

CABINET – TUESDAY, 4 JUNE 2024

DECISION NOTICE

The following decisions were taken on Tuesday, 4 June 2024 by Cabinet.

Date notified to all Members: **Thursday, 6 June 2024**  
End of the call-in period is **4.00 p.m. on Tuesday 11 June**

These decisions will not be implemented until after this date and time.

Present: P Peacock, R Cozens, S Crosby, L Brazier, K Melton, E Oldham, M Spoons, P Taylor and  
R Holloway

<u>Agenda Item No.</u>	<u>Subject</u>	<u>Decision</u>	<u>Action By</u>
6.	Grant Agreements (Key Decision)	<p>That Cabinet approves the recommendations of the Policy &amp; Performance Improvement Committee to:</p> <ul style="list-style-type: none"><li>a) move to three-year grant agreements for the charities listed in section 2.2 of the report; and</li><li>b) apply a 3% inflationary increase in years two and three of the grant agreements detailed in section 2.2 of the report.</li></ul> <p><u>Reasons for Decision:</u> Ceasing funding to these charities would cause a significant detriment to the service users and would also place additional pressure on the charities themselves (to cover their overheads), and the council and other service providers where gaps in service provision appear.</p> <p>Due to the diverse range of charities supported, there is a positive contribution across the whole community plan, including but not limited to: health and wellbeing, heritage and culture, housing and community spirit and pride of place.</p> <p><u>Options considered:</u> The Policy &amp; Performance Improvement Committee reviewed in detail the range of regular grant agreements in place with charities to determine whether the council was achieving value for money and could demonstrate impact and delivery of wider outcomes.</p> <p>The alternative, of ceasing grant funding to charities was considered but it was also considered that the Community Plan can only be achieved by working in partnership with others and at a variety of different levels – sometimes street based, sometimes regionally, nationally and internationally.</p>	Cara Clarkson, Business Manager – Regeneration & Housing Strategy

7.	Proposal to Site the 'Kiddey Stones' at Castle House	<p>That Cabinet:</p> <ul style="list-style-type: none"> <li>a) approve, in principle, the design and location of the Kiddey Stones to be installed at Castle House, Newark;</li> <li>b) support a period of public consultation on the proposals to enable residents and stakeholders to have their views on the plans, including the Town Council in whose ownership the stones are in; and</li> <li>c) agree that a report is brought back to Cabinet in September 2024 to formally endorse the scheme or otherwise with a budget to be included in the Council's capital programme.</li> </ul> <p><u>Reasons for Decision:</u> The recommendations align with the Community Plan objectives in relation to heritage and culture, particularly the specific actions around increasing the quantity and quality of public art in the district.</p> <p><u>Options considered:</u> The Kiddey Stones are part of Newark's heritage. For around 40 years they have been under tarpaulin in the town's cemetery. Without funding and a suitable location to site the stones, it is highly likely they will continue to remain away from public view. However, it is an option not to invest in the project.</p>	Matt Finch, Director – Communities & Environment
8.	Biodiversity Report - First Consideration (Key Decision)	<p>That Cabinet approves publication of the presented <i>Biodiversity Report – First Consideration</i> with finalised agreed actions to then be brought back to Cabinet for approval within 3 months of publication of the First Consideration report.</p> <p><u>Reasons for Decision:</u> Publication of the <i>Biodiversity Report – First Consideration</i> is recommended as this is a statutory requirement.</p> <p>Publication of the report does not commit the Council to the proposed actions within the report. Government expects actions to be finalised and agreed as soon as possible after publication of the report.</p> <p>The proposed actions have been given careful consideration to ensure that they are sufficiently exhaustive, proportionate and realistically deliverable. Consequently, it is considered that finalising and agreeing proposed actions within the recommended 3 months from publication of the report is an appropriate</p>	Nick Law – Biodiversity & Ecology Lead

