

Date of meeting Tuesday, 6th May, 2025
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

OPEN AGENDA

- 1 APOLOGIES**
- 2 DECLARATIONS OF INTEREST**
To receive declarations of interest from Members on items included in the agenda.
- 3 MINUTES OF PREVIOUS MEETINGS** **(Pages 5 - 10)**
To consider the minutes of the previous meeting.
- 4 WALLEYS QUARRY - ODOUR ISSUES** **(Pages 11 - 32)**
- 5 FOOTBALL FOUNDATION HOME ADVANTAGE PROGRAMME** **(Pages 33 - 38)**
- 6 FIELDS IN TRUST** **(Pages 39 - 56)**
- 7 PROJECT APPROVAL FOR THE DECARBONISATION OF THE J2 LEISURE CENTRE** **(Pages 57 - 64)**
- 8 LOCAL GOVERNMENT REORGANISATION UPDATE** **(Pages 65 - 104)**
- 9 IRRECOVERABLE ITEMS 2024/25** **(Pages 105 - 108)**
- 10 FORWARD PLAN** **(Pages 109 - 114)**
- 11 URGENT BUSINESS**
To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act 1972.
- 12 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.

13 IRRECOVERABLE ITEMS 2024/25 - CONFIDENTIAL APPENDIX (Pages 115 - 116)
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, 18th March, 2025
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:	Gordon Mole	Chief Executive	
	Simon McEneny	Deputy Chief Executive	
	Anthony Harold	Service Director - Legal & Governance /	
		Monitoring Officer	
	Sarah Wilkes	Service Director - Finance / S151 Officer	
	Andrew Bird	Service Director - Sustainable	
		Environment	
	Geoff Durham	Civic & Member Support Officer	
	Paul Dutton	Senior Media Officer	
	Sam Clark	Service Director - IT & Digital	

1. **MINUTE OF SILENCE**

A minute of silence was observed for the passing of the Mayor of Newcastle-under-Lyme Cllr Barry Panter.

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

3. **MINUTES OF PREVIOUS MEETINGS**

Resolved: That the minutes of the meeting held on the 4th February 2025 be agreed as a true and accurate record.

4. **WALLEYS QUARRY - ODOUR ISSUES**

The Leader introduced the regular update report on Walleys Quarry.

The Chief Executive presented the report highlighting that the operator entered into liquidation on 28th February and that the odours complaints had significantly reduced since the previous meeting, being now down to levels last seen in September 2023 and correlating with air quality data recorded by the Environment Agency.

The Leader brought to members' attention that legal action surrounding any criminality may yet be taken by the regulator. The appointed Liquidator had contacted the Council and the debts and creditors amongst which the Council in relation to the

abatement notice and business rates. The Leader reiterated that the priority for the site remained full capping and restoration.

The Deputy Leader reported having visited the area and not observed the odours which suggested the works were having an effect.

Cllr Fear also noticed the odours had dropped but would need to be reported to the Environment Agency and the Council if they were to be noticed again.

The Leader referred to a political leaders meeting that he chaired in the morning with the Environment Agency involving local MP, County Council, officers, Health and Police and Civil Contingency Units. A virtual public meeting was scheduled on 20th March. Information and link were available on the Environment Agency's website and would also be shared by the Council.

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

[Watch the debate here](#)

5. PROPOSED CREATION OF LYME PARK COUNTRYSIDE PARK

The Portfolio holder for Sustainable Environment introduced the report on the proposed creation of a new Countryside Park on land at Keele for the benefit of residents and visitors.

The Leader welcomed the initiative, the land having been left to grow wild after the failure of the original golf course and several unsuccessful proposals of which housing development and another golf course. A countryside park would ensure the site and biodiversity infrastructure remain protected and complement the 850 trees Lime Forest planted on the edge of Silverdale.

Cllr Fear and the Deputy Leader were also enthusiastic about the project.

Resolved: (i) That the development of a Countryside Park on land at Keele, be approved.

(ii) That the action detailed in the report to progress the project, be implemented.

(iii) That the Portfolio holder for Sustainable Environment work with Officers on those actions and report back to Cabinet.

[Watch the debate here](#)

6. EXPANSION OF RECYCLING MATERIALS COLLECTED TO INCLUDE FLEXIBLE PLASTICS & CARTONS

The Portfolio Holder for Sustainable Environment presented the report on the expansion of recycling materials collected to include flexible plastics (film, wrappers, bags) and cartons to the Council's existing kerbside recycling collection scheme from April 2025, which would come two years ahead of the government's mandatory requirement.

The Leader welcomed the initiative although shared his disappointment that financial support had not been received from the government despite funding being now provided across the country.

The Portfolio Holder for Sustainable Environment advised that a response was still awaited from the local MP to whom he would write in the afternoon.

The Leader emphasized the advantages of including items such as old DVDs.

Cllr Heesom and the Deputy Leader expressed their support to the policy.

Resolved: (i) That the inclusion of collecting flexible plastics (film wrappers, bags) and cartons into the Councils existing kerbside recycling collection service, be agreed.

(ii) That the Council work in partnership with Stafford Borough Council (subject to its Cabinet approval) and Veolia to communicate to residents on the inclusion of these additional materials with the existing dry recycling collection service.

[Watch the debate here](#)

7. CONTRACT AWARD FOR RYECROFT

The Leader introduced the report on the Contract Award for the Ryecroft site in Newcastle Town Centre. The Deputy Leader provided further details.

Resolved: (i) That the progress made to date by Capital & Centric on the Ryecroft project in Newcastle Town Centre, be noted.

(ii) That it be recommend that Council:

- a. approve expenditure of up to (£34,444,256 or £33,131,668 minus costs already approved) to complete the Ryecroft scheme to practical completion in readiness for occupation;
- b. authorise the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centres and Growth, and Portfolio Holder for One Council, People and Partnerships to progress legal agreements, subject to planning approval, to enable the appointment of Capital & Centric under a Development Services Agreements (DSA) for the development of the scheme through a direct award under the Pagabo Development Management Framework;
- c. authorise the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centres and Growth, and Portfolio Holder for One Council, People and Partnerships to progress the legal agreement for the 'buy back' of the schemes by Capital & Centric upon completion of the developments.
- d. authorise the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centres and Growth to progress legal agreements to enable the sale of a portion of the

Ryecroft site to Aspire Housing for their development on the site which they will be undertaking directly with Capital & Centric.

- e. authorise the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centres and Growth to progress the legal agreements with Homes England to accept a grant as a subsidy for the development and become the accountable body for the grant, subject to Homes England approving the grant.

[Watch the debate here](#)

8. CONTRACT AWARD FOR ASTLEY PLACE

The Leader introduced the report on the Contract Award for the former York Place site, now Astley Place. The Deputy Leader provided further details.

Resolved:

- (i) That the progress made to date by Capital & Centric on the partially demolished Astley Place project in Newcastle Town Centre.
- (ii) That it be recommended that Council:
 - a. approve expenditure of up to (either £18,213,758 in total or £16,111,895 minus costs already approved) to complete the Astley Place scheme to practical completion in readiness for occupation;
 - b. authorise the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centres and Growth, and Portfolio Holder for One Council, People and Partnerships to progress legal agreements, subject to planning approval, to enable the appointment of Capital & Centric under a Development Services Agreements (DSA) for the development of the scheme through a direct award under the Pagabo Development Management Framework;
 - c. authorise the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centres and Growth, and Portfolio Holder for One Council, People and Partnerships to progress the legal agreement for the 'buy back' of the schemes by Capital & Centric upon completion of the developments.
 - d. authorise the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centres and Growth to progress the legal agreements with Homes England to accept a grant as a subsidy for the development and become the accountable body for the grant, subject to Homes England approving the grant.

[Watch the debate here](#)

9. CONTRACT AWARD FOR THE FORMER MIDWAY CAR PARK

The Leader introduced the report on the Contract Award for the development of the former Midway Car Park. The Deputy Leader provided further details.

- Resolved:**
- (i) That the progress made to date by Capital & Centric on the now closed Midway Car Park project in Newcastle Town Centre, be noted.
 - (ii) That it be recommended that Council:
 - e. approve expenditure of up to (either £37,518,885 or £35,954,885 minus costs already approved) to complete the Midway scheme to practical completion in readiness for occupation;
 - f. authorise the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centres and Growth, and Portfolio Holder for One Council, People and Partnerships to progress legal agreements, subject to planning approval, to enable the appointment of Capital & Centric under a Development Services Agreements (DSA) for the development of the scheme through a direct award under the Pagabo Development Management Framework;
 - g. authorise the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centres and Growth, and Portfolio Holder for One Council, People and Partnerships to progress the legal agreement for the 'buy back' of the schemes by Capital & Centric upon completion of the developments.
 - h. authorise the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance, Town Centres and Growth to progress the legal agreements with Homes England to accept a grant as a subsidy for the development and become the accountable body for the grant, subject to Homes England approving the grant.

[Watch the debate here](#)

10. UK SHARED PROSPERITY FUND 2025-26

The Leader introduced the report on the delivery of the Shared Prosperity Fund (SPF) which would be running until the end of March, outlining the positive impact of the interventions thereby financed and the proposed programme for 2025/26 as endorsed by the Newcastle SPF Board.

The Deputy Leader expressed his support to the report and commented on the origin of the fund which would have come out of the European Union budget and was now going directly to local government post Brexit as noted by the Leader.

Cllr Skelding welcomed the recommendations although pointing out that the amounts to be expected going ahead had reduced. Several initiatives promoting the cultural heritage of the borough had been made possible thanks the SPF and it was appreciated that this would now also be going towards open spaces.

- Resolved:**
- (i) That the delivery of the SPF programme be noted and that the Deputy Chief Executive in conjunction with the Deputy Leader of the Council and Portfolio Holder - Finance, Town Centres and Growth is authorised to approve any under spend within the funding available.

(ii) That any funding allocated as part of the UK Shared Prosperity Fund 2025/26 as the accountable body, be accepted.

(iii) That the Newcastle SPF Board continue to be supported and the delivery of interventions in line with the national SPF programme and investment plan also be supported.

(iv) That the Deputy Chief Executive in conjunction with the Deputy Leader of the Council and Portfolio Holder - Finance, Town Centres and Growth, be authorised to:

- a. enter into any Grant Funding Agreements with the Government as required for the programme
- b. deliver with any amendments as necessary, the projects as required to meet the interventions;
- c. award contracts or Funding Agreements to deliver the range of projects to meet the interventions required

(v) That further updates be received on the availability of future SPF or future investment programmes as announced by Government.

[Watch the debate here](#)

11. FORWARD PLAN

Resolved: That the Forward Plan be received and noted.

[Watch the debate here](#)

12. URGENT BUSINESS

There was no urgent business.

13. DISCLOSURE OF EXEMPT INFORMATION

Resolved: That the public be excluded from the meeting during consideration of the following matter because it was likely that there would be disclosure of exempt information as defined in paragraphs 3 in Part 1 of Schedule 12A of the Local Government Act, 1972.

14. CCTV IN NEWCASTLE TOWN CENTRE - CONTRACT RENEWAL

Resolved: That the recommendation, as set out in the confidential report, be agreed.

**Councillor Simon Tagg
Chair**

Meeting concluded at 2.50 pm

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

CORPORATE LEADERSHIP TEAM'S

REPORT TO CABINET

06 May 2025

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><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> <ol style="list-style-type: none"> 1. Note the contents of this update report. 	
<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 which has, until its liquidation been operated by Walleys Quarry Ltd. The Environment Agency (EA) is the lead regulator for permitted landfill 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 Further instances of statutory nuisance identified which amount to a breach of the Abatement Notice, the Council's Enforcement Policy will guide the process to be followed [Reference: [Environmental Health enforcement policy – Newcastle-under-Lyme Borough Council \(newcastle-staffs.gov.uk\)](https://www.newcastle-staffs.gov.uk/environmental-health-enforcement-policy). This would determine what action the Council would take, and whether that would be formal or informal. Enforcement is usually considered sequentially but should the circumstances or nature of the breach be such, escalation direct to prosecution is possible. The Council needs 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. Such consent has been obtained.
- 1.5 Members and Officers have attended Liaison Meetings to maintain contact 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.
- 1.6 The Council continues to assess the prevalence of odours off site.

2. Complaint Data

- 2.1 Below is a schedule of complaints received by the Council and by the Environment Agency for the last 3 months, reported on a weekly basis. Historical complaint data is attached to this report as Appendix 1.

	Complaints to NuLBC	Complaints to Environment Agency
February 2025		
03/02/25 - 9/02/25	47	221
10/02/25 - 16/02/25	8	39
17/02/25 - 23/02/25	6	26
24/02/25 - 02/03/25	19	65
March 2025		
03/03/25 - 09/03/25	7	42
10/03/25 - 16/03/25	14	47
17/03/25 - 23/03/25	4	26
24/03/25 - 30/03/25	5	21
April 2025		
31/03/25 - 6/04/25	0	25
7/04/25 - 13/04/25	15	27
14/04/25 - 20/04/25	5	8
21/04/25 - 27/04/25	1*	Awaiting data

*Figure may alter due to backdated complaints received

2.2 March 2025

- There were no 'odour events' (where 10 or more complaints have been reported) during the month of March.
- The highest number of odour complaints was on Saturday 01 March with 7 complaints.
- The total number of odour complaints in March was 41 complaints

April 2025

- There were no 'odour events' (where 10 or more complaints have been reported) during the month of April.
- The highest number of odour complaints was on Thursday 10 April with 4 complaints.
- The total number of odour complaints in April was 23 complaints

The number of odour complaints continue to trend downwards. There has been a dramatic decline since the peak at the beginning of the year (January) at 1620 complaints.

NULBC Odour Assessments

- 2.3** 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.

March 2025

In March, 24 spot assessments were undertaken of which 4 detected landfill related odour all with an intensity rating of 3 (distinct).

April 2025

In April, 13 spot assessments were undertaken of which 2 identified odour at a rating of 3, which were by the site entrance on Cemetery Road. The remaining did not detect landfill odour.

NULBC Mobile Air Quality Monitoring (using Jerome monitor)

- 2.4** Hydrogen sulphide monitoring has been undertaken by Officers during March and April. The highest reading was 3.62ppb, measured by the site entrance on Cemetery Road.

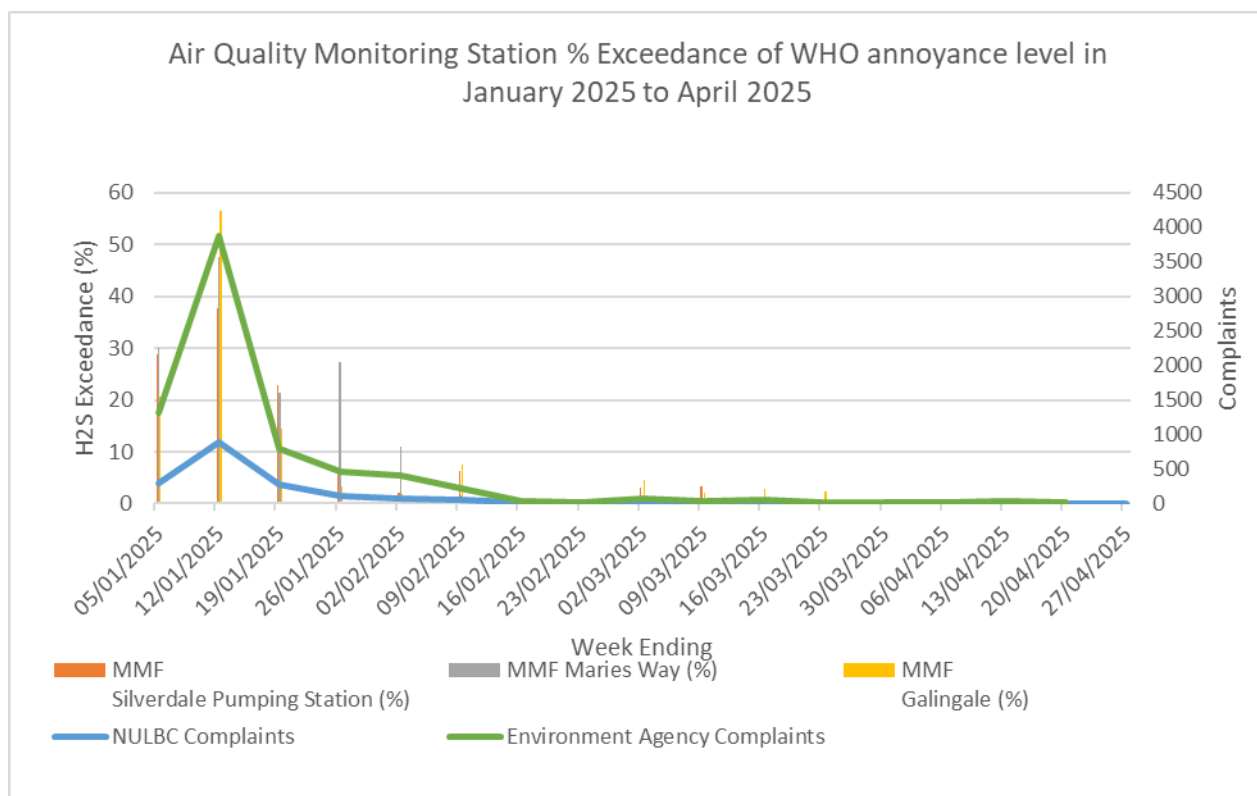
Air Quality

- 2.5** 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).
- 2.6** The EA air quality data has been published for March 2025 and shows the maximum level of H₂S recorded at each station has either remained the same or reduced. As an example the maximum H₂S at MMF Galingale View reduced from 922.93ug/m³ (January) to 47.51 ug/m³ (February) and to 22.14ug/m³ (March)

- 2.7** 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 2.

