

Date of meeting Tuesday, 16th July, 2024
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

- 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 - 10)**
To consider the Minutes of the previous meeting.
- 4 WALLEYS QUARRY - ODOUR ISSUES** **(Pages 11 - 46)**
- 5 KIDSGROVE SHARED SERVICE HUB** **(Pages 47 - 52)**
- 6 BRAMPTON MUSEUM. APPLICATION TO THE NATIONAL LOTTERY HERITAGE FUND** **(Pages 53 - 58)**
- 7 KEELE SUSTAINABLE SOLAR ENERGY BUSINESS CASE** **(Pages 59 - 64)**
- 8 DELIVERY OF ELECTRIC VEHICLE CHARGING THROUGH THE COUNTY COUNCIL'S LOCAL GOVERNMENT ELECTRIC VEHICLE INSTRUCTURE (LEVI) FUNDING** **(Pages 65 - 70)**
- 9 URBAN TREE PLANTING STRATEGY PHASE 6** **(Pages 71 - 78)**
- 10 LOCAL NATURE RECOVERY STRATEGY** **(Pages 79 - 84)**
- 11 PRODUCTIVITY PLAN 2024-25** **(Pages 85 - 96)**

- 12 **PROCUREMENT OF CONTACT CENTRE TELEPHONY** (Pages 97 - 104)
- 13 **AWARD OF SHORT FORM SERVICES CONTRACTS TO A CONSORTIUM OF ARCHITECTURAL SERVICE PROVIDERS** (Pages 105 - 110)
- 14 **FORWARD PLAN** (Pages 111 - 118)
- 15 **URGENT BUSINESS**

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

16 **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.

- 17 **KEELE SUSTAINABLE SOLAR ENERGY BUSINESS CASE** (Pages 119 - 144)
- 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 of 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 (Leader) (Chair), Sweeney (Vice-Chair), Heesom, Fear, Skelding and Hutchison

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

Meeting Quorums :- 16+= 5 Members; 10-15=4 Members; 5-9=3 Members; 5 or less = 2 Members.

NOTE: IF THE FIRE ALARM SOUNDS, PLEASE LEAVE THE BUILDING IMMEDIATELY THROUGH THE FIRE EXIT DOORS.

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CABINET

Tuesday, 4th June, 2024
Time of Commencement: 2.00 pm

[View the agenda here](#)

[Watch the meeting here](#)

Present: Councillor Simon Tagg (Chair)

Councillors: Sweeney Fear Hutchison
Heesom Skelding

Officers: Craig Turner Finance Manager / Deputy
S151 Officer
Geoff Durham Civic & Member Support Officer
Simon McEneny Interim Chief Executive
Anthony Harold Service Director - Legal &
Governance / Monitoring Officer
Paul Dutton Senior Media Officer
Vanessa Higgins Policy and Strategy Business
Manager

1. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

2. **MINUTES OF PREVIOUS MEETINGS**

Resolved: That the Minutes of the meeting held on the 23 April, 2024 be agreed as a correct record.

3. **WALLEYS QUARRY - ODOUR ISSUES**

The Leader introduced an update report on Walleys Quarry looking at the complaints, monitoring information, actions of the Environment Agency (EA) and the Borough Council.

The Interim Chief Executive advised that there had been a rise in complaint data during April and May. Most of the spikes in complaints had been made at weekends. The Council had been in talks with Walleys Quarry to see if the reason for this could be found.

Where there had been ten or more odour complaints in one day it was referred to as an 'odour event' and there had been 5 'events' in April with 25 complaints in one day on the 1st. There were 15 'odour events' in May with twenty nine complaints being received on the 21st.

Over the winter months there had been deterioration in the odour conditions and had that had continued into April and May.

Since the previous Cabinet meeting, the Council had written to the Secretary of State and were awaiting a response. In addition, leading environmental experts had been

appointed to prepare expert evidence with our King's Counsel in preparation for the commencement of legal proceedings upon permission from the Secretary of State.

In terms of Scrutiny, the Working Group was continuing to meet and a Members Briefing Session was held on 1 May.

The data adjustment that the Council was expecting from the Environment Agency (EA) still had not been received to date and was still being chased.

Officers were continuing to monitor the site with sniff tests and monitoring equipment.

The Leader stated that there were three issues. The first being the upsurge in complaints regarding the increase in odours around the weekends which indicated that the operator was not running the site in a good way to stop the odours. The EA were not using the powers that they had to deal with the issues.

From the Council's point of view, a decision had been made to move forward on legal action and the Secretary of State had been written to. Unfortunately, the General Election had intervened in that and therefore it was likely that a response would not be received until after 4 July.

Regarding the Calibration issue and incorrect data, the Leader stated that the information had been awaited for many months. It was disappointing that the deadlines that were set kept being pushed back by DEFRA and the EA. The Council would continue to press for that information.

Councillor Fear suggested that the spikes in complaints at weekends could be down to more people being at home, depriving them of relaxation time.

Members were disappointed with the non-receipt of the correct data and that the change made in management at the EA had not brought about a better response to the requests made by the Council.

The Leader asked the Interim Chief Executive, at the next meeting with the operator, to express the Council's disappointment that the odours were rising again.

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

[Watch the debate here](#)

4. **REFRESH OF THE COUNCIL'S SUSTAINABLE ENVIRONMENT STRATEGY**

The Portfolio Holder for Sustainable Environment introduced a report regarding the refreshed and updated Sustainable Environment Strategy including progress with the Action Plan and Road Map to net zero.

Members' attention was drawn to paragraph 1.6 of the report where the Council was now 'on its way' and doing well on its journey to net zero.

Positive actions that were being commissioned and/or completed were highlighted at paragraph 2.3 of the report. The Council had made extensive progress in decarbonising its owned buildings and these actions were outlined at paragraph 2.6.

The Leader welcomed the Strategy and the road map setting out the route to net zero and also the wider carbon emissions for 2050. The Leader stated that it was key for the Council to work with its partners across Staffordshire to achieve this and to keep costs down.

The Portfolio Holder for Finance, Town Centre's and Growth confirmed that there would be a considerable cost for these actions but it was all included in the Capital Programme.

Referring to paragraph 2.6 – bullet point 2, the Portfolio Holder for Leisure, Culture and Heritage stated that J2 would make savings of £61,000 in the heating costs of its pools in the first year.

- Resolved:**
- (i) That the refreshed Sustainable Environment Strategy and associated delivery plan be approved.
 - (ii) That the refreshed sustainable Environment Strategy and associated action plan be referred to the Health, Wellbeing & Environment Scrutiny Committee for scrutiny and comments.

[Watch the debate here](#)

5. AWARD OF CONTRACT FOR THE CASTLE CAR PARK PAYMENT SYSTEM

The Portfolio Holder for Finance, Town Centre's and Growth introduced a report seeking to delegate the awarding of the contract for the provision of the payment system at Castle Car Park.

Councillor Sweeney stated that as well as card and app payments there would still be the facility to pay by cash in order to cater for everyone.

The Leader stated that payments by card or app would not have been possible on the old Midway Car Park due to the way that it was set out.

- Resolved:** That the Interim Chief Executive in consultation with the Portfolio Finance, Town Centres and Growth be authorised to award a contract for the installation, management and maintenance of payment systems at Castle Car Park.

[Watch the debate here](#)

6. CREMATORIUM AND CEMETERIES RULES AND REGULATIONS UPDATE

The Portfolio Holder for Sustainable Environment introduced a report which enabled Cabinet to review key issues relating to Bereavement Services.

The Council did not currently offer scattering of ashes. The introduction of a scattering area would give another option for cremated remains and would be included in the cremation fee.

The report also looked at the Welfare Funeral Policy. The Council was responsible for making funeral arrangements for anyone who died within the Borough where no other arrangements were in place. If the deceased passed away outside of the Borough boundary it would be the responsibility of the local authority in who's area they died. If the person died in hospital with no relatives or other arrangements it would be the responsibility of the hospital to arrange the funeral.

Resolved: That the following policies be adopted to be operated alongside the Crematorium and cemeteries Rules and Regulations:

- Scattering of Ashes Policy
- Welfare Funerals

[Watch the debate here](#)

7. **TAXI TARIFFS - PROPOSED INCREASE**

The Portfolio Holder for Finance, Town Centre's and Growth introduced a report seeking to ratify a decision of the Licensing and Public Protection Committee to amend the Council set maximum metered tariffs for Hackney Carriages. The fares were last increased in 2019.

After midnight, Hackney Carriage drivers could charge a higher fare for journeys and had requested that the time be brought forward to 10pm. The Licensing and Public Protection Committee met them half way, agreeing on 11pm.

Resolved: That Members approve or amend the proposed variation of the table of metered fares charged by Hackney Carriages.

[Watch the debate here](#)

8. **STAFFORDSHIRE LEADERS BOARD**

The Leader introduced a report updating Cabinet regarding the latest position of the Staffordshire Leader's Board and the integration of Stoke on Trent City Council onto the Board.

Resolved: That the Staffordshire Leader's Board's Constitution be approved for a Joint Committee.

[Watch the debate here](#)

9. **FINANCIAL AND PERFORMANCE REVIEW REPORT - FOURTH QUARTER 2023-24**

Cabinet considered the regular performance review report for Quarter 4, January – March 2024.

The Portfolio Holder for Finance, Town Centre's and Growth reported that the Council's revenue budget was a £7,000 saving on the year.

The Leader stated that overall the Council was 72% on target with its performance indicators.

Resolved: That the contents of the attached report and appendices be noted, and that the Council's service and financial performance for this period continue to be monitored and challenged.

[Watch the debate here](#)

10. **FORWARD PLAN**

The Leader went through the Cabinet Forward Plan.

Resolved: That the Forward Plan be received and noted.

[Watch the debate here](#)

11. **URGENT BUSINESS**

There was no Urgent Business.

12. **DISCLOSURE OF EXEMPT INFORMATION**

There was no confidential business.

**Councillor Simon Tagg
Chair**

Meeting concluded at 3.56 pm

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

CORPORATE LEADERSHIP TEAM'S

REPORT TO CABINET

16 July 2024

Report Title: **Walleys Quarry – Odour Issues**

Submitted by: **Chief Executive**

Portfolios: **Sustainable Environment; One Council, People & Partnerships**

Ward(s) affected: **All**

<p><u>Purpose of the Report</u></p> <p>To update Cabinet on the latest position regarding the problematic odours in the Borough associated with Walleys Quarry.</p>	<p style="text-align: right;"><u>Key Decision</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p><u>Recommendation</u></p> <p>Cabinet is recommended to:</p> <p>1. Note the contents of this update report.</p>	
<p><u>Reasons</u></p> <p>To ensure Cabinet is kept updated on the ongoing work regarding the problem odours associated with Walleys Quarry landfill.</p>	

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** 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). Following an appeal by Walleys Quarry Ltd, and a successful mediation process, 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 on 6 October 2022.

- 1.4 The Council continues to assess the prevalence of odours off site. If 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)]. 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.
- 1.5 Officers maintain an ongoing dialogue with Walleys Quarry Ltd, and with other agencies involved with the issue. Cabinet has received monthly updates on the issues relating to the odours, and Council has also been regularly updated.

2. Complaint Data

- 2.1 Below is a schedule of complaints received by the Council and by the Environment Agency from April 2024, reported on a weekly basis. Historical complaint data is attached to this report as Appendix 1.

	Complaints to NuLBC	Complaints to Environment Agency
April 2024		
01/04/24- 07/04/24	56	220
08/04/24-14/04/24	18	75
15/04/24- 21/04/24	32	145
22/04/24- 28/04/24	55	196
29/04/24- 05/05/24	41	167
May 2024		
06/05/24- 12/05/24	75	311
13/05/24- 19/05/24	76	192
20/05/24- 26/05/24	89	240
27/05/24- 02/06/24	75	207
June 2024		
03/06/24- 09/06/24	38	114
10/06/24- 16/06/24	50	147
17/06/24- 23/06/24	67	189
24/06/24- 30/06/24	117	298
July 2024		
01/07/24- 07/07/24	45	103
08/07/24-14/07/24	46	

- 2.2 Officers highlight any odour events where 10 or more odour complaints have been recorded.

There have been 11 odour events in the month of June 2024:

- Wednesday 12 June 2024
- Friday 14 June 2024
- Wednesday 19 June 2024
- Thursday 20 June 2024
- Friday 21 June 2024
- Monday 24 June 2024
- Tuesday 25 June 2024
- Wednesday 26 June 2024
- Thursday 27 June 2024
- Sunday 30 June 2024

The highest number of complaints reported to NuLBC on 26 June 2024 (31 complaints).

- 2.3** The overall trend is for “spikes” in complaints when odours are prevalent.

NULBC Odour Assessments

- 2.4** Officers have undertaken odour assessments. The monitoring has been reactive to odour complaints and proactive where low odour dispersion is predicted.

The type of monitoring includes spot assessments (instantaneous assessments) and assessments made over a 5-minute period where the odour intensity is recorded every 10 seconds.

2 assessments were undertaken over 5 mins, both recording a maximum intensity rating of 4.

14 spot assessments were undertaken in June of which landfill odour was detected in 10 assessments. 9 assessments had an intensity rating of 4 and 1 assessment had an intensity rating of 2.

NULBC Mobile Air Quality Monitoring (using Jerome monitor)

- 2.5** Officers have monitored the levels of hydrogen sulphide within the community using the mobile Jerome monitor. The highest level of hydrogen sulphide recorded in the community was 9.2ppb at Cemetery Road at 11:14 on 19 June 2024.

NULBC Actions

- 2.6** It is disappointing to report that over the winter period there had been a deterioration in the odour conditions from Walleys Quarry as shown in the data reported. However, it can be seen that the data for April to date is variable showing some periods of improvement and some deterioration.
- 2.7** Critically, under the law, whilst odours may exist off site at levels which could be considered a breach of the notice, that breach would be unenforceable (or a defence against creating a statutory nuisance) if the operator can show that Best Practical Means (BPM) are routinely deployed in the management of the site. Whilst the existence or not of BPM can be debated, it would be a court which would determine whether BPM was in place at the time of the breach. That said, prior to entering into any formal legal action it is necessary for the Council to formulate a view with regard to this matter, this is ongoing.

- 2.8** At the core of next steps are two issues – whether the action taken by the Environment Agency as the primary enforcement agency for this site have been successful in remedying the issues; and whether a defence of BPM exists. Where either of these are assessed to be in place it would not be in the public interest for the Council to pursue this matter further.
- 2.9** The Council has written to the Secretary of State requesting permission in relation to legal proceedings. A response was received on 5 June 2024 from the Deputy Director for Resources and Waste stating: ‘we have been considering your letter and have sought input on the facts of the issue from the Environment Agency’.
- 2.10** Steve Reed OBE MP was appointed Secretary of State for the Department of Environment, Food and Rural Affairs (DEFRA) on 5 July 2024. Cllr Simon Tagg also wrote on 9th July to the newly appointed Secretary of State, urging quick approval of our outstanding request, which was made in April, to bring legal action against the operators of Walleys Quarry.
- 2.11** The newly appointed Secretary of State for Environment, Food and Rural Affairs is now considering all the relevant information/advice to enable him to take a decision and respond to our request. The Council now awaits his decision.
- 2.12** In May there was an upturn in odour complaints followed by a reduction in June. It should however be noted that in June the number of complaints were above those reported in 2022 and 2023 for the same month.

Scrutiny- Committee of Inquiry

- 2.13** With regard to Scrutiny, a report outlining a proposed approach to convening a ‘Committee of Inquiry’ was presented at Health, Wellbeing & Environment Scrutiny Committee on 26th February 2024, this can be found at [WQ Scrutiny post Council.pdf \(newcastle-staffs.gov.uk\)](https://www.newcastle-staffs.gov.uk/WQ_Scrutiny_post_Council.pdf) the recommendations were endorsed. The Committee of Inquiry members have been selected and the scoping meeting has been held.
- 2.14** At a 16th May member meeting, briefings/information to help members understand some of the technical issues involved in WQ and effects from the operations, in preparation for the Inquiry session(s) were presented. Members also considered responses received to date from participants in the 2020/21 exercise who had been invited to review/update their previous statements.
- 2.15** Plans are currently being put in place to obtain statements for the Committee of Inquiry Day now planned for 23rd July (plus another session on the 14th August), when participants will be invited to appear before members. A report and recommendations will duly be prepared and presented to Cabinet and Council for consideration.

Air Quality & Health

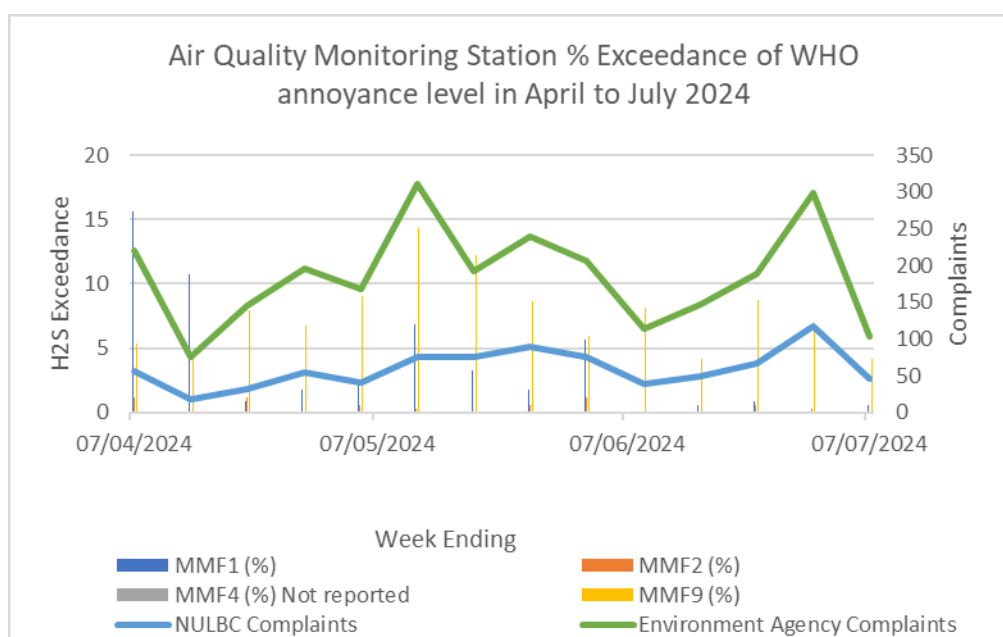
- 2.16** The Council, Staffordshire County Council, and the Environment Agency have jointly funded a campaign of air quality monitoring utilising three static air monitoring stations. The Environment Agency manage and operate these air quality monitoring stations. Data from these stations has been routinely published weekly by the Environment Agency (EA).
- 2.17** Hydrogen sulphide levels have previously been reported and reviewed as part of this report and a full data set provided in Appendices. On 5 October, the Environment Agency provided an update, alerting the community to a problem with the reliability of the Hydrogen Sulphide (H₂S) monitoring data collected at the monitoring stations. This

update is available at the following link [Latest News | Engage Environment Agency \(engagementhq.com\)](https://www.engagementhq.com)

- 2.18** On 19 October 2023, the EA calibrated the H2S analysers in MMF1 and MMF2. The EA have sufficient confidence in the raw data recorded for the week commencing 16 October 2023 to allow the EA to restart publishing data from MMF1 and MMF2.
- 2.19** The latest H2S data is set out in the table below, defining the proportion of the time periods where H2S levels were above the WHO Odour Annoyance guideline of 7ug/m³. Historic data is available in Appendix 4.

