

Public Document Pack

Date of meeting Thursday, 20th June, 2024

Time 7.00 pm

Venue Astley Room - Castle

Contact Geoff Durham - 742222



**NEWCASTLE
UNDER LYME**
BOROUGH COUNCIL

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

Economy & Place Scrutiny Committee

AGENDA

PART 1 – OPEN AGENDA

1 APOLOGIES

2 DECLARATIONS OF INTEREST

3 MINUTES OF PREVIOUS MEETING

(Pages 3 - 8)

To consider the minutes of the last meeting of the Committee.

4 TOWN DEAL AND FUTURE HIGH STREET FUNDS UPDATE

(Pages 9 - 16)

5 BOROUGH LOCAL PLAN UPDATE

(Pages 17 - 22)

6 WORK PROGRAMME

(Pages 23 - 26)

7 PUBLIC QUESTION TIME

Any member of the public wishing to submit a question must serve two clear days' notice, in writing, of any such question to the Borough Council.

8 URGENT BUSINESS

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

Members: Councillors Bettley-Smith (Vice-Chair), Burnett-Faulkner, Edginton-Plunkett, Gorton, Grocott, D Jones, Moss, Panter, Parker (Chair), J Waring and Whieldon

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

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

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

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

Substitute Members:	Adcock	S Jones
	Allport	Reece
	Dymond	Stubbs
	Fox-Hewitt	J Tagg
	Holland	

If you are unable to attend this meeting and wish to appoint a Substitute to attend on your place you need to identify a Substitute member from the list above who is able to attend on your behalf

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

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Agenda Item 3

Economy & Place Scrutiny Committee - 18/03/24

ECONOMY & PLACE SCRUTINY COMMITTEE

Monday, 18th March, 2024
Time of Commencement: 7.00 pm

[View the agenda here](#)

[Watch the meeting here](#)

Present:	Councillor Gary White (Chair)		
Councillors:	Bettley-Smith	Gorton	Panter
	Burnett-Faulkner	Grocott	J Waring
	Edginton-Plunkett	Moss	
Apologies:	Councillor(s) Johnson and D Jones		
Substitutes:	Councillor John Tagg		
Officers:	Allan Clarke Craig Jordan Simon McEneny	Planning Policy Manager Service Director - Planning Interim Chief Executive	
Also in attendance:	Councillor Andrew Fear Councillor Stephen Sweeney	Portfolio Holder - Strategic Planning Deputy Leader of the Council and Portfolio Holder - Finance, Town Centres and Growth	

1. **APOLOGIES**

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

3. **MINUTES OF PREVIOUS MEETING**

Resolved: That the minutes of the previous meeting held on 7th December 2023 be agreed as accurate record.

The Chair informed the Committee of the new sound system and welcomed members of the public present in the audience, reminding them of the protocol for speaking at meetings.

4. **UPDATE FROM CABINET ON ITEMS RAISED BY THE COMMITTEE**

There were no updates required from Cabinet.

5. **KNUTTON MASTERPLAN**

The Deputy Leader introduced the report on Knutton Masterplan.

Members asked questions and responses were provided as follows.

Cllr Edington Plunkett wondered about the tendering process and the maintenance of green space. – The original successful tenderer had withdrawn their offer due to a lack of management resources to undertake the works and the tendering rules did not allow to go directly to the second bidder. Discussions had now started with the latter and a new tender was to be issued. About grounds maintenance, this would be transferred to the group taking over the management of the site who would be working alongside the street scene.

Cllr Moss enquired about the High Street development proposals in relation to green space currently used by dog walkers. – This would be subject to consultation as part of the asset management plan.

Cllr Moss also wished for the committee to be kept up to date on the choice of the group who would be running the community centre. – This would be taken into account and brought back to members at a future meeting.

Resolved: That the report on progress with the delivery of the Knutton Masterplan be noted.

[Watch the debate here](#)

6. **TOWN DEAL AND FUTURE HIGH STREET FUNDS UPDATE**

The Deputy Leader went through the report on the delivery of the Town Deal and Future High Street Funds which was submitted to the Finance, Assets and Performance Scrutiny Committee the previous week.

