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Monday, 12 May 2025

**Chair: Councillor J Hall
Vice-Chair: Councillor L Tift**

To: All Members of the Council

MEETING:	Full Council
DATE:	Tuesday, 20 May 2025 at 6.00 pm
VENUE:	Civic Suite, Castle House, Great North Road, Newark, NG24 1BY
<p>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.</p> <p>If you have any queries please contact Nigel Hill on Tel: 01636 655243 Email: Nigel.hill@newark-sherwooddc.gov.uk.</p>	

AGENDA

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1. Notification to those present that the meeting will be recorded and streamed online
2. Apologies for absence
3. Election of Chair of the Council for 2025/2026
4. Chair to Sign Declaration of Acceptance of Office
5. Election of Vice-Chair of the Council for 2025/26
6. Vice-Chair to Sign Declaration of Acceptance of Office
7. Declarations of Interest by Members and Officers
8. Minutes from the meeting held on 6 March 2025 and the Extraordinary Meeting held on 19 March 2025 5 - 42
9. Communications which the Chairman, Leader, Chief Executive or Portfolio Holders may wish to lay before the Council
10. In accordance with Rule No. 3.1 to receive the presentation or the debating of any Petitions from Members of the Council (if any)
11. Questions from Members of the Public and Council

In accordance with Rule No. 3.3.3 the following questions have been submitted to the Council:

Question from Councillor Pater Harris:

“The Bus Improvement Grant for 2025-6 is allocated by the East Midlands Combined County Authority. The capital element of this grant is equivalent to over £130,000 for Southwell. How is the Leader of the Council monitoring this expenditure to make sure that this money is spent on capital improvements on Southwell's bus services?”

Question from Councillor Matthew Spoors:

“What is the Council’s understanding of the impact of the withdrawal of the sustainable farming Initiative, and what will its response be?”
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(k)	Planning Committee - 8 May 2025	To Follow

19. Exclusion of the Press and Public

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.

None

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Full Council** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Thursday, 6 March 2025 at 6.00 pm.

PRESENT: Councillor J Hall (Chair)
Councillor L Tift (Vice-Chair)

Councillor N Allen, Councillor A Amer, Councillor A Brazier, Councillor L Brazier, Councillor C Brooks, Councillor I Brown, Councillor R Cozens, Councillor S Crosby, Councillor L Dales, Councillor A Freeman, Councillor S Forde, Councillor P Harris, Councillor S Haynes, Councillor R Holloway, Councillor J Kellas, Councillor J Lee, Councillor K Melton, Councillor S Michael, Councillor D Moore, Councillor E Oldham, Councillor P Peacock, Councillor C Penny, Councillor M Pringle, Councillor P Rainbow, Councillor N Ross, Councillor S Saddington, Councillor T Smith, Councillor M Shakeshaft, Councillor M Spoor, Councillor P Taylor, Councillor T Thompson, Councillor T Wendels and Councillor T Wildgust

APOLOGIES FOR ABSENCE: Councillor D Darby, Councillor P Farmer, Councillor R Jackson and Councillor K Roberts

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

The Chair advised the Council that the meeting was being recorded and streamed online in accordance with usual practice.

Councillor J Lee advised that he would be recording parts of the meeting.

56 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

The interests previously declared by Members in Agenda Item No. 17 – Minutes for Noting – were noted.

57 MINUTES FROM THE MEETING HELD ON 11 FEBRUARY 2025

AGREED that the minutes of the meeting held on 11 February 2025 be approved as a correct record and signed by the Chair (Councillor J Lee abstained from voting).

58 COMMUNICATIONS WHICH THE CHAIR, LEADER, CHIEF EXECUTIVE OR PORTFOLIO HOLDERS MAY WISH TO LAY BEFORE THE COUNCIL

The Chair thanked everyone that had attended her Civic Service last month which had been a great success and informed the Council of her plans for the 'Shine a light on the District' event in which she would embark on a challenge to travel to every corner of the District on foot and by bike to raise monies for her chosen charities.

The Vice-Chair informed Members that she had represented the Council at the

Nottinghamshire County Council 'Day of Reflection', to remember those that had lost their lives during the Covid-19 pandemic

The Leader of the Council provided an update on Local Government Reorganisation following a meeting he had attended by all Nottinghamshire Council Leaders, Chief Executives, and PWC who had been commissioned to provide independent analysis of what reorganisation could look like, based on local evidence in line with the government's criteria for the creation of unitary authorities. It had been agreed that all the Nottinghamshire local authorities would continue to work together in line with the interests of residents and keep three options open as to how unitary authorities could be configured. Those options would form the debate at the Extraordinary Council meeting which had been convened for 19 March 2025. The Chief Executive added that he would arrange two briefing sessions for Members on 10 and 11 March 2025 to update further on the latest position.

The Leader also informed Council that Newark, including Balderton, had been selected by the government to develop plans for up to £20m in funding to help drive growth over a ten-year period. The 'Plan for Neighbourhoods' scheme was a £1.5 billion government investment in 75 local areas across the country. He reported that plans for an initial four years of investment would need to be submitted to the government by the winter this year, with delivery funding to commence in April 2026. He confirmed that more details would be made available to Members in due course.

The Portfolio Holder for Housing informed the Council that the Housing Community Chest had been rebranded and renamed and officially launched as "Grant for Local Opportunities and Wellbeing" "GLOW". The grant scheme ran in the same way as the Community Chest and was available to Members and Community Groups throughout the year. More details regarding this could be obtained from the Tenant Engagement Team. The Portfolio Holder also congratulated the ICT Business Unit, who were finalists for the Housing Technologist Awards, for their work on housing project management.

59 QUESTIONS FROM MEMBERS OF THE PUBLIC AND COUNCIL

In accordance with Rule Numbers 3.3.2 and 3.3.3, two questions had been submitted to the Council, one by a member of the public and one by Councillor J Lee. Details of the questions put forward and the response given by Councillors R Cozens and Councillor P Taylor are attached as Appendix A to the minutes.

60 REVENUE BUDGET AND COUNCIL TAX SETTING FOR 2025/26

The Council considered the report of the Leader of the Council relating to the Revenue Budget and Council Tax Setting for 2025/26.