Time Period	MMF1 (%)	MMF 2 (%)	MMF 9 (%)
01 April - 07 April 2024	15.6	1.2	5.4
08 April – 14 April 2024	10.7	0	4.8
15 April – 21 April 2024	0.9	1.2	7.9
22 April –28 April 2024	1.8	0	6.7
29 April – 05 May 2024	2.4	0.6	9.0
06 May – 12 May 2024	6.85	0.3	14.3
13 May – 19 May 2024	3.3	0	12.2
20 May – 26 May 2024	1.8	0.6	8.6
27 May – 02 June 2024	5.7	1.2	6.0
03 June – 09 June 2024	0.0	0.0	8.1
10 June – 16 June 2024	0.6	0.0	4.2
17 June – 23 June 2024	0.9	0.6	8.7
24 June – 30 June 2024	0.0	0.3	6.9
01 July – 7 July 2024	0.6	0.0	4.2

- 2.20** The complaint data and weekly % exceedance of the WHO annoyance level have been combined and is shown on the graph below:



H2S Data Adjustment Method

2.21 The EA provided an update on 10 April 2024 as follows:

‘In November 2023 we explained that we had developed a data adjustment method that could allow us to adjust historic hydrogen sulphide (H₂S) data, and that an independent peer review group, led by Defra’s Chief Scientific Adviser was assessing this method.

In February 2024 we informed you that we expected the group’s findings to be published shortly. We understand that the report has been undergoing quality assurance. Unfortunately, no firm date has been given for its publication.

We recognise that members of the community may be feeling frustrated by the delay. Once the report is formally approved and published, we expect to outline next steps, including the possibility of adjusting historic data, and anticipate offering another virtual public meeting.’

2.22 On 8 July 2024 the EA issued the following update regarding the data adjustment method:

‘Several members of the community have been asking for an update on the publication of the report of the peer review, led by Defra’s Chief Scientific Adviser. The Environment Agency has not taken part in and has no control over the outcome of the review, or the timescales involved. However, we recognise that members of the community may be feeling frustrated by the delay.

In our update on the Environment Agency’s Engagement HQ website on 10 April 2024, we explained that the report had been undergoing routine quality assurance. Prior to publication, the report must be reviewed and cleared by the Chief Scientific Adviser, the rest of the Peer Review Group and ministers. We understand new ministers will want to review the report before publication and will look to do so at an early stage of the new government to prevent further delays.

As soon as the report is published, we expect to outline next steps and anticipate offering another virtual public meeting’.

Environment Agency Regulatory and Enforcement Action

2.23 The Environment Agency has continued to provide updates on their regulatory activity on the Walleys Quarry Landfill and can be accessed here: <https://engageenvironmentagency.uk.engagementhq.com/hub-page/walleys-quarry-landfill>

2.24 These updates reflect regular EA officer presence at the site to review progress with the Contain Capture Destroy strategy. The Compliance Assessment Reports (published on the [EA website](#)) provide further details of the site visits undertaken.

2.25 The following table provides a summary of the published CAR (Compliance Assessment Report) forms since the last Cabinet report:

Date of Report	Date issued	CAR reference	Assessment	Compliance Score
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27/02/24	27/02/24	DP3734DC/0495267	Review of Odour Management Plan Rev: 4.0	31
29/04/24	02/05/24	DP3734DC/0502412	Site inspection - announced	0
07/05/24	07/05/24	DP3734DC/0502992	Report/data review Temporary Capping Assessment	0
08/05/24	21/05/24	DP3734DC/0503511	Site inspection – unannounced	0
13/05/24	13/05/24	DP3734DC/0503746	Retro drilling and installation of leachate wells – CQA report	0
22/05/24	05/06/24	DP3734DC/0506055	Site inspection – unannounced	0

Non-compliance identified

2.26 The non-compliance identified in the CAR dated 27 February 2024 states:

‘In CAR Report ID: DP3734DC/0477431 issued on 27 October 2023, we notified Walleys Quarry Ltd (WQL) that we were not satisfied that the approved Odour Management Plan (“OMP”) (dated October 2019 version 2.2) (“v 2.2”), which forms part of WQL’s written Management System, identified and minimised the risks of pollution due to odour from the disposal of waste in the landfill’

‘WQL was required to (i) review the OMP so that it was capable of approval and (ii) submit a revised version to the Environment Agency by 08 December 2023’.

‘WQL submitted a revised version of the OMP document reference ECL.9353.R01.001 Rev:4.0 (“Rev 4.0”) on 08 December 2023

‘You have been scored a category 2 non-compliance (31 CCS points), because your OMP (including the revisions captured in Rev 4.0), which forms part of your management system, does not identify and minimise the risks of pollution due to odour.

The OMP continues to omit a sufficient level of detail, including clear statements about how and when WQL will implement appropriate measures to control odour.

This is a non-compliance which could have a significant effect on quality of life, due to an increased risk of odour pollution occurring beyond the site boundary, causing offence to local residents’ sense of smell. Where the EMS, which you should operate in accordance with, does not identify and minimise the risk of pollution by identifying appropriate measures that you will take to manage odour caused by depositing waste in the landfill, a substantial number of people are likely to be affected by odour pollution given their proximity to the site.

Action 1: Revise your OMP so that it identifies and minimises the risks of pollution due to odour.

The revised OMP shall include:

1. Clear commitments by WQL to specific actions, which avoid vague language. Caveats such as ‘where necessary’, ‘as soon as practicable’, ‘where possible’ and ‘where circumstance dictate’ make it impossible to understand when, or even if, you will implement the measure(s). These and any similar phrases should be deleted;

2. Detailed cross-references to all supporting documents and procedures mentioned in the OMP, in particular waste acceptance procedures, including version number and dates of issue. The cross references in the OMP should direct the reader straight to the piece of information in question, and the documents should be appended to the OMP;

3. Reference to current guidance available on .gov.uk; For the avoidance of doubt, IPPC H4: Horizontal Guidance for Odour is now obsolete and was replaced with H4 Odour Management available online here:

<https://www.gov.uk/government/publications/environmental-permitting-h4-odour-management>

Environment Agency guidance for the Landfill Sector S5.02 was withdrawn and has been replaced with Landfill operators: environmental permits available online here:

<https://www.gov.uk/guidance/landfill-operators-environmental-permits>

4. Fully address adaptation to odour by all site personnel to avoid underestimates of odour, including how adaptation is minimised;

5. An inventory of odour sources that includes:

1. Identifying the main waste materials received; cross referencing them with the waste codes that appear in Table S2.1 of the permit; quantifying the maximum amount of each waste type accepted per day, and defining the maximum storage duration prior to disposal;

2. Quantifying the amount of landfill gas production over time together with the maximum levels of odorous compounds like hydrogen sulphide that might be expected in the gas, and quantifying the amount of leachate held and treated on site (including tankering off site) and discharged to sewer;

6. Housekeeping controls, including what is done, who is responsible, the frequency of each activity and the expected result;

7. Further details in respect of daily cover, including its characteristics, depth of application, and how sufficient supplies of appropriate materials will be maintained at all times;

8. Specific controls that will be used to minimise the size of the working face, including periodic reviews to ensure that the controls continue to be effective;

9. A correct and clear description of when temporary capping will be applied, which corresponds to current guidance;

10. Full reference to flank cover, including appropriate planning, benching, and slope angles with a clear explanation of when WQL would implement such measures;

11. Reference to installation of sacrificial horizontal “scavenger” lines or pin wells;

12. Firm commitments to the appropriate deadlines by which permanent capping will be installed;

13. Revised text, specifically in

1. paragraph 3.2.2, which avoids suggesting WQL will not comply with any approved LFGMP where it is waiting for approval of a revised plan;

2. paragraph 3.2.6, which avoids suggesting that review/approval of the LFGMP by the Environment Agency is an integral part of WQL’s odour control strategy;

3. paragraph 3.2.7, which avoids suggesting that WQL's gas management contractor is responsible for controlling fugitive emissions of landfill gas;

14. A greater degree of detail and commitment by WQL in relation to leachate management, including the checks made on the leachate system, the use of the biofilter in the leachate treatment plant, its specification, how it is operated, monitored and maintained, how spillage and leakage of leachate is prevented, and the measures to manage emissions from leachate tanker filling

15. An appropriate table which draws together descriptions of the different monitoring regimes, including the parameters measured, details of who is responsible for conducting the monitoring, the frequency with which monitoring is carried out, and the location of results record.

16. A more detailed explanation of how WQL uses concentrations of hydrogen sulphide obtained following monitoring of the gas collection system and emissions of trace gases from surface monitoring to review odour management measures (paragraph 4.2.1): and an explanation of how existing action levels for hydrogen sulphide in the LFGMP are appropriate from a managing odour perspective;

17. A complete list of contingency measures with a focus on prevention rather than reaction. These might include on odour control from freezing weather, plant malfunction and power outage on site.

Deadline 02 April 2024

Action 2: Supply a copy of the revised OMP to the Environment Agency

Deadline 02 April 2024

Advice and Guidance issued by EA

2.27 The Compliance and Assessment Report dated 22 May 2024 issued the following advice and guidance regarding the discharge of liquid from a tanker.

'Officers discussed a report, including video footage, relating to possible acceptance of liquid waste.

WQL informed officers that liquid waste was not accepted for disposal. The on-site tanker had been used to remove liquid that had accumulated around the unloading pad, which was discharged onto the tipping area. The liquid was moved from one area to another in order to facilitate vehicular and plant access to the unloading bay.

WQL should treat such liquid as leachate, which includes liquid produced by the act of leaching, such as rainwater that has percolated over and through various areas of the landfill and become contaminated.

Your leachate management plan (LMP) should describe how this leachate is collected, treated, and disposed. You're existing LMP does not refer to any recirculation of leachate. If you wish to recirculate leachate to the landfill, the reasons and methods will need to be incorporated into your LMP'.

'**Action:** Stop discharging/re-circulating liquid in this manner. Provide a revised LMP by 19 June 2024, which demonstrates that you have considered and taken account of

the following guidance: <https://www.gov.uk/guidance/landfill-operators-environmental-permits/manage-leachate>

Impact Study

2.28 An Impact study, commissioned jointly by a group of public bodies, including Staffordshire County Council, Newcastle-under-Lyme Borough Council, the Environment Agency and UK Health Security Agency, will be carried out by the independent Arcadis Consulting and findings will be published later in the year.

2.29 Communities affected by emissions from a landfill site are to be involved in an independent study detailing their experiences. Researchers will talk directly to residents, businesses and schools to ask not only how the long-running problems at Walleys Quarry landfill in Newcastle have affected their physical and mental health, but how they may have influenced children's education, the local economy, community safety, the value of homes and other factors.

2.30 A copy of the press statement is available at:

<https://www.newcastle-staffs.gov.uk/news/article/254/wide-ranging-study-begins-into-impact-of-landfill-odours>

Key Performance Data

2.31 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 2 and 3.

2.32 The data from the Council covers the period from April 2024 to June 2024 and provides complaint numbers and officer assessments.

2.33 The data from Walleys Quarry Limited provides data on waste acceptance, odour management, landfill operations, landfill gas management, leachate management and information relating to the EA regulator as the primary regulator of the site. The KPI data and explanatory notes for April and May is uploaded as Appendix 3 and the data for June will be uploaded when available.

3. Proposal

3.1 Cabinet is recommended to:

- Note the contents of this update report.

4. Reasons for Proposed Solution

4.1 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.

5. Options Considered

- 5.1 To provide regular updates to Cabinet.

6. **Legal and Statutory Implications**

6.1 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 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 an unlimited fine. It is a defence that the best practicable means were used to prevent, or to counteract the effects of, the nuisance.

7. **Equality Impact Assessment**

7.1 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.

8. **Financial and Resource Implications**

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

8.2 From April 2024 there is a £300k reserve for works associated with Walleys Quarry Landfill site. Should further funding be required, up to £300k can be made available through the transfer of useable reserves (£100k from the Borough Growth Fund and

£200k from the Budget and Borrowing Support Fund). These funds can be transferred without Council approval

- 8.3 Should proceedings regarding the breach of the Council's Abatement Notice exceed £600k, a further report will be presented to Council in order to seek approval to utilise funds from the General Fund Reserve.

9. Major Risks

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

- Failure to achieve a reduction in odour levels;
- Community dissatisfaction at odour levels;
- The ability to take enforcement action against abatement notice;
- Failure to evidence a breach of the abatement notice;
- Secretary of State refuses permission to undertake prosecution proceedings.

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

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

10. UN Sustainable Development Goals (UNSDG)



11. Key Decision Information

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

12. Earlier Cabinet/Committee Resolutions

12.1 This matter has been variously considered previously by Economy, Environment & Place Scrutiny Committee, Council and Cabinet on 21 April 2021, 9th June 2021, 7th July 2021, 21st July 2021, 8th September 2021, 13th October 2021, 3rd November 2021, 17th November, 1st December 2021, 12th January 2022, 2nd February 2022, 23rd February 2022, 23rd March 2022, 20th April 2022, 7th June 2022, 19th July 2022, 6th September 2022, 18th October 2022, 8th November 2022, 6th December 2022, 10th January 2023, 7th February 2023, 13th March 2023, 5th April 2023, 6th June 2023, 18th July 2023, 19th September 2023, 17th October 2023, 7th November 2023, 5th December 2023, 16th

January 2024, 6th February 2024, 14th February 2024, 19th March 2024, 10th April 2024,
4th June 2024.

13. List of Appendices

- 13.1** Appendix 1. Historical Complaint data
- 13.2** Appendix 2. NULBC Key Performance Data
- 13.3** Appendix 3. WQL Key Performance Data
- 13.4** Appendix 4. Percentage exceedance above WHO odour annoyance guideline

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Appendix 1 – Historic Complaint Numbers

Week Ending	Complaints to NuLBC	Complaints to Environment Agency	Week Ending	Complaints to NuLBC	Complaints to Environment Agency
2022			25-Sep	14	79
09-Jan	73	352	02-Oct	13	58
16-Jan	258	1045	09-Oct	42	102
23-Jan	134	651	16-Oct	52	165
30-Jan	25	139	23-Oct	73	186
06-Feb	16	64	30-Oct	30	82
13-Feb	31	120	06-Nov	27	116
20-Feb	49	166	13-Nov	23	86
27-Feb	40	264	20-Nov	60	113
06-Mar	118	571	27-Nov	2	70
13-Mar	72	285	04-Dec	19	47
20-Mar	224	1126	11-Dec	43	163
27-Mar	412	1848	18-Dec	22	114
03-Apr	243	1072	25-Dec	12	45
10-Apr	132	895	2023		
17-Apr	156	752	01-Jan	11	39
24-Apr	65	310	08-Jan	12	32
01-May	49	213	15-Jan	13	25
08-May	39	193	22-Jan	47	118
15-May	35	160	29-Jan	51	149
21-May	43	134	05-Feb	13	66
29-May	20	81	12-Feb	26	115
05-Jun	27	169	19-Feb	7	39
12-Jun	42	234	26-Feb	3	15
19-Jun	25	263	05-Mar	7	13
26-Jun	28	208	12-Mar	12	74
02-Jul	9	54	19-Mar	23	63
09-Jul	4	34	26-Mar	19	56
16-Jul	14	72	02-Apr	51	103
23-Jul	21	52	09-Apr	45	152
30-Jul	12	93	16-Apr	11	64
06-Aug	22	124	23-Apr	48	101
13-Aug	32	133	30-Apr	148	278
21-Aug	11	79	07-May	50	150
28-Aug	12	89	14-May	53	164
04-Sep	10	30	21-May	147	320
11-Sep	9	64	28-May	90	210
18-Sep	13	83	04-Jun	24	43

Week Ending	Complaints to NuLBC	Complaints to Environment Agency
11-Jun	19	75
18-Jun	76	154
25-Jun	80	170
02-Jul	40	99
09-Jul	18	46
16-Jul	20	54
23-Jul	15	73
30-Jul	28	97
06-Aug	21	67
13-Aug	7	30
20-Aug	10	44
27-Aug	8	38
03-Sep	11	59
10-Sept	26	71
17-Sept	12	72
24-Sept	8	31
01-Oct	8	26
08-Oct	8	37
15-Oct	29	64
22-Oct	22	81
29-Oct	26	115
05-Nov	5	15
12-Nov	40	123
19-Nov	35	119
26-Nov	36	135
3-Dec	115	265
10-Dec	83	151
17-Dec	48	180
24-Dec	28	79
31-Dec	44	129
2024		
07-Jan	236	627
14-Jan	76	268
21-Jan	270	824
28-Jan	86	261
04-Feb	133	416
11-Feb	382	905
18-Feb	186	527
25-Feb	397	1264
03-Mar	333	990
10-Mar	218	694
17-Mar	103	374

24-Mar	120	330
31-Mar	81	254
07-April	56	220
14-April	17	75
21-April	32	145
28-April	55	196
05-May	41	167
12-May	75	311
19-May	76	192
26-May	89	240
02-June	75	207
09-June	38	114
16-June	50	147
23-June	67	189
30-June	117	298
07 -July	45	107
14- July	46	

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Appendix 2 – NUL Key Performance Indicators

