

Cabinet

Wednesday, 20 February 2019
10.00 am
Oak Room, County Buildings, Stafford

NB. Members are requested to ensure that their Laptops/Tablets are fully charged before the meeting.

John Tradewell
Director of Corporate Services
12 February 2019

A G E N D A

1. **Apologies**
2. **Declarations of Interest in accordance with Standing Order 16**
3. **Decision notice of the meeting held on 30 January 2019** (Pages 1 - 4)
4. **Leader's Update**

Oral report of the Leader of the Council
5. **Minutes of the meeting of the Property Sub-Committee held on 6 February 2019** (Pages 5 - 8)
6. **Staffordshire Better Care Fund 2019/20** (Pages 9 - 20)

Deputy Leader and Cabinet Member for Health, Care and Wellbeing
7. **Changes in Charging and Deferred Payment Policies** (Pages 21 - 66)

Deputy Leader and Cabinet Member for Health, Care and Wellbeing
8. **Integrated Performance Report - Quarter 3 2018/19** (Pages 67 - 94)

Leader of the Council and Cabinet Member for Finance
9. **Report on the First Review of the Staffordshire & Stoke-on-Trent Joint Waste Local Plan (2010 - 2026)** (Pages 95 - 178)

Cabinet Member for Economic Growth
10. **Staffordshire Warm Homes Fund** (Pages 179 - 206)

Deputy Leader and Cabinet Member for Health, Care and Wellbeing

11. **Forward Plan of Key Decisions**

(Pages 207 - 212)

12. **Exclusion of the Public**

The Chairman to move:-

“That the public be excluded from the meeting for the following items of business which involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A (as amended) of Local Government Act 1972 indicated below”.

PART TWO

(All reports in this section are exempt)

13. **Authority to enter into contract on behalf of Section 75 Better Care Fund partners for the provision of community equipment - TO FOLLOW**

(To Follow)

(Exemption paragraph 3)

Membership

Philip Atkins, OBE (Chairman)	Mark Sutton
Mark Winnington	Helen Fisher
Alan White	Mike Sutherland
Mark Deaville	Philip White
Gill Heath	Gill Burnett

Note for Members of the Press and Public

Filming of Meetings

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Recording by Press and Public

Recording (including by the use of social media) by the Press and Public is permitted from the public seating area provided it does not, in the opinion of the chairman, disrupt the meeting.

DECISION NOTICE

Cabinet Meeting - 30 January 2019

Present: Philip Atkins, OBE (Chairman), Mark Deaville, Helen Fisher, Gill Heath, Mike Sutherland, Mark Sutton, Alan White, Philip White and Mark Winnington.

Cabinet Support Member in attendance - Gill Burnett

Also in attendance - Susan Woodward and David Brookes

PART ONE

65. Decision notice of the meeting held on 16 January 2019

Decision – That the notes of the meeting held on 16 January 2019 be approved.

66. Strategic Plan and Medium Term Financial Strategy 2019 - 2024



“Faced with the unprecedented challenge of a £35m budget shortfall to close, the county council has taken both proactive and decisive action to ensure we can balance our books and still provide care for the rising numbers of vulnerable adults and children in the county.

In order to do this, we have had to consider some very difficult proposals on what non-statutory services we can continue to fund, including reluctantly the school crossing patrol service.

Although this was still only a proposal, we have listened to people about how much they value patrols and after receiving the full financial picture from Government, we have decided not to progress with this option.

We are continuing to lobby Government on the critical need for a long-term solution for the funding of care, but in the meantime, with less money to go around, we are being honest about what we can still fund.

While councils can no longer do or fund everything they once did, we remain hugely ambitious for the county and are committed to empowering communities to take a stronger role in delivering their own affordable solutions wherever possible.”

Philip Atkins, Leader of the Council



“This year we have found ourselves in uncharted financial territory with a forecasted £35m shortfall in our budget for 2019/20 and a soaring bill for care due to the rising numbers of vulnerable adults and children in care.

Despite the huge pressures and challenges, through hard work, tough decision making and by acting early, we are now in a position to deliver a balanced budget – whilst maintaining one of the lowest county council taxes in the country.

Together with our MPs and local authority colleagues across the country, we successfully pressed the Government hard for some immediate extra funding for care, which will help ease the transition for some organisations affected by the savings we must still make.

However, it is important that as a nation we find a long-term solution to funding care and we will continue to lobby Government on the urgency of this matter.

We will continue to work with the voluntary sector to support communities and a revised community fund will allow members to work with residents help them develop local support for their families, friends and neighbours.”

Mike Sutherland, Cabinet Member for Finance

Reasons for the Decision – To provide Cabinet with an update on the Strategic Plan which explains the Council’s vision of what it hopes to achieve for Staffordshire in the next four years and the ways the Authority will work with residents, communities, businesses and partners to make this a reality; and also the accompanying Medium Term Financial Strategy (MTFS), which provides details of how the Council’s operations will be funded over the five year period 2019-2024.

Decision – (a) That, in respect of the Strategic Plan:

- (i) the progress made in the further refresh of the Strategic Plan 2019/24 be noted and that it be referred to the County Council for approval on 14th February 2019; and
- (ii) the Leader of the Council and Chief Executive be authorised to finalise the details of the Strategic Plan 2019/20 prior to final publication to ensure that it reflects any changes to the management and accountability structures of the County Council as part of the organisation’s transformation.

(b) That, in respect of the Medium Term Financial Strategy (MTFS) 2019-24 and the 2019/20 revenue and capital budgets:

- (i) the updates to the MTFS, as set out in the report, be noted.

(ii) the comments of the Deputy Director of Finance on the adequacy of reserves and robustness of the budget be noted and that the County Council be asked to take note of these comments when considering the budget and council tax.

(iii) the comments and recommendations of the Corporate Review Committee, together with the Cabinet's response thereto, be noted.

(iv) that it be recommend to the County Council on 14th February 2019 that they consider and approve the following:

- a net revenue budget of £508.634m for 2019/20;
- the planning forecasts for 2020/21 to 2023/24 as set out in Appendix 11 to the report;
- a contingency provision of £4.000m for 2019/20;
- a net contribution to reserves and general balances of £2.284m for 2019/20;
- a budget requirement of £510.918m for 2019/20;
- a council tax requirement of £351.132m for 2019/20;
- a council tax at Band D of £1,246.23 for 2019/20 which is an increase of 2.95% when compared with 2018/19;
- this results in council tax for each category of dwelling as set out in the table below:

Category of Dwelling	Council Tax Rate £
Band A	830.82
Band B	969.29
Band C	1,107.76
Band D	1,246.23
Band E	1,523.17
Band F	1,800.11
Band G	2,077.05
Band H	2,492.46

- that the Deputy Director of Finance be authorised to sign precept notices on the billing authorities respectively liable for the total precept payable and that each notice state the total precept payable and the council tax in relation to each category of dwelling as calculated in accordance with statutory requirements;
- the Capital and Minimum Revenue Provision Strategy 2019/20, the Treasury Management Strategy 2019/20 and the (Non-Treasury) Commercial Investment Strategy 2019/20, as appended to the report;
- the Prudential Indicators included in the Capital and Minimum Revenue Provision Strategy 2019/20;
- the Financial Health Indicators set out in Appendix 10 to the report;

(v) That the Deputy Director of Finance be authorised to adjust the contingency provision to reflect any grant changes announced in the final 2019/20 Local Government Finance Settlement;

(vi) That the Cabinet Member for Finance and the Deputy Director of Finance be authorised to challenge Cabinet, the Senior Leadership Team and services to manage and deliver the current five year plans and to identify further cost reductions and income generation opportunities, as appropriate.

**Philip Atkins OBE
Leader of the Council**

Minutes of the Property Sub-Committee Meeting held on 6 February 2019

Present:

Mark Deaville

Alan White (Vice-Chairman)

Philip White

Mark Winnington

Also in attendance: Ron Clarke, Ann Edgeller, Gill Heath and Mike Sutherland

Apologies: Philip Atkins, OBE

PART ONE

115. Declarations of Interest

Attending in the capacity of Local Member for the item on the proposed sale of Nos 1 and 2-3 St Paul's Square, Burton, Mr Clarke declared his membership of East Staffs Borough Council's Planning Committee.

116. Minutes of the Meeting held on 2 January 2019

RESOLVED – That the minutes of the meeting held on 2 January 2019 be confirmed and signed by the Chairman.

117. Silkmore Academy, Stafford - Surrender of existing Lease and proposed new Lease

The Sub-Committee considered a report on the proposal to regularise the current land use arrangements at Silkmore Academy to accept the surrender by the Trustees of their existing Lease and to grant a new 125 year Lease. That Lease to be in accordance with the standard expected by the Department for Education but including a variation to accommodate the relocation of the Children's Centre within the site with that area retained by the County Council.

A summary was presented of the access arrangements and maintenance responsibilities of the Trust and County Council under the new Lease.

Mrs Edgeller was in attendance as the Local Member and expressed support for the proposal.

RESOLVED – That approval be given to the surrender of the existing Lease and the granting of a new 125 year Lease on the terms indicated in the report including provision for the relocation of the Children's Centre.

To avoid a delay in completing transactions, the Chairman agreed to the following item being dealt with as urgent.

118. Proposed Lease of Sites to Academies

Proposals were submitted to lease the sites of five Academies to their Trusts for a 125 year period at a peppercorn rental in line with the expectations of the Department for Education for those schools converting to academy status.

RESOLVED – That approval be given to the grant of 125 year leases, at a peppercorn rental for the sites of five academies detailed in the schedule to the report.

119. Exclusion of the Public

RESOLVED – That the public be excluded from the meeting for the following items of business which involves the likely disclosure of exempt information as defined in the paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 indicated.

120. Park View Farm, New Road, Uttoxeter - Proposed Sale by Auction (exemption paragraph 3)

Approval was sought to the sale by auction of Park View Farm, Uttoxeter, a property which had been acquired and held by the County Council on behalf of Highways England for the A50 Growth Corridor Project and was now a surplus asset following incorporation of a section of its frontage into the scheme.

RESOLVED – That the Physical Regeneration Group Manage be authorised to dispose of the property at auction on the conditions indicated in the report.

121. Former Codsall Area Office, Histons Hill, Codsall - Proposed extension of longstop date (exemption paragraph 3)

The Sub-Committee considered a request for a further extension of the longstop date for the contract for the sale of the former Codsall Area Social Services Office and Day Centre at Histons Hill, Codsall.

RESOLVED – That to provide for completion of the planning permission for the site, approval be given to the further extension of the longstop date to 31 March 2019 subject to the conditions indicated in the report.

122. Nos 1 and 2-3 St Paul's Square, Burton - Proposed Sale (exemption paragraph 3)

The Sub-Committee considered offers received for nos 1 and 2-3 St Paul's Square, Burton which had been marketed as two separate sites having been declared surplus to requirements.

The Sub-Committee received representations from Mr Clarke, as the Local Member, on his preference for the properties to be developed for residential purposes.

RESOLVED – That nos 1 and 2-3 St Paul's Square, Burton be sold to JLL Property Investments Limited in accordance with their offer and on the terms indicated in the report.

To avoid delays in completing transactions, the Chairman agreed to the following items being dealt with as Urgent.

123. Unit QA Beacon Business Park (exemption paragraph 3)

The Sub-Committee considered proposals to surrender the existing Lease for Unit QA at Beacon Business Park and to enter into a new Head Lease for a reduced area. Details were given of the current occupancy of, and income generated by the area currently leased together with proposals to sub lease part of the new site.

RESOLVED – That approval be given to the surrender of the existing Lease and the entering into of a new Lease in accordance with the report; finalisation of arrangements for the new lease to be delegated to the Head of Change in consultation with the Head of Commercial and Property and the Director of Corporate Services.

124. Manifold Visitor's Centre and Cafe (Former Hulme End Highways Depot) - Proposed extension of Lease (exemption paragraph 3)

The Sub-Committee received a report on the varying duration of two leases for the site of the former Hulme End Highways Depot and proposals to provide corresponding leases to enable the enhancement of visitor facilities in the Manifold Valley.

RESOLVED – That approval be given to the surrender of existing Lease SF354198 by Staffordshire Moorland District Council and its replacement with a lease to be co-terminous with Lease SF526970 with a 31 March 2031 expiry date.

Chairman



Cabinet Meeting on Wednesday 20 February 2019

Staffordshire Better Care Fund 2019/20

Cllr Alan White, Deputy Leader and Cabinet Member for Health, Care and Wellbeing said,

“Providing more joined up health and social care for people in their homes or in their local communities remains a key priority for both NHS partners and ourselves.

The Better Care Fund allows us to channel funding to support schemes which help us achieve this goal. In the long-run this is not only better for residents and more affordable for taxpayers, but actually reduces pressure on NHS hospitals.

We have made some tremendous progress in areas such as reducing delays in people returning home from hospital when they are well enough to do so and the challenge now is to build on this and replicate people’s access to good community care across the whole county.”

Report Summary:

- Staffordshire Better Care Fund (BCF) performance, 2017-19.
- BCF Guidance, 2019-20.
- Staffordshire BCF plan, 2019-20

Recommendations

I recommend that Cabinet:

- a. Considers the progress of the Staffordshire BCF during 2017-19.
- b. Agrees that the Staffordshire BCF Plan for 2019-20 extend the existing schemes as set out in paragraphs 16-24.
- c. Notes that the Staffordshire Health and Wellbeing Board will be asked to approve the Staffordshire BCF Plan for 2019-20 in principle and delegate final approval to the Chairs, including the Cabinet Member for Health, Care and Well-being.

Local Members Interest
N/A

Cabinet – Wednesday 20 February 2019

Staffordshire Better Care Fund 2019/20

Recommendations of the Deputy Leader and Cabinet Member for Health, Care and Wellbeing

I recommend that Cabinet:

- a. Considers the progress of the Staffordshire BCF during 2017-19.
- b. Agrees that the Staffordshire BCF Plan for 2019-20 extend the existing schemes as set out in paragraphs 16-24.
- c. Notes that the Staffordshire Health and Wellbeing Board will be asked to approve the Staffordshire BCF Plan for 2019-20 in principle and delegate final approval to the Chairs, including the Cabinet Member for Health, Care and Well-being.

Report of the Director of Health and Care

Reasons for Recommendations:

Introduction

1. The Better Care Fund (BCF) was announced by Government in the 2013 spending round, to support integration of NHS and social care. The Comprehensive Spending Review stated that the BCF would exist for the life of the parliament (2015-2020). The Staffordshire BCF Plan for 2017-19 was approved by Cabinet in February 2017.
2. Due to strategic conversations at central government level around minimum contributions and DToC (delayed transfer of Care) ambitions the Regional BCF Lead for the West Midlands has advised Staffordshire County Council that the current schemes (in place for 2017-19) can be maintained without the need for substantive changes in BCF Plan for 2019-20.
3. At time of writing the BCF Planning Guidance for 2019/20 had not been published and the submission date for the Plan is unknown. It is anticipated, however that we will be required to submit our BCF Plan in late March or early April 2019. In order to comply with these timescales, it is recommended that Cabinet agree to extend the existing schemes, with approval in principle from the Health and Wellbeing Board for the BCF Plan in March 2019, and then final approval delegated to the Health and Well-being Board Chairs, including the Cabinet Member for Health, Care and Well-being. As has always been the case with BCF funding a central approval process will still need to be undertaken.

4. This report includes a summary of the BCF progress during 2017-19, reflecting on the. It also covers the policy framework for 2019-20 as well as the key aspects of the proposed BCF plan for 2019-20.

Background

BCF progress 2017-19

5. The Staffordshire BCF Plan 2017-19 included three schemes as follows:
- Admission Avoidance / Discharge to Assess:** The purpose of this scheme was to reduce emergency hospital admissions, facilitate timely discharge, and return people to full independence wherever possible.
 - Ensuring the sustainability of adult social care:** The purpose of this scheme was to maintain and provide additional funding to support adult social care and ensure that services were sustainable over the 2017-19 planning period.
 - Enhanced Primary and Community Care:** The purpose of this scheme was to improve the quality and efficiency of primary and community services and to continue to integrate community services.
6. The total funding for these three schemes can be seen in the table below:

Funding of Staffordshire BCF Schemes	2017-18 (£'000)	2018-19 (£'000)
Scheme A	16,223	14,304
Scheme B	16,562	26,173
Scheme C	45,321	44,412
Sub-Total	78,106	84,888
Disabled Facilities Grant (DFG)	7,520	8,172
Total	85,626	93,060

Performance against BCF metrics

7. The Staffordshire BCF Plan 2017-19 included four metrics as in the table below:

BCF Metric	Target/ Plan 18-19	Current delivery
Reduction in non-elective admissions (general and acute) Rate per 100,000	98,313	Except for Quarter 1 of 2018/19 where the number of non-elective admissions was marginally higher than the BCF target, the numbers have remained just within the target since the start of 2017/18. The most recent quarter's total was 1.3% lower than the target, and over the BCF period as a whole

		the total is around 6.6% lower than the target. Please see Appendix A.
Permanent admissions of older people (aged 65 and over) to residential and nursing care homes, per 100,000	576.8	The aim was to hold the rate of admissions steady despite demographic pressures. Despite these pressures, the rate of admissions to residential care remains below our target, and below the rate in 2016/17 (604.5 per 100,000 population).
Proportion of older people (65+) still at home 91 days after discharge from hospital into reablement/rehabilitation services	85%	Staffordshire's actual success rate is close to 90%, which is higher than the national average.
Delayed transfers of care from hospital per 100,000 population	2,679*	Whilst Staffordshire has not quite met its DTOC target we have achieved impressive reductions in delays since the start of 2018. We have seen a 23% reduction in total monthly delayed days since the start of 2018, and almost a 40% reduction in social care and joint delays. This is a much greater improvement than the national average over the same period. Please see Appendix B.

* September 2018 DTOC target

National Conditions

8. In addition to the BCF metrics above, the BCF Plan 2017-19 included a requirement to meet four national conditions, all of which were met:
 - a. Jointly Agreed Plan
 - b. NHS contribution to adult social care is maintained in line with inflation
 - c. Agreement to invest in NHS commissioned out of hospital services
 - d. Management of transfers of care.

Policy framework for 2019-20

9. Currently, the Department of Health and Social Care (DHSC) and the Ministry of Housing, Communities and Local Government (MHCLG) are developing the Integration and BCF Policy Framework for 2019-20 as part of the wider BCF Review announced in July 2018.
10. The BCF Policy Framework for 2019-20 and the BCF Planning Requirements are expected to be published in early 2019. These should give an indication of the

requirements for the 2019/20 BCF Plan along with submission timescales and approval requirements. At the time of writing planning, guidance had not been published and the deadline for submissions was unknown.

11. NHSE have confirmed that the 2019/20 will be a transitional year with minimal changes to BCF plans already in place. The aim is to keep the BCF structurally very similar with changes to the narrative only where required. NHSE continues to recommend a roll-over of existing schemes and an uplift of financials. It has also been confirmed that there will be a continued focus on DTOCs and that this will continue to be the main BCF metric.

Planning for 2019-20: BCF Funding

12. In October 2018, the Joint Commissioning Board considered and approved a paper outlining the indicative cash contribution from the Staffordshire Clinical Commissioning Groups (CCGs) to SCC for the 2019/20 BCF. It also considered and approved the indicative expenditure allocated against this cash contribution. This paper assumed an inflation uplift of 2%. Subsequently NHSE confirmed the inflation figure to be used for planning purposes as 1.79%. Based on this inflation uplift, the proposed funding for the Staffordshire BCF for 2019/20 is as follows:

Better Care Funding 2019/20	£'000s
CCG RNF transfers to SCC for Adult Social Care (previously SCISH)	17,436
CCG cash transfers to SCC for carers	581
CCG directly commissioned	241
CCG cash transfer for ongoing costs of Care Act	2,012
TOTAL CCG cash transfer	20,271
TOTAL iBCF1	23,201
TOTAL iBCF2	5,003
CCG aligned funding	42,927
TOTAL excl DFG	91,402
Disabled Facilities Grant*	8,172
TOTAL BCF Fund	99,574

*The funding for Disabled Facilities Grants is unknown at this stage, therefore the grant total for 2018/19 has been assumed.

13. Please note that until CCG allocations are published, it will not be possible to confirm the funding shown above.

Planning for 2019-20: BCF Schemes

14. In line with NHS advice, there will be no substantial change to the BCF Schemes included in the BCF Plan for 2017-19. The proposed schemes for 2019-20 are therefore:

- a. Admission Avoidance / Discharge to Assess

- b. Ensuring the Sustainability of Adult Social Care
- c. Enhanced Primary and Community Care

Scheme A - Admission Avoidance / Discharge to Assess

15. In 2017/18 and 2018/19 Staffordshire NHS and local authority partners implemented the High Impact Change model and embedded a Discharge to Assess approach to acute hospital discharge processes. This model is now in place in the north of the county and joint proposals to address variation in the south of the county, along with the funding requirements, are currently being considered by CCG governing bodies. The impact of this scheme on the number of DTOCs can be seen in paragraph 7, above.
16. Cabinet is asked to agree to continue this scheme, specifically to ensure that the full roll out of discharge to assess is achieved. This will require investment in track and triage services in the south of the county, ensuring there is sufficient Home First capacity in place, as well as sufficient bed-based capacity for those who are deemed unsuitable for home-based reablement.
17. Proposed funding associated with this scheme is shown in the table below:

Service	Funding (£000)
	2019/20
Expansion of Track and Triage team	215
Home First reablement services for integrated prevention and discharge to assess (Living Independently Staffordshire)	10,289
Admission avoidance / discharge to beds	3,071
TOTAL Scheme A	£13,575

Scheme B - Ensuring the Sustainability of Adult Social Care

18. This scheme has helped to ensure that adult social care has remained sustainable despite market fragility. Home care has been recommissioned to provide greater security to providers and to address recruitment and retention difficulties. Care home provision has been sustained through addressing cost pressures in the market and funding has been used to secure additional capacity where needed.
19. Cabinet is asked to agree to continue this scheme, to ensure that adequate capacity for home care packages and care home placements is available.
20. Proposed funding associated with this scheme is shown in the table below:

Services	Funding (£000)
	2019/20
Home care	28,133
Older people's residential and nursing care and day services	4,077
Learning disability and mental health placements	380
Safeguarding	431

Advocacy	235
Total	£33,256

Scheme C - Enhanced Primary and Community Care

21. This scheme has helped to ensure the funding and improvement of a range of integrated community prevention and health services. Scheme funding has been used to improve working practices, promote independence, pilot an enhanced adult social care front door, sustain carers services and commission new arrangements for Disabled Facilities Grants. This scheme was also used to improve a range of health services, including dementia care and end-of-life care. Funding has also been used to improve outcomes for frail elderly people and to reduce the number of hospital admissions because of falls.
22. Cabinet is asked to agree to continue this scheme, so that continued improvements can be made to integrated community teams and to the quality of care for elderly people and those with dementia and receiving end-of-life care.
23. Proposed funding associated with this scheme is shown in the table below:

Services	Funding (£000)
	2019/20
Integrated community teams	5,209
Occupational therapy	1,820
Carers	1,416
Community equipment	5,304
Dementia care	4,131
Hospices	3,694
Continuing Health Care excluding FNC	10,389
Frailty	7,807
IAPT	4,801
Total	£44,571

Next Steps

24. If Cabinet and the CCG Governing Bodies agree to extend the existing schemes, then approval in principle from the Health and Wellbeing Board for the BCF Plan will be sought in March 2019, with final approval delegated to the Health and Wellbeing Board Chairs, including the Cabinet Member for Health, Care and Wellbeing. The BCF Plan will then enter a national assurance process led by NHS England.
25. The £20m cash transfer to SCC from the CCGs could be at risk if the BCF Plan is not approved by the Health and Wellbeing Board or not assured by the national process. This is a low risk as SCC and the CCGs have already agreed an indicative cash contribution, and we are perceived nationally as an improving

health and care system, including good progress against our target for reducing DTOC.

List of Background Documents/Appendices:

Appendix A - NEA Performance against trajectory

Appendix B - DTOC Performance against trajectory

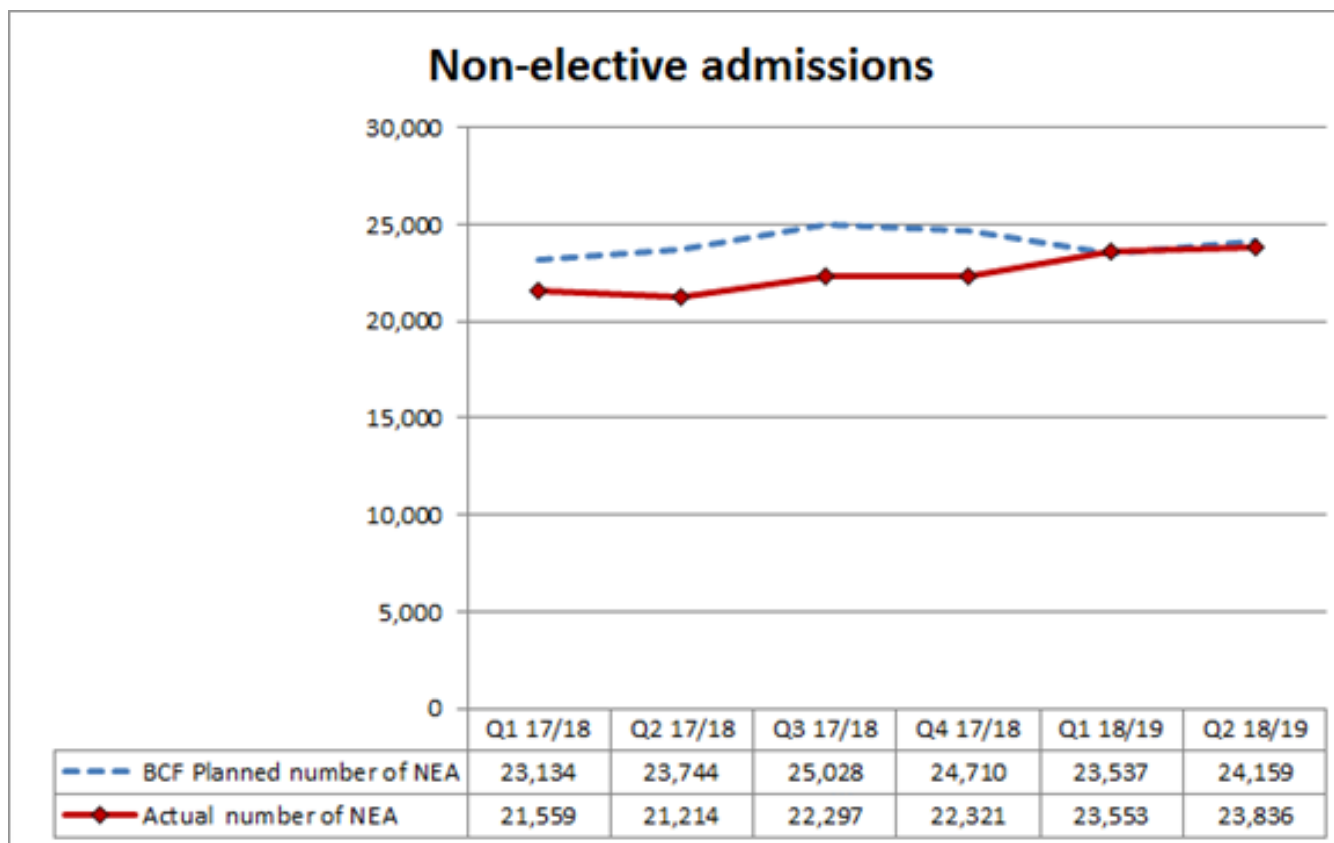
Report Commissioner: Jenny Pierpoint
Job Title: Strategic Lead: Staffordshire Better Care Fund
Telephone No: 07773 791371
Email: jenny.pierpoint@staffordshire.gov.uk

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Staffordshire Better Care Fund 2019/20

Appendix A: Staffordshire Non-Elective Admissions – Qtr 2 2018

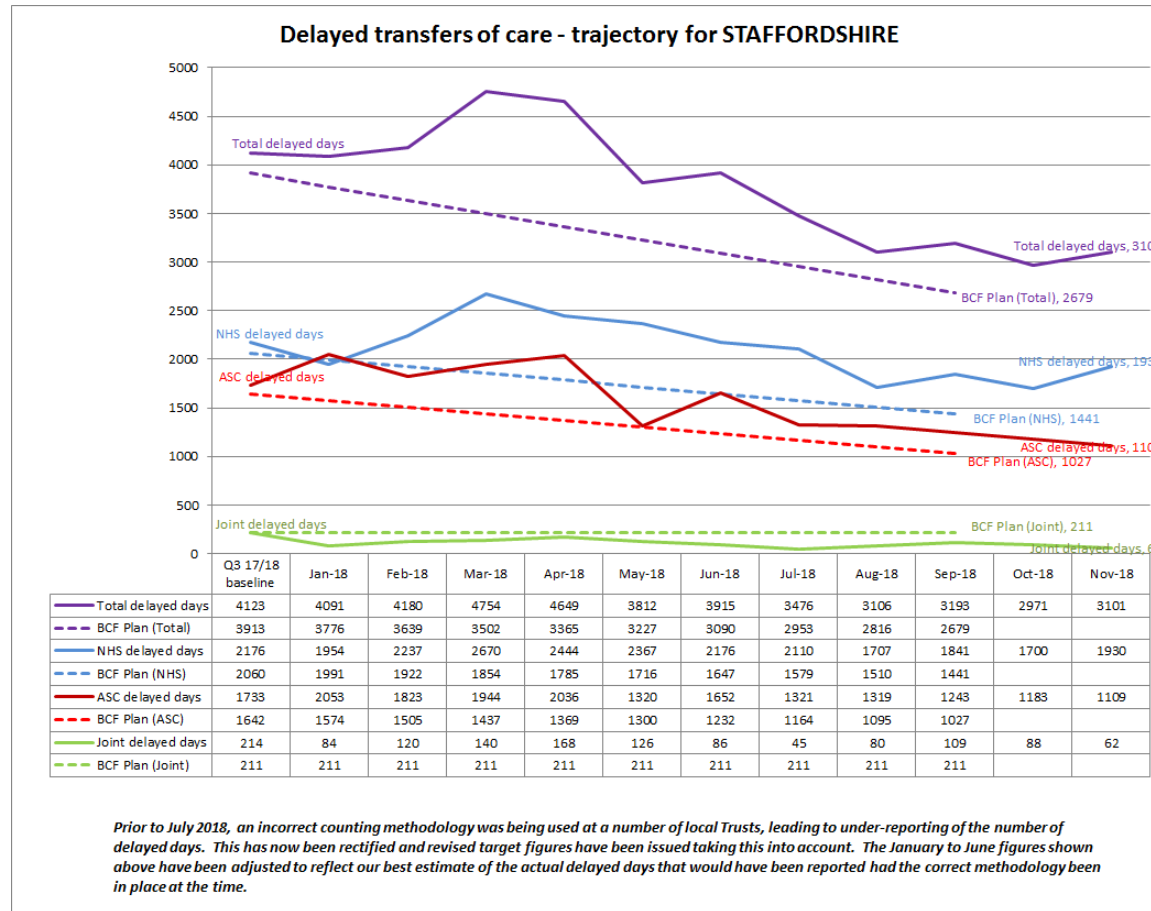
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Staffordshire Better Care Fund 2019/20

Appendix B: Staffordshire Delayed Transfer of Care – November 2018





Cabinet Meeting on Wednesday 20 February 2019

Changes in Charging and Deferred Payment Policies

Cllr Alan White, Deputy Leader and Cabinet Member for Health, Care and Wellbeing said,

“As a county council we want to be as open as possible when it comes to how much people pay towards the care they receive. The redesign of how we carry out financial assessments has demonstrated a need for changes to improve their efficiency, consistency and transparency.

“This report outlines our ambition to simplify our charging process, so people know how much they are likely to pay before a full financial assessment is completed and are charged based on the annual cost of their care.”

Report Summary:

This report outlines proposed policy changes to adult social care financial assessments which aim to streamline and clarify the process whereby people are assessed to pay towards the cost of their care, in line with the Council’s ambition to provide more services online.

Recommendations

I recommend that Cabinet:

- a. Note the changes (Appendix A) to the new Adult Social Care Contributions Policy.
- b. Note the changes (Appendix B) to the Deferred Payment Agreement Policy.
- c. Approve the Adult Social Care Contributions Policy to replace the existing Charging Policy and the revised Deferred Payment Agreements Policy (both Appendix C).
- d. Authorise the ASC Policy & Guidance Approval Board to deal with appeals and associated policy interpretation plus any debts relating to delayed invoices.
- e. Note the management and performance management arrangements for adult social care financial assessments.

- f. Delegate responsibility to the Director for Health and Care to review care fees and charges annually up to the “actual cost” of care.

Local Members Interest
N/A

Cabinet – Wednesday 20 February 2019

Changes in Charging and Deferred Payment Policies

Recommendations of the Deputy Leader and Cabinet Member for Health, Care and Wellbeing

I recommend that Cabinet:

- a. Note the changes (Appendix A) to the new Adult Social Care Contributions Policy.
- b. Note the changes (Appendix B) to the Deferred Payment Agreement Policy.
- c. Approve the Adult Social Care Contributions Policy to replace the existing Charging Policy and the revised Deferred Payment Agreements Policy (both in Appendix C).
- d. Authorise the ASC Policy & Guidance Approval Board to deal with appeals and associated policy interpretation plus any debts relating to delayed invoices.
- e. Note the management and performance management arrangements for adult social care financial assessments.
- f. Delegate responsibility to the Director for Health and Care to review care fees and charges annually up to the “actual cost” of care.

Report of the Director for Health and Care

Reasons for Recommendations:

1. This report outlines proposed policy changes to adult social care financial assessments. These will allow the process whereby people are assessed to pay towards the cost of their care to be streamlined and clarified, in line with the Council’s ambition to provide more services online.

Required Policy Changes

2. The Council’s Charging Policy was last updated through a Delegated Decision on 24th May 2017. The redesign of financial assessments pathway and guidance has demonstrated the need for changes to improve efficiency, consistency and transparency of financial assessments.
3. The policy changes are listed below and are explored in detail in Appendix A. The revised Adult Social Care Contributions Policy incorporating these changes is included in Appendix C.

- a. **Enabling the use of indicative financial assessments for charging:** charges to people can be made based on an indicative charge where care starts before a full financial assessment is completed, with all people having an indicative financial assessment.
- b. **Billing for care based on personal budgets:** people's charges can be based on their personal budget, i.e. the annual cost of their care, with adjustments made at year end to reflect variations. This option for the future will be required when the payments to providers are fully aligned to clients' care and support plan.
- c. **Applying automatic annual uprating** to all DWP benefits, pensions and disregards used in financial assessments when their rates change.
- d. **Decisions regarding what social care will fund:** this applies to the calculation of Personal Budgets and Direct Payments as well as the expenditure we consider for calculating Disability Related Expenditure allowances and sets out a new Council Policy on how it decides what is a reasonable cost to fund or allow. It specifically refers to items such as exceptional private care, adaptations and equipment or travel costs and whether they can be considered. It also sets out that clarifications and appeals on such issues will in future be determined by the ASC Policy & Guidance Approval Board as per para 4 below. The policy proposals are explored in detail in Appendix A, and the proposed "What Staffordshire County Council Funds" Policy is included in Appendix C.
- e. **Clarity on the provision of care for self-funders and when care should be terminated:**
 - i. People receiving a non-residential care service who fail to submit a financial assessment within 4 weeks of care commencing will be deemed self-funders and charged for the full costs of their care plus appropriate self-funder fees.
 - ii. People receiving a residential care service who fail to submit a financial assessment and/or complete a deferred payment agreement within 12 weeks of care commencing will be deemed to be a self-funder. People will be charged for the full costs of their care whilst their case is risk assessed to determine whether Council funded care should be terminated, or legal action taken to secure a charge against their property. Practice guidance for social care staff to evaluate the risks of terminating Council funded care for self-funding people will be devised to support this.
- f. **Increases in SCC fees and charges:** agreeing that the Director of Health and Care has delegated authority to approve each year all locally-determined fees, charges and rates. They will be no more than the actual cost to the Council of providing or purchasing that service.
- g. **Capital limits** are amended to apply the £23,250 (current national) limit to all current and new non-residential cases and phased in excluding the small number of people whose capital is currently between £25,000 and £23,250.

- h. **Streamlining Disability Related Expenditure (DRE) Allowances** through introducing a banded system of DRE allowances linked to a person's level of DWP disability benefits, ensuring all people are aware that they can appeal the up-front banded allowance and be given an individualised allowance on presentation of appropriate evidence. The Policy will be updated to recognise that the Council will continue to take the highest disability benefits into account in a financial assessment even if the person is not receiving night care and will ensure that individualised DRE allowances are more closely related to the level of disability benefit the person receives. More details are set out in Appendix A.
- i. **Property and other disregarded costs:** it is generally discretionary as to what, and how much, a local authority includes as an allowance or disregard for these costs, and the Adult Social Care Contributions Policy will be amended as in Appendix A to clarify the application of property disregards and the allowances that can be provided.

Policy Clarification and Appeals

- 4. There is an opportunity to improve the way we deal with situations where there is a need to interpret policy "grey areas" and/or to respond to appeals and complaints. Where the Council makes such decisions (e.g. to fund a specific type of care, allow a cost in a financial assessment, or write-off a disputed charge) then it is important that these decisions are considered in terms of their broader impact, not just how they affect the individual person.
- 5. It is proposed that in future these decisions are overseen by the ASC Policy & Procedure Board: the current representatives are the Adult Social Care & Safeguarding Lead (Assistant Director), the Lead Commissioners (Care Commissioning), the Lead Commissioner (Adult Social Care) and the Principal Social Worker, representing the policy, social work and budget holder functions. The decisions for the person will be recorded appropriately on Care Director for audit purposes, and the learning from the appeal or write-off will be fed into future policy, practice guidance and development.
- 6. There are also situations where system issues mean that an invoice has not been raised for a considerable time for a charge to a person. "Waiving" these delayed invoices has been identified by Audit as an issue as there is no clear audit trail, so it is proposed that all such debts are formally "processed" by the raising of an invoice, and that the Board be responsible for deciding whether that invoice should be issued to the person or written-off.
- 7. This will ensure greater fairness and equity in decision-making and a direct link between charging decisions and those relating to the person's assessed care needs. It also allows people access to a process that is more responsive than a formal complaint. The Board will apply the policy and practice guidance (including that proposed in this document) and will recommend amending them when required to reflect new decisions.

Deferred Payment Agreements

8. Alongside the work on a new financial assessments pathway, the Council's arrangements for Deferred Payment Agreements (DPAs) has been considered. DPAs are determined by national regulations and must be offered to anyone going into residential care who does not wish to sell their (former) main home and who has less than £23,250 in wealth other than their main home.
9. Work has been undertaken to clarify the Policy to ensure that for areas where the Council has discretion, it is clear when and how the Council would exercise that discretion. The changes to the Deferred Payment Agreements Policy are listed in Appendix B, and the revised policy is included in Appendix C.

Management and performance management of adult social care financial assessments

10. The management of financial assessments and a range of related functions currently reside in the Adults' & Children's Finance Service (ACFS) in the Corporate Services directorate. Two options have been identified for future management of the functions:
 - a. Continue the current arrangements and ensure that a robust performance framework is in place with clear service standards and regular reporting to Health and Care against a range of indicators to reflect the timeliness and outcomes of financial assessments,
 - b. Transfer the functions to the Health and Care directorate.
11. The intention is to proceed with option a. for 2019/20 and review performance ahead of the 2020/21 financial year.

Transition

12. These policy clarifications and changes will be implemented on 1st April 2019 and applied to all new financial assessments or reassessments from that date. In respect of the two changes that may impact on *existing* clients' assessed financial contributions (capital limits and the DRE bandings), this will not be applied until their next financial reassessment, at which stage they will be able to appeal through the process described in para 4 above.
13. To minimise the financial impact on individuals, if the increase in their contribution is significant it will be phased in by applying the council's mitigation policy (see Appendix C) which limits changes to £40 a year for a maximum of three years.
14. Furthermore, any significant changes to the disability- or care-related allowances in a client's financial assessment that arises from these policy clarifications and changes will be considered in a joint review by both social care and financial assessment functions to ensure that financial and care decisions are aligned

Consultation

15. The key benefit of the proposals in this paper is through providing clarity and consistency. It is considered that the policy changes reflected in this document do

not require consultation, as changes are *either* clarification of current policy, *or* (in the case of DREs and capital limits) any impact on people is highly personalised to each individual.

16. The impact on *current citizens* is not only personalised, it is hard to identify in terms of how it impacts on specific individuals or groups. This is in part due to concerns with the accuracy of historic data for long-standing cases, and partly because older records on clients did not record data on the protected characteristics of clients. This is reflected in the Community Impact Assessment.
17. It is not possible to resolve these data issues in any reasonable timeframe, and hence the key point is that the changes proposed in this document will have a very limited impact on current citizens, because they are subject to the protection outlined in this document, i.e.:
 - i. Changes will only be completed on reassessment;
 - ii. Changes in charges will not be backdated
 - iii. Right to appeal for individual circumstances
 - iv. Phasing of changes if there is a negative impact through mitigation
18. Resolution of any concerns expressed by individuals as to the impact of these changes on the sums they are liable to pay will be best resolved through the formal financial assessment review and appeals processes, when any equality-related issues can also be assessed.

Risk analysis

19. The Council considers that general consultation on this policy is not a good use of tax-payers money (as described above, the impact on citizens is personalised; and the Council has put mitigating actions in place in the event of any impact on individuals). However, there remains a risk that the Council is challenged by the Local Government Ombudsman regarding its decision to not to consult on this change in policy.
20. As documented in *Appendix A*, in adopting this policy, there is a risk that the Council may face challenge from the Local Government Ombudsman and/or legal action. However, this risk must be set against the major costs that can arise if decisions are not made and the need to act reasonably. It is considered important that the Council be able to define limits as to what is a *reasonable* level of care to provide in the context of a client's needs. The *What SCC Funds Policy* has been written to provide reasonable guidance which avoids being too restrictive.

