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Dear Councillor

FULL COUNCIL - TUESDAY, 17TH DECEMBER, 2024

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

Agenda No Item 14

- g) Cabinet - 3 December 2024 (Pages 2 - 5)
- h) Executive Shareholder Committee - 3 December 2024 (Pages 6 - 9)
- i) Planning Committee - 5 December 2024 (Pages 10 - 15)

Public Document Pack Agenda Item 14g

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, 3 December 2024 at 6.00 pm.

PRESENT: Councillor P Peacock (Chair)

Councillor R Cozens, Councillor S Crosby, Councillor L Brazier,
Councillor E Oldham, Councillor C Penny, Councillor P Taylor and
Councillor R Jackson

ALSO IN ATTENDANCE: Councillor S Haynes and Councillor J Kellas

199 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.

200 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

There were no declarations of interest.

201 MINUTES FROM THE PREVIOUS MEETING 4 NOVEMBER 2024

The minutes from the meeting held on Tuesday 4 November were agreed as a correct record and signed by the Chair.

202 CHAIR'S UPDATE

The Leader welcomed Councillor R Jackson to the meeting and thanked Councillor R. Holloway for her work on Cabinet and as Leader of the Opposition following her resignation.

203 BUDGET PERFORMANCE QUARTER 2

The Assistant Business Manager- Financial Services presented a report which detailed the forecast outturn position for the 2024/25 financial year for the Council's General Fund and Housing Revenue Account revenue and capital budgets, which detailed performance against the approved estimates of revenue expenditure and income; report on major variances from planned budget performance; and report on variations to the Capital Programme for approval; all in accordance with the Council's Constitution.

The Cabinet considered details of the favourable and unfavourable variances reported, detailed in tables one and two of the report, and the HRA revenue outturn in table three of the report. The Council had been fully compliant with all prudential

indicators during the reporting period.

AGREED (unanimously) that Cabinet:

- (a) note the General Fund projected favourable outturn variance of £0.719m;
- (b) note the Housing Revenue Account projected favourable outturn variance of £0.033m to the Major Repairs Reserve;
- (c) approve the variations to the Capital Programme at Appendix E;
- (d) approve the Capital Programme revised budget and financing of £49.467m; and
- (e) note the Prudential indicators at Appendix H.

Reasons for Decision:

To consider the forecast outturn position for the 2024/25 financial year for the Council's General Fund and Housing Revenue Account revenue and capital budgets.

To show performance against the approved estimates of revenue expenditure and income; report on major variances from planned budget performance; and report on variations to the Capital Programme for approval; all in accordance with the Council's Constitution.

Options considered:

Not applicable.

204 COMMUNITY PLAN PERFORMANCE QUARTER 2

The Transformation and Service Improvement Officer presented a report which detailed the Quarter 2 Community Plan Performance Report (July to September 2024). The report and accompanying presentation highlighted various projects undertaken by Business Units including cross objective working, community grant funding awards and some areas where performance was not meeting targets, including re-lets and processing Council tax and Housing benefits. Cabinet discussed the issue and noted that resources had been focused to address the back log in re-letting. With regard to the back-log in claims, the Council had seen a significant increases in claims since the migration to Universal Credit, which impacted our processing times for the Quarter. This had been addressed and at the start of December, times were now at or below target.

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.

205 HOUSING SERVICES COMPLIANCE REPORT

The Director- Housing, Health and Wellbeing presented a report which set out the performance position as of 30 September 2024 (Quarter 2) in the new format with regard to compliance, including actions to rectify identified issues. The report set 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.

Cabinet heard details of where performance was either in red or amber categories and the actions underway to attain compliance, noting actions to gain access to properties and delay with some Court processes.

AGREED (unanimously) that Cabinet note:

- a) the exceptions to performance of the housing service compliance functions; and
- b) the new format for performance for Quarter 2 2024/25 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.

Meeting closed at 6.44 pm.

Chair

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Public Document Pack Agenda Item 14h

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Executive Shareholder Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Tuesday, 3 December 2024 at 6.00 pm.

PRESENT: Councillor P Peacock (Chair)

Councillor C Penny, Councillor R Cozens, Councillor L Brazier, Councillor S Crosby, Councillor E Oldham, Councillor P Taylor and Councillor R Jackson

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

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

12 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

There were no declarations of interest.