Cllr Edington-Plunkett asked about the new hotel, the data available for hotels around the area and the sort of market the Council was looking at. – This would be a mid-range hotel and risks would be supported by Capital and Centric. A feasibility and business case had been undertaken to understand the demand and a national consultancy company had estimated a 63% occupancy in the first year.

Cllr Edington-Plunkett enquired about timescales and proposed that Capital and Centric be invited to the committee to answer any questions from members. This was seconded by Cllr Grocott and passed with 5 votes in favour and 5 abstentions.

Cllr Grocott wished for members to be kept up to date until the next meeting. – The process had reached a slow stage with feasibility study and planning application towards the end of the year. It was now unlikely that things would change as they had in the past and an update would be provided in July.

Cllr Gorton asked about a deserted building in the town centre – It was hoped that the regeneration projects would attract businesses that could potentially fill in the building.

Resolved: 1) That the report on the delivery of the Town Deal and Future High Street Funds projects be noted.

2) That Capital and Centric be invited to a future committee meeting to answer questions from members.

[Watch the debate here](#)

7. BOROUGH LOCAL PLAN UPDATE

The Portfolio Holder for Strategic Planning introduced the report on the Borough Local Plan. The draft document was expected at the beginning of July and a special meeting would be taking place then in addition to Committee and Full Council meetings.

Questions received from members of the public were shared and responses were provided as follows.

Public question 1:

“Given that no representations under Regulation 18, no petitions and no correspondence from parish councils have suggested that there is no need for a Local Plan (rather, they were arguing that the proposed Local Plan is unsound and needs amending), why has the Leader of the Borough Council stated at a Cabinet meeting that "we do get from some certain sectors of the community that we shouldn't be having a Local Plan because we've got a falling population"? Where is the evidence for this statement?”

– Not having a local plan leaves the borough much more vulnerable to opportunistic development and the Leader was addressing comments against having a local plan.

Public question 2:

“Given that the population of the Borough has only increased by 8,080 in the past four decades (from 117,217 in 1981 to 125,297 in 2022), that's a 6.9% increase over forty years, why is the Local Planning Authority planning for over 7,300 new houses in the Borough despite the amended NPPF clearly stating that the standard method of calculating housing need is only "an advisory starting point" and local constraints such as Green Belt may reduce the figure, that Green Belt land does not have to be released for new houses and that the best and most versatile agricultural land should be retained?”

– The standard method was used to calculate housing needs in line with the National Planning Policy Framework. Population projections were included along with market signals, assessments of affordability and economic growth. The Local Plan would be reviewed by an independent inspector.

About exceptional circumstances required to alter the green belt boundaries and the loss of farming land, the benefits of moving into one direction would need to outweigh those of the status quo. These would be published along the consultation material and then presented to the inspector so that the reasons given could be challenged. About the population statistics, these were released by the Office of National Statistics and an update could be provided at the next Committee meeting.

It was clarified that brownfields sites should be developed first, some funding being available to mitigate the development of new infrastructures and contaminated lands. The Environmental Health team and County Council would be consulted and a sustainable transport assessment would be undertaken notably looking into whether air quality mitigation measures would be required.

Public question 3:

“In light of comments made during the Regulation 18 consultation on the Local Plan by a Borough Councillor that they can't, as a member of the Planning Committee, discuss planning matters, will the Borough Council encourage all members to engage with residents on all planning matters by explaining to them the difference between predisposition (acceptable)

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and predetermination (not acceptable) as noted in Lewis, Regina (on the application of) v Redcar and Cleveland Borough Council and Another: [2009] 1 WLR 83: Elected members would be “entitled, and indeed expected, to have and to have expressed views on planning issues” [62] (Pill LJ); There can be “no pretence that such democratically accountable decision makers are intended to be independent and impartial just as if they were judges or quasi-judges” [94] (Rix LJ); and that in regards to predetermination “Something more is required” that “goes to the appearance of a predetermined, closed mind in the decision-making itself” [96] (Rix LJ)?”

– Elected members were encouraged to engage with residents in relation to the Regulation 18 process and the Local Plan when they feel they have sufficient information to form a view on the matter and wish to do so. The rules relating to potential conflict of interest were made clear as part of their training and the both the Code of Conduct and Planning Guidance should be consulted in case of any doubt.

