

CABINET – TUESDAY, 24 SEPTEMBER 2024

DECISION NOTICE

The following decisions were taken on Tuesday, 24 September 2024 by Cabinet.

Date notified to all Members: **Wednesday, 25 September 2024.**

End of the call-in period is: **12 noon on Monday, 30 September 2024.**

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

Present: P Peacock, R Cozens, S Crosby, L Brazier, E Oldham and P Taylor

<u>Agenda Item No.</u>	<u>Subject</u>	<u>Decision</u>	<u>Action By</u>
6.	Private Housing Amendments Decision) Sector Grant (Key Decision)	<p>That Cabinet approve:</p> <ul style="list-style-type: none"><li>a) the inclusion of the Armed Forces Covenant into the policy;</li><li>b) the increase in the discretionary Disabled Facilities Grant funding from £20,000 to £30,000 to be funded through the Better Care Fund Allocation;</li><li>c) the increase to the Minor Works Grant funding from £5,000 to £10,000 to be funded through the Better Care Fund Allocation;</li><li>d) a review of the outcome of the amendments to the discretionary grant maximum amounts after 6 months of the policy update approval; and</li><li>e) delegated authority to the Director – Communities &amp; Environment, following consultation with the Portfolio Holder - Housing and the Leader of the Council to increase the discretionary grant by a further £10,000 without requiring a further report to the Cabinet, if considered appropriate, following the review.</li></ul> <p><u>Reasons for Decision:</u> To ensure that the Council can continue to deliver necessary adaptations to enable residents to live independently at home for longer.</p> <p><u>Options Considered:</u> Do nothing – this would not allow inclusion of the Armed Forces Covenant in line with other Council policies, limit the number of disabled facilities grants that can be approved due to maximum limits reached and prevent additional minor works to be completed.</p>	Jenny Walker, Business Manager - Public Protection

		Consider differing funding limits – The proposed amended grant maximum have been based on the current costs of adaptations that are being managed by the team. There will always be a few cases that will exceed any limit but these levels represent the majority of cases.	
7.	Newark & Sherwood Health and Wellbeing Strategy 2022 - 2026 - Year 2 Outturn Report	<p>That Cabinet note the work delivered to date in line with the Health &amp; Wellbeing Strategy for 2022 to 2026</p> <p><u>Reasons for Decision:</u> To share the progress made against the Health &amp; Wellbeing Strategy for 2023-24</p> <p><u>Options Considered:</u> None, the Council had local priorities in respect of health and wellbeing</p>	Helen Ellison, Senior Health Improvement Officer
8.	Proposal to Adopt the Land and Ongoing Maintenance of the Middlebeck Phase One Development (Key Decision)	<p>That Cabinet:</p> <p>a) approve, subject to appropriate legal mechanisms and formal decision from Newark Town Council it does not wish to take on the land, the Council entering into a long-term arrangement to adopt and maintain the open space from the first phase of the Middlebeck development in Newark;</p> <p>b) approve the maintenance of the land in return for a £2million commuted sum agreed with the developer, Urban &amp; Civic;</p> <p>c) agrees that, at the end of the 20-year period, ongoing maintenance of the land would be funded from the Council's own resources;</p> <p>d) approves that delegated authority be given to the Council's Directors - Communities &amp; Environment and Planning &amp; Growth, in consultation with the Portfolio Holders, to enter into an appropriate legally-binding contract with the developer Urban &amp; Civic, as detailed at paragraph 2.6 of the report; and</p> <p>e) approves that Newark Town Council be formally approached for a decision about whether it wishes to take on responsibility for the future ownership and maintenance of the land in line with the principles set out in the Devolution Agreement.</p>	Matthew Finch Director – Communities & Environment and Ben Stacey Street Scene Manager

		<p><u>Reasons for Decision:</u></p> <p>The recommendations align with the Community Plan objectives in relation to biodiversity, the environment and climate change. As set out in the report, the development has the potential to help the Council meet objectives set out in the community plan, thereby offering value beyond the £2-million commuted sum to maintain the open spaces.</p> <p><u>Options Considered:</u></p> <p>The existing S106 Planning legal agreements set out that the land will be passported to Newark &amp; Sherwood District Council in stages when certain housebuilding milestones are reached. A management company option, which exist in some other parts of the district, is not deemed to be viable by the developer, with sales in the first phase not having this mechanism incorporated. Homeowners would understandably have an expectation that an additional charge in this regard would not be placed upon them. The Council could look to passport the land and the funding to the Town Council which does have precepting powers to fund the maintenance of the land once the commuted sum has been defrayed. This was envisaged in the devolution deal with the Town Council in that they would have the first option on any new space in their administrative boundary. The Middlebeck Open Space crosses town and parish boundaries, stretching beyond the devolution agreement. Moreover, Members may be aware of the financial challenges the Town Council faces, irrespective of the additional challenge that comes with an asset of the size and scale of future Open Space cumulatively across Middlebeck which incorporates open space in every phase and new country parks. Informal discussions with the Town Council have seen these concerns raised, but there is not yet a formal decision from the Town not to take on the land or otherwise.</p>	
9.	Corporate Annual Budget Strategy for 2025/26	<p>That Cabinet:</p> <ul style="list-style-type: none"> <li>a) approve the overall General Fund, Capital &amp; HRA Budget Strategy for 2025/26;</li> <li>b) note the consultation process with Members;</li> <li>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</li> </ul>	Nick Wilson Business Manager – Financial Services