Time Period	MMF Maries Way (%)	MMF Silverdale Pumping Station (%)	MMF Galingale View (%)
03 February - 09 February 2025	1.6	6.3	7.6
10 February - 16 February 2025	0.0	0.0	0.0
17 February - 23 February 2025	0.0	0.3	0.0
24 February - 02 March 2025	0.0	3.0	4.5
03 March - 09 March 2025	0.0	3.3	2.1
10 March -16 March 2025	0.0	0.9	2.9
17 March - 23 March 2025	0.3	0.6	2.4
24 March - 30 March 2025	0.0	0.0	0.0
31 March - 6 April 2025	0.0	0.0	0.0
7 April - 13 April 2025	0.0	0.0	0.0
14 April – 20 April 2025	0.0	0.0	0.0
21 April – 27 April 2025	0.0	0.0	0.0

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



Environment Agency Regulatory and Enforcement Action

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

2.10 The following Compliance and Assessment Reports have been published on the EA website since the previous Cabinet report.

Date of Report	Date issued	CAR Reference	Assessment	CCS score
30/06/24	29/11/24	DP3734DC/0523022	2024 Q2 Monitoring Data Review (April-June)	12.2
13/12/24	19/12/24	DP3734DC/0532311	Site inspection - unannounced	0
20/12/24	24/12/24	DP3734DC/0534032	Site inspection - announced	31
06/01/25	16/01/25	DP3734DC/0535764	Site inspection – announced	31
14/01/25	17/01/25	DP3734DC/05368-6	Site inspection - announced	0
20/01/25	27/01/25	DP3734DC/0536806	Site inspection - announced	0
23/01/25	05/02/25	DP3734DC/0539277	Site inspection - announced	0
29/01/25	07/02/25	DP3734DC/0539283	Site inspection - announced	0
03/02/25	12/02/25	DP3734DC/0539285	Site inspection - announced	0
06/02/25	06/02/25	DP374DC/0539749	Report/ data review – Cell 4 Upper Sidewall (2024 engineering works) CQA report (No.2)	0
10/02/25	20/02/25	DP374DC/0542791	Site inspection - announced	31
14/02/25	14/02/25	DP374DC/0541509	Report/data review- Temporary capping assessment report 2024 Q3	0
19/02/25	24/02/25	DP3734DC/0543056	Site inspection – announced	0
26/02/25	26/02/25	DP373DC/0543724	Report/data review – Temporary Capping Assessment Report 2024 Q4	0

Non- compliance

The table below provides links to the Compliance Assessment Reports that have a non-compliance score:

Date of report	CAR Reference	CCS score	Non - compliance	Potential Impact on the environment and/or quality of life
30/06/24	DP3734DC-0523022	12.2	Breaches of the permit condition for: leachate level limits, methane limit, carbon dioxide limit and ammoniacal nitrogen limit Failure to immediately inform the EA of the breaches	Minor
20/12/24	DP3734DC-0534032	31	'Officers perceived odour from emissions of landfill gas at levels likely to cause pollution outside the site from activities namely (previous) disposal of waste, and you have not used appropriate measures specified in your approved odour management plan to prevent or where that is not practicable to minimise the odour'.	Significant
06/01/25	DP3734DC-0535764	31	'not operated the activities, namely the disposal of waste, using the techniques and in the manner described in the OMP and no other odour management plan has been agreed in writing. Specifically, elevated emissions of landfill gas in the accumulated liquid at the base of the western facing flank are abnormal conditions / an incident which has the potential to lead to an odour event and you have not: 1. brought forward planned capping works to reduce odour potential from this area; and 2. removed the area of leachate ponding in this location within 2 working days or within a timetable agreed with the Environment Agency.'	Significant
10/02/25	DP3734DC-0542791	31	'you have not carried out the activities, namely the disposal of waste, using the techniques and in the manner described in the Working Plan, a document specified in schedule 1 table S1.2.	Significant

			<p>(i) Whilst infilling the landfill, you have allowed groundwater to rise above the base, rather than maintaining it at a level below the base, of the landfill; and</p> <p>(ii) At no point has the Environment Agency provided written agreement to such a rise in groundwater level'</p>	
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Closure Notice

- 2.11** On 28 November 2024, the Environment Agency issued a Closure Notice to Walleys Quarry Ltd (WQL).

Walleys Quarry Limited – Appeal against Closure Notice

- 2.12** The Environment Agency and NULBC have received confirmation that the appeal against the Closure Notice has been withdrawn.
- 2.13** Consequently, the appeal is closed and withdrawn, and the Planning Inspector will take no further action in this case.

Walleys Quarry Limited - Application for judicial review and application for interim relief

- 2.14** Walleys Quarry Ltd were unsuccessful in an application for judicial review and an application for interim relief for a stay in the Closure Notice. The judgement was given on 4 February 2025.

Walleys Quarry Limited – Voluntary Liquidation [28 February 2025]

Frequently Asked Questions

- 2.15** The Environment Agency updated their Frequently Asked Questions document on 19 March 2025 and added the following additional questions:

Q: Who is now responsible for the site?

A: The Liquidators for Walleys Quarry Ltd have disclaimed the site. Following disclaimer the property is subject to 'escheat', a legal process under which it falls to be dealt with by the Crown Estate. You can read more about escheat here: [FAQs | The Crown Estate](#). In practice the Crown Estate does not take any action which might be construed as an act of management, possession or ownership - the Crown Estate does not act as guarantor of last resort for companies and individuals who have failed financially. The Environment Agency is not responsible for the site but is arranging for steps to be taken there under its discretionary powers.

Q: What work is the Environment Agency undertaking on site and why?

A: The Environment Agency is using its discretionary powers to arrange for steps to be taken on site to remove a risk of serious pollution. These steps include:

- Securing the site to prevent access by trespassers, who could damage the infrastructure necessary to manage emissions.
- Installing temporary capping, to a small area of previously deposited waste. This was required by the Closure Notice, but was not completed by Walleys Quarry Ltd. The area is in the same location where bubbling liquid can be seen on recent drone footage. The liquid will be removed by tankers to allow this work to take place.
- Remedial work to improve the stability of waste near the western flank. There has been some localised slippage, and this work will help protect the integrity of capping in that area.
- A review of current arrangements and, subject to that, possible alterations to ensure that the surface water is managed effectively.
- Actions to manage the groundwater under the site and leachate levels within the capped area, to avoid harm to the integrity of the landfill containment system.

Q: What powers are the Environment Agency using to go on site to carry out work?

A: The Environment Agency is using its limited, discretionary powers under Regulation 57 of the Environmental Permitting Regulations to arrange for steps to be taken to remove a risk of serious pollution.

Q. Who is paying for the work?

A; The current work being undertaken at the site is being funded by the financial provision that Walleys Quarry Ltd provided in accordance with its environmental permit.

Q: Why is the EA doing this work rather than Walleys Quarry Ltd or the landowner?

A: Because Walleys Quarry Ltd has ceased operations, has entered liquidation and the Liquidators appointed have disclaimed the permits held by Walleys Quarry Ltd, and title to the landfill site.

The EA has discretionary powers under Regulation 57 EPR to arrange for steps to be taken to remove a risk of serious pollution. The Environment Agency is able to use the financial provision provided by WQL in accordance with its environmental permit to fund these steps.

Q: Who is CLP Envirogas Limited (CLP)? What is its role?

A; CLP is the gas contractor at Walleys Quarry. It is a separate company from Walleys Quarry Ltd. CLP's role is landfill gas management, including operating the gas engines that produce power for the electricity grid from the landfill gas extracted from the site. CLP continues to look after the gas management system for the site

Virtual Public Meeting – 20 March 2025

- 2.16 A virtual public meeting was held by the EA on 20 March 2024. The transcript has been shared on the Engagement HQ site – [20 March 2025 Public Transcript](#).

2.17 The EA have published the following updates:

2.18 Latest News 01/04/24

‘As part of the steps we have arranged at Walleys Quarry to remove the risk of serious pollution, our contractors have begun removing surface water accumulated in the void area adjacent to the western flank of the site, where there have also been signs of slippage under the capping.

Our contractors have made a small slit in the capping, which was identified as having been stretched more than we had anticipated. This is to facilitate drainage of the leachate that had built up behind it. The drainage is likely to last several days. The leachate will be disposed of off-site appropriately. These works may lead to a temporary increase in odour around the site.

This week (week commencing 31 March 2025) our contractors will continue work in the void area. You may see additional machinery and materials arriving on site.

You may see Staffordshire Fire and Rescue Service (Staffs FRS) vehicles arriving at the site on today (Tuesday 1 April). This is part of a routine, planned visit. The vehicles will be present so that Staffs FRS officers are able to respond immediately to any off-site calls they may receive’

2.19 Latest News 15/04/25

‘Further to our update on 1 April 2025, the work we told you about is progressing well.

Contractors are working to manage the small amount of liquid which continues to accumulate in the western void at the site. Moving excavated waste may cause a temporary increase in odours from the landfill which our contractors are managing.

Clay material will be imported and used in the void, with additional measures planned to mitigate leachate migration and potential groundwater ingress.

After work in the void has been completed, steps will be taken to remedy capping defects elsewhere. This will begin with creation of an access track, for machinery, over the western flank of the landfill.

There will be a short pause in activity at the site over the Easter weekend’.

2.20 Latest News 23/04/25

‘Following our update on 15 April, you may have begun to notice an increase in activity on site over the past few days.

Over the next 2 weeks, up to 30 lorry loads of clay material will be delivered to the site each day. This clay will be used as part of capping works in the western ‘void area’.

As the current excavation continues, there remains a risk of a slight increase in odour levels’.

2.21 The EA reiterated in each of the Latest News updates that ‘you can continue to report an odour using our number 0800 60 70 80 or by using our online form - <https://report-walleys-quarry-smell.service.gov.uk/>’

- 2.22** We will offer both the EA and liquidator any support we can within our powers to keep this landfill under control, as it is currently.
- 2.23** We will continue to monitor the data in relation to the landfill.
- 2.24** We will continue to undertake odour monitoring and assessments in the community.
- 2.25** We would ask that should the community be adversely affected by odour that complaints are logged to the EA or ourselves via [Report a problem or concern about Walleys Quarry – Newcastle-under-Lyme Borough Council](#).

Key Performance Data

- 2.26** Through the settlement agreement both Walleys Quarry Ltd and the Council had developed key performance indicators in relation to relevant data from each organisation, only data for NuLBC is available, following Walleys Quarry Ltd liquidation. The NuLBC data is shown in Appendix 3.
- 2.27** The data from the Council covers the period from February 2025 to April 2025 and provides complaint numbers and officer assessments.

3. Recommendation

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.

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.

6.2 In 2024, the Council established breaches of the abatement notice. As the Council was not the primary regulatory permission to undertake legal proceeding was sought from the Secretary of State. This permission was received in July 2024, preparation for legal proceedings commenced, with the intention to issue proceedings in late 2024.

6.3 This report details both the EA closure notice and subsequent appeal against the closure notice, which the Borough Council was a principal party to present evidence in relation to the statutory odour nuisance.

6.4 Walleys Quarry Ltd in February 2025 entered voluntary liquidation.

6.5 Upon the liquidation of Walleys Quarry Ltd, the abatement notice and the legal requirements in respect of odours, will cease to be enforceable. As a result, the legal proceedings will not continue.

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 On 20 November 2024 Council approved a further sum of £400k (£250k from the General Fund Reserve, £150k from the Budget and Borrowing Support Fund) for costs associated with action to prosecute, and delegate to the Chief Executive and Section 151 Officer, in consultation with the Portfolio Holders for One Council, People and

Performance and Town Centres and Finance, to draw down and remit such funds as and when necessary for this action.

- 8.4** On 25 February 2025 the Council was listed as a creditor in the 'Notice of Statement of Affairs' signed by a Director of Walleys Quarry Ltd. The amount owed to the Council is £132,097.20. This outstanding debt is made up of £102,000 in respect of the legal fees agreed through the mediated settlement in court back in October 2022 relating to the Abatement Notice. The remaining amount relates to outstanding Business Rates.
- 8.5** The Council is now in correspondence with Walleys Quarry liquidators in order to recover these outstanding monies. Updates on this situation will be provided as and when available.

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;

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

- 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. One Council

11.1 Please confirm that consideration has been given to the following programmes of work:

One Commercial Council ☐

One Digital Council ☒

The Council will use all available monitoring data and digital tools in making strategic and operational decisions in relation to Walleys Quarry.

One Green Council ☒

The Council is not a user of Walleys Quarry. Within its restricted powers, the Council is committed to ensuring that waste does not cause a nuisance for residents and ultimately wishes to see the end of landfill, with a site that is successful closed, capped off and restored.

12. **Key Decision Information**

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

13. **Earlier Cabinet/Committee Resolutions**

13.1 This matter has been variously considered previously by Economy, Environment & Place Scrutiny Committee, Council and Cabinet on 21st 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, 16th July 2024, 10th September 2024, 25th September 2024, 15th October 2024, 5th November 2024, 25th November 2024. 3rd December 2024, 9th January 2025, 4th February 2025, 18th March 2025.

14. **List of Appendices**

- 14.1 Appendix 1. Historical Complaint data
- 14.2 Appendix 2. Percentage exceedance above WHO odour annoyance guideline
- 14.3 Appendix 3. NULBC Key Performance Data

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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	Week Ending	Complaints to NuLBC	Complaints to Environment Agency
11-Jun	19	75	24-Mar	120	330
18-Jun	76	154	31-Mar	81	254
25-Jun	80	170	07-Apr	56	220
02-Jul	40	99	14-Apr	17	75
09-Jul	18	46	21-Apr	32	145
16-Jul	20	54	28-Apr	55	196
23-Jul	15	73	05-May	41	167
30-Jul	28	97	12-May	75	311
06-Aug	21	67	19-May	76	192
13-Aug	7	30	26-May	89	240
20-Aug	10	44	02-Jun	75	207
27-Aug	8	38	09-Jun	38	114
03-Sep	11	59	16-Jun	50	147
10-Sept	26	71	23-Jun	67	189
17-Sept	12	72	30-Jun	117	298
24-Sept	8	31	07-Jul	45	103
01-Oct	8	26	14-Jul	52	155
08-Oct	8	37	21-Juy	118	277
15-Oct	29	64	28-Jul	93	189
22-Oct	22	81	04-Aug	61	162
29-Oct	26	115	11-Aug	53	143
05-Nov	5	15	18-Aug	50	160
12 Nov	40	123	25-Aug	35	185
19-Nov	35	119	01-Sept	7	46
26-Nov	36	135	08-Sept	14	42
3-Dec	115	265	15-Sept	25	95
10-Dec	83	151	22-Sept	43	118
17-Dec	48	180	29-Sept	16	53
24-Dec	28	79	06-Oct	52	147
31-Dec	44	129	13-Oct	80	187
2024			20-Oct	37	136
07-Jan	236	627	27-Oct	100	311
14-Jan	76	268	03-Nov	46	163
21-Jan	270	824	10-Nov	41	153
28-Jan	86	261	17-Nov	251	793
04-Feb	133	416	24-Nov	252	842
11-Feb	382	905	1-Dec	518	1478
18-Feb	186	527	8 -Dec	261	760
25-Feb	397	1264	15-Dec	182	518
03-Mar	333	990	22-Dec	220	797
10-Mar	218	694	29-Dec	418	1644
17-Mar	103	374	-	-	-

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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
03 June – 09 June 2024	0	0	8.1
10 June – 16 June 2024	0.6	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
08 July - 14 July 2024	0.3	0.0	8.9
15 July - 21 July 2024	7.2	7.5	16.5
22 July - 28 July 2024	2.7	0	15.2
05 August - 11 August 2024	1.2	2.1	5.4
12 August - 18 August 2024	1.2	0.3	1.8
19 August - 25 August 2024	0	0	0
26 August - 01 September 2024	0	0	0.6
	MMF Maries Way (%)	MMF Silverdale Pumping Station (%)	MMF Galingale View (%)
02 September - 08 September 2024	0.6	0	1.1
09 September - 15 September 2024	1.8	3.3	5.7
16 September - 22 September 2024	0.3	0.0	10.8
23 September - 29 September 2024	4.8	0.6	0.6
30 September - 06 October 2024	18.7	3.6	7.2
07 October - 13 October 2024	14.0	11.3	8.0
14 October - 20 October 2024	22.8	5.09	1.8
21 October - 27 October 2024	13.4	14.0	12.0
28 October - 03 November 2024	13.2	1.5	15.0
04 November - 10 November 2024	47.9	2.1	0.3
11 November - 17 November 2024	4.80	7.49	20.40
18 November - 24 November 2024	8.0	5.4	6.5
02 December - 8 December 2024	11.9	10.3	3.9
09 December - 15 December 2024	7.1	0.6	22.3
16 December - 22 December 2024	3.3	13.6	14.5
23 December - 29 December 2024	22.9	25.6	16.4
04 November - 10 November 2024	47.9	2.1	0.3
11 November - 17 November 2024	4.8	7.49	20.4
18 November - 24 November 2024	8.0	5.4	6.5
25 November - 1 December 2024	32.7	16.1	13.7
2 December - 8 December 2024	11.9	10.3	3.9
9 December - 15 December 2024	7.1	0.6	22.3
16 December - 22 December 2024	3.3	13.6	14.5
23 December - 29 December 2024	22.9	25.6	16.4
30 December - 05 January 2025	30.0	28.7	20.7
06 January - 12 January 2025	47.6	37.6	56.4
13 January - 19 January 2025	21.3	22.8	14.4
20 January - 26 January 2025	27.4	6.3	3.3
27 January - 02 February 2025	10.9	2.1	1.8

