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Dear Councillor

POLICY & PERFORMANCE IMPROVEMENT COMMITTEE - MONDAY, 2ND SEPTEMBER, 2024

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

Agenda No Item

5a - Housing Compliance Assurance Report 2024/25 - Q1 (Pages 2 - 8)

11a - Cabinet Forward Plan (August to November 2024) (Pages 9 - 13)

11b - Minutes of Cabinet Meeting held on 23 July 2024 (Pages 14 - 30)



Report to: Policy & Performance Improvement Committee – 2 September 2024
Director Lead: Suzanne Shead, Director - Housing, Health & Wellbeing
Lead Officer: Caroline Wagstaff, Business Manager - Housing Maintenance & Asset Management caroline.wagstaff@newark-sherwooddc.gov.uk

Report Summary	
Report Title	Housing Compliance Assurance Report 2024/2025 – Q1
Purpose of Report	To provide the performance position as of 30 June 2024 (Quarter 1) in the new format with regard to compliance including actions to rectify identified issues.
Recommendations	That the Policy & Performance Improvement Committee note: a) the exceptions to performance of the housing service compliance functions; and b) the new format for performance for Quarter 1 2024.25 onwards.

1.0 Purpose of Report

- 1.1 This report provides Members with the performance of housing compliance services at the end of June 2024, focusing on exceptions performance, which is outside the Council’s target parameters.
- 1.2 The full performance summary is shared with SLT; the Portfolio Holder for Housing and discussed as a standard agenda item for the Tenant Engagement Board meetings ensuring that Health & Safety are at the heart of our conversations and actions. Performance is also discussed quarterly at Cabinet (Performance and Shareholders) to ensure there is oversight at Board level.
- 1.3 Members should note the new format of this report for Quarter 1 – 2024-25 to reflect the best practice recommendations of the external audit and the Regulator of Social Housing.

2.0 Background Information

- 2.1 This report sets out the Council’s performance against the Council’s legal and regulatory landlord responsibilities for a range of building safety measures including fire protection, gas, asbestos, electrical and water as well as summarising details of the Council’s housing stock.

- 2.2 Full details of these performance indicators along with associated commentary are included at **Appendix 1** to this report.
- 2.3 Please note that the Home Standard has now been replaced by the Safety & Quality Standard as of 1 April 2024. Please see <https://www.gov.uk/government/publications/safety-and-quality-standard> for further information on the Council's responsibilities.
- 2.4 It should be noted that we have shortened the range of the RAG ratings as recommended by external auditors and the Regulator of Social Housing. The changes are listed in the table below:

RAG Rating	Old Rating 2023/24	New Rating 2024/25	Colour in Appendix Report
Green	At Target	100%	
Amber	Within 10%	98 – 99.9%	
Red	Below 10%	0 – 97.99%	

- 2.5 The report also included information on the number of damp and mould cases and our performance in this area including:

- number of inspections conducted.
- number of works order raised and completed.
- average time taken to complete works.
- percentage completed on time.
- average cost of repairs not capitalised (P1 & P2only)

across three categories (P1-P3) based on the amount and difficulty of the work and in total. The description for each category is listed below and can be found on page 3 of Appendix 1 Key Performance Reporting Scorecard for Housing Compliance.

- P1 - Emergency e.g. excessive mould or major leak.
- P2 - Minor repair works and mould wash.
- P3 - Major Works undertaken by Asset Team e.g. new Damp Proof Course

3.0 Performance Exceptions

3.1 Gas Servicing - AMBER

Gas servicing is now 98.5% compliant. There are 77 properties without a current gas safety certificate which is a rise from 15 in the last quarter.

The rise in the number of properties without a current gas safety certificate has occurred because of a dip in performance from our gas servicing contractor. We meet weekly with the contractor at operational level and fortnightly at strategic level with senior staff to bring performance back in line.

- 3.2 The gas contractor is on year two of reprofiling the gas servicing programme to avoid the large peak of services that caused an issue in 2022, this will be completed by March 2025.

3.3 Oil Servicing - AMBER

There were two homes where the oil service has not been completed, this has reduced from 8 last quarter. These two homes have agreed appointments, and it is expected this will recover by next quarter. We have bought in a local contractor to conduct our oil servicing. We will see the number of properties that have oil-based heating dropping as we fit new heat source heating systems as part of the decarbonation project.

3.4 EICR certifications less than five years old – AMBER and HouseMark EICRs

There were 27 properties without a EICR electrical certification of less than five years old, which is an improvement on last quarter performance of 39. Considerable progress has also been made on July's cases with only 18 left to complete.

3.5 Lift Equipment - AMBER

We have been unable to gain access to service one stair lift and one hoist, though appointments have been made for July. Given the small number this has meant both indicators have dropped into the new Amber rating.

4.0 Implications

In writing this report and in putting forward recommendations, officers have considered the following implications: Data Protection; Digital & Cyber Security; Equality & Diversity; Financial; Human Resources; Human Rights; Legal; Safeguarding & Sustainability and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

4.1 Equalities and Diversity Implications

There are no direct equalities implications arising from this report though as part of how we manage these services, we consider the tenants individual circumstances and work with them through our housing services team to achieve compliance.

4.2 Financial Implications

There are no direct financial implications arising from this report.

4.3 Community Plan – Alignment to Objectives

The performance of the housing service contributes to creating more and better-quality homes through our roles as landlord, developer and planning authority.






Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972

Appendix 1. Key Performance Reporting Scorecard for Housing Compliance_ June 2024

Domestic No.5541 Blocks No. 341 Communal No. 4	Asset Summary		Performance					Trend Analysis	2023/24 Qtr. 4 Performance	Outstanding/ follow-on works
		Total Properties	Compliance	Non-Compliance	Due within 30 days	Dwellings at risk	Performance %			
Gas Safety	Commercial Boilers for Communal Areas only	4	4	0	0	0	100%	→	100%	
	Community Centres	26	26	0	0	0	100%	→	100%	
	Domestic Dwellings No.	5,133	5,056	77	6	77	98.5%	↓	99.71%	
	No. Capped long term	13	13	-	-	-	0.0025%	↑	-	
Fire Safety Checks	Blocks Requiring FRA and follow on works	106	106	0	0	0	100%	→	100%	
	Dwellings within the blocks	929	929	0	0	0	100%	→	100%	
	Fire Alarm Test & Emergency Lighting Weekly	Blocks 54	54	0	54	0	100%	→	100%	
	Fire Door Inspections 4 mthly	117	117	0	0	0	100%	→	100%	
	Fire Door Inspections 6 mthly	526	517	0	0	0	100%	→	100%	
	Fire Door Inspections Annually	591	390	201	0	201	66%	↓	580	201 No access YTD
	Sprinkler Systems	6	6	0	0	0	100%	→	100%	
Asbestos Safety Checks	Properties Domestic	28 YTD	28	0	32	0	100%	→	100%	
	Properties Communal	125 (Blocks)	125	0	12	0	100%	→	100%	
Water Safety Checks	Properties require LRA	166	166	0	40	0	100%	→	100%	
	Properties require bacteria test	1	1	0	0	0	100%	→	100%	
Lift Equipment Safety Checks	Passenger & goods lifts	108 (9 lifts)	9	0	9	0	100%	→	100%	
	Stair Lifts	64	63	1	0	1	98.4%	↓	100%	
	Hoists	56	55	1	0	1	98.2%	↓	100%	

Domestic No.5541 Blocks No. 341 Communal No. 4	Asset Summary		Performance					Trend Analysis	2023/24 Qtr. 4 Performance	Outstanding/ follow-on works
		Total Properties	Compliance	Non-Compliance	Due within 30 days	Dwellings at risk	Performance %			
Electrical Safety Checks	Domestic Dwellings up to 5 years old	5,545	5,518	27	18	27	99.5%	↑	95.69%	
	Non- domestic properties	133	133	0	0		100%	→	100%	
	PAT Testing	37	37	0	0	0	100%	→	100%	
Other Heating Sources	Solid Fuel	9	9	0	0	0	100%	→	100%	
	Oil	107	105	2	0	2	98.1%	↑	95.09%	Appointments booked for 2 due
	LPG	1	1	0	0	0	100%	→	100%	
	Heat Pumps	157	157	0	0	0	100%	→	100%	
	Electric	21	21	0	0	0	100%	→	100%	
Block Inspections	General	1,212	1,211	1	97	14	99.9%	→	100%	
	Gladstone Commercial Air Conditioning	2	2	0	0	0	100%	→	100%	1 unit broken down awaiting part. Switched off
	Community Rooms	384 inspections for 32 properties	96	0	32	0	100%	→	100%	
			P1	P2	P3	Total	Average Cost of Repair			
Damp & Mould Cases	Number of Dwellings YTD		2	33	10	45	£81.26			
	Number of Inspections Completed					36				
	Number of Repairs Raised YTD		2	80	10	92				
	Number of Repairs Outstanding		0	31	0	31				
	Number of repairs completed		2	49	10	61				
	Average time all works (Days)		0.5	46.21	78	50.63				
	Completed on Time %		100%	67.7%	94.44%	72.18%				
No. recurring cases during period			0	0	0	0				

Trend Analysis Key:		Performance has improved since last reporting period		Performance remains unchanged since last reporting period		Properties have become non-compliant since last reporting period
RAG Rating Key:		100%		98-99.9%		0-97.99%
Damp & Mould 'P' Ratings Key:	P1	Emergency e.g. excessive mould or major leak.	P2	Minor repair works and mould wash	P3	Major Works undertaken by Asset Team e.g. new DPC

12 Month Trend Analysis – TSM Compliance Percentages (%)

		Apr-24	May-24	Jun- 24	Jul-24	Aug-24	Sept-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25
Gas Safety Check	Domestic	99.2%	97.9%	98.5%									
	Communal	100%	100%	100%									
FRA	Blocks	100%	100%	100%									
Asbestos	Domestic	100%	100%	100%									
	Communal	100%	100%	100%									
Water Safety	LRA	100%	100%	100%									
	Bacterial	100%	100%	100%									
Lift Equipment	Lifts	100%	100%	100%									
	Stair lifts	100%	100%	98%									
	Hoists	100%	100%	100%									
Electrical Safety	Domestic under 5 yrs	99.4%	99.56%	99.5%									
	Non-domestic	100%	100%	100%									
	PAT	100%	100%	100%									
Damp & Mould Cases	Number of Repairs Raised YTD	33	62	92									
	Outstanding	5	23	11									
	Average time works (Days)	35.22	33.83	46.21									

Month to Month Stock Variations						
	Monthly Summary			Breakdown of Movements		
	Mar-24	Jun-24	Variation	Acquisitions	Disposal/RTBs	Change property type
Total number of domestic dwellings	5,571	5,580	9	9 (New Build)	0	0
Total number of blocks	346	346	0	0	0	0
Total number of Leaseholders	184	184	0	0	0	0
Total number non-domestic	32	32	0	0	0	0

Forward Plan

For the Period August 2024 - November 2024



What is the Plan?

