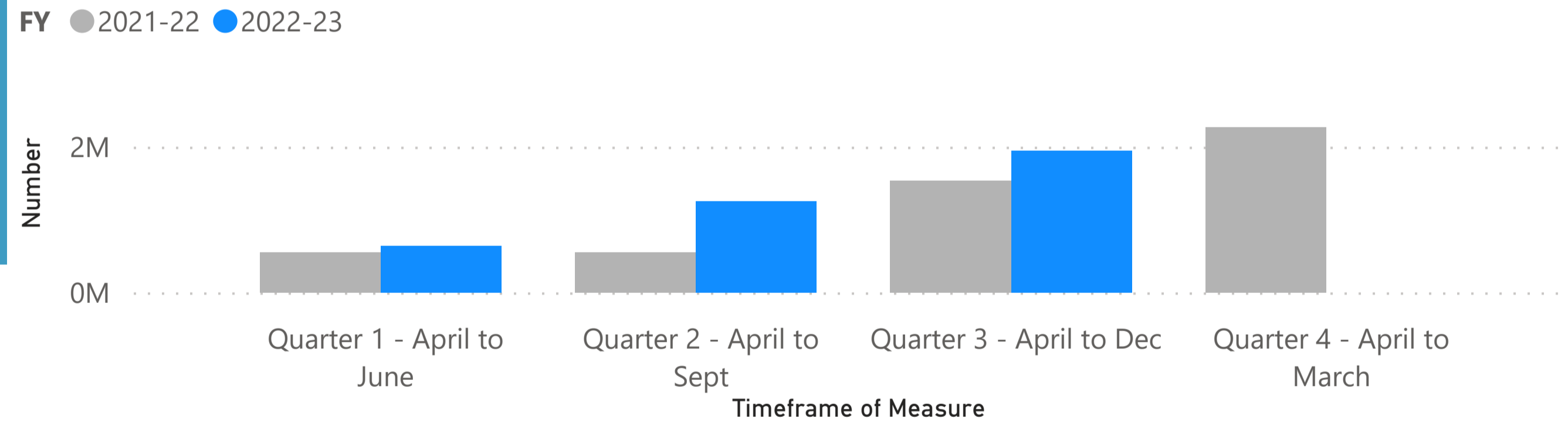
Positive
Yearly Trend

ID4.2 - Town Centre Footfall - Newcastle

Current Status

SMART Actions if Off Target

High
Is Good
Cumulative
(Per Annum)



1.95M

Measure is well above quarter 3 outturn from 2021/22 financial year and on track to be improved from overall outturn figure at the end of Quarter 4. Busiest month within the calendar year 2022 was October showing Quarter 3 had some of the higher numbers in the town for the year.