The report indicated that, in setting the level of Council Tax for 2025/2026, it was necessary to consider the requirements of the Council Tax Collection Fund for 2025/2026. This incorporated the District Council's Council Tax Requirement, Parish Council Precepts and the Council Tax requirements of Nottinghamshire County Council, the Nottinghamshire Police & Crime Commissioner and the Nottinghamshire Fire & Rescue Service.

The Cabinet, at its meeting held on 18 February 2025, recommended that the District Council's Net Budget Requirement for 2025/26, should be £20,900,860.

It was reported that all Parish Council precepts had been received and totalled £4,091,219.49. The individual Parish Council precepts were set out in the report.

Nottinghamshire County Council had set a precept on Newark & Sherwood District Council's Collection fund for 2025/2026 of £80,936,000. The Nottinghamshire Police & Crime Commissioner had set a precept on Newark & Sherwood District Council's Collection fund for 2025/2026 of £12,649,587.43 and the Nottingham and Nottinghamshire Fire & Rescue Service had proposed a precept on Newark & Sherwood District Council's Collection fund for 2025/2026 of £4,152,875.36.

In accordance with Rule 3.4.3 (b) written notice had been received that an amendment would be proposed and seconded. Councillor J Kellas accordingly proposed and Councillor S Michael seconded that:

"As outlined in Section 3 of the report, that the revenue estimates for 2025/26 and schedule of fees and charges, as submitted in the Council's Budget book be approved subject to the following changes as outlined below:

- 1.0 Council reduces the proposed increase in council tax from the maximum increase allowable of 2.99%, to a lower and more conservative increase of 1.94%, whereby:
 - 1.1 Proposal 3(g) will change to £8,484,323 being the amount at 3(c) less the amount at 3(d) plus the amount at 3(e) less the amount at 3(f) calculated by the Council as the net Council Tax requirement for the year.
 - 1.2 Proposal 3(h) will change to £198.60 being the amount at 3(g) above divided by the amount at 2(a), calculated by the Council in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those part of its area which no special item relates.
 - 1.3 Proposal 3(j) will change to £294.37 being the amount at 3(g) above plus the amount at 3(i) divided by the amount at 2(a) calculated by the Council in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year.
 - 1.4 Proposal 3(f) will change to £316,301 being the original proposal for 3(f) less the difference between the original proposal for 3(g) and the amended 3(g) as above.
- 2.0 The revenue estimates for 2025/2026 and schedule of fees and charges, as submitted in the Council's Budget book be approved subject to removing the requested funding of £45,000 at row 6 of paragraph 3.23 of the Budget Book to 'support the action plan for Motion for the Ocean' recognising that:

- 2.1 The discussion during item 11 of the Cabinet agenda paper on Tuesday 21

January 2025 acknowledged that this Council has already completed an impressive amount of work in this area. The discussion included a congratulatory message from an Ocean Expert and Co-founder of motion for the ocean who outlined how incredibly proud they are of all that this Council has achieved with trailblazing work, and as a leading light in this area.

- 2.2 Item 11 of the Cabinet agenda paper on Tuesday 21 January 2025 clarified that other funds are proffered for activities around the commitment to increase ocean literacy.
- 2.3 Item 11 of the Cabinet agenda paper on Tuesday 21 January 2025 clarified that the £45,000 was to finance a touring theatre company to perform an experience of the ocean to all primary schools in the district, without assessing anticipated uptake, desire from local schools, alignment to curriculum, development of life skills, or measurable outcomes to demonstrate value for money.
- 3.0 Council allocates the sum of £39,000, funded by the removal of the £45,000 at paragraph 2.0 of this amendment to establish a pilot Members Ward Fund for the financial year 2025-26, whereby each individual member is allocated a sum of £1,000 to support charities, community groups and public bodies working within their wards for the benefit of residents.
- 4.0 Council allocates the sum of £6,000, funded by the removal of the £45,000 at paragraph 2.0 of this amendment for further tree planting within the district, including tree planting for flood alleviation schemes to assist in preventing future flooding”.

Members debated the proposed amendment, during which the Leader of the Council advised that he was supportive to levy a lower Council tax at 1.94%. Therefore, a recorded vote (in accordance with Procedure Rule 5.4) on Paragraphs 1.0 of the amendment was taken as follows:

Councillor	Vote
Neil Allen	For
Adrian Amer	For
Alice Brazier	For
Lee Brazier	For
Celia Brooks	For
Irene Brown	For
Rowan Cozens	For
Susan Crosby	Abstain
Linda Dales	For
Simon Forde	For
Andy Freeman	For
Jean Hall	For
Peter Harris	Against
Simon Haynes	For
Rhona Holloway	For
Jack Kellas	For

Johno Lee	For
Keith Melton	Abstain
Sylvia Michael	For
David Moore	For
Emma Oldham	For
Paul Peacock	For
Claire Penny	For
Mike Pringle	For
Penny Rainbow	For
Neil Ross	For
Sue Saddington	For
Maurice Shakeshaft	For
Tom Smith	For
Matthew Spoors	Against
Paul Taylor	For
Tina Thompson	Abstain
Linda Tift	For
Timothy Wendels	For
Tim Wildgust	For

The proposed amendments at Paragraph 1.0 were therefore AGREED with 30 votes for, 2 against and three abstentions.

A second recorded vote in respect of Paragraph 2.0 of the amendment was taken as follows:

Councillor	Vote
Neil Allen	For
Adrian Amer	Against
Alice Brazier	Against
Lee Brazier	Against
Celia Brooks	Against
Irene Brown	For
Rowan Cozens	Against
Susan Crosby	Against
Linda Dales	For
Simon Forde	Against
Andy Freeman	Against
Jean Hall	Against
Peter Harris	Against
Simon Haynes	For
Rhona Holloway	For
Jack Kellas	For
Johno Lee	For
Keith Melton	Against
Sylvia Michael	For
David Moore	Against
Emma Oldham	Against

Paul Peacock	Against
Claire Penny	Against
Mike Pringle	Against
Penny Rainbow	For
Neil Ross	Against
Sue Saddington	For
Maurice Shakeshaft	Against
Tom Smith	For
Matthew Spoors	Against
Paul Taylor	Against
Tina Thompson	Against
Linda Tift	Against
Timothy Wendels	For
Tim Wildgust	For

This amendment was therefore declared lost with 13 votes for and 22 against. Given this amendment was lost, the elements contained on Paragraphs 3.0 and 4.0 to the amendment were nullified with no vote being required.