List of Appendices:

Appendix A - Details of the reasoning for the changes to the Adult Social Care Contributions Policy

Appendix B - Detailed recommendations on amendments to the council's Deferred Payment Agreements policy

Appendix C - ASC Policy Statement including Contributions, Deferred Payment Agreements and What Staffordshire County Council Funds Policies

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Appendix A: Details of the changes to the Adult Social Care Contributions Policy

Enabling the use of indicative financial assessments for charging

1. The Care Act 2014 recommends that people receive early information about their likely contribution (if any) to their care costs so that they understand what different types of care will cost them before they agree to a final care and support plan. Currently, practitioners are unable to say how much service options will cost the person which is a major contributor to service cancellations or unpaid debts.
2. In line with the Council's enabler: "digital by default", an online indicative financial assessment is being developed to enable people to self-serve or be supported to complete the form. On accurately completing the indicative financial assessment, people will receive upfront the maximum charge they may be required to pay (if anything), accompanied by typical costs of different types of care.
3. All people (except those requiring urgent care - e.g. in a hospital discharge setting) would need to complete (or be supported to complete) the indicative financial assessment.
4. Initially, all online indicative financial assessments will be manually validated by the financial assessment staff in ACFS, and it is expected that most people will receive their maximum charge and examples of typical care costs within a day if they have not generated queries by their responses. After six months, the project will evaluate whether financial assessments can be fully automated.
5. Following the completion of the indicative financial assessment, a full financial assessment will then be completed to provide the person with the actual charge.
6. The implementation of the indicative financial assessment will enable the Council to charge people based on their indicative charge, rather than the waiting for completion of the full financial assessment, in situations where their care service starts before the full financial assessment is completed.
7. This change will reduce delays in charging. Currently there is a risk that people accumulate significant debt which often becomes a source of complaint and may result in being written-off. The Council's system will automatically adjust invoices once the actual charge is known, and either refund or recover the difference between the indicative charge and the actual charge.
8. Legal advice is that a financially-assessed charge under the Care Act 2014 is defined as a figure that the person "would be likely to be able to pay" and if the indicative financial assessment has been accurately completed then the indicative charge cannot be more than the cost incurred in meeting the person's assessed eligible needs. The Council will explain in writing to the person that this is an indicative

assessment and indicative charge which will be adjusted when the assessment is finalised.

Billing for care based on personal budgets

9. Currently bills are based on the service provided. For services like home care or day care, the bill for many clients is changed to reflect any daily variations in care, meaning constant (backdated) adjustments to the person's charges as well as disputes with providers about whether these variations in care were approved by the Council. This is a significant administrative task.
10. It is proposed that (in common with other local authorities), the Council is empowered to move in the future to *billing the person for their contribution based on their personal budget* (which is in turn based on the annual cost of services in the approved care and support plan) and not the actual cost of services within any individual week. This option for the future will be required when the payments to providers are fully aligned to clients' care and support plan and weekly adjustments to client charges become more frequent.
11. The implemented of this change in the future will mean that the person may sometimes be charged for days on which they did not receive full service, but equally they may not be charged for the occasional extra service. At the end of the financial year, if the care received over the year is less than that charged to the person, the Council would refund the difference. Equally if the care received over the year is more than charged the Council would increase the charge to recover the difference. This process would mean that person's charges would not vary each month for minor care changes, and would balance out over the year, although the Council would continue to monitor variations to ensure that clients are receiving a level of service broadly in line with their personal budget.

Automatic uprating

12. Currently, ACFS do not automatically adjust peoples' contributions when DWP benefits and pensions are increased, because it is considered that a financial reassessment is needed.
13. However, the consequence of not uplifting these benefits in the client's financial assessment is that the recorded rates become unrecognisable, preventing automated uplifting and hence requiring significant manual input. Keeping these rates current would, therefore, deliver efficiencies without having any great impact on peoples' contributions (because there are offsetting national income disregards which also increase each year). It is proposed, therefore, that when benefit, pension and disregard rates are increased each April, people' contributions will be automatically uprated to reflect these increases. This condition will be included in the notices to people of their assessed charge.

Decisions regarding what social care funds

14. This policy change applies to the calculation of Personal Budgets and Direct Payments as well as the expenditure we consider for calculating Disability Related Expenditure allowances. It concerns items such as exceptional care costs or travel costs.
15. There is an increasing demand from citizens to ask for significant costs to be included in their Direct Payment or their Disability Related Expenditure allowance relating to large sums for transport and travel over and above any benefits they already receive, and in the case of Disability Related Expenditure Allowances, private care costs or disability adaptations and equipment. There is a corresponding trend for local authorities who attempt to contain costs to be challenged by the Local Government Ombudsman (LGO) and/or legal action.
16. There does not appear to be any significant challenge by local authorities against these developments, even though the consequence of penalising local authorities who attempt to apply limits is that some of the care funded (or allowances given) by local authorities could be considered overgenerous or unreasonable by “the man in the street”. This is a recognised legal definition of “reasonableness”.
17. Local authorities have a duty to use public funds wisely, so it is recommended that the Adult Social Care Contributions Policy is updated to adopt the proposed *What SCC Funds Policy* (set out in more detail in Appendix C). This proposes clearer statements as to what will and will not *generally* be funded or allowed for; without fettering the Council’s legal discretion.
18. It is strongly recommended that the Council adopts the principles of the *What SCC Funds Policy* - particularly when a personalised Disability Related Expenditure (DRE) allowance is being considered for a person – i.e. that the Council;
 - a. Will not fund any cost that reflects an expense that any person would have or would chose to have, rather than being disability-related
 - b. does not “double-fund” costs, for instance by making allowances for a cost as a DRE when it is also providing a similar service or funding (through the Personal Budget or commissioned care), or the person already has access to resources to meet their need (e.g. a Motability vehicle, a community resource, or alternative funding from the NHS or Carers’ grants);
 - c. does not allow DRE allowances to be used to bypass its legitimate policy decisions not to fund particular types of care and support costs;
 - d. does not inadvertently treat individuals inconsistently e.g. by including in a DRE allowance a significant cost which will only benefit those individuals with a significant assessed income (because only they would have an assessed income to set the allowance against, whereas others on minimal income would not have anything to set the allowance against and would be unlikely to be able to afford these costs in the first place);

- e. will only allow a total level of DRE allowances that equate to the total level of disability benefit received by the person. This is in line with Care Act Statutory Guidance (Annex C) which states that “where disability-related benefits are taken into account, the local authority should make an assessment and allow the person to *keep enough benefit to pay for necessary disability-related expenditure* to meet any needs which are not being met by the local authority” (SCC italics).

19. The following provide examples of this policy in action:

- a. Travel/transport: the Council cannot in law vary the level of service or cost it will provide to meet an assessed need for travel simply because the person has mobility benefits. Equally however, it is for the Council to determine if the person has an eligible need for travel services and if so, to provide a reasonable level of support. It cannot have a blanket policy that states that it will never pay for (e.g.) first class travel – but equally it has a duty to use its funds reasonably and paying such costs can only be allowed if it is essential to meeting assessed needs.

In practical terms, this means that unless the person has an assessed eligible need for travel, the Council would not provide such a service or meet such costs, and in general, would not agree a person has such an eligible need unless they receive (or are eligible for) a mobility benefit.

If the assessment does agree that travel is an eligible need, then the care and support assessment must determine whether to meet it and if so, what is a “reasonable” solution and what were “reasonable” costs. As stated previously, the fact that the person receives a mobility benefit cannot be considered in reaching this decision – but the availability of (e.g.) a Motability vehicle can.

If the Council agrees to provide travel services or equivalent funding, the actual cost of providing that service to the person will be included in their personal budget and the person will be charged in accordance with their assessed contribution. If the Council offers a travel service to clients that is *not* a part of their assessed need, then (like meals) the charges for such services will be outside of, and in addition to, their assessed financial contribution.

- b. Private care costs: the Care Act Statutory Guidance (Annex C) lists the costs of private care as one that should be considered in the financial assessment as a DRE, whilst the National Association of Financial Assessment Officers (NAFAO) advise that any allowance given by councils should be based on the package agreed by the social worker.

These costs can be significant, and the Council states that, based on the principles set out in para 18 above;

- i. It will not agree costs that contradict the outcomes of the person’s needs assessment. For example, if a person is assessed as needing services only in the

day, the Council will not then make allowance for private night care – that would not be reasonable since the effect of allowing this cost against income is that the Council would effectively be funding the night care when it was not an assessed eligible need;

- ii. Where costs have been privately contracted that are subsequently determined as being an eligible social care need, the Council will not backdate any funding to cover costs before the date that eligibility was determined, nor will it allow costs that are higher than the amount it would cost the council to provide the service;
 - iii. Decisions on including any such costs in a DRE a care decision, not a financial one, and will be made by the ASC Policy & Guidance Approval Board.
- c. Disability Adaptations and Equipment: partners to the council provide through the national Disabled Facilities Grant scheme funding for the costs of adaptations and equipment, so these in general are not funded by the Council, which also has a policy not to fund the maintenance of certain items (such as stairlifts and Closomats).

The costs of adaptations and equipment can be significant, and the Council states that, based on the principles set out in para 18 above;

- i. It will always refer people to DFG funding for major adaptations and equipment;
 - ii. The Council will not provide funding for the private purchase of adaptations and equipment unless it has caused a significant delay in meeting assessed needs by not responding to the need;
 - iii. It will not “refund” or make allowances for the cost of any adaptations or equipment that people chose to buy before they were assessed as having an eligible social care need for that adaptation or equipment.
 - iv. Appeals against the Council’s care decisions on including any such costs in a DRE will be made through the ASC Policy & Guidance Approval Board.
- d. Personal Assistant costs: where people employ a personal assistant (e.g. through the Direct Payment scheme), it is the person’s responsibility to meet the costs incurred in employing the personal assistant, and to do so in accordance with HMRC regulations on tax and national insurance. The Council states that, based on the principles set out above, it will not generally consider funding – or making allowance for in a DRE – the following;
- i. The travel or meal or other costs of a personal assistant (which in general are likely to be a taxable benefit if paid by the client) over and above their pay
 - ii. The admission costs for a personal assistant accompanying a person on a trip or excursion – where a person has been provided funding to meet an identified need for “support to access the community”, it is that person’s personal choice to use those funds to go on a trip or excursion, and neither their nor the personal assistant’s costs are fundable over and above the sums already provided for such access

- iii. Appeals against the Council's care decisions on including any such costs in a personal budget or DRE will be made through the ASC Policy & Guidance Approval Board.
 - e. Pets: the keeping of a pet is a personal choice, and the Council will not provide funds in a personal budget – or make allowances for costs in a DRE – that relate to a pet. In “protection of property” cases where the Council has to make arrangement to protect a person's moveable property when the person is in care or in hospital, it will fund pet care but in accordance with the Care Act, this is a cost that will be recovered from the client – it is not an assessed social care need or funding.
20. Risk analysis: the Council considers that general consultation on this policy is not a good use of tax-payers money (as described above, the impact on citizens is personalised; and the Council has put mitigating actions in place in the event of any impact on individuals). However, there remains a risk that the Council is challenged by the Local Government Ombudsman regarding its decision to not to consult on this change in policy.
21. As documented in Appendix A, in adopting this policy, there is a risk that the Council may face challenge from the Local Government Ombudsman and/or legal action. However, this risk must be set against the major costs that can arise if decisions are not made and the need to act reasonably. It is considered important that the Council be able to define limits as to what is a *reasonable* level of care to provide in the context of a client's needs. The *What SCC Funds Policy* has been written to provide reasonable guidance which avoids being too restrictive.

Clarity on the provision of care for self-funders and when care should be terminated

22. The Care Act 2014 requires local authorities to arrange non-residential services for self-funders if they ask and charge a fee on top of the care costs (it may also arrange residential care but is not permitted to charge a fee). Such fees must “cover only the cost that the local authority incurs in meeting the needs”, so offering this service does not provide the Council with an income stream.
23. The new Adult Social Care Contributions Policy has therefore been updated to clarify where a person is deemed to be a self-funder. Where a person *refuses to agree to a financial assessment or an agreement to meet costs*, or simply fails to respond with one, the Council must treat them as a self-funder.
- a. If the care is *non-residential*, it can be arranged with full costs and fees being recharged to the person. People receiving a non-residential care service who fail to submit a financial assessment within 4 weeks of care commencing will be deemed to be self-funders and charged for the full costs of their care plus appropriate self-funder arrangement fees.

- b. For *residential* services, fees cannot be charged, although the Council may arrange care on the basis that the person has requested a deferred payment agreement (DPA). However, a DPA is a complex process that takes time, and may not be completed by the time the residential care starts. If the person then refuses (or fails to complete) the DPA, the Council is left paying the cost of their care with no security that it will be met by the person and unable to charge self-funder fees. Thus, despite Care and Support Statutory Guidance stating that the Council has no duty to arrange care for residential self-funders, by default it is doing so in these cases, leaving the Council contracting and paying for care without being able to recover costs and being exposed to the risk of non-payment which in several cases has led to substantial unsecured debts arising.
- c. A recent survey of English local authorities as to how they dealt with such case identified that most terminate their contract with the home and expect the person to contract directly and fund care themselves. However, some local authorities are wary of pursuing this path due to the potential risks to the person and/or the possibility of legal challenge.
- d. The proposal is that people receiving a residential care service who fail to submit a financial assessment and/or complete a deferred payment agreement (DPA) within 3 months of care commencing will be deemed to be a self-funder. If the client does not complete the DPA, SCC will not continue to pay for care and the client will need to enter into a self-funding arrangement directly with the home provider.
- e. If, exceptionally, SCC continue to pay care home fees pending completion of a financial assessment or DPA, that will be for a maximum of 3 months, and based on a written agreement. If no financial assessment or DPA (as appropriate) has been entered into after those 3 months, SCC will, subject to the completion of an urgent risk assessment, terminate payments and any arrangement it has entered into with the care home and take legal action to recover from the client any charges it has paid, including by way of a charge against their property. Practice guidance for social care staff to evaluate the risks of terminating Council funded care for self-funding people will be devised to support this.

Increases in SCC fees and charges

- 24. A range of fees and charges relate to Adult Social Care, covered by the Contributions Policy which clarifies when they apply. These include:
 - a. Locally-determined funding rates such as those for Direct Payments, or the value of DRE bandings proposed below (para 36)
 - b. Guideline charges for services – the rate at which clients who are assessed to contribute to the cost of their care are recharged
 - c. Administration fees, such as self-funder fees for non-residential services and the fees for arranging a Deferred Payment Agreement (Appendix B)

25. Health and Care wish to ensure that a robust, accountable process is established for the annual review of these charges, and hence it is proposed that the Director of Health and Care be given delegated authority to approve these rates for the future.

Capital limits

26. The Care Act 2014 sets a capital limit of £23,250 for residential care (people with more capital assets over this sum are “self-funders”, i.e. must meet the full cost of their care). However, it allows local authorities discretion as to whether to apply this limit in the case of non-residential care.
27. The Council has historically chosen to apply a capital limit of £25,000 for non-residential care. No other local authority has been found not using the national limit, and the difference stands in the way of streamlining the financial assessments pathway and giving people an early indication of charges – because the type of care would need to be known, which defeats the purpose of producing an indicative charge.
28. The Adult Social Care Contributions Policy will therefore use the £23,250 limit irrespective of service type, which means that all people will have the same capital limit, and those with capital over £25,000 receiving non-residential care will be “self-funders” for a further £1,750-worth of care costs.
29. To prevent this change affecting people whose capital has only recently fallen below £25,000, it is proposed that anyone receiving Council-funded non-residential care who (at the date of implementing this change) has capital between £25,000 and £23,250 will remain on the £25,000 limit until their capital falls below £23,250. The new limit of £23,250 will be applied for all other clients.
30. It is also proposed that the Council be more proactive for self-funding people and prompt them to approach us when their capital has diminished to a level approaching new limit. Care Act 2014 statutory guidance says that in order to plan future services, local authorities “*should ... include an analysis of those self-funding people who are likely to move to state funding in the future*”, so in future, appropriate information will be recorded for any person who approaches the council for information on care, even if they subsequently do not receive any service because of their current level of capital.

Streamlining Disability Related Expenditure (DRE) Allowances

31. A significant amount of staff time in conducting a financial assessment is currently spent on gathering and assessing evidence to provide Disability Related Expenditure (DRE) allowances for people likely to receive a non-residential service, as well as locally-determined property allowances for both residential and non-residential people.
32. DRE and Property Allowances are given by ACFS when conducting a financial assessment. They reflect costs which arise from the person’s disability or need for care services which are over and above those which might be reasonably expected to be

met from normal income/benefits. These allowances are set against the person's income when considering their overall financial position and may, therefore, reduce or eliminate the charges the council makes to them for their care (by definition they would not, therefore, be of material benefit to people on minimum income levels).

33. These are discretionary allowances (DRE allowances are for clients receiving disability benefits and are guided by a national framework from the National Association of Financial Assessment Officers (NAFAO)), so in law, rules and limits cannot be imposed – the Council cannot “fetter its discretion” as to the allowance for any one person. However, awarding an up-front *banded DRE allowance* is a mechanism used by several councils to avoid the intrusive questions on medical and other factors required to set a personalised allowance, and is commended by the “Disability Rights” organisation for this reason.
34. Banding is legally acceptable *providing people are advised that they can appeal* – indeed, such appeals are in any event required by the new General Data Protection Regulations (GDPR) which specifically requires the council to have a manual intervention and appeal process for any “robotic decision-making”. These appeals are catered for in the “Policy clarification and appeals” item in the main Cabinet paper; people may ask for an individual allowance (calculated and evidenced in the way currently applied for every applicant).
35. Research into the DRE allowances compared people' allowances with the level of DWP benefits they receive and the DRE bandings applied by other councils. Perhaps contrary to expected logic, no obvious relationship was found although this is perhaps unsurprising – certainly the NAFAO guidelines do not have levels of need, only a maximum level for various types of expenditure.
36. Bandings are intended to streamline the process (by no longer inviting all people to claim personalised DRE allowances and provide evidence of their expenses), and so are used by an increasing number of councils. Those used by six other councils were applied to SCC people to evaluate the effect; all the councils base their bandings on the level of DWP benefit paid to the person, most having a different value for each of the 3 DWP levels, ranging from £10 for the lowest to £26.50 for the highest. In comparison, in SCC:
 - a. An annual equivalent to approx. *£5.8 million* is given in DRE allowances which offset people' income (however, please note that it does not follow that such allowances reduce income to the Council by £5.8m, as many people are assessed as paying no contribution anyway)
 - b. In SCC, the *average DRE* is £29 a week, which far exceeds even the highest banding introduced by any council. Thus, even if SCC gave all people the highest identified banding of £26.50, 43% of our DRE people would be likely to appeal as their banding would be less than their current individualised allowance

- c. Nearly as many Council funded people on the *middle* range of DWP benefits get high levels of DREs as those on the *highest* rate of DWP benefits.
 - d. Allowing people to appeal if they believe they have DRE costs above the level offered by the initial banding ensures that our discretion is not being fettered, but it is expected that most people will accept the banding as they will no longer need to claim a personalised DRE allowance with documentary evidence of their expenses.
 - e. Using an up-front banded allowance also means that their indicative financial assessment will deliver a DRE allowance in their indicative charge.
 - f. The people most impacted by the introduction of bandings are those with significant allowances for private care costs or transport. This issue has been addressed in the “what social care funds” item in this paper, but if the Council continues to fund such costs, the appeals process will ensure that the person can demonstrate the need for them and still receive them.
 - g. The national charging framework includes income disregards which means that *a change in the DRE allowance (or any other) given to a person does not necessarily lead to any change in their charge or a change in the council’s income.*
37. It was also identified that a range of allowances recorded on Care Director as DREs were in fact other allowances, hence any figures on a possible reduction in DRE allowances arising from banding for a person have been exaggerated due to this miscoding of allowances. Furthermore, the lack of any regular reassessment or uplifting of non-residential assessments means that the person’s true position may be significantly different from that suggested by this analysis. These adjustments have been reflected in the Community Impact Assessment for this paper.
38. Having reviewed various options, it is proposed to introduce a series of banded allowances to set against people’ income. These values are based on those used by other councils and are linked to the level of a person’s disability benefit;
- a. Those on the lowest DWP rate get a DRE allowance of **£10** per week
 - b. Those on the medium DWP rate get an allowance of **£15** per week
 - c. Those on the highest DWP rate get an allowance of **£25** per week

Property and other disregarded costs

39. It is generally discretionary as to what, and how much, a local authority includes as an allowance or disregard against a person’s assessed income, over and above those provided by the Care Act. The statements below set out the proposal for the Adult Social Care Contributions Policy.
40. Property disregards for residential care; the Care Act sets out situations where the value of the person’s main or only home must be disregarded when conducting their

financial assessment for long term residential care. It also sets out areas where a local authority has discretion to apply a disregard, although it states that “the local authority will need to balance this discretion with ensuring a person’s assets are not maintained at public expense. On this basis, the Council will apply its discretion as follows:

a. Long-term disregard – a property is excluded from a financial assessment when a dependent relative has continuously occupied it since before the person went into a care home. The Council will apply its discretion to include in this definition;

- i. any person (not necessarily a relative) who can demonstrate that the house is their sole residence as they gave up their own home to care for the person who is now in a care home
- ii. a qualifying relative who moves into the property *after* the person went into a care home but who can demonstrate that the principle reason for their move is that it is necessary to ensure they have somewhere to live in as their main or only home, e.g. they would otherwise be homeless through an unexpected loss of health or income.

b. Twelve week disregard - the value of a person’s main or only home must be disregarded for 12 weeks when someone is entering residential care, in order to allow them time to consider their options at a time of crisis. The Council will apply its discretion to allow this disregard where there is a sudden and unexpected change in a person’s financial circumstances;

- i. Where a long-term disregard of a property ends unexpectedly due to the death of the qualifying relative living in it, the Council will apply the 12 week disregard to allow the person in care and their family time to consider their options for the future regarding the property
- ii. Where a person is already a “self-funder” in a care home, there would normally not be any 12 week disregard when they approach the Council for assistance or a Deferred Payment Agreement when their savings or liquid assets fall below the qualifying level. However, in exceptional circumstances (where the value of these assets is unexpectedly reduced by a significant amount leaving them unable to meet the cost of their care) then the Council will apply the 12 week disregard to allow the person time to make arrangements, e.g. to apply for a Deferred Payment Agreement to enable them to continue to meet the cost of their care.

41. Allowances and disregards for residential care; the Care Act requires that a person should be left with a *Personal Expenses Allowance (PEA)*, i.e. a minimum amount of income to spend as they wish. However, it is expected that in certain situations, the person may need to be left with more than this national minimum, and the Council will determine an individualised allowance in the following situations:

a. Where a person has a dependent child, the Council will consider the needs of the child in determining how much income a person should be left with after charges, whether the child is living with the person or not.

- b. Where a person is paying half their occupational/personal pension or retirement annuity to their partner (for unmarried couples – already applies to married couples) who is not living in the same care home, the Council will apply its discretion to disregard this sum
 - c. Where a person is *temporarily* in a care home and is a member of a couple (whether married or unmarried), the Council will disregard any Income Support or Pension Credit awarded to pay for home commitments and will consider the needs of the person at home in setting the personal expenses allowance (as well as considering disregarding other home maintenance costs as per next point).
 - d. Where a person's property has been disregarded (in both permanent and temporary residential situations) the Council will consider whether the statutory Personal Expenditure Allowance is sufficient to enable the person to meet any resultant costs, e.g. it will allow for fixed payments (like mortgages, rent and Council Tax), building insurance, utility costs (gas, electricity and water, including basic heating during the winter) and reasonable property maintenance costs.
 - e. Where a person in permanent residential care has a deferred payment agreement (DPA) in place with the Council and are required to contribute to the cost of their care, they must be allowed to retain a *disposable income allowance (DIA)*. The Council will ensure that the person retains sufficient in this allowance to maintain and insure the property in line with the DPA requirements.
42. Allowances and disregards for non-residential care; the Care Act requires that a person should be left with a basic minimum amount – the *Minimum income guarantee (MIG)* to ensure that they have enough money left to meet basic needs and to cover everyday living costs (e.g. food and drink, travel, utility costs, insurance, debts etc.).
43. The Council must apply this minimum after making allowance for any *housing costs* (such as rent and council tax - net of any benefits provided to support these costs) and after any *disability related expenditure allowance (DRE)* - as per para 29 above) - which may itself have included provision for some disability-related housing costs. It follows, therefore, that the amount the Council allows for housing costs will not include anything already provided for in a DRE, nor those which the MIG is intended to cover.

Higher rate disability benefits

44. One local authority has been threatened with legal action for taking the full value of higher level DWP disability benefits into account, even though these are paid to reflect the provision of care in both the day and night. The issue is that it is considered that local authorities should not take the highest-level benefit into account if the person is not receiving night care from the council – but the Care Act 2014 is silent on this.

45. If the Council chooses to avoid the risk of potential legal challenge, the solution would be to disregard the higher benefit rates unless the person is receiving night care. This would mean disregarding the annual equivalent of £2.3m of income, although again this would not equate to a similar fall in actual income to the Council. However, since the threat of legal action has not yet progressed any further, it is proposed that, like most local authorities, the Council continue carry on taking the higher rates into account.

Appendix B: Details of changes to the Deferred Payment Agreements Policy included in the ASC Policy Statement document

1. The Council's existing Deferred Payment Agreements (DPA) Policy will be amended to reflect the following:
 - a. The financial risks to people and the Council when a DPA is proposed are such that it is a **mandatory** condition of the SCC DPA scheme that clients obtain independent legal and financial advice, and SCC will not complete a DPA application without evidence that such advice has been received by the client or their representative.
 - b. Short-term DPA – as an alternative to a full DPA, if the client's property is for sale, the Council can provide a short-term arrangement for meeting fees based on an undertaking signed by a solicitor guaranteeing to pay the amount owed to the council when the sale is completed.
 - c. Failure to complete a DPA leads to action detailed in the Council's Charging Policy, i.e. SCC will not continue to pay for care and the client will need to enter into a self-funding arrangement directly with the home provider. If, exceptionally, SCC continue to pay care home fees pending completion of a DPA, that will be for a maximum of 3 months, and based on a written agreement. If no DPA has been entered into after those 3 months, SCC will, subject to the completion of an urgent risk assessment, terminate payments and any arrangement it has entered into with the care home and take legal action to recover from the client any charges it has paid, including by way of a charge against their property.
 - d. The Council may offer a DPA (full or short-term as appropriate) to people who do not meet the Care Act eligibility criteria. Each case will be looked at on its own merits, taking account of:
 - i. whether paying residential care costs leaves them with very few accessible assets;
 - ii. if they want to use the wealth tied up in their home to fund more than just their core care costs i.e. affordable top ups;
 - iii. whether someone has any other accessible means to help them meet the cost of their care and support;
 - iv. if a client is narrowly not entitled to a DPA on the criteria above, for example because they have slightly more than the current upper capital limit. This might include people who are likely to meet the criteria soon
 - v. whether the client is excluded because they have a second property but are unable to realise that asset quickly
 - e. The Council may at its discretion enter into a DPA with people who are going to rent supported accommodation (supported housing, extra care housing schemes or shared lives schemes), rather than residential care, where the client's options are restricted;

- i. They intend to retain their former home and pay the supported accommodation care and rental costs from their deferred payment – a DPA will not be considered to finance the mortgage payments on buying supported living accommodation.
 - ii. They have good reason why they are unable to sell or let their property at the current time and have no entitlement to Housing Benefit, and their income, savings and investments do not cover the costs of supported accommodation;
 - iii. Their former home is occupied by a person who is dependent on the client but who is not actually classed as “dependent” under the Care Act regulations, so that the home cannot be disregarded from the financial assessment
 - iv. Where the Council is prepared to offer a DPA offer to clients entering rented supported accommodation, the Council is likely to need specialist legal advice on each case - an estimate of the costs of such advice will provided and if agreed will be recharged to the client

- f. The Council is permitted to refuse an application for a DPA even if the client meets the eligibility criteria, if there is a risk of default or non-repayment of debt arising from;
 - i. it being unable to secure a first charge on the person’s property;
 - ii. the client’s property being uninsurable or not insured;
 - iii. the property is leasehold, and the freeholder does not agree to the charge;
 - iv. the client wants to defer more than they can provide adequate security for;
 - v. the client seeking a top up;
 - vi. the client not agreeing to the terms and conditions of the DPA.

- g. In any of the circumstances in f) above, the Council may offer a DPA anyway, e.g.
 - i. In the top-up situation, the Council will seek to offer a DPA limited by the principles the Care Act to ensure the amount is sustainable. The person can then choose whether they wish to agree
 - ii. if a client’s property is uninsurable but has a high land value, SCC may choose to accept charges against this land as security instead.

- h. Where a person wishes to use as security for a DPA a property which is jointly owned, or in which someone else has a beneficial interest (including mortgages or equity release products secured on the property), or which has other occupiers, the Council must protect itself against future claims from these other parties. This could be a claim that they have greater rights in the property than the Council was led to believe, or that their consent to the legal charge was not on an informed basis and they were subject to undue influence. In order to prevent this, SCC requires all of the owners’ or interested parties’ agreement to the charge being registered; they will all (including occupiers who do not suggest they have a beneficial interest of any kind) need to be signatories to the charge agreement and accept that this means that the

property will be sold when the debt is due to be repaid to SCC. To achieve this, SCC will;

- i. Take all reasonable steps to ensure it is aware of the identities of all those occupying the property – including writing a letter to “all occupiers”;
 - ii. require all occupiers to obtain independent legal advice at their own cost;
 - iii. ensure a letter is sent direct to the Council signed by reputable solicitors as well as the occupiers, confirming:
 - what the occupiers say their interest (if any) in the dwelling is;
 - that the solicitors have explained (and the occupiers have understood) the effect of the legal charge and how it will work
 - iv. require proof of residual equity together with written consent of any third party/parties where applicable where part of the value of the property has been realised by way of a mortgage or equity release.
- i. The following are Council policies as to the additional restrictions it applies;
- i. where the title of the property is registered but one or more registered party is unable to give a legal agreement, e.g. they have died, the DPA can only proceed subject to the necessary amendments to the Land Registry entries
 - ii. in instances where the title of the property is based on tenants in common it will be necessary that all parties enter into the DPA and legal charge for it to be an acceptable form of security
 - iii. if the property is a leasehold property an application can be made for a DPA, however sometimes restrictions are placed on the title (registered at the Land Registry) and the agreement of the head landlord/ultimate freehold owner to the charge on the property must be obtained and paid for by the applicant before the property can be used as security for the DPA.
 - iv. Where part of the value of the property has been realised by way of a mortgage or equity release, proof of residual equity in the property will be needed together with written consent of any third party/parties where applicable.
 - v. if the property is a mobile home, where it is the land that is registered and not the mobile home, the Council will not be able to accept the mobile home as security
- j. Aside from a first charge and the short-term DPA, the Council will consider a range of security for a DPA and associated interest; this list is provided to provide clarification but is not exhaustive:
- i. Third Party Guarantor
 - ii. Second Legal Charge
 - iii. Life Assurance Policy
 - iv. Leasehold Properties
- k. Alternative security which will not be accepted by the Council for a DPA;
- i. Mobile home

- ii. Equity Release Scheme/Lifetime Mortgages
 - iii. Property Abroad
- l. Where the Council agrees that the client may rent out the property it will treat the net rental income, (i.e. allowing for management fees and estimates of income tax) as additional income in the client's financial assessment.
- m. Property Valuation: the Council will obtain a valuation for the property (from internet sources if low risk, or from the council's own valuers if the DPA is for 50% or more of the property's value) and agree this with the client or representatives. If not agreed, the lower of the proposed values will be used. Should the valuation be obtained by way of the Council's internal valuer, the charges (which are passed onto the client but can be rolled up into the DPA) are those set by the council. The client may get an independent valuation in addition to the council's, and if the two vary significantly, both parties must agree a valuation, if necessary by means of the Council's appeals process.
- n. The Council will revalue or require a revaluation of any security it is holding every two years to ensure that the deferral may continue

Appendix C: Adult Social Care Contributions, Deferred Payments Agreements and What Staffordshire County Council Funds Policies

Policy Number:	Version: 0.4	Status: <i>Draft</i>	
Document Summary:	This document summarises all policies applicable to adult social care services in SCC, reflecting those areas where the council has discretion in the way it chooses to deliver its legal obligations		
Policy Author:	Kevin Balchin		
Policy Lead/Sponsor:	Amanda Stringer		
Source of Approval:	<i>Insert source of Approval below:</i>	Date of Approval:	<i>Insert Date of Approval</i>
	<ul style="list-style-type: none"> • Care Policy Management Group • Care Leadership Team • Cabinet • Approved Safeguarding Board 		
Implementation Date:	April 2019	Next Review Date:	April 2020

Policy Awareness

People who need to know this policy in detail	All Practitioners & Partners: internal and external colleagues responsible delivering adult social care as part of their statutory or delegated functions
People who need to have an awareness of this policy	Members of the public and Elected members
People who need to know that this policy exists	All other staff groups

CHANGE CONTROL DETAILS			
Date	Version	Description	Reason for changes
July 2019	0.1	Initial document covering general policy elements and Charging & Financial Assessments Policy	
December 2019	0.2	Change in title for Charging & Financial Assessments to Contributions	RH changes
December 2019	0.3	First draft of "What SCC funds" section	
January 2019	0.4	Redraft of complete document	Reflecting comments received JS, AS, AMD, AB

CONTENTS

- 1. Associated documents**
- 2. Principles underlying these policy statements**
- 3. Contributions Policy**
- 4. Deferred Payment Agreements Policy**
- 5. What Staffordshire County Council Funds Policy**

1. Associated Documents

- 1.1 The Care Act 2014, which came into effect on 1 April 2015 and which repealed all previous national charging policies and guidance (such as the Department of Health's Fairer Charging Guidance and Charging for Residential Accommodation Guidance)
- 1.2 The Care and Support (Charging and Assessment of Resources) Regulations 2014 ("the Charging Regulations"), which states that the County Council may charge for care and support needs which are being met pursuant to Part 1 of the Care Act
- 1.3 The Care and Support and Aftercare (Choice of Accommodation) Regulations 2014
- 1.4 The Care and Support (Deferred Payment) Regulations

2. Principles underlying these policy statements

- 2.1 This document sets out all the areas of adult social care where the law gives the council the power and discretion to make decisions as to what and how it will act. To exercise this discretion, the council must have policies in place, and they are set out in this document. They are separated out in this way from practice guidance as the latter is based on national legislation and regulation and the council has no discretion as to what and how to apply.
- 2.2 Anyone reading this document should understand that any policy may be amended or changed in accordance with democratic procedures. Nothing in this document is intended to fetter the discretion of Staffordshire County Council

(SCC), and any references to “the policy” or “this policy” or similar in any SCC document relating to adult social care should be treated as a reference to the relevant section of this document.

3. Contributions Policy

- 3.1 The **purpose** of this policy is to ensure that a person receiving adult social care services is charged a fair contribution towards the cost of their care based on their ability to pay.
- 3.2 This policy describes areas of charging and financial assessment where the law gives the council the power and discretion to make decisions. Other elements of charging are defined by national legislation and regulation and the council has no discretion as to what and how to apply.
- 3.3 Staffordshire County Council has chosen to charge clients for the provision of adult social care services. Unlike Health, social care has always been a means-tested service, meaning that people are expected to contribute towards their care or certain parts of it, if they can afford to do so. The Council uses this money to deliver more services to more people.
- 3.4 The **principles** underpinning this charging policy are to:
- i. ensure a fair charging system where all contributions towards the cost of care are based on people’s ability to pay;
 - ii. ensure that the charge is based on the actual cost of the service to the Council and therefore not to subsidise any service;
 - iii. ensure that appropriate welfare benefit advice and assistance to claim any additional benefits, pensions or allowances is provided;
 - iv. provide clear information on the way in which a contribution is calculated;
 - v. ensure that care needs are assessed separately from a person’s ability to pay;
 - vi. generate an income to meet the cost of delivering the service and to re-invest in services;
 - vii. be fair and equitable to all.
- 3.5 **Carers’ Services**; the council has discretion as to whether it will charge for services provided directly to carers and has decided that it will not charge. This is in recognition of the contribution they make towards the care of the person being cared for

- 3.6 **Preventative Services;** whilst no-one can be charged for Reablement and Intermediate Care services under Care Act regulations, the council has discretion as to whether to charge people who are not eligible for adult social care services for other preventative services. The Council has decided that it will charge in the circumstances set out below.
- 3.7 Disabled Facilities Grants are available through partner organisations to the Council and apply a national scheme to allow people to live independently in their own homes by making suitable adaptations. The Care Act 2014 states that a charge cannot be made for home adaptations and equipment to allow where the value is £1,000 or less. The Council has decided to set a more generous level and will not charge for any adaptations and equipment valued at £5,000 or less. Such charges must be no more than the cost of providing the service.
- 3.8 **Other than the services shown in 3.5 and 3.6 above,** the Council will charge for all services it arranges to meet a person's eligible social care needs.
- 3.9 **Short-term residents;** these are defined in regulations as a person who is provided with accommodation in a care home under the Care Act for a period not exceeding 8 weeks, and the council has discretion to disregard some of the person's capital and income. SCC has decided to treat such a person as if they were receiving non-residential services, which leads to lower charges, hence reducing the cost of a short stay in residential care for citizens of Staffordshire.
- 3.10 **Indicative charges;** people will be given an indicative charge based on an indicative financial assessment, which provides them with early notice of the personal contribution (if any) they will make towards their services from the council. This charge will be accompanied by typical costs of different types of care so allowing the person to understand the personal financial implications of different types of care before their care and support plan is finalised.
- 3.11 All people (except those requiring urgent care - e.g. in a hospital discharge setting) would need to complete (or be supported to complete) the indicative financial assessment. Charges based on this indicative charge may be raised if care services commence before a full financial assessment is completed, and the Council's system will automatically adjust invoices once the actual charge is known.
- 3.12 **Billing for care based on personal budgets:** the Council has agreed that in the future it may raise charges for people's contribution charges based on their agreed personal budget (which is based on the annual cost of the services in the agreed care and support plan) and not the actual cost of services delivered

within any individual week, which can vary because of the person is in hospital or on holiday.

- 3.13 If this change were implemented, the Council would continue to monitor variations to ensure that people are receiving a level of service broadly in line with their agreed care and support plan and personal budget. At the end of the financial year, if the care received over the year is less than that charged to the person, the Council would refund the difference. Equally if the care received over the year is more than charged the Council would increase the charge to recover the difference. This process would mean that the person's charges would not vary each month for minor changes in the care delivered and would balance out over the year.
- 3.14 **Annual uprating:** the Council will apply automatic annual uprating of all DWP benefits, pensions and income disregards used in financial assessments when these rates change (generally April each year). This condition will be added to all statements sent to clients regarding their assessed charge.
- 3.15 **Decisions regarding what social care funds:** the *What Staffordshire County Council Funds Policy* applies both to the care costs that will be funded in calculating Personal Budgets and Direct Payments as well as the personal expenditure that the council will allow for when calculating disability related allowances for people. It concerns items such as exceptional privately-funded care costs or regular large sums for transport and travel over and above any state benefits or other allowances they already receive (such as Motability).
- 3.16 In exercising its discretion for such costs, the council recognises that it may not place absolute limits on what it will consider as an eligible social care need, but at the same time it has a duty to manage public funds wisely. The *What Staffordshire County Council Funds Policy* aims to define what is a reasonable level of care to provide in the context of a client's needs without the policy itself being unreasonable and too restrictive. Examples of the application in specific situations (private care costs, travel/transport, disability adaptations and equipment) are included in the policy [*which can be found at section 5 below*]
- 3.17 Where the Council decides to include such costs in a Personal Budget or Direct Payment, then these would not normally be considered for disability related allowances as well. All decisions will be subject to policy and the process and any appeal managed by the ASC Policy & Guidance Approval Board.
- 3.18 **Disability Related Expenditure (DRE) Allowances:** these are discretionary allowances for people on disability benefits and receiving non-residential care

from the council. It provides for disability-related costs incurred by the person to be offset against the person's assessed income.

- 3.19 The council will allocate all such clients a pre-set banded DRE allowance. The value of the band varies according to the level of DWP disability benefit the person receives, rather than being based on the person's specific disability-related costs. This helps the person avoid the intrusive questions on medical and other factors required to set a personalised DRE allowance. However, everyone is made aware that they can appeal against this automatic allocation and ask for an individual allowance based on their own specific needs and costs if they provide suitable evidence. Such individual allowances will be considered in the light of the *What Staffordshire County Council Funds Policy* described in para 3.15 above.
- 3.20 There are three "banded" allowances which the council will apply against the person's income when assessing their financial contribution which equate to lower, standard and higher disability benefits. The value of the allowances is reviewed each year and publicised by the council.
- 3.21 It should be noted that, as with any element of a person's financial assessment, the national charging framework includes income disregards which means that a change in the DRE allowance (or any other) given to a person does not necessarily lead to any change in the amount they are asked to contribute to the cost of their care.
- 3.22 **Property and other disregard costs;** It is generally discretionary as to what, and how much, a local authority includes as an allowance or disregard against a person's assessed income, over and above those provided by the Care Act. The statements below set out the Council's policy.
- i Property disregards for residential care; the Care Act sets out situations where the value of the person's main or only home must be disregarded when conducting their financial assessment for long term residential care. It also sets out areas where a local authority has discretion to apply a disregard, although it states that "the local authority will need to balance this discretion with ensuring a person's assets are not maintained at public expense. On this basis, the Council will apply its discretion as follows:
 - a) Long-term disregard – a property is excluded from a financial assessment when a dependent relative has continuously occupied it since before the person went into a care home. The Council will apply its discretion to include in this definition;
 - any person (not necessarily a relative) who can demonstrate that the house is their sole residence as they gave up their own home to care for the person who is now in a care home
 - a qualifying relative who moves into the property *after* the person went into a care home but who can demonstrate that the principle reason for their

move is that it is necessary to ensure they have somewhere to live in as their main or only home, e.g. they would otherwise be homeless through an unexpected loss of health or income.

- b) Twelve week disregard - the value of a person's main or only home must be disregarded for 12 weeks when someone is entering residential care, in order to allow them time to consider their options at a time of crisis. The Council will apply its discretion to allow this disregard where there is a sudden and unexpected change in a person's financial circumstances;
- Where a long-term disregard of a property ends unexpectedly due to the death of the qualifying relative living in it, the Council will apply the 12 week disregard to allow the person in care and their family time to consider their options for the future regarding the property
 - Where a person is already a "self-funder" in a care home, there would normally not be any 12 week disregard when they approach the Council for assistance or a Deferred Payment Agreement when their savings or liquid assets fall below the qualifying level. However, in exceptional circumstances (where the value of these assets is unexpectedly reduced by a significant amount leaving them unable to meet the cost of their care) then the Council will apply the 12 week disregard to allow the person time to make arrangements, e.g. to apply for a Deferred Payment Agreement to enable them to continue to meet the cost of their care
- ii Allowances and disregards for residential care; the Care Act requires that a person should be left with a *Personal Expenses Allowance (PEA)*, i.e. a minimum amount of income to spend as they wish. However, it is expected that in certain situations, the person may need to be left with more than this national minimum, and the Council will determine an individualised allowance in the following situations:
- a) Where a person has a dependent child, the Council will consider the needs of the child in determining how much income a person should be left with after charges, whether the child is living with the person or not.
- b) Where a person is paying half their occupational/personal pension or retirement annuity to their partner (for unmarried couples – already applies to married couples) who is not living in the same care home, the Council will apply its discretion to disregard this sum
- c) Where a person is *temporarily* in a care home and is a member of a couple (whether married or unmarried), the Council will disregard any Income Support or Pension Credit awarded to pay for home commitments and will consider the needs of the person at home in setting the personal expenses allowance (as well as considering disregarding other home maintenance costs as per next point).
- d) Where a person's property has been disregarded (in both permanent and temporary residential situations) the Council will consider whether the statutory Personal Expenditure Allowance is sufficient to enable the person to meet any resultant costs, e.g. it will allow for fixed payments (like mortgages, rent and Council Tax), building insurance, utility costs (gas, electricity and water, including basic heating during the winter) and reasonable property maintenance costs.
- e) Where a person in permanent residential care has a deferred payment agreement (DPA) in place with the Council and are required to contribute to the cost of their care, they must be allowed to retain a *disposable income*

allowance (DIA). The Council will ensure that the person retains sufficient in this allowance to maintain and insure the property in line with the DPA requirements.