Public question 4:

“Given that the Regulation 18 consultation was 8 weeks and bearing in mind, that there will be a large amount of additional paperwork to read for Regulation 19, why is there only going to be the minimum statutory 6 week consultation period? Would the Economy & Place Scrutiny Committee request that the next consultation be extended to 8 weeks please?”

– The Committee was expected to consider the Local Plan on the 11th July. The Regulation required at least 6 weeks of public consultation, which was reflected in the Council’s Statement of Community Involvement. An extension to 8 weeks may be considered.

It was suggested that the large amount of material for residents to go through would justify such an extension. This related more to Regulation 19 and comments on the actual proposal which would follow the initial consultation. The Local Plan and documentation would be publicly shared in the week before the special meeting scheduled on 11th July.

Public question 5:

“In the revised draft plan that will go forward for consultation, there seems to be some conflicting information regarding what representations will be accepted by the planning inspector at the public inquiry. The responses by the borough council seem to indicate that representations to the draft plan written under the old planning legislation (regulation 28) will be accepted but it also states in the rhetoric that only submissions written under regulation 19 the new NPPF framework will be considered. Could we have clarification please?”

– The Regulation 19 was about the final draft of the Local Plan and it was recommended that a particular form be used for people to make representations. All comments received under Regulation 19 would be submitted to the Inspectorate along with a summary of the main issues raised under Regulation 18. Comments submitted at the first stage could be submitted again to be subject to a full examination.

Public question 6:

“Also with regards directly to nc77 can you please explain the discrepancies with the proposed total of houses and use of land. From the original proposal it states 103 houses (which 57% will be social housing) with a possibility of a residential home. The new proposal is for 130 houses, 3 bungalows, a residential home, a shop and a cafe. How has this happened and why is this being allowed?”

– The First Draft Local plan included the site as a draft allocation for housing alone. This position was now being reviewed in the light of evidence and consultation responses received. A comment had been made to the First Draft Local Plan by the site promotor suggesting a wider mix of uses and this was currently being considered, alongside a host of consultation comments across the Plan content. There was no final Plan as yet, it was being drafted and would be presented to the Committee and the wider Council in July along with a recommendation for the Plan to be consulted upon further before being subjected to formal examination.

Public question 7:

“With regards to NC77 can you please explain the ridiculous comparison that you have given which residents that use the site for walks, dog walking, health benefits and also mental health benefits now have to make there way to other sites such as Hanley forest park. Which is 4.7 miles away. Which is 12-17 mins in a car or 1hr and 30 mins on foot. How are these ideas of other sites even considered feasible? Yes there is a bus service but surely isn't a solution. It would but extra cost, time and stress on people who just want fresh air. Please explain the logic?”

– A published approach to site selection had been implemented to make judgements about the availability, suitability and deliverability of site allocations. The site selection process allowed for judgements about sites based on multiple factors. There was always a balance to have in terms of meeting development needs for the borough and finding appropriate sites to support the sustainable growth of the borough. There had been no final decisions on sites as yet. The Council was taking account of new evidence, changes in national planning policy and consultation responses in preparing the final draft of the Plan.

* * *

Members expressed the wish for the visual presentation featuring the above questions and officers' responses to be circulated. – This would be included with the minutes and shared with people who submitted them.

Cllr Edgington-Plunkett raised the issue of the availability of local schools and other educational institutions to address the rising demand that would result from further housing development along with that of adequate transportation infrastructure. – These were both covered in the draft Local Plan under the Infrastructure Delivery Plan for which consultants had been appointed and the County Council was being consulted. A Strategic Transport Assessment was also being undertaken with both the County Council and National Highways involved in the discussions.

The Deputy Chief Executive commented that the Local Plan would be a framework covering a period of about 20 years which meant that consultations would be taking place prior to the development of each specific site for which planning permission would be required and arising infrastructures needs taken into account.

Cllr Gorton asked about other sorts of infrastructure such as doctors, dentists and social care. – Healthcare provisions were included in the Infrastructure Delivery Plan and would be assessed with each particular development. Officers were engaging with the County Council and the NHS.