In accordance with Rule 3.4.3 (b) written notice had been received that a further amendment would be proposed and seconded. Councillor J Lee accordingly proposed and Councillor M Spoors seconded that:

“Council approves the proposals under Section 3 of the report, subject to the addition of £19,500 for the establishment of a Councillor Community Fund. This initiative would provide each elected member with £500 per year over the next two years to support local projects and initiatives within their respective wards. This addition to be funded from the Change Management Reserve.

The rationale for the amendment being:

1. Direct Community Benefit

- This amendment enables elected members to allocate funds to initiatives that reflect the specific needs of their communities.
- It ensures a fairer and broader investment across the district.

2. Increased Local Engagement

- By distributing funds to councillors, local residents will have a greater say in how public money is spent.
- This strengthens community engagement and ensures investments align with local priorities.

3. Addressing Resident Concerns

- This amendment ensures taxpayer money is spent in alignment with public sentiment and community needs.

4. Long-Term Positive Impact

- The Councillor’s Community Fund supports sustainable, localised investment, allowing each elected member to back projects that benefit their constituents.
- Examples include local sports clubs, community centres, small infrastructure improvements, and grassroots initiatives”.

This amendment, on being put to the meeting was declared lost with 15 votes for and 20 against.

The Council considered the substantive motion proposed by Councillor P Peacock and seconded by Councillor R Cozens and it was AGREED (with 33 votes for, 1 against and 1 abstention) that Council:

- (a) note the proposals under section 2 of the report;
- (b) approve the proposals under section 3 of the report, subject to the agreed amendment at paragraphs 1.0 - 1.4 as proposed by Councillor J Kellas, and the consequential amendments to the Council report and budget book;
- (c) note section 4, 5 and 6 of the report;
- (d) note the proposal in section 7 of the report; and
- (e) note the determination in section 8 of the report.

(The full revised recommendations are set out as Appendix B to these minutes).

In accordance with Procedure Rule No. 5.6.1, a recorded vote was taken as follows:

Councillor	Vote
Neil Allen	For
Adrian Amer	For
Alice Brazier	For
Lee Brazier	For
Celia Brooks	For
Irene Brown	For
Rowan Cozens	For
Susan Crosby	Abstain
Linda Dales	For
Simon Forde	For
Andy Freeman	For
Jean Hall	For
Peter Harris	Against
Simon Haynes	For
Rhona Holloway	For
Jack Kellas	For
Johno Lee	For
Keith Melton	For
Sylvia Michael	For
David Moore	For
Emma Oldham	For
Paul Peacock	For
Claire Penny	For
Mike Pringle	For
Penny Rainbow	For
Neil Ross	For

Sue Saddington	For
Maurice Shakeshaft	For
Tom Smith	For
Matthew Spoors	For
Paul Taylor	For
Tina Thompson	For
Linda Tift	For
Timothy Wendels	For
Tim Wildgust	For

61 CAPITAL PROGRAMME BUDGET 2025/26 TO 2028/29

The Council considered the report of the Deputy Chief Executive / Director – Resources and Section 151 Officer which set out the proposed the General Fund Capital Programme for the period 2025/26 to 2028/29. Following the Cabinet’s consideration of the Capital Programme at its meeting on 18 February 2025 and in accordance with Financial Regulation 6.2.3, the final programme was recommended to Council for approval. Attached as Appendix 1 to the report was the report submitted to the Cabinet on 18 February 2025 which detailed the resources available, the Council’s existing committed programme and the priority schemes identified.

The General Fund Capital Programme for 2025/26 to 2028/29 proposed investment of £51.240m over the 4-year programme. The major schemes in the programme were set out in the report.

AGREED (with 33 votes for and 1 vote against, Councillor K Melton being absent for the vote) that:

- a) the General Fund schemes shown in Appendix A to the report be approved as committed expenditure in the Capital Programme;
- b) the Capital Programme be managed in accordance with Financial Regulation 6.2.3;
- c) in accordance with the delegation to the Section 151 Officer in the Council’s Constitution to arrange financing of the Council’s Capital Programme, the Capital Programme for the financial years 2025/26 to 2028/29 be financed to maximise the resources available, having regard to the provisions of the Local Government and Housing Act 1989 and subsequent legislation; and
- d) any changes above the limit delegated to the Section 151 Officer (i.e. £10,000), either in funding or the total cost of the capital scheme, be reported to the Cabinet for consideration.

62 2025/26 TO 2028/29 MEDIUM TERM FINANCIAL PLAN

The Council considered the report of the Deputy Chief Executive / Director – Resources and Section 151 Officer which sought approval for the Council’s Medium

Term Financial Plan (MTFP) for the four financial years between 1 April 2025 and 31 March 2029 (2025/26 to 2028/29). The main aims of the MTFP were to deliver the Council's Community Plan objectives, clearly present the Council's current predictions of its financial position, and to enable Members to make decisions which ensured the Council's financial sustainability. Updating the MTFP was an essential pre-requisite to the annual budget setting process.

The MTFP showed that the Council was able to set a balanced budget for 2025/26 but would need to reduce expenditure and/or increase income in order to mitigate future anticipated shortfalls in funding. The Council would need to continually consider how best to manage demand for its services, as well as continually monitoring and reviewing how best to deliver services.

In accordance with Rule 3.4.3 (b) written notice had been received that an amendment would be proposed and seconded. Councillor J Kellas accordingly proposed, and Councillor S Michael seconded that:

"Council approves the Medium-Term Financial Plan (MTFP) for the four financial years between 1 April 2025 and 31 March 2029 (2025/26 to 2028/29) subject to an amended annual increase of 1.94%, hence replacing the 2.99% annual increase proposed within the original report with a 1.94% annual increase as per previous iterations of the MTFP".

Given the debate and subsequent decision on the revenue budget, Councillor Peacock indicated his support for the amendment, which on being put to the meeting was declared carried with 34 votes for and 1 against.

In accordance with Rule 3.4.3 (b) written notice had been received that a further amendment would be proposed and seconded. Councillor J Lee accordingly proposed, and Councillor M Spoors seconded that:

"Council approves the MTFP for 2025/26 to 2028/29, subject to the addition of £19,500 in 2026/27 for a Councillor Community Fund".

On being put to the meeting this amendment was declared lost with 2 votes for, 31 against and 2 abstentions.

