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Monday, 15 July 2024

Chair: Councillor P Peacock

Members of the Committee:

**Councillor R Cozens
Councillor S Crosby
Councillor L Brazier
Councillor K Melton**

**Councillor E Oldham
Councillor M Spors
Councillor P Taylor
Councillor R Holloway**

MEETING:	Cabinet
DATE:	Tuesday, 23 July 2024 at 6.00 pm
VENUE:	Civic Suite, Castle House, Great North Road, Newark, NG24 1BY

**You are hereby requested to attend the above Meeting to be held at the time/place
and on the date mentioned above for the purpose of transacting the
business on the Agenda as overleaf.**

If you have any queries please contact Helen Bayne on helen.bayne@newark-sherwooddc.gov.uk.

AGENDA

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(Key Decision)

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Public Protection and Community Relations Portfolio

21. Final Public Spaces Protection Orders within Newark and Sherwood (Key Decision) 321 - 394

22. Emergency Planning - Flooding and Future Preparedness (Key Decision) 395 - 402

23. Exclusion of the Press and Public

The Committee will be invited to resolve:-

'To consider resolving 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.'

24. Approval for Disposal of HRA Property (Key Decision) 403 - 412

Agenda Item 4

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, 4 June 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 Spoons,
Councillor P Taylor and Councillor R Holloway

ALSO IN ATTENDANCE: Councillor P Rainbow

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

The Leader advised that the proceedings were being audio and video recorded which would be published on the website post meeting, as an issue with You Tube had meant that live streaming was not possible.

136 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

Councillor L Brazier declared an Other Registerable Interest in Agenda Item No. 6 – Grant Agreements - as a Trustee of Newark & Sherwood CVS and also in Agenda Item No. 9 – Sherwood Levelling Up – Ollerton and Clipstone as an Ollerton & Boughton Town Councillor.

Councillors S Crosby, M Spoons and P Taylor declared Other Registerable Interests in those items where Newark Town Council was referenced, given their roles as Newark Town Councillors.

137 MINUTES FROM THE PREVIOUS MEETING HELD ON 14 MAY 2024

The minutes from the meeting held on 14 May 2024 were agreed as a correct record and signed by the Chair.

138 GRANT AGREEMENTS (KEY DECISION)

The Business Manager – Regeneration and Housing Strategy presented a report which updated Cabinet on the review of grant funding arrangements undertaken by the Policy and Performance Improvement Committee and the recommendations which had been made.

The Policy and Performance Improvement Committee had recommended a move to a three year funding agreement for Citizens Advice Sherwood and Newark; Home Start Newark and Sherwood; Newark and Sherwood CVS; The Furniture Project; and Live and Local. The Committee also recommended that the Council ceases to fund Notts

and Lincs Credit Union and Newark and Sherwood Community Hub.

AGREED (unanimously) that Cabinet approves the recommendations of the Policy & Performance Improvement Committee to:

- a) move to three-year grant agreements for the charities listed in section 2.2 of the report; and
- b) apply a 3% inflationary increase in years two and three of the grant agreements detailed in section 2.2 of the report.

Reasons for Decision:

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.

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.

Options considered:

The Policy & 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.

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.

139 PROPOSAL TO SITE THE 'KIDDEY STONES' AT CASTLE HOUSE

The Director – Communities & Environment presented a report which put forward a proposal for the Cabinet to consider that could see work by the sculptor, Robert Kiddey, put on public view for the first time in 40 years, as part of plans to create a new art trail in Newark and beyond.

The Kiddey stone tablets had been stored at Newark Cemetery for many years. The Community Plan referenced a desire to increase the quality and quantity of public art in the District so it was considered that putting the stones on display would be a practical expression of that commitment and it could also mark the start of a new art trail around Newark town centre with more objects held by the Council being put on public display. The preferred option was for the stones to be placed outside Castle House. The cost to deliver the scheme was forecast at £81,240.

AGREED (with 8 votes for and 1 against) that Cabinet:

- a) approve, in principle, the design and location of the Kiddey Stones to be installed at Castle House, Newark;

- 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
- 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.

Reasons for Decision:

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.

Options considered:

The Kidney 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.

140 BIODIVERSITY REPORT - FIRST CONSIDERATION (KEY DECISION)

The Biodiversity & Ecology Lead Officer presented a report which set out proposed actions as a first consideration as to how the Council might meet its statutory biodiversity duty as set in legislation. The proposal was for the biodiversity duty 'first consideration' to be the document forming Appendix A to the report. The proposed future actions were summarised in the report.

AGREED (unanimously) that Cabinet approves publication of the presented *Biodiversity Report – First Consideration* with finalised agreed actions to then be brought back to Cabinet for approval within 3 months of publication of the First Consideration report.

Reasons for Decision:

Publication of the *Biodiversity Report – First Consideration* is recommended as this is a statutory requirement.

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.

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 time scale.

The Biodiversity Report – First Consideration represents a framework for the Biodiversity Strategy which is a key objective of the Community Plan.

Options considered:

Not applicable, the First Consideration report is a statutory requirement.

141 SHERWOOD LEVELLING UP 3 - UPDATE 2 - OLLERTON AND CLIPSTONE (KEY DECISION)

The Director – Planning & Growth presented a report which provided a comprehensive update on the progress of the Levelling Up Fund 3 (LUF 3) programme for the two place projects at Ollerton Town Centre and Mansfield Road, Clipstone, including funding and Full Business Cases development and the critical path for planning application submissions. It was noted that some of the financial elements redacted in the report given their commercial sensitivity were set out in an exempt appendix.

AGREED (unanimously) that Cabinet approve the following recommendations:

Ollerton

- 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;
- 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;
- 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;
- d) 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 Growth, to approve the Green Book Final Business Case (FBC), subject to:
 - the project being within the approved Capital Program budget of £20,909,757, (alongside the existing previous Exempt budget to acquire the bank); and
 - receipt of £14,995,999 of LUF3 Grant; and
 - the value of the required land transfers (paragraph 3.6 of the report);
 - a £3m contribution from NCC; and
 - a £1.106m grant from the Brownfield Land Release Fund (BLRF)
- e) 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 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 31 March 2026.

142 A46 NEWARK BYPASS (KEY DECISION)

The Director – Planning & Growth presented a report which provided an update on the A46 Newark Bypass, including the decision-making process for the project as one of several Nationally Significant Infrastructure Projects the Council would be involved with in the coming years. The report also set out the process for the Development Consent Order required and the associated role for the local planning authority, and the consequential impacts for the Council as landowner along the preferred A46 route.

AGREED (unanimously) that Cabinet:

- a) note the update provided in the report and the role of the Planning Committee and Director – Planning & Growth in responding on behalf of the Council as Local Planning Authority; and
- b) authorise delegated authority to the Director of Resources/Deputy Chief Executive, in consultation with the Portfolio Holder for Strategy, Performance & 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.

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 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.

Options available to the Council as landowner as explored further in the report.

143 STATEMENT OF COMMUNITY INVOLVEMENT (KEY DECISION)

The Business Manager – Planning Policy & Infrastructure presented a report which sought formal adoption of the Statement of Community Involvement following the public consultation process undertaken given proposed changes to the Statement to address that public speaking at the Planning Committee had been permitted. The consultation responses received were set out in Appendix 1 to the report and the

Council's responses to those and any required amendments to the Statement were detailed in the report.

AGREED (unanimously) that Cabinet:

- a) note the consultation responses in Appendix 1 to the report;
- b) note and endorse the District Council responses in section 1 of the report; and
- c) formally adopt the Statement of Community Involvement (SCI) set out in Appendix 2 to the report.

Reasons for Decision:

To ensure that the District Council is operating in accordance with the requirements of the SCI.

Options considered:

As public speaking has been agreed, not updating the SCI to reflect this would not be appropriate.

144 220 - 224 LONDON ROAD, BALDERTON - OPTIONS APPRAISAL (KEY DECISION)

The Business Manager – Housing Maintenance & Asset Management presented a report which presented the options appraisal for three Housing Revenue Account properties, 220-224 London Road following ongoing challenges with property condition and cost to remediate. The three options available to the Cabinet were detailed in full in the report and were to complete the extensive repair works required; to rebuild the properties; or to sell the properties in accordance with the Council's Acquisitions and Disposals Policy. Given the analysis in the report and the outline costs of the options considered and financial appraisal, the Cabinet supported the option to sell the properties.

AGREED (unanimously) that Cabinet:

- a) approve the proposal as set out in Option 3 – the sale of the properties;
- b) approve the progression of the sale in line with the Acquisitions & Disposals Policy; and
- c) approve the reinvestment of the capital receipt in provision of new homes.

Reasons for Decision:

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.

The proposal links to Objective 2 of the Community Plan, to increase the supply, choice and standard of housing.

Options considered:

Retain the properties and invest to bring the homes up to standard.

145 HOMES FOR UKRAINE AND LOCAL AUTHORITY HOUSING FUND UPDATE

The Assistant Business Manager – Housing & Estate Management presented a report which provided an update on the Homes for Ukraine scheme and the achievements of the Local Authority Housing Fund. Since the Homes for Ukraine scheme commenced, the Council had assisted 181 individuals or groups into hosted placements and under the Local Authority Housing Fund the Council had secured grant funding to enable the delivery of 14 homes with match funding.

AGREED (unanimously) that Cabinet note the content of the report and the achievements highlighted.

Reasons for Decision:

This is an update report displaying the outcomes that have been achieved as part of this delivery programme.

Aligning to 24/27 Community Plan objectives:

- Increase the supply, choice, and standard of housing.
- Raise peoples' skills levels and create employment opportunities for the to fulfil their potential.
- To be a top performing, modern and accessible Council.

Options considered:

Not applicable, the report is for noting only.

146 SWIMMING POOL SUPPORT FUND CAPITAL GRANT AWARD

The Business Manager – Regeneration & Housing Strategy presented a report which sought Cabinet approval to utilise the capital grant awarded to the District Council through the Sport England Swimming Pool Support Fund (SPSF) Phase 2 Programme to enable the energy efficiency improvements works planned for Newark Sports & Fitness Centre to be implemented.

AGREED (unanimously) that Cabinet:

- a) 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 & Fitness Centre; and
- b) add a budget of up to £71,356 to the Council's Capital programme, financed by the SPSF grant of £61,356 and up to £10,000 from Repairs & Renewals in order that the works can proceed.

Reasons for Decision:

To proposal will make a positive contribution to the Council's Community Plan 2023 – 2027 - Object 6 – 'Reduce the Impact of Climate Change'.

Options considered:

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.

Meeting closed at 7.34 pm.

Chair



Report to: Cabinet : 23 July 2024

Director Lead: Sanjiv Kohli – Deputy Chief Executive and Director - Resources

Lead Officer: Nick Wilson, Business Manager – Financial Services

Report Summary	
Report Title	Provisional Financial Outturn Report to 31 March 2024
Purpose of Report	<p>To present to Members the provisional 2023/24 financial outturn position on the Council’s revenue and capital budgets, including:-</p> <ul style="list-style-type: none"> • General Fund Revenue • Housing Revenue Account • Capital Programme • Provisions and Impaired Estimates on Debtors • Usable Reserves • Collection Fund <p>This report provides Members with a summary of actual income and expenditure compared to the revised budget and how any surpluses/deficits have been allocated to/from reserves.</p>
Recommendations	<p>That the final outturn of revenue and capital spending for 2023/24 be noted;</p> <p>That the variation to the capital programme, as set out in paragraph 1.15 and 1.16 be approved;</p> <p>That the capital financing proposals as set out in paragraph 1.20 be approved;</p> <p>Capital Programme reprofiling of £13.588m carried forward into 2024/25 as per appendices E and F;</p> <p>That the movement in Provisions and Impaired Estimates on Debtors be noted;</p>

	That the creations of the new reserves, as outlined in paragraph 1.27, be approved; and
	That the individual contributions to, and withdrawals from, the revenue and capital Usable Reserves be noted.

1.0 Background

Overview of Provisional General Fund (GF) Revenue Outturn for 2023/24

- 1.1 The accounts show a favourable variance of £0.252m on service budgets, with a total favourable variance of £0.989m as follows:-

Table 1: General Fund Revenue Outturn for 2023/24 Financial Year as at 31 March 2024

	Budget £'m	Outturn £'m	Variance £'m
Biodiversity and Environmental Services	1.532	1.539	0.007
Climate Change	2.792	2.628	(0.164)
Community Safety & Community Development	2.440	2.482	0.042
Health, Wellbeing and Leisure	3.925	3.854	(0.071)
Heritage, Culture & the Arts	0.868	0.716	(0.152)
Housing	5.158	5.146	(0.012)
Strategy, Performance & Finance	10.950	11.307	0.357
Sustainable Economic Development	4.873	4.614	(0.259)
Net Cost of Services	32.538	32.286	(0.252)
Other Operating Expenditure	4.487	4.634	0.147
Finance & Investment Income & Expenditure	(2.547)	(2.540)	0.007
Taxation & Non Specific Grant Inc	(25.967)	(26.748)	(0.781)
Net Cost of Council Expenditure	8.511	7.632	(0.879)
Transfer to/(from) Unusable Reserves	(7.140)	(7.250)	(0.110)
Transfer to/(from) Usable Reserves	(1.371)	(0.382)	0.989
Transfer to/(from) General Balance	0.000	0.000	0.000

- 1.2 Based on the table above, usable reserves have increased by £0.989m. This increase has been applied to the Medium Term Financial Plan Reserve to assist with mitigating future funding pressures. The statutory General Fund balance has not varied during the year and remains at £1.500m, which is in accordance with the Medium Term Financial Plan approved on 7 March 2024.
- 1.3 The table below shows further detail regarding the variances which make up the additional transfer of £0.989m into Usable Reserves:-

Reason for Variance	Value £'m
Savings in Microsoft licencing £0.073m, £0.100m in additional charges to the HRA in respect of the build of the new Housing Management system	(0.194)
Vacant posts within the Administration Business Unit	(0.071)
Increase in cost of rent allowance payments and discretionary support for Council Tax payers	0.165
Housing Benefit grant income less than budgeted	0.120
Additional income of £0.052m across Trade refuse, Bulky waste and Garden waste together with reductions in payments to Notts County Council for waste disposal and a lower reliance on agency staff	(0.088)
Additional net income generated at the Palace Theatre	(0.110)
Vacant posts within the Health and Community relations team	(0.072)
Additional planning income of £0.190m together with a saving in outsourced legal costs	(0.266)
Reduction in income generation as major tenant moved out of the Beacon within the year.	0.073
Increase in utility costs within Castle House	0.093
Costs incurred by the Council in relation to the flooding events.	0.094
Reduction in income generation at the lorry park due to the floods, together with the cleaning costs of taking away flood waters	0.097
Charge to HRA no longer applicable for the	0.053
Budgets created in relation to glass recycling not expended in year £0.050m additional vehicle inspection income of £0.018m and additional recharge to HRA for the cost of repairs to vehicles £0.046m	(0.128)
Other Variances	(0.018)
Favourable variance on services	(0.252)
Contribution towards bad debt provision	0.154
Additional income from the Nottinghamshire Business Rates Pool	(0.541)
Reduction in Minimum Revenue Provision due to slippage on Bowbridge Road Carpark scheme in 2022/23	(0.110)
Internal Drainage Board grant received in year	(0.240)
Additional transfer to Usable reserves	0.989

- 1.4 Further details of the favourable variance on Service Budgets managed by the Business Managers of £0.252m against directorate budgets are in Appendix A.
- 1.5 Net Interest receivable amounted to £1.165m over budget. This was based on actual interest rates being higher than budgeted throughout the course of the year. The budget was based upon average interest rates being at 3.00% and average balances of £45.326m, whereas the outturn was an average interest rate of 4.72% on average balances of £59.759m. The increase in average balances was mainly due the movement in the Capital Programme budgets in year.

- 1.6 The additional interest has been assigned to the Capital Provision Earmarked reserve, replacing the need for borrowing in the approved capital program for specific short-lived assets. As a result, this will lead to future revenue savings by reducing the annual Minimum Revenue Provision (MRP) charge. Specifically, the savings will amount to £0.104m in 2025/26 and £0.143m throughout the Medium-Term Financial Plan (MTFP) period thereafter.
- 1.7 Business Rates amounted to £0.541m over the anticipated budgeted figure. This was due to the growth that has been seen over a number of years in the Districts' business' ratable values. £1.459m was received in returned funding from the Nottinghamshire Business Rates pool (for which £0.600m was budgeted for). As there was further growth generated in year an additional £0.408m was paid to Nottinghamshire County Council in levy payments. The remaining £0.090m was additional section 31 grants, tariff adjustments and renewable energy in year.

Final position (as at 31 March 2024) compared to previous position (as at 31 December 2023)

- 1.8 The previous budget monitoring report to Cabinet projected an unfavourable variance against the revised budget of £0.331m on Service budgets. This report describes the actual favourable variance, against the revised budget, of £0.252m on Service budgets: an increase of £0.583m. *Table 2* summarises the changes in variance against committee budgets between the two reports. Further details of these changes by Portfolio are in **Appendix B**.

Table 2: General Fund Revenue Outturn: Changes in Variance by Committee Between Reports

Net Cost of Services variance as at 31/12/2023 (05/03/2024 Cabinet report)	0.331
Biodiversity and Environmental Services	(0.068)
Climate Change	(0.089)
Community Safety & Community Development	0.114
Health, Wellbeing and Leisure	(0.030)
Heritage, Culture & the Arts	(0.091)
Housing	(0.011)
Strategy, Performance & Finance	(0.355)
Sustainable Economic Development	(0.053)
Net Cost of Services variance as at 31/03/2024 (25/06/2024 Cabinet report)	(0.252)

Carry Forwards

- 1.9 Previous years have seen officers requesting carry forwards of underspends that relate to the timing of payments that have extended past the year-end date of 31st March in year. This year, the s151 Officer has approved £0.695m to be carried forward into 2024/25.

- 1.10 Any unspent conditional grants are dealt with separately and are transferred to the balance sheet for either repayment or expenditure in the following year dependent upon its terms and conditions.

Overview of Provisional Housing Revenue Account (HRA) Outturn for 2023/24

- 1.11 The financial outturn position to 31 March 2024 for the HRA before appropriations to reserves is a deficit of £0.099m. *Table 3* summarises these variances.

Table 3: HRA Revenue Outturn for 2023/24 Financial Year as at 31 March 2024

	Budget £'m	Outturn £'m	Variance £'m
Expenditure	27.917	27.721	(0.196)
Income	(27.854)	(27.805)	0.049
Net Cost of HRA Services	0.063	(0.084)	(0.147)
Other Operating Expenditure	(0.034)	0.052	0.086
Finance & Investment Income/Expenditure	3.809	3.969	0.160
Taxation & Non Specific Grant Income	(1.643)	(1.643)	0.000
(Surplus)/Deficit on HRA Services	2.195	2.294	0.099
Movements in Reserves			
Transfer to/(from) Usable Reserves	1.547	1.547	0.000
Transfer to/(from) Unusable Reserves	(14.204)	(14.204)	0.000
Transfer to Major Repairs Reserve - Depreciation	5.994	5.784	(0.210)
Transfer to Major Repairs Reserve – Revenue Contribution	4.468	4.579	0.111
Total	0.000	0.000	0.000

- 1.12 Further details of the variances against HRA budgets are in **Appendix C**.
- 1.13 Further details of the changes in variance between this report and the previous report are in **Appendix D**.

Overview of Provisional Capital Outturn for 2023/24

- 1.14 Capital monies are spent on building or enhancing the Council's asset base. There are rules and regulations regarding what can be classed as capital expenditure and this spend must be financed separately from the day to day running costs of the Council.
- 1.15 Members approved all variations to the Capital Programme. At its meeting on 5 March 2024, Cabinet approved the revised budget of £69.585m. Since that meeting, there has been one change made to the budget in the General Fund, in relation to the use of S106, approved via an urgent decision on 5 March 2024. This has increased the budget by £0.264m to £60.849m. This has been included in the detail at **Appendix E**.

- 1.16 In addition to the above change, Cabinet Approval is being sought for the allocation of £0.119m S106 monies in relation to Phase 3 Cluster 4 affordable housing project. This is a specific affordable housing contribution (reference AG1224), in relation to the land at 17 Northgate which now forms 12 Flats. This does not change the overall budget; it is the use of this funding to finance the expenditure.
- 1.17 The accounts show lower levels of expenditure of £14.464m or 20.7% of the revised capital programme budget. As with all financial programmes, there will always be an element of slippage on capital schemes at the end of the financial year. It is proposed that the Cabinet approve the re-profiling of capital schemes totalling £13.588m (£10.297m GF and £3.291m HRA) as detailed in **Appendices E and F**. This is because the majority of the schemes are already committed. For clarity, where a scheme has been completed, any remaining budgets will not be carried forward.

Table 4: GF and HRA Capital Outturn for 2023/24 Financial Year as at 31 March 2024

Spend Type	Budget Approved as per Cabinet 5/3/24 £'m	Revised Post Cabinet £'m	Outturn £'m	Variance £'m
GF	18.284	18.548	9.832	(8.716)
GF REFCUS*	33.975	33.975	31.518	(2.457)
GF Total	52.259	52.523	41.350	(11.173)
HRA	17.215	17.215	13.924	(3.291)
HRA REFCUS*	0.111	0.111	0.111	0.000
HRA Total	17.326	17.326	14.035	(3.291)
GF and HRA Total	69.585	69.849	55.385	(14.464)

*REFCUS relates to Revenue Expenditure funded from Capital under Statute i.e. expenditure on non-Council-owned assets e.g. disabled facilities grants.

- 1.18 The GF variance of £11.173m is comprised of £10.297m of carry forward requests, and favourable variances of £0.876m. Further details are in **Appendix E**.
- 1.19 The HRA variance of £3.291m is comprised of £3.291m of carry forward requests. Further details are in **Appendix F**.
- 1.20 Capital spending in the year totalled £55.385m. This Capital expenditure has been funded by a combination of borrowing, external grants and contributions, receipts, major repairs reserve and revenue contributions. It is proposed that Cabinet approve the revised capital financing proposals as summarised in *Table 5*:

Table 5: Proposed 2023/24 GF and HRA Capital Outturn Financing

Source of Financing	GF Programme £'m	HRA Programme £'m	Total £'m
Borrowing	3.257	0	3.257
External Grants & Contributions	33.486	1.643	35.129
Capital Receipts	0.139	2.046	2.185
Revenue Contributions	4.468	10.346	14.814
Total Financing	41.350	14.035	55.385

Provisions for Future Liabilities

- 1.21 Provisions are made when an event has taken place that gives the Council an obligation that probably requires settlement, can be reasonably estimated, but where the timing of the payment is uncertain. Good practice requires that any movements in a Provision should be approved separately by Cabinet. The provisions in the table below relate to alterations and appeals against the rateable values (RV) provided for on properties in the National Non-Domestic Rating list (NNDR). The amounts shown in the Statement of Accounts (and hence in the table below) relate to this Council's element for the provision for appeals. 2023/24 saw the release of a refreshed rating list from the valuation office. This is the third such list since rates retention came into effect in April 2013. As a result of the new list being released, from April 2023 no further appeals for the prior lists are able to be lodged, this in turn has resulted in lower threats to our rating income. During the year 2023/24, £0.969m was charged against the provision in relation to RV adjustments in relation all 3 rating lists and £1.259m was released from the provision (£2.235m was released from the 2017 list provision and £0.976m was added for the 2023 list provision). 40% of all provisions are applicable to NSDC (£0.388m charge and £0.504m release therefore £0.891m as the NSDC share). The provisions provided for in *Table 6* are the Council's 40% share, as follows:

Table 6: 2023/24 Movements in GF Provision – NNDR

General Fund Provision (NNDR) – Period of Settlement for Appeals	Balance B/Fwd 01/04/2023 £'m	Movement in Year £'m	Actual Balance 31/03/2024 £'m
Provision for Appeals – NNDR settled within 12 months	(0.353)	0.151	(0.202)
Provision for Appeals – NNDR settled after 12 months	(1.117)	0.740	(0.377)
Provision for Appeals – NNDR Total	(1.470)	0.891	(0.579)

- 1.22 The Council receive external advice (from Analyse Local) relating to the level of provision that should be held. The Advisors suggest that there is a risk of £0.010m which relates to the Rateable Value list which began in 2010. From the revaluation of the 2010 ratings list which occurred in 2017, there has been limited information relating to the levels of appeals due to the Governments new "Check, Challenge, Appeal" process.

Analyse Local have used their knowledge and understanding from a national perspective to estimate the total liability for the 2017 list which amounts to £0.506m and a total liability for the 2023 list amounting to £0.942m. This gives a total provision at Collection Fund level of £1.448m of which this Council recognises 40% (£0.579m) due to its share of the overall NNDR income.

Impaired Estimates on Debtors

1.23 Impaired Estimates on Debtors is an estimation of the amount that will remain uncollectable after a certain time period and may require write off in the future accounts of the Council. The calculation is based upon on the age and amounts of debt owed to the Council based on a hierarchical percentage i.e. the older the debt, the greater likelihood of non-collection. Good practice requires that movements in the Impaired Estimates on Debtors should be approved separately by Members. *Table 7* details these:

Table 7: 2023/24 Movements in GF and HRA Impaired Estimates on Debtors

Debtor Type	Balance B/Fwd 01/04/2023 £'m	Movement in Year £'m	Actual Balance 31/03/2024 £'m	Overall Provision incl. other preceptors 31/03/2024 £m
GF - Sundry Debts	(0.062)	(0.103)	(0.165)	(0.165)
GF - Housing Benefit	(0.946)	(0.055)	(1.001)	(1.001)
GF - Council Tax Debts	(0.464)	0.016	(0.448)	(3.861)
GF - Business Rates Debts	(0.481)	0.200	(0.281)	(0.704)
GF – Impaired Estimates on Debtors	(1.953)	0.058	(1.895)	(5.731)
HRA - Sundry and Other Debts	(0.022)	0.003	(0.019)	(0.019)
HRA - Former Tenants	(0.288)	(0.005)	(0.293)	(0.293)
HRA - Current Tenants	(0.048)	(0.007)	(0.055)	(0.055)
HRA – Impaired Estimates on Debtors	(0.358)	(0.009)	(0.367)	(0.367)

Usable Capital Reserves

1.24 A Reserve is created for a specific future purpose or to cover contingencies. In accordance with the Code; these Usable Reserves must be separately identified between those that are retained for Capital purposes and those that are retained for Revenue purposes. Again, good practice dictates that any movements in existing reserves, or the creation of any new reserves, be approved by Members.

1.25 Capital reserves are used to fund spend incurred on the approved capital programme. *Table 8* details the position as at 31 March 2024:

Table 8: Capital Reserves used to Fund GF and HRA Capital Programmes as at 31 March 2024

Capital – Type of Reserve Used to Fund Capital Programme	Balance B/Fwd 01/04/2023 £'m	Cont'n in Year £'m	Use in Year £'m	Actual Balance 31/03/2024 £'m	Anticipated balance at 31/03/2028 £'m
Capital - GF					
Usable Capital Receipts	0.000	0.065	0.026	0.039	1.790
Capital Grants Unapplied	14.047	(0.775)	2.115	11.157	5.834
Capital – HRA					
Usable Capital Receipts – HRA	1.373	0.332	1.586	0.119	0.684
Usable Capital Receipts - RTB's	0.000	0.459	0.459	0.000	0.000
Capital Grants Unapplied	0.000	0.000	0.000	0.000	0.000
Major Repairs Reserve (MRR)	13.243	10.363	15.582	8.024	8.333
Capital - Total	28.663	10.444	19.768	19.339	16.641

Usable Revenue Reserves

1.26 Revenue reserves are used to fund anything that is not capital in nature, albeit can be applied to capital expenditure if necessary. They cover such areas as donations, external grants and contributions for future service provision, or specific sums of money held for a specific purpose. The tables below show high level balances against the categories of the reserves that are held for each fund together with current approved commitments and hence a forecast balance. **Appendix G** details the movement on General Fund Reserves and **Appendix H** shows HRA Reserves.

General Fund	Opening Balance £'m	Closing Balance £'m	Commitments £'m	Forecast Balance £'m
Budget funding reserve	(7.265)	(9.838)	1.074	(8.764)
Earmarked for Known Pressure	(7.187)	(7.348)	3.044	(4.304)
Ringfenced	(2.197)	(1.977)	0.081	(1.896)
Un-ringfenced	(15.671)	(13.486)	11.033	(2.453)
Total	(32.320)	(32.649)	15.232	(17.417)

Service variances combined with non-service related income and expenditure variances has meant that overall the District Council has increased its General Fund reserves by £0.329m. This increase has been identified as being related to:

	£'m
Brought Forward Reserves balance	32.320
Budgeted increase in reserves	1.457
Business Rates Pool contribution to MTFP reserve	0.600
Contributions to Capital Expenditure	(3.209)

Contributions from additional interest receivable	1.165
Favourable variance in cost of running Council	0.989
Other movements	(0.673)
Reserves balance as at 31st March 2024	32.649

HRA	Opening Balance £'m	Closing Balance £'m	Commitments £'m	Forecast Balance £'m
Earmarked for Known Pressure	(5.115)	(4.227)	0.532	(3.695)
Un-ringfenced	(2.000)	(2.000)	0.000	(2.000)
Total	(7.115)	(6.227)	0.532	(5.695)

Service variances combined with non-service related income and expenditure variances has meant that overall the District Council has decreased its Housing Revenue Account reserves by £0.888m. This decrease has been identified as being related to:

	£'m
Brought Forward Reserves balance	7.115
Budgeted decrease in reserves	(0.500)
Contributions to Capital Expenditure	(0.350)
Favourable variance in cost of running HRA	0.111
Other movements	(0.149)
Reserves balance as at 31st March 2024	6.227

1.27 During the year one new General Fund reserves have been set up:

Reserve name	Balance as at 31 Mar 2024 £'m	Purpose
Emergency Planning/Flooding Reserve	(0.060)	Funds have been earmarked for addressing and managing potential emergency situations, including localised flooding.

The Collection Fund 2023/24

1.28 The Collection Fund accounts for the income from the collection of Council Taxes and Business Rates, and the subsequent disbursement to local authority preceptors and central government.

1.29 The in-year surplus on the Council Tax account was £0.185m, which reduced the overall deficit from £1.509m at 1 April 2023 to £1.324m at 31 March 2024.

- 1.30 The Code prescribes that the Statement of Accounts only show the element of Council Tax that relates to Newark & Sherwood District Council. In this regard, the share of the Council Tax deficit of £1.324m that relates to Newark & Sherwood District Council as at 31 March 2024 is £0.154m. £1.000m of the deficit was estimated during January 2024 and is therefore being recouped during 2024/25 from Council Tax preceptors. £0.117m of this related to Newark & Sherwood DC and has been budgeted for accordingly.
- 1.31 The in-year surplus on the Business Rates account was £1.864m, which increased the overall surplus from £0.133m at 1 April 2023 to £1.997m at 31 March 2024.
- 1.32 The Code prescribes that the Statement of Accounts only show the element of business rates that relates to Newark & Sherwood District Council. In this regard, the share of the business rates surplus that relates to Newark & Sherwood District Council as at 31 March 2024 is £0.799m. The Council declared an estimated surplus as at 31st March 2024 of £1.011m during January and hence £0.404m has been included within the 2024/25 budget.

Pensions

- 1.33 The details regarding the Council's share of the Nottinghamshire County Council Pension Fund are provided for Members consideration at **Appendix I**.
- 1.34 Barnett Waddingham are the Pension Fund's appointed Actuary and their report sets out the assumptions used to prepare the IAS19 pension figures reported in the Council's accounts. It is best practice to consider these assumptions prior to agreeing their use and inclusion in the Statement of Accounts for 2023/24. The Audit & Governance Committee considered these at their meeting in April 2024.

2.0 Proposal/Options Considered and Reasons for Recommendation

- 2.1 To approve the Financial Outturn position for the Council for the 2023/24 financial year.

3.0 Implications

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

Background Papers and Published Documents

Statement of Accounts files & working papers 2023/24
Capital Finance Account's 2023/24 files
Housing Revenue Account's 2023/24 files

General Fund (GF) Revenue Outturn Variance Analysis by Portfolio and Business Unit as at 31 March 2024

Favourable variances are bracketed and in red - £(0.000)m. Unfavourable variances are in black - £0.000m. All amounts are in millions of pounds (£'m).

Biodiversity and Environmental Services - £0.007m		£'m
All	Other Small Variances	0.007
Biodiversity and Environmental Services Total		0.007

Climate Change - £(0.164)m		£'m
Environmental Services	Additional income of £0.052m across Trade refuse, Bulky waste and Garden waste together with reductions in payments to Notts County Council for waste disposal and a lower reliance on agency staff	(0.088)
Environmental Services	Budgets created in relation to glass recycling not expended in year £0.050m additional vehicle inspection income of £0.018m and additional recharge to HRA for the cost of repairs to vehicles £0.046m	(0.128)
All	Other Small Variances	0.052
Climate Change Total		(0.164)

Community Safety and Community Development - £0.042m		£'m
Public Protection	Costs incurred by the Council in relation to the flooding events.	0.094
Housing Options, Health & Community Relations	Vacant posts within the Health and Community relations team	(0.072)
All	Other Small Variances	0.020
Community Safety and Community Development Total		0.042

Health, Wellbeing and Leisure - £(0.071)m		£'m
Environmental Services	Vacant Apprentice post in Parks Team	(0.022)
All	Other Small Variances	(0.049)
Health, Wellbeing and Leisure Total		(0.071)

Heritage, Culture, and the Arts - £(0.152)m		£'m
Economic Growth	Promotion of Tourism vacancies during the year	(0.021)
Heritage and Culture	Additional net income generated at the Palace Theatre	(0.110)
All	Other Small Variances	(0.021)
Heritage, Culture, and the Arts Total		(0.152)

Housing - £(0.012)m		£'m
Housing, Health & Community Relations	Vacancy in Housing Options team	(0.019)
All	Other Small Variances	0.007
Housing Total		(0.012)

Strategy, Performance and Finance - £0.357m		£'m
ICT & Digital Services	Savings in Microsoft licencing £0.073m, £0.100m in additional charges to the HRA in respect of the build of the new Housing Management system	(0.194)
Revenues and Benefits	Increase in cost of rent allowance payments and discretionary support for Council Tax payers	0.165
Revenues and Benefits	Housing Benefit grant income less than budgeted	0.120
Corporate Property	Increase in utility costs within Castle House	0.093
Corporate Property	Reduction in income generation as major tenant moved out of the Beacon within the year.	0.073
Corporate Property	Reduction in income generation at the lorry park due to the floods, together with the cleaning costs of taking away flood waters	0.097
All	Other Small Variances	0.003

General Fund (GF) Revenue Outturn Variance Analysis by Portfolio and Business Unit as at 31 March 2024

Favourable variances are bracketed and in red - £(0.000)m. Unfavourable variances are in black - £0.000m. All amounts are in millions of pounds (£'m).

Strategy, Performance and Finance Total		0.357
Sustainable Economic Development - £(0.259)m		£'m
Planning Development	Additional planning income of £0.190m together with a saving in outsourced legal costs	(0.266)
All	Other Small Variances	0.007
Sustainable Economic Development Total		(0.259)
General Fund Revenue Outturn Variance for Services		(0.252)

General Fund (GF) Revenue Outturn Change in Variance Analysis by Portfolio Holder between 31 December 2023 and 31 March 2024

Favourable variances are bracketed and in red - £(0.000)m. Unfavourable variances are in black - £0.000m.

All amounts are in millions of pounds (£'m)

Biodiversity and Environmental Services - Variance as at 31/12/2023		0.075
Environmental Services	More work carried out by Street Scene Grounds Maintenance which was chargeable to third parties	(0.057)
All	Other small variances	(0.011)
Biodiversity and Environmental Services - Variance as at 31/03/2024		0.007

Climate Change - Variance as at 31/12/2023		(0.075)
Environmental Services	Unexpected increase in use of Bulky Waste service	(0.024)
Environmental Services	Third Party vehicle inspection fees and works carried out on HRA vehicles higher than forecast	(0.043)
All	Other small variances	(0.022)
Climate Change - Variance as at 31/03/2024		(0.164)

Community Safety and Community Development - Variance as at 31/12/2023		(0.072)
Public Protection	Costs incurred by the Council in relation to the flooding events.	0.094
All	Other small variances	0.020
Community Safety and Community Development - Variance as at 31/03/2024		0.042

Health, Wellbeing and Leisure - Variance as at 31/12/2023		(0.041)
All	Other small variances	(0.030)
Health, Wellbeing and Leisure - Variance as at 31/03/2024		(0.071)

Heritage, Culture and the Arts - Variance as at 31/12/2023		(0.061)
Heritage and Culture	Net income for shows at the Theatre, including bar and catering exceeded expectations	(0.070)
All	Other small variances	(0.021)
Heritage, Culture and the Arts - Variance as at 31/03/2024		(0.152)

Housing - Variance as at 31/12/2023		(0.001)
All	Other small variances	(0.011)
Housing - Variance as at 31/03/2024		(0.012)

Strategy, Performance and Finance - Variance as at 31/12/2023		0.712
ICT & Digital Services	Savings in Microsoft licencing along with additional charges to the HRA in respect of the build of the new Housing Management system	(0.170)
Corporate Property	Electricity Costs across all Corporate properties had been forecast based on prices at the time, this was not as high as expected	(0.174)
All	Other small variances	(0.011)
Strategy, Performance and Finance - Variance as at 31/03/2024		0.357

Sustainable Economic Development - Variance as at 31/12/2023		(0.206)
Planning Development	Payments to Nottinghamshire County Council regarding Land Charges were not as high as forecasted at the end of December 2023.	(0.024)
All	Other Small Variances	(0.029)
Sustainable Economic Development - Variance as at 31/03/2024		(0.259)

General Fund Revenue Outturn for Services - Variance as at 31/03/2024		(0.252)
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Housing Revenue Account (HRA) Revenue Services Outturn Variance Analysis as at 31 March 2024

Favourable variances are bracketed and in red - £(0.000)m. Unfavourable variances are in black - £0.000m.

HRA - (£0.147m)	£'m
Timing delay of budget requirement for Yorke Drive, budgeted for now in 2024/25	(0.424)
Vacancies and timing delays of budget requirement in Voids maintenance	(0.123)
Vacancies within the Tenancy and Estates team, together with delays in the workplan for engagement with tenants due to influx of regulatory consultations in 2023/24	(0.074)
Increase in numbers of properties where gas servicing carried out for compared with the budget	0.203
Backdated Business Rates charge for all Community Centres, as they had never been rated by the Valuation Office Agency previously	0.100
Concierge service was agreed not to be provided during 2023/24, hence a reduction in budgeted income	0.079
Vacancies within the Income Management Team	(0.053)
Other small variances	0.145
Total	(0.147)

Housing Revenue Account (HRA) Revenue Outturn Change in Variance Analysis as at 31 March 2024

Favourable variances are bracketed and in red - £(0.000)m. Unfavourable variances are in black - £0.000m.
All amounts are in millions of pounds (£'m)

<u>HRA - Variance as at 31/12/2023</u>	0.044
Difference on Q3 outturn forecast regarding the timing delay of budget requirement for Yorke Drive, budgeted for now in 2024/25	(0.232)
Movement on vacancies and timing delays of budget requirement in Voids maintenance compared to the Q3 outturn forecast	(0.094)
Increase in numbers of properties where gas servicing carried out for compared with the Q3 outturn forecast	0.214
Increase in FIT generation income received compared to Q3 outturn forecast	(0.029)
Other small variances	(0.050)
<u>HRA - Variance as at 31/03/2024</u>	(0.147)

General Fund - Spend against budget - Estimated in year

Project	Capital Description	Revised Budget as at 5 March 2024	Future proposed variations	Revised Budget including future proposed variations	Actuals to 31.03.24	Current outstanding orders	Additional anticipated spend in year	Total Projected spend in year	Variance Over/Underspend	Comments - Spend to date	Slippage required
TB2257	Playground Equipment Improvement Programme	249,200	0	249,200	249,201	0	0	249,201		14.07.23 orders have been placed, works due to start any time now. 16.10.23 works complete and paid for by 2nd week of November. 10.01.24 snagging to do once the weather picks up, otherwise complete.	0
TB2258	Vicar Water Improvements (SANGS)	0	35,556	0	0	0	0	0	-35,556		35,556
TB3142	Bininfrastructure Wrap Grant	1,094	0	1,094	1,094	0	0	1,094	0	Scheme complete	0
	Biodiversity and Environmental Services	250,294	35,556	250,294	250,295	0	0	250,295	-35,555		0
TA3062	Beacon EV Chargepoints	36,850	0	36,850	0	0	0	0	-36,850	05.04.24 scheme delayed	36,850
TB2253	Vehicles & Plant (NSDC)	1,204,360	0	1,204,360	1,125,742	0	0	1,125,742	-78,618	14.07.23 vehicles that need to be ordered have been to date. 16.10.23 orders required in place to date 10.01.23 x5 RCV's delivered during December, waiting for invoices.	20,000
TB2255	Glass Recycling Transfer Station	80,000	0	80,000	41,993	0	0	41,993	-38,007	14.07.23 still to agree final design. May need to use some budget from Bin purchases if costs are higher than expected. 16.10.23 costs expected to be higher than the budget, additional from Bin Purchases budget. 10.1.24 waiting on a decision from the EA before the transfer station can be constructed. 05.04.24 works completed early April with additional features required by Planning and EA being carried out.	38,007
TB2256	Glass Recycling Bin Purchase	1,370,309	0	1,370,309	273,023	0	0	273,023	-1,097,286	14.07.23 consultation period finished, therefore initial bin purchase can be arranged. 16.10.23 going to tender w/c 23.10.23 will be purchasing less bins than anticipated therefore move £41,600 to transfer station 10.01.24 bin procurement underway. 05.04.24 final purchases to be made in April/May, an underspend overall against the budget.	453,169
TC3129	Brunel Drive EV Chargepoints	17,010	0	17,010	17,010	0	0	17,010	0	05.04.24 scheme complete	0
TC3136	Climate Change	0	0	0	0	0	0	0	0	16.10.23 reprofile to 24/25	0
TC3154	Solar PV	629,650	0	629,650	207,059	0	0	207,059	-422,591	14.07.23 works due to start in October 23 16.10.23 works are progressing. 05.04.24 3 of the 4 planned sites have PV installed. Expecting an underspend on the scheme, but this will be required for other carbon reduction initiatives.	422,591
TC3158	Upgrade Charging point at Castle House	75,000	0	75,000	0	0	0	0	-75,000	14.07.23 looking into working with NCC. 10.01.24 NCC will fully fund the scheme from D2N2, but overall scheme will cost up to £75k so increase from £50k. 05.04.24 conversations ongoing with NCC.	75,000
TC3159	Car Park Barrier CH 1 ASI	29,000	0	29,000	34,800	0	0	34,800	5,800	16.10.23 barriers to be installed December 23. 10.1.24 scheduled for end of January, completed by 26th. 05.04.24 overspent on scheme due to VAT unable to be recovered.	0
	Climate Change	3,442,179	0	3,442,179	1,699,627	0	0	1,699,627	-1,742,552		0
TF2000	CCTV Replacement Programme	55,443	0	55,443	51,828	0	0	51,828	-3,615	26.07.23 ASB review. 16.10.23 7 units currently being replaced. The remaining budget to be reprofiled to 24/25 09.01.24 CCTV replacement scheme approved at cabinet in December - aiming for around 10 cameras per year - costs will vary but estimated at around £3k a camera so £30k per year	3,615
TA3097	Yorke Drive Regeneration and Community Facility	20,000	0	20,000	0	0	0	0	-20,000	14.07.23 going to planning committee in August. 17.10.23 now going to planning in December, start on site would be expected in Q1 24/25, therefore reprofile budget 05.04.24 overall scheme update expected early in 2024/25	20,000

TB6154	Community Facilities Provision Community & Activity Village (inc S106)	30,409	0	30,409	30,409	0	0	30,409	-0	14.07.23 - £45k towards the installation of spectator accommodation at the stadium pitch at the YMCA to enable Newark United to play Step 5 football. 16.10.23 the cost was less than anticipated therefore no further costs.	0	
TB6165	S106 Community Facilities to SOT	239,620	0	239,620	0	0	0	0	-239,620	14.07.23 progress update with Parish Council today. 16.10.23 looking into an alternative approach. 05.04.24	239,620	
TB6171	S106 Clipstone Miners Welfare Trust	220,121	0	220,121	220,121	0	0	220,121	0	14.07.23 Scheme complete.	0	
TB6172	S106 Farnsfield Pc Comm Fac	141,748	0	141,748	141,748	0	0	141,748	0	11.01.23 scheme complete.	0	
TB6173	S106 Rainworth Pc Comm Fac	216,641	0	216,641	126,264	0	0	126,264	-90,377	05.04.24 works progressing, will be complete early 2024/25	90,377	
TB6174	S106 Rainworth Off Site Sports Transfer to Joesph Whitaker	0	228,315	0	0	0	0	0	-228,315	05.04.24 side agreement with Legal	228,315	
TF3231	Safer Streets 4	46,359	0	46,359	46,359	0	0	46,359	0	26.07.23 working towards the September deadline. 16.10.23 £149k to be refunded to the PCC due to inability to meet the deadlines set by PCC for spend outside of NSDC control. 09.01.24 This project is now closed and monies required to be returned have been sent back to OPCC	0	
TF3232	Rural Crime and Prevention	39,000	0	39,000	0	0	0	0	-39,000	26.07.23 £16k works due around Forest corner	39,000	
Community Safety and Community Development		1,009,341	228,315	1,009,341	616,730	0	0	616,730	-620,926		0	620,926
TA1221	SLC Fire Safety Remedial Works	391,500	0	391,500	102,145	0	0	102,145	-289,355	14.07.23 currently negotiating with contractor to agree spec and start date 12.01.24 majority of remedial works completely and currently at snagging stage, further works to take place in 24/25. 15.05.24 scheme no longer to be carried out by NSDC. Slippage requested will be added to existing 2024/25 allocation to ensure £497k is available to pay to SLCT	213,500	
TB6162	Magnus Academy Hockey Pitch	4,364	0	4,364	2,938	0	0	2,938	-1,426	14.07.23 retention release due end of July. Scheme complete.	0	
Health, Wellbeing and Leisure		395,864	0	395,864	105,083	0	0	105,083	-290,781		0	213,500
TA3053	Museum Improvements	35,283	0	35,283	0	0	0	0	-35,283	16.10.23 on hold while Tudor attic is complete. Reprofile to 24/25.	35,283	
TA3056	NCWC Tudor Hall	328,290	0	328,290	255,510	0	0	255,510	-72,780	14.07.23 start on site on 31 July due to be complete by early in the new year. 10.01.24 complete by end of February. 05.04.24 hand over beginning of April, and snagging currently taking place.	72,780	
TA3058	Palace Theatre Fire Alarm Upgrade	0	0	0	3,915	0	0	3,915	3,915	14.07.23 in design phase at the moment, but will need to be delivered during dark period - move to 2024/25. 05.04.24 costs for preparing for works to start incurred.	3,915	
TA3063	Palace Backstage Safety Improvements	54,486	0	54,486	64,266	0	0	64,266	9,780	14.07.23 Scheme complete, with an overspend, covered from the Capital Reserve.	0	
TB3155	Castle - Condition Works	94,060	0	94,060	61,347	0	0	61,347	-32,713	14.07.23 profile £80k to 24/25 for phase 2 of the works 16.10.23 - adjust profile 05.04.24 works ongoing	32,712	
TB3160	Castle Electrical Upgrade & Fire Alarm	0	0	0	0	0	0	0	-0	14.07.23 scheme complete budget not required.	0	
Heritage, Culture and the Arts		512,119	0	512,119	385,038	0	0	385,038	-127,082		0	136,860
TF6011	Private Sector Disabled Facilities Grants	851,814	0	851,814	516,966	0	0	516,966	-334,848	26.07.23 referrals received as expected 16.10.23 still experiencing high volumes of referrals.	334,848	
TF6012	Discretionary Disabled Facilities Grants	109,697	0	109,697	56,914	0	0	56,914	-52,783	26.07.23 top ups on the above, as expected 16.10.23 due to review the policy which governs the level of discretionary payment allowed. 9.01.24 No change at present however looking to amend discretionary policy to remove means testing for those who previously served in Armed Forces, linked to the Armed Forces Covenant. Countywide work ongoing re discretionary and the policy that may see further changes	52,783	
TF3228	Homeless Hostel	1,678,722	0	1,678,722	1,663,053	0	0	1,663,053	-15,670	14.07.23 internal works started, due to complete in December 23. 11.1.24 construction complete in January 24	0	
TF3267	Homes for Ukraine	2,460,000	0	2,460,000	2,232,555	0	0	2,232,555	-227,445	16.10.23 On track for completion in December. 11.1.24 1 property left to complete the purchase on. Works have started on properties that have been purchased. 05.04.24 1 property left to purchase and works to complete. Expected by early June 24	227,445	

TF3268	Bridging Accomodation	200,000	0	200,000	199,004	0	0	199,004	-996	16.10.23 On track for completion in December. 11.1.24 works have been completed and the property is ready to let. NSDC contribution not as high as expected	0
TF6807	Warm Homes on Prescription	101,728	0	101,728	69,969	0	0	69,969	-31,759		31,759
	Housing	5,401,961	0	5,401,961	4,738,462	0	0	4,738,462	-663,500		646,834
TC3152	Target Hardening - GF	37,552	0	37,552	37,550	0	0	37,550	-2	14.07.23 works at vicar water due to start by the end of July. 16.10.23 works completed onsite, just signage to arrange	0
TA3060	Beacon - New Boiler	0	0	0	0	0	0	0	0	14.07.23 bio mass boiler suppliers have withdrawn from the market. Investigating other options, which will come out of future decarb surveys. 16.10.23 works are due to be completed during November. 12.01.24 waiting for recommendations from carbon reduction surveyor	0
TA3061	Beacon - LED lights	0	0	0	3,355	0	0	3,355	3,355	14.07.23 will be procuring the works in order to deliver in this financial year 16.10.23 surveys due to be carried out November. 12.01.24 waiting for recommendations from carbon reduction surveyor. 05.04.24 spend started earlier than expected	-3,933
TC3016	Legionella Remedial Works	17,771	0	17,771	9,711	0	0	9,711	-8,060	15.11.2023 This is in response to a series of phased risk assessments on legionella. To date we have completed 8 new risk assessments which are high risk buildings and 8 lower risk properties programmed for next year. 05.04.24 future spend will be revenue.	0
TC3134	Works to SFACC	10,344	0	10,344	9,958	0	0	9,958	-386	14.07.23 final stage of the project nearly complete	0
TC3135	Works to Buttermarket	92,997	0	92,997	36,640	0	0	36,640	-56,357	14.07.23 refurb works nearly complete. Currently testing the market for the final stage of the project. 16.10.23 held until finalise plans on first floor. 15.11.23 New lift required to the upper floor which will cost £50k. This is the final project spend. 10.01.24 1st floor part of the scheme complete. 05.04.24 works to the lift to be carried out during 2024/25	56,357
TC3138	Lord Hawke Way Remedial Work & Bond	346	0	346	0	0	0	0	-346	14.07.23 the road has now been adopted.	0
TC3142	Common Lighting at Industrial Estates	65,497	0	65,497	0	0	0	0	-65,497	11.01.24 awaiting quote from contractor for lighting at Burma Road	65,497
TC3143	Roller Shutter Doors at Industrial Units	15,695	0	15,695	15,695	0	0	15,695	0	16.10.23 no further works to be carried out due to responsibility being with the tenants. 15.11.23 Money can be returned and closed.	0
TC3144	Fire & Security Rear Entrance Doors at Industrial Units	104,670	0	104,670	82,308	0	0	82,308	-22,362	14.07.23 installation will be ongoing throughout the year	22,362
TC3145	Fire Signage and Emergency Lighting at Industrial Units	0	0	0	0	0	0	0	0	15.11.23 Estates / Facilities teams have confirmed through Legal Services that the rights to undertake these works. Therefore the project can be closed and Corporate Property will rely on R&R budgets to renew aspects at the point of a unit being vacant.	0
TC3146	Electrical Upgrades to Industrial Units	0	0	0	0	0	0	0	0	15.11.23 Estates / Facilities tems have confirmed through Legal Services that the rights to undertake these works. Therefore the project can be closed and Corporate Property will rely on R&R budgets to renew aspects at the point of a unit being vacant.	0
TC3148	RHH Units Fit Out	50,676	0	50,676	0	0	0	0	-50,676	14.07.23 one final tenant to pay for fit out.	50,676
TC3155	Security Gates Burma Road, Clipstone, S'well, SOT, SFACC	25,000	0	25,000	0	0	0	0	-25,000	15.11.23 Tenders expected W/C 20th - after which an appointment will be made to start works. 31.01.24 received quotations for 2 of the 3 sites. Will start works once final quote received.	25,000
TC3156	Jubilee Bridge Works	133,500	0	133,500	278	0	0	278	-133,222	14.07.23 works have been tendered, not yet awarded. 16.10.23 contractor identified, due to start early in 2024. Reprofile £200,000 to 24/25. 11.01.24 orders placed for value of the contract, some of which will be spent in 24/25. 05.04.24 following Cabinet on 26/03/24 decision to continue deferred to a future meeting in order to establish responsibilities of NCC.	133,222

TC3157	Female only Shower Block Lorry Park	105,150	0	105,150	90,332	0	0	90,332	-14,818	16.10.23 production starting end of October, with install commencing December 23. 10.01.24 works started, to be complete early march 24.	14,818
TA3286	Information Technology Investment	803,166	0	803,166	443,972	0	0	443,972	-359,194	14.07.23 equipment is arriving now. 16.10.23 replacements ongoing, reprofile £135,000 to 2024/25 to fit in with work programme 05.04.24 Switch replacement delayed causing the majority of this underspend	292,890
TC2006	Purchase of Land at Bowbridge Road	625,819	0	625,819	601,415	0	0	601,415	-24,404	14.07.23 out to tender at the moment, return date 4 august. If progresses to plan completion would be around January 24. 16.10.23 started on site today. 10.01.24 progressing well, due to complete by end of February 24.	5,000
TC2007	Clipstone Holding Centre	330,870	0	330,870	113,151	0	0	113,151	-217,719	14.07.23 tenders received for design for planning by the end of the financial year. 16.10.23 consultants appointed. Reprofile budget. £300k in 23/24, rest move to 24/25 10.01.24 expect to get the scheme to Planning by April 24.	217,719
TC2008	Vicar Water Country park	0	0	0	0	0	0	0	0	14.07.23 update to be brought back to next meeting 26.10.23 site will maybe form part of a wider project. 31.01.24 remove budget with a view form part of wider Clipstone project	0
TC2009	Former Belvoir Iron Works	0	0	0	4,624	0	0	4,624	4,624		-4,624
TE3268	Southern Link Road Contribution	24,884,606	0	24,884,606	23,224,051	0	0	23,224,051	-1,660,556	14.07.23 - as per U&C Forecast. Some delays on the project due to delays obtaining technical approvals and the weather, this is not expected to affect the drawdown on funds held by NSDC. Reduce budget by £3m which was expected to be received from NCC and passed over, now this is due to be dealt with between NCC and U&C direct	1,660,556
TG1003	Housing Regeneration Loan Facility	4,000,000	0	4,000,000	-0	0	0	-0	-4,000,000	05.04.24 Budget available regarding credit facility agreement, revised through the year in line anticipated cash flow requirements, however, not required.	4,000,000
	Strategy, Performance and Finance	31,303,657	0	31,303,657	24,673,039	0	0	24,673,039	-6,630,618		6,536,118
TB3154	Castle Gatehouse Project	380,515	0	380,515	224,989	0	0	224,989	-155,526	16.10.23 seeking approval at 31.10.23 Cabinet for round 2 application for NLHF funding.	155,526
TE3250	Shared Prosperity Fund year 1	70,064	0	70,064	70,000	0	0	70,000	-64	16.10.23 grant allocated and will be spent by March 24	0
TE3251	Rural England Prosperity Fund	396,000	0	396,000	186,731	0	0	186,731	-209,270	16.10.23 grants have all been awarded, will be spent by March 24.	209,270
TI1002	A1 Overbridge Improvements	100,000	0	100,000	24,000	0	0	24,000	-76,000	14.07.23 quote received to take up to planning application stage which needs to be broken down between feasibility and design. 16.10.23 commenced working on detailed design 10.01.24 Amey finalising preferred design solution for review by National Highways	76,000
TT1000	Towns Fund - 32 Stodman Street Regeneration	2,195,429	0	2,195,429	1,574,564	0	0	1,574,564	-620,866	14.07.23 works are due to start around September 23. 11.1.24 contractors are on site removing asbestos and commencing demolition works. Design works are in progress for construction.	620,866
TT1002	Towns Fund - Contribution to IASI	6,801,620	0	6,801,620	6,801,620	0	0	6,801,620	-0	14.07.23 progressing well to date. 10.01.24 PC expected to the end of March 24 when the balance will be paid.	0
TT1005	Towns Fund - Cycle Town	0	0	0	0	0	0	0	0	10.01.24 reprofile to 2024/25 looking at other activities and interventions in and around Newark.	0
	Sustainable Economic Development	9,943,628	0	9,943,628	8,881,903	0	0	8,881,903	-1,061,725		0
	GRAND TOTAL	52,259,044	263,871	52,259,044	41,350,176	0	0	41,350,176	-11,172,739		10,297,073

HRA - Spend against budget - Estimated in year

Project	Capital Description	Revised Budget as at 5 March 2024	Future Proposed Variations	Revised Budget Including Proposed Variations	Actuals to 31.03.24	Total Projected spend in year	Variance Over/ Underspend	Comments - Spend to date	Slippage Required
PROPERTY INVESTMENT PROGRAMME									
S91100	ROOF REPLACEMENTS	1,277,779	-37,000	1,240,779	1,240,381	1,240,381	-398	06.07.23 predicting full spend in this FY as output is increasing 11.10.23 total jobs at approx 90 up to Q2. 60 flat roofs, 30 pitched roofs. 22 properties at £11,000 a property - finlock guttering to be done within next few months. 09.01.24 on track to spend full budget. May have to hold off on some works so we don't overspend. 90 flat roofs done so far this year.	0
S91115	Roof Replacement Works	0	0	0	0	0	0		0
S91116	Flat Roof Replacement Work	0	0	0	0	0	0		0
S711	ROOF REPLACEMENTS	1,277,779	-37,000	1,240,779	1,240,381	1,240,381	-398		0
S91200	KITCHEN & BATHROOM CONVERSIONS	0	0	0	0	0	0		0
S91218	Kit & Bathrooms	1,545,000	185,000	1,730,000	1,727,781	1,727,781	-2,219	06.07.23 predicting full spend in this FY contractor only just started and has been set up for next 4 years so works should pick up. Potential for overspend but will review in September. 11.10.23 completed 39 properties, 13 behind schedule, around 2 weeks of work due to schools taking up work for Bell Group. 09.01.24 2 invoices were delayed and only received in January - totalling £317k. Works completed 162 so far this FY.	0
S712	KITCHEN & BATHROOM CONVERSIONS	1,545,000	185,000	1,730,000	1,727,781	1,727,781	-2,219		0
S91300	EXTERNAL FABRIC	0	0	0	0	0	0		0
S91336	External Fabric Works	371,820	-123,000	248,820	248,675	248,675	-145	06.07.23 predicting full spend in this FY contractor only just started and has been set up for next 4 years so works should pick up. Potential for overspend but will review in September. 11.10.23 completed 39 properties, 13 behind schedule, around 2 weeks of work due to schools taking up work for Bell Group. 16.01.24 expecting near full spend, contractor are now mobilising to the next phase.	0
S713	EXTERNAL FABRIC	371,820	-123,000	248,820	248,675	248,675	-145		0
S91400	DOORS & WINDOWS	0	0	0	0	0	0		0

Project	Capital Description	Revised Budget as at 5 March 2024	Future Proposed Variations	Revised Budget Including Proposed Variations	Actuals to 31.03.24	Total Projected spend in year	Variance Over/ Underspend	Comments - Spend to date	Slippage Required
S91412	Doors & Windows Works	285,267	-5,020	280,247	280,281	280,281	34	06.07.23 predicting full spend of budget this FY increasing output with Nationwide. 11.10.23 few issues with Nationwide works, catch up invoices coming through in October as works have now been signed off. Spend will total around £130,000 once these invoices have caught up. 10.01.24 140 addresses completed at end of Dec. Underspend expected £20k/£30k at year end.	0
S714	DOORS & WINDOWS	285,267	-5,020	280,247	280,281	280,281	34		0
S91500	OTHER STRUCTURAL	131,793	-15,000	116,793	73,704	73,704	-43,089	06.07.23 overspend expected, looking to source money from other projects. Few jobs in the coming months that will fully spend budget. 11.10.23 spend will increase over next few months with 5 jobs coming up new project manager has slowed down works slightly. Number of higher spend works coming in next few months. 10.01.24 spend forecast is unknown due to one potential big job, this could cause an overspend. Currently 26 open jobs, all at different stages of being monitored.	43,089
S91511	Walls Re-Rendering	0	0	0	0	0	0		0
S715	OTHER STRUCTURAL	131,793	-15,000	116,793	73,704	73,704	-43,089		43,089
S93100	ELECTRICAL	0	0	0	0	0	0		0
S93115	Rewires	719,000	0	719,000	631,272	631,272	-87,728	07.07.23 51 jobs signed off, averaging 4 per week, therefore predicting full spend of budget with works continuing at the same rate (200 properties per year). 09.10.23 68 rewires so far until Q2. Confident will be fully spent 11.01.24 on track to spend full budget, 100 rewires completed at the end of Dec. Another 30 properties for the rest of this FY. £20/£30k worth of works to come in for smoke alarms	87,728
S731	ELECTRICAL	719,000	0	719,000	631,272	631,272	-87,728		87,728
S93500	HEATING	792,264	0	792,264	767,090	767,090	-25,174	07.07.23 predicting full spend of budget 19.10.23 104 jobs complete in Q2, just doing immediate urgent breakdowns to reduce spend to keep within budget. 11.01.24 Emergency replacements only and a programme put in place for next years works.	25,174
S93510	Heating/Boilers	0	0	0	0	0	0		
S735	HEATING	792,264	0	792,264	767,090	767,090	-25,174		25,174

Project	Capital Description	Revised Budget as at 5 March 2024	Future Proposed Variations	Revised Budget Including Proposed Variations	Actuals to 31.03.24	Total Projected spend in year	Variance Over/ Underspend	Comments - Spend to date	Slippage Required
S95250	Communal Lighting	24,000	0	24,000	21,775	21,775	-2,225	07.07.23 no works identified yet 09.10.23 3 jobs completed so far and another job in Collingham has arisen, works to commence soon, waiting for quotes.	0
S95252	Flood Defence Systems	12,000	0	12,000	0	0	-12,000	13.07.23 potential works for x2 flood doors in the next few months 24.01.24 identifying works for next few months	12,000
S95253	Play Areas	100,000	0	100,000	100,000	100,000	0	08.10.23 works have already started on several play areas so the first bills should be coming in the next few weeks.	0
S95254	Estate Remodelling	78,000	2,000	80,000	78,441	78,441	-1,559	16500 will be spent by 31st March	0
S95304	Tithe Barn Court & Queens Court Door Entry System - Safe	28,659	0	28,659	25,404	25,404	-3,255	Scheme finished residual budget can be moved to contingency	0
S95305	Boughton Community Hub	56,800	11,000	67,800	60,912	60,912	-6,888		3,000
S95400	Void Works	320,000	0	320,000	306,136	306,136	-13,864	As at Q1 10 properties have been worked on costing around £77,000.	13,864
S752	ENVIRONMENTAL WORKS	976,965	16,020	992,985	927,987	927,987	-64,998		50,937
S97100	ASBESTOS	90,420	-30,000	60,420	56,051	56,051	-4,369	06.10.23 10 communal flat floors in next month that will cost around £40k 17.01.24 £44k works starting on 23rd and then surveys done ready for next FY. Expecting near full spend. 188 surveys completed so far.	0
S97115	Asbestos Surveys	0	0	0	0	0	0		0
S97116	Asbestos Removal	0	0	0	0	0	0		0
S771	ASBESTOS	90,420	-30,000	60,420	56,051	56,051	-4,369		0
S97200	FIRE SAFETY	133,467	6,300	139,767	113,812	113,812	-25,955	10.07.23 change of contractors has held up works, predicting that this will be fully spent 06.10.23 potential to be overspent. £8k spent on fire safety boxes and 2 jobs completed so far. New contract just started with Fieldway. £120k worth to be spent on bin stores. 17.01.24 £88k worth of works has been surveyed, works are starting mid Jan to be finished in this FY. Adhoc works for the rest of the budget.	25,955
S97218	Enhanced Fire Risk Assessments	0	0	0	0	0	0		0
S97221	Fire Risk Assessments	0	0	0	0	0	0		0
S772	FIRE SAFETY	133,467	6,300	139,767	113,812	113,812	-25,955		25,955

Project	Capital Description	Revised Budget as at 5 March 2024	Future Proposed Variations	Revised Budget Including Proposed Variations	Actuals to 31.03.24	Total Projected spend in year	Variance Over/ Underspend	Comments - Spend to date	Slippage Required
S98102	Sprinkler System	152,787	0	152,787	166,626	166,626	13,839	10.07.23 design works being done for one job that will use full budget 06.10.23 jobs at Valeview and Thoresby Road costs to be reviewed . Both to be started in the next month 17.01.24 Valeview and Thoresby Road both complete waiting on £20k invoice. £85k worth of bin stores to be completed. Reduction of 220,000 as this won't be needed this FY and there's already a budget in place for 24/25	0
S98103	Structural Surveys - Eivated Walkways	895	0	895	0	0	-895	10.07.23 still sourcing contractor 19.10.23 internal surveys to determine whether any structural works needed happening next month. 11.01.24 surveys for 36 areas have been completed and works likely to start end of Feb - £40,000 budget reduced and £50,105 reprofiled to 24/25	0
S98104	Scooter Shed	0	0	0	0	0	0		0
S98105	Compartmentalisaton in Roof Space	256,200	-6,300	249,900	215,563	215,563	-34,337	10.07.23 new contractor works to begin inspections soon, after these are done we will know the expenditure expected 06.10.23 PO of £200k to be raised for Fieldway for surveys and works to be completed, jobs starting this month. Still waiting for costs. 17.01.24 £50,000 budget reduced but expecting to spend the remainder of the budget.	34,337
S98106	Inspection & Install Lightening Conductors	0	0	0	0	0	0		0
S98107	Aerial Inspections	0	0	0	0	0	0		0
S781	BUILDING SAFETY	409,882	-6,300	403,582	382,189	382,189	-21,393		34,337
S99100	PROPERTY INVESTMENT CONTINGENCY	16,387	-16,000	387	0	0	-387	24.01.24 slight spend on stock condition surveys but these will mainly be next year.	0
S99102	Housing Capital Fees	520,296	0	520,296	531,055	531,055	10,759		0
S791	UNALLOCATED FUNDING	536,683	-16,000	520,683	531,055	531,055	10,372		0
	SUB TOTAL PROPERTY INVESTMENT	10,132,391	0	10,132,391	9,575,274	9,575,274	-557,117		556,250
	AFFORDABLE HOUSING								
SA1031	Site Acquisition (Inc RTB)	318,750	0	318,750	0	0	-318,750	13.07.23 Church Circle, Ollerton and The Crescent Bilsthorpe - with Legal, doing ground works at the moment. 17.10.23 Reprofile remaining budget to 24/25	318,750
SA1033	Estate Regeneration	169,764	0	169,764	70,268	70,268	-99,496	17.10.23 going to planning on 7 December 2023, if approved, start on site expected in Q1 24/25 therefore reprofile budget to 2024/25 11.01.24 budget reprofiled due to delays in achieving planning consent	99,496
SA1047	New Build Contingency	107,228	0	107,228	-410	-410	-107,637		52,483

Project	Capital Description	Revised Budget as at 5 March 2024	Future Proposed Variations	Revised Budget Including Proposed Variations	Actuals to 31.03.24	Total Projected spend in year	Variance Over/ Underspend	Comments - Spend to date	Slippage Required
SA1048	Boughton Extra Care	295,347	0	295,347	5,781	5,781	-289,566	13.07.23 retention challenge with administrators to NSDC favor counter claim has been submitted. 17.10.23 still waiting to hear back from the administrators 11.01.24 still waiting updates from administrators	289,566
SA1060	Phase 3	0	0	0	0	0	0		0
SA1063	Phase 3 - Cluster 3	0	0	0	0	0	0	01.06.23 cluster is completed but still owe retention to Woodheads 11.1.24 waiting on correspondence from administrators	0
SA1064	Phase 3 - Cluster 4	599,964	0	599,964	610,796	610,796	10,832	13.07.23 one site remaining - 17 Northgate. Starting back on site August 23, to be completed by January 24. 17.10.23 works continuing as planned. 11.1.24 view to handover at the end of January 24 subject to snagging.	0
SA1070	Phase 4	1	0	1	0	0	-1		0
SA1071	Phase 4 Cluster 1	0	0	0	0	0	0	01.06.23 cluster is completed but still owe retention to Woodheads - totals £56k	0
SA1072	Phase 4 Cluster 2	0	0	0	0	0	0	01.06.23 completed but still owe retention to Woodheads - totals £19k	0
SA1073	Phase 4 Cluster 3	1,061,667	0	1,061,667	1,115,957	1,115,957	54,289	13.07.23 one site complete, others due to be complete between August and September. 17.10.23 completion date moved back to December 2023 due to ongoing negotiations with highways. 11.1.23 now due for completion in January 24	0
SA1074	Phase 4 Cluster 4	22,228	0	22,228	19,784	19,784	-2,444	01.06.23 cluster is complete apart from retention £2k	0
SA1075	Phase 4 Cluster 5	1,130,362	0	1,130,362	1,108,441	1,108,441	-21,921	13.07.23 cluster due for completion in December 23. 11.1.24 now due for completion in January 24	0
SA1080	Phase 5	-0	0	-0	31,298	31,298	31,299	17.10.23 award letters sent out, once standstill period is over, budgets will be reallocated in line with agreed costs.	0
SA1081	Phase 5 Cluster 1	462,520	0	462,520	217,531	217,531	-244,989	05.04.24 works started on site, late February, and early March 24	244,989
SA1082	Phase 5 Cluster 2	352,230	0	352,230	151,746	151,746	-200,484	05.04.24 works started on site, late February, and early March 24	200,484
SA1083	Phase 5 Cluster 3	308,440	0	308,440	107,844	107,844	-200,596	05.04.24 works started on site, late February, and early March 24	200,596
SA1084	Phase 5 Cluster 4	607,309	0	607,309	118,018	118,018	-489,291	05.04.24 works started on site, late February, and early March 24	489,291
SA1085	Phase 5 Cluster 5	291,590	0	291,590	53,800	53,800	-237,790	05.04.24 works started on site, late February, and early March 24	237,790
SA1086	Phase 5 Cluster 6	372,920	0	372,920	121,570	121,570	-251,350	05.04.24 works started on site, late February, and early March 24	251,350

Project	Capital Description	Revised Budget as at 5 March 2024	Future Proposed Variations	Revised Budget Including Proposed Variations	Actuals to 31.03.24	Total Projected spend in year	Variance Over/ Underspend	Comments - Spend to date	Slippage Required
SA1087	Phase 5 Cluster 7	500,790	0	500,790	483,889	483,889	-16,901	17.10.23 works started on site in June and is due to complete around December 2023. Increase budget by £100k in line with current estimated costs. 11.1.23 due to complete in January 24 05.04.24 scheme complete.	0
SC2000	Careline Analogue to Digital	71,955	0	71,955	26,617	26,617	-45,338		45,338
SC2002	New Housing Management System	521,000	0	521,000	216,667	216,667	-304,333	14.07.23 chosen supplier received orders, on programme.	304,333
	SUB TOTAL AFFORDABLE HOUSING	7,194,064	0	7,194,064	4,459,599	4,459,599	-2,734,466		2,734,466
	GRAND TOTAL	17,326,456	0	17,326,456	14,034,873	14,034,873	-3,291,583		3,290,716
	TOTALS	17,326,456		17,326,456	14,034,873	14,034,873	-3,291,583		3,290,716

General Fund Reserves

Appendix G

Description	Balance as at 31st March	Budgeted Movement	Balance as at 1st April	Transfer from	Transfer to	Revised Balance	Commitments	Remaining Balance
MTFP Reserve	(6,191,527.67)	(1,280,460.00)	(7,471,987.67)	0.00	(989,380.35)	(8,461,368.02)	0.00	(8,461,368.02)
Collection Fund Budget	(1,074,309.98)	0.00	(1,074,309.98)	147,760.37	(450,685.37)	(1,377,234.98)	1,074,309.98	(302,925.00)
Budget funding reserve	(7,265,837.65)	(1,280,460.00)	(8,546,297.65)	147,760.37	(1,440,065.72)	(9,838,603.00)	1,074,309.98	(8,764,293.02)
Election Expenses Fund	(46,223.59)	0.00	(46,223.59)	321,240.39	(390,263.87)	(115,247.07)	0.00	(115,247.07)
Insurance & Risk Management Fund	(90,000.00)	0.00	(90,000.00)	0.00	(16,895.00)	(106,895.00)	16,895.00	(90,000.00)
ICT & Digital Services	(95,000.00)	0.00	(95,000.00)	0.00	(15,325.00)	(110,325.00)	0.00	(110,325.00)
Repairs And Renewals Fund	(2,413,827.85)	0.00	(2,413,827.85)	371,885.46	(421,848.50)	(2,463,790.89)	238,607.93	(2,225,182.96)
Domestic Homicide Review	(10,000.00)	0.00	(10,000.00)	300.00	(120.00)	(9,820.00)	0.00	(9,820.00)
Training Provision	(281,300.00)	0.00	(281,300.00)	10,000.00	(10,000.00)	(281,300.00)	0.00	(281,300.00)
Planning Costs Fund	(201,140.00)	0.00	(201,140.00)	0.00	0.00	(201,140.00)	81,200.00	(119,940.00)
Growth And Prosperity Fund	(127,366.29)	0.00	(127,366.29)	127,366.29	0.00	0.00	0.00	0.00
Emergency Planning/Flooding Reserve	0.00	0.00	0.00	0.00	(60,000.00)	(60,000.00)	0.00	(60,000.00)
CSG/Enforcement Reserve	(30,910.08)	(20,000.00)	(50,910.08)	0.00	(44,326.68)	(95,236.76)	0.00	(95,236.76)
Management Carry Forwards	(1,207,889.61)	0.00	(1,207,889.61)	1,131,758.96	(694,677.83)	(770,808.48)	770,808.48	0.00
Flood Defence Reserve	(250,000.00)	0.00	(250,000.00)	0.00	0.00	(250,000.00)	130,000.00	(120,000.00)
NNDR Volatility Reserve	(500,000.00)	0.00	(500,000.00)	0.00	0.00	(500,000.00)	0.00	(500,000.00)
Community Initiative Fund	(100,888.18)	0.00	(100,888.18)	0.00	(10,000.00)	(110,888.18)	0.00	(110,888.18)
Asset Maintenance Fund	(500,000.00)	0.00	(500,000.00)	149,450.00	0.00	(350,550.00)	333,510.00	(17,040.00)
Capital Project Feasibility Fund	(321,608.00)	0.00	(321,608.00)	98,597.00	0.00	(223,011.00)	166,801.00	(56,210.00)
Community Engagement	(79,441.45)	0.00	(79,441.45)	37,550.15	0.00	(41,891.30)	24,066.30	(17,825.00)
Theatre Centenary Legacy	(14,339.04)	0.00	(14,339.04)	0.00	(2,981.75)	(17,320.79)	0.00	(17,320.79)
Commercial Plan Invest to Save	(200,000.00)	0.00	(200,000.00)	0.00	0.00	(200,000.00)	0.00	(200,000.00)
Workforce Development Reserve	(200,000.00)	0.00	(200,000.00)	30,390.00	0.00	(169,610.00)	22,639.00	(146,971.00)
Capital Financing Provision	(517,749.66)	(579,500.00)	(1,097,249.66)	992,383.95	(1,165,377.00)	(1,270,242.71)	1,259,283.31	(10,959.40)
Earmarked for Known Pressure	(7,187,683.75)	(599,500.00)	(7,787,183.75)	3,270,922.20	(2,831,815.63)	(7,348,077.18)	3,043,811.02	(4,304,266.16)
Building Control Surplus	(83,912.17)	0.00	(83,912.17)	22,073.17	0.00	(61,839.00)	0.00	(61,839.00)
Museum Purchases Fund	(45,783.83)	0.00	(45,783.83)	0.00	(12,515.02)	(58,298.85)	0.00	(58,298.85)
Community Safety Fund	(123,219.39)	0.00	(123,219.39)	29,200.83	(42,489.43)	(136,507.99)	0.00	(136,507.99)
Homelessness Fund	(480,541.91)	(214,000.00)	(694,541.91)	677,976.00	(94,203.07)	(110,768.98)	17,033.00	(93,735.98)
Revenue Grants Unapplied	(869,636.17)	0.00	(869,636.17)	183,276.00	(290,470.24)	(976,830.41)	63,695.57	(913,134.84)
Energy & Home Support Reserve	(103,171.00)	0.00	(103,171.00)	0.00	0.00	(103,171.00)	0.00	(103,171.00)
Community Lottery Fund	(12,062.61)	0.00	(12,062.61)	12,015.64	(18,031.28)	(18,078.25)	0.00	(18,078.25)
Homes for Ukraine Fund	(319,537.84)	0.00	(319,537.84)	150,145.00	(183,863.00)	(353,255.84)	0.00	(353,255.84)
Mansfield Crematorium	(159,360.35)	0.00	(159,360.35)	974.72	0.00	(158,385.63)	0.00	(158,385.63)
Ringfenced	(2,197,225.27)	(214,000.00)	(2,411,225.27)	1,075,661.36	(641,572.04)	(1,977,135.95)	80,728.57	(1,896,407.38)
Change Management/Capital Fund	(14,171,531.21)	0.00	(14,171,531.21)	2,270,255.17	(85,421.17)	(11,986,697.21)	11,033,573.43	(953,123.78)
Gen Fund Bal Bfwd	(1,500,000.00)	0.00	(1,500,000.00)	0.00	0.00	(1,500,000.00)	0.00	(1,500,000.00)
Un-ringfenced	(15,671,531.21)	0.00	(15,671,531.21)	2,270,255.17	(85,421.17)	(13,486,697.21)	11,033,573.43	(2,453,123.78)
	(32,322,277.88)	(2,093,960.00)	(34,416,237.88)	6,764,599.10	(4,998,874.56)	(32,650,513.34)	15,232,423.00	(17,418,090.34)

HRA Reserves

Appendix H

Description	Balance as at 31st March	Budgeted Movement	Balance as at 1st April	Transfer from	Transfer to	Revised Balance	Commitments	Remaining Balance
HRA Decent Homes Reserve	(1,500,000.00)		(1,500,000.00)			(1,500,000.00)		(1,500,000.00)
HRA Unused Efficiency Savings	(687,870.83)		(687,870.83)	56,000.00	(368,000.00)	(999,870.83)		(999,870.83)
HRA Service Improvement	(1,856,000.00)	500,000.00	(1,356,000.00)	583,904.49	(133,123.00)	(905,218.51)	532,332.75	(372,885.76)
HRA Regulatory Compliance / Modernisation	(250,000.00)		(250,000.00)			(250,000.00)		(250,000.00)
HRA Health And Safety	(364,299.03)		(364,299.03)			(364,299.03)		(364,299.03)
HRA Management Carry Forwards	(305,500.00)		(305,500.00)	305,500.00	(56,450.00)	(56,450.00)		(56,450.00)
HRA Insurance Fund	(50,000.00)		(50,000.00)			(50,000.00)		(50,000.00)
HRA Staffing & Pay Reserve	(100,000.00)		(100,000.00)			(100,000.00)		(100,000.00)
Earmarked for Known Pressure	(5,113,669.86)	500,000.00	(4,613,669.86)	945,404.49	(557,573.00)	(4,225,838.37)	532,332.75	(3,693,505.62)
HRA Working Balance	(2,000,000.00)		(2,000,000.00)	0.00	0.00	(2,000,000.00)	0.00	(2,000,000.00)
Un-ringfenced	(2,000,000.00)	0.00	(2,000,000.00)	0.00	0.00	(2,000,000.00)	0.00	(2,000,000.00)
Total HRA Reserves	(7,113,669.86)	500,000.00	(6,613,669.86)	945,404.49	(557,573.00)	(6,225,838.37)	532,332.75	(5,693,505.62)



**BARNETT
WADDINGHAM**
beyond the expected

Nottinghamshire Pension Fund

(3) Newark & Sherwood District Council

IAS19 Report as at 31 March 2024

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20 May 2024



Introduction

We have been instructed by Nottinghamshire County Council, the administering authority to the Nottinghamshire Pension Fund (the Fund), to undertake pension expense calculations in respect of pension benefits provided by the Local Government Pension Scheme (the LGPS). These benefits are provided to employees of Newark & Sherwood District Council (the Employer) as at 31 March 2024. We have taken account of current LGPS Regulations, as amended, as at the date of this report.

This report is addressed to the Employer and its advisers; in particular, this report is likely to be of relevance to the Employer's auditor.

The LGPS is a defined benefit statutory scheme administered in accordance with the Local Government Pension Scheme Regulations 2013 and currently provides benefits based on career average revalued earnings. Full details of the benefits being valued are as set out in the Regulations and summarised on the LGPS website (www.lgpsregs.org/) and the Fund's membership booklet (www.lgpsmember.org/).

This report is prepared in accordance with our understanding of IAS19 and complies with Technical Actuarial Standard 100: General Actuarial Standards (TAS 100) as issued by the Financial Reporting Council (FRC). This report should be read in conjunction with the post accounting date briefing note for disclosures as at 31 March 2024.

The figures contained in this report are in respect of the Employer's pension obligations under the LGPS as at 31 March 2024.

Please note that we have not allowed for an asset ceiling to be incorporated into the balance sheet at the specific request of the Employer. We would be happy to speak to the Employer or their auditor if more information is required.

IAS19 also requires the disclosure of any other employer provided pension benefits which are not paid from the Fund itself. We have only valued such additional liabilities, which would not be covered in the formal LGPS valuation, to the extent that they have been notified to us and are as disclosed in the data section of this report.

This report supersedes previous versions of this report and has been updated to reflect the actual whole fund asset information at 31 March 2024, which wasn't available when the initial report was requested.

We would be pleased to answer any questions arising from this report.



Barry McKay FFA
Partner

Data used

We have used the following items of data which we received from the administering authority and the Employer via the use of MS Forms:

Results of the latest funding valuation as at	31 March 2022
Results of the previous IAS19 report as at	31 March 2023
Actual Fund returns to	n/a
Fund asset statement as at	31 March 2024
Fund income and expenditure items to	31 December 2023
Employer income and expenditure items to	31 March 2024
Details of any new unreduced early retirement payments to	31 March 2024
Details of any settlements to/from the Employer for the period to	31 March 2024

The data has been checked for reasonableness, including consistency with previous valuation data where relevant, and the data is within tolerances for the purposes of this report.

Although some estimation of the data to the accounting date may be required, we do not believe it is likely to be significant to the results in this report.

We have not been notified of any significant changes or events since we received the data.

Employer membership statistics

The table below summarises the membership data at 31 March 2022 from the latest funding valuation for members receiving funded benefits, and as at 31 March 2022 for any members receiving unfunded benefits.

Member data summary	Number	Salaries/Pensions £000s	Average age (salary/pension weighted)
Actives	552	14,192	46
Deferred pensioners	808	1,863	51
Pensioners	771	4,632	72
Unfunded pensioners	87	175	80

Employer payroll

The total pensionable payroll and projected payroll for the Employer is set out below and is based on information provided to us by the administering authority. This has been used to calculate the service cost and projected service cost respectively.

