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Dear Councillor

FULL COUNCIL - TUESDAY, 19TH JULY, 2022

I now enclose, for consideration the following minutes that were unavailable when the agenda was published.

Agenda No Item

- h) Planning Committee - 7 July 2022 (Pages 2 - 7)
- i) Cabinet - 12 July 2022 (Pages 8 - 16)

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Planning Committee** held in the Civic Suite, Castle House, Great North Road, Newark, Notts, NG24 1BY on Thursday, 7 July 2022 at 4.00 pm.

PRESENT: Councillor R Blaney (Chairman)

Councillor M Brock, Councillor R Crowe, Councillor L Goff, Councillor Mrs R Holloway, Councillor Mrs P Rainbow, Councillor M Skinner, Councillor I Walker, Councillor K Walker and Councillor Mrs Y Woodhead

APOLOGIES FOR ABSENCE: Councillor Mrs L Dales (Vice-Chairman), Councillor J Lee (Committee Member), Councillor S Saddington (Committee Member), Councillor T Smith (Committee Member) and Councillor T Wildgust (Committee Member)

13 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor M Skinner declared a Non-Registerable Interest regarding Planning Application Item No. 7 – The Buttermarket, Middle Gate, Newark On Trent – 22/00986/LBC, as the Buttermarket was joint owned by Newark Town Council.

Councillor Mrs R Holloway declared a Non-Registerable Interest regarding Planning Application Item No. 7 – The Buttermarket, Middle Gate, Newark On Trent – 22/00986/LBC, and Application No. 11 – Appeal update on 20/01452/OUTM Development of site for distribution uses (Use Class B8) including ancillary offices and associated works including vehicular and pedestrian access, car parking and landscaping on land off A17, Coddington (Newlink), as she was the Portfolio Holder for Economic Development.

14 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

The Chairman advised that the proceedings were being recorded by the Council and that the meeting was being livestreamed and broadcast from the Civic Suite, Castle House.

15 MINUTES OF THE MEETING HELD ON 9 JUNE 2022

AGREED that the Minutes of the meeting held on 9 June 2022 were approved as a correct record and signed by the Chairman.

16 ORDER OF BUSINESS

The Chairman informed the Committee that Agenda Item 11 – Appeal Update on 20/01452/OUTM Development of site for distribution uses (Use Class B8) including ancillary offices and associated works including vehicular and pedestrian access, car parking and landscaping o land off A17, Coddington (newlink), would be considered in part in open business as Agenda Item 7(a). The agenda would resume its stated order thereafter.

17 LAND ADJACENT ORCHARD HOUSE, THORNEY ROAD, WIGSLEY - 22/00788/RMA

The Committee considered the report of the Business Manager – Planning Development, which sought reserved matters approval for access, appearance, landscaping, layout and scale for the development of 2 dwellings. A site visit had been undertaken by Committee earlier that day.

Members considered the presentation from the Business Manager - Planning Development, which included photographs and plans of the proposed development.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the Local Ward Member raising concerns with the proposal and Planning Case Officer, proposing an additional condition as follows:

Suggestion of an additional condition to remove permitted development rights:

08

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and any order revoking, re-enacting or modifying that Order), other than development expressly authorised by this permission, there shall be no development under Schedule 2, Part 1 of the Order in respect of:

- Class A: The enlargement, improvement or other alteration of a dwellinghouse.
- Class B: The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.
- Class E: Buildings etc incidental to the enjoyment of a dwellinghouse.

Reason: To ensure that any proposed further alterations or extensions are sympathetic to the original design and layout in this sensitive location.

Members considered the application acceptable.

AGREED (unanimously) that planning permission be approved subject to conditions, for the reasons contained within the report and the additional Condition 08 as above.

18 LAND AT FAIR VALE, NORWELL - 22/00297/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the erection of a one bed Chalet Bungalow and provision of 2no. off-street car parking spaces for neighbouring properties. A site visit had been undertaken by Committee earlier that day.

Members considered the presentation from the Senior Planning Officer, which included photographs and plans of the proposed development.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the Local Ward Member.

Members considered the report and commented that there would only marginally be a fraction of car parking lost and therefore considered the application acceptable.

AGREED (unanimously) that planning permission be approved for the reasons contained within the report.

19 THE BUTTERMARKET, MIDDLE GATE, NEWARK ON TRENT - 22/00986/S19LBC

The Committee considered the report of the Business Manager – Planning Development, which sought the variation of condition 2 attached to planning permission 21/02470/LBC to amend the proposed staircase.