The Council considered the substantive motion proposed by Councillor P Peacock and seconded by Councillor R Cozens, as amended, and it was AGREED (with 33 votes for and 1 against - Councillor A Brazier not being present at the time of the vote) that Council approves the MTFP for the four financial years between 1 April 2025 and 31 March 2029 (2025-26 to 2028-29) subject to an amended annual increase of 1.94%, hence replacing the 2.99% annual increase proposed within the original report with a 1.94% annual increase as per previous iterations of the MTFP.

63 TREASURY MANAGEMENT STRATEGY 2025/26

The Council considered the report of the Deputy Chief Executive / Director - Resources and Section 151 Officer which sought approval for the Treasury Management Strategy, which incorporated the Borrowing Strategy, Investment

Strategy and Treasury Prudential Indicators, which had all been updated in accordance with latest guidance and in line with legislative requirements. The strategies were attached as Appendix A to the report. The Audit & Governance Committee had considered all of the strategies at their meeting held on 18 February 2025 and recommended these to Full Council for approval.

Councillor P Harris raised a concern around the increase maturity structure of borrowing by 10% given the high interest period. As Chair of the Audit & Governance Committee, Councillor R Holloway advised she would respond to those concerns.

AGREED (with 34 votes for and 1 against) that Council approves:

- a) the Treasury Management Strategy 2025/26, incorporating the Borrowing Strategy and the Annual Investment Strategy, contained within Appendix A to the report;
- b) the Treasury Prudential Indicators and Limits, contained within Appendix A to the report; and
- c) the Authorised Limit Treasury Prudential Indicator contained within Appendix A to the report.

64 CAPITAL STRATEGY 2025/26

The Council considered the report of the Deputy Chief Executive / Director – Resources & Section 151 Officer which sought approval for the Capital Strategy 2025/26 which incorporated the Minimum Revenue Provision Policy and Capital Prudential Indicators, updated in accordance with latest guidance and with legislative requirements. The strategies were attached as appendices to the report. The Audit & Governance Committee had considered the proposed Capital Strategy 2025/26 at their meeting held on 18 February 2025 and recommended it to Full Council for approval.

AGREED (unanimously) that Council approves:

- a) the Capital Strategy 2025/26 contained at Appendix A to the report;
- b) the Capital Prudential Indicators and Limits for 2025/26, contained within Appendix A to the report;
- c) the Minimum Revenue Provision (MRP) Policy Statement as contained within Appendix C to the report, which set out the Council's policy on MRP; and
- d) the Flexible Use of Capital Receipts Strategy, contained within Appendix D to the report.

65 INVESTMENT STRATEGY 2025/26

The Council considered the report of the Deputy Chief Executive / Director –

Resources & Section 151 Officer which sought approval for the Investment Strategy 2025/26 which met the requirements of statutory guidance issued by the Department of Levelling Up, Housing & Communities. The Audit & Governance Committee had considered the proposed Investment Strategy 2025/26 at their meeting held on 18 February 2025 and recommended it to Full Council for approval.

Councillor P Harris asked what were the risks associated with equity investment and how that would be monitored and sustained. Councillor R Hollway agreed to provide a written response.

AGREED (unanimously) that Council approve:

- a) the Non-Treasury Investment Strategy 2025/26 attached as Appendix A to the report; and
- b) the Investment Prudential Indicators and Limits for 2025/26, contained within Appendix A to the report.

66 PAY POLICY STATEMENT 2025/26

The Council considered the report of the Director – Customer Services & Organisational Development which sought approval of the Pay Policy Statement (attached as Appendix A to the report) for 2025/26. In accordance with Section 38(1) of the Localism Act 2011, the Council was required to produce a Pay Policy Statement for each financial year. The Cabinet, at their meeting held on 18 February 2025, recommended the Pay Policy Statement to the Council for adoption.

It was noted that the pay award for 2025/26 was still to be finalised but once agreed the Pay Policy Statement would be revised to reflect new pay rates. In addition to issues on pay, the report also referred to ongoing challenges around recruitment and retention.

AGREED (unanimously) that the Pay Policy Statement for 2025/26 be approved.

67 COUNCIL TAX SECOND HOME PREMIUM AND SHORT-TERM EMPTY DISCOUNT

The Council considered the report of the Deputy Chief Executive / Director – Resources & Section 151 Officer which provided an update on the current position relating to second homes in the District and enabled Members to consider options to charge a premium on these properties. It also enabled Council to consider changing the discount available for short-term empty properties.

In a report to Cabinet on 6 December 2012, it was agreed to implement a local discount of 100% for vacant (empty and unfurnished) properties for a maximum period of up to four weeks and thereafter no discount. It was also agreed to remove the 10% discount for second homes and levy the full 100% charge. As of 1 December 2024, the Council was levying second home charges for 183 properties in respect of the 2024/25 charge period.

The proposal was to apply a 100% second home premium (the maximum permitted

level) with effect from 1 April 2026. The proposal would best support Council and Government policy in helping to reduce the number of empty homes by giving the highest incentive to owners to bring the properties back in to use, by either selling or renting the property.

Members referred to the Council still being able to apply some discretion in terms of these charges given there would always be exceptional circumstances to consider.

AGREED (unanimously) that:

- (a) the position in relation to second homes and short-term empty properties be noted;
- (b) approve a levy on second homes with effect from 1 April 2026, in line with recent legislative changes and to amend the discount for short-term empty properties from 1 April 2025.

During the debate of this item, the Chair indicated that the meeting duration had expired. Therefore, in accordance with Rule 2.7.2 a motion to continue for a further hour was put to the Meeting and agreed.

68 NOTICES OF MOTION

Warmer Homes in Newark and Sherwood

In accordance with Rule No. 3.4.3 Councillor K Melton moved and Councillor M Spoors seconded a motion to the following effect:

Council notes that:

1. The incoming Labour Government has announced a plan to ensure it can ... “

lift over one million households out of fuel poverty by consulting on boosting minimum energy efficiency standards for all renters by 2030, delivering warmer homes and cheaper bills.”

Minister for Energy Consumers Miatta Fahnbulleh – November 2024

2. In October 2024 ... “The National Wealth Fund (NWF), Barclays, and the Lloyds Banking Group partnered to provide loans for social housing energy efficiency projects. The loans are intended to help housing associations meet their net zero targets and improve the quality of life for residents.”

3. The MCS* Foundation, whose vision is to “*Make every home in the UK Carbon free ...*” is working with our East Midlands Regional organisation N2D2 and the regional mayor, Claire Ward, to help establish decarbonisation projects in the East Midlands.