The Service Director for Planning added that the Council role as a planning authority was about identifying the needs through the planning process and subsequently

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liaising with organisations and services providers so that they could in turn deliver the services.

Cllr Gorton asked what was considered as a matter of material impact under Regulation 19. – This was subject to interpretation and could include a change in national regulation or other unexpected circumstances such as a site scheduled to be delivered and not being deliverable anymore. The decision would be made in tandem with elected members.

The Planning Policy Manager added that the plan would be submitted again to Full Council after inspection.

Resolved: That the update on the progress of developing a Borough Local Plan be noted.

[Watch the debate here](#)

8. WORK PROGRAMME

The Chair requested that the work programme for June feature an update from HS2 and notably the impact of the cancellation of phase 2A.

Resolved: That the work programme be noted.

[Watch the debate here](#)

9. PUBLIC QUESTION TIME

Questions received from members of the public were addressed under item 7.

10. URGENT BUSINESS

There was no urgent business.

**Councillor Gary White
Chair**

Meeting concluded at 8.28 pm

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**CORPORATE LEADERSHIP TEAM'S
REPORT TO
ECONOMY AND PLACE SCRUTINY COMMITTEE**

20 June 2024

Report Title: Town Deal and Future High Street Funds Update

Submitted by: Interim Chief Executive

Portfolios: Portfolio Holders - Finance, Town Centres and Growth

Ward(s) affected: All

<u>Purpose of the Report</u>	<u>Key Decision</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
To update Scrutiny Committee on the Town Deal and Future High Street Funds projects.	
<u>Recommendation</u>	
That	
1. Scrutiny Committee notes this report on the delivery of the Town Deal and Future High Street Funds projects.	
<u>Reasons</u>	
To update the Scrutiny Committee on the progress with the various projects that are being funded or part funded through the two Town Deals – Newcastle and Kidsgrove, and the Future High Street Funds for Newcastle Town Centre.	

1. Background

1.1 As reported to previous Scrutiny meetings, the Council has secured Future High Street Funding and Town Deal Funds for the redevelopment of several key regeneration sites across the Town Centre and the wider Borough.

2. Updates

2.1 Future High Street Fund

Work has been continuing in the development of the schemes for the past couple of years, and the current position regarding each is as follows:

2.1.1 Market improvements

A contract has been let for public realm works to lower High Street and work commenced on site on 28 May, with completion anticipated in July. 18 fixed stalls

have been removed, leaving 27 fixed stalls which have had new canopies fitted – some have been relocated into more appropriate areas. New, temporary stalls have been ordered and are due to arrive in June. They will be used for markets which require more than the remaining 27 fixed stalls.

The public realm works include resurfacing and the creation of a central landscaped area, as well as a small number of “nipper parking” spaces.

A feasibility study is also in progress for a digital screen, and a planning application will be lodged shortly.

2.1.2 York Place

Capital&Centric have now appointed a demolition / strip out contract for the removal of the building fabric, exposing the framework for future development. This work will commence in late June 2024, in readiness for the build out stages once planning permission is agreed and construction costs are finalised.



Ryecroft

2.1.3 Castle Car Park

Construction has now commenced on this project with completion due in late November 2024. (Funding £12m (£3.50m from FSHF)).



2.1.4 McCarthy and Stone Residential Development

McCarthy and Stone are due to sign a land acquisition agreement with the Council imminently and will begin preparing the planning application for the new development.

2.1.5 New Hotel

Capital&Centric are continuing their design feasibility works for the whole Ryecroft site which will include the new Hotel build, which is now anticipated to be developed on the corner of Merrial St and Corporation St.

2.1.6 Aspire Housing

Aspire have agreed with Capital&Centric a site boundary and the works that will be undertaken to develop out residential units.



2.2 Newcastle Town Deal

2.2.1 Midway Car Park

Since their appointment in November 2023 Capital&Centric have been developing plans for the re-development of the Midway structure, based around the principle of retaining the concrete frame and floors and re-engineering the structure for residential purposes.