NULBC		Information	Measurement	MMF	April 2024	May 2024	June 2024
KPI 1	COMPLAINTS	Complaints reported to NULBC	Number		165 Number of unique properties reporting complaints = 84 Rating 0 = 0 complaints Rating 1 = 1 complaints Rating 2 = 3 complaints Rating 3 = 25 complaints Rating 4 = 28 complaints (17%) Rating 5 = 47 complaints (28.5%) Rating 6 = 61 complaints (37%) % of complaints reporting odour entering the property = 122 (73.9%) % of complaints reporting health effects = 97 (58.8%)	338 Number of unique properties reporting complaints = 154 Rating 0 = 0 complaints Rating 1 = 0 complaints Rating 2 = 4 complaints Rating 3 = 35 complaints Rating 4 = 84 complaints (24.9%) Rating 5 = 118 complaints (34.9%) Rating 6 = 97 complaints (28.7%) % of complaints reporting odour entering the property = 295 (87.3%) % of complaints reporting health effects = 234 (69.2%)	286 Number of unique properties reporting complaints = 114 Rating 0 = 2 complaints Rating 1 = 1 complaints Rating 2 = 3 complaints Rating 3 = 27 complaints Rating 4 = 65 complaints (22.7%) Rating 5 = 89 complaints (31.1%) Rating 6 = 99 complaints (34.6%) % of complaints reporting odour entering the property = 225 (78.7%) % of complaints reporting health effects = 198 (69.2%)

KPI 2		Complaints reported (daytime 07:00-23:00)	Number		123	239	220
KPI 3		Complaints reported (night-time 23:00-07:00)	Number		42	99	66
KPI 4		Highest number of complaints during the period	Date (number of complaints)		01/04/24 (25 complaints)	21/05/24 (39 complaints)	26/06/24 (31 complaints)
KPI 5		AIR QUALITY Percentage exceedance Odour Annoyance Guideline (Hydrogen Sulphide 30-minute average)	%	MMF1	8.4%	5.1%	Awaiting data
	MMF2			0.6%	0.7%	Awaiting data	
	MMF9			5.7%	10.9%	Awaiting data	
KPI 6		Monthly Average H ₂ S	ug/m3 over the month	MMF1	2.4	2.2	Awaiting data
				MMF2	1	0.9	Awaiting data
				MMF9	3	5.6	Awaiting data
KPI 7	H ₂ S PEAK LEVEL	Level measured over a 5-minute period Date & Time	ug/m3	MMF1	117.58 ug/m3 (01/04/24 @20:40)	Awaiting data	Awaiting data
				MMF2	35.26 ug/m3 (1/04/24 @22:20)	25.53 ug.m3 (05/05/24 @21:05)	Awaiting data
				MMF9	258.97 ug/m3 (24/04/24@22:50)	289.38ug/m3 (19/05/24 @ 00:25)	Awaiting data
KPI 8	OFFICER ASSESSMENTS	Odour Rating - Officer	Max Odour Rating		No 5 min-assessments	No 5 min assessments	2 assessments – max intensity rating 4

		odour assessment (5 minute)					(19/06/24)
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WALLEYS QUARRY KPI REPORT



Date of Report: April 2024			
Landfill Operations	Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 1	WASTE ACCEPTANCE	Non-conformance raised with waste operator	CCS score(s) including summary and actions.
		No of loads inspected.	each
KPI 2			0 Non-conformance raised with operator. 0 CCS scores received
			897 loads received. 897 loads inspected.
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.
KPI 4		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.
			48 tours 22 external odours.
Landfill Operations	Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 5	ACTIVE TIPPING AREA	Operational Surface area total	m ³
KPI 6	ACTIVE TIPPING AREA	Active tipping area	m ³
			127,066 m ² 15,473 m ²
Landfill Operations	Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 7	CAPPING OF OPERATION AREA	Temporary capping	m ³
		Permanent capping	m ³
			Temporary Capping 46,955 m ² (37 %) Permanent Capping 55,237 m ² (43 %) Total Capped area 102,192 m ² (80 %)
Landfill Operations	Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 8	LANDFILL GAS MANAGEMENT	Surface & Gas infrastructure emission surveys	Number of remaining matters open in the month
KPI 9	LANDFILL GAS MANAGEMENT	Concentration of Hydrogen Sulphide in 'raw' bulk gas	ppm
			0 1,820 ppm – recorded from CLP H ₂ S GUP input data

KPI 10	LANDFILL GAS MANAGEMENT	Landfill Gas capture rate (monitored at the GUP)	m3/hr	3,825 m3/hr - averaged across the period.
KPI 11	LANDFILL GAS MANAGEMENT	Appendix A LGMP Gas Management Plan (live document)	Progress including summary and actions	See explanatory notes
Landfill Operations		Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 12	LEACHATE MANAGEMENT ACTION PLAN	Actions (13 actions)	Progress including summary and actions	See explanatory notes.
Landfill Operations		Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 13	PRIMARY REGULATOR	Compliance Assessments Visits	Number undertaken for which CAR form issued to operator	Four visits within the period: 11 th April DP3734DC/0501575 17 th April DP3734DC/0501930 23 rd April DP3734DC/0501852 29 th April DP3734DC/0502412 .
KPI 14	PRIMARY REGULATOR	Compliance Assessments Visits	Number Undertaken where a CCS score is raised with operator, including summary and actions	0 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	4 regulatory compliance assessments undertaken which resulted in 0 compliance assessment scores

Date of Explanatory Notes: April 2024

KPI 1 and KPI 2 Waste Acceptance

No non-conformances have been received from the regulator within the period.

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

KPI 3 and KPI 4 Odour Management

No non-conformances have been received from the regulator within the month, with four site regulatory inspections/reviews undertaken. CAR reports for site visits confirm, in the opinion of the officer, an offsite odour detected by the Environment Agency during the visit on 23rd April. No other odours observed (see KPI 13-15, below) This was not reported to WQL contemporaneously with the observation making investigation difficult. The Agency assessments cover a wide scope of permit conditions including engineering, containment, operational activities, landfill gas management, odour and pest management.

48 odour, tours were conducted by WQL, with 22 reflecting odours experienced contemporaneously. The observations were rated 2 or less. Checks on the gas collection and treatment infrastructure, site engineering and operations and local weather factors were reviewed to ensure all appropriate actions were being undertaken. No non-conformances were identified during these times and all appropriate actions were being taken.

- Permanent Capping scheduled to commence in May to an area of the southern flank, adjacent to the site haul road. Totalling approximately 7,550 M2.
- Temporary capping using plastic membrane above engineered clay to the western flank and internal haul road on the western flank, completed in April was around 24,000 M2, with more to be installed in May.
- Planned installation of 7 new retro drilled wells and connected to commence in May.

KPI 5 and 6 Active Tipping Area

The overall current landfill 127,066m2. The active area is confined to Cell 2. The current active area remains contained and measures some 15,473 m2. This is aligned with the capping and phasing site management plan.. 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, 46,955 m2 of the surface area of the facility is temporarily capped, either using a high specification, low permeability engineering clay. This is in line with the capping and phasing plan for the facility, as agreed with the Environment Agency

and an increase on the previous period. Maintenance works continue to clay capped areas in line with the agreed (by the Environment Agency) CQA (Construction Quality Assurance) specifications.

Permanent Capping

Relating to permanent capping, 55,237m² 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 permanent capping works being conducted under the process of Construction Quality Assurance (CQA). Subsequently, on completion of the permanent capping works, cover soils continue to be imported to the facility as part of the site restoration process.

KPI 8 - 10 Landfill gas management

WQL continues to undertake the extensive regime of surface emission surveys, as agreed with the Environment Agency. A, FID survey was conducted in March 2024.

The concentration of H₂S at the facility remains within expected limits and in April, averaging 1,850 ppm at the Gas Utilisation Plant (GUP), as measured by CLP Envirogas Ltd and representing a reduction on the previous period.

The volume of gas captured at the facility remains within expected limits, at 3,825m³/hr, comparable with the previous period. The flow rate has remained high and consistent across the period. WQL continue to review this position and drive the gas management contractor, CLP Envirogas Ltd, to ensure that gas collection is continually reviewed to assess relevant developments that can be made.

KPI 11 Landfill Gas Management - Landfill Gas Management Plan

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

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

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

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

The LFGMP has been reviewed and issued to the Environment Agency, with comments received from the regulator on 2 June 2023 following the submission on 15 January 2023. The draft LFGMP has been discussed with NuLBC and was submitted to the Environment Agency on 14 August 2023 for approval, with further comments received 6 October. A meeting to discuss the LFGMP was undertaken on 18 October 2023 with the EA, with a further submission made 22 January 2023.

Discussions have been held with the EA to facilitate approval of the LFGMP. Further comments received by WQL for consideration, which should see approval of the plan. A further submission is anticipated to be made to the EA in May.

KPI 12 Leachate Management Plan

In relation to the LMP, an additional 5 leachate wells have been successfully installed into the WQ facility. These have been installed utilising steel casing, increasing the robustness of the installed infrastructure to settlement and compaction of waste. replacement leachate wells at the facility.

A pump-trial has been conducted and is now complete. The results are being compiled and will be reported to the EA in due course.

KPI 13- 15

11th April 2024 – CAR report 0501575

General site visit undertaken. No compliance scores received. No odours were detected at Keele University, Dill Close, MMF 9, Ironbridge Drive, Newcastle Street, Maries Way MMF 1, or Cemetery Road. Also, a Jerome J605 analyser recorded at the locations with 0 PPB recorded.

17th April 2024 – CAR report 0501930

General site visit undertaken. No compliance scores received. No odours were detected at Orme Rd, Premier shop Keele Rd, The Hamptons, MMF 9, Barnacle Place, Mill Street, Douglas Rd, Silverdale Lights crossroads. No Jerome J605 was used at these locations.

23rd April 2024 CAR report 0501852

General site visit undertaken. No compliance scores received. No odours were detected at MMF 9, Keele University, Sneyd Ave, Dill Close or Cemetery Rd. Odour was detected at Milan Drive (2), Paris Ave (3), both locations were downwind of site. A525 roundabout (no rating). The Jerome J605 was also used at the locations recording 3.81 PPB at Milan Drive, 6.36 PPB at Paris Ave, 3.24 PPB at Sneyd Ave, 3 PPB at Dill Close, 3.78 PPB at Cemetery Rd and 0 PPB at both Keele University and MMF 9.

29th April 2024 CAR report 0502412

General site visit undertaken. No compliance scores received. No odours were detected at Keele University, MMF 9, Maries Way, Ironbridge Drive, Mill Street, Acacia Avenue, Cotswold Avenue. The Jerome J605 was used at the following locations, Acacia Avenue 3.93 & 3.48 PPB, Cemetery Ave 4.57 & 5.39 PPB, with Keele University, MMF 9, Maries Way, Ironbridge Drive, Mill Street and Cotswold Ave all recording 0 PPB.

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Date of Report: 6-6-24			
Landfill Operations	Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 1	WASTE ACCEPTANCE	Non-conformance raised with waste operator	CCS score(s) including summary and actions.
		No of loads inspected.	each
KPI 2			0 Non-conformance raised with operator. 0 CCS scores received
			1,438 loads received. 1,438 loads inspected.
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.
			56 tours
			18 external 7 recorded odour.
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
			129,769 m2
			15,925 m2
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 43,908 m2 (34 %)
			Permanent Capping 63,091 m2 (49 %)
			Total Capped area 106,999 m2 (82 %)
Landfill Operations	Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 8	LANDFILL GAS MANAGEMENT	Surface & Gas infrastructure emission surveys	Number of remaining matters open in the month
KPI 9	LANDFILL GAS MANAGEMENT	Concentration of Hydrogen Sulphide in 'raw' bulk gas	ppm
			0
			1,846 ppm – recorded from CLP H2S GUP input data

KPI 10	LANDFILL GAS MANAGEMENT	Landfill Gas capture rate (monitored at the GUP)	m3/hr	3,854 m3/hr - averaged across the 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	One visit within the period: 2 extra visits for material checks. 22 nd May DP3734DC/0506055 .
KPI 14	PRIMARY REGULATOR	Compliance Assessments Visits	Number Undertaken where a CCS score is raised with operator, including summary and actions	0 regulatory compliance assessments undertaken which resulted in a compliance assessment score – see explanatory notes.
KPI 15	PRIMARY REGULATOR	Compliance Assessments Visits	Number Undertaken where no CCS score is raised with operator, including summary and actions	1 regulatory compliance assessments undertaken which resulted in 0 compliance assessment scores

Date of Explanatory Notes: May 2024

KPI 1 and KPI 2 Waste Acceptance

No non-conformances have been received from the regulator within the period.

1,438 loads inspected within the period, with 0 loads rejected.

KPI 3 and KPI 4 Odour Management

No non-conformances have been received from the regulator within the month, with one site regulatory inspections/reviews undertaken. The Agency assessments cover a wide scope of permit conditions including engineering, containment, operational activities, landfill gas management, odour and pest management.

56 odour tours conducted by WQL, with 7 reflecting potential odour experienced. Contemporaneously with these odour tours, checks on the gas collection and treatment infrastructure, site engineering and operations and local weather factors were reviewed to ensure all appropriate actions were being undertaken. No non-conformances were identified during these times. And all appropriate actions were being taken.

KPI 5 and 6 Active Tipping Area

The overall current landfill is 129,769 m². The active area is confined to Cell 2. The current active area remains contained and measures some 15,925 m². This is aligned with the capping and phasing site management plan. 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, 43,925 m² of the surface area of the facility is temporarily capped, either using a high specification, low permeability engineering clay. This is in line with the capping and phasing site management plan for the facility.

Permanent Capping

Relating to permanent capping, 63,091 m² of the surface area of the facility is capped, by the installation of a low permeability geomembrane. During May approximately 10,900 m² of geomembrane was installed. This is in line with the capping and phasing site management plan for the facility. All permanent capping works being conducted under the process of Construction Quality Assurance (CQA). Subsequently, on completion of the permanent capping works, cover soils continue to be imported to the facility as part of the site restoration process.

KPI 8 - 10 Landfill gas management

WQL continues to undertake the extensive regime of surface emission surveys, as agreed with the Environment Agency. A, FID survey was conducted in May 2024.

The concentration of H₂S at the facility remains within expected limits and in April, averaging 1,846 ppm at the Gas Utilisation Plant (GUP), as measured by CLP Envirogas Ltd and representing a reduction on the previous period.

The volume of gas captured at the facility remains within expected limits, at 3,854m³/hr, comparable with the previous period. The flow rate has remained high and consistent across the period. WQL continue to review this position and drive the gas management contractor, CLP Envirogas Ltd, to ensure that gas collection is continually reviewed to assess relevant developments that can be made.

KPI 11 Landfill Gas Management - Landfill Gas Management Plan

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

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

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

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

The LFGMP has been reviewed and issued to the Environment Agency, with comments received from the regulator on 2 June 2023 following the submission on 15 January 2023. The draft LFGMP has been discussed with NuLBC and was submitted to the Environment Agency on 14 August 2023 for approval, with further comments received 6 October. A meeting to discuss the LFGMP was undertaken on 18 October 2023 with the EA, with a further submission made 22 January 2023. Discussions have been held with the EA to facilitate approval of the LFGMP. Further comments received by WQL for consideration, which should see approval of the plan.

The EA guidance relating to landfill operations has been updated and varies significantly in key areas. This has the potential to impact the approval of the LFGMP amongst other plans submitted to the EA by WQL which it is seeking approval. A request to clarify the position and the potential on-impact has been made to the EA.

KPI 12 Leachate Management Plan

In relation to the LMP, an addition 5 leachate wells have been successfully installed into the WQ facility. These have been installed utilising steel casing, increasing the

robustness of the installed infrastructure to settlement and compaction of waste.
replacement leachate wells at the facility.

A pump-trial plan, agreed to be conducted as part of the LMP submission has been agreed with the EA and completed in Q1. A report will be issued in due course.

KPI 13- 15

22nd May 2024 DP3734DC/0506055

General site visit undertaken. No compliance scores received.

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Time Period			
	MMF1 (%)	MMF 2 (%)	MMF 9 (%)
02 October – 08 October 2023			0
09 October – 15 October 2023			9.4
16 October – 22 October 2023	0.9	0	7.8
23 October – 29 October 2023	13.7	3.0	10.4
30 October – 5 November 2023	7.8	0.6	NR
6 November – 12 November 2023	8.9	1.5	5.6
13 November – 19 November 2023	6.9	0.6	3
20 November – 26 November 2023	3.3	2.9	14.33
27 November – 3 December 2023	14.9	7.4	26.2
4 December – 10 December 2023	21.4	3.0	10.2
11 December – 17 December 2023	13.4	2.68	8.33
18 December – 24 December 2023	0	0	0.6
25 December- 31 December 2023	23.21	0.3	1.9
01 January – 07 January 2024	16.9	8.7	17.7
08 January – 14 January 2024	0		5.0
15 January – 21 January 2024	17.4		18.4
22 January – 28 January 2024	37.8		11.6
29 January – 04 February 2024	18.6		23.4
05 February – 11 February 2024	20.8		22.6
12 February – 18 February 2024	30.8		9.6
19 February – 25 February 2024	27.4		21.1
26 February – 03 March 2024	33.7		20.1
04 March – 10 March 2024	34		13
11 March – 17 March 2024	17.0		6.0
18 March – 24 March 2024	8	1.8	4.5
25 March – 31 March 2024	37.8	1.8	2.1
01 April - 07 April 2024	15.6	1.2	5.4
08 April – 14 April 2024	10.7	0	4.8
15 April – 21 April 2024	0.9	1.2	7.9
22 April – 28 April 2024	1.8	0	6.7
29 April – 05 May 2024	2.4	0.6	9.0
06 May – 12 May 2024	6.85	0.3	14.3
13 May – 19 May 2024	3.3	0	12.2
20 May – 26 May 2024	1.8	0.6	8.6
27 May – 02 June 2024	5.7	1.2	6.0

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**CORPORATE LEADERSHIP TEAM'S
REPORT TO**

Cabinet
16 July 2024

Report Title: Kidsgrove Shared Service Hub

Submitted by: Deputy Chief Executive

Portfolios: One Council, People and Partnerships

Ward(s) affected: Kidsgrove & Ravenscliffe

Purpose of the Report

To give an update on progress with development of the Town Deal funded Shared Service Hub in Kidsgrove as it relates to ground conditions at the preferred site.

Recommendation

That Cabinet:

- 1. Authorises the Deputy Chief Executive, in consultation with the Portfolio Holder Finance, Town Centres and Growth to apply for the relevant Coal Authority permit to enable ground investigations to proceed and to obtain such necessary insurances as are needed for the development to proceed.**
- 2. Authorises the Deputy Chief Executive, in consultation with the Portfolio Holder Finance, Town Centres and Growth to proceed with ground investigations and remediation at the preferred site.**

Reasons

- Delivery of the Kidsgrove Town Investment Plan is a significant opportunity to attract Government funding to the Kidsgrove Town Deal area and support its economic, social and community wellbeing.
- To deliver on the Council Plan Objective A Town Centres for All as it relates to Kidsgrove Town Centre
- To improve access to services and facilities for the residents of Kidsgrove and surrounding areas.