Appendix 3 – NULBC Key Performance Indicators

NULBC		Information	Measurement	February 2025	March 2025	April 2025
KPI 1	COMPLAINTS	Complaints reported to NULBC	Number	79	41	23
				Number of unique properties reporting complaints= 43 Rating 0 = 0 Rating 1 = 0 Rating 2 = 1 Rating 3 = 4 Rating 4 = 19 complaints (1.3%) Rating 5 = 25 complaints (31.6%) Rating 6 = 30 complaints (38.0%)	Number of unique properties reporting complaints= 19 Rating 0 = 0 Rating 1 = 0 Rating 2 = 2 Rating 3 = 9 Rating 4 = 16 complaints (39.0%) Rating 5 = 8 complaints (19.5%) Rating 6 = 6 complaints (14.6%)	Number of unique properties reporting complaints= 8 Rating 0 = 0 Rating 1 = 0 Rating 2 = 0 Rating 3 = 4 Rating 4 = 10 complaints (43.5%) Rating 5 = 5 complaints (21.7%) Rating 6 = 4 complaints (17.4%)
				% of complaints reporting odour entering the property = 59 (74.7%)	% of complaints reporting odour entering the property = 31 (75.6%)	% of complaints reporting odour entering the property = 19 (82.6%)
				% of complaints reporting health effects = 62 (78.5%)	% of complaints reporting health effects = 33 (80.5%)	% of complaints reporting health effects = 23 (100%)
KPI 2		Complaints reported (daytime 07:00-23:00)	Number	65	36	19
4		Complaints reported (night-time 23:00-07:00)	Number	14	5	4
KPI 4		Highest number of complaints during the period	Date (number of complaints)	06/02/2025 (25)	01/03/2025 (7)	10/04/25 (4)

NULBC		Information	Measurement	MMF Location Name	February 2025	March 2025	April 2025
KPI 5	AIR QUALITY	Percentage exceedance Odour Annoyance Guideline (Hydrogen Sulphide 30-minute average)	%	MMF Maries Way	1.5%	0.3%	Awaiting data
				MMF Silverdale Pumping Station	1.8%	1.2%	Awaiting data
				MMF Galingale View	1.9%	3.4%	Awaiting data
KPI 6		Monthly Average H ₂ S	ug/m3 over the month	MMF Maries Way	1.9ug/m3	2.1ug/m3	Awaiting data
				MMF Silverdale Pumping Station	1.0ug/m3	1.1ug/m3	Awaiting data
				MMF Galingale View	1.1ug/m3	1.3ug/m3	Awaiting data
KPI 7	H ₂ S PEAK LEVEL	Level measured over a 5-minute period Date & Time	ug/m3	MMF Maries Way	57.50ug/m3 06/02/25 09:40	18.52ug/m3 19/03/25 07:50	Awaiting data
				MMF Silverdale Pumping Station	39.70ug/m3 04/02/25 22:40	40.42ug/m3 02/03/25 17:50	Awaiting data
				MMF Galingale View	47.51ug/m3 06/02/25 05:45	22.14ug/m3 09/03/25 07:05	Awaiting data
KPI 8	OFFICER ASSESSMENTS	Odour Rating - Officer odour assessment (5 minute)	Max Intensity Rating		No 5-minute assessments undertaken	No 5-minute assessments undertaken	No 5-minute assessments undertaken

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

CORPORATE LEADERSHIP TEAM'S REPORT TO CABINET

6th May 2025

Report Title: Football Foundation Home Advantage Programme

Submitted by: Service Director - Commercial Delivery

Portfolios: Leisure Culture and Heritage

Ward(s) affected: Cross Heath, Crackley & Redstreet, Kidsgrove & Ravenscliffe

<u>Purpose of the Report</u>	<u>Key Decision</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
The report provides Cabinet with the details of the Football Foundation's Home Advantage Programme and seeks approval to enter into a funding agreement to improve local football facilities that the Football Foundation select.			
<u>Recommendation</u> That Cabinet: <ul style="list-style-type: none"> • Authorises the Deputy Chief Executive in conjunction with the Portfolio Holder for Leisure, Culture and Heritage to develop detailed grant applications with the relevant football clubs for funding via The Football Foundation Home Advantage Programme and enter into any funding agreements as necessary. • Approves the procurement of suitable contractors to carry out the improvements to those sites selected by the Football Foundation once detailed specifications have been developed within available grant funding limits. • To authorise the above mentioned officers to ensure any agreements are fulfilled, enter into suitable contracts to deliver the improvements and to ensure any necessary leases are completed. 			
<u>Reasons</u> It is appropriate that the Council works with local groups and funding agencies to support the growth of local sports. The improvements to the outlined football facilities have been developed in partnership with the Football Foundation, Staffordshire Football Association, Newcastle Town Football Club, Kidsgrove Lads and Dads, and Chesterton Football Club. These projects seek to make vital improvements to each site, enhance and protect the quality of outdoor sports facilities in the Borough, and aims to maximise external funding opportunities without the need for match funding from the Council. Expressions of Interest			

have been submitted, and the outcome of these bids is due shortly from the Football Foundation.

1. **Background**

- 1.1 The Council is seeking to secure external investments improvements to a number of outdoor football facilities across the Borough through the Football Foundation's Home Advantage Programme.
- 1.2 The key aim of the Football Foundations Home Advantage Programme is to encourage accredited football clubs to secure a long-term lease (for a minimum period of twenty five years), for outdoor grass football pitches and support their long term sustainability.

2. **Issues**

- 2.1 Following consultation with Staffordshire Football Association, Newcastle Town Football Club and Kidsgrove Lads and Dads, in January 2025 expressions of interest were submitted to improve the sites they use at the Whammy, Birchenwood, and Chesterton Football club. Depending on the needs/aspirations of the football club the expressions of interest focused on site improvements in the following areas; site security, changing facilities, pavilion/club house plus project development costs.
- 2.2 The Football Foundation is due to announce which sites have been successful for the programme, these may include The Whammy, Birchenwood and Chesterton Football clubs. Should any of these sites be successful the Council will work with the clubs to develop each project with Football Foundation support through webinars, workshops and learning tools. Pre-application grant support will also be provided by the local CFA and Football Foundation Delivery Manager.
- 2.3 The grant application consists of a number steps and each step must be completed before the next one can start:
 - a) submit the project development cost application;
 - b) submit a grass pitch maintenance fund application;
 - c) agree the heads of terms;
 - d) submit a home advantage programme capital grant application;
 - e) agree the lease between the Council and the football club, league or charity;
 - f) claim the home advantage programme capital grant.
- 2.4 Taking the above point into account, it is the Football Foundation's preference that all projects can commence on site over the Spring and Summer of 2026.

3. **Recommendation**

- 3.1 That Cabinet authorises the Deputy Chief Executive in conjunction with the Portfolio Holder for Leisure, Culture and Heritage to develop detailed grant applications with the relevant football clubs for funding via The Football Foundation Home Advantage Programme and enter into any funding agreements as necessary.

- 3.2 Approve the procurement of suitable contractors to carry out the improvements to those sites selected by the Football Foundation once detailed specifications have been developed within available grant funding limits.
- 3.3 To authorise officers to ensure any agreements are fulfilled, enter into suitable contracts to deliver the improvements and the ensure any necessary leases are completed.

4. Reasons

- 4.1 The improvements to the football facilities have been developed in partnership with the Football Foundation, Staffordshire Football Association, Newcastle Town Football Club, Kidsgrove Lads and Dads, and Chesterton Football Club. These projects seek to make vital improvements to each site, enhance and protect the quality of outdoor sports facilities in the Borough, and aims to maximise external funding opportunities without the need for match funding from the Council.

5. Options Considered

- 5.1 At this moment in time, no other options are available to the Council, that will both deliver significant investment onto outdoor football pitches whilst at the same time encouraging accredited football clubs to take on a long-term lease for their individual site. The Council's policy supports the use of long-term leases and therefore this approach is suitable.

6. Legal and Statutory Implications

- 6.1 The Council will have to enter into funding agreements with the Football Foundation to secure the grant funding.
- 6.2 A key condition of the grant funding will be that the Council will have to enter a twenty-five-year lease with each of the football clubs.
- 6.3 The procurement of contractors/specialist advisors to deliver the project will be compliant with the Procurement Act 2023 Public Contracts Regulations 2024 .

7. Equality Impact Assessment

- 7.1 This funding application will improve outdoor football facilities and accessibility to the sites, increasing their appeal to residents, and helping to support their long their long-term sustainability. There are no specific equality impacts as the sport seeks to support all to participate.

8. Financial and Resource Implications

- 8.1 The Home Advantage programme allows the Council to apply for up to £250,000 per project for the football club, charity, or league (inclusive of £25,000 project development costs), plus up to an additional £25,000 for the Council to support the completion of leases and project development costs.

8.2 The Football Foundation Home Advantage Programme does not require any match funding from the Council. The Council will however need to pay for the works then reclaim the money from the Football Foundation.

8.3 All projects will be managed within the maximum available funding per project which is up to £250,000.

9. **Major Risks & Mitigation**

9.1 There are several risks with projects of this nature, and these will be proactively managed through small working groups including Council officers, Staffordshire Football Association, the Football Foundation, and Newcastle Town Football Club, Kidsgrove Lads and Dad's, and Chesterton football Club.

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

10.1 This project focus on



11. **One Council**

Please confirm that consideration has been given to the following programmes of work:

One Commercial Council ☒

We will make investment to diversify our income and think entrepreneurially.

The grant funded programme supports local clubs to manage their sites better and become more sustainable in the long term. It is in the Council's interest to ensure that sports clubs are sustainable.

One Digital Council ☒

We will develop and implement a digital approach which makes it easy for all residents and businesses to engage with the Council, with our customers at the heart of every interaction.

One Green Council ☒

We will deliver on our commitments to a net zero future and make all decisions with sustainability as a driving principle.

12. **Key Decision Information**

- 12.1 The total value of the grants available to the Council are up to £250,000 per project plus and additional £25,000 to the Council to support the completion of leases and project development costs.

13. **Earlier Cabinet/Committee Resolutions**

- 13.1 None

14. **List of Appendices**

- 14.1 None

15. **Background Papers**

- 15.1 None

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL



CORPORATE LEADERSHIP TEAM'S REPORT TO CABINET

DATE 6th May 2025

Report Title: Fields in Trust

Submitted by: Deputy Chief Executive / Service Director Sustainable Environment

Portfolios: Sustainable Environment and Finance, Town Centres and Growth

Ward(s) affected: All

<u>Purpose of the Report</u>	<u>Key Decision</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
To provide Cabinet an outline of the Fields in Trust status that is available to the Council for green spaces which allows a permanent status for green spaces and carbon capture areas over and above allocations in the Local Plan and the Green Spaces Strategy.			
<u>Recommendation</u> That Cabinet: <ul style="list-style-type: none"> Notes the Fields in Trust principle as it applies to the Council's green spaces and carbon capture areas. Authorises the Deputy Chief Executive and the Service Director Sustainable Environment, in consultation with the Portfolio Holders for Sustainable Environment and Finance, Town Centres and Growth to undertake the required legal documentation and lodging of the Fields in Trust applications to secure this status for the site identified within this report. 			
<u>Reasons</u> <p>The Council has sought to secure sites for open space and for tree planting which it is hoped will be permanent features of the Council's green spaces and wider environment. The Fields in Trust status gives these site permanent protection as green spaces and thus secures the long- term aspiration for these sites.</p>			

1. Background

- 1.1 The Council has sought to secure sites for open space and for tree planting which it is hoped will be permanent features of the Council's green spaces and wider environment. The Fields in Trust status gives these site permanent protection as green spaces and thus secures the long- term aspiration for these sites.
- 1.2

2. Issues and Proposals

- 2.1 Fields in Trust Charity

Fields in Trust is the only UK charity working to secure legal protection for all parks and green spaces. In practice, this means facilities can never be sold off for development and will be retained as a public park, playing field or recreation ground in perpetuity.

Fields in Trust use data to identify where protecting parks and green spaces will make the biggest difference to the health and wellbeing of communities. Working closely together, the Council and the Charity would sign a bespoke, binding legal commitment (called a Deed of Dedication) meaning that the borough's green spaces will be protected for the benefit of local communities and nature in perpetuity.

2.2 Fields in Trust Process

2.2.1 There are strict criteria that will apply to sites for inclusion as a Field in Trust. If the park or green space meets the criteria below the Council should be able to protect the sites / land in perpetuity.

- The Council must own the space by having a freehold interest or a leasehold interest of at least 99 years.
- Green spaces must be used for informal physical activity and recreation, or formal sport. A wide definition of recreation is used, to encompass woodland, gardens, nature reserves, country parks, playing fields and playgrounds.
- A green space should be at least 0.2ha in size but consideration is given to protecting smaller spaces where their value to the local community can be demonstrated.
- The green space must have some form of permanent public access, whether that's by being open to the public or, in the case of a sports club, by having an open membership policy.
- Any green space where public access is restricted by exclusive events and activities that take up more than 50% of the space, for more than three months in a calendar year.
- Facilities owned by or leased to private clubs.

2.3 Proposal

2.3.1 It is proposed that the Council consider each of the sites identified in the Sites for Consideration (as set out in Appendix 1) against the criteria set out above and engage with the Fields in Trust Charity to develop up as many sites as possible to obtain this legal classification / protection, and report back at the end of the process on the numbers of sites that have benefitted from the exercise.

3. Recommendation

- 3.1 Notes the Fields in Trust principle as it applies to the Council's green spaces and carbon capture areas.
- 3.2 Authorise the Deputy Chief Executive and the Service Director Sustainable Environment, in consultation with the Portfolio Holders for Sustainable and Finance, Town Centres and Growth to undertake the required legal documentation and lodging of the Fields in Trust applications to secure this status for the site identified within this report.

4. Reasons

- 4.1 The Council has sought to secure sites for open space and for tree planting which it is hoped will be permanent features of the Council's green spaces and wider environment. The Fields in Trust status should give these sites permanent protection as green spaces and thus secures the long-term aspirations for these sites.

5. **Options Considered**

- 5.1 There have been two options considered for these sites, one of which was to leave the sites as they are currently classified with the risks that these might be changed at some point in the future, or to try and protect the sites in perpetuity through a legal process that establishes this. The added protection that Fields in Trust provides has therefore been selected.

6. **Legal and Statutory Implications**

- 6.1 The Environment Act 2021 includes several policies which the Fields in Trust proposal will support.
- Local Nature Recovery Strategy's (LNRS) there have been 48 designated strategy areas covering the whole of England with no gaps. Staffordshire is one of those areas, with responsibility for drawing up and delivering the strategy being led by the County Council, along with key partners and stakeholders which includes the Borough Council. The proposals for Fields in Trust proposal contribute positively to the aims of the LNRS for Staffordshire and Stoke on Trent, the draft of which will go out for consultation during the summer.
 - Recovering Nature for Growth, Health and Security, is Natural England's strategic direction for 2025 – 2030. This strategy recognises that nature underpins our nation's growth, economy, health, and security. There is therefore a need to invest in Nature to maximise the full range of benefits it provides, and we depend upon.
 - Any new or emerging legal or statutory implications will be considered further prior to legal sign off.

7. **Equality Impact Assessment**

- 7.1 It is considered that there are only positive equality impacts because of the recommendations of this report as the purpose of the report / exercise as protecting green and open space will benefit the whole community.

8. **Financial and Resource Implications**

- 8.1 There are financial and resource implications associated with this report.
- 8.2 The Council will be required to enter a restriction and notice to the registered title to each site selected. The Land Registry fee for up to three sites / titles is £80. Given that we shall be looking at 88 sites the estimate for the Sites for Consideration will be £2,400 in Land Registry costs in addition to necessary legal and property officer costs.

9 **Major Risks & Mitigation**

- 9.1 There are no major risks to this proposal other than the sites not being accepted into the Fields in Trust classification.

10 UN Sustainable Development Goals (UNSDG)



11 One Council

Please confirm that consideration has been given to the following programmes of work:

One Commercial Council ☒

- According to Natural England 'the current value of Nature to the economy is estimated to be over £1.8 trillion. Putting Nature at the heart of new housing, infrastructure and renewable energy projects attracts greater investment and builds in resilience to climate change. Economic growth cannot be achieved without a thriving natural environment.'
- They go on further to state, 'The future health and wellbeing of our society is dependent on a healthy natural environment. Time spent in contact with Nature improves people's mental and physical health. This reduces the burden on the health system and promotes increased economic activity, providing more than £400 billion in expected health benefits into the future.' The fields in Trust proposals fully support the importance of the Councils green open spaces and the benefits they provide. One Digital Council

One Green Council ☒

- The Council is committed to facilitating the boroughs journey to net zero by 2050, and 2030 for its own operations. The importance of the Councils green spaces and the works undertaken with its Borough tree Strategy and Grassland management strategy highlight the importance of these green spaces to protection of the Boroughs environment. Furthermore, green spaces are a proven asset in terms of citizens health and wellbeing, providing valuable space for leisure recreation, and relaxation.

12 Key Decision Information

- 12.1 This is a key decision due to the value of funding being granted to the Council and its multi-ward impact.

13 Earlier Cabinet/Committee Resolutions

- 13.1 Urban Tree Planting Strategy Phase 6 approved by Cabinet in June 2024.