Estimated payroll for the year to 31 March 2024	£18,301,000
Projected payroll for the year to 31 March 2025	£18,922,000

Scheduled contributions

The table below summarises the minimum employer contributions due from the Employer to the Fund over this inter-valuation period. The Employer may pay further amounts at any time. Future contributions may be adjusted on a basis approved by us.

	Primary rate	Secondary rate for period beginning:			Minimum employer contributions due for the period beginning:		
		1 Apr 2023	1 Apr 2024	1 Apr 2025	1 Apr 2023	1 Apr 2024	1 Apr 2025
Total percent of payroll	18.6%	0.0%	0.0%	0.0%	18.6%	18.6%	18.6%
plus monetary amount (£000s)		459	477	495	459	477	495

The table of scheduled contributions above relates to the entity and all associated employers. The primary rate shown is the appropriate weighted average.

Funding approach

The Employer currently participates in the Newark & Sherwood District Council pool with other employers in order to share experience of risks they are exposed to in the Fund. At the 2022 valuation, the deficit for the whole pool was calculated and allocated to each employer in proportion to their value of liabilities. The next reallocation will be carried out at the 2025 valuation, should the Employer remain in the pool. Each employer within the pool pays a contribution rate based on the cost of benefits of the combined membership of the pool.

Assets

The return on the Fund (on a bid value to bid value basis) for the year to 31 March 2024 is calculated to be 8.46% based on the Fund asset statements and Fund cashflows as set out in the Data section preceding this section.

The Employer's share of the assets of the Fund is approximately 1.93%.

The estimated asset allocation for the Employer at 31 March 2024 and 31 March 2023 is as follows (noting that due to rounding they may not total 100%):

Asset breakdown	31 Mar 2024		31 Mar 2023	
	£000s	%	£000s	%
Public Equities	81,967	60%	72,922	58%
Gilts	3,246	2%	2,586	2%
Other bonds	6,724	5%	7,410	6%
Property	14,409	11%	14,849	12%
Cash/temporary investments	8,160	6%	6,546	5%
Inflation Plus	6,894	5%	6,315	5%
Infrastructure	9,799	7%	9,833	8%
Private Equities	4,340	3%	4,649	4%
Total	135,539	100%	125,110	100%

The table below sets out the percentages of the Fund's assets held in each asset class at 31 March 2024 (split by those that have a quoted market price in an active market, and those that do not).

Asset breakdown		31 March 2024	
		% Quoted	% Unquoted
Fixed Interest Government Securities	UK	2%	-
	Overseas	-	-
Index Linked Government Securities	UK	0%	-
	Overseas	-	-
Corporate Bonds	UK	0%	-
	Overseas	5%	-
Equities	UK	17%	0%
	Overseas	43%	-
Property		-	11%
Private Equity		-	3%
Infrastructure		-	7%
Unit Trust Infl Linked		-	5%
Credit		-	3%
Cash/Temporary Investments		-	2%
Net Current Assets	Debtors	-	0%
	Creditors	-	-0%
Total		68%	32%

We do not have any further detail on the current asset allocation of the Fund; we suggest that if further information is required the administering authority is contacted in the first instance.

Actuarial methods and assumptions

Details of the actuarial methods and derivation of the assumptions used can be found in the 31 March 2024 briefing note issued alongside this report unless noted otherwise below. The key assumptions used are set out below.

Financial assumptions	31 Mar 2024	31 Mar 2023	31 Mar 2022
	p.a.	p.a.	p.a.
Discount rate	4.90%	4.80%	2.60%
Pension increases (CPI)	2.90%	2.90%	3.20%
RPI inflation	3.25%	3.30%	3.55%
Salary increases	3.90%	3.90%	4.20%

Projected unit method is used in our calculations.

We have allowed for actual pension increases up to and including the 2024 Pension Increase Order. This is reflected in the Experience loss/(gain) on defined benefit obligation figure in the results. We have also allowed for actual CPI inflation experienced from September 2023 to February 2024.

We have adopted a set of demographic assumptions that are consistent with those used for the most recent Fund valuation, which was carried out as at 31 March 2022, except for an update of the CMI projection model. Details of the post retirement mortality assumption are set out below; further details of the demographic assumptions adopted can be found in the briefing note corresponding to this report, and the Fund's actuarial valuation report.

Post retirement mortality	31 Mar 2024	31 Mar 2023
Base table	S3PA	S3PA
Multiplier (M/F)	115% / 110%	115% / 110%
Future improvements model	CMI_2022	CMI_2021
Long-term rate of improvement	1.25% p.a.	1.25% p.a.
Smoothing parameter	7.0	7.0
Initial addition parameter	0.0% p.a.	0.0% p.a.
2020 weight parameter	0%	5%
2021 weight parameter	0%	5%
2022 weight parameter	25%	n/a

The assumed life expectancies, based on the assumptions set out above, are set out in the table below:

Life expectancy from age 65 (years)		31 Mar 2024	31 Mar 2023
Retiring today	Males	20.4	20.7
	Females	23.3	23.5
Retiring in 20 years	Males	21.7	22.0
	Females	24.7	25.0

Employer duration

The estimated Macaulay duration of the Employer as at the accounting date, using the assumptions set out above is 16 years.

Past service costs

Past service costs arise if member benefits are introduced, withdrawn or changed. For example, an award of additional discretionary benefits such as added years by a member would be considered a past service cost. We are not aware of any additional benefits which were granted over the year ending 31 March 2024.

Curtailments

Over the year, we understand no employees were permitted by the Employer to take unreduced early retirement that they would not otherwise have been entitled to.

Settlements

We are not aware of any liabilities being settled at a cost materially different to the accounting reserve during the year, which has been confirmed by the Fund.

Results

Balance sheet	As at 31 Mar 2024	As at 31 Mar 2023	As at 31 Mar 2022
	£000s	£000s	£000s
Net pension asset in the statement of financial position			
Present value of the defined benefit obligation	145,832	143,192	211,102
Fair value of Fund assets (bid value)	135,539	125,110	128,639
Deficit / (Surplus)	10,293	18,082	82,463
Present value of unfunded obligation	1,549	1,649	2,281
Unrecognised past service cost	-	-	-
Impact of asset ceiling	-	-	-
Net defined benefit liability / (asset)	11,842	19,731	84,744

The amounts recognised in the profit and loss statement	Year to 31 Mar 2024	Year to 31 Mar 2023
	£000s	£000s
Service cost	3,386	7,438
Net interest on the defined liability / (asset)	853	2,165
Administration expenses	61	52
Total loss / (profit)	4,300	9,655

For the purposes of our calculations, we distribute fund administration expenses amongst the employers in the Fund in proportion to their individual asset shares.

Remeasurement of the net assets / (defined liability) in other comprehensive income	Year to 31 Mar 2024	Year to 31 Mar 2023
	£000s	£000s
Return on Fund assets in excess of interest	4,573	(5,999)
Other actuarial gains / (losses) on assets	-	563
Change in financial assumptions	2,367	84,917
Change in demographic assumptions	2,034	11,874
Experience gain / (loss) on defined benefit obligation	(793)	(19,628)
Changes in effect of asset ceiling	-	-
Remeasurement of the net assets / (defined liability)	8,181	71,727

Investment expenses are included in return on Fund assets in excess of interest.

Reconciliation of opening & closing balances of the present value of the defined benefit obligation	Year to 31 Mar 2024 £000s	Year to 31 Mar 2023 £000s
Opening defined benefit obligation	144,841	213,383
Current service cost	3,386	7,438
Interest cost	6,856	5,492
Change in financial assumptions	(2,367)	(84,917)
Change in demographic assumptions	(2,034)	(11,874)
Experience loss/(gain) on defined benefit obligation	793	19,628
Liabilities assumed / (extinguished) on settlements	-	-
Estimated benefits paid net of transfers in	(5,147)	(5,212)
Past service costs, including curtailments	-	-
Contributions by Scheme participants and other employers	1,198	1,048
Unfunded pension payments	(145)	(145)
Closing defined benefit obligation	147,381	144,841

The experience loss/(gain) on the defined benefit obligation includes £793,000 in respect of the allowance for actual pensions increases and CPI inflation over the accounting period.

Reconciliation of opening & closing balances of the fair value of Fund assets	Year to 31 Mar 2024 £000s	Year to 31 Mar 2023 £000s
Opening fair value of Fund assets	125,110	128,639
Interest on assets	6,003	3,327
Return on assets less interest	4,573	(5,999)
Other actuarial gains/(losses)	-	563
Administration expenses	(61)	(52)
Contributions by employer including unfunded	4,008	2,941
Contributions by Scheme participants and other employers	1,198	1,048
Estimated benefits paid net of transfers in	(5,292)	(5,357)
Settlement prices received / (paid)	-	-
Closing Fair value of Fund assets	135,539	125,110

Investment expenses are included in actual return on assets in excess of interest.

Sensitivity analysis	£000s	£000s	£000s	£000s	£000s
Adjustment to discount rate	+0.5%	+0.1%	0.0%	-0.1%	-0.5%
Present value of total obligation	136,806	145,161	147,381	149,657	159,360
Projected service cost	2,803	3,220	3,333	3,450	3,960
Adjustment to long term salary increase	+0.5%	+0.1%	0.0%	-0.1%	-0.5%
Present value of total obligation	148,135	147,530	147,381	147,234	146,655
Projected service cost	3,344	3,335	3,333	3,331	3,322
Adjustment to pension increases and deferred revaluation	+0.5%	+0.1%	0.0%	-0.1%	-0.5%
Present value of total obligation	158,791	149,551	147,381	145,264	137,289
Projected service cost	3,978	3,452	3,333	3,218	2,787
Adjustment to life expectancy assumptions		+1 Year	None		- 1 Year
Present value of total obligation		153,157	147,381		141,849
Projected service cost		3,455	3,333		3,214

Projected pension expense

Year to
31 Mar 2025
£000s

Service cost	3,333
Net interest on the defined liability / (asset)	480
Administration expenses	61
Total loss / (profit)	3,874
Employer contributions	3,996

These projections are based on the assumptions as at 31 March 2024. The figures exclude the capitalised cost of any early retirements or augmentations which may occur after 31 March 2024.

Appendix - Auditor Data Pack

Newark & Sherwood District Council's auditor will generally need to receive sufficient appropriate audit evidence to carry out the audit. This is particularly the case with actuarially calculated values, which are considered to be accounting estimates under ISA(UK)540. The auditor will wish to evaluate the appropriateness of the Barnett Waddingham actuary's report as audit evidence (IAS(UK)500), and may engage the services of an Auditor's Expert to do so (ISA(UK)620). The Auditor's Expert will have specific knowledge of defined benefit pensions and will often wish to carry out substantive analytical procedures as referred to in ISA(UK)330 and ISA(UK)520.

The purpose of this Appendix is to provide, at the outset, many of the additional data items often requested. This should streamline the overall audit process by providing the required additional data in a single report, reducing the number of additional data queries flowing via the fund. The following data supplements the information in the main accounting report and should be read in conjunction with it. We do not expect this report to be audited - it is provided to aid in the audit of main report.

This additional data is ultimately based on the results of the funding valuation as at 31 March 2022 on which the accounting results are based. Some of the statistics are derived using approximate methods, but we expect that they will be suitable for the intended purpose, which is to carry out approximate rollforward and rebase calculations to verify the results quoted in the main report.

Past and future service liability duration information

Duration, including definition (years)	As at 31 Mar 2024	As at 31 Mar 2023	Change over the period
Overall Macauley duration ⁽¹⁾	16.0	16.1	(0.1)
Overall modified duration ⁽²⁾	15.7	15.8	(0.2)
Active (Final Salary) modified duration	19.7	19.9	(0.1)
Active (CARE) modified duration	24.2	24.4	(0.2)
Active (PUM) modified duration	26.1	26.4	(0.2)
Deferred modified duration	20.4	20.6	(0.2)
Pensioner modified duration	10.3	10.3	(0.1)
Unfunded modified duration	7.2	7.3	(0.0)
CPI-linked modified duration	15.0	15.2	(0.2)
FS-linked modified duration	19.7	19.9	(0.1)

⁽¹⁾ The Macauley duration is the weighted average term to maturity of the benefit cashflows

⁽²⁾ The Modified duration is the sensitivity of the present value of the benefit cashflows to a change in discount rate

All duration calculations use the accounting assumptions at the respective date - the change over the period is due to the change in assumptions

Liability split information

Approximate proportion of total past service liability in each main category	As at 31 Mar 2024	As at 31 Mar 2023
Active (Final Salary) liability	14%	14%
Active (CARE) liability	13%	13%
Deferred liability	23%	23%
Pensioner liability	49%	49%
Unfunded liability	1%	1%
CPI-linked liability	86%	86%
FS-linked liability	14%	14%

Please note that these splits of liability are based on actual cashflow projections as at the last funding date. We have not made any allowance for member movements or liabilities being extinguished in these estimated splits. We have allowed for the change in financial assumptions which applied at the relevant dates shown in the table above.

Approximate proportion of total liability split by gender	Proportion of liability female
Active (Final Salary) members	48%
Active (CARE) members	53%
Deferred members	51%
Pensioner members	43%
Overall membership	48%

Splits quoted are as at the last funding valuation. Liability weighted statistics use accounting assumptions at the last funding date.

Average age information	Weighted by salary	Weighted by pension	Weighted by liability
Active members	46.4	51.2	50.7
Active (Final Salary) members		53.7	53.2
Active (CARE) members		49.4	48.4
Deferred members		51.0	51.0
Pensioner members		71.9	67.5

Tranche average retirement age	Weighted by pension	Weighted by liability
Active members	65.0	65.1
Active (Final Salary) members	64.0	64.0
Active (CARE) members	65.9	66.0
Deferred members	63.2	63.0

Ages quoted are as at the last funding valuation. Liability weighted statistics use accounting assumptions at the last funding date.

Allowance for actual inflation

Detailed information on CPI statistics for known inflation allowance	Statistic date	Statistic value	Annualised rate
Latest known CPI (start)	February, 2023	127.9	
Latest known CPI (end)	February, 2024	132.3	3.44%
Inflation assumption at start of period			2.90%
Allowance for actual inflation vs assumed			0.54%

The experience gain (loss) from actual inflation is shown as an annual effective rate which can be interpolated if required.

Asset information

Value of assets (£000s) and asset share	As at	As at
	31 Mar 2024	31 Mar 2023
Total fund assets	7,018,789	6,463,924
Employer assets	135,539	125,110
Employer asset share	1.931%	1.936%



Report to: Cabinet: 23 July 2024

Portfolio Holder: Councillor Lee Brazier – Portfolio Holder for Housing
 Councillor Paul Peacock – Portfolio Holder Strategy, Performance and Finance

Director Lead: Sanjiv Kohli, Deputy Chief Executive and Director - Resources

Lead Officer: Nick Wilson, Business Manager – Financial Services, Ext. 5317

Report Summary	
Type of Report	Open report, non-key decision
Report Title	Corporate Annual Budget Strategy for 2025/26
Purpose of Report	To set out the General Fund, Capital & HRA Budget Strategy for 2025/26, for consideration by Members before detailed work commences.
Recommendations	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.
Reason for Recommendations	To enable the Council's budget process to proceed encompassing agreed assumptions.

1.0 Background

1.1 The Council's Constitution sets out the process for developing the Council's Annual Budget.

1.2 The process requires that, each year, the Council's Section 151 Officer presents a report on the overall budget strategy for the forthcoming financial year, to the Policy and Performance Improvement Committee.

2.0 Budget Proposals

2.1 Budget Presentation

- 2.1.1 The budget process will result in setting the General Fund budget and the Council Tax for 2024/25 and will be approved by Council at its meeting on 6 March 2025.
- 2.1.2 The budget process will result in setting the Housing Revenue Account budget and the rent setting for 2024/25 and will be approved by Council at its meeting on 11 February 2025.
- 2.1.3 The budget process will result in setting the Capital Programme budget for 2024/25 to 2027/28 and will be approved by Council at its meeting on 6 March 2025.
- 2.1.4 This Budget Strategy report was considered by the Policy, Performance and Improvement Committee on 24 June 2024. There were no recommendations to amend the report and hence was recommended for approval by Cabinet.

2.2 Financial Policies

- 2.2.1 The Council has agreed policies on Budgeting and Council Tax, Reserves and Provisions, Charging, Value for Money and also a set of Budget Principles which set out the approach to be taken to the budget process. These policies were last reviewed by the Cabinet in July 2023. The policies and principles have been reviewed and updated where necessary and are attached as **Appendices A to F**.

3.0 Budget Strategy

General Fund

- 3.1 The current Medium Term Financial Plan (MTFP) was approved on 7 March 2024.
- 3.2 The table below sets out the summary of the financial forecast, identified within the current MTFP, assuming that Council Tax at average Band D will increase by the same rate as in the 2024/25 financial year, i.e. 1.94%:

	2024/25 (£m)	2025/26 (£m)	2026/27 (£m)	2027/28 (£m)
Net Service Expenditure (less capital charges)	19.787	20.749	20.718	21.376
Total Other Expenditure	0.092	1.348	2.250	2.250
Total Expenditure	19.879	22.097	22.968	23.626
Business Rates: receivable annually	(9.117)	(9.597)	(9.597)	(9.597)
Business Rates: other adjustments	(0.093)	0.000	0.000	0.000
Council Tax: receivable annually	(8.286)	(8.614)	(8.955)	(9.307)
Council Tax: other adjustments	0.117	0.000	0.000	0.000
Other Grants	(3.294)	(2.597)	(0.407)	(0.353)
Contribution (to) or from Reserves	0.994	0.272	0.278	0.283
Funding Shortfall prior to Mitigations	0.200	1.551	4.277	4.642

- 3.3 The national context around future local government funding is uncertain. The government has had plans to reform the local government finance system for a number of years. The government initially intended for these reforms to take effect from 2020/21. It has now delayed these reforms further to 2026/27, at the earliest. By the time of this report being considered by Cabinet, a General Election will have been completed. Should the current Government succeed in being appointed for another term of office it is likely that the funding reforms will be completed by the suggested timeline, albeit should there be a new Government appointed, the timeline for reform is undetermined, as there will be many other national policies that may be reviewed prior to the reform of local government finance.
- 3.4 Since approval of the MTFP in March 2024, no further information has been released regarding the impact on the Local Government Finance Settlement. Latest indications that have been received are that there is likely to be little change between those forecast within the MTFP approved in March 2024.

Bridging the Gap

- 3.5 Whilst the table above forecasts large gaps in each of the final two financial years, the MTFP, approved in March 2024, also described ways in which the Council will bridge the gaps in funding. The table below summarises these mitigating measures:

	2024/25 (£m)	2025/26 (£m)	2026/27 (£m)	2027/28 (£m)
Funding Shortfall prior to Mitigations	0.200	1.551	4.277	4.642
Dividends from Arkwood Developments Ltd	-	(0.500)	(0.650)	(0.650)
Savings from service reviews	-	(0.100)	(0.170)	(0.170)
Savings/efficiencies from making business processes more efficient	-	(0.100)	(0.150)	(0.150)
Increased income from the council becoming more commercial	-	(0.100)	(0.200)	(0.200)
Use of MTFP reserve to offset contributions from reserves in future years	(0.200)	(0.751)	(3.107)	(1.845)
Proposed General Fund Funding Gap	0.000	0.000	0.000	1.627

- 3.6 Whilst these mitigations bridge the gaps in each of the first three years, there is still a shortfall of £1.627m to find in 2027/28.
- 3.7 Post the year end position for 2023/24 the Business Manager – Financial Services together with the S151 Officer have reviewed this position. The table below revises the position based on assumptions of forecast year end positions together with reductions in MRP due to the additional £1.165m set aside at the conclusion of 2023/24 to contribute towards future capital expenditure that was originally funded by borrowing. The table shows that there is still an inherent circa £3m annual deficit to fund from 2028/29 onwards. Policy and Finance Committee previously approved, at its meeting of 27th January 2022, a Commercial Strategy underpinned by an action plan, which would bring forward activities in order to assist with

closing this gap. A steering group has been established and progress against these actions will be monitored. Update reports have been brought to Cabinet in July of 2023 and July 2024. These updates will be factored into the budget and MTFP to be presented to Council on the 6 March 2025.

	2024/25 (£m)	2025/26 (£m)	2026/27 (£m)	2027/28 (£m)
Current shortfall prior to mitigations 2024/25	0.200	1.551	4.277	4.642
Revised shortfall prior to mitigations		1.301	3.123	3.078
Notional savings generatable	(0.250)			
Dividends from Arkwood Developments Ltd		(0.500)	(0.150)	
Savings from service reviews		(0.100)	(0.070)	
Savings/efficiencies from making business processes more efficient		(0.100)	(0.050)	
Increased income from the council becoming more commercial		(0.100)	(0.100)	
MRP savings due to additional contribution to Capital of £1.165m		(0.104)	(0.040)	
Use of MTFP reserve to offset contributions from reserves in future years	0.050	(0.397)	(2.693)	(2.843)
Proposed General Fund Funding Gap	0.000	0.000	0.000	0.235

- 3.8 The table above describes the cumulative savings necessary, hence once a saving has been identified this is then assumed to be based into the revised shortfalls, meaning that the incremental additional savings are the ones necessary to find.

Housing Revenue Account

- 3.9 The assumptions to be used within the update of the Housing Revenue Account (HRA) Business Plan will be presented to the Policy and Performance Improvement Committee in September and Cabinet in November. These HRA specific assumptions (such as numbers of Right to Buy receipts) will then inform the creation of the HRA budget.

Budgeting Assumptions

- 3.10 The following underlying assumptions will be applied in compiling the draft General Fund and HRA budgets for 2025/26:

3.10.1 Base Budget

The base budget for 2025/26 will be derived from the original 2025/26 notional budget as compiled in the preparation of the MTFP for 2024/25 to 2027/28 and approved by Council

on 7 March 2024. This will aid in the transparency of the change in assumptions process and will also ensure that changes in resource allocations are captured and reported accordingly.

3.10.2 Staff Costs

It has been assumed that within the Service Unit budgets, the Council will employ 100% of the Council's establishment throughout the year with the exception of known unfilled vacancies where salaries are budgeted to commence on the anticipated starting date.

The Council are yet to receive information relating to the current years (2024/25) pay award for green and red book staff. A budget equivalent to a 5% increase was applied to 2023/24 salary scales for the 2024/25 financial year. This has been replicated currently throughout the MTFP period and hence 5% year on year has been assumed. This will continue to be the case for the 2028/29 financial year.

A vacancy provision of 4% of the total salary budget for 2025/26 will be made to allow for natural savings being made from posts remaining vacant before being filled. With the challenges in recruiting that have been seen over the last two financial years, this appears to be a reasonable approach. The actual outturn of savings from vacancies amounted to 3.52% for 2023/24. As it is not possible to predict precisely which business units will experience vacancies in the year, an overall saving will be set aside. This value of this provision will be determined once the total salary budget for 2025/26 has been calculated.

3.10.3 Employer's Superannuation

A triennial review was completed on the Nottinghamshire Pension fund, in order to determine the contributions necessary for the three year period from 1 April 2023. The impact of this has already been included within the MTFP for the period. The primary contribution rate (which represents the employer's future service contribution rate expressed as a percentage) is therefore set and will be applied to the establishment based on the number of Full Time Equivalent (FTE) posts and the salary grades those posts are on. The secondary contributions (which represents an adjustment to the primary rate to arise at the total rate each employer is required to pay – to allow for deficit recovery) have also been set as a monetary amount. A similar assumption in terms of values will be applied from 2026 onwards.

3.10.4 Provision for Inflation

The Council is exposed to a number of different costs that rise at various different rates of inflation. The Consumer Price Index is the measure that references the weighted average prices of a basket of consumer goods and services and is measured on a rolling annual basis. This measure is used against the vast majority of Council consumables outside of Pay/Utilities and vehicle costs. Prior to August 2021, CPI had been 3% and under back to April 2012. Since that point CPI has increased month on month with the peak being 11.09% in October 2022. Whilst CPI has come down to 2.37% in April 2024, this does not mean prices are cheaper than at their peak, it means that prices are increasing at a slower rate than the peak. Indeed looking at the measure prices are 23.04% higher in April 2024 compared to April 2020, whilst a four year comparison between October 2022 and October 2018 shows that prices were 18.28% higher in October 2022. This is due to the sustained increase in prices month on month between October 2021 and March 2024, where CPI was 3% or greater throughout that period.

The Council has a number of properties within its portfolio and hence is exposed to increases in cost in relation to electricity and gas. Wholesale energy prices have been at an all-time high over the course of the last 12 months, based on a number of factors such the post covid increase in activity and the war in Ukraine. Due to this energy prices have ranged in increase but are putting significant strain on both residents and business' for which the Council is not immune.

Based on the above, it is felt reasonable to utilise the following inflation rates (for non-contracted costs) in the production of the budget and MTFP:

	2025/26	2026/27	2027/28	2028/29
General Inflation	2%	2%	2%	2%
Utilities	5%	5%	5%	5%
Transport (Fuel)	5%	5%	5%	5%
Transport (parts)	8%	6%	6%	6%

3.10.5 Fees and Charges

Changes in fees and charges will be subject to specific, detailed review by business managers who will compare the Council's fees for discretionary services to other neighbouring and family group authorities that provide the same services. The business managers will also benchmark the fees with other commercial organisations where similar services are provided. Business managers will also assess and evaluate whether new fees and charges can be introduced for discretionary services that are not currently being charged for. The Council's charging policy is included in Appendix D.

Where comparative benchmarking information is not available, an increase equivalent to general inflation, **as stated in the table above will be applied**. For clarity, this figure is used for uplifts in fees and charges, but will not be used to set car parking fees or forecast changes in rental income for dwellings within the HRA. The assumptions around that figure will be included within the refresh of the HRA Business Plan.

3.10.6 Interest Rate

The Council is proposing to borrow money in order to support its cash flow position. During previous financial years, decisions regarding capital expenditure have been taken to utilise internal resources and maintain an under borrowed position against its Capital Financing Requirement. This is not uncommon across the Local Government sector, at a time when budgets have been squeezed, but reserves have existed. The Council is proposing to utilise elements of its reserves to fund various capital projects going forward. This will mean that cash backed by these reserves will be utilised, hence there is a need to borrow money to ensure that the Council has cash at hand to service its day to day costs. The timing of borrowing funds will be dictated by the Council's cash flow which forecasts daily expected income and expenditure over the next 4 years. Treasury Advisors Link Group will be consulted with prior to borrowing to ensure that the Council takes the most economic route, be that either a fixed or variable rate borrowing, ensuring compliance with the approved Treasury Management Strategy. Rates will be monitored over the coming months until such time that the borrowing is secured.

4.0 Risks in Preparation of the Budget

- 4.1 The basis of the budget strategy will ensure that the Council delivers a balanced budget in March 2025; however, there are risks that may cause expenditure to increase or income to reduce. Consequently, income and expenditure levels will be kept under review throughout the budget process.
- 4.2 It is essential to ensure that the strategic budget efficiencies and additional income are delivered as this is central to ensuring that the Council has a balanced budget. The delivery of the efficiencies and additional income will be kept under continuous review throughout the budget process.
- 4.3 It will not be possible to finalise funding in the budget until government announcements on future funding levels are published later in the year. Members are asked to approve the budget strategy as set out in this report, in order for the main provisions of the budget to be built.

5.0 Timetable

- 5.1 The Budget Timetable is dictated by the corporate timetable for the Executive arrangements. The essential deadline is that the Council is able to set the level of Council Tax for 2025/26 at its meeting on 6 March 2025.
- 5.2 The table below describes the key activities and dates in order for the production of the budget.

Date	Activity	Description
24 June 2024	Budget Strategy reviewed by Policy & Performance Improvement Committee	Sets the overall direction of the setting of the budget and high level assumptions
23 July 2024	Budget Strategy approved by Cabinet	Sets the overall direction of the setting of the budget and high level assumptions
31 October 2024	Cash budgets completed	The completion by all Budget holders of the cash resources needed to fund service provision over the MTFP period
w/c 4 November 2024	Director and Budget Holder review	In order for the Director to challenge the budget holders to ensure internal scrutiny of resource provision
26 November 2024	Service budget review by SLT	Holistic review of overall service budget provision by SLT
2 December 2024	Policy & Performance Improvement Committee review (HRA Only)	To review the assumptions around the HRA budget
w/c 9 & 16 December 2024	Portfolio Holder review	Portfolio holder scrutiny over service budget provision
w/c 13 January 2025	Informal meeting with Portfolio Holders, Chair and Vice Chair of Policy & Performance Committee	Holistic review of the whole budget inclusive of the draft LGFS

18 January 2025	SLT review of overall budget position	Holistic review of the whole budget inclusive of the draft LGFS
21 January 2025	Cabinet review (HRA Only)	Cabinet review and recommendation to Full Council for approval of 2025/26 HRA budget
TBC 2025	Policy & Performance Improvement Committee review (GF Only)	PPI Committee to scrutinise proposed budget for 2025/26
11 February 2025	Council approval (HRA Only)	Council approves HRA budget for 2025/26 and Rent setting
18 February 2025	Cabinet review (GF Only)	Cabinet review and recommendation to Full Council for approval of 2025/26 GF budget
6 March 2025	Council approval (GF Only)	Council approves GF budget for 2025/26 and Council Tax setting

6.0 Consultation

- 6.1 As the production of the budget will be predicated on the priorities within the Community Plan, resource allocation will be linked to spending priorities. As the budget is to be derived based on the notional budget set for the forthcoming year (as per the approved MTFP), and changes made during the current financial year are factored in, consultation will continue to take place throughout the 2024/25 financial year. Members will continue to have an opportunity to shape the budget through approving/rejecting reports brought to Cabinet in year.
- 6.2 Once the first draft of the budget has been prepared, this will be reviewed by the Senior Leadership Team to ensure budget is aligned to the Community Plan priorities, during November 2024 as described in the table above.
- 6.3 Portfolio Holders will then be briefed on the proposals. This will enable a review of service budgets prior to presentation to Policy & Performance Improvement Committee during the January cycle of meetings. This will be facilitated by Financial Services, with the services Director and Budget holders presenting their budgets.
- 6.4 The Policy & Performance Improvement Committee will have the opportunity to scrutinise the budget proposals prior to Cabinet recommending to Council for approval.
- 6.5 As in previous years, consultation on the budget will take place with Commercial Business Ratepayers. This will be advertised on the Council's website between the Cabinet meeting in February and the Council meeting in March.

7.0 Capital Programme 2025/26 – 2028/29

7.1 Prioritisation for the General Fund Schemes

- (a) When business cases for new schemes are brought to Cabinet, financing implications of capital expenditure are included in order to assess the viability of the scheme and to

enable members to make informed decisions. Once the capital expenditure has been incurred, the financing of the Capital Programme as a whole is arranged by the Section 151 Officer, in line with the Council's Constitution. This may include use of internal resources, borrowing from internal resources or external borrowing. An appraisal of the most appropriate funding source will be included within the business case.

- (b) Capital projects for the new financial year will initially be commissioned by the Senior Leadership Team. These projects will then be assessed against the prioritisation criteria (see **Appendix D**) and will be ranked accordingly. Based on this assessment a report will be prepared for submission to Cabinet in February 2025, before final approval by Council on 6 March 2025.

7.2 Prioritisation for the Housing Revenue Account Schemes

The current HRA Capital programme reflects the latest available information agreed by officers within the Housing, Health and Wellbeing directorate. Resources for future years will reflect the ability of the HRA to support any necessary borrowing, and other funding opportunities which may arise.

8.0 Implications

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

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.

None

Policy on Budgeting and Council Tax

Introduction

Each year the Council is required to set a Council Tax in accordance with the provisions of the Local Government Finance Act 1992. It is a requirement of the Act that the Council Tax must be set by 10 March each year.

The Council sets its Annual Revenue Budget in March each year in accordance with the provisions of the Budget Process, which forms part of the Council's Constitution.

The District Council is also responsible for collecting the Council Tax requirement (precepts) for Nottinghamshire County Council, Nottinghamshire Police & Crime Commissioner and Nottinghamshire Fire and Rescue Service and any precepts set by the Parish and Town Councils or Parish meetings within the District. All of these Councils are required to notify the District Council of their requirements before 1 March each year.

The District Council has no control over the level of Council Tax or precept set by the precepting bodies. This policy covers the District Council element of the Council Tax only. Nevertheless, it is recognised that public perception is influenced by the overall level of Council Tax and it can be difficult to appreciate that the requirements of the District Council form only a part of this. In fact, the District Council's spending requirements account for around 8% of the total Council Tax bill.

The Government has powers to require local authorities setting "excessive Council Tax increases" to hold a local referendum on the level of Council Tax. The level of excessiveness for the 2024/25 financial year was set at 3% or £5 increase but may be different in subsequent years. This information is provided within the Local Government Finance Settlement which is published during Winter each year.

The District Council's spending requirement includes an amount levied upon it by other bodies. For this Council an annual levy is made by the Trent Valley and Upper Witham Internal Drainage Boards of circa £950,000.

Current Level of District Council Tax

The District Council's level of Council Tax for 2024/25 is £194.82 for a Band D property. This represents a 2.99% increase in council tax on 2023/24. The total bill, including all major precepts, is £2,376.26 whilst the average Parish Precept is a further £91.25. In order to arrive at this level of Council Tax, the Council assessed its needs over the medium term and resolved to approve an increase at the minimal level possible whilst ensuring it remains cognisant of the challenges it faces ahead.

Consultation

The latest Resident Survey was delivered in 2022 and was open for nearly 6 weeks. Within the survey, a range of questions were asked to gather a picture of their experiences as a resident, their satisfaction with Council services and their views on their local area. It consisted of 16 questions that were predominately multiple choice, with some open questions allowing residents to expand on their answers.

As the feedback from the Resident Survey helps inform and shape our Community Plan, it is important that the consultation provided a holistic and balanced account of the district. To ensure this was achieved, three work streams were delivered as a part of the consultation:

- The open survey that was available for any resident over the age of 16
- A representative survey to allow us to recognise any bias in the open survey from under or overrepresented demographics
- Focus groups to ensure the voices of typically underrepresented groups were heard

In the open survey, 4,577 responses were captured, and this equated to a 3.7% response rate, so around 4 in 10 residents completed the survey. The results of this consultation was used to shape Council services and inform the strategic direction of the Council with the creation of the Community Plan. Budgets have been and will continue to be aligned to the Community Plan to ensure that resources are directed at services which will deliver the priorities described in this document.

Proposals

The absolute level of Council Tax, and any annual increase, will depend on the demands facing the District Council, external funding available, and the Council's assessment of the appropriate level of Council Tax. Whilst these factors will vary from year to year, the following criteria will be taken into account when considering the level of Council Tax:

- The Priorities and Objectives of the Council as set out within the Community Plan
- Inflation
- Consultation Responses
- The level of Council Tax considered to be acceptable to the public
- Government views on grant levels and referendum criteria
- Service demands

Newark & Sherwood District Council aims to set the minimum level of Council Tax acceptable consistent with the achievement of its Priorities and Objectives and other financial and service demands.

General Fund Balances and Reserves Policy

Section 25 (Budget calculations: report on robustness of estimates etc) of the *Local Government Act 2003* requires local authority chief finance officers (Section 151 officers) to report on the adequacy of financial reserves in the council's proposed budget and robustness of estimates made.

The Council will review the adequacy of its useable financial reserves to ensure that these are neither too low (imprudent) or too high (over-prudent) based on their purpose and likely use.

Council's generally hold useable reserves for three purposes:

- as a working balance, to mitigate the impact of uneven cash flows;
- as a contingency, to mitigate the impact of unexpected events or emergencies; and
- as earmarked reserves, to pay for known or predicted future requirements.

The Council has a fixed £**Error! Reference source not found.**m General Fund balance which has been set aside to pay for exceptional items. Officers consistently review the appropriateness (prudence) of this amount in light of internal and external risks identified. For the council to maintain its current General Fund balance of £**Error! Reference source not found.**m, it is intended that the General Fund balance will only be used to fund expenditure once other appropriate/earmarked reserves have been fully utilised.

One of the most important principles used to prepare the MTFP is that council reserves and other one-off resources are not used to balance ongoing, base budget pressures: that all other mitigating actions are used before the use of one-off resources. Over the years, the Council's reserves have been used, for reasons such as to: cover the cost of one-off events not budgeted for; support and improve service delivery; and offset declining levels of income.

Members and officers are required to ensure the council operates as a going concern: that the council will continue to fulfil its functions for the foreseeable future. If this were not the case, for example, because of an imprudent use of council reserves, the Council's external auditors would be required to express a going concern opinion (GCO). A GCO would be the external auditor's way of expressing significant doubt on the Council's ability to operate longer-term.

It is recommended that:

- a) Reserves should be subject to an annual review by the Section 151 officer;
- b) Reserves should not be over-provided;
- c) Reserves should be used for the purpose for which they are provided (subject to a and b above)
- d) Reserves should not be used to support ongoing general fund expenditure (subject to recommendations a and b, above)

Budgeting Principles

The Council will prepare its budget in accordance with the following principles:

Council Objectives:

The purpose of the budget is to enable the Council to achieve its objectives, as set out in the Community Plan, and meet its statutory duties. In setting the budget and Council Tax, the Council will also have regard to Government requirements, including the Local Government Finance Settlement and the latest Comprehensive Spending Review.

Balanced Budget:

The Council is required to set a “balanced budget” with sources of funding identified to cover all expenditure proposed.

Affordable Budget:

In setting the budget, the Council will consider the affordability of proposals and their impact on the level of Council Tax.

Inflation:

The Council will have regard to the level of inflation when considering budget proposals. It may consider different indices of inflation for different purposes. For example, the retail prices index (RPI) and the consumer prices index (CPI) do not always reflect the rate of inflation faced by the Council and this may be better measured by specific indices such as those widely available for construction costs or energy.

Sustainable Budget:

The Council will set a budget to be sustainable over time. This will be reflected in the Council’s Medium Term Financial Plan and Capital Programme. The budget will include an overall risk assessment and will incorporate appropriate sensitivity analysis in order to ensure a robust final budget.

Budget Demands:

Any developments in the Council’s revenue and capital budgets will be required to go through the Council’s formal bidding process. Only those items approved as part of this will be included in the final budget.

Use of 3rd Party Funding:

Where third party funding is used to contribute towards the Council’s budgets, a plan is required to ensure that this element of the budget is sustainable if and when the 3rd party funding ceases. Where appropriate, an exit strategy is required.

Adequate Reserves and Provisions:

The Council aims to have adequate, but not excessive, reserves to cover unforeseen expenditure. Specific provisions are also in place to cover items of expenditure that are certain but where their timing is not known. Further details are set out in the policy on balances and reserves.

Asset Management:

The Council aims to manage its assets efficiently in accordance with best practice. Full details are set out in the approved Asset Management Plan.

Council Tax Levels:

In accordance with this policy, the Council aims to set the minimum level of Council Tax possible consistent with the achievement of its Aim and Priorities and other financial and service demands.

Value for Money:

The Council aims to achieve value for money in the provision of all of its services. This is set out in the Council's Value for Money Strategy.

Risk Assessment:

In accordance with section 25 of the Local Government Act 2104, the s151 officer will conduct an annual risk assessment of the robustness of the estimates made in the Council's budget.

Sensitivity Analysis:

The s151 officer will carry out a review of the impact of variations to key elements of the proposed budget (a "sensitivity analysis") on an annual basis.

NEWARK AND SHERWOOD DISTRICT COUNCIL

CORPORATE CHARGING POLICY

Revised: July 2024

Date of next revision: July 2025

CONTENTS

- 1. Introduction**
- 2. Purpose of the Policy**
- 3. Processes and Frequencies for Reviewing Charges**
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- 6. Calculation of Charges**
- 7. Concessionary Charges**
- 8. Discounts**
- 9. Use of Market Intelligence**
- 10. Further Guidance**

1. Introduction

This Policy applies to external fees and charges other than those prescribed by the government. It provides a guide to internal charging arrangements but is subject to CIPFA's 'Service Reporting Code of Practice' and has regard to the Audit Commission's publication "*Positively Charged*".

It is not intended to apply to the disposal of Council assets, rents, internal charges or rechargeable works, nor will it apply where charges are governed by statutory regulation or guidance.

The Policy does apply if we have discretion, but not if there is a prescribed fixed charge.

Over the period of the Medium Term Financial Plan services will align their charges and processes with this policy.

This policy must be read in conjunction with the other related Council policies and strategies, including Financial Regulations, Equalities Policy, VFM Strategy, Corporate Plan.

If after reading this policy you require further guidance or clarification, or you are not sure how best to comply with the Policy then please contact your Business Manager or the Deputy Chief Executive and Director of Resources.

2. Purpose of the Policy

To establish a policy within which fee and charge levels will support the Medium Term Financial Strategy and Community Plan; and,

To encourage a consistent approach to the setting and reviewing of charges for services provided by Newark and Sherwood District Council by:

- specifying the processes and frequencies for reviewing existing charging levels or introducing new charges for areas of the council's work for which charges could in principle be set;
- providing guidance on the factors that need to be taken into consideration when charges are reviewed on an annual basis;
- establishing parameters for calculating different levels of charges;
- recommending the criteria for applying concessions or discounted charges on a consistent council wide basis;
- requiring more active use of market intelligence relating to different services.

3. Processes and Frequencies for Reviewing Charges

The following arrangements for reviewing charges will be applied throughout all areas of the Council where charges for services already exist or could in principle be set:

- all discretionary charges will be considered and approved by Council as part of the Budget and Council Tax setting process in March of each year.
- a major review of each business unit's charging strategy will take place at least once every three years to ensure consistency with the council's priorities, policy framework, service

aims, market sensitivity, customer preferences, and income generation needs, and the justification for any subsidy that the council as a whole makes to the service.

- annual reviews will be carried out for all of these services as part of the budget process, and shall have regard for the budget strategy approved each year.
- where fees are not to be increased or are proposed to be increased below inflation, this must be reported to SLT by the budget officer clearly stating the financial implications and budget shortfall before the deadline for completion of the revenue budget.
- these formal reviews will be overseen by the appropriate Director.
- where decisions on fees and charges, including any concessions or discounts, are taken outside the budget process approved by SLT and Cabinet, any proposals must have due regard to the Medium Term Financial Plan.

4. Factors Relevant to the Annual Review of Charges

Annual reviews of charges will consider the following factors:

- a. inflationary pressures generally and input costs specific to the service;
- b. any statutory framework relating to the service
- c. the actual or potential impact of any competition in terms of price or quality;
- d. trends in user demand and the forecast effect of price changes;
- e. equality and access to services;
- f. customer survey results;
- g. benchmarking results;
- h. council wide and service budget targets;
- i. cost structure implications arising from developments such as investments made in the service;
- j. consistency with other charges;
- k. alternative charging structures that could be more effective;
- l. validity of continuing any concessions;
- m. proposals for targeted promotions during the year, and evaluation of any that took place in the previous year;
- n. where less than the full cost is being recovered (including nil charges), the justification for the decision is reviewed and documented to ensure that this decision remains valid and that significant income is not being lost.

5. Processes for Setting Charges for New Sources of Income

All Business Managers should explore new business opportunities with a view to generating additional income.

All guidance in this Policy must be considered when setting new fees and charges.

A business plan must be prepared.

Any potential new income streams will need to be approved by SLT and Cabinet.

The setting of the fees and charges must be made in accordance with the current VAT regulations.

The proposed billing and recovery administrative process must be agreed with the S151 officer prior to the charges being implemented.

A central record will be maintained by the relevant Business Manager of any decisions made not to charge for a service where a charge could be made.

6. Calculation of Charges

Charges will apply to all users, and will be set at a level to maximise take-up and income targets and wherever possible covering or exceeding the full cost of providing the service in question.

It is the responsibility of the relevant Business Manager to ensure that the proposals comply with the appropriate legal framework and any legal restrictions. Advice should be taken from the Council's Legal Business Unit before any proposal is finalised.

This calculation of full cost should be based on the direct cost of service provision including staff, supplies and services, equipment, premise costs. Overheads and capital asset depreciation charges should be included but consideration may be given to a less than full cost recovery of these elements where inclusion would distort competition.

Where less than the full cost is being recovered, the justification for the decision must be documented and retained by the appropriate Business Manager and clearly state the financial implications and budget shortfall.

All fees and charges must be calculated in accordance with the current VAT regulations.

7. Concessionary Charges

In some circumstances the Council will offer subsidies to all users or concessions to specific user groups where this is consistent with achieving its priorities.

Entitlement to concessionary charges must have regard to equalities legislation and is designed to reduce barriers to participation arising from:

- Age;
- Level of income;
- Family circumstances;
- Health
- Educational circumstances.

Concessions will not apply to retail sales from shops or cafes.

Concessionary charges may also be made available to organisations whose purpose is to assist the Council in meeting specific objectives in its priorities and policy framework, or which contribute to the aims of key local partnerships in which the Council has a leading role.

Concessionary charges should not normally apply to peak times or in situations that would result in the loss of income from customers paying standard charges. Neither would they normally be available to organisations that are based outside of the Council's area other than on a reciprocal basis.

Only one concession can be applied to the standard charge at any given time.

Services wishing to adopt a concessionary charging scheme must demonstrate the scheme is practicable in terms of assessment, collection and evidencing for audit purposes.

8. Discounts

For certain services it will be normal practice to set promotional discounts, frequent user discounts or group discounts.

Promotional discounts are defined as short-term charges that are targeted to increase take-up or awareness of the services that are available.

Frequent user discounts are to be used only for commercial reasons such as generating customer loyalty where alternative provision from competitors exists, and where market analysis shows a real risk of reduced income if they are not offered.

Group discounts are to be used to encourage take up by organisations able to block book and family discounts to encourage parents and children's take up.

Discounts can be applied to both the standard charge and the concessionary charge.

Discounts can only be applied where the Service has received prior approval of the principle to apply a discount to the charge for this service.

9. The Use of Market Intelligence

All managers of discretionary services for which a charge is made should take steps to identify competitors offering similar or related services, and make use of comprehensive and dynamic market intelligence in evaluating:

- their charging strategy;
- the range of services provided;
- the quality of services provided;
- their cost structure.

All managers of services for which a charge is made should consult with customers, relevant partners and stakeholders on the range, quality and cost of services provided prior to the triennial review.

Consultation should also take place with potential customers and target groups to determine improvements needed to encourage participation at least every five years.

Comprehensive and accurate usage statistics will be maintained for all services and at all facilities where charges are made, to enable analysis of usage, justification of any subsidy given by the Council, and accurate forecasting of the effect of price changes on usage.

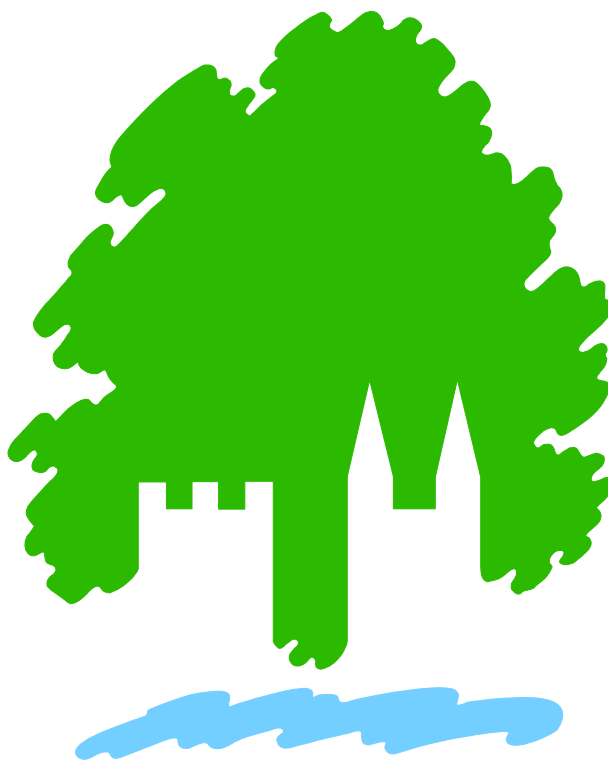
Benchmarking should be undertaken at least annually with other Councils in the local area and with relevant national groupings of authorities, to ensure that charges are at comparable levels and that significant differences are understood and justified.

10. Further Guidance

Charges should be payable in advance wherever possible or collected by direct debit or through the corporate income system.

All fees/charges must be reported annually to the Financial Services Business Unit as part of the budget process for publishing in the annual budget book.

All fees/charges must be published on the Council's website.



**NEWARK &
SHERWOOD
*DISTRICT COUNCIL***

Value for Money Strategy

Revised: July 2024

Next revision due: July 2025

Introduction

Newark & Sherwood District Council recognises its responsibility to achieve value for money from all its activities, however they may be funded.

The council is committed to the pursuit of economy, efficiency and effectiveness as part of its corporate strategy. It will seek to achieve value for money in the pursuit of its objectives and in the delivery of all services.

The council has a neutral position on service delivery methodologies. It will consider all service delivery options, including in-house provision, partnerships with other public sector organisations (including shared services), partnerships with private sector organisations, and bought in services as appropriate for individual services or groups of services.

In light of the current high inflation environment, it is inevitable that the annual revenue and capital budget setting will be challenging each year. The council has a range of methodologies in place to ensure that its aims and priorities are delivered within an acceptable level of council tax. The Value for Money Strategy is a key element of this process.

Value for Money Principles

The principles involved in achieving value for money are:

Efficiency: Considering the relationship between the amount of resources used (inputs) and the level of performance.

Effectiveness: The ability to achieve stated goals or objectives, judged in terms of both output and impact.

Economy: The acquisition or use of resources of an appropriate quality at minimum cost.

There are several aspects to be considered:

- Balancing effectiveness with efficiency
- Balancing efficiency with economy
- Sustaining the funding arrangement (where this is desirable)
- Demonstrating the most appropriate use of resources

Value for money can be defined as: **the use of available resources in an efficient and economical way to deliver effective services or achieve desired outcomes.**

The council is accountable for using resources efficiently to avoid wasting public funds, but this does not mean always seeking the lowest short-term cost. Waste occurs when a service – no matter how cheap or expensive – is ineffective. Effectiveness and efficiency needs to be balanced to achieve value for money.

The costs and benefits of each arrangement must be evaluated in terms of what the council seeks to achieve.

The council will manage any risks to its own interests, and use arrangements and processes such as monitoring, review and evaluation to demonstrate effectiveness and value for money.

At the planning stage, the council should be able to justify how it intends to apply its resources. After implementation it should be able to demonstrate that the policy is having the desired effects, and that the money is not going to waste. If there are unintended outcomes from its policies the council needs to adapt its funding arrangements to take them into account.

Objectives

To achieve value for money, the council will:

- target resources towards achieving the council's objectives and meeting the needs of local people;
- integrate VFM principles within existing planning, management and review processes;
- adopt recognised good practice as appropriate;
- analyse potential budget issues for the following financial year at an early stage and take a corporate approach to developing solutions;
- ensure that VFM principles are taken into account during the commissioning process;
- benchmark activities against other similar activities and organisations where appropriate;
- respond to opportunities to enhance the economy, efficiency and effectiveness of activities;
- promote a culture of continuous improvement;
- demonstrate actively to both internal and external stakeholders that the achievement of VFM is sought in all activities undertaken;
- ensure that all staff recognise their continuing obligation to seek VFM for the council as part of their activities;
- seek external funding where appropriate to support the council's services if the external funding assists the achievement of the council's objectives.

Methodologies for achieving VFM

The council has a number of different methodologies that contribute to the achievement of VFM.

These include:

- An annual refresh of the Community Plan focus' on the key objectives based on local need;
- development of Business Unit business plans which are referenced to the Community Plan objectives;
- resources are aligned, through the budget process including the refresh of the Medium Term Financial Plan, with the key objectives as set out in the Community Plan;
- effective use of ICT (supported by the ICT Digital Strategy);
- service reviews;
- scrutiny by Policy and Performance Improvement Committee;
- scrutiny by the Audit & Governance Committee through Internal Audit reports;
- corporate procurement mechanisms (supported by the Contract Procedure Rules and external providers Welland Procurement);
- partnership working including consideration of shared services and public/private partnerships;
- customer feedback.

How the Council monitors the achievement of VFM

The Council sets a range of performance indicators for key activities in order to monitor the effectiveness of those functions. Each of these are built into Business Unit business plans and are referenced to objectives set within the Community Plan. These are reported through the Senior Leadership Team and on to Members for their scrutiny.

Responsibility for delivering VFM

The council is required to satisfy itself that VFM is being sought and achieved from the use of public funds.

The responsibility for achieving VFM lies with all Members and staff and is not restricted to those with resource or financial responsibilities. All Members and staff should endeavour to seek and achieve VFM in all activities and to bring to management's attention any opportunities for improvement.

Business Managers have the responsibility to maintain an awareness of good practices in their own area of operation and ensure that these are followed appropriately.

The Senior Leadership Team will provide a corporate overview of VFM to ensure that initiatives are not restricted to individual service areas.

The Council has an expectation that bodies with which the Council has partnership arrangements and organisations in receipt of grant aid from the council will follow VFM guidelines.

NEWARK & SHERWOOD DISTRICT COUNCIL

CAPITAL PROGRAMME 2025/26 – 2028/2029 PRIORITISATION SCHEME

	STAGE 1 FACTOR	Comments	STAGE 2 DETAILED PRIORITISATION	STAGE 2 WEIGHTING
1	<p>Key Priorities Scheme must link to at least one of the Council's priorities and be an objective contained within a Service Plan.</p>	<p>If a scheme does not clearly relate to these areas it will not be considered further.</p>	<p>Each scheme to be marked as to how well it fits with the Community Plan</p>	<p>35%</p>
2	<p>Evidence of Need Service Strategy National Strategy or Guidelines Statutory Obligation</p>	<p>In some cases local demands are in excess of national guidelines and strategies and this tries to acknowledge that the two must be balanced. This will cover Health and Safety related schemes.</p>	<p>The following factors will receive equal weighting :-</p> <ul style="list-style-type: none"> • Statutory Obligation • National Strategy • Validity of consultation in relation to project. e.g. How specific to this project? Who was consulted, was this comprehensive? • Quality of evidence of need for project .e.g. size of sample base, date of evidence, format of evidence 	<p>10%</p>
3	<p>Partnership Eligibility under existing criteria can be demonstrated.</p>	<p>Show that work has been done to ensure that the obtaining of external finance is realistic. The degree to which the partnership will add value to the project.</p>	<p>The proportion of finance which will be met by third party. The likelihood of receiving support. Assessment of the value the partner will add to the project.</p>	<p>15%</p>

4	<p>Outputs and Outcomes</p> <p>These have been clearly identified and can be justified from supporting evidence.</p> <p>Specific comments should be made as to how the scheme represents value for money when compared to other options</p>	<p>This will enable the council to improve the way it reports its work and clearly show what is being achieved. The comments should refer to any performance indicators which the proposal is addressing specifying what the improvement target is.</p>	<p>Assessment then made on what the scheme will achieve.</p>	<p>15%</p> <p>Assessment of all factors or group of factors</p>
5	<p>Financial</p> <p>Capital costs have been based on internal or external professional advice</p> <p>Revenue implications have been properly developed</p>	<p>Capital costs include both works and land purchase and cover all associated costs.</p> <p>Try and avoid “guesstimates” which result in schemes requiring increased finance or having to be reduced to meet finance available.</p>	<p><u>Capital</u> will be based on the quality of work which has been put into estimate. e.g. costed feasibility studies.</p> <p><u>Revenue</u> will be based on whether the effect is positive, neutral or negative on the revenue budget.</p> <p>Positive effect scores 10 Neutral effect scores 3 Negative effect scores 0</p>	<p>5%</p> <p>10%</p>
6	<p>Risk Assessment</p> <p>Identify the level of risk in a project not being able to proceed. For example planning appeals, listed building consent. Over subscription of partnership funds</p>	<p>Try and ensure that not all schemes selected are high risk with the danger that there will be delays in delivery or no-delivery.</p>	<p>The following will all need to be considered:-</p> <ul style="list-style-type: none"> Technical Issues Financial Uncertainty Partnership uncertainty Planning Issues Legal issues Timescale 	<p>10%</p>



Report to: Cabinet Meeting: 23 July 2024

Portfolio Holder: Councillor Paul Peacock - Strategy Performance & Finance

Director Lead: Deborah Johnson, Director of Customer Services and Organisational Development

Lead Officer: Carl Burns, Transformation and Service Improvement Manager
Tracey Mooney, Transformation and Service Improvement Officer, ext 5223, performance.team@newark-sherwooddc.gov.uk

Report Summary	
Type of report	Open Report, Non-key decision
Report Title	Community Plan Performance for Quarter 4 2023/24
Purpose of Report	To present the Quarter 4 Community Plan Performance Report (January – March 2024).
Recommendations	That cabinet: <ul style="list-style-type: none"> 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.

1.0 Background

We continue to deliver an approach to performance management that is used to drive improvement rather than simply used as a counting device. We are doing this 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.

The development of this report details the quarter 4 performance and includes activities delivered within the quarter. This information was factually correct as of the 31 March 2024.

2.0 Proposal/Options Considered and Reasons for Recommendation

That Cabinet review the Quarter 4 Community Plan Performance report (**Appendix 1**) and the Compliance report (**Appendix 2**).

3.0 Implications

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

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.

None

Newark and Sherwood District Council Performance Report

2023-24 Q4

1 January to 31 March 2024



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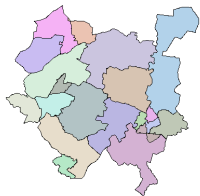
Introduction

We at Newark and Sherwood District Council aim to do everything we can to enable local residents and businesses to flourish and fulfil their potential, as well as encourage visitors to enjoy all that our area has to offer. How we intend to achieve this purpose is laid out in our Community Plan. This plan was informed by the views of residents and lays out the Council's objectives over four years as well as the activities that will help achieve these objectives. Our new Community Plan is now in place and a performance framework has been drafted. As this is finalised, it will become the how we will measure the performance of our objectives as of Quarter 1 2024/25. It will continue to contain key performance indicators; a combination of qualitative and quantitative data and it will expand on the current measures around objectives.



This report examines how the Council has been performing against the Community Plan. It examines data to look at the performance of key services and delivery against the activities outlined in the plan. This report examines the Council's performance and achievements from 1 January to 31 March 2024 (Quarter 4).

We know the value of understanding our performance as this knowledge allows us to embed and disseminate good practice and quality service delivery, as well as identify and tackle areas for improvement. The Council's performance is measured in four parts;



Our District

A basket of data indicators which allow us to examine how our district is performing in key areas, acting as a form of 'health check'.

Page 3



Our Performance

How we are delivering against the objectives we outline in the Community Plan.

Page 4



Our Customers

A look at what our customers are telling us about the services they receive and insight into how we are learning from customer feedback

Page 28



Our Workforce

To understand how the Council's staff are performing and how we are supporting staff. This is important as a positive and motivated workforce is more likely to be high performing.

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Agenda Page 88

Our District

About Newark and Sherwood (2021 Census)...

A resident population of 122,956 (14.9% of Nottinghamshire's population).

There are 53,332 dwellings in the district, 38.5% are owned outright, 31.3% are owned with a mortgage or loan, 13.9% are socially rented with around 10% of those directly owned by the Council and 16.3% are private rented.

92.7% of the district population were born in the UK.

60.5% of the district's population are working age (16 to 64), 17% are 16 years or younger and 22.4% of the population are over the age of 65. For those over the age of 65, this percentage has increase by 3.5% when compared to the 2011 census demonstrating a growing older population when compared to the 2021 census.

In terms of socio-economic challenges, 16.2% of households do not own a car or van, 0.8% of households do not have a form of central heating and 19.1% of residents do not have any formal qualifications.

Performance of our district

This data tells us something about our district in quarter 4 (1 January to 31 March 2024). Most of these indicators are not factors we can directly affect, only influence, but they add context to the work we undertake.



The number of planning applications we receive gives an indication of the level of construction planned in the district. When compared to the same period of last year, commercial applications have decreased by 11, residential applications have decreased by 25, non-major applications have decreased by 215 and major applications have decreased by 23.

- 11 commercial planning applications were validated
- 153 residential planning applications were validated
- 54 major planning applications were received
- 784 minor planning applications were received

Average daily footfall during Q4 was 2,773 visitors per day. Q3 had a value of 3,264, in comparison Q4 experienced a reduction in daily footfall by 15%. Meanwhile, the value generated by all 10 sensors in Newark is 6,497. Q3 had a value of 7,190 visitors per day. This is a reduction of 9.7%.



These reductions could be the result of several factors. These include the travel warnings issued during Storm Henk in January. The cost-of-living crisis also continued to impact household budgets, particularly during the winter when temperatures were lower, and nights were longer. As a result, the decision may have been made to take less trips to Newark town centre. The recent announcement that the UK entered a recession in 2023 may have further impacted these decisions. Despite this, it should be noted that both February and March experienced a rise in footfall from the previous month. This was the first instance since October 2023 in which there has been an increase in monthly footfall. This matches trends seen in regional and national indicators. While it would be premature to suggest that footfall has stopped declining, these statistics indicate that visitor numbers in Newark may begin to recover in the first quarter of 2024/25.

**please note, footfall figures are not currently being compared against last year due to the installation of the 5 new sensors.*

Interactions with the Council — Service Demand

This information gives an indication of demand for council assistance **year to date:**

- **16,720 face to face contacts** were held at Castle House, a 25.7% increase when compared to the same period of last year.
- **113,532 calls** were received by the contact centre, a 4% decrease when compared to the same period of last year.
- **27,292 calls** were received by responsive repairs, a 1.98% increase when compared to the same period of last year.
- **62,200 digital web form transactions** were completed by our customers, which has almost doubled the number of web form transactions when compared to the same period of last year with 31,236 transactions being recorded.

How are we performing against our objective to...

Create vibrant and self-sufficient local communities where residents look out for each other and actively contribute to their local area



What we have been doing this quarter;

⇒ During Quarter 4 the UK was impacted by Storm Henk, which closely followed Storm Babet, causing significant issues across the county. In the Newark and Sherwood District, residential and commercial properties were internally flooded, sometimes for the second time, causing damage to properties and the loss and damage of possessions. Some premises were affected by the sewage system back surging, and some residents required evacuation and some of which continue to be displaced.



During the storm event, our officers liaised with Flood Wardens to provide immediate response, including the provision of aqua sacs. Additional support was provided by Nottingham Fire and Rescue Service in the form of boat rescue and the provision of food and medical items. In the immediate aftermath, our Officers conducted hi-visibility patrols throughout the district, concentrating on the key flood locations of Gunthorpe, Lowdham, Girton and Collingham, along with Farndon and Kelham Roads. We also undertook Flood Verification Visits across the district. Several

community meetings have been held around the affected parts of the District in partnership with the Environment Agency, Severn Trent Water and Nottinghamshire County Council to provide reassurance, offer practical advice and give information on flood plans.

Our Humanitarian Assistance Support Team (HART) were stood up for Storm Henk to provide a full range of support to residents. Support included: safe and well checks, food and medicine deliveries, arranging waste collections and road cleaning, and signposting to services. We have undertaken 152 home verification visits, enabling people to access government grant funding to support them in the recovery process.

The first Newark & Sherwood Flood Partnership Meeting was held at Castle House on Friday 23rd February 2024. Attendees included the Environment Agency, Nottinghamshire County Council, and the Canals and Rivers Trust. An action plan has been drawn up for all agencies, this action plan is primarily information gathering in nature to establish where responsibilities sit, what actions have/are being taken in the wake of storm Babet and Henk, and what lessons have been learnt. The next meeting is scheduled to take place in April 2024.



How are we performing against our objective to...

Create vibrant and self-sufficient local communities where residents look out for each other and actively contribute to their local area



- ⇒ Four new consumer standards are due for publication on 1st April 2024. The Transparency, Influence, Accountability and Standard (TIAS) highlight the governments and the regulator's requirement for positive relationships between the tenant and the landlord, and as such remains a focus for us. As such we have started a review of our engagement methods, consultation with our tenants will be at the heart of this to ensure we understand what tenants would like from us and what methods of engagement work best for them. The outcomes of this will be shared in due course.
- ⇒ Within Quarter 4 we have undertaken 34 tenant engagement opportunities, including Local Influence Networks, Tenant Panel and 'Pop-in' session, and have had 46 new additional tenants become involved this quarter.
- ⇒ This quarters 'Tenant Times' went to 3,431 tenants, and we had a 95% successful delivery rate. This edition was opened by 1,985 residents, with the highest click rates being the 'Who is my Tenancy Officer' and 'Here to Help' pages. The Here to Help page includes cost of living tips, who to go to for advice for a range of subjects including benefits, repairs, and independent support, along with healthy eating guidance and



recipes, which have received positive feedback from our tenants.

- ⇒ During quarter four we had one new 'good cause' join the Community Lottery Fund. The Community Lottery Live Draw took place on the 13th of March. Six good causes, listed below, won £500 each to support their projects.

- Home Start Newark
- Walesby Forest
- Newark Dementia Carers Group
- Kick Start Youth Football League
- Edwinstowe Village Hall
- Newark Breast Cancer Support Group

The next live draw will take place in July where another six groups will be awarded £500 The scheme is on track to raise £34,569.60 for good causes within a 12-month (rolling) period.



How are we performing against our objective to...

Create vibrant and self-sufficient local communities where residents look out for each other and actively contribute to their local area



⇒ Four Speedwatch sessions were attempted this Quarter. One was successfully undertaken:
 Collingham, Swinderby Road – Unsuccessful due to cars parked on both sides of the road.
 Collingham, Station Road – Unsuccessful due to adverse weather conditions.
 Southwell - Unsuccessful due to adverse weather conditions.
 Spalford, Eagle Road – 10 vehicles checked, one over the speed limit.

The details of speeding vehicles are sent to Nottinghamshire Police who send out a warning letter.

⇒ The Community Grant panel met in March to review all 47 applications and awarded funding of 100k to the following groups highlighted below. All successful groups submitted applications that met one of the Community Grant priority areas.

Application Name	Amount Awarded (£)
Blidworth on the Move	4,500.00
Christ Church Newark	8,100.62
Farnsfield Community Spaces	966.00
Friends of Coddington School	8940.60
Friends of Sconce and Devon Park	4440.78
Friends of Southwell Park	10,800.00
Muskham Rural Community Centre	4,980.00
Newark & District Royal Air Force Cadets	2,190.00
Newark Amateur Boxing Club (NABC)	7,900.00
Ollerton Town Football Club	4,932.00
Reach Learning Disability	10,000.00
Sherwood Forest Education Partnerships CIC	5,000.00
The Furniture Project	13,750.00
The Social Action Hub	10,000.00
Winthorpe Community Garden	3,500.00

How are we performing against our objective to...

Deliver inclusive and sustainable growth



What we have been doing this quarter;

⇒ The Newark Town Investment Plan 2020 programme of activities continues to flourish.

- The Construction College is delivering four post 16 courses in bricklaying, plumbing and heating. There are 115 students enrolled, scheduled for completion in July 2024.
- Demolition commenced on the Stodman Street Project. Hoarding remains in place. The project is due to complete in Autumn 2025.



⇒ Newark Investment Plan and the Long Term Plan for Towns Fund. This quarter we have carried out comprehensive consultation with stakeholders. We are now in the next stage of the project – working towards developing the Newark Investment Plan for 2024 – 2034 which is a 10-year strategic plan for the town. This plan is in progress, alongside the Newark Town Centre Master Plan and Design Code, all of which are due for completion in August 2024 and will ensure we are developing projects which are supported by local people and will have a real impact on Newark. We are hopeful that the plan will help secure an additional £20million worth of funding, which will help support the delivery of the plan.



⇒ During the 2023/24 financial year, 49 residents have successfully completed courses funded and delivered through the BoostING programme. This is available to all local employers to support them in up-skilling their workforce.



⇒ The scheduled refurbishment of the Buttermarket has now been completed. The mezzanine floor is currently vacant whilst we pursue the available options to make the best use of this space.



Deliver inclusive and sustainable growth

⇒ Ambitious plans to create a new and improved visitor attraction at Newark Castle got another green light after plans were recently approved.

Through a funding application via the National Lottery Heritage Fund along with a £3million allocation from Newark's Towns Fund deal and a capital contribution, this ground-breaking project will see Newark Castle's original Romanesque Gatehouse, named by Historic England as the most complete example of such a structure in England, reinstated as the spectacular entrance just as it was centuries ago.



This quarter we have achieved some key milestones, which are puzzle pieces towards making this project a reality. These include:

- Planning Permission granted.
- Town Fund bid approved.
- Application to National Lottery Heritage Fund submitted November 2023, and we anticipate successful confirmation of the award in Quarter 1 2024/25.

⇒ The Sherwood Levelling Up Fund Bid, submitted in summer 2022, has been approved in principle. In January we submitted an updated programme plan to the Department for Levelling Up, Housing and Communities (DLUHC) as part of this review process. The outcome of this is expected by the Summer 2024. Feasibility studies The overall aim is to develop the scheme with key partners including the Town Council by summer 2026. The two core components of the bid are:

- The Ollerton Town Centre Scheme
- the Clipstone Regeneration Scheme (employment/commercial/sports/leisure and education linking in with Vicar Water)

Through the provision of capacity funding, both projects continue to deliver and move forward with feasibility and planning related works, whilst we await confirmation of funding from Government. Discussions with Department for Levelling Up, Housing and Communities (DLUHC) are in the final stages of the validation process, and an update will be provided to Cabinet in June. All Levelling Up Fund (LUF) funding awarded must be spent by March 2026.

Aside from Sherwood LUF, Bilsthorpe Parish Council were awarded £55k of UKSPF to continue to drive forward the development of a new community building in the village, with the funding set aside in 24-25 to support ongoing feasibility and professional fees.



Deliver inclusive and sustainable growth



⇒ Through UKSPF, we are delivering initiatives to support residents to progress into employment or develop skills within the workplace or education setting. For young people, this includes the Premier League Primary Stars Programme delivered in eight primary schools across Newark and Sherwood, reaching more than 280 young people across the district, as well as direct engagement with colleges, the Future First Expo, and direct support. We continue to develop a series of proposals with West Notts College to support adult education, community learning in Sherwood, and further develop a public service compact to support a route to employment for people to work in the public service.

⇒ We recently awarded Newark and Sherwood Community and Voluntary Service a UKSPF grant of £34K to support the CVS Golden Thread project. This project is due to commence in Quarter 4 2024/25 and is currently funded until March 2026. It will support local young (post 14 year of age) people to gain work experience and volunteer placements across the district, whilst gaining an accredited volunteering qualification and work experience. The courses will be tailored to the individual needs of the participants.

⇒ Across all of the UKSPF people and skill programmes to date we have supported nearly 470 residents to access educational support, training or complete courses. This support is provided to residents on an ongoing basis throughout the financial year, rather than quarter by quarter.

⇒ As detailed in the quarter three performance report, we have created a suite of initiatives in collaboration with partners to bolster sustainable economic growth through funding made available through UK Shared Prosperity Fund (UKSPF) and Rural England Prosperity Fund (REPF). This includes a package of support to businesses that provides:

- Accelerator - specialist research and innovation and decarbonisation support for local businesses to improve the sustainability of their operations. Delivered by East Midlands Chamber.
- Start-up Scale-up programme- specialist 1-2-1 support and workshops for prestart up and early-stage enterprises.
- 1-2-1 established business support through Nottinghamshire County Council Business Advisors
- Rural Business Investment grant fund
- Business Growth and Sustainability fund
- Grant finder searches
- Bespoke workshops on business support, exporting, and procurement.

To date 257 businesses have received support this financial year through the above schemes, with 216 receiving specialist 1-2-1 business advice or access to workshops. 71 businesses were awarded grant funding, with grants ranging from £1,000 to £50,000.

⇒ The Amended Allocations & Development Management DPD was submitted for Examination on the 16 January 2024. It will now be subject to examination. The anticipated timetable for adoption is detailed below, this timeline is however subject to change at the inspectors discretion.

- Q4 23/24 - Pre-Hearing Period January to March 2024
- Q1 24/25 - Examination by Inspector (April 2024)
- Q2 24/25 - Consultation on Main Modifications (June/July 2024)
- Q3 24/25 - Receipt of Inspector's Report (September 2024)
- Q4 24/25 - Adoption and Publication (October 2024)

Deliver inclusive and sustainable growth



⇒ We continue to lead and support on key infrastructure projects around the district including:

- Construction of the Southern Link Road is ongoing. The recent flooding events have impacted the site and caused delays. We continue to liaise with Nottinghamshire County Council (local highways authority) and National Highways (strategic highways network authority) for technical approval for some elements, including the roundabout connecting the A46. Due to open to quarter 1 / 2 2026. We continue to liaise with Urban and Civic to maintain lines of communication on any issues arising.
- A1 over bridge: The 2021 updated feasibility study proved eight options. The feasibility study is currently with National Highways for comment, with anticipated return in Quarter 1 2024/25. The feasibility study and returned comments will inform the design stage of the A1 over bridge. We are currently working with National Highways for their uptake and delivery of the project.
- The full business case for the A614 Improvement Scheme has been submitted to the Department for Transport by Nottinghamshire County Council.

⇒ The Destination Management Plan (DMP) development plan is in progress and due to be completed by summer 2024.

Within Q1 we expect to see a draft of the Destination Management Plan (DMP), the background work being done is to establish whether a single DMP is superior to the previous incarnation, which was split into three, covering the three major towns: Southwell, Sherwood and Newark.

Early work suggests one destination plan with segments focusing on the three major areas ('nested destinations') would be most suitable. Under the banner of Tourism Action Group, focus sessions and interviews are being planned with key stakeholders to ensure we have buy-in and shared direction. This process will also ensure that the governance and structure align with DMP aims and objects, to ensure it supports on the implementation of the DMP

We are working closely with Visiting Nottinghamshire, who are also drafting a county wide DMP, to ensure that we are not doubling up on work and have a shared approach. We remain on schedule to complete by the end of summer 2024.

⇒ The Newark Heart Programme is developing with the Full Business Case aimed for completion in spring/summer 2024. The Capital Programme is focusing on the Market Place with initial concept designs for way-finding, lighting, event infrastructure and seating developed by designers and architects, New Practise.

The draft event strategy has been produced with key events throughout 2024. The events programme will be delivered in partnership with Newark Town Council. The next event scheduled in Spring 2024 is a 'Small Business Showcase' which is currently being developed.

The Project Team continue to develop the studies on place identity, capital works and a sustainable programme legacy model, and have undertaken comprehensive engagement with stakeholders over the last 3 months to enable participation, inclusion and involvement in shaping and designing the future programme.



Spotlight benchmarking

As of December 2023, the unemployment rate in Newark and Sherwood was 3.7% which is a 1% increase since December 2022. Whilst the unemployment rate for England is 3.7% which is an increase of 0.1% when compared to the same period.

Quarterly Indicators	Quarter 4 21/22	Quarter 4 22/23	Quarter 4 23/24	Target 23/24
Year to Date Indicators				
Total number of admissions - National Civil War Centre	8,709	13,234	16,800	12,000
Total number of admissions - Palace Theatre	28,517	59,877	52,619	48,000
% of visitors from schools – National Civil War Centre	New For Q1 23/24	New For Q1 23/24	24.0%	Trend
% of visitors from schools – Palace Theatre	New For Q1 23/24	New For Q1 23/24	12.0%	Trend
Number of people reached through direct participation and outreach	New For Q1 23/24	New For Q1 23/24	12,060	Trend
Total footfall across all heritage and culture services and sites	New For Q1 23/24	New For Q1 23/24	99,651	Trend
Car parking numbers across all council owned Newark car parks	New For Q1 23/24	New For Q1 23/24	377,798	Trend
All Other Indicator Types				
Newark town centre footfall count (average visitors per day)	5,019	4,042	2,773	3,750
Newark Beacon - % of occupied units	89.4%	99.1%	80.0%	95.0%
Sherwood Forest Arts and Crafts - % of occupied units	100.0%	100.0%	100.0%	95.0%
Commercial Property - % occupied units	93.0%	98.0%	98.0%	95.0%



Annual Indicators	21/22	22/23	23/24	23/24 Target
Percentage of town centre retail premises vacant across the NSDC District	6.9%	6.8%	7.2%	8.0%
New jobs created within the district	50,700	52,000	56,441	40,000
Number of new businesses as a percentage of business births to active enterprises	10.2%	9.6%	10.6%	10.0%
% of students within the district achieving LEVEL 1 - GCSEs 1-9 and lower or NVQ level 1	83.2%	83.6%	90.6%	85.0%
Increase in dwell time in Newark Town Centre	New For Q4 23/24	New For Q4 23/24	10.3%	2.0%

Exploring our performance

Newark Town Centre footfall is below target by 977, there are a number of factors which we believe to be contributing to this. This quarter was impacted by the flooding caused by Storm Henk as well as other instances of poor weather conditions, potentially discouraging people from entering town. The period following Christmas is usually one of low footfall, as people cut back on spending and visits to town centres. The decrease in footfall seen here is in line with national trends.

The cost-of-living crisis also continued to impact household budgets, particularly during the winter when temperatures were lower, and nights were longer. As a result, the decision may have been made to take less trips to Newark town centre. The recent announcement that the UK entered a recession in 2023 may have further impacted these decisions.

In order to address the shortfall, more events and campaigns will be taking place in Newark over the coming months. Notably the Small Business Showcase and the Whale Installation in the town centre. Work is also being done with Allies and Morrisons regarding town centre improvements, it is hoped this will provide benefits such as improving vibrancy and enhancing the flow of visitors throughout the town centre.

The Newark Beacon occupancy levels are currently below target by 15%, this can be attributed to the relocation of one business in June 2023 who occupied 11 offices but had outgrown the space and has moved to another building within the district, as well as the loss of 6 other companies in 6 offices during Q2 & Q3. However, occupancy levels have shown significant improvement in the past 8 months. Occupancy has increased from 61.8%, up to 80% in Q4 23/24. This is a great achievement and is attributed to additional marketing of vacant units across various platforms.

Create more and better quality homes through our roles as landlord, developer and planning authority



What we have been doing this quarter;

- ⇒ The practical completion of our new temporary accommodation facility, Alexander Lodge, took place in January 2024. Following the site and process trials, the first residents moved in week commencing 8th March 2024 and initial feedback is all very positive.
- ⇒ As Alexander Lodge has been commissioned and is now in use, as a result we are now decommissioning some of our older stock which will no longer be in use. We have plans to carry out an options appraisal on the temporary accommodation at Wellow Green into 2024/25.
- ⇒ As part of the ongoing continuous improvement to the standard of empty homes, we are continuing to work with tenants from our Local Influence Network groups to carry out 'fit to let' inspections. Results of these property inspections are being fed back to the empty homes team to improve performance.
- ⇒ Works progress on the Amended Allocations & Development Management (DPD) and associated Gypsy and Traveller Strategy. In January 2024, a draft DPD was submitted to the Planning Inspectorate appointed by the Secretary of State to examination the 'soundness' i.e., suitability of the plan. We have submitted a planning application for a Council run Gypsy Roma Traveller (GRT) site for 15 pitches on the former Belvoir Iron works, Bowbridge Lane to the south of Newark.
- ⇒ We are experiencing an increasing level of demand for routine repairs and we have plans to review the capacity of the Trades team in quarter 1 of 2024/25 to see which, if any, trades may need additional resourcing and the options available to provide this.
- ⇒ The Surveyor for Damp and Mould post has now been approved and we will be advertising this role and aiming to recruit an individual in quarter 1 2024/25.
- ⇒ In terms of our new online facility for reporting repairs, we have continued to see a flow of repairs coming through via this channel. We have plans to further promote the use of this service over the coming year.
- ⇒ Work is ongoing with resettlement communities in our district. We have completed partnership meetings this quarter to bring together the voluntary, statutory and commissioned services. We plan to continue with this meeting making it more strategic and enabling the commissioned and voluntary services to work through an operational model.
- ⇒ The HRA Development programme has delivered a further 38 properties during 2023/24 taking the total delivery under the original HRA Development Programme to 311 completions. A further 23 properties are currently on-site. The Council are applying to be partner for the Affordable Homes Programme and the team will be working to maximise grant into the councils bespoke 50 unit programme. This programme was approved last quarter to bridge the gap in development whilst the council fully considers and models the impact of decarbonisation, stock condition and new building safety requirements on the HRA business plan in order to explore the possibility of a further 3-5 year development programme.





Create more and better quality homes through our roles as landlord, developer and planning authority

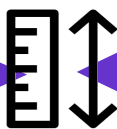
- ⇒ The focus on regeneration at the Hallam Road and Stepnall Heights estates is through community led regeneration rather than physical housing led, with two significant projects progressing well. The area is currently one of four focus areas within an Asset Based Community Development (ABCD) Project – identifying the current buildings and open spaces that can be used by residents and people assets (community champions and groups within the community) with a view to investing in and supporting these to remain resilient. The draft reports on ABCD have been received by the council and a period of review and action planning is now under way.
- ⇒ In addition, on the Stepnall Heights estate, we have developed the ‘Boughton Community Hub’ within a property on the estate. The hub is now providing onsite delivery in an area with recognised barriers to services and it is intended that the hub will be used by a wider range of partner agencies from which to collate, coordinate, co-deliver services.
- ⇒ We continue to exceed national performance targets for determining planning applications. National targets are 60% determined in 13 weeks for major applications and 70% determined in 8 weeks for non-majors, and both of our indicators are 90% or above.
- ⇒ We introduced our pre-application advice and the processing of applications satisfaction service survey in Q2 23/24. This survey is key to understand how satisfied our customers are and how we can improve to try and secure the best development possible for the sites and our customers, as well as in lieu of likely changes from Government. However, we have not achieved the response rates we hoped for and are now in the process of revising the survey to maximise responses. Our revised survey is in the final draft stage and we will be targeting Planning Agents only. As the feedback we have received from our survey indicates that changes to Planning Policy going forward will have the greatest impacts on agents who submit on behalf of householders, rather than householders who may only ever have submitted one planning application, and we need understand if agents have recognised the changes, especially with the removal of part of the exemptions, the pre-application process and the increase of fees.
- ⇒ An action to come out of the original survey is the creation of an Agents Forum. Out of over 400 agents, approximately 27 have expressed an interest in being part of a forum. These 27 are regular submitters of planning applications. We intend to set up and hold our first forum during the 2024/25 period.

**Measuring
Success**



Quarterly Indicators	Quarter 4 21/22	Quarter 4 22/23	Quarter 4 23/24	Target 23/24
Year to Date Indicators				
Number of all tenants who have been evicted for rent arrears	2	2	1	Trend
Number of evictions (anti-social behaviour)	2	3	1	Trend
All Other Indicator Types				
Arkwood - number of units delivered	20	55	79	Trend
Arkwood - plots commenced	79	87	87	Trend
Arkwood - total legal completions (Annual Indicator)	17	50	71	Trend
Average time spent in temporary accommodation (weeks)	12.3	8.8	11.6	13.0
Average time (days) to re-let Council properties	27.6	28.0	30.9	28.0
% of rent collected from current tenants as a % of rent owed	98.6%	99.0%	98.9%	98.5%
Average "End to End" time for all reactive repairs (CALENDAR days)	12.7	21.2	16.6	16.0
% of repairs completed at first visit	92.9%	88.4%	91.1%	93.0%
% of planning applications (major) determined in time	100.0%	90.0%	92.3%	90.0%
% of planning applications (non major) determined in time	98.0%	93.4%	94.4%	90.0%
Average number of working days to process housing benefit change in circumstances	3.0	2.6	1.5	5.0
Average number of working days to process new housing benefit claims	19.0	18.1	14.5	17.0
Amount of current arrears as a % of annual rent debit	1.68%	1.31%	1.47%	2.20%
Amount of current arrears	£396,533	£324,310	£382,744	£554,400
% of housing complaints responded to within agreed timescales	85.0%	94.0%	89.0%	100.0%
% of homes with a valid gas certificate	99.0%	98.8%	99.7%	100.0%
% of homes with Electrical Installation Condition Report (EICR) certificates up to five years old	99.2%	99.0%	99.3%	100.0%

Measuring Success



Annual Indicators	21/22	22/23	23/24	23/24 Target
Number new homes developed within HRA	63	7	38	Trend
Satisfaction that the landlord makes a positive contribution to neighbourhoods (TP11)	New For Q4 23/24	New For Q4 23/24	65.1%	90.0%
% of properties with an energy efficiency (SAP) rating of C or above	67.7%	68.0%	52.3%	70.0%
Overall Satisfaction (TP01)	New For Q4 23/24	New For Q4 23/24	77.9%	90.0%
Satisfaction that the landlord listens to tenant views and acts upon them (TP06)	New For Q4 23/24	New For Q4 23/24	68.0%	90.0%

Exploring our performance

The % of housing complaints responded to within agreed timescales has decreased this quarter, however the year has ended on 94% - with 13 out of 226 complaints not meeting this target. 7 complaints were out of target during the quarter, but the service has seen average monthly complaints reaching around 20. The majority of complaints fall within the repairs service and the team has been under pressure due to a number of vacancies. Some cases were extended by agreement with the tenant which is allowed under the terms of the Housing Ombudsman Service complaint handling code. Officers strive to provide a response within timescales and keep the tenant informed where this will go over time by some degree.