- ii Allowances and disregards for non-residential care; the Care Act requires that a person should be left with a basic minimum amount – the *Minimum income guarantee (MIG)* to ensure that they have enough money left to meet basic needs and to cover everyday living costs (e.g. food and drink, travel, utility costs, insurance, debts etc.). The Council must apply this minimum after making allowance for any *housing costs* (such as rent and council tax - net of any benefits provided to support these costs) and after any *disability related expenditure allowance* (DRE - as per para 29 above) - which may itself have included provision for some disability-related housing costs. It follows, therefore, that the amount the Council allows for housing costs will not include anything already provided for in a DRE, nor those which the MIG is intended to cover.

3.23 **Higher rate disability benefits** – the Care Act is silent on whether councils should take account the highest rate of disability allowance into account, even though some of these higher rates are explicitly paid to reflect the provision of care in both the day and night. The council will, therefore, take the higher rates into account.

3.24 **Clarity on the provision of care for self-funders and when care should be terminated**: people receiving a non-residential care service who fail to submit a financial assessment within 4 weeks of care commencing will be deemed to be a “self-funder” and charged for the full costs of their care plus appropriate self-funder administration fees. This status will remain until a financial assessment is submitted and a charge agreed (which may of course be the full cost of the service).

3.25 People receiving a residential care service who fail to submit a financial assessment and/or complete a deferred payment agreement within 12 weeks of care commencing will be deemed to be a self-funder. This status will remain until a deferred payment agreement is submitted and agreed. Whilst a self-funder, people will be charged for the full costs of their care whilst their case is risk assessed to determine whether Council funded care should be terminated, or legal action taken to secure a charge against their property. Social care staff will evaluate the risks of terminating Council-funded care for self-funding people prior to taking such action.

3.26 **Arrangement Fees for care and support services for self-funders** – these fees relate to people who are liable to pay the full cost of their social care and support (“self-funders”). For *residential care*, the council has chosen not to offer an arrangement service (and is precluded for charging for it anyway). In *non-*

residential cases, clients can arrange their own care or ask the council to arrange and manage it. The council must agree to this, but can charge fees to cover costs, which SCC have set as follows;

- i. Administration Set-Up Fee to cover as appropriate the costs of identifying appropriate providers of care and support, negotiating rates and times for care to be delivered, putting contracts into place with the providers, and setting up payment methods for the person to pay these care costs. This is a lump sum fee for service set-up, so may be charged more than once if the client asks for;
 - o a substantive change of care
 - o a change of service provider

The fee will NOT be charged again if;

- o SCC changes the provider because of contract changes or provider failure
 - o The level of service provided to the client changes because of a revised assessment of their needs
 - o The client has a short break in service due to holidays or a hospital stay and then resumes service with the same provider afterwards
- ii. Annual Administration Fee to cover a proportion of the costs of paying the provider for the care and support services, dealing with any queries relating to services, monitoring services to ensure providers are providing the support agreed and invoicing people for the cost of their care including the council's administration fees. This will be charged from the day service(s) start on a weekly basis and will be added to the regular bills sent to the client for the service costs.

The level of these fees is reviewed each year and publicised by the council.

3.27 **Phasing-in (Mitigation)**; the council has applied its discretion to limit in specific situations the impact of significant increases in a person's charges for services received. It limits the amount of increase to a maximum of £40 per week plus "adjustments" for a period of up to three years from the date that the person's charges increased. It does not apply to any charges made to "self-funding" clients.

3.28 It applies in instances where:

- i. a person was receiving ongoing services under older legislation before the Care Act took effect in 2014 *and* those services are still being provided but are now subject to the Care Act 2014; *and*
- ii. the amount the person has to pay towards the cost of their services has been assessed under the charging regulations for the first time, and that assessment results in the person's charge increasing by more than £40 per week plus "adjustment" (defined below) *or*
- iii. a person is receiving a service for which a change in Council charging policy results in significant changes in the charges people must pay for that service, *and* the Council has specifically decided to apply mitigation for that policy change as a means of phasing it in. Again, it only applies where the changes

result in the person's charge increasing by more than £40 per week plus "adjustment" (defined below).

- 3.30 For Care Act-related changes only, mitigation applies only to non-residential community services, and not to people who are being provided with residential and/or nursing care in a care home. Each case to which this policy applies will be considered individually and the amount by which the financial impact will be limited will be decided on a case by case basis, subject to the maximum in para 3.28. Any appeals against this will be dealt with by the ASC Policy & Guidance Approval Board.
- 3.31 Mitigation works by giving a person a temporary allowance to ensure that in the twelve months following the Care Act or charging policy change, their increase in charge is limited to £40. If the overall increase is major, a second year of mitigation will be applied limiting the increase by another £40 (i.e. to a cumulative £80 from the original charge). If required, a third year of mitigation will also be applied limiting the increase by another £40 (i.e. to a cumulative £120 from the original charge). After mitigation ceases, the client will be liable for the full increased charge.
- 3.31 The 'adjustment' referred to above at 3.28 means that the £40 per week limit is an absolute figure, so if during the time a person is receiving mitigation the cost of their care increases, the full cost of that increase will be payable by the client – it will not be mitigated. This includes;
- i. the effect of care and support service price increases between years;
 - ii. the effect of any increase in the amount the person is required to contribute under the charging regulations because they have had an increase in their available income and/or capital.
 - iii. The impact of an increase of the person's eligible care and support needs.
- 3.32 **Policy Clarification and Appeals:** in situations where the council needs to interpret policy "grey areas" and/or to respond to appeals and complaints, it is important that the resultant decisions (e.g. to fund a specific type of care, allow a cost in a financial assessment, or write-off a disputed charge) are considered in terms of their broader impact, not just how they affect the individual person, and are appropriately recorded for more general application.
- 3.33 These decisions are made by the ASC Policy & Guidance Approval Board representing the social care, finance and budget holder functions. The decisions for the person will be recorded appropriately on Care Director for audit purposes, and the learning from the appeal or write-off will be fed into future policy, practice guidance and development.

- 3.34 This will ensure greater fairness and equity in decision-making and a direct link between charging decisions and those relating to the person's assessed care needs. It also allows people access to a process that is more responsive than a formal complaint. The Board will apply the service's policy and practice guidance (including that set out in this document) and will recommend amending them when required to reflect new decisions.

4. Deferred Payment Agreements Policy

- 4.1 The **purpose** of this policy is to ensure that any person receiving residential adult social care services can take up a deferred payment agreement (DPA) to meet their care costs if they are unable or unwilling to sell their former home.
- 4.2 This policy describes areas of DPAs where the law gives the council the power and discretion to make decisions as to the arrangements it will consider. Other elements of DPAs are defined by national legislation and regulation and the council has no discretion as to what and how to apply.
- 4.3 **Independent financial advice**; the financial risks to people and the Council when a Deferred Payment Agreement is proposed are such that it is a condition of the DPA scheme that clients must seek independent financial advice; the Council will not complete a DPA application without evidence of such advice being received by the client or their representative
- 4.4 **Short-term DPA** – as an alternative to a full DPA, if the client's property is for sale, the Council can provide a short-term arrangement for meeting fees based on an undertaking signed by a solicitor guaranteeing to pay the amount owed to the council when the sale is completed.
- 4.5 **Failure to agree a DPA**: in line with the ASC Contributions Policy, people receiving a residential care service who fail to complete a deferred payment agreement within 12 weeks of care commencing will be deemed to be a self-funder. They will be charged for the full costs of their care whilst social care staff either evaluate the risks of terminating their Council-funded care for self-funding people or refer the case to Legal for action to be taken to secure a charge against their property.
- 4.6 **Property Valuation**: the Council will obtain a valuation for the property (from internet sources if low risk, or from the council's own valuers if the DPA is for

50% or more of the property's value) and agree this with the client or representatives. If not agreed, the lower of the proposed values will be used. Should the valuation be obtained by way of the Council's internal valuer, the charges (which are passed onto the client but can be rolled up into the DPA) are those set by the council. The client may get an independent valuation in addition to the council's, and if the two vary significantly, both parties must agree a valuation, if necessary by means of the Council's appeals process.

- 4.7 **The Council may offer a DPA (full or short-term as appropriate) to people who do not meet the Care Act eligibility criteria:** each case will be looked at on its own merits, taking account of:
- i. whether paying residential care costs leaves them with very few accessible assets;
 - ii. if they want to use the wealth tied up in their home to fund more than just their core care costs i.e. affordable top ups;
 - iii. whether someone has any other accessible means to help them meet the cost of their care and support;
 - iv. if a client is narrowly not entitled to a DPA on the criteria above, for example because they have slightly more than the current upper capital limit. This might include people who are likely to meet the criteria soon
 - v. whether the client is excluded because they have a second property but are unable to realise that asset quickly
- 4.8 **Supported accommodation:** the Council may at its discretion enter into a DPA with people who are going to rent supported accommodation (supported housing, extra care housing schemes or shared lives schemes), rather than residential care, where the client's options are restricted;
- i. They intend to retain their former home and pay the supported accommodation care and rental costs from their deferred payment – a DPA will not be considered to finance the mortgage payments on buying supported living accommodation.
 - ii. They have good reason why they are unable to sell or let their property at the current time and have no entitlement to Housing Benefit, and their income, savings and investments do not cover the costs of supported accommodation;
 - iii. Their former home is occupied by a person who is dependent on the client but who not actually classed as “dependent” under the Care Act regulations, so that the home cannot be disregarded from the financial assessment
 - iv. Where the Council is prepared to offer a DPA offer to clients entering rented supported accommodation, the Council is likely to need specialist legal advice on each case - an estimate of the costs of such advice will be provided and the client will be required to agree to these costs as part of the DPA.
- 4.9 The Council is permitted to refuse an application for a DPA even if the client meets the eligibility criteria, if there is a risk of default or non-repayment of debt arising from;

- i. it being unable to secure a first charge on the person's property;
 - ii. the client's property being uninsurable or not insured;
 - iii. the property is leasehold, and the freeholder does not agree to the charge;
 - iv. the client wants to defer more than they can provide adequate security for;
 - v. the client is seeking a top up;
 - vi. the client not agreeing to the terms and conditions of the DPA.
- 4.10 In any of the circumstances in 4.9 above, the Council may offer a DPA anyway, e.g.
- i. In the top-up situation, the Council will seek to offer a DPA limited by the sustainability principles of the Care Act to ensure the amount is sustainable. The person can then choose whether they wish to agree
 - ii. if a client's property is uninsurable but has a high land value, SCC may choose to accept charges against this land as security instead.
- 4.11 In any of the circumstances in 4.9 above, the Council may offer a DPA anyway, e.g. the Council must protect itself against future claims from a joint owner, mortgage provider or other occupier. This could be a claim that they have greater rights in the property than the Council was led to believe, or that their consent to the legal charge was not on an informed basis and they were subject to undue influence. Hence the Council will;
- i. Take all reasonable steps to ensure it is aware of the identities of all those occupying the property – including by writing a letter to “all occupiers”;
 - ii. require all occupiers to obtain independent legal advice at their own cost;
 - iii. ensure a letter is sent direct to the Council signed by reputable solicitors as well as the occupiers, confirming:
 - what the occupiers say their interest (if any) in the dwelling is;
 - that the solicitors have explained (and the occupiers have understood) the effect of the legal charge and how it will work
 - iv. require proof of residual equity together with written consent of any third party/parties where applicable where part of the value of the property has been realised by way of a mortgage or equity release.
- 4.12 The following five points set out Council policy as to the additional restrictions it applies;
- i. where the title of the property is registered but one or more registered party is unable to give a legal agreement, e.g. they have died, the DPA can only proceed subject to the necessary amendments to the Land Registry entries
 - ii. in instances where the title of the property is based on tenants in common, it will be necessary that all parties enter into the DPA and legal charge for it to be an acceptable form of security
 - iii. if the property is a leasehold property an application can be made for a DPA, however sometimes restrictions are placed on the title (registered at the Land Registry) and the agreement of the head landlord/ultimate

freehold owner to the charge on the property must be obtained and paid for by the applicant before the property can be used as security for the DPA.

- iv. Where part of the value of the property has been realised by way of a mortgage or equity release, proof of residual equity in the property will be needed together with written consent of any third party/parties where applicable.
- v. if the property is a mobile home, where it is the land that is registered and not the mobile home, the Council will not be able to accept the mobile home as security

4.13 Aside from a first charge and the short-term DPA, the Council will consider a range of security for a DPA and associated interest; this list is provided to provide clarification but is not exhaustive:

- i. Third Party Guarantor
- ii. Second Legal Charge
- iii. Life Assurance Policy
- iv. Leasehold Properties

4.14 Alternative security which will not be accepted by the Council for a DPA;

- i. Mobile home
- ii. Equity Release Scheme/Lifetime Mortgages
- iii. Property Abroad

4.15 Where the Council agrees that the client may rent out the property it will treat the net rental income, (i.e. allowing for management fees and estimates of income tax) as additional income in the client's financial assessment.

4.16 The Council will revalue or require a revaluation of any security it is holding every two years to ensure that the deferral may continue

5. What SCC Funds Policy

5.1 The **purpose** of this policy is to ensure that any person assessed as needing adult social care services understands the type of costs that SCC will in general fund or allow for, and which it will in general not fund or allow for. It applies to the;

5.1.1 direct provision of services to a person

5.1.2 calculation of the Personal Budget and/or Direct Payment to be allowed for a person

5.1.3 the costs included when calculating Disability Related Expenditure allowances as a part of a person's assessed financial contribution

5.2 This policy concerns care services or costs where the council has adopted a specific local policy as to the type that it will in general fund or allow, where it has such discretion. Other elements of care and support services are defined by national legislation and regulation and the council has no discretion as to what and how to apply.

5.3 The **principles** underpinning this policy are to ensure that the Council:

- i. exercises the discretion allowed it under the Care Act 2014 to consider *reasonable* additional costs directly related to a person's disability;
- ii. meets its duty to use public funds wisely by ensure that it provides or funds services to individuals that would not be considered overgenerous or unreasonable by "the man in the street";
- iii. ensures that any allowances it makes for disability-related expenditure do not duplicate any service or funding it is providing, or fund types of care and support it has legitimately decided not to fund;
- iv. does not inadvertently treat individuals inconsistently.

5.3 **The Legal Background:** in adopting this policy, the Council recognises that it may face challenge, but this risk must be set against the major costs that can arise if it fails to provide guidelines or fails to ensure that what it does is held to be *reasonable*. It is considered important that the Council be able to define limits as to what is a reasonable level of care to provide in the context of a client's needs – if the policy itself is not unreasonable and too restrictive.

5.4 This policy is guided by the Care Act Statutory Guidance (para 8.45) which amongst other criteria, states that councils' policy on charging must;

- i. apply the charging rules equally so those with similar needs or services are treated the same and minimise anomalies between different care settings
- ii. be sustainable for local authorities in the long-term

- 5.5 The Council has a duty to assess a person's social care needs and to use this assessment to decide what, if any, services it should provide – if the need for a service is identified as an *eligible need*, the Council must ensure it is provided. For example, if a person with disabilities has been assessed as needing to take part in social activities within the community, the Council must *consider* travel, i.e. how the person will get to the activity.
- 5.6 This duty does not change because a person is receiving a specific benefit or allowance from other sources (e.g. in the above example, a mobility benefit, or a care component to meet housework costs), since the person may be using their benefit or allowance for another relevant cost (such as leasing a Motability vehicle). At the same time, the Council believes it is valid to take account of the fact that the person (or a member of their family on their behalf) has a Motability vehicle available when determining whether to provide travel.
- 5.7 While it is of course true that the mobility component of a state benefit *could* be used to pay for travel to an activity, it is not for the Council to state that the person must use the benefit for this purpose. The Care Act 2014 creates a distinct regime from the state's disability and welfare benefit system - benefits that provide for care or mobility (such as Attendance Allowance, Disability Living Allowance and Personal Independence Payment) are not paid to cover local authority responsibilities, and the Act does not allow the Council to "require a person to use their benefits" in a particular way or to meet a specific cost.
- 5.8 It is also unlawful for the Council to have a *general* policy of not providing a service that may be need-related. However, it may consider what is a *reasonable* level of support, and in individual cases can decide it is not an *eligible* need if it is able to explain in clear, logical, lawful terms why this is so.
- 5.9 The Care Act Statutory Guidance (paras 8.42 and 8.43) reiterates the rules on income and capital that ensure that a person receiving support at home is left (after charging) with enough money to meet their daily living costs such as rent, food and utilities, and that councils have "flexibility within this framework". However, it adds the key point that this discretion "*should not lead to 2 people with similar needs, and receiving similar types of care and support, being charged differently*" (SCC italics).
- 5.10 Hence, in line with the principles above, the Council will seek to ensure that it is equitable when making allowance for disability-related costs, in that it;

- i. Will not fund any cost that reflects an expense that any person would have or would chose to have, rather than being disability-related
- ii. does not “double-fund” costs, for instance by making allowances for a cost as a DRE when it is also providing a similar service or funding (through the Personal Budget or commissioned care), or the person already has access to resources to meet their need (e.g. a Motability vehicle, a community resource, or alternative funding from the NHS or Carers’ grants);
- iii. does not allow DRE allowances to be used to bypass its legitimate policy decisions not to fund particular types of care and support costs;
- iv. does not inadvertently treat individuals inconsistently e.g. by including in a DRE allowance a significant cost which will only benefit those individuals with a significant assessed income (because only they would have an assessed income to set the allowance against, whereas others on minimal income would not have anything to set the allowance against and would be unlikely to be able to afford these costs in the first place);
- v. will only allow a total level of DRE allowances that equate to the total level of disability benefit received by the person. This is in line with Care Act Statutory Guidance (Annex C) which states that “where disability-related benefits are taken into account, the local authority should make an assessment and allow the person to *keep enough benefit to pay for necessary disability-related expenditure* to meet any needs which are not being met by the local authority” (SCC italics).

5.11 Practical examples of the policy in action:

- i. Travel: in accordance with the statements above, the Council cannot vary the level of service or cost it will provide to meet an assessed need for travel simply because the person has mobility benefits.

Equally however, it is for the Council to determine if the person has an eligible need for travel services and if so, to provide a reasonable level of support. It cannot have a blanket policy that states that it will never pay for (e.g.) first class travel – but equally it has a duty to use its funds reasonably and paying such costs can only be allowed if it is essential to meeting assessed needs.

In practical terms, this means that unless the person has an assessed eligible need for travel, the Council would not provide such a service or meet such costs, and in general, would not agree a person has such an eligible need unless they receive (or are eligible for) a mobility benefit

If the assessment does agree that travel is an eligible need, then the care and support assessment must determine whether to meet it and if so, what is a “reasonable” solution and what were “reasonable” costs. As stated previously, the fact that the person receives a mobility benefit cannot be taken into account in reaching this decision – but

the availability of a Motability vehicle can. The actual cost of providing that service to the person will be included in their personal budget and the person will be charged in accordance with their assessed contribution.

If the Council offers a travel service to clients that is not a part of their assessed need, then (like meals) the charges for such services will be outside of, and in addition to, their assessed financial contribution.

- ii. Private care costs: the Care Act Statutory Guidance (Annex C) lists the costs of private care as one that should be considered in the financial assessment as a DRE, whilst the National Association of Financial Assessment Officers (NAFAO) advise that any allowance given by councils should be based on the package agreed by the social worker.

These costs can be significant, and the Council states that, based on the principles set out above,

- a) It will not agree costs that contradict the outcomes of the person's needs assessment. For example, if a person is assessed as needing services only in the day, the Council will not then make allowance for private night care – that would not be reasonable since the effect of allowing this cost against income is that the Council would effectively be funding the night care when it was not an assessed eligible need;
- b) Where costs have been privately contracted that are subsequently determined as being an eligible social care need, the Council will not backdate any funding to cover costs before the date that eligibility was determined, nor will it allow costs that are higher than the amount it would cost the council to provide the service;
- c) Decisions on including any such costs in a DRE are a care decision, not a financial one, and will be made by the ASC Policy & Guidance Approval Board.

- iii. Disability Adaptations and Equipment: partners to the council provide through the national Disabled Facilities Grant scheme funding for the costs of adaptations and equipment. However, it has also made a policy decision not to fund the maintenance of certain items (such as stairlifts and Closomats). These costs can be significant, and the Council states that, based on the principles set out above, it;

- a) will always refer people to DFG funding for major adaptations and equipment;
- b) The Council will not provide funding for the private purchase of adaptations and equipment unless it has caused a significant delay in meeting assessed needs by not responding to the need;
- c) will not “refund” or make allowances for the cost of any adaptations or equipment that people chose to buy before they were assessed as having an eligible social care need for that adaptation or equipment.
- d) Will allow appeals against its care decisions on including any such costs in a personal budget or DRE through the ASC Policy & Guidance Approval Board.

- iv. Personal Assistant costs: where people employ a personal assistant (e.g. through the Direct Payment scheme), it is the person's responsibility to meet the costs incurred in employing the personal assistant, and to do so in accordance with HMRC regulations on tax and national insurance. The Council states that, based on the principles set out above, it will not generally consider funding – or making allowance for in a DRE – the following;
- a) The travel, meal or other costs of a personal assistant (which in general are likely to be a taxable benefit if paid by the client) over and above their pay
 - b) The admission costs for a personal assistant accompanying a person on a trip or excursion – where a person has been provided funding to meet an identified need for “support to access the community”, it is that person's personal choice to use those funds to go on a trip or excursion, and neither their nor the personal assistant's costs are fundable over and above the sums already provided for such access
 - c) Appeals against the Council's care decisions on including any such costs in a personal budget or DRE will be made through the ASC Policy & Guidance Approval Board.
- v. Pets: the keeping of a pet is a personal choice, and the Council will not provide funds in a personal budget – or make allowances for costs in a DRE – that relate to a pet. In “protection of property” cases where the Council has to make arrangement to protect a person's moveable property when the person is in care or in hospital, it will fund pet care but in accordance with the Care Act, this is a cost that will be recovered from the client – it is not an assessed social care need or funding.



Cabinet meeting on 20th February 2019

**Integrated Performance Report
Quarter 3, 2018/19**

**Report Summary from Philip Atkins, Leader of the
Council and Mike Sutherland, Cabinet Member for
Finance**



Philip Atkins, Leader of the Council, said:

“Our key priorities are to continue to ensure that we are a more prosperous county with opportunities for our residents and where people can live healthy and independent lives for as long as possible.

We received a welcome boost to our highways budget in December with the announcement of £8.9million Government funding for road repairs for the current financial year. And looking ahead we will receive an additional £6.1million from the Government specifically for social care in 2019/20.

Both adult and social care place huge demands on our budgets, as with councils nationally. Due to record numbers of young people being placed in foster care we launched a campaign to recruit resilience foster carers. This is aimed at those with experience of looking after teenagers with emotional or behavioural needs.

We are continuing to see near full employment – with just over one per cent of residents claiming out-of-work benefits in the county whilst our economic growth programme goes from strength to strength. Completed and current projects within the Economic Growth Programme have created and safeguarded a total of 8,489 jobs and delivered 993 houses up to December 2018.

Meanwhile our community libraries programme gathers pace with five more organisations coming on board, bringing the number to 27 countywide.”

Mike Sutherland, Cabinet Member for Finance, said:

“While we continue to manage considerable financial challenges within adult and children’s social care, our focus remains on ensuring we have a thriving economy with opportunities for better paid jobs and enabling people to live healthy and independent lives.

The latest revenue forecast outturn shows a forecast underspend of £0.997m compared to the forecast underspend of £1.578m at quarter 2 which is broadly similar.

Our longer-term financial strategy includes proposals to save £35million over the next financial year and efforts continue to identify savings this financial year which can then be carried forward to next. We will also continue to lobby Government for a long-term solution to the funding of adult social care, which is crucial to ensuring the sustainability of local government and the support we provide to our people.

We continue to make efficiency savings across council departments and spending controls remain in place across the county council.”

Report Summary

1. This Quarterly Integrated Performance Report provides an overview of Staffordshire County Council's progress, performance and financial position in delivering against our Strategic Plan and Delivery Plan.
2. **Recommendations**
 - a) We recommend that Cabinet notes and challenges performance and advises of any further information and/or action required.

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Local Members Interest
N/A

Cabinet – 20th February 2019

Integrated Performance Report Quarter 3, 2018/19

Recommendations of the Leader of the Council and the Cabinet Member for Finance

1. **That Cabinet Members:**

- a) Note and challenge performance and advise of any further information and/or action required.

Report of the Director of Corporate Services

Summary

At the end of Quarter 3, the overall assessment on the council's performance and financial position is Amber. Particular areas of risk are in Adult Social Care and Children's and Families, together with organisational challenges in terms of the capacity to deliver both in 2018/19 and future years. Further details are included in this report and its appendices.

The latest revenue forecast outturn shows a forecast underspend of £0.997m (0.2%), compared to the forecast underspend of £1.578m (0.3%) at quarter 2. The forecast outturn assumes the carry forward request from Health and Care (£2m) is approved and that an agreed contribution is made to the Exit & Implementation / Transition Fund (£3m), which has been approved as part of the Medium Term Financial Strategy. The actual sums transferred are subject to the final outturn position.

At Quarter 1, it was agreed that £2.160m of contingency would be used to support Children's Services, reducing their forecast overspend. This reduces the centrally held contingency from £3.5m to £1.340m.

As a first step to providing short term funding to help with the first two years of the Medium Term Financial Strategy (MTFS), Cabinet considered that it would be prudent to start to identify savings in the current financial year which can be carried forward to 2019/20. It was therefore decided that a spending controls exercise, similar to that adopted in 2016/17, commence with immediate effect in 2018/19.

1. Financial Health Summary

The following graphs summarise the financial performance of the council. Full details are contained in this report.

The graphs and charts are compiled using quarter 3 forecast information.

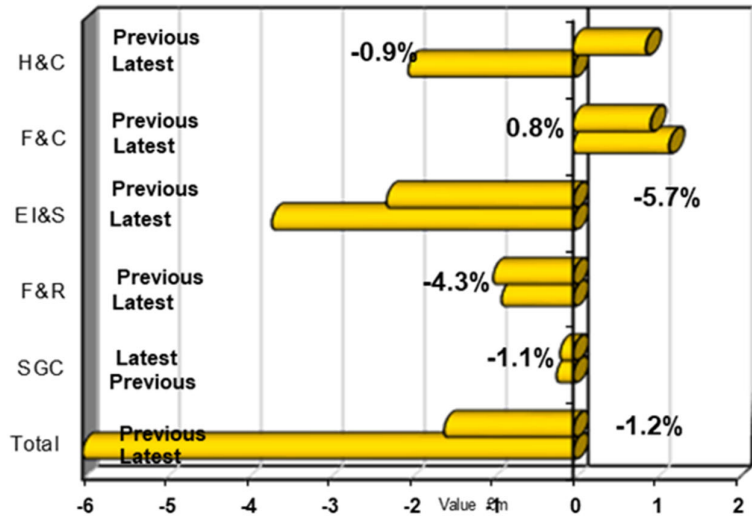
The latest revenue forecast outturn shows a saving of £0.997m (0.2%), compared to the quarter 2 forecast saving position of £1.6m (0.3%). At quarter 1, it was agreed that £2.160m of contingency would be used to support Children's Services, reducing their forecast overspend. Forecast savings include DTOC (£1m), income from Client Contributions (£2.2m), reduction in community service use (£0.9m), reduction in high cost packages in Learning Disabilities and Mental Health (£1.3m), Sustainability and Waste (£2.3m) and Corporate Services (£1.5m). These savings offset some large pressures within LAC (£2.8m) and Adults Care Commissioning (£9.3m).

Progress on Innovation and Efficiency options is monitored monthly. Savings are categorised into confidence of delivery. The latest position shows that the savings are currently on target. Those savings classified as undelivered or low confidence of delivery include – Reduction in variation of residential and nursing placement costs, Modernisation of Older People day services and Human Resources Cost Cutting savings initiatives.

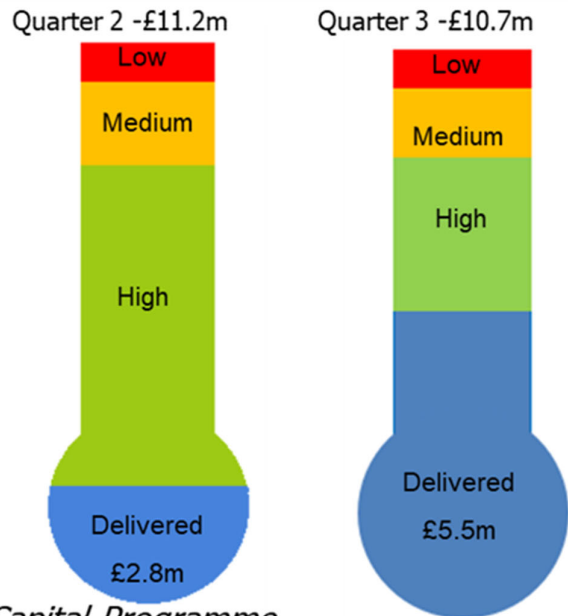
The latest capital outturn projection is £137.8m, compared to the quarter 2 position of £149.2m, a decrease of 7.8%. This projection is a fully funded position. This decrease is mainly due to rephasing on the Maintained Schools unallocated basic needs funding (£14m). There have been other changes to the programme and the detail can be found within the report.

Within the national context, the retail price index is currently 2.7%, and the latest consumer price index is 2%. GDP is estimated to have increased by 0.3% in the three months to November 2018. Current unemployment figures show Staffordshire benefit claimant rate is below that of the West Midlands and Great Britain.

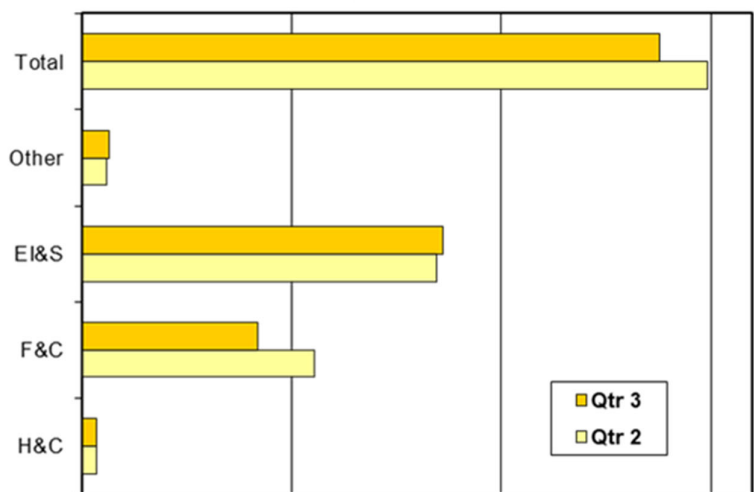
Revenue Budget Variance



Savings Tracker – Target £11.3m



Capital Programme



2. Health and Care

3. There is a Health and Care forecast saving of £2.014m, made up of £1.307m from Care Commissioning and £0.707m from Adult Social Care and Safeguarding.
4. In the area of Care Commissioning there has been a receipt of Winter Funding of £3.542m, which is going to support: additional investment to boost capacity in home care and similar services; transferring services from Allied Healthcare to new providers; additional capacity to support processes to find the most appropriate care for people in a timely way; meeting the cost of Care Home placements and additional capacity requirements in the south of the county. Residential care prices are no longer increasing but do remain overspent. There remains a continuing trend for the cost of new placements to be higher than for existing placements for nursing. The additional total cost of price rises is forecast at £9.250m.
5. Actions carried out to partially mitigate the forecast overspend include block booking nursing home beds at a lower cost per bed and reform to the pathway to support the Dynamic Purchasing System (DPS). A more robust application of the council's Cost Effective Care and Support guidance is also in progress. In the medium and longer term, direct intervention in the market is being considered to increase supply. However, managing the escalating prices in the provider market and developing cost effective alternatives quickly will be extremely difficult. The associated cost reduction measures outlined are not without a high level of risk.
6. Delayed Transfers of Care (DToC) attributable to social care reduced again in November 2018 but increases in NHS delays meant that the overall total rose slightly. Despite this there has been a 23% reduction in total monthly delayed days since the start of 2018, and almost a 40% reduction in social care and joint delays. Discharges from hospital into residential and nursing care have contributed to the cost pressure in these services. This has been offset in part by the £1m set aside in the MTFs to fund cost pressures arising from activity to reduce DToC.
7. Staffordshire County Council has successfully made alternative arrangements for care provision following Allied Healthcare's announcement in December 2018 that it would no longer be providing care in Staffordshire. The council has transferred provision in Newcastle to Archangel Care and provision in Stafford and Cannock to Nexus Care to ensure that home care visits for people across the county continue and there is a smooth transition. Officers are also working to help transfer existing Allied staff to the new service companies.
8. The first patients have now moved into Amber Wood; a brand new, purpose-built specialist dementia Centre of Excellence in Burton on Trent. The centre is a result of a partnership between the county council, Accord Housing Association and Engie.
9. A key outcome performance measure of the health and wellbeing of Staffordshire residents is 'Healthy Life Expectancy'. Healthy life expectancy estimates the amount of lifetime spent in 'very good' or 'good' health based on how individuals perceive their health (based on a self-reported survey). Given that life expectancy has been increasing both locally and nationally this is a good measure of the quality of life years of a population. Latest data released in Quarter 3, 2018/19 shows that Healthy Life Expectancy (HLE) in Staffordshire is 63 years for men and 64 years for women, which is in line with the national average. Overall women live longer than men but spend more years in poor health than men (19 years for women and 16 years for men).

10. Economy, Infrastructure and Skills

11. There is an Economy, Infrastructure and Skills forecast saving of £3.683m (5.7%). The largest saving is in the area of Transport, Connectivity and Waste (£3.048m) with a forecast saving of £2.260m in Waste and Sustainability. The primary reason for the increase in forecast saving is due to the finalisation of the 2018/19 Energy from Waste Four Ashes contract which will see a one-off trade waste payment in favour of the county council.
12. Economic growth underpins all of the county council's outcomes, as well as helping to secure the long-term financial stability of the county council. Completed and current projects within the Economic Growth Programme have created and safeguarded a total of 8,489 jobs and delivered 993 houses up to December 2018. There have been recent increases in employment linked to the Skills Programme which is bringing people into work, and houses, many of which have been enabled by access schemes delivered through the Infrastructure + Design and Build service.
13. Completed sites are generating over £9 million worth of total business rates each year. Over the lifetime of the programme (which is scheduled to 2024), infrastructure and projects are planned to allow for a further 20,000 jobs and for the delivery of 15,600 houses. When the sites are fully developed and let, it is expected that £30million of business rates will be generated, around half of which can be reinvested in public services.
14. The total financial value of the Economic Growth Programme (including projects where initial work or interventions have completed) is approximately £452 million. For every £1 of Staffordshire County Council investment on current "live" projects, approximately £13.70 of external funding is secured (private, Local Enterprise Partnership, EU & Government Grant).
15. Plans have been approved for the i54 Western Extension, which follows on from the highly successful existing i54 South Staffordshire site and is expected to generate up to 1,700 high value added jobs and contribute around £110 million of Gross Value Added economic benefit to the local economy. The plans also include proposed investment in skills provision to ensure local people can access the employment opportunities and enhancements to public transport services. Work on the western extension is scheduled to begin in spring 2019 and it is anticipated to be fully occupied by 2024. Staffordshire County Council and City of Wolverhampton Council will work together on the extension development. More than £1 billion has so far been invested in i54, with 2,700 people employed by multi-national companies JLR, Moog, ISP, Eurofins, ERA and Tentec with more than 4,000 jobs anticipated on the existing site when it has been fully built out over the next few years.
16. Work is also progressing at a major Staffordshire road scheme which will provide access to a new £160 million retail development, McArthurGlen Designer Outlet and improve traffic flow on the surrounding roads. McArthurGlen has committed £15million to the improvement scheme, taking place at Churchbridge and the A460 Eastern Way in Cannock. Once open, it will create 1,000 new retail jobs, supporting around £20 million of employment income for the local economy annually. The centre will also attract more visitors into Cannock, growing local tourism spend by more than £3 million every year. The county council and development partner Amey are carrying out the road infrastructure works.

17. Delivery of the Infrastructure Plus contract continues to progress well. Spend and delivery across routine and capital maintenance programmes is excellent and winter service operations are highly effective, responding at short notice to changing conditions. Approximately 74,200km of carriageway have been treated so far this winter season (up to 21st January 2019).
18. Average wage levels in Staffordshire continued to increase in 2018. The median annual earnings (gross) for full-time workers was £28,407; an increase of £614 (2.2%) compared with 2017. Staffordshire's average wage levels are above the West Midlands (£27,636) but below the national average (£29,869).
19. In Staffordshire there were 7,065 working age claimants in December 2018; this was an increase of 70 since November 2018. The proportion of Staffordshire's working age claimant count population has remained the same compared to the previous month (1.3%). The regional average has increased, whereas nationally it has also remained static. Claimant rates in Staffordshire remain lower than both the regional (3.0%) and national (2.3%) averages. In December 2018, Staffordshire had the lowest claimant count rate of all the West Midlands Strategic Authorities.
20. In 2017/18 there were 6,870 apprenticeship starts in Staffordshire (for learners of all ages), which is a 29% reduction compared with 2016/17. A 24% reduction has been recorded nationally. This is the first full year of statistics since the introduction of the apprenticeship levy in May 2017, which led to an immediate falling-off of starts¹. Despite the overall reduction in apprenticeship starts in Staffordshire, there has been a 51% increase in the highest level of apprenticeships compared with a 32% increase nationally. This increase can partially be attributed to the role of the Advanced Manufacturing and Engineering (AME) Hub. The AME Hub is a network of colleges, private training providers and sector bodies under the umbrella of the Stoke-on-Trent and Staffordshire Local Enterprise Partnership (LEP).

21. Families and Communities

22. There is a forecast Families and Communities overspend of £1.174m (0.8%). This is mainly attributed to the Children's Services forecast overspend of £2.208m, an increase of £0.247m since Quarter 2.
23. In December 2018, there were 1,130 Looked after Children (LAC), a rate of approximately 67 per 10,000. The latest national comparator is from March 2018, at which point Staffordshire had a LAC rate of 65 per 10,000 which was slightly higher than the national rate of 64, but lower than the West Midlands rate of 78. In terms of the financial position, the previously reported overspend on independent sector placements, in external residential homes and with independent fostering agencies has remained broadly the same with a forecast overspend of £2.8m. The service has sought to identify opportunities to mitigate and reduce demand and placement price pressures with a number of initiatives being pursued. However, it is anticipated that additional costs and potential savings arising from these initiatives will impact from 2019/20 and future years.

¹ FEWEEK - <https://feweeek.co.uk/2018/12/06/breaking-final-apprenticeship-figures-for-last-year/>

24. The number of children subject of a Child Protection Plan increased in December 2018 to 766 (a rate of 45 per 10,000). The latest national comparator is from March 2018, at which point Staffordshire had a CPP rate of 38 per 10,000 which was lower than the national rate of 45.
25. Staffordshire County Council has launched a new campaign to target a particular shortage of foster carers for teenagers. The campaign is looking for 'resilience foster carers'. These are people with experience in dealing with teenagers with emotional and behavioural difficulties and could include residential care workers, ex-police, prison officers or people who work in similar professions. Resilience fostering is a unique opportunity where carers provide long term, family-based placements to these young people aged 8-18 years who are moving out of residential care.
26. There was a review in Quarter 3 of the delivery of Special Education Needs and Disability (SEND) in the county that is commissioned and delivered by the county council and schools with support of the Staffordshire NHS Clinical Commissioning Groups (CCGs). A joint report by Ofsted and the Care Quality Commission identified a number of areas to be improved, including better coordination and delivery across services; sharing good and effective work across the county; more support for children using Pupil Referral Units; improving pupils' academic results; returning pupils with SEND to mainstream education. Parents, schools, MPs and user groups in the county were consulted before Christmas as to how they would like to see Staffordshire's SEND provision develop and their responses are being collated and will form part of the plan to address the issues.
27. A new 'Trailblazer' project is being formed in North Staffordshire and Stoke-on-Trent to help transform mental health for young people. The pioneering scheme will improve mental health in schools by increasing the support that is available by December 2019. One in nine young people aged five to 15 are thought to have a mental health condition and teenagers with a mental health disorder are far more likely to suffer from mental health problems as an adult. Approximately £2 million will provide over 25 new posts to form 4 brand new mental health support teams of children's mental health specialists and trainees to work in schools across Stoke-on-Trent and North Staffordshire. It will also provide extra funding and additional staff to cut children's mental health waiting times to 4 weeks from referral to treatment for all children. As a result of this, North Staffordshire and Stoke-on-Trent are among 29 national trailblazers for the transforming children's and young people's mental health programme.
28. There has been a range of activity in relation to Staffordshire Libraries during Quarter 3. Lichfield Library successfully relocated from The Friary to St Mary's in December 2018, resulting in a significant increase in visits and new members. Following a successful procurement process, five organisations have been awarded the contracts to manage and deliver the statutory library service at Cheslyn Hay, Cheadle, Penkridge, Clayton and Eccleshall; this will increase the number of Community Managed Libraries within Staffordshire to 27 during 2019. Under the agreements community groups deliver the statutory library service and have access to the county's stock and IT network, with support and guidance from officers, while the council remains responsible for agreed utility and maintenance costs.
29. Validated Key Stage 4 results for 2018 show that Staffordshire's educational performance is below the national average for those key attainment measures. Attainment 8 is a measure of a pupil's average score across a set of eight subjects. Staffordshire's Attainment 8 score is 44.6, compared to the national score of 46.5 (for State-Funded schools). There is a new Education

and Skills Strategy in development which is a partnership framework for Staffordshire's education and skills providers, partners and stakeholders. This was consulted on during Quarter 3 with results being used to finalise the strategy, leading to improvements in educational outcomes for children and young people in Staffordshire.