		<p>time scale.</p> <p>The Biodiversity Report – First Consideration represents a framework for the Biodiversity Strategy which is a key objective of the Community Plan.</p> <p><u>Options considered:</u> Not applicable, the First Consideration report is a statutory requirement.</p>	
9.	Sherwood Levelling Up 3 - Update 2 - Ollerton and Clipstone (Key Decision)	<p>That Cabinet approve the following recommendations:</p> <p><b>Ollerton</b></p> <p>a) to forward fund a £35,000 budget associated with the LUF 3 funding to enable ongoing timely delivery of programme work streams including legal costs. This budget can be financed by the Capital Feasibility Reserve in advance of the LUF3 MoU with government, at which time the costs can be moved to the approved Capital scheme and the reserve be replenished;</p> <p>b) to agree for £20,909,757 to be added to the capital programme alongside the existing Exempt Approved Budget previously agreed by the Cabinet on 26 March 2024 to acquire the bank, financed in accordance with proposed sources of funding in accordance with the financial implications set out;</p> <p>c) Note the financial gap of £832,758 that is included within the £20,909,757 above, and that this be financed by borrowing as detailed in the financial implications in the report;</p> <p>d) to provide delegated authority to the Portfolio Holders for Strategy, Performance &amp; Finance in consultation with the Director - Resources, Director - Planning &amp; Growth, Business Manager - Corporate Property and Portfolio Holder Sustainable Economic Growth, to approve the Green Book Final Business Case (FBC), subject to:</p> <ul style="list-style-type: none"> <li>• the project being within the approved Capital Program budget of £20,909,757, (alongside the existing previous Exempt budget to acquire the bank); and</li> <li>• receipt of £14,995,999 of LUF3 Grant; and</li> <li>• the value of the required land transfers (paragraph 3.6 of the report);</li> <li>• a £3m contribution from NCC; and</li> <li>• a £1.106m grant from the Brownfield Land Release Fund (BLRF)</li> </ul> <p>e) to authorise the Director – Resources to secure all tenants for the development, subject to commercial</p>	Matt Lamb, Director – Planning & Growth

terms and any appropriate tenant incentivisation's, subject to meeting budget detailed at b) and d) above;

- f) to delegate to the Director - Resources, in consultation with the Director - Planning & Growth, Business Manager - Corporate Property and Portfolio Holders for Strategy, Performance & Finance and Sustainable Economic Growth, authorisation to submit a planning application, subject to meeting budget detailed at b) and d) above;
- g) to delegate to the Director – Resources and S151 Officer, in consultation with the Director - Planning & Growth, authorisation, subject to securing planning permission, to enter into any S106 agreement with NCC (who will be the enforcing body), along with any other necessary legal requirements as part of the planning process, subject to meeting budget at b) and d) above;
- h) to delegate to the Portfolio Holder for Strategy, Performance & Finance in consultation with the Portfolio Holder Sustainable Economic Growth, the Director – Resources and Director - Planning & Growth, authority to purchase in accordance with the requirements of the Council's Acquisitions and Disposals Policy the required land holdings from Ollerton & Boughton Town Centre and Johal Ltd), subject to budget at b) and d) above;
- i) to delegate to the Portfolio Holder for Strategy, Performance & Finance in consultation with the Portfolio Holder for Sustainable Economic Development, the Director – Resources and Director - Planning & Growth, authority to dispose of any commercial units to Johal Ltd upon landlord fit out in accordance with a jointly commissioned independent red book valuation, such a disposal to be legally agreed prior to appointment of a build contractor;
- j) to delegate to Director - Resources, in consultation with the Director - Planning & Growth, Business Manager - Corporate Property and Portfolio Holders for Strategy, Performance & Finance and Sustainable Economic Development, authorisation to continue to secure, subject to contract and meeting the approved budget detailed at recommendations b) and d) above, the main contractor through a public procurement framework; and
- k) to delegate to the Director - Resources, in consultation with the Assistant Director – Legal &

Democratic Services, Director - Planning & Growth, Business Manager - Corporate Property and Portfolio Holders for Strategy, Performance & Finance and Sustainable Economic Development, authorisation to enter into any legal agreements required to secure and allow ongoing access for Heron Food.