14 List of Appendices

- 14.1 Appendix 1 – List of sites proposed for Fields in Trust status

15 Background Papers

15.1 None



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Site Name	Grassland Site	Tree Planting Site
Arbour Close Open Space		✓
Arnold Grove Bradwell	✓	✓
Bateswood		✓
Bathpool Park		✓
Betley Place Clayton		✓
Bignall End Road		✓
Birchenwood Countryside Park		✓
Bradwell Dingle		✓
Bradwell Lodge		✓
Brampton Park		✓
Brampton Vale Donkey Field	✓	
Burntwood Estate		✓
Burntwood Pitches		✓
Cambourne Crescent		✓
Cambridge Drive		✓
Chatterly Close Bradwell	✓	
Chesterton Cemetery		✓
Chesterton Park		✓
Clayhanger Close		✓
Cloggers Pool		✓
Clough Hall Park		✓
Coalpit Hill	✓	✓
College Gardens		✓
Crackley Recreation Ground/Field	✓	✓
Cygnets Close/Hillwood Road		✓
Dales Green Play Area		✓
Douglas Road Chesterton	✓	
Earls Drive (Clayton Field)		✓
Ellam's Place Donkey Field		✓

Grange Lane Community Centre		✓
Guernsey Drive Westlands	✓	
Handbridge Avenue		✓
Harriet Higgins/Poolfields LNR		✓
Heath Row Open Space		✓
Heighley Castle Way		✓
Hillwood Road		✓
Howard Place/Wedgewood Avenue		✓
Hugo Way		✓
Keele Cemetery	✓	✓
Kingsbridge Avenue/Medical Practice	✓	✓
Knutton Cemetery		✓
Laurel Drive Play Area		✓
Leys Drive/Whitmore Road	✓	✓
Loomer Road	✓	
Lyme Forest		✓
Lyme Valley Park Clayton		✓
Lyme Valley Park Town		✓
Moreton Parade		✓
Mount Road Estate		
Mount Road/Weir Grove		✓
Newcastle Crematorium		✓
Newcastle Road Open Space		✓
Newchapel Recreation Ground		✓
New Road		✓
Norwich Place/Stafford Avenue	✓	
Old Road/New Road		✓
Paris Avenue		✓
Porthill Dingle (Oaklands Park?)		✓
Queen Elizabeth Park		✓
Repton Drive		✓
Rotterdam Field Poolfields	✓	
Rydal Way Playground		✓
Sandy Lane		✓
Severn Drive/Kennet Place		✓
Sheldon Grove	✓	✓
Silverdale Cemetery		✓
Silverdale Crossroads		✓
Silverdale Park		✓
Slaney/Occupation Street		✓
Station Road		✓
Station Walk King Street		✓
St Edmunds Avenue		✓
Stephens Way Estate		✓
Stubbs Walk St Paul's Church		✓
Tadgedale Brook		✓
The Butts		✓
The Wammy	✓	✓

Thistleberry Parkway	✓	✓
Tomfields Open Space		✓
Waterhays Open Space		✓
Westbury Park	✓	
Westbury Road		✓
Wilson Street/Heath Street		✓
Winchester Drive		✓
Wolstanton Marsh		✓
Wye Road Car Park		
Wye Road/Bunny Hill	✓	✓

Last Updated 13/02/2025 by TGN

Village Green Application (VGA) Locations	
Sandy Lane Newcastle	
Mitchells Wood Green (no LS) / Shrewsbury Drive	
Chesterton	
Clayton Road Clayton	
cnr Repton Drive & Rossall Avenue Westlands	
Thomas Street Talke	
Winchester Drive Westlands	
Newchapel Road	
Pennyfields Road	

Carbon Capture Site	VGA	Byelaw (subject to Neighbourhood Delivery team Checking)
✓		Sch 1 Part 1
✓		Sch 1 Part 1
✓		Sch 1 Part 1 Clause 3(i)&Sch 1 Part 1&Sch IV Sch 1 Part 1
✓		Clause 3(i)&Sch 1 Part 1&Sch IV
✓		Clause 3(i)&Sch 1 Part 1&Sch IV
✓		Sch 1 Part 1
✓		

✓		
✓		
✓		Sch 1 Part 1
		Sch 1 Part 1&Sch IV
✓		
✓		
✓		
		Sch 1 Part 1 Part II & Part III
✓		
✓		
✓		
✓		
✓	NVG26? Talke Road NVG24 part	Sch 1 Part III
✓		Sch 1 Part 1 & Sch III Clause 3(i)&Sch 1 Part 1&Sch IV
✓	NVG25	
		Sch 1 Part III?
✓	NVG45	
✓		
✓		Sch 1 Part 1
✓		Clause 3(i)&Sch 1 Part 1&PartIII&Sch IV
		Sch 1 Part 1 & Sch III
✓		
		Sch 1 Part 1
✓		Sch 1 Part 1 Sch 1 Part 1

<div>✓ ✓ ✓ ✓ ✓ ✓ ✓</div>	NVG30	Sch 1 Part 1
		Sch 1 Part 1

Open Space Classification in Local Plan

Natural & Semi-Natural

Parks and Gardens / PCYP
Natural & Semi-Natural
Parks and Gardens / PCYP
Not Audited - under 0.1ha
Parks and Gardens
Natural & Semi-Natural / Amenity / Sports (PPS)
Parks and Gardens / PCYP
Parks and Gardens / PCYP
Parks and Gardens / PCYP
Not Audited - under 0.1ha

Amenity Green Space

Sports (PPS)
Amenity Green Space
Amenity Green Space
Natural & Semi-Natural
Cemeteries and Churchyards
Parks and Gardens / PCYP
Amenity Green Space
Natural & Semi-Natural
Parks and Gardens / PCYP
Amenity Green Space
Parks and Gardens / PCYP
Parks and Gardens / PCYP
Not Audited - under 0.1ha
Amenity Green Space / PCYP
Parks and Gardens / PCYP
Amenity Green Space
Amenity Green Space

Amenity Green Space	
Natural & Semi-Natural	
Amenity Green Space	
Natural & Semi-Natural	
Amenity Green Space / PCYP	
Natural & Semi-Natural	
Amenity Green Space	
Amenity Green Space	
Amenity Green Space / PCYP	
Cemeteries and Churchyards	
Amenity Green Space	
Cemeteries and Churchyards	
Parks and Gardens / PCYP	
Natural & Semi-Natural	
Natural & Semi-Natural	
Not Audited	
Parks and Gardens / PCYP	
Parks and Gardens / PCYP / Sports (PPS)	
Parks and Gardens	
Not Audited - under 0.1ha	
Natural & Semi-Natural / PCYP	
Cemeteries and Churchyards	
Amenity Green Space	
Amenity Green Space	
Natural & Semi-Natural	
Amenity Green Space	
Natural & Semi-Natural	
Amenity Green Space	
Parks and Gardens	
Parks and Gardens	
Amenity Green Space	
Natural & Semi-Natural	
Amenity Green Space / PCYP	
Amenity Green Space	
Amenity Green Space	
Amenity Green Space	
Cemeteries and Churchyards	
Amenity Green Space	
Parks and Gardens / PCYP	
Not Audited - under 0.1ha	
Amenity Green Space	
Green Corridor	
Amenity Green Space	
Amenity Green Space	
Parks and Gardens / PCYP	
Green Corridor	
Natural & Semi-Natural	
Parks and Gardens / Sports (PPS)	

Parks and Gardens / PCYP	
Amenity Green Space / PCYP	
Amenity Green Space / PCYP	
Amenity Green Space	
Amenity Green Space	
Parks and Gardens / PCYP	
Amenity Green Space	
Parks and Gardens / PCYP	
Parks and Gardens	
Parks and Gardens / PCYP	

Definition	Existing Fields in Trust Protection or Local Nature Reserve	Size (Ha)
Predominately natural and wilder spaces which should have a biodiversity and wildlife education focus. Multi-functional, publicly accessible spaces providing a range of facilities including opportunities for informal recreation, events, play, relaxation and sports activity.	LNR LNR	0.41
		2.24
		57.62
		63.41
		0.19
		0.48
		32.98
		3.29
		0.85
		3.45
		0.91
		0.71
Incidental mown grass areas surrounding residential and built areas providing few facilities and vegetation types Outdoor sports ranging from pitched sports areas such as football and rugby to athletics tracks		3.60
		0.58
		3.33
		1.39
		0.61
		2.84
		2.53
		1.91
		5.42
		1.74
		1.44
		3.96
		0.30
		0.21
		2.65
		3.69
		1.05

LNR	0.11
	9.93
	0.57
	11.45
	0.89
	0.73
	0.25
	0.84
	0.80
	3.83
	1.74
	0.51
	2.86
	3.02
	2.80
Part (FiT)	4.65
	17.92
	7.02
	0.05
	3.49
	0.14
	6.69
	0.56
	1.96
	0.23
	4.20
	0.38
	0.26
	1.30
	0.87
	0.11
	0.73
	1.41
	0.91
	0.14
	2.40
	3.44
	0.67
	1.15
	0.02
	0.28
	1.66
	0.25
	1.24
	1.37
	1.97
	10.41
	4.37

		5.33
		0.17
		73.45
		0.26
		0.48
		0.44
		0.12
		7.37
		0.15
		24.13

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

CORPORATE LEADERSHIP TEAM'S REPORT TO CABINET

DATE 6th May 2025

Report Title: Project Approval for the Decarbonisation of the J2 Leisure Centre Following Granting of PHASE 4 PSDS Funding

Submitted by: Service Director Sustainable Environment

Portfolios: Sustainable Environment / Leisure, Culture & Heritage

Ward(s) affected: N/A

<u>Purpose of the Report</u>	<u>Key Decision</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
To set out the success following an application, in being awarded a grant as part of the Department for Energy Security and Net Zero PSDA phase 4 funding for the decarbonisation of the Councils Jubilee 2 leisure Centre.			
<u>Recommendation</u> That Cabinet: <ul style="list-style-type: none"> • Authorises acceptance of the Department for Energy Security and Net Zero granting of funding available to enable Salix Finance to provide the Council with a grant of up to £2,790,173.00 to assist in carrying out a low carbon heating project at its Jubilee 2 Leisure centre. • Approves the Service Director, Sustainable Environment in consultation with the Service Director, Legal & Governance to engage Veolia Energy to assist in the delivery of this project, through a direct award process through the NOECPC Specialist Estates Engineering & Maintenance Services (Hard FM) (NOE.0609) Framework. • Notes the report herewith and that a further report is taken to Council for final acceptance of the Salix grant. 			
<u>Reasons</u> Development of the Council's fully costed 'Road Map to Net Zero identified the Jubilee 2 (J2) Leisure Centre as one the Council's buildings which emits the highest volume of Co2 emissions due to its high energy use. J2 was identified as requiring the largest financial capital sum to decarbonise, and therefore the need to apply for any external funding which could help reduce pressure on the Council's capital works programme. The award of funding allows the Council to progress these works.			

1. Background

- 1.1 Cabinet adopted its current refreshed Sustainable Environment Strategy (SES) in June 2024. The Strategy is a landmark document setting out the Council's commitment to the sustainable environmental future of the Borough

and is an over-arching strategy, under which a range of other linked and related delivery plans and initiatives sit.

- 1.2** As part of the original SES, in early 2023 the Council commissioned expertise in development of a costed Road Map to Net Zero for the Councils own operations and estate to reach net zero by 2030. Operational buildings had in-depth surveys and analysis undertaken over the summer, looking at the fabric of the buildings, heating and lighting infrastructure, current insulation, and energy consumption.
- 1.3** Following a procurement exercise, Faithful and Gould (F&G) were commissioned to undertake detailed energy surveys and audits to recommend fully costed site heat decarbonisation and present a Roadmap to net zero for the Council. The audits focused on the cost, energy, carbon savings and intervention type for the combined built estate that was surveyed by F&G.
- 1.4** Of the seven sites surveyed, the J2 Leisure Centre was identified as the largest consumer of gas and electricity making it the largest emitter of greenhouse gas in the Councils operational estate. In this report F&G included Figure 2 (Pg.12) which shows that energy, heat and power decarbonisation technology and implementation of that technology will achieve Net Zero.
- 1.5** The survey and audit findings undertaken by F&G stated *“Jubilee 2 is a multipurpose leisure complex which incorporates a main pool, learner pool, fitness centre, dance studios and café. It was constructed in 2011 and includes ground, first and second floor levels with a combination of single and double height spaces. Jubilee 2 (J2) will cost £3,846,078 to retrofit for net zero but would reduce its energy use by around 1,588,192 kWh which saves a total amount of 279.92 tCO₂e per year based on the interventions implemented. J2 is the largest emitter of all sites and should be a priority when it is retrofitting NuLBC’s built estate due to the vast paybacks those would provide.”*
- 1.6** Table 1, below, sets out J2’s site heat decarbonisation, energy and cost breakdown. Items highlighted in green are not covered in the PSDS Salix funding.

Heat Decarbonisation Recommendations	Relevant Actions (Y/N) Y = YES N = NO	Cost of Relevant Actions (£)	Total Cost (£)	Energy Consumption Before (kWh)	Energy Consumption After	Carbon Saving (tCO ₂ e)
Behaviour Change	Y	£1,786	£1,786	Gas 2,510,080	Gas 0	25.99
Fabric Up-grades	Wall N Roof N Glazing N					
LED Install	Y	£119,392	£119,392	Electric 318,422	Electric 1,240,310	5.35
Heating & DHW Install	Heating ASHP Y VRV RE DX DHW POU ASHP N	£3,438,300	£3,438,300			418.05 -197.45 =220.6
PV Install	Y	£280,000	£280,000			

BMS/Controls Upgrade	Y	£106,600	£106,600			21.94
Cooling Upgrade	Y	£170,000	£170,000			3.94
Vent Upgrade	Y	£10,000	£10,000			2.09
Total		£3,846,078	£3,846,078	2,828,502 kWh	1,240,310 kWh	279.92 tCO₂e

2. Issues and Proposals

- 2.1** The Jubilee 2 (J2) leisure centre by its very nature uses a tremendous amount of energy, in terms of gas and electricity.
- 2.2** As part of the revised SES and associated delivery plan, the Council is pursuing external funding opportunities to help in its decarbonisation journey.
- 2.3** Table 1 shows Heat Decarbonisation Plan Options identified opportunities to significantly reduce carbon emissions and upgrade the existing infrastructure.
- 2.4** Proposed measures include decommissioning the site's 2 x 750 kW gas boilers and CHP and installing a new high temperature ASHP system. 196 kWpth of Solar thermal is also planned to be installed. The project aligns with the Council's net zero roadmap and its commitment to become a net zero council by 2030 and a net zero Borough by 2050. This initiative will bring about the biggest reduction in direct carbon emissions from the Councils own internal buildings and services and help achieve the ambitious target of achieving this by 2030.
- 2.5** In November 2024 the Department for Energy Security and Net Zero (DESNZ) announced their latest round of funding through the PSDS phase 4 Salix fund. As J2 is the highest carbon emitting building, it was decided to apply for the decarbonisation of the centre based on the Road Map recommendations for the building as detailed in table 1 above.
- 2.6** Officers from the Council have been speaking to several other local authorities who have been successful in obtaining funding, and undertaken decarbonisation work. These discussions led the Council to talk to several support organisations who had helped LA's successfully bid for funding, one being Veolia, who the Councils has existing contracts for treatment of materials within its recycling and waste service.
- 2.7** An outline project timetable is detailed in table 2 below –

Delivery Milestone Reached	Date Milestone to be Completed
Project approval	01/06/2025
Pre-Design	01/06/2025
Detailed designs complete	23/07/2026
Out to Tender	01/08/2026
Tenders Complete	01/11/2026
Orders Placed	15/01/2027
Works commence on site	12/03/2027
Completion on site	09/07/2027
Final commissioning	16/07/2027

3. Recommendation

- 3.1 To authorise the acceptance of the Department for Energy Security and Net Zero granting of funding available to enable Salix Finance to provide the Council with a grant of up to £2,790,173.00 to assist in carrying out a low carbon heating project at its Jubilee 2 Leisure centre.
- 3.2 To approve that the Service Director, Sustainable Environment in consultation with the Service Director, Legal & Governance engages Veolia Energy to assist in the delivery of this project, through a direct award process through the NOECPC Specialist Estates Engineering & Maintenance Services (Hard FM) (NOE.0609) Framework.
- 3.3 To note the report herewith and that a further report is taken to Council for final acceptance of the Salix grant.

4. Reasons

- 4.1 The Council declared a climate emergency in 2019 and has worked tirelessly to decarbonise its operations since. Granting of this funding from DESNZ will contribute significantly to decarbonise the Councils operational building infrastructure.

5. Options Considered

- 5.1 N/A

6. Legal and Statutory Implications

- 6.1 The Climate Change Act 2008 has the following provisions:
 - Carbon targets and carbon budgeting - The Act places the government under a legal duty to reduce greenhouse gas emissions by 80% below 1990 levels by 2050.
 - The Committee on Climate Change - The Act also establishes the Committee on Climate Change, an independent, expert body to advise government on the appropriate level for the targets, budgets, and on matters relating to mitigation and adaptation. The Committee will submit annual reports to parliament on progress towards the targets and the government must respond to this report.
- 6.2 Councils Duty to reduce carbon emissions - There are currently no statutory requirements for local authorities to set or negotiate targets to reduce their own or area wide emissions. However, the Borough declared a Climate Emergency in April 2019 and committed to reach net zero for its own operations by 2030.

7. **Equality Impact Assessment**

- 7.1 There are no equality impacts resulting from the recommendations of this report.

8. **Financial and Resource Implications**

- 8.1 There are financial and resource implications associated with this report.
- 8.2 Financially the Council is required to part fund the works to which this successful grant relates to the value of £417,093.67 as part of the application criteria. This sum already forms part of the Councils capital programme for decarbonisation as approved in the updated SES and associated delivery plan.
- 8.3 Salix funding will be released in tranches aligned to the project timeline as follows –
- Year 1 (2025/26) - £233,333.
 - Year 2 (2026/27) - £1,599,998.
 - Year 3 (2027/28) - £956,842
 - Total project value - £3,207,266.67
 - Minimum Council Contribution – 13% = £417,093.67
 - Expected Practical Completion Date – 31/03/2028.
- 8.4 Regarding resource implications, a project of this magnitude requires resource input from officers within the Council along with the proposed external support from Veolia Energy.
- 8.5 An officer team has been set up to manage the process for the project through planning and implementation.