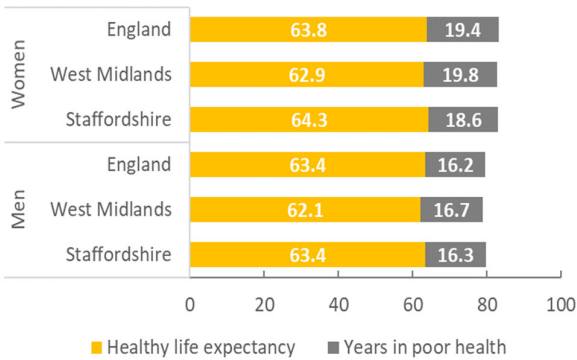
30. Corporate Health

31. There has been a reduction in overall Staffordshire County Council sickness absence during the calendar year 2018 (an average of 10.57 days lost) compared with 2017 (10.85 days) due to a reduction in long term sickness absence. Long term absence has decreased by 4% in 2018 compared to 2017, with significant decreases in the two main causes of absence; musculoskeletal and psychological absence. Musculoskeletal absence has decreased by 10% and Psychological absence by 6.5%. Improved use of the available wellbeing support is assisting employees to remain in and return to work. In October 2018, the MindKind campaign was launched which aims to improve awareness around mental health and the importance of understanding the simple steps that employees can all take to look after their mental and physical wellbeing, as well as the benefits and importance of seeking help early. The MindKind campaign along with the introduction of Mental Health First Aiders, mental health awareness training and videos, line manager training, and breaking down the stigma attached to mental health should help sustain and capitalise on these long-term absence reductions.
32. Staffordshire County Council's enablers, as set out in the Strategic Plan, describe how the county council needs to transform to deliver against its ambitions for Staffordshire, whilst recognising the increasing financial challenges. A Corporate Change Programme (Enablers programme) is in development for the 2019/20 Delivery Plan and will be managed as a portfolio of work incorporating the four enablers; Digital, People Helping People, Networks and People Strategy.

33. Outcomes Performance – Quarter 3 Data Releases

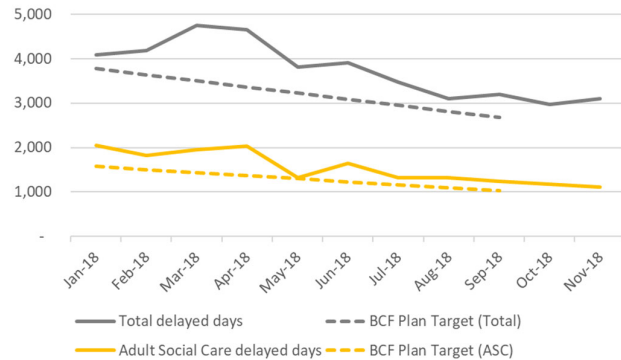
Health and Care

Healthy Life Expectancy, 2015-2017



Source: Office for National Statistics (ONS)

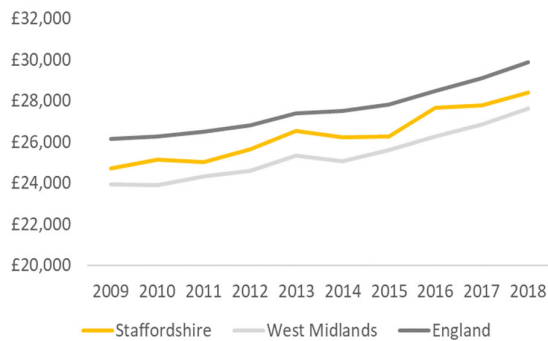
Delayed Transfers of Care, Jan-18 – Nov-18



Source: Delayed Transfers of Care monthly statistics, NHS England

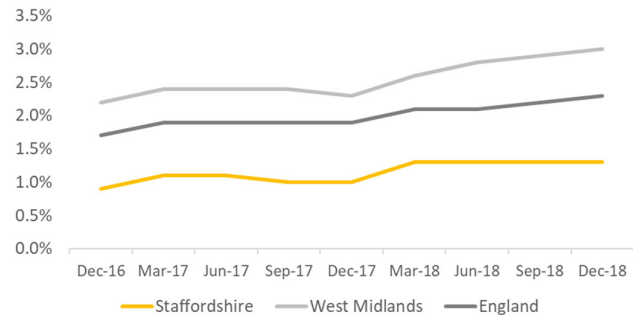
Economy, infrastructure and Skills

Average Wage Levels, 2009 – 2018



Source: Median annual earnings (gross) for full-time workers - Annual Survey of Hours and Earnings

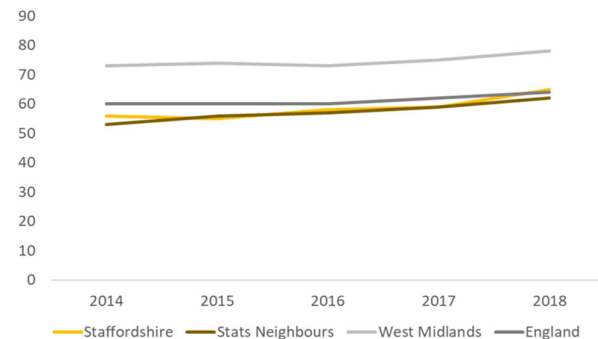
Claimant Count, Dec-16 – Dec-18



Source: Office for National Statistics (ONS)

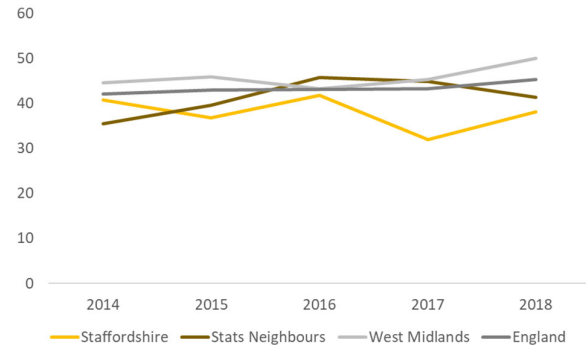
Families and Communities

Looked after Children (rate per 10,000), 2014 – 2018



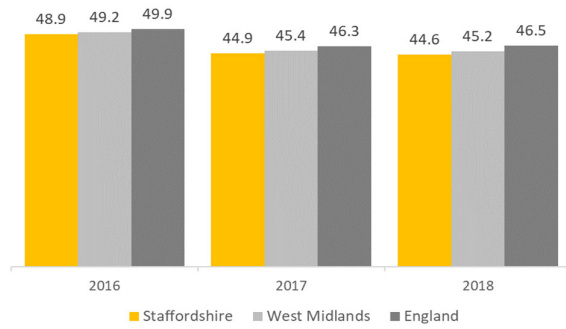
Source: Local Authority Interactive Tool (LAIT)

Children subject of a Child Protection Plan (rate per 10,000), 2014-2018



Source: Local Authority Interactive Tool (LAIT)

Key Stage 4 – Attainment 8 Score



Please note: Since there has been a slight change in methodology in the calculation of Attainment 8, comparisons to 2016 scores are not possible. England figures are for State-funded schools only.

Source: Department for Education (DfE)

Appendices

Finance Appendices –

1. Finance Quarter 3 Detailed Report
2. Corporate Checklist
3. Revenue Forecast Outturn 2018/19
4. Capital Forecast Outturn 2018/19
5. Financial Health Indicators 2018/19

Introduction

Revenue Forecast

1. The latest revenue forecast outturn (as provided in appendix 3) shows a forecast underspend of £0.997m (0.2%), compared to the forecast underspend of £1.578m (0.3%) at quarter 2. The forecast outturn is shown assuming the carry forward request from Heath & Care is approved and that an agreed contribution to the Exit & Implementation/Transition Fund (£3m) is made which has been approved as part of the Medium Term Financial Strategy. The actual sums transferred are subject to the final outturn position.
2. At quarter 1, it was agreed that £2.160m of contingency would be used to support Children's Services. This reduces the centrally held contingency from £3.5m to £1.340m.
3. As a first step to providing short term funding to help with the first two years of the MTFs, Cabinet considered that it would be prudent to start to identify savings in the current financial year which can be carried forward to 2019/20. It was therefore decided that a spending controls exercise, similar to that adopted in 2016/17, commence with immediate effect in 2018/19.
4. The following paragraphs consider the key financial issues in each of the council's portfolios.
5. **Health and Care** **Forecast saving £2.014m (0.9%)**
6. *Adults Social Care and Safeguarding* *Forecast saving £0.707m (1.8%)*
7. The forecast saving of £53,000 at quarter 2 has now increased to a saving of £0.707m.
8. There is a continued forecast overspend of £0.1m for Medical Health assessments which had previously been paid for by Clinical Commissioning Groups (CCG's).
9. Staffing related efficiencies through management of vacant posts and reduced use of agency staff have resulted in additional savings of £0.635m since the quarter 2 report, £0.827m in total.

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10. At quarter 2 we reported on the Transforming Care Partnership: Staffordshire County Council continues to work together with CCG's to support the discharges of people from specialist hospital to community-based settings. There is still a funding risk to this because National Health Service England (NHSE) reduced the amount of money that will accompany each individual to fund their community care. As a result, patients may be discharged without sufficient funding to cover the community-based provision. This will place financial pressure on CCG's. Currently SCC would not share any of this liability, however, we continue to monitor the financial risk of any changes to the Transforming Care Partnership.
11. *Care Commissioning* *Forecast saving £1.307m (0.7%)*
12. The forecast overspend of £0.942m reported at quarter 2 has now changed to a forecast saving of £1.307m.
13. Receipt of Winter Funding of £3.542m is going to support: additional investment of £1.150m to boost capacity in home care and similar services; £0.250m to transfer services from Allied Healthcare to new providers; £0.342m for additional capacity to support processes to find the most appropriate care for people in a timely way; and the remainder towards meeting the cost of Care Home placements and additional capacity requirements in the south of the County, alongside agreed iBCF funding of £0.365m. Residential care prices are no longer increasing, but do remain overspent. There remains a continuing trend for the cost of new placements to be higher than for existing placements for nursing. The additional total cost of price rises included in this forecast is £9.250m.
14. Actions carried out to partially mitigate the forecast overspend include block booking beds at a lower cost per bed and reform to the pathway to support the Dynamic Purchasing System (DPS). A more robust application of the councils Cost Effective Care and Support guidance is key action and is progressing. In the medium and longer term, direct intervention in the market is being considered to increase supply. However, managing the escalating prices in the provider market and developing cost effective alternative quickly will be extremely difficult. The associated cost reduction measures outlined above are not without a high level of risk.

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15. The implementation of the DPS in 2017/18 was expected to deliver lower Care Home placement costs. The rising trend in prices has offset this saving and therefore MTFs saving of £0.5m for 2018/19 will not be achieved.
16. In terms of Delayed Transfers of Care (DToC), discharges from hospital into residential and nursing care have contributed to the cost pressure in these services. This has been offset in part by the £1m set aside in the MTFs to fund cost pressures arising from activity to reduce DToC. On top of this we have agreed funding from iBCF of £0.650m towards existing and new home care health tasks.
17. The number of older people receiving community services, primarily from SCC directly commissioned home care, has reduced resulting in a forecast saving of £0.865m. This has reduced since quarter 2 due to a recent increase in the number and cost of Home Care packages.
18. Physical Disability services are forecast to save £1.1m as a result of a reduction in a small number of high cost packages. There is a risk that this could be offset by new clients transitioning into the service.
19. The forecast saving for equipment related spend has reduced from £0.183m at quarter 2 to £32,000. Telecare and Equipment Maintenance are forecast to overspend further due to a delay in implementing the new model for service delivery. This is offset by reduced spending on adaptations (as items over £1,000 are now funded by the District Councils) and a forecast saving of £0.1m for the Integrated Community Equipment Service (ICES) section 75 arrangement based on activity to date and reduced spend on assistance technology following the announcement of in year spending controls.
20. Respite is forecast to save £0.304m due to better utilisation of block booking of beds.
21. As reported at quarter 2, the MTFs saving for the closure of Lichfield day centre has been delayed and as a result there is a forecast overspend of £0.2m; the South Staffordshire Connect Contract ceased at the end of the last financial year, resulting in a saving of £0.193m, the loss of section 256 Health income is not as high as expected when setting the budget resulting in an improved position of £0.224m; Advice and Information services are

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forecast to save £0.198m because of lower than expected activity levels; and the cost of the Provider Improvement Response Team, amounting to £0.120m is now being met from BCF monies following agreement with CCG's.

22. Prisoners related care activities are forecast to save £0.292m, £25,000 more than quarter 2, due to a combination of lower care costs and fewer assessments than expected.
23. Learning Disability package reviews are taking place but overall the cost of packages have not significantly changed and as a result MTFs savings are being offset against the demographic budget. This position will continue to be monitored as we enter the final quarter of the year as there is a risk that demographic or acuity pressures begin to materialise.
24. Spending controls and successful management of contracts has led to Learning Disability and Mental Health placements forecasting to save £1.297m. This is an improvement from quarter 2 when a break-even position was reported. The saving is the result of Direct Payment clawbacks of £0.620m as citizens have transitioned to new prepayment cards, contract reductions of £0.427m and reduced costs of £0.250m for Mental Health & Learning Disability service provisions. Further savings may be realised by quarter 4 if there is lower new demand for services than expected.
25. On top of this, the financial position has improved as a result of Client Contributions – now forecasting to be higher than originally planned by £2.245m as a direct impact of increased placement costs. This is an increase of £0.377m since quarter 2. There is a forecast saving of the Care Act budget of £0.2m as a result of a reduced contribution to the Staffordshire Adult Safeguarding Board, lower than expected legal costs across Health & Care and some small contract savings.
26. Other savings of £0.492m are due to vacant posts and a range of other savings following the implementation of spending controls.
27. **Families and Communities** **Forecast overspend £1.174m (0.8%)**
28. *Children's Services* *Forecast overspend £2.208m (1.9%)*
29. The forecast overspend has increased since quarter 2 by £0.247m.

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30. The forecast saving on staff budgets is £4.5m. This is partially offset by an increasing use of agency staff to cover the high level of vacancies for social work staff, particularly in Safeguarding and Case Management teams. This has resulted in a forecast spend of £3.6m which is an increase of £0.3m from quarter 2. The increase in agency staff expenditure has been partly offset by an increase in the forecast level of income for unaccompanied asylum seekers and parental fines relating to unauthorised school absences. The service is continuing to look at strategies designed to progress the recruitment of social workers in a permanent capacity, which should help address the current high level of vacancies across the service. Contingency of £0.660m was approved at quarter 1 to support these strategies. Due to high levels of vacancies the contingency is now not expected to be spent with the overall forecast saving on all other employee budgets at £0.24m.
31. Overall, Looked After Children's numbers have remained relatively stable over the past few months with the December total at 1,130 compared to 1,119 in June. The previously reported overspend on independent sector placements, in external residential homes and with independent fostering agencies has therefore remained broadly the same with a forecast overspend of £2.8m. The service has sought to identify opportunities to mitigate and reduce demand and placement price pressures with a number of initiatives being pursued. However, it is anticipated that additional costs and potential savings arising from these initiatives will impact from 2019/20 and future years.
32. *Education Services* *Forecast saving £1.130m (8.8%)*
33. The forecast saving has reduced by £50,000 since the quarter 2 report. This is due to further variances within the Facilities Management Services contract and further savings on education services relating to recent vacancies. There is an undelivered MTFs saving of £0.250m relating to the SEND Assessment Team.
34. The High Needs Block is currently forecast to have a net overspend of £6.6m. Therefore, the DSG reserve is currently expected to be in deficit at the end of the financial year. This will mean County Council earmarked reserves will be required to offset this deficit. The overspend position

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includes delivering £0.512m of the £0.8m mitigating options as presented to Schools Forum on 18th October and an additional allocation to the High Needs Block from the Department of Education of £1.8m announced on 17th December. Although options have been identified, the growth in numbers accessing the service continues, so the full impact of any mitigating actions may be lower than anticipated. There are proposals to manage the increase in demand through the SEND Transformation programme.

35. At quarter 2 the reported position for SEND transport was break-even, however any potential contract increases for the new academic year would not be known until after October. This exercise has now been completed and the current forecast remains break-even although there is a risk of additional costs arising from appeals for SEND transport and potential further requests for transport as we go through the end of the financial year.
36. School pensions costs continue to forecast a saving of £0.5m as on-going costs in this service are reducing.
37. Provision for the re-imburement of payments made on Facilities Management services has result in a one-off benefit in 2018/19 of £0.680m.
38. Licenced deficits for schools are increasing in number and value. Any school which has a deficit on sponsored conversion will create a liability for the County Council. This has been the case most recently with Great Wyrley High School where the liability could be up to £0.8m. These costs are being met from the DSG reserve.
39. *Culture & Communities* *Forecast overspend £96,000 (1.6%)*
40. Archives is only able to partially deliver its £0.157m MTFs saving due to the service recently being unsuccessful in its Staffordshire History Centre Lottery Fund funding bid, resulting in additional archiving costs which along with a delay in consultation is preventing the implementation of a new 'single site' staffing model. Current vacancy and spending controls have partially offset some of the overspend resulting in a reduced forecast overspend of £63,000.
41. Redundancy payments in the Arts Service of £0.115m are being offset by a corresponding managed saving in the Libraries budget.
42. The Shugborough budget is forecast to overspend by £67,000 as it is currently unable to fully deliver MTFs saving of £45,000 due to an

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overspend for historic utility bills, paying lease charges earlier than originally planned and for the relocation of the County Museum collections to new storage facilities. To partially offset these overspends, vacancy and spending controls have delivered savings of £54,000.

43. Economy, Infrastructure and Skills Forecast saving £3.683m (5.7%)

44. *Business and Enterprise* *Forecast saving £64,000 (4.5%)*

45. The forecast saving has increased by £5,000 since the quarter 2 position. The forecast saving is due to early achievement of the Enterprise Centres MTFS saving. The Burton Centre has now closed. There is also continued freezing of vacant posts and lower than previously forecast maintenance expenditure of County Farms.

46. *Infrastructure and Highways* *Forecast saving £0.240m (0.9%)*

47. The forecast position is a saving of £0.240m, a change from the previous break-even position. A saving of £0.445m is forecast in the Community Infrastructure area which is largely due to one-off salary savings across the area due to vacant posts. This is being used to offset a forecast overspend of £0.299m in the Developments and Improvements area which reflects the pressure on the team to meet statutory planning requirements with the expansion of housing developments. There are also additional one-off salary savings within the Strategic Asset and Network Management area and an improved position within the lab which are being utilised to fund the cost of additional works on the network.

48. *Transport, Connectivity and Waste* *Forecast saving £3.048m (7.8%)*

49. The forecast saving for the Transport area is £0.788m, a small decrease from the position at quarter 2. There has been movement within individual budget areas with concessionary fare spend now forecasting a modest £26,000 saving, although the final position will be dependent on a decision to be made later by the Department for Transport. With the September 2018 mainstream school adjustments now complete and continued robust network and contract management on both the home to school mainstream and supported bus contracts, there is an overall forecast saving of £0.495m, which includes the impact of holding vacant posts as part of the spending controls.

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50. The forecast saving for the Waste and Sustainability area is £2.260m, an increase of £1.010m since the quarter 2 report.
51. As previously reported, the saving is attributable to a number of one-off in year impacts. The primary reason for the increase in forecast saving is due to the finalisation of the 2018/19 Energy from Waste Four Ashes contract which will see a one-off trade waste payment in favour of the County Council.
52. In addition, there has been further savings achieved through continued robust contract management resulting in increased income generation and reduced costs, plus the introduction of spending and vacancy management controls within the Sustainability & Waste Business Unit.
53. *Skills* *Forecast saving £81,000 (3.1%)*
54. The forecast saving is due to an early achievement of the IAG Entrust MTFs saving for 2019/20
55. There is a forecast overspend of £0.3m in the Post 16 top-ups and Further Education Placement areas. This is funded by the Dedicated Schools Grant.
56. *El&S Business Support* *Forecast saving £0.250m (22.0%)*
57. The forecast saving is a £75,000 increase from the position at quarter 2. This forecast is due to the ongoing spending freeze which has meant spend is forecast to be lower across a number of budget headings including training.
- 58. Finance and Resources** **Forecast saving £0.873m (4.3%)**
59. The forecast saving has decreased from the £0.977m reported at quarter 2, due to updated costs relating to E payments and other digital initiatives. The overall saving is a result of the impact of spending controls, and vacant posts in the Commercial Unit, Strategic Property, Adults & Children's Financial Services, Audit and ICT. Additional forecast savings have also been identified in ICT on contract payments.

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60. **Strategy Governance and Change** **Forecast saving £0.201m (1.1%)**

61. The forecast saving is an increase from the £0.158m forecast at quarter 2. The increase is mainly due to the on-going impact of spending controls. Overall the impact of spending controls and vacant posts, particularly in Organisational Development, Executive Support and Transformation Support Unit is the main reason for the forecast saving. An MTFS saving relating to the introduction of the Annual leave purchase scheme of £0.180m will not be delivered due to delays in implementation, however this is offset by savings from early repayment of redundancy loans and actuarial strain.

62. **Centrally Controlled**

63. There is a forecast saving of £0.4m, this is due to savings across numerous areas on central accommodations offset by additional costs on the property rationalisation programme. There are also savings on planned maintenance and day to day maintenance as part of the spending controls.

Capital Forecast

64. Appendix 4 compares the latest capital forecast outturn of £137.8m, a decrease from the quarter 2 position of £149.2m. The key reasons for this decrease of £11.4m are set out in the following paragraphs.

65. **Health and Care** **Forecast spend £3.461m**

66. The forecast spend has decreased by £25,000 since quarter 2, this is due to the reprofiling of Care Director spend into 2019/20 of £0.398m, offset by an increase in the cost of land for Dementia Centre of Excellence at Lichfield by £0.373m.

67. **Families and Communities** **Forecast spend £41.942m**

68. *Maintained Schools* *Forecast Spend £32.616m*

69. The forecast spend has decreased by £13.021m since quarter 2. This is mainly due to the rephasing of £14m of unallocated basic needs funding into 2019/20 as a result of delays in development of new build projects and additional increases across a number of schemes.

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70. **Economy, Infrastructure and Skills** **Forecast spend £86.018m**

71. *Economic Planning & Future Prosperity* *Forecast spend £21.345m*

72. The forecast spend has decreased by £0.205m since quarter 2. This slight decrease is largely due to slippage on the Superfast Broadband scheme, whereby BT have not hit their target number of homes passed. This is not a local issue, and BT are working hard to address this and plan to over achieve their target for future quarters.

73. *Highways Schemes* *Forecast spend £62.857m*

74. The forecast spend has increased by £1.633m since quarter 2. This is due to a number of reasons:

75. The forecast for Major schemes has decreased by £1.556m which is due to the re-profiling of the Lichfield Southern Bypass scheme, the spend due to happen in 2019/20.

76. The Maintenance and Integrated Transport schemes forecast has increased by £2.448m, this is largely due to the implementation of new schemes because of the additional Department for Transport allocation. This includes £1m for additional surface dressing preparation and £1.6m for feasibility studies for hot spot patching, additional drainage exploration and bringing forward carriage way scheme spend previously forecast for 2019/20.

77. The Other Highways Schemes and Developer funded schemes have increased by £0.741m, mainly due to an increase forecast spend on a number of smaller developer schemes.

78. **Finance and Resources & ICT** **Forecast spend £1.285m**

79. The forecast spend has increased by £73,000 since quarter 2, this is due to 50 new WIFI points to support Adults agile working, and additional costs relating to Private Sector Network installation and printer refresh projects.

Appendix 1 – Quarter 3 Finance Report

80. Property Forecast spend £2.765m

81. The forecast spend has reduced by £0.173m since quarter 2, this is due to reduction in forecast spend on Asset Renewal of £0.585m, offset by the introduction of three new schemes – SP2 to SP1 relocation (£0.1m), Districts Property Rationalisation (£0.250m) and Greenwood House Development (£50,000).

82. County Fleet Care Forecast spend £2.114m

83. The forecast spend has increased by £0.8m since quarter 2 due to the purchase of 10 new welfare “Treka Buses” by social care.

84. Capital Receipts

85. In accordance with the county council’s flexible use of capital receipts policy, a target to deliver £30m of capital receipts during the two year period ending 31st March 2019 was set in order to support transition revenue spend and deliver on-going efficiency savings. A total of £26.5m has actually been received at the end of December 2018, against the target of £30m. There are a further 7 sites currently in the sales process which we are confident will be received by 31st March 2019 and which will consequentially ensure we deliver the original target. There are also 3 additional sites which may be completed and if these are received by the end of this financial year we will over achieve the target by approximately £2m.

86. Whilst we remain confident that we will meet the target by 31st March 2019, should some of the sales slip into the first few months of 2019/20 we can deal with the temporary shortfall in 2018/19 through the normal year end capital financing arrangements.

87. Financial Health

88. Appendix 5 provides a forecast outturn performance against the key Financial Health Indicators approved as part of the 2018/19 budget setting process.

Appendix 1 – Quarter 3 Finance Report

89. There have been 90.7% of invoices were paid within 30 days at the end of quarter 3, hitting the financial health indicator target.

90. The estimated level of outstanding sundry debt over 6 months old is £12.851m, this exceeds the revised target of £5m by £7.851m. This is an increase of £3.931m since quarter 2. The debt recovery process involves chasing by a range of methods with the eventual escalation to the external collection agent or to Legal for the possibility of a court decision to recover the debt.

91. The debt is analysed into categories as below -

Debtor Type	30/09/2018 £m	31/12/2018 £m	Inc. / (Dec.) £m
Health Bodies & CCGs	1.519	4.170	2.651
Other Govt. and Public Bodies	0.656	0.887	0.231
Other General Debtors (Individuals & Commercial)	6.745	7.794	1.049
TOTAL	8.920	12.851	3.931

Appendix 2 – Corporate Checklist

Equalities implications:

Through the delivery of county council business plans, service delivery is increasingly reflecting the diverse needs of our various communities.

Legal implications:

There are no legal implications arising from this report.

Resource and Value for money implications:

The resource and Value for money implications are set out in the report.

Risk implications:

The risk implications concern the robustness of the forecast outturn which may change owing to pressures on services with a consequent effect on county council functions being able to keep within budgets and a potential call on balances.

Climate Change implications:

Staffordshire's communities are places where people and organisations proactively tackle climate change, gaining financial benefit and reducing carbon emissions' is one of the county council's priority outcomes. Through the monitoring and management of this outcome; climate change and carbon emissions are being addressed in an active manner.

Health Impact Assessment and Community Impact Assessment screening:

Not required for this report.

Report authors:

Author's Names: Rob Salmon, Rachel Spain, Nicola Lycett
Telephone No: (01785) 85 4454
Location: Staffordshire Place No.2

Revenue Forecast Outturn 2018/19









	Revised Budget Qtr 3 £m	Forecast Outturn £m	Carry Forward Request £m	Variation £m
<u>Health and Care</u>				
Public Health & Prevention	0.000	0.000		0.000
Adult Social Care & Safeguarding	39.977	39.270	0.700	(0.007)
Care Commissioning	176.479	175.172	1.300	(0.007)
Specific Grant Allocation	(1.385)	(1.385)		0.000
Health and Care Total	215.071	213.057	2.000	(0.014)
<u>Families and Communities</u>				
Children's Services	114.822	117.030		2.208
Children's Public Health	0.000	0.000		0.000
Education Services	12.782	11.652		(1.130)
Culture and Communities	5.894	5.990		0.096
Rural	2.155	2.155		0.000
Community Safety	8.704	8.704		0.000
Specific Grant Allocation	(6.222)	(6.222)		0.000
Families and Communities Total	138.135	139.309	0.000	1.174
<u>Economy, Infrastructure and Skills</u>				
Business & Enterprise	1.423	1.359		(0.064)
Infrastructure & Highways	26.577	26.337		(0.240)
Transport, Connectivity & Waste	39.217	36.169		(3.048)
Skills	2.620	2.539		(0.081)
EI&S Business Support	1.134	0.884		(0.250)
Specific Grant Allocation	(6.480)	(6.480)		0.000
Economy, Infrastructure and Skills Total	64.491	60.808	0.000	(3.683)
Finance and Resources Total	20.151	19.278	0.000	(0.873)
Strategy, Governance and Change Total	18.412	18.211	0.000	(0.201)
Traded Services	(0.436)	(0.436)	0.000	0.000
TOTAL PORTFOLIO BUDGETS	455.824	450.227	2.000	(3.597)
<u>Centrally Controlled Items</u>				
Interest on Balances & Debt Charges	35.323	35.323		0.000
Pooled Buildings and Insurances	12.970	12.570		(0.400)
MTFS Transition Fund	0.000	3.000		3.000
Trading Services Reserves	0.000	0.000		0.000
Contingency Position	1.340	1.340		0.000
TOTAL FORECAST OVERSPEND	505.457	502.460	2.000	(0.997)

CAPITAL PROGRAMME 2018/19

	<u>2nd Quarter Budget</u>	<u>Enhancements to Programme</u>	<u>3rd Quarter Budget</u>
	£m	£m	£m
Health and Care			
Care and Independence	3.486	(0.025)	3.461
Health and Care Total	3.486	(0.025)	3.461
Families and Communities			
Maintained Schools	45.637	(13.021)	32.616
Academy Conversion Residual	0.027	0.000	0.027
Rural County (Countryside)	0.230	0.065	0.295
Vulnerable Children's Projects	0.387	(0.323)	0.064
Tourism and Culture	9.202	(0.263)	8.939
Families and Communities Total	55.483	(13.542)	41.941
Economy, Infrastructure and Skills			
Economic Planning & Future Prosperity	21.550	(0.205)	21.345
Skills	1.760	0.000	1.760
Highways Schemes	61.224	1.633	62.857
Waste & Sustainability Projects	0.056	0.000	0.056
Economy, Infrastructure and Skills Total	84.590	1.428	86.018
Trading Services - County Fleet Care	1.314	0.800	2.114
Finance, Resources & ICT	1.212	0.073	1.285
Property	2.938	(0.173)	2.765
Corporate Leased Equipment	0.200	0.000	0.200
Total	149.223	(11.439)	137.784

Financial Health Indicators 2018/19

Appendix 5

Indicator	Current Performance	
<p><u>Debtors</u> Level of outstanding general debtors more than 6 months old does not exceed £5m (Current Performance – £12.851m)</p>		
<p><u>Payments to suppliers</u> At least 90% of invoices have been paid within 30 days of us receiving them during the last quarter (Current Performance – 90.7%)</p>		
<p><u>Monitoring</u> Quarterly financial monitoring reports have been issued to Cabinet during the last 12 months</p> <p>The council's most recent revenue outturn forecast did not vary by more than +/-2% when compared to the overall revenue budget</p> <p>Monthly monitoring reports of progress against MTFS savings have been produced for the Senior Leadership Team during the last 12 months</p>	<div style="display: flex; flex-direction: column; align-items: center; justify-content: center;">    </div>	
 Indicator not met	 Indicator not met by small margin	 Indicator met



Cabinet Meeting on Wednesday 20 February 2019

Report on the First Review of the Staffordshire and Stoke-on-Trent Joint Waste Local Plan (2010 - 2026)

Cllr Mark Winnington, Cabinet Member for Economic Growth said,

“We have reviewed our Waste Local Plan for the first time and we are satisfied that there is no need to change it. The Plan is performing well in delivering both new waste management facilities and new capacity to recycle and treat waste.

“Planning policies have resulted in sites operating to higher environmental standards, while there is a significant reduction in the amount of waste, particularly household waste, sent to landfill.

“Finally the Plan is also bringing economic benefits to the area as new jobs are created in the waste recovery field.”

Report Summary:

The attached First Review of the Staffordshire and Stoke-on-Trent Joint Waste Local Plan confirms that our waste planning policies are performing well and there is no need to revise the Plan.

Recommendations

I recommend that:

- a. Cabinet endorses the conclusions of the First Review of the Staffordshire and Stoke-on-Trent Joint Waste Local Plan (2010 – 2026), that there is no need to revise our Waste Local Plan at this time so that it can continue to carry weight in the determination of planning applications for waste development*.

**As the Plan was jointly adopted by Staffordshire County Council and Stoke-on-Trent City Council in 2013, a joint review has been carried out. Stoke-on-Trent City Council are also seeking formal sign off of the conclusions of the review document.*

Local Members Interest
N/A

Cabinet – Wednesday 20 February 2019

Report on the First Review of the Staffordshire & Stoke-on-Trent Joint Waste Local Plan (2010 - 2026)

Recommendations of the Cabinet Member for Economic Growth

I recommend that:

- a. Cabinet endorses the conclusions of the First Review of the Staffordshire and Stoke-on-Trent Joint Waste Local Plan (2010 – 2026), that there is no need to revise our Waste Local Plan at this time so that it can continue to carry weight in the determination of planning applications for waste development*.

**As the Plan was jointly adopted by Staffordshire County Council and Stoke-on-Trent City Council in 2013, a joint review has been carried out. Stoke-on-Trent City Council are also seeking formal sign off of the conclusions of the review document.*

Report of the Director of Economy, Infrastructure and Skills

Reasons for Recommendations:

1. The [Staffordshire and Stoke-on-Trent Joint Waste Local Plan 2010 - 2026](#) (the Waste Local Plan) was prepared jointly with Stoke-on-Trent City Council and was adopted in March 2013. [New regulations](#) which came into effect on 6 April 2018 require us to complete a review of the waste and minerals local plans every 5 years, starting from the date of adoption of the local plan, in accordance with [section 23](#) of the Planning and Compulsory Purchase Act 2004 (adoption of local development documents). [Planning Practice Guidance on plan-making](#), published on 13 September 2018, sets out what authorities can consider when determining whether policies should be updated.
2. Waste Planning Authorities have an important enabling role in the delivery of waste management facilities and an up to date Waste Local Plan is essential as it provides clarity for developers and communities about where the facilities should be built and the environmental standards by which they should operate.
3. A joint review has been carried out with Stoke-on-Trent City Council. The accompanying First Review of the Waste Local Plan, December 2018 (the review document) (Appendix A), provides our assessment of how well our waste planning policies have been performing and explains how we have reached the conclusion that the Plan does not need to be revised at this time. Overall, the review document concludes that the Waste Local Plan is performing well and is providing an effective planning policy framework for the determination of planning applications for waste development in Staffordshire and Stoke-on-Trent. The Waste Local Plan is also in conformity with national waste planning policy and

guidance and there have been no changes to local circumstances or our strategic priorities which would suggest that revisions to the waste planning policies are necessary. Therefore, the Waste Local Plan can continue to carry weight in the determination of planning applications for waste development.

4. A report on the review was taken to our Planning Committee on 7 February 2019 (Appendix B) for endorsement and is to be reported to Full Council on 21 March 2019. Officers at the City Council are also seeking formal sign off of the conclusions of the review document. If necessary, a verbal update will be provided at the meeting. Finally, as the Regulations require us to publish the reasons why we have reached our conclusions, the review document will be published on our Waste Local Plan web page.

List of Background Documents/Appendices:

Appendix A: First Review of the Waste Local Plan, December 2018

[Appendix B: Planning Committee – 7 February 2019 – Report on the First Review of the Staffordshire and Stoke-on-Trent Joint Waste Local Plan \(2010 – 2026\)](#)
(item 5)

Report Commissioner: Anthony Hodge
Job Title: Commissioner for Business and Enterprise
Telephone No: 01785 277204
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Staffordshire and Stoke-on-Trent Joint Waste Local Plan 2010 - 2026



The First Review of the Waste Local Plan, December 2018



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The First Review of the Waste Local Plan, December 2018

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1. Executive Summary

All County and Unitary Authorities are required to produce a Waste Local Plan setting out a strategy and planning policies to ensure that there are sufficient facilities to properly manage the waste that is produced in the area. Staffordshire County Council and Stoke-on-Trent City Council worked together to produce [The Staffordshire and Stoke-on-Trent Joint Waste Local Plan 2010-2026](#) (Waste Local Plan) which was adopted in March 2013.

New regulations which came into effect on 6 April 2018 [[The Town and County Planning \(Local Planning\) \(England\) \(Amendment\) Regulations 2017](#)] require local planning authorities to complete reviews of their local plans every 5 years, starting from the date of adoption.

This First Review of the Waste Local Plan reports that the Waste Local Plan is performing well and is providing an effective planning policy framework for the determination of planning applications for waste development in Staffordshire and Stoke-on-Trent. It is in conformity with national policy and guidance, and there have been no changes to local circumstances or our strategic priorities which would require any modifications. Overall, the report concludes that the Plan does not need to be revised at this time.

A second review of the Waste Local Plan will be required before March 2023 (i.e. 10 years from adoption), unless an earlier review is deemed necessary due to significant changes in national policy and guidance local circumstances or our strategic priorities.

2. Introduction

2.1. Why review the Plan?

[The Staffordshire and Stoke-on-Trent Joint Waste Local Plan 2010 – 2026](#) was adopted in March 2013, setting out a strategy and planning policies to ensure that there are sufficient facilities to properly manage the waste that is produced in the area. At the time of publication, the Plan contained a stated intention for a 5-yearly review of the Waste Local Plan and synchronisation with the refresh of the [Staffordshire and Stoke-on-Trent Joint Municipal Waste Management Strategy](#) (refer to Paragraph 6.9 of the Waste Local Plan).

Recent changes in legislation included within [The Town and County Planning \(Local Planning\) \(England\) \(Amendment\) Regulations 2017](#) now require local planning authorities to complete reviews of their local plans (and statements of community involvement) every 5 years, starting from the date of adoption.

Planning Practice Guidance on [plan-making](#), published 13 September 2018, confirms that:

- Every 5 years from the date of adoption of the plan document, a local planning authority must complete its review and decide either that our policies do not need updating and publish our reasons for this decision; and/ or
- that one or more policies do need updating, and update our Local Development Scheme to set out the timetable for this revision.

In determining whether policies should be updated, we therefore need to assess:

- Success of policies against indicators in the Development Plan as set out in Section 6 (Implementation and Monitoring), and Table 4 (Measuring Policy Implementation) of the Waste Local Plan;
- Our appeals performance;
- Conformity with national planning policy; and,
- Changes to local circumstances.

2.2. How have we reviewed the Plan?

We have reviewed our waste planning policies and also relevant monitoring indicators (set out in Waste Local Plan Section 6, Table 4: Measuring Policy Implementation) to answer a series of questions:

- Is the Plan up-to-date and working in the way it was proposed? i.e. are we meeting or on track to meet our targets;
- Have waste applications been determined in accordance with the aims of the Plan?
- Are any new policies required, or do policies need to be revised or deleted as they are no longer appropriate due to special circumstances or new guidance?
- Are our waste policies a barrier to development or are they achieving our vision for waste management in Staffordshire and Stoke-on-Trent?

We have also:

- reviewed our evidence base by updating the number and capacity of our waste management facilities in order to assess what progress is being made against new waste capacity requirements in the Waste Local Plan to be able to manage an amount of waste, at least equivalent to the amount generated in the plan area. In particular the list of sites set out in the Waste Local Plan Appendix 5 'Waste Infrastructure at May 2012', and the number of facilities and capacity of facilities by broad type of waste management set out in Appendix 6 Tables 18 and 19, have been updated. This has been done using the [Environment Agency's 2017 Waste Data Interrogator](#) (currently the best available data) in addition to applications determined since May 2012 which have added new waste management capacity;
- reviewed the relevant policies and strategies of the County Council (as the Waste Disposal Authority), Stoke-on-Trent City Council (as the Waste Disposal and Collection Authority and Planning Authority for its area) and the Staffordshire Borough / District Councils (as the Waste Collection Authorities and Planning Authorities for their areas) to see if there has been any significant changes since the Waste Local Plan was adopted in 2013 e.g. changes in strategic priorities or delivery of infrastructure identified in the [Municipal Waste Management Strategy](#) (2007 and 2013 refresh); changes in assumptions for population growth; and, changes to waste arising forecasts.
- checked whether our overall strategy for managing the development of waste management facilities (our Vision, Strategic Objectives and waste planning policies) is still valid today, by reviewing conformity with national planning policy ([National Planning Policy for Waste](#) (published October 2014) and the [revised National Planning Policy Framework](#) (published July 2018) and updated [Planning Practice Guidance](#)).

3. Overview of the Plan

[The Staffordshire and Stoke-on-Trent Joint Waste Local Plan 2010 – 2026](#) (adopted in March 2013) was prepared with the aim of addressing four key issues:

Four Key Issues

- Taking steps to minimise the negative effects of waste management on climate change by: greater resource efficiency; encouraging waste operators to treat waste further up the 'Waste Hierarchy'; and, continuing to reduce our reliance and use of landfill.
- Continuing to take responsibility for managing the waste we generate by ensuring we have the facilities and capacity to manage an amount of waste as least equivalent to that generated within our areas.
- Encouraging waste operators to raise the standard of our waste infrastructure by ensuring new waste management facilities meet modern design standards; and, supporting proposals to improve the quality of existing waste management facilities.
- Developing the right type of facilities, in the right place and at the right time by ensuring that proposals make a positive contribution to people's lives; address the legitimate concerns and interests of local communities and businesses; and protect and/or enhance the natural, historic and waste environments and conserve the countryside and open spaces.

These inspired a Vision which identified what we wanted to happen:

Vision

By 2026 the people and businesses of Staffordshire and Stoke-on-Trent will be actively minimising waste and regarding waste as a resource.

To support this, 'our waste infrastructure' will comprise a network of existing, enhanced and new sustainable waste management facilities that are in the right place to contribute to the local economy, and to minimise and/or mitigate any impacts on climate change, people, transportation systems, and the built, natural, historic and water environment.

More specifically 'our waste infrastructure' will:

Have the capacity to manage an amount of waste at least equivalent to the amount we generate. This capacity will be higher up the "waste hierarchy" so that we can minimise our reliance on and use of landfill. In order to maintain this capacity, we will have used our planning powers where necessary to try to protect our waste infrastructure from constraints that may be imposed by non-waste related development in the vicinity;

Be located close to the main urban areas, as far as practicable, to minimise the impacts of transporting waste and recycled materials; and,

Meet modern design standards and, wherever practicable and environmentally acceptable, be located within buildings or enclosed structures appropriate to the technology or process, on general industrial or previously developed land.

To achieve this Vision, the plan set out four Strategic Objectives which are summarised below:

Strategic Objective 1: To support new waste development that helps minimise greenhouse gas emissions and incorporates appropriate measures to mitigate and adapt to the unavoidable impacts of climate change.

Strategic Objective 2: To encourage the maintenance of the network of new or enhanced sustainable waste management facilities ('our waste infrastructure') so that we can continue to manage an amount of waste, at least equivalent to the amount we generate ('our waste'). In addition, to support the development of new waste treatment facilities so that we can reduce our reliance on and use of landfill, and conserve our mineral resources.

Strategic Objective 3: To encourage appropriate siting and modern design standards and provide opportunities to enhance existing waste management facilities

Strategic Objective 4: To support job creation, economic growth and investment in Staffordshire and Stoke-on-Trent by providing sufficient opportunities to develop new waste management infrastructure of the right type, in the right place and at the right time, and by minimising and mitigating any adverse impacts and avoiding any unacceptable impacts.

The Strategic Objectives, in turn, were to be delivered by four broad policy areas in addition to the National Policy of presumption in favour of sustainable development:

Policy 1: Waste as a resource;

Policy 2: Targets and broad locations for waste management facilities;

Policy 3: Criteria for the location of new and enhanced waste management facilities; and,

Policy 4: Sustainable design and protection and improvement of environmental quality.