The % of homes with a valid gas certificate is below target by 0.3% which equates to a total of 15 properties. All properties that are out of compliance are in an enforcement process to gain access.

Overall satisfaction is below target by 12.1%, the question was asked as part of the first year of tenant satisfaction measures. Whilst this is the same question that was asked in STAR survey, this was a different survey and the survey was carried out by different methodology, so whilst there is a significant slippage, we are not comparing like with like. We have a range of actions in place to drive improvements across all of the tenant satisfaction measures, some of the key drivers will in turn drive improvements in overall satisfaction. This is also linked to the work we are doing to meet the new regulatory requirements and the new complaint handling code.

Satisfaction that the landlord listens to tenant views and acts upon them is below target by 22%, this is similar to the declining indicator above in that the question was asked as part of the first year of tenant satisfaction measures, we had no previous indication of what the outturn might be. We have a range of actions in place to drive improvements across all of the tenant satisfaction measures, a number of which cover engagement and consultation. This work is also linked to the work we are doing to meet the new regulatory requirements and the new complaint handling code.

Rent arrears performance remains excellent despite the challenges posed by the ongoing cost of living challenges faced by many of our tenants.

Benchmarking data from Housemark has placed our performance comfortably within the top quartile throughout 2023/24. At yearend, arrears as a percentage of debit of 2.04% was the benchmark for top quartile performance across the whole social housing sector. We out performed this with an outturn of 1.47%.

Performance has been maintained with limited formal recovery action taking place, with only 1 eviction rent arrears taking place in 2023/24, and a continued focus on preventative, proactive work to try to engage with tenants before arrears accrue. This approach will be maintained into 2024/25.

How are we performing against our objective to...

Continue to maintain high standard of cleanliness and appearance of the local environment



What we have been doing this quarter;

- ⇒ In Quarter 4 we issued 34 Fixed Penalty Notices for fly tipping and three for littering. These mainly consisted of small fly tips where the full penalty would not be appropriate (based on DEFRA guidance). We issued 15 notices to business's for failure to produce waste transfer and waste carrier documentation. Four notices were issued for abandoned vehicles. One of our biggest fly tipping cases of the year has been heard in court. The defendant pleaded guilty to the main offences and is now awaiting sentencing.
- ⇒ In February, District Enforcement became our new litter enforcement provider. They have made an excellent start with 213 fines being issued for littering in less than two months.
- ⇒ In quarter 2 we opened the Green Champions system up to all NSDC employees due to the limited number of responses from volunteers. Although we had less responses from employees than we had initially hoped, we have had enough responses to test the system which has now been carried out. We are planning to have a phased public launch as part of Big Green Week on the 10th June.
- ⇒ At Vicar Water Country Park we are continuing to work with Notts Wildlife Trust on the improvements to the waterway, with new plans developed for a wetland area and changes to the river channel designed to improve the flow and reduce silt build up.
- ⇒ At Sconce and Devon Park, the Ancient Orchard Area has been refreshed, with much of the scrubby vegetation which has been host to antisocial behaviour removed and replaced with new tree planting. The area has also had a redesigned access to highlight its uniqueness.
- ⇒ In partnership with Newark Town Council, work is now gathering pace on the Sherwood Avenue Park project with the final touches being put to the designs.
- ⇒ Responding to issues raised in respect of access, a letter drop was carried out across all properties on The Meadows in Farndon in February. The letter encouraged considerate parking and cutting back boundary vegetation.
- ⇒ In March, our Officers led a pop-up Responsible Dog Ownership event on Sconce Park, this was supported by the Dogs Trust. Dog waste bags and dog treats were handed out, and discussions to encourage responsible dog ownership were had.
- ⇒ In quarter 4, our Officers undertook Walkabouts in the following locations, as part of our 'Walkabout Project':
- Ollerton
 - Lovers Lane, Newark
 - Fosse estate, Newark.



We engaged with our residents to understand their concerns and assist with any enquiries.

How are we performing against our objective to...

Continue to maintain high standard of cleanliness and appearance of the local environment



⇒ Within this period the following enforcement action has been taken:

- Closure Order at a property on Lime Grove, Newark, due to drug related crime and anti-social behaviour.
- Injunctions were secured on two adults causing nuisance at the home address in a village on the Sherwood side of the district.
- ASB Officers supported the Police in securing a Criminal Behaviour Order on a female committing shop theft in Ollerton.
- One Injunction Warning was served on a male for repeated drunk and disorderly behaviour in Newark town centre.
- One Community Protection Warning issued to a young adult for nuisance at Churchill Drive shops, Hawtonville.
- One young person entered into an ABC in relation to repeated nuisance at Lakeside Shopping Centre, Balderton.
- Six first Stage Warning Letters were issued to young people for anti-social behaviour:
 - Three relating to incidents in Balderton
 - Two for incidents in Hawtonville
 - One for issues in Fernwood

⇒ Performance checks are made on the quality of the grounds maintenance service delivered for the Housing Revenue Account. The average scores for the quarter are provided in the table below. Scoring is 1 to 5. 1 being perfect and 5 needs rectifying within 24 hours. Our year-to-date accumulative scores are as follows:

Performance Outcomes of Monitoring Inspections for the Maintenance of Housing Land (HRA)		
Service Area	Q4 22/23	Q4 2023/24
Grass Cutting	1.27	1.66
Litter and Bins	1.17	1.16
Garage Sites	1.29	1.72
Shrub Bed Maintenance	1.56	1.60
Weed Control	1.41	1.49
Hedge Cutting	1.47	1.62



Quarterly Indicators	Quarter 4 21/22	Quarter 4 22/23	Quarter 4 23/24	Target 23/24
Year to Date Indicators				
Number of fly tipping incidents	1,643	1,576	1,604	1,800
Number of fly tipping enforcement actions	2,601	2,291	1,798	2,050
All Other Indicator Types				
% fly tipping incidents removed within 72 hours	89.5%	95.8%	93.6%	75.0%
% of household waste sent for re-use, recycling and composting	36.0%	35.4%	Waiting for External Data	40.0%
Number of missed bins (per 100,000 households)	New For Q1 22/23	44.4	52.5	45.0
Number of missed assisted collections	New For Q1 23/24	New For Q1 23/24	254	Trend
Total number of garden waste subscriptions	16,694	19,188	20,949	19,500
Number of level 1 graffiti incidents not removed within 36 hours	New For Q1 23/24	New For Q1 23/24	0	0
Number of level 2 graffiti incidents not removed within 10 days	New For Q1 23/24	New For Q1 23/24	0	Trend
% of failing sites - street and environmental cleanliness - litter	0.5%	0.8%	0.6%	2.8%
% of failing sites - street and environmental cleanliness - detritus	0.7%	1.1%	1.0%	1.8%

Exploring our performance

The number of fly tipping enforcement actions is below target by 252; however, the number of fly tipping incidents were significantly reduced by 196 incidents this quarter.

The number of missed bins per 100,000 households is below target by 7.5, this can be attributed to numerous day changes due to Bank Holidays, plus additional waste results in a spike of reported missed bins which are likely to have been refilled. In order to achieve this target, we are promoting the use of bin reminders which will help to avoid reports of missed bins which may have been presented for collection late.



Enhance and protect the district's natural environment

What we have been doing this quarter;

- ⇒ The Glass recycling programme is on track to hit its April 2024 launch target. Glass bins continue to be delivered to homes by postcode area, with those areas scheduled for earliest collections having their bins delivered soonest.
- ⇒ We held the first EnviroCrime Working group for our neighbouring authorities in Lincolnshire and Nottinghamshire. We shared best practice and intelligence via this group, which will help us tackle environmental crime.
- ⇒ The Active Travel Feasibility Study has been completed. We will now review and consider the recommendations.
- ⇒ We are continuing to develop the Forest Corner Masterplan; this process involves developing a number of project plans for implementation over the next 5 years. We have been busy carrying out comprehensive engagement with key stakeholders, traffic assessments, planning review, options analysis, and project review in readiness for developing these project plans. In Quarter 4, we established why the 2020 draft Master Plan did not meet expectations. Stakeholder engagement and a traffic assessment has been undertaken, and a revised draft Master Plan has been completed. It is due to be submitted to landscape architects in Q1 24/25. Budget for the architectural work is in collaboration with Nottinghamshire County Council, as per actions agreed in the February 2023 cabinet report to draw down £74K to move from RIBA stage Zero to RIBA Stage 3 or 4.



We have included integration with Active Travel, and the links already in place across the site, and will incorporate current footfall data into design and decision making. Footfall sensors will be installed in Quarter 1 2024/25.

New lighting to address Anti-Social Behaviour ahead of the Master Plan approval has been submitted to planning. A review has also been undertaken to ensure appropriate stakeholder collaboration and ensure up-to-date land ownership details have been obtained.

- ⇒ There is continued progress to achieve our target for carbon neutrality by 2035, as outlined in the Greening Newark and Sherwood action plan.

PV installations:

- In addition to the completed works on the Newark Sports and Fitness Centre and Newark Beacon, we now have completed the installation at Vicar Water and are now running the final testing and calibration.
- At The Dukeries and Sconce and Devon, preliminary work has started.





Enhance and protect the district's natural environment

Decarbonisation

- The consultation work by B.E. Designs has been completed and the decarbonisation strategy for our 14 commercial buildings and 19 car parks will be discussed and progressed on in April 2024. The outcomes of which will determine a program of works to help achieve carbon neutrality.
- The Brunel Drive site's future is still under discussion, but the new waste stream for glass collection is complete and collections are due to start in April 2024.

Green Reward App:

- We have had 11 new members sign up, and we continue to have the highest proportion of actual active members i.e., the members that sign up to the App in our district use the App most often. Currently there is work underway to increase the uptake of the App to encourage green behaviours.



⇒ We have planted 800 trees on Westbrook Drive in Rainworth with the help of the local community and 70 trees at Vicar Water Country Park.

⇒ Our Officers have delivered 6 school sessions with local primary schools. We have appointed an Officer with teaching experience to continue to further develop our education offering.

As part of the Christmas Tree Recycling funds, we contacted all the primary schools in the district to offer them free trees. Eight Schools accepted. 161 trees and hedging whips have been supplied:

- 38 fruit trees
- 3 native trees
- 120 hedging whips



Annual Indicators	21/22	22/23	23/24	23/24 Target
Number of trees planted on Council land or partner land	New For Q4 23/24	New For Q4 23/24	867	600
Number of trees given away to residents	New For Q4 23/24	New For Q4 23/24	1,305	1,000

Please note, the number of trees planted in the District has been replaced with the two indicators above.

How are we performing against our objective to...



Reduce crime and anti-social behaviour, and increase feelings of safety in our communities

What we have been doing this quarter;

- ⇒ On 26th March, the feasibility study and business case to return the CCTV Control Room to an in-house operation was agreed. The notice period for the current partnership is 24 months and notice has been served. Those approved plans will now be undertaken to move the project forward.
- ⇒ Re-deployable CCTV was deployed in Clipstone, Kneesall, Newark, and Edwinstowe to act as deterrents in ASB hotspot areas and a deployment in Hawtonville is in progress.
- ⇒ In February, our Officers from Public Protection attended a Community Meeting facilitated by Farnsfield Parish Council. The meeting was well attended and generated several actions for both us and the Police. In addition to this, anti-social behaviour reporting was discussed.
- ⇒ Our Public Protection Officers joined the Police for a Safer Businesses Action Day in Newark town centre this quarter. The purpose of the day was to find out what specific crimes and anti-social behaviour affect the businesses in Newark Town Centre, whilst building trust and a positive working relationship with those affected.
- ⇒ Operation Cognition Nights of Action took place on 16th February and 22nd March in Newark town centre. A number of our Officers joined Nottinghamshire Police Officers in Newark Town Centre to raise awareness of Cocaethylene. Cocaethylene is a chemical that our bodies create when alcohol and cocaine are taken together. It can increase violent and impulsive behaviours, increase chances of a heart attack, stroke or seizures, cause damage to the liver and even sudden death.
- ⇒ This quarter, we have seen a reduced number of youth related nuisances being reported across the district when compared to last year. However, under-reporting of all ASB incidents remains a concern. We have been focusing on smaller targeted areas of youth related nuisance in Balderton, Hawtonville, Fernwood and Bilsthorpe, that have been undertaken by our Public Protection team, in partnership with the Police.
- ⇒ In February, a joint Council and Police Community Safety event was held on Yorke Drive, providing an opportunity for residents to engage with the dedicated ASB and Community Protection Officers for their area, along with the Police Neighbourhoods officers.
- ⇒ In March, Bike Marking events took place in Collingham and Balderton delivered by officers from our Public Protection team, alongside the Police Neighbourhoods team.
- ⇒ March also saw us carrying out targeted patrols, following up on concerns over cars idling outside a school in Walesby. We engaged with parents at the beginning of the school day, providing advice to drivers/parents. We will continue to engage with residents in the area to offer ongoing advice and education over vehicle idling.



How are we performing against our objective to...

Reduce crime and anti-social behaviour, and increase feelings of safety in our communities



⇒ As part of Safer Streets 5 a Youth Shelter was installed in March 2024 at Coronation Park, Balderton. It is currently well used and received by local young people. Installation of additional CCTV on Coronation Park took place coinciding with the newly erected Youth Shelter.



⇒ As part of the attitudinal change, approximately 80 children from Barnby Road Academy attended a 2-day Graffiti event in March. The sessions were very well received and the children learned about anti-social behaviour whilst getting an opportunity to create their designs. The children chose the themes for two bridge walls on the Sustrans track which included Motion for the Ocean and Woodland. They displayed fantastic artwork skills and an enthusiastic approach with their cans under the guidance of a Graffiti Artist.

⇒ Cooking with Teens on Yorke Drive has taken place in this quarter. This initiative is funded by Locality Funding, and was led and delivered by our Community Engagement Officers, who are supported by officers from Public Protection. The sessions, attended by 45 young people, include a practical healthy cooking experience and allows them to eat together, forming friendships. Our officers have received positive feedback from those who attended and also parents. The sessions have been very popular and well received, as such another cohort is currently running, and more are hoped to take place in the future.

Measuring Success



Quarterly Indicators	Quarter 4 21/22	Quarter 4 22/23	Quarter 4 23/24	Target 23/24
Year to Date Indicators				
Community protection notices/warnings (number issued)	16	8	20	Trend
All other notices/warnings (number issued)	49	23	22	Trend
Number of notices issued relating to private rented properties	New For Q1 23/24	New For Q1 23/24	4	Trend
All Other Indicator Types				
% reduction in anti-social behaviour - Newark & Sherwood District compared against County area	-15.0%	2.0%	17.0%	6.0%
% reduction in all crime - Newark & Sherwood District compared against County area	14.5%	-9.0%	-1.1%	2.4%
% of businesses in the District with a food hygiene rating of 3 or above	93.12%	92.67%	98.00%	94.00%
% of businesses in the District with a 0 star food rating (major improvement necessary)	0.18%	0.18%	0.09%	0.16%
% of food inspections undertaken in quarter	No Data Rec'd	100.0%	100.0%	100.0%
% of all programmed Environmental Permitting Regulations inspections completed	New For Q1 22/23	100.0%	100.0%	Trend

*target is the County average and minus denotes an increase

Annual Indicators	21/22	22/23	23/24	23/24 Target
Satisfaction that the landlord makes a positive contribution to neighbourhoods (TP11)	New For Q4 23/24	New For Q4 23/24	65.1%	90.0%

Exploring our performance...

Satisfaction that the landlord makes a positive contribution to neighbourhoods is below target by 24.9%. The question was asked as part of the first year of tenant satisfaction measures, we had no previous indication of what the outturn might be. We have a range of actions in place to drive improvements across all of the tenant satisfaction measures, a number of which cover estates and neighbourhoods. This work is also linked to the work we are doing to meet the new regulatory requirements.

The % reduction in all crime within Newark & Sherwood District has increased this quarter when compared against County area. The target is a moving target as it is based on the performance of the county and how we compare to it. The county saw a small reduction of 2.4% whereas we saw a slight increase of 1.1% the data shows there has been an increase in thefts at year end compared to previous full year. Whilst there were some other increases these were small in numbers. We have an active Shopwatch scheme and more targeted patrols with shop staff encouraged to report any offences.

Improve the health and wellbeing of local residents



What we have been doing this quarter;

⇒ During the last quarter we have been busy working to deliver activities to help achieve the objectives set out within our Health and Wellbeing Strategy. Some of the key achievements this quarter include:

- Two successful funding bids enabling the creation of two new projects to further support residents via the food club. These include the rollout of monthly Saturday night takeaway bags which provides families with the ingredients and a recipe card to enable them to cook a healthy low cost “Fakeaway” meal. The second project has seen the food club work locally with a fruit and veg supplier to unlock wholesale price local produce which is sold at a fraction of the cost to families weekly in addition to their food club boxes.
- 4,650 households received food support from food clubs across the district this quarter.
- The newly created Community Alcohol Partnership (CAP) covering Newark and Hawtonville has commenced promotion in the community via engaging with supermarkets sharing the branding and messaging around CAP. In addition to this, educational resources have been given to schools and colleges and diversionary events are planned to further support the work of CAP.
- The Recognising Mental Health group identified a lack of local peer support groups and a number of local residents/volunteers have worked tirelessly to create a number of new local groups including “In Sam’s Name” in Ollerton, “Newark Town Team Talk” Men’s MH group in Newark, a suicide bereavement group in Newark and two additional groups in Rainworth and Southwell.
- The roll out of family hubs was agreed by Nottinghamshire County Council, our pilot centre is scheduled to be rolled out on 1st June at Hawtonville Children Centre.
- We have been working to renew and increase the number of accredited breastfeeding friendly venues, with 52 currently across the district, locations include cafes, leisure centres and health centres.



⇒ During Quarter 4, as part of the Tenant Welfare Fund, we delivered a project which targeted support to tenants who were not in receipt of Housing Benefit or Universal Credit Housing Element. Due to not receiving these benefits, tenants would have had limited access to the additional support provided to mitigate the impact of the increased cost of living. We made a payment equivalent to a weeks rent to qualifying tenants who responded to a survey to update their contact details along with some other tenancy-related information. We were able to support 262 tenanted households by making payments which totalled £26,032.

⇒ While tenant arrears performance remains strong, as anticipated at the end of Quarter 3, arrears at Quarter 4 are higher than at Quarter 4 last year. Arrears were around £58,000 higher than at Quarter 4 last year and while this is disappointing, performance remains in the top quartile across the sector and reflects the hard work of the income team supporting tenants with continued challenges of the increased cost of living.

⇒ We invested £75,000 of government funding, from the Better Care Fund, to continue delivery of the Warm Homes on Prescription scheme throughout 2023/24. This funding has enabled us to support another 27 low-income households suffering with cold-sensitive long-term health conditions to achieve affordable warmth.

⇒ During the last quarter, we wrote to all residents of Yorke Drive about the planned regeneration scheme, as well as holding a resident panel meeting. The purpose of engaging residents was to explain the delays presenting the scheme to the Planning Committee for approval and what actions need to be taken to ensure that a scheme that meets the requirement all statutory stakeholders, planning and the project objectives is delivered. It is anticipated that the final revisions to the scheme design will be submitted to Planning in June, with a further public consultation on the amendments to be held.

How are we performing against our objective to...

Improve the health and wellbeing of local residents



Measuring
Success



Quarterly Indicators	Quarter 4 21/22	Quarter 4 22/23	Quarter 4 23/24	Target 23/24
Year to Date Indicators				
Number of user visits - Active 4 Today (All)	909,388	1,008,319	1,101,987	1,000,000
Number of events held in NSDC parks	126	270	326	Trend
Number of children on environmental education visits to NSDC parks	969	982	818	800
All Other Indicator Types				
Live Leisure Centre membership base (All)	10,990	11,585	11,170	11,500

Exploring our performance...

Most indicators across the health and wellbeing objective are in a strong position and above target and is testament to the continued efforts across the Council and key partners in what is an objective of vital importance to our residents.

The number of visits to our leisure centres has exceeded the target by 101,987. However, Active4Today have seen a reduction in live Leisure Centre memberships compared to the same period last year, the number of live memberships are also underperforming against target by 330. This is due to the closure of Southwell main pool.

Our Customers

In this section of the report we look at a few key measures of customer interaction to monitor how we interact with our customers, and we look at what our customers are telling us about the services they receive. We analyse these comments and show how we are learning from customer feedback.

Quarterly Indicators	Quarter 4 21/22	Quarter 4 22/23	Quarter 4 23/24	Target 23/24
Year to Date Indicators				
Website – NSDC – sessions (total number of views)	341,882	784,580	1,503,926	400,000
Engagement rate with posts issued on NSDC Facebook and X combined	1,055,405	920,610	1,085,448	1,000,000
Number of digital web form transactions	38,786	31,236	62,200	34,000
% business rate collection	98.0%	97.2%	97.8%	98.2%
% council tax collection	97.4%	97.1%	97.2%	97.4%
Telephony - average length of time to answer call (seconds)	78.0	84.0	156.0	90.0
Responsive Repairs - telephony - average length of time to answer call (seconds)	New For Q1 22/23	90.3	161.0	60.0
All Other Indicator Types				
% invoices paid within 30 days - whole Council	98.1%	98.0%	98.0%	98.5%
% effective response to careline calls within 180 seconds (industry standard)	99.1%	99.3%	99.8%	99.9%
Average number of days to process new council tax support applications	18.0	18.8	12.8	18.0
Average number of days to process council tax support change in circumstances	9.0	7.5	4.1	6.0
Average number of working days to process new housing benefit claims	19.0	18.1	14.5	17.0
Average number of working days to process housing benefit change in circumstances	3.0	2.6	1.5	5.0
% of complaints responded to within agreed timescales	New For Q1 23/24	New For Q1 23/24	91.3%	100.0%

Exploring our performance...

There has been unprecedented demand for telephone enquires in March.-The number of customer enquiries we deal with is very much based on the activity of other business units. During Q4 approximately 18,000 garden recycling renewals were issued. These coincided with the delivery of kerbside glass recycling bins and the issuing of the annual council tax bills and rent statements, all of which caused spikes in demand. We have seen peaks of just short of 1,000 calls in a day.

Considering the demand for our services across all contact channels and the unprecedented demand for telephone enquires in March, this performance is better than it was expected to be.

We do work with business units to try and “smooth out” the activities but there are so many conflicting factors that it is often not possible to do so. Demand cannot always be predicted but the team flex to meet demand peaks and are always focused on the quality of the provision ‘right first time’ which sometimes means that calls can take longer to resolve and there a longer waiting time for those in the queue, but overall a much better outcome for the customer.



Our face to face service at Castle House continues to be very busy. During 2023/24, compared to 2022/23, we saw an additional 3,421 customers requiring support, which is an increase of 25%. These customers can have complex enquires and often enlist the help of our partners located in Castle House. Q4 was the busiest quarter of the year with 4,773 customers requiring our help. The increase can be attributed to the impact of the cost of living. The additional enquires are mainly housing and benefit related. March 2024 was the busiest month of the year to date for face-to-face contacts. This shows that there remains a demand for face to face services.



When reviewing the average length of time to answer responsive repairs phone calls, we have had a significant increase in calls coming in from tenants, in part due to severe weather conditions and a reduction in colleagues to handle the calls. We are hopeful from next quarter we will see an improvement to the average length of time to answer responsive repair calls.

% of complaints responded to within agreed timescales is below target by 8.7%. We proactively chase outstanding complaints responses. During the second half of 2023 -24, 20 complaints missed the 10 working days deadline. These are predominately from the business units who receive the highest number of complaints. We do aim to respond to

every complaint within 10 working days but unfortunately a small percentage due miss the deadline.

We have exceeded our targets for both the engagement rate with posts issued on NSDC Facebook and X, this is attributed to the fact we have been focusing on the quality of posts issued, doing more videos than ever which have a much higher engagement rate and this is reflected here. The total number of NSDC website views is also performing above target with the increase in social posts, we push residents to the website more than we ever have done. So much of our information is so complex that driving to the website is the best way to get the

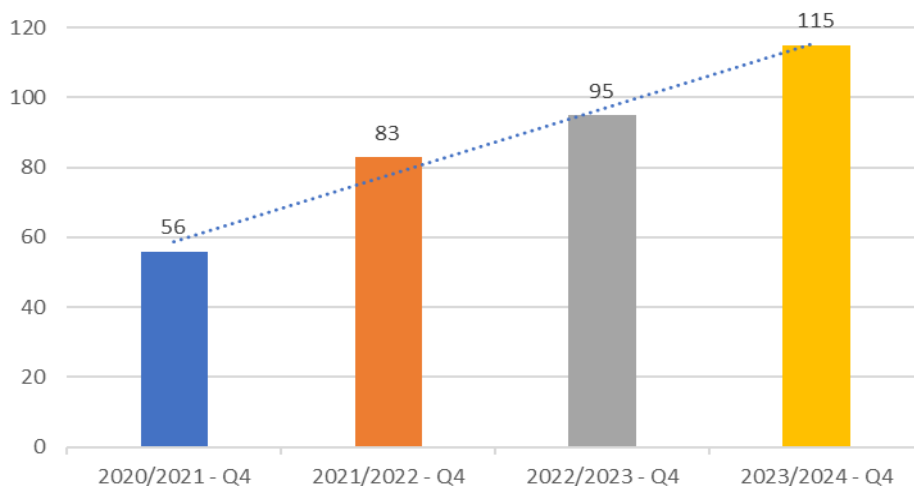
Customer Feedback

Both positive and negative feedback is important to us as it provides us with customer opinion, it allows us to recognise what areas need improvement and provides opportunity for us to learn. It can act as an early warning of problems that may otherwise stay unseen until they become a larger problem, which can then take up significant resource and time to remedy.

Complaints Received

During quarter 4 we received 115 Stage 1 complaints. The 4-year period outturn demonstrates an increasing trend overall as shown by the trendline in the chart below.

This period has seen a 21% increase in the number of complaints received when compared to Q4 of 2022/23.



Figures shown include complaints which were subsequently withdrawn

Analysis of this customer feedback also enabled us to identify and tackle a specific issue:

Area of improvement...

There is currently a lack of communication regarding tree protection order requests.

What we are doing to improve....

We have introduced an ongoing review of such requests and this is now part of the case officers weekly 1:1 reviews. Additionally, a letter template has been created to assist the officer with such requests.

Complaints by Business Unit

Due to the nature of their role the front facing services tend to attract the larger number of complaints. In quarter 4 the majority of complaints received were for the following services:

Housing Maintenance & Asset Management received 47, which is 41% of all complaints submitted. Of the complaints received by the team, 25 were due to a delay or lack of responsiveness and 6 related to Officers, specifically the standard/quality of work. Contractors standard of work received 5 complaints, delays in or lack of communication accounted for 5 complaints. A 6 further complaints in singular or smaller numbers related to service, decision or advice provided by officers, conduct or attitude of officers, and delays or lack of internal communication.

Environmental Services received 23 complaints, which equates to 20% of all complaints. Of those 23, 19 were for The Waste & Transport Team. The complaints were mainly related to service delivery and the conduct or attitude of officers. As well as a delay or lack of customer communication, the service, decision or advice provided by officers, and delays or lack of internal communication. The Waste Development team received 1 complaint and Street Scene/Grounds Maintenance received 3.

Housing & Estates Management received 12, which is 10% of all complaints submitted of which, 5 related to service, decision or advice provided by officers, the conduct or attitude of officers accounted for 4 complaints and a further 3 were received under the categories; Customer Communication (delays/lack of) and Officer (standard/quality of work). The table below summarises the numbers received across all Business Units.

Business Unit	Complaints Received
Housing Maintenance & Asset Management	47
Environmental Services	23
Housing & Estates Management	12
Planning & Development	8
Revenues & Benefits	8
Public Protection	4
Customer Services	4
Elections & Democratic Services	4
Housing Development, Regeneration & Strategy	2
Corporate Property	2
Housing Income & Leasehold Management	1
Grand Total	115

Includes complaints which were subsequently withdrawn

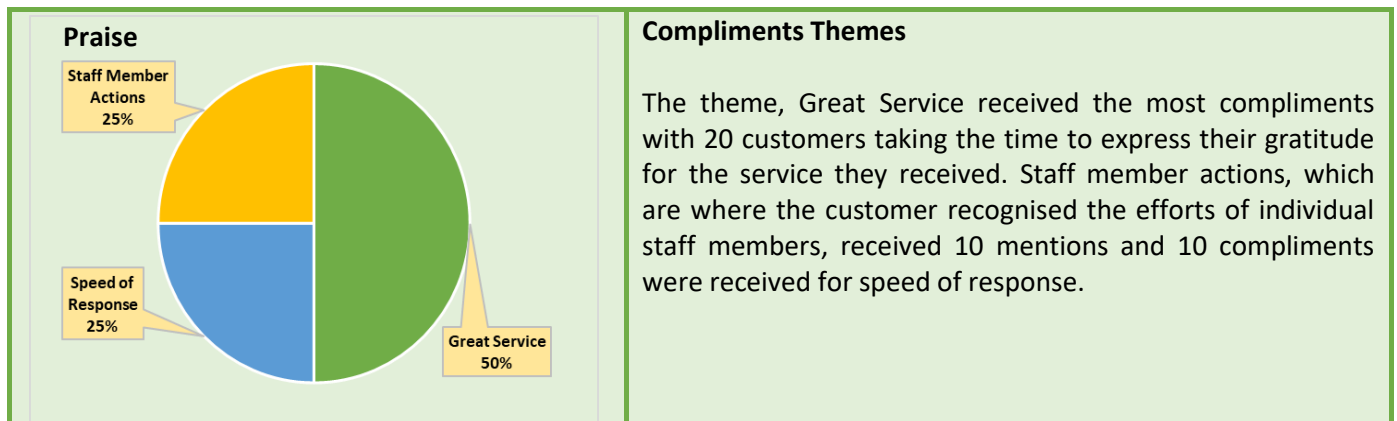
Response Times

Of the 115 complaints submitted in Quarter 4, 15 complaints were not responded to within the 10-working day timescale. These were agreed extension to time between ourselves and the complainant for more complex issues or in scenarios where the complainant was away or not available for any reason. These agreed extensions allowed us to provide a full and comprehensive response.

Suggestions

In Quarter 4, eleven suggestions were received, of which 7 were deemed to be service requests. The 4 remaining suggestions are shown in the table below.

Suggestion	Response
Preservation of town centre ethos and ensuring all storefront designs blend with the historical charm of the towns heritage	The Planning Enforcement and Conservation team will review the concerns raised in relation to the shops in Newark. If there is a breach of planning control and it is expedient to take action, this will be progressed.
Difficulty using online forms - Suggestions to improve online forms to enable accessibility	Portal is externally managed, the comments and suggestions have been forwarded, in order to review how to make the user experience better. I really do appreciate your time in contacting me as I wouldn't have been alert to this without it.
Promoting the use of water butts to collect rainwater is an excellent initiative! It not only conserves water but also benefits the environment. .	The Environmental team will explore options to establish the feasibility of this idea.
Suggestion for signage stating to "Switch engines off" to discourage parents from leaving their engines running whilst waiting for children at school. Many residents in the area suffer from health problems.	We are currently developing an anti-idling campaign that will include such signs and wider school and parent engagement to try to reduce this issue. However, in the interim I will ask our Community Protection Officer to attend the location and undertake interim discussions with the school and parents at pick up time.



Customer Quote:



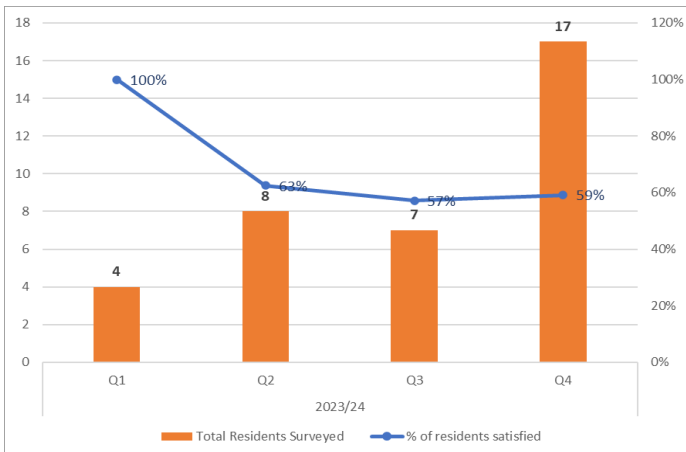
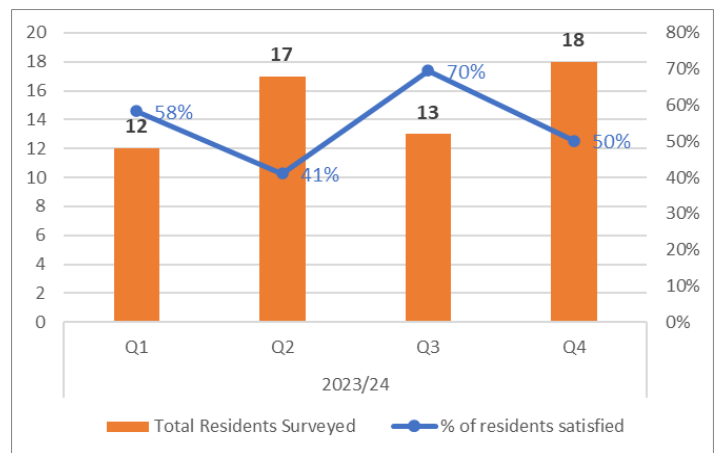
I just wanted to thank the Waste team for their speed and quality of response. This is the second issue related to bins in about a week and both were handed professionally and promptly with no fuss or need for me to chase up. It's really good to know that good customer service does still exist!

Tenant Satisfaction

Following tenants receiving a service, satisfaction surveys are undertaken by Viewpoint to understand if our service delivery met their expectations. In quarter four, 1,868 surveys were conducted over 12 service areas, and the average service satisfaction across the areas was 91% being satisfied or very satisfied. Two service areas scored 100% satisfaction - Careline and Housing Support. The areas scoring the lowest satisfaction rates across quarter 4 were; Complaints (50%), ASB (59%), and ,Right to Buy (75%).

Complaint Handling

During Q4, 18 responses were received, with 50% of the respondents expressing dissatisfaction regarding the handling of their complaints. This represents a 29% decrease in satisfaction compared to Q2. Customers primarily expressed discontent with their complaints not being adequately addressed and lengthy resolution times.



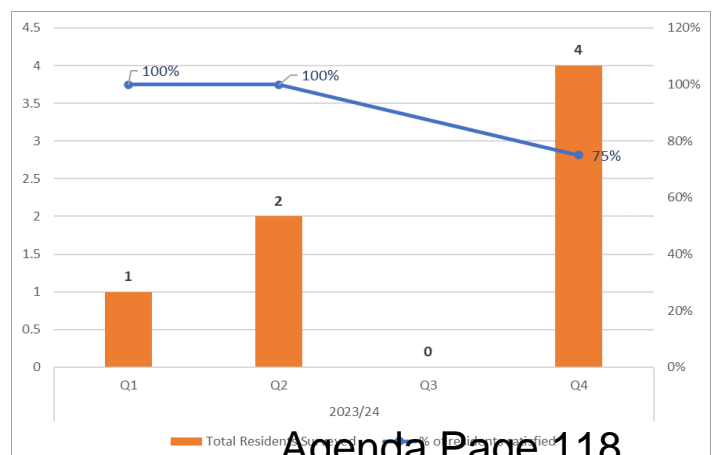
ASB

During Q4, 17 tenants responded to the survey, with 59% expressing dissatisfaction with the service.

The primary concerns were the prolonged resolution times, inadequate responses, and insufficient updates on the status of their issues. Notably, one tenant reported having to temporarily relocate due to the extended wait for a resolution.

Right to Buy

In the survey for the Right to Buy service, 4 responses were received. Among these, 1 person expressed dissatisfaction with the time it took to complete their purchase. They reported that the process spanned 18 months, primarily due to delays in completing repairs to the property.



A positive and motivated workforce is more likely to be high performing. To understand how our staff are performing and how we are supporting them we look at key indicators and recent activity.

Staff Update

Empowering women in industry

Lauren Anthony from our Corporate Property team is taking part in Newark College's Empowering Women mentorship and coaching programme. She will be mentoring a female student studying an industry-based course, offering support and guidance. It's crucial to encourage more women to pursue and advance careers in male-dominated industries like construction. We're proud to support Newark College in their initiative to empower women in industry by pairing experienced female leaders with students for mentorship.



Finalists in the East Midlands Building Communities Awards

On the 15th March, colleagues attended the East Midlands Building Communities Awards in Leicester. These awards recognise and celebrate professionalism, excellence and innovation within the housing and construction industry. We were shortlisted for:

- Carbon Reduction Project of the Year - Alexander Lodge.
- Employee Development – for organisations dedicated to bridging the skills gaps and fostering employee growth.
- Refurbishment Project of the Year – Eton Avenue Shops.

We were very proud to have been awarded runner up position for the Alexander Lodge project.

On Friday 8 March our colleagues Clare Barlow and Cheska Asman were joined by several housing staff members and Councillor Lee Brazier, Portfolio Holder for Housing, to take part in the Big Newark Sleepout 2024. This event raises awareness and funds to support young homeless people in our district. The Big Newark Sleep Out raised over £18,000 for Newark Emmaus Trust and the YMCA N&S.



This quarter our wellbeing champions continue to focus on various initiatives for both our community and our employees. For employees, our team have:

- Continued to develop the "Wellbeing Hub", which is due for launch via our intranet in Quarter 1
- Continued to run our well attended, informative and supportive Menopause cafes'
- 220 'Hug in Mug' nominations were received
- Continued to support our staff who are also carers through Peer Support Drop-in sessions, which will continue to run through 2024 and 2025.
- The launch of our Wellbeing MOT initiative to complement our successful Body MOT programme.



Our Workforce

Quarterly Indicators	Quarter 4 21/22	Quarter 4 22/23	Quarter 4 23/24	Target 23/24
Year to Date Indicators				
Average number of sick days per employee (FTE) per year lost through sickness absence	7.6	7.4	6.8	7.0
% staff turnover	New For Q1 23/24	New For Q1 23/24	14.0%	13.0%

The outturn of average number of sick days per employee is an improvement on last year and is the result of an increased focus on sickness absence management. The HR team have provided additional support to managers to ensure that those employees hitting triggers are being appropriately supported and managed back to work.

In terms of the % of staff turnover, it is known that the Council has an ageing workforce and over 20% of this year's leavers have retired.

Newark & Sherwood District Council Compliance Report

2023/24 Quarter 4

Introduction

Compliance refers to the alignment of a built asset with the relevant rules, regulations, and codes. This includes the products and materials incorporated into the building, as well as the way in which they're assembled and constructed. It is important that we continuously review our compliance to identify and thus rectify any issues identified to keep the buildings users and occupiers safe. This report provides assurance that the Council is compliant in its three key areas of corporate compliance, housing (tenant) compliance and green space compliance.

Corporate Compliance

Corporate compliance refers to the compliance of the 25 commercial sites owned by the Council. We provide this assurance on all buildings owned by the Council regardless of whether they are owned and run by the Council or leased to another body (such as the Gilstrap) as the maintenance of the built asset remains the responsibility of the owner.

Blidworth Leisure Centre	Newark Beacon Innovation Centre
Bridge Community Centre	Newark Castle
Buttermarket Shopping Centre	Newark Lorry Park & The Ranch Café
Castle House	Newark Palace Theatre
Church Farm Business Centre	Newark Sports And Fitness Centre
Brunel Drive Depot - 4 Buildings (A, B, C, D)	Ollerton Housing Office
Dukeries Leisure Centre	Queens Sconce Visitor Centre
Farrar Close	Sherwood Forest Arts & Crafts Centre
Gilstrap Centre Public Toilet	Southwell Leisure Centre
Hawtonville Community Centre	The Tom Mann Pavilion
National Civil War Centre	Vicar Water Visitor Centre

We provide assurance that the asset is compliant in 6 key areas.

- Legionella
- Asbestos
- Fire
- Gas
- Electrics
- Lift inspections

Performance Indicators for Corporate Compliance for Quarter 4 2023/24

Indicator	Previous Quarter	Current Quarter	Target
% Completed Legionella tests (due this quarter)	100%	100%	100%
% Completed Legionella Risk Assessments (due this quarter)	100%	100%	100%
% Completed Asbestos Condition Surveys (annual)	100%	100%	100%
% Completed Asbestos Annual Reviews (due this quarter)	100%	100%	100%
% Completed Fire Risk Assessments (due this quarter)	100%	100%	100%
% Completed Gas Boiler Services (due this quarter)	100%	100%	100%
% Completed Electrical Inspection Reports (due this quarter)	100%	100%	100%
% Completed Lift Inspections (due this quarter)	100%	100%	100%

Exploring Our performance

Performance across our corporate compliance remains in a strong position with all indicators at 100%

Performance Housing Compliance

Corporate compliance refers to the compliance of our built assets owned by the HRA aka our social tenancy estate. There are 5,749 Residential/Domestic sites and we provide assurance that they are compliant in 6 key areas. As with our corporate estate, most of these sites are tenanted but the maintenance of the built asset remains the responsibility of the Council.

We provide assurance that the residential/domestic site is compliant in 6 areas.

- Legionella
- Asbestos
- Fire
- Gas
- Electrics
- Lifts

Performance Indicators for Housing Compliance for Quarter 3 2023/24

Indicator	Previous Quarter	Current Quarter	Target
% Completed Legionella tests (due this quarter)	100%	100%	100%
% Completed Legionella Risk Assessments (due this quarter)	100%	100%	100%
% Completed Asbestos Condition Surveys (annual)	100%	100%	100%
% Completed Asbestos Annual Reviews (due this quarter)	100%	100%	100%
% Completed Fire Risk Assessments (due this quarter)	100%	100%	100%
Number of outstanding RED Fire Risk Assessment actions	0	0	Trend
Number of outstanding AMBER Fire Risk Assessment actions	24	2	Trend

% Completed Gas Boiler Services (due this quarter)	99.7%	97.4%	100%
% Completed Electrical Inspection Reports (due this quarter)	99.7%	65%	100%
% Completed Lift Inspections (due this quarter)	100%	100%	100%

Exploring Our performance

- The percentage of homes with a gas boiler service is below target by 0.6%, however, all properties that are out of compliance are in an enforcement process to gain access.
- The percentage of electrical inspection reports completed is below target by 35%, however, all properties that are out of compliance are in an enforcement process to gain access.

Green Space Compliance

Green space compliance refers to the compliance of our green spaces and play parks. We own several parks and play parks as does the HRA and we have a responsibility to ensure the safety of park user. Therefore, we inspect green spaces/parks and play parks to ensure they are safe to use.

Indicator	Previous Quarter	Current Quarter	Target
% Completed Play Park Inspections HRA Land (due this quarter)	100%	100%	100%
% Completed Play Park Inspections GF Land (due this quarter)	100%	100%	100%

Exploring Our performance

Performance across our green space compliance remains in a strong position with all indicators at 100%.

Risk

Alongside ensuring compliance we also monitor risk. This means we proactively identify potentially significant risks and implementing suitable control strategies help prevent these risks from being realised, or this is not possible, mitigate to a tolerable level. This is done in two ways.

1. **Operational Risks.** These are developed and managed by Business Managers and capture localised risks. These risks are reviewed every quarter and exceptions are reported to SLT and the Risk Management Group on a quarterly basis.
2. **Strategic Risks.** These are developed and managed by Directors and are significant risks faced by the Council which have the potential to prevent it from achieving its key/agreed objectives and/or have the potential to halt or significantly interfere with the ability of the Council to achieve its core objectives, priorities and/or ambitions. These risks are also reviewed every quarter and exceptions are reported to SLT and the Risk Management Group on a quarterly basis as well as Audit and Governance Committee on a bi-annual basis.



Report to: Cabinet Meeting: 23 July 2024

Portfolio Holder: Councillor Paul Peacock - Strategy Performance & Finance

Director Lead: Sanjiv Kohli, Deputy Chief Executive & Director - Resources

Lead Officer: Nick Wilson, Business Manager – Financial Services
Carl Burns, Transformation & Service Improvement Manager

Report Summary	
Type of Report	Open report Non-key decision
Report Title	Productivity Plan
Purpose of Report	This report outlines the appended Productivity Plan with the aim of providing Elected Member oversight prior to being submitted to Central Government in July.
Recommendations	That Cabinet note: a) the Productivity Plan presented at Appendix 1 and the activities detailed therein
Alternative Options Considered	None.
Reason for Recommendations	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.

1.0 Background

A recently announced funding package for local government comes with the requirement for local authorities to produce ‘productivity plans’ for submission to central government.

- 1.1 In January 2024 the then Secretary of State for Levelling Up, Housing and Communities announced plans to provide an additional £600 million of funding for local government to be distributed across the sector, including £500 million of new ring-fenced funding for councils responsible for the provision of adults and children’s social care.

- 1.2 The Secretary of State stressed the need for further work to be done to *“improve productivity in local government, as part of our efforts to return the sector to sustainability in the future”* and announced that local authorities would be required to produce productivity plans *“setting out how they will improve service performance and reduce wasteful expenditure to ensure every area is making the best use of taxpayers’ money.”*
- 1.3 The Secretary of State also emphasised that this money, alongside all funding announced at the provisional Settlement, should be used by local authorities to deliver the frontline services on which our communities rely, rather than to be put aside for later use. We will therefore continue to monitor the level of local authority reserves.
- 1.4 A panel is to be established to advise the Government on financial sustainability in the sector which will include the Office for Local Government and the Local Government Association. The panel will review local authority productivity plans and advise the Government on best practice in this area. The Government will monitor these plans and use them to inform funding Settlements in future years.

2.0 Proposal/Details of Options Considered

That Cabinet note the Productivity Plan presented at appendix 1 and the activities detailed therein.

3.0 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.

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.

NEWARK AND SHERWOOD DISTRICT COUNCIL

PRODUCTIVITY PLAN

2024-2025



FOREWORD

This is the Council's first Productivity Plan, which sets out how we intend to improve the productivity and performance of our Council. We recognise the challenges and opportunities that lie ahead, and we are committed to delivering high-quality services and outcomes for our residents, businesses, and partners.

Productivity is not just about efficiency and cost savings. It is also about innovation, collaboration, and value creation. It is about making the best use of our resources, our people, our assets, and finding new ways to meet the needs and aspirations of our communities.

WHERE ARE WE NOW AND WHERE ARE WE GOING TO:

Newark and Sherwood is a diverse and dynamic district, with a rich heritage, a vibrant economy, and a strong sense of community. We have a population of over 122,000 in a mix of urban and rural areas throughout an area of 251 square miles. Our district includes the historic market town of Newark the ancient Sherwood Forest, and it boasts access to numerous green spaces, including 5 green flag parks and several green space visitor destinations.

We are a responsive and innovative council, with a track record of delivering efficient and effective services, improving customer satisfaction, and investing in our infrastructure and assets. The Council's Community Plan, which covers the period through to 2027 sets out to achieve the following 8 objectives:

- Improve Health and Well-Being
- Increase the Supply, Choice and Standard of Housing
- Raise peoples' skills levels and create employment opportunities for them to fulfil their potential.
- Reduce crime and anti-social behaviour.
- Protect and enhance the district's natural environment and green spaces.
- Reduce the impact of Climate Change
- Celebrate and invigorate community spirit, pride of place and a sense of belonging.
- Be a top performing, modern and accessible Council.

Our performance management framework ensures regular challenge of our progress, and this is led by our Transformation Business Unit who work closely with our scrutiny committee - the Policy and Performance Improvement Committee and Tenant Engagement Board. The transparent delivery of quarterly service performance and financial reports to our senior leadership, involved tenants and elected members provides the opportunity for scrutiny and drives performance across the council.

The Council prides itself in having a firm, shared understanding of its finances. Like many other District and Borough Councils we await the long overdue Local Government finance reform and the business rates re-set. The reset to the business rates baseline is now anticipated for 2026/27, but it is more than likely going to be further delayed due to the Parliamentary elections to take place on 4th July 2024.



We are in a strong financial position to deal with the financial challenge of dealing with the funding gap shown in our latest approved MTFP through, in the short term, utilising our MTFP reserve which has been built up for this specific purpose of cushioning us from the anticipated reduction in funding, and in the medium to long term by savings through efficiencies, service reviews and through additional income from plans that we already have in place. Whilst the attention, invariably, tends to be on the funding of General Fund Services, we do not lose sight of the fact that we are a housing authority with over 5,500 council owned homes, with a gross total income from dwellings and non-dwellings of £30.226m and total expenditure of £22.6m. The HRA has its own pressures of maintaining our homes to a decent standard, building new homes and addressing the decarbonisation agenda. The 30-year [HRA business plan](#) demonstrates the need to set future rent levels to as close to the maximum permitted by government. The HRA has a significant capital programme related to programmed replacements, energy improvement works and decarbonisation of our housing stock. At present the assumption is that we will need to expend circa £80m on decarbonisation with 50% of this being funded by government grant. The 30-year business plan is fully funded. Further re-modelling is going to be undertaken in September 2024.

The Council's Value For Money strategy is reviewed annually centres on three key principles. These are Efficiency, Effectiveness and Economy. The balance between these principles is key and relies on us being able to sustain the funding arrangement whilst demonstrating the most appropriate use of resources.

We have made significant progress in the past few years, but we know there is more to do. We have identified six key themes that will guide our actions and priorities for the next year and beyond: Service Transformation; ICT and Digital Transformation; Organisational Development (Reward and Retention); Commercialisation; Arkwood Developments Limited; and looking Beyond Core Funding.

1. Service Transformation

Our in-house Transformation team was established in 2020 with the aim of supporting the organisation in monitoring service performance and carrying out targeted reviews to drive improvements in service delivery and thereby deliver productivity gains.

Internal service reviews are an effective way to guide improvement and change. We have conducted reviews in several service areas in the past year. The review of our Council Tax and Housing Benefits service, for instance, not only enabled us to streamline processes and upskill staff resulting in an efficiency saving of 1x FTE, but also our performance in the speed of processing council tax support applications and housing benefit claims improved significantly from 18 days to 11 days.

A review of our Administration Business Unit resulted in team structure changes which saved 0.83 FTE in addition to a range of process improvements which will make further savings. This will allow further scrutiny on spending patterns and ensure that spending is done in the most efficient manner.

A further example of a successful service review is the review of our Legal Services Business Unit. To minimise overspend on agency solicitors and outsourcing of work, an additional permanent post has been added to the establishment. This has also facilitated recruitment to a trainee post that had been left vacant to utilise budget for agency solicitors.

2. ICT and Digital Transformation

The Council has already invested in technologies such as Microsoft Copilot, Power BI and Engage Process which will not only enhance our outputs but also release much needed officer time. This has been especially useful in our customer service area whereby utilising technology such as the 'MyAccount' self service area of our website has not only resulted in a reduction in call volumes but also increased notifications to residents, improving service delivery and customer satisfaction. These are the first steps in embracing Artificial Intelligence (AI) and will take us to the next revision of our Digital Strategy and Plan.

Efficiency savings are being evidenced through the work of our digital transformation team. Savings have been achieved across the digital sphere such as, a reduction in the mobile phone budget by £20k p.a., reflecting a strategic decrease without compromising service quality by allowing laptops and tablets to be used anywhere in the district. Also, transitioning to Software Defined Wide Area Network (SDWAN) enabled a budget reduction of £60k p.a., and ensured more efficient network management. Additionally, by implementing Microsoft Always On Virtual Private Network (AOVPN) a budget reduction of £20k p.a was achieved, enhancing remote access capabilities while maintaining fiscal responsibility. We have also implemented an on-line digital service for our Careline customers. These initiatives and others have allowed us to maintain the current budget for digital technology and to realign budgets to critical technologies.

3. Organisational Development

Without doubt our most valuable asset is our fantastic workforce. The savings gained in our digital services have enabled the ongoing service that supports our hybrid working model. This approach has been well received by our staff since its introduction and it not only allows for savings on infrastructure costs to the council but also limits travel costs and associated environmental impact such as our wider carbon footprint.



Our Workforce Development Strategy is a 5-year plan to ensure we have a workforce that is equipped to deliver the existing and future needs of the council, transform our HR & Training Services and put our people at the heart of everything we do. This includes key workstreams such as recruiting and attracting new employees, the employee journey and retention. This commitment is evidenced further in our ongoing support to Learning and Development. Here we encourage our managers to evaluate their teams' learning needs 3 times a year and submit requests for funding under the pillars of legal requirement, skills gaps, CPD and succession planning. In 2023/4 we invested around £160k in this area. This approach not only enables the improvement of our services due to better trained staff, but it also demonstrates to our staff the council's commitment to supporting their development.

The Council's Reward and Retention (R&R) project seeks to address the challenge of recruiting, developing, and retaining suitably qualified and experienced staff. The project is taking a route and branch approach of revising pay grading structures, reviewing the current Job Evaluation process, reviewing and revising job descriptions as well as implementing immediate measures to incentivise staff, including salary sacrifice plans such as private health care and car purchase schemes.

4. Commercialisation

Imbedded in the council's budget and decision-making processes is our approach to commercialisation i.e., the identification and realisation of efficiency savings and/or additional income; thereby providing value for money services to our residents. Over a period of years, several actions have resulted in increasing the income from our services. The primary objective has always been to provide improved services to our residents and businesses; with the biproduct being an increase in our income base.

This Council as many other councils has been anticipating since 2021 a "cliff edge" funding reduction following the business rates baseline re-set. As part of our response to this funding challenge, the Council has an active commercial strategy that is underpinned by a plan that identifies areas where additional income can be made and/or savings could be achieved without impacting the quality-of-service delivery. The progress on the delivery of the targets set out in the plan are tracked as part of the budget monitoring process and are reported twice a year Cabinet as part of the annual revision to the Medium-Term Financial Plan and as a separate report. Additional income of £100,000 has been built into the current 2024/25 budget, an additional £100,000 in 2025/26 and an additional £200,000 in 2026/27.

5. Arkwood Developments Limited

In May 2018, the council incorporated Arkwood Developments Limited to develop open market housing for sale. The key objectives of the company are to support housing growth that meets existing and emerging needs of Newark and Sherwood District Council, to bring forward sites that other private sector developers are not interested in developing, develop mix of house types to meet local demand, to prevent land banking, and to provide additional income stream to the council to fund its services. The income from the company takes three forms: interest on arms-length loan facility, provision of support services and year-end dividend. Since inception the Council has generated, non-dividend income from Arkwood of £287,000.

Arkwood has completed its first development of 87 homes and is scheduled to complete a further 253 homes by the end of 2026/27. The Company's Business Case demonstrates that the company will be able to pay a dividend of £500K in 2025/26, and £650K in each of the following two years. These target dividend levels are incorporated in the Council's MTFP. The performance is closely monitored by the Shareholder Committee and by the Council's s151 Officer who is a Board member. The Council's Chief Executive also attends all Board meeting as an observer and link to the Shareholder Committee.

6. Beyond Core Funding

We look beyond our core funding and take opportunities to secure government funding to regenerate and develop our towns and communities. This funding has a multiplier effect of attracting other public/private sector funding to support new infrastructure enabling housing and employment growth and providing new educational opportunities. Over the last 3 years we have secured or are in the process of securing just over £90m of government funding via Newark Town Fund, Levelling Up Fund One, Levelling Up Fund Three, Shared Prosperity Fund, Rural Prosperity Fund, Brownfield Land Regeneration Fund, Heritage High Street Fund, etc.

We have also been instrumental in partnership working across the County and the Region to secure over £16m from the Non-Strategic Road Network Funding (the A614/617 improvements) and the National Road Investment Strategy 1 (RIS1) project of the A46 Newark Bypass, a £500m+ project to dual the last remaining section of this important corridor. This will have a further beneficial effect on our local economy.

There is the added, indirect beneficial impact of this growth on the finances of the council through increases in the council tax base and increases in business rates growth that can be retained locally via the Nottinghamshire Business Rates Pool.



BARRIERS

We recognise that there are some barriers and risks that may hinder or prevent us from achieving our vision and objectives. These include:

- A major barrier towards financial sustainability relates to lack of certainty of medium-term funding of the General Fund. Since 2020 local government finance reform and re-set of business rates baseline funding has been in abeyance and councils have been receiving one year finance settlements. This makes it impossible to plan effectively, efficiently, and economically and all councils have been forecasting a “cliff edge” impact at the point of the anticipated reset of business rates reset. This “cliff edge” has each year successively been pushed back when developing the MTFP; presently this point has been moved back to 2026/27 when it was last muted that the re-set would take place. However, with the Parliamentary election on 4th July 2024, it is once again unlikely that this will happen for the 2026/27 financial year and once again, we will only be able to effectively plan for one year. The ask of government is to provide local government with some certainty over the medium term with multi-year draft settlements.
- Long term rent settlement and securing additional government funding for additional burdens on the Council through the Social Housing (Amendment) Act including the significant additional costs around building safety, asset investment, tenant engagement and improving our systems to manage tenant and stock data.
- Another major barrier towards financial sustainability the funding of the Internal Drainage Boards. Newark and Sherwood District Council contributes almost £950,000 annually to assist the IDBs with funding their responsibilities. Over the last four financial years, the IDB levy for Newark and Sherwood has increased by 59% from £595,400 in 2020/21 to £949,800 in 2024/25, far outstripping the increases in Council Tax which is allowed to be charged (a maximum of 10.3% over the same period). As annual increases in the levy have outweighed the additional yield in Council Tax generatable, budgets available for front line services have had to be diverted to contribute towards the cost of the imposed levy. The impact on service delivery is compounded with inflationary costs (such as pay awards and cost inflation) that are not able to be raised through Council Tax as the whole of the Council Tax increase is being consumed by the increase in the levy. Our ask of government is for IDBs to be centrally funded through a separate precept.
- The current referendum limit for Council Tax limits the ability for the Council to raise local funds to deliver against our key priorities and objectives. Council Tax increases should be limited to the minimum where appropriate, whilst should be sufficient to deliver against Council objectives. Increases in fees and charges are limited to ensure that profits are not made, albeit this would not be appropriate to overcharge service users to deliver against other Council priorities, and the ability to raise funds through other means is limited. Our ask of government is to remove the cap on council tax increases.
- A lack of consistent data with which to benchmark costs of services against performance inhibits the ability to improve quality and reduce cost. Most returns are not audited and hence cost comparison is not necessarily possible. A greater clarity of reporting would ensure that comparison could be made to enable better quality service improvement potential. An example of this is the data collected and published by OFLOG which has some serious flaws, regarding the debt matrices, which are misleading and harmful to the reputation of councils. Our ask of government is to remove layers of reporting and replace with one consistent model, which could be audited through the Statement of Accounts process to aide cost comparison.

- Reward and Retention is a particular barrier, in that it is difficult to employ and then retain quality staff in key professional disciplines. This is further exasperated by increases in the national minimum wage - linked to the lower spinal column points within the NJC pay structure. As the lower points have previously received larger increases in annual pay awards than higher graded staff, this erodes the differential between posts meaning it is less attractive to take on more responsibilities. Thus, meaning there is a requirement for the Council to appoint costly agency staff or consultants to fill technical roles with specialist knowledge. This is further exacerbated by shortages in the labour market driving up cost. The ask of government is to provide funding support to the sector to resolve the “squeeze” effect caused by annual increases in the national minimum wage and the limitation on being able to increase spinal column points above the national minimum wage to maintain differentials.
- The communities in Newark and Sherwood are badly affected by the floods that have become more frequent over the past few years. Storm Babet and Storm Henk caused a great deal of devastation, and our residents and businesses required a great deal of support. Despite us meeting the threshold for financial support via the Bellwin scheme and despite several chasing communications, we still have not been compensated for the eligible costs incurred. This places a further unnecessary burden on us and therefore our ask of government is to be more responsive in making timely payments to affected authorities.





Report to: Cabinet Meeting: 23 July 2024
 Portfolio Holder: Councillor Paul Peacock: Strategy, Performance & Finance
 Director Lead: Deborah Johnson, Director of Customer Services & Org Development
 Lead Officer: Mark Randle, Transformation & Improvement Officer

Report Summary	
Type of Report	Open Report – Non-key decision
Report Title	Information Sharing with Elected Members Working Group Outcomes
Purpose of Report	To update Cabinet on the work of the member working group on Information Sharing with Elected councillors and bring to Cabinet recommendations from the group.
Recommendations	<p>That Cabinet endorse the recommendations of the Working Group as follows:</p> <ul style="list-style-type: none"> 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 (to follow) 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.
Alternative Options Considered	Do nothing or accept only some of the working group recommendations.

<p>Reason for Recommendations</p>	<p>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.</p>
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1.0 Background

This Working Group was created after a submission of a Topic Request Form at Policy & Performance Improvement Committee (PPIC) on 11 September 2023, titled:

'What and how information relevant to their ward and residents can be shared with elected Councillors?'

Councillor Kellas proposed the 'Topic Request' and it was seconded by Councillor Jackson. There had previously been a discussion on this topic at Full Council on 18 July 2023.

The request was made to help understand what type of information elected councillors would find useful to help them be effective in their roles as ward councillors. Also, to consider what information can and cannot be shared with them and what format that could take.

Councillors are seen as a point of information to the residents in their Ward. They need to be kept informed of what is happening in their areas so that they can answer questions when asked.

They can be approached by an individual or groups of residents, asking them to raise issues on their behalf. They need to be kept up to date with any actions this may trigger. Currently sometimes Councillors feel at a disadvantage because they do not have the information that they need.

The Working Group

The group met four times between November 2023 and March 2024 with input from the following working group elected councillors: -

- Councillor Kellas(chair)
- Councillor Jackson
- Councillor Shakeshaft
- Councillor Allen
- Councillor Freeman
- Councillor Smith

The working group was supported by a team of officers who, considering the direction given by elected councillors, gathered information and data to inform the sessions.

The agreed objectives of the working group were:

- To understand what information councillors can lawfully be provided with considering GDPR.
- To discover what information would be needed and in which formats, to enable them to best serve their wards.
- To understand how the handling of data may be different regarding individuals, businesses, and general council business.
- To research and identify what information is already provided to councillors at NSDC and how this information compares to that provided to councillors in other Local Authorities?
- To identify what further information is available, in what format and how accessible and cost effective it is to obtain?

2.0 Conclusions and Recommendations of the Working Group

2.1 General Data Protection Rules (GDPR)

The Council's Data Protection Officer advised the working group that there was no legal basis by which all elected councillors could be copied into all responses to residents in their ward.

In respect of resident enquiries, if they are acting on behalf of someone, the essential personal data can only be provided if the resident has given their consent for their personal data to be shared with their ward councillor or they have contacted them directly and requested they act on their behalf.

There is a considerable amount of data produced through the council's Customer Relationship Management system (CRM) with a high number and frequency of enquiries across the whole District, example data shown in **Appendix A**. The sheer volume could deluge councillors if it were not in a managed form.

- a.) Recommendation:-** Data can only be shared if it does not include personal data. This should be selected for its relevance to councillors and in a managed form to enable to use the data effectively.

2.2 Complaints Procedure

It was agreed to 'signpost' complainants through the council's website, providing information on how to contact their councillor, highlighting that their local councillor is available, if they required it, to help and advise them, putting the onus on the complainant to do this.

- b.) Recommendation:** - That the amendment is made to the website, including a postcode search for 'find your ward member.'
(NB postcode search has now been implemented)

2.3 Communications Support

Not all elected councillors appear to have signed up to the official council newsletters. It was proposed that councillors would be forwarded all newsletters sent out by the communication team and then they can unsubscribe if they no longer wish to receive certain newsletters. This means that they have access to the information seen by our residents.

It was suggested that the Communications and Marketing Team will promote a repeat session where councillors will be able to gain help in setting up their Social Media presence. They will also offer help to set up Google Alerts which can assist councillors in discovering non-council activity which is happening in their Wards.

To aid residents being able to identify and contact their ward elected councillors a template for a poster was suggested, which elected councillors can put up in locations around their Wards. (Examples are shown in **Appendix B** to follow.) This will come with clear guidelines on use including that no political branding can be added to the template.

- c.) **Recommendation:** - That all councillors are automatically signed up to the Council's Official Newsletters.
- d.) **Recommendation:-** The Communications and Marketing Team will set up a further drop-in session for councillors to help with social media and Google Alerts.
- e.) **Recommendation:-** The posters at **Appendix B** (to follow) will be made available for all councillors to use.

2.4 Democratic Services

It was considered that Democratic Services should re-advertise the allocated Democratic Services Officer (DSO) list and to encourage councillors to use the Democratic Services Team to help them locate officers or provide other information. This was originally produced immediately after the election and some councillors had considered it was a time limited offer.
(NB – This has now been distributed)

Democratic Services could promote to elected councillors what support and help they can give them in their role.

- f.) **Recommendation:-** That Democratic Services Team will re advertise the allocated Democratic Services Officer (DSO) list (**Appendix C**) and actively promote the support they can offer to elected councillors.

2.5 Interactive Data Map for each Ward

Councillors considered two systems, one provided by Meritec, the provider of the council's CRM system and an inhouse version provided through Microsoft's 'Power BI.' On examining both systems it was apparent that both operated fundamentally in

the same way, with Power BI having more ability for customisation. There was a clear preference for the Power BI system which had the ability to be more useful to councillors and had no cost, the Meritec version costing approximately £10k per annum.

The system would be self-serve for all councillors where they could see data on reported issues in their ward. This would initially include:- Flytipping, Graffiti, Missed Bins, Street Cleansing, Waste Investigations and Abandoned Vehicles. The initial build will only contain data from Meritec ESB, with additional functionality around ASB reporting being further explored.

Elected councillors would be able to see their own ward data and that of the whole district, there would be an average data function. Data was uploaded overnight and therefore refreshed every 24-hour period.

The data could be displayed in a variety of ways including a 'heat map' of the ward with the ability to compare data in different periods. It would enable councillors to look at 'live' open requests as well as closed requests. There would be a quick link to the report form for that request so that elected councillors could report issues if they could see they had not already been reported.

Elected councillors who do not have ICT access could have hard copy on a regular basis.

Screenshots of the system are shown in **Appendix D** and are based on the Farndon Ward.

All Member Power Bi demonstration – 15 May

All councillors were invited to attend an online demonstration from Dave Richardson, Business Manager for ICT, on what Microsoft 'Power BI' can offer, providing ward level data, drawn down from our CRM.

The session was chaired by Councillor Kellas. The general consensus from attendees was really positive with some councillors providing feedback to Dave Richardson on elements for improvement and clarification.

g.) Recommendation: that the Power BI system is developed and provided to all councillors. That the system is further developed over time to include other service requests and reports.

4.0 Implications

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

Financial Implications

All tools used to create the Power BI report are included in the existing Microsoft Office 365 Licensing contract, thus come at no additional cost.

HR Implications

Whilst there is no request for additional resource, there is a resource implication in terms of officer time for a number of the recommendations above. All Business Managers have confirmed they can support the recommendations and release officers to undertake the activity.

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.

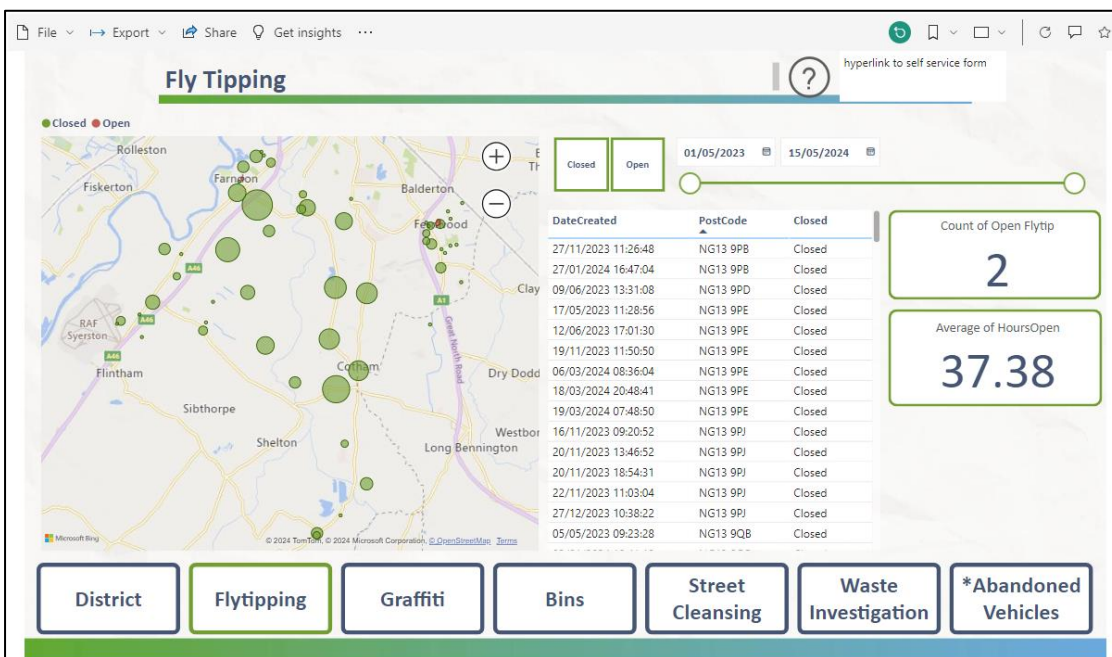
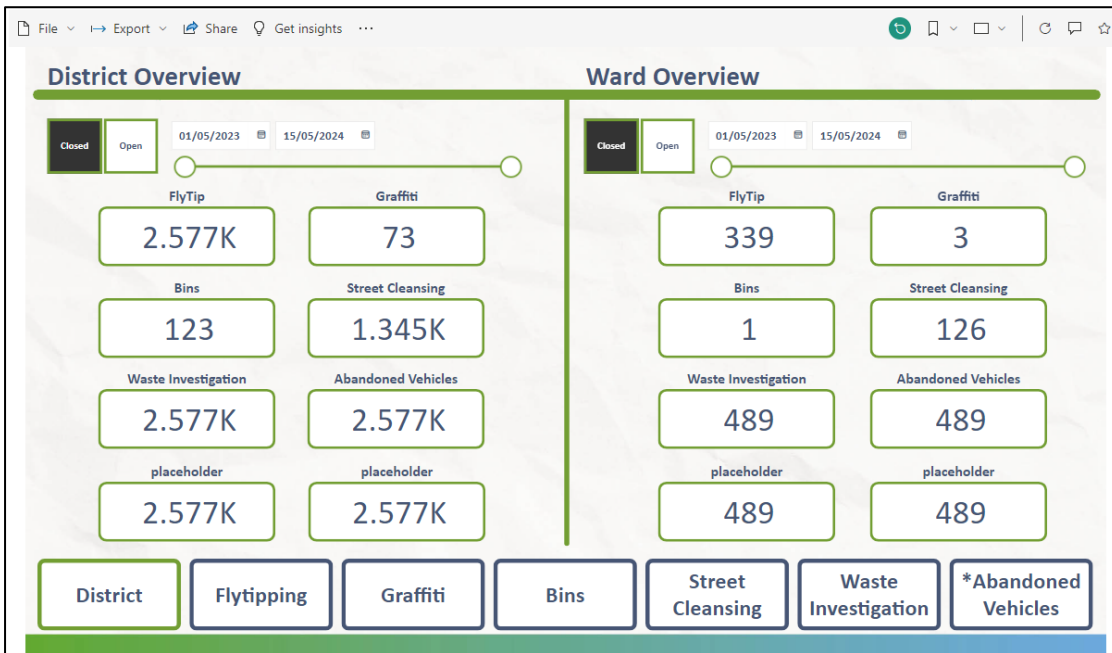
None

Appendix A

2023	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Abandoned vehicles	18	22	27	28	18	29	20	16	31
Anti-social behaviour	23	24	18	27	28	15	20	24	6
Damaged street nameplate	15	11	7	10	6	5	10	9	15
Flytipping	189	231	204	221	193	144	230	88	173
Graffiti or flyposting	1	16	12	2	6	8	10	3	2
Litter bins	9	10	14	7	9	12	3	3	7
Noise problems	43	38	55	61	47	37	28	16	16
Street cleaning	92	87	111	89	64	100	111	129	111
Total per month	390	439	448	445	371	350	432	288	361

District Councillors 2023

Democratic Services Officer HB	Democratic Services Officer KL	Democratic Services Officer CS
Neil Allen	Jean Hall	Mike Pringle
Adrian Amer	Peter Harris	Penny Rainbow
Alice Brazier	Simon Haynes	Karen Roberts
Lee Brazier	Rhona Holloway	Neil Ross
Celia Brooks	Roger Jackson	Sue Saddington
Irene Brown	Jack Kellas	Maurice Shakeshaft
Rowan Cozens	Johnno Lee	Tom Smith
Susan Crosby	Keith Melton	Matthew Spoons
Linda Dales	Sylvia Michael	Paul Taylor
Debbie Darby	David Moore	Tina Thompson
Phil Farmer	Emma Oldham	Linda Tift
Simon Forde	Paul Peacock	Timothy Wendels
Andy Freeman	Claire Penny	Tim Wildgust





Report to: Cabinet - 23 July 2024

Portfolio Holder: Councillor Paul Peacock, Strategy, Performance & Finance
Councillor Matthew Spoons, Sustainable Economic Development

Director Lead: Sanjiv Kohli, Deputy Chief Executive & Director for Resources
Matt Lamb, Director of Planning & Growth

Lead Officer: Neil Cuttell, Business Manager (Economic Growth & Visitor Economy)
Mark Eyre, Business Manager (Corporate Property)

Report Summary	
Type of Report	Open Report, Key Decision
Report Title	32 Stodman Street Development
Purpose of Report	To update members on the progression of the 32 Stodman Street Project and to seek consequential revisions to the capital programme.
Report Recommendations	<ol style="list-style-type: none"> 1. To Note the Report and; 2. 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. 3. Subject to 2 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. 4. Subject to approval of 2 & 3 above, to increase the budget in the Council’s Capital Programme to £12,880,000 financed by the additional grant allocation.
Alternative Options Considered	There are two further options for a decision with this project;

	<ol style="list-style-type: none"> 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. 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.
<p>Reason for Recommendations</p>	<p>The project directly aligns to the objectives within the Community Plan of:</p> <ol style="list-style-type: none"> 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. <p>The recommendations will ensure delivery of the project as set out in the approved, original full business case of March 2022.</p>

1.0 Background

- 1.1 The 32 Stodman Street Project is to regenerate a large retail space into a mixed-use development in Newark Town Centre and was a priority project that has funding allocated within the Town Fund Programme 2021-2026. The project was identified as an opportunity to repurpose a vacant site following the departure of Marks & Spencer in late 2019, and the Council had acquired the retail unit in March 2020. The Council was made aware through research in Summer of 2020 that an oversupply of retail floorspace existed in Newark, and following marketing of the vacant site for over 12 months no interest in the site was secured. The proposal to redevelop the site into a mixed-use development started with the instruction to architects and surveyors in October 2020 to develop a planning application and understand the requirements for delivery, which included design & mechanical, archaeology, acoustic, water and drainage, utilities provision and associated infrastructure.
- 1.2 As members will be aware, following approval of the Town Investment Plan in May 2021 a full ‘green book’ business case was approved by the Town Board and Council in March 2022 and planning permission was obtained for 29 residential units and 2 retail units. A procurement exercise followed in July – October 2022 to select a build contractor. At that time, with increased costs and rising inflation on energy, aggregate, timber, and labour no contractor sought to tender a price on a fixed term contract for a 24-month period. The Council therefore considered alternative approaches.
- 1.3 In February 2023, a specification for a 2-stage procurement process was created with a first stage contract being let on the demolition with a latter, second stage build phase. A contractor was appointed in May 2023 on this 2-stage basis. Demolition works have

completed and updated tender exercises identified a final cost. The Council's Housing Development Manager who is managing this project carried out some value engineering to bring the construction cost down. This was £790,000 above the approved budget and on 14th May 2024, Cabinet received a report seeking an increase to the budget to accommodate the requirements of the completed tendering process. This request was approved and initial phase 2 works were started with archaeological works commencing. This increase approved £790,000 of extra grant funding to deliver the scheme and reduced the Benefit Cost Ratio (BCR) to 2.2. The BCR identifies the level of investment returned for every £1 of public money used. Therefore, a BCR of 2 would return £2 for every £1 of public funds invested. There is now an additional request of £990,000 as set out in the recommendations that would reduce the BCR further to 1.7. This BCR is still above the threshold of 1.4 required by Government to demonstrate good value for money. In supporting the additional £990,000 of grant Newark Town Board have made clear their expectation that no further grant funding requests for the 32 Stodman Street scheme are expected.

- 1.3 The proposed £990,000 additional costs are principally due to unforeseen and unexpected archaeology works resulting from recent findings post 14 May 2024. There has also been an increase in the cost of connecting utilities, plus finalisation of the specification. The need for an additional contingency sum has been identified through the evolution and complexity of the project post demolition. It is, therefore, now necessary, that a contingency budget is renewed to also include provision for costs of access over neighbouring properties whilst the site is being developed. This cost is still to be negotiated with the owners of neighbouring properties. However Officers understand that the renewed contingency budget will be sufficient to meet this cost.
- 1.5 The Council approved £790,000 on the 14th May 2024. Therefore, the additional request of £990,000 will mean a total additional grant ask of £1,780,000.

2.0 Proposal/Details of Options Considered

- 2.1 The proposal is to use a proportion of the grant allocation provided to the Gateway Scheme identified within the 2020 Town Investment Plan to resource the Stodman Street Development. This follows increasing costs since the full business case was approved in March 2022, and the replenishment of the contingency budget.
- 2.2 The other options considered and discounted included; not proceeding with the development of the scheme and using further borrowing. These options are not recommended as they will have negative secondary implications including the return of the Town Fund Grant to Government, and increased costs on the Council in the servicing of debt post development.

3.0 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.

Financial Implications (FIN24-25/8563)

- 3.1 The budget in the Capital Programme was £11,100,000 for Stodman Street, the financing of which is shown below:

Funding Source	£
Towns Fund Accelerated Funding	284,000
One Public Estate	284,000
Towns Fund Allocation (from £25m)	2,200,000
Shared Prosperity Funding	400,000
Change Management Reserve	500,000
Borrowing	7,432,000
Total	11,100,000

- 3.2 It was approved at Cabinet on 14 May 2024 that £790,000 additional Towns Fund Grant and a further proposed £990,000 (a total of £1,780,000) is allocated to the scheme, taking the overall budget to £12,880,000.
- 3.3 If approval is given to use the available grant to fund this project, taking the allocation from the Towns Fund £25m from £2,200,000 to £3,980,000 then there will be no further implications on the Council. However, if the alternative to increase the borrowing is approved, this will cost an additional £124,600 a year for 50 years in revenue for Minimum Revenue Provision and Interest.

4.0 Background Papers and Published Documents

Newark Town Board [website](#) for:

- Town Investment Plan, July 2020
- Stodman Street Committee/Cabinet Reports
- Stodman Street Update – 21 February 2023
- Brownfield Land Release Fund, Stodman Street, 16 June 2021
- 32 Stodman Street Development, 13 January 2021
- Stodman Street Delivery Vehicle, 1 April 2021
- 32 Stodman Street, 20 February 2020

Committee/Cabinet Reports:

- Economic Development Committee – 19 January 2022 – Newark Town Fund Update
- Policy & Finance Committee 27 January 2022 – Newark Town Fund Update and Approvals
- Policy & Finance – 17 March 2022
 - o Towns Fund Update
- Economic Development 23 March 2022
 - o Towns Fund Projects Update

Long Term Town Fund Guidance, 2023



Report to: Cabinet Meeting: 23 July 2024

Portfolio Holder: Councillor Emma Oldham - Biodiversity & Environmental Services

Director Lead: Matt Lamb, Director for Planning & Growth

Lead Officer: Lisa Hughes, Business Manager Planning Development

Report Summary	
Type of report	Key Decision, Open
Report Title	Planning Development Review of Biodiversity and Ecology Resource
Purpose of Report	To provide an update in relation to the implementation of Biodiversity Net Gain and Resource Impacts
Recommendations	<p>That Cabinet agree:</p> <ul style="list-style-type: none"> a) Subject to the outcome of Job Evaluation, 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; b) Subject to the outcome of Job Evaluation, that the addition of a Biodiversity and Ecology Graduate be funded by BNG income, noting that such a post will only be 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.
Alternative 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.
Reason for Recommendations	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).

1.0 **Background**

1.1. The post of Biodiversity and Ecology Lead Officer (BELO) was appointed to in July 2023. This was to enable the Council to effectively deal with the future impact of the introduction of mandatory biodiversity net gain (BNG) and associated resources required for up to 30-years and then ongoing. In addition, the post was to assist with all other biodiversity and ecology matters for both the Planning Development and Planning Policy & Infrastructure Business Units.

1.2. Since coming into post, key work associated with BNG undertaken by the BELO has included:

- Critical review and contributions to the Biodiversity Net Gain Framework for Nottinghamshire and Nottingham;
- Provided an update to SLT on 31 October 2023 regarding BNG as the Government announced delays in publishing the secondary legislation and associated guidance required to implement mandatory BNG;
- Investigated software solutions to help with the administrative burden of BNG;
- Started work on reviewing NSDC's own land ownership in relation to BNG;
- Critically reviewed the secondary legislation Dec/Jan and subsequently provided various updates for colleagues, including at SLT/BMs;
- Preparing updates to the Local Validation List for BNG;
- Arranged legal training from FREETHS solicitors for colleagues across teams;
- In light of the secondary legislation, prepared a report for Cabinet recommending the adoption of two BNG related policies prepared by the BELO, the launch of a 'call for sites' exercise for off-site 'habitat banks' and to apply for 'Responsible Body' status (all approved by Cabinet in January);
- Implemented the 'call for sites' exercise (ongoing); and
- Provided training for Members (Planning Committee in particular) on what the legislation means and how it will be implemented, with further sessions arranged.