**Clipstone**

- l) to request a budget of £5,784,424 to be added to the Council's Capital Programme, financed by:
  - £417,212 S106 funding from Clipstone S106 (Open Space) contributions and £400,000 from the Councils committed 3G pitch provision within the Council's already approved Capital Program towards Clipstone Phase 2;
  - LUF3 grant of £4,967,212 toward Clipstone Phases 2 and 3; and
  - LUF grant of £32,788 be allocated towards the separate scheme, Clipstone Holdings scheme (Phase 1).
- m) to delegate to the Director - Resources, in consultation with the Director - Planning & Growth, Business Manager - Corporate Property and Portfolio Holders for Strategy, Performance & Finance and Sustainable Economic Growth, authorisation to submit a planning application, subject to l) above;
- n) to delegate to the Portfolio Holders for Strategy, Performance & Finance in consultation with the Portfolio Holder for Sustainable Economic Development, the Director - Resources, the Director - Planning & Growth, and Business Manager - Corporate Property authorisation to conclude any land purchase required to complete the development (including land at Vicar Water Country Park and the former Clipstone Colliery Land) subject to red book valuation reports and the scheme remaining within the recommended budget at l) above;
- o) to increase the revenue budget by £121,000 in advance of the LUF3 MOU with Government to continue development of the scheme through forward funding from the Change Management Reserve. Upon receipt of the LUF3 MOU and receipt of grant, the costs can be moved to the approved Capital budget and the reserve replenished;
- p) to delegate to the Director - Resources, in consultation with the Director - Planning & Growth, Business Manager - Corporate Property and Portfolio Holders for Strategy, Performance & Finance and Sustainable Economic Development, authorisation to

acquire the existing Vicar Water Country Park freehold, as detailed at Appendix B to the report;

- q) note the previous March 2024 Cabinet authorisation to negotiate and secure ongoing commitments from the Clipstone Miners Welfare Trust to ensure the District Council will have an ongoing role in the governance and management of any new Sports Facility associated with Phase 2 of the Clipstone regeneration project;
- r) to delegate to the Director - Resources, in consultation with the Director - Planning & Growth, Business Manager - Corporate Property and Portfolio Holders for Strategy, Performance & Finance and Sustainable Economic Development, authorisation to enter into a procurement exercise via an appropriate public procurement framework for the appointment of a main contractor, subject to the approved budget at recommendation l) above;
- s) to authorise the Director – Resources to secure all tenants for the development, subject to commercial terms and any appropriate tenant incentivisation’s, subject to meeting the overall capital program budget at l) above; and .
- t) to provide delegated authority to the Portfolio Holders for Strategy, Performance & Finance in consultation with the Director - Resources, Director - Planning & Growth, Business Manager - Corporate Property and Portfolio Holder Sustainable Economic Development, to approve the Green Book Final Business Case (FBC), subject to budget detailed above at l).

Reasons for Decision:

To allow progression, at pace, the development of the LUF 3 Projects with Development Partners and (prospective) tenants, including all necessary land deals, such that the Council can provide appropriate updates and implementation timelines to Government in order to continue to access the LUF 3 funding.

Options considered:

It remains an option to pause, stop, or reduce the scale of ambition of the LUF3 projects in Clipstone and Ollerton. This continues to be discounted at the current time given the desperate need to invest in these communities. The Regeneration Partners, including the District Council, remain committed to delivery notwithstanding the challenge of meeting the grant funding spend deadline of 31st March 2026.