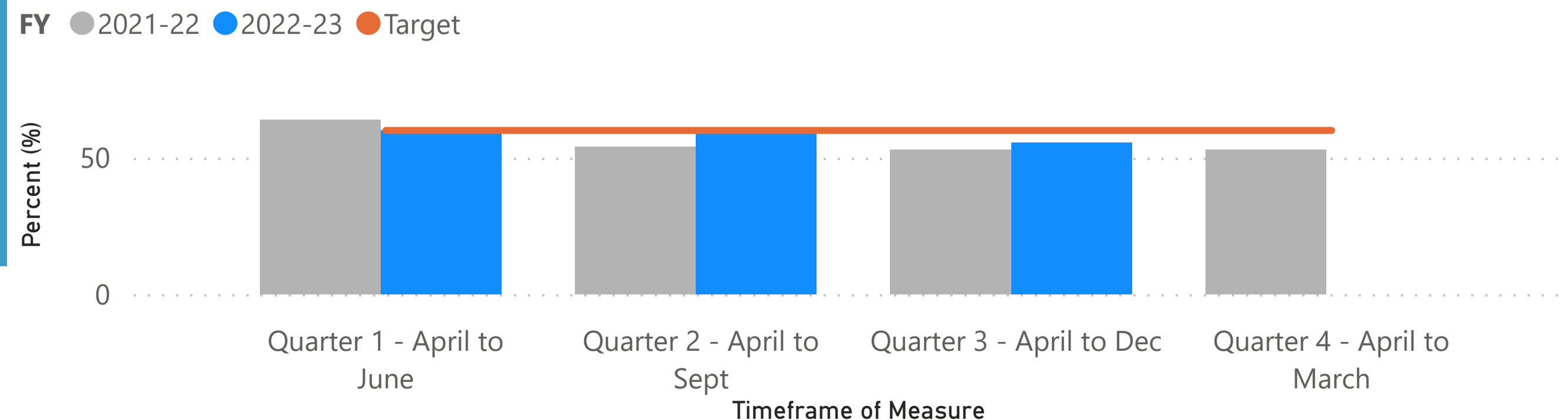
Positive
Yearly Trend

ID4.3 - Average stall occupancy rate for markets - Overall

Current Status

SMART Actions if Off Target

High
Is Good
Cumulative
(Per Annum)

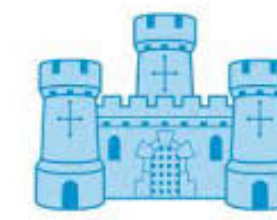


55.50

Target:
60.00

Despite being under Target N-u-L market occupancy follows NABMA National trends for outdoor markets. Report available if required

Positive
Yearly Trend



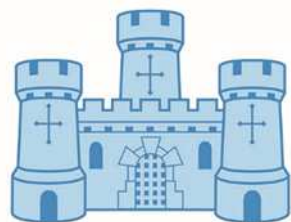
Project Status Split for Priority 4.

Project/Action is Progressing as Expected

5

Portfolio Holder	Service Area	Action	Corporate Objective	Status report	Commentary on progress
Cllr. Stephen Sweeney	1. Neighbourhoods 2. Commercial Delivery	Developing a Town Centre Strategy for Kidsgrove	Encourage visitors and support local businesses in Kidsgrove	✔ Project/Action is Progressing as Expected	Work is in progress creating a strategy for Kidsgrove town centre, working with Go Kidsgrove to establish business needs.
Cllr. Stephen Sweeney	Neighbourhoods	Further enhance the historic market and public realm and boost our signature specialist market programme	Further enhance the historic market and public realm and boost our signature specialist market programme	✔ Project/Action is Progressing as Expected	Monthly programme of Castle Artisan Markets for 2023 has been agreed and Spring Vegan Festival date secured. Work ongoing with other providers to establish other specialist high footfall markets.
Cllr. Stephen Sweeney	1. Commercial Delivery 2. Planning	Redeveloping Midway car park to provide aspirational town centre residential accommodation	Increasing the number of people living, working and using Newcastle town centre	✔ Project/Action is Progressing as Expected	This is a longer term project that will commence once the replacement car park at Ryecroft is complete and open.
Cllr. Stephen Sweeney	Commercial Delivery	Redevelopment of Ryecroft Site	Continuing to work with key partners to deliver the redevelopment of opportunities across the borough	✔ Project/Action is Progressing as Expected	Designs for the new multi storey car park are well progressed with consultation due to take place imminently and a design review panel has been held as a part of the pre-planning process. A feasibility study on the potential for a hotel to be built on Ryecroft has commenced. Negotiations continue on the sale of land to Aspire housing for them to develop a part of the site.
Cllr. Stephen Sweeney	Commercial Delivery	Redevelopment of York Place	Continuing to work with key partners to deliver the redevelopment of opportunities across the borough	✔ Project/Action is Progressing as Expected	Designs for the re-development of York Place are well progressed with planning application submitted and awaiting validation. Negotiations continue with existing tenants of York Place to enable their relocation prior to demolition of the existing buildings on the site.

This page is intentionally left blank



NEWCASTLE·UNDER·LYME
BOROUGH COUNCIL

Cabinet Forward Plan: Newcastle under Lyme Borough Council

Notice of Key Decisions to be taken under the Local Authorities (Executive Arrangements) (Meetings & Access to Information) (England) Regulations 2012 between 1 March 2023 and 30 June 2023

This plan gives notice of decisions that [Cabinet](#) is expecting to take over the next few months. It also gives, except in cases of urgency, at least 28 days notice of all “Key Decisions” that will be taken “Key Decisions” are decisions about “executive” functions that will:-

- A) to result in the Council incurring expenditure or making savings of an amount which is significant having regard to the Council’s budget for the service or the function to which the decision relates. (NB: The financial threshold above which expenditure or savings become significant has been set by the Council at £100,000 Revenue and £250,000 Capital Expenditure).
- B) to be significant in terms of its effects on communities living or working in an area comprising two or more wards of the Borough.