1.3. The Council has a keen interest in BNG, which includes a desire to increase the percentage gain to 20% at the next Plan Review (which is also currently an aspiration of the BNG Framework for Nottingham and Nottinghamshire), for us to purchase land for the delivery of BNG, as well as support landowners in the District who wish to promote their land for BNG purposes. The Community Plan includes two actions in relation to biodiversity:

- Understand the biodiversity baseline within the district, allowing the development and implementation of a Biodiversity Strategy, 2024 – 2028; and
 - Play an active role in biodiversity net gain for the district, including the potential to own our own biodiversity offset sites, as well as looking at how our own developments can contribute.
- 1.4. The activities to deliver these and the proposed timescales are, respectively:
- Appraise and record the submission of BNG Metrics. Provide a report in accordance with Regulations (to come into force) in terms of content and timing (*commencing January 2024 and ongoing*);
 - Review (and have input to) the Nottinghamshire & Nottingham Local Nature Recovery Strategy (LNRS), biodiversity opportunity mapping, local wildlife site data etc., to produce the Biodiversity Strategy (*June to December 2024*);
 - Review of Council land to understand opportunities for our schemes as well as for developers. For some sites this would include undertaking essential baseline habitat surveys as part of the review process rather than use external ecologists. Understand the implications (positive and negative) for the Council to manage and maintain land for a minimum of 30 years for BNG (October 2023 to June 2025); and
 - Provide a minimum of 10% net gain in accordance with Regulations (*Ongoing for affected developments*).
- 1.5. A previous report was presented to Cabinet on 4th June 2024 in relation to our Biodiversity Duty. Whilst BNG is only part of that duty, this report is important in relation to the BNG elements of the Community Plan.
- 1.6. Mandatory BNG is currently in force for all new major applications submitted on or after 12th February and for all other application types submitted on or after the 2nd April. There are excluded developments from the BNG provision such as householders, self-build dwellings and development comprising permitted development.
- 1.7. Training has been provided to a number of Members regarding the introduction of BNG with a focus of the training upon Members of Planning Committee. Those that attended are aware of the complexities of the legislation, the challenges that lie ahead as well as the resource implications involved, even with just the assessment of the information provided as part of the planning application.
- 1.8. In addition to the above BNG related work, the BELO has been providing invaluable advice and support to colleagues across the planning team. Reviewing ecology reports, advising in relation to protected species for development proposals, prosecution for planning enforcement where protected species are present and ecological matters relating to a public inquiry for a battery energy storage system in Staythorpe. The benefits of having such ‘in-house’ ecological expertise are invaluable to the Planning Development team, but there are associated implications in terms of workload for the BELO.

1.9. When the post for biodiversity and ecology expertise was established, the resource for this was based upon what was expected to be within the Regulations (table below). The requirements within the published Regulations are slightly different to what was expected and therefore a further review has been undertaken of resources needed. Additionally, the change in Council Membership has changed the dynamic in relation to the wider aspirations of the Council.

Year	August 2023- August 2025	August 2025- 2028	2028- 2032	2032- 2041	2041- 2051	2051-
Resource	0.78	1.33	1.78	2.38	3	3.5

1.10. This current review takes account of:

- applications submitted and approved during the last 3-years for majors and non-majors requiring mandatory BNG to be provided;
- estimated resource, based on the BELOs knowledge of this field of work, but also noting this is a new piece of work and therefore there will likely be some miscalculation; and
- the ambitions of Members in relation to BNG.

Excluded from calculation are those developments which are allowed at appeal which, unless they are excluded development, would also be required to provide mandatory BNG. Currently, the numbers of allowed appeals is fairly small and therefore the resource impact will also be relatively small in the context of the whole picture.

1.11. The table below shows the number of applications for both the major and non-major categories that would have been subject to BNG provision if the Regulations had been in place in previous years. An average of the 3-years has been taken to understand what the numbers might be annually. These numbers have not taken into account (in the non-major category) those that are known to be custom or self-build, nor the number that are retrospective. These applications are not subject to 10% BNG, although a legal agreement (unilateral undertaking) will still be required to ensure that these are custom or self-build and, if they are not, for net gain to be delivered along with the associated monitoring fee.

Year	Application Type (Approved)		Total
	Major (number)	Non-major (number)	
2021	24	302	326
2022	27	269	296
2023	18	223	241
Average Number			287

1.12. In relation to the amount of time, with the BELO's knowledge of BNG, the now more evident requirements of the role, and aspirations of Members, an updated review of resources has been undertaken.

- 1.13. As part of the budget setting for this financial year, updated monitoring fees were agreed as well as various tiered charges for advice to developers and their ecologists, as well as for the work associated with the preparation of habitat banks which are a vital component for effective delivery of BNG within the District.
- 1.14. Taking account of the number of applications and monitoring income of £3,000 per application site, it is estimated that up to £861,000 (being 287 applications (obligations) x £3,000) could be received each year. This is anticipated to be at the very upper end of what might be received and is unlikely. If only half this number of applications were received, almost £450,000 would be received. It is currently difficult to make predictions based on applications received since the 12th February and the 31st May due to the need to undertake ecological surveys (a) on or after the 12th February 2024 (legislative requirement); (b) generally during the months of May to September in order for the assessment to be credible; and additionally (c) the number of ecologists qualified and available to undertake surveys is understood to be limited. As well as the above matters likely to have affected the submission of applications, it is also anticipated that the market for off-site mandatory BNG still being at its infancy has had an impact on application numbers. It is expected that when the market becomes more active that the number of applications will rise exponentially. It is known across the country that the number of applications received has dropped considerably.
- 1.15. In addition to the estimated income above, a BNG Grant that has been received from the Department for Environment, Food and Rural Affairs. Further funding is to be received for 2024/25 of £26,807. All grant monies since 2022/23 have been ring-fenced (as part of the grant conditions) to deliver BNG. The following table details the income received and expenditure to date in relation to the grants. The salary budget for the BELO forms part of the Planning Development’s establishment.

Year	Grant Received £	Expenditure £	Residual Balance £
2021/22	10,047	1,320	8,727
2022/23	10,000		10,000
2023/24	26,807	10,000	16,807
2024/25	26,807		26,807
Total		10,000	62,341

- 1.16. It can therefore be seen that there is currently an available balance of £62,341 which could be utilised to cover the cost of an additional resource to support the Lead Officer in delivering the biodiversity and ecology functions, the equivalent of NS12 with the salary and on-costs being £56,324.
- 1.17. It might also be possible, if there is available resource, for the post to be used to support other parts of the Council for services currently outsourced to consultant ecologists. An example would be the preparation of Management Plans for land being managed by the Environmental Services team, including baseline ecological surveys to inform plan development and subsequent monitoring surveys. This could potentially include work associated with the progression of sites towards new Local Nature Reserve declarations. However, time will be needed to understand the resource implications of managing BNG and day-to-day ecological matters for the Planning Development and Planning Policy & Infrastructure Business Units first.

2.0 Proposal/Details of Options Considered

Do Nothing

- 2.1. This is not considered to be an option due to the resource implications as set out within Section 1.0 of this report. To ensure that we meet both our statutory duty of delivering 10% BNG as well as the Council's aspirations in relation to BNG, further resource is considered necessary.

Progression of a new Ecologist Post

- 2.2. It is recommended that a Biodiversity and Ecology Officer post is created who would be able to support the BELO by providing the ecological advice relative to the Environment Act as well as advice relating to protected species, Environmental Impact Assessments, and the Habitat Regulations, for example.
- 2.3. The post will be subject to Job Evaluation to set an appropriate salary. It is expected that the government grant of £62,341 will assist initially without pressure on the general fund. With the forecast income, solely from monitoring of biodiversity net gain, which would be an annual receipt, the post would in effect pay for itself in the longer term.

Graduate Post

- 2.4. This approach would provide additional resource at lower employment costs than those highlighted above and has other benefits for the Council as an employer. It is not considered to be suitable option at the current time but should not be discounted once support has been put in place.
- 2.5. To be successful for the Graduate post, there has to be significant in-house training and mentoring, the benefits of which come with time as experience is gained. If this option were followed at this stage, this training and mentoring would have to be provided by the BELO and would be additional work to that already detailed in this report. Invariably, the benefits that would then arise would be negated by this additional work.
- 2.6. The experience and expertise required to support the work of the BELO is such that this will need to have been acquired either through years of experience working in the commercial ecology sector or in a similar role within another local planning authority. Therefore, even with effective mentoring and training and a graduate, the experience level needed would not be achieved via this option. Given that the benchmark for the experience needed is someone who can fully support the BELO in all aspects of their work, and be able to provide adequate cover whilst the BELO is on annual leave (or off sick), the experience level available from these options would be significantly lower than that required.
- 2.7. However, this post is considered should not be discounted as a potential option in the future as it is expected that there will be a need to consider further expansion of the in-house ecology resource.

Summary

- 2.8. Due to the resource implications to effectively delivery biodiversity net gain, along with the other biodiversity and ecology functions of the department, a qualified officer with a number of years experience is required in the first instance.

2.9. It is not normal practice for further posts to be requested within a report, however due to the anticipated increase in workload which is expected when it starts will rise exponentially with speed, with corresponding income receipts, this report seeks the unusual step of seeking agreement for future posts in advance, subject to resource requirements and income to not put pressure on the general fund unless agreed by a future Cabinet decision.

3.0 Recommendations

3.1. it is recommended that a Biodiversity and Ecology Officer post is added to the establishment and that appointment is made to this post (an assumed scale of up to NS12) as soon as possible.

3.2. It is also recommended that a Graduate Biodiversity and Ecology Officer is appointed to when both the income being received to meet the ongoing salary and on-costs as well as work requirements requiring this additional resource.

4.0 Implications

Human Resource Implications HR2425/1543

4.1 The recommendations in this report would represent an increase to the establishment of 2FTE - one permanent post and one permanent or temporary post (graduate). In 23/24, the Council's establishment increased by 32.29 FTE (including 21.29 permanent FTE), 2 of which were in Planning Development. It does appear, based on the content of this report, that increasing the establishment in this area would support delivery of the objectives of the Community Plan and would assist with some of the priorities of Members.

4.2 It would be unusual to create and evaluate a job description in advance of knowing whether a role will be required given that the requirements of a role may change in time. If this is approved, it is recommended that it would be with the view to recruiting within an agreed timeframe.

4.3 In relation to the graduate role - i.e. available for someone who has already achieved a degree in a relevant area of study, consideration would need to be given as to what further development we would offer to make it a graduate position as opposed to an additional officer.

4.4 If a graduate role is offered on a temporary basis, it is likely to be for longer than 2 years and, therefore, it should be noted that, should we not be able to find continued employment for the individual then they would be eligible for a redundancy payment.

Financial Implications - FIN 24-25/4193

Biodiversity & Ecology Officer (BEO)

4.5 The new Biodiversity & Ecology Officer with oncosts, budgeted for at top of scale and subject to Job Evaluation would be either NS11 £51,882 or if the outcome is N12 then would be £56,324. However, if this position was exponentiated this current financial year, 2024/25 the starting salary would be calculated at £42,243 (¾ of £56,324) or £38,912 (¾ of £51,882) looking to commence from July, 2024.

4.6 Funding for this new position in this current financial year 2024/25 would be from the existing BNG grant income of £79,051 - achieving full funding as stated in paragraph 2.3 and sought to be entered into the MTFP as an established position in Planning Development from 2025/26.

Graduate Biodiversity & Ecology Officer (GBEO)

4.7 If the establishment is increased to also having a Graduate BEO., costs proposed would be in the region of a possible starting salary of NS6 with oncosts and budgeted for at top of scale of £34,861 and would be sought to be entered into the MTFP as an established position in Planning Development from 2025/26.

4.8 However, if this position was exponentiated this current financial year, 2024/25 the starting salary would be calculated at £26,145 (3/4 of £34,861) looking to commence from July, 2024.

4.9 Costing for this position in 2024/25 current financial year would look to being funded from Biodiversity & Ecology grant income of £79,051 also.

4.10 Both positions would require ICT equipment costed at around £2,000 per officer.

4.11 Table below demonstrates the cost of salaries with oncosts against predictable income over the MTFP:

Post	Grade	2024/25	2025/26	2026/27	2027/28
Biodiversity & Ecology Officer (BEO) 1FTE – if JE is NS12	NS 12 - 33	£42,243*	£59,202	£62,226	£65,400
Biodiversity & Ecology Officer (BEO) 1FTE – If JE is NS11	NS 11 - 30	£38,912*	£54,539	£57,328	£60,258
Graduate BEO (GBEO) 1 FTE	NS 6 - 11	£26,145	£34,861	£36,666	-
ICT Equipment costs		£4000	-	-	-
POSSIBLE EXPENDITURE (BEO assumed at NS12)	TOTAL	£72,388	£94,063	£98,892	£65,400
Grant Income		£79,051	-	-	-
Application Income surplus		-	£350,000	£350,000	£350,000
PROPOSED INCOME	TOTAL	£79,051	£350,000	£350,000	£350,000

*Calculated at ¾ of the financial year starting July 2024

4.12 Both positions can be funded from Grant Income in 2024/25. If the Graduate position is commenced from 2025/26 this will be funded from the application income surplus predicted of £350,000.

Digital Implications

4.13 A tablet, appropriate software licensing and ICT equipment to facilitate working from home for both the Biodiversity & Ecology Officer post and, in the longer-term, the Graduate Biodiversity and Ecology Officer will be required and costed in the financial implications.

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.



Report to: Cabinet Meeting: 23 July 2024

Portfolio Holders: Councillor Paul Peacock, Strategy Performance & Finance
Councillor Matthew Spoons, Sustainable Economic Development

Director Lead: Sanjiv Kohli – Deputy Chief Executive & Director – Resources
Matt Lamb, Director - Planning & Growth

Lead Officers: Mark Eyre, Business Manager - Corporate Property, Ext. 5440
Matthew Norton, Business Manager – Planning Policy & Infrastructure, Ext. 5852

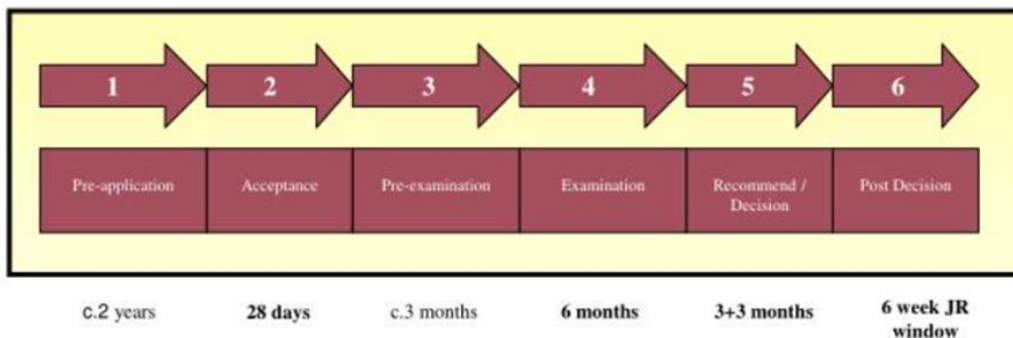
Report Summary	
Type of Report	Open report, key decision
Report Title	A46 Newark Bypass
Purpose of Report	To provide an update on the A46 Newark Bypass
Recommendations	<p>That Cabinet:</p> <ul style="list-style-type: none"> a) note the updated position and the consultation representations appended to 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.

<p>Alternative Options Considered</p>	<p>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>Reason for Recommendations</p>	<p>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>

1.0 Background

National Significance

- 1.1 Members will recall that the A46 Newark Bypass has been long lobbied for by several tiers of government and industry locally, regionally and nationally. The then-titled A46 Newark Northern Bypass was accepted as nationally significant as part of the National Road Investment Strategy 2 (2020-2025). National Highways and their appointed design and build contractors Skanska have been progressing the scheme since.
- 1.2 Given the scale and complexity of this project, much like any other major highway scheme, there is a lengthy process involved. To date, there has been non-statutory public consultation (December 2020), statutory consultation (October 2022), and various technical consultations and negotiations with this Council and other Councils, alongside affected landowners and communities along the route of the proposed Bypass. The proposals are now entering a formal acceptance stage, with an application from National Highways for a Development Consent Order (DCO) having been submitted to the Planning Inspectorate. The DCO has now been formally ‘accepted; meaning the Council must now reply with mandated timetables. However at this stage we are awaiting the Rule 6 letter from the Examining Authority (EA) (Planning Inspectorate) which sets out the timetable for the rest of the Examination stage (stage 4 below). Therefore the chart below is very generic.



The only fixed date deadline we have from the EA at present is the submission of Relevant Representations and the deadline for this is outlined below. This deadline is for both NSDC as landowner and the Local Planning Authority to meet.

Activity	Deadline
Application to the Secretary of State giving notice of any interest or objection to the application, known as Relevant Representations.	11:59pm on the 14 th July 2024

- 1.3 The Council’s Relevant Representations as landowner and Local Planning Authority were submitted prior to the deadline of the 14th July 2024. They are available to view at Appendix 1 and Appendix 2 respectively.

2.0 Requirements and Recommendations

The Council as Local Planning Authority

- 2.1 As detailed above the Development Consent Order places a requirement upon this Council to respond to set timescales as part of the DCO process. Timescales to reply can vary from weeks to days, the latter often linked to what may arise at the Examination sessions themselves. A separate report regarding delegation of authority in respect of regulatory planning issues was supported by the Planning Committee on 6th June 2024. A number of Council teams are now involved in preparing the Council’s reply, notably the Planning Business Units (Planning, Development & Planning Policy & Infrastructure) legal and Environmental Services (particularly on matters relating to noise and air quality).
- 2.2 The Council is currently negotiating with National Highways on entering into a Planning Performance Agreement (PPA) that will outline the respective commitments of each party. For National Highways this includes covering the reasonable costs of the Council in responding as the Local Planning Authority. Delegated authority is already in place for the Council to enter into a PPA. There is now some greater clarity on costs involved, notably with respect to legal support. This support includes legal review of formal submissions by the District Council, legal representation at the Examination Hearings and consideration of the Section 106 Agreement. Whilst the principle remains that Officers will seek full cost recovery this is not possible in all circumstances. For the avoidance of doubt the overall costs required to support the Council as Local Planning Authority are considered to be £67,000.

2.3 The Council as Landowner

As a consequence of the A46 Bypass the impact on the Newark Lorry park is estimated to be a reduction of 36 spaces as a result of land-take required to accommodate the road and associated infrastructure. This will lead to a loss of income, triggering a legitimate need for compensation. Additionally, the Council will lose land, which itself has a value which will need to be paid to the Council based on valuations yet to be agreed between the parties. There will also be a compensation of disturbance payments for impacts to the lorry park during construction which are to pay for any requirements such as new fencing. This would be paid for by National Highways as acquiring body but carried out by NSDC as landowner and will be negotiated on the same basis as the land

compensation. NSDC should also be entitled to the full amount of basic loss payment and occupiers loss payment. In addition to this compensation National Highways will be required to build a new access to the lorry park as part of the implementation of the widening of the Great North Road. The existing CCTV mast will also be affected and may require relocation.

2.4 The costs forecasted for surveying fees and legal fees as land owner total £74,000 and cover a broad range of activities throughout the DCO process but generally covers the following:

- Drafting and agreeing the letter setting out relevant representations.
- Agreeing statement of common ground with National Highways.
- Responding to written questions from the Examining Authority (assuming two rounds).
- Drafting and agreeing written representations expanding and updating relevant representations.
- Preparing for and attending (as NSDC's representative) compulsory acquisition hearing.
- Monitoring progress of the DCO application, including changes to relevant provisions, timetables and new documentation issues.
- Negotiating heads of terms and agreement with National Highways including meetings with NSDC and National Highways and their solicitors and advising on its terms.
- Day to day case management, attendance at meetings organised by NSDC and National Highways on general design issues and amendments to scheme.
- Preparation of formal report and recommendation.
- Expert property report for DCO Examination.
- Negotiation of agreement/claim.

2.7 Professional fees in making relevant representations in the context of a DCO examination are not normally recoverable from the promoter of the DCO but it may be possible to seek full or partial reimbursement in the context of an agreement (or make it a condition of entering into negotiations).

2.8 This estimate of costs for negotiating an agreement with National Highways will depend on the approach taken by the parties and the extent to which issues can be agreed by principals. These fees may change if parties were not to reach an agreement. Regular updates to members will be provided by officers at key points of the process.

3.0 Implications

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

Financial Implications (FIN24-25/8763)

- 3.1 At the time of writing the Council and National Highways have yet to agree the costs that will be provided by National Highways to the Council to cover both expenditure incurred to date and future likely impacts as part of the Councils role as Local Planning Authority. This includes the cost of highway advisors who have undertaken some design work in order to aid negotiations with National Highways. Until such time as costs are agreed to recover both spend-to-date and future spend the Council remains at risk. As identified above at paragraph 2.2 an additional £67,000 is necessary in order to progress works as Local Planning Authority. It is likely that some of this cost will be recoverable but at this point that is not identifiable. Once this is known, a further report will be brought back to Cabinet.
- 3.2 Negotiations with National Highways on behalf of the Council as landowner are ongoing. Sufficient compensatory payments to cover specialist advice that needs to be commissioned (land valuations, legal support), compensation for the loss of lorry park spaces and associated income, compensation for the costs of relocating the CCTV mast, the delivery of a relocated entrance, and monitoring of and compensation of lost income during implementation of works will all need to be negotiated and reported back to Cabinet at a later date. In order to progress works identified in paragraphs 2.3 and 2.4, an additional £74,000 is required. It is likely that some of this cost will be recoverable but at this point that is not identifiable. Once this is known, a further report will be brought back to Cabinet.
- 3.3 The A46 Newark Bypass report, approved on the 4th June 2024, referenced in the financial implications that there is sufficient funding available to cover expected fees from the budget set aside for the Gateway Project, which has been paused following the Cabinet decision on 14th May 2024. Those funds amount to £302,779 which are currently sat within the Change Management Reserve. It is therefore proposed to allocate £141,000 of this reserve to fund the expenditure referenced in this report. The remaining £161,779 will then be decommitted. Any funds that are then negotiated to be reimbursed by National Highways will be returned to the Change Management Reserve.

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.

Cabinet Report 14 May 2022 - Newark Towns Fund Update

Cabinet Report 7 June 2022 - A46 Northern Town Bypass and Newark Towns Fund

Cabinet Report 6 December 2022 - A46 Northern Town Bypass and Newark Towns Fund

Economic Development Committee Report, January 2022

Policy & Finance Committee Report, 17 March 2022

Newark Town Investment Plan 2020

NEWARK AND SHERWOOD DISTRICT COUNCIL

PROPOSED A46 NEWARK BYPASS DEVELOPMENT CONSENT ORDER

RELEVANT REPRESENTATION

1 Introduction

- 1.1 This is a relevant representation of Newark and Sherwood District Council (“**the Council**”) in respect of the application (“**the Application**”¹) made by National Highways (“**the Applicant**”) for The A46 Newark Bypass Development Consent Order (“**the Proposed Order**”) to authorise works for the improvement of part of the A46 and the construction of a new section of dual carriageway (“**the Scheme**”).
- 1.2 This representation is made by the Council as the owner of land affected by the Scheme. The Council’s representations as local planning authority are made separately.

2 Summary

- 2.1 The Council owns and operates the Newark Lorry Park (“**the Lorry Park**”). The Newark Lorry Park occupies a strategic location on the UK’s Transport Network. The Lorry Park provides a critical service to the freight community arriving from or heading to the Humber ports.
- 2.2 The Proposed Order includes powers (including powers of compulsory acquisition and temporary possession) in relation to the Lorry Park which reduce its size and affects its operations to the extent that requires its reconfiguration. Of particular concern to the Council is the timing and duration of the works proposed.
- 2.3 The Proposed Order also includes powers to temporarily occupy land comprising the main Council offices at Castle House on Great North Road and the adjacent Air Space Institute,

¹ Which term includes all documents submitted with the application

2.4 The Council requests that the Applicant enters into an agreement with it to minimise and mitigate the impact of the Scheme and the exercise of powers under the Proposed Order on the operation of the Lorry Park.

3 The Newark Lorry Park

3.1 The Freight industry continues to demonstrate strong signs of growth, which will result in more demand for parking spaces in Newark. Newark Lorry Park generated £0.755m gross income for NSDC in 2022/2023.

3.2 Due to regulations restricting working hours of goods vehicle drivers monitored by Tachograph, the Lorry Park provides an essential facility for such drivers using the A1. Newark Lorry Park has also developed a strong reputation amongst the freight community as a good location to stop. The combination of these two factors ensures that Newark remains a popular location for the industry. There is evidence that at peak times a number of lorries are forced to look elsewhere for parking as the Lorry Park achieves peak occupancy. This demonstrates the strong reputation the existing Lorry Park holds within the freight industry.

3.3 The Lorry Park employs five full time and seven-part staff in the café and lorry wash facility.

3.4 The Council have a development plot that requires vehicle access and egress to Great North Road. The proposal from National Highways is to remove the existing vehicular access to the Lorry Park and create a new one further south on Great North Road. Due to the size of the development plot and the massing required, it is not feasible, from a spatial or financial perspective, to construct it with an entrance from the existing Lorry Park access and then to relocate it once the new access is built to the south.

A portion of the site is highlighted blue on the submitted Land Plans Regulation 5 (2) (i) Sheet 3 of 7. The blue shading denotes 'land to be used temporarily and rights to be permanently acquired'.

The Council cannot determine whether the development is viable until the following is understood and agreed:

- Programme confirming when the new access is constructed.

- Agreement on the intended temporary use of a portion of the site and timescales.
- Agreement on what rights are to be permanently acquired on the relevant land.

4 The Proposed Order

4.1 The Land Plans, Work Plans, and the Book of Reference for the Scheme identify the following plots within the Proposed Order limits which form a part of the Lorry Park:

4.1.1 Plots 3/14a, 3/14e, 3/14g and 3/14j , which are subject to proposed powers of permanent acquisition (“**Permanent Acquisition Land**”); for the purposes of Works 40, 51, U9, U10 and environmental mitigation of the Scheme comprising, in summary, the construction of the A46 and Cattle Market Junction Circulatory, the diversion of low voltage cables, 11KV electricity distribution cables and electronic communications equipment, and for environmental mitigation, maintenance and monitoring commitments (“**the Works**”).

4.1.2 Plots 3/14b, 3/14b1, 3/14c, 3/14d, 3/14f, 13/14h, 3/14i and 3/14k, which are subject to powers of temporary use for the purposes of the Works (“**Temporary Possession Land**”) (such powers also apply in relation to the Permanent Acquisition Land); and

4.1.3 Plots 3/14b, 3/14c, 3/14d, 3/14f, 3/14i and 3/14k (“**the Easement Land**”) which are subject to proposed powers for the creation and acquisition of easements and the creation of restrictive covenants. As noted above, some of these plots are also part of the Temporary Possession Land. The extent of the easements and restrictive covenants are set out at schedule 5 to the Proposed Order and vary by plot but include in each case a right to pass and repass and to remain on the land with or without vehicles which would prevent the use of the plots affected by the Council for most purposes.

5 Effect on the Lorry Park

5.1 The loss of the Permanent Acquisition Land and the imposition of rights over the Easement Land will reduce the size of the Lorry Park and the number of parking

spaces available and will have a significant impact on both the current operation of the Lorry Park and the ability to expand the Lorry Park to meet future demand.

- 5.2 The Applicant's proposals include the provision of a new access to the Lorry Park which, alongside of the loss of the Permanent Acquisition Land, the use of the Temporary Possession Land as a worksite and the sterilisation of the Easement Land will require a complete reconfiguration of the site to ensure sufficient space to meet demand and to allow for HGVs to safely turn and navigate the Lorry Park. Site security, lighting, fencing, the café, lorry wash and fuel bunker and welfare facilities will have to be reassessed in any reconfiguration.
- 5.3 The costs of reconfiguration and the loss of an estimated 30% of current spaces will affect the Council financially and risks making the Lorry Park unviable. There is a significant risk that lorry drivers will instead need to park in Newark town centre.
- 5.4 The Council has CCTV and lighting towers which appear to be affected by the scheme proposed by the applicant. Consideration to the impact on this equipment will be required by the applicant as this forms a vital part of community safety service offered by the Council. Therefore, as part of any compensation/ works on site the Council would request to the applicant that there is no disruption to the vital service this equipment provides.
- 5.5 The proposed Works and exercise of powers will prevent the Council from seeking planning permission for new commercial development ("**the Proposed Development**") which would provide further income for the Council and facilities for lorry drivers and the wider public.

6 Access to Castle House and the Air Space Institute

- 6.1 Plot 3/14h (land to be occupied temporarily) includes the entrance to Castle House (the head offices of the Council) and the adjacent Air Space Institute, both owned by the Council. It is essential that agreement is reached to ensure that any temporary possession by the Applicant of this land and any works undertaken by the Applicant do not impede or interrupt the safe access and egress of users of those buildings.

7 Additional land parcels outside of the areas mentioned above.

- 7.1 The Council has additional land parcels affected by the proposed scheme. The Council requests that any activities on these land parcels be of minimal disruption to the Council's operations and to third parties or members of the public who may use the land.

8 Negotiations with the Applicant

- 8.1 The Council has engaged with the Applicant in relation to its proposals, but these have focussed primarily on the location of the new access and the Applicant's proposals rather than on how the impact of the Scheme on the Lorry Park might be mitigated.

- 8.2 The Council welcomes the Applicant's statement in the Statement of Reasons that *"Negotiations will be commencing shortly, and it is hoped that the required land and rights in land can be acquired by agreement."*

- 8.3 The Council wishes to enter into a land and works agreement with the Applicant which will, amongst other things:

8.3.1 ensure that the Applicant consults with (and in some cases) secure the Council's approval to the detailed design of and construction methodology for the Works;

8.3.2 ensures that the Lorry Park can be accessed while the Works are taking place;

8.3.3 provides sufficient certainty as to the detailed design and timing of the Works to enable the Council to advance the Proposed Development;

8.3.4 provides forward funding for any reconfiguration works required to the Lorry Park and a mechanism for compensating the Council for loss of income;

8.3.5 provides for clarity as to the commencement and duration of the Works;

8.3.6 ensures the maintenance of utilities and services required for the operation of the Lorry Park;

8.3.7 protects the safe entrance to and egress from Castle House and the Air Space Institute

- 8.3.8 Mitigates against any operational impact to CCTV/ lighting masts and compensates the Council for the relocation of these structures.
- 8.4 Until such an agreement is completed and despite its support of the Scheme, the Council will be obliged to maintain its position to the Proposed Order in relation to the matters referred to above.
- 8.5 The Council reserves the right to expand on these representations as the examination progresses.

12 July 2024

Relevant Representation

A46 Newark Bypass

Inspectorate's reference number TR010065

1.0 Introduction

- 1.1. Newark and Sherwood District Council (NSDC) is the host local authority for the A46 Newark Bypass Development Consent Order (DCO) application. The 'order limits' of the DCO are wholly within the administrative boundary of the NSDC. Nottinghamshire County Council are the Highway Authority within this administrative boundary and will be providing separate Relevant Representations.
- 1.2. In accordance with section 102(1)(C) of the Planning Act 2008 (PA 2008), NSDC automatically qualifies as an 'interested party' (IP) for the purpose of the examination of the A46 Newark Bypass DCO.
- 1.3. In its capacity as an 'interested party' NSDC submits this Relevant Representation (RR) in accordance with sections 56 and 102(4) of the PPA 2008.
- 1.4. This RR is made without prejudice to the future views that may be expressed by NSDC in its capacity as an IP in the subsequent examination process. The comments are made following an initial review of the DCO material.
- 1.5. NSDC recognises the benefits of this project both locally and nationally. This scheme has been an important aspiration of the Government's National Road Investment Strategy, an aspiration supported by a raft of partners including ourselves, Midlands Connect, Nottinghamshire County Council, Lincolnshire County Council and a number of highway, Local Enterprise Partnerships and Local Planning Authorities from the Humber Ports to Tewkesbury.
- 1.6. The scheme represents a major opportunity in the District and the scheme should not miss opportunities to improve the environment and accessibility in this part of the District. The nature of the scheme and the location of the proposal means that the scheme should be sensitive to its impact on both the environment and the communities through which it passes and serves.

2.0 Scope of this Relevant Representation

- 2.1 NSDC will provide a detailed case on the impact of the applications within its Local Impact Report (LIR). The LIR will set out the views of NSDC following an opportunity to review the application in detail.
- 2.2 A full response setting out the technical assessment of the application, include policy compliance and planning balance, will be reported within NSDC's Written

Representation (WR). The WR will include assessments on the individual impacts of the DCO.

- 2.2 This RR therefore sets out the key issues that NSDC consider to be important and relevant for the examination phase of the application to consider.
- 2.3 Many of the reports and drawings submitted as part of the DCO, have only been made available to the Council once the DCO has been formally accepted and therefore a full assessment has not been able to be made, but our comments represent our initial assessment of the scheme. It should be noted that many of the documents and how they are structured and referenced to other documents has made it difficult to find and assess information.

3.0 Core issues for consideration

3.1 Without prejudice to matters that are identified following a detailed assessment, NSDC expect the following matters to be scrutinised in detail through the examination phase:

- Compliance with relevant legislation;
- Policy compliance and planning balance;
- Cultural Heritage – *Built heritage* - Although there is a visual receptor (no.25) in relation to Smeaton’s Arches, which is Grade II Listed, has not been identified as an important receptor. Due to the significance of the Smeaton arches, the significant historic approach along Great North Road into Newark, along with views of grade I listed St Marys Magdalene, this should be a ‘Key Visual Receptor and Photomontage’. This will allow for a full assessment on the potential impact of the engineering works will have on the setting of the listed building and historic route into Newark. In addition, it is considered that the visual receptors do not allow for a full assessment on potential impacts on Winthorpe Conservation Area. An additional visual receptor may be required or the existing (no. 41 & 43) may need to be wider than the 90 degrees shown. There are elevation plans for each bridge, however nothing showing the full length of the cattle market bridge from where it rises at Kelham Road to where it falls to the east. In addition, a full elevation of the bridge over the A1;
- *Archaeology* – Investigations have already taken place and the potential for archaeological hotspots are possible within the site.
- Noise and vibration impacts – Certain activities will result in high noise levels at nearest receptors – particularly some overnight works and works at height where the provision of a barrier is not feasible. Measures will be required to show the reasonableness to implement mitigation for these periods. Also, a

barrier is planned for an area of Toney Lane to mitigate impact for a number of residents, but it is not clear what the rest of the impact would be on the residents and the area;

- Land Contamination – Although the long term human health risk hasn't been identified as harmful, contamination hotspots are proposed to be mitigated by leaving in situ at depth (WS46) and placement beneath permanent hardstanding (BH11). It is expected that full details of mitigation will be confirmed prior to commencement of works;
- Air Quality – The southern link road, which is located to the south of Newark and links the A1 to the A46 and is expected to be completed by Spring 2026, has not been taken into consideration in any air quality assessment, which the Council would have expected. This would have an impact on the flows within and close to the scheme;
- Ecology and Biodiversity impacts (including Biodiversity Net Gain);
- Landscape and visual effects – The Council considers that the number of visual photomontages is insufficient to adequately represent the true impact of the development from key receptors taking in to account the significant increase in the levels and the elevations of the highway. The impact of the development upon the quality of the user experience of the public rights of way network and local roads has not been adequately assessed. An error on one of the visuals (viewpoint 18) labels the Staythorpe Power Station incorrectly as Stanhope power station, this will need correcting as could appear misleading.
- Effects on residential amenity – The Council considers that insufficient mitigation has been put forward to mitigate for the existing residents in the area of Cattle Market roundabout and especially those visual effects to residents of Sandhills Park and Close;
- Traffic and transport;
- Flood risk and drainage;
- Impact on the loss of trees;

3.2 NSDC will also express its judgement on the 'planning balance', assessing all of the schemes benefits and disbenefits against the relevant policy framework to provide an overall conclusion on the acceptability of the application.

3.3 In addition to the submission of a WR and LIR, NSDC understands its role in the examination process to respond to written questions directed to them and the requirement to participate in Hearings as scheduled by the Examining Authority.

4.0 Conclusion

- 4.1 As host authority and interested party for the project, NSDC will be taking a full and active role in the examination of the DCO application.
- 4.2 NSDC will undertake a thorough review and assessment of the application documents and provide a full response in a WR and LIR which will be submitted accordingly. NSDC will continue to engage with the applicant to try and minimise the harm caused by the project and address the issues raised where possible.
- 4.3 NSDC will continue to seek and advocate for s106 agreements to secure appropriate mitigation and/or compensation in relation to impacts caused by the project.



Report to: Cabinet : 23 July 2024

Portfolio Holder: Councillor Paul Peacock, Strategy, Performance & Finance
Councillor Matthew Spoons, Sustainable Economic Development

Director Lead: Matt Lamb, Director of Planning & Growth

Lead Officer: Neil Cuttell, Business Manager (Economic Growth & Visitor Economy)

Report Summary	
Type of Report	Key Decision, Open
Report Title	Long Term Plan for Towns – Town Investment Plan 2024-2027
Purpose of Report	To support the emerging Newark Long-Term Plan for Town Fund (LTPfT) Vision & Investment Plan by Newark Towns Board to Government before the 1 st August 2024.
Report Recommendations	To support the emerging Long-Term Plan for Town Fund emerging proposals as detailed at paragraph 2.3 below 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 1 st August 2024.
Alternative 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.
Reason for Recommendations	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.

1.0 Background

1.1 In November 2023 an announcement was made by Government that Newark was one of 55 towns to be offered the opportunity to apply for a £20m Long Term Town Fund. This fund provides proportionate funding every year for 10 years through to 2033/34 to drive ambitious locally set visions for their Town. To secure this investment Newark Town Board, and Newark & Sherwood District Council as accountable body, are required develop a Long-Term Vision for the Town, based on the priorities of the community and put to local people for consultation. This will be accompanied by a 3-year Investment Plan for 2024-2027. A further Investment Plan would need to be created in 2026/27. The District Council are identified as accountable body for the funding programme.

1.2 The Long Term Plan for Town guidance can be found here: <https://www.gov.uk/government/publications/our-long-term-plan-for-towns/our-long-term-plan-for-towns>

1.3 As members will understand, it is important to collate data and opinion to understand Newark's challenges therein creating the 'why' for a focus for future priorities. A data pack from Government has been provided ([Long-Term Plan for Towns: data packs for 55 towns - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/long-term-plan-for-towns-data-packs-for-55-towns)) which sits alongside the raft of data sets already captured through the Towns Fund-led Town Investment Plan 1, the Council's Community Plan, Board Members own published priorities, and the aforementioned emerging Masterplan & Design Code work.

1.4 The Town Investment Plan must contain the following:

- The 10-year Vision
- A 3-year Investment Plan, including a financial and output annex and must also contain priorities for investment, narrative explaining the investment themes and the interventions the town intends to pursue in the first year of the programme

Once submitted to the Department for Levelling Up, Housing & Communities (DLUHC), it will be assessed prior to funding being released.

1.5 A Town Investment Plan is emerging under the guidance of the Newark Town Board, with the Board meeting monthly since March 2024. Within these meetings, the Town Board have:

- Understood the strengths, weaknesses, opportunities and threats for the town;
- Agreed the draft vision for the Town;
- Agreed the priorities for investment;
- Submitted potential projects;
- Assessed and shortlisted projects for the three-year investment plan.

2.0 Proposal/Details of Options Considered

2.1 The 3 Year Investment Plan requires submission to government by the 1st August 2024. The proposed Investment Plan for Newark only mandates a need for a high-level requirement for where the funding would be allocated, however the Town Board in working through the creation of the Investment Plan and being an advocate and partner

in the development of the Newark Masterplan have matured the programme to identify specific interventions that will be resourced.

2.2 The Investment Plan has been created on the basis of four pillars, being:

- 1) What the data has evidenced and shown is needed
- 2) What the community has stated through consultation
- 3) What the Town Board has identified as priority interventions
- 4) What the assessment of the interventions has determined by way of deliverability, readiness, outcomes and impacts, match funding and leadership.

This level of collaboration, commitment and assessment means that the impact of delivery is expediated and projects will be able to progress when the resources are provided to Newark & Sherwood District Council.

2.3 The identified example interventions included within the 3 Year Investment Plan are;

- A Community Grant Programme
- A Feasibility Grant Programme for Capital Projects
- The focus on one/two key capital projects within 2024-2027
- The creation of a BID Manager
- Town Centre Event Funding
- A resource allocation for Programme Management and assurance
- Agreement to role forward Capital expenditure for projects that will require time for development and understanding of the Town Board

2.4 The Newark Masterplan process is currently due to undertake the second round of community consultation in Summer and the proposed Vision within the submission to Government will be based on the consulted version of the Master planning process. The government will be informed of this within the submission on the 1st August 2024, with a view to a refinement later in the year.

2.5 Cabinet are recommended to approve the submission of the 3-year Investment Plan for Newark before the 1st August 2024.

3.0 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.

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.



Report to: Cabinet Meeting: 23 July 2024

Portfolio Holder: Cllr. Paul Peacock - Strategy Performance & Finance
Cllr. Matthew Spoons - Sustainable Economic Growth

Director Lead: Matt Lamb - Director - Planning & Growth
Sanjiv Kohli - Deputy Chief Executive & Director - Resources

Lead Officer: Robert Ball - Major Capital Projects Delivery Manager (Corporate Property)
Ellie Buchanan - Senior Regeneration Officer (Regeneration & Housing Strategy)

Report Summary	
Type of Report	Open (Key Decision)
Report Title	Levelling Up Fund (LUF) 3 Update
Purpose of Report	To provide an update to Cabinet regarding 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 as set out in this report.
Recommendations	<ol style="list-style-type: none"> 1. That Cabinet note the contents of this report and agrees to pause the Ollerton and Clipstone Scheme after competition 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: <ol style="list-style-type: none"> 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 <i>immediate</i>

	<p>access to any needed funds from the LUF 3 grant, allowing the project to continue to be developed at pace; or</p> <p>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.</p> <p>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.</p>
<p>Alternative Options Considered</p>	<ul style="list-style-type: none"> • 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 acceptable.
<p>Reason for Recommendations</p>	<p>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.</p>

1.0 Updates and delay in receipt of Grant

1.1 Members will recall that in November 2023 it was announced by the Government that Newark and Sherwood had been awarded, in principle just short of £20m LUF 3 funding to support the ‘Shaping Sherwood’s Revival’ scheme, including both Ollerton and Clipstone regeneration projects. In late December, the Department of Levelling up, Homes and Communities (DLUHC) commenced the validation process in order for the funding Memorandum of Understanding (MoU) to be issued. These validation forms were completed and returned by the Council to Government early February 2024, and

confirmation of the completed validation process was provided towards in May 2024. The release of the MoU was anticipated following receipt of this confirmation, however recent correspondence from DLUHC now suggests the release and formal confirmation of LUF 3 via an MoU will not be addressed until after the election despite all checks having been completed and approved.

- 1.2 It is assumed that the Government will need time to instruct the release of the funds. Whilst the risk of Government withdrawing LUF3 funding is considered minimal it is nevertheless a risk. Without grant funding it will be necessary to either pause the projects or for the Council to continue to forward fund design works (as we have done on several occasions, most recently in May) underwriting financial risk pending an executed MoU with Government.

Balance of Risk

- 1.3 At the time of writing there are various risks associated with each of the projects which are monitored and mitigated by Officers, as would be the case with any Capital Build project. Such risks relate principally, as set out in previous Cabinet reports, to funding gaps, land ownership (now agreed with all parties, pending legal), and the critical path of activities required to meet the spend deadline of the LUF3 grant. Whilst risks remain, the provision of the LUF3 Funding allows financial risks to be mitigated as each project develops and matures. Without LUF3 funding the Council carries all of the financial risk if project design and development is to continue.
- 1.4 At the time of writing the Council has already funded to the tune of £541,000 with a further £40,000 made available in June 2024 from UKSPF (for both Ollerton and Clipstone projects). This allows for all required fees to progress to complete RIBA 2 designs.
- 1.5 The Council is in an invidious position. It has been pre-approved as part of a funding regime, as confirmed by Civil Service officials. The LUF3 grant for Sherwood has been well publicised and there is an expectation from the Council, its regeneration partners and most importantly the Sherwood communities that the funding will be forthcoming. The Government has not stated that LUF 3 funding will not continue (nor has it said that it will). It is considered that Government will release the funds, albeit this cannot be guaranteed. If Members wish for the projects to continue on track for the 31 March 2026 deadline, a different decision of Cabinet would be needed to that recommended in this report. To conclude RIBA 3 a further £700,000 would be required, of which £350,000 would be needed to keep on the critical path until the end of September 2024 (by which time a decision on Government release of funding would be expected). This is not the recommended approach, with the preferred alternative being to apply as much pressure as possible to seek both release of requisite funds and to seek an extension for defrayal of all LUF 3 grant given the unacceptable delays to date from Government.
- 1.6 For the avoidance of doubt, the previous resolution of Cabinet makes clear that neither of the LUF 3 projects can progress to planning stage until land ownership and funding risks have been appropriately mitigated. This will not change as a result of any resolution.

- 1.7 Notwithstanding the delay from Government with regard to the MOU, there remains uncertainty about the anticipated but not confirmed £3m funding from Nottinghamshire County Council for the Library and £1.106m from the EMCCA Brownfield Land Release fund. A pause in the project will enable the Council to obtain certainty about these two funding streams.

2.0 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.

Legal Implications

- 2.1 The execution of a memorandum of understanding by Government would provide assurance to the Council regarding funding commitment, although it does not create a legal obligation.

Financial Implications (FIN24-25/937)

- 3.1 The table below shows the feasibility costs for each scheme, including the funding source. This identifies the £541,937 forward funding mentioned above.

Source	Ollerton	Clipstone	Total
Capacity Funding		214,998	214,998
Other Funding Committed			
UKSPF 2022/23	49,650	31,377	81,027
UKSPF 2024/25	100,000		100,000
S106	31,654		31,654
Change Management Reserve	173,256	121,000 *	294,256
Capital Feasibility Reserve	35,000		35,000
Subtotal NSDC Funding	389,560	152,377	541,937
Additional UKSPF 2024/25	40,000		40,000
Total NSDC Funding	429,560	152,377	581,937
Total Funding including Capacity	429,560	367,375	796,935

*£121,000 to be replaced by LUF Grant.

- 3.2 The total spend of £429,560 for Ollerton takes the project to the end of July 2024 and the completion of RIBA stage 2. In order to continue on the critical path, by the beginning of August, the Council needs to instruct consultants to start RIBA stage 3, which will take the project up to the point of submitting a planning application. The full costs of completing RIBA stage 3 is £700,000.

- 3.3 The Clipstone Project contribution from the Change Management reserve of £121,000 was set up as per June Cabinet approval, with a view to it being replaced by LUF Grant once the MOU was received, will take this project to RIBA 3 (pre planning application).
- 3.4 Due to the uncertainties around the MOU as set out in paragraph 1.5, if the deadline remains at 31 March 2026, then spending £821,000 (£700,000 Ollerton and £121,000 Clipstone) using the Council's own funds is a risk.
- 3.3 Should the recommendations be approved; either some of the funding be released or an MOU be forthcoming, an equivalent budget be made available in the Capital Programme to continue work on the project.
- 3.4 Should this not be the case and approval is given to extend the deadline, a short pause to wait for the MOU will not risk the project progression.

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.

Levelling Up White Paper, 2022

Levelling Up Fund Prospectus and Guidance, 2022

UK Shared Prosperity Fund Prospectus, 2022

Sherwood Levelling Up Bid, July 2022

Cabinet Report, Levelling Up Submission and UK Shared Prosperity Fund, June 2022

Cabinet Report, Sherwood Levelling Up Fund Update, November 2022

Cabinet Report, Ollerton Hall, July 2023

Cabinet Report, Ollerton Town Centre Regeneration and Bank purchase, December 2023

Cabinet Report, Sherwood Levelling Up 3 Update – Ollerton & Clipstone, March 2024

Cabinet Report, Sherwood Levelling Up 3 Update 2 – Ollerton & Clipstone, June 2024



Report to: Cabinet Meeting: 23 July 2024

Portfolio Holder: Councillor Matthew Spoons, Economic Development & Visitors

Director Lead: Matt Lamb, Director – Planning & Growth

Lead Officer: Matthew Norton, Business Manager, Planning Policy & Infrastructure Business Unit

Report Summary	
Type of Report	Open Report / Key Decision
Report Title	Draft Supplementary Planning Documents for Consultation
Purpose of Report	To present to Cabinet a Draft Supplementary Planning Document (SPD) in relation to Solar Energy and a Draft Interim Affordable Housing SPD for public consultation.
Recommendations	That Cabinet approve: <ul style="list-style-type: none"> a) the proposed SPDs at Appendices B and C; and b) public consultation be undertaken for 6-weeks on the proposed amendments for referral back to Cabinet for adoption.
Alternative 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.
Reason for Recommendations	To allow the District Council to consult on the Draft SPDs.

1.0 Background

- 1.1 At its 26 March 2024 meeting Cabinet approved the development of two supplementary planning documents on Solar Energy and on Affordable Housing to support the implementation of national and local planning policy and provide additional guidance to applicants and decision makers.
- 1.2 The delivery of affordable housing is a long-term Council priority and the review and updating of the Council’s Affordable Housing Supplementary Planning Document has been identified as an action within the Council’s Community Plan. Delivery of affordable housing as part of wider development schemes is an important way to deliver affordable housing.

- 1.3 In order to assist in the development of an SPD and to understand more about the barriers to delivering affordable housing, the Council engaged with developers and registered providers (of affordable housing) in April/May 2024. Questionnaires were sent to 39 developers and 7 registered providers. Whilst the response rate was low (only three companies responded), the Council has garnered an important insight into the issues facing operators in the district. A summary of the responses are contained in **Appendix A**, but in short the sector is experiencing a number of deliverability issues relating to funding and viability.
- 1.4 The development of solar energy farms has recently become a significant issue locally, including the emergence of two large solar energy farm proposals in Trent valley. These larger applications are nationally significant infrastructure projects and will be determined by the Secretary of State.

2.0 Proposals

- 2.1 **Affordable Housing SPD** - Initially it had been intended to update the SPD to the extent that it would provide guidance on both existing policies and those contained within the submitted Amended Allocations & Development Management DPD. However, in attempting to draft the SPD it became apparent that it was difficult to accommodate both aims. This was because some of the elements of policy in the submitted DPD have objections to them, and we cannot insist upon adherence to such policies. In some sections we would be stating the current policy, current national policy and our proposed policy which made the document difficult to understand. As the aim of the SPD is to provide a context for planners, developers and other interested parties the approach that Newark & Sherwood District Council will take to these matters this is not a helpful approach.
- 2.2 It is therefore proposed that the basis for the SPD should be the current policies contained within the Amended Core Strategy and be an 'interim SPD' until the Amended Allocations & Development Management DPD has been adopted. There have been changes to national policy subsequent to this means that our existing policies do not reflect:
- that previously Affordable Housing could not be secured on sites of 10 or less (i.e. 11 or more) and now they can be secured on sites of 10 or more.
 - that alongside the dwelling number trigger a combined gross floor space of more than 1000sqm was also included however now this has been replaced with a 0.5 hectares trigger.
 - that at least 10% of new dwellings to be available for affordable home ownership (with a range of exemptions to this)
 - the introduction of first homes and other affordable housing products.

Therefore at the relevant points in the SPD it explains how the Council will deal with these policy changes.

- 2.3 The Draft Interim SPD is attached at **Appendix B**. It sets out the context for affordable housing policy in Chapter 2 including definitions of what is and is not affordable housing. Chapter 3 highlights Affordable Housing need in Newark & Sherwood and in particular the continuing need to deliver affordable housing across a range of type and tenure in

all parts of the district. Chapter 4 provides the detailed basis for delivering affordable housing as part of new residential development and the various expectations the District Council has around delivery. Chapter 5 deals with securing rural affordable housing something that the Council has significant success with, including delivery of 74 dwellings in 5 locations across the District in the last 10 years.

- 2.4 In drawing up this guidance we have tried to reflect the concerns of the sector, however it is important to provide a basis for strong decision making and therefore whilst the Council has attempted to build flexibility into the SPD the starting point should always be compliance with requirements.
- 2.5 **Solar Energy SPD** - provides guidance on the application and interpretation of local national policy on major stand-alone ground mounted solar photovoltaic (PV) proposals within the District. The Draft SPD is attached at **Appendix C**. In particular the SPD sets out what the District Council considers to be important local features that developers need to aware off and the various issues which are likely to be material considerations in the determination of any planning applications.
- 2.6 It is proposed that both draft SPDs are subject to a period of six weeks of public consultation in line with the requirements of the Statement of Community Involvement. Following the close of the consultation the District Council will consider any consultation responses and consider any amendments which are necessary and present them to Planning Policy Board and then Cabinet for final adoption.

3.0 Implications

- 3.1 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.

Financial Implications (FIN24-25/3157)

- 3.2 No direct financial implications have been identified.

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.

None

APPENDIX A – Response to Affordable Housing SPD Pre-Consultation

Viability - From comments received, it's clear that viability remains a key barrier to the delivery of affordable housing for both developers and registered providers, particularly with the cost of land and competing requirements of national and local planning policies. The availability of suitable sites remains a challenge, and scarcity drives up the land price, which has to be balanced against rising costs. Together this presents significant challenges in enabling developers and registered providers to compete for new opportunities.

Lack of Registered Providers able or willing to take on affordable housing - Developers also reported that they're finding it difficult to find a registered provider to take ownership of affordable homes. Registered providers and developers cite many reasons for this, including viability, design, and other factors.

Housing Type and Tenure - In terms of housing type, developers indicated that they wouldn't look to deliver bungalows because they require more land and this impacts on viability. More flexibility is needed and the tenure should be led by the applicant according to one developer. Regarding tenure, all respondents suggest that it varies from site to site depending on size and location, but a mix of tenures and shared ownership tend to be most preferred options due to ease of management. Responses indicate that homeowners are inclined to take more responsibility for maintaining their properties which is less resource intensive for registered providers and better for community cohesion.

Commuted Sums - With regard to on-site and off-site provision, comments indicate that there is a need for more flexibility. One developer expressed that they prefer to deliver on site affordable homes on very large sites, but off-site provision is preferred on smaller sites. Given that developers are finding it difficult to find a registered provider to take on the management of affordable homes, the need for a flexible approach is becoming more apparent within the wider region too. Rushcliffe Borough Council are reporting similar issues with this and are reviewing their approach.

Section 106 agreements - All respondents report a need for more flexibility in the drafting of section 106 agreements as this can cause difficulties later in the process i.e., the need to renegotiate/revise agreements. Examples of issues include:

- s106 agreement does not meet registered provider requirements in terms of mortgagee in possession and they ask for subsequent variations to meet their ability to charge their homes following completion. They are careful to ensure any nomination agreements are acceptable to satisfy their sales team.
- requirements for flexibility on local connection
- schemes affected by Designated Protected Area status (DPA) – some registered providers would seek to agree a waiver with the Council where possible.

Specialist Housing - Unsurprisingly, developers are not keen to support the delivery of affordable housing on specialist housing sites (Use Class C2) due to cost implications. There are also implications for registered providers in terms of management. However, responses from registered providers do recognise and emphasise the need to deliver this type of housing and their preference is for self-contained units as they are easier for management and charging fees for communal areas.



Newark & Sherwood Local Development Framework

**Draft Interim Affordable Housing Supplementary
Planning Document**

July 2024

Document Passport

Title: Newark and Sherwood Draft Interim Affordable Housing Supplementary Planning Document

Status: Consultation document

Summary: This Draft Interim Affordable Housing Supplementary Planning Document (SPD) sets out proposals for how the District Council will seek to secure Affordable Housing as part of new housing developments. It sets out the policy context for such housing, then details of how the District Council will seek to negotiate these matters and how the issue of viability will be considered. The document also provides guidance on Affordable Housing in rural areas.

As an SPD the draft document provides further guidance on policies within the Council's Adopted Core Strategy but does not develop new ones. When adopted this SPD will become part of the Council's Local Development Framework and will be a material consideration in the determination of planning applications.

Consultation Summary: The consultation will focus on seeking views from local residents, landowners, developers, town & parish councils, registered housing providers and other interested parties.

Date of Approval for Consultation: ADD DATE

Route of Approval for Consultation: Planning Policy Board 8 July 2024, Cabinet 23 July 2024

Proposed Consultation period: ADD

Copies are to be deposited at the main Council office at Castle House, Great North Road Newark NG24 1BY (open between 9.00 a.m. and 5.00 p.m. Monday to Friday), the District's libraries and the Council's website: www.newark-sherwooddc.gov.uk/affordablehousingspd/

After the consultation: The District Council will consider the responses made to this document and, taking these into account, prepare a finalised Affordable Housing Supplementary Planning Document which will be reported to the relevant Committee for adoption as part of the Local Development Framework

Estimated Date of Final Adoption: ADD DATE

Matt Lamb MTCP MPA MRTPI
Director of Planning and Growth
Newark & Sherwood District Council
Castle House
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Newark
NG24 1BY


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1 INTRODUCTION

PURPOSE AND SCOPE OF THE INTERIM AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT

- 
- 1.1 Since the last Affordable Housing SPD was adopted in 2013, a number of important policy changes have occurred. The aim of this SPD is provide a context for planners, developers and other interested parties of the approach that Newark & Sherwood District Council will take to these matters. The starting point for decision making is the policies in the Development Plan these are contained within the Amended Core Strategy (Adopted March 2019):
 - Core Policy 1 Affordable Housing
 - Core Policy 2 Rural Affordable Housing
 - 1.2 Changes to National Policy subsequent to the adoption of the Amended Core Strategy in 2019 means that our existing policies do not reflect the following:
 - previously Affordable Housing could only be secured on sites of 11 or more dwellings, and now they can be secured on sites of 10 or more;
 - that alongside the dwelling number trigger, a combined gross floor space of more than 1000sqm was also included however now this has been replaced with a 0.5 hectares trigger;
 - that at least 10% of new dwellings be available for affordable home ownership (with a range of exemptions to this);
 - the introduction of First Homes and other Affordable Housing products.
 - 1.3 We also have more up-to-date information housing needs information which has indicated a change in priorities for the type of housing that the Council is seeking on new development.
 - 1.4 In order to address these changes, the Council has prepared comprehensive new Affordable Housing policies in our Amended Allocations & Development Management DPD. This was submitted for examination in January 2024. However, in the interim, it is proposed to provide guidance on the current position and how Affordable Housing should be secured. It is not the intention of the Interim SPD to introduce new policy but to provide the context for the implementation of existing policy in the new context.

2 AFFORDABLE HOUSING POLICY & LOCAL CONTEXT



2.1 This Chapter sets out the National Policy and Affordable Housing definitions and local context for Affordable Housing delivery.

National Planning Policy

2.2 The [National Planning Policy Framework \(December 2023\)](#) (NPPF) sets out the Government's key objectives for housing, which is to significantly increase the delivery of new homes by:

- Increasing the supply of housing;
- Encouraging land with planning permission to be developed without unnecessary delay;
- Delivering a wide choice of high-quality homes that people want and need;
- Widening opportunities for home ownership by supporting the development of entry-level exception homes suitable for first time buyers (or those looking to rent their first home);
- Creating sustainable, inclusive and mixed communities, including through the regeneration and renewal of areas with poor housing.

2.3 The NPPF sets out the guidance for how local planning authorities should prepare their Local Plan/Local Development Framework. Paragraph 20 in the NPPF affirms that Local Planning Authorities should ensure that their Local Plan/Local Development Framework sets out the levels and types of Affordable Housing provision required. Paragraph 6 also indicates that other statements of Government policy may be material when preparing plans or deciding applications, such as relevant Written Ministerial Statements and endorsed recommendations of the National Infrastructure Commission. This includes the Written Ministerial Statement on Affordable Homes Update (24 May 2021) which contains policy on First Homes.

2.4 Furthermore, '*local planning authorities should support opportunities to bring forward **rural exception sites** that will provide Affordable Housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this*' (Paragraph 82).

2.5 Paragraph 65 of the NPPF establishes that the provision of Affordable Housing should not be sought for residential developments that are **not major developments** other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). It should be noted that Newark & Sherwood does not have any designated rural areas under the terms of the NPPF (although see 5.16 for rural protections on housing association properties). Major development is defined as:

"For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more." (NPPF Glossary)

- 2.6 To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any Affordable Housing contribution due should be reduced by a proportionate amount.
- 2.7 Paragraph 66 in the NPPF states that: *‘where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for **affordable home ownership**, unless this would exceed the level of Affordable Housing required in the area, or significantly prejudice the ability to meet the identified Affordable Housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:*
- a) provides solely for Build to Rent homes;*
 - b) provides specialist accommodation for a group of people with specific needs (such purpose-built accommodation for the elderly or students);*
 - c) is proposed to be developed by people who wish to build or commission their own homes; or*
 - d) is exclusively for Affordable Housing, a community-led development exception site or a rural exception site’*
- 2.8 The NPPF seeks to ensure viability of proposed housing, the costs of any requirements likely to be applied to development, such as requirements for Affordable Housing, should, when taking account of the normal cost of development and mitigations, provide competitive returns to a willing landowner and willing developer to enable the development to be deliverable. The Council took this into account in the Affordable Housing viability work that supported its Amended Core Strategy and appreciates that there may be instances where it is necessary to assess the planning gain that individual applications can deliver. In this respect the Council applies a flexible approach to Affordable Housing delivery on a site-by-site basis.

Affordable Housing Definitions

- 2.9 The definition of Affordable Housing is contained within Annex 2 of the National Planning Policy Framework (‘NPPF’) (2023). It is defined as *‘housing which is for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers)’*; and which complies with one or more of the following definitions:

(a) Affordable Housing for rent: *meets all of the following conditions: (a) the rent is set in accordance with the Government’s rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative Affordable Housing provision. For Build to Rent schemes Affordable Housing for rent is*

expected to be the normal form of Affordable Housing provision (and, in this context, is known as Affordable Private Rent).

(b) Starter homes: is as specified in [sections 2 and 3 of the Housing and Planning Act 2016](#) and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. At present, secondary legislation has not been enacted however where it has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

(c) Discounted market sales housing: is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

(d) Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative Affordable Housing provision, or refunded to Government or the relevant authority specified in the funding agreement.'

First Homes

2.10 First Homes or Entry Level Homes are a type of Affordable Housing product designed for first time buyers. In May 2021, the Government published the following criteria which outlines how first homes differentiate from market housing and other types of Affordable Housing:

- They must be discounted by a minimum of 30% against the market value
- The person/persons buying this product should meet the first homes eligibility criteria. [First Homes - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- The first sale must be at a price no higher than £250,000 after the discount has been applied.

2.11 First Homes are the Government's preferred discounted market tenure and should account for at least 25% of all Affordable Housing units delivered by developers through planning obligations.

Other Types of Affordable Housing

2.12 Build to Rent schemes are another type of Affordable Housing. The bullet points below define what these schemes are and outlines how these are distinct from other types of Affordable Housing.

2.13 Build to Rent schemes are:

- Purpose built schemes and are typically 100% rented out.
- They can form part of a wider multi-tenure development comprising either flats or houses, thus successfully address the Affordable Housing needs of many demographics in the District. Dwellings however should be contiguous with the main development.
- Affordable Housing on build to rent schemes should be provided by default in the form of affordable private rent. Affordable private rent homes are at least 20% less than the private market rent.

What isn't Affordable Housing

2.14 Defining and establishing what is and isn't Affordable Housing can be challenging at times as affordability is often subjective and average prices vary depending on the location in which the dwellings are situated. Affordable Housing is defined in NPPF and includes social and affordable rent, intermediate tenures such as First Homes, Discount for Sale and shared ownership. These tenures provide housing with a minimum of 20% discount up to 50% discount from a market dwelling. It is expected that housing meeting this definition will be owned and managed by Registered Providers except in the case of discount for sale of which the conditions will be set out in a legal agreement.

2.15 The tables below list the different types of Affordable Housing products and state the conditions which would make them 'unaffordable'.

Table 1: Conditions which would make Affordable Rented Products Unaffordable.

What conditions would make these affordable rented products unaffordable?			
Affordable rented	Immediate rented	Social rent	Build to Rent
If letting rates for these homes are not 20% or more below local market rents then they are not considered to be affordable.	If letting rates for these homes are not 20% or more below local market rents then they are not considered to be affordable.	Homes are not considered to be 'social rent homes' if they are not around 50% of market rents.	Dwellings on 'build to rent' schemes are not considered to be affordable if they are not at least 20% less than the private market rent.

Table 2: Conditions which would make Affordable Home Ownership Products Unaffordable.

What conditions would make these affordable home ownership products unaffordable?	
Homes committed by developers to be sold at a discount	Discounted homes for first-time buyers
If the property being sold is not being sold at least 20% below local market value , the property is not 'affordable'	If the property being sold isn't 30% to 50% below market value , then it is not considered to be an 'affordable first home'.

Newark and Sherwood District Council Community Plan 2023-2027

2.15 The Council's Community Plan sets out the objectives for sustaining the strength of the District's community and outlines how these will be achieved. One of the key

objectives in the plan is to *'increase the supply, choice, and standard of housing'*. Newark and Sherwood District Council Community Plan for 2023-2027:

[12.12.23-Community-Plan-2023v16-Appendix-1.pdf \(newark-sherwooddc.gov.uk\)](#)

Housing Strategy and Delivery Plan 2023-2028

2.16 The Housing Needs Strategy sets out how the Council will continue to deliver high quality housing and housing services for all residents in Newark and Sherwood. The document sets out 4 key priorities. Priorities 2 and 3 are of relevance for this document. The Housing Strategy and Delivery Plan for 2023-2028 can be viewed following the link:

[Housing-Strategy-Draft-April-23.pdf \(newark-sherwooddc.gov.uk\)](#)

2.17 Priority 2 is to *'delivering Affordable Housing to meet local need'*. The objectives for ensuring that this priority is met are:

- Understand the need for a full range of Affordable Housing in the District including type, tenure and location.
- Deliver a range of affordable homes that meet the needs of local residents and workers.
- Work in partnership with registered providers, private developers and local landowners to accelerate delivery of rural Affordable Housing.
- We will explore opportunities to continue to deliver our Housing Revenue Account new build programme to provide additional affordable homes to add to the 350 due to be completed since 2018.

2.18 Priority 3 aims to focus on meeting people's housing needs. The objectives for ensuring that this priority is met are:

- Support residents to have a suitable home where they can live independently.
- Consider how the strategy will address the varied housing needs of different groups i.e., older people, refugees, support for armed force.
- Increase opportunities for people to access low-cost home ownership.

Neighbourhood Plan Policy Context

2.19 Those creating Neighbourhood Plans can take the following measures to help shape the provision of Affordable Housing in their area:

- Writing local Affordable Housing policies- providing these are in general conformity with strategic policies in the rest of the Development Plan;
- Undertake a Local Housing Needs Survey to identify the nature of need in the locality; and
- Consider allocating land for Affordable Housing

2.20 The Affordable Housing policies in a Neighbourhood Plan become part of the Development Plan once the Plan is made. Details of current made Neighbourhood Plans can be found at [Made Neighbourhood Plans | Newark & Sherwood District Council \(newark-sherwooddc.gov.uk\)](#).

3 AFFORDABLE HOUSING NEED IN NEWARK AND SHERWOOD



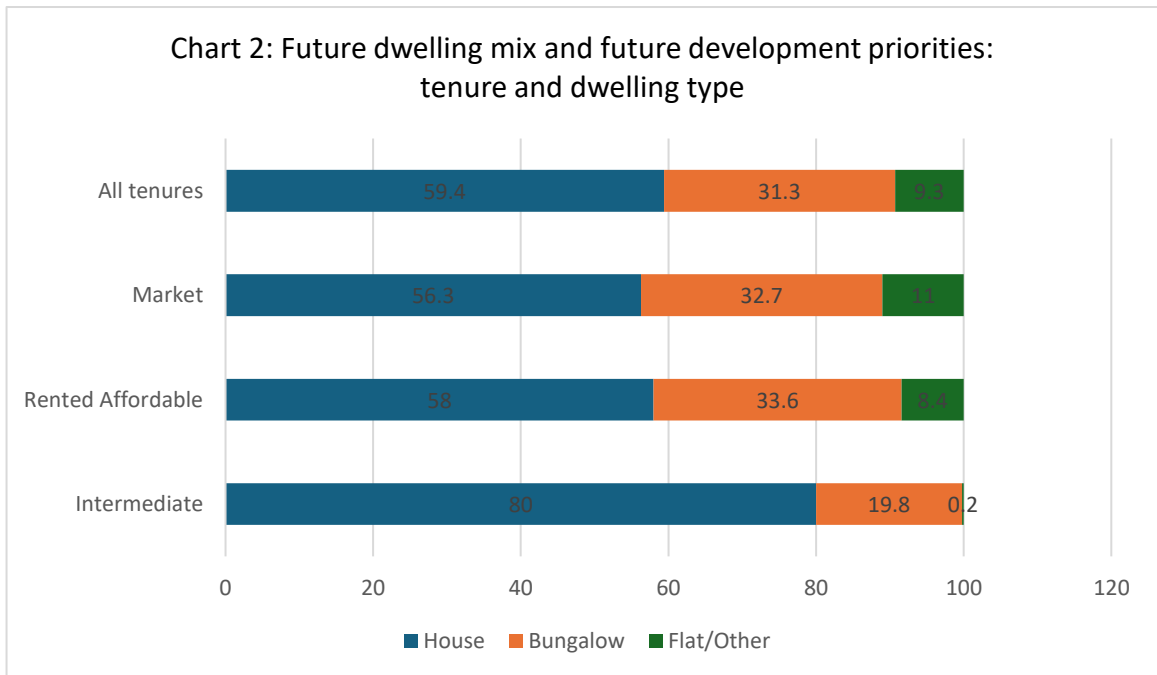
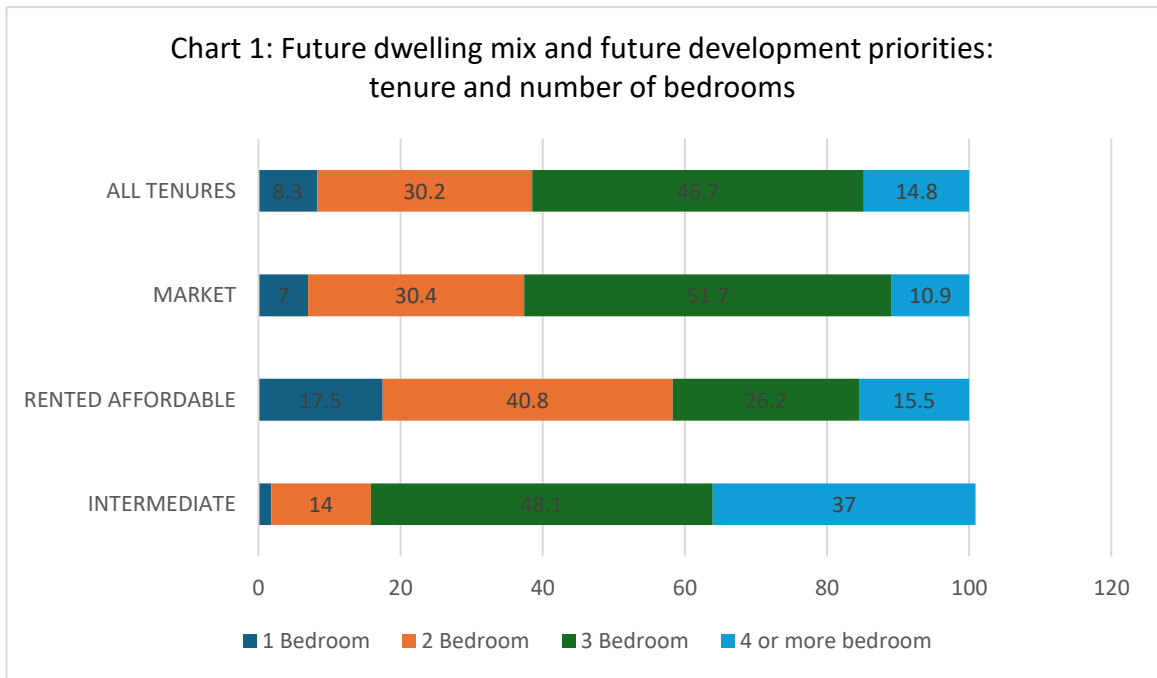
Establishing Housing Need in Newark & Sherwood

- 3.1 The Council has published two documents related to housing needs in the District. These include the Arc4 District Wide Housing Needs Assessment 2020 and the Arc4 Sub Area Summaries of Housing Needs Assessment 2020. In addition, the Council has a programme of Parish Housing Needs surveys to provide evidence at a small settlement level. The documents provide up to date evidence to inform the strategies, policies and decisions of the council and its partners.
- 3.2 **The District Wide Housing Needs Assessment** states that there is a need for 243 affordable homes each year across the District, with shortfalls in all sub-areas. This compares with an average of 109 being built between 2018/19. This Assessment can be viewed below:
[Housing-Needs-Study---Final-Report-2021.pdf \(newark-sherwooddc.gov.uk\)](#)
- 3.3 The table below shows the number of affordable dwellings which have been completed since 2019. As seen, there has been a shortfall in delivery, however the contribution levels sought through local planning policy remain the maximum which can be justified in viability terms. This delivery is accompanied by the separate activity of the District Council and Registered Providers.

Table 3: Number of Affordable Dwelling Completions since 2019

	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024
Affordable Housing Units Completed	134	195	124	32	127

- 3.4 The current Development Plan has set a target for 454 dwellings each year. The report recommended that the current target for 70% market and 30% affordable dwellings is maintained, with the Affordable Housing split between 60% rented and 40% intermediate.
- 3.5 The charts below highlight the District’s future development priorities for tenure, number of and dwelling type. Chart 1 indicates that the overall focus for the District’s future development should be 2 and 3 bedroom properties. For intermediate (affordable home ownership), the strongest need is for properties with 3 or more bedrooms.



- 3.6 Chart 2 identifies the strongest need for houses but a considerable need for bungalows which reflects the needs, aspirations, and expectations of the aging population across the District, both for market and affordable homes. Housing should be delivered to meet the need which indicates that 30% of all schemes should provide bungalows (with a smaller percentage for intermediate housing). Below, you can find information summarising which sub area require bungalows the most.
- 3.7 These figures should be considered by the Local Planning Authority and developers, so that the local needs of the District can be met.
- 3.8 The following findings may also be relevant to the form of Affordable Housing required in the District:

- an additional supply of 1,344 units specialist older person accommodation needed by 2033.
- a minimum of 1% of new dwellings should be built to M4(3) wheelchair accessible standard; and a minimum of 23% all new dwellings should be built to M4(2) accessible and adaptable standard.
- over the period 2019 to 2031, there are expected to be an additional 2,418 people aged 65 and over with a mobility problem.

3.9 This evidence should be considered by developers in producing schemes for development. Where there is no robust more localised information over housing need available then it will also assist in implementing policies within the Development Plan.

3.10 Key Strategic Messages from the Housing Needs Assessment:

- New development needs to reflect the needs of an ageing population whilst continuing to develop housing for younger age groups and a range of income groups to support economic growth ambitions. Increased provision of bungalows is essential.
- There is a need to improve the delivery of Affordable Housing to address identified need. The current 30% target remains appropriate although in recent years the level of affordable delivery has improved. Affordable home ownership options for key workers should also be considered given the affordability challenges across the District.
- The majority of older people want to remain in their own home with help and support when needed. There is therefore a need to improve support services available to older people across all tenures. Additionally, there is a need to increase the specialist older persons housing provision, for instance extra care and retirement housing.
- There is a need to regularly review the needs of different groups and the impact of physical disability and mental health on housing need. There is a specific need to deliver 1% of new dwellings to M4(3) wheelchair accessible standard and a minimum of 23% of new homes to M4(2) accessible and adaptable standard.

Sub Area Affordable Housing Needs

3.11 The data for the sub area Affordable Housing needs data has been taken from the Arc4 District Wide Needs Assessment (2020) and the Sub Area Summaries of Housing Needs Assessment (2020). These documents provide information on the amount and types of Affordable Housing needed and can be found in the Appendices of this SPD.

3.12 When examining specific sub-areas, the order of demand, from highest to lowest, is as follows: Newark, Mansfield Fringe, Sherwood, Southwell, Rural South, Collingham, Sutton On Trent, and Nottingham Fringe. This should be considered when deciding where to prioritise the Affordable Housing development activities of the District Council and Registered Providers

3.13 Further breakdown for each housing unit type is contained in the tables below.

Dwelling Type Sub Area	1/2 bed house	3 bed house	4 or more bed house	1 bed flat	2 or 3 more Bed flat	1 bed Bungalow	2 or 3-bed bungalow	Total
Newark	18	23	30	11	0	32	42	156
Collingham	11	4	3	0	0	0	1	19
Sutton-on-Trent	4	0	2	0	1	1	5	14
Rural South	15	2	0	0	0	0	4	21
Southwell	8	14	0	0	0	0	10	32
Nottingham Fringe	0	7	0	0	0	0	2	9
Sherwood	23	9	0	3	0	5	14	54
Mansfield Fringe	0	29	22	7	0	0	9	67
Total								372

Source: Arc4 Housing Needs Survey 2020

3.14 A comprehensive analysis of Table two on affordable rental housing across the District reveals a pronounced demand for three-bedroom houses, followed by two to three-bedroom bungalows. In contrast, there is comparatively lower demand for two to three-bedroom flats.

Dwelling Type/ Sub-Area	1/2 bed house	3 bed house	4 or more bed house	1 bed flat	1 bed Bungalow	2 bed bungalow	3 bed or more bungalow	Other	Total
Newark	12	15	20	7	21	28			103
Collingham	7	3	2						12
Sutton-on-Trent	2		1		1	2	2		8
Rural South	10	1				3			14
Southwell		9			5	2		6	22
Nottingham Fringe		5				1			6
Sherwood	15	6		2	3	7	3		36
Mansfield Fringe		19	15	5		6			45
Total									246

Source: Arc4 Housing Needs Survey 2020

4 APPLYING THE AFFORDABLE HOUSING POLICY



Amount of Affordable Housing and thresholds

4.1 Core Policy 1 in the Amended Core Strategy (2019) identifies the following qualifying thresholds:

- All housing proposals of 11 units or more or those that have a combined gross floor space of more than 1000sqm.

4.2 As explained in Chapter 1, this qualifying threshold has been superseded by changes to the NPPF. Since these changes we have been securing Affordable Housing based on National Policy, namely:

- All housing proposals of 10 units or more or those that have a site area of 0.5 hectares or more.

Type

4.3 Core Policy 3 in the Amended Core Strategy (2019) sets out that the District Council will seek to secure new housing development which adequately addresses the housing need of the District, namely:

- Family housing of 3 bedrooms or more
- Smaller houses of 2 bedrooms or less.
- Housing for the elderly and disabled population

4.4 Particular emphasis will be placed on securing smaller houses of 2 bedrooms or less and those for housing the elderly and disabled population.

4.5 Since the Amended Core Strategy (2019) was adopted, the Housing Need Assessment has been updated and as detailed in Section 4 above, new priorities have emerged. As set out in Core Policy 3, this up-to- date information should inform the type of Affordable Housing provided.

4.6 The District Council will seek to secure an appropriate mix of housing types to reflect local housing need. Such a mix will be dependent on the local circumstances of the site, the viability of the development and any localised housing need information. The Council has identified that an emphasis on 2 and 3 bedroom family housing, greater provision of bungalows on appropriate large sites and support for specialist housing such as extra care and retirement housing will be priorities going forward.

Tenure

4.7 The District Council will seek to secure a tenure mix of Affordable Housing to reflect local housing need and viability on individual sites. This target set out in Core Policy 1 is:

- 60% social rented/affordable rented;
- 40% affordable home ownership product.

4.8 National Policy has introduced a requirement to deliver 25% First Homes as part of Affordable Housing provision. This can be accommodated within current policy and the affordable home ownership product element of the contribution (40%) will comprise the overall national 25% First Homes with the remaining 15% made up of other affordable home ownership products based on an up-to-date assessment of local need. First Homes should secure a minimum discount of 30% against market value.

Distribution, Design and Layout Requirements

- 4.9 To achieve mixed, inclusive and sustainable communities, and comply with 'Promoting healthy and safe communities' policies of the NPPF, the affordable units should be 'pepper potted' throughout the site.
- 4.10 'Pepper potting' is the dispersal of affordable homes across a development site within individual groups, rather than in one distinguishable block where the residents of Affordable Housing are separated from residents within open market housing. The size of these groups will depend on the size of the development and the percentage of Affordable Housing expected in that location, but it is expected that they will not exceed 10 units.
- 4.11 Affordable homes should be well integrated within and indistinguishable from those market units and built using the same materials, form and quality of design to ensure that it makes a positive contribution to local character and distinctiveness. In other words, the design quality of the Affordable Housing should be as good, if not better, than the private market housing.
- 4.12 In some cases however, Registered Providers may find it convenient for management purposes to have their stock in clusters. Small grouping of affordable homes (usually no more than 10 homes) will be accepted if it can be demonstrated to the Council's satisfaction that there is a management reason for this approach i.e. the leasehold of flats. Early discussion with the purchasing registered provider will assist in locating affordable homes to ease management and avoid social division.
- 4.13 Plans submitted to the Council for planning consideration should clearly show the position of all affordable units within the development, except in outline applications where only illustrative plans are submitted and the exact locations identified within subsequent reserved matters planning applications.
- 4.14 In addition, adopted and emerging Neighbourhood Plans may also contain design policies, and these may well also need to be taken into consideration, depending on where in the District the proposed dwellings are located.
- 4.15 The majority of residents of Affordable Housing are car users. Parking for Affordable Housing should meet the Council's current parking standards at the time of submitting

a planning application. The Council expects the same parking provision to be made available for affordable and market housing of the same size. Garages are often not provided for affordable homes. The Residential, Cycle and Car Parking Standards SPD sets out the District's recommended approach in relation to parking standards and design of parking provision for new residential development:

[Residential-Cycle-and-Car-Parking-Standards-and-Design-Guide-Supplementary-Planning-Document.pdf \(newark-sherwooddc.gov.uk\)](#)

- 4.16 The diagrams below illustrate the Council's expectations on how Affordable Housing units should be integrated into developments.

Figure 1: Acceptable examples showing Affordable Housing integrated into the development

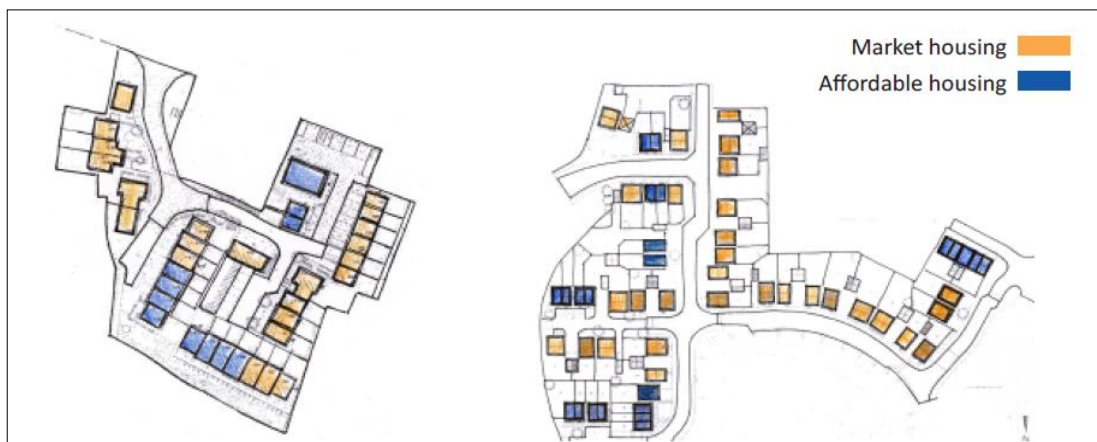
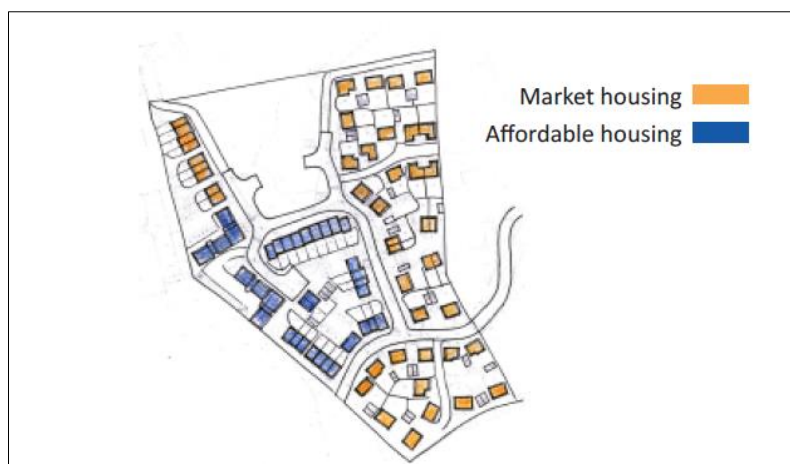


Figure 2: Unacceptable grouping of Affordable Housing on a development



- 4.17 The Council will not accept the concentration of affordable homes in areas of lower environmental quality for example next to main roads or overhead power lines.
- 4.18 The Council expects Affordable Housing units to provide sufficient internal floorspace to support an acceptable standard of residential amenity. Registered providers may have their own requirements in order to purchase the housing and applicants should

consult them at an early stage in the planning process. This is generally reflected by schemes which seek to achieve nationally described space standards, the use and application of design codes, and the importance of landscaping and nature conservation in design.