9. **Major Risks & Mitigation**

- 9.1 The major risks and mitigation measures are shown in table 3 below

Number	Risk category	Risk Description	Control Measures	Final risk Rating
1	Social	Wellbeing & safeguarding	Ensure awareness by contractors of Council safeguarding policies and take full responsibility including use of subcontractors on site. To include DBS checks where necessary	High
2	Permissions/ Approvals	Planning permissions delays to programme	The planning department has confirmed its support for granting planning permissions for the installation of an air source heat pump and solar thermal array at J2. Engagement with the planning department early	High

			in the process regarding permitted Development aspects, to ensure familiarisation with the decarbonisation scheme proposals, allowing feedback and anticipated requirements through pre-application meetings.	
3	Schedule	Programme & practical completion	Project Manager (PM) to monitor and have at least weekly reviews of the programme through installation to manage the programme according to key installation windows and the progress towards practical completion. Contingency plans to be agreed at an early stage	High
4	Health & Safety	Health & Safety	Contractors and subcontractors are aware of the Councils H&S policies and take full responsibility. Will assume Principal Contractor and principal Designer roles as required.	High
5	Building Structure	Existing roof may not be structurally capable of supporting the additional load of proposed solar thermal array.	A review will be necessary as part of the detailed design stage. A structural survey will be required to ascertain whether the roof can handle the additional load. This will be completed during the design phase of the project.	High
6	Schedule	Adverse weather – some of the work considered is outdoors (civils ASHP, solar thermal, pipework etc, and could be compromised by adverse weather	Float to programme to account for risk of construction delay due to severe weather	Moderate
7	Permissions/approvals	Noise Pollution – from the operation of the ASHP	Consideration of the installation area for the ASHP adjacent to the plant room. Acoustic fencing to be designed and installed around the plant equipment to reduce noise pollution for nearby residents	Low
8	Electrical supply	Increase to site import capacity	Initial investigation determined the local substation supplying the site has an additional 10MVA of headroom, indicating sufficient capacity to provide the site with the electrical	Low

			supply needed. An application will need to be made to the Distribution Network Operator (DNO) to increase the import capacity.	
9	Resource	Local trade labour & professional resources	Through existing contacts / suppliers look to source local labour and local expertise	Low
10	Resource	Equipment installation	Checks to be conducted on installation	Low

10. UN Sustainable Development Goals (UNSDG)



11. One Council

Please confirm that consideration has been given to the following programmes of work:

One Commercial Council ☒

- The Jubilee 2 leisure centre is one of the Councils key commercial assets. This project future proofs the facility in an age of rising energy costs, preserving it as a key strategic facility providing health and wellbeing facilities for residents and visitors.

One Digital Council ☒

- Decarbonisation of the leisure centre utilising renewable energy will come with digital infrastructure in terms of an energy management system to effectively and efficiently manage energy consumption within the building.

One Green Council ☒

- This decarbonisation project contributes positively towards the goals set out in the Councils SES and associated delivery plan to achieve net zero for the Councils operational buildings and fleet. The J2 leisure centre is a high user of energy due to its function and is a priority site for decarbonisation by 2030.

12. Key Decision Information

12.1 This is a key decision due to the value of funding being granted to the Council.

13. **Earlier Cabinet/Committee Resolutions**

- 13.1 Adoption of the revised SES and associated delivery plan approved by Cabinet in June 2024.

14. **List of Appendices**

- 14.1 None

15. **Background Papers**

- 15.1 None

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL
PORTFOLIO HOLDER'S
REPORT TO CABINET

6 May 2025

Report Title: Local Government Reorganisation

Submitted by: Leader of the Council

Portfolios: One Council, People and Partnerships

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>To update Cabinet on recent activity around the submission of Newcastle-under-Lyme Borough Council's submission of an interim plan to Government and for agreement of next steps.</p>	
<p><u>Recommendation</u></p> <p>That Cabinet:</p> <ul style="list-style-type: none"> Notes the confirmation of the Council's submission of its interim plan for Local Government Reorganisation. Endorses the next steps for workstreams as set out in section 3 of this report and agrees that the Chief Executive, in consultation with the Leader of the Council, progresses the necessary activity to prepare for submissions to Government in November 2025 Notes that Newcastle-under-Lyme Borough Council did not endorse the joint progress update of Staffordshire Leaders Agrees that data be shared between authorities to assist in development of submissions Expresses and confirms its view on amendment of the terms of reference for the Staffordshire Leaders' Board as set out in Appendix 1 to this report. Calls for Newcastle-Under-Lyme's Members of Parliament to support the Borough's resolutions as set out in the report to full Council of 19th March 2025, and that they engage with Government Ministers in stating the case for the Borough. 	
<p><u>Reasons</u></p> <p>This report outlines the steps carried out in submitting Newcastle-under-Lyme Borough Council's interim plan to UK Government, planned future actions and consideration of the proposed amendments to the terms of reference for the Staffordshire Leaders Board to incorporate local government reorganisation.</p>	

1. Background

- 1.1** Following the release of its English Devolution White Paper on 16th December 2024, Government has expressed its intention to seek devolution settlements in every part of the United Kingdom, with the creation of new governance arrangements at revised population sizes.
- 1.2** The first formal stage of the Local Government Reorganisation process set out by the Government was for areas to submit Interim Plans by 21st March 2025.
- 1.3** For the Staffordshire and Stoke-on-Trent region, four such plans were submitted:
- A submission from Staffordshire County Council advocating a single unitary council for the county (with a second existing unitary council in Stoke-on-Trent);
 - A submission from Stoke-on-Trent City Council advocating a North Staffordshire unitary authority to incorporate Newcastle-under-Lyme, Staffordshire Moorlands and the city of Stoke-on-Trent;
 - A South and Central Staffordshire proposal put forward by the six central and south Staffordshire authorities to create a new unitary on this geography; and
 - An interim plan with options for Newcastle-under-Lyme, submitted following endorsement by full Council.
- 1.4** Further detail of these submissions is set out in section 2 of the report. Following submission, the Minister for Local Government & English Devolution has written to all submitting authorities to advise that feedback will be provided from 28th April – in practice, this will be from 7th May 2025 for areas, to allow for the pre-election period. This feedback will be at a regional level – that is, it will be provided to all authorities in Staffordshire and Stoke-on-Trent as a whole, rather than the individual submitting authorities.
- 1.5** Prior to submission, the Minister and civil servants advised that the submissions formed a ‘temperature check’ for regions’ thinking around new structures, rather than a decision gateway. This has subsequently been confirmed at a webinar for local authority officers held on 3rd April, where civil servants have reiterated that they do not intend to rule options in or out at this stage. Similarly, options not previously considered within interim plans may be included in later submissions.
- 1.6** There is limited guidance on the form of the next formal stage of submissions, in November 2025 and whether this needs to include full business cases, alongside substantive evidence of need, data analysis and community engagement. Officers are of the view that further guidance is required to shape the detail of cases over the next few months.
- 1.7** For context, an overview of submissions across England shows that a small number of regions submitted a single plan for their area, some submitted no detail on the number or shape of unitary authorities, with most areas having multiple submissions and options.

2. Submissions

- 2.1** On 21st March 2025, following the resolution of full Council, Newcastle-under-Lyme Borough Council submitted its interim plan to UK Government, setting out its strong preference for retaining the status quo, but considering options for new unitary models were these to be imposed, including:

- 2.1.1 Supporting the investigation of a new unitary council on the footprint of the existing borough of Newcastle-under-Lyme (preferred unitary option);
- 2.1.2 Supporting the investigation of a unitary council covering the existing geographies of Newcastle-under-Lyme and Staffordshire Moorlands;
- 2.1.3 Supporting the investigation of a unitary council covering Newcastle-under-Lyme and Shropshire;
- 2.1.4 Supporting the investigation of a unitary council covering the geography of West Staffordshire;
- 2.1.5 Not currently favouring a single unitary authority for Staffordshire;
- 2.1.6 Not supporting a North Staffordshire unitary authority including Stoke-on-Trent.
- 2.2 The submission also noted that the Council was wholly supportive of the creation of a new Strategic Authority at an appropriate geography. The Council's preference for this to not be led by a Mayor was recorded.
- 2.3 Whilst in agreement with all other Staffordshire authorities in relation to the creation of a Strategic Authority, Newcastle-under-Lyme Borough Council was unable to support the submission of a joint progress report made by the Staffordshire Leaders Board, which set out the preferred positions of the two upper tier authorities in Staffordshire and Stoke-on-Trent. Specifically, Newcastle was unable to sign up to the submission of a North Staffordshire plan, noting that the submission could be accepted if reference is made only to the number of unitary authorities to be investigated for Staffordshire (including Stoke-on-Trent).
- 2.4 At a meeting of Staffordshire leaders on 19th March 2025, the Council sought for the wording of the joint progress report to be altered, this was not resolved and therefore Newcastle was unable to sign off the document or participate further in discussions.
- 2.5 The Staffordshire Leaders Board has asked for consideration of a change to the terms of reference of the Board to include local government reorganisation, as set out in Appendix 1 to this report. This would require a significant move away from the agreed terms of the Board as established, and as amended in 2024 with the inclusion of Stoke-on-Trent City Council. These revised terms would alter the balance and focus of activity and the Council is of the view that it would be more suitable to establish an alternate mechanism for progression of reorganisation. The current terms embed the principles and actions for devolution, which remain supported by the Council. It is not deemed appropriate to support the further changes to the terms of reference.

3. Development of November Submission

- 3.1 The next stages of development of submissions will rely on a number of factors, which will be informed by discussions with civil servants in coming weeks. These will likely include:
 - 3.1.1 Further discussions following County Council elections with other local authorities as set out in the interim plan;

- 3.1.2 Development of data analysis to set out projected service delivery principles for new unitary structures, including reviewing existing assets, staffing provision, service delivery mechanisms and forecast demand;
 - 3.1.3 The establishment of programme management arrangements and workstreams to cover legal, financial, cultural, people and resource implications of reorganisation;
 - 3.1.4 The design in principle of shadow unitary authority governance arrangements;
 - 3.1.5 Confirmation of election arrangements for Newcastle in 2026, with current indications being that these will proceed as planned.
- 3.2 In addition, data sharing agreements will need to be put in place with the County Council and other parties, to effectively access material for design arrangements set out above. The Council will formally request that data be shared on an 'open book' basis (respecting the confidentiality of such data), in line with Ministerial advice.

4. Recommendation

4.1 It is recommended that Cabinet:

- Notes the confirmation of the Council's submission of its interim plan for Local Government Reorganisation.
- Endorses the next steps for workstreams as set out in section 3 of this report and agrees that the Chief Executive, in consultation with the Leader of the Council, progresses the necessary activity to prepare for submissions to Government in November 2025
- Notes that Newcastle-under-Lyme did not endorse the joint progress report from Staffordshire Leaders
- Expresses and confirms its view on amendment of the terms of reference for the Staffordshire Leaders' Board as set out in Appendix 1 to this report.
- That data be shared between authorities to assist in development of submissions
- Calls for Newcastle-Under-Lyme's Members of Parliament to support the Borough's resolutions as set out in the report to full Council of 19th March 2025, and that they engage with Government Ministers in stating the case for the Borough.

5. Financial and Resource Implications

- 5.1 The resource implications for reorganisation cannot be fully assessed without further information from Government, and no figures or investment case has been provided to date.
- 5.2 Full Council considered the financial implications of reorganisation at its meeting of 19th March 2025. It was noted that the costs to authorities of both work to develop plans and to carry out reorganisation were unknown, but are likely to be substantial, and called on the Government to fully fund these costs.
- 5.3 Example costs include the procurement of specialist advice on likely service levels for new unitary authorities and support for development costs should a full business case be required.

- 5.4 Full Council also called for funding of a public referendum ahead of any changes to council structures.

6. Major Risks & Mitigation

- 6.1 Much remains unknown of detail at this stage so mitigation measures cannot yet be fully considered. Potential risks at this stage include staff recruitment and retention, a reduction in service delivery under a larger local authority, a potential 'democratic deficit' as elected members may be reduced in number and further from residents and a need to focus on reorganisation rather than get on with the day job of service provision.
- 6.2 *Financial sustainability* – Over recent years, the Council has delivered a balanced budget based on efficiencies across its services and investment in the borough whilst seeking to maintain optimum delivery for residents. It is unknown at what stage in a reorganisation process would restrict spending or borrowing, or whether areas in a much worse financial position would be prioritised over Newcastle.
- 6.3 *Effectiveness of change* – There is a lack of proven success where local government reorganisation has taken place elsewhere in the country to date, and at this stage limited detail on the business case/benefits of the approach being described in the White Paper.

7. UN Sustainable Development Goals (UNSDG)



8. One Council

- 8.1 Please confirm that consideration has been given to the following programmes of work:

One Commercial Council ☒

The reorganisation of local government would change the commercial asset holding of councils, for example leisure centres and museums, and decisions would be made on these at a unitary level. The exact nature of changes is unknown at this stage.

One Digital Council ☒

It is probable that newer, larger councils would need to align digital systems, the cost for which is not known.

One Green Council ☒

Newcastle Borough Council has declared a climate emergency and has developed its sustainability programme to meet a 2030 net zero target for its scopes 1 and 2

emissions. Other local authorities are at different stages of implementing net zero approaches.

9. Key Decision Information

- 9.1 This is a key decision as Local Government Reorganisation may affect residents in all wards.

10. Earlier Cabinet/Committee Resolutions

- 10.1 Cabinet – 4th June 2024 – Staffordshire Leaders Board Joint Committee
- 10.2 Cabinet – 6th January 2025 – English Devolution White Paper
- 10.3 Council – 22nd January 2025 - Devolution and Local Government Reorganisation: White Paper
- 10.4 Council – 19th March 2025 – Local Government Reorganisation

11. List of Appendices – TO BE ADDED

- 11.1 Appendix 1 – Staffordshire Leaders Board Draft Terms of Reference
- 11.2 Appendix 2 – Letter to Deputy Prime Minister and Minister for Local Government and English Devolution
- 11.3 Appendix 3 – Letter from Minister for Local Government and English Devolution
- 11.4 Appendix 4 – Covering Letter to Minister for Local Government and English Devolution and Newcastle-under-Lyme Borough Council's Interim Plan

12. Background Papers

- 12.1 [English Devolution White Paper](#), December 2024, HMSO.

Appendix 1: Staffordshire Leaders Board Draft Terms of Reference

Appendix 2: Letter to Letter to Minister for Local Government and English Devolution

Appendix 3 – Letter from Minister for Local Government and English Devolution

Appendix 4 – Covering Letter to the Minister for Local Government and English Devolution and Newcastle-under-Lyme Borough Council Interim Plan

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The Staffordshire Leaders' Board Constitution for the Joint Committee

1. Purpose

- 1.1 To establish a Joint Committee of the local authorities in Staffordshire and Stoke-on-Trent to explore opportunities for improved joint working and to develop plans for potential devolution of powers from Government.
- 1.2 To consider and discuss options for Local Government Reorganisation.

2. Governance

- 2.1 The Joint Committee will act as a Joint Committee under Section 9EB of the Local Government Act 2000 and pursuant to Regulation 11 of the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012.
- 2.2 The Joint Committee will be known as the Staffordshire Leaders' Board ("the Leaders' Board").
- 2.3 The Leaders' Board will comprise the local authorities within the Staffordshire and Stoke-on-Trent area: Cannock Chase District Council, East Staffordshire Borough Council, Lichfield District Council, Newcastle-under-Lyme Borough Council, South Staffordshire District Council, Stafford Borough Council, Staffordshire County Council, Staffordshire Moorlands District Council, Stoke-on-Trent City Council and Tamworth Borough Council ("the constituent authorities").
- 2.4 Political Proportionality rules will not apply to the Leaders' Board as constituted.
- 2.5 The Leaders' Board will be a legally constituted body with powers delegated to it by the constituent authorities in the following areas:
 - a) to prioritise and make decisions on the use of the funding that the Leaders' Board may influence or control.
 - b) to review future governance requirements and delivery arrangements and develop options as to how these can be best achieved in Staffordshire and Stoke-on-Trent for consideration by the constituent authorities.



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- c) to have direct oversight of the projects and initiatives which the Leaders' Board has initiated or over which it has control of the funding.
 - d) to jointly discharge any function expressly given to it by any or all constituent members
 - e) to have oversight of other key projects and initiatives within its remit as set out herein.
- 2.6 The Leaders' Board will not hold funds or monies on behalf of the constituent authorities.
- 2.7 Should the Leaders' Board work plan necessitate a change in the delegated powers and terms of reference of the Leaders' Board any such change would require the approval of all the constituent authorities.
- 2.8 These terms of reference will be reviewed on a biennial basis or sooner if necessary.

3. Remit

- 3.1 The remit of the Leaders' Board will be:
- i. To develop options for a devolution deal or deals for Staffordshire and Stoke-on-Trent with HM Government. For the avoidance of doubt, it is not intended that these Terms of Reference place any restriction on the form or scope such a deal or deals.
 - ii. To discuss and reach consensus, where possible, on proposals for local government reorganisation.
 - iii. To oversee the alignment of relevant local authority action on Climate Change, Waste and Sustainability.
 - iv. To oversee the alignment of relevant local authority plans for enterprise development and organisation of business voice.
 - v. To coordinate the alignment of local authority interaction with the Health sector in Staffordshire.
 - vi. To oversee the alignment of relevant local authority plans for future development and infrastructure.
 - vii. To coordinate the alignment of relevant local authority plans in relation to Housing and Homelessness.



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- viii. To develop Staffordshire-wide joint initiatives to enhance local government efficiency and effectiveness.
- ix. To develop plans and coordinate delivery for strategic economic growth that spans local boundaries.
- x. To develop opportunities for joint action with respect to addressing social inequalities across the geography.
- xi. To act as a conduit for coordinated engagement with other sub-regional and regional bodies the Midlands Engine and Midlands Connect.
- xii. Where appropriate, to agree shared priorities and bids for funding to existing and new external funding sources.
- xiii. To monitor and evaluate projects and programmes of activity commissioned directly by the Committee.
- xiv. To communicate and, where collectively agreed, to align activity across Staffordshire and Stoke-on-Trent on a range of other key public priorities that affect citizens.
- xv. To prioritise and make decisions on the use of the funding that the Committee may influence or control.