This Forward Plan sets out all of the Key Decisions that are expected to be taken during the period referred to above. The Council has a statutory duty to prepare this document, in accordance, with the Local Government Act 2000 (as amended). The Plan is published monthly and will be available on the [Council's Website](#).

What is a Key Decision?

The decisions listed in this plan are 'Key Decisions'. A Key Decision is one that is likely to:

- (a) Result in the Council spending or making savings of over £150,000 revenue or £300,000 in capital, or;
- (b) Where the impact of the decision would be significant in terms of its impact on communities living or working in two or more Wards.

Under the Council's Constitution, Key Decisions are made by the Cabinet, Portfolio Holders, or officers acting under delegated powers.

Exempt Information

The plan also lists those 'Exempt' Key Decisions which are going to be taken over the next four months. Exempt Key Decisions are those decisions which have to be taken in private. This is because they involve confidential or exempt information which cannot be shared with the public.

Agenda papers for Cabinet meetings are published on the Council's website 5 working days before the meeting [here](#). Any items marked confidential or exempt will not be available for public inspection.

Any background paper listed can be obtained by contacting the Responsible Officer. Responsible officers can be contacted on 01636 650000 or customerservices@newark-sherwooddc.gov.uk

Decision to be taken / Report title and Summary	Decision maker	Date Decision to be taken	Responsible Portfolio Holder	Responsible Officer	Exempt y/n and Grounds for exemption	Date decision can be implemented
Mansfield and District Joint Crematorium Committee - New Crematorium	Cabinet	24 Sep 2024	Leader - Portfolio Holder Strategy, Performance & Finance, Portfolio Holder - Public Protection and Community Relations	Sue Bearman, Assistant Director of Legal and Democratic Services Sue.Bearman@newark-sherwooddc.gov.uk	Part exempt	30 Sept 2024
Towns Fund Update - Newark Cultural Heart and Gateway	Cabinet	24 Sep 2024	Portfolio Holder - Sustainable Economic Development	Bonnie Mitchell, Assistant Business Manager - Economic Growth and Visitor Economy bonnie.mitchell@newark-sherwooddc.gov.uk	Open	30 Sept 2024
Leveling Up Fund 3 Update - Ellerton and Clipstone	Cabinet	24 Sep 2024	Portfolio Holder - Sustainable Economic Development	Matt Lamb, Director - Planning and Growth Matt.Lamb@newark-sherwooddc.gov.uk	Part exempt	30 Sept 2024
Adoption and Maintenance of Middlebeck Open Space, Phase One	Cabinet	24 Sep 2024	Portfolio Holder - Biodiversity & Environmental Services	Matt Adey, Development Manager- Environmental Services matt.adey@newark-	Open	30 Sept 2024

Decision to be taken / Report title and Summary	Decision Maker	Date Decision to be taken	Responsible Portfolio Holder	Responsible Officer	Exempt y/n and Grounds for exemption	Date decision can be implemented
				sherwooddc.gov.uk		
Yorke Drive Regeneration Update	Cabinet	24 Sep 2024	Portfolio Holder - Housing	Cara Clarkson, Business Manager - Regeneration and Housing Strategy cara.clarkson@newark-sherwooddc.gov.uk	Part exempt	30 Sept 2024
Yorke Drive- Developing a Shared Equity Model	Cabinet	24 Sep 2024	Portfolio Holder - Housing	Cara Clarkson, Business Manager - Regeneration and Housing Strategy cara.clarkson@newark-sherwooddc.gov.uk	Open	30 Sept 2024
Private Sector Housing Grant Amendments	Cabinet	24 Sep 2024	Portfolio Holder - Housing	Jenny Walker, Business Manager- Public Protection jenny.walker@newark-sherwooddc.gov.uk	Open	30 Sept 2024
4 Market Place, Newark- Refurbishment	Cabinet	5 Nov 2024	Leader - Portfolio Holder Strategy, Performance & Finance	Jak Whitney, Project Surveyor jak.whitney@newark-sherwooddc.gov.uk	Open	11 Nov 2024

Decision to be taken / Report title and Summary	Decision Maker	Date Decision to be taken	Responsible Portfolio Holder	Responsible Officer	Exempt y/n and Grounds for exemption	Date decision can be implemented
Crewe Lane, Southwell - Works	Cabinet	5 Nov 2024	Leader - Portfolio Holder Strategy, Performance & Finance	Dennis Roxburgh, Project Manager - Construction dennis.roxburgh@newark-sherwooddc.gov.uk	Open	11 Nov 2024
Jubilee Bridge Refurbishment	Cabinet	5 Nov 2024	Leader - Portfolio Holder Strategy, Performance & Finance	Eric Dyche, Repairs and Maintenance Manager eric.dyche@newark-sherwooddc.gov.uk	Open	11 Nov 2024
Towns Fund Project Update	Cabinet	5 Nov 2024	Portfolio Holder - Sustainable Economic Development	Elaine Poon elaine.poon@newark-sherwooddc.gov.uk	Open	11 Nov 2024
Multi-Agency Public Protection Arrangements (MAPPA) Protocol	Cabinet	5 Nov 2024	Portfolio Holder - Housing	Julie Davidson, Business Manager- Housing and Estates Julie.Davidson@newark-sherwooddc.gov.uk	Open	11 Nov 2024
Sherwood Open Space	Cabinet	5 Nov 2024	Portfolio Holder - Biodiversity & Environmental	Lisa Hughes, Business Manager - Planning Development	Part exempt	11 Nov 2024

Decision to be taken / Report title and Summary	Decision Maker	Date Decision to be taken	Responsible Portfolio Holder	Responsible Officer	Exempt y/n and Grounds for exemption	Date decision can be implemented
			Services	lisa.hughes@newark-sherwooddc.gov.uk		

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, 23 July 2024 at 6.00 pm.