2.2.2 Astley Performing Arts Centre

The Philip Astley CIC opened their doors in March. Work is now looking into Phase 2 within the remodelled York Place

2.2.3 Knutton and Chesterton

Knutton

In September 2023 Aspire Housing submitted a planning application for residential development at the High Street site, this was approved subject to agreement of a S106 agreement at the May 2024 planning committee. <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/23/00771/FUL>



An application for the former community centre site was submitted in January 2024. This is due to be considered in Summer 2024 <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/24/00023/FUL>

Work on the extension to the Enterprise Centre started at the end of April 2024 and is due for completion in October 2024.

In September 2023, the Borough Council authorised officers to develop plans for a village hall at High Street in Knutton to planning application stage. It is vital however that interest is attracted in forming a committee to run the village hall if this development is to progress. A planning application has been submitted for this development.

The Council was successful in securing Football Foundation funding toward development of football changing rooms at the Wammy. The Council has re-tendered for a contractor to build the changing rooms and has appointed Dawn Building & Groundworks Ltd for this development. Work started on site in April 2024 and is expected to be complete in late 2024.

Cross Street Chesterton



Aspire Housing are continuing to deliver the earlier housing phases of this development. Town Deal funding was requested for the later phases of delivery however it has been necessary to review outputs attributable to each funding provider to ensure the correct outputs are being attributed to each funding source. The Council has worked with Aspire to finalise a Project Adjustment Request in respect of the project outputs which has been approved by DLUHC. A grant funding agreement with Aspire is currently in the final stages of development.

2.2.4 Zanzibar Enterprise Units

These are to be Council owned small enterprise units to rent to small and developing businesses on North Street. Aspire and Morgan Sindall have been working on a design for the residential units and the enterprise units which have been shared with the Council but require additional work, which we are awaiting.

2.2.5 Walking and Cycling Provision

Works for these schemes has begun through Staffordshire County Council with cycling improvements implemented along George Street, at Gallowstree Roundabout and works will commence along Barracks Road in 2024.

2.2.6 Sustainable Travel

Work continues with the travel information totems as reported last meeting, whilst the team at Keele University are progressing plans for the new bus entrance with the aim of it being opened for the start of the 2024/25 academic year. As a result of plans for the new bus entrance, First Potteries Ltd are working with the University to put on a new X25 service between Newcastle town centre and the University. This is planned to be introduced in September 2024 for the start of the new academic year. Further development work is to be done on proposals for the new circular bus route before it can be commissioned for operation.

2.2.7 Digital Society – 53 Iron Market (Keele in Town)

Works have now commenced on the main structure of the building prior to the internal fit out works. Keele in Town is due to launch in October 2024.

2.2.8 EV Charging Points

Construction of the new Castle Car Park commenced in earnest in January 2024 with the car park and new EV charging points opening in autumn 2024. The procurement of a partner for operation of the EV charging points has concluded and the supplier, installer and maintenance partner is working with Morgan Sindall around construction details so that they are in place ready for opening of the car park.

2.2.9 Digital infrastructure

A procurement exercise for the works is underway with plans to have the works to be installed by the end of 2024.

2.3 Kidsgrove Town Deal

2.3.1 Chatterley Valley

Work is continuing with the land owner and the end user for the Plot D unit and a further update will be provided at the next meeting.

Works to the highway / entrance works to the new site continue and are due to be complete in the summer of 2024.

2.3.2 Kidsgrove Train Station works

As reported previously there is currently an issue with the costs of car park underpinning due to mine works underground, which are being worked through. Network Rail are looking into costs and scope of works required and there is a suggestion that the HS2 cancellation will result in funds being transferred to this issue. We are awaiting feedback on several fronts before the scheme can progress.

2.3.3 Canal Pathways

Works are being developed by the Canal and Rover Trust with implementation during 2024.

2.3.4 Shared Service Hub

A site for the development has now been selected alongside the station in Kidsgrove – the Dales Garage and adjacent Car Park sites. Plans are being drawn to provide a new facility for Dales Garage and create the space for the Shared Hub. As with the Station car park the works / scope / costs are being affected by the underpinning due to mine works below the site – these are currently being surveyed.

3. Recommendation

- 3.1 Scrutiny Committee notes the progress made to date and continues to receive further reports at subsequent meetings.