4. Membership

- 4.1 One member from each constituent authority (such member to be the Leader from each constituent authority) and for the purposes of these terms of reference this member will be known as the principal member.
- 4.2 Each constituent authority to have a named substitute member who must be an executive member.
- 4.3 Where both the principal member and the substitute member attend a meeting of the Leaders' Board the principal member shall be deemed as representing their authority by the Chair or Vice Chair.
- 4.4 In the event of any voting member of the Leaders' Board ceasing to be a member of the constituent authority which appointed him/her, the relevant constituent authority shall as soon as reasonably practicable appoint another voting member in their place.



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- 4.5 Where a member of the Leaders' Board ceases to be a Leader of the constituent authority which appointed him/her or ceases to be a member of the Executive of the constituent authority which appointed him/her, he/she shall also cease to be a member of the Leaders' Board and the relevant constituent authority shall as soon as reasonably practicable appoint another voting member in their place.
- 4.6 Each constituent authority may remove its principal member or substitute member and appoint a different member or substitute as per that authority's rules of substitution, and by providing twenty-four hours' notice to the Chair or the Secretary.
- 4.7 The Leaders' Board may from time to time co-opt additional non-voting members ("co-opted members") with the agreement of all the constituent authorities but such co-opted members will not be members or officers of the constituent authorities.
- 4.8 Each constituent authority may individually terminate its membership of the Leaders' Board by giving three months written notice of its intent to leave the Leaders' Board to the Chair or the Secretary. At the end of these three months, but not before, the authority will be deemed to no longer be a member of the Leaders' Board.
- 4.9 Where an authority has previously terminated its membership of the Leaders' Board it may rejoin the Leaders' Board with immediate effect on the same terms as existed prior to its departure.

5. Quorum

- 5.1 The quorum shall be 5 members. No business will be transacted at a meeting unless a quorum exists at the beginning of a meeting. If at the beginning of any meeting, the Chair or Secretary after counting the members present declares that a quorum is not present, the meeting shall stand adjourned.

6. Chair and Vice Chair

- 6.1 The Chair of the Leaders' Board will be the principal member of Staffordshire County Council (subject to para 6.3 below)
- 6.2 The position of Vice Chair shall be filled by the principal member of Stoke-on-Trent City Council (subject to para 6.3 below)



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- 6.3 The Leaders' Board will vote annually at its first meeting after all the constituent authorities' annual meetings as to whether the Chair should continue to be the principal member of the County Council. An annual vote will also take place as to whether the Vice-Chair should continue to be the principal member of Stoke-on-Trent City Council, or in each case, should be the principal member of one of the other constituent authorities, with the option to rotate both roles annually.
- 6.4 The Chair or in their absence the Vice Chair or in their absence the member of the Leaders' Board elected for this purpose, shall preside at any meeting of the Leaders' Board.
- 6.5 Appointments will be made in May of each year.
- 6.6 Where, at any meeting or part of a meeting of the Leaders' Board both the Chair and Vice Chair are either absent or unable to act as Chair or Vice Chair, the Leaders' Board shall elect one of the members of the Leaders' Board present at the meeting to preside for the balance of that meeting or part of the meeting, as appropriate. For the avoidance of doubt, the role of Chair and Vice Chair vests in the principal member concerned and in their absence the role of Chair or Vice Chair will not automatically fall to the relevant constituent authority's substitute member.

7. Voting

- 7.1 One member, one vote for each constituent authority.
- 7.2 All questions shall be decided by a majority of the votes of the members present, the Chair having the casting vote in addition to their vote as a member of the Committee. Voting at meetings shall be by show of hands.
- 7.3 On the requisition of any two Members, made before the vote is taken, the voting on any matter shall be recorded by the Secretary so as to show how each Member voted and there shall also be recorded the name of any Member present who abstained from voting.

8. Sub-Committees and Advisory Groups

- 8.1 The Leaders' Board may appoint sub-committees from its membership as required to enable it to execute its responsibilities



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effectively and may delegate tasks and powers to the sub-committee as it sees fit.

- 8.2 The Leaders' Board may set up advisory groups as required to enable it to execute its responsibilities effectively and may delegate tasks as it sees fit to these bodies, which may be formed of officers or members of the constituent authorities or such third parties as the Leaders' Board considers appropriate.

9. Hosting and Administration

- 9.1 The Leaders' Board will at their first meeting decide which of the constituent authorities will be the host authority, and the Head of Democratic Services (or equivalent post) from that authority shall be Secretary to the Committee ("the Secretary").
- 9.2 The Leaders' Board will at their first meeting decide which of the constituent authorities will provide the s151 Officer role
- 9.3 The Leaders' Board will at their first meeting decide which of the constituent authorities will provide the Monitoring Officer & Legal Adviser to the Leaders' Board.
- 9.4 The administrative costs of supporting the committee will be met equally by the constituent authorities, with each authority being responsible for receiving and paying any travel or subsistence claims from its own members.
- 9.5 The functions of the Secretary shall be:
- a) to maintain a record of membership of the Leaders' Board and any sub-committees or advisory groups appointed
 - b) to publish and notify the proper officers of each constituent authority of any anticipated "key decisions" to be taken by the Leaders' Board to enable the requirements as to formal notice of key decisions as given under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 to be met;
 - c) to carry out such notification to and consultation with members of any appointing constituent authority as may be necessary to enable the Leaders' Board to take urgent "key decisions" in accordance with the requirements of the Local Authorities



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(Executive Arrangements) (Meetings and Access to Information)
(England) Regulations 2012;

- d) to summon meetings of the Leaders' Board or any sub-committees or advisory groups;
- e) to prepare and send out the agenda for meetings of the Leaders' Board or any sub-committees or advisory groups; in consultation with the Chair and the Vice Chair of the Committee (or sub-committee/ advisory group);
- f) to keep a record of the proceedings of the Leaders' Board or any sub-committees or advisory groups, including those in attendance, declarations of interests, and to publish the minutes;
- g) to take such administrative action as may be necessary to give effect to decisions of the Leaders' Board or any sub-committees or advisory groups;
- h) to perform such other functions as may be determined by the Leaders' Board from time to time

10. Meetings

- 10.1 The Leaders' Board will meet no less than every four months and meetings will be aligned where necessary with deadlines for decisions on resources and investment plans.
- 10.2 Meetings will be held at such times, dates and places as may be notified to the members of the Leaders' Board by the Secretary, being such time, place and location as the Leaders' Board shall from time to time resolve.
- 10.3 Meeting papers will be circulated five clear working days in advance of any meeting. The Chair may choose to accept or reject urgent items that are tabled at any meeting.
- 10.4 Additional ad hoc meetings may be called by the Secretary, in consultation, where practicable, with the Chair and Vice Chair of the Committee, in response to receipt of a request in writing, which request sets out an urgent item of business within the functions of the Leaders' Board, addressed to the Secretary:
 - (a) from and signed by two members of the Leaders' Board, or
 - (b) from the Chief Executive of any of the constituent authorities.



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- 10.5 The Secretary shall settle the agenda for any meeting of the Leaders' Board after consulting, where practicable, the Chair or in their absence the Vice Chair; and shall incorporate in the agenda any items of business and any reports submitted by:
- (a) the Chief Executive of any of the constituent authorities;
 - (b) the Chief Finance Officer to any of the constituent authorities;
 - (c) the Monitoring Officer to any of the constituent authorities; or
 - (d) any two Members of the Leaders' Board.
- 10.6 The Leaders' Board shall, unless the person presiding at the meeting or the Leaders' Board determines otherwise in respect of that meeting, conduct its business in accordance with the procedure rules set out in paragraph 13 below.

11. Access to Information

- 11.1 Meetings of the Leaders' Board will be held in public except where confidential or exempt information, as defined in the Local Government Act 1972, is being discussed.
- 11.2 These rules do not affect any more specific rights to information contained elsewhere under the law.
- 11.3 The Secretary will ensure that the relevant legislation relating to access to information is complied with. Each constituent authority is to co-operate with the Secretary in fulfilling any requirements.
- 11.4 Any Freedom of Information or Subject Access Requests received by the Leaders' Board should be directed to the relevant constituent authority(s) for that authority to deal with in the usual way, taking account of the relevant legislation. Where the request relates to information held by two or more constituent authorities, they will liaise with each other before replying to the request.

12. Attendance at meetings

- 12.1 The Chair may invite any person, whether a member or officer of one of the constituent authorities or a third party, to attend the meeting and speak on any matter before the Leaders' Board.



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- 12.2 Third parties may be invited to attend the Leaders' Board on a standing basis following a unanimous vote of those present and voting.
- 12.3 Where agenda items require independent experts or speakers, the Officer or authority proposing the agenda item should indicate this to the Secretary and provide the Secretary with details of who is required to attend and in what capacity. The participation of independent experts or speakers in Leaders' Board meetings will be subject to the discretion of the Chair.

13. Procedure Rules

13.1 Attendance

- 13.1.1 At every meeting, it shall be the responsibility of each member to enter their name on an attendance record provided by the Secretary from which attendance at the meeting will be recorded.

13.2 Order of Business

- 13.2.1 Subject to paragraph 13.2.2, the order of business at each meeting of the Leaders' Board will be:
- i. Apologies for absence
 - ii. Declarations of interests
 - iii. Approve as a correct record and sign the minutes of the last meeting
 - iv. Matters set out in the agenda for the meeting which will clearly indicate which are key decisions and which are not
 - v. Matters on the agenda for the meeting which, in the opinion of the Secretary are likely to be considered in the absence of the press and public
- 13.2.2 The person presiding at the meeting may vary the order of business at the meeting.

13.3 Disclosable Pecuniary Interests

- 13.3.1 If a Member is aware that he/she has a disclosable pecuniary interest in any matter to be considered at the meeting, the



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Member must withdraw from the room where the meeting considering the business is being held:

- (a) in the case where paragraph 13.3.2 below applies, immediately after making representations, answering questions or giving evidence;
- (b) in any other case, wherever it becomes apparent that the business is being considered at that meeting;
- (c) unless the Member has obtained a dispensation from their own authority's Standards Committee or Monitoring Officer. Such dispensation to be notified to the Secretary prior to the commencement of the meeting.

- 13.3.2 Where a member has a disclosable pecuniary interest in any business of the Leaders' Board, the Member may attend the meeting (or a sub-committee or advisory group of the committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

13.4 Minutes

- 13.4.1 There will be no discussion or motion made in respect of the minutes other than except as to their accuracy. If no such question is raised or if it is raised then as soon as it has been disposed of, the Chair shall sign the minutes.

13.5 Rules of Debate

- 13.5.1 A Member wishing to speak shall address the Chair and direct their comments to the question being discussed. The Chair shall decide the order in which to take representations from members wishing to speak and shall decide all questions of order. Their ruling upon all such questions or upon matters arising in debate shall be final and shall not be open to discussion.
- 13.5.2 A motion or amendment shall not be discussed unless it has been proposed and seconded. When a motion is under debate no other motion shall be moved except the following:
- i. To amend the motion
 - ii. To adjourn the meeting



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- iii. To adjourn the debate or consideration of the item
- iv. To proceed to the next business
- v. That the question now be put
- vi. That a member be not further heard or do leave the meeting
- vii. To exclude the press and public under Section 100A of the Local Government Act 1972

13.6 Conduct of Members

- 13.6.1 Members of the Leaders' Board will be subject to their own authority's Code of Conduct.

14. Application to Sub-Committees

- 14.1 The procedure rules and also the Access to Information provisions set out at paragraph 11 shall apply to meetings of any sub-committees of the Leaders' Board.

15. Scrutiny of decisions

- 15.1 Each constituent authority which operates executive arrangements will be able to scrutinise the decisions of the Leaders' Board in accordance with that constituent authority's overview and scrutiny arrangements.

16. Winding up of the Leaders' Board

- 16.1 The Leaders' Board may be wound up immediately by the unanimous agreement of all constituent authorities.

17. Amendment of this Constitution

- 17.1 This Constitution can only be amended by resolution of each of the constituent authorities.

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Our ref: CST/cor8/2801a

Date: 28th January 2025

Rt. Hon Angela Rayner MP
Deputy Prime Minister & Secretary of State for Housing, Communities
& Local Government
Rt Jim McMahon OBE MP, Minister for Local Government
& English Devolution
2 Marsham Street
London
SW1P 4DF



Dear Angela Rayner MP & Jim McMahon MP

English Devolution White Paper: Newcastle-under-Lyme

I am writing further to the resolutions of Newcastle-under-Lyme's Cabinet in response to the release of the English Devolution White Paper just before the Christmas holidays.

As you will be aware, the Loyal and Ancient Borough of Newcastle-under-Lyme has a long, distinguished and proud identity, dating back to its first Royal Charter of 1173, when Henry II had granted a charter to the town and gave strong support to the early borough over the next decade. Further royal charters have been granted to the borough by Kings Henry III, Edward I, Edward II, and Richard II, Queen Elizabeth I, Kings Charles II, James II and Queen Victoria. The late Queen Elizabeth II granted a charter following the 800th anniversary of the borough, a moment recorded by the statue of the late Queen which now stands at the heart of the town.

In 1995, North Staffordshire governance arrangements were changed with the creation of the unitary authority of Stoke on Trent. Through this change, Newcastle-Under-Lyme retained its borough status. The city subsequently trialled an elected mayoral model of governance, later abolished. There was significant strength of feeling that Newcastle-under-Lyme should remain outside a North Staffordshire model, and I firmly believe this remains the case.

In my reports to Cabinet and our full Council, I set out the recent achievements and issues within the borough that we as a Borough Council have been able to focus on in a way I believe would not be the case in a larger, more remote authority. I have enclosed a copy of this report, including our vital work on the odour blight at Walleys Quarry Landfill, our town centre regeneration in Newcastle and Kidsgrove, investment in our culture and leisure, including a community-owned facility (genuine devolution) and moving ahead innovatively and at pace on our net zero plans. In 2023, we celebrated our 850th anniversary as a borough.

In September 2024, Ministers asked that regions prepare devolution plans. As a Staffordshire Leaders Board (made up of the eight district and borough Councils working with Stoke-on-Trent City Council and Staffordshire County Council), we set out a devolution approach which embedded partnership working, the priorities for Staffordshire and applied these to the Government's missions. To date, unfortunately, we have received no feedback and I understand that we may not now have any response to this work. That is concerning as local authorities are being asked to again provide information on short timescales in what appears to be a rapidly changing landscape.

The Minister for Local Government and English Devolution, in a response to questions raised by MPs from our areas, dismissed concerns as local disputes. To be clear, I have said that we work well with our neighbours in Stoke-on-Trent – this is not about that neighbour relationship and to say so fundamentally misunderstands concerns. Newcastle-under-Lyme does not wish, however, to be subsumed into a city-led council which moves focus away from its residents and businesses. To be clear, this is the core of our concerns – we would be happy to engage with your officials on plans for the wider strategic authority at a 1.5 million level but cannot accept a merger and loss of the borough.

I would like to invite you to visit Newcastle-under-Lyme to see first hand our loyal and ancient borough and discuss these matters further.

Yours sincerely,

Cllr. Simon Tagg
Leader of the Council

Cc: Adam Jogee MP, Member of Parliament for Newcastle-under-Lyme
Gordon Mole, Chief Executive, Newcastle-under-Lyme Borough Council

Contacting the Council: Telephone 01782 717717
E-mail customerservices@newcastle-staffs.gov.uk · www.newcastle-staffs.gov.uk

Our ref: CST/2103

Date: 21st March 2025



Jim McMahon OBE MP
Minister of State for Local Government and English Devolution
2 Marsham Street
London
SW1P 4DF

Dear Jim,

Local Government Reorganisation Interim Plan: Newcastle-under-Lyme

I am writing further to the resolutions of Newcastle-under-Lyme's full Council at its special meeting held on 19th March 2025. This meeting agreed to the submission of an interim plan by the Council in response to your statutory invitation of 5th February 2025.

Newcastle-under-Lyme Borough Council has and will continue to work with our partner authorities across Staffordshire and Stoke-on-Trent in setting the conditions for the creation of a strategic authority at an appropriate geography ahead of November 2025. The Borough Council has been a champion for local and regional investment which brings benefits to both the loyal and ancient borough but also to those who live and work in neighbouring authorities including the city, Cheshire, Shropshire and other parts of Staffordshire. We will continue to work to increase economic growth and greater opportunities for business development in our region. We do not think a Mayor is necessary to achieve these ambitions, but will commit to work with others on the appropriate structure for delivery of a Strategic Authority.

However, our Council is firm in its view that it does not support the ceasing of successful two-tier local government delivery in Newcastle. Furthermore, we cannot support one of the upper-tier proposed models for a unitary authority – that of a North Staffordshire authority forcing a merger for Newcastle-under-Lyme and Staffordshire Moorlands with Stoke-on-Trent, for the reasons I outline in our report (enclosed). The Council does not currently favour a Staffordshire-wide unitary authority. We will continue to work with partners and anchor organisations on options but are clear that there are other ways of delivery which can meet the objectives of this forced reorganisation, as set out in our Interim Plan.

My report also calls for a number of additional measures, including that Government fully funds the development and implementation of this reorganisation, that the people of our Loyal and Ancient borough have their say on reorganisation through a Government-funded referendum, and, above all, that the delivery of vital local services are put first and foremost at the heart of the process – our residents require that services continue to be provided to the highest quality, not the lowest common standard.

I repeat my invitation to you, and extend it to your officials, to visit the borough so that you can see first-hand the changes the Borough Council has made to Newcastle and understand the concerns of our residents.

Yours sincerely,

Cllr. Simon Tagg, Leader of the Council

Cc: Adam Jogee MP, Member of Parliament for Newcastle-under-Lyme
Gordon Mole, Chief Executive, Newcastle-under-Lyme Borough Council
Encl.