PRESENT: Councillor P Peacock (Chair)

Councillor R Cozens, Councillor S Crosby, Councillor L Brazier, Councillor K Melton, Councillor E Oldham, Councillor M Spoors and Councillor P Taylor

ALSO IN ATTENDANCE: Councillor S Michael and Councillor P Rainbow

APOLOGIES FOR ABSENCE: Councillor R Holloway

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

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

148 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

Councillors S Crosby, P Taylor and M Spoors declared an interest in items 13 and 14 as Members of Newark Town Council.

Councillor L Brazier declared an interest in item 15 as a Members of Ollerton and Boughton Town Council.

The Democratic Services Officer declared an interest in item 13 as a Member of Farndon Parish Council.

149 MINUTES FROM THE PREVIOUS MEETING HELD ON 4 JUNE 2024

The minutes from the meeting held on 4 June 2024 were agreed as a correct record and signed by the Chairman.

150 CHAIR'S UPDATE

The Portfolio Holder for Health and Wellbeing informed the Cabinet that the Senior Health Improvement Officer had received a Community Champion Award at the ATTFE Together Awards and the Council have achieved Foundation level of the Thrive at Work Accreditation, which recognised organisations that support staff wellbeing.

151 PROVISIONAL FINANCIAL OUTTURN REPORT TO 31 MARCH 2024

The Business Manager – Financial Services, was in attendance to present the provisional 2023/24 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 Collection Fund.

The report detailed a summary of actual income and expenditure compared to the revised budget and how any surpluses/deficits have been allocated to/from reserves. Members considered the report and welcomed the Council's financial position.

AGREED (unanimously) that:

- a) the final outturn of revenue and capital spending for 2023/24 be noted;
- b) the variation to the capital programme, as set out in paragraph 1.15 and 1.16 be approved;
- c) the capital financing proposals as set out in paragraph 1.20 be approved;
- d) Capital Programme reprofiling of £13.588m carried forward into 2024/25 as per appendices E and F;
- e) the movement in Provisions and Impaired Estimates on Debtors be noted;
- f) the creation 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 noted.

Reasons for Decision:

To consider the provisional 2023/24 financial outturn position on the Council's revenue and capital budgets.

Options Considered:

Not applicable.

152 CORPORATE ANNUAL BUDGET STRATEGY 2025/26

The Business Manager – Financial Services was in attendance to present the report which set out the General Fund, Capital & HRA Budget Strategy for 2025/26. The Cabinet considered the report and received clarification that proposed budget strategy reflected the performance information received from Arkwood Developments.

AGREED (unanimously) that Cabinet:

- a) approve the overall General Fund, Capital & HRA Budget Strategy for 2025/26;

- b) approve the consultation process with Members;
- c) note that Budget Officers continue work on the assessment of various budget proposals affecting services for consideration in setting the Council's budget; and
- d) note that 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.

Options Considered:

Not applicable.

153 COMMUNITY PLAN PERFORMANCE FOR QUARTER 4 2023/24

The Transformation and Service Improvement Officer was in attendance to present the Community Plan Performance for Quarter 4 2023/24. Members heard details of: the Council's flooding response to Storms Babet and Henk; footfall in Newark Town centre; tackling anti-social behaviour; engagement with customers; and Council Tax collection. Members noted that footfall loggers were only in place in Newark Town Centre but where available, grant funding could also be used to situate footfall loggers in other sites across the District.

AGREED (unanimously) that Cabinet:

- a) review the Community Plan Performance Report attached as Appendix 1;
- b) review the compliance report attached as Appendix 2; and
- c) consider the Council's performance against its objectives highlighting any areas of high performance and identifying areas for improvement.

Reasons for Decision:

Performance management is used to drive improvement by analysing data and progress against key activities as well as building a picture of the context of performance using district statistics, customer feedback and workforce information.

Options Considered:

Not applicable.

154 PRODUCTIVITY PLAN

The Chief Executive was in attendance to present the Council's Productivity Plan which sought to provide oversight for Members prior to submission to Central Government in July 2024. The Plan had been produced as a requirement of the then

Secretary of State in January 2024, and whilst it wasn't clear if the Plan would still be required by the Government after the recent Parliamentary Election, it had been a useful exercise to narrate the work undertaken by the Council.

AGREED (unanimously) That Cabinet note the Productivity Plan presented at Appendix 1 and the activities detailed therein.

Reasons for Decision:

The requirement to submit a productivity plan to central government was confirmed in April 2024 along with the requirement for it to have prior member oversight.

Options Considered:

None

155 INFORMATION SHARING WITH ELECTED MEMBERS WORKING GROUP OUTCOMES

The Transformation & Improvement Officer was in attendance to present an update on the work of the member working group on Information Sharing with Elected Members, and bring recommendations from the group to Cabinet. The posters marked to follow as appendix B were handed to Members. The Cabinet considered the report and welcomed the recommendations from the Policy and Performance Improvement Committee.