13 MINUTES FROM THE PREVIOUS MEETING HELD ON 10 SEPTEMBER 2024

The minutes from the meeting held on 10 September 2024 were agreed as a correct record and signed by the Chair.

14 REVIEW OF EXEMPT ITEMS

The Leader presented a report which detailed the list of exempt business considered by the Executive Shareholder Committee for period 20 December 2022 to date, for the Committee to determine which reports could be released into the public domain. It was the opinion of Officers that all the reports should remain confidential due to the commercially sensitive nature of the content.

AGREED (unanimously) that the Executive Shareholder Committee note the report, with any items being released into the public domain if considered no longer exempt by report authors.

Reasons for Decision:

To review previous exempt reports and to consider if any information can be released into the public domain.

Options considered:

This report reviews previous exempt items of business considered by the Executive Shareholder Committee, in order to release any information into the public domain if appropriate.

An alternative approach to taking this report on an annual basis is to utilise the Freedom of Information regime which enables the public to request reports / information to be released at any time which would then be assessed on a case-by-case basis.

There is also provision under the Access to Information Procedure Rules for Members to request the Monitoring Officer to release exempt information into the public domain if there are substantive reasons to do so (paragraph 1.3 of the report refers).

15 ACTIVE4TODAY PERFORMANCE QUARTER 2

The Health Improvement and Community Relations Manager was in attendance to present a report detailing the performance of Active4Today for the period 1 April – 30 September 2024.

Overall membership had increased by 44, offsetting losses at Southwell Leisure Centre, and a reduction in anticipated utilities costs had contributed to the projected management fee for 2024-25 decreasing from a budgeted £749,100 to £81,200 representing a projected decrease in management cost to the Council of £667,900. This also included a budgeted £50,000 transfer to the Company's Target Reserve of £750,000 which currently stood at £640,188 in year. This set the subsidy per user at a forecast of 7p for 2024/25.

The Committee welcomed the report and the positive financial position.

AGREED (unanimously) that the Executive Shareholder Committee note the performance of Active4Today up to period 6, 2024-25.

Reasons for Decision:

To ensure that the shareholder has assurance and oversight of the company's performance ensuring that the company continues to deliver the outcomes required by the Council as aligned to the Councils Community Plan.

Options considered:

Not applicable

16 ARKWOOD DEVELOPMENTS PERFORMANCE QUARTER 2

The Managing Director- Arkwood was in attendance to present the performance report for quarter 2 and a presentation updating Members on recent progress with developments at Manea and Wirksworth and an update on the pipeline.

Members considered the report and presentation, noting the importance of pipeline sights for the financial success of the Company. Members welcomed the emphasis on Biodiversity Net Gain and inclusion of exemplar properties in developments where possible. Priorities set by the Committee, particularly in relation to sustainability, were driving work practices, for example the use of off-site manufacturing to reduce the number of days on site.

AGREED (unanimously) that Members note the Arkwood Performance Report (attached as the Appendix to the report) and consider company's performance against its targets and objectives highlighting any areas of high performance and identifying areas for improvement.

Reasons for Decision:

To ensure appropriate review of the Performance of the Councils wholly owned Housing Development Company (Arkwood).

Options considered:

Not applicable

Meeting closed at 7.36 pm.

Chair

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NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Planning Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Thursday, 5 December 2024 at 4.00 pm.

PRESENT: Councillor A Freeman (Chair)
Councillor D Moore (Vice-Chair)

Councillor A Amer, Councillor C Brooks, Councillor L Dales, Councillor S Forde, Councillor P Harris, Councillor P Rainbow, Councillor M Shakeshaft and Councillor L Tift

ALSO IN ATTENDANCE: Councillor N Allen

APOLOGIES FOR ABSENCE: Councillor K Melton, Councillor E Oldham, Councillor S Saddington, Councillor T Smith and Councillor T Wildgust

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

The Chair informed the Committee that the Council was undertaking an audio recording of the meeting and that it was being live streamed.

86 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillors A Freeman and L Dales declared an other registrable interest for any relevant items, as they were appointed representatives on the Trent Valley Internal Drainage Board.

87 MINUTES OF THE MEETING HELD ON 11 NOVEMBER 2024

AGREED that the minutes of the meeting held on 11 November 2024 were approved as a correct record and signed by the Chair.