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Cllr. Simon Tagg, Leader of the Council

Cc: Adam Jogee MP, Member of Parliament for Newcastle-under-Lyme
Gordon Mole, Chief Executive, Newcastle-under-Lyme Borough Council
Encl.

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Interim Plan for Newcastle-Under-Lyme

Newcastle-under-Lyme Borough Council strives to work for the best interests of all of those who live in, work in and visit the borough. In demonstrating its effective working together with other authorities, the Borough Council has worked extensively with Staffordshire County Council and fellow district and borough councils in identifying working arrangements that provide good value for money where these partnerships make sense. These arrangements are locally agreed, dictated by need, not by blanket application. They are not limited by immediate proximity, and in some cases extend beyond local authority partnerships.

Locally-determined arrangements have included co-location of office premises with Staffordshire County Council and Staffordshire Police at Castle House, bringing financial and other benefits including a reduction in carbon emissions, a significant annual revenue saving through a reduction in running costs.

Joint working arrangements include those with the County Council – internal audit, communications and legal support, and with other Councils including Stoke-on-Trent City Council in areas such as out of hours response, community safety and building control. The Borough Council has had a strong collaboration with the County Council on regeneration and economic development, bringing in over £55 million into the Borough of UK Government Levelling Up funding.

This interim plan starts from a position which **affirms that the existing two-tier local authority system works, and works well, in Newcastle-under-Lyme**. Local government reorganisation has asked that all Principal authorities respond to the call from the Secretary of State for Housing, Communities and Local Government, via the Minister for Local Government's statutory invitation to submit a proposal for local government reorganisation in Staffordshire. This plan represents an assessment of all options, confirms those which the Borough Council supports the investigation of, and which it does not.

1. The lessons of the past inform the context of our future

The Loyal and Ancient Borough of Newcastle-Under-Lyme's long history, over 850 years, was recognised by the late Queen Elizabeth who granted its most recent borough charter in 1974, following the Local Government Act of 1972. This was the latest charter in an unbroken line dating back to 1173, when records show that Henry II had granted a charter to the town and gave strong support to the early borough over the next decade. Further royal charters were been granted to the borough by Kings Henry III, Edward I, Edward II, and Richard II, Queen Elizabeth I, Kings Charles II, James II and Queen Victoria.

This history of mercantile trade has spanned from Newcastle-under-Lyme's position – on trading and economic routes to and from all points on the compass, the link point between the great cities of the industrial age (particularly London to Liverpool, Manchester to

Birmingham) with important county borders and strong economic links to Cheshire and Shropshire, connectivity to the Greater Manchester and wider East and West Midlands regions, and local synergies with Staffordshire. One of the first great industrial places, Newcastle today represents the positive transition from industrial economy to a knowledge based, higher skilled economic geography, seen as a model of innovative regeneration and adept investment by the Industrial Communities Alliance and wider local authority peer networks.

2. A well-connected, outward-looking place centred on its people

The two junctions of the M6 within the borough, and east-west links via the A50/500 and more widely routes to the M54, show that Newcastle remains today, as in the past, a geographically and economically important strategic location for investment and trade.

Newcastle's identity is built on an outward-looking and self-confident sense of place, one in which it is proud of its history and traditions, but embracing of innovation and thinking differently, from being the home of one of the UK's foremost universities to being a place which leads with pride on sustainability and biodiversity.

Central to this delivery is a local authority close to the needs and wishes of residents, businesses and visitors – outward-looking and locally focused. Newcastle-under-Lyme Borough Council has shown that it can respond to these needs, from safer places to live, work and visit to ensuring that this is a place fit for the future:

- Civic Pride – from its award-winning Britain and Newcastle in Bloom achievements, to the introduction of the Civic Pride campaign to work with partners, residents, voluntary organisations and businesses, local people have demonstrated their desire to get behind borough-focused activities which support making our places cleaner, safer and friendlier.
- Net Zero and Sustainability – the Council has been able to adapt its working practices, investment and service delivery to ensure it meets its ambitious targets set out when it declared a climate emergency, including tree planting, planning, fleet and assets, and has worked with the private and academic sectors in developing borough-level initiatives. The ability to control these changes at a local level have been a near 70% reduction in our controlled carbon emissions.
- The Local Government Peer Challenge reported in 2023 that Newcastle-Under-Lyme Borough Council was delivering quality services for its residents, and that particularly it had strengths in the following areas:
 - Strong pride of place and Newcastle-under-Lyme has a distinct identity
 - Partnership working is particularly strong and the role it has in bringing others together to collaborate is highly valued
 - Clear leadership from the Cabinet and senior officers
 - Finances are healthy, and actively managed, which places it in a stable position
 - Officers are recognised as important assets for us and they are committed and keen to deliver for the communities.
- The Borough Council has demonstrated that it can focus and influence actions and decisions at a local level, close to residents, across areas which matter to them. This has recently included a number of key interventions.

- Regeneration & Planning – developing working partnerships with developers and investors, our local social landlord and community interest groups, delivering a town centre regeneration programme in both Newcastle and Kidsgrove supported by Levelling Up funds which is responsive to both local need and investor opportunity. Forging and maintaining partnerships with national and local bodies has been both possible, and through nimble decision making has seized investment opportunities where a greater level of bureaucracy, a greater number of priority areas and more remote decision making may have stalled progress.
- The Borough Council's dedicated focus on supporting the community with the extensive and ongoing issues at Walleys Quarry would likely not have been a priority for a larger, more remote authority with multiple demands. This included the Council being bold in using its powers and pressing for permission to pursue legal action against the operators when other agencies were not doing so.
- The increased attraction to visitors of the Brampton Museum, attracting investment and greater footfall, expanded facilities and usage by local groups. As the Borough Council's primary cultural facility, efforts have been focused on supporting growth and a heritage-led cultural offer for the borough. These advantages may be lost if the Borough is submerged into a larger Council.
- A strong leisure offer, built on local partnerships. Recognising that differing models of delivery work better in local places, the Council has both invested in the Jubilee 2 centre, working with the healthcare sector, local users and groups, but has also supported and secured investment for the community-run Kidsgrove Sports Centre, both facilities providing a complimentary offer across our two towns and the wider borough.

3. A suitable economic area, with room to grow

The people of Newcastle, Kidsgrove and our villages and rural settlements identify with their place in a number of ways, within the context of the places that they are proud to call home, earn a living, gain a meaningful education at school, college and university in the borough and spend their leisure time. At a local level, the first identification is with their local community – from Talke and Kidsgrove in the north of the borough to the Town ward as one of our key urban centres, to Keele and onwards to Westbury Park and Northwood, each with its own unique identity and sense of place.

Secondly, as the recent celebrations of the borough's 850th anniversary demonstrated, the people of Newcastle-under-Lyme identify with the borough itself, its rich history and strong sense of place.

Thirdly, we absolutely recognise our place within a wider geography – the positive effect of a strong containment in Staffordshire means that residents can choose to live, seek learning and leisure and work in the same county, retaining spend within our county geography. This is a positive, community wealth feature of Newcastle and Staffordshire more widely.

We also reflect that with its expansive geography, some of our communities naturally look to other places – from Mow Cop with its spilt conurbation between Newcastle and Cheshire East, to Madeley at the border with rural Shropshire and the Westlands bordering Stafford, with Wolstanton and May Bank bordering our neighbours in Stoke-on-Trent, our well-connected place can and should look to have a cohesion with not one geography but exploit

and maximise each and every one of its economic links. The Borough Council continues to use funding to invest in connectivity, including its strong partnership in bringing forward the K bus route, linking Keele, Newcastle town centre and key transport infrastructure.

For this reason, we believe that both the Strategic Authority area and any new council arrangements should reflect a population size and geography that makes sense first and foremost to our residents, businesses and anchor organisations.

The Borough's emerging Local Plan, currently due for examination, seeks to reflect the desire to have a sustainable level of housing growth to meet local needs, whilst retaining green space, biodiversity and above all quality of development, fitting with what residents and businesses expect in a twenty-first century place. In this, the Borough Council has been careful to allow time for comprehensive consultation, beyond the statutory minimum. This development of what we hope is a cohesive, joined up and thought through place for housing and economic growth has been enhanced by its local focus, not by regional imperatives.

We know that Newcastle has housing stock which does not fit with local demand – and the Local Plan sets out a path to creating the right homes, in the right places, with the right amenities and connections to local infrastructure.

Above all, our locality is defined by what it is – a proud, ancient borough, but also by what it is not – an extension of another place, a dormitory, a suburb. In this regard, we have considered the options available which can be additive, not reductive, of Newcastle's identity.

This assessment is not to talk down any part of our region – economically, we will strive for and all gain from economic investment in our region at all scales – from local businesses starting up and growing across Staffordshire and Stoke and beyond, to established global advanced manufacturing and world class service industries, with innovative regenerators of our town and city centres together with cutting edge spin-outs from our great academic institutions – all have a part to play at attracting and retaining investment, and the higher-skilled, higher-paid jobs we all aspire to be available to those who live and work here.

With this in mind, we need to be clear on a number of factors:

- A majority of support from our residents to move to a new structure of local government;
- A balanced economy where places which invest and manage finances with strong fiduciary responsibility are not placed at disadvantage in 'plugging gaps' in areas which are struggling;
- A level of governance which demonstrates the true objective of devolution – having decisions made at the most appropriate local level, closest to those the decisions will affect;
- A geography which has meaning for investors, businesses, residents and anchor organisations (including co-terminus delivery where this makes sense)
- A population size which broadly aligns to broader objectives but has a local rationale – not so distant as to be remote governance, not an arbitrary level which confuses geography and population.
- A solution which will ensure that we continue to deliver quality services at the **highest possible standard**, not to the lowest common denominator or on a reduced basis to address historic financial troubles.

4. Defining a Strategic Authority

The Government has set out that, in addition to the creation of new local authority structures to unlock devolution, it wishes to establish new Strategic Authorities (SAs) at a wider geography to provide the basis of greater levels of regional representation and investment. The primary models set out by the Government are:

- Foundation SAs (these include non-mayoral combined authorities and combined county authorities automatically, and any local authority designated as a Strategic Authority without a Mayor).
- Mayoral SAs and Established Mayoral SAs (such as the Greater London Authority, all Mayoral Combined Authorities and all Mayoral Combined County Authorities will automatically begin as Mayoral Strategic Authorities. Those who meet specified eligibility criteria may be designated as Established Mayoral Strategic Authorities. This unlocks further devolution, most notably an Integrated Settlement).

We are supportive of the creation of a new Strategic Authority to serve the collective needs of Staffordshire and Stoke. Given its connection along council boundaries and the M6 as our point of economic linkage, we believe it makes sense to also consider a Strategic Authority area which includes Shropshire (and if appropriate Telford & Wrekin) which would have the additional advantage of ensuring no area is 'orphaned' within the SA process. We anticipate that these areas will work collectively in the shaping of an SA which meets the needs of our collective geography and builds on our collective devolution ambitions, as set out to the Government in Autumn 2024, where we noted that our devolved region should have the following key features:

- Devolution must work for all: plans must reflect and respond to a deep understanding of local needs and opportunities. That is what our authorities have been working hard at over the summer.
- Form must follow function: if we are to accept another layer of governance in the county, at additional cost to the people of Staffordshire and Stoke-on-Trent, then the prize in terms of devolved functions, powers and resources has to be significant.
- Governance has to be inclusive: our Leader's Board works because all local authorities get to participate and contribute, and we want to ensure that this is also the case in any devolved arrangements.
- Commitment to subsidiarity: devolution should be to the most appropriate level of governance for the function in any question, and that should mean a combination of county-wide, local authority level and, perhaps most importantly, community level. We seek a devolution deal that gives us flexibility to make those judgements together.

Devolution at a Strategic Authority level is not about local service delivery, but rather setting the conditions at a strategic level, making the case for and directing funding towards, for example, areas to develop infrastructure at a local level

With this in mind, we remain of the view that an Elected Mayor model does not fit neatly with the collective aims and ambitions of Staffordshire and Stoke, our approach to date or our collective track record, where initiatives such as We Are Staffordshire are seen by investors as a model of joined up, grown up and equitable partnership delivery. Newcastle would

therefore support a model aligned to that of a full, established Strategic Authority, but not the introduction, unless mandated by Government, of a Mayoral model.

5. The financial case for thinking locally

The Government anticipates that the process of reorganisation will create the conditions for addressing the cumulative financial pressures on local authorities. It is useful to note that, as with other local authorities, Newcastle has faced a continued real-terms reduction in spending power, resulting in the need to make significant year-on-year savings. In this, it has demonstrated an efficiency of approach over as long period of time whilst maintaining quality service delivery for both statutory service provision and investment in local priorities.

The Government further notes in its guidance for councils that for areas covering authorities that are in Best Value intervention and/or in receipt of Exceptional Financial Support, proposals must additionally demonstrate how reorganisation may contribute to putting local government in the area as a whole on a firmer footing and what area-specific arrangements may be necessary to make new structures viable.

As noted by the Chair of the Local Government Association, Government also needs to commit to funding councils to deliver on the reforms set out in the White Paper.

Whilst we firmly support the principle that areas with the greatest need and significant challenges need a funding formula which works in their interests, and that this must be reflected in settlements in the future, this should not in our firm opinion be viewed through the lens of 'one area pays for another'. Residents rightly expect that their funding of local government through council tax, non-domestic rates for the companies they run and work for and through general taxation can clearly be linked to quality service provision at a local level.

In our consideration of options, we are mindful that residents should not be asked to unreasonably contribute to delivery which is distant and disjointed from their localities. If a unitary model is to be imposed, it must be on the basis of a geography which balances advantaged and disadvantaged areas and continues to deliver the very highest possible level of services, locally. This is separate to the equally important goal of using the levers of power, individually and collectively as authorities, to increase wealth creation and retention across our region.

In order to achieve a balanced and less financially burdensome approach to reorganisation, one option may be for Government, instead of the creation of new unitary councils, to invite the de-unitarisation of Stoke-on-Trent City Council, re-establishing it within Staffordshire as a city district as per the arrangements pre-1997.

Further collective working

As noted above, Newcastle has a strong ethos of, and is recognised for, effective partnership working with the public, private, third and academic sectors. In this, we have collectively fostered an agile and 'can do' approach from community safety to regeneration. In the establishment of new council structures, we must therefore ensure that we are not reductive – that is, taking existing structures delivered at appropriate scales and fitting them into new structures which may be less effective in obtaining outcomes for our residents, or creating in-built inefficiency. We support the goal set out in the White Paper to identify opportunities to deliver public service reform, including where they will lead to better value for money.

With this goal, we believe that – as we currently work – shared services where they make sense above individual unitary councils should be explored for joining up areas including

data, waste treatment, net zero ambitions, energy supply, smart systems and processes to maximise efficiency. This is **separate** to the manageable geography of a council area, but must be built into future service design.

6. Local delivery below existing Borough Council level

Existing parish and town councils play an important part in local democracy and accountability, and can deliver focused services which meet needs at the most local level. However, the creation of a network of parished areas and town councils should not be seen as a direct substitute for existing delivery arrangements, and the following would need to be carefully considered for future arrangements:

- Avoiding artificial structures to fill gaps where these are not responsive to locally identified geographies;
- Ensuring that parish and town councils have the powers and capacity they need to be self-sustaining and not be dependent upon higher tier authorities for funding for service delivery;
- Not to place undue burdens on residents through precepts which have to fill gaps in provision left by the abolition of district and borough councils.

7. An appropriate population size

The options considered below range in population size – some below and some above the Government's indicated figure of c. 500,000 population. This reflects the fact that the options are not of an arbitrary size, but need to consider a broad range of factors, as the Government itself notes may be the case. Across England, existing unitary authorities such as Peterborough, Telford & Wrekin, Torbay and most recently (in respect of creating a combined authority) York fall well below this threshold, as do most London Boroughs and Greater Manchester authority areas. This is not a negative, rather a reflection that there is no one-size-fits-all model for good governance and delivery.

8. Good governance at an appropriate size

The planned forced reorganisation of local government continues a path of reducing numbers of elected members representing local areas. From over 75,000 in the 1960s, the figures have been reduced to some 19,000 nationally today. We do not take a firm view on the appropriate number of councillors in each model, as this remains to be further considered and explored to balance ward/division size and genuine local accountability. As such, our consideration rather assesses the potential to have good governance at a local level. The Government should consider, given the large-scale reorganisation of councils, whether a national formula or guidance for councillor numbers should be developed to prevent inequity and a lack of local representation. This should be through a full boundary review by the Boundary Commission before the creation of any new unitary authorities.

9. Options to be investigated or not taken further

We have considered the below options against a range of factors for consideration firstly by our own Council and then by Government.

In making this assessment, at this stage we consider models which could – with willing partners – be considered ahead of submissions of final proposals in November, should Government not accept our central premise of retaining a two-tier authority model, with an overarching SA acting for us all regionally. The Council has set these out in order of preference and will investigate options on that basis, with a first preference of a new unitary Council for Newcastle-under-Lyme, as detailed below.

10 A. A New Unitary Council for Newcastle-under-Lyme

In this model, a new unitary council delivering all services currently falling to both county and borough council levels would be created, operating on the footprint of the existing Newcastle-under-Lyme borough council. This new authority would require the transfer in of the staff and assets of both authorities for the Newcastle area. Estimated one-off costs would need to be identified.

This model would ensure the closest delivery to residents of Newcastle-under-Lyme, with few changes to existing governance arrangements (akin to those of the Borough Council). The population size is the smallest of all options listed (summarised in Table A, below). This is broadly equivalent to existing smaller, well-managed unitary authorities including Torbay and Torfaen.