- 4.19 Homes England, which may fund purchases by Registered Providers, also require Affordable Housing to be a minimum of 85% of Described Space Standards. Therefore, it may be necessary to ensure affordable homes are built to at least Nationally Described Space Standards where this is compatible with the need for affordable homes to be indistinguishable from homes for sale on the open market within the same development.
- 4.20 The Council may issue additional up to date guidance on the size and type of affordable homes required as well as more area or site specific guidance in certain cases, for example on the very large sites. The guidance will be based on:
- Overall housing needs across the District;
 - The needs of registered applicants on the Council's Choice Based Lettings system;
 - Needs for properties of a particular size or facilities to meet an identified special need;
 - The requirements of the purchasing Registered providers.
- 4.21 Generally a mix of sizes and types will be sought to meet local housing needs. Developers are also encouraged to open early discussion with the Council and the purchasing Registered provider to determine the mix of type and size needed.
- 4.22 Where a requirement for flats is identified as part of an Affordable Housing mix, applicants should consider that registered providers would require ownership of the freehold. Therefore, it is important to enter into early discussions with Registered Providers and the District Council to understand the housing need for the area and how this can be addressed where one or two bedroom dwellings are required.

Viability

- 4.23 In circumstances where the viability of the scheme is in question, the developer will be required to demonstrate, to the satisfaction of the District Council, that this is the case. Viability will be assessed in accordance with **Policy DM3 – Developer Contributions and Planning Obligations (see below)** of the Amended Allocations and Development Management DPD (submitted for examination in January 2024).

Policy DM3 Developer Contributions and Planning Obligations

- Identified infrastructure needs will be met through a combination of Community Infrastructure Levy, planning conditions and obligations and, where appropriate, funding assistance from the Council.
- The Council will work with Nottinghamshire County Council, neighbouring Local Authorities and infrastructure partners to ensure that development is supported by the timely, and where appropriate phased, provision of necessary physical, social and green/blue infrastructure and where appropriate its maintenance.
- Delivery of the planned growth set out in the Amended Core Strategy requires provision of appropriate infrastructure to ensure the development of sustainable communities. Development that does not adequately address its impact will not be regarded as sustainable development.
- Planning applications will be expected to demonstrate consideration of identified site-based infrastructure needs and make clear how these needs will be met, guided by the Council's latest, most up to date evidence.
- Where on-going maintenance and management of infrastructure is required, a management plan will be required to ensure the quality of the provision remains in the long term. This will be agreed through a S106 agreement or any other suitable mechanism.

[Plan-Review-AADMDPD---2-Pub-Stage---Clean-Version.pdf](#) ([newark-sherwooddc.gov.uk](#))- taken from the Amended Allocations and Development Management DPD

4.24 Full, policy compliant contributions should be provided unless there is suitable, sufficient and justifiable evidence to depart from this. Any departure from this will require the applicant or their agent to demonstrate circumstances that justify the need for a viability assessment. This may include:

- Where development is proposed on unallocated sites of a wholly different type to those used in the viability assessment that informed the plan;
- Where further information on infrastructure or site costs is required;
- Where types of development are proposed which may significantly vary from standard models of development for sale (for example build to rent or housing for older people); or
- Where significant economic changes have occurred since the plan was brought into force.

4.25 Where the need for a viability assessment can be demonstrated, the District Council expects this to be prepared in line with the requirements of the NPPF and Planning Practice Guidance. It should take the form of a written report that includes appropriate and relevant evidence in relation to build costs, infrastructure requirements including land acquisition and future sales values. This should link back to the typology assumptions contained within the Newark & Sherwood Whole Plan Viability Appraisal.

4.26 The PPG indicates:

“Potential risk is accounted for in the assumed return for developers at the plan making stage. It is the role of developers, not plan makers or decision makers, to mitigate these risks. The cost of fully complying with policy requirements should be accounted for in benchmark land value. Under no circumstances will the price paid for land be relevant justification for failing to accord with relevant policies in the plan.

For the purpose of plan making an assumption of 15-20% of gross development value (GDV) may be considered a suitable return to developers in order to establish the viability of plan policies.”

4.27 Evidence submitted should be sufficient to provide a convincing case on whether the obligations being sought would make the development unviable or not. Other than in exceptional circumstances, any viability assessment that is submitted will be made available in the public domain. Viability assessments will be subject to independent review and the applicant will be required to bear the council’s costs for undertaking this work.

4.28 The Council’s decision as to whether the findings of the viability assessment are accepted will be based upon the outcome of the independent appraisal of the viability assessment. As set out in the planning practice guidance:

“The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and viability evidence underpinning the plan is up to date, and site circumstances including any changes since the plan was brought into force, and the transparency of assumptions behind evidence submitted as part of the viability assessment.”

4.29 The Council will also have regard to whether it would be in the interest of the local community to refuse the application until adequate mitigation can be secured for the site in the future.

4.30 The District Council may agree to the provision of lower rates of contribution for a particular site if the viability assessment is accepted as being an accurate assessment of the cost and liabilities and shows that the development cannot proceed without reduced or revised financial obligations. This will be on the condition that the loss of planning obligations is not so significant that the development is no longer acceptable in planning terms.

4.31 Where the above circumstances arise, it may be acceptable to forego on-site provision of Affordable Housing and accept a commuted sum which is less than the cost of providing a policy compliant number of units on-site. Providing that the commuted sum will provide a competitive return and no more, and not accepting an appropriate commuted sum would prevent the development coming forward.

- 4.32 Where a level of Affordable Housing secured by a planning permission (either on site provision of units or financial contribution for off-site provision) is below the requirement set out in Core Policy 1 due to a viability case based on site specific circumstances, the Council will require an overage clause to be inserted in Section 106 Agreements.

Phasing

- 4.33 Control of the processes of construction and occupation of the required Affordable Housing will normally be linked to the operation of those processes on the remainder of a development site. Accordingly, construction of the Affordable Housing should be commenced before 40% of the market housing is commenced and, in addition, the Affordable Housing should be available for occupation before 60% of the market housing is completed. Where a commuted sum is acceptable in place of Affordable Housing provision on an individual site, the Council will normally require payment to be made prior to the commencement of development on the site but will have regard to phasing and viability which will be proportional to the scale and complexity of the development.

Review / Clawback Mechanisms

- 4.34 The PPG indicates that review mechanisms can be used by authorities to recover reduced or removed requirements arising from planning policies where viability improves during the lifetime of a project. Viability appraisals will remain valid until such time as it is considered by the council that significant changes have occurred which require an update of the appraisal to be undertaken. These changes could relate to factors such as realised construction costs being less than initially anticipated, an economic upturn which serves to increase sales values above initial expectations, and abnormal costs originally allowed for are no longer deemed necessary due to alternative construction solutions.
- 4.35 Any planning application, which fails to deliver a policy compliant scheme due to viability should be subject to a review (with the timing of the review dependent on the scale of the scheme), based on the actual costs and values generated by the scheme (i.e. an 'open book' basis for all costs and values). In accordance with the advice in the PPG, the review will only apply to uplifts in compliance with planning policies over the lifetime of a project. Unless otherwise agreed with the council, the section 106 agreement will contain review mechanisms, at the applicant's expense, and at trigger point(s) / times agreed with the council (for example, completion or occupation of the development) when construction contracts have been agreed to ascertain the extent of any changes in these values and costs.
- 4.36 Where a viability appraisal review is triggered, a base appraisal will be used (in line with the agreed viability position as determined at the planning application stage). The only elements subject to change will be sales values and build costs. This is considered to be a clear process that provides greater certainty of delivery for developers and their funders and is easier for all parties involved to understand.

Commuted Sums

- 4.37 The District Council's preferred approach would normally expect Affordable Housing provision to occur on site. However, it is recognised that in some circumstances off site provision or contributions may be more appropriate, because of the characteristics of the scheme proposed or because it may help to deliver Affordable Housing provision more efficiently elsewhere in the locality. The District Council will require a financial contribution of equivalent value to that which would have been secured by on-site contribution.
- 4.38 With regard to commuted sums, Core Policy 1 of the Amended Core Strategy sets out:
"The District Council's preferred approach is to seek such [Affordable Housing] provision on site. However, it is recognised that in some circumstances off site provision or contributions may be more appropriate, because of the characteristics of the scheme proposed or because it may help to deliver Affordable Housing provision more efficiently elsewhere in the locality. The District Council will require a financial contribution of equivalent value to that which would have been secured by on site contribution."
- 4.39 The payment of commuted sums will be considered acceptable in the following circumstances:
- When no Registered Provider is willing or able to take on the affordable homes required on-site (subject to sufficient evidence being provided by the developer).
 - Where on-site provision is satisfactorily demonstrated not to be justified; or
 - Where off-site contributions can be shown to contribute to the successful development of other Affordable Housing schemes within the District.
- 4.40 Developers are required to offer Affordable Housing to appropriate Registered Providers (RP's). Where it is demonstrated, to the satisfaction of the Council, that no RPs are willing or able to take on the affordable homes, a commuted sum will be accepted instead. Sufficient evidence must be provided by the developer to demonstrate that all reasonable efforts were made to dispose of the properties to RPs. A cascade clause will be included in the section 106 agreement to set this out. Robust evidence will be required before this approach is accepted.
- 4.41 The financial contribution will be paid into a ring-fenced fund which will be used to contribute to the overall Affordable Housing provision in the District through a range of projects such as supporting the development of temporary sites for homeless people, rural Affordable Housing (within exception sites), enabling specialist housing provision such as supported housing, and empty homes / refurbishments. This is not an exhaustive list, and the fund can be used to support new innovative ways to contribute to increasing Affordable Housing. It is expected that any commuted sum will be subject to repayment provisions, and these will be set out within the Section 106 Agreement.

4.42 To calculate the commuted sum payment in a consistent and transparent way, the Council will rely on the principle that the developer of a scheme should be no better or worse off financially whether they provide Affordable Housing on site or as a commuted sum. Secondly, the scheme being considered is viable for the percentage of Affordable Housing being tested. The commuted sum needs to reflect the uplift in market housing provision on the site that results from offsite provision. This is because the developer will be able to sell additional market units as no Affordable Housing provision is made on site. The calculation of the commuted sum will be informed by:

- the particular circumstances of the site;
- the residential scheme proposed;
- current construction and finance costs;
- current house prices and land values;
- current national and local policy requirements, including Community Infrastructure Levy and Affordable Housing requirements;
- Registered Provider offers.

Unviable Proposals

4.43 Where a scheme is demonstrated to be unviable, the Council considers it acceptable to forego on-site provision of Affordable Housing and accept a commuted sum which is less than the cost of providing a policy compliant number of units on-site. Providing that the commuted sum will provide a competitive return and no more, and not accepting an appropriate commuted sum would prevent the development coming forward.

Vacant Building Credit

4.44 Across Newark and Sherwood there are an estimated 53,115 households and 57,392 dwellings, of which 2.4% of dwellings being vacant- (District Wide Housing needs assessment, pg. 46).

4.45 The NPPF provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any Affordable Housing contribution which will be sought. Affordable Housing contributions may be required for any increase in floorspace. For example:

Scenario

- A building with a gross floorspace of 8,000 square metre building is demolished
- The proposed new development has a gross floorspace of 10,000 square metres (a 20% increase)

Financial credit required

- Any Affordable Housing contribution should be 20% of what would normally be sought
- The vacant building credit does not apply to properties which have been abandoned
- The courts have held that, in deciding whether a use has been abandoned, account should be taken of all relevant circumstances such as:
 - the condition of the property
 - the period of non-use
 - whether there is an intervening use; and
 - any evidence regarding the owner's intention

Each case will be judged on its own merits.

Occupancy and Nominations

- 4.46 The Council considers it important to ensure that properties provided by developers on-site as Affordable Housing are available to those in housing need, initially and in the long term (or in perpetuity in the case of rural exception sites).
- 4.47 Affordable Housing will be open to those who are in housing need and normally allocated through the Council's Allocation Scheme. The Council will require 100% nomination rights on the first lets/sales of all affordable homes, potentially dropping to 75% for subsequent re-lets. This allows Registered Providers to determine the allocation of a proportion of the properties in accordance with their own objectives and statutory requirements. However, in practice, many Registered Providers locally continue to accept nominations from the Council on all future re-lets. On Rural Exception Sites Affordable Housing will remain affordable in perpetuity (including sites in protected areas).

Local Connection and Cascade Mechanism

- 4.48 The Council will seek to ensure that the first and subsequent occupancy of all new Affordable Housing with a S106 agreement is determined in accordance with a 'cascade' approach. This means on the occasion of each vacancy, the individual dwellings are advertised through the Council's Allocation scheme and preference is given in the first instance to people with a local connection to the parish or ward (*dependant on the where the development is, i.e. rural or urban*) in which the development is located and thereafter to people in housing need elsewhere in the District. In operating the cascade approach, the Council will take into account the particular circumstances of the site and will not impose requirements which would result in properties remaining vacant for an unreasonable period of time.
- 4.49 The S106 agreement will require homes to be let at affordable rents or discounted sales prices, that the homes are affordable in perpetuity and that they remain the sole or main dwelling of the occupant. It is also likely to require that occupants should have a need for affordable homes and be unable to buy or rent homes in the parish on the open market. It may also include a local lettings requirement to ensure that they are offered to local people or those with a strong local connection in the first instance. "Local connections" could include:
- a. Those who have lived in the settlement or parish for at least the last 12 months.
 - b. Those who have previously lived in the settlement or parish for at least ten years and wish to return.
 - c. Those who have to work in the settlement or parish.
 - d. Those who have immediate family in settlement or parish, who have lived there for at least the past five years.
 - e. Those who need to live in the parish or settlement because they are in receipt of essential support or because they are providing essential support to a permanent resident.
- 3.30 If necessary, the Council must be provided with evidence to verify that potential occupants meet the criteria.

Self and Custom Build housing

- 4.50 The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) provides a legal definition of CSB housebuilding. A link to this definition is provided below:

Right to Build Task Force Custom and Self-Build Planning Guidance PG3: Provision of Affordable Housing, including Exception Sites, March 2021 [PG3v1.pdf \(righttobuild.org.uk\)](#), pg. 6

'(A1) In this Act "self-build and custom housebuilding" means the building or completion by—

(a) individuals,

(b) associations of individuals, or

(c) persons working with or for individuals or associations of individuals, of houses to be occupied as homes by those individuals.’-

- 4.51 The Government is promoting self and custom build developments with the statutory requirement to maintain a self-build register and provide an appropriate number of serviced plots to meet identified needs. Most self-build plots will come forward on an individual basis or in some cases as a small group if it involves a self-build collective. Rarely would a self-build scheme involve 10 or more units in a single planning application, however, it may do so if a landowner applies for an outline application for a site or custom build plots.
- 4.52 Local and national policies do not differentiate between small scale developments and self-build in terms of Affordable Housing provision, with no specific exemption for self-build schemes from making a contribution. Consequently, self-build sites of 10 or more will be subject to Affordable Housing requirements. As with ‘traditional’ forms of housing developments, self build proposals may not circumvent requirements by artificially subdividing sites.

Supported and Wheelchair Accessible Housing

Supported Housing

- 4.53 Supported Housing is defined by Local Government Association as *‘a housing service where housing, support and/or care services are provided to help people to live as independently as possible. Supported housing provides homes for a wide range of people including older people, people with a learning disability and autistic people, people with mental health related needs, vulnerable young people and people who have experienced homelessness’*. ([Specialised supported housing: guidance for local Government and NHS commissioners | Local Government Association](#))
- 4.54 Government Guidance states that working collaboratively to deliver this type of accommodation is crucial.

‘We would encourage providers to engage with their local council to demonstrate the safety, quality and value of their service.

All organisations involved in the delivery of supported housing have a role to play in achieving safe and high quality housing, including:

- **providers**, in making sure housing is safe, well managed, of a good standard and costs are fair
- **local councils**, in assuring themselves of the suitability, safety and quality of accommodation (in both commissioned and non-commissioned provision) and monitoring costs
- **bodies making referrals**, including where these are made to other areas or where they have not commissioned or funded directly

It is important that residents are consulted and content with the placement. We would also encourage referring bodies to follow up with individuals or their representatives after individuals are placed in accommodation to ensure that the accommodation meets their expectations and needs’.

Supported Housing: National Statement of Expectations, GOV.UK: [Supported housing: national statement of expectations - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/431202/national-statement-of-expectations.pdf)

- 4.55 In line with the NPPF, new residential development to provide a proportion of Affordable Housing if they exceed the threshold for contributions. In accordance with a recent High Court judgement¹, this requirement applies to both proposals within Use Classes C2 (residential institutions) and C3 (dwelling houses). Consequently, proposals for C2 retirement accommodation which provide on-site care will also be expected to make an Affordable Housing contribution in accordance with the Local Plan depending on the self-containment of the residential dwellings and the scale of independent living they provide.
- 4.56 With regard to the type of C2 scheme, if the units can be used as independent dwellings (in this case they each had their own front door and private facilities), they can be considered as “dwellings”, irrespective of whether an element of care is provided. Affordable Housing provision is therefore required on such schemes in these circumstances, as per the High Court legal decision in [Rectory Homes v SSHCLG & SODC](#) (31st July 2020).
- 4.57 Use Class C2 also includes nursing homes, hospitals, residential colleges and training centres, however as these do not comprise separate self-contained dwellings, they are not required to make a contribution.
- 4.58 As nursing homes are excluded from this requirement, the Council will determine, on a case-by-case basis, whether the residential development comprises individual self-contained dwellings that provide independent retirement accommodation and therefore where a contribution is required or if it is a nursing home, where it is not. Elements to consider when making the judgement include:
- Built form of the development (e.g. scale, facilities provided such as private kitchens and/or lounge, dwelling types, dwelling features (e.g. individual front doors), building standards);
 - Provision of meals (either within a communal dining area or provided to residents’ rooms) and other services (is it linked to the needs of the individual’s personal care);
 - Provision of communal facilities (kitchen, social areas, therapy rooms, offices and other areas for staff); and
 - Whether residents individually own their accommodation or are contracted for a specific room.

¹ Rectory Homes Limited v SSHCLG and South Oxfordshire District Council [2020] EWHC 2098

Wheelchair and Specialist Accommodation

4.57 The District Wide Housing Needs Assessment 2020 indicates that there is an increase in the elderly population and that the District's housing will need to be adaptable to meet the needs of these residents.

4.58 Wheelchair and Specialist Accommodation are defined as:

M4(1) Category 1: Visitable dwellings (the minimum standard that applies where no planning condition is given unless a plan sets a higher minimum requirement)

M4(2) Category 2: Accessible and adaptable dwellings

M4(3) Category 3: Wheelchair user dwellings'

[Housing for older and disabled people - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

4.59 As part of the Plan Review process the Council is proposing:

- On sites of 10 dwellings or more provision of 23% of new homes to M4(2) accessible and adaptable standard will normally be required.
- On sites of 50 dwellings or more 1% of new dwellings will normally be required to meet M4(3) wheelchair accessible standard and should be provided as part of the Affordable Housing delivered on site'.
- These requirements recognise that site specific factors such as vulnerability to flooding, site topography, and other circumstances which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable. Where step free access is not viable, neither M4(2) or M4(3) would be applied.

4.60 At present this is not a something we can request as part of new development however we encourage developers to consider such dwelling types as part of delivering housing schemes reflective of local need.

Specialist Accommodation

4.61 Paragraph 63 of the NPPF indicates that within the context of establishing housing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require Affordable Housing; families with children; older people (including those who require retirement housing, housing-with-care, and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes.

4.62 Development required to meet specialist needs, including those of the elderly or disabled, will normally be required to contribute to Affordable Housing where it provides self-contained units of accommodation, even where support and communal

facilities are offered. It will be expected that the level of care and access to facilities for occupants of Affordable Housing will be the same as residents in the market housing within the scheme.

4.63 Demand for specialist accommodation is likely to rise as the population ages. The private sector has a key role in meeting some of this need. Case law confirms that development of this type may be required to provide Affordable Housing if the dwellings provided within the development are self-contained units of accommodation, providing all the facilities needed for day to day living, even if shared amenities and care is provided centrally. This will include developments such as:

- Age restricted general market housing or other market housing designed for specialist needs. These may include shared amenities but not support or care services.
- Retirement living or sheltered housing. Purpose built dwellings with limited communal facilities with some support to enable residents to live independently (for example a 24-hour alarm system or house manager). Extra care housing, housing with care, retirement communities. Purpose built dwellings where residents can live independently but with access to a medium to high level of care if required and meals etc at a communal facility.
- Residential care homes, nursing home or other facilities where residents have individual rooms within a residential building with care meeting all their daily needs (such as all meals provided by staff rather than cooked by residents and shared toilet and bathing areas) are excluded from this requirement.
- Developers should provide details of the type of accommodation to be provided as part of an Affordable Housing statement so that officers can judge whether a contribution is required. It is accepted that transferring ownership of some accommodation to a Registered Provider may not be practical in this type of development and in these circumstances a commuted sum may be negotiated.
- It is recognised that some provision may be made by charitable trusts who provide homes for older or disabled individuals meeting specific criteria. Although some may fall into the definition of dwellings, the Council will adopt a flexible approach to requirements for Affordable Housing for development by charitable trusts.

Section 106 Agreements

4.64 Affordable Housing will be secured in the long term (or in perpetuity in the case of rural exception sites) by a planning obligation under Section 106 of the Town and Country Planning Act 1990 or by an alternative form of equally effective provision. S106 agreements are usually associated with a planning permission and they bind the

land subject to the Agreement then also run with the land—and apply to successive owners (with some exception).

4.65 The Council will expect S106 agreements (Heads of Terms) to be submitted for approval (if available) to be presented in draft form (ready to sign) with both full and outline applications or the application may be deemed invalid. They will normally specify:

- the numbers, type, tenure and location on the site of the Affordable Housing provision; if this information is available;
- the timing of the construction of the Affordable Housing provision (the aim would be to have the Affordable Housing finished at agreed stages in relation to the overall development);
- the arrangements to ensure that such provision is affordable for both initial and subsequent occupiers;
- the occupancy criteria to be used for determining the identity of prospective and successive occupiers of the Affordable Housing and the means by which such occupancy criteria shall be enforced (where rural exception sites are concerned this will be in line with an agreed local lettings policy);
- the control and management of the housing (which will usually be by the transfer of the affordable homes to a Registered Housing Provider) and any hand-over arrangements.

4.66 In the case of an outline application, on which insufficient details of the application are provided to allow agreement on some of the above matters, it will be normal practice to include a clause within the s106 Agreement requiring the submission of the relevant information at reserved matters stage.

4.67 The Council will require agreement for our legal costs and evidence of ownership of the site subject to the application (as identified in the Site Location Plan) and once this has been received the Council will provide a draft agreement including the obligations relevant to the site.

4.68 Excluding rural exception sites, the Council will consider the use of Mortgagee in Possession clauses in S106 agreements when a Registered Provider is involved with the application. The Council will be guided in its judgement on this by the needs of the Registered Provider and the practicality of securing successful delivery of the Affordable Housing units. The wording of any Mortgagee in Possession clause should ensure that if a Registered Provider is unable to repay its private loan, the Council or another Provider has the opportunity to take over the Affordable Housing units (and financial liability) before the units could be sold on the open market.

Index Linking

4.69 All financial contributions will be index linked to ensure that the value of contributions within Section 106 Agreements are maintained from the date of the decision to grant permission through until the date that the development commences or, as specified in the agreement, a later payment date.

Legal and Administration Costs

- 4.70 Applicants are required to pay the Council's reasonable legal costs for preparing and completing the Section 106 Agreement and where appropriate, those of third parties such as Nottinghamshire County Council. Applicants will also be required to cover any abortive legal fees and expenses. Applicants will also be required to pay the Council's fees for administering and monitoring the Agreement

Use of Financial Contributions for Off-Site Provision

- 4.71 The financial contributions for off-site Affordable Housing will be pooled and spent on delivering Affordable Housing as deemed appropriate by the Council. The Council will seek to spend the commuted payment as soon as possible but there will be no time limits in which to do so.
- 4.72 Other options for the delivery of Affordable Housing where off-site contributions are available could include regeneration activities and the purchase of existing homes or other properties for sale on the open market including the potential to buy back former social housing.

5 SECURING RURAL AFFORDABLE HOUSING

- 5.1 Provision of Affordable Housing contributes towards the creation of healthy and sustainable rural communities. Recognising the difficulty in delivering Affordable Housing schemes in such locations, National Policy enables local authorities to have policies that support the release of small sites for Affordable Housing provision in exceptional circumstances where land would not otherwise be allocated for housing (Rural Affordable Housing Exception Sites). The Council operates an 'Exceptions Site' Policy through Core Policy 2 of the Amended Core Strategy (2019). Under certain circumstances this allows for development, which would otherwise be inappropriate, on the edge of existing settlements.
- 5.2 Core Policy 2 in the Amended Core Strategy (2019) allows only for the granting of planning permission for small rural Affordable Housing schemes and will be expected to deliver 100% Affordable Housing, to remain affordable in perpetuity. The limited circumstances where cross subsidy could be appropriate is detailed in paragraph 5.5 below. Schemes involving shared ownership or in designated protected areas will normally have stair casing limits placed at a maximum 80% ownership or make provisions for the registered provider to re-purchase.

Exception Sites

Homes built on exception sites are intended for those most in housing need in the local area. The Council and provider should agree a means to ensure that:

- a) Homes are kept affordable in perpetuity.
- b) They remain the sole dwelling of the occupant.
- c) Local connection criteria will be used to ensure homes are for local people in housing need.

Rural Affordable Exception Sites

- 5.3 The District Council will proactively seek to secure the provision of Affordable Housing on rural Affordable Housing 'Exceptions Sites.' Such sites should be in or adjacent to villages and meet the requirements set out in Spatial Policy 3 (Rural Areas) relating to Scale, Need, Impact and Character of Development. Within the Green Belt Settlements development must be in line with Spatial Policy 4 Green Belt. The Spatial Policies can be read here:

Newark and Sherwood District Council Amended Core Strategy 2019: [amended-core-strategy-DPD.pdf \(newark-sherwooddc.gov.uk\)](#)

- 5.4 The Council will work with communities to identify and meet the need for affordable homes in rural settlements. The need for such housing must be demonstrated by an appropriately constituted Parish Housing Needs Survey. The Council has agreed that

information from the Council's housing register can be included to determine an accurate level of need. The Council will allow the need from other adjacent settlements to be combined to allow a site to come forward where that need cannot be met in its own settlement.

Cross Subsidy on Exception Sites

- 5.5 In seeking to address the issue of funding of such exception schemes in rural areas, the District Council will take the lead from the NPPF, paragraph 82 which states that:

“Local planning authorities should support opportunities to bring forward rural exception sites that will provide Affordable Housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.”

- 5.6 In some circumstances therefore, the Council may consider allowing a cross subsidy scheme on an exception site whereby a small number of market housing may be allowed that will contribute towards funding the Affordable Housing, but only where other funding mechanisms will not support the total development costs.

- 5.7 Where the Council accepts that it is not possible to deliver an entirely Affordable Housing scheme on an exception site then it will be permissible for some market housing to be provided to cross subsidise the Affordable Housing. This will be on the basis that:

- An open book approach will be taken with the Council having full access to all relevant financial information for the scheme in question. The minimum amount of market housing needed to allow the delivery of the Affordable Housing will be permitted and no more.
- The Affordable Housing should always be the majority of the overall scheme.
- Land values will remain in line with typical exception sites values and the Council will not allow market housing on exception sites where it is evident that the land price exceeds the Council's evidence and experiences of typical exception site land value.
- To ensure maximum funding is provided by the market housing to cross-subsidise the Affordable Housing the Council reserves the right to make a judgement based on the circumstances of the particular scheme and the Council's own evidence as to what will be an acceptable return for the development of the market housing.
- The property size of market housing provided should normally reflect the property size of the Affordable Housing.

Housing Need in Rural Areas

- 5.8 Before the Council will grant planning permission for Affordable Housing on a Rural Exception Site, it must be satisfied that there is an evidenced need for Affordable Housing in the locality, traditionally gained from the completion of a Parish Housing needs survey. However, in the absence of a Housing Needs Survey, the Council may

choose to use other sources of evidence to illustrate local need. The Council will expect rural exception sites to:

- comply with local and national planning policy;
- have consulted the Parish Council and local residents;
- demonstrate that the Affordable Housing could not reasonably be provided elsewhere on a site allocated for residential development;
- be situated within or physically adjoining the development boundary of settlements as defined within the Core Strategy and be reasonably accessible to village services and facilities; and
- be of a scale appropriate to the size and character of the individual village concerned and the level of services and facilities available in the village.

5.9 The housing mix and tenure split of Affordable Housing on rural exception sites will be determined by the particular local need identified in the village or local area it serves. Any permission will be subject to conditions and/or a legal obligation to ensure that initial and all subsequent occupancy is restricted to members of the local community in need of Affordable Housing. For the purposes of this policy, a 'local connection' is defined as:

- 1) was born in the settlement; and/or
- 2) Lives in the settlement; and/or
- 3) Has family members who are resident with the settlement (family members include parents, those with parental responsibility or guardianship, grandparents and siblings);
- 4) Has lived in the settlement but has been forced to move away because of lack of Affordable Housing;
- 5) Whose work provides important services and who needs to work closer to the local community.

5.10 If no one falls within categories 1 – 5, then those categories shall be read as if the word Settlement was deleted and replaced in turn by adjacent settlements. Persons with a connection to the place earlier in the list will take priority over persons with a connection to a place later in the lists.

5.11 If no person qualifies under the requirements above, then the Registered Provider may offer to grant a tenancy or shared ownership lease of the Affordable Housing unit in question to a person living within the District of Newark and Sherwood who is in housing need.

5.12 In preparing the SPD feedback from Registered Providers has shown the availability of suitable land to be a key barrier to the delivery of Affordable Housing, with scarcity also acting to drive up land price. In addition, other policy constraints such as flood risk can further limit the availability of suitable land in some locations, where a need has been shown. The importance of an active rural Affordable Housing programme is recognised, and so further detail over how relevant policy requirements will be interpreted is provided below. Under certain circumstances this could allow for the 'clustering' of villages in order to deliver rural Affordable Housing.

- 5.13 'Clustering' would result in Affordable Housing need identified in one location being met in another. The approach followed should be tiered- with the preference that the need for rural Affordable Housing, identified in line with Core Policy 2 of the Amended Core Strategy, is satisfied in the location it arises wherever possible. But that where following a robust search for suitable and deliverable land, this is not possible, then consideration will be given to the potential for this to be met on site in or adjacent to an alternative village.
- 5.14 However, it is important that the housing can be reasonably said to be capable of addressing Affordable Housing needs present within the original village. Core Policy 2 of the Amended Core Strategy also refers back to the need criterion of Spatial Policy 3 'Rural Areas', which seeks new housing to support community facilities and local services. Therefore, where it is proposed to meet rural Affordable Housing through the 'clustering' of villages, then a functional relationship between the location and the original village should be present. For instance, this could include being within the same Primary School catchment or one of the villages having a concentration of local services and facilities which serves the wider area. Appropriate occupancy criteria will be set to ensure that the housing is made available the intended purpose of meeting Affordable Housing needs in the clustered area.
- 5.15 Where 'clustering' is being considered then it would not necessarily need to be limited to two villages. There may be 'chains' of settlements with a relationship to one another, and where constraints mean there are fewer opportunities to deliver rural Affordable Housing to meet identified local needs. Scale, impact and character will though be important additional considerations where 'clustering' is proposed, and schemes should be demonstrated as being acceptable when considered against the relevant criteria in Spatial Policy 3. As outlined above, there will also be an expectation that consultation is undertaken with Parish Councils and local residents where 'clustering' of rural villages is being explored.

Exception Sites and the Green Belt

- 5.16 For sites within the Green Belt, Spatial Policy 4B (Green Belt Development) of the Amended Core Strategy sets out that:

"In or adjacent to the main built up area designated protected areas of the following villages, consideration will be given to the development of Rural Affordable Housing Exceptions Sites to meet local Housing Need:

Bulcote, Caythorpe, Epperstone, Gonalston, Gunthorpe, Hoveringham, Lowdham and Oxtan.

Proposals should be in line with Core Policy 2: Rural Affordable Housing. "Development should be small scale in nature, should not have a detrimental impact on the character of the village or on the openness of the Green Belt."

- 5.17 Given the very special circumstances which development is considered appropriate in the Green Belt, as outlined in the NPPF, cross market subsidy (i.e. market housing) is not deemed appropriate in the Green Belt.

Designated Protected Areas

- 5.18 Designated Protected Areas (DPA) came into being on the 7th September 2009 (Under the Housing and Regeneration Act 2008) with the aim of ensuring that shared ownership properties can be retained in rural locations where they would be difficult to replace if stock is lost and therefore remain ‘in perpetuity’.
- 5.19 Where a development site lies within an area designated under the Designated Protected Areas Order, a Registered Provider granting a shared ownership lease must, if the scheme is grant funded or not (S106), include one of two DPA fundamental clauses, either to:

DPA Clauses for shared ownership properties

- Restrict equity shared to a maximum of 80%; or
- Ensure that if the owner does staircase to 100% equity, the registered provider commits to purchase the back at any future re-sale and re-market it as a shared ownership property to a person in housing need. Any recovered grant (known as Recycled Capital Grant Funding) is usually used to re-invest in the development of replacement Affordable Housing (non S106) to ensure future need is addressed.

- 5.20 The majority of the District’s smaller rural areas (under 3,000 pop) have been designated as DPA’s including parts of Southwell and Bulcote which have been designated by Map, see Appendix 1 for details **[Insert Appendix 1 below]** .



Newark & Sherwood Local Development Framework

Draft Solar Energy

Supplementary Planning Document

JULY 2024

Document Passport

Title: Newark and Sherwood Draft Solar Energy Supplementary Planning Document

Status: Consultation document

Summary: This Draft Solar Energy Supplementary Planning Document (SPD) provides guidance on the application and interpretation of local and national policy on major stand-alone ground mounted solar photovoltaic (PV) developments in Newark & Sherwood District, with special consideration given to protected local features.

As an SPD the draft document provides further guidance on policies within the Council's Adopted Core Strategy but does not develop new ones. When adopted this SPD will become part of the Council's Local Development Framework and will be a material consideration in the determination of planning applications.

Consultation Summary: The consultation will seek views from local residents, landowners, developers, town & parish councils and other interested parties.

Date of Approval for Consultation: ADD DATE

Route of Approval for Consultation: Planning Policy Board 8 July 2024, Cabinet 23 July 2024

Proposed Consultation period: ADD

Copies are to be deposited at the main Council office at Castle House, Great North Road Newark NG24 1BY (open between 9.00 a.m. and 5.00 p.m. Monday to Friday), the District's libraries and the Council's website: www.newark-sherwooddc.gov.uk/affordablehousingspd/

After the consultation: The District Council will consider the responses made to this document and, taking these into account, prepare a finalised Solar Energy SPD which will be reported to the relevant Committee for adoption as part of the Local Development Framework

Estimated Date of Final Adoption: ADD DATE

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1 INTRODUCTION

1.1 This document is intended to provide guidance on the application and interpretation of local and national policy on major stand-alone ground mounted solar photovoltaic (PV) developments in Newark & Sherwood District, with special consideration given to protected local features. These developments will be referred to as solar farms. Major solar farm developments are those with a site area of 1 hectare or more, as defined in the Town and Country Planning (Development Management Procedure) England Order 2015.

1.2 This document is not intended to identify any preferred sites for major solar farm development or to address issues relating to small scale solar energy developments. Links are provided to other documents where relevant.

1.3 As a Supplementary Planning Document (SPD), this document provides guidance on policies but does not develop new ones. This document is part of the District Council's Local Development Framework and will be a material consideration in the determination of relevant planning applications. As well as SPDs, the Local Development Framework is made up of the Amended Core Strategy (ACS):

[amended-core-strategy-DPD.pdf \(newark-sherwooddc.gov.uk\)](#);

the Allocations & Development Management Development Plan Document (ADMDDP):

[Newark & Sherwood Allocations & Development Management DPD \(newark-sherwooddc.gov.uk\)](#);

the Policies Map:

[policies map](#);

and, in some parishes, Neighbourhood Plans:

[Neighbourhood Plans](#).

Other Newark & Sherwood District Council Supplementary Planning Documents can be seen here:

[Supplementary planning documents](#).

This SPD should be read alongside the documents listed above.

1.4 The ADMDDP is currently being reviewed to ensure that the allocations and policies it contains continue to be appropriate, up-to-date, and effective. The Amended Allocations & Development Management DPD (AADMDDP), along with its supporting documents, has now been submitted to the Secretary of State to be examined by an independent Planning Inspector. The Submission Version of the AADMDDP and its supporting documents can be viewed here:

[PLAN-REVIEW-PUB-STAGE-2.pdf \(newark-sherwooddc.gov.uk\)](#).

Information about the Plan Review can be seen here:

- 1.5 Newark & Sherwood District Council has committed to having a study carried out that will look in detail at the sensitivity of the District's landscape to further solar energy developments. This will take account of all major solar farms that have planning permission, have been developed or are under construction throughout the District and in neighbouring areas. It will also analyse the different landscapes throughout the District and use all this information to provide an indication of the sensitivity of different areas. This will be referred to as the Landscape Sensitivity Study.
- 1.6 This SPD is designed to be read by the general public as well as by developers, planners, and District, Town and Parish Councillors. A Glossary is provided in Chapter 11, and although the language used is intended to be easily understandable, the use of certain technical terms is unavoidable. Consultation responses are welcomed from anyone with an interest in the District or in solar energy developments. The District Council is keen to understand how local residents feel about the issues discussed in this SPD.

2 BACKGROUND

- 2.1 In the Climate Change Act 2008, the UK Government set a legally binding target to reduce its greenhouse gas emissions by 80% by 2050, compared with 1990 levels. In 2019, the Government raised the 80% target to a 100% target by 2050. This is referred to as the net zero target. To meet this target, the Government has set the aim of a fully decarbonised, reliable and low-cost power system by 2025 which would be composed predominantly of wind and solar energy. The aim is to achieve 70 gigawatt (GW) of solar power by 2035 (up from 15.7 GW at the end of 2023).
- 2.2 Solar farms are installations of multiple solar photovoltaic (PV) panels, usually on a frame fixed to the ground. They generate electricity at a large scale to feed into the grid and to supply power to domestic and commercial consumers. The construction, operation, maintenance and decommissioning phases of solar farm projects should all be considered when assessing applications for planning permission. Associated development may include equipment such as inverters, transformers and switchgears; substations; cabling; fencing; and biodiversity and landscaping enhancement measures.
- 2.3 A climate emergency was declared by Newark & District Council on 16 July 2019. The District Council has committed to measures to try and reduce its own carbon footprint as well as that of the local community.

3 NATIONAL POLICY AND GUIDANCE

- 3.1 This chapter discusses the most relevant aspects of national policy and guidance for major solar farms.

The National Planning Policy Framework

- 3.2 The National Planning Policy Framework (NPPF) defines the purpose of the planning system as being to contribute to the achievement of sustainable development, which is described as having three objectives: economic, social and environmental. The environmental objective is ‘to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.’
- 3.3 Chapter 14 of the NPPF, ‘Meeting the challenge of climate change flooding and coastal change’, is of particular relevance to the development of solar farms. Here it is stated that the planning system should support the transition to a low carbon future in a changing climate. To help increase the use and supply of renewable and low carbon energy and heat plans should, amongst other things, provide a positive strategy for energy from these sources that maximises the potential for suitable development; and consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development.
- 3.4 When deciding on applications for solar farms, the NPPF makes clear that local authorities should:

‘a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to significant [sic] cutting greenhouse gas emissions;

b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas; and

c) in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site, and approve the proposal if its impacts are or can be made acceptable.’

- 3.5 The NPPF provides direction that must always be taken into account when assessing the material considerations set out in Chapter 6, including but not limited to, landscape and visual impacts; biodiversity, habitats and green infrastructure; and historic environment and heritage assets.

Planning Practice Guidance

- 3.6 National Planning Practice Guidance (PPG) on [Renewable and low carbon energy](#) provides useful advice on how to consider applications to develop solar farms. Other

PPG may also be relevant, including that on the [Natural Environment](#). The PPG on renewable and low carbon energy includes, at the time of writing, sections on:

- How can local planning authorities develop a positive strategy to promote the delivery of renewable and low carbon energy?
- How can local planning authorities identify suitable areas for renewable and low carbon energy?
- Do criteria based policies have a role in planning for renewable energy?
- Are buffer zones/separation distances appropriate between renewable energy development and other land uses?
- What are the particular planning considerations that relate to large scale ground-mounted solar photovoltaic farms? and
- Battery Energy Storage Systems.

National Policy Statements

3.7 National Policy Statements (NPS) set out Government Policy on Nationally Significant Infrastructure Projects (NSIPs) (see Chapter 5) including how applications for energy infrastructure will be assessed, and the way in which impacts and mitigations will be judged.

3.8 The Overarching National Policy Statement for Energy (EN-1):

- outlines the policy context for the development of nationally significant energy infrastructure;
- explains the urgent need for significant amounts of large-scale energy infrastructure in meeting government's energy objectives;
- sets out the general policies for the submission and assessment of energy infrastructure applications; and
- outlines generic impacts which arise from the development of all types of energy infrastructure covered by the energy NPSs.

3.9 EN-1 can be seen at:

[EN-1 Overarching National Policy Statement for Energy \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/672222/en-1-overarching-national-policy-statement-for-energy.pdf).

3.10 The National Policy Statement for Renewable Energy Infrastructure (EN-3) provides advice specific to renewable energy sources including solar PV, and generic impacts covered by EN-1 with further considerations that are technology specific. Matters covered include:

- irradiance and site topography;
- network connection;
- proximity of a site to dwellings;
- agricultural land classification and land type;
- accessibility;
- public rights of ways;
- security and lighting;
- capacity of a site;
- site layout design, and appearance;
- project lifetime;

- decommissioning ;
- flexibility in the project details;
- biodiversity, ecological, geological conservation and water management;
- landscape, visual and residential amenity;
- glint and glare;
- cultural heritage; and
- construction including traffic and transport noise and vibration.

3.11 EN-3 can be seen at:

[National Policy Statement for renewable energy infrastructure \(EN-3\) \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/114141/national-policy-statement-renewable-energy-infrastructure-en-3.pdf).

3.12 The National Policy Statement for electricity networks infrastructure (EN-5) should be read alongside EN-1 and has additional policy on relevant matters including:

- factors influencing site selection and design;
- biodiversity and geological conservation;
- landscape and visual;
- noise and vibration;
- Electric and Magnetic Fields; and
- Sulphur Hexafluoride.

3.13 EN-5 can be seen at:

[Electricity Networks National Policy Statement - EN-5 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/114141/national-policy-statement-electricity-networks-infrastructure-en-5.pdf)

Other documents

3.14 Powering Up Britain: Energy Security Plan

Updated on 4th April 2023, this document states that Government seeks large scale ground-mounted solar deployment across the UK. It wants development to take place mainly on brownfield, industrial and low and medium grade agricultural land. It sets out that solar and farming can be complementary, supporting each other financially, environmentally and through shared use of land, and encourages deployment of solar technology that delivers environmental benefits, with consideration for ongoing food production or environmental improvement.

3.15 This document can be seen at:

[Powering Up Britain: Energy Security Plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/114141/powering-up-britain-energy-security-plan.pdf)

3.16 British Energy Security Strategy

This states that the Government will support the effective use of land by encouraging large scale projects to locate on previously developed, or lower value land, where possible, and ensure projects are designed to avoid, mitigate, and where necessary, compensate for the impacts of using greenfield sites. The Government will also support solar that is co-located with other functions (for example, agriculture, onshore wind generation, or storage) to maximise the efficiency of land use. This document can be seen at:

[British energy security strategy - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/energy-strategy)

3.17 The Sixth Carbon Budget: The UK's path to Net Zero

The Climate Change Committee, the UK Government's independent advisor on emissions targets and climate change, published their 'The Sixth Carbon Budget: The UK's path to Net Zero' in December 2020. This sets out the actions the UK will need to take to achieve net-zero emissions by 2050. The report highlights that a portfolio of zero and low-carbon energy generating technologies will be needed to meet future electricity demands including expanding new solar generating technology capacity by 3,000MW on average every year to 2030 and beyond.

3.18 In early 2025 the Climate Change Committee (CCC) has committed to advising the UK on the level of its Seventh Carbon Budget, the legal limit for UK net emissions of greenhouse gases over the years 2038 to 2042. The Sixth Carbon Budget can be seen at:

[Sixth Carbon Budget - Climate Change Committee \(theccc.org.uk\)](https://theccc.org.uk/sixth-carbon-budget)

3.19 Energy White Paper Powering our Net Zero Future

This was published in December 2020. Although this document contains little discussion of solar farms, it states that the electricity sector has decarbonised the fastest and will be the bedrock of decarbonising the whole UK economy. The White Paper plans for a doubling of electricity demand as transport and heat switch from petrol/diesel and gas respectively to electricity. It also commits to a fourfold increase in low-carbon generation. Onshore wind and solar are regarded as 'key building blocks of the future generation mix'. This document can be seen at:

[Energy white paper: Powering our net zero future - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/energy-white-paper)

3.20 National Infrastructure Assessment

Published on 18th October 2023, the second National Infrastructure Assessment by the National Infrastructure Commission (NIC) recognised the significant progress the UK has made in boosting renewable electricity generation. It also highlighted the key challenges ahead in decarbonising energy and achieving net zero emissions. This document can be seen at:

[National Infrastructure Assessment - NIC](https://www.nic.org.uk/national-infrastructure-assessment)

3.21 Net Zero Strategy: Build Back Greener

This was published in October 2021 and puts forward policies and proposals for meeting the UK's carbon emissions reduction targets and sets out our vision for a decarbonised economy by 2050. The Net Zero Strategy can be seen at:

<https://www.gov.uk/government/publications/net-zero-strategy>

3.22 The National Infrastructure Strategy (NIS)

The National Infrastructure Strategy (NIS) was published on 25 November 2020. It discusses the government's plans to improve the quality of the UK's infrastructure

move towards the UK having net zero emissions by 2050. This document can be seen at: <https://www.gov.uk/government/publications/national-infrastructure-strategy>

- 3.23 Not all the documents listed above will apply to every proposal to develop solar farms, and documents not referred to may be of relevance.

4 LOCAL POLICY

4.1 The District Council policies most relevant to the assessment of proposals for solar energy development are Core Policy 10 'Climate Change' of the Amended Core Strategy, and Policy DM4 'Renewable and Low Carbon Energy Generation' of the Allocations & Development Management DPD. Spatial Policy 3 'Rural Areas' of the Amended Core Strategy and Policy DM8 'Development in the Open Countryside' deal with development outside the main settlements, but do not specifically address renewable energy schemes. Proposals should be assessed against all relevant policies, including those concerning transport, biodiversity, landscape character, the historic environment, design and sustainable development. Appropriately located community energy projects will be welcomed as part of solar energy developments.

4.2 Core Policy 10

Core Policy 10 states that the District Council is committed to tackling the causes and impacts of climate change and to delivering a reduction in the district's carbon footprint. The District Council will work with partners and developers to promote energy generation from renewable and low-carbon sources through supporting new development where it is able to demonstrate that its adverse impacts have been satisfactorily addressed. This policy explains that Policy DM4 'Renewable and Low Carbon Energy Generation' provides the framework against which the appropriateness of such proposals will be assessed.

4.3 Policy DM4

As stated in the introduction, the Allocations & Development Management DPD is, at the time of writing, being reviewed and an amended version has now been submitted to the Secretary of State to be examined by an independent planning inspector. The only proposed amendment to the relevant section Policy DM4 is to insert the text underlined below.

4.4 Policy DM4 says that planning permission will be granted for renewable and low carbon energy generation development, as both standalone projects and part of other development, its associated infrastructure (including battery storage) and the retrofitting of existing development, where its benefits are not outweighed by detrimental impact from the operation and maintenance of the development and through the installation process upon:

1. The landscape character or urban form of the district or the purposes of including land within the Green Belt arising from the individual or cumulative impact of proposals;
2. Southwell Views as defined in Policy So/PV or the setting of the Thurgarton Hundred Workhouse, as defined in Policy So/Wh;
3. Heritage Assets and or their settings;
4. Amenity, including noise pollution, shadow flicker and electro-magnetic interference;

5. Highway safety;
6. The ecology of the local or wider area; or
7. Aviation interests of local or national importance.

5 NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECTS

- 5.1 Some solar farms are so large in scale that they are considered to be of national importance and therefore they are regarded as Nationally Significant Infrastructure Projects (NSIPs). These are decided on by the relevant Secretary of State rather than the local authority or local authorities in whose areas they are proposed. NSIPs that generate electricity are dealt with by the Secretary of State for Energy Security and Net Zero. For onshore solar farms, the threshold above which a proposal is regarded as an NSIP is a generating capacity of more than 50 megawatts (MW).
- 5.2 The planning process for dealing with proposals for Nationally Significant Infrastructure Projects (NSIPs) was established by the Planning Act 2008 ('the 2008 Act'). The 2008 Act process, as amended by the Localism Act 2011, involves an examination of major proposals relating to energy, transport, water, waste and wastewater, and includes opportunities for people to have their say before a decision is made by the relevant Secretary of State. The Planning Inspectorate manages many aspects of the 2008 Act process (the NSIP planning application process) on behalf of the Secretary of State.
- 5.3 Local Impact Report (LIR) and the 2008 Act Process
- As part of the 2008 Act process, the relevant local authorities will be invited to submit a local impact report (LIR) giving details of the likely impact of the proposed development on the authority's area.
- 5.4 Local authorities are encouraged to discuss and work through the issues raised by NSIP proposals with prospective applicants well before the application is submitted, and to engage with applicants in the preparation of statements of common ground. Local authorities will also be involved in considering the statement of community consultation, commenting upon the quality of the applicant's consultation process, producing an LIR and making their own representations on the application.
- 5.5 Once an application has been accepted for examination, the relevant Secretary of State will appoint an 'Examining Authority' to examine the application. The Examining Authority will be from the Planning Inspectorate and will be either a single Inspector or a panel of three or more Inspectors. As part of the examination process, the Examining Authority will invite relevant local authorities to submit LIRs by a given deadline.
- 5.6 After the examination has been concluded, the Examining Authority will make a recommendation to the Secretary of State, who will make the decision on whether or not to make a development consent order (DCO) authorising the project. In coming to a decision, the Secretary of State must have regard to any LIRs that are submitted by the deadline. Local authorities are therefore strongly encouraged to produce LIRs when invited to do so.
- 5.7 Relevant local authorities should prioritise preparation of their LIR irrespective of whether the local authority considers the development would have a positive or

negative impact on their area. The local authority will be able to submit a separate written representation if it wishes to express a particular view on whether the application should be granted. Where a number of relevant local authorities are involved, local authorities might consider a joint LIR submission.

- 5.8 The Examining Authority is responsible for setting the procedure for the examination and the deadline for the LIR, taking into account the complexity of the application and other relevant matters and bearing in mind the overall timetable in the 2008 Act for examining the application.
- 5.9 The Examining Authority will hold a preliminary meeting before the commencement of the examination. After the preliminary meeting the Examining Authority will circulate a procedural note concerning the details and timetables in respect of various aspects of the examination to all interested parties. This will specify the deadline for the submission of LIRs, and the period within which interested parties will have the opportunity to make written comments on them.
- 5.10 Local authorities should not, however, wait for the deadline to be set following the preliminary meeting to commence work on the LIR. This is because the preliminary meeting is likely to take place a few weeks after the application is accepted, whereas the LIR will be required early in the examination period. The deadline given for the submission of the LIR following the preliminary meeting is likely to be short.
- 5.11 Local authorities are strongly encouraged to use the pre-application period to start their own evaluation of the local impacts of the proposal. Local authorities should then begin to compile the LIR as soon as the application has been accepted formally by the Secretary of State and they have been invited to submit an LIR. This approach will enable the LIR to be produced within the deadlines.
- 5.12 In practice, local authorities will know about the application some time before it is submitted, through the pre-application consultation carried out by the applicant. At this stage they should ensure that they gather sufficient information about the scheme to enable them to commence work on their evaluation of the proposal. This will have the added benefit of enabling them to focus their responses to the applicant's consultation when the application is being prepared.
- 5.13 Local authorities should ensure any necessary internal authorisation processes are in place to meet the timetable. It is entirely a matter for local authorities to determine whether or not an LIR requires approval by Members and in what form.
- 5.14 The 2008 Act process timetable is summarised below, as well as how LIRs fit into that timetable:

The 2008 Act Process

1. **Pre-application: No time limit** Applicant develops proposal and carries out pre-application consultation.
2. **Acceptance: Up to 28 days** Secretary of State has 28 days to review application and decide whether to accept or reject it.

3. **Pre-examination: 2-3 months** Examining Authority appointed to assess issues and hold preliminary meeting. Preliminary meeting – procedural decision on how application is to be examined.
4. **Examination: Up to 6 months** 6 months to carry out examination.
5. **Report and recommendation: Up to 3 months** 3 months to issue report and recommendation.
6. **Decision: Up to 3 months** 3 months to issue decision and statement of reasons.
7. **Post decision: 6 weeks** 6 week window for legal challenge.

How the local authority fits in

1. **Pre-application: No time limit** Local authorities for site area consulted by applicant on statement of community consultation and participate in pre-application discussions. Local authorities begin evaluation of the local impacts of the proposed scheme.
2. **Acceptance: Up to 28 days** Local authorities and neighbouring local authorities make representations to Secretary of State regarding the adequacy of the consultation carried out by the applicant.
3. **Pre-examination: 2-3 months** Examining Authority proposes draft deadline for the submission of LIRs.
4. **Examination: Up to 6 months** Examining Authority invites and sets deadline for the submission of LIRs. Local authorities submit LIR within specified deadline and make other representations if they wish to do so.

6 MATERIAL CONSIDERATIONS

6.1 This section discusses key material considerations that are likely to be of relevance when assessing applications for major solar farm developments. Not all these considerations will apply to every solar farm application, and in some cases other matters not discussed below may be relevant.

6.2 Landscape and visual impacts

Given the scale of major solar farms, landscape and visual impacts are likely to be potentially significant and should be carefully considered at an early stage of the planning application process. Applications for major solar farms should include a thorough assessment of these impacts. This could be either a Landscape and Visual Assessment (LVA) or a Landscape and Visual Impact Assessment (LVIA), if the proposal is regarded as EIA development.

6.3 Assessments of landscape and visual impacts should take account of the Landscape Character Assessment (LCA), discussed in Chapter 8. When available, the Landscape Sensitivity Study will also inform assessments and assist the consideration of cumulative landscape and visual impacts. Guidance on the information which should be provided within a LVIA from the Building Research Establishment (BRE) document 'Planning guidance for the development of large-scale ground mounted solar PV systems' is reproduced in Appendix 1, with minor changes to make it specific to Newark & Sherwood District. This is also applicable to LVAs.

6.4 The forthcoming Landscape Sensitivity Study should, when available, be considered a key document in assessing the landscape and visual impacts of proposed solar developments, including cumulative impacts.

6.5 Solar farms can cover a significant surface area so the selection of suitable sites and the use of appropriate screening such as hedgerows are important to ensure that the area of a zone of visual influence can be minimised. Associated infrastructure such as substations or battery energy storage systems should be located within the development site to minimise landscape and visual impacts.

6.6 Biodiversity, habitats and green infrastructure

Newark and Sherwood District contains an impressive range of habitats and species. The District also has a number of sites which receive specific protection because of their international, national or regional importance for nature conservation. These include Birklands and Bilhaugh special area of conservation (SAC), Sherwood Forest national nature reserve (NNR), Sites of Special Scientific Interest (SSSIs), local nature reserves, and Local Wildlife Sites (LWSs), also known as sites of interest for nature conservation (SINCs). More information about these is available at the address below, and the SAC and the NNR are discussed in more detail in Chapter 7.

[Biodiversity and landscape | Newark & Sherwood District Council \(newark-sherwooddc.gov.uk\)](https://www.newark-sherwooddc.gov.uk)

6.7 Core Policy 12 of the ACS and Policy DM7 of the ADM DPD set out how development proposals in Newark & Sherwood District should protect and enhance biodiversity,

including through the provision of new or improved green infrastructure. Green infrastructure (GI) in Newark & Sherwood District should be viewed as a network of greenspaces, landscapes and natural elements including bodies of water sometimes referred to as blue infrastructure. To aid the delivery of this network, the District Council has produced a Green Infrastructure Strategy (GIS) that puts forward a range of strategic interventions and also more specific area-based interventions. The GIS can be seen at the address above this paragraph.

- 6.8 Natural England’s Green Infrastructure Framework (GIF) helps local planning authorities and developers meet requirements in the NPPF to consider GI in local plans and in new development. It helps to target the creation or improvement of GI, particularly where existing provision is poorest. The GIF sets out principles and standards for good quality GI, offers design guidance and provides mapping of environmental and socio-economic datasets. This document can be seen here:

[Green Infrastructure Home \(naturalengland.org.uk\)](https://naturalengland.org.uk)

- 6.9 The NPPF makes clear that when considering planning applications, if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. It is also stated that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

- 6.10 Under the Environment Act 2021, all major projects granted planning permission in England, including solar farms, must deliver at least 10% biodiversity net gain (BNG). BNG means managing land through development in a way that leaves the natural environment in a measurably better state than it was beforehand. It is intended to ensure that through enhancing habitats, developments increase biodiversity and create new green spaces for local communities to enjoy. It should be noted that 10% is a minimum, but not a suggested maximum, and projects delivering a higher percentage of BNG are welcomed. Solar farms often have the potential to contribute a significantly greater BNG without jeopardising the viability of the project, and this will be sought by the District Council where possible. The Environment Act 2021 can be seen here:

[Environment Act 2021 \(legislation.gov.uk\)](https://legislation.gov.uk)

- 6.11 Newark & Sherwood District Council have worked collaboratively with other local authorities and organisations including Natural England and Nottinghamshire Wildlife Trust to produce ‘A Biodiversity Net Gain Framework for Nottinghamshire and Nottingham’. This provides detailed information about how BNG should be delivered in Nottinghamshire and sets out over-riding principles to guide development. The BNG Framework can be seen here:

[insert link here]

- 6.12 The Environment Act 2021 builds upon the Government’s: A Green Future: Our 25 Year Environment Plan to Improve the Environment (25 YEP), launched in January 2018. The 25 YEP, amongst other things, commits to the development of a Nature Recovery

Network (NRN) providing 500,000 hectares of additional wildlife habitat, more effectively linking existing protected sites and landscapes, as well as urban green and blue infrastructure. The 25 YEP can be seen here:

[25-year-environment-plan.pdf \(publishing.service.gov.uk\)](#)

- 6.13 Provisions introduced by the Environment Act 2021 require the development of Local Nature Recovery Strategies (LNRS) across England. These will set out priorities for biodiversity outcomes, and the actions that need to be undertaken to achieve these outcomes. LNRS will be key to the development of the NRN. At the time of writing, the Nottinghamshire LNRS is being developed collaboratively by local authorities and environmental organisations. Once produced, the LNRS will facilitate the enhancement of habitats to increase biodiversity through development proposals.
- 6.14 The production of the LNRS will draw upon Nottinghamshire's Local Biodiversity Action Plan (LBAP). The LBAP, among other things, identifies targets for species and habitats appropriate to the county, and provides a basis for monitoring progress in biodiversity conservation at both local and national levels. The LBAP has been developed by Nottinghamshire's Local Biodiversity Action Group, who have also produced Biodiversity Opportunity Maps (BOMs) across the county, including for Newark & Sherwood District. BOMs provide a spatial vision of how biodiversity can be improved by focussing on areas where action to enhance, enlarge, expand and link up habitats would have the most benefits.

More information about the LBAP can be seen here:

[LBAP – Nottinghamshire Biodiversity Action Group \(nottsbag.org.uk\)](#)

More information about Nottinghamshire BOMs can be seen here:

[Biodiversity Opportunity Mapping – Nottinghamshire Biodiversity Action Group \(nottsbag.org.uk\)](#)

The Newark & Sherwood District BOM (April 2022) can be seen here:

[The Sherwood Biodiversity Opportunity Mapping Project \(nottsbag.org.uk\)](#)

- 6.15 Interconnections between valuable habitats are an important aspect of biodiversity enhancement and contribute significantly to its effectiveness. Where possible, newly created or enhanced habitats should be connected with other nearby areas that meaningfully support biodiversity, and existing connecting routes for wildlife should be enhanced. Measures to protect and enhance biodiversity can contribute to a number of objectives such as BNG net gain, the provision of GI, the LNRS and the NRN at the same time.
- 6.16 Historic environment and heritage assets

Newark and Sherwood District has a rich historic environment with its own distinctive identity. This includes more than 1,300 buildings, structures and monuments that are regarded to be of national significance and designated as listed buildings. There are more than 70 scheduled monuments including a wide range of archaeological types, from medieval castle remains to prehistoric mounds and civil war fortifications. There are 47 conservation areas and 4 registered parks and gardens:

- [Newark Castle Gardens \(Grade II\)](#)
 - [Rufford Abbey](#) (Grade II)
 - [Thoresby Park](#) (Grade I)
 - [Thurgarton Hundred Workhouse](#) (Grade II*)
- 6.17 Detailed information about conservation areas including in some cases their character appraisals can be seen here:
- [Conservation areas | Newark & Sherwood District Council \(newark-sherwooddc.gov.uk\)](#)
- 6.18 The District also features a range of non-designated heritage assets, identified by the District Council as having a degree of significance because of their local heritage interest. They are not otherwise protected by formal designation. These may include:
- buildings and structures
 - local character areas
 - archaeological sites
 - landscapes or landscape features
- 6.19 More information about heritage conservation in Newark & Sherwood District can be seen here:
- [Heritage and tree conservation | Newark & Sherwood District Council \(newark-sherwooddc.gov.uk\)](#)
- 6.20 Core Policy 14 of the ACS and Policy DM9 of the ADM DPD set out how development proposals in Newark & Sherwood District with the potential to impact on the historic environment will be considered.
- 6.21 PPG advises that great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large-scale solar farms on such assets. Depending on their scale, design and prominence, a large-scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset.
- 6.22 Ground mounted solar development has potential to impact on archaeology through ground disturbance from the construction process including the digging of foundations, and the erection of fencing. If a proposed development site includes, or has the potential to include, heritage assets with archaeological interest, developers must submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 6.23 Desk-based archaeological assessments should follow standards and guidance set out by the [Chartered Institute for Archaeologists](#). Newark & Sherwood District Council also

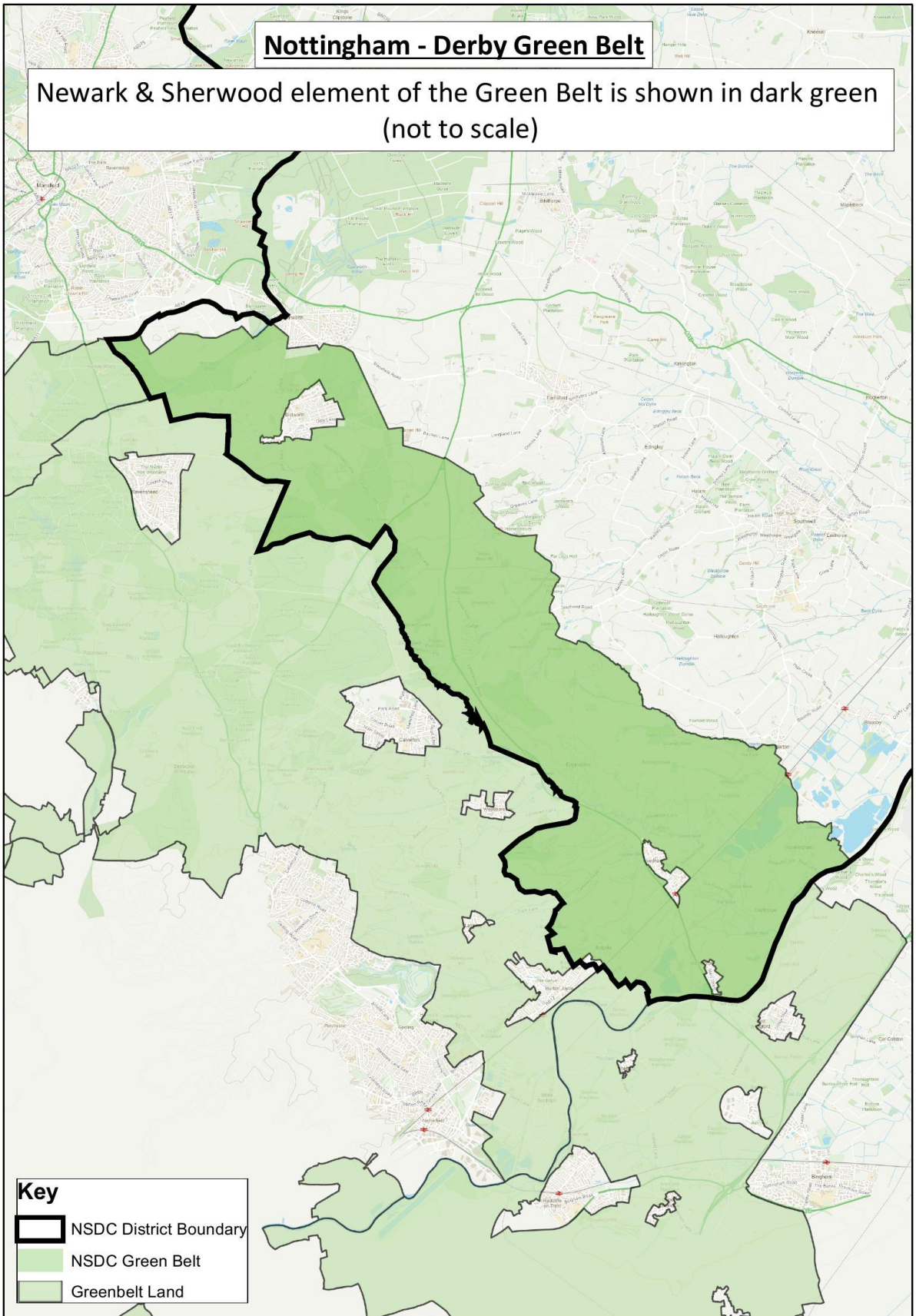
recognises the [Lincolnshire Archaeological Handbook](#), which sets out practical guidelines for a consistent approach to the historic environment.

6.24 Significant archaeological locations in the Newark and Southwell areas have individual policies in the emerging AADM DPD which set out how the particular site circumstances that should be considered. NUA/AR/1 concerns the Farndon & River Devon Ice Age Landscape, NUA/AR/2 deals with archaeology deriving from the Civil War around Newark and So/AR/1 covers Southwell Roman Villa. Only limited weight can be attached to these policies at the time of writing, because they have not yet been examined or adopted.

6.25 Certain heritage assets are discussed in more depth in Chapter 7.

6.26 Green Belt

The extent of the Green Belt in Newark & Sherwood District is shown below:



- 6.27 Spatial Policy 4B of the ACS, 'Green Belt Development' defers to national policy for the assessment of certain types of applications in the Green Belt that would include major solar farms. National policy, as set out Chapter 13 of the NPPF, has the potential to be a significant constraint on major solar farm developments in the Green Belt.
- 6.28 The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.
- 6.29 National policy makes clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases, developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.
- 6.30 Flooding and drainage
- Areas in Newark & Sherwood District are particularly vulnerable to flood risk from local rivers, including the River Trent. In line with Core Policy 9 of the ACS and Policy DM5 of the ADM DPD, solar farm developments should make a positive contribution to flood risk mitigation and water management including, where feasible, the use of Sustainable Drainage Systems. Solar farms should be designed in such a way that the risk of surface water flooding is not increased and is where possible reduced. All proposals to develop major solar farms must be accompanied by a Flood Risk Assessment, as set out in footnote 59 of the NPPF.
- 6.31 A Flood Risk Assessment provides a site-specific analysis of how a development affects flood risk and proposes suitable mitigation measures which could be incorporated into the scheme (if applicable). For a development to gain planning permission, a Flood Risk Assessment should demonstrate that the site will remain safe in the future, taking into account the effects of climate change.
- 6.32 Cumulative impacts
- The impacts of major solar farm development proposals cannot be fully considered in isolation. The assessment of such applications in Newark & Sherwood District should take into account other consented, under construction and developed schemes that are of a similar nature, or otherwise contribute to a cumulative effect, both in the District and in neighbouring areas.
- 6.33 In Paragraph 160, the NPPF states that while plans should provide a positive strategy for the use and supply of renewable and low carbon energy, they should also ensure that adverse impacts are addressed appropriately including cumulative landscape and visual impacts. Cumulative impacts relating to highways, flood risk, pollution, residential amenity and other relevant matters may also be material considerations.
- 6.34 The forthcoming Landscape Sensitivity Study will be valuable in assisting the assessment of cumulative impacts. It will provide a baseline by creating a detailed picture of the development of solar energy schemes in Newark & Sherwood District

and neighbouring areas, and it will also assess the sensitivity of landscapes to further such development in the light of existing cumulative impacts.

6.35 Glint and glare

As stated in EN-3, solar panels are specifically designed to absorb, not reflect, sunlight. Solar panels may, however, reflect the sun's rays at certain angles, causing glint and glare. Glint is defined as a momentary flash of light that may be produced as a direct reflection of the sun in the solar panel. Glare is a continuous source of excessive brightness experienced by a stationary observer located in the path of reflected sunlight from the face of the panel. The effect occurs when the solar panel is stationed between or at an angle of the sun and the receptor.

6.36 Applicants should identify potential receptors to assess possible glint and glare issues and determine if a glint and glare assessment is necessary. When such an assessment is necessary, applicants are expected to consider how glint and glare could affect receptors and provide an assessment of potential impacts including the duration of the effect and the intensity of the reflection. It may be necessary to consider impacts on aviation.

6.37 The extent of reflectivity analysis required to assess potential impacts will depend on the specific project site and design. There may be a need to account for panels on solar trackers if they are proposed as these may cause differential diurnal and/or seasonal impacts. Solar trackers are support structures that allow solar panels to follow the path of the sun and absorb more solar radiation.

6.38 When a glint and glare assessment is undertaken, the potential for solar PV panels, frames and supports to have a combined reflective quality may need to be assessed, although the glint and glare of the frames and supports is likely to be significantly less than the panels.

6.39 Agricultural Land Classification

Agricultural land is graded from 1 to 5, with Grade 3 subdivided into 3a and 3b. The 'Best and Most Versatile' land (BMV) is defined as Grades 1, 2 and 3a. Applicants for major solar farm developments should undertake an Agricultural Land Classification survey including appropriate justification or mitigation if any BMV land is to be used.

6.40 PPG advises that effective use of land should be encouraged by focussing large scale solar farms on previously developed and non-agricultural land (provided that it is not of high environmental value). As Newark & Sherwood District is largely rural in character, it is unlikely that there will be enough previously developed land available to accommodate large scale solar farms, but where feasible the use of non-agricultural land should be prioritised.

6.41 When the use of agricultural land is proposed, it should be demonstrated that this is necessary, and that where possible poorer quality land has been used in preference to higher quality land. Planning authorities should consider whether the proposed development would allow for continued agricultural use and if it could enhance biodiversity. Proposals that use land for agricultural purposes at the same time as solar power generation will be welcomed where appropriate.

6.42 EN-3 advises that while land type should not be a predominating factor in determining the suitability of the site location for solar farms regarded as NSIPs, applicants should, where possible, utilise suitable previously developed land, brownfield land, contaminated land and industrial land. Where the proposed use of any agricultural land has been shown to be necessary, poorer quality land should be preferred to higher quality land avoiding the use of Best and Most Versatile agricultural land where possible.

6.43 Community consultation and benefits

Developers of solar farms will be expected to demonstrate that they have engaged in meaningful consultation with local communities before submitting their application. This will allow communities to gain a better understanding of the project and its potential impacts, and also to make suggestions which the developer can consider when finalising their proposals. It is recommended that community consultation continues throughout the lifetime of the project. Applicants for NSIPs are legally required to carry out pre application consultation on proposed developments in line with a Statement of Community Consultation (SOCC) which relevant local authorities will have the opportunity to comment on. The application must include a Consultation Report setting out how they have complied with the statutory pre-application consultation requirements, and that they have had regard to the responses. The Planning Inspectorate will consider the Consultation Report, alongside any adequacy of consultation representation made by a local authority and the other application documents, before deciding whether or not to accept the application for examination.

6.44 Community benefits associated with solar farms can be used to mitigate the impacts of the development and alleviate the concerns of local residents. Applicants are encouraged to outline the benefits of their proposal within their planning application. For community benefits to be secured through planning obligations known as section 106 agreements they must be directly related to the development; necessary to make the development acceptable in planning terms; and fairly and reasonably related in scale and kind to the proposal.

6.45 Separately but alongside any planning process the District Council will negotiate on behalf of communities within the District to secure the most generous benefits possible for them. Where appropriate, the District Council will seek to secure benefits on behalf of partner organisations such as the Nottinghamshire Wildlife Trust and the Royal Society for the Protection of Birds (RSPB). The District Council will normally seek to secure community benefits throughout the full length of a solar farm project, not just the operational phase.

6.46 Decommissioning and restoration

Although solar farms can typically be expected to operate for up to 40 years, they are usually temporary structures and how they will be decommissioned should be considered as part of any planning application. Where appropriate, the District Council may impose a condition limiting the operational life of the development. This would mean that for a solar farm to operate beyond the period specified in the condition, a new planning application would need to be granted permission. The District Council would prefer that decommissioning takes place in accordance with approved details

within a Section 106 agreement, but this could also be controlled by planning conditions.

6.47 Any application to develop a solar farm should be supported by information about how the project will be decommissioned and how the land used will be, at a minimum, restored to its previous condition. Any landscape improvements, biodiversity enhancements and community benefits should be retained. No later than 12 months prior to the expiry of the planning permission, or within 18 months of the cessation of electricity generation or storage on the site, whichever is the sooner, a decommissioning scheme shall be submitted to and approved by the local planning authority. The decommissioning scheme shall include a programme and a scheme of work and shall be implemented in accordance with the approved details. The operator shall notify the local planning authority in writing within five working days following the cessation of electricity generation or storage. All buildings, structures and associated infrastructure shall be removed within 12 months of the approval of the decommissioning scheme, and the land restored, in accordance with the approved details.

6.48 Grid connection

To supply power to consumers, solar farms need to be connected to either the transmission or the distribution network. This requires approval from the licensed distribution network operators (DNOs), National Grid or both. The connection voltage, availability of network capacity, and the distance from the solar farm to the existing network can have a significant effect on the commercial feasibility of a development proposal.

6.49 To maximise existing grid infrastructure, minimise disruption and reduce overall costs, applicants may choose a site based on nearby available grid export capacity. Where this is the case, applicants should consider the cumulative impacts of situating a solar farm in proximity to other energy generating stations and infrastructure. Major solar farm applications should include details of all the infrastructure required including cabling. Cabling should normally avoid areas of high landscape, ecological or archaeological sensitivity, and should be designed so as not to be overly extensive or visually intrusive.

6.50 Battery energy storage systems

Battery energy storage systems (BESS) can help to maximise the efficiency of an installation by allowing energy to be stored. PPG states that where planning permission is being sought for development of battery energy storage systems of 1 MWh or over, and excluding where battery energy storage systems are associated with a residential dwelling, applicants are encouraged to engage with the relevant local fire and rescue service before submitting a planning application. This is so matters relating to the siting and location of BESS, prevention of the impact of thermal runaway, and emergency services access, can be considered before an application is made.

6.51 Minerals safeguarding

The Development Plan for Newark & Sherwood District includes the Nottinghamshire Minerals Local Plan which identifies Minerals Safeguarding Areas. Within these areas,

consideration of the impact of a proposed development on minerals resources may be required in line with the provisions of that Plan. The Minerals Safeguarding Areas are shown on the Policies Map. The Nottinghamshire Minerals Local Plan can be seen at the address below:

[Minerals Local Plan | Nottinghamshire County Council](#)

6.52 Site security

Planning applications for solar farms should include details of all site security measures such as perimeter fencing, CCTV cameras and lighting. It is recognised that such measures will usually be necessary. Consideration should be given to potential impacts including those upon habitats and biodiversity, landscape, heritage assets, public rights of way and residential amenity. How potential impacts might vary according to the time of day or the season of the year should be taken into account. Security measures, in particular fencing and lighting, should not be excessive and may require justification.

6.53 Access, traffic and transport

Spatial Policy 3 of the ACS states that new development in rural areas should not have an undue impact on local infrastructure including the transport network. The most significant traffic impacts of solar farms are usually at the construction stage, with only limited access required during the operational phase, often for maintenance. Given the largely rural nature of Newark & Sherwood District, the suitability of access routes access for the delivery of the components of a solar farm and the machinery necessary for its construction should be assessed at the earliest stage possible.

6.54 If the proposed development of a solar farm has the potential to affect the operation of the Strategic Road Network (SRN), applicants should consult National Highways, preferably at the pre-application stage. Information should be provided on possible trips generated during the construction and the operational phases of development. As any solar farm development in Newark & Sherwood District is likely to impact the local road network, applicants should consult Nottinghamshire County Council, which is the highways authority for roads not part of the SRN. Detailed assessment of potential traffic impacts is likely to be required.

6.55 Developers will usually need to construct on-site access routes for operation and maintenance activities, such as footpaths, earthworks, or landscaping. In addition, sometimes access routes will need to be constructed to connect solar farms to the public road network. Applications should include the full extent of the access routes necessary for operation and maintenance and an assessment of their effects.

6.56 Residential Amenity

It should be demonstrated that there will be no unacceptable impacts on residential amenity during the construction of a solar farm. In order to minimise disturbance, it may be necessary to impose conditions that control the routes taken by construction vehicles and/or restrict the hours of construction.

6.57 During the operation of solar farms, ancillary equipment such as invertors, transformers or sub-stations may produce noise. These should be sited far enough

away from any nearby dwellings that there are no significant impacts on residential amenity.

6.58 Public Rights of Way

Newark & Sherwood District contains a number of Public Rights of Way (PROW) which connect settlements and offer opportunities for non-motorised transport. On these paths, people are permitted to walk dogs on a lead or under close control; use a pushchair or wheelchair; and take a short route around an illegal obstruction or move it to get past. Nottinghamshire County Council is the local highway authority and is therefore responsible for PROW in Newark & Sherwood District. The creation of new PROW will be welcomed as part of planning applications for solar energy developments.

6.59 There are four kinds of PROW, which in Nottinghamshire are marked by different coloured arrows:

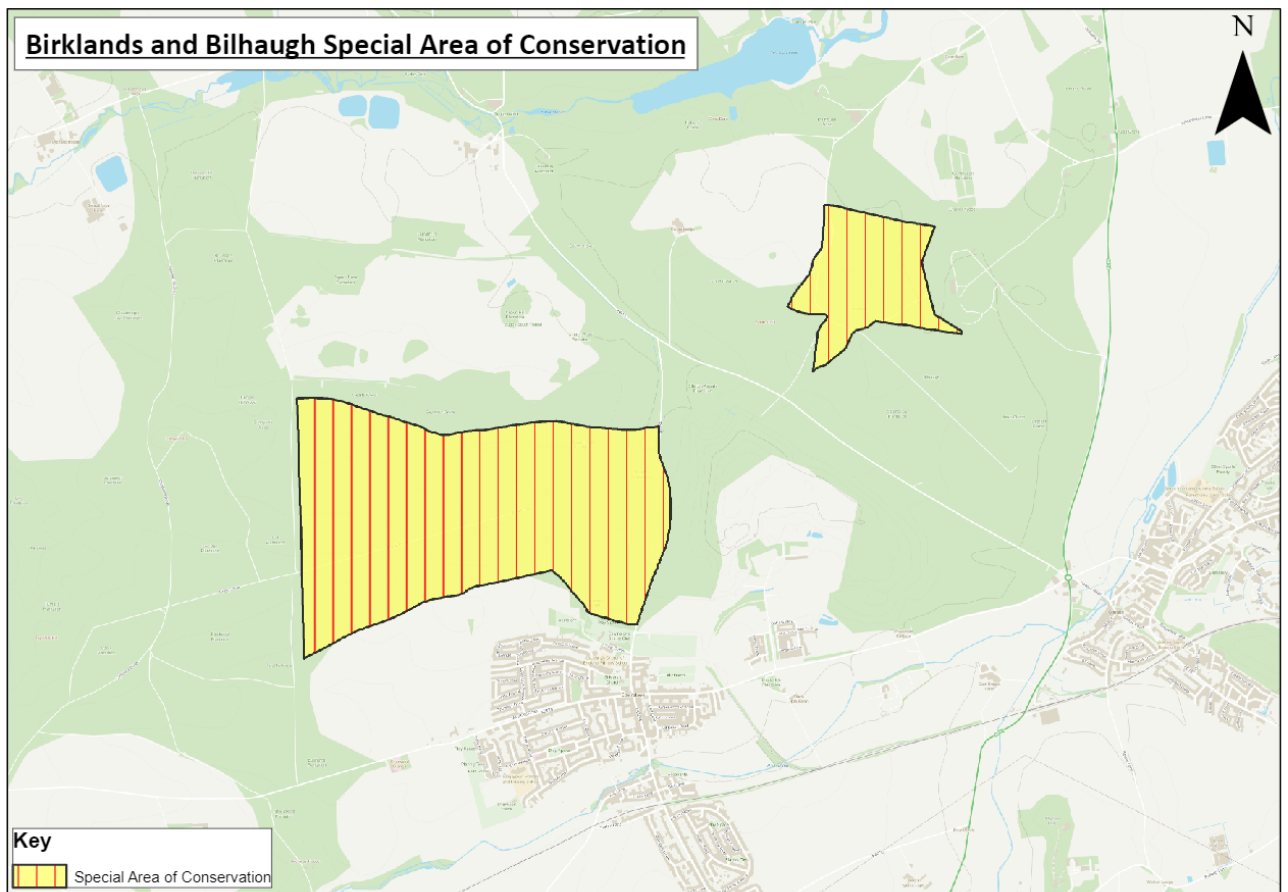
- Footpaths are marked with yellow arrow and can only be used by walkers.
- Bridleways are marked with blue arrows and can only be used by walkers, horse riders and cyclists.
- Restricted byways are marked with burgundy arrows and can only be used by walkers, horse riders, cyclists and horse and cart users.
- Byways are marked with red arrows and can be used by walkers, horse riders, cyclists, car users, motorcyclists and horse and cart users.