4. Newark and Sherwood District Council has initiated a few small-scale grant-aided projects to decarbonize some social homes. However, a date has not yet been set for the decarbonization and insulation of the majority of our 5500 social homes.

Council reaffirms its commitment to using the UN Sustainable Development Goals as a guide, and roadmap, for generating Local Action that works towards achieving the UN SDGs.

In view of the accelerating speed of global over-heating and the consequent impact of extreme weather events (*e.g. very cold winters*), plus the availability of funding streams which mean decarbonisation and insulation work should now be undertaken without all capital expenditure responsibility falling to a Local Authority, this Council now resolves:-

- A. To instruct the Director of Housing Health and Wellbeing to investigate accelerating decarbonisation of NSDC housing stock and incorporating decarbonisation of NSDC housing stock into the Council's decarbonisation objectives across the District.
- B. To instruct the Director of Housing Health and Wellbeing to explore available funding options to fulfil objective A as soon as possible.
- C. To investigate the implications of all NSDC new build social housing in the District being built to net zero carbon standards.

(*MCS = Microgeneration Certification Scheme)

In accordance with Rule 4.6.1 Councillor P Peacock moved and Councillor J Kellas seconded an amendment to the motion as follows:

"That this Council now resolves to:

- A. To continue to investigate accelerating decarbonisation of NSDC housing stock and incorporating decarbonisation of NSDC housing stock into the Council's decarbonisation objectives across the District.
- B. To continue to explore available funding options to fulfil objective A as soon as possible.
- C. To investigate the implications of all NSDC new build social housing in the District being built to net zero carbon standards.
- D. To establish a Policy & Performance Improvement Committee working group to assess progress on A, B and C and receive findings from the ongoing work of the Carbon Trust and to make recommendations to Cabinet from those findings."

As the mover of the original motion, Councillor K Melton indicated his acceptance of the amendment which therefore became an alteration of the motion in accordance with Rule 4.7.1 and was debated by the Council.

The altered motion, on being put to the vote, was agreed unanimously.

69 MINUTES FOR NOTING

69a CABINET - 18 FEBRUARY 2025

69b POLICY AND PERFORMANCE IMPROVEMENT COMMITTEE - 10 FEBRUARY 2025

69c POLICY AND PERFORMANCE IMPROVEMENT COMMITTEE - 17 FEBRUARY 2025

69d PLANNING COMMITTEE - 13 FEBRUARY 2025

69e AUDIT AND GOVERNANCE COMMITTEE - 19 FEBRUARY 2025

Meeting closed at 9.31 pm.

Chair

FULL COUNCIL MEETING – 6 MARCH 2025**QUESTIONS FROM MEMBERS OF THE PUBLIC**

In accordance with Rule No. 3.3.2 the following question was submitted to the Council from Mr Laurence Goff:

Emily Blagg 90th Anniversary of Her Death On 7th April 1935 – 2025

Is it time to now recognise, acknowledge an exceptional intellectual woman of her life work in and around Newark? Would you agree it is time that Mrs Emily Blagg can be remembered with a Blue Plaque that can be on display at Newark Palace Theatre, Blagg and Johnson, Newark Cemetery, the two house she lived in: The Lodge 23 London Road around the corner from Lime Grove; 2 The Park Newark; and where she lived the rest of her life at 131 Lime Grove.

Her contribution had a profound impact and has transformed Newark with her life work and story having been told on TV programmes like Bargain Hunt, with many repeats also at Newark Advertiser, Blagg and Johnson, Newark Library, Newark Palace Theatre and on the internet.

A wonderful and incredible woman, her legacy must live on for what she done for Newark and putting us on the world's map of history marking. As part of International Women's Day on Saturday 8th March 2025, let us now put this tribute right so other woman can be inspired by her achievements.

Would you agree that this wonderful and incredible woman's legacy must live on for what she done for Newark? As part of International Women's Day, let us now put this tribute right so other woman can be inspired by her achievements.

Reply from Councillor Rowan Cozens – Portfolio Holder for Heritage, Culture & the Arts

Emily Blagg's profound legacy is alive and well in Newark.

Despite the pandemic, this remarkable woman's achievements were highlighted as part of the Palace Theatre's centenary celebrations in 2020.

And that was only right as it was thanks to her that generations have been able to visit the magnificent theatre that she built in the heart of the town.

Now, during the 90th anniversary of her passing, we have been contacted by various parties keen to explore the possibility of securing a blue plaque to commemorate her.

The blue plaque scheme is not administered by Newark and Sherwood, but by Historic England and awards are very hard won.

Outside of London, where the scheme has only been in operation for a short number of years, plaques have focussed on individuals known nationally and internationally who have 'made a significant contribution to human welfare or happiness; and/or have made an exceptional impact in their field, community or on society at large'.

We have registered for the application process and irrespective of the outcome, will continue to celebrate the impact she made on Newark.

Supplemental Question from Mr Laurence Goff

Would you agree more inspirational women need to be recognised like Emily Blagg, would you agree with me to have a special award in her honour.

Reply from Councillor Rowan Cozens – Portfolio Holder for Heritage, Culture & the Arts

Welcome further discussions.

QUESTIONS FROM MEMBERS OF THE COUNCIL

In accordance with Rule No. 3.3.3 the following question was submitted to the Council from Councillor John Lee:

Given that we are moving towards a unitary system where services will likely be amalgamated rather than separated, is now really the right time to be relocating the camera system hub? Has there been any communication with other councils either by yourself or by Councillor Paul Peacock about whether this is a financially wise decision in the context of future service integration?"

Reply from Councillor Paul Taylor – Portfolio Holder for Public Protection & Community Relations

I would like to thank Cllr Lee for this question.

It gives me the opportunity to share with you how much we have achieved in reducing ASB. Since I have been in post as Portfolio Holder for Public Protection and Community Relations.

At the end of January, ASB overall across the district is down 15.4% year on year.

In Castle ward it is down 37%, in Beacon Ward 37% and Devon ward 29%. Those wards collectively make up what we would know as Newark town centre.

Within your ward Balderton North and Coddington where we have delivered safer streets 5, ASB is down by 58% despite you have opposed almost every intervention.

Even with those fantastic reductions in ASB I am not going to be complacent when it comes to protecting the people of Newark and Sherwood Safety.