Members considered the presentation from the Senior Planning Officer, which included photographs and plans of the proposed development.

Members considered the application acceptable.

(Councillor Mrs R Holloway did not take part in the debate or vote having declared a Non-Registrable Interest in this application).

AGREED (unanimously) that planning permission be approved subject to conditions, for the reasons contained within the report.

20 UPDATE ON PENDING PLANNING APPEAL IN RELATION TO APPLICATION NO 20/01452/OUTM DEVELOPMENT OF SITE FOR DISTRIBUTION USES (USE CLASS B8) INCLUDING ANCILLARY OFFICES AND ASSOCIATED WORKS INCLUDING VEHICULAR AND PEDESTRIAN ACCESS, CAR PARKING AND LANDSCAPING ON LAND OFF A17, CODDINGTON

The Committee noted the report of the Business Manager – Planning Development, which provided an update following the Planning Committee’s decision to refuse application 20/01452/OUTM. The report provided an update on the pending appeal against the decision in light of new evidence received. Appended to the Report was a copy of the Planning Report (Appendix B) that came before Members and the recorded minutes (Appendix A), detailing the debate and confirming the resolution of the Planning Committee. The additional evidence comprises the draft Nottinghamshire Core & Outer HMA Logistics Study (the Study) (June 2022). This report was in draft form and therefore not publically available. Notwithstanding this, a summary of the study had been prepared by Icení (the author of the study) and was attached as Appendix C.

21 APPEALS LODGED

AGREED that the report be noted.

22 APPEALS DETERMINED

The Business Manager – Planning Development informed the Committee of an error in Appendix B, 18/00036/ENF, which should read ‘appeals against Enforcement Notice’.

AGREED that the report be noted.

23 EXCLUSION OF THE PRESS AND PUBLIC

AGREED (unanimously) that the public and press be excluded from the meeting during consideration of the following item of business to avoid the disclosure of Exempt Information under S100A(4) Local Government Act 1972, Schedule 12A, Paragraph 3 which concerns information relating to the financial or business affairs of the Council on the basis that the need to treat the information as exempt outweighs the public interest in disclosure.

The Committee was informed that in addition to the resolution just passed, the public shall be excluded from the meeting during consideration of agenda item 11 on the basis that in view of the nature of the business to be transacted, if members of the public were present during that item, confidential information would be disclosed to them in breach of the obligation of confidence in accordance with Section 100A(2) of the Local Government Act 1972.

24 APPEAL UPDATE ON 20/01452/OUTM DEVELOPMENT OF SITE FOR DISTRIBUTION USES (USE CLASS B8) INCLUDING ANCILLARY OFFICES AND ASSOCIATED WORKS INCLUDING VEHICULAR AND PEDESTRIAN ACCESS, CAR PARKING AND LANDSCAPING ON LAND OFF A17, CODDINGTON (NEWLINK)

The Committee considered the exempt report of the Business Manager – Planning Development, which provided the Planning Committee with an update, following Planning Committee’s decision to refuse application no. 20/01452/OUTM, on the pending appeal against this decision in light of new evidence received.

(Summary provided in accordance with 100C(2) of the Local Government Act 1972.)

Meeting closed at 5.00 pm.

Chairman

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

Document is Restricted

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Cabinet** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Tuesday, 12 July 2022 at 6.00 pm.

PRESENT: Councillor D Lloyd (Chairman)

Councillor Mrs R Holloway, Councillor R Jackson, Councillor P Peacock and Councillor T Wendels

ALSO IN ATTENDANCE: Councillor R Crowe, Councillor Mrs R Crowe, Councillor L Goff and Councillor P Rainbow

APOLOGIES FOR ABSENCE: Councillor K Girling (Committee Member)

10 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

Sanjiv Kohli – Director – Resources and Deputy Chief Executive declared an Other Registerable Interest in Agenda Item No. 8 – Development of the Former Robin Hood Hotel, Newark, as a Director on the Board of Robin Hood Hotel Limited.

11 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

The Leader and Chairman advised that the proceedings were being audio recorded and live streamed by the Council.

12 MINUTES OF THE MEETING HELD ON 7 JUNE 2022

The minutes from the meeting held on 7 June 2022 were agreed as a correct record and signed by the Chairman.

13 PROVISIONAL OUTTURN REPORT TO 31 MARCH 2022

The Leader and Portfolio Holder for Strategy, Performance & Finance presented a report which set out the 2021/22 financial outturn position on the Council's revenue and capital budgets, including: General Fund Revenue; Housing Revenue Account; Capital Programme; Provisions and Impaired Estimates on Debtors; Usable Reserves; and the Collection Fund. The report provided a summary of actual income and expenditure compared to the revised budget and how any surpluses / deficits had been allocated to / from reserves.