4. How has the plan area changed?

To assess how well the [Waste Local Plan](#) is performing, we need to understand how the circumstances in Staffordshire and Stoke-on-Trent have changed since the Plan was prepared.

4.1. Predictions for population growth

Paragraphs 3.7 to 3.11 of the [Waste Local Plan](#) set out a demographic profile of the plan area at the time of preparing the Plan. In 2009 Staffordshire had a population of 828,700 and the population of Stoke-on-Trent was 238,900 (ref. ONS, 2009 Mid-Year Estimates). These figures were predicted to rise to 909,100 and 254,600 respectively by 2026 (ref. ONS, 2006 Based Sub-National Population Projections). This equated to a growth of around 9% over the plan period (2008 to 2026).

Since the [Waste Local Plan](#) was adopted in 2013, population growth estimates have been revised through the ONS Subnational Population Projections in 2014 and 2016. The latest estimates show lower rates of growth for Staffordshire than previous projections, with the population now projected to rise to 887,591 by 2026. According to the [Staffordshire Observatory](#), the population also appears to be ageing faster than the national average, and household formations are also expected to be lower, in part due to limited house building and therefore housing affordability becoming an issue for more young people looking to start a family.

By contrast, the population for Stoke-on-Trent is growing faster than the 2009 forecast (254,600) and is now expected to increase to 261,283 by 2026.

Comparing these estimates with the figures which were included in the Waste Local Plan, the population for Staffordshire is likely be just over 21,500 (2%) lower than originally anticipated, while the population of Stoke-on-Trent is likely to be nearly 6,700 (3%) higher. Combining the two together, the latest projections show that Staffordshire and Stoke-on-Trent will have just over 14,800 (1%) fewer residents in 2026 than was anticipated when the Waste Local Plan was prepared. This forecast change, if correct, is unlikely to have any significant impact on waste arisings, and would not necessitate a revision of the waste treatment capacity requirements identified in the [Waste Local Plan](#) (Policy 2.2).

4.2. Waste production and management

At the time of preparing the [Waste Local Plan](#), the best available forecasts of waste arisings were based on modelling undertaken at a regional level, which were subject to examination in public ([RSS Phase 2 Revision, Quality of the Environment Part 4 – Waste Policies, Policy W2 Tables 5 and 6 \(MSW and C&I waste diversion by Waste Planning Authority\)](#)). These indicated that Staffordshire and Stoke-on-Trent produced around 4.2 million tonnes of waste each year. Of that, 44% came from Construction, Demolition and Excavation (C, D & E) activities, and 39% from Commercial and Industrial (C & I) sources, with Municipal Solid Waste (MSW), mainly from households, making up less than 15% of the total.

As of 1 May 2012, there were 268 permitted waste management facilities within Staffordshire and Stoke-on-Trent which were classified as operational or known to be pre-

operational (i.e. with planning permission but which has not yet been implemented). Tables 18 and 19 in the [Appendices to the Joint Waste Local Plan](#) provided information on the number, type and permitted capacity of existing waste management facilities.

Based on the growth predictions and the waste apportionment for Staffordshire and Stoke-on-Trent as identified in the [West Midlands Regional Spatial Strategy Phase 2 Review](#), and the strategic priorities of the [Municipal Waste Management Strategy 2007](#), the [Waste Local Plan](#) set targets for new waste management facilities (Policy 2.2).

Table 1: Total Additional Capacity Requirements identified in Waste Local Plan

Waste Management Types	Total Additional Capacity Required By 2025/26 (Tonnes per annum (tpa))	Equivalent No. of Facilities Required
Recycling / Material Recovery (mechanical sorting)	380,000 tpa required by 2020/21 or 389,000 tpa by 2025/26	Minimum of 6 - 8 facilities
Organic Waste Treatment	60,000 - 80,000 tpa required by 2020 capable of treating co-collected municipal green and kitchen waste.	2 – 3 facilities. 1 facility is specifically required to serve the North Staffordshire Conurbation and Staffordshire Moorlands.
Recycling / Material Recovery	Minimum of 200,000 tpa required by 2020/21.	2 - 4 facilities. Facilities are required in or close to large areas of development/ construction.
Contaminated Soils (Storage, Treatment and Remediation)	Not possible to quantify	Not possible to quantify what is required to serve the regeneration of the North Staffordshire conurbation.

Since the [Waste Local Plan](#) was adopted, no new methodology has yet been developed, agreed and endorsed by the West Midlands Resource Technical Advisory Board for Waste on which to update waste forecasts for plan making and monitoring purposes. The original regional waste forecasts on which the Waste Local Plan targets for new waste management capacity is based remain therefore the best available.

Given that the population appears to be growing more slowly than originally predicted, it is reasonable to anticipate that waste arisings are unlikely to exceed the levels originally predicted in the [Waste Local Plan](#). The additional capacity requirements identified in the Plan, therefore, remain relevant, so the review of the Plan has assessed the development of new waste management infrastructure against these requirements.

4.3. Location policy

The [Waste Local Plan](#) aims to direct new waste management facilities to general industrial land, previously developed land, and existing waste management sites, within or close to the urban areas (Policy 2.3). A review and sustainability appraisal of sites available at the time, confirmed that there was no shortage of sites that would be suitable to support new waste management facilities of all sizes and types. As a consequence, there was no need to allocate specific sites for new facilities. [National Planning Policy for Waste](#), which supersedes PPS10 on which the Waste Local Plan and locational policy was based, was published after the Plan adoption. The location policy is still in conformity (refer to section 8.1 below).

5. Waste Treatment Capacity

5.1. Measuring Waste Treatment Capacity

There is no single measure of waste management capacity. It is often considered as either notional capacity or actual capacity. Notional capacity is the potential throughput which could be achieved if operations were to work to the maximum levels permitted in the planning permission or waste management licence or permit or exemption. Actual capacity is the quantity of waste which the facility manages i.e. the throughput /input recorded into the site, which tends to vary due to the market and other commercial factors. In assessing the existing waste infrastructure within the plan area, this Waste Local Plan review considered a combination of both notional capacity (when the planning permission for a site set out the maximum throughput by condition) and actual capacity (using the latest Environment Agency data on waste input into a site).

All operators of regulated waste management facilities provide the Environment Agency with details of the quantities and types of waste they deal with i.e. waste received into site and waste sent on from site to other facilities or processes. The Environment Agency provide the data to waste planning authorities to assist them with the planning for new waste management facilities and for monitoring against statutory targets. The Environment Agency's Waste Data Interrogator (WDI) provides combined data for Household and Commercial and Industrial Waste and is the best available data, although there are limitations as it does not record the geographical origin of the waste managed; it does not record waste managed under an Environment Agency exemption; and, it does not record Construction and Demolition & Excavation Waste managed through mobile plant or on construction sites.

5.2. Changes in the overall quantities of waste treated

The latest data from the [Environment Agency's 2017 Waste Data Interrogator](#) (published 10 September 2018) shows that the total amount of waste received into a waste management site within the plan area was 4,232,907 tonnes (3,672,503 tonnes for Staffordshire, and 560,404 tonnes for Stoke-on-Trent). In the same period the amount of waste sent on from waste management sites within the plan area to other facilities or processing beyond the plan area was 1,340,070 tonnes (1,035,046 tonnes for Staffordshire, and 305,024 tonnes for Stoke-on-Trent).

This demonstrates that the quantity of waste treated in waste management facilities in the plan area, regulated by the Environment Agency, far exceeds exports (only 32%) from these sites. However, waste still leaves the plan area for treatment for commercial reasons e.g. the availability of specialist facilities and spare capacity.

The best available data on hazardous waste is the [Environment Agency's Hazardous Waste Interrogator 2016](#) (published in September 2017) and shows that 154,821 tonnes of hazardous waste was received into sites within the plan area for management (Staffordshire - 103,779 tonnes and Stoke-on-Trent - 51,041 tonnes). In comparison 91,627 tonnes of hazardous waste was sent from sites in the plan area to specialist waste management facilities elsewhere.

Data collated by the Environment Agency ([Waste Management 2016 in West Midlands: Data Tables](#)) indicated that in 2016 within the plan area:

- 1,652,000 tonnes of Construction, Demolition & Excavation Waste was managed
- 1,074,000 tonnes of waste was processed at materials recycling and treatment sites and 43,000 tonnes of waste was processed by the Metal Recycling Sector
- 670,000 tonnes of waste was incinerated
- 740,000 tonnes of waste passed through transfer stations
- 1,193,000 tonnes of waste was deposited at landfill sites

Environment Agency data on waste input trends into Staffordshire landfills shows 2,302,000 tonnes of waste landfilled in 2000/01, with inputs peaking at 2,460,000 tonnes in 2004/05, and inputs then decreasing to 1,193,000 tonnes in 2016 (refer to [EA Waste Management 2016 in West Midlands: Data Tables](#)).

The proportion of household waste that is landfilled has decreased steadily, from 51% in 2004/05, to 29% in 2009/10, and to 16% in 2013/14, before dropping to just 2% for the subsequent years to 2017/18. Similarly, in 2014/2015 46% of household waste was managed by heat, power or other energy recovery, compared to 23% in 2009/2010 (Refer to [Annual Monitoring Report 2016-2017](#) Appendix 2 Waste, Table 12: Household Waste Management 2007/08 – 2016/17). This corresponds with the opening of the Four Ashes Energy Recovery Facility in March 2014 (current permitted capacity - 340,000 tonnes per annum). This facility, in conjunction with the Hanford Energy Recovery Facility (current permitted capacity - 120,000 tonnes per annum), has enabled maximum recovery of residual municipal waste and a significant step towards meeting the target of zero municipal waste sent to landfill as set in the [Municipal Waste Management Strategy](#).

5.3. Changes to waste management facilities

Since the [Waste Local Plan](#) was adopted in 2013, Staffordshire County Council have determined 65 waste planning applications (affecting 49 sites) proposing new waste management facilities, or modifications to existing permissions that had the potential to affect waste treatment capacity. In the same time period, they also received 208 non-material amendments or submissions of detail. Equivalent figures for Stoke-on-Trent City Council show 13 planning applications at 10 sites, of which 4 facilitated an increase in treatment capacity.

Table 2: Waste-related planning applications determined each year

Year	Staffordshire County Council		Stoke-on-Trent City Council	
	Total applications and submissions	No. Affecting capacity	Total applications	No. Affecting capacity
2013/14	45	9	4	1
2014/15	60	9	3	2
2015/16	59	17	1	0
2016/17	62	20	1	0
2017/18	47	10	1	1
Total	273	65	10	4

The table below shows how the new waste management capacity is spread across different categories of treatment

Table 3: Distribution of waste planning applications determined by type of facility

	Recycling	Organic Treatment	Residual Treatment	Transfer Stations	Aggregate Recycling	Landfill	Total
Staffordshire							
No. Sites	16 (12 new)	5 (2 new)	2 (1 new)	13 (11 new)	6 (5 new)	7 (2 new)	49 (33 new)
Capacity (t)	447,100	73,500	130,000	167,470	231,000	454,272	n/a
Stoke-on-Trent							
No. Sites	2 (1 new)	n/a	n/a	1 (existing)	2 (1 new)	n/a	5 (2 new)
Capacity(t)	30,000	n/a	n/a	n/a	75,000	n/a	n/a
Combined							
No. Sites	18 (13 new)	5 (2 new)	2 (1 new)	14 (11 new)	8 (6 new)	7 (2 new)	54 (35 new)
Capacity(t)	477,100	73,500	130,000	164,470	306,000	454,272	n/a

In order to assess the impact of these new permissions on overall waste management capacity, we need to recognise that, within the same time period, some waste management facilities have also ceased operating.

During the production of the [Waste Local Plan](#) treatment capacity was calculated from a combination of actual capacity using 2009 Environment Agency data for inputs into sites and permitted capacity if the planning permission specified a maximum annual throughput for a

site. However, in updating the list of waste infrastructure for this First Review of the Waste Local Plan, the [Environment Agency's 2017 Waste Data Interrogator](#) has now been used to update waste inputs into sites. Therefore, in addition to site closures, changes in capacity may reflect lower site inputs than recorded at 2009.

Also, whilst our Annual Monitoring Reports have listed changes in waste treatment capacity, these have only reliably reflected new permitted capacity. The list of waste infrastructure has not been checked consistently against the Environment Agency's Waste Data Interrogator, so sites that have ceased operation / had no waste inputs may not have been excluded.

Combining the newly added treatment capacity, and the losses identified by cross checking against Environment Agency data, overall changes to waste management capacity are summarised in the table below:

Table 4: Changes in overall waste management capacity since adoption of the Waste Local Plan

	Recycling	Organic Treatment	Residual Treatment	Transfer Stations	Aggregate Recycling	Total
Staffordshire						
May 2012	62	13	11	74	22	182
	888,970	522,595	544,843	1,332,730	708,401	3,997,539
March 2018	46	14	3	50	27	140
	1,178,983	513,500	505,000	887,583	882,000	3,967,066
Change (No.)	-16	+1	-8	-24	+5	-42
Capacity (T)	+290,013	-9,095	-39,843	-445,147	+173,599	-30,473
Stoke-on-Trent						
May 2012	24	1	4	28	5	62
	523,193	39,784	335,952	429,761	312,039	1,640,729
March 2018	17	1	3	22	8	51
	393,321	40,000	335,566	336,367	461,599	1,566,853
Change (No.)	-7	0	-1	-6	+3	-11
Capacity (T)	-129,872	+216	-386	-93,394	+149,560	-73,876
Combined						
May 2012	86	14	15	102	27	244
	1,412,163	562,379	880,795	1,762,491	1,020,440	5,638,268
March 2018	63	15	6	72	35	191
	1,572,304	553,500	840,566	1,223,950	1,343,599	5,533,919
Change (No.)	-23	+1	-9	-30	+8	-53
Capacity (T)	+160,141	-8,879	-40,229	-538,541	+323,159	-104,349

Landfill sites are not recorded in the table above as their void capacity is generally measured differently. The number of operational landfill sites in the plan area has reduced from 24 to 23. Whilst research undertaken in 2017 by the Environmental Services Association on [UK residual waste](#) identifies a future gap in residual waste treatment capacity, our evidence however shows that we have remaining landfill capacity in the plan area which will continue to receive waste, potentially from greater distances as waste travels further for disposal as landfill sites are restored around the country. Environment Agency data shows that landfill capacity in the plan area has declined from 28,579,000 cubic metres in 1998/99 to 14,542,000 cubic metres in 2016 (refer to [Environment Agency's Waste management 2016 in West Midlands: Data Tables](#)). [The Environment Agency's 2016 Remaining Landfill Capacity data](#) also confirms that in Staffordshire at the end of 2016 the 14,542,000 cubic metres of remaining landfill capacity equated to: Non-hazardous with Stable Non-Reactive Hazardous Waste cell 2,780,000m³; Non-Hazardous 7,955,000m³; and Inert 3,807,000m³. It is important to note however that the Environment Agency's calculation is based on sites where there is a current Environmental Permit. This does not include all mineral sites with planning permission to accept imported waste for restoration purposes as some sites have not reached a stage when restoration is taking place and therefore do not currently hold an Environmental Permit. For example, two recent Periodic Reviews of Mineral Permissions in Staffordshire have shown that there is future landfill capacity of 11.4 million cubic metres, however it is unlikely that landfilling will commence in the next fifty years.

The Energy Recovery Facilities in the plan area also provide capacity to receive residual waste. Therefore, it is reasonable to conclude that there is not a gap in residual waste treatment capacity in the plan area. Furthermore, no new methodology has yet been developed, agreed and endorsed by the West Midlands Resource Technical Advisory Board for Waste on which to update waste forecasts for plan making and monitoring purposes. The original regional waste forecasts on which the Waste Local Plan targets for new waste management capacity is based therefore remain the best available.

Appendix 1 provides a list of the 214 permitted and operational waste management facilities within the plan area as at end of March 2018. Capacity per waste management category has used a combination of actual capacity ([Environment Agency's 2017 Waste Data Interrogator](#)) and notional capacity (planning permissions up to 31 March 2018).

Note that there are data limitations. Sites that are exempt from the requirement to hold an Environment Agency permit have not been included. Also sites from the original list of waste infrastructure (Waste Local Plan Appendix 5: Staffordshire and Stoke-on-Trent Waste Infrastructure at May 2012) have been excluded if they could not readily be found in the [Environment Agency's 2017 Waste Data Interrogator](#). This may be part of the reason for the changes in capacity and the drop in the number of facilities since 2012. Further detailed checking may reveal that some of these sites still provide capacity.

Table 5: Sites and capacity that could not be cross-matched with Environment Agency data.

	Recycling	Organic Treatment	Residual Treatment	Transfer Stations	Aggregate Recycling	Landfill	Total
No. Sites	45	1	11	40	5	3	105
Capacity (tonnes)	586,444	n/a District permission not implemented	245,229	742,943	129,257	n/a Sites restored	1,703,873

6. How is the plan performing against targets?

6.1. How are we progressing with provision of additional treatment capacity?

The [Waste Local Plan](#) assessed the minimum additional waste management capacity that would be required in order to manage an amount of waste, at least equivalent to the amount generated in the Plan area, moving towards a situation where landfill is only used for wastes for which there is no better use (N.B. the plan includes a landfill diversion target of 100% by 2020/21 for MSW and C&I waste streams and 70% for C,D&E waste streams). Progress against those targets is shown in the table below:

Table 6: Progress against targets for additional waste treatment capacity

	Recycling (tonnes per annum)	Organic Treatment	Residual Treatment	Transfer Station	Aggregate Recycling
Staffordshire	1,181,483	513,500	505,000	887,583	882,000
Stoke-on-Trent	393,321	40,000	335,566	336,367	461,599
Total	1,574,804	553,500	840,566	1,223,950	1,343,599
Interim Target (Target year 2010/11)	952,620 Achieved	272,970 Achieved	451,410 Achieved		
Interim Target (Target year 2015/16)	1,370,913 Achieved	382,977 Achieved	620,160 Achieved		
Interim Target (Target year 2020/21)	1,792,659	478,641 Achieved	744,700 Achieved		
Interim Target (Target year 2025/26)	1,800,919	484,381 Achieved	758,700 Achieved		

All targets have been met so far, and the provision of organic and residual treatment already exceeds the levels expected for the end of the plan period. In this respect, the Waste Local Plan can be seen to be performing satisfactorily.

It is important to note, however that the targets are minimum additional treatment capacity requirements, and that the actual available capacity can go down as well as up. Sites may close, and some recently permitted sites, which have been included in the capacity assessments, may never be developed.

6.2. Are we doing all we can to facilitate new waste development?

We have seen above that, across Staffordshire and Stoke-on-Trent, sufficient additional waste treatment capacity has been added to meet the minimum targets set out when the

Waste Local Plan was first adopted. However, it is important to note that, with few exceptions, additional waste treatment capacity generally arises as a result of investment which is not controlled by the County or City Councils, so this review also needs to look at how well the policies within the Waste Local Plan are being implemented, whether they are facilitating the right kind of development, and whether they are helping to meet the plan objectives.

The policy analysis focuses only on those applications that relate to new waste management facilities or modifications to existing permissions that create additional capacity. Of the overall total of 283 applications processed in Staffordshire and Stoke-on-Trent, 75 have therefore been considered. Appendix 2 provides a policy analysis of waste applications determined April 2013 to March 2018.

Permission was granted in 57 cases overall (76%). 3 applications were refused (4%), though one of these was subsequently granted a temporary planning permission on appeal (and later this permission was made permanent). The remaining 17 applications were withdrawn prior to determination (of those 9 were facing the prospect of refusal, while in 3 cases, the applicant could not provide information that was necessary for the application to proceed). At the simplest level, this suggests that the Waste Local Plan policies is not presenting a barrier to the development of new or enhanced waste treatment facilities.

A more detailed assessment of the applications where permission was granted shows a high level of compliance with the locational criteria set out in Policy 2.3 (77% in Staffordshire, 100% in Stoke-on-Trent). The proportion of permissions relating to enclosed treatment facilities appears somewhat lower than might be expected (40% in Staffordshire and 60% in Stoke-on-Trent), given the requirement of Policy 3.1, but 18% of Staffordshire applications were specifically exempt from the requirement. As expected, no applications were granted where sites were in conflict with locational policies or where adverse environmental impacts were anticipated.

Table 7: Compliance with policies where planning permission is granted - Staffordshire

Year	Total Apps	In line with locational criteria	Not in line with locational criteria	Granted under exemptions?	Temporary Planning permission	Phased improvements of existing site	Enclosed facility	Exempt from enclosure	Adverse environmental impacts anticipated?	Specific environmental improvements achieved?	Investment in new facilities
2013-14	9	9	0	0	0	4	7	0	0	0	3
2014-15	9	7	0	0	0	0	4	0	0	0	0
2015-16	17	12	0	0	1	0	5	0	0	0	2
2016-17	20	15	0	0	4	3	7	7	0	4	11
2017-18	10	7	0	2	0	0	3	5	0	0	4
Total	65	50	0	2	5	7	26	12	0	4	20
%		77%	0%	3%	8%	11%	40%	18%	0%	6%	31%

Table 8: Compliance with policies where planning permission is granted – Stoke-on-Trent

Year	Total Apps	In line with locational criteria	Not in line with locational criteria	Granted under exemptions?	Temporary Planning permission	Phased improvements of existing site	Enclosed facility	Exempt from enclosure	Adverse environmental impacts anticipated?	Specific environmental improvements achieved?	Investment in new facilities
2013-14	2	2	0	0	0	0	2	0	0	0	0
2014-15	1	1	0	0	0	1	0	0	0	0	1
2015-16			0	0	0	0	0	0	0	0	0
2016-17	1	1	0	0	0	0	1	0	0	0	0
2017-18	1	1	0	0	0	1	3	0	0	0	1
Total	5	5	0	0	0	2	0	0	0	0	2
%		100%	0%	0%	0%	40%	60%	0%	0%	0%	40%

Looking at the applications which were refused, lack of enclosure was the key factor in two cases, though temporary permission was granted on appeal in one of those cases, invoking the option provided by policy 3.4. Adverse impacts on local amenity accounted for the third refusal. There were no refusals in Stoke-on-Trent over this time period.

Overall, it is reasonable to conclude that policies to facilitate the development of new waste management facilities are working well and helping us to achieve the vision and strategic

objectives in the Waste Local Plan. Therefore, there is no need for any of the policies to be revised or deleted.

7. Are we doing all we can to avoid the loss of existing treatment capacity?

7.1. Are safeguarding policies working? Do we need to adjust safeguarding policies or practice to reduce loss of treatment capacity?

The Policies of the Waste Local Plan can be shown to adequately support the development of new waste management facilities and capacity, but it is equally important that the existing facilities are able to continue to thrive. Their operation or expansion can be constrained if inappropriate development is permitted in the vicinity.

Paragraph 8 of the [National Planning Policy for Waste](#) requires planning authorities, when determining planning applications for non-waste development, to ensure that the likely impact on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities.

The Waste Local Plan also seeks to safeguard all waste infrastructure, and specifically lists those facilities which would be hardest to replace – the landfill sites and energy recovery facilities. Stoke-on-Trent City Council, as a unitary authority, can weigh those matters when it makes decisions on planning applications which are close to significant waste infrastructure. In Staffordshire, the County Council relies on the Borough and District/ Councils to consult us.

On most occasions, impacts can be ruled out, but some proposals are considered to have the potential for significant impacts and have prompted holding objections from the County Council, mostly pending the supply of sufficient information to demonstrate that adverse impacts were either avoidable or unlikely to be significant.

The system has largely been effective to date, however, with the increasing demand for housing there is pressure to build on brownfield land, and this can bring housing closer to industrial estates and existing waste management facilities. Future conflict cannot be ruled out. However, changes to the safeguarding policy alone would not be sufficient to avoid this situation as is always the case that the final planning decision will be a matter of balance.

8. Do policies need to be reviewed?

8.1. Have there been any relevant changes in national planning policy?

[National Planning Policy for Waste](#) was published in October 2014 which superseded PPS10 on which the Waste Local Plan was based. The [Industrial Strategy](#) was published in November 2017. The Government's [25 year Environment Plan](#) was published on 11 January 2018, the sister document the [Clean Growth Strategy](#) was published on 12 October 2017, and the [Resources and Waste Strategy](#) was published on 18 December 2018. A [revised National Planning Policy Framework](#) was published in July 2018 which superseded the 2012 document to which the plan refers. [Planning Practice Guidance](#) has also been updated since the adoption of the [Waste Local Plan](#). Table 11 compares the Waste Local Plan with relevant changes to national planning policies to assess conformity.

Table 9: Conformity of Waste Local Plan Policies with the National Planning Policy for Waste and the revised National Planning Policy Framework.

Waste Local Plan Policy	National Planning Policy for Waste (October 2014) (NPPW)	Revised National Planning Policy Framework (July 2018) (NPPF)	Comment on conformity
Section 5 of the Waste Local Plan. National Policy: Presumption in favour of sustainable development		Paragraph 8 – achieving sustainable development Paragraph 10 – Presumption in favour of sustainable development	This policy in the Waste Local Plan remains in conformity with the revised NPPF.
Vision Waste Policy 1.1 General principles	Paragraph 1 – driving waste management up the waste hierarchy (Appendix A)		This policy in the Waste Local Plan remains in conformity with the revised NPPW.
Waste Policy 2.2 Targets for new waste management facilities required by 2026 to manage municipal, commercial & industrial, and construction, demolition & excavation waste streams. Waste Policy 2.3 Broad locations Figure 4: Key Diagram	Paragraph 1 – communities and businesses taking more responsibility for their own waste	Paragraph 20 – strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision forb) waste management.... Paragraph 23 – broad locations for development should be indicated on a key diagram, and land-use designations and allocations identified on a policies map...	These policies in the Waste Local Plan remain in conformity with the NPPW and the revised NPPF.
Waste Policy 4.2 Protection of environmental quality	Paragraph 1 – helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment		This policy in the Waste Local Plan remains in conformity with the revised NPPW

Waste Local Plan Policy	National Planning Policy for Waste (October 2014) (NPPW)	Revised National Planning Policy Framework (July 2018) (NPPF)	Comment on conformity
Waste Policy 1.2 Make better use of waste associated with non-waste related development.	Paragraph 1 – ensuring the design and layout of new residential and commercial developments and other infrastructure complements sustainable waste management, including the provision of appropriate storage and segregation facilities to facilitate high quality collections of waste		This policy in the Waste Local Plan remains in conformity with the revised NPPW.
Waste Policy 2.1 Landfill diversion targets Waste Policy 2.2 Targets for new waste management facilities required by 2026 to manage municipal, commercial & industrial, and construction, demolition & excavation waste streams.	Paragraph 2 – In preparing Local Plans ensure that the planned provision of new capacity is based on robust analysis of best available data ...spurious precision should be avoided	Paragraph 31 – The preparation and review of all policies should be under-pinned by relevant and up-to-date evidence. This should be adequate and proportionate....	These policies in the Waste Local Plan remain in conformity with the NPPW and the revised NPPF
Waste Policy 2.2 Targets for new waste management facilities required by 2026 to manage municipal, commercial & industrial, and construction, demolition & excavation waste streams.	Paragraph 3 – Identify the tonnages and percentages of municipal, and commercial, and industrial waste requiring different types of management in their area over the period of the plan		This policy in the Waste Local Plan remains in conformity with the revised NPPW

Waste Local Plan Policy	National Planning Policy for Waste (October 2014) (NPPW)	Revised National Planning Policy Framework (July 2018) (NPPF)	Comment on conformity
<p>Waste Policy 2.3 Broad locations</p> <p>Waste Policy 3.1 General requirements for new and enhanced facilities</p> <p>Waste Policy 3.2 Exceptions criteria for organic treatment in farm locations close to the urban areas/broad locations</p> <p>Waste Policy 3.3 Exceptions criteria for facilities recycling construction, demolition & excavation waste or comparable industrial wastes</p> <p>Policy 1.3 Construction, demolition and excavation waste</p> <p>Policy 1.4 Use of waste for landscaping, screening, engineering purposes or for the improvement of agricultural or forestry land.</p> <p>Policy 1.5 Energy recovery</p> <p>Policy 1.6 Landfill or landraise</p>	<p>Paragraph 4 – Identify sites and/or areas for new or enhanced waste management facilities in appropriate locations.</p>	<p>Section 12 – Achieving well-designed places.</p> <p>Paragraph 124 – Good design is a key aspect of sustainable development.....and helps make development acceptable to communities.</p> <p>Paragraph 125 – Plans should set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable.</p> <p>Paragraph 130 – Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.....</p>	<p>These policies in the Waste Local Plan remain in conformity with the NPPW and the revised NPPF.</p>

Waste Local Plan Policy	National Planning Policy for Waste (October 2014) (NPPW)	Revised National Planning Policy Framework (July 2018) (NPPF)	Comment on conformity
<p>Waste Policy 4.1 Sustainable design</p> <p>Waste Policy 4.2 Protection of environmental quality</p> <p>Waste Policy 3.4 Temporary planning permissions for open air facilities</p>	<p>Paragraph 5 – Assess the suitability of sites and/or areas against criteria :....neighbouring land uses; transport infrastructure capacity; cumulative impact ...</p>	<p>Section 12 – Achieving well-designed places.</p> <p>Paragraph 124 – Good design is a key aspect of sustainable development.....and helps make development acceptable to communities.</p> <p>Paragraph 125 – Plans should set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable.</p> <p>Paragraph 130 – Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.....</p>	<p>These policies in the Waste Local Plan remain in conformity with the NPPW and the revised NPPF.</p>
<p>Waste Policy 4.2 Protection of environmental quality</p>	<p>Paragraph 6 – Green Belt Recognise the particular locational needs of some types of waste management facilities</p>	<p>Section 13 – Green Belt land</p> <p>Paragraph 143 – Inappropriate development should not be approved except in very special circumstances</p>	<p>These policies in the Waste Local Plan remain in conformity with the NPPW and the revised NPPF.</p>

Waste Local Plan Policy	National Planning Policy for Waste (October 2014) (NPPW)	Revised National Planning Policy Framework (July 2018) (NPPF)	Comment on conformity
Waste Policy 4.2 Protection of environmental quality	Paragraph 7 – consider likely impact on local environment and on amenity against the criteria set out in Appendix B	Section 14 – Meeting the challenge of climate change, flooding and coastal change Section 15 – Conserving and enhancing the natural environment Section 16 - Consider and enhancing the historic environment	These policies in the Waste Local Plan remain in conformity with the NPPW and the revised NPPF.
Waste Policy 2.4 Strategic waste facilities to be safeguarded Waste Policy 2.5 The location of development in the vicinity of waste management facilities	Paragraph 8 – when determining planning applications for non-waste developmentensure that the likely impact on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities.		This policy in the Waste Local Plan remains in conformity with the revised NPPW.
Waste Local Plan Section 6 – Implementation and Monitoring – Performance Indicators set out in Table 4 Annual Monitoring Report	Paragraph 9 – Monitoring and Report		This policy in the Waste Local Plan remains in conformity with the revised NPPW.
Review of Waste Local Plan 2018		Paragraph 31 – reviewing plans	This policy in the Waste Local Plan remains in conformity with the revised NPPF.

Having regard to table 11, it is reasonable to conclude that our waste planning policies continue to conform with national planning policy.

8.2. Have there been any changes to our strategic priorities

When writing the [Waste Local Plan](#) the key requirement of national planning policy for waste (PPS10) was for the [Waste Local Plan](#) to both inform and in turn be informed by any relevant [Municipal Waste Management Strategy](#) (MWMS). Following extensive public consultation in 2007, the Staffordshire Waste Partnership (8 Borough or District Councils in Staffordshire, Stoke-on-Trent City Council; and, Staffordshire County Council) completed and published the Staffordshire and Stoke on Trent Municipal Waste Strategy together with the Zero Waste Strategy 2020. This set an ambitious target of zero primary municipal waste to landfill and a household waste recycling performance target of 55%. [Appendix 6](#) (Table 27) to the Waste Local Plan sets out the strategic priorities for the Waste Disposal and Waste Collection Authorities reflected in action plans supporting the Municipal Waste Management Strategy 2007.

Significant infrastructure delivered included the opening of the Four Ashes Energy Recovery Facility in 2014 (current permitted capacity 340,000 tonnes per annum). It should be recognised that the site had not been allocated. Instead the site selection process and subsequent planning application reflected the general location criteria for waste management facilities set out in the Waste Local Plan (Policies 2.3 and 3.1).

Since this time, to meet the targets set in 2007, and to address the changing landscape of waste management, including amendments to legislation and changing national priorities (Government Waste Policy review in 2011), constraints on public sector finance and the need to ensure provision of an efficient and affordable service for residents and businesses, the Staffordshire Waste Partnership collaborated to produce a refreshed [Joint Municipal Waste Management Strategy](#). The refreshed document was written in 2013 to create additional outcomes for the remaining years of the Waste Management Strategy and focused on waste prevention whilst maintaining the Zero Waste objective. Whilst the delivery plan determines new actions needed up to 2020 (when the original strategy ceases), this does not identify any specific infrastructure needs, and therefore no changes to policies within the Waste Local Plan are required to enable delivery.

A new Municipal Waste Management Strategy is now being written. It is still at a very early stage and the overall vision for the sustainable management of municipal waste in the plan area, and the overarching principles have not yet been updated. As the Municipal Waste Management Strategy acts as a route-map for the further investment required to meet the authorities' needs, once the new Municipal Waste Management Strategy has been finalised, it may be necessary for the Waste Local Plan to be reviewed in respect of Policy 2.2. to identify any new waste management facilities to meet the authorities' needs, in particular for the management of residual municipal waste, or changes required to take account of the [Resources and Waste Strategy](#) (published on 18 December 2018).

It should however be noted that the Waste Local Plan is already based on ensuring sufficient facilities higher up the waste hierarchy to enable 100% of waste arising in the plan area to be diverted from landfill, whilst recognising that the destination of some waste can only be to landfill. It should also be acknowledged that the general location criteria for new and enhanced waste management facilities is general industrial estates, existing waste sites, and suitable brownfield sites. Given the available brownfield land and general industrial land in the plan area, the current criteria for selecting sites would still be sufficient to enable the

delivery of sites without the need for allocation. Furthermore, the target policy sets minimum rather than maximum targets and would not be a barrier should the new Municipal Waste Management Strategy identify the need for further recycling, organic treatment, or residual treatment facilities. No policy changes are therefore considered to be necessary at this time.

8.3. Have there been any changes to local circumstances?

Population growth forecasts have changed little since the Waste Local Plan was prepared. The latest projections suggest that, by the end of the Plan period in 2026, the population of Staffordshire will be slightly lower than originally anticipated, while the population for Stoke-on-Trent will be slightly higher. Overall, this does not indicate any significant change to local circumstances.

The Municipal Waste Management Strategy, currently being written, will need take account of the [Resources and Waste Strategy](#) (published 18 December 2018), and also assess whether the new and emerging Local Plans have made any significant housing allocations that would require alterations to the waste management infrastructure managing household waste. As stated above it is considered that should new infrastructure be required, the current policies are sufficient to guide the development of new and enhanced waste management facilities without the need for any site allocations.

9. Overall conclusions

The Vision and Strategic Objectives in the Waste Local Plan remain consistent with national planning policy and national waste planning policy. The analysis of applications determined since the adoption of the Waste Local Plan shows that new waste management facilities and/or new capacity has been delivered to manage waste further up the waste hierarchy meeting minimum additional waste management capacity targets (Waste Local Plan Policy 2.2). This has resulted in a significant reduction in the amount of waste, particularly household waste, sent to landfill, and means that our existing landfill sites should now only be receiving waste for which there is no better use.

New or expanded waste management facilities permitted since the adoption of the Waste Local Plan have created new types of facilities and additional capacity to recycle and treat waste. Many of these new facilities meet modern design standards, by being within buildings or enclosed structures appropriate to the technology or process; and, the facilities meet our locational criteria by treating waste close to the main urban areas on general industrial land, previously developed land, and existing waste management sites. Recent waste developments at new and existing sites also operate to higher environmental standards. For example, fewer new operations are taking place in the open air, with the exception of aggregate recycling, and where necessary temporary planning permissions have been granted and only made a permanent permission where the operator has demonstrated that there are no unacceptable adverse effects. The Waste Local Plan is therefore addressing the key issues identified above and delivering the Vision and Strategic Objectives.

There is no evidence to suggest that the waste planning policies provide a barrier to development in Staffordshire and Stoke-on-Trent and this is confirmed by the very low number of refusals (3) and appeals (1) since plan adoption. There is also no evidence to suggest that specific site allocations are required to deliver new waste management facilities, as considerable new capacity has been delivered since 2013. The site selection process and subsequent planning application for the Four Ashes Energy Recovery Facility demonstrates that the general location criteria for waste management facilities set out in the Waste Local Plan (Policies 2.3 and 3.1), provides sufficient direction for the development of facilities. The Staffordshire Borough and District Local Plans do not rule out the provision of waste management facilities on general industrial land and previously developed land and there have been no significant changes in local planning policy or in the refresh of the Municipal Waste Management Strategy to require revision to our strategy for managing the development of waste management facilities.

Overall it is therefore reasonable to conclude that there is no need to change our Vision, Strategic Objectives or waste planning policies in our Waste Local Plan at this time and therefore they can continue to carry weight in the determination of planning applications for waste development.

The [new statutory requirement](#) to complete the review Local Plans every 5 years firms up what was already our stated intention (refer to paragraph 6.9 of the [Waste Local Plan](#)).

A second review of the Waste Local Plan will be required before March 2023 (i.e. 10 years from adoption), unless an earlier review is deemed necessary. At this stage it is anticipated that the next review of the Waste Local Plan will have to take account of the following matters:

- Changes to Government waste planning and waste management policy (post Brexit) including the [Resources and Waste Strategy](#) published 18 December 2018, and any resulting changes to the Municipal Waste Management Strategy (currently being updated by the Staffordshire Waste Partnership) and across the waste management industry;
- The latest population growth and waste arising forecasts;
- The updated Local Plans produced by the Stoke-on-Trent City Council and the Staffordshire Borough and District Councils e.g. new large-scale housing and industrial land allocations;
- The County Council's Strategic Infrastructure Plan (currently being commissioned); and,
- Waste Local Plans produced by our neighbouring Waste Planning Authorities and Waste Management Strategies produced by the Staffordshire Waste Partnership and our neighbouring Waste Disposal Authorities (in accordance with the Duty to Cooperate).

Any future changes to the policies in our Waste Local Plan would have to be supported by an updated evidence base, follow a published programme, be drafted, then made available for public consultation and discussion with our neighbouring authorities (in accordance with the Duty to Cooperate) before being examined by a Planning Inspector.

10. Ongoing Review

Our Annual Monitoring Reports (AMRs), (prepared in accordance with [The Planning and Compulsory Purchase Act 2004](#)) will continue to monitor the implementation and effectiveness of the policies in both the adopted [Minerals Local Plan for Staffordshire \(2015 – 2030\)](#) and in the [Staffordshire and Stoke-on-Trent Joint Waste Local Plan \(2010 - 2026\)](#) in respect of targets which will influence the need to review policies. The structure of the AMR will be modified in future years to incorporate a clearer reporting method which will conclude / trigger when a review of either plan is required.

11. Appendices

See separate document.

Appendix 1: Permitted and operational waste management facilities within the plan area at March 2018.

Appendix 2: Policy analysis of Waste Applications - April 2013 to March 2018.

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2 Staffordshire Place
Tipping Street
Stafford
ST16 2DH
E-mail: planning@staffordshire.gov.uk

Stoke-on-Trent City Council
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Glebe Street
Stoke-on-Trent ST4 1HH
Tel: 01782 235438
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Staffordshire and Stoke-on-Trent Joint Waste Local Plan 2010 - 2026



The First Review of the Waste Local Plan, December 2018 - Appendices



**Appendix 1: Permitted and operational waste management facilities within the plan area at March 2018
The First Review of the Waste Local Plan, December 2018**

Appendix 1: Permitted and operational waste management facilities within the plan area at March 2018

[Measuring Waste Treatment Capacity](#)

[Aggregate Recycling Facilities](#)

[Landfill Sites](#)

[Materials Recycling Facilities](#)

[Organic Treatment Facilities](#)

[Residual Treatment Facilities](#)

[Waste Transfer Facilities](#)

Appendix 1: Permitted and operational waste management facilities within the plan area at March 2018 The First Review of the Waste Local Plan, December 2018

Measuring Waste Treatment Capacity

This Appendix provides a list of the 214 permitted and operational waste management facilities within the plan area as at end of March 2018.

Capacity per waste management category has used a combination of actual capacity ([Environment Agency Waste Data Interrogator 2017](#)) and notional capacity (planning permissions up to 31 March 2018).

There is no single measure of waste management capacity. It is often considered as either notional capacity or actual capacity. Notional capacity is the potential throughput which could be achieved if operations were to work to the maximum levels permitted in the planning permission or waste management licence or permit or exemption. Actual capacity is the quantity of waste which the facility manages i.e. the throughput /input recorded into the site, which tends to vary due to the market and other commercial factors.

In assessing the existing waste infrastructure within the plan area, this Waste Local Plan review considered a combination of both notional capacity (when the planning permission for a site set out the maximum throughput by condition) and actual capacity (using the latest Environment Agency data on waste input into a site).

All operators of regulated waste management facilities provide the Environment Agency with details of the quantities and types of waste they deal with i.e. waste received into site and waste sent on from site to other facilities or processes. The Environment Agency provide the data to waste planning authorities to assist them with the planning for new waste management facilities and for monitoring against statutory targets. The Environment Agency's Waste Data Interrogator (WDI) provides combined data for Household and Commercial and Industrial Waste and is the best available data, although there are limitations as it does not record the geographical origin of the waste managed; it does not record waste managed under an Environment Agency exemption; and, it does not record Construction and Demolition & Excavation Waste managed through mobile plant or on construction sites. The [Environment Agency Waste Data Interrogator 2017](#) is the latest available data published September 2018.

Appendix 1: Permitted and operational waste management facilities within the plan area at March 2018
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Aggregate Recycling Facilities

Using information on planning permissions and permitted capacity in addition to the [EA Waste Data Interrogator 2017](#) regarding inputs into waste sites within the plan area, this confirmed that there is a total of 35 permitted and operational sites with combined available aggregate recycling capacity of 1,343,599 tonnes per annum. 27 sites are in Staffordshire (882,000 tonnes) & 8 sites are in Stoke-on-Trent (461,599 tonnes).