AGREED (with 7 For and 1 Abstention) that Cabinet endorse the recommendations of the Working Group as follows:

- a) that the amendment is made to the Council's website, including a postcode search for 'find your ward member'.(NB postcode search has now been implemented);
- b) that all elected councillors are automatically signed up to the Council's Official Newsletters;
- c) the Communications & Marketing Team to set up a further drop-in session for elected councillors to help with social media and Google Alerts;
- d) the posters at Appendix B will be made available for all elected councillors to use;
- e) that the Democratic Services Team will re advertise the allocated Democratic Services Officer (DSO) list and actively promote the support they can offer to elected councillors; and
- f) that the Power BI system is developed and provided to all councillors and that the system is further developed over time to include other service requests and reports.

Reasons for Decision:

Following on from a Topic Request Form received by PPIC in September 2023, the recommendations of the Working Group are noted above and set out in this report. These have been brought forward to Cabinet as these recommendations will benefit all Elected Members.

Options Considered:

Do nothing or accept only some of the working group recommendations.

156 32 STODMAN STREET DEVELOPMENT (KEY DECISION)

The Director of Planning & Growth was in attendance to present a report updating Members on the progression of the 32 Stodman Street Project and to seek consequential revisions to the capital programme. Cabinet heard that during the project issues had arisen, including utilities, contingency for new build and archaeology on the site, leading to an increase in costs. A request had been made to the Newark Towns Board which had approved an additional amount to cover the costs of £1.78m, which was recycled from the Towns Fund 1 Newark Gateway monies. The request was also supported by the Council's Section 151 Officer.

The Cabinet welcomed the report and the progression on development of 32 Stodman Street.

AGREED (unanimously) that Cabinet:

- a) note the report;
- b) in accordance with approval from Newark Towns Board that the Council receives a further £990,000 (in addition to the £790,000 supported by Cabinet on 14 May 2024) of the Town Fund One grant towards Stodman Street Phase 1;
- c) subject to b) above, to delegate to the Director – Resources & Deputy Chief Executive in consultation with the Director - Planning & Growth authorisation to submit a Project Adjustment Form to Government seeking formal authorisation to re-allocate the £1.78m of previously allocated Newark Gateway/SiSCLog grant to the 32 Stodman Street Phase One project; and
- d) subject to approval of b) & c) above, to increase the budget in the Council's Capital Programme to £12,880,000 financed by the additional grant allocation.

Reasons for Decision:

The project directly aligns to the objectives within the Community Plan of:

- 1) Increase the supply, choice & standard of housing,
- 2) Raise people's skills levels and create employment opportunities for them to fulfil their potential,
- 3) Celebrate and invigorate community spirit, pride of place and sense of belonging.

The recommendations will ensure delivery of the project as set out in the approved, original full business case of March 2022.

Options Considered:

There are two further options for a decision with this project;

- 1) To use borrowing to fund the identified gap within the development cost. This option has been discounted as the level of borrowing used to date would mean the income generation from the development would be significantly below the total borrowing costs; or
- 2) To not undertake the project. This option is not recommended as it will leave a partially developed site vacant within the town centre. This would also mean returning grant funding already received, and allocated to this project, to be returned to Government.

157 PLANNING DEVELOPMENT REVIEW OF BIODIVERSITY AND ECOLOGY RESOURCE (KEY DECISION)

The Director for Planning and Growth was in attendance to present a report which sought to update Members in relation to the implementation of Biodiversity Net Gain and Resource Impacts and create a post for a Biodiversity and Ecology Officer to support the Lead Officer. The report detailed the key work associated with Biodiversity Net Gain. Members welcomed the report, particularly the proposals relating to a graduate post.

AGREED (unanimously) that Cabinet:

- a) Subject to the outcome of Job Evaluation, approve that the addition of a Biodiversity and Ecology Officer to the Planning Development Business Unit be funded by a corresponding increase in revenue expectations from the BNG income stream identified at paragraphs 1.14-1.16 below; and
- b) Subject to the outcome of Job Evaluation, approve that the addition of a Biodiversity and Ecology Graduate be funded by BNG income, noting that such a post will only being recruited to if agreed by the Director of Planning and Growth, in consultation with the Director for Resources and Business Manager, Planning Development, based on a review of BNG income being sufficient to cover this additional post on an ongoing basis.

Reasons for Decision:

To ensure that the Planning Development Business Unit can continue to lead in adapting to the ongoing and emerging implications from Biodiversity Net Gain (BNG).

Options Considered:

No action could be taken, which would lead to an undeliverable workload with respect to ecological and biodiversity matters. A pause on recruitment pending receipt of additional income has also been considered and discounted on the basis that preparatory work needs to be undertaken in advance of receipt of future receipts.

158 A46 NEWARK BYPASS

The Director for Planning and Growth was in attendance to present a report providing an update on the A46 Newark Bypass. The Council was required to respond to the development consent order as the Local Planning Authority and a number of teams were involved in preparing the reply. The report also detailed the impact on the Council as a landowner as the development would impact the Newark Lorry Park with the loss of 36 spaces and other incidental parcels of land. The costs the Council was forecast to incur as the landowner was £74,000, and the Cabinet noted that Officers would seek full or partial reimbursement where possible, and regular updates would be brought to Members. The Leader reiterated the Council's support for the project.