The accounts showed a favourable variance of £1.613m on service budgets with a total favourable variance of £2.044m which was broken down in the report. The Leader gave the context to the level of the positive variance and how this may be applied going forward.

AGREED (unanimously) that:

- (a) the final outturn of revenue and capital spending for 2021/22 be approved;

- (b) the capital financing proposals as set out in paragraph 1.16 be approved;
- (c) the variations to the capital programme, as set out in paragraph 1.12 and Appendix E, be approved;
- (d) the net variations of £16.696m not spent in 2021/22 on the Capital Programme, be re-profiled and carried forward into 2022/23 as per appendices F and G;
- (e) the movement in Provisions and Impaired Estimates on Debtors be noted;
- (f) the creations of the new reserves, as outlined in paragraph 1.27, be approved; and
- (g) the individual contributions to, and withdrawals from, the revenue and capital Usable Reserves be approved.

Reasons for Decision

To approve the Financial Outturn position for the Council for the 2021/22 financial year.

14 COUNCIL'S ANNUAL BUDGET FOR 2023/2024 - OVERALL CORPORATE BUDGET STRATEGY

The Leader and Portfolio Holder for Strategy, Performance & Finance presented a report which set out the General Fund and Housing Revenue Account Budget Strategy for 2023/24 prior to detailed work commencing on preparation of the budget. The Council's Constitution required that the Council's Section 151 Officer presents a report on the overall budget strategy to the Policy & Performance Improvement Committee for consideration. The Policy & Improvement Committee considered this report at their meeting held on 13 June 2022 and did not change any recommendations.

The budget process would result in setting the budget and the Council Tax for 2023/24 and the Housing Revenue Account budget and the rent setting for 2023/34.

The Strategy took into consideration agreed financial policies on Budgeting and Council Tax, Reserves and Provisions, Value for Money and also a set of budget principles which set out the approach to be taken to the budget process. These policies had been reviewed and updated as appropriate and were attached as appendices to the report.

The current Medium Term Financial Plan (MTFP) was approved on 8 March 2022. The report set out a summary of the financial forecast identified within the current MTFP assuming that Council Tax at average Band D would increase by the same rate as in the 2022/23 financial year, namely 1.94%.

The report also set out a number of underlying assumptions which would be applied in compiling the draft budget for 2023/24 including staff costs, provision for inflation and fees and charges. The Cabinet welcomed the ongoing monitoring of inflationary increases in costs, which if required, would be subject to a further report to the Cabinet.

AGREED (unanimously) that:

- (a) the overall General Fund & HRA budget strategy be approved;
- (b) the consultation process with Members be noted;
- (c) Budget officers continue work on the assessment of various budget proposals affecting services for consideration in setting the Council's budget; and
- (d) Budget managers work with finance officers in identifying further efficiency savings, increasing income from fees and charges and in identifying new sources of income.

Reasons for Decision

To enable the Council's budget process to proceed encompassing agreed assumptions.

15 CORPORATE ASSET MANAGEMENT STRATEGY (KEY DECISION)

The Leader and Portfolio Holder for Strategy, Performance & Finance presented a report which sought approval for the adoption of a proposed Corporate Asset Management Strategy. The Strategy covered a range of requirements the Council had to achieve as a property owner including sustainability, repairs / compliance, tenanted estate management, parking services and construction project management. It was considered that an effective asset management strategy was integral for the delivery of corporate aims and objectives and although the Council had a number of processes within the proposed strategy in place, these had not been formally adopted. The Cabinet welcomed the proposed Strategy and the sustainable approach to managing its property portfolio.

AGREED (unanimously) that the adoption of the Corporate Asset Management Strategy at Appendix A to the report be approved.

Reasons for Decision

The strategy will inform policies enabling the Council to develop action plans, agree priorities and make decisions to meet the longer-term objectives of the Council in the Community Plan. The strategy will be a cornerstone of the Council's financial and service planning and will support the delivery of the Medium Term Financial Plan.

16 DEVELOPMENT OF THE FORMER ROBIN HOOD HOTEL, NEWARK

The Leader and Portfolio Holder for Strategy, Performance & Finance presented a report which updated the Cabinet on the final development of the former Robin Hood Hotel with final completion dates and financial performance.

It was reported that final completion took place on 18 March 2021, with the sale of the whole demise to Knights Frank Investment Management (KFIM) on 13 April 2021. The financial performance of Robin Hood Hotel Ltd.'s delivery of the development project and the Council's 50% share was summarised in the report. The report also detailed the legal and leasing agreements with KFIM for the whole site, including the commercial units.