1. Background

- 1.1 in September 2019 the Government invited 100 places to develop proposals for a Town Deal as a part of the £3.6 billion Towns Fund. Within the Borough both Newcastle and Kidsgrove were invited to participate in this valuable opportunity to drive significant investment into the borough. This report focuses on the Kidsgrove element of that work.
- 1.2 The Council worked with a Town Deal Board for Kidsgrove to establish robust and sustainable projects to deliver change to the area. These were submitted to Government October 2020 in a Town Investment Plan for Kidsgrove. In March 2021, Government confirmed that the Town Investment Plan had been successful and awarded the Kidsgrove

Town Deal Board £16.9 million. It was necessary then to develop the projects in more detail for delivery in the form of Business Cases for each project.

- 1.3 The Kidsgrove Shared Service Hub project fits within the Town Investment Plan Objective 2: to create a connected accessible town centre which links key assets, retains the heritage and uniqueness of Kidsgrove, promotes active travel and diversifies and drives new demand and footfall. A Business Case has been developed and the project approved by Department for Levelling Up Housing and Communities for delivery.
- 1.4 The purpose of the Shared Service Hub is to provide a one stop shop for local services, increase footfall by replacing an identified lack of existing facilities and provide a base for the community to deliver a range of community led services and groups. It will also create a new gateway into the town when accessed from the Railway Station or canal tow path.

2. **Issues**

- 2.1 Kidsgrove Town Deal Board has previously considered a number of locations for the Shared Service hub which have either proved not suitable, have been considered to be too far out of town or it has not been possible to come to an acceptable deal with the current landowner. The current preferred site at Meadows Road is considered the only remaining option to take forward this project.
- 2.2 In developing proposals for the Shared Service Hub a Coal Mining Risk Assessment was completed on behalf of the Council. This identified the presence of historic coal works and coal seams in the local area. This study concluded that further intrusive ground investigations would be required to determine the required remediation to enable the development to proceed.
- 2.3 Planning consent for the Shared Service Hub development was obtained in January 2024, subject to a number of conditions. Condition (18) is:

No development shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority;

- I) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
- II) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

- 2.4 In order to complete intrusive ground investigation work it is necessary for the Council to obtain a Coal Authority Permit to undertake such works. A permit is required where any works may interfere with coal mining property, including coal seams and former mine workings. Such works must be completed by a suitably qualified company and remediation undertaken in line with relevant technical guidance.
- 2.5 The terms and conditions of the Coal Authority Permit, which are non-negotiable, includes provision of an indemnity by the Council to the Coal Authority against any liability for any claims, losses or damages from any party arising because of any works carried out on the site (whether permitted, unauthorised, foreseen or otherwise) by the Council, its agent or

representative or its designers and or contractors. The indemnity lasts for a period of 12 years.

- 2.6 The Council's insurance brokers have been consulted on these requirements and are in the process of preparing a proposal that will meet the requirements of the Coal Authority Permit and ensure that the Council is adequately covered for ground investigations, remediation and construction works for the required 12-year period. This will enable the Council to proceed with the application process.

3. **Proposal**

3.1 That Cabinet;

Authorises the Deputy Chief Executive, in consultation with the Portfolio Holder Finance, Town Centres and Growth to apply for the relevant Coal Authority permit to enable ground investigations to proceed and to obtain such necessary insurances as are needed for the development to proceed.

Authorises the Deputy Chief Executive, in consultation with the Portfolio Holder Finance, Town Centres and Growth to proceed with ground investigations and remediation at the preferred site.

4. **Reasons for Proposed Solution**

- 4.1 Delivery of the Kidsgrove Town Investment Plan is a significant opportunity to attract Government funding to the Kidsgrove Town Deal area and support its economic, social and community wellbeing.
- 4.2 To deliver on the Council Plan Objective A Town Centres for All as it relates to Kidsgrove Town Centre.
- 4.3 To improve access to services and facilities for the residents of Kidsgrove and surrounding areas.

5. **Options Considered**

- 5.1 The projects presented in the Kidsgrove Town Investment Plan have been agreed by both the Kidsgrove Town Deal Board and the Council as the priorities for Kidsgrove following consideration of other options.
- 5.2 Cabinet has previously considered the location of the shared service hub at its meeting of 18 July 2023 approving a recommendation from Kidsgrove Town Deal Board that the Meadows Road site was the preferred location.
- 5.3 Should the Council decide not to pursue the Meadows Road option then it would not be delivering on the agreed objectives of the Kidsgrove town Investment Plan and associated business case documents.
- 5.4 In the terms and conditions of the Coal Authority permit, in this instance the Council must be the permit holder for the works.

6. **Legal and Statutory Implications**

- 6.1 The Council is required to be the permit holder of the Coal Authority Permit for these works.
- 6.2 The Council is required to have a suitable and adequate level of insurance cover under the terms of the Permit.

7. **Equality Impact Assessment**

- 7.1 The location of the Shared Service Hub is intended to be accessible for all local residents of Kidsgrove Town Centre.
- 7.2 The Shared Service Hub is intended to provide the opportunity to increase the range of services provided to residents of Kidsgrove and also provide opportunities for community groups to have a bookable space.
- 7.3 The building will be designed to be fully accessible to all and will comply with current building standard requirements.
- 7.4 An Equality Impact Assessment was submitted to Government as a part of the approval process for this project. This identified a positive impact due to the project providing improved accessibility to services and potentially that opportunity to access a wider range of services in the local area.

8. **Financial and Resource Implications**

- 8.1 The project requires expenditure of Kidsgrove Town Deal funding for which the Council is the accountable body. This expenditure is within the approved project funding for the shared service hub.
- 8.2 The estimated cost of the ground investigation works is £20,000 - £25,000.
- 8.3 The cost estimate for remediation works is dependent on the results of the investigation works and the agreed remediation strategy.
- 8.4 The Town Deal allocation for the Shared Service Hub element is £6,183,000 this encompasses the build of the Shared Service Hub and wider public realm works in Kidsgrove town centre.

9. **Major Risks**

- 9.1 The principal risks for the project as it relates to this element are as follows:
- 9.2 Unable to deliver Town Deal objectives – consequences are loss of investment for Kidsgrove and no improvement of facilities for local people. Control measures include project governance processes, project approval processes and the actions of the project subgroup in managing delivery of the project and associated risks and issues.
- 9.3 Unable to procure suitable insurance for the Coal Authority Permit. – consequences, unable to deliver the full scope of actions as set out in the Town Investment Plan, lesser outcome for the people of Kidsgrove. Control measures, use of experienced insurance

brokers with experience of dealing with Coal Authority permit issues. Suitable ground risk investigation and coal mining risk assessment have been undertaken to support this work.

9.4 Coal Authority Permit not granted – consequences are, a delay in project delivery, increased cost of delivery, unable to deliver the project as planned. Control measures – ground investigation report and coal authority risk assessment completed. Use of suitably qualified contractors for the ground investigation works. Submission of all relevant documents to the Coal Authority.

10. UN Sustainable Development Goals (UNSDG)

10.1 Delivery of the Shared Service fits within sustainable development goals Specifically, Goal 11 Sustainable cities and communities, by consolidating services in an existing town centre to support both the provision of existing services and also the introduction of new services for local residents. Goal 10 reduced inequalities by providing opportunities for service delivery and community cohesion events in an area which has some areas of deprivation as measured by the Indices of Multiple Deprivation. Goal 3 Good health and wellbeing. Supporting the mental and physical wellbeing of Kidsgrove residents by providing facilities for social and well-being activities alongside more formal delivery of services to the local community.



11. Key Decision Information

11.1 Whilst located in the Kidsgrove and Ravenscliffe Ward the Shared Service hub is intended to deliver services to residents from a wider catchment of the Kidsgrove Town Deal area.

12. Earlier Cabinet/Committee Resolutions

12.1 1 Planning Committee January 2024, approval of development. [Agenda for Planning Committee on Thursday, 4th January, 2024, 7.00 pm | Modern.gov | Connexus](#)

12.2 Cabinet July 2023 concerning delivery of the shared service hub [Agenda for Cabinet on Tuesday, 18th July, 2023, 2.00 pm | Modern.gov | Connexus](#)

12.3 7 March 2021 Concerning acceptance of the £16.9 million Kidsgrove Town Deal award and progression of project delivery. <http://svmma/ieListDocuments.aspx?CId=118&MId=3425>

- 12.4 3 November 2020 Concerning authorisation of the Kidsgrove Town Deal Investment Plan and progression of project development.
<http://svmma/ieListDocuments.aspx?CId=118&MId=3421>
- 12.5 4 December 2019 concerning establishment of a Town Deal Board and development of the Town Investment Plan <http://svmma/ieListDocuments.aspx?CId=118&MId=3412>

13. **List of Appendices**

13.1 None

14. **Background Papers**

- 14.1 Kidsgrove Town Investment Plan <https://www.newcastle-staffs.gov.uk/kidsgrove-town-deal-3/kidsgrove-town-deal>
- 14.2 Business Case for the Shared Service Hub.
- 14.3 Planning decision [planning consent 23/00638/DEEM3 \(newcastle-staffs.gov.uk\)](http://planning.consents/23/00638/DEEM3)
- 14.4 Coal Authority permit process [What is a permit and how to get one? - GOV.UK \(www.gov.uk\)](http://www.gov.uk/guidance/what-is-a-permit-and-how-to-get-one)

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**CORPORATE LEADERSHIP TEAM'S
REPORT TO CABINET**

16th July 2024

Report Title: Brampton Museum funding application to the National Lottery Heritage Fund

Submitted by: Deputy Chief Executive

Portfolios: Leisure, Culture and Heritage

Ward(s) affected: All

<u>Purpose of the Report</u>	<u>Key Decision</u>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<p>To update cabinet on Brampton Museum’s 2025-27 national lottery heritage funding bid “A Sustainable Future for Brampton Museum” and to seek approval to accept funding should this subsequently be awarded.</p>			
<p><u>Recommendation</u></p> <p>That Cabinet:</p> <p style="padding-left: 40px;">1. Approve the museum’s application to the National Lottery Heritage Fund and the Deputy Chief Executive in consultation with the Portfolio Holder for Leisure, Culture and Heritage be authorised to accept and utilise any funding allocated in line with the bid.</p>			
<p><u>Reasons</u></p> <p>Brampton Museum’s award-winning work is partly delivered through externally funded projects. The current National Lottery and other external project funding ends in March 2025. Without external funding the museum will return to its core staffing and much of its award-winning work will cease.</p>			

1. Background

- 1.1 Brampton Museum has successfully delivered a transformative National Lottery Heritage Fund project which is due to draw to a close in March 2025. Thereafter unless new funding can be found, the Museums current project funded staff will no longer be employed, and the Museum will no longer be able to draw on its externally funding for events, marketing and equipment purchase.
- 1.2 The museum’s transformation has delivered a 60% increase in visitor numbers and a 117% increase in income compared to 2019/20, alongside Enjoy

Staffordshire awards as “Small Visitor Attraction of the Year,” “Business Venue of the Year,” “Accessible and Inclusive Tourism” and “Ethical and Sustainable Tourism.” Community feedback shows that 77% of visitors who attended an event left feeling proud to live in Newcastle and felt more connected to their community. Many of these benefits are delivered and sustained by externally funded projects. Without further funding, this work will cease in March 2025 which will likely result in a drop in income, visitors, events, awards and positive reputation for the council.

1.3 For the last nine months museum staff have been developing a 2025-27 funding bid to the National Lottery Heritage Fund. The bid is based on the evaluation of the Museum’s current work and taking account of consultation with various community organisations. Advice has been sought on improving the museum’s financial sustainability from the West Midlands Museum Development Trust and its environmental sustainability from the Council’s in house team.

1.4 The project meets the council’s current priorities and the National Lottery’s four investment principles of:

1. Improving the museum’s financial and organisational suitability
2. Protecting the environment
3. Inclusion, access and participation
4. Saving Heritage

Feedback on the proposed circa £98,000 bid from the National Lottery has been positive, with a key feedback that the application must be submitted soon if to be approved and work to begin in 2025.

1.5 The project will help the Museum diversify its audiences by supporting previously under-served communities to share their heritage with a series of free, open-to-all, vibrant events and activities co-created with local community groups. Lottery funding will provide the skills and capacity to create a ‘Friends of’ membership scheme for regular donors and lead a £1-£1 match fundraising campaign for local businesses. These and other new, long-term income streams will conserve the museum’s collections. Finally, Brampton will reduce its environmental footprint and running costs by upgrading lighting, taps and insulation, and inspiring visitors to change their travel behaviour with a new bike rack.

2. Issues

2.1 The council is not in a position to fund an activities and event officer, a museum events and marketing programme and much of the museum’s award-winning work. Much of the museum’s outstanding work that Newcastle residents and visitors have come to enjoy and expect relies on external funding.

2.2 To support the council’s objective of becoming carbon neutral the museum needs several further environmental improvements. These are beyond the scope of the museum’s existing revenue budget. Making environmental improvements will reduce unnecessary utility costs and support the council’s sustainable environment plan.

2.3 The museum is responsible for a beloved collection of 34,000 items, the majority of which have been donated by local people. Many larger items need large scale conservation work, above and beyond what can be delivered with the Museums annual £500 conservation budget or current level of public donations. The museum needs financial support to develop long term, regular donation and sponsorship schemes to support its ongoing work, including starting a membership style 'museum supporters' scheme. This work cannot be delivered by its current 3.6 members of part time staff.

3. Recommendation

3.1 That Cabinet

Approve the museum's application to the National Lottery Heritage Fund and the Deputy Chief Executive in consultation with the Portfolio Holder for Leisure, Culture and Heritage be authorised to accept and utilise any funding allocated in line with the bid.

4. Reasons

4.1 The council benefits from the reputation, income and footfall from museum work that is externally funded. If the museum does not carry out externally funded work in 2025-27 it will only have a basic staff to deliver core activities funded directly by the borough council. There will be a significant loss in footfall, income, activities and reputation.

4.2 Applying now for a National Lottery grant to begin April 2025 means no loss of capacity or momentum at the museum. Any delays to the application will result in much of the museum's work ceasing. If this capacity is lost, the museum will no longer have the internal resources to apply for future funding bids or to support council wide cultural initiatives.

5. Options Considered

5.1 The preferred option of employing a permanent events and activities officer for Brampton Museum has been previously considered but it is difficult to confirm sufficient income to cover the full costs. The museum therefore continues to rely on short term external funding to deliver much of its award-winning work for the community.

5.2 A two-year crowd funding campaign raised £1000 towards delivering future events. This demonstrates that public donations alone are insufficient to deliver the award-winning work local people have come to expect from its museum.

5.3 Ten local businesses who have supported the museum in the past were approached to support or sponsor the museum's upcoming project. Those that responded expressed a wish to donate to the museum's conservation work

rather than towards environmental improvements or financial sustainability work. This type of vital work can only be completed by external grants.

6. Legal and Statutory Implications

6.1 None foreseen.

7. Equality Impact Assessment

7.1 This funding application is accessibility and inclusion focussed and will increase access to the museum. This will be monitored through the museum's annual application to the Enjoy Staffordshire accessible and inclusive tourism awards.

8. Financial and Resource Implications

8.1 No new match funding from the council is required for this application.

8.2 The application if successful will increase staff resources and finances available to the museum, not diminish it.

8.3 The existing museum team is experienced in delivering externally funded projects alongside its core work.

9. Major Risks & Mitigation

9.1 The project is low risk. Risk register and project plan available on request.

10. UN Sustainable Development Goals (UNSDG)

10.1 The project focuses on improving the environment and reducing inequalities.



11. Key Decision Information

11.1 The total value of the grant payable on the back of a successful application will be below £100,000 so this is not a key decision.

12. Earlier Cabinet/Committee Resolutions

12.1 None.

13. **List of Appendices**

13.1 None.

14. **Background Papers**

14.1 Project plan and risk register available on request.

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**CORPORATE LEADERSHIP TEAM'S
REPORT TO CABINET**

16th July 2024

Report Title: Keele Sustainable Solar Energy Business Case

Submitted by: Deputy Chief Executive

Portfolios: Finance, Town Centres and Growth, Sustainable Environment

Ward(s) affected: Keele

<u>Purpose of the Report</u>	<u>Key Decision</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
To outline the business case for the proposal for a sustainable solar energy scheme at Keele.			
<u>Recommendation</u>			
<p>That Cabinet:</p> <ol style="list-style-type: none"> 1. Approves the business case and the scheme is progressed to planning application. 2. Authorises the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centres and Growth, to negotiate end user agreements. 3. Authorises the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centre and growth, to procure the necessary contracts to deliver the scheme in line with and planning conditions. 			
<u>Reasons</u>			
Cabinet previously approved a high level feasibility study and requested this further report to Cabinet to review the business plan and progress with the scheme prior to awarding any contracts and licences for the construction or supply of the energy produced.			

1. Background

- 1.1** The Climate Change Act 2008 places the government under a legal duty to reduce greenhouse gas emissions by 80% below 1990 levels by 2050 and the Council has been working to reduce our emissions since. In 2019 the Council passed a climate emergency motion with the aim of becoming carbon neutral with respect to the Council's own estates and activities and those related to our residents and businesses. Following this, the Council adopted a Sustainable Environment Strategy in 2020. This Strategy is the vehicle for helping the Council achieve its aims of caring for and enhancing our natural environment and to adapt and mitigate the effects of climate change. It states the Council will reduce our reliance on fossil fuels by investigating green energy investment. In June 2024 Cabinet approved the refreshed Sustainable Environment Strategy and associated delivery plan. Delivery of green energy is a key element of supporting the Borough to meet its 2050 emissions target.

- 1.2** Cabinet have previously received a report on the option to develop a Sustainable solar array at Keele cemetery. Following an initial high-level feasibility study the Council has procured planning consultants to design a suitable solar array scheme and to submit a planning application for the facility and associated connection infrastructure. As agreed previously further details on the potential scheme would be reported to Cabinet before the planning application is submitted.
- 1.3** Since the October cabinet report informal discussions have taken place with potential end users who may wish to purchase the electricity. As the solar panel scheme will be developed on a commercial basis with the sale of the electricity to the end user being on a commercial basis therefore the financial aspects are confidential and outlined in this report.

2. Issues

2.1 Site design

- 2.2.1 Keele cemetery is currently operating on a small proportion of the overall site with a significant part left for agricultural grazing until burial space is required. Wardell Armstrong have taken into account the anticipated burial rates and site conditions to design a suitable scheme.
- 2.2.2 Dependent on burial rates and the choice of customers over burial sites it is anticipated that there will be some requirement for burial and memorial in 25 years. The site plans have taken this into account and identifies an area for woodland memorial which is anticipated to grow in popularity as more customers become concerned with sustainability. The site can in the longer term be used for burials as the existing site is fully utilised.
- 2.2.3 The high-level assessment for the site topography of the 14ha field would allow 8.9ha being able to be used for solar. Subject to the amount of electricity required a smaller proportion of the field could be developed out with panels.