Site Name	Address	District	Operator
163 Walford Works	Longford Road, Cannock, WS11 0LF	Cannock Chase	The Raw Material Co. Ltd
Land off Rugeley Eastern Bypass, Rugeley	Land off Rugeley Eastern Bypass, Rugeley, WS15 2WT	Cannock Chase	C. Elwell Transport (Repairs) Ltd.
Land off Power Station Road, adjacent to the Rugeley Bypass	Land off Power Station Road adjacent to the Rugeley Bypass, Rugeley, WS15 2WT	Cannock Chase	C. Elwell Transport (Repairs) Ltd.
Plot 4 Nicolson Way (Tim Bates Plant Hire)	Plot 4, Nicolson Way, off Wellington Road, Burton upon Trent, DE14 2AW	East Staffordshire	Tim Bates Services Ltd.
Barleyfields, Bellhouse Lane	Anslow, Burton upon Trent, DE13 9PA	East Staffordshire	J Taberner Plant Hire Ltd.
Goldings Plot 5 off Nicholson Way	Goldings Plot 5 off Nicholson Way, Burton-Upon-Trent DE14 2AW	East Staffordshire	G D Golding Skip Hire Ltd
Wilshee's Skip Hire Ltd	Wilshee's Skip Hire, Wharf Road, Burton, DE14 1PZ	East Staffordshire	Wilshee's Skip Hire Ltd
Burton Skip Hire	Shobnall Yard, Burton, DE14 2BB	East Staffordshire	Burton Skip Hire
Cranebrook Quarry	Cranebrook Quarry, Cranebrook Hill, Muckley Corner, Lichfield, WS14 0BD	Lichfield	WCL Cranebrook Quarry Ltd
Shire Oak Quarry	Lichfield Road, Brownhills, WS9 9PE	Lichfield	JPE (Holdings) Limited
Lichfield Highways Depot	Trent Valley Road, Lichfield WS13 6EV	Lichfield	Amey L G Limited

Appendix 1: Permitted and operational waste management facilities within the plan area at March 2018
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Site Name	Address	District	Operator
Holditch House	Holditch House, Holditch Road, Newcastle-Under-Lyme, ST5 9JQ	Newcastle-under-Lyme	Hamptons Property LLP
Moore's Metals	Chemical Lane, Longport, Stoke-on-Trent, ST6 4PB	Newcastle-under-Lyme	Moore's Metals
Corner Plot, Longbridge Hayes	Corner Plot, Chemical Lane, Longport, Newcastle-under-Lyme ST6 4PB	Newcastle-under-Lyme	A1 Skips
Turner Crescent	Jumbo Yard, Turner Crescent, Chesterton, Newcastle-Under-Lyme, ST5 7LU	Newcastle-under-Lyme	Jumbo Skips Ltd
Future Waste & Reclamation	Chemical Lane, Longport, Longbridge Hayes, Newcastle-Under-Lyme ST6 4PB	Newcastle-under-Lyme	Proctor & Bedford
High Carr Recycling Centre	High Carr Farm, No.2 Talke Road, Chesterton, Newcastle-Under-Lyme ST5 7AL	Newcastle-under-Lyme	Cherry Hill Waste Ltd
Meece Recycling and Transfer Facility	Adjacent to Meece Landfill, Cold Meece ST150QU	Stafford	Amey LG Limited
Meece Landfill	Swynnerton, Cold Meece, Stone	Stafford	Biffa Waste Services Ltd
Sunshine Farm	Sunshine Farm, Hilton Lane, Essington, Wolverhampton WV11 2AU	South Staffordshire	Senwood Contracting Limited
Hollybush Recycling Centre	Warstone Road, Shareshill WV10 7LX	South Staffordshire	Jack Moody Limited
Saredon Quarry	Saredon Road, Little Saredon, WV10 7LJ	South Staffordshire	NRS Aggregates Limited
Windmill Hill and Manor Farm Quarry	Bognop Road, Essington, WV11 2BE	South Staffordshire	Tarmac Limited
South Staffordshire Area Highways Depot	Watling St, Gailey, ST19 5 QR	South Staffordshire	Amey L G Limited

Appendix 1: Permitted and operational waste management facilities within the plan area at March 2018
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Site Name	Address	District	Operator
Hillside Industrial Park	Hillside Industrial Park, Draycott Cross Road, Brookhouses, Cheadle ST101PN	Staffordshire Moorlands	Midlands Biomass and Recycling
Booths Farm	Clamgoose Lane, Cheadle ST102EG	Staffordshire Moorlands	Fallows
Leek Highways Depot	Staffs County Council Depot, Ladderedge, Leek	Staffordshire Moorlands	Amey L G Limited
Newstead Disposal Area	Newstead Ind Est, Alderflat Drive, Trentham, Stoke-on-Trent ST48HT	Stoke-on-Trent	Biffa Waste Services Ltd.
Grange Works	Greyhound Way, Cobridge, Stoke-on-Trent ST63HX	Stoke-on-Trent	Construction Material Recycling Ltd.
H Brown and Son Recycling Ltd	Land at Sneyd Hill, Sneyd Hill, Stoke-on-Trent ST62EB	Stoke-on-Trent	H Brown and Son Recycling Ltd.
Fenton Manor Quarry	Lordship Lane, Fenton, Stoke-on-Trent ST4 2RR	Stoke-on-Trent	Biffa Waste Services Ltd
Land at Chemical Lane	Off Chemical Lane, Stoke-on-Trent ST6 4NU	Stoke-on-Trent	Land Recovery Ltd.
Land off Chemical Lane, Tunstall	Land off Chemical Lane, Tunstall, Stoke-on-Trent ST6 4NU	Stoke-on-Trent	Land Recovery Ltd
Jim Wise Demolition Ltd	Hot Lane Burslem	Stoke-on-Trent	Jim Wise Demolition Ltd
Old Gas Works	Etruscan Street, Stoke-on-Trent ST1 5PQ	Stoke-on-Trent	K P Parnell Transport Limited

**Appendix 1: Permitted and operational waste management facilities within the plan area at March 2018
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Landfill Sites

In the plan area there are a total of 23 permitted landfill sites :21 Staffordshire and 2 Stoke-on-Trent. 18 sites are operational, and 5 sites have future landfill capacity once mineral extraction ceases

[The Environment Agency's 2016 Remaining Landfill Capacity data](#) confirms that in Staffordshire at end of 2016 there was 14,542,000 cubic metres of remaining landfill capacity. [Non hazardous with Stable Non Reactive Hazardous Waste cell 2,780,000m³; Non Hazardous 7,955,000m³; and Inert 3,807,000m³]. Note that this does not include all mineral sites with planning permission to accept imported waste for restoration purposes as some sites have not reached a stage when restoration is taking place and therefore do not currently hold an Environmental Permit i.e. future capacity at clay sites. Two recent Periodic Reviews of Mineral Permissions in Staffordshire for example have shown that there is future landfill capacity of 11.4 million cubic metres, however it is unlikely that landfilling will commence in the next fifty years.

Site Name	Address	District	Operator	Type
Poplars Landfill	Leacroft Lane, Lichfield Road	Cannock Chase	Biffa Waste Services Ltd	Inert & non-hazardous.
Newbold & Tucklesholme Farm Quarry	Lichfield Road, Barton-under-Needwood	East Staffordshire	Aggregate Industries UK Ltd	Inert & PFA.
Hints & Packington Hill (Hopwas) Quarry	Hints, near Tamworth	Lichfield	Tarmac Trading Ltd	Inert
Shire Oak Quarry	Lichfield Road, Brownhills	Lichfield	JPE Holding Limited	Inert
Whitemoor Haye Quarry	Barley Green Lane, Alrewas	Lichfield	Tarmac Trading Ltd	Inert (no PFA)
Cranebrook Quarry	Cranebrook Quarry, Cranebrook Hill, Muckley Corner, Lichfield, Staffordshire	Lichfield	WCL Cranebrook Quarries Ltd.	Inert
Alrewas Quarry	Croxall Rd, Burton on Trent, DE13 7LR	Lichfield	Tarmac Trading Ltd	Inert
Walleys Quarry	Cemetery Road, Silverdale	Newcastle-under-Lyme	Red Industries Ltd	Inert, non-hazardous

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Site Name	Address	District	Operator	Type
Chatterley Quarry	Chemical Lane, Burslem	Newcastle-under-Lyme	Joseph Kimberley & Sons Ltd	Inert
Meece Landfill	Swynnerton, Cold Meece, Stone	Stafford	Biffa Waste Services Ltd	Inert, non-hazardous & hazardous
Stafford Castle Golf Club	Newport Road, Stafford ST16 1BP	Stafford	Luddingtons Golf Ltd	Inert
Saredon Quarry	Saredon Road, Saredon, Shareshill	South Staffordshire	NRS Aggregates Limited	Inert & non-inert
Seisdon Quarry	Ebtree Road, Seisdon	South Staffordshire	JPE (Holdings) Limited	Inert
Redhurst and Essington Quarry	Land to the North and South of Hobnock Road, Warstone Road, Essington	South Staffordshire	Ibstock Brick Ltd	Inert & non-inert. Future capacity once mineral extraction ceases.
Warstones Road Quarry	Warstones Road, Essington	South Staffordshire	Wienerberger Ltd	Inert & non-inert. Future capacity once mineral extraction ceases.
Holly Bank Quarry	Essington, South Staffordshire	South Staffordshire	Cumberstone Properties Ltd c/o Katie Parnell Ltd	Inert & non-inert. Future capacity once mineral extraction ceases.
Four Ashes (Calf Heath) Quarry	Calf Heath, Four Ashes, South of J. 12 of the M6	South Staffordshire	Lafarge Aggregates Ltd	Inert
Rosemary Quarry (Cheslyn Hay/Rosemary Work)	Rosemary Works, Rosemary Road/Coppice Lane, Cheslyn Hay, Cannock	South Staffordshire	Monier Ltd	Inert & non-hazardous. Future capacity once mineral extraction ceases.
Bursnips Road, Essington, Land adjacent to Wood Farm Golf Club, Essington	Bursnips Road, Essington	South Staffordshire	Wood Farm Golf and Leisure Ltd	Inert waste and topsoil

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Site Name	Address	District	Operator	Type
Seisdon Landfill	Ebtree Road, Seisdon WV57ES	South Staffordshire	Seisdon UK	Inert
Newstead Disposal Area	Newstead Industrial Estate, Trentham	Stoke-on-Trent	Biffa Waste Services Ltd	Inert & non-hazardous
Fenton Manor Quarry	Lordship Lane	Stoke-on-Trent	Tarmac	Inert & non-hazardous
Wilnecote Quarry	Rush Lane, Dosthill	Tamworth	Biffa Waste Services Ltd	Inert & non-hazardous, municipal. Future capacity once mineral extraction ceases.

**Appendix 1: Permitted and operational waste management facilities within the plan area at March 2018
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Materials Recycling Facilities

Using the [EA Waste Data Interrogator 2017](#) regarding inputs into waste sites within the plan area, this confirmed that there is a total of 63 operational sites with a combined total recycling capacity of 1,572,304 tonnes per annum. Staffordshire = 46 sites (1,178,983 tonnes) Stoke-on-Trent = 17 sites (393,321 tonnes).

Note: MRF = Materials Recycling Facilities; ELV = End of Life Vehicles; WEEE = Waste Electrical & Electronic Equipment.

Site Name	Address	District	Operator	Type
Unit 15 & 15A Cannock Industrial Centre	Unit 15 & 15A Cannock Industrial Centre, Walkmill Lane, Cannock WS11 0LN	Cannock Chase	Augean PLC	Hazardous – Physico-chemical treatment installation
Just Affords	The Old Dairies, 1 & 2, Redbrook Lane Ind Est, Redbrook Lane, Rugeley, WS151QU	Cannock Chase	Just Affords / Anthony John Round	ELV (Car Breaker)
PRM Green Technology Ltd	Watling St Business Park, Watling St, Cannock WS11 9XG	Cannock Chase	PRM Green Technology Ltd	WEEE treatment facility
Bromley Park Buildings, Abbots Bromley	Bromley Park Buildings, Abbots Bromley	East Staffordshire	Mr R Tomlinson	Wood waste processing/recycling of wood to produce animal bedding
Hi Range	Wychor Bridges, Lichfield Road, Wychor, Burton on Trent, Staffordshire DE138BZ	East Staffordshire	Hi Range	ELV
Paget Street, Burton (SIMS Metals)	Paget Street, Burton Upon Trent, Staffs ?DE14 3TQ?	East Staffordshire	Sims McIntyre Metals Ltd. / Sims Group	Inert and Non-inert MRF (Metal)
Mark Taylor Scrap And Metal	Riverside Yard, Ashbourne Road, Uttoxeter, Staffs ST14 5AB	East Staffordshire	Riverside Yard	Non-inert MRF (MRS metal)
Wilshee's Skip Hire Ltd, Former Timber Yard	Wetmore Road, Burton upon Trent [Yeoman Ind Est]	East Staffordshire	Wilshee's Skip Hire Ltd	Recycling facility. [waste wood, shredded and baled plastics, paper and cardboard]

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Site Name	Address	District	Operator	Type
H. D. Ricketts Limited	Weeford Quarry B75 5SZ	Lichfield	H. D. Ricketts Limited	MRF - Soil treatment
Bangley Farm	Bangley Farm, Hints Road, Mile Oak, Tamworth B78 3DJ	Lichfield	Hillwood Auto Engineering Ltd	ELV / Non-inert MRF
Hanger No. 1, Gorse Lane, Fradley Park, Lichfield	Hanger No. 1, Gorse Lane, Fradley Park, Lichfield WS13 8EN	Lichfield	Plasticity (Worldwide) Ltd	Packaging (including separately collected municipal packaging waste)
DME Tyres Ltd	Unit 1 Ring Rd, Zone 2, Burntwood Business Park Burntwood WS7 3JQ	Lichfield	D M E Tyres Ltd	ELV
Spencroft Road	Spencroft Road, Chesterton ST5 9JB	Newcastle-Under-Lyme	Scally's Car Breakers	Non-inert MRF (ELV)
Allens Spares and Salvage, Church Lawton	Limekiln Lane, Kidsgrove ST73AG	Newcastle-Under-Lyme	Allens Spares and Salvage	Non-inert MRF
Field House, Keele Road	Keele Road, Newcastle ST5 5AA	Newcastle-Under-Lyme	Hamptons (J.M. & N.W. Hampton)	Non-inert MRF
Land adjacent to Rowhurst Close Industrial Estate	Adjacent to Rowhurst Close Ind Est, Apedale Road, Chesterton, Newcastle ST56BH	Newcastle-Under-Lyme	Jeffrey Armstrong / Armstrong Vehicle Recycling Ltd.	ELV
Holditch House	Holditch House, Holditch Road, Newcastle-Under-Lyme, ST5 9JQ	Newcastle-under-Lyme	Hamptons Property LLP	Recycling [metals and mixed wastes]
Castle Oils Ltd.	Chemical Lane, Longport, Stoke-on-Trent ST6 4PB	Newcastle	Castle Waste Services Limited	Physico-chemical treatment installation / Replacement Raw Aggregate material

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Site Name	Address	District	Operator	Type
Kingsilver Refinery	Hixon Industrial Estate, Hixon, Stafford	Stafford	Plasmet (UK) Ltd	Waste recycling facility (alternative raw material plan) to produce a pre-mix cement additive
Leese Bros Ltd. (Eccleshall)	Platt Bridge, Eccleshall ST216EN	Stafford	Leese Bros. Eccleshall) Ltd	MRF - Metal
J. Watson & Sons, Common Road	Common Road, Stafford ST163DG	Stafford	J. Watson & Sons	Non-inert MRF / ELV
Drummond Road (J & S Metals)	Astonfields Ind Est, Drummond Road, Stafford, Staffs ST163HJ	Stafford	J & S Metals	ELV
F. Watson & Sons	Rose Cottage, Lichfield Road, Little Stoke, Stone, Staffs ST158QU	Stafford	F. Watson & Sons	Non-inert MRF (Metal / ELV)
Mr K A Jenkinson	Downside, Sandon Road, Sandon Bank, Stafford, Staffs ST189TB	Stafford	Mr. K.A. Jenkinson	ELV
Moorfields Industrial Estate	Cotes Heath, Stafford	Stafford	Boultons Skip Hire Limited	Recycling of plastic, greenwaste, scrap metal, paper, cardboard, timber, inert waste soils and rubble
Delice de France Plc, Stone Business Park	Opal Way Stone	Stafford	Blancomet Recycling UK	Recycling of catalytic converters, car batteries, and copper wire
Meece Landfill Contaminated Soil Recycling Facility	Cold Meece	Stafford	Biogenie on behalf of Biffa Waste Services Ltd	Contaminated soils Recycling
Stafford Waste Transfer Station (Veolia (es) UK Ltd)	Tollgate Ind Est Stafford ST163HS	Stafford	Veolia (es) UK Ltd	MRF
Four Ashes MRF, Four Ashes	1 Station Road, Four Ashes Industrial Estate, WV107DG	South Staffordshire	Veolia ES Birmingham	Non-inert MRF

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Site Name	Address	District	Operator	Type
Heritage House, Acton Gate, Stafford	Heritage House, Acton Gate, Stafford	South Staffordshire	Stone Computers Ltd	WEEE / Non-inert MRF
Unit 4B Four Ashes Industrial Estate	Unit 4b Four Ashes Ind Est, Station Road, Four Ashes, Wolverhampton,	South Staffordshire	T.S. Russell	MRF
Units 5a and 5b, Sprint Industrial Estate,	Station Road, Four Ashes, Staffordshire	South Staffordshire	Thermal Recycling (UK) Limited	Thermal recycling of asbestos waste [cement bonded asbestos waste]
Four Ashes Renault Specialists Ltd	Station Road, Four Ashes, Wolverhampton, WV10 7BU	South Staffordshire	Four Ashes Renault Specialists Ltd	ELV
Unit K, Brookhouse Industrial Estate	Brookhouse Industrial Estate, Cheadle ST101SR	Staffordshire Moorlands	Mr. R.P. Howell	Non-inert MRF - Metal (ELV)
Hillside Industrial Park - The Metal Exchange	Unit 15 New Haden Works, Draycott Cross Roads, Cheadle DT101SR	Staffordshire Moorlands	The Metal Exchange	ELV
Auto Line Motor Salvage	The Hawthorns, Off A524, Froghall, Stoke-on-Trent, Staffs ST10 2HA	Staffordshire Moorlands	Auto Line Motor Salvage	ELV
Unit 2, Brookhouse Mill	Dilhorne Road, Brookhouses, Cheadle	Staffordshire Moorlands	W.B. Breakers	End of Life Vehicles (ELV) - motor vehicle and motorcycle breakers and sale of parts
Hillside Industrial Park	Hillside Industrial Park, Draycott Cross Road, Brookhouses, Cheadle ST101PN	Staffordshire Moorlands	Midlands Biomass and Recycling	Recycling of metal, wood, plastics, paper and cardboard.
Hillside Industrial Park	Cross Road, Cheadle	Staffordshire Moorlands	Ward and Sherratt	Scrap metal processing (metal wastes including end of life vehicles and their components)

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Site Name	Address	District	Operator	Type
The Scrap Yard	Barnfield Road Industrial Estate Leek ST13 5QG	Staffordshire Moorlands	R Bestwick & Sons Ltd	Metal Recycling Site
Morton Vehicle Recycling	Dilhorne Road, Cheadle ST101PR	Staffordshire Moorlands	William Morton	Vehicle depollution / ELV
Pro Motorcycle Salvage	Station Road, Cheddleton Leek ST13 7EE	Staffordshire Moorlands	Peter Keats	ELV
Messrs. G.W. & J. Carter, Cobridge	Purbeck Street, off Leek New Road, Cobridge	Stoke-on-Trent	Messrs. G.W & J. Carter	Non-inert MRF
Fenton Motor Depot	313 City Road, Fenton	Stoke-on-Trent	Fenton Motor Depot	Non-inert MRF
Moore's Metals	530 Hartshill Road, Stoke-on-Trent	Stoke-on-Trent	Moore's Metals	Non-inert MRF
Land at Out-clough Road	Brindley Ford	Stoke-on-Trent	Mr. P. Nixon	Non-inert MRF
White Horse, Elder Road, Cobridge	White Horse, Elder Road, Cobridge, Stoke-on-Trent	Stoke-on-Trent	Mr. F. Wilshaw (T C Skip Hire)	Non-inert MRF
Cockshutt Sidings (CMR Ltd)	Shelton New Road, Cliffe Vale	Stoke-on-Trent	Construction Material Recycling Ltd (CMR Ltd)	Inert MRF
Elswick Road	Elswick Road, Fenton	Stoke-on-Trent	J.D. Commercials Ltd	Non-inert MRF
25-27 Pitsford Street	25-27 Pitsford Street, Normacot ST3 5LJ	Stoke-on-Trent	VW Spares (Hosaini)	ELV / Non-inert MRF
54 Trentham Road	52 Trentham Road, Longton	Stoke-on-Trent	Motor Clinic	Non-inert MRF
Sneyd Hill Breakers	Sneyd Hill, Nevada Lane, Burslem	Stoke-on-Trent	S N Autobreakers (Zamm Autobreakers Ltd)	Non-inert MRF
Units 8 & 9 Milvale Street, Middleport	Units 8 & 9 Milvale Street, Middleport	Stoke-on-Trent	Ace Vauxhall Parts	Non-inert MRF

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Site Name	Address	District	Operator	Type
Land at Sneyd Hill	Land at Sneyd Hill, Sneyd Hill, Stoke-on-Trent	Stoke-on-Trent	Mr Brown (H Brown & Sons)	Non-inert MRF
J H & S Building Ltd	The Coalyard, Milton Road, Milton, Stoke-on-Trent	Stoke-on-Trent	J.H. & S Building Ltd	MRF
Campbell Road Materials Recycling Facility	Land/premises at Campbell Road, Stoke-on-Trent, Staffs	Stoke-on-Trent	Michelin Tyre Plc	MRF
Hot Lane Industrial Estate	Hot Lane Ind Est, Hot Lane, Burslem Stoke ST6 2DJ	Stoke-on-Trent	L T R Services	MRF - METAL
5 Keele Street	5 Keele Street, Tunstall, Stoke-on-Trent	Stoke-on-Trent	Isbar Ellahi	Non-inert MRF
Newstead Materials Recycling Facility	Newstead Industrial Trading Estate, Stoke-on-Trent ST4 8HX	Stoke-on-Trent	Biffa Waste Services Ltd	MRF
Techemet	1 Vanguard, Wilnecote, Tamworth B77 5DY	Tamworth	Techemet Ltd	MRF
Unit 15b Amington Industrial Estate (Briers)	Unit 15b Felspar Road, Amington Industrial Estate, Mercian Park, Tamworth B77 4DP	Tamworth	W. M. Briers & Son (Tamworth) Ltd.	Non-inert MRF
Mainly Ford (MF Parts)	Two Gates Ind Est, Unit 23, Watling Street, Two Gates, Tamworth, Staff B77 5AE	Tamworth	Mainly Ford / Barry Asson & Eric Tyers	ELV
Unit 23 Apollo, Lichfield Road Industrial Estate	Unit 23 Apollo, Lichfield Road Industrial Estate, Tamworth	Tamworth	Summit Systems Ltd	Inert MRF [recycling plastic yogurt pots]

Appendix 1: Permitted and operational waste management facilities within the plan area at March 2018
The First Review of the Waste Local Plan, December 2018

Organic Treatment Facilities

Based on information on planning permissions and permitted capacity there are a total of 15 permitted sites with a combined organic treatment capacity of 553,500 tonnes per annum. 14 sites in Staffordshire (513,500 tonnes) and 1 site in Stoke-on-Trent (40,000 tonnes).

Site Name	Address	District	Operator	Type
Poplars Landfill	Leacroft Lane, Lichfield Road	Cannock Chase	Biffa Waste Services Ltd	Anaerobic Digestion Facility - Food waste
Claymills Sewage Works	Meadow Lane, Burton upon Trent, Derbyshire	East Staffordshire	Severn Trent Water Ltd	Biological Treatment & Anaerobic Digestion Facility
Manor Farm, Wall	Manor Farm, Wall	Lichfield	Messrs. W.J. & A.J.W. Ryman / Greener Composting	Open-windrow Composting Facility & Biomass Facility. Green or organic waste; horticultural and landscaping waste
Acton on-farm compost	Acton, Whitmore	Newcastle-Under-Lyme	Veolia ES	Open-windrow Composting Facility. Green waste (from agricultural, horticultural, landscaping and gardening works) and sanitised compost.
Brookfield Farm	Brookfield Farm, Lower Reule, Church Eaton	Stafford	Lower Reule Bioenergy Ltd	Anaerobic Digestion Facility - Food waste
Mill Farm	Stone Road, Chebsey	Stafford	Mr. Robert Ainsworth	Open-windrow Composting Facility (operational from 6 June 2004). Green horticultural, landscaping and garden waste, and L A kerbside collected green waste

Appendix 1: Permitted and operational waste management facilities within the plan area at March 2018
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Site Name	Address	District	Operator	Type
Meece Landfill Site	Yarnfield Road, Coldmeece, Near Stone	Stafford	Biffa Waste Services Ltd	Open Windrow Composting - Green waste. Need to implement planning permission by 27 May 2019
Cocksparrow Lane, Huntington	Former Littleton Colliery coal stocking area, Huntington Cannock	South Staffordshire	H.E. Humphries Ltd, Bloomfield Recycling	Open-windrow Composting Facility & Renewable Energy Facility comprising Biomass & Anaerobic Digestion Facility Green waste, wood waste and timber products, food waste and agricultural crop silages and residues.
Hollybush Recycling Centre	Warstone Road, Shareshill	South Staffordshire	Jack Moody Ltd	Open-windrow Composting Facility & In-vessel Composting Facility. Green waste (green, horticultural, landscaping and garden waste) = open-air windrow system. Green including organic waste (kitchen / catering / food waste and timber) = In-vessel facility.
Lawn Lane, Coven	Lawn Lane, Coven WV9 5AX	South Staffordshire	Veolia ES	Open-windrow Composting Facility. Green waste (green, agricultural, horticultural, landscaping and garden waste)

Appendix 1: Permitted and operational waste management facilities within the plan area at March 2018
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Site Name	Address	District	Operator	Type
Roundhill Sewage Treatment	Land off Gibbett Lane, Roundhill, Nr Stourbridge	South Staffordshire	Severn Trent Water Ltd	Anaerobic Digestion Facility. Biodegradable organic waste [incl liquid waste and energy crops silage].
Booths Farm	Clamgoose Lane, Cheadle	Staffordshire Moorlands	Fallows Landfill	Open-windrow Composting Facility. Green waste (from gardens, horticultural and landscaping activities)
Land Adjacent to Kingsley Brickworks	Kingsley	Staffordshire Moorlands	Beta Green Composters	Open-windrow Composting Facility. Green waste (including waste timber)
Cressford Farm	Caverswall Lane, Dilhorne	Staffordshire Moorlands	Moorland Green Waste Recycling	Open-windrow Composting Facility. Green waste (horticultural landscaping, arboricultural and garden waste)
Strongford Sewage Treatment Works	Strongford Sewage Treatment Works, Barlaston Old Road, Stoke-on-Trent	Stoke-on-Trent	Severn Trent Water Ltd	Organic - Biological Treatment

**Appendix 1: Permitted and operational waste management facilities within the plan area at March 2018
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Residual Treatment Facilities

Using information on planning permissions and permitted capacity in addition to the EA Waste Data Interrogator 2017 regarding inputs into waste sites within the plan area, this confirmed that there is a total of 6 sites with a combined total residual treatment capacity of 840,566 tonnes per annum. Staffordshire = 3 sites and 505,000 tonnes per annum. Stoke-on-Trent = 3 sites and 335,566 tonnes per annum.

(EA- Waste Management 2016 in West Midlands Data Tables) Staffordshire incineration inputs 2016 was 670.000 tonnes.

Site Name	Address	District	Operator	Type
Four Ashes Energy Recovery Facility (W2R)	The Dell, Enterprise Drive, Four Ashes, Wolverhampton	South Staffordshire	Veolia ES Staffordshire Limited	Incineration of residual treatment - municipal and commercial waste
Cauldon Cement Plant	Yelsway Lane, Waterhouses, Stoke-on-Trent, ST10 3EQ,	Staffordshire Moorlands	Lafarge Cauldon Limited	Co-incineration: end-of-life tyres, liquid combustible wastes containing hazardous substances, sludges from treatment of urban waste water
Pointons, Cheddleton	Felthouse Lane, Cheddleton	Staffordshire Moorlands	John Pointon and Sons	Renewable Energy Facility / Biomass Facility: Recycled and recovered waste wood for use in biomass boilers. Need to implement by 21/12/2020
Stoke Energy from Waste Plant	Campbell Road, Sideway, Stoke-on-Trent, Staffordshire, ST4 4DX	Stoke-on-Trent	MES Environmental Limited	Incineration: residual treatment - municipal and commercial waste
Govan Road, Fenton (Go Environmental Ltd)	Govan Road, Fenton, Stoke-on-Trent, Staffs	Stoke-on-Trent	Go Environmental Ltd	Residual treatment
H Brown and Son Recycling Ltd	Land at Sneyd Hill, Sneyd Hill, Stoke-on-Trent	Stoke-on-Trent	H. Brown & Son	Residual treatment

Appendix 2: Policy Analysis Tables - April 2013 to March 2018
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Waste Transfer Facilities

Using the EA Waste Data Interrogator 2017 regarding inputs into waste sites within the plan area, this confirmed that there is a total of 72 operational sites with a combined total transfer capacity of 1,223,950 tonnes per annum: Staffordshire = 50 sites (887,583 tonnes). Stoke-on-Trent =22 sites (336,367 tonnes)

Note WTS = Waste Transfer Stations

(EA- Waste Management 2016 in West Midlands Data Tables) West Midlands: Transfer total was 740,000 tonnes.

Site Name	Address	District	Operator	Type
Cannock Household Waste & Recycling Centre	Leacroft Lane, Lichfield Road (Poplars Landfill Site)	Cannock Chase	Staffordshire County Council / FCC Waste Services (UK) Ltd	Inert and Non-inert
Rugeley Household Waste & Recycling Centre	Station Road, Rugeley	Cannock Chase	Staffordshire County Council / FCC Waste Services (UK) Ltd	Inert and Non-inert
Burton Household Waste Recycling Centre	Shobnall Road, Burton Upon Trent, Staffs	East Staffordshire	Staffordshire County Council / FCC Waste Services (UK) Ltd	Inert and Non-inert
Uttoxeter Household Waste Recycling Centre	Off The Dove Way, Uttoxeter	East Staffordshire	Staffordshire County Council / FCC Waste Services (UK) Ltd	Inert and Non-inert
Burntwood Household Waste & Recycling Centre	Ring Road, Chase Terrace	Lichfield	Staffordshire County Council / FCC Waste Services (UK) Ltd	Inert and Non-inert
Lichfield Household Waste & Recycling Centre	Trent Valley Road, Lichfield	Lichfield	Staffordshire County Council / FCC Waste Services (UK) Ltd	Inert and Non-inert

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Site Name	Address	District	Operator	Type
Leycett Household Waste & Recycling Centre	Leycett Lane, Silverdale	Newcastle-Under-Lyme	Staffordshire County Council / FCC Waste Services (UK) Ltd	Inert and Non-inert
Stafford Household Waste & Recycling Centre	St Albans Road, Stafford	Stafford	Staffordshire County Council / FCC Waste Services (UK) Ltd	Inert and Non-inert
Stone Household Waste Recycling Centre	Off Beacon Road, Stone Business Park, Stone	Stafford	Staffordshire County Council / FCC Waste Services (UK) Ltd	Inert and Non-inert
Bilbrook Household Waste & Recycling Centre	Pendeford Mill Lane WV8 1RR	South Staffordshire	Staffordshire County Council / FCC Waste Services (UK) Ltd	Inert and Non-inert
Wombourne Household Waste & Recycling Centre	Botterham Lane, Wombourne DY3 4RA	South Staffordshire	Staffordshire County Council / FCC Waste Services (UK) Ltd	Inert and Non-inert
Bemmersley Household Waste Recycling Centre	Bemmersley Road, Brindley Ford	Staffordshire Moorlands	Staffordshire County Council / FCC Waste Services (UK) Ltd	Inert and Non-inert
Cheadle Household Waste and Recycling Centre	New Haden Road, Brookhouses, Cheadle	Staffordshire Moorlands	Staffordshire County Council / FCC Waste Services (UK) Ltd	Inert and Non-inert
Fowlchurch Household and Waste Recycling Centre	Fowlchurch Road, Ball Haye Green, Leek	Staffordshire Moorlands	Staffordshire County Council / FCC Waste Services (UK) Ltd	Inert and Non-inert
Stoke-on-Trent Household Waste & Recycling Centre	Stoke-on-Trent Household Waste & Recycling Centre, Campbell Road, Sideway, Stoke-on-Trent	Stoke-on-Trent	Stoke-on-Trent City Council	Inert and Non-inert

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Site Name	Address	District	Operator	Type
Federation Road Household Waste Site	Burslem H W S, Federation Road, Burslem, Stoke-on-Trent, Staffs	Stoke-on-Trent	Stoke-on-Trent City Council	Inert and Non-inert
Cooper Recycling	Units 8/12 Bestmoor Ind Est, Station Road, Hednesford, Nr Cannock	Cannock Chase	W.D. Coopers	Non-inert
LW Skip Hire	Cannock Wood Industrial Estate, Unit 14, Cannock Wood Street, WS12 5PL	Cannock Chase	Mr L Wallace	Inert & Non inert WTS
24 Conduit Road, Norton Canes, Cannock	24 Conduit Road, Norton Canes, Cannock	Cannock Chase	Site Clear Solution Limited	Non-hazardous waste - aluminium, cardboard, paper, batteries, plasterboard, paint, electrical goods and asbestos
Unit 25 Bramshall Industrial Estate	Unit 25 Bramshall Industrial Estate, Bramshall, Uttoxeter	East Staffordshire	BPS Commercial Recycling Ltd	Non-inert [plastics, cardboard, refuse derived fuel]
Burton Skip Hire	Shobnall Road, Burton upon Trent DE14 2BB	East Staffordshire	Burton skip Hire Ltd	Inert and Non-inert
Goldings, Plot 5 Nicholson Way	Plot 5, Nicholson Way, off Wellington Road, Burton-upon-Trent DE14 2AW	East Staffordshire	G.D. Golding Waste Transfer Station	Inert
Wilshee's Skip Hire Ltd, Wharf Road	Wharf Road Burton-upon-Trent DE14 1PZ	East Staffordshire	Wilshee's Skip Hire Ltd	Inert and Non-inert, non-hazardous, hazardous and putrescible waste
Cadent Gas Ltd Transfer Station	Gas Works Wetmore Road, Burton-upon-Trent DE14 1SJ	East Staffordshire	Cadent Gas Ltd	Non-inert
AT Skip Hire, Wharf Lane, WTS	Wharf Lane, Burntwood WS7 4QY	Lichfield	A T. Skip Hire /Andrew Taff	Inert and Non-inert

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Site Name	Address	District	Operator	Type
Brickyard Farm, Hilliards Cross	Brickyard Farm, Hilliards Cross, Fradley WS138LZ	Lichfield	Mr R. Jones / Jones Skips / Jones Metal Merchants	Inert
Bodnetts Commercial Limited	Bodnetts Farm, Plantation Lane, Hopwas, Tamworth B78 3AU	Lichfield	Bodnetts Commercial Limited	Inert and Non-inert
Unit 5, Trent Valley Trading Estate	Vulcan Road, Lichfield, WS13 6RW	Lichfield	E.A. Barnes & Sons Ltd	Inert and Non-inert
A1 Skips Transfer Station	Corner Plot, Chemical Lane, Longport	Newcastle-Under-Lyme	A1 Mini Skips Ltd	Inert and Non-inert
Unit 804 Lowfield Drive	Centre 500, Wolstanton, Newcastle under Lyme	Newcastle-Under-Lyme	AIB Solutions Ltd	Asbestos
Tidysite Skip Services Ltd	Plot 8 Parkhouse Road East, Parkhouse Ind Est E, Newcastle ST5 7RB	Newcastle-Under-Lyme	Tidysite Skip Services Ltd	Inert & Non-inert
Moores Metals	Chemical Lane, Longport, Stoke-on-Trent, ST6 4PB	Newcastle-under-Lyme	Moores Metals	Inert & Non-inert
AIB Solutions Ltd	Unit 804, Lowfield Drive, Centre 500, Wolstanton, ST5 0UU	Newcastle-under-Lyme	AIB Solutions Ltd	Inert & Non-inert
High Carr / High Carr Farm	High Carr, Chesterton, Newcastle-Under-Lyme, ST5 7AL	Newcastle-Under-Lyme	Cherry Hill Skip Hire / Rossisle Development Co. Ltd	Inert and Non-inert
Chatterley Quarry Transfer Station	Chemical Lane, Burslem, ST6 4PB	Newcastle-Under-Lyme	Joseph Kimberley & Sons Ltd	Inert and Non-inert
Future Waste and Reclamation, Chemical Lane	Longbridge Hayes, Newcastle, ST6 4PB	Newcastle-Under-Lyme	Future Waste and Reclamation / Proctor & Belford	Inert and Non-inert

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Site Name	Address	District	Operator	Type
Central Depot, Newcastle-Under-Lyme	Knutton Lane, Newcastle-Under-Lyme ST5 2SL	Newcastle-Under-Lyme	Newcastle-Under-Lyme Borough Council	Inert
Four Lane End (E J Reeves) Waste Transfer Station	Land at Four Lane Ends Farm, Adbaston ST20 0RE	Stafford	E J Reeves	Inert and Non-inert / Sludge
Brookfield Farm AD Plant	Cowley, Gnosall ST200BE	Stafford	Lower Reule Bioenergy Ltd	Non-hazardous municipal, commercial and industrial food waste and packaging
Plots 17 & 18 Littleton Business Park	Littleton Business Park, Littleton Drive, Cannock WS12 4TR	South Staffordshire	S & B Waste Management & Recycling Ltd	Inert and Non-inert
CT Skip Hire	Unit 3 Landywood Industrial Estate, Cheslyn Hay, Walsall	South Staffordshire	C T Skip Hire / Craig Humpage	Non-inert
Four Ashes Clinical Waste Treatment Plant & TS	2 Station Road Four Ashes Industrial Estate Four Ashes WV10 7DG	South Staffordshire	SRCL Ltd	Clinical WTS
Unit 5 Sprint Industrial Estate	Unit 5 Sprint Industrial Estate, Station Road, Four Ashes	South Staffordshire	Mr Wordley / Lower Reule Bioenergy	Non-inert (food waste depackaging facility)
Unit 19, Pillaton Hall Farm,	Cannock Road, Pillaton, Penkridge ST19 5RZ	South Staffordshire	Premier Clean Midlands Ltd	Hazardous waste [kerosene, thinners, waste oil, oil filters, oil/water, paint waste, fluorescent tubes, rags and absorbants, paint boot filters, waste electrical and electronic equipment, batteries, aerosols and metal

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Site Name	Address	District	Operator	Type
Lower Reule Bio-Energy Ltd Waste Food Facility	Unit 5b, Sprint Industrial Estate, Four Ashes, Wolverhampton WV10 7DA	South Staffordshire	Mr Wordley / Lower Reule Bioenergy Ltd	Non-inert (food waste depackaging facility)
Burntwood Skip Hire / AB Skips	Plot No 5 Landywood Lane, Cheslyn Hay, WS6 7 AQ	South Staffordshire	Nathan James Boot	Household, Commercial & Industrial Waste Transfer Station
Midlands Biomass and Recycling	Hillside Industrial Park, Draycott Cross Road, Brookhouses, Cheadle ST101PN	Staffordshire Moorlands	Thompson Recycling LLP	Inert & Non-inert
Arthur Wrights Cheadle Community Waste Recycling & Transfer Station	Land off Draycott Cross Roads, Cheadle	Staffordshire Moorlands	Arthur Wright & Son (T/a Hartelys Recycling / Baniform Ltd)	Inert and Non-inert
City Skips, New Haden Ind Est	New Haden Ind Est, Draycott Cross Road, Cheadle, ST10 2NP	Staffordshire Moorlands	Mr D Astley / D.A.L Skip Hire	Cardboard, wood, green, inert and mixed municipal waste
New Haden Metals Ltd	Brookhouse Ind Est, Draycott Cross Road, Cheadle, Stoke on Trent, ST10 1PN	Staffordshire Moorlands	New Haden Metals Ltd. / Cheadle Skip Hire	Non-inert
China St, Fenton (A. Redman & Son)	China Street, Fenton	Stoke-on-Trent	A. Redman & Son	Inert
Potteries Demolition, Fenton	Burnham St, Fenton	Stoke-on-Trent	Potteries Demolition Co Ltd	Inert
Singers (1989) Ltd, Florida Close	Sneyd Industrial Estate, Burslem	Stoke-on-Trent	H. Brown & Son	Inert
Stoke Waste Transfer Station	Nevada Lane, Sneyd Industrial Estate, Burslem	Stoke-on-Trent	Biffa Waste Services Ltd	Inert
5-6 Stadium Industrial Estate, Sun Street, Hanley	5-6 Stadium Industrial Estate, Sun Street, Hanley, Stoke-on-Trent	Stoke-on-Trent	Hyasan Hygiene Services	Non-inert

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Site Name	Address	District	Operator	Type
Govan Road, Fenton (Mr. K.P. Parnell)	Govan Road, Fenton Industrial Estate	Stoke-on-Trent	Mr. K.P. Parnell	Inert and Non-inert
1-10 Burgess Street	1-10 Burgess Street, Middleport	Stoke-on-Trent	Unknown	Inert and Non-inert
Alton House	Cromer Road, Northwood	Stoke-on-Trent	Stoke-on-Trent City Council	Inert
Burslem Park	Burslem Park, Moorland Road, Burslem	Stoke-on-Trent	Stoke-on-Trent City Council	Inert
Sneyd Hill (J&K Oils)	Sneyd Hill, Burslem	Stoke-on-Trent	J & K Oils	Non-inert
Sneyd Hill WTS	Burslem, Stoke-on-Trent	Stoke-on-Trent	Red Industries Ltd	Non-inert
Unit 9 Longport Enterprise Centre	Unit 9 Longport Enterprise Centre, Scott Lidget Road, Longport	Stoke-on-Trent	B F H Group Ltd	Non-inert
Unit A2-A4 Sneyd Hill Industrial Estate	Unit A2 - A4 Sneyd Hill Industrial Estate, Sneyd Hill, Burslem	Stoke-on-Trent	P H S Group Plc	Non-inert
Weighbridge Site, Cromer Road	Cromer Road, Northwood	Stoke-on-Trent	Stoke-on-Trent City Council	Inert
Hot Lane Industrial Estate	Hot Lane Ind Est, Hot Lane, Burslem, Stoke-on-Trent, Staffs	Stoke-on-Trent	L.T.R. Recovery Services	Non-inert
Longton Park	Longton Park, Cocknage Road, Dresden, Stoke-on-Trent, Staffs	Stoke-on-Trent	Stoke-on-Trent City Council	Inert and Non-inert
Burslem Waste Recycling Centre	Old Canal Wharf, Navigation Road, Burslem	Stoke-on-Trent	Potteries Waste	Non-inert
Junction of Paragon Road & Sutherland Road	Junction of Paragon Road and Sutherland Road, Stoke-on-Trent	Stoke-on-Trent	CA & DJ Prestley	Non-inert
Part of Hot Lane Industrial Estate	Hot Lane Industrial Estate, Hot Lane, Burslem	Stoke-on-Trent	T/A Shralely House Farm	Non-inert
Veolia ES (UK) Ltd	Cleanaway Ltd, Newstead Industrial Trading Estate, Alderflat Drive, Newstead, Stoke-on-Trent, ST4 8HX	Stoke-on-Trent	Veolia ES (UK) Ltd	Non-inert

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Site Name	Address	District	Operator	Type
Sandy Way	159b Amington Ind Est, Sandy Way, Amington, Tamworth	Tamworth	Tamworth Borough Council	Inert and Non-inert
W. M. Briers & Son (Tamworth) Ltd	Anchor Sidings, Glascote Road, Tamworth B77 2AN	Tamworth	W. M. Briers & Son (Tamworth) Ltd	Inert and Non-inert

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Appendix 2: Policy Analysis Tables - April 2013 to March 2018

The table below lists all waste applications, determined, refused or withdrawn since plan was adopted, which had the potential to affect waste treatment capacity.