6.60 Applicants for solar farm developments will need to demonstrate to Nottinghamshire County Council that any PROW affected will remain accessible and usable. If any PROW needs to be temporarily or permanently diverted, an Order securing the diversion of the path must be agreed with both the District and County Councils. The new route should be available to the public before the existing route is rendered unusable. More information about PROW can be seen here:

[Rights of way \(public paths\) | Nottinghamshire County Council](#)

7 PROTECTED LOCAL FEATURES

- 7.1 Newark & Sherwood District has a number of unique protected features, some of which are discussed below. Impacts upon habitats, biodiversity and heritage assets, whether in areas mentioned in this chapter or not, should be carefully considered throughout the District and in neighbouring areas.
- 7.2 Birklands and Bilhaugh Special Area of Conservation
- One of the key environmental assets in Newark & Sherwood District is Birklands and Bilhaugh Special Area of Conservation (SAC). SACs are protected areas designated under the Conservation of Habitats and Species Regulations 2017 (as amended). The SAC consists of two discrete parcels, with one in the southern part of Sherwood Forest National Nature Reserve (NNR) and the other, smaller, component located within the privately owned and administered Thoresby Estate, to the north-east.
- 7.3 The SAC supports extensive areas of old acidophilous oak woodland which was managed for hundreds of years as an extensively grazed wood pasture. This habitat is slowly reverting to high forest woodland and heath following the cessation of traditional livestock grazing. The SAC is particularly notable for its remnant ancient and decaying oak trees which support a wide variety of invertebrates and fungi, some of which are rare.
- 7.4 Air pollution is a problem for the SAC and has already caused a decrease in lichen diversity. Due to its location, the SAC is subject to recreational pressure, which can damage its fragile habitat. A map of the SAC can be seen below:



7.5 Sherwood Forest Possible Potential Special Protection Area

Special Protection Areas (SPAs) are protected areas for birds in the England and Wales also classified under the Conservation of Habitats and Species Regulations 2017 (as amended). The Joint Nature Conservation Committee (JNCC) and Natural England (NE) recommend to the Government areas to be classified as SPAs. While Government considers this step, the area is called a potential or proposed SPA (pSPA) and the site is provisionally afforded protection until a final decision is made. If the Government decides to follow the recommendation and to classify the area, it will become an 'SPA' and protection will continue to be in place.

7.6 Parts of Sherwood Forest are important habitats for nightjars and woodlarks, and the significance of this should not be underestimated. No conclusion has yet been reached about the possible future classification of parts of Sherwood Forest as a SPA for its breeding nightjar and woodlark populations, but Natural England advise that these should be regarded as a possible potential Special Protection Area (ppSPA).

7.7 This recommendation follows a decision in 2011 to refuse to grant planning permission for an Energy Recovery Facility at Rainworth where the potential impacts on nightjars and woodlarks and their habitats was given significant weight. In light of this decision, Natural England recommend that a precautionary approach should be adopted which ensures that reasonable and proportionate steps have been taken in order to avoid or minimise, as far as possible, any potential adverse effects from development on the breeding populations of nightjar and woodlark in the Sherwood Forest area. This means that, in effect, Natural England expect to see the same approach to

development potentially affecting the ppSPA as would be taken with development potentially affecting a pSPA.

- 7.8 Natural England's Advice Note to Local Planning Authorities regarding the consideration of likely effects on the breeding population of nightjar and woodlark in the Sherwood Forest region, which contains a map showing the areas of greatest ornithological interest for breeding nightjar and woodlark, can be seen at the address below:

[Natural England's Advice Notes on the Sherwood ppSPA \(newark-sherwooddc.gov.uk\)](http://newark-sherwooddc.gov.uk)

- 7.9 It should be noted that there are a number of SPAs that are within 40km of the District, and any development proposal with the potential to affect any of these should be supported by evidence that its impacts will not be unacceptable.

7.10 Southwell Protected Views

Key to the distinctive character of Southwell are the views of and across the principal heritage assets of Southwell Minster, the Archbishop's Palace, Thurgarton Hundred Workhouse and the Holy Trinity Church. These views are protected under Policy So/PV of the ADMDPD and Thurgarton Hundred Workhouse is also specifically protected under Policy So/Wh of the ADMDPD.

- 7.11 Areas called 'view cones' have been defined on the Policies Map. Any development proposal within these areas must demonstrate that there will be no negative impact on the views of the heritage assets. The view cones are not intended to definitively define the extent of views or settings and development proposals which fall outside of them may still present the potential for detrimental impacts. The Policies Map for Southwell can be seen in the ADMDPD.

- 7.12 Any proposal with the potential to impact upon the protected views should take account of the Southwell Landscape Setting Study which can be seen here:

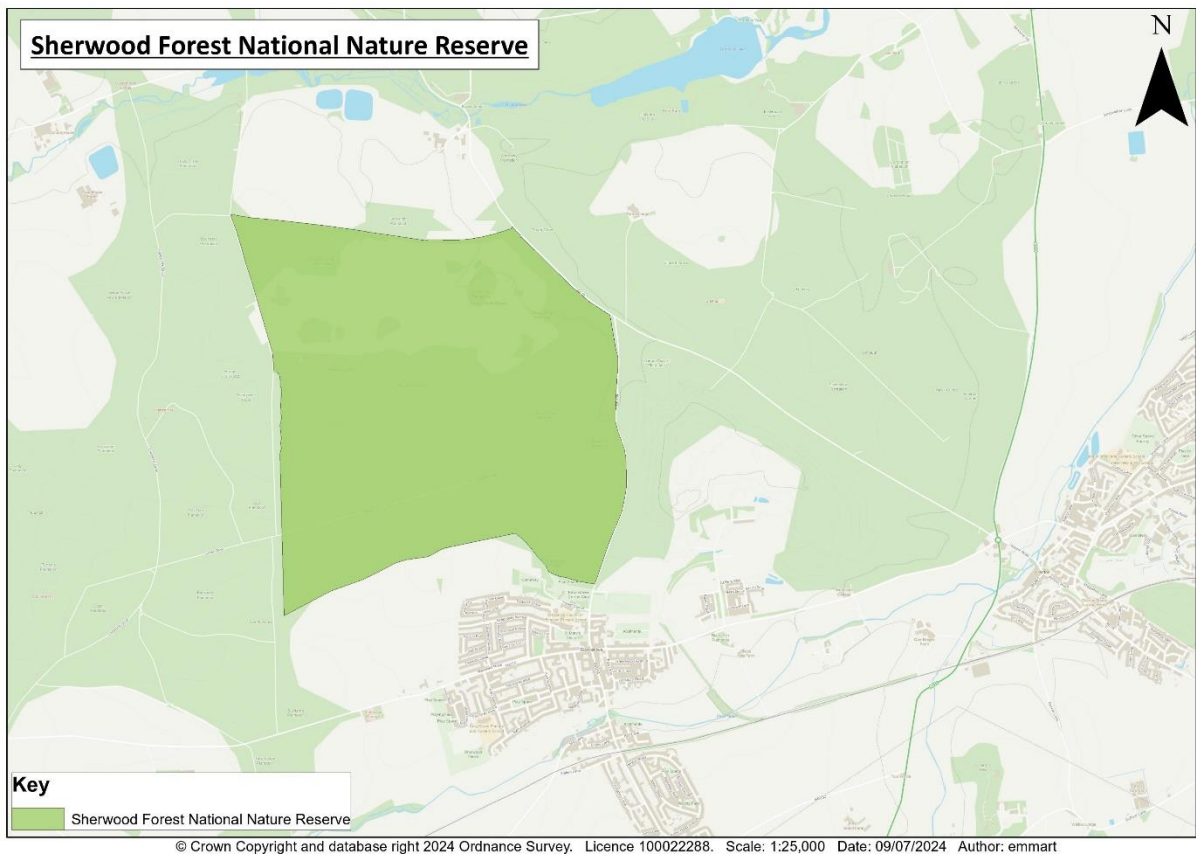
[insert link here]

7.13 Sherwood Forest National Nature Reserve

Sherwood Forest National Nature Reserve (NNR) includes the ancient forests of Birklands and Budby South. NNRs in England are designated by Natural England as key places for wildlife and natural features. They were established to protect the most significant areas of habitat and of geological formations.

- 7.14 Sherwood Forest NNR contains more than a thousand ancient oaks most of which are known to be more than 500 years old. The most famous of these, the Major Oak, may be nearly twice that age. Other trees common here include silver birch, rowan, holly and hawthorn.

- 7.15 ShAP 1 of the ACS commits the District Council to maintaining and enhancing the ecological, heritage and landscape value of the Sherwood Area. This includes ensuring that development does not have a detrimental impact on national, regional, county and locally designated sites. A map of Sherwood Forest NNR can be seen below:



7.16 Laxton open field system

Laxton is the last remaining village in England that operates an open field system of farming under the supervision of a manorial Court Leet. The historic landscape around Laxton and a Conservation Area are identified on the Policies Map and it is intended that these will be protected by Policy ShA/L/1 of the emerging AADMDPD. This policy requires that development proposals do not detrimentally impact on Laxton’s heritage assets and the special character of the Conservation Area unless public benefits outweigh the detrimental impact. The historic landscape around Laxton is shown below:



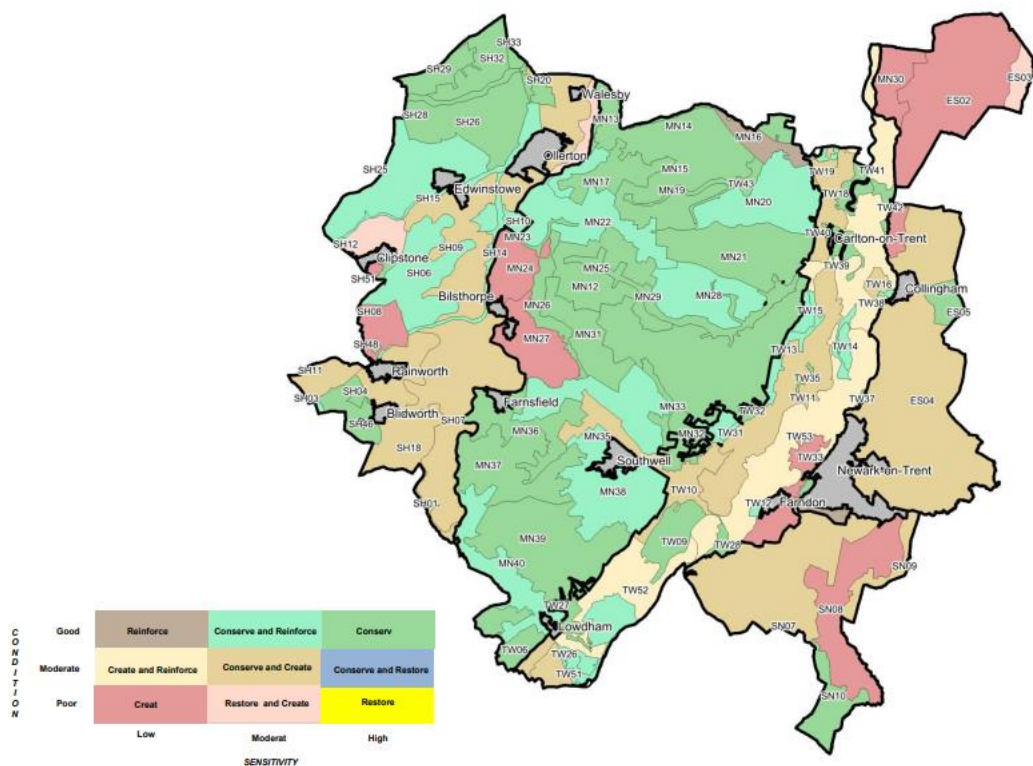
8 LANDSCAPE CHARACTER ASSESSMENT

8.1 To assist with the protection and enhancement of local landscapes and the natural environment, the District Council has had comprehensive assessment of landscape character undertaken. The Newark and Sherwood Landscape Character Assessment (LCA) SPD can be seen here:

[Landscape character assessment SPD | Newark & Sherwood District Council \(newark-sherwooddc.gov.uk\)](http://newark-sherwooddc.gov.uk/landscape-character-assessment-spd)

8.2 This document provides an objective assessment of the varied landscape in Newark and Sherwood. It also gives a greater understanding of what makes different areas of the District locally distinctive. Specific Landscape Policy Zones (LPZs) are identified and related actions recommended, providing a basis for considering landscape issues as part of decisions over new development. Landscape Policy Zones and Landscape Actions for each Policy Zone can be seen below:

Landscape Policy Zones and Landscape Actions for each Policy Zone



8.3 As a supplementary planning document, the LCA SPD can be a material consideration within the planning process. It is expected that development proposals will positively address the implications of the LPZs and demonstrate that the aims and objectives for that area would be contributed to.

8.4 Core Policy 13 of the ACS commits the District Council to working with partners and developers to ensure that new development makes a positive contribution to the

relevant LPZ(s) and is consistent with the defined landscape conservation and enhancement aims.

- 8.5 The LCA will inform the production of the Landscape Sensitivity Study. When the Study is available, it should be read alongside the LCA in order to gain a comprehensive understanding of the effects of proposed or consented solar farm developments on the District's landscape.

9 ENVIRONMENTAL IMPACT ASSESSMENT

- 9.1 Major solar farm developments fall under Schedule 2 to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. This means that such developments may need to be screened by the District Council to determine whether they constitute Environmental Impact Assessment (EIA) development.
- 9.2 Applicants for major solar farm developments are advised to apply to the District Council for an EIA Screening Opinion before submitting their planning application. If a particular development proposal is considered to be EIA development, the planning application must be accompanied by an Environmental Statement that has been prepared in accordance with Regulation 18 of the EIA Regulations 2017 (as amended).
- 9.3 If a proposed development is considered to require an EIA, detailed advice can be requested by submitting an EIA Scoping Opinion to the District Council.

10 PLANNING APPLICATION PROCESS

- 10.1 It is recommended that developers of major solar farms seek pre-application advice. This will provide an initial assessment of whether the proposal is likely to be acceptable although no guarantee can be offered that permission will be granted. It is beneficial to both the applicant and the District Council to consider at this stage what supporting assessment work will be required to accompany the application and what level of detail will be necessary. Information about pre-application advice in Newark & Sherwood District can be seen here:

[Our pre application service | Newark & Sherwood District Council \(newark-sherwooddc.gov.uk\)](https://www.newark-sherwooddc.gov.uk)

- 10.2 Details of how to submit a planning application to the District Council can be seen here:

[Submitting an application | Newark & Sherwood District Council \(newark-sherwooddc.gov.uk\)](https://www.newark-sherwooddc.gov.uk)

- 10.3 Upon receipt of a planning application, the District Council will cross check the information submitted against the planning application requirements, as set out in the validation checklist:

[Validation checklists | Newark & Sherwood District Council \(newark-sherwooddc.gov.uk\)](https://www.newark-sherwooddc.gov.uk)

11 GLOSSARY

AADM DPD	An amended version of the Allocations & Development Management Development Plan Document (DPD) (see below). This has, at the time of writing, been submitted to the Planning Inspectorate prior to an Examination in Public. After this, it is expected that the document will be adopted and will supersede the current Allocations & Development Management DPD.
ACS	The Amended Core Strategy, which sets out the District Council's spatial policy framework for delivering the development and change needed to realise the District Council's vision for the District up to 2033. It is a key part of the Development Plan.
ADM DPD	The Allocations & Development Management Development Plan Document. This document sets out allocations of land for new housing, employment and other development in the main settlements in the District. It also sets out development management policies for use in the consideration of planning applications. It is a key part of the Development Plan.
Battery energy storage systems	Battery energy storage systems (BESS), are devices that enable energy from renewable sources, like solar and wind, to be stored and then released when the power is needed most.
Brownfield	Previously developed land.
Climate Change Act 2008	An Act of Parliament setting out the UK's approach to combatting and mitigating climate change.
Distribution network operators	Distribution Network Operators (DNOs) in the UK manage the electric power and gas distribution systems which deliver to end users.
DPD	A Development Plan Document.
EN-1	The Overarching National Policy Statement for Energy.
EN-3	The National Policy Statement for Renewable Energy Infrastructure.

EN-5	The National Policy Statement for electricity networks infrastructure.
Gigawatt (GW)	One billion watts.
Greenfield	Land that has not been previously developed.
Irradiance	Irradiance refers to the amount of radiant power per unit area received from a radiation source. In the case of solar energy schemes, this source is the sun.
Landscape Character Assessment	The Landscape Character Assessment (LCA) is a District level assessment of landscape character which forms part of the wider assessment for Nottinghamshire. The document provides an explanation of the differences between landscapes that is based around a sense of place, local distinctiveness, characteristic wildlife, and natural features. By identifying specific Landscape Policy Zones (LPZs) and related actions the LCA plays an important role in the planning framework and in decisions over new development.
Landscape Sensitivity Study	A study that assesses the ability of a landscape to accommodate change arising from specified types of development such as solar energy schemes.
Megawatt (MW)	One million watts.
Neighbourhood Plans	Neighbourhood plans set out policies to help shape and deliver new development in a specific area.
National Grid	The system operator for Great Britain's electricity and gas supply.
National Planning Policy Framework (NPPF)	The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied.
Photovoltaics	Photovoltaics is a way of turning sunlight into electricity using special materials that absorb and release electrons when exposed to light. The materials are called semiconductors and they form the core of solar cells, which are the building blocks of solar panels or modules.
Planning practice guidance (PPG)	Planning practice guidance (PPG) provides detail on the interpretation and implementation of national policy relevant to various areas of the planning system.

Statement of Community Involvement (SCI)	The Statement of Community Involvement (SCI) is a statutory document that must be prepared by local planning authorities. Legislation requires that this document must set out the authority's policies to facilitate involvement of those persons and organisations who have an interest in the preparation of a local plan, other planning policy documents, neighbourhood plans and the consideration of planning applications.
Supplementary Planning Document (SPD)	A Supplementary Planning Document (SPD) provides detail on the interpretation and implementation of policies within the District's Development Plan.
Sulphur hexafluoride (SF ₆)	Sulphur hexafluoride (SF ₆) is a synthetic, odourless gas that is used in the electricity industry to keep networks running safely and reliably. SF ₆ is a 'greenhouse gas' that has long played a part in global warming, similar to that of carbon dioxide (CO ₂). SF ₆ has historically been used in a variety of applications, from metal smelting to filling double-glazing panels, but the electricity industry is one of the few where it is still used today, due to the technical challenges of replacing it.

Appendix 1. Information to be included in a Landscape and Visual Impact Assessment

1. Description of the development

- The need for the development set within local, regional and national strategies;
- The timescale for construction, operation and decommissioning.
- The site's location and overall layout;
- Solar panel design and specification, method of construction/installation;
- Reasonable estimates of quantity and type of traffic which will be generated through construction and operation of the development.

2. Site Description

- Description of the main reasons for the site selection and any alternatives in site design or layout which have been considered;
- Area of proposed land which the panels will occupy, clearly described and indicated on a map or diagram;
- Illustrated description of the land use of the surrounding area;
- Description of the policies plans and designations which are relevant to the site;
- Evaluation of the direct, indirect, secondary and cumulative, short medium and long term effects resulting from the existence of the development.

3. Landscape Baseline Conditions

- The current condition of the landscape;
- Use Newark and Sherwood Landscape Character Assessment to provide the framework landscape character information, supplemented by a study to assess the specific impact of the development;
- Relationship of the site to any designated areas of landscape at a national, regional or local level, and to areas of landscape value or scenic quality.
- Description of all baseline data sources, and methods used to supplement this information;
- The landscape baseline should be evaluated in relation to its sensitivity and importance. The sensitivity evaluation of each landscape element should reflect its quality value, contribution to landscape character and the degree to which the particular element or characteristic can be replaced or substituted.

4. Predictions of Impact

- Assessment of the scale, or magnitude of change to the landscape and visual elements as a deviation from the baseline conditions. Consideration will need to be given to visitor and resident populations, and seasonal variations;
- Provide a Zone of Theoretical Visibility (ZTV) diagram for the development indicating as a minimum 1km, 2km, and 4km radii from the site;

- The methods used to establish the magnitude should be clearly described and be appropriate and reasonable in relation to the importance of the landscape and visual impact;
- Where assumptions or unsupported data has been used in the predictions, these should be highlighted and accompanied by an indication of the reliability / confidence of those assumptions or data;
- Evaluation of the direct, indirect, secondary and cumulative, short medium and long term effects resulting from the existence of the development.

5. **Impact Significance**

- Clearly describe the judgements which underpin the attribution of significance;
- The assessment of significance should consider the impact's deviation from the established landscape baseline condition, the sensitivity of the landscape and receptors and the extent to which the impact will be mitigated or is reversible;
- The range of factors which are likely to influence the assessment of significance should be clearly identified;
- Provide detail of how these variables will affect the significance of the impacts over the life of the development;
- Identify the significance of impacts that remain following mitigation.

6. **Mitigation**

- Describe the measures proposed to avoid, reduce and if possible, remedy significant adverse impacts on both landscape character and visual amenity;
- Provide an indication of the effectiveness of the stated measures;
- Clearly indicate how the mitigation measures will be implemented.

7. **Presentation of the Landscape and Visual Impact Assessment**

- The document should be clear and logical in its layout and presentation and be capable of being understood by a non–specialist;
- It should be a balanced document providing an unbiased account of the landscape and visual effects, with reasoned and justifiable arguments;
- A glossary of all technical terms and full reference list should be provided;
- Plans, diagrams and visual representations should be provided to assist in the understanding of the development and its impact, and should be clearly labelled with all locations reference in the text.

8. **Non-Technical Summary**

- A stand-alone document to be available to a non-specialist reader, to enable them to understand the landscape and visual impacts of the proposal;

- To include a summary description of the development; the aspects of landscape character and visual amenity likely to be significantly affected; the likely significant effects; the mitigations measures to be implemented;
- Include as a minimum the plans, maps and other visual representations which illustrate the location of the application site, the footprint of the development, and the location of key features.

Source: Appendix A of the BRE '[Planning guidance for the development of large scale ground mounted solar PV systems](#)'



Report to: Cabinet Meeting: 23 July 2024

Portfolio Holder: Councillor Lee Brazier - Housing

Director Lead: Suzanne Shead, Director of Housing, Health & Wellbeing

Lead Officer: Caroline Wagstaff Business Manager - Housing Maintenance & Asset Management (M) 07929 864367

Report Summary	
Type of Report	Open Report / Non-key decision
Report Title	Quarter 4 Housing Services Compliance Assurance Report
Purpose of Report	To provide an update on the position at the end of Quarter 4 2023/24 (1 st January 2024 to 31 st March 2024) with regard to compliance assurance overview and actions arising.
Recommendations	That Cabinet: <ul style="list-style-type: none"> a) Note the exceptions to performance of the housing service compliance functions. b) The removal of the Regulatory Notice by Regulator of Social Housing. c) That the presentation of performance will change from Quarter 1 2024/2025 reporting cycle onwards.

1 Purpose of Report

- 1.1 This report provides Members with the performance of housing compliance services at the end of March 2024, focusing on exceptions performance, which is outside the Council's target parameters.
- 1.2 The full performance summary is shared with 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 Policy & Performance Improvement Committee before reporting and recommendations to Cabinet.
- 1.3 Members should note that the format of this report will change for Quarter 1 – 2024-25 to reflect the best practice recommendations of the external audit and the Regulator of Social Housing.

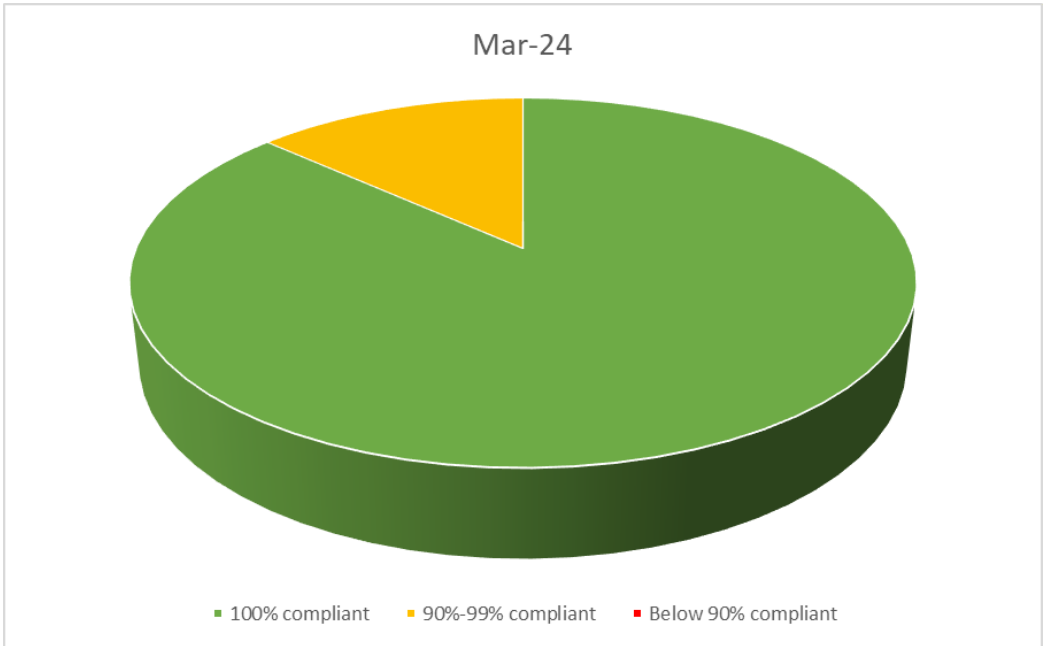
2.0 Background Information

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. Compared to the same quarter last year, overall annual performance has improved across the 30 areas (note that we have included an additional 3 performance areas since the last quarterly report. these are on the Fire Door Inspection programme). Performance against the 30 indicators is “RAG” rated, as follows:

- Green: At target.
- Amber: Within 10% of target.
- Red: below 10% of target

Month	Compliant	90% -99% compliant	Below 90% compliant	Total
June 2021	20 (74%)	4 (15%)	3 (11%)	27
Sept 2021	19 (70%)	5 (19%)	3 (11%)	27
Dec 2021	20 (74%)	5 (19%)	2 (7%)	27
Mar 2022	23 (85%)	4 (15%)	0 (0%)	27
June 2022	20 (74%)	6 (22%)	1 (4%)	27
Sept 2022	18 (67%)	6 (22%)	3 (11%)	27
Dec 2022	21(77%)	5(19%)	1(4%)	27
Mar 2023	23 (85%)	4 (15%)	0 (0%)	27
June 2023	23 (85%)	4 (15%)	0 (0%)	27
Sept 2023	23 (85%)	4 (15%)	0 (0%)	27
Dec 2023	26 (88%)	4 (12%)	0 (0%)	30
Mar 2024	26 (88%)	4 (12%)	0 (0%)	30



3.0 Performance exceptions

3.1 Gas Servicing - AMBER

Gas servicing is 99.71% compliant. There are 15 properties without a current gas safety certificate, but all are in an enforcement process. Please see [Home Standard - GOV.UK \(www.gov.uk\)](https://www.gov.uk) for further information on the Council's responsibilities.

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.

3.3 Carbon monoxide alarms for all heating appliances in every home (with the exception of cookers) is a standard part of the annual service. There are 27 properties where the tenants have been identified through adaptations data as having hearing difficulties and alternative CO alarm have now been fitted. These have flashing lights and vibrating pillows to warn the occupier of any issues. These will also be linked into the smoke alarm system to overall protection.

3.4 Oil Servicing - AMBER

There are currently 8 homes where the oil service has not been completed, all are in an enforcement process. Our gas contractor is now carrying out the oil servicing as part of their servicing contract and are increasing the number of trained oil engineers on the contract. The number oil-based heating properties is reducing as the Council replace with heat source heating systems as part of the WAVE 2.1 decarbonation project.

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

We currently have 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 is booked in with the tenant for April 2024. The directive to make 5-year EICR certification mandatory has not yet been confirmed by legislation.

4.0 Position with Housing Regulator

4.1 The Council has had the regulatory notice removed by the Regulator for Social Housing. This service will remain under close scrutiny and a report is scheduled for Audit and Governance in July 2024.

5.0 Equalities and Diversity Implications

5.1 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.

6.0 Financial Implications

6.1 There are no direct financial implications arising from this report.

7.0 Community Plan – Alignment to Objectives

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

8.0 RECOMMENDATION(S)

That Cabinet notes:

- a. The exceptions to performance of the housing service compliance functions.
- b. The confirmation that the Regulator has remove the regulatory notice.
- c. That the presentation of performance will change from Quarter 1 reporting cycle onwards.

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

Newark & Sherwood District Council Compliance Reporting

For the month of March 2024 (Housing Services Compliance Performance)

Prepared by Mark Plant

1) Asset Base

Total no. of individual dwellings / properties being managed	5571
Total no. of "blocks" being managed. Note: "Blocks" relates to multiple dwellings contained within one building i.e. flats, bedsits, maisonettes, apartments, HMO's etc.	346
Total no. of non-residential units (i.e. commercial properties including offices, retail units, storage facilities etc.) Communal Boilers for Gladstone / Vale View / De Lacy/Broadleaf	4

2) Stock Type

Residential	Number of Units
Social & affordable housing	
Rented	5387
Leasehold/Shared Ownership	184
Non-Housing	
Community centres	32
TOTAL	5,607

3) How to Read This Report

This document reports on the compliance activities due to take place each month.

The Annual Target column indicates the total number of compliance activities expected in the year.

The number of activities due in the month is shown in the column headed **Target for Month**.

Note: Any work not carried out in the previous month will be carried forward and added to this figure.

The Total for Month column records the actual number of compliance activities carried out in the month.

The **Outstanding** column records the number of activities due in the month but not completed by the end of the month.













The final 2 **Compliance** columns record the annual and monthly compliance percentage at the time of the report.

RAG Rating is included to assist the reader, as follows;

- Green: At or above your target.
- Amber: Within 10% of your target.
- Red: Less than 10% of your target

4) Work Activity

Fire Safety

Fire	Annual Target	Target for Month	Total for Month	Outstanding	Compliance	
					Annual	Month
Type 3 Fire Risk Assessments	139	0	0	0	100% 	100% 
Fire Alarm Testing (including emergency lighting)	6780	540	540	0	100% 	100% 
Sprinkler system	6	0	0	0	100% 	100% 
Fire Door Inspections (4 Monthly)	117	0	0	0	100% 	100% 
Fire Door Inspections (6 Monthly)	517	0	0	0	100% 	100% 
Fire Door Inspections (12 Monthly)	581	123	132	0	100% 	100% 
<p>Comments:</p> <p>Newly added into this report are the Fire Door Inspections. All of which are as per the programme. The first 3 quarterly monthly checks have been completed as have the 6 monthly checks. The 12 monthly checks have also started to the larger blocks Gladstone, Vale View and Broadleaves (any remedial works are being done following the initial inspection but before they move onto another site).</p>						















Type 3 Fire Risk Assessment (FRA) rectification

Below are the remedial actions highlighted during the Type 3 Fire Risk Assessment divided by in Table A work status:

- Further action – this is work that may need further investigation or larger scale works that require programming in such as replacement of fire doors.
- Work In progress
- Completed

Table A

Complete	Further Action	Work In Progress	Grand Total
1293	0	2	1295
Action	Count	Progress	
PCFRA	2	Last few remaining blocks to complete (Actions from newer FRA's) (Yorke Drive, Strawberry Hall Lane)	

Heating Systems	Annual Target	Target for Month	Total for Month	Out of Compliance	Compliance	
					Annual	Month
Valid Gas Annual Safety Inspection	5199	571	556	15 (With 15 in enforcement process)	99.71% 	97.37%  (Low % due to outstanding enforcement cases)
Solid Fuel	20	4	4	0	100% 	100% 
Oil Servicing	163	34	8	8 (all in an enforcement process)	95.09% 	76.47%  (Low % due to outstanding enforcement cases)
LPG Gas Servicing	2	0	0	0	100% 	100% 
Commercial Boilers	4	0	0	0	100% 	100% 
Heat Pumps	130	8	8	0	100% 	100% 
Electric	18	0	0	0	100% 	100% 

Comments:

Weekly meetings are being carried out to ensure the movement of legal cases is maintained. It is anticipated that other steps taken to improve access such as installation/activating service interval timers and lifetime injunctions will reduce the number of cases required to enter a legal process.





1st time access for servicing 83.62% as at end of March with a target of 75% for 2023/34

First time fix on Gas repairs 82% as at the end of March with a stretch target of 85% for 2023/24.

Turn on and test following voids 2.25 days target is 2 days.








This is higher than the 2 days SLA due to tenant requesting appointment outside the two-day time scale

Asbestos Works

Asbestos	Annual Target	Target for Month	Total to Month	Outstanding	Compliance	
					Annual	Month
Asbestos Surveys (Domestic)	333	40	40	0	100% 	100% 
Asbestos Surveys (Communal)	125 (per 1999 blocks)	0	0	0	100% 	100% 
Comment						

Communal blocks asbestos inspections are carried out inline and at the same time as the FRA inspection programme).





Electrical Safety

Electrical 5 Year	Annual Target	Target for Month	Total for Month	Outstanding	Compliance	
					Annual	Month
Domestic Testing	905	107	39	39 (with 38 in the enforcement process)	95.69% 	63.55% 
Housemark - Domestic EICR certified up to 5 years old	5553	N/A	N/A	39	99.30% 	N/A
Non-domestic Testing	133	0	0	0	100% 	100% 
PAT Testing	37	4	4	0	100% 	100% 

Comments:

The low performance is due to the number of cases that are in an enforcement process due to non-access. The team continue to seek access directly and in conjunction with Housing Services team.



Water Safety





Safety Works	Annual Target	Target for Month	Total for Month	Outstanding	Compliance	
					Annual	Month
Legionella testing	194	33	33	0	100% 	100% 
Gladstone house Bacteria Testing Potable Water	1	0	0	0	100% 	100% 

Comments:





Monthly visits completed and minor repairs identified by our contractor have been ordered. All works are weekly testing are recorded on Zetasafe web-based Compliance software.

Lifting Equipment









Other Safety Works	Annual Target	Target for Month	Total for Month	Outstanding	Compliance	
					Annual	Month
Passenger and Goods Lift Servicing	108	9	9	0	100% 	100% 

Stair lift Servicing	92	6	6	0	100% 	100% 
Hoist Servicing	30	2	2	0	100% 	100% 
Comments: All compliant						

Environmental

Safety Works	Annual Target	Target for Month	Total for Month	Outstanding	Compliance	
					Annual	Month
Play Park Inspections	884	85	85	0	100% 	100% 
Tree Surveys	1	0	0	0	100% 	100% 
Comments: All Compliant. Tree surveys are undertaken every 5 years and were completed in November 2022						

Blocks

Other Safety Works	Annual Target	Target for Month	Total for Month	Outstanding	Compliance	
					Annual	Month
General Block Inspections	1212	101	101	0	100% 	100% 
Gladstone House Air Conditioning	1	0	0	0	100% 	100% 
Gladstone House Commercial Ductwork	1	Jordan 0	0	0	100% 	100% 
Community Rooms	396 (30 community rooms inspected monthly)	30	30	0	100% 	100% 
Comments All compliant						



Report to: Cabinet Meeting: 23 July 2024

Portfolio Holder: Councillor Lee Brazier, Housing Portfolio Holder

Director Lead: Suzanne Shead, Director Housing, Health and Wellbeing

Lead Officer: Maria Cook, Assistant Business Manager – Housing & Estate Management

Report Summary	
Type of report	Open report
Report Title	Draft Allocation Scheme and Consultation
Purpose of Report	To provide an update on the review of the Council’s Housing Allocations Scheme, presenting the proposals for change coming out of the review - the revised draft Scheme and seeking approval for external consultation.
Recommendations	<ul style="list-style-type: none"> a) That Cabinet note the scheme and its changes and approve progression for external consultation. b) That Cabinet 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
Alternative Options Considered	None
Reason for Recommendations	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.

1.0 Background

- 1.1 Throughout 2023 the project team have been working on a review of the housing register and replacement allocation scheme. As part of this work consultations have been held with Members, staff, service users and involved tenants.
- 1.2 As part of the project, in May 2023 a review of the housing register was undertaken and having processed all of the returns it saw the housing register reduce from just over 6,000 applicants down to 2,700 applicants as of June 2024.
- 1.3 In addition to this reduction, in March 2024 the government released a consultation – Reform of Social Housing and as part of our response to this consultation workshops were held with Members to contribute to the response.
- 1.4 The response was submitted to DLUHC and the project team were awaiting the outcome of this prior to finalising the draft Allocation Scheme as elements of the proposal would make some significant changes to the policy. However, there has been a delay in the release and therefore the team have progressed on with the draft policy to ensure it conforms with the projects timetable. In addition to this, there is a requirement when making major changes to the allocation scheme to consult with registered providers for a period of 12 weeks and the draft scheme has had its timelines matched with the Housing Management System project to enable system build meaning the draft scheme cannot wait for the outcomes from the consultation.

2.0 Proposal/Options Considered and Reasons for Recommendation

- 2.1 Attached to this report is a full copy of the draft allocation scheme and its appendices however below in 2.2 is an overview of the changes made, for ease of reference.

2.2 Table of Main Changes/Updates

Section			Other LA's
Introduction	Updated	No significant change	N/A
Legal Framework	Refreshed to ensure compliance	No significant change	Legally Required
Reasonable Preference Categories	Refreshed to ensure compliance	No Significant change	Legally Required
Eligibility and Qualification	Updated	Changes: exclusions for being on the register when ineligible Main body of text relating to eligibility transferred to an appendices so can easily be updated without the need to change the scheme.	Many LA's practice this to keep housing register numbers realistic.

Local Connection	Updated	Cannot join the register without an established local connection.	Most LA's have some form of local connection criteria to support local residents accessing accommodation.
Advocates	Refreshed	No significant change	N/A
Information Declaration	Refreshed	No significant change	N/A
Exclusions	Refreshed	No significant change	N/A
Assessment of Housing Need	Refreshed	No significant change	N/A
Financial Resources and Affordability	Updated	Changes: including income thresholds that will exclude an applicant from allocation	Many LA's have financial assessments and restrictions in an attempt to preserve stock for those who need it/cannot access other choices.
Saving/Assets/Capital	New Section	Sets a threshold of savings and reviews disposal of assets for housing purposes.	Many LA's have savings/assets/capital assessments and restrictions in an attempt to preserve stock for those who need it/cannot access other choices.
Band 1	Refreshed	No significant change	Includes all required reasonable preference elements
Band 2	Refreshed	No significant change	Includes all required reasonable preference elements
Band 3	Refreshed	No significant change	Includes all required reasonable preference elements
Band 4	Updated	Widening of details on deliberately worsening of circumstances and the consequences of this .	Many LA's have this section included to prevent misuse of stock and assets.
Advertising Properties	Refreshed	Will be revisited when NEC system build is underway to make better use	N/A

		of electronic systems and supports	
Allocation Procedure	Refreshed	To ensure remains legally compliant	N/A
Not offering a tenancy to the highest bidder	New Section	Increasing transparency when standard procedures are not in use for allocating.	Many LA's have similar flexibility and transparency in their schemes.
Direct Offers	Refreshed and increased into a section on its own	Increasing transparency when standard procedures are not in use for allocating.	Many LA's have similar flexibility and transparency in their schemes.
Penalties for Refusal	Strengthened	Increased 'no reason' refusals taking up significant officer time	Many LA's have similar flexibility and transparency in their schemes.
Suitability Criteria	Refreshed	Changes reflecting amendments identified in this table	N/A
Effective and Efficient Management of Stock	Refreshed and Strengthened	Increasing transparency when standard procedures are not in use for allocating.	N/A
Local Lettings Schemes	Refreshed	No significant change	N/A
Compliments, Comments and Complaints	Refreshed	Linkage to Corporate Stage 2 complaint removed as not legally compliant	N/A
Reviews and Appeals	Strengthened	Increasing transparency	N/A
Equality and diversity	New section	Statement of intent	N/A
Transfer Applicants	New Section	Consideration to separate transfer policy but legally any tenant who qualifies under a reasonable preference	N/A

		category must be considered under the main allocation scheme. Section added to allow the council to, where necessary, prioritise a tenant transfer under our landlord function, outside of the main scheme.	
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2.3 There is a legal requirement for the housing authority to have an allocation scheme, that is fit for purpose and reviewed on a regular basis. There is also a requirement that when making changes to the scheme where these constitute major amendments the housing authority must consult with the registered providers in their locality. Historically, we have always considered wider consultation including other providers, tenants and residents and it is anticipated we will do the same of this review too.

2.4 As part of that consultation, it is intended that for some areas of change such as the financial resources, savings, assets and capital, exclusions from joining the register and stronger penalties for refusals will be brought to the attention of the consultees as there is a genuine need to understand the impact of introducing these elements. It is one thing to strengthen your scheme and something else altogether to implement policies that exclude those who need to access the stock from doing so.

2.5 Therefore, it is proposed that Cabinet agree to the draft scheme being released for the draft consultation. Any comments that Cabinet may wish to add as part of the wider consultation will be added to the main feedback and be encompassed into finalised document for implementation.

3.0 **Implications**

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

3.1 **Equalities Implications**

An equalities impact assessment has been completed for this revised scheme and at this time there are no known implications. This assessment will be updated when the draft scheme is finalised.

3.2 **Financial Implications FIN24-25/2308**

There are currently no direct financial implications arising from this report. However, when the scheme is finalised, and submitted for final approval, a separate report with full financial implications will be presented.

Background Papers and Published Documents
Current Allocation Scheme v4

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Allocation Scheme 2024

1.0 Introduction

1.1 All local housing authorities are required by law to have a scheme for determining priorities and procedures when allocating social housing. This document sets out the housing allocation scheme for Newark and Sherwood District Council (the Council). The scheme sets out who is eligible and qualifies for social housing, and how the Council decides who have priority for those properties that are available.

1.2 Newark and Sherwood District Council, like many other housing authorities nationally, is facing increased demand for social housing, a demand that far outstrips supply. In that context, the housing allocation scheme offers households with an identified housing need (as defined by the scheme) choice in bidding for a home whilst giving reasonable preference to those in the greatest housing need and with a local connection to the district.

This scheme supersedes the previous schemes published by the Council.

1.3 The housing allocation scheme applies to:

- (a) New applicants;
- (b) Existing council tenants who have a need to transfer from one tenancy within stock to another (separate transfer section).
- (c) Existing social housing tenants who need to transfer from their existing tenancy in another area, provided by a different social landlord.

1.4 The Council's choice-based lettings scheme provides a single access point to good quality, affordable housing, for people in housing need and aims to make the task of applying for social housing as simple as possible.

1.5 Each week the council advertise the vacant properties for applicants to place their expressions of interest against and these properties are allocated in accordance with the procedures and priorities set out in this allocation scheme.

2.0 Legal Framework

2.1 The Council's housing allocation scheme sits within a tight legal framework which is summarised in this section. The legislative framework applies to the Council directly and requires Registered Providers to 'cooperate to such an extent as is reasonable in the circumstances in offering accommodation to people with priority under the authority's scheme'.

- 2.2 The primary legislation governing the allocation of social housing is Part 6 Housing Act 1996 (as amended). Any reference to legislative sections contained within this scheme are sections contained within the Housing Act 1996 (as amended). This legislation requires councils to make all allocations and nominations in accordance with a published housing allocation scheme which determines priorities between applicants for housing and sets out the procedure to be followed when allocating housing.
- 2.3 Part 6 of the Housing Act 1996 (as amended) requires local authorities to frame their housing allocation scheme to give 'reasonable preference' to certain categories of people namely:
- a) People who are homeless as defined in Part 7 of the Housing Act 1996 (as amended);
 - b) People who are owed a particular statutory duty by any local housing authority under certain provisions of homelessness legislation;
 - c) People occupying unsanitary, overcrowded or otherwise unsatisfactory housing;
 - d) People who need to move for medical or welfare grounds, including grounds related to disability;
 - e) People who need to move to a particular locality within the district to avoid hardship to themselves and/or others.
- 2.4 In addition to primary legislation the Council's allocation scheme takes full account of the associated statutory code of guidance and statutory instruments – these documents can be found on the .gov.uk website. In developing the scheme the councillors also had regard to its homelessness and rough sleeper strategy tenancy strategy a strategic housing strategy
- 2.5 The housing allocation scheme has been developed to be compatible with other relevant legislation regulations and guidance including but not restricted to:
- Equality Act 2010,
 - Human Rights Act 1998,
 - Data Protection Act 2018,
 - Freedom of Information Act 2000,
 - Children Leaving Care Act 2000,
 - Localism Act 2011,
 - Armed Forces Covenant,
 - Armed Forces Act 2021,
 - Domestic Abuse Act 2021,
 - Welfare Reform Act 2012,
 - Public Sector Accessibility Regulations 2018,

- Homeless Reduction Act 2017, and
- Allocation of Accommodation Guidance for local authorities as amended January 2022.

2.6 A summary of the housing allocation scheme is available free of charge to any person who asks for a copy it can be downloaded free of charge from the council's website if requested a hard copy can be provided on payment of a reasonable fee (to be confirmed at time of request).

2.6.1 Definition of an 'allocation'/Scope of the Scheme

For the purposes of part 6, a Housing Authority allocates its accommodation when it:

- Selects a person to be a secure or introductory tenant of accommodation held by that authority.
- nominates a person to be a secure or introductory tenant of accommodation held by another Housing Authority
- nominates a person to be an assured tenant of accommodation hold by a private registered provider [or registered social landlord in Wales][S. 159 [2]].

The housing allocation scheme does not apply to the following lettings

- a) succession of a tenancy
- b) assignment of a tenancy through mutual exchange
- c) assignment of a tenancy to a person who would be qualified to succeed the tenancy
- d) assignment of a tenancy in pursuance of a relevant court order
- e) progression from an introductory to secure tenancy
- f) sole to joint tenancy changes and vice versa
- g) temporary decants in order to complete repairs
- h) lettings made by registered providers outside of the district council's nomination agreement.

2.6.2 Allocations to existing tenants

Provisions in relation to existing tenants are considered in S .159[4] and [4B]. These provide that part 6 does not apply to an allocation of accommodation by a Housing Authority to a tenant of a local authority or register provider unless:

- the allocation involves a transfer made at the tenant's request, and
- the authority is satisfied that the tenant has reasonable preference.

Accordingly, social tenants applying to the Housing Authority for a transfer who are considered to have reasonable preference for an allocation must be treated on the same basis as new applicants in accordance with the requirements of S.166A[3].

Transfers at the tenant's request, where the authority is satisfied the tenant does not have reasonable preference, do not fall within part 6 and will therefore be found in the transfer section of this scheme.

2.7 Reasonable Preference

2.7.1 The legislation requires that an allocation scheme must be framed to give reasonable preference to certain categories of people as follows;

1. People who are homeless within the meaning of part 7 of the Housing Act 1996;
2. People who are owed a duty by any local authority under section 190[2], 193[2], or 195[2] of the 1996 act [or under section 65[2] or 68[2] of the Housing Act 1995] or who are occupying accommodation secured by any such authority authority under section 192 [3];
3. People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
4. People who need to move on medical or welfare grounds, including grounds related to disability;
5. People who need to move to a particular location in the district of the local authority where failure to meet that need would cause hardship (to themselves or others).
6. Tenants who need to move as part of a regeneration project will be given Band 1 for a period of 12 months following the receipt of a demolition notice.

2.7.2 Applicants from these reasonable preference categories are placed within bands 1-3 of the housing register [discussed in more detail in section 10 - Applicant Banding] in order to give them reasonable preference over other applicants.

Please note that those applicants, who would fall within a reasonable preference category, will not qualify if they are subject to any of the exclusions set out in section 7.0 - Exclusions of this Scheme and section 9 – Financial Resources and Affordability.

2.7.3 Armed Forces

The armed forces England regulation 2012, provides that additional preference must be given to an applicant with urgent housing needs who falls within one of the reasonable preference categories referred to above if:-

1. they are serving in the regular forces and is suffering from a serious injury, illness or disability which is attributed [wholly or partly] to their service; or
2. they have formerly served in the regular forces; or
3. they have recently ceased or will cease to be entitled to accommodation provided by the Ministry of Defence following the death of the spouse or civil partner who has served in the regular forces and whose death was attributed (wholly or partly) to that service; or
4. they are serving or have served in the reserve forces and are suffering from a serious injury, illness or disability which is attributed (wholly or partly) to that service.

Forces are defined as “regular forces” are the Royal Navy, Royal Marines, the Army, the Royal Air Force. “Reserved Forces” are the Royal Fleet Reserve, the Royal Naval Reserve, the Royal Marines reserve. “The Army Reserve” are the Territorial Army the Royal Air Force reserve or royal auxiliary Air Force.

The council usually define former or serving members of the armed forces as:

1. People who left the regular armed forces within the last 10 years, except those dismissed under section 265 as set out in schedule 3, Part 2 of the armed forces act 2006.
2. Serving members of either regular or reserved armed forces who need to move because of serious injury, medical condition or disability sustained as a result of their service.
3. Bereaved spouses or civil partners of members of the armed forces leaving services family accommodation following the death of their spouse or partner.

2.8. Additional Preference

2.8.1 Section 166A[3] gives housing authorities the power to frame their allocation scheme to give additional preference to particular descriptions of people who fall within the statutory reasonable preference categories and have urgent housing need. 2.8.2 All housing authorities must consider, in the light of local circumstances, the need to give effect to this provision. Examples of people with urgent housing need to whom housing authorities should consider giving additional preference within their allocation scheme include:

- those who need to move urgently because of a life-threatening illness or sudden disability
- families in severe overcrowding which poses a serious health hazard.

- those who are homeless and require urgent housing as a result of violence or threats of violence, including intimidated witnesses, and those escaping serious anti-social behaviour or domestic violence.

Additional Preference for Armed Forces

- 2.8.3 An applicant who has been assessed as having a reasonable preference and who meets the additional preference criteria will have their banding increased by a maximum of one band. Those already awarded band one will be given an additional six months waiting time.

Consideration has also been given to the armed forces covenant (signed on the 16th of July 2013) between the Armed Forces community, Armed Forces charities and Newark and Sherwood District Council. More information about this can be found at www.Newark-Sherwooddc.gov.uk/community_covenant/

2.9 Right to Move Regulations

- 2.9.1 The Allocation of Housing (Qualification Criteria for right to move) (England regulations 2015) provide that local authorities must not disqualify certain applicants on the grounds that they do not have a local connection with the local authority's district specifically, a local connection may not be applied to existing social tenants seeking to transfer from another authority district in England who:-

1. Has reasonable preference under S .166(3) a because of a need to move to the local authorities district to avoid hardship, and
2. Need to move because the tenant works in the district, or
3. Need to move to take up an offer of work.

- 2.9.2 a relevant person has a need to move for the purpose of the 2015 regulations if the applicant:-

1. Works in the district of the local Housing Authority, or
2. has been offered work in the district of the local Housing Authority and
3. the authority is satisfied that the relevant person has a genuine intention of taking up the offer of work.

The council has opted for a minimum quota allowed from the guidance due to high numbers of applicants on the housing register with identified housing need and a low number of allocations that become available each year. The quota is therefore set at 1% of the housing allocation forecasted for the coming year, based on the actual number of allocations in the previous year this will be reviewed annually and outed if required.

2.10 Equal Opportunities

2.10.1 The council and its partners are committed to promoting equal opportunities and anti discriminatory practises in the services it provides. It is committed to giving all applicants an equal opportunity to obtain housing and will not discriminate on the basis of age disability gender reassignment race religion belief sex sexual orientation marriage and civil partnership pregnancy and maternity.

3. Eligibility and Qualification

3.1 Any person can approach the council for advice and assistance regarding housing however, due to the high demand for social and affordable rented accommodation the council does not accept applications from those who are ineligible for rehousing. The council will firstly assess if the applicant is eligible for accommodation and secondly whether the application qualifies for an allocation of accommodation.

3.2 Any applicant assessed as either not eligible or who does not qualify to be considered for an allocation will therefore not have access to the housing register.

3.3 The legislation and accompanying regulations regarding eligibility for housing are complex and subject to regular change. This section provides an overview of the main rules with a detailed explanation to be found in appendix (a). The main law on eligibility in England is contained in the Housing Act 1996 (as amended) which allows the government to introduce regulations about eligibility for allocations at any time.

3.3.1 The council will determine whether applicants are eligible for housing assistance ensuring compliance with UK immigration and nationality regulations.

Some classes of people are not eligible to join the housing register, specifically those who are subject to immigration control, not habitually resident in the UK, other persons from a board excluded by regulations, persons granted limited leave, required to leave the UK by the Secretary of State, and those ineligible due to changes contained within the Immigration and Social Security Co-ordination 2020.

Details for all of these are in appendix (a).

3.3.2 The following groups are eligible for an allocation of housing:

- a) British citizens
- b) Certain Commonwealth citizens
- c) Irish citizens
- d) EEA nationals with an EEA right to reside

e) Classes of persons subject to immigration control who are eligible for an allocation of accommodation as set out in regulation 3

f) European Economic Area nationals and their family members who have citizens' rights under the European Union

Details for all of these are in appendix (a).

4.0 Local Connection

4.1 To join the housing register, an applicant must usually have been resident in the district of Newark and Sherwood for the time periods or qualification criteria set out below:

Applicants who do not establish a local connection with Newark and Sherwood will usually not qualify to join the housing register.

- Applicants to have had two consecutive years residing in Newark and Sherwood; or
- 3 out of the last 5 years residing in Newark and Sherwood;
- 5 or more consecutive years in which immediate family members reside in Newark and Sherwood. Immediate family members include parents, siblings, child/ren [18 +] or other significant connection, with regular contact/support. [Residency may be verified by way of tenancy references, electoral roll or information held on any local authority database. Relationship may be verified by birth certificate or information hold on any local authority database].
- Be in employment for a minimum of 16 hours per week for the last 12 months or more within district; or
- Applicant who are owed a homeless duty – as specified in reasonable preference categories outlined in S .166 A[3] [a] and [b] of the Housing Act 1996 [as amended]: S.189B - Relief Duty, s.193 [2] – Main Duty, s.195- Prevention Duty, s.195 [2] - Threatened with homelessness and eligible ; or
- is classified as a Nottinghamshire County Council care leaver; or
- Applicants who are resident in any refuge [or associated accommodation within the district]; or
- Special Conditions might include but not limited to, the need for specialist medical or support services which are available only in the district, Right to Move regulations.
- Former or serving members of the armed forces:
 - a) Those who are currently serving in regular forces at any time in the five years preceding their application for an allocation of social housing;
 - b) Bereaved spouses or civil partners of those serving in the regular forces where (i) the brief spouse or civil partner has recently ceased, or will

- cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner, and
 - (ii) the death was wholly or partly attributable to their service.
- c) Existing or former members of the reserve forces who are suffering from a serious injury, illness, or disability which is wholly or partly attributable to their service.

Some new build affordable housing units typically secured on a market housing development through a planning agreement called a section 106 agreement or through a rural affordable housing scheme will detail a more specific local connection criteria in line with both local and national planning and housing policy. Where this situation arises the property advert will clearly stipulate the local connection criteria applicable.

In exceptional circumstances and to ensure efficient and effective use of Council stock allocations may be advertised and made available to households who do not have a local connection.

5.0 Advocate

- 5.1 If an applicant feels they cannot manage their own affairs and are unable to bid for properties themselves, they can choose someone to act for them. This person will be called an 'advocate' Applicants need to complete the relevant question on registration and ensure that advocate signs the declaration to act on their behalf.

The applicant or their advocate is responsible for keeping their application up to date with their current circumstances by advising of any changes that could affect their application.

6.0 Information Declaration

- 6.1 If applicants give false or misleading information or withhold information, which is reasonably required for an applicant to give, they will be removed from the housing register and may be liable for prosecution. If they have been offered a tenancy as a result of this misinformation or withholding of relevant information, the tenancy will be terminated if applicants have deliberately altered their circumstances to increase their banding, the right is reserved to move them into the correct band and may result in suspension of their application entirely.

If you are an employee or a counsellor of the Council THE COUNCIL, your application must include a statement to this fact, in addition a senior officer of the Council must approve any offer of a property made to a person in these circumstances.

7.0 Exclusions

- 7.1 The Localism Act 2011 enabled local housing authorities to decide which classifications of persons, are, or not, qualifying persons for the purposes of allocating housing. This section sets out the classes of persons which are not considered to be qualifying persons and will therefore not be accepted to join the housing register or will be able to join the housing register but may be excluded from receiving an allocation.
- 7.2 The council reserves the right not to make an offer of accommodation to applicants where satisfied that :
- 1) The applicant, or a member of their household, has been guilty of unacceptable behaviour which if the applicant was a tenant of the council would entitle the council to regain possession of their Council property
 - 2) The unacceptable behaviour is serious enough to make the applicant unsuitable to be a tenant.

See Appendix B for further information and clarification on the list above.

The exclusions in this section includes past or present behaviour of the individual or members of their household

In some circumstances a limit may be placed on the type of property and or area an applicant can apply in order to manage any wider risks posed.

7.3 Review of Decision to Exclude

- 7.3.1 Applicants can request a review in writing of any decision to exclude the applicant from the housing register and/or an allocation of accommodation. A senior officer, not previously involved in the case will consider this review.
- 7.3.2. Any such review request should be made within 21 days of the applicant receiving written notification of the decision and additional supporting evidence submitted with a request for review to support consideration for reviewing the decision.
- 7.3.3 The applicant or their advocate is responsible for keeping the application up to date with their current circumstances. They must advise of any changes that could affect the application and complete change of circumstances notifications where appropriate, failure to do so may result in an offer of property not being made or having to be withdrawn.

8.0 Assessment of Housing Need

- 8.1 Applicants are prioritised according to their housing need and are placed into the relevant banding based on that need. This allows for the applicant's identified as the in the greatest need to be given relevant priority.
- 8.2 Transfer applicants will be banded under the same assessment process as housing applicants, when they have an identified reasonable preference category. All other transfer applications, where there is no reasonable preference category applicable will be assessed as per section 17 – Transfer Applicants of this allocation scheme.
- 8.3 The council will notify the applicant of their registration date, registration number and awarded band. Information will also be provided as to the suitability and size of property the applicant and their household are eligible to bid for.
- 8.4 If an applicant's circumstances change and that assessment leads to a banding change being required, the application will receive a 'banding date' as well as its original registration date – see section 12 - Allocation Procedure. The banding date will be the date in which the application qualified to be in that banding, will be later than the original date and may change again should the application need to be reassessed.
- 8.5 As part of the assessment process, if the change in circumstances results in an application being assessed as a band four, the original registration date will continue to apply, it will not receive a replacement banding date.
- 8.6 Medical Circumstances - in complex cases where an individual's circumstances do not seem to fit the policy and its requirements as set out, a multi-agency meeting will be convened including the council senior officer/s and any other relevant parties, to establish the level of need and award appropriate priority/banding.

9.0 Financial Resources and Affordability

- 9.1 The Council is permitted to consider the financial resources available to an applicant to meet their own housing need. If a household's income exceeds the criteria below will not qualify to join the register.
1. Single person household with a household net income of £34,000* or more per year
 2. Family households (this includes couples) with a household net income of £79,000* or more per year.
 - A family household is defined as a household that is not a single person but does include couples. A household income will consider the income of all

household members other than the income of non-dependent children. Income will also include all sources of income for the household, including (but not limited to) income from employment, any relevant benefits, grants, and income from other sources such as pensions, savings accounts, property etc.

- Personal independence payments [PIP], Disability Living Allowance [DLA] or any other replacement benefit for the above will not be included for the purposes of this calculation.
- Payments awarded because of injury sustained whilst serving in the armed forces shall also not be included in any income calculation. Payments for compensation of injury would also not be included.

NB: These income ranges will be reviewed annually in line with Central Government Directive and legislation.

* <https://www.nomisweb.co.uk> – Office of National Statistics, Official Census and Labour Market Statistics

9.2 Savings/Assets/Capital

9.2.1 Applicants with capital/savings/assets/investments more than £16,000 will not usually qualify to join the housing register as they will be regarded as having sufficient resource to source alternative suitable accommodation. This amount is in line with the DWP criteria for eligibility for Housing Benefit and will be reviewed from time to time.

9.2.2 Where these savings are derived from a payment due to injury or disability for members of the armed forces who have recently been discharged, unless there is an award towards meeting their housing costs, they will not be included in this calculation.

10.0 Applicant Bandings

Band One

Homelessness

This band is applicable to those households who the council have accepted a s.193 Main Housing Duty towards [within the meaning of Part 7 of the Housing Act 1996, as amended]. These households will have been found to in priority need and unintentionally homeless.

All applications accepted as being owed a homelessness duty will have their choice-based bidding rights removed and will be placed into officer bidding/one direct and final offer of suitable accommodation. This is to ensure the council prevents and relieves homelessness wherever possible at the earliest opportunity.

If an applicant considers any final offer to be unsuitable, they are entitled to ask for a review of that decision. Applicants should speak directly to the housing options officer and/or review their decision notification, as it will contain the time scales and process that the applicant will need to follow to raise a review. An applicant can also seek independent legal advice. Any such review request will be dealt with by a senior officer, not previously involved with the case, from the housing options team, as the review relates to a homelessness decision it is not an allocation review.

Medical Grounds

Severe medical need - the applicant or a member of the household must have a long-term medical condition or disability and remaining in the current property is a major and direct contributory factor to pose a severe and life threatening risk to the applicant and/or member of the household. This band will only apply where the current property cannot be made suitable or adapted and the applicant and/or their advocate will need to provide relevant supporting evidence.

In circumstances where the applicant and/or a member of the household has a long-term condition or disability but is not currently residing in accommodation they should contact the housing choice team directly for guidance on an individual impact assessment – this will likely be applicants who are of no fixed abode.

Living Conditions

Category One Hazards- the applicant is a private sector, housing association tenant or owner occupier and Newark and Sherwood District Council has determined that their current accommodation poses a category one hazard [excluding overcrowding] under the Housing Health and Safety Rating Scheme [HHSRS], the problem cannot be rectified within a reasonable period of time and by continuing to live there poses a significant risk to health.

Living conditions will also include where an applicant needs to move because their home is about to be demolished or redeveloped, this only applies when the demolition or redevelopment is beyond an applicant's control.

Major repairs-the applicant is a tenant of a social or affordable rented property living in Newark and Sherwood who needs to move because their accommodation needs major renovation or extensive repairs. This does not include temporary decants.

Statutory Overcrowding

Applicants living in statutory overcrowded housing.

The permitted number of people for a property is worked out from the number and size of rooms in a property, as detailed in the Housing Act 1995.

All living rooms and sleeping rooms are included in the calculation when the permitted number of persons is worked out, kitchens bathrooms and toilets are not included in these calculations. When working out the number of persons sleeping in a property occupants are counted as being entitled to one bedroom:

- a) A single person [sole applicant]
- b) a married or cohabiting couple
- c) 2 children both aged under 10 regardless of gender
- d) 2 children of the same gender regardless of age [unless there is a 10 year age gap and one child is at least 16 years old]

This is referred to as the council's minimum bedroom standard.

Under Occupancy – Changing Places Scheme (applicable only to council tenants)

Under occupation is not a category within reasonable preference and therefore the council, in order to facilitate access to limited family housing, have implemented a scheme where tenants who are moving to a property that is two or more bedrooms, smaller than their existing accommodation receive a priority banding. This is known as the Changing Places Scheme.

Tenants who occupy accommodation of a size suitable for consideration of the changing places banding, but where there is no evidence need to move, will not qualify, and will not receive priority banding. Tenants without evidenced housing need and wanting to reduce their property size by 1 bedroom will also be ineligible for this priority banding.

Periodically, the council may consider implementing additional pilot schemes to support the changing places in accessing particular property types. Where this is the case supporting documentation will be produced identifying scheme criteria.

Other Status

This band is applied when a PCRA [person centred risk assessment] has been completed and assessed, identifying a need to move a tenant/their household to alternative accommodation for safety reasons, that are not covered under Effective and Efficient Management section of this scheme.

Supporting evidence will be required and move on accommodation choice is limited to resolving the situation/ risk.

Band Two

Homelessness

This band is applicable to those households who are working with the council's Housing Options Service and have had a Prevention Duty or Relief Duty accepted towards them. To qualify for this band, the household must be engaging in the tasks specified in their Personal Housing Plan and are in priority need and unintentionally homeless.

Medical

Urgent medical need - the applicant or a member of the household have a long-term medical condition or disability that is moderately impacted on by remaining in the current property or have a more recent diagnosis or medical condition that the full impact of the accommodation remains unknown but expected to create moderate difficulties in the future.

This band will only apply where the current property cannot be made suitable or adapted and the applicant and/or their advocate will need to provide relevant supporting evidence.

Applicants moving on from Supported Housing Projects

This band is only applicable when the applicant's support needs have been identified and provision for meeting these needs is in place, often this is evidenced via an Ready 2 Move. This band is also applicable to the council's NSAP accommodation – Next Steps Accommodation Programme.

This band is only available to applicants who are residing in accommodation projects within the district of Newark and Sherwood.

Care Leavers

The application of this banding is only available to individuals who are considered to be Nottinghamshire County Council care leavers as part of the District Council's commitment to supporting care leavers into accommodation via the Care Leaver Offer – see details in appendix C.

Care Leavers cannot receive this priority more than once, they will receive one, suitable offer of longer term settled and sustainable accommodation in discharge of the District Council's Corporate Parenting Duties, supporting Nottinghamshire County Council.

Insecurity of Tenure

Applicants who have been served a valid Notice of Seeking Possession or Curt Possession proceedings from a landlord or mortgage lender other than the council. Applicants will be

required to provide evidence that the Notice served is not a result of their or a member of their household's act(s) or omission(s).

Overcrowding

Applicants who are lacking two bedrooms or more in their current home but are not considered to be statutorily overcrowded.

Refuge Accommodation

This banding is to be applied to applicants who have been in placement at Refuge and the Refuge Worker has been able to confirm that the resident is ready for independent living. This is specific to those placed within the Newark and Sherwood district.

Unsuccessful Succession

This banding is to be awarded to applicants who are eligible to be on the housing register but have no right of succession and have no access to any other accommodation [in the UK or abroad], resulting in them facing homelessness.

Succession – Included for reference and does not usually receive a banding under this scheme

Succession of Tenancy

Succession of secured tenancies is only allowed in the following circumstances:

- If the deceased tenant had not been a previous successor
- The individual requesting succession occupied the property as their only and principal home at the time of the tenant's death.
- If the individual is a spouse or civil partner of the deceased tenant
- If the individual is a member of the deceased tenant's family and has proof of residence for at least 12 months prior to the death of the tenant.

If the property is too large or has adaptations not required by the succeeding tenant, then alternative accommodation, more suited to their needs will be sourced. The successor has the right to a tenancy, not a particular property.

Band Three

Medical

Non-urgent medical need - the applicant or a member of the household have medical condition or disability and remaining in the current property creates some difficulties but is not a major contributing factor and does not pose a severe or urgent and life-threatening risk to the applicant and/or member of the household.

This band will only apply where the current property cannot be made suitable or adapted and the applicant and/or their advocate will need to provide relevant supporting evidence.

Homeless

This band is applicable to those households who are working with the council's Housing Options Service and have had a Prevention Duty or Relief Duty accepted towards them. This band will also be applied to households who are not considered to be in priority need and/or intentionally homeless. In addition, this band will be applied to households who are considered to be in priority need and unintentionally homeless but not engaging in the tasks specified in their Personal Housing Plan.

Living Conditions

Identified Category 2 hazards where the enforcement of the Housing Act 2004 (Housing, Health and Safety Rating System) is in place and subject to Environmental Health action. This priority is only awarded for the period of time that the work remain incomplete/outstanding.

Overcrowding

Applicants who are lacking one bedroom in their current home but are not considered to be statutorily overcrowded.

Refuge Accommodation

Applicants who are residing in an accommodation space in a Refuge.

Sharing Facilities

Applicants or households sharing personal facilities, such as kitchens and bathrooms, within the accommodation, with another household. This would exclude applicants in Houses of Multiple Occupation as it is intended that residents to share these facilities and does not include gardens and communal areas.

No Fixed Abode/Rough Sleeping

This banding is only applicable to those defined as rough sleepers - this means that they are street homeless and have no access to accommodation at all, confirmation may be sought from street outreach services.

People of 'no fixed abode' who are for example staying in various locations and on an ad hoc basis will not be regarded as rough sleepers, proof may be sought from each address and or other agency with which any rough sleeper is registered.

Band Four

Deliberate Worsening of Circumstances

Where applicants have been deemed to have deliberately worsened their circumstances their banding will be reduced to one band lower than they would usually have been awarded. Examples of this could include but are not limited to:

1. Applicants who give up a home that they own, rent, or have rights to but choose to leave or dispose of it without good reason in the five-year period immediately preceding the making of their application. This includes 'gifting' a home to friends and/or relatives, both within and outside the UK, where they could have reasonably been expected to reside, or to sell it.
2. Applicants who have given up a social housing tenancy in the five-year period immediately preceding the date of their application and this was, not due to violence / threats of violence / harassment / anti-social behaviour / domestic abuse / hate crime, or any other similar danger to life and welfare. This will require clear evidence that the issues had arisen.
3. Applicants who deliberately overcrowded accommodation other than where it is necessary to prevent homelessness.
4. Applicants who deliberately move to a home which was clearly unaffordable at the point they move into it.
5. Applicants who deliberately move into accommodation which will be overcrowded other than to prevent their homelessness and prevent the homelessness of their family.
6. Applicants who leave suitable accommodation without making suitable provision unless there was good reason to leave.
7. Applicants who deliberately deprive themselves of capital, equity or income following the sale of a property belonging to them whether jointly or in their sole name to qualify or gain priority for housing. Deliberate deprivation includes gifting money to relatives and friends and payments to third parties.

Supported Housing - The applicant and any other member of their household have no housing need but are eligible to be considered for and are seeking supported housing. The applicants current housing tenure and any restrictions will determine which property type they will be eligible for. In some instances, homeowners may be exempt from bidding for designated property types and will be advised of their eligibility for any of the supported housing complexes.

11.0 Advertising Properties

- 11.1 Properties available for allocation will be advertised by the council on our website. Properties advertised will give a description of the property, its location, any local

connection criteria, and suitability criteria to help applicants make relevant and informed choices. Where additional criteria have been applied please refer to this policy for clarification/explanation.

The website adverts will include social housing properties and may also include private rented properties available through the council's RealHome scheme. RealHome is a tenant finding scheme for private sector landlords.

More information on real home scheme is available on the THE COUNCIL website <http://www.newark-sherwooddc.gov.uk>

In some circumstances, properties may not be advertised as part of the allocation scheme. Examples of this include but are not limited to:

1. Temporary accommodation required because of flood, fire or other emergency;
2. Properties required for existing tenants when they are faced with home loss;
3. Effective and Efficient use of housing stock
4. Discharge of THE COUNCIL duties e.g. supporting partners via the MAPPA protocol (Multi Agency Public Protection Arrangements).

Properties advertised will be available for both applicants and transfer applicants.

Applicants or their advocates can request details of available properties by accessing the website or by contacting customer services on 01636 650000.

Applicants or their advocates will be able to state their interest in a maximum of two properties per weekly advert cycle and unlimited expressions in registered providers or RealHome properties, giving their order of preference. Interest in a property can be made via telephone, e-mail, online, text or in person. Applicants will not be contacted if their bid is unsuccessful.

Available properties will usually be advertised a maximum of twice, if the property remains vacant the council will consider alternative ways of letting the available property. This could include but is not limited to allowing applicants to bid on more than two council properties per cycle and/or relaxing any scheme criteria.

12.0 Allocation Procedure

12.1 For all properties advertised a list will be generated of applicants who have made expressions of interest in that particular property. Applicants who have stated their interest in a property and meet the criteria for the property will be matched by the following procedure:

1. Priority band; then
2. Local connection; then
3. Banding date

It is the responsibility of the applicant and/or their advocate to provide information required to carry out the necessary verification checks and references.

Verification checks and financial assessments will be undertaken for applicants who are shortlisted. The applicant will be asked to confirm that the information given on the application form regarding their circumstances has not changed since the application or it's last update.

In some circumstances, the successful applicant may be contacted to assess that they are in an appropriate position to sustain a tenancy in line with THE COUNCIL'S tenancy agreement.

The applicant's verification checks are satisfactory, the offer of a tenancy of the property will be made.

In the event of the applicant's verification checks being unsatisfactory they will be advised of the reason for this decision in writing and the property will be offered to the next qualifying applicant.

12.2 Not offering a tenancy to the highest bidder

12.2.1 The council has discretion not to offer a tenancy to the highest bidder for advertised properties when taking all circumstances into account. This discretion may be exercised when the council decides that it would not be in the interests of the applicant, another party, or the effective management of the housing stock to do so.

12.2.2 Examples where this might happen include:

- a] Where there is history of domestic abuse, and the property is deemed by the Council to be too close to the perpetrator so as not to resolve the applicant's housing need.
- b] Where the Council deems there will be implications for community safety.

c] Where the applicant cannot access or adequately use the property because of mobility problems, in particular, where health and safety would be endangered.

d] Where on completion of a financial assessment, the Council have determined that the property will be unaffordable to the applicant.

e] Where an offer of accommodation would be counter to an applicant's stated housing need. For example, where the applicant is awarded priority due to a need to move to a particular area to provide or receive care and/or support, they will not be considered for areas that do not resolve this housing need.

12.3 Direct Offers

12.3.1 In some circumstances, the Council will not advertise available properties on the district council's housing register. Instead, a direct offer of accommodation may be made to an applicant. Any direct offer will constitute a formal and suitable offer, and if refused would be subject to the same sanctions for refusal as set out in the Effective and Efficient Management section of this policy.

12.3.2 Direct offers will only be made subject to approval from the Assistance Business Manager/Business Manager for Housing and Estate Management or one of these and a Senior Officer not involved in the case.

Examples of when direct offers may be made include but not limited to:

a] whether council considers that it is inappropriate for the applicant to participate in the choice-based lettings. For example, applicants who are placed through the National Witness Mobility Scheme or subject to Multi Agency Public Protection Arrangements [MAPPA]. In these circumstances applicants are considered on a case-by-case basis, and a full range of housing options will be considered.

b] Where the Council make a direct offer by way of discharging a housing duty, this may include but is not limited to statutory homeless households.

c] where it is necessary for the council to provide an alternative property in order to carry out major modernisation or rehabilitation works to a property.

d] where it is necessary for the council to provide an alternative property to a successor tenant within a 12-month statutory time limit.

e] Where a joint social tenant has given notice to quit, and the property is suitable for the remaining tenant to continue to occupy, and this allocation is supported by the landlord.

f] Where the property offers a specialist housing solution and/or is in particular short supply e.g. larger properties/disabled adaptation properties.

12.4 Penalties for refusing offers of accommodation

12.4.1 Applicants who refuse two offers of suitable accommodation will have their application suspended for six months and will be unable to bid for any further properties advertised during this period.

12.4.2 Further to the application being reinstated, should a further offer and subsequent refusal of suitable accommodation be made, the application will be cancelled and removed from the housing register.

12.4.3 Following cancellation the applicant will be required to wait a minimum of 12 months before any re-application can be made. The council may consider a re-application within the 12 months non-qualifying period if there has been a significant change in their circumstances, through no fault of their own, which adversely affects the household.

13.0 Suitability Criteria

13.1 Applicants should have regard to the criteria stipulated in the advertisement of available properties prior to placing a bid to ensure that they meet the required criteria.

Before an offer of accommodation is made the council will consider the suitability and size of the property in relation to the family/number of people seeking accommodation and financial position.

The outcome of the financial assessment may affect the type of accommodation you and your household may be eligible for.

Suitability criteria may be adapted from time to time to reflect the supply and demand of properties, management of stock and overall Community Housing needs.

To address issues of low demand certain properties have designated age criteria, therefore the eligibility criteria may be different. Any such difference will be clearly identified when the properties are advertised.

13.1.1 Applicants are suitable for accommodation designated as supported accommodation if:

1. The applicant or partner or 60 years of age or over;
2. The applicant or a member of the household is aged 60 or over [such applicants may be considered for some, but not all supported housing accommodation];
3. Applicant or a member of the household is under 60 years but has a proven mobility, medical or disability need [such applicants may be considered for some, but not all, supported accommodation].

In some circumstances medical authorities and/or evidence may be required in addition to an in support of a completed medical self-assessment questionnaire.

Following will usually be applied:

1. Singles/couples under 60 are considered to need/bed sets one bedroom. This is usually general needs accommodation.
2. An adult requesting to share with another adult [who is not a partner] will require one bedroom each.
3. Single/couples over 60 are eligible for supported accommodation of one or two bedrooms.
4. Single/couples under 60 with proven physical need or disability requiring ground floor accommodation will be eligible for general needs ground floor accommodation and if sufficient evidence provided may also qualify for some ground floor supported

housing. Applicants will be advised when this has been granted and criteria explained.

5. Married couples, same-sex partners and persons living as 'man and wife' are considered to need one bedroom [unless the partner needs a separate bedroom on proven medical grounds].
6. Two dependent children of the same sex or two children under 10 of opposite sex who normally expected to share a bedroom. Dependent children are defined as children less than 16 years of age who live with the applicant and where the applicant is the parent or guardian and in receipt of child benefit and all the child is in higher education.
 - a. If you have a large family that may have little or no prospect of finding a property, which is large enough for your needs, we may permit you to bed for properties smaller than you need.
 - b. In such circumstances, before any amendments are made to your bedroom eligibility; Applicants applicant approval will be sought to consent to considering smaller property types. Applicants should note the council will not consider offers of accommodation that would make your household statutory overcrowded and the applicants are not required to accept smaller properties although they may face a significant wait for alternative accommodation.
7. If you have a shared residence order or staying access for children, you are not automatically entitled to an additional bedroom for your child/ren. As long as the child/ren have one home of adequate size, the council will not automatically provide a second home for that child/ren.
8. In determining the size of accommodation required for a household, child/ren would only be counted as part of the household where it can be evidenced that you are the main carer and have responsibility for that child/ren and this is where the child resides as their main and permanent home
In determining this the council will take into consideration the individual merits of each case taking into account:
 - the dependency rules are set out in HMRC the Universal Credit or equivalent;
 - court orders, legally binding consent order or relevant supporting documentation from a solicitor;
 - percentage of time spent caring for the child or children, where the dependent is staying overnight;
 - the regularity and permanence of the arrangements;
 - affordability; and any exceptional circumstances which mean that it is especially necessary for a child to have a home with both parents EG for medical or special care needs.
9. Foster carers or those adopting children who require additional bedrooms will be assessed on an individual basis, in liaison with and as confirmed in writing by the relevant social care department.

- A woman with a pregnancy confirmed by an appropriate medical practitioner, will be counted as a household with a child after 30 weeks of pregnancy and therefore qualified for a bedroom each. If she already has one child, the unborn baby will be treated as if it were the same sex. If she has two or more dependent children residing with her, consideration for additional bedroom eligibility may be applied to the application following the birth of the child.

13.1.3 Effective and Efficient Management of tenancies and housing stock

This section of the allocation scheme enables priority transfers for existing tenants [where the transfer policy will not provide sufficient timely response] who find themselves in exceptional circumstances, which means remaining in their current accommodation is no longer deemed appropriate or safe and or to enable the council to make best use of its limited available housing stock, prevent homelessness and create sustainable communities.

In such cases, a review of individual circumstances will be carried out by the Assistant Business Manager/Business Manager within the housing services team [not originally involved in the case] to make a final decision based on the evidence available.

Cases deemed to meet the criteria will be made one offer of suitable accommodation at the earliest opportunity. If this offer is declined refused and the council is satisfied that the offer was suitable, it will bring it to an end this obligation and no further offers of accommodation will be made.

If an applicant has provided sufficient evidence to have the offer deemed unsuitable an extension will be applied for a period not exceeding 3 months to enable one further offer of suitable accommodation to be made. If this subsequent offer is refused all duties obligations under this section of the scheme will cease and the applicant is expected to continue residing in their current tenancy/circumstances.

Any failure to use the tenancy as your main principal home could result in enforcement action against the tenancy as this is a breach of your tenancy agreement.

The outcome of this decision may result in a direct offer of accommodation for reasons such as

1. Severe harassment, threats or actual violence, victims of anti-social behaviour, domestic abuse or where there is potential risk to the household if they remain. Sufficient evidence is required.
2. Applicants who have lost their statutory right to succession or have a succession right to a tenancy and the current accommodation is not suitable as set out in the tenancy agreement.
3. To enable major repairs which require permanent or temporary move (decant)
4. Where adapted properties are no longer required by the tenant or a member of their household
5. Applicants or tenants requiring specialist and or adapted properties

6. Complex cases with multiple needs not addressed elsewhere in the scheme, where a multi-agency approach is required i.e evidenced entrenched rough sleeping.

This decision may be part of a multi-agency risk assessment where information [including sensitive information] will be lawfully shared.

13.1.4 Local Letting Schemes

Local Letting Schemes can also assist in the management of existing housing stock, to help resolve issues such as areas suffering from disproportionate amounts of anti-social behaviour or to help widen housing choices for local people and provide sustainable communities.

Local letting schemes are an exception. They implement additional specific criteria to be considered in the local area when allocating housing through the allocation scheme.

Application of a local letting schemes will be carefully considered by the council based on needs and evidence. it will be applied for a limited period and reviewed to assess its effectiveness.

Local lettings schemes will be published on the council's website when in use and will be available from www.newark-sherwooddc.gov.uk

14.0 Compliments, Comments and Complaints Procedure

- 14.1 Applicants who wish to comment or complain about the service are able to do so via comments@nsdc.info or visiting the website www.newark-sherwooddc.gov.uk in order to obtain relevant forms for completion to ensure that this is dealt with under our official procedures.

15.0 Reviews and Appeals

- 15.1 If an applicant is dissatisfied with any decision relating to their housing application they may request a review of these decisions.

Procedure:

1. Applicants must make their request for review within 21 days from the date they are notified of the original decision this is considered a reasonable time scale however in exceptional circumstances the Housing Authority does retain the discretion to extend this time limit. An explanation or justification for late request will be required.
2. Applicant should make any request for review in writing, or where applicable representations can be submitted by relevant support agencies on your behalf. Applicants should include in their submission any new evidence or information, which has not been received previously, for consideration. If you have submitted evidence/information previously but do not consider that adequate attention has been given to this submission you should state your reasons for this.
3. In certain circumstances it may be more appropriate for an applicant to make a verbal representation. In such circumstances, please contact the housing choice service via 01636 650000 to discuss the request and agree actions.

4. The review will be carried out by an officer who is senior to the person who made the original decision, and the review will be considered on the basis of the council's allocation scheme, any legal requirements and all relevant information available. This will include information provided by the applicant on any relevant developments since the original decision was made- for instance, the settlement of arrears or establishment of a repayment plan, or departure of a member of your household responsible for any anti-social behaviour.
5. Reviews will be completed wherever practicable within an eight-week deadline. This is considered to be a reasonable time scale and applicants will be notified in writing of any extensions through this deadline and the reason for this.
6. Applicants will be notified in writing of the outcome of the review the notification will set out the reasons for the decision.
7. This process will ensure that an applicant's appeal is dealt with fairly, according to the scheme, relevant legislation and within a time limited framework NB: review requests related to offers of accommodation to statutory homeless households are excluded from this review process.

16.0 Equality and Diversity

- 16.1 Newark and Sherwood District Council is committed to promoting equality of opportunity in housing services. We aim to implement, maintain, and deliver quality services which ensure that no potential or current applicant is treated less favourably on the grounds of gender, marital status, race, nationality, ethnic or national origin, disability, age, sexual orientation, not is disadvantaged by the application of a rule, condition, or requirement which has a discriminatory effect which cannot be justified by law. Allocations will only be made to those persons who are eligible.

17.0 Transfer Applicants

- 17.1 Transfer tenants of the council, who do not have an identified housing need in accordance with the Allocations Scheme must pursue mutual exchanges and will not be ordinarily entitled to join the housing register.
 - 17.1.2 Tenants with identified housing needs and who would usually be owed a 'reasonable preference' such as medical priority or would be considered to have a housing need under the terms of the policy for example overcrowding or under-occupancy are eligible to join the housing register, will be assessed and banded through the allocation scheme but can also pursue mutual exchanges.
 - 17.1.3 For transfer applicants the Council will expect a clear current rent account before the tenant is allowed to move and they will also be required to have a property inspection to ensure there have been no breaches of the tenancy.
 - 17.1.4 Tenants who are enduring significant financial hardship where they are engaged and working with the tenancy sustainment team and all other options have been considered, and by moving to a smaller property would alleviate hardship but where they are not eligible for an incentive to move payment.
 - 17.1.5 Due to limited available of certain property types within its stock the council, may from time to time, implement pilot schemes that support the moving of tenants who do not meet the reasonable preference criteria.