2.3 Panel choice

There are a variety of solar panels that can be used but primarily they are either single or double sided, fixed or tilting. The final choice will be subject to planning permission and the procurement process in due course. The business case does however highlight that single sided fixed panels are appropriate as the main type used in the UK based on pay back timescales.

2.4 End User

Wardell Armstrong have produced a Private Wire Options and Returns report which outlines the key business case for the solar panel scheme, this includes confidential business information and is therefore outlined in the Confidential Cabinet report and appendices. This confidential report also outlines potential agreements with end users who will purchase the electricity from the Council.

3. Recommendation

3.1 That Cabinet:

1. Approves the business case and the scheme is progressed to planning application.

2. Authorises the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centres and Growth, to negotiate end user agreements.
3. Authorises the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centre and growth, to procure the necessary contracts to deliver the scheme in line with and planning conditions.

4. Reasons

- 4.1 Delivery of a solar panel energy generation scheme is in line with the Council's Sustainable Environment Strategy.
- 4.2 In order to deliver the scheme the Council will require resources to project manage the procurement and construction of the project alongside end user agreements. It is proposed to utilise external specialist support. As part of the UK Shared Prosperity Fund there is a project to deliver a green sustainability project in conjunction with Keele University, subject to Cabinet approval to progress with the scheme it is proposed that Keele provide support in the interim then officers review if further support is required to support the implementation phase.

5. Options Considered

- 5.1 The Council has a choice whether to seek opportunities to develop green energy schemes.

6. Legal and Statutory Implications

- 6.1 The Council is able to deliver schemes such as this solar scheme. HM treasury issued a document 'PWLB Guidance for Applicants' on 15 June 2023 in order to end the situation whereby a minority of local authorities used PWLB loans to support the acquisition of investment assets bought primarily for financial return.
- 6.2 The document helps to ensure that capital plans are compliant with ongoing access to the PWLB under the lending terms published in June 2023 and gives clear examples of projects that would be supported by the PWLB or would be rejected by the PWLB.
- 6.3 An example of a project that would be supported by the PWLB would be an energy generation project. The Council has made energy efficiency and sustainability a policy priority, the project therefore serves a clear policy purpose for the Council, advancing its environmental and climate change priorities and is not primarily to generate an income.
- 6.4 This would be a clear example of service delivery in that it is expenditure on assets that form part of the authority's public service delivery.
- 6.5 The application for the planning permission will be decided through the normal Planning process and will be subject to the relevant consultations.
- 6.6 The Council will need to complete procurement of panels and associated infrastructure through a framework.
- 6.7 Should the development proceed then the Council will need to complete further negotiations and legal agreements with energy buyers.

7. Equality Impact Assessment

7.1 The plans are not intended to have any impact on equality.

8. Financial and Resource Implications

8.1 The cost of the planning consultants to develop the plans and submit a planning application is met from the master planning for sites in the capital programme.

8.2 There are a range of options available to the Council in terms of buying or leasing the solar panels, the approach the maintenance, and connection to electricity buyers. A compliant tendering process will need to be undertaken at the appropriate time.

8.3 Subject to the Cabinet supporting the business case and planning permission being granted, Cabinet will need to plan for the expenditure in next years Capital Programme. Prior to any such decisions being made further reports on progress and implementation plans will be reported to Cabinet.

9. Major Risks & Mitigation

9.1 There is a risk assessment on GRACE which identifies some key risks to the Council. Without a suitable design the Council is at risk of not securing planning permission thus risks losing the costs of designing and seeking planning permission. Part of the mitigation against this is working with expert consultants that know about the solar arrays and the local context. Without a suitable design the Council also place in jeopardy the future use of the land and expansion of the Keele cemetery or even the successful integration of the two site uses. It is therefore essential that the master planning consultants seek to deliver suitable designs to meet a range of needs.

10. UN Sustainable Development Goals (UNSDG)

10.1 The development of a solar array produces clean green energy which is a clearly contributes to the Sustainable Goals:



11. Key Decision Information

11.1 This is a key decision based on the financial levels.

12. Earlier Cabinet/Committee Resolutions

12.1 17th October 2023 Cabinet:

1. Approved the production of a detailed feasibility study and business case for the solar array at Keele, details to be provided through a further report,

2. Authorised the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centres & Growth, to submit a planning application for the solar array at Keele;
3. Receives a further report on the progress and next steps required prior to any installation works being undertaken on site or end user agreements are signed.

13. List of Appendices

- 13.1 Confidential Report - Wardell Armstrong Private Wire Options and Returns.
- 13.2 Confidential Financial Modelling Spreadsheet.
- 13.3 Proposed scheme design from Wardell Armstrong.

14. Background Papers

- 14.1 None.

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**CORPORATE LEADERSHIP TEAM'S
REPORT TO CABINET**

16th July 2024

Report Title: **Delivery of Electric Vehicle Charging through the County Council's Local Government Electric Vehicle Instructure (LEVI) funding.**

Submitted by: **Deputy Chief Executive**

Portfolios: **Finance, Town Centres and Growth**

Ward(s) affected: **All Wards**

<u>Purpose of the Report</u>	<u>Key Decision</u> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<p>This report outlines the joint work between the Council and Staffordshire County Council (SCC) under the wider County Electric Vehicle Partnership, to deliver Electric Vehicle (EV) charging infrastructure through the Government's Local Electric Vehicle Infrastructure (LEVI) funding in the Borough.</p>	
<u>Recommendation</u>	
<p>That Cabinet:</p> <ol style="list-style-type: none"> 1. Agrees to the Council working with the County Council to deliver Electric Vehicle charging points utilising LEVI funding and County Council procurement of the EV Charge Point Operator (CPO). 2. Notes the proposed sites for the EV charging points and agrees that these are taken forward for the LEVI soft market testing and if appropriate final installation. 3. Authorises the Deputy Chief Executive in consultation with the Portfolio Holder for Finance, Town Centres and Growth to agree any necessary agreements to facilitate the delivery of the EV chargers and EV charger locations. 	
<u>Reasons</u>	
<p>The Council has several EV charging points on its car parks which seek to support residents and visitors using the borough's towns. The County Council has been successful in securing LEVI funding to deliver EV chargers across Staffordshire, specifically targeting areas where residents find it difficult to directly charge their vehicles. It is appropriate that the Borough Council considers the opportunity to work with the County Council to deliver commensurate EV services to our residents and that the appropriate delegations are given to enable a suitable scheme to be delivered with the funding timescales.</p>	

1. Background

- 1.1 The Borough Council has made commitments to reducing its carbon usage and becoming net zero. A Sustainable Environment Strategy and Delivery Plan has been adopted by the Council with objectives relating to travel and transport. Nationally, there is a determination to move away from the use of diesel and petrol vehicles towards cleaner energies in the form of electric or hydrogen powered vehicles. The UK Government set out its ambitions for all new cars to be electric by 2035 and to decarbonise the country's roads by 2050.
- 1.2 In order to facilitate this, there needs to be a network of electric vehicle (EV) charging facilities to enable drivers to charge their vehicles. Whilst most residents where possible seek to charge their vehicles at home there are many properties without access to off-street parking provision or other constraints preventing at-home charging. Furthermore, the current technology of EV's means vehicles need charging at more regular intervals than compared with vehicles using diesel or petrol. As such, there needs to be additional chargers accessible to the wider EV community.
- 1.3 To support the drive to reach net zero carbon emissions and decarbonise road transport by 2050, the UK Government has set out its ambitions for all new cars to be electric by 2035. To help achieve this, the Government's Office for Zero Emission Vehicles (OZEV) has made funding available through the Local Electric Vehicle Infrastructure (LEVI) funding, Staffordshire County Council has been successful in securing some of this funding and is now moving to a delivery phase.

2. Issues

- 2.1 The County Council has completed an analysis of areas needing additional EV charging points and matched this with an analysis of availability of publicly owned land which could accommodate EV charging facilities. This work has generated a list of potential sites. Within the borough the County Council has identified the following locations:
- Windsor St / Hassell St
 - The Parade, Silverdale
 - King Street
 - Wharf Street
 - New Chapel Road - Pump Track at Kidsgrove.

These sites are now being assessed as part of a soft market testing exercise, which involves speaking to potential suppliers to establish if they could be potentially suitable. It may be possible to deliver at least 6 to 8 EV Chargers per off-street car park site.

- 2.2** The specific form of required governance agreements for the operation of the charge points is still being determined by the County Council, with options including a Service Level Agreement (SLA) and Lease agreement, or a mini-framework with an open procurement process and call-off contract(s) being considered. Due to short timescales, Cabinet approval is sought to agree in principle to these arrangements, with delegated authority provided to the Deputy Chief Executive to finalise the agreements once a suitable arrangement is agreed.
- 2.3** The County Council intends to procure a Charge Point Operator (CPO) who will manage and maintain the charging infrastructure. The Borough? Council will be required to provide the necessary land access, potential electricity connections and input into the agreements and installation process. The exact division of roles and responsibilities will be detailed in the final governance agreements.
- 2.4** The LEVI funding is being approved in multiple stages, with specific deadlines for each stage. The short time frame between these stages necessitates quick decision-making and turnaround times for the Council and partners, including the review, approval and the necessary agreements. Failure to meet these deadlines could result in missing out on the current round of LEVI funding. This report therefore seeks Cabinet's agreement to the LEVI project, with delegated authority to finalise the necessary agreements and processes for installation. This approach will enable the project to move forward expediently once the governance model is agreed, while ensuring that the Borough Council's interests are properly represented in the final arrangements.

3. Recommendation

3.1 That Cabinet:

- Agrees to the Council working with the County Council to deliver Electric Vehicle charging points utilising LEVI funding and County Council procurement of the EV Chargepoint Operator (CPO).
- Notes the proposed sites for the EV charging points and agrees that these are taken forward for the LEVI soft market testing and if appropriate final installation.
- Authorises the Interim Chief Executive in consultation with the Portfolio Holder for Finance, Town Centres and Growth to agree any necessary agreements to facilitate the delivery of the EV chargers and EV charger locations.

4. Reasons

- 4.1** Subject to approval, it is proposed that the Deputy Chief Executive of the Borough Council of Newcastle-under-Lyme, in consultation with the Portfolio Holder for Finance, Town Centres and Growth is authorised to negotiate and sign the final governance agreements and, where appropriate, consult with stakeholders, for example, landlords and tenants, to make any necessary

amendments to existing agreements or leases, in order to meet the timeline targets as set out by Staffordshire County Council and the Office for Zero Emission Vehicles (OZEV).

5. Options Considered

- 5.1 The Council does not have to offer EV charging facilities in our car parks however by doing so this will help in encouraging local residents and others to acquire EV's and use these as replacements for diesel and petrol vehicles and as such contribute towards deliver of sustainability goals.
- 5.2 The Council can decide if to procure suppliers for EV chargers independently of the County Council, however if this route is taken then there will be no access to the LEVI funding.

6. Legal and Statutory Implications

- 6.1 The Council will be required to consider a range of agreements which will cover procurement, suitable governance arrangements and wider lands aspects [Agreements for Lease, Heads of Terms suites of documents, Management/Concession Agreements, Electricity Connection Agreements, repair and maintenance, Insurances and Termination].

7. Equality Impact Assessment

- 7.1 The project seeks to make ownership and usage of electric vehicles more accessible to people who do not have the option to charge at home.

8. Financial and Resource Implications

- 8.1 The County Council are undertaking the procurement in line with the Public Contract Regulations (PCR) 2015.
- 8.2 There will be a requirement for the Borough Council to provide some car parking enforcement role on the car parks to ensure that the EV Charging parking spaces are not inappropriately used. This could be delivered within the existing resources engaged for the Council's pay and display car parks, however for the Wharf Street and New Chapel Road new resources would be required. For these sites there will need to be further discussion with the County Council and the chosen EV Charger provider to agree suitable enforcement options (and also if these need to be included in the Traffic Regulation Order).

9. Major Risks & Mitigation

- 9.1 The proposed joint working with the County Council allows the Borough Council to support the expansion of EV infrastructure and work towards its environmental goals with minimal financial and operational risk.

9.2 The County Council has completed a risk assessment with the main risks identified as follows:

9.2.1 If agreements are not signed, the shortlist of Borough Council car park sites will not be included as locations for LEVI-funded installation. This could delay the rollout of EV charging in the Borough and mean missing out on the current UK Government (OZEV LEVI) funding opportunity.

9.2.2 If there are delays to the proposed timeline, 10% of Staffordshire County Council’s LEVI funding (£458,800) expected in March 2025, may not be received leaving a shortfall in the budget for the project.

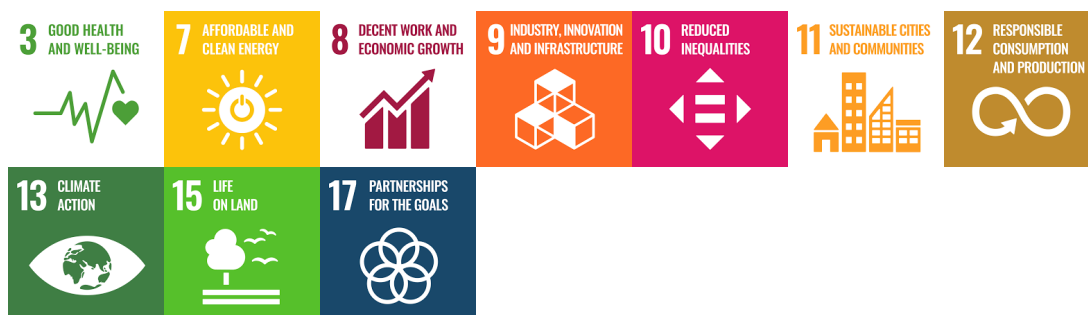
9.2.3 Lack of uptake or usage of the new charging points could mean they are not financially viable for the Charge Point Operator (CPO). Robust feasibility assessments and ongoing monitoring of usage levels by the CPO will be required to mitigate this.

9.2.4 Reputational risk to the Borough Council, if there are issues with the availability, reliability or pricing of the charging points. Clear SLAs on performance and customer service standards will need to be agreed upon with the Charge Point Operator (CPO), along with effective contract management.

9.2.5 It is also worth noting that, if the Borough Council does not provide EV charging points then customers will gravitate towards those car parks that do have them, and therefore risk losing clients and commercial cross-subsidisation opportunities, should we not provide them. With the introduction of EV points in the medium term may boost our customer base by providing the facilities modern-day drivers expect.

10. UN Sustainable Development Goals (UNSDG)

10.1 The EV chargers and use of clean powered vehicles clearly supports the UNSDG goals.



11. Key Decision Information

11.1 This is a key decision as it involves 2 wards.

12. Earlier Cabinet/Committee Resolutions

12.1 Cabinet approved the Sustainable Environment Strategy and Delivery Plan in June 2024.

13. **List of Appendices**

13.1 None.

14. **Background Papers**

14.1 Staffordshire County Council Public Electric Vehicle Charging Infrastructure Strategy is available on request.

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**CORPORATE LEADERSHIP TEAM'S
REPORT TO CABINET**

16 JULY 2024

Report Title: Urban Tree Planting Strategy Phase 6

Submitted by: Service Director – Neighbourhood Delivery

Portfolios: Sustainable Environment

Ward(s) affected: All

<u>Purpose of the Report</u>	<u>Key Decision</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<p>To seek the approval of Cabinet to progress Phase 6 of tree planting under the Urban Tree Planting Strategy and to seek approval to expand the strategy to include tree planting in selected sites in rural villages.</p>			
<p><u>Recommendation</u></p> <p>That Cabinet:</p> <ol style="list-style-type: none"> 1. Approve Phase 6 of the Urban Tree Planting Strategy for consultation and implementation in winter 2024/25 (subject to consultation responses), and authorise the Service Director – Neighbourhood Delivery to seek and accept quotations for the work in consultation with the Portfolio Holder for Sustainable Environment. 2. Authorise the Service Director – Neighbourhood Delivery to bid for and accept external grant funding and secure community donations (if offered) to contribute to the cost of the Urban Tree Planting Strategy and other related projects. 3. Approve the expansion of the Urban Tree Planting Strategy to include rural tree planting schemes. 4. Invite ward members in the rural areas of the Borough to propose potential sites for tree planting on Borough Council land in their wards. 5. Agree that up to two rural sites are included in this phase of planting, subject to consultation with the relevant community and agreement with the Portfolio Holder for Sustainable Environment. 6. Authorise designation of appropriate tree planting sites as Carbon Capture Areas in the emerging Local Plan. 			
<p><u>Reasons</u></p>			

To contribute to the Council's sustainable Environment Strategy, with a particular focus on carbon sequestration and off-setting as part of its journey to net carbon zero.

To contribute to the removal and sequestration of carbon from the atmosphere.

To contribute to the good management of the Borough Council's tree stock and appropriate decision making on tree planting proposals.

To contribute to the Council's Nature Recovery plans.

To protect urban greenspaces for future generations.

1. **Background**

- 1.1 The Council adopted its Sustainable Environment Strategy in December 2020 which committed, under the "Offset" theme, to undertaking a feasibility study for a tree planting programme to facilitate carbon capture, and greening. The strategy also makes commitments in relation to tree planting in the priority outcomes for the Natural Environment theme. The refresh of the Sustainable Environment Strategy was approved by Cabinet on 4th June 2024.
- 1.2 On 7 July 2021 the Cabinet approved the Urban Tree Planting Strategy which set out its approach for the management and improvement of the urban forest of Newcastle-under-Lyme.
- 1.3 In November 2021 the Council was the first in Staffordshire to adopt a Nature Recovery motion in Full Council, in recognition that nature is in long term decline and action is needed to halt and reverse this urgently.
- 1.4 Over the last 4 years, the Council has delivered the first 5 phases of the Urban Tree Planting Strategy, planting 19,604 trees over 27 sites, and plans are now in place to deliver phase 6 over the winter of 2024/25.
- 1.5 A number of other linked initiatives have also been delivered including the planting of perennial plants in the town centre, as part of a phased plan to reduce traditional bedding usage, adoption of the Grassland Management Strategy and Plan and the Treetotalizer which now stands at over 9995 trees which have been planted by the community as part of the Britain in Bloom Plant a Bloomin' Tree project. When added to the trees the Council has planted in the first 5 phases of the Urban Tree Planting Strategy, 29,599 trees have been planted in the Borough in the last 4 years.