AGREED (unanimously) that Cabinet:

- a) note the updated position and the consultation representations appended to this report;
- b) approve a budget of £141,000 in order to allow the ongoing work of the Council as Local Planning Authority and Landowner. This amount of £141,000 to be funded from the Change Management Reserve as set out in paragraph 3.3 of this report; and
- c) note that some but not all costs will be recoverable as detailed at paragraphs 2.4 below.

Reasons for Decision:

To keep Members updated on the A46 Bypass proposals and the requirements upon the Council to respond as both Local Planning Authority and affected landowner.

Options Considered:

The A46 Newark Bypass proposals have long been an important aspiration of the Government's National Road Investment Strategy (RIS), an aspiration supported by a raft of partners including this Council, Midlands Connect, Nottinghamshire County Council, Lincolnshire County Council, and a number of highways, Local Enterprise Partnerships and Local Planning Authorities from the Humber Ports to Tewkesbury. There is no alternative but for this Council to engage, both as Local Planning Authority and affected landowner.

159 LONG TERM PLAN FOR TOWNS - TOWN PLAN INVESTMENT PLAN 2024-2027 (KEY DECISION)

The Director for Planning and Growth was in attendance to present a report which sought support for the emerging Newark Long-Term Plan for Town Fund (LTPfT) Vision & Investment Plan by Newark Towns Board. A change to the recommendation in the report was proposed to change the submission date from 1 August 2024 to 'the requisite submission date'. The Towns Board met regularly and were in the process of formulating priorities including Newark Market Place transformation, the riverside working with the Canal and River Trust, town centre events to increase footfall, developing a community space in the Newark town centre and creating funding pots

for community development and feasibility work. Once finalised, and further clarity was received from the new Government regarding timescales, a further report would be brought back to Cabinet.

Members welcomed the report and whilst disappointed at the change in timescales, were optimistic about the projects that could be developed and emphasised the importance of cross party input.

AGREED (unanimously) That Cabinet support the emerging Long-Term Plan for Town Fund emerging proposals as detailed at paragraph 2.3 of the report and to delegate to the Portfolio holders for Performance & Finance and Sustainable Economic Development endorsement of any final Long Term Plan for Town Investment Plan 2024-2027 following its ratification by Newark Towns Board for submission to Government before the requisite submission date.

Reasons for Decision:

The recommendation is presented on the basis that the Long-Term Plan for Newark 3 Year Investment Plan has been developed with the Newark Town Board and based on evidence from consultation with the community through the Resident Survey, Newark Masterplan Consultation, and targeted consultation with under-represented groups. The Long-Term Plan for Newark 3 Year Investment Plan 2024-2027 aligns with the outlined objectives of the NSDC Community Plan.

Options Considered:

It remains open for this Council to not engage with the Newark Towns Board or to contribute to its formulate and ultimate adoption and submission to Government, save for its role as the Accountable Body. This option has been discounted as the Council and its partners wish to continue to achieve the best for residents and business and securing almost £20m for Newark between now and 2034 would be a significant contribution towards this.

160 LEVELLING UP FUND 3 UPDATE (KEY DECISION)

The Director of Planning and Growth was in attendance to present a report updating the Cabinet on the ongoing delay in receiving the Levelling Up Fund 3 (LUF 3) grant from Government and to seek agreement to pause further work on the project until the Council receives a response from Government. Officers were ready to continue work on the project once the funding position was clear. The Cabinet considered the report and the impact on workload and staffing for Officers.

AGREED (unanimously) that Cabinet:

1. note the contents of this report and agrees to pause the Ollerton and Clipstone Scheme after completion of RIBA2 design due to ongoing delays with the issue of funding from Government and endorse that the Chief Executive or/and the Deputy Chief Executive/Director of Resources write to Government expressing deep concerns and disappointment at the delays and seeking the following:

That Government:

- a) Confirms to the Council, that given the delays since the original LUF submission in summer 2022 and the delays since the LUF 3 announcement in November 2023, an agreed extension to the requirements to defray all LUF3 funding by 31 March 2026 to 31 March 2027;
 - b) Executes the Memorandum of Understanding (MoU) before the 31st July 2024 to allow *immediate access* to any needed funds from the LUF 3 grant, allowing the project to continue to be developed at pace; or
 - c) Release advance funding of £821,000 before 31st July 2024, to be deducted from the overall LUF3 grant allocation to allow the project to continue to be developed at pace.
2. that subject to Government releasing the advance funding of £821,000 as detailed at Recommendation 1c) above that Cabinet approves the addition of £821,000 to the Capital Programme. For the avoidance of doubt if the Government executes the MoU as detailed at recommendation 1b) above the full amount of Levelling Up Fund 3 grant will be transferred into the Capital Program in accordance with the June Cabinet resolutions.

Reasons for Decision:

The recommended approach, if actioned by Government, will enable delivery of the projects to continue in the absence of an executed MoU and release of funds from Government.

Options Considered:

Withdraw delivery of the Ollerton and Clipstone Levelling-up projects. This option is discounted as the scheme remains a priority for the Council.

Carry on with the scheme at risk. Meeting the deadline for mandated defrayal of the full grant by 31 March 2026, is extremely challenging particularly since the Council has not yet received the MOU from government. The Council has already funded £541,000 with a further £40,000 made available in June 2024 from UKSPF (for both Ollerton and Clipstone projects). To continue to fund architectural and design works to RIBA stage 3 for Ollerton would further expose the Council to an additional £700,000. This level of exposure, when particularly considered together with the present uncertainty of funding support from Nottinghamshire County Council and the outcome of the bid for the Brown Field Land Release Fund is not considered acceptable.