88 LAND WEST OF STAYTHORPE ELECTRICITY SUBSTATION, STAYTHORPE ROAD, STAYTHORPE - 24/01261/FULM

The Committee considered the report of the Business Manager – Planning Development, which sought the infrastructure associated with the connection of battery energy storage system to National Grid Staythorpe Electricity Substation and associated works.

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

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the agenda from the applicant and local resident. This included confirmation that the applicant was willing to include the offer of transportation for those affected by the bus stop closure which could be included in the legal agreement should Members approve the scheme.

An Addendum was circulated to the Planning Committee which provided a number of adjustments to the wording of the report. There had been three comments submitted after the 11 November 2024 Planning Committee with no new material considerations.

Mr C Hall, resident, spoke against the application. Concerns were raised that no new highway information had been submitted contrary to the reasons for deferral. The Chair clarified that the deferral was limited to allow public consultation to be completed after the previous November Committee.

Mr M Turner, (Elements Green Staythorpe BESS Limited) agent for the applicant, spoke in support of the application.

Concern was raised by one Member about highway matters and the closure of the bus stop and the accessibility of the offer of transportation by the applicant. There was some disappointment at the lack of further information on the construction management issues. The appeal success of the original battery storage scheme was noted. Members found no material planning reasons to refuse the development.

AGREED (with 8 votes For, 1 vote Against and 1 Abstentions) that Planning Permission be approved subject to the following:

- (a) the completion of a S106 Agreement to secure, maintain and monitor Biodiversity Net Gain, a highway condition survey and works and bus stop mitigation; and
- (b) subject to the conditions contained within the report and as contained in the Schedule of Communication.

89 LAND AT OVERFIELD PARK, WINTHORPE, NEWARK ON TRENT - 23/01283/OUTM

The Committee considered the report of the Business Manager – Planning Development, which sought outline Planning Permission for up to 12,008sqm employment development (use class B2, B8, and E(g) i, ii and iii) with associated internal access roads, landscaping and drainage, all matters reserved.

A site visit had taken place prior to the commencement of the Planning Committee, on the grounds that there were particular site factors.

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

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the agenda from the applicant with suggested amendments to conditions 3 and 16.

Councillor D Armstrong, representing Coddington Parish Council, adjoining Parish Council, spoke against the application.

Mr R Jays (Lindum Group Ltd) agent for the applicant, spoke in support of the application.

The Local Ward Member also informed the Committee that Winthorpe Parish Council had submitted their planning response however that had not been received by the Planning Business Unit. The Business Manager referred to Winthorpe Parish Council concerns within his presentation.

Members considered the application, and concerns were raised regarding cumulative impact of commercial and industrial development in this area which was outside of Newark Urban Area; access issues; and the loss of the hotel as originally envisaged in the Site Allocation. Members agreed that a strategic view of commercial development needed to be considered through the Planning Policy Board. Concern was also raised regarding the pedestrian/cycle track. The roundabout was considered unsafe for cyclists and the cycle route was poor. The sustainability of the proposal for a shuttle bus was also raised.

The potential lack of viability of a hotel was discussed. Members sought clarity on the Site Allocation in the context of the recent Local Plan Examination; officers advised that the applicant has sought to modify the Allocation, including removal of the hotel requirement.

Members agreed that the site itself had no intrinsic value and that there were not strong enough material grounds to refuse.

Councillor P Harris left the meeting during the presentation.

AGREED (with 8 votes For and 1 vote Against) that:

- (a) planning permission be approved subject to the conditions contained within the report with the amendment to conditions 3 and 16 as contained in the Schedule of Communication; and
- (b) the signing and sealing of a Section 106 agreement.

90 87-89 MILL GATE, NEWARK - 24/01140/LBC

The Committee considered the report of the Business Manager – Planning Development, which sought the removal and replacement of rooftiles, replacement of roof membrane and re-pointing of chimney stacks with lime mortar.

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

Members asked questions about how long works might take and whether consideration would be given to local residents. The Business Manager explained that conditions included protection for the building from scaffold rigs. Members agreed that the works comprised sensible repairs that would safeguard the building.

Members considered the application acceptable.

Councillor P Harris having left the meeting and returned during the presentation of this item did not take part in the vote in accordance with the Planning Protocol.