2. **Issues**

- 2.1 A list of 8 urban sites from the previously approved long list have been identified for Phase 6 tree planting. They are located at Clayhanger Close, Dales Green Play Area, Waterhays, Laurel Drive Play Area, Porthill Dingle, Wye Road/Bunny Hill, Kingsbridge Avenue and The Butts and are considered to be suitable for planting. Therefore community consultation will be undertaken and, dependent on the outcome, planting will be scheduled to be completed by March 2025.

2.2 The latest phase of planting continues to follow the principle of the importance of “the right tree in the right place”, involving the community in managing existing trees and new planting schemes, and the long-term nature of urban forest management, reflecting the lifespan of trees and the timescales (20 – 30 years) involved for newly planted trees to grow to the age where they begin to absorb large amounts of carbon dioxide. Ultimately, they will assist in the Council’s aim of becoming carbon neutral through carbon sequestration and offsetting when the trees begin to mature.

2.3 The approved Urban Tree Planting Strategy Action Plan proposed 4 initial phases of site selection for suitable areas of open space that have less than 2 ha of open area, with larger sites being included in the later phases. The first 5 phases have been successfully completed over the last 4 years as per the following table:

Site	Ward	Area (ha)
Phase 1 & 2		
Sandy Lane	May Bank	0.91
Newchapel Recreation Ground	Newchapel and Mow Cop	1.96
Phase 3		
Repton Drive	Westlands	0.11
Winchester Drive	Westlands	0.13
Westbury Road	Westbury Park and Northwood	0.48
Wilson Street	Town	0.44
Hanbridge Avenue	Bradwell	0.48
Harriet Higgins / Poolfields LNR	Thistleberry	0.73
Phase 4		
Leys Drive/Whitmore Road	Westlands	1.29
Former Pitch and Putt Lyme Valley Parkway	Clayton	1.04
Rear of Homebase/ Lyme Valley Parkway	Town	0.17
Moreton Parade	May Bank	0.05
St Edmunds Avenue	Wolstanton	0.25
Coalpit Hill	Talke and Butt Lane	1.74
Mount Road / Weir Grove	Kidsgrove and Ravenscliffe / Newchapel and Mow Cop	3.64
Silverdale Crossroads	Silverdale	0.67
Kennet Close / Severn Drive	Westbury Park and Northwood	0.14
Clough Hall Park	Talke and Butt Lane	0.05
Arnold Grove	Bradwell	2.24
Keele Golf Course	Silverdale	3.20
Sheldon Grove	Holditch and Chesterton	2.40

Phase 5		
Bradwell Dingle	Bradwell	3.29
Grange Lane Community Centre	Wolstanton	0.11
Betley Place	Clayton	0.19
Earls Drive	Westlands	3.69
Wolstanton Marsh	Wolstanton	7.37
Wye Road Community Centre Car Park	Westbury Park and Northwood	0.15

Phase 6 is planned to be delivered January – March 2025 as follows:

Phase 6 – for planting Autumn / Winter 2024/25		
Clayhanger Close	Bradwell	2.53
Dales Green Play Area	Newchapel & Mow Cop	0.21
Waterhays	Crackley and Red Street	18.15
Laurel Drive Play Area	Newchapel & Mow Cop	2.86
Porthill Dingle	Wolstanton	1.30
Wye Road/Bunny Hill	Westbury Park & Northwood	24.13
Kingsbridge Avenue	Westlands	1.74
The Butts	Thistleberry	10.41

- 2.4** A dedicated web page has been set up on the Councils website with information about the benefits of tree planting, details of the proposed Phase 6 sites and an invitation to residents to let the Council know their views on tree planting and any other suggestions for further nature recovery improvements. Consultation on the Phase 6 sites will run for 6 weeks from September 2024 to October 2024 and dependent on a consensus of support for the proposals, planting will be planned for January - March 2025.
- 2.5** Ward members of the proposed Phase 6 sites will be issued with a pack including a consultation letter that can be delivered to residents and a plan of the particular site involved, with the intention that ward members can undertake appropriate distribution and consultation in their respective areas.
- 2.6** In order to provide an opportunity for the community to sponsor a tree or make a contribution to a particular site or project, a donation scheme has been set up on the council's website. Residents and businesses will be able to contribute to the Urban Tree Planting Strategy for which any donations collected will be used on the rolling programme of tree planting. Suggested donation amounts are included on the webpages as a guide, and the funds received will be stored in specific account areas. This will ensure that any

funds raised are appropriately managed and can be rolled forward to match suitable planting seasons.

- 2.7 Following on from the success of the first 5 phases of the Urban Tree Planting Strategy in the urban areas, it is proposed to expand the strategy to include the more built-up areas of the rural wards of the borough, which are located mainly within the rural villages.
- 2.8 This will enable a continuation of a long list of sites which could be declared as Carbon Capture Areas and support the Council's plans to become carbon neutral and to improve biodiversity across an increased range of sites.
- 2.9 Members in rural wards will be invited to put forward a list of sites within their areas, that are in Borough Council ownership, to be added to the long list for future planting. Dependent on proposals received, up to two of these rural sites could be included in the Phase 6 planting, subject to consultation with the relevant community, and agreement with the Portfolio Holder for Sustainable Environment.

3. **Recommendation**

3.1 That Cabinet:

- Approve Phase 6 of the Urban Tree Planting Strategy for consultation and implementation (subject to consultation responses) and the Service Director – Neighbourhood Delivery is authorised to seek and accept quotations for the work in consultation with the Portfolio Holder for Sustainable Environment.
- Authorises the Service Director – Neighbourhood Delivery Services to bid for and accept external grant funding and secure community donations to contribute to the cost of the Urban Tree Planting Strategy and other related projects.
- Approve the expansion of the Urban Tree Planting Strategy to include rural tree planting schemes.
- Agree that ward members in the rural villages in the Borough are invited to propose potential sites for tree planting in their wards.
- Agree that up to two rural sites are included in this phase of planting, subject to consultation with the relevant community and agreement with the Portfolio Holder for Sustainable Environment.
- Agree that appropriate sites are designated as Carbon Capture Areas in the emerging Local Plan.

4. **Reasons**

- 4.1 To contribute to the Council's sustainable Environment Strategy, with a particular focus on carbon sequestration and off-setting as part of its journey to net carbon zero.
- 4.2 To contribute to the removal and sequestration of carbon from the atmosphere.

- 4.3 To contribute to the good management of the Borough Council's tree stock and appropriate decision making on tree planting proposals.
- 4.4 To contribute to the Council's Nature Recovery plans.
- 4.5 To protect urban greenspaces for future generations

5. **Options Considered**

- 5.1 The options considered are whether or not to approve the Phase 6 tree planting as part of the Urban Tree Planting Strategy, and to expand the strategy to include rural sites.
- 5.2 The recommended option is that the proposed Phase 6 of the tree planting is implemented, subject to consultation responses, and the strategy is expanded to include rural areas, for the reasons outlined in the body of the report.

6. **Legal and Statutory Implications**

- 6.1 The Council, as a landowner, has a statutory duty to ensure that its tree stock is managed safely. It also has a 'biodiversity duty' under the Natural Environment and Rural Communities Act 2006, to which the provision and management of trees and woodlands contributes.

7. **Equality Impact Assessment**

- 7.1 There are no direct equality impacts associated with this report.

8. **Financial and Resource Implications**

- 8.1 There are financial and resource implications arising from the proposed delivery of the Urban Tree Planting Strategy as follows:
- 8.2 There is a significant requirement for staff time to engage and consult with affected communities and other stakeholders, design schemes, seek tenders, appoint and manage contractors and arrange and manage community-planting events with schools and other groups.
- 8.3 This work, in relation to phase all of the tree planting, detailed in the body of this report, has been reprioritised over other projects and work streams depending on the scale and timing of the proposals.
- 8.4 Initial cost estimates in the sum of £71,000 have been prepared for Phase 6 of the tree planting, which can be fully funded from the UKSPF Nature Recovery Project budget of £113,000.
- 8.5 Further provision will be required to be made in the 2025/26 general fund capital programme for phase 7, and for any future phases in 2026 onwards.

8.6 Opportunities to secure external funding for planting schemes are also being explored to supplement the Council's resources, and any successful bids will be reported at the appropriate time.

9. Major Risks & Mitigation

9.1 The major risks associated with this report relate to the Council's duty to safely maintain its current tree stock and its ambition to be carbon neutral across its operations and assets by 2030 through a combination of reducing carbon production and offsetting of any residual carbon emissions. Tree planting, particularly in the built up areas of the Borough, would ultimately assist in such offsetting.

9.2 There is also a risk of a lack of community support for proposed new tree planting, depending on location and scale. This risk will be managed through community engagement and consultation on planting proposals for any sites identified for this purpose.

10. UN Sustainable Development Goals (UNSDG)

10.1 The Urban Forest Strategy and the Urban Tree Planting Strategy will support the realisation of the aims of UN SDG 3, 13 AND 15.



11. Key Decision Information

11.1 Approval of the report is considered to be a key decision as it impacts on all wards in the borough and may require cumulative expenditure and has been included on the forward plan.

12. Earlier Cabinet/Committee Resolutions

12.1 None

13. List of Appendices

13.1 None

14. Background Papers

14.1 Urban Tree Planting Strategy

14.2 Sustainable Environment Strategy

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

CORPORATE LEADERSHIP TEAM'S
REPORT TO CABINET

16 July 2024

Report Title: Local Nature Recovery Strategy

Submitted by: Service Director Planning & Service Director Sustainable Environment

Portfolios: Sustainable Environment and Strategic Planning

Ward(s) affected: All

<u>Purpose of the Report</u>	<u>Key Decision</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
To provide information regarding the creation of a Local Nature Recovery Strategy (LNRS) for Staffordshire and covering the borough of Newcastle-Under-Lyme.	
<u>Recommendation</u>	
<p>That Cabinet:</p> <ol style="list-style-type: none"> 1. Seek member endorsement of the LNRS work, and the forthcoming public engagement consultation. 2. Support as a Council and members commitment to supporting the development of the LNRS by engaging appropriate resources. 	
<u>Reasons</u>	
<p>The Borough Council is a ‘supporting authority’ under Staffordshire County Council (the ‘responsible authority’) in developing and delivering the Strategy, and an initial meeting between the LNRS Project Manager and the Borough Council has recently taken place, providing a progress update and initial discussion around mutual support.</p> <p>Representation is required at both Member and Senior Officer level on the LNRS steering group. At delivery group level operational support is required from Officers.</p>	

1. Background

- 1.1 England is widely considered to be one of the most nature-depleted countries in the world following historic and ongoing declines. The Government has made legally-binding commitments to end these declines and for nature to recover. This is important for nature’s own sake and for all the things that society relies on nature for, such as fresh air, clean water and food

production. For nature to recover, targeted, co-ordinated and collaborative action will be required.

- 1.2 Under the Environment Act 2021 there is a requirement for Local Nature Recovery Strategies to be developed covering England. Each local nature recovery strategy will agree priorities for nature recovery and propose actions in the locations where it would make a particular contribution to achieving those priorities. The Secretary of State for Environment, Food and Rural Affairs has appointed 48 responsible authorities – mainly county council's and other upper tier local authorities - to lead on preparing local nature recovery strategies for their respective areas. Newcastle-under-Lyme Borough Council as a lower tier authority has been identified as a 'supporting authority' in this context. Together these 48 strategy areas cover the whole of England with no gaps or overlaps.
- 1.3 Responsible authorities are expected to work with other organisations and partners in their area to agree what should be included in their local nature recovery strategy. They will identify practical, achievable proposals developed with the input of people who know and understand the area, especially landowners and managers. This approach is essential if the proposed actions are to be taken.
- 1.4 Responsible authorities will provide local leadership to draw together knowledge, expertise and the best available information and data. Anyone who can play a part in recovering nature and the wider environment in their local area could be involved in preparing a strategy.
- 1.5 The County Council has identified a range of partner types to engage with:
 - Landowners
 - Supporting authorities
 - Regulatory bodies
 - Neighbouring regional authorities
 - Communities
 - Businesses
 - Environmental bodies
 - and utilities

The below list shows the Responsible Authority and Supporting Authorities involved in developing the Local Nature Recovery Strategy:

- Staffordshire County Council (Responsible Authority)
- Stoke-on-Trent City Council (Supporting Authority)
- Stafford Borough Council (Supporting Authority)
- East Staffordshire District Council (Supporting Authority)
- South Staffordshire District Council (Supporting Authority)
- Staffordshire Moorlands District Council (Supporting Authority)
- Newcastle Borough Council (Supporting Authority)
- Lichfield District Council (Supporting Authority)
- Tamworth Borough Council (Supporting Authority)
- Cannock Chase District Council (Supporting Authority)
- Peak District National Park Authority (Supporting Authority)

- Natural England

1.6 To take work forward Staffordshire County Council has recently appointed a Project Officer and additional staff. The County LNRS team is currently engaging with the partners noted above and also commencing with initial public engagement and consultation, to evidence the delivery of achieving a public mandate. This is centred around species recovery, and is being delivered using information from the Staffordshire Wildlife Trust, as an ecological records partner.

1.7 Development of the LNRS will also take account of work being carried out by Staffordshire Wildlife Trust in relation to countywide habitat mapping (including identifying conservation sites, local nature reserves, local wildlife sites, irreplaceable habitats). This will be a key source of baseline information.

2. Issues

2.1 It will be important for the Borough Council to engage with the formulation of the LNRS. This will ensure that the LNRS properly reflects the existing nature conservation habitats in the borough but also the opportunities that exist to further enhance biodiversity. The LNRS will need to link to important local strategies for example the Sustainable Environment Strategy, emerging Borough Local Plan, Tree Planting and Management Plans and Grassland Management Plans etc.

3. Recommendation

3.1 To seek member endorsement of the LNRS work including forthcoming public engagement and consultation.

3.2 To agree that the Borough Council fully engages with the exercise of developing a LNRS and contributes to its subsequent implementation.

4. Reasons

4.1 To make Members aware of the Local Nature Recovery Strategy, which will link to the Borough Local Plan, recent Biodiversity Net Gain obligations, Staffordshire Sustainability Board, and the Council's Sustainable Environment Strategy Delivery Plan (SES DP)

4.2 It is envisaged by the County Council that the LNRS will be a high-level document, drawing from policies and strategies already in place at partner level, such as the Council's Grassland Management Strategy, Tree Strategy, emerging Local Plan and BNG delivery. It is being created on the basis of developing existing synergies rather than creating new workloads and obligations.

5. Options Considered

- 5.1 The Council has a statutory obligation to contribute to the development of the LNRS.
- 5.2 The Council has a statutory duty to address the safeguarding of biodiversity in the borough and its enhancement. There are no options in this regard. BNG is a requirement of the planning system and as local planning authority the Council has responsibility for assessing the merits of BNG proposals as part of the determination process. The means by which the Council meets its planning obligations including options available to it are still emerging given the start dates of the legislation.

6. Legal and Statutory Implications

- 6.1 The Environment Act 2021 imposes specific statutory requirements on the Borough Council as regards nature recovery and biodiversity. The Town and Country Planning Act 1990 (as amended by the Environment Act 2021 and Levelling Up and Regeneration Act 2023) obligates the Council to address BNG as part of the statutory planning process.
- 6.2 The Environment Act 2021 introduced the concept of Biodiversity Net Gain (BNG). BNG is a statutory requirement imposed on qualifying development schemes to provide for an uplift in Biodiversity over and above existing levels. It derives from an ambition to increase levels nationally of biodiversity.
- 6.3 The development and implementation of the LNRS will also play a part in the work undertaken by the SSB and the BNG.

7. Equality Impact Assessment

- 7.1 There are no equality issues associated with this report.

8. Financial and Resource Implications

- 8.1 It is envisaged that because the LNRS is created using policies and strategies already in place at the Borough Council, the implications will be minimal at this time. However, once the County LNRS is fully adopted, there might be additional finance and resource implications which emerge. Further reports will be provided to Cabinet once the County LNRS is finalised.

9. Major Risks & Mitigation

9.1 None.

10. UN Sustainable Development Goals (UNSDG)



11. Key Decision Information

11.1 Not applicable

12. Earlier Cabinet/Committee Resolutions

12.1 Not applicable

13. List of Appendices

13.1 None

14. Background Papers

14.1 None

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

Corporate Leadership Team’s Report to Cabinet

16 July 2024

Report Title: Productivity Plan 2024-25

Submitted by: Corporate Leadership Team

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

Ward(s) affected: All

Purpose of the Report

To seek approval for the submission and publication of a Productivity Plan, as required by the Department for Levelling Up, Housing and Communities (DLUHC).

Recommendation

That Cabinet:

- 1. Approve the Productivity Plan for publication on the Council’s website and for submission to the Department for Levelling Up, Housing and Communities by July 19th 2024.**

Reasons

The development of a Productivity Plan is a new requirement placed on local authorities by the Department for Levelling Up, Housing and Communities in April 2024 following the Local Government Finance Settlement.

1. Background

1.1 In a letter to all local government Chief Executive’s in April 2024, the then Local Government Minister at DLUHC issued a request for Productivity Plans as previously outlined in the earlier Local Government Finance Settlement. In it, the Minister stated that:

“Local government has already done a huge amount in recent years to improve productivity and efficiency. However, lockdown and post-lockdown has proved challenging, and you are looking for new ways to go further. These new plans will help us understand what is already working well across the whole country, what the common themes are, whether there are any gaps and what more we need to do to unlock future opportunities. We will share these important lessons across the sector”.

1.2 Although no template or set criteria was provided to prescribe the content of the new Productivity Plans, DLUHC did provide some broad themes to cover:

- How you have transformed the way you design and deliver services to make better use of resources
- How you plan to take advantage of technology and make better use of data to improve decision making, service design and use of resources

- Your plans to reduce wasteful spend within your organisation and systems
- The barriers preventing progress that the Government can help to reduce or remove

1.3 The Plan, which should be short, can cover 'recent years' alongside current plans, and once received will be reviewed by an expert panel to identify common themes and issues across the sector. DLUHC are also keen to highlight best practice that others can learn from. Individual plans will not be rated or scored and DLUHC will not produce any kind of league table.

1.4 The Council's new Productivity Plan meets the requirements proposed and includes the following sections:

- Introduction and Local Context
- Performance Productivity
- Transforming Service Delivery
- Regeneration – Economic Productivity
- Sustainable Financial Management
- Data and Technology
- Productivity through Prevention
- Productive and engaged workforce
- Environmental Productivity – Net Zero
- Productivity Challenges – Walleys Quarry

1.5 Appendix 1 of this report is the draft Productivity Plan for Newcastle-under-Lyme Borough Council.

2. **Recommendation**

That Cabinet:

1. Approve the Productivity Plan for publication on the Council's website and for submission to the Department for Levelling Up, Housing and Communities by July 19th 2024.