4. Reasons

- 4.1 Generating efficiencies and additional income by adopting a more commercial approach is a key in the Council's plans for maintaining financial sustainability in the medium to long term. The Commercial Strategy provides a framework for managing and coordinating commercial activities, it is appropriate that the Council reviews key major projects when they are at an appropriate stage of business planning and contract award.

5. Options Considered

- 5.1 The Council continues to progress a number of strategies and approaches to ensure that it can maintain a financially sustainable future and deliver the key priorities set out in the Council plan.

6. Legal and Statutory Implications

- 6.1 The Local Government Act 2000 - powers to promote the economic, social and environmental wellbeing of the Borough.
- 6.2 The Council will need to make sure that its commercial activities are legally and state aid compliant, including having regard to the Public Sector Duty within the Equality Act 2010, statutory guidance on local authority investments and The Prudential Code for Capital Finance in Local Authorities.
- 6.3 All commercial projects and investment opportunities will be examined to ensure that they are within the Council's powers and legal implications will be identified on a case-by-case basis.

7. Equality Impact Assessment

- 7.1 The development of these projects does not create any specific equality impacts.

8. Financial and Resource Implications

8.1 The Council was awarded Future High Streets Fund funding in June 2021 of £11.0m to progress projects to help future economic growth. The full £11.0m has now been received of which £9.54m has been spent at 31 May 2024, as shown below:

Project	Award (£000's)	Spend/Ordered (£000's)	Remaining (£000's)
Ryecroft / Site Preparation	3,756	3,088	668
Multi Story Car Park	3,500	3,500	0
York Place	3,015	2,511	504
Stones Public Realm	321	1	320
Market Stalls	76	57	19
Project Management	380	379	1
Total	11,048	9,536	1,512

8.2 £23.6m was awarded to the Council via the Town Deals Fund for Newcastle to enable a vision to improve communications, infrastructure, and connectivity in Newcastle-under-Lyme to become a reality. £14.2m has been received to date of which £2.35m has been spent as shown below:

Project	Award (£000's)	Spend/Ordered (£000's)	Remaining (£000's)
Digital Infrastructure	2,285	29	2,256
Sustainable Public Transport	3,421	65	3,356
Electric Vehicle Charging	400	-	400
Pedestrian Cycle Permeability	950	-	950
Transform Key Gateway Sites	3,810	82	3,728
Astley Centre for Circus	1,810	630	1,180
Digital Society	3,510	662	2,848
Heart into Knutton Village	3,534	298	3,236
Cross Street, Chesterton	2,955	-	2,955
Project Management	925	582	343
Total	23,600	2,348	21,252

8.3 £16.9m has also been awarded via the Town Deals fund for Kidsgrove to enable real and lasting economic benefits to be realised in Kidsgrove and the surrounding area. To date £13.3m has been received of which £6.85m has been spent as shown below:

Project	Award (£000's)	Spend/Ordered (£000's)	Remaining (£000's)
Kidsgrove Sports Centre	2,328	2,328	-
Chatterley Valley West	3,661	3,661	-
Kidsgrove Station	3,638	202	3,436
Shared Services Hub	6,183	156	6,027
Canal Enhancement	420	-	420
Project Management	670	504	166
Total	16,900	6,851	10,049

9. **Major Risks & Mitigation**

9.1 Management of risk is central to the Council's commercial approach and all potential activities will be assessed with due regard to the risks being taken. This will be in line with the Council's corporate approach to risk management.

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

10.1 These projects support the realisation of the following UNSDG objectives:-



11. **Key Decision Information**

11.1 The plans affect more than 2 wards and any future investments have the potential to have significant financial implications. These will be subject to further reports which may be key decisions.

12. **Earlier Cabinet/Committee Resolutions**

12.1 None.

13. **List of Appendices**

13.1 None.

14. **Background Papers**

14.1 None.

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL
CORPORATE LEADERSHIP TEAM'S
REPORT TO ECONOMY & PLACE SCRUTINY COMMITTEE

20 June 2024

Report Title: Borough Local Plan Update

Submitted by: Interim Chief Executive

Portfolios: Strategic Planning

Ward(s) affected: All

<u>Purpose of the Report</u>	<u>Key Decision</u>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
To provide an update on the emerging Borough Local Plan			
<u>Recommendation</u>			
That Committee:			
<ol style="list-style-type: none"> 1. Members note the update on the progress of developing a new Local Plan for the Borough 			
<u>Reasons</u>			
To provide an update on the progress of developing a new Local Plan. To ensure that the process of adopting a Local Plan is undertaken in accordance with the requirements of the Planning and Compulsory Purchase Act and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).			