Bringing the CCTV control room back to Newark will deliver a step change in protecting the safety of the people of Newark and Sherwood. I certainly am not willing to put their safety at risk so that you can play petty politics.

We are already a year into our two year notice period. There are two reasons why we made the decision to give notice that we intended to leave the control room CCTV partnership.

First and foremost we need a control room covering the district which is efficient and effective and is proactively monitored. The current system is not the New control room in Newark will be.

We need a state of the art system which is monitored in real time and can deliver a step change in performance in order to move it from being reactive to proactive.

Regarding the timing, devolution is unlikely to happen until 2028 at the earliest. It would then take at least 4 years until the new unitary authority got round to reviewing CCTV based on what has happened in Northamptonshire. At the moment we don't even know what the new unitary council will consist of.

To cancel opening a new CCTV control room in Newark would risk leaving the public without the protection of CCTV for around 6 years . You may be willing to risk public safety in order to play petty politics, I am not.

I regularly talk with leading members involved in public protection across Nottinghamshire and none of them have raised any concern about our development of a new proactive CCTV system for Newark.

We have even had a senior councillor from another Nottinghamshire Council visit our ASB summits to see the work we are doing around ASB because they know how much we are achieving in Newark and Sherwood. We have also had a research team from the Home Office visit Newark to look at how we are being so successful in reducing ASB.

I would like to finish this answer by reminding Cllr Lee that when we made the decision to continue with giving Newark a state-of-the-art CCTV system located back in Newark you had the opportunity to have the decision called in and fully debated at Full Council. You chose not to do so and instead chose to play political games. You keep on with your silly games and I will continue with protecting the public of Newark and Sherwood.

ITEM 8 - REVENUE BUDGET AND COUNCIL TAX SETTING FOR 2025/26

AGREED (with 33 for, 1 against and 1 abstention) that:

2.1 It be noted that the following amounts have been determined for the year 2025/2026 in accordance with regulations made under Section 31(B) of the Local Government Finance Act 1992:-

- (a) 42,720.66** being the amount calculated by the Council in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its Council Tax Base for the year;
- (b) £47,762,186** being the net business rate yield after transitional arrangements and rate retention;
- (c) Part of the Council's Area**

	PARISH	TOTAL LOCAL TAX BASE
1	Alverton	26.82
2	Averham	121.41
3	Balderton	3,080.34
4	Barnby in the Willows	110.25
5	Bathley	118.08
6	Besthorpe	83.07
7	Bilsthorpe	1,143.81
8	Bleasby	403.74
9	Blidworth	1,180.89
10	Bulcote	177.03
11	Carlton-on-Trent	102.96
12	Caunton	208.26
13	Caythorpe	141.30
14	Clipstone	1,692.90
15	Coddington	569.70
16	Collingham	1,272.78
17	Cotham	44.73
18	Cromwell	110.34

	PARISH	TOTAL LOCAL TAX BASE
19	Eakring	208.80
20	East Stoke	74.07
21	Edingley	191.43
22	Edwinstowe	2,047.68
23	Egmanton	131.67
24	Elston	285.03
25	Epperstone	275.94
26	Farndon	823.41
27	Farnsfield	1,335.24
28	Fiskerton-cum-Morton	428.76
29	Girton and Meering	57.15
30	Gonalston	53.91
31	Grassthorpe	29.43
32	Gunthorpe	315.09
33	Halam	205.11
34	Halloughton	39.96
35	Harby	125.28
36	Hawton	31.77
37	Hockerton	107.01
38	Holme	43.38
39	Hoveringham	175.86
40	Kelham	87.03
41	Kersall	20.97
42	Kilvington	14.22
43	Kirklington	170.73
44	Kirton	133.02
45	Kneesall	96.30
46	Langford	42.39
47	Laxton & Moorhouse	117.54
48	Lowdham	1,011.87

	PARISH	TOTAL LOCAL TAX BASE
49	Lyndhurst	7.65
50	Maplebeck	45.45
51	Meering	-
52	Newark	9,294.84
53	North Clifton	74.43
54	North Muskham	418.32
55	Norwell	230.31
56	Ollerton and Boughton	3,057.84
57	Ompton	21.15
58	Ossington	40.59
59	Oxton	270.36
60	Perlethorpe-cum-Budby	75.60
61	Rainworth	1,954.35
62	Rolleston	165.15
63	Rufford	236.25
64	South Clifton	128.97
65	South Muskham	194.94
66	South Scarle	98.10
67	Southwell	3,053.16
68	Spalford	41.31
69	Staunton	29.61
70	Staythorpe	45.09
71	Sutton-on-Trent	555.93
72	Syerston	96.93
73	Thorney	102.78
74	Thorpe	35.10
75	Thurgarton	252.81
76	Upton	199.89
77	Walesby	446.13
78	Wellow	194.22

	PARISH	TOTAL LOCAL TAX BASE
79	Weston	145.89
80	Wigsley	53.01
81	Winkburn	50.40
82	Winthorpe	287.01
83	Fernwood	1,421.28
84	Kings Clipstone	127.35
	Total Rounded	42,720.66

Parishes Grouped For Precept Purposes

	Averham, Kelham, Staythorpe	253.53
	Kneesall, Kersall, Ompton	138.42
	Winthorpe, Langford	329.40
	East Stoke, Thorpe	109.17

being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as the amounts of its Council Tax base for the year for dwellings in those parts of its area to which one or more special items relate.

3.1 The revenue estimates for 2025/2026 and schedule of fees and charges, as submitted in the Council's Budget book be approved;

3.2 That the following amounts be now calculated by the Council for the year 2025/2026 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992:-

- (a) £57,162,110.00 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) to (4) of the Act;
- (b) £36,261,250.00 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3)(a) to (d) of the Act;
- (c) £20,900,860.00 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with section 31A(4) of the Act, as its Council Tax requirement for the year;
- (d) £12,906,738.00 being the amount of Government Grants (£2,060,920) and net retained Business Rates (including pool surplus)

(£10,845,818) which the Council estimates will be payable for the year into its general fund;