3. **Legal and Statutory Implications**

3.1 Central government has placed a new requirement on local government to publish and submit Productivity Plans in July 2024.

4. **Equality Impact Assessment**

4.1 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.

5. **Financial and Resource Implications**

5.1 There are no direct implications from this report.

6. **Major Risks**

6.1 No new major risks have been identified through the process of developing the Productivity Plan.

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



8. **Key Decision Information**

8.1 This is not a key decision.

9. **Earlier Cabinet/Committee Resolutions**

9.1 Not applicable

10. **List of Appendices**

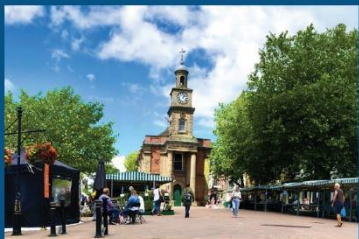
10.1 Productivity Plan 2024-25 (Appendix 1).

11. **Background Papers**

11.1 Working papers held by Policy and Strategy Business Manager.

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Newcastle-under-Lyme PRODUCTIVITY PLAN 2024 - 2025



Introduction

Here at Newcastle-under-Lyme Borough Council productivity is written into our ambitions and sits at the heart of our 4-year [Council Plan](#), which has as its Vision: ‘good local services, a prosperous borough, and safe and welcoming places for all’. The Council is committed to the delivery of high quality value for money services and achieved an average Band D Council Tax charge amongst the lowest 25% of all English District Councils for 2024/25 at just £2143.59.

Local Context

Our historic Borough is a place of marked contrasts. We are the home of a world class University at Keele, a leading light known internationally for its research and sustainability record, which stands side by side with former mining communities including some which register amongst the most deprived areas in the country. Our Borough is also a mixture of urban centres, affected by some of the same social issues facing our neighbouring city, Stoke-on-Trent, but also outstanding rural landscapes in our less populated villages. Our plans and priorities aim to address the needs of all our communities.

Newcastle operates within a three-tier structure (County, Borough and Town/Parish) and relationships with our place partners across these tiers and with other public sector agencies are generally constructive, productive and well established. For the past six years the Borough, County and Police teams have been co-located in Castle House. This was a means to drive efficiency, promote collaboration, and improve citizen access to services whilst supporting our town centre through the presence of a significant number of employees with their associated spending power. This has worked extremely well, with the collaboration and partnership working seeing a step change in effectiveness – as evidenced by our sector leading Vulnerability Hub.

Focused on Performance Productivity

As part of a wider programme of transformation, seeking to increase our performance and productivity; the Council recognised that it needed to strengthen its strategic capacity and focus in order to ensure a closer alignment between service delivery and the council’s stated ambitions. In late 2022 we invested resources into the creation of a new Strategic Hub, to lead and co-ordinate this lynchpin work. Now fully operational, the Hub is transforming the way that performance is planned, monitored and reported – using business intelligence tools to automate analysis and improve the data presented for scrutiny to aid decision-making.

Our new value for money Performance Framework ensures that the Council’s priorities are fully aligned and integrated into Priority Delivery Plans (PDPs) across the organisation, which in turn inform individual employee objectives at officer level. Progress against service-owned performance targets is reported to senior management monthly and to elected members on a quarterly basis and sits alongside financial monitoring data to provide a holistic view of productivity.

As part of its commitment to learning and improving, the council has also placed benchmarking as a core element in its new performance framework; participating in LG Inform and APSE benchmarking clubs, forming new near neighbour networking groups and building intelligence and insights into its performance reports in order to focus improvement activity. The latest analysis shows that NBC has many services performing amongst the top 25% of councils in the country including: planning processing times, low numbers of households in temporary accommodation, time taken to process housing benefit change events, affordable homes delivered and low planning appeals allowed.



As a learning Council, in March 2023 we welcomed a Corporate Peer Challenge as part of the LGA's sector-led improvement programme. The full Corporate Peer Challenge Feedback Report and the follow-up Progress Report from January 2024 were both extremely positive and can be viewed on the Council's [website](#). In summary the Peers found:

- ✓ Increased levels of employee satisfaction and engagement which is a real testament to how the organisation is run
- ✓ Staff the peer team met with again underlined their commitment to the Council and its aims and continue to be a tremendous asset to the organisation and the Borough
- ✓ The peer team were impressed with the Council's ambitions where it is aiming to be 'industry leading' in its approach to delivering regeneration
- ✓ The peer team continue to be impressed with how the Council manages its finances
- ✓ The peer team were impressed with the strength and depth of the partnership working and the active role which the Council plays

Transforming Service Delivery – One Council Programme

Over the last three years the Council has rolled out its award-winning '[One Council](#)' transformation programme, driving efficiency and productivity through service redesign and digital investment, coupled with staff development and a strengthened focus on performance management across the organisation. The ambitious programme has saved over £1m from our annual spend – equivalent to 6% of our net budget – helping the council set a balanced budget for 2024-25

The transformation programme is now moving to a business as usual phase after seeing successes in redesigning our 'front door', improving digital access to services, promoting self-serve for residents and businesses, widening the capacity of our customer hub and launching a new website for the Council. Across the programme we've achieved productivity gains of almost 50,000 employee hours; releasing over 39 FTE posts with no compulsory redundancies. Phone demand into the Council has been reduced by 32% through improved signposting upfront and access to 24/7 self-service options.

This year's stage of the programme involves less large scale organisational change, rather it is focussed on Performance Realisation - this is addressing particular drags on performance and efficiency, including sickness absence. The plan is in progress, which is targeted to save in the region of £230k.

Regeneration – Economic Productivity

The Council has been successful in securing over £50m in external funding through Town Deal and Future High Streets programmes – a level of government funding which is unprecedented for the area, and which is being used to transform our town centres and drive economic growth. This once-in-a-generation opportunity to boost the local economy will enable our communities to thrive and prosper and reset the local landscape for generations to come.

In addition, the Council also secured over £4m in UKSPF monies. In 2024-25 we will be allocating over £3m of this fund across 30+ projects and aim to create at least 70 jobs, attract over 20,000 new visitors to the town and surrounding area, and see over 25 new businesses created including 500m² of green space regenerated.



The Council has taken significant steps regarding its strategy for regeneration, most recently appointing social value developers Capital&Centric to masterplan three major projects - York Place, Midway Car Park and the Ryecroft. Capital&Centric have a specific business model which entails:

- Developing costed proposals for agreement by the Council with the Council funding the build stage
- Capital&Centric then purchase the asset at practical completion at either cost or value, whichever is greatest
- Capital&Centric retain and operate the realised assets, and curate the spaces thereafter, driving value into the asset and creating a sense of place.

This approach fundamentally re-profiles the Council's borrowing requirements to two to three years only, per development, rather than for asset life.

Other initiatives include a new employment, training and skills hub – The Workshop, which was refurbished using accelerated Town Deal funding. The refurbishment also provided us with the opportunity to improve the functionality of the premises by installing a heat pump for heating and cooling air conditioning along with adaptive LED lighting to save on energy use and cost.

According to the Office for National Statistics latest quarterly business births and deaths report, Newcastle-under-Lyme is bucking both the regional and national trend. Across England, between January and March 2024 there were 2,310 more business deaths than births and across the West Midlands 755 more deaths than births. However, more positively locally, in Newcastle there were actually more births - 105 business births and 90 deaths, so a 'positive change' of 15.

Stable and Sustainable Financial Management

The Medium Term Financial [Strategy](#) (MTFS) sets out the Council's financial position over the next 5 years, is aligned to the Council Plan 2022-2026 and ensures the targeting of resources to priority areas. The MTFS provides for a gap in 2024/25 of £2.692m and over the 5 year period of the MTFS of £6.885m. A number of savings and funding strategies have been identified as being both feasible and sustainable, via a vigorous Financial Efficiency Board process.

The Financial Efficiency Board is made up of the Leader of the Council, relevant Portfolio Holders and senior managers. Service Directors are asked to provide saving plans for the coming financial year and future years, which are then challenged and discussed with the Financial Efficiency Board. Once the saving proposals have been approved they are put forward as part of the MTFS update and form part of the budget setting process.

The Council also has a Borough Growth Fund of £0.25m, which was established in 2020 for the purpose of enabling investment in corporate priorities. The Borough Growth Fund is required to be used to invest in initiatives that are forecast to generate on-going revenue savings through reducing the costs of service delivery or through the generation of additional income.

The revised Commercial Strategy reflects the current restrictions on borrowing for specifically commercial return, and focuses on a broader suite of opportunities and approaches. As a commercial landlord of long standing we use our property portfolio to support local business growth and have a 91% occupancy rate, which adds over £1m of revenue each year.

Other projects within the strategy include exploration of the use of renewable energy options including a new solar array at Keele to increase green capacity, to support local business and to provide a new longer term source of revenue.

Plans for productive use of Data and Technology

The Technology Strategy sets our vision for technology and how the Council will utilise modern technologies and tools to enable, enhance and redefine how our services are delivered. The strategy sets out three strategic themes:

- **Residents & Customers** – Improving our digital services by supporting our residents to access services online. Whilst at the same time, rationalising legacy systems in order to enhance automation, efficiency and affordability
- **Workforce** – Investing in our people to ensure they have the digital skills and tools required to deliver services as effectively and efficiently as possible
- **Infrastructure** - Working to enhance the technological infrastructure within the Borough, through continued financial investment in areas such as cloud computing, cyber security and high-speed fibre broadband connectivity. Whilst supporting the Council's commitment to ensuring a sustainable future for our communities, striving to reduce our own impact on the environment

Through the Council's new Strategic Hub, the Council is developing its expertise in using business intelligence tools such as Power BI; creating bespoke dashboards that help teams plan performance, address demand hot spots and allocate finite resources to target the biggest return on investment. Our newly formed Environmental Enforcement Team have used data to streamline the time taken to deal with abandoned vehicle reports – reducing response times from 32 days in 2023 to 18 days in 2024.

We also employ customer segmentation data through Experian's MOSAIC tool to help plan services more accurately and to target increased uptake for services like our paid-for garden waste collection and improved recycling rates for food waste collections through targeted and bespoke campaign materials.

Productivity through Prevention

Our 'sector leading' Vulnerability Hub is evidence of our strong partnership work which is delivering impressive outcomes with over 1,000 users to date benefitting from a holistic approach to identifying and addressing support needs

Alongside this preventative service we also run a multi-agency Homelessness Hub with partners from across the Borough in order to improve engagement with rough sleepers and vulnerably housed individuals. Chaotic lifestyles mean appointment systems for rough sleepers and vulnerably housed individuals often fail and waste resources. The hub is designed to be a one stop shop where individuals can get access to information and advice including, accommodation services, wellbeing and recovery, as well as support regarding housing, benefits and training.

2022-23 saw rough sleeping reduce from 49 to just 6 through the work of our homelessness team and the support pathways offered. Numbers have remained similarly low this year and we are now progressing plans to acquire a property, which will provide safe, secure emergency accommodation to ensure "no-second night out" and provide an immediate space off the streets while investigations and referrals are done.

A productive and engaged Workforce



Our focus on promoting employee wellbeing has been recognised with the Bronze Thrive Accreditation, just seven months after our successful Foundation award - one of the fastest progressions seen to date. Coupled with a successful apprenticeship programme, strong partnerships with local education providers and a track record of internal talent management, we're committed to putting our People first and our new People Strategy is our roadmap to further developing this commitment.

Our Thrive Group is made up of staff volunteers from across the organisation who take on this volunteer role on top of their existing paid employment. The Council does not employ equality champions or have dedicated staff in similar type roles but instead ensures it meets its equalities duties through its HR policies and practices and its People Strategy. Our latest staff survey was incredibly positive:

- ✓ 90% are happy to own their objectives and get things done
- ✓ 95% understand what is needed to reach targets
- ✓ 90% understand how their role impacts and benefits residents.

Environmental Productivity – Reaching Net Zero

Addressing Climate Change and Environmental Sustainability is a major focus of the current administration with a target to meet net zero for the Council's own estate and activities by 2030, and for the wider borough by 2050. The Leader of the Council is the lead member for this agenda across Staffordshire, chairing the Staffordshire Sustainability Board under the Staffordshire Leader's Board. Council officers have led work to establish "10 base pledges" to which all the Staffordshire Councils have committed, clearing the way for the Board to focus on the more challenging policy areas where progress needs to be made.

Early actions undertaken include an urban tree planting strategy with 376 trees planted since 2021 and over 25,000 whips and feathers being planted this year. As well as improving biodiversity and facilitating future carbon capture, the development of community woodlands has provided assurance around sites which local communities were keen to protect from development.

Cabinet recently approved the use of Hydro-treated Vegetable Oil (HVO) fuel to replace white diesel in the majority of our waste and streetscene vehicles. This involves an investment of £70K as HVO costs 40p per litre more than diesel, but will reduce emissions by over 90% for those vehicles using it. The draft Local Plan will be a major tool in securing environmental sustainability, providing the ability to influence the sustainability of future developments across the borough.

Our refreshed Sustainable Environment Strategy is underpinned by themed delivery plans supported by a capital investment of over £8m for major projects such as the decarbonisation of council buildings and fleet. During 2024/5 the Council is investing in solar panels on a number of key Council buildings to support sustainable operations.

Productivity Challenges – Walleys Quarry

Since 2020 the Council has been grappling with an environmental crisis due to Hydrogen Sulphide (H₂S) escaping from Walleys Quarry - a local landfill site, which is regulated by the Environment Agency. This problem, which has been debated in Parliament, has generated over 20,000 complaints to the Council.

The scale of work undertaken by the Council on this issue continues to soak up a huge amount of corporate capacity and council taxpayer money as we pursue legal action in order to improve the



situation for local residents. Having secured an Abatement Notice against the site operator, the Council has found the operator to be in breach of this notice and is taking further legal action at considerable time and cost.

Definitive and decisive action by the Regulator, supported by central government would allow the Council and its residents to find a permanent solution to this environmental and financial blight, which is a drain on resources and highly contentious for the local community.

Expenditure Statistics Requested

We budget for £234,090 of agency/consultancy (excluding capital). This represents 1.37% of the net budget.

We budget for £10,500 of union recharges. This represents 0.06% of the net budget.



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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

CORPORATE LEADERSHIP TEAM'S
REPORT TO
CABINET

16/07/2024

Report Title: Procurement of Contact Centre Telephony

Submitted by: Service Director – IT & Digital

Portfolios: One Council, People & Partnerships

Ward(s) affected: All

<u>Purpose of the Report</u>	<u>Key Decision</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
To seek Cabinet approval for the procurement of a contract for contact centre and corporate telephony.	
<u>Recommendation</u>	
That Cabinet:	
<ol style="list-style-type: none"> 1. Approves the procurement and award of a 5-year contract for contact centre and corporate communication solution, delegating authority to enter into a contract to the Chief Executive in consultation with the Portfolio Holder – One Council, People & Partnerships. 	
<u>Reasons</u>	
<p>Telephony and omni-channel communication is a key technology which underpins the delivery of services to residents, businesses, and visitors.</p> <p>The contract for the current telephony solution is nearing expiry and as such, the Council is required to source a replacement. The identified new solution is a modern communication platform which will work to further support the delivery of Priority One of the Council's 2022-2026 plan.</p>	

1. Background

- 1.1 The Council's current telephony solution provided by Mitel is a physical on-premises based solution, hosted across several of the Council's data centres in order to provide resiliency. The system is supported internally by the Council's IT team, alongside an escalated support agreement with Mitel.
- 1.2 As part of the 2023-2028 Technology Strategy, the Council identified the need to retire their current on-premises data centres and undertake a migration to the 'Cloud'. As the current telephony solution is hosted on-premises, this will

need to be replaced with a suitable cloud-hosted solution allowing the removal of the on-premises council managed data centres.

- 1.3** Alongside the Mitel contract, the Council also procure services from BT which are required for the current solution to operate. This is on a year-by-year contract basis and provides the required network connectivity for telephony as well as the call charge package for the in-and-out bound calls.

2. Issues

- 2.1** The Council have already used the extension period of the existing telephone contract and will therefore be required to reprocure.

- 2.2** Whilst Telephony remains a key method of communication for the Council, it is important that the Council maximises the opportunity to explore newer communication technologies that support the delivery of services to residents.

- 2.3** Discovery and market research has identified a number of components that are missing or not available within the current solution, including:

- Interactive Voice Response (IVR);
- Chat/Voice Bots;
- Agent presence;
- Integration with Microsoft Teams;
- Integration with the Council's Corporate Relationship Management (CRM) System;
- Integrated communication channels, including chat, email, text (SMS) and social media;
- Real time performance data; and
- Customer feedback.

- 2.4** This discovery work has highlighted that the current contact centre solution cannot support the Council in delivering a high-quality, modern resident experience.

- 2.5** The Council receives significant demand into the contact centre for information and services provided by other local authorities or partners (i.e. Staffordshire County Council, Staffordshire Police, Aspire Housing). This not only creates a pressure on the Council's contact centre but creates frustration for the caller who is then required to contact the relevant partner. Modern telephony solutions now provide features such as interactive voice response that can help identify the reason for the caller and direct this to the most appropriate place.

3. Recommendation

That Cabinet:

- 3.1** Approves the procurement and award of a 5-year contract for contact centre and corporate communication solution, delegating authority to enter into a

contract to the Chief Executive in consultation with the Portfolio Holder – One Council, People & Partnerships.

4. Reasons

4.1 The implementation of a new, modern communication platform will work to support Priority One of the Council's 2022-26 Plan by ensuring that our services are efficient and accessible.

4.2 The new solution will provide the Council with an "omnichannel" contact centre solution that uses hosted, cloud-based software to handle interactions with residents. This omnichannel approach will allow residents to contact the council in multiple different methods, providing choice for the resident in how they wish to contact the council.

4.3 The system will provide a series of enhancements to the Council's customer service experience.

4.3.1 An omni-channel approach also allows the council to improve the customer journey by having access to key information, such as previous communications from the resident, who dealt with their previous request, historical communications with an agent, chat, or voice bot. This personalised customer service approach supports the council in providing an excellent resident experience.

4.3.2 The current telephone system has been configured to include audio messages advising that NULBC are unable to assist with services provided by Staffordshire County Council (SCC) and other agencies, for example Highways, Education and Social care. However, the Council still receives significant demand for other agencies. The new telephone system will allow the Council to inform residents of the agency who is best placed to support their query upon first contact. In addition, if the resident is calling from a mobile, the system can offer to send a text message with the contact information on how to contact the appropriate agency for their query. This will not only reduce demand on the NuLBC contact centre but will also improve customer service for the residents.