The list does not include: Submissions of Details; Non-Material Amendments; invalid or otherwise inappropriate applications; Variations of Conditions that do not affect treatment capacity; any other applications that do not affect treatment capacity

Staffordshire

Site Name	Application No.		In line with locational criteria	Not in line with locational criteria	Granted under exemptions?	Temporary Planning permission	Phased improvements of existing site	Enclosed facility	Exempt from enclosure	Approved where adverse environmental impacts anticipated?	Specific environmental improvements achieved?	Investment in new facilities
2013-14												
Hollybush Recycling Centre, Warstone Road, Shareshill	SS.08/21/619 W	Grant - with conditions	✓	x	N/A	x	✓	x	x	x	x	x
Kingsilver Refinery, Hixon Industrial Estate, Hixon, Stafford	S.11/11/4003 W	Grant - with conditions	✓	x	N/A	x	x	✓	x	x	x	✓
Holditch House, Holditch Road, Newcastle, Staffordshire	N.12/03/2018 W	Grant - with conditions	✓	x	N/A	x	x	✓	x	x	x	x
Wilshee's Skip Hire, Glensyl Way, Burton on Trent	ES.12/10/512 W	Grant - with conditions	✓	x	N/A	x	✓	✓	x	x	x	✓

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Site Name	Application No.		In line with locational criteria	Not in line with locational criteria	Granted under exemptions?	Temporary Planning permission	Phased improvements of existing site	Enclosed facility	Exempt from enclosure	Approved where adverse environmental impacts anticipated?	Specific environmental improvements achieved?	Investment in new facilities
Castle Oils Limited , Chemical Lane, Longport, Stoke-on-Trent	N.13/01/219 W	Grant - with conditions	✓	✗	N/A	✗	✓	✓	✗	✗	✗	✗
Colton Hall Farm, Blithbury Road, Rugeley	L.13/05/813 W	Grant - with conditions	✓	✗	N/A	✗	✗	✗	✗	✗	✗	✓
Biffa Waste Services Ltd., Poplars Landfill Site, Lichfield Road, Cannock	CH.13/06/721 MW	Grant - with conditions	✓	✗	N/A	✗	✗	✓	✗	✗	✗	✗
Lane Farm, Sandon Stafford	S.13/14/4069 W	Grant - with conditions	✓	✗	N/A	✗	✗	✓	✗	✗	✗	✗
Unit 25 Bramshall Industrial Estate, Bramshall	ES.13/10/564 W	Grant - with conditions	✓	✗	N/A	✗	✓	✓	✗	✗	✗	✗
Total for 2013-14: 9		Granted: 9	9	0	0	0	4	7	0	0	0	3

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Site Name	Application No.		In line with locational criteria	Not in line with locational criteria	Granted under exemptions?	Temporary Planning permission	Phased improvements of existing site	Enclosed facility	Exempt from enclosure	Approved where adverse environmental impacts anticipated?	Specific environmental improvements achieved?	Investment in new facilities
2014-15												
Hillside Industrial Park, Cross Road, Cheadle	SM.12/01/177 W	Grant - with conditions	✓	x	N/A	x	x	x	x	x	x	x
Cocksparrow Lane, Huntington	SS.13/03/613 W	Grant - with conditions	✓	x	N/A	x	x	✓	x	x	x	x
Bromley Park Buildings, Abbots Bromley	ES.13/13/5010 W	Grant - with conditions	✓	x	N/A	x	x	x	x	x	x	x
Mill Farm, Stone Road, Chebsey, Stafford	S.13/25/467 W	Status: Withdrawn										
Willshees Skip Hire, Glensyl Way, Burton on Trent	ES.14/05/512 W	Grant - with conditions	✓	x	N/A	x	x	✓	x	x	x	x
Shire Oak Quarry, Chester Road, Walsall	L.13/12/809 MW	Grant - with conditions	✓	x	N/A	x	x	x	x	x	x	x
15 Anders Lichfield Road industrial Estate, Tamworth	T.13/06/926 W	Status: Withdrawn										
Unit 804 Lowfield Drive, Centre 500, Wolstanton, Newcastle under Lyme	N.14/05/2022 W	Grant - with conditions	✓	x	N/A	x	x	✓	x	x	x	x
The Dell, Enterprise Drive, Four Ashes	SS.14/20/636 W	Grant - with conditions	✓	x	N/A	x	x	✓	x	x	x	x
Total for 2014-15: 9		Granted: 7 Withdrawn: 2	7	0	0	0	0	4	0	0	0	0

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Site Name	Application No.		In line with locational criteria	Not in line with locational criteria	Granted under exemptions?	Temporary Planning permission	Phased improvements of existing site	Enclosed facility	Exempt from enclosure	Approved where adverse environmental impacts anticipated?	Specific environmental improvements achieved?	Investment in new facilities
2015-16												
Land off Rugeley Eastern Bypass	CH.13/10/725 W	Grant - with conditions	✓	x	N/A	x	x	x	x	x	x	x
24 Conduit Road, Norton Canes, Cannock	CH.14/03/778 W	Grant - with conditions	✓	x	N/A	x	x	✓	x	x	x	✓
Groundslow Farm, Winghouse Lane, Tittensor	S.14/08/4076 W	Grant - with conditions	✓	x	N/A	x	x	x	x	x	x	x
Unit 19 Pillaton Hall Farm, Cannock Road, Penkridge	SS.14/17	Status: undetermined (withdrawn)										
Units 5a and 5b, Sprint Industrial Estate, Station Road, Four Ashes, Staffordshire	SS.14/18/655 W	Grant - with conditions	✓	x	N/A	x	x	✓	x	x	x	x
Tidysite Skip Services, Turner Crescent, Newcastle under Lyme	N.14/08/2015 W	Grant - with conditions	✓	x	N/A	✓	x	x	x	x	x	x
Station House, Grindley Lane, Grindley, Stafford	S.14/14/460 W	Grant - with conditions	✓	x	N/A	x	x	x	x	x	x	x

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Site Name	Application No.		In line with locational criteria	Not in line with locational criteria	Granted under exemptions?	Temporary Planning permission	Phased improvements of existing site	Enclosed facility	Exempt from enclosure	Approved where adverse environmental impacts anticipated?	Specific environmental improvements achieved?	Investment in new facilities
Acton Composting Facility, Trentham Rd, Acton	N.15/03/230 W	Status: Refused – cumulative impact unacceptable in Green Belt and unacceptable impacts on local amenity, tourism and rural economy.	x	✓	x	x	x	x	x	x	x	x
Land at Roundhill Sewage Treatment Works, Roundhill, Staffordshire	SS.15/08/629 W	Grant - with conditions	✓	x	N/A	x	x	✓	x	x	x	✓
Meece Landfill/SRF Site, Cold Meece, Stone	S.15/09/403 W	Grant - with conditions	✓	x	N/A	x	x	x	x	x	x	x
Meece Landfill Site, Yarnfield Road, Swynnerton, Coldmeece, Near Stone	S.15/12/403 W	Grant - with conditions	✓	x	N/A	x	x	x	x	x	x	x
Hillside Industrial Park, Draycott Cross Road, Brook Houses, Cheadle	SM.15/04/177 W	Grant - with conditions	✓	x	N/A	x	x	✓	x	x	x	x
163 Walford Works, Longford Road, Cannock, Staffordshire	CH.15/11/780 W	Status: Withdrawn										

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The First Review of the Waste Local Plan, December 2018

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Site Name	Application No.		In line with locational criteria	Not in line with locational criteria	Granted under exemptions?	Temporary Planning permission	Phased improvements of existing site	Enclosed facility	Exempt from enclosure	Approved where adverse environmental impacts anticipated?	Specific environmental improvements achieved?	Investment in new facilities
Unit 2, Brookhouse Mill, Dilhorne Road, Brookhouses, Cheadle	SM.15/07/1135 W	Grant - with conditions	✓	✗	N/A	✗	✗	✓	✗	✗	✗	✗
Former Timber Yard, Wetmore Road, Burton on Trent	ES.15/11/5008 W	Status: Withdrawn										
Unit 19, Pillaton Hall Farm, Cannock Road, Pillaton, Penkridge	SS.15/16/6013 W	Grant - with conditions	✓	✗	N/A	✗	✗	✗	✗	✗	✗	✗
Oak Tree Farm, Slitting Mill Road, Rugeley	CH.16/02/781 W	Status: undetermined										
Total for 2015-16: 17		Granted: 12 Refused: 1 Withdrawn: 4	12	0	0	1	0	5	0	0	0	2

Site Name	Application No.		In line with locational criteria	Not in line with locational criteria	Granted under exemptions?	Temporary Planning permission	Phased improvements of existing site	Enclosed facility	Exempt from enclosure	Approved where adverse environmental impacts anticipated?	Specific environmental improvements achieved?	Investment in new facilities
2016-17												

Appendix 2: Policy Analysis Tables - April 2013 to March 2018
The First Review of the Waste Local Plan, December 2018

Site Name	Application No.		In line with locational criteria	Not in line with locational criteria	Granted under exemptions?	Temporary Planning permission	Phased improvements of existing site	Enclosed facility	Exempt from enclosure	Approved where adverse environmental impacts anticipated?	Specific environmental improvements achieved?	Investment in new facilities
Unit 5 Sprint Industrial Estate, Station Road, Four Ashes	SS.15/10/6011 W	Grant - with conditions	✓	✗	N/A	✗	✗	✓	✗	✗	✗	✓
Meece Landfill Site, Yarnfield Road, Coldmeece, Near Stone	S.15/14/403 W	Grant - with conditions	✓	✗	N/A	✓	✗	✗	✓	✗	✗	✓
Burnsips Road, Essington, Land adjacent to Wood Farm Golf Club, Essington	SS.15/14/6012 W	Grant - with conditions	✓	✗	N/A	✗	✗	✗	✓	✗	✗	✓
163 Walford Works, Longford Road, Cannock	CH.15/14/780 W	Status: Refuse – unenclosed working not compatible with Policy 3.1. Granted temp. permission on appeal under Policy 3.4	✓	✗	N/A	✓	✗	✗	✗	✗	✓	✓
Swindon Driving Range Ltd, Bridgnorth Road, Dudley	SS.16/01/662 W	Grant - with conditions	✓	✗	N/A	✓	✗	✗	✓	✗	✓	✗
Former Timber Yard, Wetmore Road, Burton on Trent	ES.16/02/5008 W	Grant - with conditions	✓	✗	N/A	✗	✗	✗	✓	✗	✗	✗
Lodgedale Farm, Main Road, Hollington	SM.16/02	Status: Withdrawn										

Appendix 2: Policy Analysis Tables - April 2013 to March 2018
The First Review of the Waste Local Plan, December 2018

Site Name	Application No.		In line with locational criteria	Not in line with locational criteria	Granted under exemptions?	Temporary Planning permission	Phased improvements of existing site	Enclosed facility	Exempt from enclosure	Approved where adverse environmental impacts anticipated?	Specific environmental improvements achieved?	Investment in new facilities
Cherry Hill Recycling Centre, Talke Road, Chesterton, Newcastle	N.16/01/294 MW	Status: Withdrawn										
Lodgedale Farm, Main Road, Hollington	SM.16/03/195 W	Status: Withdrawn										
Hangar 1, Gorse Lane, Lichfield	L.16/03/862 W	Status: Refuse – External storage not compatible with Policy 3.1	✓	✗	N/A	✓	✗	✗	✗	✗	✗	✗
City Skips, New Haden Industrial Estate, Draycott Cross Road, Cheadle, Staffordshire	SM.16/01/1136 W	Grant - with conditions	✓	✗	N/A	✗	✗	✓	✗	✗	✓	✓
Sunshine Farm, Hilton Lane, Hilton	SS.16/04/691 W	Grant - with conditions	✓	✗	N/A	✗	✗	✓	✗	✗	✗	✓
Meece Landfill and Soil Recycling Facility, Cold Meece	S.16/03/403 W	Grant - with conditions	✓	✗	N/A	✗	✗	✗	✓	✗	✗	✗
Former Timber Yard, Wetmore Road, Burton on Trent	ES.16/09/5008 W	Status: Withdrawn										
Delice de France Plc Stone Business Park, Opal Way, Stone	S.16/02/4119 W	Grant - with conditions	✓	✗	N/A	✗	✗	✓	✗	✗	✗	✓
Brookfield Farm AD Plant, Cowley, Gnosall	S.16/05/4004 W	Grant - with conditions	✓	✗	N/A	✗	✓	✓	✗	✗	✗	✓

Appendix 2: Policy Analysis Tables - April 2013 to March 2018
The First Review of the Waste Local Plan, December 2018

Site Name	Application No.		In line with locational criteria	Not in line with locational criteria	Granted under exemptions?	Temporary Planning permission	Phased improvements of existing site	Enclosed facility	Exempt from enclosure	Approved where adverse environmental impacts anticipated?	Specific environmental improvements achieved?	Investment in new facilities
Saredon Quarry, Saredon Road, Little Saredon	SS.16/08/602 MW	Grant - with conditions	✓	✗	N/A	✓	✗	✗	✓	✗	✗	✗
G D Golding Skip Hire and Haulage, Nicolson Way, Burton on Trent	ES.16/11/505 W	Grant - with conditions	✓	✗	N/A	✗	✓	✓	✗	✗	✓	✓
Ashlands Farm, Pinfold Lane, Bromley Hurst, Abbots Bromley	ES.16/14/5017 W	Status: Withdrawn										
Roundhill Sewage Treatment Works, Gibbet Lane, Kinver	SS.16/13/629 W	Grant - with conditions	✓	✗	N/A	✗	✗	✓	✗	✗	✗	✓
Meece Landfill and Soil Recycling Facility, Cold Meece	S.16/09/403 W	Grant - with conditions	✓	✗	N/A	✗	✓	✗	✓	✗	✗	✓
Total for 2016-17: 20		Granted: 14 Withdrawn: 5 Refused: 1 (granted on appeal)	15	0	0	4	3	7	7	0	4	11

Appendix 2: Policy Analysis Tables - April 2013 to March 2018
The First Review of the Waste Local Plan, December 2018

Site Name	Application No.		In line with locational criteria	Not in line with locational criteria	Granted under exemptions?	Temporary Planning permission	Phased improvements of existing site	Enclosed facility	Exempt from enclosure	Approved where adverse environmental impacts anticipated?	Specific environmental improvements achieved?	Investment in new facilities
2017-18												
Land adjacent to 5 Wolverhampton Road, Shareshill	SS.06/20/639 W	Status: undetermined										
Greener Composting, Watling Street, Wall, Lichfield	L.16/04/823 W	Grant - with conditions	✓	✗	N/A	✗	✗	✓	✗	✗	✗	✓
Poplars Anaerobic Digestion Plant, Lichfield Road, Cannock	CH.17/02/721 MW	Grant - with conditions	✓	✗	N/A	✗	✗	✗	✓	✗	✗	✗
Greener Composting, Watling Street, Wall Village, Lichfield	L.17/02/823 W	Grant - with conditions	✓	✗	N/A	✗	✗	✗	✓	✗	✗	✗
Four Ashes Materials Recovery Facility, Station Road, Four Ashes	SS.17/07/620 W	Grant - with conditions	✓	✗	N/A	✗	✗	✗	✓	✗	✗	✗
John Pointon and Sons, Bones Lane, Cheddleton, Leek	SM.17/02/1138 W	Grant - with conditions	✓	✗	N/A	✗	✗	✓	✗	✗	✗	✗
Mill Farm, Stone Road, Eccleshall, Stafford	S.17/06/467 W	Status: Withdrawn										
Moorfields Industrial Estate, Cotes Heath, Stafford	S.17/07/4121 W	Status: Grant - with conditions	✓	✗	N/A	✗	✗	✓	✗	✗	✗	✓

Appendix 2: Policy Analysis Tables - April 2013 to March 2018
The First Review of the Waste Local Plan, December 2018

Site Name	Application No.		In line with locational criteria	Not in line with locational criteria	Granted under exemptions?	Temporary Planning permission	Phased improvements of existing site	Enclosed facility	Exempt from enclosure	Approved where adverse environmental impacts anticipated?	Specific environmental improvements achieved?	Investment in new facilities
Wood Eaton Sewage Treatment Works, Gnosall Road, Gnosall	S.17/08/475 W	Status: Grant - with conditions	x	x	✓	x	x	x	✓	x	x	✓
Land south of Stone Business Park, Stone	S.18/01/4122 W	Status: Grant - with conditions	✓	x	✓	x	x	x	✓	x	x	✓
Total for 2017-18: 10		Granted: 8 Withdrawn: 2	7	0	2	0	0	3	5	0	0	4

Appendix 2: Policy Analysis Tables - April 2013 to March 2018
The First Review of the Waste Local Plan, December 2018

Stoke-on-Trent

Site Name	Application No.		In line with locational criteria	Not in line with locational criteria	Granted under exemptions?	Temporary Planning permission	Phased improvements of existing site	Enclosed facility	Exempt from enclosure	Approved where adverse environmental impacts anticipated?	Specific environmental improvements achieved?	Investment in new facilities
2013 - 14												
J H & S Recycling, The Coalyard, Milton Road, Stoke-on-Trent, ST1 6LE	55335 8 Jan 2014	Grant with Conditions	✓	x	N/A	x	x	✓	x	x	x	x
Stanley Matthews Way, Trentham Lakes, Stoke-on-Trent	56377 19 March 2014	Grant with Conditions	✓	x	N/A	x	x	✓	x	x	x	x
2014 - 15												
Land off Chemical Lane, Tunstall, Stoke-on-Trent, ST6 4NU	57201 4 Nov 2014	Grant with Conditions	✓	x	N/A	x	✓	x	x	x	x	✓
2016 - 17												
Cleanaway Ltd, Newstead Industrial Trading Estate, Alderflat Drive, Newstead, Stoke On Trent, ST4 8HX	57298 16 Oct 2016	Grant with Conditions	✓	x	N/A	x	x	✓	x	x	x	✓
2017 - 18												
Land at Chemical Lane, Tunstall, Stoke-on-Trent ST6 4NU	62057 11 April 2018	Grant with Conditions	✓	x	N/A	x	✓	x	x	x	x	✓
Total: 5		Granted: 5	5	0	0	0	2	3	0	0	0	2

Appendix 2: Policy Analysis Tables - April 2013 to March 2018
The First Review of the Waste Local Plan, December 2018

Totals from tables above

Year	Total Apps	Granted.	Withdrawn	In line with locational criteria	Not in line with locational criteria	Granted under exemptions?	Temporary Planning permission	Phased improvements of existing site	Enclosed facility	Exempt from enclosure	Approved where adverse environmental	Specific environmental improvements	Investment in new facilities
2013 – 14 - Staffordshire	9	9	0	9	0	0	0	4	7	0	0	0	3
Stoke-on-Trent	2	2	0	2	0	0	0	0	2	0	0	0	0
2014 - 15 - Staffordshire	9	7	2	7	0	0	0	0	4	0	0	0	0
Stoke-on-Trent	1	1	0	1	0	0	0	1	0	0	0	0	1
2015 - 16 - Staffordshire	17	12	4	12	0	0	1	0	5	0	0	0	2
2016 - 17 - Staffordshire	20	15	5	15	0	0	4	3	7	7	0	4	11
Stoke-on-Trent	1	1	0	1	0	0	0	0	1	0	0	0	1
2017 - 18 - Staffordshire	10	8	2	7	0	2	0	0	3	5	0	0	4
Stoke-on-Trent	1	1	0	1	0	0	0	1	0	0	0	0	1
Totals	70	56	13	55	0	2	5	9	29	12	0	4	23

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Community Impact Assessment – Checklist and Executive Summary

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Name of Proposal: First Review of the Staffordshire and Stoke-on-Trent Waste Local Plan

Project Sponsor: Councillor Mark Winnington, Cabinet Member for Economic Growth

Project Manager: Julie Castree-Denton, Team Leader Waste Planning Policy

Date: 03/01/19

Final Checklist – Prior to submitting your Community Impact Assessment (CIA), please ensure that the actions on the checklist below have been completed, to reassure yourself/ SLT/ Cabinet that the CIA process has been undertaken appropriately.

Checklist	Action Completed (tick)	Comments/Actions
The project supports the Council's Business Plan, priorities and MTFS.	✓	Yes, the project forms part of the Business Plan priority 1.1.1 (Delivering the Economic Growth Programme). The project will support sustainable economic growth by ensuring that effective planning policies are in place to determine planning applications for waste management facilities in order that: there are facilities of the right type operating to high environmental standards, in the right place and at the right time to deal with waste from homes, offices, factories and construction sites. This will contribute to the priority outcomes for people being able to access more good jobs and feel the benefit of economic growth. Although the project has no direct MTFS implications, a budget for this work was allocated for 2019-20 (£50k) to cover the County Council's share of the cost of an Inspector and public examination if required. As it has been concluded that a full or a partial review is not currently required then this represents a short-term saving.
It is clear what the decision is or what decision is being requested.	✓	Yes, the report sets out the recommendation being requested of Cabinet that Full Council accept the conclusions of the Review that there is no need to revise our Waste Local Plan at this time so that it can continue to carry weight in the determination of planning applications for waste development
For decisions going to Cabinet, the CIA findings are reflected in the Cabinet Report and potential impacts are clearly identified and mitigated for (where possible).	✓	No impacts have been identified as the existing Waste Local Plan and policies will continue to be used to determine waste planning applications. A second review of the Waste Local Plan will however be required before March 2023 (i.e. 10 years from adoption), unless an earlier review is deemed necessary.
The aims, objectives and outcomes of the policy, service or project have been clearly identified.	✓	Yes this project is a statutory requirement. New regulations which came into effect on 6 April 2018 require us to complete a review of the waste local plan every 5 years, starting from the date of adoption of the local plan, in accordance with section 23 of the Planning and Compulsory Purchase Act 2004 (adoption of local development documents). [Team Plan EI&S12 Waste Local Plan - to monitor, review and update the Plan adopted on 22/03/2013].
The groups who will be affected by the policy, service or project have been clearly identified.	✓	No specific groups have been identified. As the adopted Waste Local Plan is unchanged and guides how waste planning applications will be determined in Staffordshire and Stoke-on-Trent, any proposals for waste development would be subject to the Planning process and groups and communities would be considered as part of the determination process.
The communities that are likely to be more adversely impacted than others have been clearly identified.	✓	As above no communities have been identified. The Waste Local Plan guides the determination of planning applications related to waste management facilities.
Engagement / consultation has been undertaken and is representative of the residents most likely to be affected.	✓	Prior to adoption the Waste Local Plan and policies went through a number of consultation stages and was examined by an independent Planning Inspector.
A range of people with the appropriate knowledge and expertise have contributed to the CIA.	✓	The CIA has been prepared by officers who took the Waste Local Plan through the development plan adoption stages.
Appropriate evidence has been provided and used to inform the development and design of the policy, service or project. This includes data, research, engagement/consultation, case studies and local knowledge.	✓	Yes this project is a statutory requirement. Planning Practice Guidance on plan-making , published on 13 September 2018, sets out what authorities can consider when determining whether policies should be updated.
The CIA evidences how the Council has considered its statutory duties under the Equality Act 2010 and how it has considered the impacts of any change on people with protected characteristics.	✓	The Council takes every opportunity to ensure that all people are able to access more good jobs and feel the benefits of economic growth.

The next steps to deliver the project have been identified.



The [New regulations](#) require us to publish the reasons why we have reached our conclusions. The review document will be published on our [Waste Local Plan web page](#).

Executive Summary – The Executive Summary is intended to be a collation of the **key issues and findings** from the CIA and other research undertaken. This should be completed **after** the CIA and research has been completed. Please structure the summary using the headings on the left that relate to the sections in the **CIA template**. Where no major impacts have been identified, please state N/A.

	Which groups will be affected?	Benefits	Risks	Mitigations / Recommendations
<p>PSED – What are the impacts on residents with a protected characteristic under the Equality Act 2010? <i>Highlight any concerns that have emerged as a result of the equality analysis on any of the protected groups and how these will be mitigated. It is important that Elected Members are fully aware of the equality duties so that they can make an informed decision and this can be supported with robust evidence.</i></p>	<p>The proposals will offer increased employment opportunities regardless of age, disability, ethnicity, gender, religion/belief or sexuality.</p> <p>No impacts on residents have been identified. As the adopted Waste Local Plan is unchanged and guides how waste planning applications will be determined in Staffordshire and Stoke-on-Trent, any proposals for waste development would be subject to the Planning process and residents, groups and communities would be considered as part of the application determination process.</p> <p>Prior to adoption the Waste Local Plan and policies went through a number of consultation stages and was examined by an independent Planning Inspector.</p>	<p>The Waste Local Plan supports sustainable economic growth by ensuring that effective planning policies are in place to determine planning applications for waste management facilities in order that: there are facilities of the right type operating to high environmental standards, in the right place and at the right time to deal with waste from homes, offices, factories and construction sites.</p>	<p>No risks have been identified as the existing Waste Local Plan will continue to be used to determine waste planning applications. The Waste Local Plan is still in conformity with national waste planning policy and guidance and there have been no changes to local circumstances or our strategic priorities which would suggest that revisions to the waste planning policies are necessary.</p>	<p>A second review of the Waste Local Plan will however be required before March 2023 (i.e. 10 years from adoption), unless an earlier review is deemed necessary.</p>
<p>Health and Care – How will the proposal impact on residents' health? How will the proposal impact on demand for or access to social care or health services?</p>	<p>The proposals are anticipated to positively impact on health. As the adopted Waste Local Plan is unchanged and guides how waste planning applications will be determined in Staffordshire and Stoke-on-Trent, any proposals for waste development would be subject to the Planning process and residents, groups and communities would be considered as part of the application determination process. The Environment Agency would also consider</p>	<p>The Waste Local Plan ensures that effective planning policies are in place to determine planning applications for waste management facilities in order that: there are facilities of the right type operating to high environmental standards, in the right place and at the right time to deal with waste from homes, offices, factories and construction sites.</p>	<p>As above</p>	<p>As above</p>

	any impacts as part of their Environmental Permitting process.			
Economy – How will the proposal impact on the economy of Staffordshire or impact on the income of Staffordshire’s residents?	The proposals should have an overall positive benefit across Staffordshire and Stoke-on-Trent.	The Waste Local Plan supports sustainable economic growth by ensuring that effective planning policies are in place to determine planning applications for waste management facilities in order that: there are facilities of the right type operating to high environmental standards, in the right place and at the right time to deal with waste from homes, offices, factories and construction sites.	As above	As above
Environment – How will the proposal impact on the physical environment of Staffordshire?	The proposals should have an overall positive benefit across Staffordshire and Stoke-on-Trent.	The Waste Local Plan supports environmental protection by ensuring that effective planning policies are in place to determine planning applications for waste management facilities in order that: there are facilities of the right type operating to high environmental standards, in the right place and at the right time to deal with waste from homes, offices, factories and construction sites.	As above	As above
Localities / Communities – How will the proposal impact on Staffordshire’s communities?	The proposals should have an overall positive benefit across Staffordshire and Stoke-on-Trent	The Waste Local Plan supports sustainable economic growth and environmental protection by ensuring that effective planning policies are in place to determine planning applications for waste management facilities in order that: there are facilities of the right type operating to high environmental standards, in the right place and at the right time to deal with waste from homes, offices, factories and construction sites.	As above	As above



Cabinet Meeting on Wednesday 20 February 2019

Staffordshire Warm Homes Fund

Cllr Alan White, Deputy Leader of the Council and Cllr for Health said,

“Fuel poverty affects thousands of people across the country. This contributes to a number of health problems, as respiratory, cardiovascular and mobility conditions can be made worse if an individual is living in a cold home”.

“By working together with many different organisations on a Staffordshire-wide scale, we can identify as many people as possible who are at risk of fuel poverty and related health risks, provide support and advice, and get them the help they need.”

Report Summary:

Staffordshire County Council has secured a £3.795 million for a *Staffordshire Warm Homes Fund*. The Fund will lift 1,000 households out of fuel poverty by installing mains gas connections, central heating systems and insulation. It will also enable low level house adaptations and energy advice to enable people to live at home independently for longer. Three options have been considered for administration of the Fund. The recommended option is to establish a Staffordshire Warm Homes Limited Liability Partnership to administer the Fund as well as develop bids for further funding.

Recommendations

I recommend that Cabinet:

- a. Notes that a £3.795 million *Staffordshire Warm Homes Fund* has been secured.
- b. Considers the options for administration of the fund.
- c. Selects Option 3 for administering the fund through a Staffordshire Warm Homes Limited Liability Partnership.
- d. Approves development of the Staffordshire Warm Homes Fund Limited Liability Partnership between SCC and the Ministry of Wellbeing (MOW).
- e. Delegate authority to the Director of Corporate Services to agree the final version of the Members Agreement

Local Members Interest
N/A

Cabinet – Wednesday 20 February 2019

Staffordshire Warm Homes Fund

Recommendations of the Cabinet Member for Health, Care and Well-being

I recommend that Cabinet:

- a. Notes that a £3.795 million *Staffordshire Warm Homes Fund* has been secured.
- b. Considers the options for administration of the fund.
- c. Selects Option 3 for administering the fund through a Staffordshire Warm Homes Limited Liability Partnership.
- d. Approves development of the *Staffordshire Warm Homes Fund Limited Liability Partnership* between SCC and the Ministry of Well-being MOW.
- e. Delegate authority to the Director of Corporate Services to agree the final version of the Members Agreement

Report of the Director of Health and Care

Background

1. The *Staffordshire Warm Homes Fund* comprises a successful bid for £1,960,475 to the national Warm Homes Fund provided by Affordable Warmth Solutions (AWS), part of National Grid (Cadent). This is a private investment from National Grid to support vulnerable people. Bid requirements included a delivery partner and matched funding and the lead bidder to be a local authority. E.ON have committed a further £1,834,588 Energy Company Obligations (ECO) fund, bringing the total to £3.795 million. E.ON's funding is on condition that it is the sole delivery partner.
2. SCC was the lead bidding organisation to the national Warm Homes Fund (WHF) on behalf of CCG and District Council partners, along with Beat the Cold (a local charity) and the Ministry of Wellbeing Community Interest Company (MOW). SCC confirmed acceptance of the WHF on 30th November 2018 and signed the Recipient Agreement on 17th December 2018. The Recipient Agreement is a necessary formality to proceed but remains inactive unless or until funds are drawn down under it from AWS. There were over 50 bids to the national WHF of which 10 were successful. The Staffordshire bid was awarded one of the highest portions of available funds. Expenditure of the Staffordshire WHF will be over two years starting Spring 2019.

3. MOW is a community interest company set up by SCC's Public Health and Prevention Lead. SCC has been supporting MOW with resources in kind with the intention is that it becomes a self-sustaining, not for profit, trading entity that can create a range of public-commercial partnerships to improve health and well-being in Staffordshire
4. As a commercial entity, MOW is not subject to public sector procurement legislation and can therefore respond quickly to tight bid deadlines. This will facilitate additional bids to bring further funds into Staffordshire.

Benefits

5. The bid covers Category 1 (Urban houses requiring first time boilers/connection to gas mains supply), and Category 3 (Energy efficiency support & advice and home adaptations to support independent living). The Staffordshire WHF will lift 1,000 households out of fuel poverty by installing mains gas connections, first time central heating systems and insulation. It will also enable low level house adaptations and energy advice to enable people to live at home independently for longer. It has the potential to improve personal household finances by up to £4.5m and reduce care costs to public services by £1.2m by enabling a further 5 years of independent living.
6. On the back of the successful bid, the LLP plans to bid in 2019 for Category 2. This will support energy efficiency measures for rural homes and be in the region of a further £2m. E.ON and MOW are also in discussions with Innovate UK and Industrial Strategy health leads to develop a further £26 million bid in 2019 to the Healthy Ageing Programme Fund - £6 million of which would be for Staffordshire.

Options for managing the Staffordshire Warm Homes Fund

7. The Staffordshire WHF includes £167,000 to cover the cost of administering the funding. The administrative functions include marketing the fund, finding and assuring eligible households, management of funds and reporting obligations to AWS under the Recipient Agreement (pre-qualification, quarterly funding submissions and payment for measures completed), and assurance.
8. In addition, SCC and EON have committed £153,812 in-kind support and system partners have committed support through their frontline teams. Receipt of both the Category 3 £156,000 and Administration budget £167,534 by the LLP is subject to delivering the targets. Failure to achieve this means the money is not forthcoming from AWS. In this case all liabilities will be passed to the partners and will not be retained by the LLP.
9. Three options have been considered for administration of the fund: a summary of these is presented in Table 1.

Table 1: options for administration of the Staffordshire Warm Homes Fund

Option		Summary
A	SCC contract directly with E.ON	• Traditional contract with E.ON.

	and administer the Fund internally.	<ul style="list-style-type: none"> Funds would be managed and administered through SCC accounts. <p>Risks</p> <ul style="list-style-type: none"> Access to further funds would breach the concession threshold of £4.5million and therefore require procurement of a delivery partner This might limit access to future in-county and multi-county bid opportunities
B	SCC contract directly with E.ON for delivery with a contract with MOW used for administration.	<ul style="list-style-type: none"> Traditional contract with E.ON. Funds would be managed through SCC accounts with MOW used for recipient administration and wider system co-ordination. <p>Risks</p> <ul style="list-style-type: none"> This adds complexity through two contracts and additional management costs within an already tight budget. Remedy if something goes wrong is contractual remedy only and control is as far as contractually possible. Similar concession threshold limitations as in Option A.
C	Staffordshire Warm Home Fund Limited Liability Partnership Purpose established to contract with E.ON and administer the Fund.	<ul style="list-style-type: none"> SCC and MOW establish a Limited Liability Partnership [LLP] solely for the purposes of implementation of the Recipient Agreement. SCC as the formal Recipient under the Agreement contract with the LLP who in turn then contract with E.ON Transparency, direct and firm governance of finances and performance, and reporting would be enshrined in the Terms of the LLP (members agreement). As a non-public sector entity, it is not required to comply with public sector concession thresholds which limit Options A and B. <p>Risks</p> <ul style="list-style-type: none"> This is a new operating model with small additional cost for set up

10. Due diligence by SCC legal, finance, corporate and procurement leads have confirmed that all three options are acceptable and present no material concerns that would curtail progress or place SCC at risk. An analysis has been completed to assess the relative merits of each option and is presented in Table 2.

Table 2: assessment of options

Criteria		Option A	Option B	Option C
1	Must effectively administer the Staffordshire Warm Homes Fund in line with the Recipient Agreement	✓	✓	✓
2	Must have good governance around the WHF	✓	✓	✓
3	Must be compliant with EU procurement rules	✓	✓	✓
4	Should support bids for further funding	Some risk around future opportunities	Some risk around future opportunities	✓

5	It should support development of the Ministry of Well-being	×	✓	✓
6	Additional set up costs	0	0	Under £10,000

11. Option C requires additional set up costs, some of which will be provided by SCC in-kind support. Where possible, this will be offset by income for SCC staff time to support the Staffordshire Warm Homes Fund. This option facilitates further bids totalling £8m and is therefore the recommended option. The main risks to this option are that this is a new operating model. Further information is given below and in Appendix 1 about how it will be set up and operate.

Staffordshire Warm Homes Fund Limited Liability Partnership

12. This would be a Limited Liability Partnership [LLP] between SCC and the MOW based on:

- a. A 50:50 partnership with right of veto for SCC in relation to Section 151 responsibilities. This would be governed by a Members Agreement which will reflect the management of the fund and the dispersal of SCC contractual responsibilities from the Recipient Agreement to the LLP.
- b. There will be a short form contract between SCC (as a local authority and lead bidder) and the LLP (of which SCC is a member) regards passing down the contractual provisions of the Recipient Agreement directly to the LLP.
- c. The LLP would establish an administrative team and processes to provide the administrative functions (Appendix 1).
- d. The LLP would contract with E.ON, with all liabilities and conditions both from the Recipient Agreement devolved to E.ON
- e. The LLP would develop bids for further funding with management fees for administration of these built into the bids with a view to establishing future income that would support the LLP and MOW to become self-sustaining.
- f. Prior to entering into a single tender arrangement with MOW we will ensure it is supported to be properly constituted and meets single procurement criteria

13. Due diligence by SCC legal, finance, corporate and procurement teams confirm there is no material financial or reputational risk. Appendix 1 provides further supporting detail

List of Background Documents/Appendices:

Appendix 1 – LLP Administrative Team and Processes

Appendix 2 – Community Impact Assessment (CIA) – Summary

Full Community Impact Assessment – Background Document

Report Commissioner: Dr Richard Harling

Job Title: Director of Health and Care

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Appendix 1: Staffordshire Warm Homes Fund Limited Liability Partnership

1. This supporting paper sets out the formation and administrative functions of the proposed Staffordshire Warm Homes Limited Liability Partnership (LLP) to manage £3.785million to tackle fuel poverty.

2. The paper provides the following details:

Section 1 An overview of the main stakeholders and their role, with emphasis on the role of Ministry of Wellbeing Community Interest Company (MOW) and its strategic ambition

Section 2 Formation of Staffordshire Warm Homes Fund LLP

- Overview and rationale
- Tax implications, set up and running costs
- Risks and mitigations
- A Members Agreement is being drafted with key points include in Section 2 below

Section 3 Contractual arrangements between the Affordable Warmth Solutions (AWS) and Staffordshire County Council (SCC) and between the proposed Staffordshire Warm Homes LLP and E.ON.

- Main Recipient Agreement already executed but further documentation within the schedules needs to be completed and executed regarding draw down approval and actual release of funding from time to time during the period;
- Short Form contract between Staffordshire County Council and LLP with Recipient Agreement Appended subcontracting down the contractual obligations;
- Services Contract between LLP and E.ON regards identification services and performance of selected measures ensuring all liabilities and risks from identification, payment of funds, and performance of services measures sits with E.ON.

Section 4 Administrative arrangements including:

- Administrative resources and how they will be allocated across the key stakeholders
- Process and triggers to manage financial flows between AWS, LLP and E.ON
- Eligible household selection process and evaluation criteria
- Data management requirements

Section 1 – Stakeholders and Ministry of Wellbeing

3. The main stakeholders are:
 - Staffordshire County Council – lead bidder on behalf of 8 District Councils and 6 Registered Social Landlords
 - Ministry of Wellbeing Community Interest Company (MOW) – enabler of this commercial-public sector partnership with E.ON
 - E.ON LLP - co-bidder bringing co-funds on condition that it the sole delivery partner for all measures
 - Beat the Cold (BTC) - a local charity with provenance in tackling fuel poverty who will work with E.ON and local system partners to support eligible clients
 - Local public services – including for example, CCGs, Police, Fire & Safety, voluntary providers who will refer vulnerable clients to the programme. This will help to achieve the greatest impact on health and wellbeing

The role of Ministry of Wellbeing (MOW)

4. MOW is a community interest company set up by SCC's Public Health and Prevention Lead. SCC has been supporting MOW with resources in kind with the intention is that it becomes a self-sustaining not for profit trading entity that can create a range of public-commercial partnerships to improve health and wellbeing in Staffordshire
5. Staffordshire Warm Homes Fund is one of several emerging wellbeing projects that MOW is developing. MOW supported the Staffordshire Warm Homes Fund bid by offering the potential for a new commercial-public partnership that can access resources not accessible to the public sector through its normal procurement processes.
6. As a commercial entity, MOW is not subject to public sector procurement legislation and can therefore respond quickly to tight bid deadlines. This will facilitate additional bids to bring further funds into Staffordshire.

Section 2 – Formation of Staffordshire Warm Homes LLP

Overview

7. The partnership will be a limited liability partnership between SCC and Ministry of Wellbeing Community Interest Company (MOW) with joint decision making save for those matters that require a Section 151 officer sign off, in accordance with meeting the conditions of the Affordable Warmth Solutions (AWS) recipient agreement, which will be the exclusive decision of SCC.
8. The liability of the LLP will be nominal so there is no financial risk to SCC or MOW through the incorporation and limited liability within the LLP Act 2000.

9. The LLP will be governed by statute and through the Members Agreement and the duties of both partners clearly laid out and neither party can act without the agreement of the other.
10. As the LLP is a separate legal entity it is not governed by the procurement regulations that SCC are subject to.
11. As co-funder, E.ON will require assurances from SCC on its delivery of s151 responsibilities through the LLP.

Rationale

12. An LLP is the best type of legal entity to undertake the work as there is limited liability for both partners.
13. In addition, an LLP does not have a separate tax liability unlike a limited company but has the advantages similar to a limited company detailed above. However, Staffordshire County Council will bring its own tax consequences as a partner of the LLP.
14. An LLP provides SCC with a scalable operational model for fund management. Because it is an independent legal entity it can, with its partner, MOW, bid for funds above the concession threshold of £4.5 million to fund activities specific to Staffordshire that support wellbeing of residents.
15. It is also replicable as a model that MOW can use to support other programmes and public-sector organisations seeking commercial partners and funds. It will also be attractive to commercial sector as a route to improving their social contribution which is an important board governance agenda. For SCC it positions the Council and its District partners as innovators for 21st century local government.

Tax implications

16. The LLP will not be registered for VAT.
17. Whilst the different arrangements have different VAT positions the net result is there is no disadvantage to the project through choosing option A, B or C.
18. The award by AWS accommodates the cost of unrecoverable VAT at £230,040. If the VAT was recoverable through Option A, B or C this value would not be included in the award.