18.0 Scheme Review

- 18.1 Senior officers from the council will regularly review the Allocation Scheme to ensure its requirements are being implemented and that it continues to meet relevant legislation and any additional duties placed upon the Council.
- 18.1.2 Where any major amendments are necessary to the scheme, these will be implemented following consultation with applicants and stakeholders when and where appropriate. Minor amendment to the scheme does not require consultations to be adopted by the Council.

DRAFT



Report to: Cabinet: 23 July 2024

Portfolio Holder: Cllr. Lee Brazier – Portfolio Holder for Housing

Director Lead: Suzanne Shead – Director of Housing, Health and Well-being

Lead Officer: Cara Clarkson – Business Manager, Housing Strategy and Regeneration

Report Summary	
Type of Report	Key Decision – exempt appendix 1
Report Title	Housing Revenue Account Development Programme - Update
Purpose of 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.
Recommendation to Exclude Press & Public	<p>In relation to appendix 1.</p> <p>This report contains information relating to the financial or business affairs of a particular person (including the authority holding that information) which is a category of exempt information under Schedule 12A of the Local Government Act 1972, Paragraph 3 under which the Committee has the power to exclude the press and public if it so wishes.</p> <p>RECOMMENDED that under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of this item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>
Recommendations	<p>That Cabinet:</p> <p>1) Notes the progress of the HRA development programme.</p>

	<p>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,</p> <p>3) approves the acquisition of eight S106 homes at Collingham utilising the phase 6 development programme budget.</p>
Alternative Options Considered	<p>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.</p> <p>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.</p> <p>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.</p>
Reason for Recommendations	<p>a) To enable new affordable rented homes to be delivered which meet identified housing need in the district.</p> <p>b) To provide a return on investment as set out in the financial evaluation provided.</p> <p>c) To replace homes sold to tenants via right to buy.</p> <p>d) 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.</p>

1.0 Background information

1.1 In the last five years, Newark and Sherwood District Council (NSDC) has increased investment in new housing through the Housing Revenue Account Development Programme. The programme set out with the ambition to deliver 335 units over five phases.

1.2 In October 2023, Cabinet approved a further 50-unit extension to the original development programme, acting as a bridge between the existing and a future long term strategic programme whilst priorities of building safety and decarbonisation are being considered and costed. The October 2023 approval set a budget of £10.7m for the 50-unit programme extension.

2.0 Housing Revenue Account – Development Programme Delivery

2.1 Delivery within the HRA Development Programme has been split across five phases totalling 335 properties.

Phase	Properties Completed	Properties Currently under construction	Properties with planning permission due start on site	Total Properties being delivered
Phase 1	130	0	0	130
Phase 2	50	0	0	50
Phase 3	80	0	0	80
Phase 4	43	0	0	43
Phase 5	2	25	5	32
Total	305	25	5	335

2.2 It is expected that those properties currently with planning permission and due to start on site, will start on site in August 2024 for completion by March 2025; the properties currently on site and under construction, will be completed by January 2025.

2.3 Properties have been delivered across the district, predominantly utilising council owned infill and garage sites and a number of these sites have been transformed from hot spots of anti-social behaviour to new homes for residents.

2.4 A range of property types have been delivered to reflect the variation and range of housing needs in the district. The table below shows the type and location of properties across the programme and includes 98 bungalows.

Location	Type of Properties Constructed			
	Flats	Bungalow	Houses	Extra Care
Newark Area	70	31	30	60
Western Villages	8	48	17	30
Newark Villages	2	19	20	0
Total 335	80	98	67	90

2.5 During the period April 23 to March 24, 38 properties were completed by the team in addition to the 20 temporary accommodation (General Fund) units completed at Alexander Lodge. Alexander Lodge was shortlisted and achieved runner up in the Efficiency East Midlands Awards within the 'Carbon Reduction Scheme of the Year' category in March 2024.

2.6 The New Build Development Team has also recently been shortlisted for the National Inside Housing Development Awards, Best Development Team of the Year award 2024.

Property specification and standards

- 2.7 The specification for new build properties has developed over the period of the programme to ensure the programme delivers build modern, efficient properties to heat and maintain. Current properties generally benefit from photo voltaic panels, solar thermal storage and an efficient “A” rated electrical heating system.

Delivering value for money

- 2.8 Since inception, the new build programme has attracted £7.888m in grant funding from Homes England and £3.962m from Nottinghamshire County Council and the Better Care Fund, giving a total of £11.85m in contributions.
- 2.10 The average cost of a property across all five phases of the programme, inclusive of extra care properties, build costs, planning fees, architects and consultants’ fees is £176,823 per property compared to £285,500 per property in the East Midlands for the time-period 2018-2023.

3.0 Utilising acquisition alongside development to deliver additional council units.

- 3.1 When Cabinet approved the additional 50-unit extension to the development programme, reference was made to development only and not the use of acquisitions and the purchase of property utilising this funding.
- 3.2 Historically, the council has intervened in the housing market where it is appropriate and necessary to ensure the delivery of affordable housing and where a Registered Provider has been unable to do so. This has previously included for example the purchase of two social rented units at Nottingham Road, Southwell in 2021 (Policy and Finance Committee - 23rd September 2021 refers) and 16 social rented units at Ash Farm, Farnsfield in 2016. (Agenda Item 4, Policy & Finance - 28 July 2015 refers).
- 3.3 The purchase of S106 properties, former right to buy properties or properties on the open market can be a viable option to increase the councils housing stock, particularly where the purchase supports a stalled site or where the properties are in a location where there is limited land available for the council to purchase and build directly and there remains an unmet demand for council housing.
- 3.4 It is therefore proposed that the funding allocated to the 50-unit development programme extension, can be utilized for acquisition as well as direct development, where there is a business case for doing so and that business case is approved by Cabinet.

4.0 The opportunity to purchase eight S106 properties in Collingham, Newark

- 4.1 An opportunity has arisen to purchase eight S106 properties in Collingham, Newark. The properties are linked to a site with consent for a residential development of 29 retirement bungalows with extra care (Use Class C2) with associated garages, parking, and landscaping (Planning Reference 21/02182/FULM refers) that is being progressed by Gusto Construction Limited.

- 4.2 The Council was approached by Gusto Construction Limited in July 2023 indicating that they were unable to attract a firm offer from a Registered Provider (Housing Association) for the affordable units (evidence submitted June 2023 confirmed this position). This was due in the main to Registered Provider capacity issues in their Business Plans, a focus on the upgrading of existing properties and a commitment to Homes England strategic partnership. The level of service charges for the flats and bungalows also prevented a confirmed offer.
- 4.3 The Council agreed to accept off- site delivery of the affordable housing provision at an alternative location (Station Road) in Collingham owned by the applicant (23/00468/FUL refers). Providing the affordable contribution off-site has allowed for additional market units to be provided on the original site. A renegotiation of the S106 therefore resulted in an increase in the level of affordable housing to take account into the uplift of market dwellings being delivered on the original site. The Council agreed to assign the units as affordable rent rather than an intermediate housing product and to retain eight units to allow for the financial difference.
- 4.4 Discussions were held with the developer and set against the Council’s Housing growth strategy, the developer was advised that the Council would consider the potential of making an offer directly for the properties, subject to the necessary financial and risk appraisals.
- 4.5 CWH Surveyors LLP (who provide valuations for Council dwellings) were commissioned by the Council to undertake an external advice and valuation report (dated 23rd January, 2024) and advice on values was also sought from Local Registered Providers particularly those that had purchased recently in the district. The value provided for all eight units is £720,000.
- 4.6 The properties are set in Collingham, where the Arc4 District Wide Housing Needs Assessment (2021) and accompanying sub-area summaries show a high demand for smaller one and two bed units (eleven units out of a total need of 19) in the affordable rented sector within the Collingham sub-area.
- 4.7 The Council’s housing register also shows that there is a strong demand for affordable units in this locality. There are 108 applicants seeking one bedroom accommodation and 54 applicants are registered as needing a two-bedroom property. A further 60 applicants require support housing.

5.0 Financial Implications (FIN24-25/9792)

- 5.1 Below shows a summary of actual expenditure to 30 June 2024 for the New Build Programme from phase 1 – 5 including Gladstone House, Broadleaves and the acquisition of two properties at The Rise, Southwell, all of which has counted towards the unit numbers in the table at 2.1.

Scheme	Actuals	External Funding	S106	1-4-1	Other NSDC Funding
Gladstone House	8,189,872	3,725,000			4,464,872
Broadleaves	8,297,434	2,080,000			6,217,434

Acquisition of Properties at the Rise, Southwell	232,277				232,277
Phase 1	9,743,497	2,985,637	1,958,827	61,017	4,738,017
Phase 2	7,587,309	1,322,000		663,698	5,601,611
Phase 3	7,833,130		119,557	2,556,158	5,157,414
Phase 4	10,068,004		310,609	3,458,553	6,298,842
Phase 5	2,804,646			70,000	2,734,646
Site Acquisition	709,341				709,341
Total	55,465,510	10,112,637	2,388,993	6,809,426	36,154,454

5.2 Phase 5 is due for completion and Phase 6 is due to start during 2024/25. Budgets are as follows:

Phase	Total Phase Budget
Phase 5 (inc actuals above)	7,614,499
Phase 6	10,700,000

5.3 There is £1,526,645.77 S106 currently being held by the Council to be used towards Phase 6 (ensuring use is in line with the relevant agreement), and further 1-4-1 money that will need to be spent within 5 years of receipt. The above use of £6,809,426 has resulted in the Council being in front of spend by deadlines and therefore not having to repay any 1-4-1 receipts to Government.

5.4 The purchase of the properties, is proposed at £720,000. Including Stamp Duty and Legal fees is expected to cost £771,100 in total and is to be included in Phase 6 of the new build programme, therefore no additional budget is required.

5.5 The budget for Phase 6 was added to the Capital Programme following Cabinet approval in October 2023 and allows spend of £214,000 per property, including the pre-construction costs. This cost fluctuates depending on the type of site and the number of units but the actual average across all 5 phases to date, shown in paragraph 2.10 is £176,823 per property. The cost per property to purchase the 8 units in Collingham equals £96,390 per property including SDLT and Legal costs, therefore good value for money compared to building and will result in additional units being delivered or a saving on the budget.

5.6 The rental income of £45,450 less 2% bad debts of £910 (net income of £44,540) and expenditure budgets of £8,000 split between management and repairs will need to be added to the HRA revenue Budget.

5.7 Equalities Implications

In considering the acquisition of the affordable units at Station Road, Collingham, equality implications will be considered and assessed against the delivery of additional affordable housing to ensure the evidenced housing need across all tenures and communities is addressed. The affordable units will be let through the Council's Choice Based Lettings Scheme where bids will be invited from applicants who meet the criteria.

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.

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

Document is Restricted



Report to: Cabinet Meeting: 23 July 2024

Portfolio Holder: Councillor Lee Brazier, Portfolio Holder - Housing

Director Lead: Suzanne Shead, Director Housing, Health and Wellbeing

Lead Officer: Julie Davidson, Business Manager, Housing Services ext. 5542.

Report Summary	
Type of report	Open report Non-key decision Update
Report Title	“Getting to Know You Visits” Programme Update
Purpose of Report	To update on the progress and outcomes from the first two years of the GTKY visit programme.
Recommendations	<ul style="list-style-type: none"> • To note the progress and outcomes of the GTKY visit programme to December 2023. • To note the sharing of the report with the Tenant Engagement Board. • To support the ongoing programme of GTKY visits with a further update in April 2025 or when all tenants have been visited.
Alternative 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
Reason for Recommendation	<p>To report the positive impacts of the GTKY programme as they align to the following Community Plan objectives:</p> <ul style="list-style-type: none"> • Improve health and wellbeing. • Increase the supply, choice and standard of housing. • Reduce crime and anti-social behaviour. • Celebrate and invigorate community spirit, prod of place and a sense of belonging. • To be a top performing, modern and accessible council.

1.0 Background

- 1.1 The implementation of a rolling programme of “Getting to Know You Visits” commenced in October 2021 following Government guidance from the Social Housing Charter (now enshrined in the Social Housing (Regulation) Act 2023 placing the focus on landlords to ensure the safety of tenants and to promote their right to recourse should we fail to keep them safe or listen to their views.
- 1.2 There is now also a greater focus placed on landlords ‘knowing their tenants’ by the Regulator for Social Housing through the recently updated Regulatory Standards and knowing who is behind the front door and to understand how our homes are working for them. It is also one of the ways the Council combats tenancy fraud.
- 1.3 These feature in the Transparency, Influence and Accountability and Tenancy Consumer standards:

The standards state that providers must:

- Understand the diverse needs of tenants, including those arising from protected characteristics, language barriers, and additional support needs.
 - Provide a home that meets the government’s Decent Homes standard.
 - Support tenants to maintain their tenancy.
 - Develop and deliver services that seek to address under-occupation and overcrowding in their homes. These services should be focused on the needs of tenants.
 - Take action to prevent and tackle tenancy fraud.
- 1.4 The GTKY programme provides a perfect platform to engage positively with our tenants, and their households, building on the making every contact count ethos and moving away from only contacting tenants when things are going wrong, or they are in crisis.
 - 1.5 The GTKY programme aims to visit all 5383 tenants on a planned basis with a pre-prepared questionnaire that covers a range of subjects and discussion points as listed below:
 - Proactive, planned engagement with our tenants that lets them know their views are important to us and their satisfaction with us as their landlord is our priority.
 - Ensure the accommodation is suitable for the household e.g., if there was an emergency, that safe evacuation can happen.
 - Maintain sustainable tenancies and proactive tenancy management.
 - Identify any support needs within the household.
 - Update the tenants preferred communication and consultation method.
 - Check that the property is being maintained in accordance with the Tenancy Agreement.
 - Identify potential Tenancy Fraud – subletting or unauthorised occupation through checking occupant details.
 - Checking for any outstanding repairs and that the property is safe and secure.
 - Understand the levels of occupation within the household.
 - Provide the opportunity to improve tenant profile information to support better tailoring of services.
 - 1.6 Within our Housing with Care facilities at Gladstone House, Vale View, Armstrong Gardens and The Broadleaves tenants receive regular visits and support alongside an annual reviews so are excluded from this programme.

1.7 The programme was prioritised using a risk-based approach:

No repairs reported in previous 2 years.	No recorded Council visits or contact in previous 2 years.
Rent account in arrears.	Officers' local knowledge
Reports of subletting or abandonment	

1.8 The initial programme was established in October 2021 and scheduled over a two- year period to December 2023 with the ambitious aim to visit every general needs household during this time. To achieve this over a two-year period the target visits per officer per year was 224.This report presents progress to date, an analysis of the impact of visits and the outcomes.

1.9 Between October 2021 and December 2023 several other targeted priorities fell to the tenancy and estates team which delayed progress including:

- July 2022 onwards – Supporting the compliance team to gain access for gas and/or electrical services to ensure regulatory compliance.
- August 2022 - The requirement to install CO monitors in all properties in a time limited period to ensure regulatory compliance.
- October 2023 – Responding to the impact of floods and the subsequent support for tenants who needed to move out for repairs.

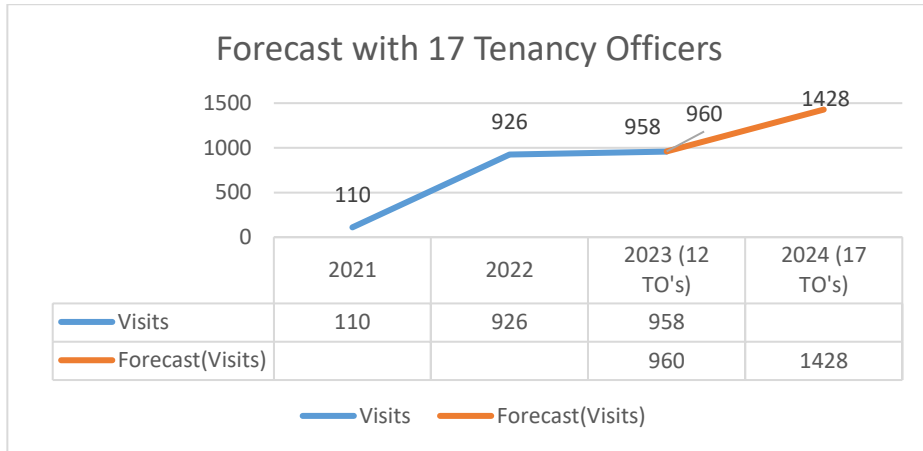
1.10 As the programme progressed officers found a significant amount of support needs and signposting requirements which increased workloads and slowed progress against the programme. This was acknowledged at Cabinet in September 2023 when a request for additional resources was approved allowing for the recruitment of five officers. This recruitment has been completed and officers in post completed by March 2024.

2.0 Progress

2.1 The Council have 17 tenancy officers with a target of visiting seven households per month. Based on this level of resource, this delivers 119 overall per month this will average at 1428 per year giving a cycle of three and a half years to complete first visits.

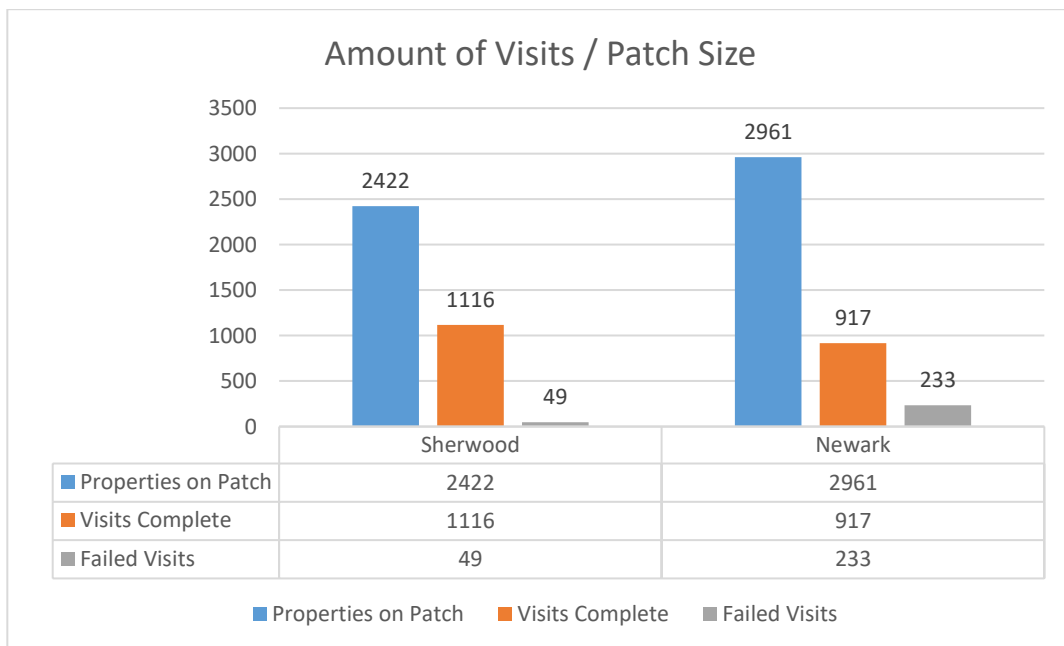


2.2 With the additional officers in post from April 2024, more GTKY visits will be completed to reduce the timeframe for the completion of a GTKY visit to all tenants.



2.3 As it is difficult to estimate the exact timescales for the completion of all first visits, a further update will be presented in March 2025 or upon completion of all visits, whichever comes sooner.

2.4 Analysis of the programme shows that all tenancy officers have experienced challenges in achieving their respective GTKY targets. The table below demonstrates this, and includes the numbers of failed visits:



2.7 The disparity between the Newark and the Sherwood data cannot be explained - greater levels of access are enjoyed by the officers working in Sherwood along with lower failed visits.

District	Property Numbers	Visits Complete	%
Newark	2961	917	31%
Sherwood	2422	1116	46%

3.0 Data Collation and Monitoring Process

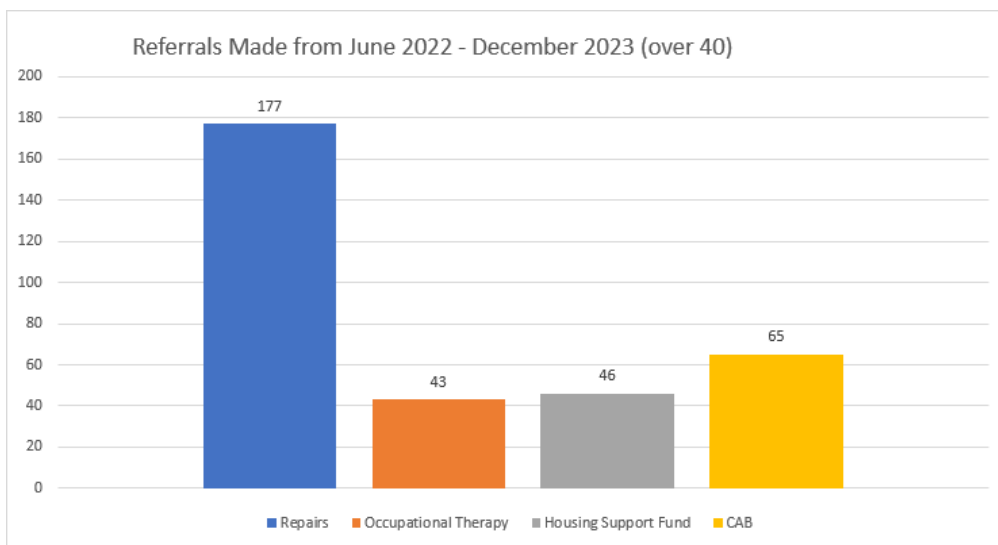
- 3.1 The data collation and monitoring process for the Getting to Know You visits has evolved since the programme commenced in October 2021 from a paper form to a Microsoft form on the officers' mobile phone. The data is downloaded weekly into a master spreadsheet which details addresses that have been visited, those outstanding, and the target date for the next visit (this is set up to automatically generate the next GTKY visit date). An individual log of the answered questions is also downloaded and sent to the tenancy officer, so they have a record of any changes in circumstances, referrals to make, and issues raised.
- 3.2 This programme will be built into the new Housing Management System, improving the process further by automatic data transfer, referral triggers being system generated and date of next visit added to the officer's workflow making the process more efficient.

4.0 Visit Outcomes

- 4.1 Data collected from June 2022 (previous data not collated in detail) and December 2023 shows 529 referrals were made, with the highest number being for repairs – both new and follow-up. This word cloud shows the nature of the information collected.



4.2 The graph below details circumstances where over 40 referrals were made.



- 4.3 As the graph at 4.2 indicates 53% of all 40+ referrals have been to Asset Management and Responsive Repairs; further assessment will be done to understand if these are unreported repairs or chases/follow ups indicating the current processes could be improved or whether there was an opportunity when prompted by the officer, to report a repair.
- 4.4 The second highest referral category is to Citizens Advice which demonstrates tenants are willing to engage with services to support with money advice and/or debt management. The Housing Support Fund referrals indicate officers are supporting tenants to access the grant in times of crisis and food poverty.
- 4.5 Referrals through to Nottinghamshire County Council Occupational Therapy Team supports tenants to either live independently for longer with adaptations or provide information on unmet housing need to consider matching to an already adapted properties as they become available.
- 4.6 This report details the proactive work carried out by the tenancy and estate team and the importance of engaging with tenants in a positive way. To put the work into context and to demonstrate the difference these visits can make a few case studies are included below.
- 4.7 *"GTKY was completed and highlighted the tenant was living alone in a general needs 3-bedroom house with a large garden, tenant wanted to downsize to a more suitable property. Tenant wasn't managing with the size of the property. However due to finances being very tight, tenant couldn't afford the move. Decorating and garden work was preventing the tenant from passing the transfer inspection. Tenant was eligible for the Home Release Incentive Scheme; we successfully moved the tenant to a more suitable property and released a 3-bedroom house. Tenant managing well in their new property and is very happy".*
- 4.8 *"Mrs D became an involved tenant, following a GTKY visit at her property. She was a little bit reluctant at first to get involved but now she loves it".*
- 4.9 *"During a GTKY visit I identified an older tenant who needed support as the property was a first floor flat and they were stuck in the flat struggling to get up the stairs. This highlighted they needed help with a move and after a few months I supported them with a move to a 2-bedroom bungalow - their health has improved drastically meaning they was able to attend their son's wedding last year. They did not believe they would be well enough to make it".*
- 4.10 *"I attended a property for an untidy garden and completed a GTKY visit when I was there. It was highlighted there were support needs not being met and both Mr X and his wife were struggling. His wife is disabled and had no form of care support meaning this fell onto Mr X to care for his wife even though he had disabilities of his own. Following a number of referrals, he now has full care support for his wife, and he has made massive progress in his home and garden and is now starting to take pride in his property".*
- 4.11 *"During a GTKY visit, a tenant disclosed concerns about a neighbouring flat not being lived in and when investigated, the cultivation of 33 cannabis plants was discovered. Action is ongoing".*

5.0 Equalities Impact

Undertaking these visits helps officers to identify household vulnerabilities and where there are additional needs within a household, help us to provide a fair and equitable service to all tenants and their families.

6.0 Financial Implications

There are no financial implications arising from this report as the visits are undertaken as part of the tenancy officer role.

7.0 Future Reporting

7.1 The next report will be provided to the Portfolio Holder for Housing in April 2025 or when all visits are completed.

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.



Report to: Cabinet Meeting: 23 July 2024
 Portfolio Holder: Councillor Paul Taylor, Public Protection and Community Relations
 Director Lead: Matt Finch, Director of Communities and Environment
 Lead Officer: Jenny Walker, Business Manager Public Protection

Report Summary	
Type of Report	Open report, key decision
Report Title	Public Spaces Protection Orders (PSPO) within Newark and Sherwood
Purpose of Report	To seek approval from cabinet for the final orders as set out in the report following 2 rounds of public consultation to be introduced.
Recommendations	<ul style="list-style-type: none"> To approve the final PSPO orders, as set out in Appendices 1 to 5, for a period of three years
Alternative Options Considered	<ul style="list-style-type: none"> 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.
Reason for Recommendations	<p>The implementation of PSPOs within Newark and Sherwood aligns with the Community Plan objective to Reduce Crime and Anti-Social Behaviour.</p> <p>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.</p>

1.0 Background

1.1 The Anti-Social Behaviour, Crime and Policing Act 2014 sets out the legislative framework around the creation of Public Spaces Protection Orders (PSPO) and the offences for breaching any requirements within an approved PSPO.

- 1.2 There are currently a number of PSPOs in place within NSDC, these include:
- **Dog control** – District wide order – this enables enforcement for dog fouling across the district and sets out location where dogs are either excluded, must be on lead or must be placed on lead when directed by an Authorised Officer.
 - **Dispersal** – Direction to leave any area due to behaviour.
 - Newark Town Centre
 - Balderton Lakes
 - Coronation Park, Balderton
 - Lakeside Shopping Centre, Balderton
 - **Fire Control** – Vicar Water
 - **Alcohol control** – Newark Town Centre
- 1.3 Cabinet approved a two-stage public consultation to take place at the February 2024 meeting (minute number 99 refers). The first stage consultation was open for 6 weeks and the second stage consultation, with amendments made following feedback received from the first stage was available for 4 weeks. The second stage public consultation closed on Sunday 9th June.

2.0 Consultation Responses Review

- 2.1 At both stages the public consultation responses were reviewed and considered. At the end of the stage 1 consultation the responses were reviewed, and some changes were made to the orders based on feedback provided from residents and partners.
- 2.2 The main changes following the stage 1 consultation, were amendments to the locations for dogs on lead and dog exclusion and a request for an additional dispersal order around the Co-op location on Churchill Avenue in Hawtonville.

2.3 Stage 1- responses summary

2.4 Dog control

- 2.5 The survey showed that most respondents (94.2%) agree or strongly agreed with the district wide controls on dog fouling and dog control, such as requiring dog owners to remove dog fouling and place it in a suitable bin, and requiring them to put their dogs on leads when requested by an authorised officer.
- 2.6 In relation to the provided listed locations in the stage 1 consultation, 73.8% strongly agreed or agreed with the specified locations where dogs should be on leads at all times or excluded at all times, such as cemeteries, play areas, sports grounds, and memorial parks. However, some respondents suggested amendments to the locations provided with requests for additional locations where dog controls are needed. The majority of these included requested for Gunthorpe. These have been considered and discussed with Gunthorpe Parish Council. The revised locations and updated maps were agreed with the Parish Council and included in the stage two consultation.

2.7 Dispersal Orders – Balderton and Newark

- 2.8 The survey asked to what extent the respondents agreed with the areas shown on the map for dispersal powers to be in place for three existing locations in Balderton and

Newark Town Centre. The maps were amended for both areas to make them clearer and were provided as part of the consultation. 84.1% of respondents strongly agreed or agreed to the proposed dispersal order for Newark with 80.9% of respondents strongly agreed or agreed to the Balderton dispersal order locations.

- 2.9 Following the feedback from the survey, an additional area for a dispersal order was requested for an area of Hawtonville. This request was supported by a recent Designing Out Crime Officers report, local Police and Housing colleagues. The proposed location for this dispersal area covers the businesses and surrounding streets of Churchill Avenue. The inclusion of the area was reviewed and supported by Police statistics and legal review. The new area was agreed under the delegated approval from the Cabinet meeting in March to Portfolio Holder for Public Protection and Community Relations and the Director of Communities and Environment and was included in the stage 2 public consultation process.

2.10 Alcohol Control – Newark

- 2.11 The consultation asked for views on the mapped area continuing to have alcohol controls for Newark town centre. The majority of respondents, 80.7%, strongly agreed or agreed with the area remaining an alcohol control area.

2.12 Fire Control – Vicar Water and Sconce and Devon

- 2.13 From the respondents 91.7% strongly agree or agreed with the existing controls at Vicar Water related to fire controls remaining in place. The newly proposed fire control order for Sconce and Devon park to deal with the same issues was consulted upon and 91.3% of respondents strongly agreed or agreed with the proposal to introduce fire controls to Sconce and Devon park.

2.14 Eakring Road – Prohibition of Vehicles

- 2.15 The survey showed that most respondents (73.8%) agree or strongly agree with the prohibition of motorised vehicles and the gating of a stretch of Eakring Road, except for some stated organisations. The prohibition and the gating aim to prevent nuisance vehicles and reduce the access to the area, which is prone to fly tipping and environmental damage. 6.3% strongly disagreed with the suggestion to restrict access, this equated to 17 respondents, the majority of the comments from those felt that preventing all access unfairly disadvantages legitimate lane users. Alternative means should be used to deter illegal activities.
- 2.16 Whilst there is overwhelming support for the proposals from respondents and the Forestry Commission, the responses were considered. The gating will restrict access but access will still be available for bikes etc but not vehicles that would be able to illegally deposit waste. It was agreed between legal, Public Protection and Environmental Services the issues the area is currently suffering from alongside the high levels of support warranted these controls measures to be introduced.

2.17 Stage 2 Consultation

2.18 The stage 2 consultation received 119 complete responses from residents, business owners, and partner agencies: The consultation ended on Sunday 9th June and received 132 responses in total. The majority of the respondents (92%) were residents, followed by partner agencies (5%) and business owners (3%).

2.19 Dog Control

2.20 Most respondents agreed with the proposed district wide controls on dog fouling and nuisance dogs. The consultation asked the respondents to rate their level of agreement with various PSPO provisions related to dogs. The results showed that 94% of the respondents agreed or strongly agreed with the requirement for dog owners to remove dog fouling and place it in a suitable bin, and 85% agreed or strongly agreed with the requirement for dog owners to place their dogs on a lead when requested by an authorised officer. The most common themes in the comments were the need for more enforcement, more dog waste bins, and more areas for dogs to run free.

2.21 Most respondents also agreed with the proposed dog restrictions and exclusions in specific locations. The consultation asked the respondents to rate their level of agreement with the requirement for dogs to be on leads at all times in certain locations, such as cemeteries, parks, and public footpaths, and the exclusion of dogs from certain locations, such as children's play areas. The results showed that 73% of the respondents agreed or strongly agreed with the requirement for dogs to be on leads in the listed locations, and 65% agreed or strongly agreed with the exclusion of dogs from the listed locations.

2.22 Dispersal Orders – Newark Town Centre, Balderton and Hawtonville

2.23 The consultation asked the respondents to rate their level of agreement with the use of dispersal orders to deal with antisocial behaviour in Newark Town Centre, three existing locations in Balderton, and a proposed new order at Hawtonville. The results showed that 75% of the respondents agreed or strongly agreed with the dispersal orders proposed for Newark town centre, 73% strongly agreed or agreed with the dispersal order for the three areas in Balderton and 65% strongly agreed and agreed with the proposed new order for Hawtonville. A further 155 neither agreed nor disagreed with the Hawtonville proposal. The most common themes in the comments were the need for more patrols, more locations to be covered, and the effectiveness of the orders.

2.24 Alcohol Control – Newark Town Centre

2.25 The consultation asked the respondent to rate their level of agreement with the continuation of the existing alcohol control order in place in Newark Town Centre. The order proposes slight changes to the wording of the order and an extension to the mapped area. The results showed that 72% agreed or strongly agreed with the alcohol control area proposed. The most common theme in the comments was the lack of familiarity with the specific area.

2.26 Fire Control – Vicar Water and Sconce and Devon

2.27 The consultation asked respondents to rate their level of agreement with the proposal to prohibit fires, BBQs, Chinese lanterns, etc. in Vicar Water and to create a new order for Sconce and Devon Park to prevent nuisance fires from impacting the area. The results showed that 74% of respondents strongly agreed or agreed with the proposal for Vicar Water and for Sconce and Devon Park, 74% of respondents also strongly agreed or agreed with the proposal. The most common themes in the comments were the need for more locations to be included, the lack of familiarity with the area, and the rules for fire prevention.

2.28 Eakring Road – Prohibition of Vehicles and gating

2.29 The consultation asked respondents to rate their level of agreement with the proposal to prohibit motorised vehicles and gate a stretch of Eakring Road to prevent nuisance vehicles, reduce access to the area, and prevent fly-tipping and environmental damage. The results showed that 68% of respondents strongly agreed or agreed with the proposal. The most common theme in the comments was the problem of fly tipping in the area.

3.0 Proposal/Details of Options Considered

3.1 It is proposed to put in place the following PSPOs as detailed in Appendices 1-5:

- **District wide Dog Control (Appendix 1)** – District wide dog fouling controls, district wide dogs on lead by direction, specific locations that are dogs on lead at all times and specific areas that are dog exclusion at all times. All fenced play areas are automatically included as dog exclusion.
- **Fire Control – Vicar Water and Sconce and Devon (Appendix 2)** Prohibition of fires and BBQs at Vicar Water and Sconce and Devon parks.
- **Alcohol Controls (Appendix 3)** – Newark Town Centre – Alcohol controls and requirements for the mapped town centre area.
- **Dispersal (Appendix 4)** – Newark Town Centre, Balderton Lakes, Lakeside Shopping Centre, Coronation Park, Hawtonville Churchill Avenue and surrounding area. Controls for person/s found to be behaving in an anti-social manner.
- **Restriction of Vehicles – Eakring Road (Appendix 5)** – The restriction of access to Eakring Road, by motor vehicles to prevent fly-tipping and nuisance vehicles including off road bikes.

3.2 An initial Equalities Impact Assessment has been completed, which has not highlighted any negative impacts that would require a full equalities impact assessment being completed. In most cases the impacts are neutral in that the enforcement of the orders applies to all. There are legally stated exemptions to the orders for those with certain disabilities, such as those who are registered blind in relation to dog fouling. Therefore, there is no negative impact. Some of the orders in place will place controls that will help to improve the environment, which would have a positive impact. As there are fines attached for any breach of a PSPO by the issuing of an FPN, where there is any group who are in financial hardship, a payment plan can be considered.

4.0 Implications

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

4.1 Financial Implications - FIN24-25/234

There will be a requirement for a review of all signage across the district to ensure that all orders in place have appropriate signage. This is essential to ensure that the public is clear the area covered by the PSPOs and what the controls are whilst in that area. Many of the existing signs for the dog control orders will remain suitable and sufficient. There are a few areas that have requested amendments to the dog control and therefore new signs will be required to be installed. Any other PSPO amendments will require signage considerations. A reserve budget is in place for signage changes and replacements, which will cover any requirements.

4.2 Legal implications

The Act provides that the authority must undertake the necessary consultation and necessary notification and necessary publicity which includes consultation with the chief officer of police and the local policing body for the police area as well as community representatives and owners/occupiers where possible. The consultation exercise undertaken has comprised of a 2 stage process. Suggestions made after stage 1 have been reviewed and fully considered taking into account S149 of the Equality Act. Officers have had due regard to the public sector equality duty and the proposed terms of the PSPOs have either been retained or amended in line with this consideration. The consultation requirements have been focused at local level to ensure this authority is able to make decisions appropriately and relevant to the local area.

The draft text of the PSPOs have been published on the authority's website and notices have been placed on the areas to which the proposed orders were to apply.

Upon the making of the Orders section 61 of the Act provides that the Order can be varied or discharged.

Section 66 of the Act also provides that upon the making of the orders, they can be challenged by and "interested person" that being an individual who lives in the restricted area or who regularly works in or visits that area. The basis of challenge can be that the authority did not have the power to make the order or that a requirement under Part 4 of the Act was not complied with. Such a challenge must be made to the High Court within 6 weeks beginning on the day the PSPO is made. I am satisfied that the authority has taken into account the relevant evidence to include such prohibitions within the PSPOs, has had due regard to the public sector equality duty and has the power to make the orders. I believe that the authority has complied with Part 4 of the Act.

4.3 Data Protection

The consultation process allows data subjects to voice their opinions prior to the final drafting of the PSPOs. The signage review will inform individuals of the PSPOs. The website and privacy notice will require updating once the PSPOs have been finalised and approved to ensure transparency. I am satisfied that there is consideration of the rights and freedoms of data subjects and that this process is compliant with the UK Data Privacy laws.

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.

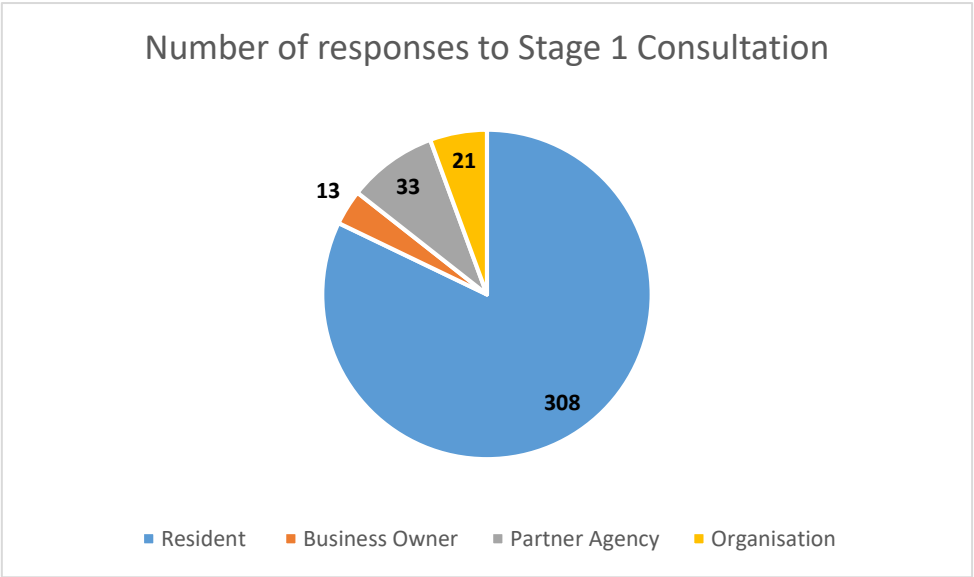
Appendix 6

Stage 1 Consultation Responses

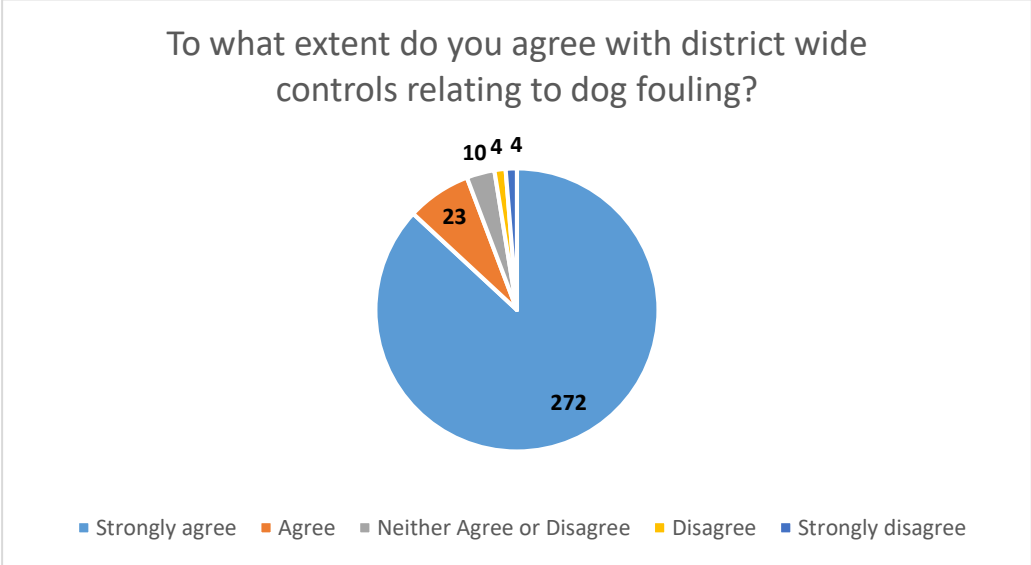
During the first stage of the PSPO public consultation, 414 comments were shared across all 13 questions. Within questions 2-12, respondents were asked to provide a comment with suggestions of what controls they would like to see instead of the ones proposed if they had answered disagree or strongly disagree. Due to the format of the survey software used, the decision was taken to not make this box mandatory or appear based on the respondents answer and as such was available for all respondents regardless of how they answered the question. As such, a range of comments were collected. The final question of the survey enabled respondents the option to leave any other comments that they would like to be considered.

Each comment was read and assigned a theme, whereby one comment mentioned more than one theme this was counted in each relevant theme.

The comments were reviewed and provided useful insight to consider when drafting the revised orders in preparation for the second stage of consultation.



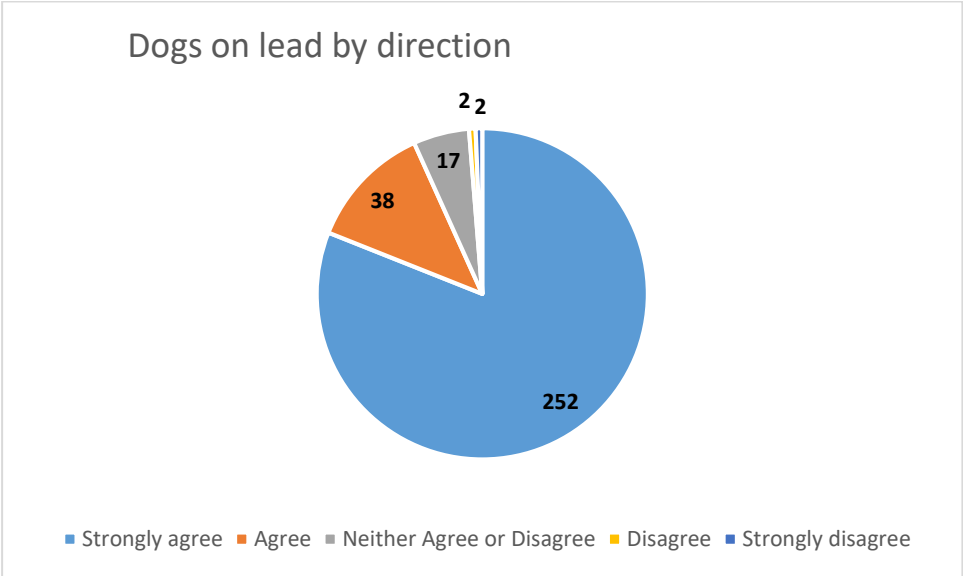
Q2. To what extent do you agree with district wide controls relating to dog fouling to ensure dog owners are required to remove dog fouling and place it in a suitable bin?



22 comments were received, with the breakdown of comment themes outlined below.

Comment Themes	No.	%
Alternative forms of deterrent, such as increased patrols or CCTV	9	41%
Supportive, too many instances of dog fouling observed	7	32%
Increased number of/increased accessibility of dog waste bins	3	14%
Disagree - responsibility of dog owners	3	14%
Various, no common theme	3	14%

Q3. To what extent do you agree that if a dog’s behaviour is causing a nuisance, the owner should be required to place the dog on a lead when requested to do so by a duly authorised officer district wide?

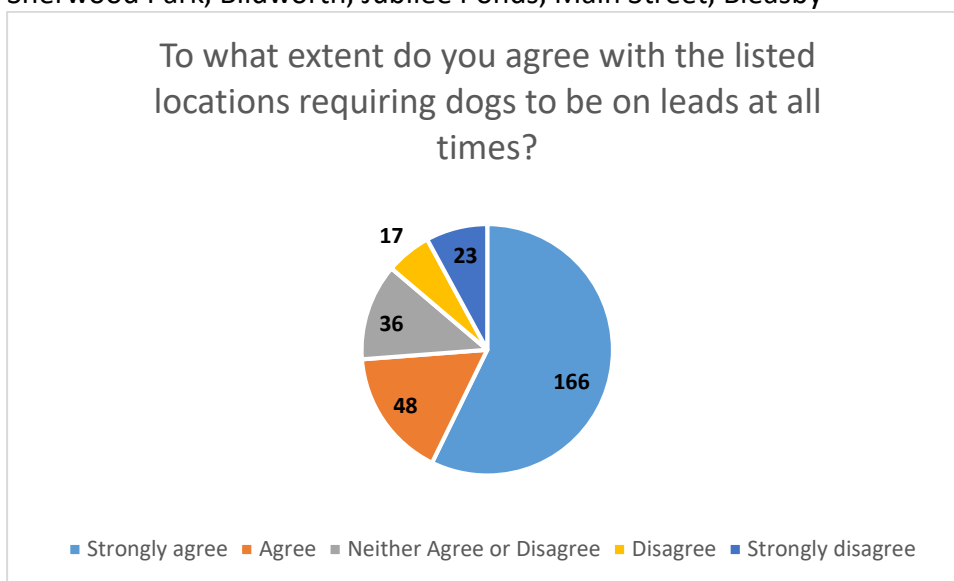


24 comments were received, with the breakdown of comment themes outlined below.

Comment Themes	No.	%
Dogs on leads at all times	8	33%
Being prescriptive with dog controls will be influenced by the subjectivity of individuals	6	25%

Various, no common theme	5	21%
More onus on dog owners	3	13%
Increased patrols/enforcement	2	8%

Q4. To what extent do you agree with the listed locations requiring dogs to be on leads at all times? Newark Cemetery, London Road, Newark, Beckitts Field, Bathley Lane, Little Carlton, Higgins Mead, Southwell, Potwell Grasslands, Southwell, War Memorial, Southwell, Minster School, Southwell, Centenary Field, Southwell, Lowdham Cemetery, Village Hall Playing Field, Lowdham Sports Ground, Southwell Road, Lowdham, Balderton Cemetery, Balderton, St Giles Churchyard, Balderton, Stafford Avenue play area, Balderton, Clipsham Close play area, Balderton, Balderton Lakes, Public footpath south of River Witham, Barnby in the Willows, Public footpath Long Lane, Barnaby in the Willows, Marsh Lane playing fields, Farndon, Sherwood Park, Blidworth, Jubilee Ponds, Main Street, Bleasby

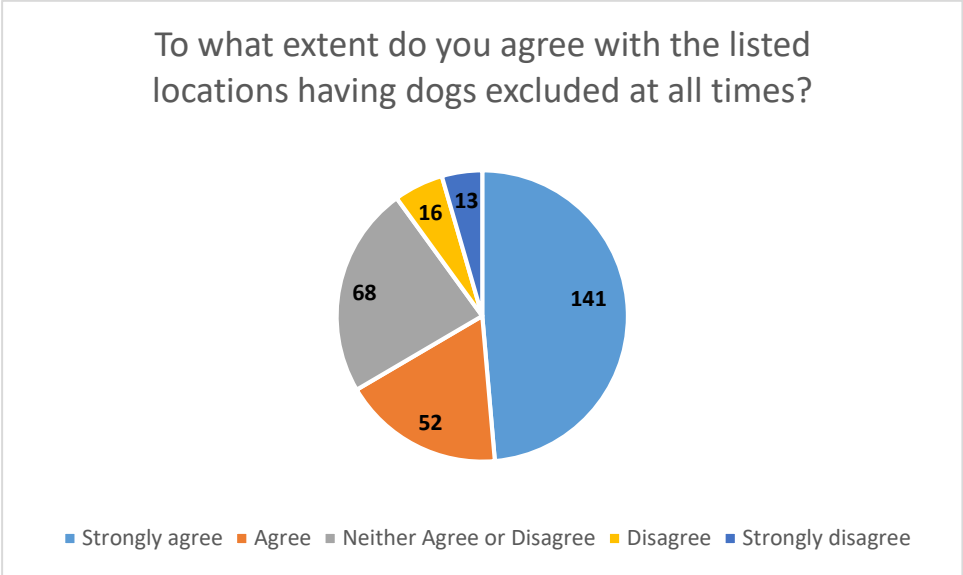


77 comments were received, with the breakdown of comment themes outlined below.

Comment Themes	No.	%
Disagree with some of the listed locations	26	34%
Additional location(s) identified	22	29%
Dogs under owners control at all times rather than requiring dogs on leads at all times	20	26%
Unfamiliar with all/some listed locations	10	13%
Disagree with all listed locations	7	9%
Dogs on leads at all times	6	8%
Various, no common theme	6	8%
Dogs on leads at all times	6	8%
Space needed for dogs to walk and run	2	3%

Q5. To what extent do you agree with the listed locations having dogs excluded at all times?

Memorial Park play area, Southwell, Norwood Gardens play area, Southwell, Kirton Village Playing Field, Glebe Field, Bleasby, Village Green and Sports Field, Barnby in the Willows

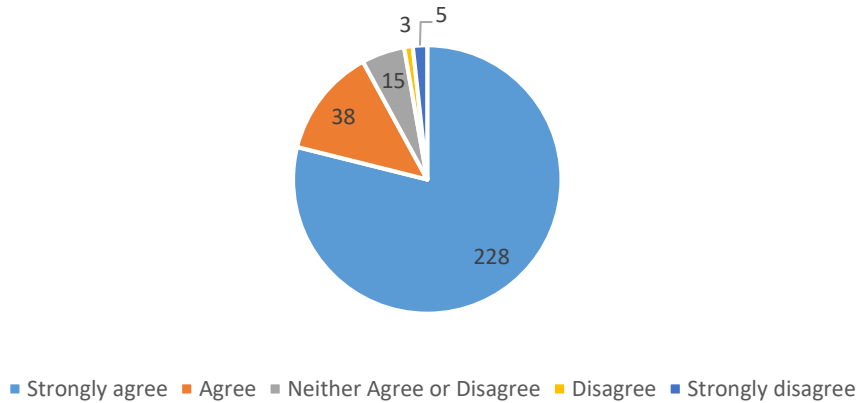


58 comments were received, with the breakdown of comment themes outlined below.

Comment Themes	No.	%
Disagree with some of the listed locations	13	22%
Unfamiliar with all/some listed locations	12	21%
Unsupportive of dog exclusion from open areas	11	19%
Additional location(s) identified	10	17%
Dogs should be excluded from children’s play areas	9	16%
Dogs on leads/dogs under control rather than exclusion	8	14%
Disagree with all listed locations	6	10%
Space needed for dogs to walk and run	2	3%

Q6. To what extent do you agree that all fenced/enclosed children's play areas across the district should automatically be designated as dog exclusion areas?

To what extent do you agree that all fenced/enclosed children's play areas across the district should be automatically dog exclusion areas?

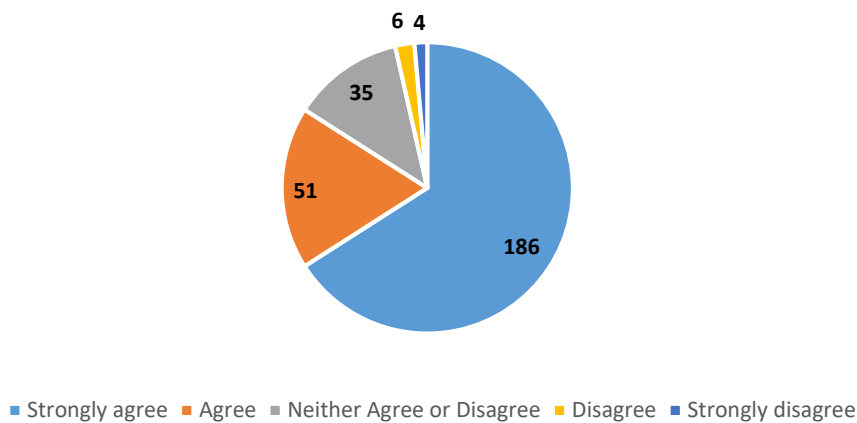


19 comments were received, with the breakdown of comment themes outlined below.

Comment Themes	No.	%
Dogs on leads rather than exclusion	7	37%
Key to keeping children and other park users safe	5	26%
Various, no common theme	4	21%
At responsible dog owners discretion rather than exclusion	2	11%
Designated dog area inside play areas	1	5%

Q7. If a person or persons are acting in an anti-social manner, to what extent do you agree with the areas shown on the map being covered by a dispersal order for Newark Town Centre?

To what extent do you agree with the area shown on the map for dispersal in Newark Town Centre?

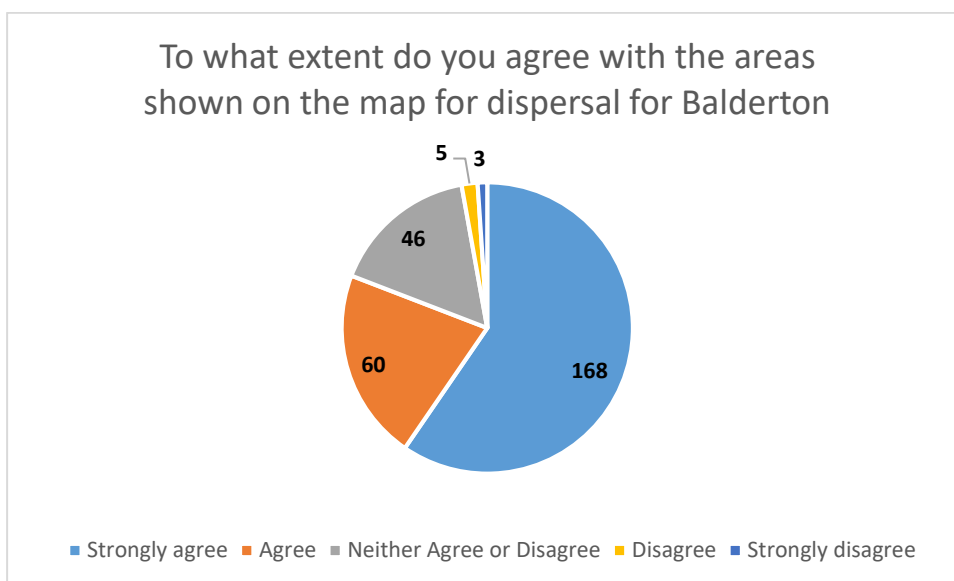


34 comments were received, with the breakdown of comment themes outlined below.

Comment Themes	No.	%
Unsure/not familiar with the area	10	29%
Entire town or district should be included within the dispersal order	9	26%
Additional areas which should be included within the dispersal order	8	24%

Various, no common theme	4	12%
Disagree with this level of control/power	3	9%

Q8. To what extent do you agree with the areas shown on the map related to Balderton Lakes, Coronation Park and Lakeside Shopping Centre in Balderton remaining as areas for dispersal?

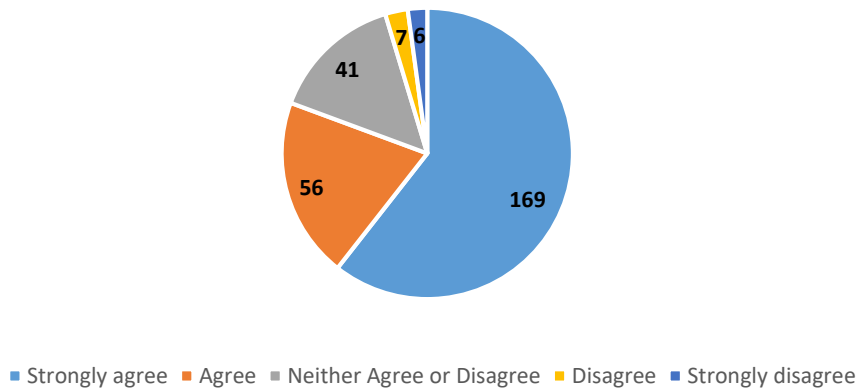


33 comments were received, with the breakdown of comment themes outlined below.

Comment Themes	No.	%
Unsure/not familiar with the area	11	33%
Entire town or district should be included within the dispersal order	6	18%
Various, no common theme	5	15%
Additional areas which should be included within the dispersal order	3	9%
Disagree with this level of control/power	3	9%
Antisocial behaviour should be considered case by case	3	9%

Q9. To what extent do you agree that the area shown on the map should remain an alcohol control area?

To what extent do you agree with the area shown on the map for alcohol control?

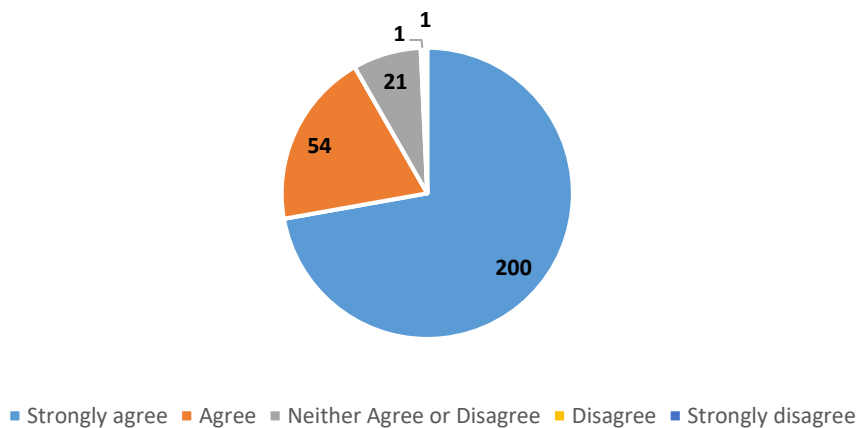


33 comments were received, with the breakdown of comment themes outlined below.

Comment Themes	No.	%
Unsure/not familiar with the area	10	30%
Additional areas which should be included within the dispersal order	9	27%
Various, no common theme	8	24%
Entire town or district should be included within the dispersal order	6	18%

Q10. To what extent do you agree that the area shown on the map for Vicar Water should remain an area where fires, BBQs, Chinese lanterns, etc. are prohibited in order to prevent nuisance fires from impacting the area?

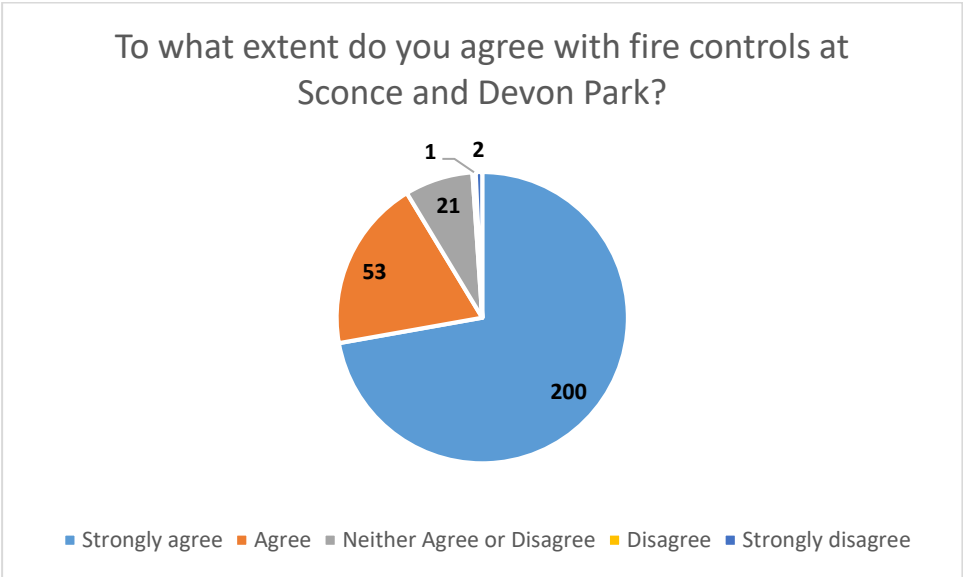
To what extent do you agree with fire controls at Vicar Water Park?



10 comments were received, with the breakdown of comment themes outlined below.

Comment Themes	No.	%
Unsure/not familiar with the area	5	50%
Various, no common theme	3	30%
Fires/BBQs should remain on private land, not permitted in public spaces.	2	20%

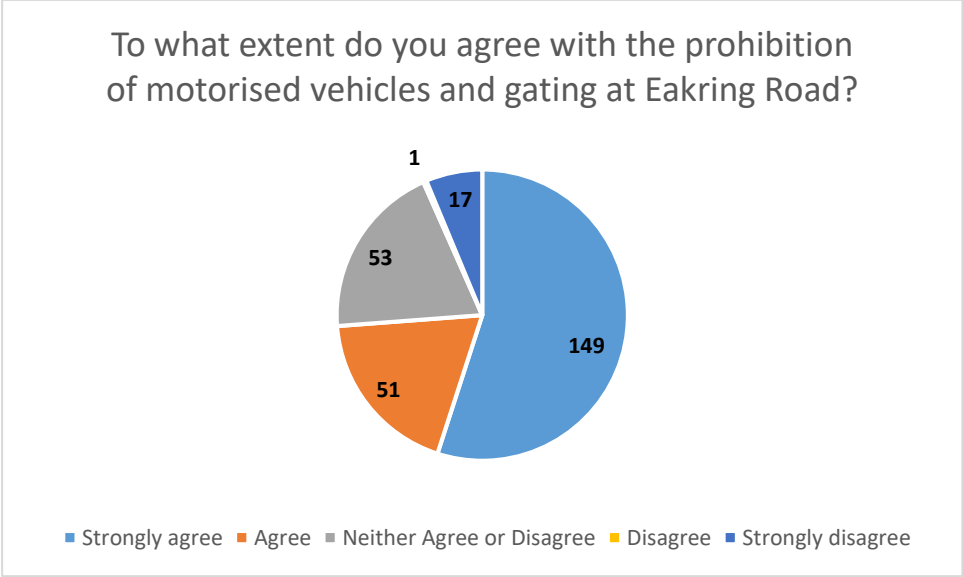
Q11. To what extent do you agree that the area shown on the map for Sconce and Devon should remain an area where fires, BBQs, Chinese lanterns, etc. are prohibited in order to prevent nuisance fires from impacting the area?



12 comments were received, with the breakdown of comment themes outlined below.

Comment Themes	No.	%
Additional areas which should be included	1	8%
Unsure/not familiar with the area	4	33%
Fires/BBQs should remain on private land, not permitted in public spaces.	2	17%
Various, no common theme	5	42%

Q12. To what extent do you agree with the prohibition of motorised vehicles and the gating of the stated stretch of Eakring Road, in order to prevent nuisance vehicles and reduce the access to the area (apart from stated organisations) in order to prevent the prevalence of fly tipping and environmental damage?



38 comments were received, with the breakdown of comment themes outlined below.

Comment Themes	No.	%
Introduction of alternative deterrents, such as CCTV cameras, increased patrols and enforcement activities	5	13%

Introduction of physical barriers which limit cars and vans, however enabling access for other vehicle types.	4	11%
Unsure/not familiar with the area	15	39%
Preventing all access unfairly disadvantages legitimate lane users. Alternative means should be used to deter illegal activities.	14	37%
Various, no common theme	6	16%

Q13. If you have any additional comments, please leave them below:

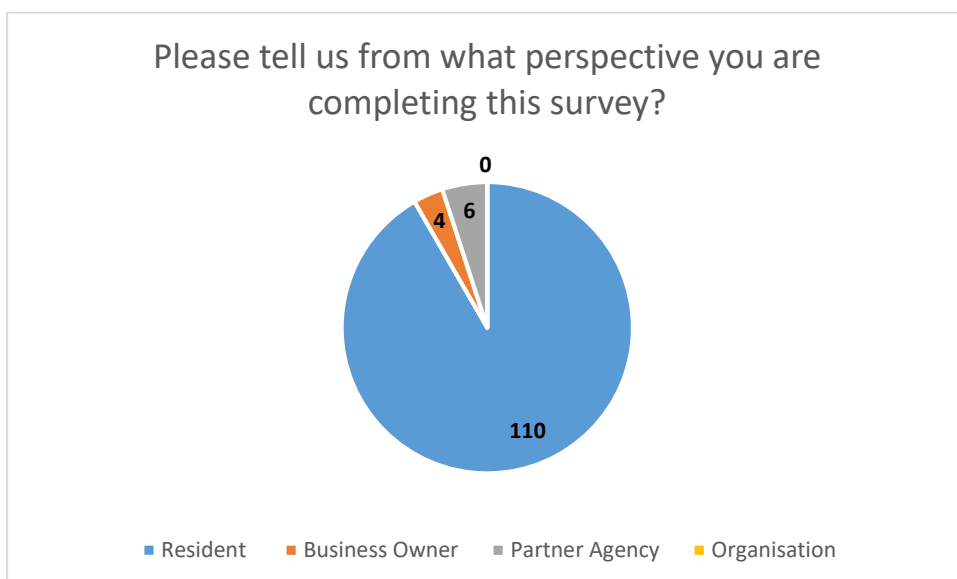
54 comments were received, with the breakdown of comment themes outlined below.

Theme of comment	No.	%
Dog controls	25	46%
Eakring road vehicle prohibition	7	13%
Additional locations identified where controls are needed	25	46%
Anti-social behaviour	4	7%
Enforcement of PSPOs and partnership working	4	7%
Various, no common theme	5	9%

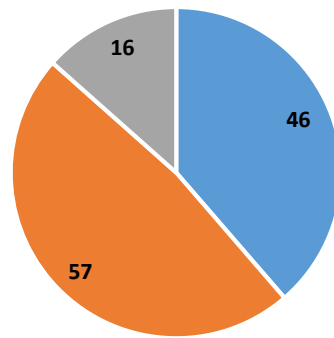
Stage Two

During the second stage of the PSPO public consultation, 205 comments were shared across all 15 questions. Within questions 3-14, respondents were asked to provide a comment with suggestions of what controls they would like to see instead of the ones proposed if they had answered disagree or strongly disagree. Due to the format of the survey software used, the decision was taken to not make this box mandatory or appear based on the respondents answer and as such was available for all respondents regardless of how they answered the question. As such, a range of comments were collected. The final question of the survey enabled respondents the option to leave any other comments that they would like to be considered.

Each comment was read and assigned a theme, whereby one comment mentioned more than one theme this was counted in each relevant theme.

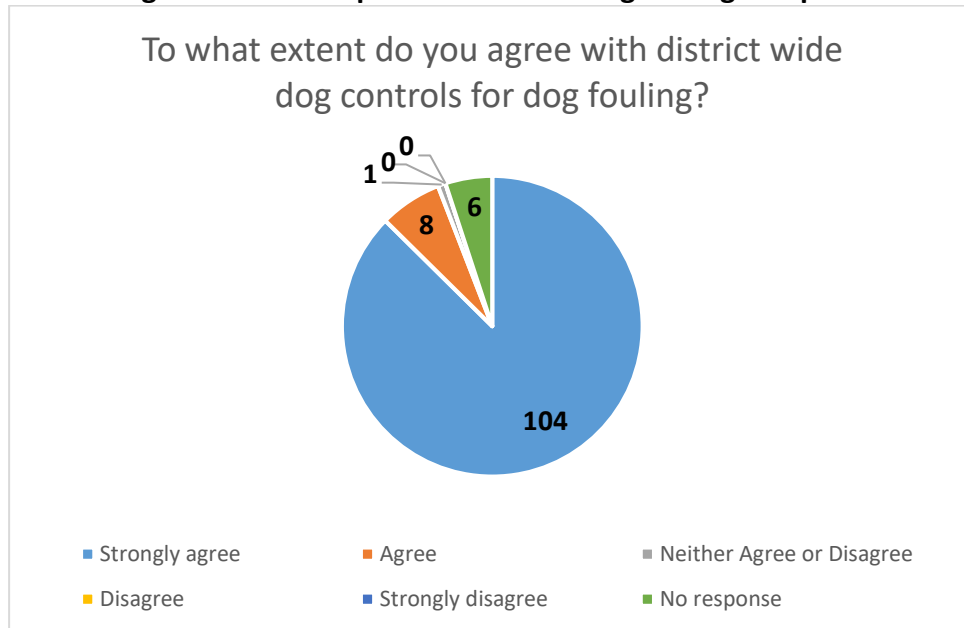


Did you complete the Stage 1 Consultation?



■ Yes ■ No ■ Prefer not to say

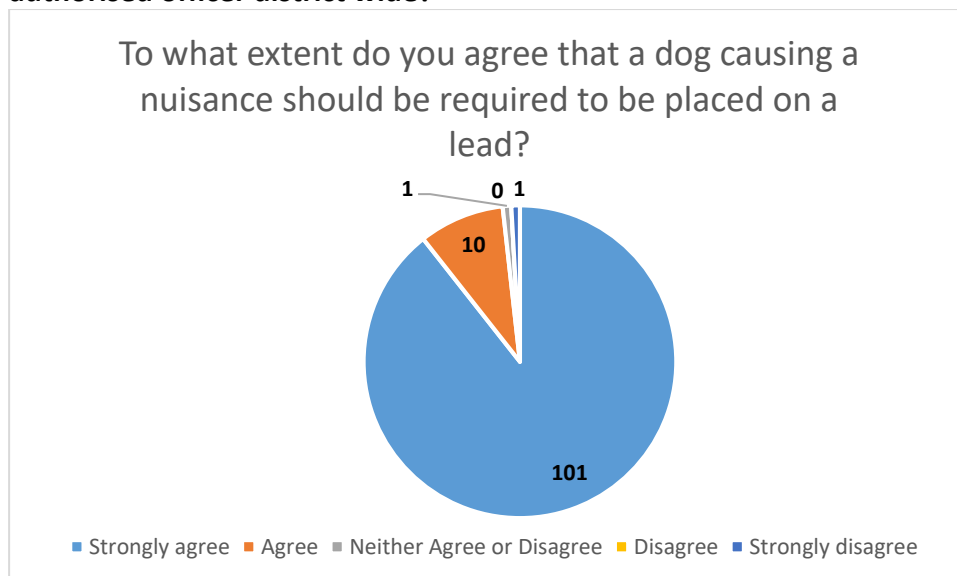
Q3. To what extent do you agree with district wide controls relating to dog fouling to ensure dog owners are required to remove dog fouling and place it in a suitable bin?



19 comments were received, with the breakdown of comment themes outlined below:

Theme of comment	No.	%
Alternative forms of deterrent, such as increased patrols or CCTV	7	37%
Additional dog waste bins, increased frequency of bins being emptied	2	11%
Anecdotally supportive	10	53%

Q4. To what extent do you agree that if a dog’s behaviour is causing a nuisance, the owner should be required to place the dog on a lead when requested to do so by a duly authorised officer district wide?



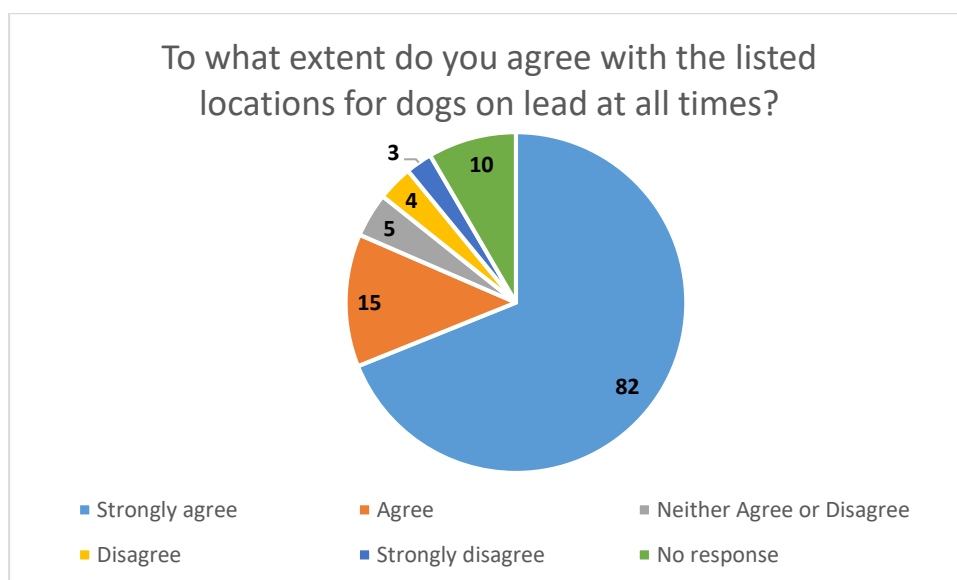
19 comments were received, with the breakdown of comment themes outlined below:

Theme of comment	No.	%
Dogs on leads at all times	16	84%

Increased patrols/enforcement	3	16%
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Q5. To what extent do you agree with the listed locations requiring dogs to be on leads at all times?

Newark Cemetery, London Road, Newark Beckitts Field, Bathley Lane, Little Carlton Higgins Mead, Southwell Potwell Grasslands, Southwell War Memorial, Southwell Minster School, Southwell Centenary Field, Southwell Lowdham Cemetery Village Hall Playing Field, Lowdham Sports Ground, Southwell Road, Lowdham Balderton Cemetery, Balderton St Giles Churchyard, Balderton Stafford Avenue play area, Balderton Clipsham Close play area, Balderton Balderton Lakes Public footpath south of River Witham, Barnby in the Willows Public footpath Long Lane, Barnaby in the Willows Marsh Lane playing fields, Farndon Sherwood Park, Blidworth Jubilee Ponds, Main Street, Bleasby Gunthorpe Playing Field Gunthorpe Common Land Gunthorpe Nature Reserve The Green, Barnby in the Willows Specified areas of Sconce and Devon Park: Front Lawns Area immediately outside Rumbles Café Fruit Orchard – New Orchard Gated Area

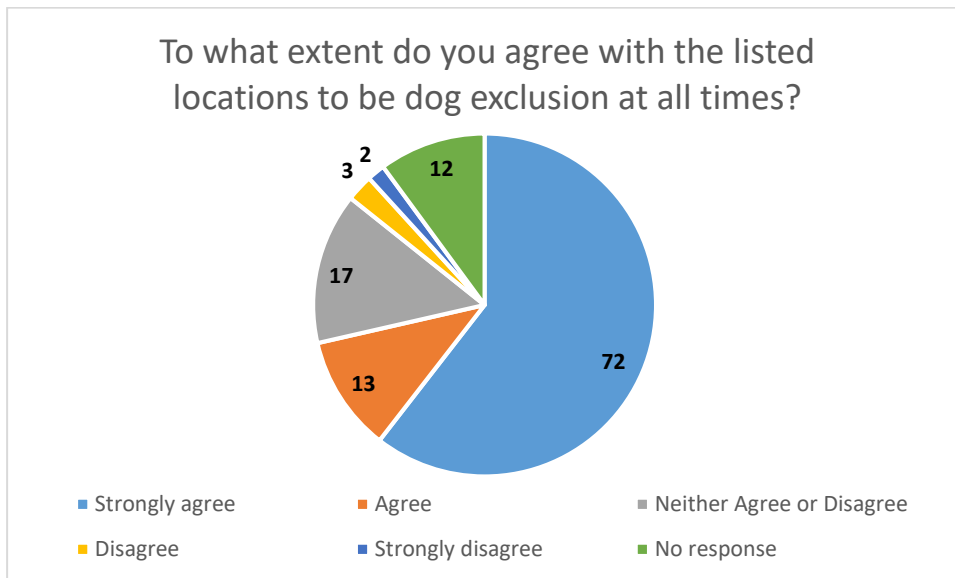


30 comments were received, with the breakdown of comment themes outlined below:

Theme of comment	No.	%
Dog exclusion instead	8	27%
Additional location identified	6	20%
Dogs under owners control at all times rather than requiring dogs on leads at all times	5	17%
Dogs on leads at all times	5	17%
Anecdotally supportive	3	10%
Disagree with some of the listed locations	2	7%
Unsure/not familiar with the area	1	3%

Q6. To what extent do you agree with the listed locations having dogs excluded at all times?

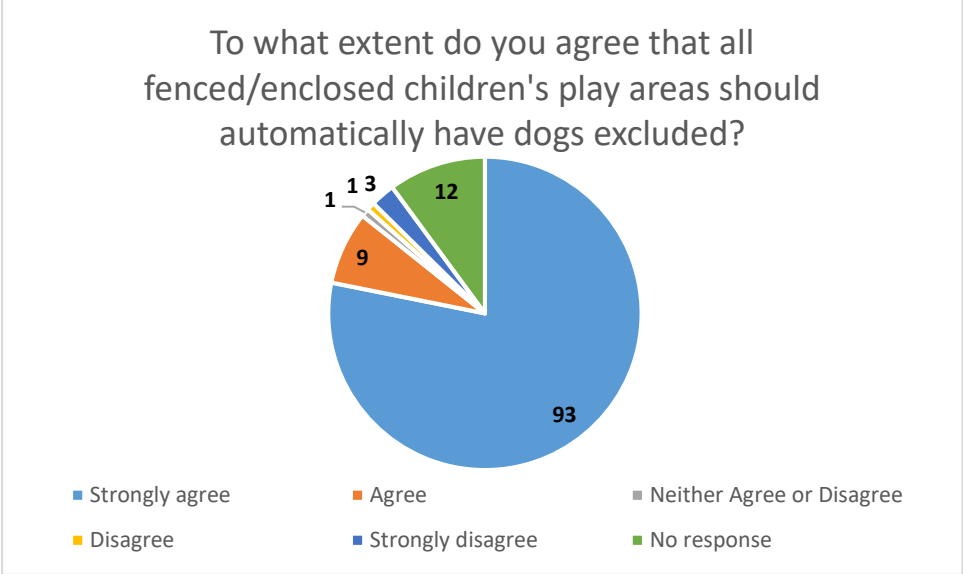
Memorial Park play area, Southwell
 Norwood Gardens play area, Southwell
 Kirton Village Playing Field
 Glebe Field, Bleasby
 Sports Field, Barnby in the Willows



24 comments were received, with the breakdown of comment themes outlined below:

Theme of comments	No.	%
Additional locations identified	10	42%
Unfamiliar with all/some listed locations	7	29%
Dogs on leads/dogs under control rather than exclusion	3	13%
Dogs should be excluded from picnic/sports fields/children's play areas	2	8%
Disagree with some of the listed locations	1	4%
Anecdotally supportive	1	4%

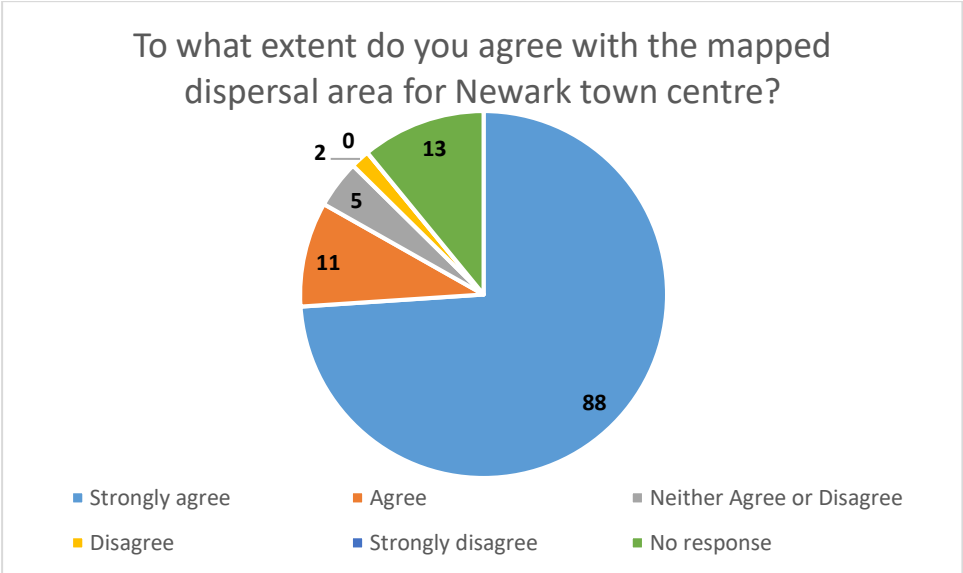
Q7. To what extent do you agree that all fenced/enclosed children's play areas across the district should automatically be designated as dog exclusion areas?



16 comments were received, with the breakdown of comment themes outlined below:

Theme of comments	No.	%
Anecdotally supportive	10	63%
Dogs on leads rather than exclusion	4	25%
Additional locations identified	2	13%

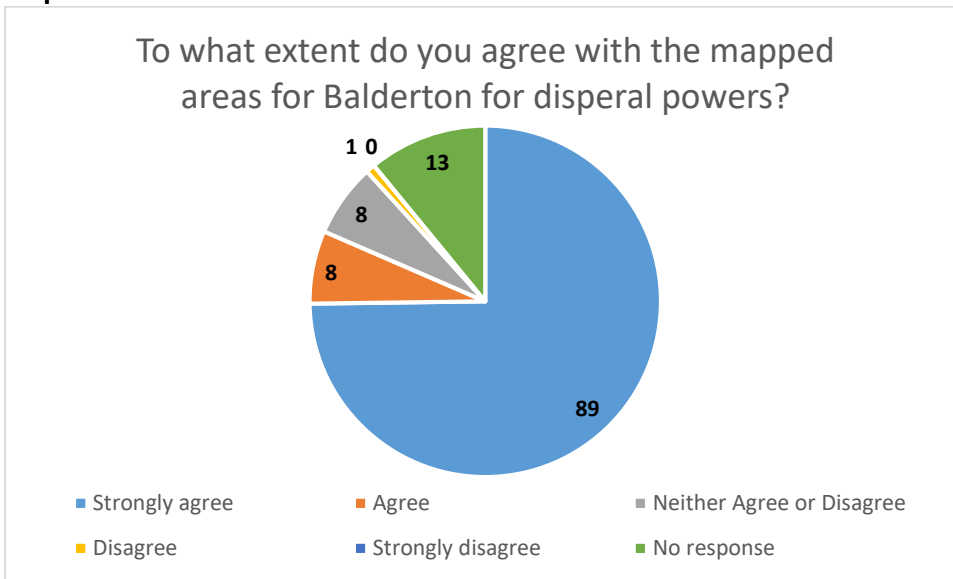
Q8. If a person or persons are acting in an antisocial manner, to what extent do you agree with the areas shown on the map being covered by a dispersal order for Newark Town Centre?