4.3.3 Improve service inclusivity by allowing residents to contact the Council using the communication method of their choice. Whilst telephony still remains a key option for residents, some residents may prefer to contact the Council via alternative methods, such as a live chat, chatbot and email. It is therefore important that the Council utilises new, accessible, and inclusive ways of engaging with our residents whilst at the same time improving service delivery. The introduction of chatbots and live chat functionality will allow customer service agents to concentrate on the more complex enquiries.

4.3.4 Reducing waiting times by providing the resident with the information they require. The Council website provides information on a wide range of common questions and queries to support residents. However, if this does not answer their query, they can then be directed through to a customer services agent who can assist. This will work to not only

improve the first contact resolution time (reducing the requirement to re-contact the council multiple times for the same request) but will also improve resident experience by providing quick access to common questions and queries.

- 4.3.5 Improved call routing based upon agent skills. The system will present calls and communications to the most appropriate Customer Hub agent (where possible/available) who can assist with their query. This will reduce the number of times a resident is transferred between agents, supporting the 'Right Person, First Time' customer service approach.
- 4.3.6 The system will also enable residents to utilise the Councils 'chat' services 24 hours a day to find the information they require.
- 4.3.7 Improved 'real-time' data analytics, allowing the Customer Hub managers to understand current demand and allocate resources accordingly.
- 4.3.8 The system can be integrated into the Council's Customer Relationship Management (CRM) system. This will allow Customer Hub agents to quickly locate open requests for service and support the resident in resolving their query.

4.4 Procurement of a cloud-based, modern solution will reduce the requirement for the Council to procure physical telephony hardware, as the system is operated as a 'soft phone'. This means that telephone calls and other communications are routed to Customer Hub agents via their Council-issued laptop and headset. Only in certain cases would hardware be required. This will aid the council in reducing the environmental impact from IT equipment and support the council's sustainability plans.

4.5 The Council's Technology Strategy promotes the migration of the IT data centres to the cloud. A cloud-based solution supports the delivery of this strategy.

5. Options Considered

5.1 **Do Nothing** – This is not a recommended option as this would leave the council without a modern, scalable telephony and contact centre solution. This would severely impact the Council's ability to deliver its services to our residents, businesses, and visitors.

This option would also restrict the council in the planned migration to the Cloud, creating a requirement for financial investment into the existing IT datacentres.

5.2 **Procure via a Framework** (recommended) – It is recommended that the solution should be procured via a direct award, utilising a compliant framework. The benefits of using an approved procurement framework include:

- Uses competition amongst suppliers to increase quality and value.
- Suppliers are vetted and reviewed.

- Public sector procurement compliant contract terms and conditions.
- Contracts include performance management.
- Free to use for public sector organisations.
- Maximises [Social Value](#) during procurement.

5.3 Procure via an independent procurement exercise – This is not recommended, as going to the market independently would not represent value for money to the Council.

5.4 Collaboration with other authorities – Collaboration with other authorities has been considered. However, as a CCaaS solution is licence based there are no benefits to be gained in sharing a solution with another partner, as each authority would require their own installation. Sharing a CCaaS solution would also require parties to agree on the procured features, this would make it difficult to deliver against each authorities' own requirements, Technology Strategy and roadmap.

6. Legal and Statutory Implications

6.1 The procurement route proposed in this report of using a framework ensures that the Council are compliant with the Public Contracts Regulations.

6.2 Note that Appendix A is exempt from publication (at the current time) on the basis set out in Paragraph 3 of Schedule 12A Local Government Act 1972, that it contains information relating to the financial or business affairs of any particular person, including the authority in question. It is considered that disclosure of this information at this time would be capable of having a significant detrimental impact on the efficacy of the authority's business affairs and its financial well-being.

7. Equality Impact Assessment

7.1 No adverse impact has been identified as a result of delivering this proposal.

8. Financial and Resource Implications

8.1 The preferred procurement route for this contract is direct award under the Crown Commercial Services framework.

8.2 The solution will be delivered within existing financial budgets.

9. Major Risks & Mitigation

9.1 The council runs a risk to the delivery of operational services where it fails to invest in ICT and modern technologies.

9.1.1 This is an identified risk within the Corporate Risk Management system under the ICT Services profile.

9.1.2 The council have already taken steps to mitigate this risk with control measures, such as the implementation of a Technology Strategy,

Consolidation of hardware and software and the One Council transformation programme.

10. UN Sustainable Development Goals (UNSDG)



11. Key Decision Information

11.1 N/A

12. Earlier Cabinet/Committee Resolutions

12.1 None

13. List of Appendices

13.1 Appendix A

14. Background Papers

14.1 [Priority One of the Council Plan 2022-2026](#)

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

Procurement of Contact Centre Telephony Report

Appendix A

1. The Council currently spends over £46,000 annually on telephony services. However, following changes to PCI compliance rules which govern the secure transacting of card payments, the Council will be required to purchase additional solutions to remain compliant. This would present an additional budget pressure of £34,000 p/annum, bringing the total expenditure for telephony to approximately £80,000 p/annum.
2. Given the additional PCI compliance requirement, limitations of the current solution and that the current system is installed on-premises and therefore would need to be migrated to the Council's Microsoft Azure environment at significant cost, it is proposed to replace the current solution for a modern communications solution.
3. Officers have negotiated a saving of over 16% with the new supplier for a five-year agreement, compared to the RRP.
4. Financial provisions in excess of £300,000 are allocated within the Capital Programme to support the replacement project.
5. The new solution is a cloud-based telephony and communication system. The council will be required to purchase a 5-year 'cloud instance' of the solution which contains the relevant licences and features for telephony, live chat, chat bots, social media messaging etc. The system will be configured by the supplier to meet the needs and requirements of the Council.
6. Alongside the procurement of the 'cloud instance', there will be a requirement to procure suitable IT headsets to replace the current desk phones. The new solution will deliver calls via council issued laptops. The procurement of headsets is detailed as a capital expenditure below.
7. The procurement of the cloud instance will reduce the annual revenue costings of the solution to approximately £32,000 p/annum, providing an annual revenue saving of £14,000 p/annum as of 2025/26.

Item	Capital	Annual	5-Year
System instance, implementation, and configuration.	£290,000	-	-
Headsets (x300)	£7,500	-	-
System operational charges (maintenance, usage, and call charges).	-	£20,000	£100,000
System support		£12,000	£60,000
Total	£297,500	£32,000	£160,000

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**CORPORATE LEADERSHIP TEAM'S
REPORT TO CABINET**

16th July 2024

Report Title: Award of short form services contracts to a consortium of Architectural Service providers.

Submitted by: Service Director- Regulatory Services

Portfolios: Community Safety and Wellbeing

Ward(s) affected: All

<u>Purpose of the Report</u>	<u>Key Decision</u> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
To request Cabinet approval to enter into legal agreements and short form services contracts with a consortium of suitably qualified architectural service providers to support the Disabled Facilities Grant (DFG) process.	
<u>Recommendation</u>	
That Cabinet:-	
<ol style="list-style-type: none"> 1. Delegate authority to the Deputy Chief Executive in consultation with the portfolio holder for Community Safety and Wellbeing to award short form service contracts to a consortium of carefully selected service providers to provide architectural services in relation to significant adaptations or extensions of dwellings to support the DFG process. 	
<u>Reasons</u>	
Officers have undertaken a tendering process to establish a proposed consortium of contractors that meet the specified needs and Cabinet approval is required in order to proceed.	

1. Background

- 1.1 The Council has a legal duty to administer Disabled Facilities Grants for the benefit of residents needing adaptation to their home to maintain independence or be cared for at home. In some cases, this may necessitate significant alterations or the building of an extension. These adaptations require an Architect/Technician to draw plans, complete structural calculations, design technical details, achieve Planning and Building

Regulation Approval and provide on-site supervision of the technical aspects.

2. **Issues**

- 2.1 The Council expects to complete approximately 15 extensions per year. Typically, these may be for wheelchair users who need ground floor accommodation or children with severe behavioural disabilities who need specific room layout and equipment to ensure they can be safe at home.
- 2.2 The current provider of architectural services is a legacy from the previous DFG commissioned service. This was initially retained to ensure continuity of service. Officers believe a procurement exercise is required to follow and comply with the Councils governance procedures and to ensure the best service is achieved.
- 2.3 Officers, with advice from the Procurement Manager commenced a tendering process to establish a consortium of contractors; a number of local architectural services, who were registered with either Royal Institute of British Architects (RIBA) or Architects registration Board (ARB) were invited to make written submissions and provide proposed fees for the required services.
- 2.4 The written submissions were reviewed, and three local Architectural Service providers identified who meet the required specification and submitted similar pricing schedules for their services that provided fair and consistent value to the public purse. Other tender submissions were rejected as their pricing schedules were disproportionately higher or they were not professionally registered providers.
- 2.5 As extension adaptations can take over a year from referral to completion it is suggest that the short form services contract be for a period of 2 years with the option to extend for a further 2 years.

3. **Recommendation**

3.1 That Cabinet:

Delegate authority to the Deputy Chief Executive in consultation with the portfolio holder for Community Safety and Wellbeing to procure and award short form services contracts to a consortium of carefully selected service providers to devise architectural plans and any subsequent structural calculations in relation to adaptations of private dwellings under the terms of the DFG process.

4. **Reasons**

- 4.1 Officers have been advised that a procurement exercise is required to follow and comply with the Councils governance procedures and have commenced a tendering process to establish a consortium of providers.

5. Options Considered

- 5.1 An option is to continue with the current arrangements, however as part of taking the service back in house and developing and progressing it, having a consortium of Architectural Services is an improvement officers have identified.
- 5.2 An option is to require DFG applicants to procure and engage Architectural Services themselves, claiming the fee's involved as part of their application. Experience of working with the DFG process has shown that this is a considerable undertaking that few applicants feel able to take on and look to the Council to support them in this activity.
- 5.3 To do nothing would not be a viable option as these significant alterations or extensions must be compliant with the relevant planning and building regulations and therefore this is a specialised service that must be made available.
- 5.4 The skills required are not available in house and would be cost prohibitive to have in house services based on the number of extensions per year.
- 5.5 Neighbouring Authorities in Staffordshire have undergone a similar process of taking the service in house and looking at ways to develop it, no opportunities to share this service or joint procure have been identified.

6. Legal and Statutory Implications

- 6.1 The local authority has a statutory duty under the Housing Grants, Construction and Regeneration Act 1996 Act to provide adaptations for those who qualify for a DFG. Architectural services are required to complete the adaptations that require significant alterations or extensions.
- 6.2 Entering into a contract will require a review of the contract terms and provisions by Legal Services.

7. Equality Impact Assessment

- 7.1 The ratification of the consortium of providers is intended to have a positive effect on a protected group, and improve equal opportunities, as they will provide architectural services for significant alterations or extensions for those who are disabled.

8. Financial and Resource Implications

- 8.1 The provision of this service would be paid for via fees from the Disabled Facilities Grants, the grant monies are received from Central Government via Staffordshire County Council Better Care Fund. Spending is governed

by a pass porting agreement and our published Housing Assistance Policy. The Housing Assistance Policy specifically includes fees associated with a grant to form part of a mandatory or discretionary grant.

- 8.2 Officers have reviewed the tender submission of fees from Architectural service providers who responded to the procurement exercise and have elected a consortium of providers that have provided a fair and consistent pricing schedule for their services. Other providers have been rejected as being disproportionately expensive to the public purse for the same services or were not professionally registered providers.
- 8.3 The estimated value of the aggregate contract for the consortium over a four-year period would be in the region of £300,000 making this a key decision.

9. Major Risks & Mitigation

- 9.1 An initial risk was that the new service provider(s) will be more expensive than the existing provider. However, this is mitigated by having gone through the procurement exercise setting out qualification and service requirements.
- 9.2 Risks associated with the provision of the DFG service are assessed and managed under a specific GRACE risk assessment.

10. UN Sustainable Development Goals (UNSDG)

10.1 The proposal, by achieving a consortium of suitably qualified Architects contributes towards the following UNSDGs



11. Key Decision Information

11.1 This is a key decision as it involves expenditure of more than £100,000.

12. Earlier Cabinet/Committee Resolutions

Housing Assistance Policy

<https://www.newcastle-staffs.gov.uk/policies-1/housing-assistance-policy>

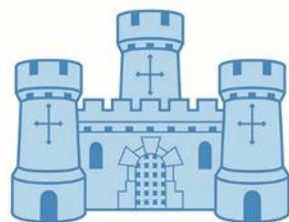
13. List of Appendices

N/A

14. Background Papers

N/A

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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 July 2024 and 31 October 2024

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) 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); and/or
- B) 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
Walleys Quarry Odour Update	To consider a report on odour issues at Walleys Quarry	Cabinet Portfolio Holder - One Council, People and Partnerships	Cabinet 16 July 2024	Health, Wellbeing and Environment	All Wards	N/A	No
Delivery of Electric Vehicle Charging through the County Council's Local Government	To consider a report on the delivery of Electric Vehicle Charging through the County Council's Local Government Electric Vehicle Infrastructure	Cabinet Portfolio Holder - Finance, Town Centres and Growth	Cabinet 16 July 2024	Economy and Place	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)	
Electric Vehicle Infrastructure (LEVI) funding	(LEVI) funding						
Brampton Museum Funding Application to National Lottery Heritage Fund	To consider a report on the Brampton Museum Funding Application to the National Lottery Heritage Fund	Cabinet Portfolio Holder - Finance, Town Centres and Growth	Cabinet 16 July 2024	Economy and Place	May Bank	N/A	No
Procurement of Contact Centre Telephony	To consider a report on the procurement of Contact Centre Telephony	Cabinet Portfolio Holder - One Council, People and Partnerships	Cabinet 16 July 2024	Finance, Assets and Performance, Audit and Standards	All Wards	3 Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Yes
Keele Sustainable Solar Energy Business Case	To consider a report on the Keele Sustainable Solar Energy Business Case	Cabinet Portfolio Holder - One Council, People and Partnerships	Cabinet 16 July 2024	Economy and Place	Keele	3 Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Yes
Kids Grove	To consider a report	Cabinet Portfolio	Cabinet 16	Economy and	Kids Grove &	3 Information	Yes

Report Title	Description	Portfolio	Intended Decision Taker and Date	Overview & Scrutiny Committee	Wards Affected	Reason for Determining in Private Session (if Applicable)	
Town Deal Contract Award - Shared Services and Garage Replacement	on the Kidsgrove Town Deal Contract Award - Shared Services and Garage Replacement	Holder - Finance, Town Centres and Growth, Cabinet Portfolio Holder - One Council, People and Partnerships	July 2024	Place	Ravenscliffe	relating to the financial or business affairs of any particular person (including the authority holding that information)	
Provisional Outturn 2023/24	To consider a report on the Provisional Outturn 2023/24	Cabinet Portfolio Holder - Finance, Town Centres and Growth	Cabinet 16 July 2024	Finance, Assets and Performance, Audit and Standards	All Wards	N/A	No
Productivity Plan	To consider a report on the Productivity Plan	Cabinet Portfolio Holder - One Council, People and Partnerships	Cabinet 16 July 2024	Finance, Assets and Performance	All Wards	N/A	No
Urban Tree Planting Strategy-Phase 6	To consider a report on the Urban Tree Planting Strategy-Phase 6	Cabinet Portfolio Holder - Sustainable Environment	Cabinet 16 July 2024	Health, Wellbeing and Environment	All Wards	N/A	No
Draft LNRS Strategy	To consider a report on the draft LNRS Strategy	Cabinet Portfolio Holder - Sustainable Environment	Cabinet 16 July 2024	Health, Wellbeing and Environment	All Wards	N/A	No
Award of Short Form Services Contracts to a	To consider a report on the award of Short Form Services	Cabinet Portfolio Holder - Community Safety and	Cabinet 16 July 2024	Health, Wellbeing and Environment	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)	
Consortium of Architectural Service Providers	Contracts to a Consortium of Architectural Service Providers	Wellbeing					
Medium Term Financial Strategy 2025/26	To consider a report on the Medium Term Financial Strategy 2025/26	Cabinet Portfolio Holder - Finance, Town Centres and Growth	Cabinet 10 September 2024	Finance, Assets and Performance	All Wards	N/A	No
Quarter 1 Finance and Performance Report 2024/25	To consider a report on the Quarter 1 Finance and Performance Report 2024/25	Cabinet Portfolio Holder - Finance, Town Centres and Growth	Cabinet 10 September 2024	Finance, Assets and Performance, Audit and Standards	All Wards	N/A	No
Contract Award for the Digital Infrastructure	To consider a report on the Contract Award for the Digital Infrastructure	Cabinet Portfolio Holder - Finance, Town Centres and Growth	Cabinet 10 September 2024	Economy and Place	All Wards	3 Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Yes
Annual Report	To consider the Council's Annual Report	Cabinet Portfolio Holder - One Council, People and Partnerships	Cabinet 10 September 2024	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)	
Walleys Quarry Odour Update	To consider a report on odour issues at Walleys Quarry	Cabinet Portfolio Holder - One Council, People and Partnerships	Cabinet 10 September 2024	Health, Wellbeing and Environment	All Wards	N/A	No
Staffordshire Wide Agreement on Climate Planning Policies	To consider a report on a Staffordshire Wide Agreement on Climate Planning Policies	Cabinet Portfolio Holder - Sustainable Environment, Cabinet Portfolio Holder - Strategic Planning	Cabinet 10 September 2024	Health, Wellbeing and Environment	All Wards	N/A	Yes
Borough Local Plan Examination Costs and Funding	To consider a report on the funding of the local plan examination process	Cabinet Portfolio Holder - Strategic Planning	Cabinet 10 September 2024	Economy and Place	All Wards	N/A	Yes
North Staffordshire Building Control Partnership - Renewal of Service Level Agreement	To seek approval to agree a new service level agreement with Stoke on Trent City Council for the provision of Building Control Services on behalf of Newcastle under Lyme Borough Council for a five year period.	Cabinet Portfolio Holder - Strategic Planning	Cabinet 10 September 2024	Economy and Place	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)	
Bradwell Dingle Recreational Facilities	To consider a report on Bradwell Dingle Recreational Facilities	Cabinet Portfolio Holder - Sustainable Environment	Cabinet 10 September 2024	Health, Wellbeing and Environment	Bradwell	N/A	No
Animal Welfare Charter	To consider a report on the Animal Welfare Charter	Cabinet Portfolio Holder - Sustainable Environment	Cabinet 15 October 2024	Health, Wellbeing and Environment	All Wards	N/A	No
Walleys Quarry Odour Update	To consider a report on the Walleys Quarry Odour issues	Cabinet Portfolio Holder - One Council, People and Partnerships	Cabinet 15 October 2024	Health, Wellbeing and Environment	All Wards	N/A	Yes

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