- (e) **£173,900.00** being the amount which the Council has estimated in accordance with regulations issued under Section 97(3) of the Local Government Finance Act 1988 as its proportion of the deficit on the Council Tax Collection Fund;
- (f) **£316,301.00** being the amount that the Council has determined to contribute to usable reserves;
- (g) **£8,484,323.00** being the amount at 3(c) above less the amount at 3(d) above plus the amount at 3(e) above less the amount at 3(f) above calculated by the Council as its' net Council Tax requirement for the year.
- (h) **£198.60** being the amount at 3(g) divided by the amount at 2(a), calculated by the Council in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates.
- (i) **£4,091,219.00** being the aggregate amount of all special items referred to in Section 34(1) of the Act, the Council resolves there being no other special items;
- (j) **£294.37** being the amount at 3(g) above plus the amount at 3(i) above divided by the amount at 2(a) above calculated by the Council in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year;
- (k)

	PARISH	BASIC TAX (£)
1	Alverton	198.60
2	Averham	*
3	Balderton	323.17
4	Barnby in the Willows	246.14
5	Bathley	213.78
6	Besthorpe	300.32

	PARISH	BASIC TAX (£)
7	Bilsthorpe	282.59
8	Bleasby	249.13
9	Blidworth	281.63
10	Bulcote	260.74
11	Carlton-on-Trent	276.61
12	Caunton	232.45
13	Caythorpe	259.46
14	Clipstone	301.85
15	Coddington	230.73
16	Collingham	239.01
17	Cotham	198.60
18	Cromwell	208.12
19	Eakring	239.31
20	East Stoke	****
21	Edingley	269.12
22	Edwinstowe	306.82
23	Egmanton	240.37
24	Elston	307.27

	PARISH	BASIC TAX (£)
25	Epperstone	266.11
26	Farndon	276.63
27	Farnsfield	266.85
28	Fiskerton-cum-Morton	221.37
29	Girton and Meering	220.03
30	Gonalston	198.60
31	Grassthorpe	198.60
32	Gunthorpe	276.91
33	Halam	237.60
34	Halloughton	198.60
35	Harby	250.41
36	Hawton	239.52
37	Hockerton	245.32
38	Holme	198.60
39	Hoveringham	294.13
40	Kelham	*
41	Kersall	**
42	Kilvington	198.60

	PARISH	BASIC TAX (£)
43	Kirklington	254.24
44	Kirton	258.74
45	Kneesall	**
46	Langford	***
47	Laxton & Moorhouse	239.69
48	Lowdham	283.59
49	Lyndhurst	198.60
50	Maplebeck	198.60
51	Meering	198.60
52	Newark	338.37
53	North Clifton	225.58
54	North Muskham	243.74
55	Norwell	241.65
56	Ollerton and Boughton	374.93
57	Ompton	**
58	Ossington	198.60
59	Oxton	276.27
60	Perlethorpe-cum-Budby	222.41
61	Rainworth	234.42

	PARISH	BASIC TAX (£)
62	Rolleston	260.95
63	Rufford	215.53
64	South Clifton	222.25
65	South Muskham	270.02
66	South Scarle	253.95
67	Southwell	295.14
68	Spalford	198.60
69	Staunton	198.60
70	Staythorpe	*
71	Sutton-on-Trent	250.73
72	Syerston	198.60
73	Thorney	229.73
74	Thorpe	****
75	Thurgarton	268.04
76	Upton	243.12
77	Walesby	312.57
78	Wellow	240.82
79	Weston	232.30

	PARISH	BASIC TAX (£)
80	Wigsley	217.46
81	Winkburn	198.60
82	Winthorpe	***
83	Fernwood	274.17
84	Kings Clipstone	284.11

	Parishes Grouped for Parish Purposes	Basic Tax (£)
*	Averham, Kelham, Staythorpe	219.62
**	Kneesall, Kersall, Ompton	221.49
***	Winthorpe, Langford	241.10
****	East Stoke, Thorpe	232.95

being the amounts given by adding to the amount at 3(h) above the amounts of the special item or items (if any) relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in parts of its area including those parts to which one or more special items relate.

- I The table below shows the basic level of tax for all property bands in each parish, including parish charges where appropriate. This is shown on the following two pages.

Part of the Council's area, being the Parishes of:-		Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
		£	£	£	£	£	£	£	£
1	Alverton	132.40	154.47	176.53	198.60	242.73	286.87	331.00	397.20
2	Averham	*	*	*	*	*	*	*	*
3	Balderton	215.45	251.35	287.26	323.17	394.99	466.80	538.62	646.34

4	Barnby in the Willows	164.09	191.44	218.79	246.14	300.84	355.54	410.23	492.28
5	Bathley	142.52	166.27	190.03	213.78	261.29	308.79	356.30	427.56
6	Besthorpe	200.21	233.58	266.95	300.32	367.06	433.80	500.53	600.64
7	Bilsthorpe	188.39	219.79	251.19	282.59	345.39	408.19	470.98	565.18
8	Bleasby	166.09	193.77	221.45	249.13	304.49	359.85	415.22	498.26
9	Blidworth	187.75	219.05	250.34	281.63	344.21	406.80	469.38	563.26
10	Bulcote	173.83	202.80	231.77	260.74	318.68	376.62	434.57	521.48
11	Carlton-on-Trent	184.41	215.14	245.88	276.61	338.08	399.55	461.02	553.22
12	Caunton	154.97	180.79	206.62	232.45	284.11	335.76	387.42	464.90
13	Caythorpe	172.97	201.80	230.63	259.46	317.12	374.78	432.43	518.92
14	Clipstone	201.23	234.77	268.31	301.85	368.93	436.01	503.08	603.70
15	Coddington	153.82	179.46	205.09	230.73	282.00	333.28	384.55	461.46
16	Collingham	159.34	185.90	212.45	239.01	292.12	345.24	398.35	478.02
17	Cotham	132.40	154.47	176.53	198.60	242.73	286.87	331.00	397.20
18	Cromwell	138.75	161.87	185.00	208.12	254.37	300.62	346.87	416.24
19	Eakring	159.54	186.13	212.72	239.31	292.49	345.67	398.85	478.62
20	East Stoke	****	****	****	****	****	****	****	****
21	Edingley	179.41	209.32	239.22	269.12	328.92	388.73	448.53	538.24
22	Edwinstowe	204.55	238.64	272.73	306.82	375.00	443.18	511.37	613.64
23	Egmanton	160.25	186.95	213.66	240.37	293.79	347.20	400.62	480.74