The Cabinet welcomed the success of the project with the financial risk returned in full. The Business Manager – Financial Services advised that the Business Rates liability for the three commercial units amounted to £88,856.55 since March 2021.

AGREED (unanimously):

- (a) To establish a reduced, revised capital budget for landlord incentives of £167,000 (from £275,000);
- (b) To note the successful delivery of the 66 room Travelodge Hotel and reputable tenants for the 3 commercial units;
- (c) To note that the Council's actual loan value required for the development of the whole demise was £3.146m, against the capital loan budget of £3.300m, therefore a capital borrowing requirement reduction of £0.154m;
- (d) To note the final financial position of the development of the former Robin Hood Hotel and the positive contribution from the development, to the Council's general fund of £163,930;
- (e) To note the ongoing positive estimated revenue return per year to the Council that the letting of the 3 commercial units will generate; and
- (f) To approve the revision of the current capital budget by a reduction of £108,000 from £275,000 to £167,000 for landlord incentives, in respect of the 3 commercial units.

Reasons for Decision

The final outcomes and completion dates of the joint venture company RHH Newark Limited (RHH Ltd.) and returns on the Council's 50% share of the investment together with the positive impacts on the Council's General Fund account.

17 PLAN REVIEW PROGRESS REPORT

The Portfolio Holder for Economic Development & Visitors presented a report which provided an update on progress on the Amended Allocations & Development Management DPD and progress on the associated Gypsy & Traveller Pitch Delivery Strategy.

It was noted that there was no requirement as part of the DPD to allocate more general market or employment land and it had been anticipated that a draft DPD would be presented to this meeting, but this was contingent on the wider Gypsy, Roma and Traveller (GRT) pitch delivery work being completed. There had been a number of delays in the investigatory work relating to the potential sites for GRT pitch provision. Therefore, officers were not in a position to recommend its publication until such time as the Pitch Delivery work was further advanced. The Cabinet welcomed the discounting of the Trent Lane site for GRT pitch provision and the £1m bid submitted to the Department for Levelling Up, Homes & Communities Traveller Site Fund. A revised Plan Review timetable was set out in the report.

The report also detailed the current priorities within the Planning Policy & Infrastructure Business Unit and set out the rationale for appointing a Full-Time Planner (Policy) to be funded from the Neighbourhood Planning Reserve.

AGREED (unanimously):

- (a) to note and support the contents of the report;
- (b) to adopt the amendment to the Plan Review timetable (Local Development Scheme) as set in Section 3 of the report, to come into force on 19 July 2022;
- (c) to request that the Chief Executive call an Extraordinary Full Council meeting be held on 21 September 2022 to agree publication of the Amended Allocations & Development Management DPD; and
- (d) to approve an additional Full Time Planner (Policy) post, to be funded for 2022/23 and 2023/24 from the Neighbourhood Plan Reserve and from 2024/25 from the Council's base budget, with £45,520 being added into the base budget, inclusive of any future pay awards.

Reasons for Decision

1. To allow Cabinet to note progress on the Plan Review.
2. To agree an amendment to the timetable so that the Local Development Scheme can be updated to comply with the Planning and Compulsory Purchase Act 2004 and appropriate regulations.
3. To allow the Council to agree to the publication of the Amended Allocations & Development Management DPD in September 2022.

4. To allow the appointment of an additional Planner (Policy) to the establishment in order to continue to meet the aspirations of the Council and emerging changes and challenges through planning reform.

Options Considered

A lack of available sites, as a result of market failure, has led the Council to conclude that only a comprehensive Pitch Delivery Strategy, which includes intervention from the Council to facilitate additional sites, will allow the delivery of sufficient sites and pitches for our Gypsy, Roma and Traveller communities.

18 NEWARK & SHERWOOD DISTRICT COUNCIL LETTINGS STANDARD ENHANCEMENTS (HRA) - RECOMMENDATIONS FROM THE PILOT (KEY DECISION)

The Portfolio Holder for Homes & Health presented a report which outlined the outcomes of the empty homes standard pilot which took place between 1 October 2021 and 31 March 2022 and sought to adopt the decoration preparation and starting well fund as part of the Empty Homes Standard.

The standard of homes at re-letting was identified as an area for review and the Council found property condition featured strongly in complaints and insight feedback. The Empty Homes Standard was ready for a review and there was a call from the Council and tenants to make our homes better. There was also an opportunity to set aside efficiency savings from bringing housing back into the Council to trial a pilot and adopt some or both elements if successful. The success of the pilot was reported to the Policy & Performance Improvement Committee who fully supported the recommendations being made to the Cabinet.