161 SUPPLEMENTARY PLANNING DOCUMENTS - SOLAR POWER AND AFFORDABLE HOUSING (KEY DECISIONS)

The Senior Planner was in attendance to present a Draft Supplementary Planning Document (SPD) in relation to Solar Energy and a Draft Interim Affordable Housing SPD for public consultation. The development of the SDPs had been approved by the Cabinet on 26 March 2024 to support the implementation of national and local planning policy and provide additional guidance to applicants and decision makers.

The delivery of affordable housing was a long-term Council priority and the review and updating of the Council's Affordable Housing Supplementary Planning Document was identified as an action within the Council's Community Plan. The development of solar energy farms had recently become a significant issue locally, including the emergence of two large solar energy farm proposals in Trent Valley. These larger applications were nationally significant infrastructure projects and would be determined by the Secretary of State.

The Cabinet considered the report and questioned whether the SDP for Solar Panels could require ethical standards in manufacture. The Director for Planning and Growth explained that the Policy could draw attention to standards and include as a link in the document but wouldn't be able to include as part of decision making. Similarly cumulative impact could only be considered where applications were within the planning system and Members raised concerns from the public about losing the rural nature of the District.

AGREED (unanimously) that Cabinet:

- a) approve the proposed SPDs at Appendices B and C to the report; and
- b) public consultation be undertaken for 6-weeks on the proposed amendments for referral back to Cabinet for adoption.

Reasons for Decision:

To allow the District Council to consult on the Draft SPDs.

Options Considered:

Cabinet has already agreed to produce SPDs on Solar Energy and Affordable Housing therefore no alternative options have been considered at this point.

The meeting was adjourned at 8:07pm and reconvened at 8:15pm.

162 QUARTER 4 HOUSING SERVICES COMPLIANCE ASSURANCE REPORT

The Housing Maintenance and Asset Management was in attendance to present the position at the end of Quarter 4 2023/24 (1st January 2024 to 31st March 2024) with regard to compliance assurance overview and actions arising. Compared to the same quarter last year, overall annual performance has improved across the 30 areas. Gas servicing was 99.71% compliant with 15 properties without a current gas safety certificate, but all were in an enforcement process. There were 8 homes where the oil service had not been completed, and all were in an enforcement process. There were 39 properties without a EICR electrical certification of less than five years old, of these 38 are in a legal process. The one remaining property was booked in with the tenant for April 2024.

AGREED (unanimously) that Cabinet:

- a) note the exceptions to performance of the housing service compliance functions;

- b) note the removal of the Regulatory Notice by Regulator of Social Housing; and
- c) note that the presentation of performance will change from Quarter 1 2024/2025 reporting cycle onwards.

Reasons for Decision:

To enable the Cabinet to monitor performance and compliance relating to the Council's legal and regulatory landlord responsibilities for 27 building safety measures including fire protection, gas, asbestos, electrical and water.

Options Considered:

Not applicable.

163 NSDC ALLOCATION SCHEME REVIEW AND DRAFT POLICY APPROVAL FOR CONSULTATION (KEY DECISION)

The Assistant Business Manager- Housing and Estate Management was in attendance to present a report on the review of the Council's Housing Allocations Scheme. There is a requirement when making major changes to the allocation scheme to consult with registered providers for a period of 12 weeks.

The Cabinet discussed the proposals considering a number of issues including registration and licensing for private landlords, inclusion of requirements for members of the armed forces and the financial thresholds included within the draft Allocation Scheme.

AGREED (unanimously) that Cabinet:

- a) note the scheme and its changes and approve progression for external consultation; and
- b) delegate authority for final adoption of the Scheme to the Portfolio Holder for Housing in consultation with the Director for Housing, Health and Wellbeing if the outcome of consultation is that no or only minor amendments are required. If any significant or material amendments are proposed as a result of consultation responses the final proposed Scheme will be referred back to Cabinet for approval.

Reasons for Decision:

This consultation is a legal requirement set out in the Housing Act 1996 and if there are no major changes following consultation seeking Director and Portfolio Holder sign off to expedite implementation. This also meets Objective 1: Improve Health and Wellbeing, and Objective 2: Increase the Supply, Choice, and Standard of Housing of the Community Plan.

Options Considered:

None

The Director of Housing, Health and Well-Being was in attendance to present a report to update Cabinet on delivery within the HRA Development Programme and to set out details of the potential for the authority to acquire housing as part of the programme, including eight S106 homes for Affordable Rent tenure, at Station Road, Collingham. Members noted the inclusion of an exempt appendix. The Cabinet considered the report, noting that while it might be preferable to make use of empty properties, it was not always possible to ensure that such houses were up to standard and that it may be cheaper to build new properties.

AGREED (unanimously) that Cabinet:

- 1) notes the progress of the HRA development programme;
- 2) approves the business case for affordable housing acquisition within Newark and Sherwood (in addition to development) utilising the phase 6 development programme budget; and
- 3) approves the acquisition of eight S106 homes at Collingham utilising the phase 6 development programme budget, subject to the usual legal due diligence checks, delegating final approval to the Director – Housing, Health & Wellbeing in consultation with the Portfolio Holder for Housing and to a maximum value as set out in the exempt appendix.

Reasons for Decision:

1. To enable new affordable rented homes to be delivered which meet identified housing need in the district.
2. To provide a return on investment as set out in the financial evaluation provided.
3. To replace homes sold to tenants via right to buy.
4. To deliver housing solutions which meet local needs and aspirations to ensure that our residents have access to a range of housing solutions in the district.