We have to take some Cabinet decisions in private because they deal with confidential or “exempt” information. That is information described in one or more of the following categories set out in Schedule 12A of the Local Government Act 1972.

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals an authority proposes;

- a. to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - b. to make an order or direction under any enactment
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of a crime

If we intend to take a decision in private, we will tell you why in the plan below. If you disagree with our reasons, you can tell us why using the contact details below. We will respond to you directly and will publish our response in the meeting agenda. If we have published the meeting agenda before we can respond, we will respond verbally at the meeting and record the response in the minutes.

You can find more information about Cabinet, Cabinet Members and their portfolios, agendas, reports and minutes [here](#).

More information on Cabinet procedures, executive functions, Key Decisions, urgent decisions and access to information is available in our [Constitution](#).

For all enquiries, please contact Democratic Services, Castle House, Barracks Road, Newcastle-under-Lyme, Staffordshire ST5 1BL.
Telephone – 01782 742222 / Email – DemocraticServices@newcastle-staffs.gov.uk

Report Title	Description	Portfolio	Intended Decision Taker and Date	Overview & Scrutiny Committee	Wards Affected	Reason for Determining in Private Session (if Applicable)	Key Decision
Irrecoverable Items 2022/23	To consider a report on irrecoverable items for 2022/23.	Cabinet Portfolio Holder - Finance, Town Centres and Growth	Cabinet 14 March 2023	Finance, Assets and Performance	All Wards	N/A	Yes
Procurement of a Financial and Wellbeing Advice Service	To consider a report on the Procurement of a Residents Advice Service	Cabinet Portfolio Holder - Community Safety and Wellbeing	Cabinet 14 March 2023	Health, Wellbeing and Partnerships	All Wards	N/A	Yes
Disabled Facilities Grant	To consider a report on the Disabled	Cabinet Portfolio Holder - Community	Cabinet 14 March 2023	Health, Wellbeing and Partnerships	All Wards	N/A	Yes

Report Title	Description	Portfolio	Intended Decision Taker and Date	Overview & Scrutiny Committee	Wards Affected	Reason for Determining in Private Session (if Applicable)	
- Housing Assistance Policy	Facilities Grant - Housing Assistance Policy	Safety and Wellbeing					
Quarter 3 Finance and Performance Report 2022/23	To consider the budget and performance report for Quarter 3 – October – December 2022	Cabinet Portfolio Holder - Finance, Town Centres and Growth, Cabinet Portfolio Holder - One Council, People and Partnerships	Cabinet 14 March 2023	Finance, Assets and Performance	All Wards	N/A	No
Walleys Quarry Update Report	To consider a report updating on Walleys Quarry.	Cabinet Portfolio Holder - One Council, People and Partnerships	Cabinet 14 March 2023	Health, Wellbeing and Partnerships	All Wards	N/A	No
Proposed Cost of Living Grant Distribution Scheme	To consider a report on the Proposed Cost of Living Grant Distribution Scheme	Cabinet Portfolio Holder - Finance, Town Centres and Growth	Cabinet 14 March 2023	Finance, Assets and Performance	All Wards	N/A	Yes
Procurement of Mechanical Sweepers and Refuse Vehicles	To consider a report on the Procurement of Mechanical Sweepers and Refuse Vehicles	Cabinet Portfolio Holder - Environment and Recycling	Cabinet 14 March 2023	Health, Wellbeing and Partnerships	All Wards	N/A	Yes
Walleys	To consider a report	Cabinet Portfolio	Cabinet 18	Health, Wellbeing	All Wards	N/A	No