13 comments were received, with the breakdown of comment themes outlined below:

Theme of comments	No.	%
Additional locations identified	7	54%
Anecdotally supportive	3	23%
Increased enforcement/patrols is required to support this	2	15%
Unsure/not familiar with the area	1	8%

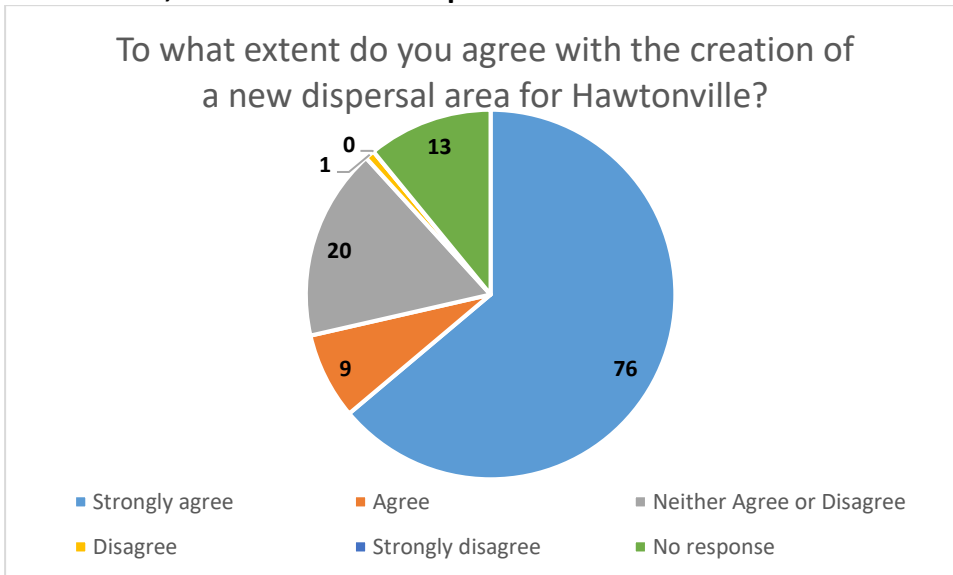
Q9. To what extent do you agree with the areas shown on the map related to Balderton Lakes, Coronation Park and Lakeside Shopping Centre in Balderton remaining as areas for dispersal?



7 comments were received, with the breakdown of comment themes below:

Theme of comments	No.	%
Unsure/not familiar with the area	4	57%
Other forms of intervention required to support this	2	29%
Additional locations identified	1	14%

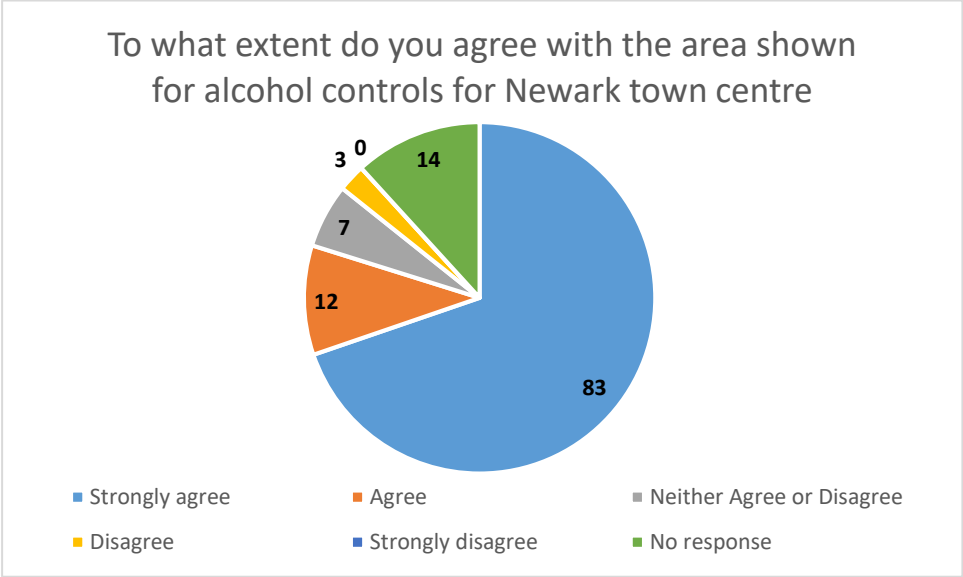
Q10. To what extent do you agree with the creation of a new dispersal order in Hawtonville, as shown on the map below?



13 comments were received, with the breakdown of comment themes below:

Theme of comments:	No.	%
Unsure/not familiar with the area	9	69%
Additional locations identified	2	15%
Other forms of intervention required to support this	2	15%
Increased length of time that a dispersal order is in place for	1	8%

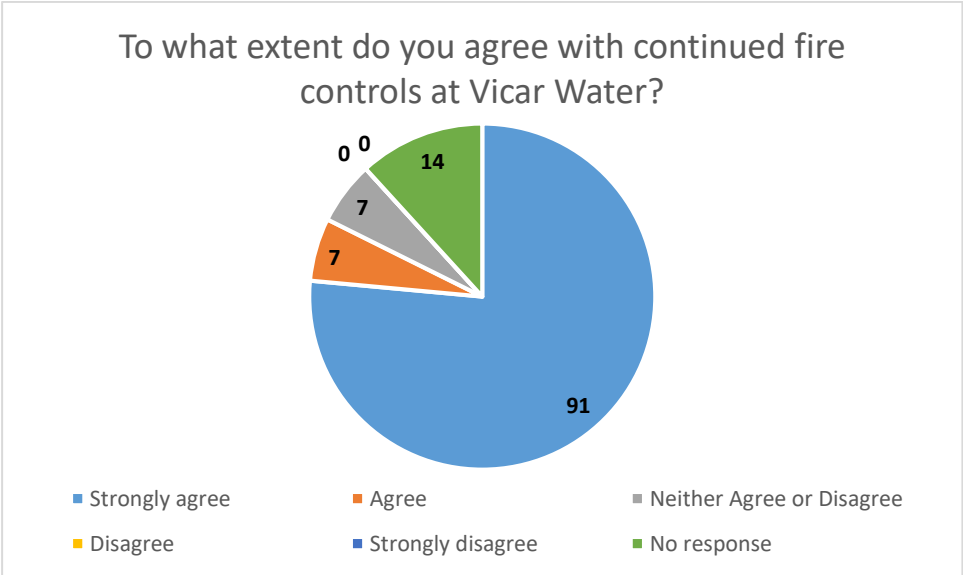
Q11. To what extent do you agree that the area shown on the map should remain an alcohol control area?



11 comments were received, with the breakdown of comment themes outlined below:

Theme of comments	No.	%
Unsure/not familiar with the area	4	57%
Anecdotally supportive	2	29%
Controls and rules in place rather than prohibition	1	14%

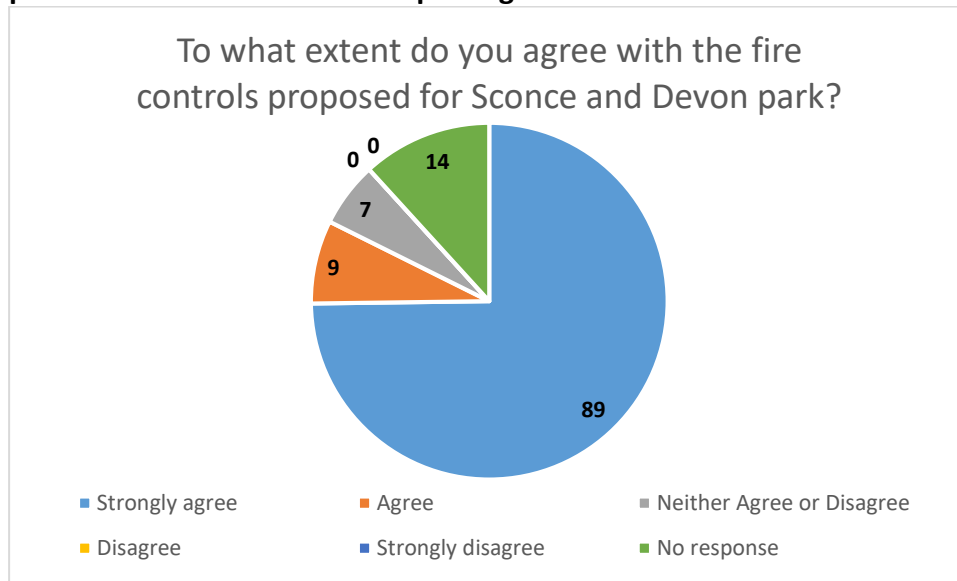
Q12. To what extent do you agree that the area shown on the map for Vicar Water should remain an area where fires, BBQs, Chinese lanterns, etc. are prohibited in order to prevent nuisance fires from impacting the area?



7 comments were received, with the breakdown of comment theme outlined below:

Theme of comments	No.	%
Unsure/not familiar with the area	4	57%
Anecdotally supportive	2	29%
Controls and rules in place rather than prohibition	1	14%

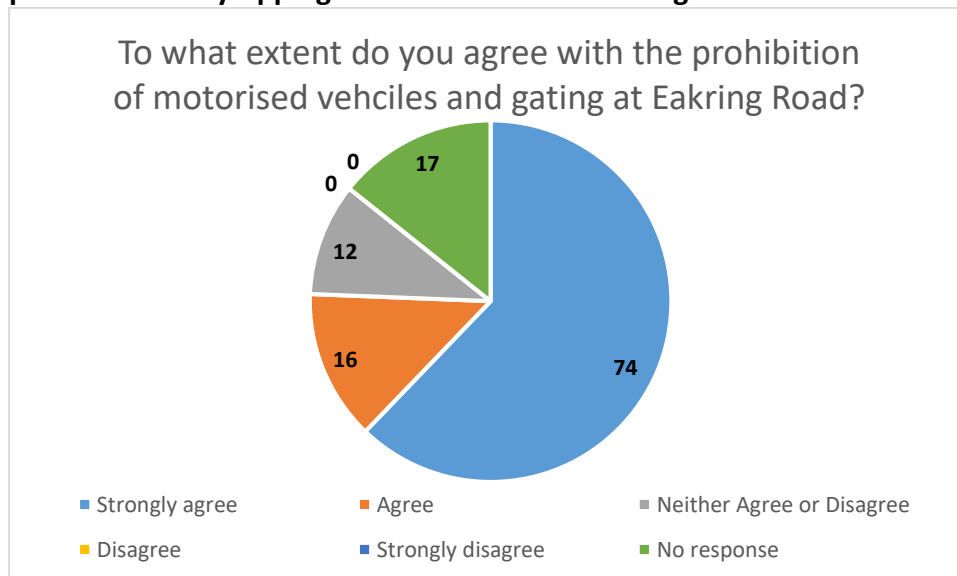
Q13. To what extent do you agree that the area shown on the map for Sconce and Devon should remain an area where fires, BBQs, Chinese lanterns, etc. are prohibited in order to prevent nuisance fires from impacting the area?



9 comments were received, with the breakdown of comment theme outlined below:

Theme of comments	No.	%
Additional locations identified	5	56%
Unsure/not familiar with the area	2	22%
Anecdotally supportive	2	22%
Controls and rules in place rather than prohibition	1	11%

Q14. To what extent do you agree with the prohibition of motorised vehicles and the gating of the stated stretch of Eaking Road, in order to prevent nuisance vehicles and reduce the access to the area (apart from stated organisations) in order to prevent the prevalence of fly tipping and environmental damage?



10 comments were received, with the breakdown of comment theme outlined below:

Theme of comments	No.	%
Unsure/not familiar with the area	4	40%
Additional locations identified	3	30%

Anecdotally unsure how this will be enforced and/or not move the problem to a new location	2	20%
Anecdotally supportive	1	10%

Q15. Respondents were given the chance to provide any additional comments via a free text box, 27 respondents provided comments. The main themes are outlined below:

Theme of comments	No.	%
Dog controls	10	37%
Various, no common theme	6	22%
Enforcement of PSPOs and partnership working	5	19%
Eakring Road vehicle prohibition	2	7%
Dispersal orders	2	7%
Alcohol controls	2	7%
Fire controls	1	4%



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Newark
Nottinghamshire
NG24 1BY

www.newark-sherwooddc.gov.uk

**The Anti-Social Behaviour Crime and Policing Act 2014 The Public Spaces Protection Order
(Newark and Sherwood District Council) (Dog Control) Order 2024**

1. Newark and Sherwood District Council (“The Council”) being satisfied that:
 - (a) Activities (“the activities”) carried out within a public place within the Council’s area have had a detrimental effect on the quality of life of those in the locality and/or
 - (b) It being likely that the activities will be carried on in a public place and that they will have such an effect,
2. And upon the Council also being satisfied that the effect or likely effect of the activities
 - Is or is likely to be of a persistent or continuing nature.
 - Is or is likely to be such as to make the activities unreasonable; and
 - Justifies the restrictions imposed by this Order.
3. Pursuant to the requirements of section 72 of The Act, the Council;
 - (a) Having had particular regard to the rights of freedom of expression and freedom of human assembly set out in Articles 10 and 11 of the European Convention on human Rights and,
 - (b) Having carried out the necessary consultation, notification and publicity and
 - (c) Having undertaken relevant and appropriate Equality Act 2010, impact assessments
4. **HAS DECIDED TO MAKE This PUBLIC SPACES PROTECTION ORDER under section 59 of the Act** (and of all other enabling powers);
5. This Public Spaces Protection Order shall come into effect on the day of
2024 for a period of 3 years. It shall expire on day of 2027, unless
before it has expired, the Council extends, varies or discharges this Order.

6. This Order may be cited as the (Newark and Sherwood District Council) (Dog Control) Order 2024.

7. **General Provisions**

7.1 Unless otherwise provided, this order applies to all land in the administrative area of the Authority to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of any express or implied permission.

7.2 A person who fails to comply with any obligation imposed by this order is guilty of an offence by virtue of section 67(1) of the Anti-Social Behaviour Crime and Policing Act 2014 and liable to a fine on summary conviction not exceeding level 3 on the standard scale.

7.3 If any interested person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this Order is made.

8. **CONDITIONS**

8.1 **Dog fouling**

If a dog defecates at any time on land to which this order applies, a person who is in charge of the dog at the time must remove the faeces from the land forthwith and dispose of it in an appropriate manner.

Unless:

- a. they have reasonable excuse for failing to do so; or
- b. the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to their failing to do so (all areas of the Authority).

8.2 **Dogs on Lead by Direction (Lead by order)**

A person in charge of a dog on land to which this order applies, must comply with a direction given to him or her by an Authorised Officer of the Authority to put and keep the dog on a lead unless:

- a. they have reasonable excuse for failing to do so; or
- b. the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to their failing to do so.

An Authorised Officer may only give direction under this order if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog that is likely to cause annoyance or disturbance to any other person, or to a bird or another animal.

8.3 Dogs on Leads

A person in charge of a dog on land detailed in **Schedule 1**, must keep the dog on a lead of fixed length and of not more than 2 metres unless:

- a. they have reasonable excuse for failing to do so; or
- b. the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to their failing to do so.

8.4 Dog Exclusion

A person in charge of a dog must not take it into or keep it within land detailed in **Schedule 2** below unless:

- a. they have reasonable excuse for doing so; or
- b. the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to their failing to do so.

9. Exemptions

Nothing in this order shall apply to a person who:

- a. is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- b. a person with a disability affecting their mobility, manual dexterity or ability to lift, carry or move everyday objects and who relies upon an assistance dog.

10. PENALTY FOR BREACH OF ORDER:

10.1 An Authorised Officer may issue a fixed penalty notice to anyone who he/she believes has committed an offence under the terms of this Order. The Person issued with the fixed penalty notice shall have 28 days to pay the fixed penalty (in the sum of £100).

10.2 This will be reduced to £75 if the Fixed Penalty is paid (payment to be received by the Council) within 14 days of the date the Fixed Penalty Notice was issued. If payment is received in full within 28 days of the date the fixed penalty notice was issued, the Council will not take prosecution action.

10.3 Failure to pay may lead to prosecution. A person who fails to comply with any obligation imposed by this Order is guilty of a criminal offence by virtue of section 67(1)

of the Act and is liable to a fine on summary conviction not exceeding level 3 on the standard scale. (Currently set to not exceed £1000.) Should the Council have to prosecute anyone in relation to this Order the Council would also seek to recover, from the offender, any reasonable costs incurred.

11. DEFINITIONS

- a. A person who habitually has a dog in his or her possession shall be taken to be in charge of the dog at any time, unless at that time some other person is in charge of the dog
- b. Placing the faeces in a receptacle on the land, which is provided for the purpose, or for the disposal of waste, shall be sufficient removal from the land
- c. Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces, shall not constitute a reasonable excuse for failing to remove the faeces
- d. "An Authorised Officer of the Authority" means an employee, partnership agency or contractor of Newark and Sherwood District Council who is authorised in writing by Newark and Sherwood District Council for the purposes of giving directions under the Order
- e. In relation to the requirement for a dog to be on a lead, extendable leads are acceptable, but they must be locked at a length of 2 m or less
- f. The term "Assistance Dog" shall mean a dog which has been trained to assist a person with a disability
- g. The expression "disability" shall have the meaning prescribed in section 6 of the Equality Act 2010 or as may be defined in any subsequent amendment or re-enactment of that legislation.

Schedule 1

This order applies to all land which is within the administrative area of Newark and Sherwood District Council and which is:

- a) A highway, footway, cycleway or footpath maintainable at the public expense, any grass verge maintained by the local authority, and which is adjacent to any carriageway or footway of any highway, any road subject to a 30-mph limit or less to that part of the carriageway of a highway which forms part of the gutter.
- b) The following pedestrian and parking areas:
- c) The following parks, church yards and cemeteries, gardens, recreation land, playing fields etc:
 - Newark Cemetery, London Road, Newark
 - Beckitts Field, Bathley Lane, Little Carlton
 - Higgins Mead, Southwell
 - Potwell Grasslands, Southwell
 - War Memorial, Southwell
 - Minster School, Southwell
 - Centenary Field, Southwell
 - Lowdham Cemetery
 - Village Hall Playing Field, Lowdham
 - Sports Ground, Southwell Road, Lowdham
 - Balderton Cemetery, Balderton
 - St Giles Churchyard, Balderton
 - Stafford Avenue play area, Balderton
 - Clipsham Close play area, Balderton
 - Balderton Lakes
 - Public footpath south of River Witham, Barnby in the Willows
 - Public footpath Long Lane, Barnaby in the Willows
 - Marsh Lane playing fields, Farndon
 - Sherwood Park, Blidworth
 - Jubilee Ponds, Main Street, Bleasby
 - Gunthorpe Playing Field
 - Gunthorpe Common Land

- Gunthorpe Nature Reserve

Schedule 2

This order applies to all land which is within the administrative area of Newark and Sherwood District Council, and which is:

- a) A fenced / enclosed children's play area and multi court signed at its entrance(s) as a "dog exclusion area" (whether the sign uses those particular words and/or symbols having like effect) which is designated and marked for children's play.
- b) Following playing fields, recreation grounds and cemeteries:
 - Memorial Park play area, Southwell.
 - Norwood Gardens play area, Southwell.
 - Kirton Village Playing Field
 - Glebe Field, Bleasby
 - Sports Field, Barnby in the Willows
 - Crompton Park Playing Field, Bilsthorpe

12. APPEALS

- 12.1 Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made.
- 12.2 An interested person is someone who lives in, regularly works in, or regularly visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge.
- 12.3 Interested persons can challenge the validity of this Order on two grounds:
 - a. That the Council did not have the power to make the Order or variation, or to include particular prohibitions or requirements.
 - b. That one of the requirements of the Act, has not been complied with.
- 12.4 When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it or vary it.

DISTRICT COUNCIL on the

day of

2024

In the presence of:

.....



Castle House
Great North Road
Newark
Nottinghamshire
NG24 1BY

www.newark-sherwooddc.gov.uk

THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014("The Act")

PUBLIC SPACES PROTECTION ORDER (SCONCE AND DEVON PARK) 2024.

1. Newark and Sherwood District Council ("The Council") being satisfied that:
 - a. Activities ("the activities") carried out within a public place within the Council's area have had a detrimental effect on the quality of life of those in the locality and/or
 - b. It being likely that the activities will be carried on in a public place and that they will have such an effect,
2. And upon the Council also being satisfied that the effect or likely effect of the activities
 - Is or is likely to be of a persistent or continuing nature
 - Is or is likely to be such as to make the activities unreasonable; and
 - Justifies the restrictions imposed by this Order
3. Pursuant to the requirements of section 72 of The Act, the Council;
 - a. Having had particular regard to the rights of freedom of expression and freedom of human assembly set out in Articles 10 and 11 of the European Convention on human Rights and,
 - b. Having carried out the necessary consultation, notification and publicity and
 - c. Having undertaken relevant and appropriate Equality Act 2010, impact assessments
4. **HAS DECIDED TO MAKE This PUBLIC SPACES PROTECTION ORDER under section 59 of the Act** (and of all other enabling powers);
5. This Public Spaces Protection Order shall come into effect on the day of 2024 for a period of 3 years. It shall expire on day of 2027, unless before it has expired, the Council extends, varies or discharges this Order.
6. This Order may be cited as the Newark and Sherwood District Council Public Spaces Protection Order (Sconce and Devon Park) 2024.
7. This Order covers the areas shown within the district of Newark and Sherwood District Council as shown on the map A (Attached)

Conditions in the Order which are prohibitions:-

8. In the restricted areas shown on the map A
9. It shall be an offence for any person to:
 - I. Light any fire, set fire to any plant, leaves, foliage, wood or other substance on the area inside the area on map A as outlined by the solid black line,
 - II. Bring any barbeque, Chinese lanterns, fireworks or any other article which causes a naked flame and/or which poses a risk of fire into the area on map A as outlined by the solid black line
 - III. Light any barbeque, Chinese lantern, fireworks or any other article which causes a naked flame and/or which poses a risk of fire inside the area on map A as outlined by the solid black line

10. EXCEPTIONS:

10. Rangers and officers employed by Newark and Sherwood District Council (or agents/contractors instructed by such an officer of the Council) may at appropriate times and location use lighted flames, set fires or burn vegetation for routine maintenance of the area. Such Rangers and officers employed by Newark and Sherwood District Council may also cause or permit fires to be lit on site under supervision as part of the education programme including fire safety carried out on site.

11. PENALTY FOR BREACH OF ORDER:

- 11.1 An Authorised Officer may issue a fixed penalty notice to anyone who he/she believes has committed an offence under the terms of this Order. The Person issued with the fixed penalty notice shall have 28 days to pay the fixed penalty (in the sum of £100).
- 11.2 This will be reduced to £75 if the Fixed Penalty is paid (payment to be received by the Council) within 14 days of the date the Fixed Penalty Notice was issued. If payment is received in full within 28 days of the date the fixed penalty notice was issued, the Council will not take prosecution action.
- 11.3 Failure to pay may lead to prosecution. A person who fails to comply with any obligation imposed by this Order is guilty of a criminal offence by virtue of section 67(1) of the Act and is liable to a fine on summary conviction not exceeding level 3 on the

standard scale. (Currently set to not exceed £1000.) Should the Council have to prosecute anyone in relation to this Order the Council would also seek to recover, from the offender, any reasonable costs incurred.

12. GENERAL DEFINITIONS.

12.1 This Order applies to the land outlined on Map A attached to this Order, and being public land.

“Public Land” means all and any land in the administrative area of the Council to which the public or a section of the public has access on payment or otherwise as a right or by virtue of express or implied permission. Such land is identified in Schedule A hereto for the purposes of Section 59(4) of the Act and in this Order is referred to as the **“Restricted Areas”**.

12.2 In this Order an **“Authorised Officer”** means

Police Officer/PCSO; Authorised Officers of the Council or any other person authorised in writing by the Council for the purposes of enforcement of this Order.

12.3 Any reference to the singular applies equally to the plural and any reference to **“he”** shall be read to equally apply to **“she”**.

SCHEDULE:

The following schedule, applies and forms part of this Order.

Schedule - Map A

13. Appeals

13.1 Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made.

13.2 An interested person is someone who lives in, regularly works in, or regularly visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge.

13.3 Interested persons can challenge the validity of this Order on two grounds:



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THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 (“The Act”)

PUBLIC SPACES PROTECTION ORDER (VICAR WATER COUNTRY PARK) 2024.

1. Newark and Sherwood District Council (“The Council”) being satisfied that:
 - a. Activities (“the activities”) carried out within a public place within the Council’s area have had a detrimental effect on the quality of life of those in the locality and/or
 - b. It being likely that the activities will be carried on in a public place and that they will have such an effect,
2. And upon the Council also being satisfied that the effect or likely effect of the activities
 - Is or is likely to be of a persistent or continuing nature
 - Is or is likely to be such as to make the activities unreasonable; and
 - Justifies the restrictions imposed by this Order
3. Pursuant to the requirements of section 72 of The Act, the Council;
 - a. Having had particular regard to the rights of freedom of expression and freedom of human assembly set out in Articles 10 and 11 of the European Convention on human Rights and,
 - b. Having carried out the necessary consultation, notification and publicity and
 - c. Having undertaken relevant and appropriate Equality Act 2010, impact assessments
4. **HAS DECIDED TO MAKE This PUBLIC SPACES PROTECTION ORDER under section 59 of the Act** (and of all other enabling powers);
5. This Public Spaces Protection Order shall come into effect on the day of 2024 for a period of 3 years. It shall expire on day of 2027, unless before it has expired, the Council extends, varies or discharges this Order.
6. This Order may be cited as the Newark and Sherwood District Council Public Spaces Protection Order (Vicar Water) 2024
7. This Order covers the areas shown within the district of Newark and Sherwood District Council as shown on the map A (Attached)

Conditions in the Order which are prohibitions:-

8. In the restricted areas shown on the map A

8.1 It shall be an offence for any person to:

- I. Light any fire, set fire to any plant, leaves, foliage, wood or other substance on the area inside the area on map A as outlined by the solid black line,
- II. Bring any barbeque, Chinese lanterns, fireworks or any other article which causes a naked flame and/or which poses a risk of fire into the area on map A as outlined by the solid black line
- III. Light any barbeque, Chinese lantern, fireworks or any other article which causes a naked flame and/or which poses a risk of fire inside the area on map A as outlined by the solid black line

9. EXCEPTIONS:

9.1 Rangers and officers employed by Newark and Sherwood District Council (or agents/contractors instructed by such an officer of the Council) may at appropriate times and location use lighted flames, set fires or burn vegetation for routine maintenance of the area. Such Rangers and officers employed by Newark and Sherwood District Council may also cause or permit fires to be lit on site under supervision as part of the education programme including fire safety carried out on site.

10. PENALTY FOR BREACH OF ORDER:

10.1 An Authorised Officer may issue a fixed penalty notice to anyone who he/she believes has committed an offence under the terms of this Order. The Person issued with the fixed penalty notice shall have 28 days to pay the fixed penalty (in the sum of £100).

10.2 This will be reduced to £75 if the Fixed Penalty is paid (payment to be received by the Council) within 14 days of the date the Fixed Penalty Notice was issued. If payment is received in full within 28 days of the date the fixed penalty notice was issued, the Council will not take prosecution action.

10.3 Failure to pay may lead to prosecution. A person who fails to comply with any obligation imposed by this Order is guilty of a criminal offence by virtue of section 67(1) of the Act and is liable to a fine on summary conviction not exceeding level 3 on the

standard scale. (Currently set to not exceed £1000.) Should the Council have to prosecute anyone in relation to this Order the Council would also seek to recover, from the offender, any reasonable costs incurred.

11. GENERAL DEFINITIONS.

11.1 This Order applies to the land outlined on Maps A and B attached to this Order, and being public land.

“Public Land” means all and any land in the administrative area of the Council to which the public or a section of the public has access on payment or otherwise as a right or by virtue of express or implied permission. Such land is identified in Schedule A hereto for the purposes of Section 59(4) of the Act and in this Order is referred to as the **“Restricted Areas”**.

11.2 In this Order an **“Authorised Officer”** means

Police Officer/PCSO; Authorised Officers of the Council or any other person authorised in writing by the Council for the purposes of enforcement of this Order.

11.3 Any reference to the singular applies equally to the plural and any reference to **“he”** shall be read to equally apply to **“she”**.

SCHEDULE:

The following schedule, applies and forms part of this Order.

Schedule - Map A


12. Appeals

12.1 Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made.

12.2 An interested person is someone who lives in, regularly works in, or regularly visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge.

12.3 Interested persons can challenge the validity of this Order on two grounds:

Legend

 Public Space Protection Order



Drawing Title
Newark and Sherwood District Council,
Public Space Protection Order – Fire
Control, Sconce and Devon Park

Location
Sconce and Devon Park

Drawing Reference


Date Exported: 08/02/2024

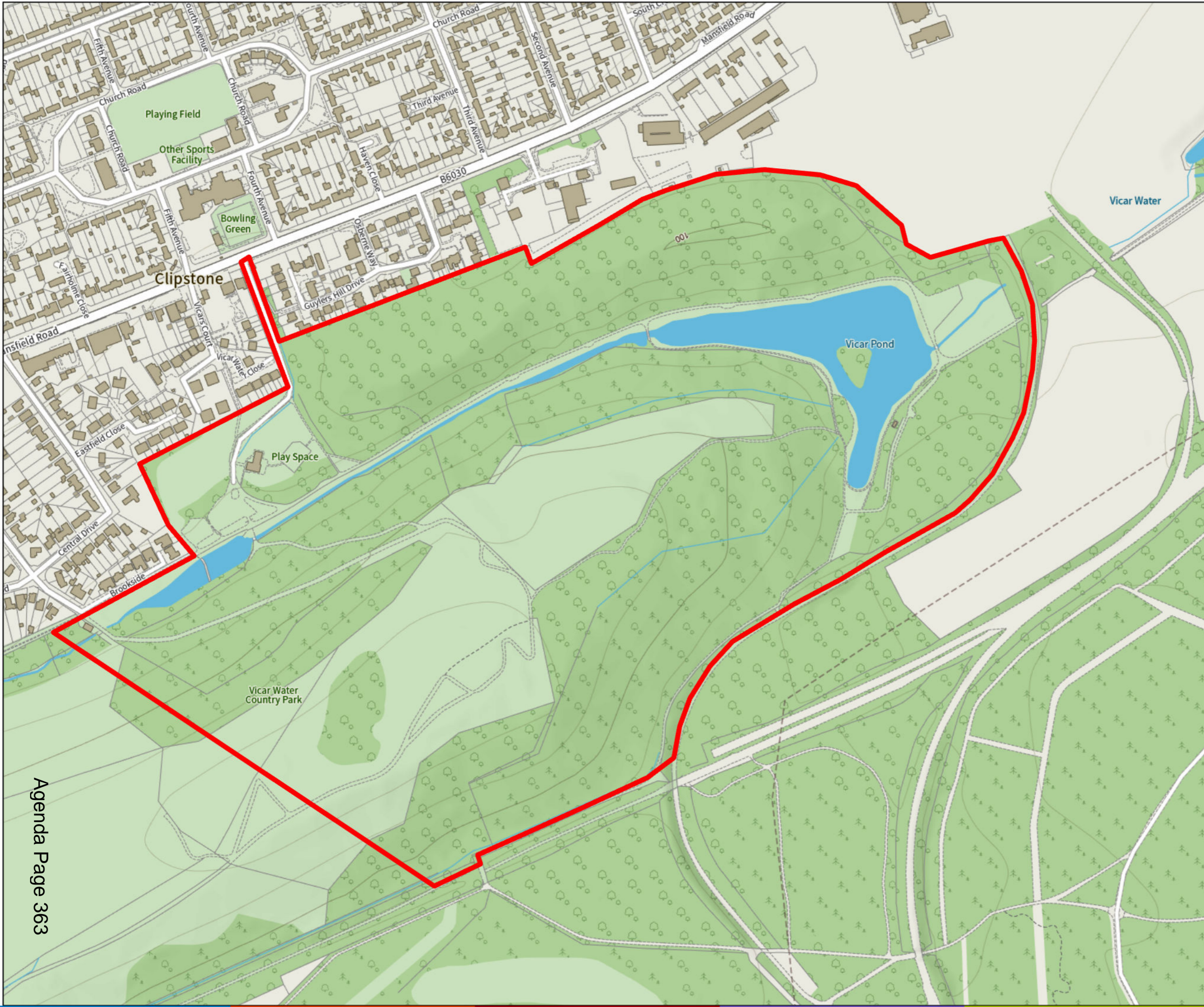
Scale: 1:4,394



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Legend

 Public Space Protection Order



Drawing Title
Newark and Sherwood District Council,
Public Space Protection Order – Fire
Control, Vicar Water

Location
Vicar Water

Drawing Reference

Date Exported: 08/02/2024

Scale: 1:3,951

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THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 (“The Act”)

PUBLIC SPACES PROTECTION ORDER (Alcohol Control) (Newark Town Centre) 2024.

1. Newark and Sherwood District Council (“The Council”) being satisfied that:
 - a. Activities (“the activities”) carried out within a public place within the Council’s area have had a detrimental effect on the quality of life of those in the locality and/or
 - b. It being likely that the activities will be carried on in a public place and that they will have such an effect,
2. And upon the Council also being satisfied that the effect or likely effect of the activities:
 - Is or is likely to be of a persistent or continuing nature
 - Is or is likely to be such as to make the activities unreasonable; and
 - Justifies the restrictions imposed by this Order
3. Pursuant to the requirements of section 72 of The Act, the Council;
 - Having had particular regard to the rights of freedom of expression and freedom of human assembly set out in Articles 10 and 11 of the European Convention on human Rights and,
 - Having carried out the necessary consultation, notification and publicity and
 - Having undertaken relevant and appropriate Equality Act 2010, impact assessments
4. **HAS DECIDED TO MAKE This PUBLIC SPACES PROTECTION ORDER under section 59 of the Act** (and of all other enabling powers);
5. This Public Spaces Protection Order shall come into effect on the day of 2024 for a period of 3 years. It shall expire on day of 2027, unless before it has expired, the Council extends, varies or discharges this Order.
6. This Order may be cited as the Newark and Sherwood District Council Public Spaces Protection Order (Alcohol Control) (Newark Town Centre) 2024.

7. This Order covers the areas shown within the district of Newark and Sherwood District Council as shown on the map(s) in Schedule A (Attached)

8. Conditions in the Order which are prohibitions:

8.1 In the restricted areas shown on the map(s) in Schedule A hereto, it shall be an offence for any person consuming or appearing to consume alcohol and that person is believed to be causing or likely to cause antisocial behaviour to;

a) Refuse to cease drinking the alcohol or anything which is believed to be alcohol;

AND

b) Refuse to surrender anything in their possession which is or which is believed to be, alcohol or a container for alcohol to the officer requesting it

8.2 Unless He/She has a reasonable excuse for failing to comply with an instruction under a) and b) above

9. PENALTY FOR BREACH OF ORDER:

9.1 An Authorised Officer may issue a fixed penalty notice to anyone who he/she believes has committed an offence under the terms of this Order. The Person issued with the fixed penalty notice shall have 28 days to pay the fixed penalty (in the sum of £100).

9.2 This will be reduced to £75 if the Fixed Penalty is paid (payment to be received by the Council) within 14 days of the date the Fixed Penalty Notice was issued. If payment is received in full within 28 days of the date the fixed penalty notice was issued, the Council will not take prosecution action.

9.3 Failure to pay may lead to prosecution. A person who fails to comply with any obligation imposed by this Order is guilty of a criminal offence by virtue of section 67(1) of the Act and is liable to a fine on summary conviction not exceeding level 3 on the standard scale. (Currently set to not exceed £1000.) Should the Council have to prosecute anyone in relation to this Order the Council would also seek to recover, from the offender, any reasonable costs incurred.

10. GENERAL DEFINITIONS.

10.1 This Order applies to the land described in Schedule A to this Order, being public land.

“Public Land” means all and any land in the administrative area of the Council to which the public or a section of the public has access on payment or otherwise as a right or by virtue of express or implied permission. Such land is identified in Schedule A hereto for the purposes of Section 59(4) of the Act and in this Order is referred to as the “Restricted Areas”.

10.2 In this Order an **“Authorised Officer”** means

Police Officer/PCSO; Authorised Officers of the Council or any other person authorised in writing by the Council for the purposes of enforcement of this Order.

10.3 Any reference to the singular applies equally to the plural and any reference to “he” shall be read to equally apply to “she”.

SCHEDULE:

The following schedule, applies and forms part of this Order.

Schedule A - Map

11. Appeals

11. Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made.

11.2 An interested person is someone who lives in, regularly works in, or regularly visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge.

a) Interested persons can challenge the validity of this Order on two grounds:

b) That the Council did not have the power to make the Order or variation, or to include particular prohibitions or requirements;

c) That one of the requirements of the Act, (for instance consultation), has not been complied with.

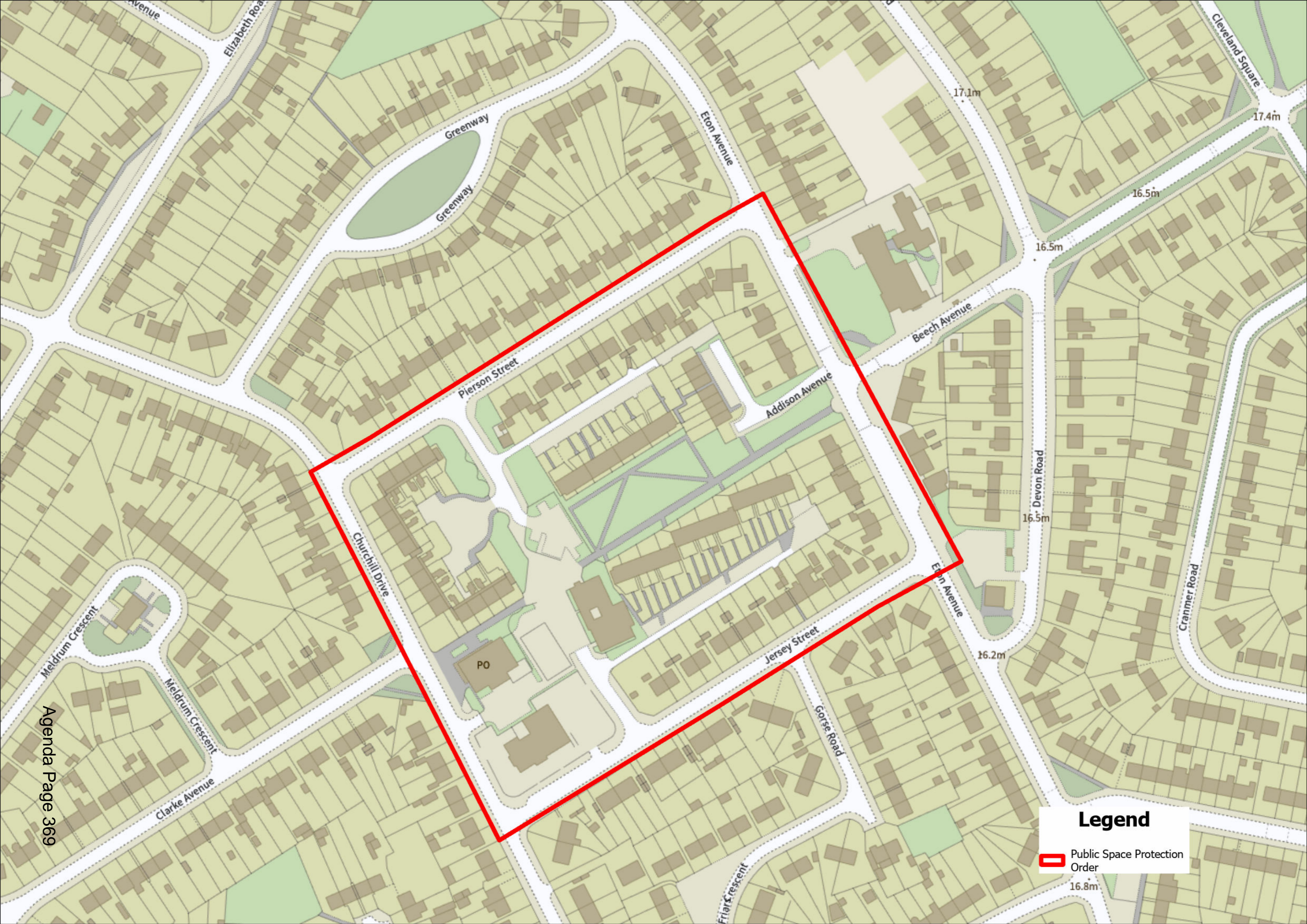
11.3 When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it or vary it.

Executed as a deed by affixing the COMMON SEAL of NEWARK AND SHERWOOD


DISTRICT COUNCIL on the day of 2019

In the presence of:

.....



Legend

 Public Space Protection Order

16.8m

Legend

 Public Space Protection Order



Drawing Title
Newark and Sherwood District Council,
Public Space Protection Order - Control
of Alcohol, Newark Town Centre

Location
Newark Town Centre

Drawing Reference

Date Exported: 08/02/2024

Scale: 1:5,464

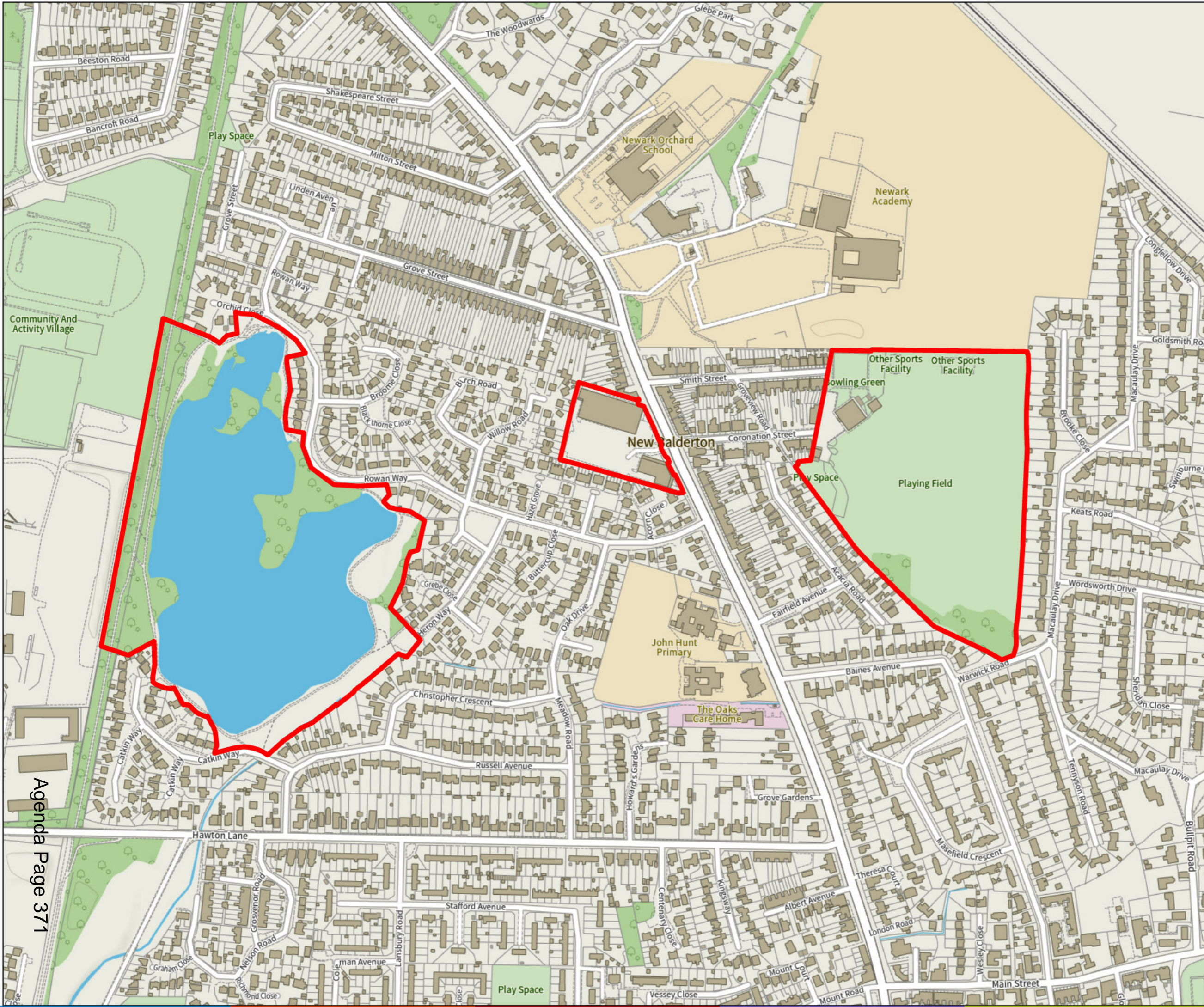
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Legend

 Public Space Protection Order



Drawing Title
Newark and Sherwood District Council,
Public Space Protection Order -
Dispersal, Balderton

Location
Balderton

Drawing Reference

Date Exported: 08/02/2024

Scale: 1:4,056



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THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 (“The Act”)

PUBLIC SPACES PROTECTION ORDER (DISPERSAL)

(BALDERTON) 2024

1. Newark and Sherwood District Council (“The Council”) being satisfied that:
 - a) Activities (“the activities”) carried out within a public place within the Council’s area have had a detrimental effect on the quality of life of those in the locality and/or
 - b) It being likely that the activities will be carried on in a public place and that they will have such an effect,
2. And upon the Council also being satisfied that the effect or likely effect of the activities
 - Is or is likely to be of a persistent or continuing nature
 - Is or is likely to be such as to make the activities unreasonable; and
 - Justifies the restrictions imposed by this Order
3. Pursuant to the requirements of section 72 of The Act, the Council;
 - a) Having had particular regard to the rights of freedom of expression and freedom of human assembly set out in Articles 10 and 11 of the European Convention on human Rights and,
 - b) Having carried out the necessary consultation, notification and publicity and
 - c) Having undertaken relevant and appropriate Equality Act 2010, impact assessments
4. **HAS DECIDED TO MAKE This PUBLIC SPACES PROTECTION ORDER under Section 59 of the Act** (and of all other enabling powers);

5. This Public Spaces Protection Order shall come into effect on the day of
2024 for a period of 3 years. It shall expire on day of 2027, unless
before it has expired, the Council extends, varies or discharges this Order.
6. This Order may be cited as the Newark and Sherwood District Council Public Spaces
Protection Order (Balderton) (Dispersal) 2024.
7. This Order covers the areas shown within the district of Newark and Sherwood District
Council as shown on map A (Attached)

Conditions in the Order which are prohibitions:-

8. This Order applies to land known as Balderton Lakes, Coronation Park and Lakeside
Shopping Centre, Balderton, Newark, Nottinghamshire as outlined in Map A “the Land”.
9. If the conditions in 10 is met, a police officer, police community support officer, or an
Authorised Officer of the council (“Authorised Officer”), may direct a person who is in
any location on the Land to which this order applies to:
 - a) Leave the location, or part of the location, and
 - b) Not to return to the location, or part of the location, for the period specified
in the direction (“the exclusion period”)
10. The condition is that an Authorised Officer has reasonable grounds to suspect the
behaviour of the person has contributed to or likely to contribute to members of the
public in the area being alarmed, harassed or distressed.
11. The exclusion period may not exceed 48 hours.
12. A direction under this Order-
 - a) Be given in writing, unless that is not reasonably practicable,
 - b) Must specify the area to which it relates
 - c) May impose requirements as to the time by which the person must leave the
area and the manner in which the person must do so (including the routes)

13. A person, given a direction to leave by an Authorised Officer, who fails without reasonable excuse to comply with it, commits an offence.

14. PENALTY FOR BREACH OF ORDER:

14.1 An Authorised Officer may issue a fixed penalty notice to anyone who he/she believes has committed an offence under the terms of this Order. The Person issued with the fixed penalty notice shall have 28 days to pay the fixed penalty (in the sum of £100).

14.2 This will be reduced to £75 if the Fixed Penalty is paid (payment to be received by the Council) within 14 days of the date the Fixed Penalty Notice was issued. If payment is received in full within 28 days of the date the fixed penalty notice was issued, the Council will not take prosecution action.

14.3 Failure to pay may lead to prosecution. A person who fails to comply with any obligation imposed by this Order is guilty of a criminal offence by virtue of section 67(1) of the Act and is liable to a fine on summary conviction not exceeding level 3 on the standard scale. (Currently set to not exceed £1000.) Should the Council have to prosecute anyone in relation to this Order the Council would also seek to recover, from the offender, any reasonable costs incurred.

15. GENERAL DEFINITIONS.

15.1 This Order applies to the land outlined on Map A attached to this Order, and being public land.

“Public Land” means all and any land in the administrative area of the Council to which the public or a section of the public has access on payment or otherwise as a right or by virtue of express or implied permission. Such land is identified in Schedule A hereto for the purposes of Section 59(4) of the Act and in this Order is referred to as the **“Restricted Areas”**.

15.2 In this Order an **“Authorised Officer”** means

Police Officer/PCSO; Authorised Officers of the Council or any other person authorised in writing by the Council for the purposes of enforcement of this Order.



Castle House
Great North Road
Newark
Nottinghamshire
NG24 1BY

www.newark-sherwooddc.gov.uk

THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 (“The Act”)

PUBLIC SPACES PROTECTION ORDER (DISPERSAL)

(HAWTONVILLE) 2024

1. Newark and Sherwood District Council (“The Council”) being satisfied that:
 - a) Activities (“the activities”) carried out within a public place within the Council’s area have had a detrimental effect on the quality of life of those in the locality and/or
 - b) It being likely that the activities will be carried on in a public place and that they will have such an effect,
2. And upon the Council also being satisfied that the effect or likely effect of the activities
 - Is or is likely to be of a persistent or continuing nature
 - Is or is likely to be such as to make the activities unreasonable; and
 - Justifies the restrictions imposed by this Order
3. Pursuant to the requirements of section 72 of The Act, the Council;
 - a) Having had particular regard to the rights of freedom of expression and freedom of human assembly set out in Articles 10 and 11 of the European Convention on human Rights and,
 - b) Having carried out the necessary consultation, notification and publicity and
 - c) Having undertaken relevant and appropriate Equality Act 2010, impact assessments
4. **HAS DECIDED TO MAKE This PUBLIC SPACES PROTECTION ORDER under Section 59 of the Act** (and of all other enabling powers);

5. This Public Spaces Protection Order shall come into effect on the day of 2024 for a period of 3 years. It shall expire on day of 2027, unless before it has expired, the Council extends, varies or discharges this Order.
6. This Order may be cited as the Newark and Sherwood District Council Public Spaces Protection Order (Hawtonville) (Dispersal) 2024.
7. This Order covers the areas shown within the district of Newark and Sherwood District Council as shown on map A (Attached)

Conditions in the Order which are prohibitions:-

8. This Order applies to land within the area bordered by Churchill Drive, Jersey Street, Pierson Street, Addison Avenue and Eton Road located in the area of Hawtonville, Newark, Nottinghamshire as edged red in Map A “the Land”.
9. If the conditions in 10 is met, a police officer, police community support officer, or an Authorised Officer of the council (“Authorised Officer”), may direct a person who is in any location on the Land to which this order applies to:
 - a) Leave the location, or part of the location, and
 - b) Not to return to the location, or part of the location, for the period specified in the direction (“the exclusion period”)
10. The condition is that an Authorised Officer has reasonable grounds to suspect the behaviour of the person has contributed to or likely to contribute to members of the public in the area being alarmed, harassed or distressed.
11. The exclusion period may not exceed 48 hours.
12. A direction under this Order-
 - a) Be given in writing, unless that is not reasonably practicable,
 - b) Must specify the area to which it relates

- c) May impose requirements as to the time by which the person must leave the area and the manner in which the person must do so (including the routes)

13. A person, given a direction to leave by an Authorised Officer, who fails without reasonable excuse to comply with it, commits an offence.

14. PENALTY FOR BREACH OF ORDER:

14.1 An Authorised Officer may issue a fixed penalty notice to anyone who he/she believes has committed an offence under the terms of this Order. The Person issued with the fixed penalty notice shall have 28 days to pay the fixed penalty (in the sum of £100).

14.2 This will be reduced to £75 if the Fixed Penalty is paid (payment to be received by the Council) within 14 days of the date the Fixed Penalty Notice was issued. If payment is received in full within 28 days of the date the fixed penalty notice was issued, the Council will not take prosecution action.

14.3 Failure to pay may lead to prosecution. A person who fails to comply with any obligation imposed by this Order is guilty of a criminal offence by virtue of section 67(1) of the Act and is liable to a fine on summary conviction not exceeding level 3 on the standard scale. (Currently set to not exceed £1000.) Should the Council have to prosecute anyone in relation to this Order the Council would also seek to recover, from the offender, any reasonable costs incurred.

15. GENERAL DEFINITIONS.

15.1 This Order applies to the land outlined on Map A attached to this Order, and being public land.

“Public Land” means all and any land in the administrative area of the Council to which the public or a section of the public has access on payment or otherwise as a right or by virtue of express or implied permission. Such land is identified in Schedule A hereto for the purposes of Section 59(4) of the Act and in this Order is referred to as the “Restricted Areas”.

15.2 In this Order an **“Authorised Officer”** means



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THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 (“The Act”)

PUBLIC SPACES PROTECTION ORDER (DISPERSAL)

(NEWARK TOWN CENTRE) 2024

1. Newark and Sherwood District Council (“The Council”) being satisfied that:
 - a) Activities (“the activities”) carried out within a public place within the Council’s area have had a detrimental effect on the quality of life of those in the locality and/or
 - b) It being likely that the activities will be carried on in a public place and that they will have such an effect,
2. And upon the Council also being satisfied that the effect or likely effect of the activities
 - Is or is likely to be of a persistent or continuing nature
 - Is or is likely to be such as to make the activities unreasonable; and
 - Justifies the restrictions imposed by this Order
3. Pursuant to the requirements of section 72 of The Act, the Council;
 - a) Having had particular regard to the rights of freedom of expression and freedom of human assembly set out in Articles 10 and 11 of the European Convention on human Rights and,
 - b) Having carried out the necessary consultation, notification and publicity and
 - c) Having undertaken relevant and appropriate Equality Act 2010, impact assessments
4. **HAS DECIDED TO MAKE This PUBLIC SPACES PROTECTION ORDER under Section 59 of the Act** (and of all other enabling powers);

5. This Public Spaces Protection Order shall come into effect on the day of 2024 for a period of 3 years. It shall expire on day of 2027, unless before it has expired, the Council extends, varies or discharges this Order.
6. This Order may be cited as the Newark and Sherwood District Council Public Spaces Protection Order (Newark Town Centre) (Dispersal) 2024.
7. This Order covers the areas shown within the district of Newark and Sherwood District Council as shown on map A (Attached)

Conditions in the Order which are prohibitions:-

8. This Order applies to land known as Newark Town Centre, Newark, Nottinghamshire as outlined in Map A “the Land”.
9. If the conditions in 10 is met, a police officer, police community support officer, or an Authorised Officer of the council (“Authorised Officer”), may direct a person who is in any location on the Land to which this order applies to:
 - a) Leave the location, or part of the location, and
 - b) Not to return to the location, or part of the location, for the period specified in the direction (“the exclusion period”)
10. The condition is that an Authorised Officer has reasonable grounds to suspect the behaviour of the person has contributed to or likely to contribute to members of the public in the area being alarmed, harassed or distressed.
11. The exclusion period may not exceed 48 hours.
12. A direction under this Order-
 - a) Be given in writing, unless that is not reasonably practicable,
 - b) Must specify the area to which it relates
 - c) May impose requirements as to the time by which the person must leave the area and the manner in which the person must do so (including the routes)

13. A person, given a direction to leave by an Authorised Officer, who fails without reasonable excuse to comply with it, commits an offence.

14. PENALTY FOR BREACH OF ORDER:

14.1 An Authorised Officer may issue a fixed penalty notice to anyone who he/she believes has committed an offence under the terms of this Order. The Person issued with the fixed penalty notice shall have 28 days to pay the fixed penalty (in the sum of £100).

14.2 This will be reduced to £75 if the Fixed Penalty is paid (payment to be received by the Council) within 14 days of the date the Fixed Penalty Notice was issued. If payment is received in full within 28 days of the date the fixed penalty notice was issued, the Council will not take prosecution action.

14.3 Failure to pay may lead to prosecution. A person who fails to comply with any obligation imposed by this Order is guilty of a criminal offence by virtue of section 67(1) of the Act and is liable to a fine on summary conviction not exceeding level 3 on the standard scale. (Currently set to not exceed £1000.) Should the Council have to prosecute anyone in relation to this Order the Council would also seek to recover, from the offender, any reasonable costs incurred.

15. GENERAL DEFINITIONS.


15.1 This Order applies to the land outlined on Map A attached to this Order, and being public land.

“Public Land” means all and any land in the administrative area of the Council to which the public or a section of the public has access on payment or otherwise as a right or by virtue of express or implied permission. Such land is identified in Schedule A hereto for the purposes of Section 59(4) of the Act and in this Order is referred to as the **“Restricted Areas”**.

15.2 In this Order an **“Authorised Officer”** means

Police Officer/PCSO; Authorised Officers of the Council or any other person authorised in writing by the Council for the purposes of enforcement of this Order.

Legend

 Public Space Protection Order



Drawing Title
Newark and Sherwood District Council,
Public Space Protection Order -
Dispersal, Newark Town Centre

Location
Newark Town Centre

Drawing Reference

Date Exported: 08/02/2024


Scale: 1:5,464

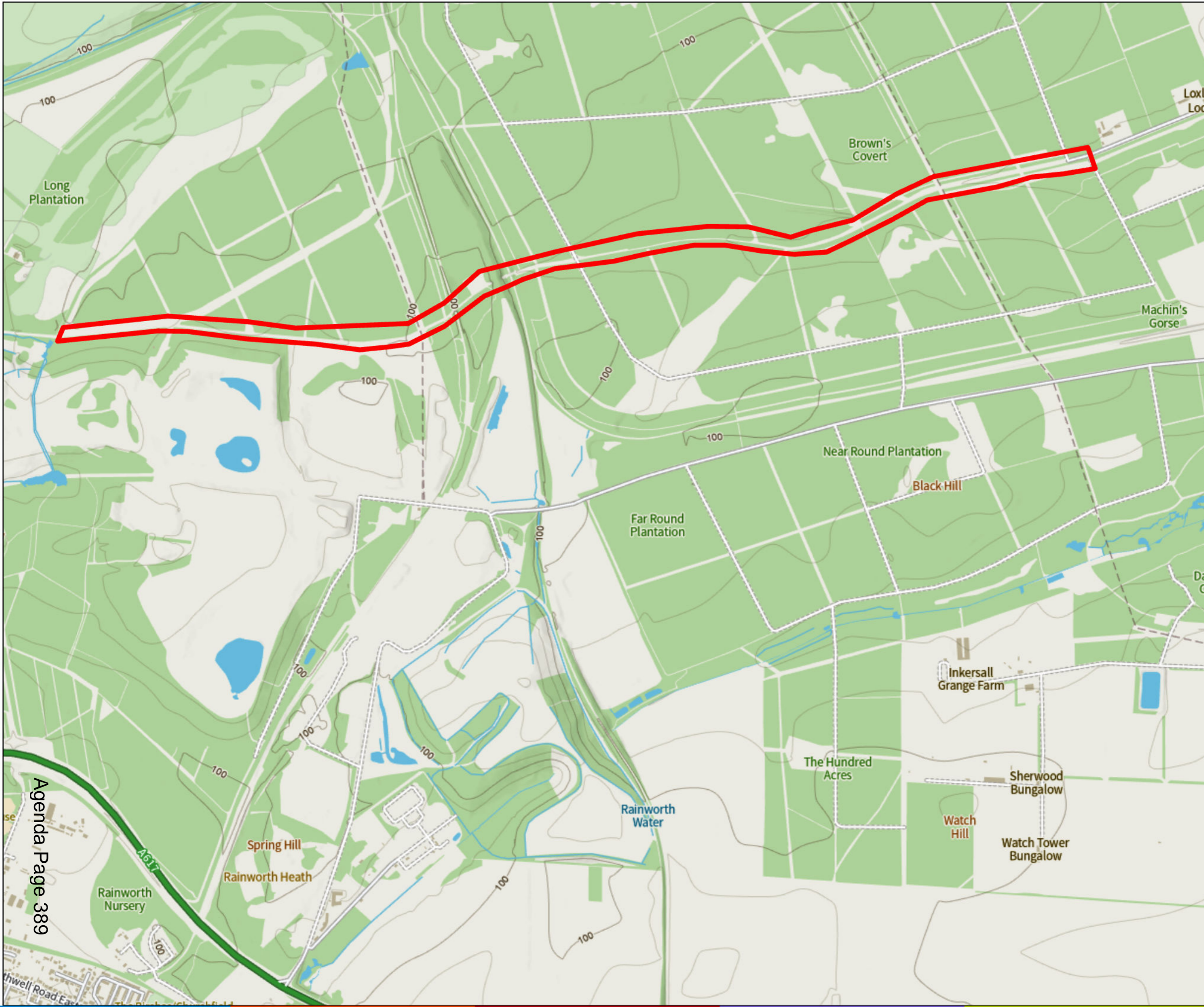
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Legend

 Public Space Protection Order



Drawing Title
Newark and Sherwood District Council,
Public Space Protection Order -
Prohibition of Vehicles , Eakring Road

Location
Eakring Road

Drawing Reference

Date Exported: 08/02/2024

Scale: 1:12,438

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THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 (“The Act”)

PUBLIC SPACES PROTECTION ORDER

(EAKRING ROAD)

1. Newark and Sherwood District Council (“The Council”) being satisfied that:
 - a. Activities (“the activities”) carried out within a public place within the Council’s area have had a detrimental effect on the quality of life of those in the locality and/or
 - b. It being likely that the activities will be carried on in a public place and that they will have such an effect,
2. And upon the Council also being satisfied that the effect or likely effect of the activities
 - a. Is or is likely to be of a persistent or continuing nature
 - b. Is or is likely to be such as to make the activities unreasonable; and
 - c. Justifies the restrictions imposed by this Order
3. Pursuant to the requirements of section 72 of The Act, the Council;
 - a. Having had particular regard to the rights of freedom of expression and freedom of human assembly set out in Articles 10 and 11 of the European Convention on human Rights and,
 - b. Having carried out the necessary consultation, notification and publicity and
 - c. Having undertaken relevant and appropriate Equality Act 2010, impact assessments
4. **HAS DECIDED TO MAKE This PUBLIC SPACES PROTECTION ORDER under Section 59 of the Act** (and of all other enabling powers);
5. This Public Spaces Protection Order shall come into effect on the day of 2024 for a period of 3 years. It shall expire on day of 2027, unless before it has expired, the Council extends, varies or discharges this Order.

6. This Order may be cited as the Newark and Sherwood District Council Public Spaces Protection Order (Eakring Road) 2024.
 7. This Order covers the areas shown within the district of Newark and Sherwood District Council as shown on map A (Attached in the Schedule)
-

8. Conditions in the Order which are prohibitions:

- 8.1 This Order applies to land known as Eakring Road, Newark, Nottinghamshire as outlined in Map A "the Land".
- 8.2 The public right of way over the Highway is restricted at all times so that passage and repassage thereover may not occur to persons operating motorised vehicles as defined below save for:
 - The Police, Fire and Rescue Service or Emergency Ambulance Services;
 - Forestry Commission or those authorised by them;
 - A local authority undertaking a statutory duty or
 - Any statutory undertaker provider of gas, electricity or water services or communications provider which maintains apparatus in the Highway being the "Authorised Groups".
- 8.3 A barrier or barriers may be installed, operated and maintained at each of the respective ends of the Restricted Access Highways. Newark and Sherwood District Council is responsible for maintaining and operating the barrier or barriers.
The responsible department for the maintenance and operation of the gates can be contacted on 01636 650 000.

9. PENALTY FOR BREACH OF ORDER:

- 9.1 An Authorised Officer may issue a fixed penalty notice to anyone who he/she believes has committed an offence under the terms of this Order. The Person issued with the fixed penalty notice shall have 28 days to pay the fixed penalty (in the sum of £100).
- 9.2 This will be reduced to £75 if the Fixed Penalty is paid (payment to be received by the Council) within 14 days of the date the Fixed Penalty Notice was issued. If payment is received in full within 28 days of the date the fixed penalty notice was issued, the Council will not take prosecution action.

9.3 Failure to pay may lead to prosecution. A person who fails to comply with any obligation imposed by this Order is guilty of a criminal offence by virtue of section 67(1) of the Act and is liable to a fine on summary conviction not exceeding level 3 on the standard scale. (Currently set to not exceed £1000.) Should the Council have to prosecute anyone in relation to this Order the Council would also seek to recover, from the offender, any reasonable costs incurred.

10. GENERAL DEFINITIONS.

10.1 This Order applies to the land outlined on Map A attached to this Order, and being public land.

“Public Land” means all and any land in the administrative area of the Council to which the public or a section of the public has access on payment or otherwise as a right or by virtue of express or implied permission. Such land is identified in Schedule A hereto for the purposes of Section 59(4) of the Act and in this Order is referred to as the **“Restricted Areas”**.

“Motorised Vehicles” include but are not limited to the following:

Motor car, trucks, vans, 4x4s, HGVs, LGVs, modified vehicles, motor cycles, cross bikes and trail bikes, quad bikes and trikes, electric scooters and mini moto bikes (whether petrol, diesel or electric or any other form of automatic propulsion).

SCHEDULE:

The following schedule applies and forms part of this Order.

Schedule - Map A

Appeals

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made.

An interested person is someone who lives in, regularly works in, or regularly visits the Restricted Area. This means that only those who are directly affected by the restrictions have the power to challenge.

Interested persons can challenge the validity of this Order on two grounds:

- (a) That the Council did not have the power to make the Order or variation, or to include particular prohibitions or requirements;
- (b) That one of the requirements of the Act, has not been complied with.

When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it or vary it.

Executed as a deed by affixing the COMMON SEAL of NEWARK AND SHERWOOD

DISTRICT COUNCIL on the day of 2024

In the presence of:

.....



Report to: Cabinet Meeting: 23 July 2024

Portfolio Holder: Councillor Paul Taylor, Public Protection and Community Relations

Director Lead: Matt Finch, Director of Communities and Environment

Lead Officer: Jenny Walker, Business Manager Public Protection

Report Summary	
Type of Report	Open report, non-key decision
Report Title	Emergency Planning – Flooding and future preparedness
Purpose of 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.
Recommendations	<ul style="list-style-type: none"> To note the activities undertaken since the two flooding incidents To note the ongoing work of the Flood Partnership and the ongoing work to improve the response provided by NSDC To 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 To 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
Alternative Options Considered	<ul style="list-style-type: none"> 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.
Reason for Recommendations	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:

	<ul style="list-style-type: none"> • Protect and enhance the district’s natural environment and green spaces. • Reduce the impact of Climate Change. • Celebrate and invigorate community spirit, pride of place and a sense of belonging.
--	---

1.0 Background

- 1.1 The autumn and winter storm season of 23/24 was one of the wettest October to March periods on records for the UK. The storm season saw a higher-than-normal number of named storms and for NSDC we spent a number of consecutive weeks with flood alerts and warnings in place.
- 1.2 Storm Babet and Storm Henk caused significant issues for the communities within the district, many homes were flooded internally with some properties flooded internally in both storms. Businesses were impacted by flooding and some villages were completely cut off.
- 1.3 NSDC provided an emergency response for both storms, with officers taken from their normal duties to provide support, assistance and advice to communities during the immediate emergency phase, working around the clock and the internal recovery group assisted with the clean-up in the immediate aftermath and support for accessing relevant grants. During the clean-up of storm Henk alone over 18 tonnes of waste was collected from flood damaged areas, in addition to the clearing and cleaning of the roads removing debris, and mud washed down from the flood waters.
- 1.4 A number of public meetings have been held in the communities that were directly impacted by the floods with attendance from partner agencies and NSDC. From those meetings and the flood warden meeting held at Castle House, we have captured a number of issues raised by residents in relation to the flooding events and are working with our partners seek improvements moving forward.

2.0 Flood Partnership

- 2.1 Following both floods and the large number of properties affected a decision was taken to create a flood partnership group. Similar groups have been created in previous years following largescale flooding and the partnership seeks to review and consider the areas that were flooded, reasons as to why they were flooded, especially if it is not a usual occurrence, what flood mitigation schemes they have in place or are planned and how to access and update the flood wardens.
- 2.2 There has been two multi agency flood partnership meetings with attendees from the Environment Agency (EA), Nottinghamshire County Council Emergency Planning Team, Canals and River Trust, NSDC representatives and Severn Trent. At the same time as these meetings were taking place many of the agencies represented were also attending a number of public meetings held in affected areas to discuss location specific issues and concerns. The next meeting will take place on the 17th July 2024.
- 2.3 As part of the flood partnership meetings, the EA has provided a list of all of their flood wardens, some of these may also be trained by NCC as Flood Wardens, which enables

them to place the road closure signs. NCC were unable to share their flood warden list with us due to GDPR.

- 2.4 NSDC has agreed to host an annual Flood Warden Training Session event at Castle House pre the winter season for NCC and EA to refresh the training for all of our local wardens. During these sessions, NSDC will also ensure that we have up to date contact information for all flood wardens operating across the district so that we can be in direct contact with them in advance, during and after any storm that is likely to cause flooding in the area. All Town and Parish Councils have been contacted to understand their emergency preparedness and the flood warden coverage that they currently have. We have received over 36 responses to date and this is enabling us to build a picture of where specific support may be required for further flood resilience stores, increased flood wardens or assistance in the localised emergency planning and safe spaces. From the response received to date it is clear that 14 areas do not currently have a resilience store, Gunthorpe has requested an addition resilience store be provided and support has also been requested towards the funding of a pump purchase by North Clifton.
- 2.5 Areas of concern or actions raised during the public meetings have also been pulled together and shared with all agencies on the group for their feedback and updates. This list is extensive and covers concerns raised around communication, policing or road closure signs, how quickly roads are closed, information contained within the EA flood warning notifications and requests for more resilience stores. It also includes more broader discussions with partners including the update of flood maps based on recent flooding incidents and to challenge flood risk calculations such as areas who are noted to be 1 in 100-year event that have already flooded more than 2 in a few years. This action list is being worked through and progressed across the partnership and is needed to ensure that the ongoing and planned work of the group can continue.

2.6 Flood mitigation schemes ongoing and planned

- 2.7 As part of the flood partnership meeting the EA and NCC updated on current and pending flood mitigation schemes alongside discussing options for further areas to have additional mitigation measures.
- 2.8 NSDC has in recent years supported a number of major flood alleviation schemes in several locations. Lowdham is currently being constructed after a number of years of planning and previous projects such as the scheme at Southwell have been delivered. Flood alleviations schemes are incredibly expensive and require significant planning and resources to deliver and can take many years to complete. Future flood alleviation schemes may be considered if deemed financially viable by the delivering agencies.
- 2.9 Although NSDC has no statutory role in relation to flooding, where possible the council will continue to support our communities to become more resilient to flooding. It is widely acknowledged that resilience is best when developed locally for the communities. It may be appropriate for some initial support to be provided to communities with one off funding for resilience stores, basic equipment and training support. In supporting communities to become more resilient and to determine what other measures they may require; they may determine the need for future and ongoing funding to be provided via the precept.

2.10 The flood partnership is looking at ways of providing other options for flood alleviation that does not require a large-scale scheme to be developed this may include how natural flood alleviation measures can be used to assist in the mitigation.

2.11 Through the partnership discussions, a number of wider considerations were identified that may benefit our communities if addressed nationally and regionally. These proposals were shared with the partnership and discussed and refined. A motion was made at Full Council on 17th July by Councillor Taylor, Portfolio Holder for Public Protection and Community Relations. A recommendation for this report relates to this motion and any Cabinet decision being subject to Full Council adopting the motion at Full Council on 17th July.

2.11 Flood grants

2.12 As part of the recovery process for both storms, NSDC facilitated the provision of the Community Recovery Grant and Business Recovery Grant. Premises that were impacted by flooding internally were able to apply for a grant. The community recovery grant provided £500 per property and the business recovery grant is up to £2,500. This scheme was available for both storms and officers visited the properties of the affected to ascertain eligibility in advance of payment. The table below details the total amount of grant funding issued:

Storm Babet	Number of grants paid	Total paid		
Community Recovery Grant	278	£139,000.00		
Business Recovery Grant	16	£40,000.00		
Storm Henk			Central Government Funded	Notts County Council Funded
Community Recovery Grant	113	£70,060.00	£56,500.00	£13,560.00
Business Recovery Grant	24	£67,200.00	£60,000.00	£7,200.00
Property Flood Resilience Scheme				
Total expressions received	123			
Total referred to NCC	71			

2.13 The Property Flood Resilience Scheme (PFR) enables occupiers to install flooding resilience measures once a survey has been completed. This scheme is being administered by NCC. All expressions of interest received by NSDC that then wished to continue through the scheme were submitted to NCC to process. NCC have provided an update advising that of the 71 referrals received all continue to express an interest in

the scheme and are at various stages with some choosing to the required survey and works themselves and others requiring more assistance.

2.14 NSDC Emergency Planning Review

2.15 Following Storm Babet and Storm Henk officers who were involved in both emergency response events met to debrief and discuss the response to both storms and to consider what went well and what could be improved.

2.16 Due to the close proximity of both storms and the emergency response that was required there was no time to deliver on suggested improvements after Storm Babet before Storm Henk impacted on the services again. Following the debriefs an internal group has been set up to work through a number of actions with wider colleagues to improve the NSDC management of emergency incidents.

2.17 A delivery plan is in place and includes a number of actions such as:

- A review of the training provided to officers to ensure that they are trained on the specific emergency response role they are delivering.
- The creation of specific job roles and requirements that will enable HR to include these roles onto a person's file so that there is an easy way to seek support from trained officers.
- Review the risk assessments and related PPE for all staff working on emergency responses, ensuring officers working have the appropriate PPE at all times and trained in any required use.
- Streamline the process for accessing council owned vehicle fleet for officers attending incidents.
- Ensuring that there are suitable numbers of appropriately trained officers to cover all roles to ensure a suitable rota pattern to prevent officers working continuously without a break.

2.18 Specific training for officers on emergency responses roles is being developed now in the hope that during the summer many will be trained or have completed refresher training in advance of the winter period.

3.0 Implications

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

3.1 Finance FIN24-25/2331

The October flooding cost NSDC circa. £126,200 in additional overtime and emergency supplies and services.

The January flooding cost NSDC circa. £11,600 in additional overtime and emergency supplies and services.

Conversations continue with Government for reimbursement of these costs under the Bellwin Scheme, however; NSDC have had no success so far, and have been advised that nothing further will be considered until after the General Election in July.

Public Protection hold two reserves; one for Severe Weather Recovery of £22,500 and another for Emergency Planning/Flood Mitigation of £60,000. These reserves are available to use for additional resilience and would require approval for the drawdown via the Director of Communities and Environment and the S151 Officer up to £50,000 and the Finance Portfolio Holder and S151 Officer for over £50,000.

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.

Parish	Flooded during Storm Babet and Henk	Emergency contact within the community?	Community Emergency Plan or Community Flood Plan in place?	Community Place of Safety available?	Equipment store available?	Who is responsible for equipment store upkeep and restocking?	Flood Wardens in the community?	Flood wardens linked to Town or Parish Council?	Do you have a mechanism in place for contacting your residents in advance of, during and after an emergency?	Flood Plan/Mitigation Scheme	Which method of contacting your residents in advance of, during and after an emergency do you use?	If there is any other relevant information you wish to share, or any further comments you wish us to consider which are specific to your local community preparedness needs, then please share these below
Balderton	Both	Yes	No	Yes	Yes	Obtain from NSDC	No		Yes	No	Social Media, Notice Board, Word of Mouth	
Barby In the Willows	No	Yes	No	Yes	No		No		No	No	Website, Notice Board, Whats App, Word of Mouth	The village hasn't historically been affected by flooding so there are no formal plans in place although this will be reviewed as needed
Bilsthorpe	Both	Yes	No	Yes	Yes	Lead co-ordinator	Yes	Yes	No	No	Social Media	
Bleasby	Both	Yes	Yes	Yes	Yes	Named person provided	Yes	Yes	Yes	Yes	Website, Social Media, Notice Board, Vulnerable Persons Contact, Whats App, Word of Mouth	Place of safety insufficient for whole community, reassurance that mainline telephones will still be operational following latest broadband introduction.
Blidworth	Babet	No	No	Yes	Yes	Clerk and Parish Groundsman	No		No	No	Word of Mouth	
Carlton on Trent	Both	Yes	Yes	Yes	Yes	Named person provided	Yes	Yes	Yes	No	Parish Website, Notice Boards, Whatsapp, Word of Mouth	Some residents have not returned to their properties since storm Babet so compiling a list of vulnerable residents contact details has not been possible yet.
Collingham	Both	Yes	Yes	Yes	Yes	Lead flood warden and Clerk	Yes	Yes	Yes	Yes	Website, Social Media, Vulnerable Persons Contact, Whatsapp	
Cotham	No	No	No	Yes	No	N/A	No		No	No	Notice Boards, Whatsapp	As our Parish Meeting has been in abeyance for some years we will need to catch up on these matters
Eakring	No	No	No	No	Yes	Named person provided	No		No	Unsure	Parish Website	
East Stoke with Thorpe	Both	No	No	No	No	No	No		No	No	Word of Mouth	East Stoke has for many years suffered surface water flooding from the farmland to the west of the village. I have personally been active for about 8/10 years now in trying to get the issue resolved. I have spoken with many contact points at Via, Notts County Council, Severn Trent and the EA. Up until this year no properties suffered internal water ingress but now things have changed in so much as one property was completely flooded and two further properties had sub floor water ingress.
Edwinstowe	Both	Yes	Working on one	Yes	Yes	Parish Council	No		Yes	In development	Website, Social Media, Notice Boards, Whatsapp, Word of Mouth	
Egmanton	Babet	No	No	Yes	Yes	Parish Meeting	Yes	Yes	No	In Development	No current formal method	We are currently meeting with Notts CC and Internal Drainage Board with regard to improvements to flood resilience for the village. With regard to a formal emergency plan we would consider a good approach would be for the local authority to produce a template for all parishes to adopt.
Farndon	Babet	Yes	Working on one	Yes	No		Yes	Yes	Yes	In Development	Social Media	Place of Safety is on Marsh Lane and if Marsh Lane floods it would be inaccessible.
Farnsfield	No	No	No	Yes	some		No		No		Website, Social Media, Notice Board	
Girton and Meering	Both	Yes	Yes	No	Yes	Flood Warden	Yes	Yes	Yes	Yes	Social Media, Whats App, Word of Mouth, email, door knock	Concerned that by Sept 24 or sooner depending on weather conditions, the whole village of Girton will be on high alert when entering flood season. A single point of contact/team to communicate to Requests supplies in advance from NSDC prior to flooding to be prepared More effective communication between NCC and Linc CC Highways around diversion route when A1133 is flooded Prioritise replenishment of flood stores after a flood event Has a good established relationship with the EA, working with the flood forum at North Scarle as both impacted by Mill Dam Dyke Recently established a working relationship with the IDB Is there plan when landlines are withdrawn
Gunthorpe	Both	Yes			Yes					Yes		Request for an additional flood store £2k
Grassthorpe	Both	No	No	No	No		No	No	No	No		We are a very small community with limited resources. We may wish to communicate with other nearby communities to help in the case of road closures in particular. When Grassthorpe Beck is flooded we only have access to one side of it therefore we would need someone from another community to close the road from the other direction.
Halam	Both	Yes	No	Yes	Yes		No		No		Website, Social Media, Whatsapp, Word of Mouth	
Harby	No	Yes	No	Yes	No	N/A	No		Yes	No	Parish website, Social Media, Notice Boards, Whatsapp, Word of mouth	
Kings Clipstone	Henk	No	No	Yes	No		No		Yes	No	Website, Notice Board, Word of Mouth	
Kirklington	Both	Yes	Working on one	No	Storage Facility on Order	Lead flood responder + flood wardens	Yes	No	Yes	Unsure	Website, Social Media, Whatsapp, Word of Mouth	Currently working with Nottinghamshire Flood Risk team - to identify water flows routing resulting in flooded properties during Storm Babet, to identify weaknesses in infrastructure ie IDB water courses or NCC gullies and Pipework or over loaded soakaways. Also looking to build suitable Natural Flood Management (NFM) defences to restrict flows in future.
Kirton	Both	No	No	No	Some	Named persons provided	No		Yes	Yes	Parish Website, Social Media, Word of Mouth	
Laxton and Moorhouse	Babet	Yes	No	No	Yes	Parish Council	No		No	No	Website, Word of Mouth	It would be good to have an emergency plan. We are also working on a plan to reduce the impact of flooding by natural flood management
Lowdham	Both	Yes	Yes	Yes	Yes	Lowdham FLAG	Yes	No	Yes	Yes	Social Media, Notice Boards, Vulnerable Person Contact, Whatsapp, Word of Mouth	We establish a control centre in the WI building.
Maplebeck	Both	Yes	Yes	Yes	Yes	Named person provided	Yes	Yes	Yes	Unsure	Whatsapp, email	We have requested a stock of aqua sacks from NSDC but nothing has been received. Remedial works by NCC were promised in January but no action has as yet happened

Newark	Both	Yes	No	Yes	No		No		Yes	No	Website, Social Media, Notice Boards	
North Clifton	Both	Yes	Yes	Yes	No		Yes	No	Yes	Yes	Social Media	Request received to consider financial support for a pump that has been purchased to assist during flooding. £2k
North Muskham	Both	Yes	Yes	Yes	Yes	Chairman of PC	Yes	Yes	Yes	Yes	Parish Website, Social Media, Whatsapp, Village email group	Need to compile or have access to a list of vulnerable persons before a flood event. The door to door warning needs to be initiated with care and not to cause distress or anxiety. We feel we are best placed to do that as a parish council and with historical experience and knowledge of previous flooding. - we would request information is passed to us to disseminate
Ollerton and Boughton	Both	No	No	No	No		No		No	No	Website, Social Media	Until last autumn community was largely unaffected by flooding, understanding why this has changed is needed. Has mainly relied on NSDC and NCC to offer support and been prepared to supplement this. Would welcome any advice from NSDC on what we should do next as we do not duplicate resources.
Rainworth	No	No	No	Yes	No		No		No	No	Social Media	
South Clifton	Henk	Yes	Yes	Yes	No		Yes	Yes	Yes	Yes	Website, Social Media, Notice Boards, Whatsapp, Email list	We are in the process of setting up a resilience store.
South Muskham and Little Carlton	Both	Yes	Yes	Yes	Yes	Flood wardens, chair and vice chair of PC	Yes	No	Yes	Yes	Parish Website, Social Media, Vulnerable Persons Contact, word of mouth	Lack of appropriate liaison with Environment Agency and lack of suitable road blocking mechanisms provided and installed by County Council
Southwell	Both	Yes	Yes	No	Yes	Flood Forum & town council	Yes	No	Yes	Yes	Website, Social Media, Whats App	
Syerston	Both	No	No	Yes	No		No		Yes	No	Notice Boards, Vulnerable persons contact, parish email	
Thurgarton	Both	Yes	Yes	Yes	Yes	Thurgarton Parish Council	Yes	Yes	Yes	Yes	Website, Social Media, Vulnerable Persons Contact, Whatsapp, Word of Mouth, email	
Weston	Both	Yes	No	Yes	Yes	Named person provided	Yes	Yes	No	Unsure	Website, Notice Board, Vulnerable Person Contact, Word of Mouth	
Winkburn	No	No	No	Yes	No		No		Yes		Social Media, Notice Boards	Winkburn Village is built above and away from the Wink and thus flooding on adjacent fields and onto the roads in and out of the village has thus far not caused flooding in domestic houses other than incidental cellar flooding. This is not a reason for not having an emergency plan and this will be brought up at the next Parish Meeting.
Winthorpe and Langford	No	Yes	Yes	Yes	No		Yes	Yes	No	In Development	Website, Social Media, Word of Mouth	New flood warden has been appointed who aims to get everything in place that is required. If there is any training available this would be appreciated.

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

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

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