Options Considered:

The authority may choose to develop only and not acquire properties through its HRA programme, however this will limit the flexibility of securing properties where a strong business case for acquisition exists e.g. there is a demonstrable need and limited land availability.

With specific regards to the proposed purchase at Collingham, there is an option for the developer to provide a commuted sum payment however, any receipt would be difficult to spend if restricted to this location.

If the authority does not proceed with the purchase of these properties, the expected benefits set out in the reasons for recommendations section of this report would not be realised.

165 'GETTING TO KNOW YOU VISITS' PROGRAMME UPDATE

The Business Manager, Housing Services was in attendance to present a report updating on the progress and outcomes from the first two years of the Getting to Know You (GTKY) visit programme. The Council had 17 tenancy officers with a target of visiting seven households per month, delivering 119 overall per month, averaging at 1428 per year giving a cycle of three and a half years to complete first visits. The Cabinet welcomed the report and were encouraged by the programme to help build strong positive relationships with Tenants.

AGREED (unanimously) that Cabinet:

- a) note the progress and outcomes of the Getting to Know You visit programme to December 2023;
- b) to note the sharing of the report with the Tenant Engagement Board; and
- c) to support the ongoing programme of Getting to Know You visits with a further update in April 2025 or when all tenants have been visited.

Reasons for Decision:

To report the positive impacts of the Getting to Know You programme as they align to the following Community Plan objectives:

- Improve health and wellbeing;
- Increase the supply, choice and standard of housing;
- Reduce crime and anti-social behaviour;
- Celebrate and invigorate community spirit, pride of place and a sense of belonging; and
- To be a top performing, modern and accessible council.

Options Considered:

None, getting to know you visits are an important good practice housing management activity to help us understand who is behind the front door of our homes, support tenants to sustain their tenancies and identify where there are additional needs

166 FINAL PUBLIC SPACES PROTECTION ORDERS WITHIN NEWARK AND SHERWOOD (KEY DECISION)

The Portfolio Holder for Public Protection and Community Relations presented a report which sought approval from Cabinet for the final orders as set out in the report following 2 rounds of public consultation to be introduced. The Anti-Social Behaviour, Crime and Policing Act 2014 set out the legislative framework around the creation of Public Spaces Protection Orders (PSPO). The Orders related to dog control, dispersal, fire control, alcohol control and the restriction of vehicles in Newark, Balderton and Eakring.

AGREED (unanimously) that Cabinet approve the final Public Space Protection Orders, as set out in Appendices 1 to 5 to the report, for a period of three years.

Reasons for Decision:

The implementation of PSPOs within Newark and Sherwood aligns with the Community Plan objective to Reduce Crime and Anti-Social Behaviour.

All PSPOs have been subject to a two-stage public consultation process and comments made have been reviewed and considered at both stages. Amendments have been made where appropriate.

Options Considered:

Do nothing – the orders that are due to end in 2024 would not be renewed and would lapse. This would mean there would be no controls in place and no enforcement action could be taken.

Approve some of the orders – a full two stage public consultation has been undertaken to ensure the most appropriate orders are in place in the right locations. By only approving some would result in the inability to use enforcement powers.

167 EMERGENCY PLANNING - FLOODING AND FUTURE PREPAREDNESS (KEY DECISION)

The Portfolio Holder for Public Protection and Community Relations presented a report to provide Cabinet with an update following the flooding caused by Storm Babet and Henk, the creation of the Flood Partnership, the grants awarded to affected properties and to provide a proposal of actions to be requested of government.

The autumn and winter storm season of 23/24 was one of the wettest October to March periods on records for the UK with a higher-than-normal number of named storms. The Council spent a number of consecutive weeks with flood alerts and warnings in place. There have since been two multi agency flood partnership meetings with attendees from the Environment Agency (EA), Nottinghamshire County Council Emergency Planning Team, Canal and River Trust, NSDC representatives and Severn Trent. As part of the recovery process for both storms, the Council facilitated the provision of the Community Recovery Grant and Business Recovery Grant.

AGREED (unanimously) that Cabinet:

- a) note the activities undertaken since the two flooding incidents;
- b) note the ongoing work of the Flood Partnership and the ongoing work to improve the response provided by NSDC;
- c) endorse the provision of additional one-off support to our communities through the use of the stated reserves as part of the programme to create more resilient communities in the long term in accordance with the decision-making arrangements set out in paragraph 3.1 of the report; and

- d) note and implement the resolution made by Full Council in respect of the Motion put forward on 16 July 2024 regarding flooding requests to Government

Reasons for Decision:

The recommendations as set out above seek to make improvements both for an authority dealing with challenges caused by emergency events but also the impacts for our communities and relates to the following Community Plan objectives:

- Protect and enhance the district's natural environment and green spaces;
- Reduce the impact of Climate Change; and
- Celebrate and invigorate community spirit, pride of place and a sense of belonging.

Options Considered:

Do nothing – If we did not seek improvements we would not operate in a way appropriate for a Category 1 Responder and to provide appropriate levels of support to our communities.

168 EXCLUSION OF THE PRESS AND PUBLIC

AGREED that, under section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.'

169 APPROVAL FOR DISPOSAL OF HRA PROPERTY (KEY DECISION)

The Cabinet considered the exempt report in relation to the approval for disposal of an HRA property.

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

Meeting closed at 8.53 pm.

Chair

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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