1. Background

- 1.1** The Local Plan sets the vision and framework for how the borough will grow up to 2040. It sets out targets for the number of jobs and homes to be delivered in the borough and provides a spatial strategy to guide development to the most sustainable locations.
- 1.2** The Economy and Place Scrutiny Committee, at its meeting on the 12 December 2022, requested that a standing item be added to future meeting agendas to provide an update on the current position with regards to the emerging Borough Local Plan.

2. Issues

- 2.1** At a Cabinet meeting held on the 16 January 2024, the next formal steps for the Local Plan were agreed as follows: -
 - Thursday 11 July 2024 – Special meeting of Economy and Place Scrutiny Committee to consider a revised and proposed final draft Local Plan.

- Wednesday 24 July 2024 – Full Council meeting to consider the draft Local Plan including any comments received from the Special Economy and Place Scrutiny Committee on 11 July. Members at the Full Council meeting would be asked to approve the final draft Local Plan (at Regulation 19 stage) and associated documentation for a minimum of six weeks public consultation.
- 2.2** Subject to approval at Full Council, the final draft Local Plan will be consulted upon over the summer / autumn 2024 before the Plan, its evidence base and responses duly submitted at the Regulation 19 consultation stage are submitted to the Secretary of State for formal examination. The submission of the Plan is anticipated to take place by the end of 2024.
- 2.3** Consultation on a final draft plan, at the Regulation 19 stage, is a more formal stage. The aim of the consultation stage is to seek views on whether the Plan is legally compliant and meets the ‘test of soundness’ set out in paragraph 35 of the National Planning Policy Framework (NPPF). The tests of soundness are:-
- Is the plan positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - Is the plan justified – does it reflect an appropriate spatial strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - Is the plan effective – are the proposed plans and policies deliverable over the plan period. Is the plan based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - Is the plan consistent with national policy – does it enable the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant
- 2.4** Comments at the Regulation 19 stage are sent to the Secretary of State on the submission of the Plan for consideration by an independent Planning Inspector as part of its examination.
- 2.5** Turning to progress on the Local Plan, officers in some cases supported by consultants are currently working on the following documents which underpin proposed policies and plans: -
- Housing and Economic Needs Assessment
 - Infrastructure Delivery Plan
 - Habitats Regulations Assessment
 - Sustainability Appraisal (incorporating Equality Impact Assessment)
 - Strategic Employment Needs Assessment
 - Gypsy and Traveller and Travelling Showperson Accommodation Assessment
 - Strategic Flood Risk Assessment / Water Cycle Study
 - Viability Assessment
 - Strategic Transport Assessment

2.6 Alongside the above, officers are drafting a revised version of the Local Plan in readiness for the final draft Local Plan, including preparing strategic and more detailed policies applicable to development types and in respect of specific sites.

2.7 To ensure compliance with the relevant regulations and guidance officers are engaging with adjoining local authorities and statutory consultees under the legal duty to cooperate in plan preparation.

3. **Recommendation**

3.1 That members note the update on the progress of developing a Local Plan.

4. **Reasons**

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

5. **Options Considered**

5.1 The Council has previously expressed its clear intention through the approval of a Local Development Scheme (Local Plan Timetable) and the progress on the Local Plan to date that it intends to put in place a comprehensive set of up-to date planning policies for the Borough.

6. **Legal and Statutory Implications**

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

7. **Equality Impact Assessment**

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

8. **Financial and Resource Implications**

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

9. **Major Risks & Mitigation**

9.1 Changes in National Policy, Legislation and Guidance - The Levelling-Up and Regeneration Act now has Royal Assent. The Act will have implications for the formulation of future Local Plans. The Government has outlined that Councils have until 30 June 2025 for 'old style' Plans to be submitted for examination (to be adopted by 31 December 2026).

9.2 On the 19 December 2023, the government published a revised National Planning Policy Framework. The implications of changes made through the revised National Planning Policy Framework will be kept under review during the development of the Final Draft Local Plan.