10 B. The creation of a new unitary council across the existing geographies of neighbouring Newcastle-under-Lyme and Staffordshire Moorlands

A new unitary council could operate across the contiguous existing footprint of Newcastle-under-Lyme and Staffordshire Moorlands. These areas both have borders with other neighbouring authorities, including Stoke and Cheshire, and particularly share the characteristics of towns and rural areas which the two current authorities are experienced and adept at delivering quality services within. This model would also mitigate risks of economic imbalance (i.e. the two existing district/borough areas funding but not necessarily benefiting from, a merger with the city of Stoke).

The population size of the authority would be equivalent to the existing North Somerset council and larger than Telford & Wrekin.

In its Council report of 5th March 2025, Staffordshire Moorlands District Council noted that whilst it was considering options put forward for North Staffordshire and a single Staffordshire unitary authority:

It needs to be supported by robust evidence and analysis and include an explanation of the outcomes it is expected to achieve, including evidence of estimated costs/benefits

- *The new unitary councils both need to be financially sustainable and have appropriate tax bases which do not create an undue advantage or disadvantage for one part of the area – this will be a particular challenge in North Staffordshire given the cost demand pressures in Stoke-on-Trent*
- *It improves local government and service delivery in Staffordshire as a whole*
- *It avoids unnecessary fragmentation of services and mitigates the potential impacts for the disaggregation of crucial upper tier services such as social care, children's services, SEND; public health etc.*

The report further notes that any new model needs to have been tested through robust local consultation.

10 C. The creation of a new 'West Staffordshire' unitary council based on a connected M6 corridor, comprising Newcastle-under-Lyme, Stafford, Cannock, South Staffordshire.

This model of new unitary would cluster a new unitary around Staffordshire's primary connection to the rest of the United Kingdom and beyond – the M6 corridor. Representing authorities bordering this corridor, the authority could support the devolved Strategic Authority in being a particular engine of economic growth and development, and holds a cohesive geography of similar authorities in Staffordshire in terms of economic characteristics, rural and urban mix and a population size close to that of the Government's indicated requirement at

just under 500,000 on latest population figures. This would give a unitary of an equivalent population size to Wiltshire and County Durham.

At time of writing, not all of the above authorities have published their preferred models of unitary council, but are understood to favour a two-unitary model in Staffordshire.

10 D. The creation of a new unitary council comprising the existing unitary area of Shropshire and the existing borough geography of Newcastle-under-Lyme

Whilst not historically joined under a ceremonial county structure, Newcastle and the existing unitary council of Shropshire share a long border, extending to Shropshire addresses and postcodes for many residents in the west of Newcastle. As with Staffordshire Moorlands, Newcastle and Shropshire share a cohesive sense of place – historic market towns with an established and characteristic rural hinterland. The council would also incorporate two sides of the M6 corridor (as noted above) with onward links to the M54 corridor.

Shropshire is an existing unitary council and has not been required to develop interim proposals for reorganisation. This option will be further investigated following County Council elections to test viability.

A Newcastle and Shropshire authority (similar in nature to that of Devon & Torbay and Kent & Medway) would be equivalent in size in population terms to Cheshire East and larger than many existing unitary authorities.

The new unitary would require a Strategic Authority area including both Staffordshire and Shropshire (and possibly including Telford & Wrekin).

10 E. The creation of a new unitary council on the footprint of the existing Staffordshire County Council.

At its Cabinet meeting of Staffordshire County Council of 5th March 2025, the County Council endorsed a submission to its full Council for a whole Staffordshire single unitary council on the footprint of the existing County Council (therefore not including Stoke-on-Trent). It noted that there were a number of perceived advantages to such a model, including a smoother transition from existing arrangements to a new shadow authority and standardisation of services and the removal of any ‘postcode’ lottery of local government service delivery or standards. As well as an opportunity to potentially reduce costs of local government and to divert duplicated costs into frontline services.

The report notes that unitarisation can play its part in solving the current funding crisis in local government. It cannot however in isolation fully solve the problem.

At this stage, concerns would remain as to the functional size of the proposed new unitary (with a population of over 800,000 it would be larger than most existing unitary authorities) and the attendant perceived or actual remoteness of service delivery and decision-making that this may result in. Further work on the model (which has the advantage of mitigating against particular financial risks arising from a merger with Stoke) would need to be explored in significantly further detail for the model to be supported.

We require to be convinced of the local democratic and delivery arrangements if these would necessitate additional costs to residents through new lower-tier town and parish councils.

10 F. The creation of a new North Staffordshire unitary council for Newcastle, Stoke-on-Trent and Staffordshire Moorlands.

At its Cabinet meeting of 25th February 2025, Stoke-on-Trent City Council's Cabinet agreed its preferred position for a new unitary authority across the footprint of Newcastle-under-Lyme, Staffordshire Moorlands and Stoke-on-Trent. The paper also set out a wider potential footprint to include Stone and Uttoxeter. This detailed analysis set out characteristics of a new authority boundary and economic geography based on a city-region. With this approach, the report sets out the financial advantages to addressing historic financial challenges the city has faced through a new distributive model of balancing lower council tax income from the city with higher band properties in neighbouring areas.

A new unitary of this scale would be equivalent to Bristol and would be based around a city-region model of the city as the centre of the authority, retaining a city identity within the new authority area.

In Newcastle's report of 22nd January 2025, key reasons for resisting a merger with Stoke were set out, primarily around risks of loss of local identity (where, as noted above, Newcastle residents do not consider themselves to be part of the city) and financial resilience (where Newcastle is carrying no debt, Staffordshire Moorlands has limited debt and the city is in receipt of extraordinary financial support).

These factors, taken together, imply that Newcastle would not benefit from a city-region North Staffordshire model.

11. Options Matrix

OPTION							
Councils/sub-Council areas (based on current Council footprint)	Population size (Against 500k threshold guidance for new unitary council) ¹	Aligns to wider public sector boundaries (Police, NHS, Fire & Rescue etc).	Democratic arrangements	Discussed with relevant authority ²	Strategic Authority arrangements	Economic balance (no advantage/disadvantage)	Notes
Newcastle-under-Lyme	125,404 – equivalent to other existing unitaries as noted	Yes (as part of Staffordshire)	Could retain existing councillor numbers and wards, no boundary changes	Yes	Staffordshire or wider SA	Same levels as currently	Model requires the creation of a new unitary council on the existing Newcastle geography
Newcastle-under-Lyme and Staffordshire Moorlands	221,308 – equivalent to other existing unitaries as noted	Yes (as part of Staffordshire)	No boundary changes required	Yes	Staffordshire or wider SA	Similar levels of economic indices across the two authority areas.	Could work with either Staffordshire or broader SA

¹ Population size Small Areas England and Wales, NOMIS, 27 February 2025

² Initial discussion held with Councillor/Officer within the relevant authority on a ‘without prejudice’ investigative basis.

Newcastle-under-Lyme and Shropshire	452,582	Crosses two geographies for Police, Fire, ICB	Formed of an existing unitary and a borough council, would require review post-vesting.	Yes	Requires wider SA of minimum Staffordshire and Shropshire	Similar levels of economic indices across the two authority areas	Shropshire is not required to reorganize but may choose, post-elections, to consider relevant options and geographies
Staffordshire Unitary (not including Stoke-on-Trent)	886,284	Yes (Police, Fire, ICB)	Boundary review required post-implementation . County council has provided initial opinion on councillor requirements. Potential for remote decision making/require s local arrangements	Yes	Requires a minimum Staffordshire-level SA	Same levels as currently	Requires creation of broader SA of Shropshire, Staffordshire, Stoke-on-Trent (and possibly Telford & Wrekin). Stoke-on-Trent remains as existing unitary on existing boundaries.
Staffordshire Unitary (including Stoke-on-Trent)	1,112,249	Yes	Boundary review required post-implementation . Very large and potential for remote decision making	No	Requires wider SA of minimum Staffordshire and Shropshire	Large area crossing all economic indices	Requires creation of broader SA of Shropshire, Staffordshire (with or without Telford/Stoke) and possible de-

West Staffordshire – Newcastle, Stafford, Cannock, South Staffordshire	471,100	Yes (as part of Staffordshire)	Boundary review required post- implementation (assuming no existing geographies are split). Requires consideration of local democracy arrangements	Yes	Requires a minimum Staffordshire- level SA	Likely to be broadly positive	Untested model through Staffordshire Leader Board, to be considered against a North/South two unitary model for Staffordshire – provides a geography which connects places along the M6
North Staffordshire (Stoke-on- Trent, Staffordshire Moorlands, Newcastle- under-Lyme)	481,316	Yes	Boundary review required (assuming no existing geographies are split or added to). Requires establishment of local democracy arrangements to ensure decisions are focused across all geographies (not city- centric). Stoke negotiation paper sets out a heavy weighting to the city in representation.	Yes	Requires a minimum Staffordshire- level SA	Current imbalance across tax take for the city and two district authorities	Preferred model of Stoke-on-Trent City Council, option under consideration for Staffordshire Moorlands. Not supported by Newcastle's full Council of January 2025.

Newcastle-under-Lyme remains a borough within a county system (Status Quo)	125,404 – the same size as some existing unitary authorities	Yes – as current	As current arrangements	Yes	Could work within a Staffordshire or broader SA	As current	Retained model of Newcastle-under-Lyme resolved at full Council of March 2025
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The above table provides a matrix assessing potential options for Local Government Re-organisation only

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

CORPORATE LEADERSHIP TEAM'S REPORT TO

Cabinet
06 May 2025

Report Title: Irrecoverable Items 2024/25

Submitted by: Service Director for Finance (Section 151 Officer)

Portfolios: Finance, Town Centres and Growth

Ward(s) affected: All

<u>Purpose of the Report</u>	<u>Key Decision</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
To consider items deemed irrecoverable.			
<u>Recommendation</u> That Cabinet: 1. Approve the write off for items detailed at Appendix 1 which are considered irrecoverable.			
<u>Reasons</u> For a variety of reasons, from time to time, it is considered that certain items are unable to be recovered from debtors. When this occurs, it is necessary to write off these balances from the appropriate Council account records.			

1. Background

- 1.1 For a variety of reasons, following the issue of accounts for amounts due to the Council, it is considered the debt is no longer able to be collected. Normally, these reasons follow from the debtor having been subjected to insolvency proceedings or other legal processes in respect of their debts or even the death of a debtor. There is then no further redress to recover the outstanding amounts and it is necessary to write off the outstanding balances from the Council's records.
- 1.2 The financial implications of debtors (including housing benefit overpayments) accounts proposed for write off amount to £117,493. In addition the amount of National Non Domestic Rates accounts proposed for write off amounts to £121,052. It should be noted that the Council's share of the National Non Domestic Rates amounts to £48,421 as detailed in paragraph 8.2.

- 1.3 Financial Regulations require that any irrecoverable items in excess of £10,000 require Cabinet approval, balances below this amount are approved by the Section 151 Officer (below £5,000) and the Portfolio Holder in conjunction with the Section 151 Officer (£5,000 to £10,000).

2. **Issues**

- 2.1 Collection procedures in respect of business rates and council tax are operated in accordance with legislative guidelines. Other debts are collected by a variety of schemes, suitable to the type of account involved. Items are only ever considered for write-off following robust adherence to the appropriate collection policy.
- 2.2 Irrecoverable amounts are considered to be of a confidential nature and in order to comply with data protection regulations the details of the irrecoverable items that are the subject of this report are set out in the confidential appendix. It would also be inappropriate to disclose information for instance about deceased debtors, with the potential for causing further distress to bereaved family members.
- 2.3 Where debts are in respect of commercial organisations, there is the potential in cases such as administration that disclosure could jeopardise the potential recovery of the business in the long term.

3. **Proposal**

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

4. **Reason for Preferred Solution**

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

5. **Options Considered**

- 5.1 None.

6. **Legal and Statutory Implications**

- 6.1 Ultimately, sums of money owed to the Council can only be recovered through court proceedings. That requires bringing an action to prove the debt, so as to secure a judgement that the sum is owed. There are costs (court & legal fees and officer time) associated with that process which usually increase in tiers depending on the amount claimed.
- 6.2 Once judgement is secured, further court proceedings (incurring further associated costs) will be required if the sum secured in the judgement is not paid by the debtor. There are various enforcement methodologies that may be ordered in successful enforcement proceedings, all of which will incur additional costs to execute. However, none of those methods will bear fruit unless the debtor can be traced and owns assets that can be easily liquidated for a sum in excess of the amount of the judgement debt and the associated costs.

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

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

7. **Equality Impact Assessment**

7.1 Not applicable.

8. **Financial and Resource Implications**

8.2 The financial implications of debtors (including housing benefit overpayments) accounts proposed for write off fall on the Council only. The debtors with a balance in excess of £10,000 proposed for write off during the financial year 2024/25 total £117,493. The budgeted contribution to the bad debts provision (£30,000) can be used towards this, the remainder can be funded from the Business Rates Reserve.

8.3 The financial impact of National Non Domestic Rates accounts proposed for write off is shared between the Council (40%), Central Government (50%), Staffordshire County Council (9%) and the Staffordshire Fire and Rescue Service (1%) under the Business Rates Retention scheme. The National Non Domestic Rates accounts with a balance in excess of £10,000 proposed for write off during the financial year 2024/25 total £121,052, of this the Council's share amounts to £48,421. This amount is within the estimated balance declared to preceptors regarding the National Non Domestic Rates Collection Fund for 2024/25.

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

9. **Major Risks**

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

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

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



11. **One Council**

Please confirm that consideration has been given to the following programmes of work:

One Commercial Council ☒

We will make investment to diversify our income and think entrepreneurially.

One Digital Council ☒

We will develop and implement a digital approach which makes it easy for all residents and businesses to engage with the Council, with our customers at the heart of every interaction.

One Green Council ☒

We will deliver on our commitments to a net zero future and make all decisions with sustainability as a driving principle.

12. **Key Decision Information**

12.1 This is not a key decision.

13. **Earlier Cabinet / Committee Resolutions**

13.1 Not applicable.

14. **List of Appendices**

14.1 Appendix 1 – Irrecoverable Items 2024/25.

15. **Background Papers**

15.1 None.



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 May 2025 and 31 August 2025

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
Football Foundation Home Advantage Programme	To consider a report on the Football Foundation Home Advantage Programme	Cabinet Portfolio Holder - Leisure, Culture & Heritage	Cabinet 6 May 2025	Health, Wellbeing and Environment	All Wards	N/A	Yes
Walleys Quarry Odour Update	To consider a report on the Walleys Quarry Odour Update	Cabinet Portfolio Holder - One Council, People and Partnerships	Cabinet 6 May 2025	Health, Wellbeing and Environment	All Wards	N/A	Yes
Local	To consider a report	Cabinet Portfolio	Cabinet 6 May	Economy and	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)	
Government Reorganisation Update	on next steps Local Government Reorganisation following interim plan submissions and review proposed terms of reference relating to reorganisation for the Staffordshire Leaders Board	Holder - One Council, People and Partnerships	2025	Place, Finance, Assets and Performance, Health, Wellbeing and Environment			
Fields in Trust	To consider a report on Fields in Trust	Cabinet Portfolio Holder - Sustainable Environment	Cabinet 6 May 2025	Health, Wellbeing and Environment	All Wards	N/A	Yes
Project approval for the decarbonisation of J2 Leisure Centre following granting of Salix PSDS funding	To consider a report on the project approval for the decarbonisation of J2 Leisure Centre following granting of Salix PSDS funding	Cabinet Portfolio Holder - Leisure, Culture & Heritage, Cabinet Portfolio Holder - Sustainable Environment	Cabinet 6 May 2025	Health, Wellbeing and Environment	Town	N/A	Yes
Irrecoverable Items 2024/25	To consider a report on Irrecoverable Items 2024/25	Cabinet Portfolio Holder - Finance, Town Centres and Growth	Cabinet 6 May 2025	Finance, Assets and Performance	All Wards	3 Information relating to the financial or business affairs of any particular	Yes

Report Title	Description	Portfolio	Intended Decision Taker and Date	Overview & Scrutiny Committee	Wards Affected	Reason for Determining in Private Session (if Applicable)	
						person (including the authority holding that information)	
Walleys Quarry Odour Update	To consider a report on the Walleys Quarry Odour issues	Cabinet Portfolio Holder - One Council, People and Partnerships	Cabinet 3 June 2025	Health, Wellbeing and Environment	All Wards	N/A	Yes
Kidsgrove Town Board award for the Shared Service Hub Development and Town Deal Update	To consider a report on the Kidsgrove Town Board award for the Shared Service Hub Development and Town Deal Update	Cabinet Portfolio Holder - Finance, Town Centres and Growth	Cabinet 3 June 2025	Economy and Place	Kidsgrove & Ravenscliffe	3 Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Yes
Quarter Four Finance and Performance Report 2024/25	To consider a report on the Quarter Four Finance and Performance Report 2024/25	Cabinet Portfolio Holder - One Council, People and Partnerships	Cabinet 3 June 2025	Finance, Assets and Performance	All Wards	N/A	No
Walleys Quarry Odour Update	To consider a report on odour issues at Walleys Quarry	Cabinet Portfolio Holder - One Council, People and Partnerships	Cabinet 8 July 2025	Health, Wellbeing and Environment	All Wards	N/A	No
Community	To consider a report	Cabinet Portfolio	Cabinet 8 July	Health, Wellbeing	All Wards	N/A	No

Report Title	Description	Portfolio	Intended Decision Taker and Date	Overview & Scrutiny Committee	Wards Affected	Reason for Determining in Private Session (if Applicable)	
Safety Partnership Workplan 2025-26	on the Community Safety Partnership Workplan 2025-26	Holder - Sustainable Environment	2025	and Environment			
Civic Pride Strategy - Empowering Our Communities	To consider a report on Civic Pride Strategy - Empowering Our Communities	Cabinet Portfolio Holder - Sustainable Environment, Cabinet Portfolio Holder - Community Safety and Wellbeing	Cabinet 8 July 2025	Health, Wellbeing and Environment	All Wards	N/A	No

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

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