19. Irrecoverable VAT build into the WHF budget is sufficient to cover up to 10% of schemes if delivered via through RSLs and private landlords properties. If we exceed more than 10% through these channels we will need to recover the WHF VAT through the private landlords and/or RSL's.
20. Where customers receiving First Time Central heating (FTCH) on some standard specification requests extras, they will be invoiced separately to cover these costs. The extras will incur VAT and need to be met by the customer. This will be explicit in relevant discussions and correspondence.
21. E.ON have confirmed advance of £225,000 (circa 12%) from their co-funding for cashflow purposes profiled across two years. This will be paid into the LLP bank account.
22. Subsequently E.ON invoices will be for the net amount of average cost measures less E.ON's contribution but will separately identify the gross line elements for transparency. These invoices will include draw down of the advance in accordance with an agreed schedule around that between the LLP and E.ON. The invoices from E.ON will include VAT. This element of VAT is irrecoverable by the LLP but is included in the AWS funds.
23. AWS will pay the LLP on a quarterly basis in arrears. This is their standard practice based on similar contracts. E.ON will not be paid until AWS pay funds to the LLP account.
24. It is unlikely that the LLP will make a profit as funds reflect measures completed. If there is a small net surplus, under an LLP it will revert to its corporate members and managed under their respective tax positions.
25. MOW is a trading partner itself and will be VAT registered

Set up and running costs

26. The estimated cost of set up and management of the LLP across 2 years is provided in Table 1.

27. Table 1 – Estimated LLP Set up and running costs

	Year 1 £	Year 2 £	Comments
Formation of LLP & Registration on Companies House	50	0	
SCC Finance support	5,000	5,000	SCC in kind support
Internal Audit	600	600	SCC in kind support
Company Accounts & HMRC Returns	200	200	
Bank Fees	100	100	
Insurance	300	300	
Legal Costs	7,000	1,000	SCC Legal team plus external MOW costs
Accommodation/Utilities	3,220	3,220	SCC In kind support
Equipment	3,200	3,200	SCC In kind support
Sundry cost	200	200	Travel, incidentals etc
Total	19,870	13820	

28. Some of these costs would be incurred by SCC and either offset by income from the LLP for SCC staff time or be provided in-kind in support of the Staffordshire Warm Homes Fund.

Risks and mitigations

29. This is a new operating model and partnership. While E.ON have a strong track record in delivering warm home measures there are a small number of risk to be managed . These are listed in Table 2 below

30. Receipt of both the Category 3 £156,000 and Administration budget £167,534 by the LLP is subject to delivering the targets. Failure to achieve this means the money is not forthcoming from AWS. In this case all liabilities will be passed to the partners and will not be retained by the LLP.

31. Table 2 – LLP and programme risks to be managed

No	Risk	Mitigation
1	MOW is a new entity	SCC will support development through in-kind support where required. Seed funding with working capital already approved
2	LLP is a new entity with systems and processes to be established	Experienced and dedicated programme manager to establish good governance and processes SCC LLP representative brings procurement expert oversight will be available SCC finance and internal audit in-kind support SCC voting and financial controls within LLP provide additional assurances
3	Failure to reach target activities and loss of AWS funding	Wide reaching county support to identify and refer eligible households E.ON experienced delivery team and local BTC expertise and capacity actively leading operational delivery
4	Reputational risk to SCC and District partners from disgruntled non-eligible households	The aim of the WHF and eligibility criteria clearly advertised through local partners and media channels The impact of the WHF on vulnerable individual and households evaluated and shared Where not eligible E.ON will offer other energy support where possible
5	Demand exceeds available funds	Further WHFs requested from AWS with further co-funding from E.ON

Members Agreement

32. The Members Agreement will state 50:50 partnership between SCC and MOW. It will include clauses setting out under what conditions SCC have veto to meets its s151 obligations.

33. The Members Agreement will also define the role of each member organisation and its representatives who will be from the two partner organisations. At this stage it is proposed to appoint on behalf of:

- a. SCC - Ian Turner, Head of Commercial and Property
- b. MOW – Karen Bryson, CEO

Section 3 – Contractual arrangements

Affordable Warmth Solutions and Staffordshire County Council

34. The principle source of funding for the project comes from Affordable Warmth Solutions (AWS) which is a Community Interest Company Established in 2008 by National Grid (Cadent) to tackle fuel poverty. The remainder of the funding is from the delivery partner E.ON.
35. The funding from AWS is secured through a recipient agreement. The Council entered in to the agreement on 17th December. This was on a no commitment basis until measures physically start to be delivered. The Agreement does not become live and operational unless or until the funding requests are made under the Agreement.
36. The contractual arrangement outlined below, and the administrative arrangements described in section 4 are intended to provide assurance to SCC that the obligations within the recipient agreement can be met.

SCC and LLP

37. Although SCC is a partner in the LLP there needs to be a contract for an audit trail between SCC and the LLP. Whilst SCC is a member of the LLP in the capacity as an LLP member SCC also has other (fiduciary) obligations to the LLP. However, as a local authority accountable for these funds SCC needs a contractual remedy in case of any default by the LLP. The Members Agreement will position the LLP with powers for finance and contractual responsibility for E.ON

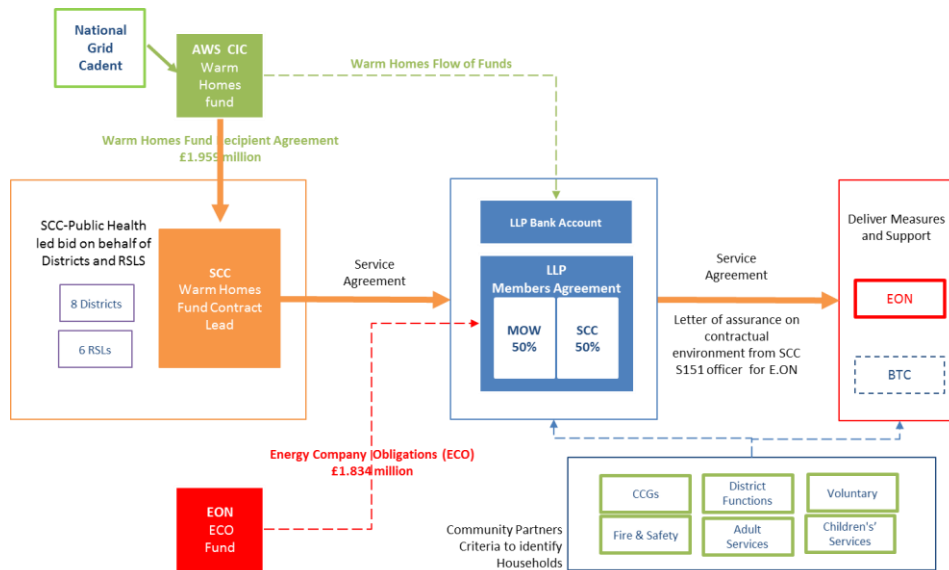
Staffordshire Warm Homes LLP and E.ON

38. This contract will take the form of a usual Services Agreement between LLP and E.ON. However, some of the most critical elements in terms of contractual provisions to be included in this contract are:
 - a. Ensuring that the correct measures are identified to ensure maximum fuel poverty reduction and compliance with the funding requirements;
 - b. A delivery contract with E.ON to deliver the measures and provide their ECO funding;
 - c. A clear line of accountability and liability to E.ON to include liability for services regards identifying measures and service users, liability for performance of the measures and respective indemnities;
 - d. Due to the stringent reporting requirements and ability for AWS to withhold funding if certain conditions are met, contractual protection for the LLP from E.ON such that sums are not payable to E.ON from the LLP unless or until the funds are received by the LLP from AWS.
39. The above process for identification of measures is outlined in Section 3 specifically with the selection process and eligibility. The detailed process for

directing likely eligible customers towards a full assessment for eligibility is under development with county partners.

40. This also sets out the approval process which includes a pre-qualification step with AWS for its Warm Homes Fund targets to ensure that measures meet payment criteria before work is undertaken through the services agreement with E.ON
41. The services agreement between the LLP and E.ON will be established by negotiation with E.ON as co-funder and joint bidder.
42. The principle elements of the contract will ensure
 - a. All liability for workmanship, materials and the like are borne by E.ON
 - b. All liability for other losses and damage is borne by E.ON
 - c. No delivery work to implement measures is commenced until pre-qualification with AWS has taken place
 - d. Contract terms ensure that payments are not due until after funding submissions have been made to AWS and the monies has been received by the LLP.
 - e. There will be no contractual liability for the LLP to pay for any work or associated costs that are not covered by, and fully compliant, with the Recipient Agreement.
 - f. Also, the typical public sector contractual obligations around FOI, Fraud, GDPR, Slavery, Bribery etc will be included
43. The Services Agreement will be drawn up by Staffordshire Legal Services and not entered in to by the LLP until approved by the Director of Corporate Services
44. A short form contract with the LLP will be in place with the role, function and contractual requirements between SCC and the LLP clearly defined which will simply mirror and append the Recipient Agreement. It is a key principle of this Agreement that the LLP will be liable for the delivery and Staffordshire County Council's compliance with the Recipient Agreement. Whilst AWS are content for Staffordshire County Council to subcontract its obligations to a third party the contractual relationship and liability between SCC and AWS cannot be novated or assigned.
45. Conditions of a successful bid was compliance with a schedule of measures completed on time. A key focus of programme management function will be to work closely with county partners and E.ON to ensure performance against targets. The opportunity for further funds lies with achieving these targets. However, failure to achieve levels of activity runs the risk of loss of remaining allocated funds.
46. Diagram 1 below sets out the contractual relationship and accountabilities for the fund. AWS have confirmed that while their Recipient Agreement is with SCC, SCC can sub-contract and redirect funds into a named bank account by the Council, in this case the LLP Bank Account
47. E.ON's contribution will be managed through a contract with the LLP

48. Diagram 1 - Contractual relationships



Section 4 – Administrative arrangements

Staffordshire Warm Homes Fund Overview

49. The Warm Homes Fund of £3.795 million comprises two funds (Table 3):

1. Affordable Warmth Solutions (AWS) - £2,358,255 million. This comprises £2,190,721 for Category 1; £167,534 for Category 3. Within this there is £230,040 irrecoverable VAT and £167,740 programme management costs.
2. E.ON Energy Company Obligations (ECO) - £1.834 million. This includes £500,000 for Warm Homes Discount (WHD). VAT is not included in the E.ON co-funds and will be covered by E.ON

47. **Table 3 – Staffordshire Warm Homes Fund**

Warm Homes Fund made up of						
	Cat 1 Urban	Cat 3 Health	WHD Industry Initiative	Total (Gross)	Warm Homes Measures	Irrecoverable VAT	Management budget
	£	£	£	£	£	£	£
Affordable Warmth Solutions	2,190,721	167,534	0	2,358,255	1,960,475	230,040	167,740
EON	1,202,599	132,000	500,000	1,834,599	1,834,599		
Total (Gross)	3,393,320	299,534	500,000	4,192,854	3,795,074		

Ring fenced for home heating measures and advice

Administrative resources

48. There are three sources of funding available to support administration of the Fund (Table 4)

- Category 3 – within this fund, £156,000 is specifically allocated for direct customer support and advice through Beat The Cold (BTC) and MOW/SCC/Public Health
- WHF Administration - £167,740 allocated to both Category 1 and Category 3 programme delivery
- In-kind support by SCC and E.ON £153,812

49. Table 4 – administrative resources

Summary of WHF Delivery Costs		£
1	Cat 3 direct client support and advice - 2 WTE	156,000
2	Programme Administration Fund	167,740
3	In kind support	153,812
Total		477,552

50. The administrative functions that require resourcing are:

- Marketing the Fund
- Finding and assuring eligible households
- Management of the Recipient Agreement
- Management of the Fund

51. Table 5 sets out these how administrative resources will be allocated across these functions and lead organisations

52. Table 5 – allocation of administrative resources

Funding Category		LLP Partners		LLP	BTC	EON	TOTAL	Commentary
		MOW	SCC					
1 Category 3 AWS Funds Staff support	WHF Client Support ***		53,744	53,744	78,000		131,744	MOW budget proposed contribution to public health 0.5WTE ; BTC 1 WTE
	WHF Programme Lead - Client Support ***	24,256		24,256			24,256	MOW budget for Programme Manager client facing time
	Total Client Support	24,256	53,744	78,000	78,000		156,000	
2 WHF Administration To market the fund, find eligible homes manage the contract and funds	MOW Programme Lead	29,140		29,140			29,140	MOW Admin and Project Management
	Marketing the Fund			65,000			65,000	LLP and EON marketing
	Assessing for eligibility Legal			7,000		66,600	66,600	EON dedicated CRM line Will cover contribution to SCC and external legal teams
Total Project Management	29,140		101,140		66,600	167,740		
Total WHF Staff and Admin Costs				179,140	78,000	66,600	323,740	
3 Inkind contribution Set up and specialist support	SCC Programme Lead		31,886				31,886	Ian Turner , Head of Commercial and Property, 48 days based on 2 days/month
	MOW Programme Lead		31,886				31,886	Karen Bryson, ADPH/CEO Ministry of Wellbeing - 48 days based on 2 days/month
	SCC Finance, Audit and Legal		12,200				12,200	S151 Officer sign off, internal audit
	Accommodation and Equipment		12,840				12,840	SCC Accommodation and IT
	EON Marketing Other County partners					65,000	65,000	CCG, NHS, Fire&Safety, Police, Childrens, British Legion,
Total In-kind support		88,812		-	0	65,000	153,812	
Warm Homes Fund Staff and Administration includes in kind				179,140	78,000	131,600	477,552	

53. Category 3 funds cover 2 FTE posts across the 2-year period to provide client facing support to help identify eligible households and support those who subsequently enter into the WHF scheme. Support will include:
- On the ground co-ordination of the household identification with local partners
 - Liaison between the client and Cadent and E.ON on the ground delivery teams
 - Advice on best tariffs particularly where E.ON is not the energy supplier or a client with a new connection who chooses another energy provider
 - MOW-funded Public Health team member to work along-side Beat the Cold (BTC) to support clients through the warm homes programme, on issues such as eligibility, best tariffs or advice on home low level installations
54. WHF Administration will cover:
- Project management through an experienced MOW procurement manager
 - Management of the contract with E.ON
 - System and process development, management and assurance - specifically eligibility approvals, validation, purchasing and invoicing, performance management and reporting
 - Marketing and promotion of the WHF
55. In-kind support was a criteria of bid submission. This will cover :
- SCC - LLP Director level representation and management
 - MOW – LLP Director level representation and management
 - Financial and assurance support, including S151 overview and approvals, internal audit and technical accounting support as needed
 - Legal support on all contracts with AWS, LLP and E.ON
 - On the ground support from CCG commissioners, Frailty Hubs, Children’s Social Care, Police and Fire and Safety front line staff, British Legion, voluntary sector as well as bran partners
 - E.ON marketing support including On the Road van and marketing collateral
56. Funding will be provided from the LLP to MOW, BTC, E.ON and SCC in the form of contributions towards costs of services. The LLP will administer and keep records of all costs associated with the WHF management

Project management and delivery

57. **Project and contract management lead** to manage, monitor and report is costed at £53,396 (excludes VAT) (Table 6). This role will also support Category 3 delivery team and contract with BTC. MOW will be given a contribution from LLP towards costs. As MOW will be VAT registered it will reclaim VAT There will also be input from SCC finance to check pre-qualification, funding requests and invoice payments compliance on an in-kind basis.

58. Table 6 - Project and contract management costs

	Budget	Per Year	Per Week	No of Days
	£	£	£	#
Programme Management	53,396	26,698	513	104
VAT	10,679	5,340	103	
Total	64,075	32,037	616	104

59. **Legal advice** for development of the LLP, service agreements between AWS, SCC, LLP (or detailed in the Members Agreement) and E.ON. We will contribute to SCC Legal team up to £7,000. If further funds are required a separate discussion for in-kind support with SCC will be requested. Separate legal advice and set up costs will be required for MOW, to enhance the existing limited working capital tagged from public health funds

Marketing and promotion

60. Fuel poor residents span all tenures and house types. Our primary focus is to increase comfort and lower bills for individuals. Local privately-owned households are the primary target in this round of funding.

61. Experience in previous fuel poverty related schemes suggest that engaging and enabling signup can be a challenging process. There are several reasons why an individual may refuse first time central heating despite being eligible for a fully funded measure.

62. We have identified 52 Lower Super out-put Areas using deprivation indexes and other indicators that signal health risk amongst residents. AWS and E.ON mapping tools has also been used to identify electrically/alternative source heated properties.

63. Finding eligible homes and individuals is critical for success. We have started early discussions with E.ON to map the range of partners and options available to promote the scheme and encourage people to enquire about eligibility, refer a family member, friend or neighbour - or for front line staff to consider who may be eligible as they go about their daily work, seek consent to refer or encourage the person to make direct contact with the E.ON call centre to enquire about eligibility .

64. The specific marketing channels proposed includes:

- E.ON On the Road Vans – highly visible within target communities, starting with the councils already identified 52 LOSAs and mapping tool to identify non-gas supplied properties
- Direct mailing in eligible properties
- Social media channels including for example Facebook, Instagram
- Promotional campaigns with county brand partners – such as local football clubs, supermarkets and public-sector organisations
- Beat the Cold Charity Support - through existing local council networks and community knowledge to promote revised and extended eligibility
 - CCG, Police and Fire & Safety referrals – through Community Hubs, NHS and Social Care partners, Districts, local community safety networks, BI teams, data and insights
 - Promotion to Registered Social Landlords (RSLs) who are eligible
 - Ministry of Wellbeing Promotion - through commercial and public-sector partners

43. Design will also define and streamline the process for self-assessment and referral, front line roles and mechanisms; data protection, data sharing, data processing and consent arrangements in line with GDPR requirements

Process and triggers to manage financial flows between AWS, LLP and E.ON

65. SWH LLP will manage the flow of funds as described below

66. Access to AWS funds will be through submission of quarterly invoices in arrears for measures completed. Contract terms with E.ON will mean that payments are not due until funding has been claimed and received and liability for payments will be linked to measures being pre-approved and funding having been received.

Working Principles

67. The following principles are embedded in the back off contracts between AWS-SCC and LLP-E.ON

- E.ON will deliver all measures and invoice the LLP on completion.
- Payment for cost for measures completed will be split between AWS and E.ON funds
- AWS will pay an average gross cost of measures
- Full reconciliation at end of the funding period
- E.ON will pay the full Gross cost of measures, to be reflected in a standard specification included in the Service Level Agreement between the LLP and E.ON
- Cashflow risk will be facilitated through invoice payment periods – with sufficient time for payment between an invoice from E.ON and release of funds by AWS into the SWH LLP bank account. Payment to E.ON will only be made on receipt of funds from AWS into the SPV bank account to meet these costs.

68. In addition

- To manage cashflow risk to the SWH LLP, E.ON will deposit one eighth of the total value £225,000 (split across 2 years) in LLP bank account.
- This will support management of a £50,000 retention imposed by AWS to manage their funding risk.
- This will also manage cashflow associated with AWS programme management budget of £167,000 to be paid in arrears based on average measures.

69. Table 7 - Funding flow and mechanisms

Direction	Source	Period	Payment	Type	Comments
IN	AWS	Quarterly on invoice by SPV	50% of measures completed at average Gross value of all	Arrears	Average gross cost - reconciliation and review at

			planned measures		regular intervals and at project end
IN	AWS	Quarterly on invoice by SPV	1/8 th Management costs £20,875	Advance (tbc)	For administration and marketing
IN	E.ON	One off upfront element of co-funding on invoice from SPV at point of first purchase order to E.ON	Agreed upfront sum of 1/8th of E.ON ECO funds £225,000 due from E.ON split over 2 years for cash flow and £50k retention	Advance	Payment period will be agreed with E.ON to help manage cash flow
OUT	SPV	Quarterly payment on invoice by E.ON (invoice will be net of E.ON match funding – but separately identified on invoice). Invoice is based on average cost of measures for AWS	Average Gross value of 50% measures from AWS; Gross value 50% from E.ON	Arrears	Payment period will accommodate flow of funds

Eligible household selection process and evaluation criteria

70. Fuel poor residents span all tenures and house types. Our primary focus is to increase comfort and lower bills for individuals. Local privately-owned households are the primary target in this round of funding. We will promote eligibility through targeted and regular Press Releases

71. There are strict criteria for access to both the Warm Homes and Energy Company Obligations (ECO) funds. These are set out in the Table 8 below along with Local Authority flexible eligibility which we anticipate 25% of properties will be eligible.

72. These also align with Private Rented Sector Minimum Energy Efficiency Standards which requires private landlords to meet certain energy efficiency requirements for their tenants.

73. Table 8 - Warm Homes Fund and Local Authority Flexible Eligibility Criteria

Affordable Warmth

A. Receive one of the following benefits
Pension Credit Guarantee Credit Element
Income-related employment and support allowance (ESA)
Income-based jobseeker's allowance (JSA)
Income support
Working and Child Tax Credits
Universal Credit

OR B. Receive Child Benefit				
On the condition that the claimants annual income from all sources does not exceed the amount set out in the table below				
Type of claim	Number of qualifying children for which the person is responsible:			
	1	2	3	4 or more
Single claimant	£18,500	£23,000	£27,500	£32,000
Member of a couple	£25,500	£30,000	£34,500	£39,000

OR C. Receive one of the newly introduced benefits	
Armed forces independence payment	
Attendance allowance	
Carer's allowance	
Disability living allowance	
Severe disablement allowance	
War pensions mobility supplement	
Industrial injuries disablement benefit	
Personal independence payment	
Constant attendance allowance	

Flexible Eligibility

2. Eligibility Criteria

To be eligible under flexible eligibility, a household must have:

- A low income as determined by table 1 below, and high costs, as determined by the need for a measure to be installed as detailed in point 2.2

OR

- A health condition, as noted at point 2.3 and low income as determined by table 1, and the need for a measure to be installed, as detailed in point 2.2

OR

- Be living within 100m of a gas connection, requiring the first time installation of a gas central heating system, with a household income of £39,000 or less, and household savings are £8000 or more (single person household) or £12,000 or more (multiple person household)

Social E, F & G

Measures can be delivered into any property with an EPC Rating of E, F or G.

*Alignment with Private Rented Sector Minimum Energy Efficiency Standards (separate requirement on private landlords to meet certain energy efficiency requirements)

Therefore EPC F & G rated properties only eligible for "high cost measures" e.g. SWI & renewables measures

EPC E & above – any ECO measures including FTCH

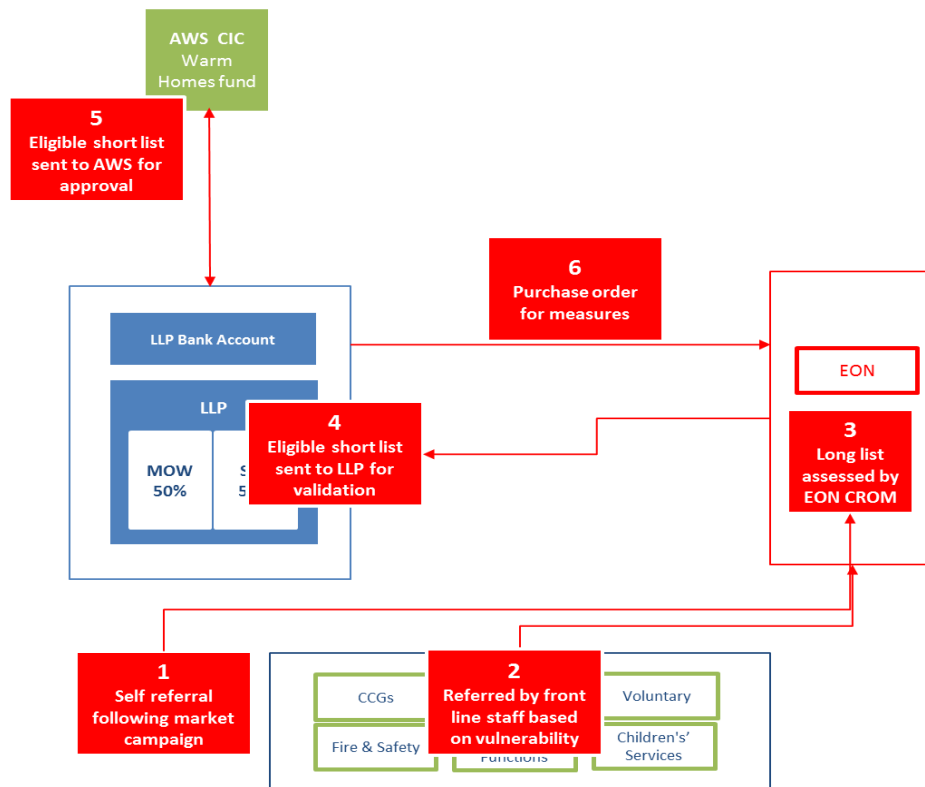
Broken heating systems not allowed

74. It is important to note that

- EPC F & G rated properties only are eligible for "high cost measures" such as Solid Wall Insulation (SWI) & renewables measures
- EPC E & above – any ECO measures including First Time Central Heating (FTCH)
- Repairing broken heating systems is not allowed
- Once the landlord has improved the property up to minimum standards, the remaining measures in the programme can be funded. For example, loft insulation paid for by the landlord might bring the EPC rating sufficiently high enough to then allow us to fund the first-time central heating measures

75. The sequencing of steps from initial interest to approvals for measures is provided in the Approvals Sequencing Diagram 2.

76. Diagram 2 – Approvals sequencing



Approvals Process and management of finances

77. There will be 8 quarterly invoice and payment transactions for 1,000 measures across between January 2019 and December 2022. On average this is 125 measures per invoice per quarter.

78. Value for money in the project is established through the bidding process. The mix of measures, numbers and bid value was attractive to AWS as it delivered an average funding value of £2,227 per boiler installation. This met AWS criteria and secured the largest apportionment of funds available in the bidding round to SCC

79. SWH LLP will develop a transparent validation and processing system within the WHF LLP using a simple database to manage, track, validate and reconcile proposed measures, eligibility, approvals, invoicing and payment.

80. The designed process for validating invoices and management of budgets will meet the reporting and assurance requirements by AWS and SCC.

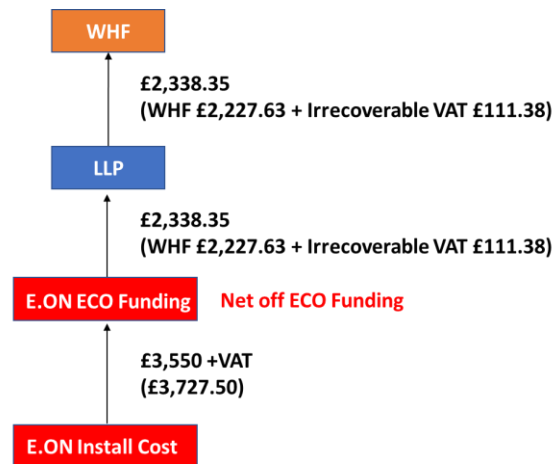
81. Within the LLP:

- MOW will provide management capacity to build and manage a bespoke client, activity, pre-approvals, contract management process including reconciliation of invoices to purchase order
- Identified measures will be collated into a proposed programme of activity by MOW resources.

- The proposed programme of work will be agreed between LLP and E.ON.
- The proposed programme will be notified to SCC finance prior to submission and if required as part of recipient agreement signed off by S.151 Officer
- The programme will be submitted to AWS for pre-approval.
- SCC finance will be notified of successful pre-approval
- The approved measures will then be ordered under the contract with E.ON via a purchase order process. The PO will be raised by the MOW project management team and approved by the SCC director in the LLP.
- The works can then be undertaken by E.ON. The MOW project management team will monitor delivery reports from E.ON and report against progress quarterly to the LLP.
- On completion of Measures E.ON will invoice the LLP for the amount net of E.ON co-funding
- MOW project management team will prepare a request for funding from AWS on the completed measures. This will be reviewed and approved by the LLP directors.
- The funding request will then be passed to SCC finance sign off by S.151 Officer ahead of submitting to AWS in accordance with the recipient agreement
- On receipt of funds from AWS the E.ON invoice will be paid by agreement of both LLP directors.
- Payments will be made by internet banking with access only from SCC LLP director (or authorised substitute)
- Accounts will be spreadsheet recorded. All electronic records will be held in SCC shared filing and paper records of purchase orders and invoices will be held for 6 years post project completion, or in accordance with SCC records retention policy if not stipulated by AWS
- LLP will report activity, finances and programme performance quarterly and 6 monthly to SCC cabinet members.
- SCC will be paid an average funding rate of £2,227 per measure. Any over funding will be reconciled at the end of the programme.

82. The example below illustrates the preferred option for flow of funds between AWS and E.ON via the LLP for measures completed and approved.

83. Diagram 3 – Example to demonstrate flow on funds in and out of LLP



*VAT assumed at 5% in this scenario given it's a private owner occupier receiving grant funding for a qualifying measure

Data management requirements

84. Management of the Warm Homes Fund will require use of personal data to allow referral to E.ON Customer Services for eligibility assessment and any subsequent measures delivered by E.ON and/or AWS.
85. The LLP will also require client data to track and manage all approvals, invoicing and assurance processes associated with the programme.
86. The LLP also proposes to work with BRE and Keele University to assess the impact of warm homes on use of NHS and social care service, personal wellbeing including financial and emotional benefits
87. Data will be anonymised where possible in line with GDPR. The LLP will consult with SCC IGU on GDPR compliance within contracts
88. Therefore, programme governance and contract with E.ON will set out data protection responsibilities and liabilities in line with GDPR and SCC data sharing and processing requirements, ensuring that
 - a. Client consent to be approached by E.ON is given and recorded
 - b. The client is aware of and gives consent for E.ON to hold their data for the purposes of delivering the WHF measures
 - c. The client is aware of and gives consent for LLP to hold and use their data for evaluation and research

Community Impact Assessment – Checklist and Executive Summary

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Name of Proposal: Staffordshire Warm Homes Fund

Project Sponsor: Richard Harling, Director Health and Social care

Project Manager: Karen Bryson, Assistant Director Public Health and Prevention

Date: 02/01/19

Final Checklist – Prior to submitting your Community Impact Assessment (CIA), please ensure that the actions on the checklist below have been completed, to reassure yourself/ SLT/ Cabinet that the CIA process has been undertaken appropriately.

Checklist	Action Completed (tick)	Comments/Actions
The project supports the Council's Business Plan, priorities and MTFS.	✓	Yes, it addresses the root cause of growing long term demand for social care enabling a further 5 years of independent living
It is clear what the decision is or what decision is being requested.	✓	Yes- seeking approval to set up a Limited Liability Partnership (LLP) to deliver this fund and secure future commercial funds. It will also support MOW development and viability
For decisions going to Cabinet, the CIA findings are reflected in the Cabinet Report and potential impacts are clearly identified and mitigated for (where possible).	✓	Stated in the Cabinet paper – impact of cold homes and the scale of the challenge in Staffordshire, number of households not on mains gas supply, and household and health and care financial benefit from addressing cold homes and fuel poverty
The aims, objectives and outcomes of the policy, service or project have been clearly identified.	✓	The fund is focused on lifting 1,000 homes out of fuel poverty - and focused on the most vulnerable households in urban areas
The groups who will be affected by the policy, service or project have been clearly identified.	✓	The focus of the Fund will be within the 52 LSOA identified has having the highest risk of poor wellbeing, housing and fuel poverty
The communities that are likely to be more adversely impacted than others have been clearly identified.	✓	The focus of the Fund will be within the 52 LSOA identified has having the highest risk of poor wellbeing, housing and fuel poverty
Engagement / consultation has been undertaken and is representative of the residents most likely to be affected.	✓	Beat the Cold, local charity that works closely with district councils, RSLs and local communities on fuel poverty has been a key contributor to the bid
A range of people with the appropriate knowledge and expertise have contributed to the CIA.	✓	Contribution from lead for Children's Wellbeing and Prevention, Air Quality and public Health
Appropriate evidence has been provided and used to inform the development and design of the policy, service or project. This includes data, research, engagement/consultation, case studies and	✓	Information from BRE, local CCG, Beat the Cold, Districts and SCC BI team

Executive Summary – The Executive Summary is intended to be a collation of the **key issues and findings** from the CIA and other research undertaken. This should be completed **after** the CIA and research has been completed. Please structure the summary using the headings on the left that relate to the sections in the **CIA template**. Where no major impacts have been identified, please state N/A.

	Which groups will be affected?	Benefits	Risks	Mitigations / Recommendations
PSED – What are the impacts on residents with a protected characteristic under the Equality Act 2010 ? <i>Highlight any concerns that have emerged as a result of the equality analysis on any of the protected groups and how these will be mitigated. It is important that Elected Members are fully aware of the equality duties so that they can make an informed decision and this can be supported with robust evidence.</i>	The focus of the Fund is urban households off gas mains and/or in fuel poverty. It is targeted at households – and spans children, adults and older people	<i>It will provide access to gas mains supply, new or replacement boilers, home energy efficiency measures and low level home adaptations to those who meet the eligibility criteria – targeting lower socio-economic groups Financial benefits for residents in £4.3 million and £1.2 million cost avoidance for the health and care system</i>	<i>The fund targets urban homes only Run out of funds as 43,000 homes not on gas mains Failure to identify households and convert these to delivered measures runs the risk of not meeting WHF targets and loss of the Fund</i>	<i>Further bid in 2019 for Category 2 – Rural Homes Further bids to WHF for further measures Close working with public sector partners, voluntary and community partners to promote this service to vulnerable households</i>
Health and Care – How will the proposal impact on residents' health? How will the proposal impact on demand for or access to social care or health services?	All vulnerable urban households in Staffordshire – with a target of 1,000 homes	Cold homes has a profound impact on health and mental wellbeing across all age groups. Addressing fuel poverty will help alleviate these and subsequent health and social care pressures	<i>Failure to identify households and convert these to delivered measures</i>	<i>Close working with public sector partners, voluntary and community partners to promote this service to vulnerable households</i>
Economy – How will the proposal impact on the economy of Staffordshire or impact on the income of Staffordshire's residents?	All vulnerable urban households in Staffordshire – with a target of 1,000 homes	BRE Research and modelling tool models a financial benefit to households of circa £4.3 million through addressing energy costs and inefficiency. It also improves educational attainment and housing stock, attracting inward investment by industry leading to better employment and wellbeing bringing the total benefit to £5.5 million	<i>Failure to identify households and convert these to delivered measures</i>	<i>Close working with public sector partners, voluntary and community partners to promote this service to vulnerable households</i>

Environment – How will the proposal impact on the physical environment of Staffordshire?	All vulnerable urban households in Staffordshire – with a target of 1,000 homes	Reduces the use of alternative fuels for heating such as wood, coal and oil with particles that affect air quality and wellbeing Greater energy efficient homes reduces fuel consumption and associated air pollution	<i>Failure to identify households and convert these to delivered measures</i>	<i>Close working with public sector partners, voluntary and community partners to promote this service to vulnerable households</i>
Localities / Communities – How will the proposal impact on Staffordshire’s communities?	Urban areas and 52 LSOAs	Improved energy efficient and low cost heating solutions improves personal, family and community wellbeing; reduces stress behaviours reduces fuel poverty releasing money for other household priorities and stimulating economic activity	<i>Failure to identify households and convert these to delivered measures</i>	<i>Close working with public sector partners, voluntary and community partners to promote this service to vulnerable households</i>

FORWARD PLAN OF KEY DECISIONS

Period: 20 March 2019 - 17 July 2019

The Forward Plan of Key Decisions is prepared on a monthly basis and published at least 28 days before the start of the period covered.

“Key Decisions” are defined as those Executive decisions which are likely:

- (a) to result in the County Council incurring expenditure which is, or the making of savings which are, significant having regard to the relevant budget for the service or function to which the decision relates; or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions in the County’s area.

The Forward Plan will contain **ALL** matters which the Leader of the Council has reason to believe will be the subject of a Key Decision to be taken by the Cabinet. It may also include decisions that are not key decisions but are intended to be determined by the Cabinet. Part of the Cabinet meetings listed in this Forward Plan may be held in private where a report for the meeting contains exempt information under Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it. If you would like to make representations about any particular decision to be conducted in private then please email: michael.bradbury@staffordshire.gov.uk. Such representations must be received in advance 6 clear working days before the date on which the decision is scheduled to be taken.

The Membership of the Cabinet consists of:

Leader of the County Council – Philip Atkins
Deputy Leader and Cabinet Member for Health, Care and Wellbeing – Alan White
Cabinet Member for Finance – Mike Sutherland
Cabinet Member for Children and Young People – Mark Sutton
Cabinet Member for Economic Growth – Mark Winnington
Cabinet Member for Commercial – Mark Deaville
Cabinet Member for Communities – Gill Heath
Cabinet Member for Highways and Transport – Helen Fisher
Cabinet Member for Learning and Employability – Philip White

A copy of the Forward Plan of Key Decisions may be inspected, free of charge, at the Member and Democratic Services office, County Buildings, Martin Street, Stafford, during normal office hours Monday to Friday. A copy of the notice will also be available on Staffordshire County Council’s Website at www.staffordshire.gov.uk.

Documents submitted for decision will be a formal report which will be available on the County Council’s website at least 5 clear working days before the date the decision is to be made, unless that report is subject to any prohibition or restriction on its disclosure. Other relevant background documents used in compiling the report will also be made available in the same way unless they are subject to any prohibition or restriction on their disclosure.

Minutes of Cabinet meetings will be published within three working days and will be subject to call-in. The call-in period lasts for three working days. If the decision is not called-in it will be implemented on the fourth working day. Special urgency items are exempt from call-in.

John Tradewell
Director of Corporate Services

Contact Officer: Mike Bradbury (01785) 276133

**Forward Plan of Key Decisions
Period: 20 March 2019 - 17 July 2019**

NOTE:

- (1) The Forward Plan of Key Decisions sets out all Key Decisions intended to be made by Cabinet during the above period.
- (2) The Cabinet date can be provisional and items may move/roll forward to another meeting date but this will be monitored.
- (3) Items should remain on the Notice until a decision is made by Cabinet or is formally removed.
- (4) Where there is an intention to make a decision in private the exemption paragraph relied upon will be included within this notice

Anticipated Date of Decision	Public or Private Decision	Title and Description	Background Documents	Consultation	Contact Officer
March 2019	Public	Developing a Workforce for Now and the Future (Philip White) A Workforce Strategy and Plan for Staffordshire County Council.		Human Resources	John Henderson (Tel: 0300 111 8000) Service Area: Council Staff, Council Managers and Trade Unions
March 2019	Public	Countryside Estate Review Update (Cabinet Member for Communities (Gill Heath)) This paper provides an update from the previous Cabinet paper and makes recommendations to Cabinet for the next phase of work which is required to secure a financially sustainable future for the countryside estate within Staffordshire.	Countryside Estate Review - Full CIA	N/A	Janene Cox (Tel: (01785) 278368) Service Area: Rural County
March 2019	Public	Public Health Commissioned Services (Cabinet Member for Health Care and Wellbeing (Alan White)) The paper will update Cabinet on risks/outcomes associated with services commissioned by Public Health – drugs/alcohol, sexual health and healthy		None	Anthony Bullock (Tel: 01785 276649) Service Area: Public Health

Anticipated Date of Decision	Public or Private Decision	Title and Description	Background Documents	Consultation	Contact Officer
		lifestyles. The paper will also seek to have approval for the issuing of forthcoming contracts to be delegated from Cabinet to the Portfolio Holder.			
March 2019	Private	Lease of Office Accommodation in Staffordshire Place 2 (Mark Deaville) Agreement of the terms of a lease out of surplus office accommodation in Staffordshire Place 2		Internal only	Ian Turner (Tel: 01785 277228) Service Area: Property
March 2019	Private	Strategic Review of the Home Care Market in Staffordshire (Alan White) A review of the impact of the implementation of the new contracts for Home Care from October 2017 to now, areas where the market has responded well and areas where supply is challenged and a presentation of options for the future to address.		N/A	Helen Trousdale (Tel: 01785 277008) Service Area: Care Commissioning
April 2019	Public	Highways and Transport Capital Programme 2019/20 (Cabinet Member for Highways and Transport (Helen Fisher)) Decision required to approve the annual Highways and Transport capital investment programme.		None	James Bailey (Tel: 01785 27 6591) Service Area: Highway and the Built County
April 2019	Public	Enlargement of Manor Hill First School, Stone (Philip White) Cabinet are asked to grant approval for the implementation of the proposed enlargement of Manor Hill First School to allow the published admission number of the school to incrementally increase from 20 to 30 and then to 45.		Public	Andrew Marsden (Tel: 01785 278787) Service Area: School Organisation

Anticipated Date of Decision	Public or Private Decision	Title and Description	Background Documents	Consultation	Contact Officer
April 2019	Public	<p>Integrated Performance Report - Quarter 4 2018/19 (Cabinet Member for Finance (Mike Sutherland), Leader of the Council (Philip Atkins, OBE))</p> <p>The Quarterly Integrated Performance Report provides an overview of Staffordshire County Council's progress, performance and financial position in delivering against our Strategic Plan and Delivery Plan.</p>		n/a	<p>Andrew Donaldson, Robert Flinter, Rob Salmon (Tel: 01785 278399, Tel: (01785) 27 7090, Tel: (01785) 27 6354)</p> <p>Service Area: Corporate Services</p>
April 2019	Public	<p>Adult Learning Disability Community Offer 2022 (Cabinet Member for Health Care and Wellbeing (Alan White))</p> <p>Day Opportunities for Adults with a Learning Disability and/or Autism.</p> <p>As per the January 2019 Cabinet Decision, Officers will return with an overview of the Engagement Feedback helping to shape the future of Day Opportunities in Staffordshire.</p>		<ol style="list-style-type: none"> 1. Citizens who are eligible to receive paid care and support (as per The Care act 2014) 2. Carers / Relatives of the aforementioned Citizens 3. SCC Officers – Across Care Commissioning and Adult Social Care, Senior Management 4. SCC Provider Services – Learning Disability 5. Independent Marketplace Providers 	<p>Amy Evans (Tel: 01785 277160)</p> <p>Service Area: Health and Care</p>

Anticipated Date of Decision	Public or Private Decision	Title and Description	Background Documents	Consultation	Contact Officer
April 2019	Public	<p>The North Midlands Regional Adoption & Permanency Partnership (Mark Sutton) Cabinet is asked to acknowledge the statutory requirement to be part of a Regional Adoption Agency (RAA) by the 1st April 2020, as set out in the Education and Adoption Act 2016. Approve the formation of a Regional Adoption Agency (RAA) between Staffordshire County Council, Stoke on Trent City Council, Shropshire Council and Telford & Wrekin Council. Cabinet are also asked to approve the Outline Business Case (OBC) which sets out the ambition of Staffordshire County Council, Stoke-on-Trent City Council, Shropshire Council and Telford & Wrekin Council to go beyond adoption and develop a regional model of wider permanence which includes Fostering, Connected Persons and Special Guardianship Orders (SGO).</p>		None	Deborah Ramsdale, Joseph Sullivan (Tel: (01785) 278062,) Service Area: Families First - Looked After Children's Services
June 2019	Private	<p>Waste Disposal Arrangements in the North of Staffordshire from 2025 (Mark Deaville, Gill Heath) Options for the future involvement of SCC with the project to replace SOTCC Hanford ERF plant, to ensure capacity is available to SCC for the disposal of its waste into the future.</p>		None.	Clive Thomson (Tel: 01785 276522) Service Area: Sustainability and Waste Management