10. UN Sustainable Development Goals (UNSDG)

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



11. Key Decision Information

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

12. Earlier Cabinet/Committee Resolutions

12.1 Cabinet – 6 June 2023 – Cabinet decision to consult on the First Draft Local Plan - Agenda for Cabinet on Tuesday, 6 June, 2023, 2.00 pm – [Agenda for Cabinet on Tuesday, 6th June, 2023, 2.00 pm – Newcastle-under-Lyme Borough Council \(newcastle-staffs.gov.uk\)](https://newcastle-staffs.gov.uk)

12.2 Cabinet 17 October 2023 - update following consultation on the First Draft Local Plan and consideration of Local Development Scheme - [Agenda for Cabinet on Tuesday, 17th October, 2023, 2.00 pm – Newcastle-under-Lyme Borough Council \(newcastle-staffs.gov.uk\)](https://newcastle-staffs.gov.uk)

12.3 Cabinet 16 January 2024 – consultation report on First Draft Local Plan - [Agenda for Cabinet on Tuesday, 16th January, 2024, 2.00 pm – Newcastle-under-Lyme Borough Council \(newcastle-staffs.gov.uk\)](https://newcastle-staffs.gov.uk)

13. List of Appendices

13.1 N/A

14. **Background Papers**

- 14.1 Local Development Scheme (2023 – 2026) - [Local development scheme – Newcastle-under-Lyme Borough Council \(newcastle-staffs.gov.uk\)](https://www.newcastle-staffs.gov.uk)

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ECONOMY AND PLACE SCRUTINY COMMITTEE



Work Programme 2024/25

Chair

Cllr A.Parker

Vice-Chair

Cllr R. Bettley-Smith

Members

Cllrs D Jones, G. Burnett-Faulkner, J. Edgington-Plunkett,

R. Gorton, D. Grocott, R. Moss

B. Panter, J. Waring, J.Whieldon

Scrutiny Champion

Simon McEneny

**Portfolio Holders within the
Committee's remit**

Cllr S. Sweeney - Deputy Leader – Finance, Town
Centres and Growth

Cllr A. Fear – Strategic Planning

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

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

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

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

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

Planned Items

DATE OF MEETING	ITEM	NOTES
20 th June 2024	<ul style="list-style-type: none"> Local Plan Update Town Deal and Future High Street Fund Update 	Officer: Allan Clarke Officer: Joanne Halliday
11 th July 2024 Special meeting	<ul style="list-style-type: none"> Presentation of Local Plan 	Officer: Allan Clarke
12 th September 2024	<ul style="list-style-type: none"> HS2 Update 	Contact: Margaret Kirkland (HS2)

Special Meeting

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

Pending

BID Update – To be presented by the BID Manager
 Review of 850 Celebrations TBC requested (already scheduled with HWE Scrutiny Committee)
 Planning Enforcement & Performance to be re-added to the work programme around December 2024

Previous Items

DATE OF MEETING	ITEM	NOTES
15 June 2022	<ul style="list-style-type: none"> HS2 – look ahead to the next 12 months on works impacting on the Borough 	

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

	<ul style="list-style-type: none"> • Future High Streets Fund and Town Deals for Kidsgrove and Newcastle under Lyme 	Including an update on York Place and the Multi-Storey Car Park
12 June 2023	<ul style="list-style-type: none"> • Local Plan Reg 18 Call In – TBC 	Meeting date held for potential Reg 18 Call In
21 September 2023	<ul style="list-style-type: none"> • Future High Streets Fund and Town Deals for Kidsgrove and Newcastle under Lyme • Borough Local Plan • Report of the Housing Task and Finish Group 	
7 December 2023	<ul style="list-style-type: none"> • Planning Enforcement & Performance • Future High Streets Fund and Town Deals for Kidsgrove and Newcastle under Lyme • Borough Local Plan • Housing Task & Finish Working Group Final Report 	
18 March 2024	<ul style="list-style-type: none"> • Knutton Master Plan • Future High Streets Fund and Town Deals for Kidsgrove and Newcastle under Lyme • Borough Local Plan 	

Last updated on 6th June 2024