Report Title	Description	Portfolio	Intended Decision Taker and Date	Overview & Scrutiny Committee	Wards Affected	Reason for Determining in Private Session (if Applicable)	
Quarry Update Report	updating on Walleys Quarry	Holder - One Council, People and Partnerships	April 2023	and Partnerships			
Active Lifestyles Strategy	To consider a report on the Active Lifestyles Strategy	Cabinet Portfolio Holder - Community Safety and Wellbeing	Cabinet 18 April 2023	Health, Wellbeing and Partnerships	All Wards	N/A	Yes
Astley Centre for Circus	To consider a report updating on the Astley Centre for Circus.	Cabinet Portfolio Holder - Leisure, Culture & Heritage	Cabinet 18 April 2023	Health, Wellbeing and Partnerships	All Wards	N/A	Yes
Internal Audit Contract Extension	To consider a report on a contract extension for internal audit	Cabinet Portfolio Holder - Finance, Town Centres and Growth	Cabinet 18 April 2023	Finance, Assets and Performance	All Wards	N/A	Yes
Joint Housing Allocations Policy	To consider a report on the Joint Housing Allocations Policy	Cabinet Portfolio Holder - Community Safety and Wellbeing	Cabinet 18 April 2023	Finance, Assets and Performance	All Wards	N/A	Yes
Letting of a Food Waste Processing Contract	To consider a report on the Letting of a Food Waste Processing Contract	Cabinet Portfolio Holder - Environment and Recycling	Cabinet 18 April 2023	Health, Wellbeing and Partnerships	All Wards	N/A	Yes
Security Operations	To consider a report on a Security	Cabinet Portfolio Holder - One	Cabinet 18 April 2023	Finance, Assets and Performance	All Wards	N/A	Yes

Report Title	Description	Portfolio	Intended Decision Taker and Date	Overview & Scrutiny Committee	Wards Affected	Reason for Determining in Private Session (if Applicable)	
Contract Award	Operations Contract	Council, People and Partnerships					
Microsoft Licence Renewals	To consider a report in relation to the renewal of Microsoft licences	Cabinet Portfolio Holder - One Council, People and Partnerships	Cabinet 18 April 2023	Finance, Assets and Performance	All Wards	N/A	Yes
Spot Market Fuel Purchasing	To consider a report on Spot Market Fuel Purchasing	Cabinet Portfolio Holder - Finance, Town Centres and Growth	Cabinet 18 April 2023	Finance, Assets and Performance	All Wards	N/A	Yes
Local Plan Consultation	To consider a report on the Reg 18 Consultation stage of the Local Plan	Cabinet Portfolio Holder - Strategic Planning	Cabinet 23 May 2023	Economy, Environment and Place	All Wards	N/A	Yes
Economic Development Strategy	To consider a report on the Economic Development Strategy	Cabinet Portfolio Holder - Finance, Town Centres and Growth	Cabinet 6 June 2023	Economy, Environment and Place	All Wards	N/A	Yes
Quarter 4 Finance and Performance Report 2022/23	To consider the budget and performance report for Quarter 4 - January - March, 2023	Cabinet Portfolio Holder - Finance, Town Centres and Growth	Cabinet 6 June 2023	Finance, Assets and Performance	All Wards	N/A	No

Report Title	Description	Portfolio	Intended Decision Taker and Date	Overview & Scrutiny Committee	Wards Affected	Reason for Determining in Private Session (if Applicable)	
Ryecroft Multi-Storey Car Park Contract Award	To consider a report on the Ryecroft Multi-Storey Car Park Contract Award	Cabinet Portfolio Holder - One Council, People and Partnerships	Cabinet 6 June 2023	Economy, Environment and Place	Town	N/A	Yes
York Place Update and Demolition Contract Award	To consider a report updating on proposals for York Place and awarding a demolition contract	Cabinet Portfolio Holder - One Council, People and Partnerships	Cabinet 6 June 2023	Economy, Environment and Place	Town	1,3 Information relating to any individual. Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Yes
Walleys Quarry Update Report	To consider a report updating on Walleys Quarry	Cabinet Portfolio Holder - One Council, People and Partnerships	Cabinet 6 June 2023	Health, Wellbeing and Partnerships	All Wards	N/A	No

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

Document is Restricted

This page is intentionally left blank