		<p>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.</p> <p><u>Reasons for Decision:</u> To enable the Council's budget process to proceed encompassing agreed assumptions.</p> <p><u>Options Considered:</u> Not applicable, the Budget Strategy is required each year in accordance with the Council's Constitution.</p>	
10.	Commercial Plan Update	<p>That Cabinet note the update on the Commercial Plan.</p> <p><u>Reasons for Decision:</u> To share how the Council is seeking to address our forecast financial deficit.</p> <p><u>Options Considered:</u> None, this is just an update report.</p>	Nick Wilson, Business Manager- Financial Services
11.	Annual Review of Exempt Items	<p>That Cabinet:</p> <p>a) note the report, with any items being released into the public domain if considered no longer exempt by report authors; and</p> <p>b) consider if this annual review needs to be brought to the Cabinet going forward, given the provisions of the Freedom of Information Act and the Access to Information Procedure Rules.</p> <p><u>Reasons for Decision:</u> To review previous exempt reports considered by the Cabinet over the previous 12 months and to consider if this report is still required going forward given its limited value.</p> <p><u>Options Considered:</u> This report reviews previous exempt items of business considered by the Cabinet over the previous 12 months, in order to release any information into the public domain if appropriate.</p> <p>However, given the report only reviews confidential items over the previous 12 months it is limited in scope and an alternative approach to taking this report on an annual basis is to utilise the Freedom of Information regime which enables the public to request reports / information to be released at any time which would then be assessed on a case-by-case basis.</p>	Nigel Hill, Business Manager - Elections & Democratic Services

		There is also provision under the Access to Information Procedure Rules for Members to request the Monitoring Officer to release exempt information into the public domain if there are substantive reasons to do so (paragraph 1.3 of the report refers).	
12.	Newark Towns Fund Update (Key Decision)	<p>That Cabinet:</p> <ul style="list-style-type: none"> <li>a) note and welcome the progress on the Towns Fund Programme; and</li> <li>b) approve, subject to agreement from the Newark Town Board, the following: <ul style="list-style-type: none"> <li>i. an increase to the Newark Cultural Heart delivery budget by £2,203,737 (made up of £2,110,000 from the Towns Fund Capital grant and £93,737 from the Towns Fund Revenue grant;</li> <li>ii. delegate to the Director - Resources, in consultation with the Director - Planning &amp; Growth, authorisation to submit a Project Adjustment Request form to Government seeking authorisation to re-allocate the remaining £2,203,737 detailed at b) ii from the Newark Gateway scheme to the Newark Cultural Heart project; and</li> <li>iii. to undertake the Full Business Case and return to Cabinet for approval in late 2024.</li> </ul> </li> </ul> <p><u>Reasons for Decision:</u> Through the recent Newark Masterplan consultation, the Market Place continues to be a priority for the community. Additional grant will allow for a visible and impactful transformation of the space, enhancing the space for events and animation.</p> <p><u>Options Considered:</u> The Council could return the grant earmarked for the Newark Gateway (SiSCLog) to Government. This has been discounted given the ability to enhance Newark Market Place as part of Newark Cultural Heart, another Town Fund project.</p>	Bonnie Mitchell, Assistant Business Manager - Economic Growth & Visitor Economy
13.	Transfer of Section 106 Open Space - Off Site Sports Contribution to Ollerton Town Football Club	<p>That Cabinet approve:</p> <ul style="list-style-type: none"> <li>a) the Section 106 contributions for open space off site sports held by the District Council be transferred to Ollerton Town FC for improvements at the Walesby Lane Sports Ground in Ollerton; and</li> </ul>	Andy Hardy, Health Improvement & Community Relations Manager

b) the Council's Capital Programme for 2024/25 is increased by £59,696.76 financed by the Section 106 receipt reference AG924 held for open space off site sports improvements in Ollerton.

Reasons for Decision:

To enable Ollerton Town Football Club to deliver improvements to its sports ground in Ollerton which will deliver improved sporting, health and community benefits and outcomes for local residents.

Options Considered:

The Section 106 receipt held under this agreement must be spent on open space off site sports in Ollerton, therefore it is appropriate that the District Council transfers the receipt held to Ollerton Town Football Club in order that the Club, as long term leaseholder and operator of site, can deliver much needed improvements to the sports ground for the benefit of local community groups which access and use the site.

The District Council is working closely with the Ollerton Town Football Club to improve the facilities at its ground in order to grow its capacity to accommodate increased active participation in sport and leisure activities at one of the communities most valuable assets and it is appropriate therefore to support the Club to deliver improvements at the site as part of a wider ambition to regenerate the site and protect it for future generations.

The Walesby Lane site was determined as the most appropriate site to invest in based on the recent growth in the numbers of teams based at the site particularly women and girls participation and the scope the ground offers for further expansion of activity to meet the growing demand for football locally. The only other local sports club with its own outdoor facility has suitable provision to meet local demand.