The pilot scheme included decoration preparation in addition to the revised core lettings standard and an additional sum of up to £500 per property to meet individual tenant needs to help them “start well” in their tenancy.

AGREED (unanimously):

- (a) to adopt the decoration preparation and starting well fund as part of the Empty Homes Standard; and.
- (b) to approve additional funding of £275,000 being transferred to base budgets to facilitate the service improvement from the Efficiency Savings reserve.

Reasons for Decision

This initiative supports the enhancements to the empty home standard, specifically decoration preparation and allocation of up to £500 per property, becoming permanent features. These enhancements contribute to the Community Plan objective to ‘create more and better quality homes thorough our roles as landlord, developer and planning authority’.

19 COMMUNITY GRANT SCHEME AWARDS

The Portfolio Holder for Homes & Health presented a report which proposed a number of grant awards following applications made under the District Councils Community Grant Scheme.

In order to streamline and make the grant scheme more widely accessible, the Full Council took the decision to launch the new Community Grant Scheme. The new scheme replaces the Parish and Town Councils Initiative Fund and the Community and Arts Grant scheme with a budget of £100,000. The scheme enabled local community partners to develop initiatives and projects that support the Council's Community Plan Objectives.

Twenty-one applications were received for the first round of grants and the summary of applications was contained in the Appendix to the report, together with the recommendation of the Portfolio Holder. Of the twenty-one applications received, twenty were recommended for approval, and one deferred to the next round for further information.

AGREED (unanimously) that the recommendations of the Portfolio Holders, as detailed in the Appendix to the report, be agreed in order that the proposed projects can proceed.

Reasons for Decision

To support the delivery of projects and initiatives which benefit local communities.

Options Considered

Each application was considered by the relevant Portfolio Holder based on the primary focus of the proposals. Only suitable applications had been recommended for approval.

20 HOUSING MAINTENANCE & ASSET MANAGEMENT RESTRUCTURE

The Portfolio Holder for Homes & Health presented a report which sought approval for a restructure within the Housing Maintenance & Asset Management Business Unit. The issues driving the proposed restructure were set out in the report and included challenges around recruitment, a gap in succession planning and the need to address increasing workloads. The full proposals were set out in the report, with some appendices being exempt from publication. It was noted that the overall cost of the proposals in 2022/23, excluding unresolved pay awards, was £96,606.

AGREED (unanimously):

- (a) to approve the deletion of x6 posts and, in principle, agreement for the x7 new posts and the revised grading of the Stores Supervisor;
- (b) the approval is subject to Job Descriptions/Job Evaluations agreed and within cost parameters of 5%; and

- (c) the above proposals are considered and feedback provided prior to consultation with the recognised Trades Unions and affected employees.

Reasons for Decision

The proposals will ensure the service is sufficiently resourced; create a staff succession framework and prepare for future work on building safety, decent homes two and the decarbonisation of Council homes which aligns to the Community Plan objective to create more and better quality homes through our roles as landlord, developer and planning authority.

The proposed staffing model enables succession planning and the ability to 'grow our own' for managerial posts, which will bring advantages going forward.

21 ENVIRO-CRIME ENFORCEMENT (KEY DECISION)

The Portfolio Holder for Cleaner, Safer, Greener presented a report concerning the future provision of enviro-crime enforcement and sought approval to commence a procurement exercise as well as extending the current pilot with Waste Investigations, Support and Enforcement (WISE).

The report provided a summary of the pilot to date and the enforcement actions taken since the first seven months of the contract. It was noted that the current agreement with WISE allowed the Council to receive a percentage return on the income from Fixed Penalty Notices issued. Based on current activity, the estimate was that the Council would receive approximately £10,000 over the pilot period and this surplus would be reinvested in cleaner, safer, greener activities.

AGREED (unanimously) that:

- (a) approval be given in principle to commence a procurement exercise for an outsourced environmental enforcement initiative, subject to a further report at the end of the one year pilot; and
- (b) the current pilot project be extended for a further three months to allow the completion of a procurement exercise if necessary.

Reasons for Decision

The recommendations will allow for the enviro-crime pilot enforcement to continue supporting the Council's cleaner safer greener agenda.

Options Considered

Given the success of the scheme and in order to continue with the level of enforcement, to formalise a contract which would build upon lessons learnt from the pilot.

Meeting closed at 6.54 pm.

Chairman