10.	A46 Newark Bypass (Key Decision)	<p>That Cabinet:</p> <ul style="list-style-type: none"> <li>a) note the update provided in the report and the role of the Planning Committee and Director – Planning &amp; Growth in responding on behalf of the Council as Local Planning Authority; and</li> <li>b) authorise delegated authority to the Director of Resources/Deputy Chief Executive, in consultation with the Portfolio Holder for Strategy, Performance &amp; Finance and the Portfolio Holder for Sustainable Economic Development, to issue consultation responses in relation to the Council’s interests as affected landowner and any other executive functions if required, on behalf of the Council to the Development Consent Order process, with any final financial and/or physical works settlement to be brought back to Cabinet.</li> </ul> <p><u>Reasons for Decision:</u> 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.</p> <p><u>Options considered:</u> 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 highway, LEP 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.</p> <p>Options available to the Council as landowner as explored further in the report.</p>	Matt Lamb, Director – Planning & Growth
11.	Statement of Community Involvement Decision) (Key	<p>That Cabinet:</p> <ul style="list-style-type: none"> <li>a) note the consultation responses in Appendix 1 to the report;</li> <li>b) note and endorse the District Council responses in section 1 of the report; and</li> <li>c) formally adopt the Statement of Community Involvement (SCI) set out in Appendix 2 to the report.</li> </ul> <p><u>Reasons for Decision:</u> To ensure that the District Council is operating in</p>	Matthew Norton, Business Manager – Planning Policy & Infrastructure

		<p>accordance with the requirements of the SCI.</p> <p><u>Options considered:</u> As public speaking has been agreed, not updating the SCI to reflect this would not be appropriate.</p>	
12.	220 - 224 London Road, Balderton - Options Appraisal (Key Decision)	<p>That Cabinet:</p> <ol style="list-style-type: none"> <li>approve the proposal as set out in Option 3 – the sale of the properties;</li> <li>approve the progression of the sale in line with the Acquisitions &amp; Disposals Policy; and</li> <li>approve the reinvestment of the capital receipt in provision of new homes.</li> </ol> <p><u>Reasons for Decision:</u> To ensure both value for money and ensuring that homes are decent, warm and safe. The capital from disposal of these homes will be reinvested in new homes.</p> <p>The proposal links to Objective 2 of the Community Plan, to increase the supply, choice and standard of housing.</p> <p><u>Options considered:</u> Retain the properties and invest to bring the homes up to standard.</p>	Caroline Wagstaff, Business Manager – Housing Maintenance & Asset Management
13.	Homes for Ukraine and Local Authority Housing Fund Update	<p>That Cabinet note the content of the report and the achievements highlighted.</p> <p><u>Reasons for Decision:</u> This is an update report displaying the outcomes that have been achieved as part of this delivery programme.</p> <p>Aligning to 24/27 Community Plan objectives:</p> <ul style="list-style-type: none"> <li>Increase the supply, choice, and standard of housing.</li> <li>Raise peoples’ skills levels and create employment opportunities for the to fulfil their potential.</li> <li>To be a top performing, modern and accessible Council.</li> </ul> <p><u>Options considered:</u> Not applicable, the report is for noting only.</p>	Maria Cook, Assistant Business Manager – Housing & Estate Management
14.	Swimming Pool Support Fund Capital Grant Award	<p>That Cabinet:</p> <ol style="list-style-type: none"> <li>agree to utilise the capital grant of £61,356 awarded to progress the implementation of LED lighting upgrades and new pool covers at Newark Sports &amp; Fitness Centre, and</li> <li>add a budget of up to £71,356 to the Council’s</li> </ol>	Cara Clarkson, Business Manager – Regeneration & Housing



		<p>Capital programme, financed by the SPSF grant of £61,356 and up to £10,000 from Repairs &amp; Renewals in order that the works can proceed.</p> <p><u>Reasons for Decision:</u> To proposal will make a positive contribution to the Council's Community Plan 2023 – 2027 - Object 6 – 'Reduce the Impact of Climate Change'.</p> <p><u>Options considered:</u> The grant secured will enable the proposed works to be delivered in a timely manner, will reduce the leisure centres operating costs and reduce its carbon emissions accordingly.</p>	Strategy
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