AGREED (unanimously) that Listed Building Consent be approved subject to the conditions contained within the report.

91 REVIEW AND UPDATE OF THE PLANNING COMMITTEE PROTOCOL AND SCHEME OF DELEGATION

The Committee considered the report of the Director for Planning & Growth, which considered the review and update of the Planning Committee Protocol and Scheme of Delegation.

The report provided the background to public speaking which was introduced to the Planning Committee early 2024.

The suggested amended scheme of Delegation and Planning Protocol were appended to the report.

AGREED (unanimously) that:

- (a) the amendments to the Planning Committee Protocol and Scheme of Delegation be approved; and
- (b) delegated authority to officers to format, update and publish the amended Planning Committee Protocol and Scheme of Delegation.

92 THE OLD STABLE YARD, WINTHORPE ROAD, NEWARK ON TRENT, NG24 2AA - 24/00548/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the change of use of land to residential Gypsy/Traveller caravan site comprising six pitches each providing one static and one touring caravan and dayroom.

This application was presented to the 11 November 2024 Planning Committee with a recommendation of refusal. Following a site visit and debate at committee, Members resolved to approve this unanimously, and conditions were delegated to officers. As the application was contrary to the advice of the Environment Agency, clarification was sought regarding the need to notify them of the Council's intent to issue a permission. However, as the application was a non 'major' development there was no such requirement.

Nottinghamshire County Council had requested the imposition of two conditions; 1) to upgrade the access verge to the bypass (onto a road maintained by National Highways and officers noted that National Highways did not request such a condition) in order to protect their position as they did not to date know who would be responsible for the road following the dualling, and 2) to provide a bound internal access road within the site, which was already in situ. Officers considered that these

highway conditions were unreasonable and not necessary, failing the soundness tests set out in the NPPF. These conditions were not therefore imposed.

Conditions were shared with the applicant, and they confirmed these were reasonable and achievable for them. Eight conditions and four informatives were imposed as contained within the report and the decision was issued on 14 November 2024.

AGREED (unanimously) that the report be noted.

93 NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECTS ("NSIP") - UPDATE REPORT

The Committee considered the report of the Business Manager Planning Development, which provided an update on the status of the One Earth Solar Farm ("OESF") and Great North Road ("GNR") NSIP projects and for the Committee to note the activities undertaken by officers in recent months and to provide information on the up-and-coming milestones for these projects.

A Member sought clarification regarding what extent was the Planning Committee able to influence and lobby for community benefit and how could that be achieved. The Business Manager Planning Development confirmed that work was being undertaken regarding this although it was not a statutory requirement to undertake a public consultation. The Director for Planning Growth had raised this internally and community involvement would be undertaken.

A Member asked in relation to solar farms, if all applications were approved, what would be the percentage of land in the Newark and Sherwood District. Was there a cap nationally or locally or through Nottinghamshire County Council, as to how many solar farms could be built. The Business Manager – Planning Development confirmed that there was information regarding this and that he would circulate that information to Members of the Planning Committee.

AGREED (unanimously) that:

- (a) the report be noted; and
- (b) information regarding proposed solar farms in Newark and Sherwood district be circulated to Members of the Planning Committee.

94 APPEALS LODGED

AGREED that the report be noted.

95 APPEALS DETERMINED

AGREED that the report be noted.

96 DEVELOPMENT MANAGEMENT PERFORMANCE REPORT

The Committee considered the report of the Director for Planning & Growth relating to the performance of the Planning Development Business Unit over the three-month period July to September 2024.

A Member asked for names and telephone numbers to be circulated to Members for Officers in the Planning Business Unit, given the recent high turnover of staff.

A Member commented upon the 75% appeal win rate by the Local Planning Authority and asked if an analysis could be provided to Members of the Planning Committee. The Chair commented that the figures included in the report only contained one month of the current membership of the Planning Committee and asked if the figures for this Committee could be reported.

The Chair thanked Members and Officers for all their hard work regarding the Planning Committee and wished everyone a happy Christmas.

AGREED (unanimously) that:

- (a) the report be noted;
- (b) names and telephone numbers of Officers in the Planning Business Unit be circulated to Members of the Planning Committee; and
- (c) an analysis of the 75% win rate for appeals be provided to Members of the Committee, including a breakdown of the current Planning Committee.

Meeting closed at 6.15 pm.

Chair