24	Elston	204.85	238.99	273.13	307.27	375.55	443.83	512.12	614.54
25	Epperstone	177.41	206.97	236.54	266.11	325.25	384.38	443.52	532.22
26	Farndon	184.42	215.16	245.89	276.63	338.10	399.58	461.05	553.26
27	Farnsfield	177.90	207.55	237.20	266.85	326.15	385.45	444.75	533.70
28	Fiskerton-cum-Morton	147.58	172.18	196.77	221.37	270.56	319.76	368.95	442.74
29	Girton	146.69	171.13	195.58	220.03	268.93	317.82	366.72	440.06
30	Gonalston	132.40	154.47	176.53	198.60	242.73	286.87	331.00	397.20
31	Grassthorpe	132.40	154.47	176.53	198.60	242.73	286.87	331.00	397.20
32	Gunthorpe	184.61	215.37	246.14	276.91	338.45	399.98	461.52	553.82
33	Halam	158.40	184.80	211.20	237.60	290.40	343.20	396.00	475.20
34	Halloughton	132.40	154.47	176.53	198.60	242.73	286.87	331.00	397.20
35	Harby	166.94	194.76	222.59	250.41	306.06	361.70	417.35	500.82
36	Hawton	159.68	186.29	212.91	239.52	292.75	345.97	399.20	479.04
37	Hockerton	163.55	190.80	218.06	245.32	299.84	354.35	408.87	490.64
38	Holme	132.40	154.47	176.53	198.60	242.73	286.87	331.00	397.20
39	Hoveringham	196.09	228.77	261.45	294.13	359.49	424.85	490.22	588.26
40	Kelham	*	*	*	*	*	*	*	*
41	Kersall	**	**	**	**	**	**	**	**
42	Kilvington	132.40	154.47	176.53	198.60	242.73	286.87	331.00	397.20
43	Kirklington	169.49	197.74	225.99	254.24	310.74	367.24	423.73	508.48

44	Kirton	172.49	201.24	229.99	258.74	316.24	373.74	431.23	517.48
45	Kneesall	**	**	**	**	**	**	**	**
46	Langford	***	***	***	***	***	***	***	***
47	Laxton & Moorhouse	159.79	186.43	213.06	239.69	292.95	346.22	399.48	479.38
48	Lowdham	189.06	220.57	252.08	283.59	346.61	409.63	472.65	567.18
49	Lyndhurst	132.40	154.47	176.53	198.60	242.73	286.87	331.00	397.20
50	Maplebeck	132.40	154.47	176.53	198.60	242.73	286.87	331.00	397.20
51	Meering	132.40	154.47	176.53	198.60	242.73	286.87	331.00	397.20
52	Newark	225.58	263.18	300.77	338.37	413.56	488.76	563.95	676.74
53	North Clifton	150.39	175.45	200.52	225.58	275.71	325.84	375.97	451.16
54	North Muskham	162.49	189.58	216.66	243.74	297.90	352.07	406.23	487.48
55	Norwell	161.10	187.95	214.80	241.65	295.35	349.05	402.75	483.30
56	Ollerton and Boughton	249.95	291.61	333.27	374.93	458.25	541.57	624.88	749.86
57	Ompton	**	**	**	**	**	**	**	**
58	Ossington	132.40	154.47	176.53	198.60	242.73	286.87	331.00	397.20
59	Oxton	184.18	214.88	245.57	276.27	337.66	399.06	460.45	552.54
60	Perlethorpe-cum-Budby	148.27	172.99	197.70	222.41	271.83	321.26	370.68	444.82
61	Rainworth	156.28	182.33	208.37	234.42	286.51	338.61	390.70	468.84
62	Rolleston	173.97	202.96	231.96	260.95	318.94	376.93	434.92	521.90
63	Rufford	143.69	167.63	191.58	215.53	263.43	311.32	359.22	431.06
64	South Clifton	148.17	172.86	197.56	222.25	271.64	321.03	370.42	444.50

65	South Muskham	180.01	210.02	240.02	270.02	330.02	390.03	450.03	540.04
66	South Scarle	169.30	197.52	225.73	253.95	310.38	366.82	423.25	507.90
67	Southwell	196.76	229.55	262.35	295.14	360.73	426.31	491.90	590.28
68	Spalford	132.40	154.47	176.53	198.60	242.73	286.87	331.00	397.20
69	Staunton	132.40	154.47	176.53	198.60	242.73	286.87	331.00	397.20
70	Staythorpe	*	*	*	*	*	*	*	*
71	Sutton-on-Trent	167.15	195.01	222.87	250.73	306.45	362.17	417.88	501.46
72	Syerston	132.40	154.47	176.53	198.60	242.73	286.87	331.00	397.20
73	Thorney	153.15	178.68	204.20	229.73	280.78	331.83	382.88	459.46
74	Thorpe	****	****	****	****	****	****	****	****
75	Thurgarton	178.69	208.48	238.26	268.04	327.60	387.17	446.73	536.08
76	Upton	162.08	189.09	216.11	243.12	297.15	351.17	405.20	486.24
77	Walesby	208.38	243.11	277.84	312.57	382.03	451.49	520.95	625.14
78	Wellow	160.55	187.30	214.06	240.82	294.34	347.85	401.37	481.64
79	Weston	154.87	180.68	206.49	232.30	283.92	335.54	387.17	464.60
80	Wigsley	144.97	169.14	193.30	217.46	265.78	314.11	362.43	434.92
81	Winkburn	132.40	154.47	176.53	198.60	242.73	286.87	331.00	397.20
82	Winthorpe	***	***	***	***	***	***	***	***
83	Fernwood	182.78	213.24	243.71	274.17	335.10	396.02	456.95	548.34
84	Kings Clipstone	189.41	220.97	252.54	284.11	347.25	410.38	473.52	568.22

Parishes joint for Precept purposes

*	Averham, Kelham, Staythorpe	146.41	170.82	195.22	219.62	268.42	317.23	366.03	439.24
**	Kneesall, Kersall, Ompton	147.66	172.27	196.88	221.49	270.71	319.93	369.15	442.98
***	Winthorpe, Langford	160.73	187.52	214.31	241.10	294.68	348.26	401.83	482.20
*** *	East Stoke, Thorpe	155.30	181.18	207.07	232.95	284.72	336.48	388.25	465.90

being the amounts given by multiplying the amounts at 3(i) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

4. it be noted for the year 2025/2026 that the Nottinghamshire County Council has stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each valuation band shown below;

Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
£	£	£	£	£	£	£	£
1,263.03	1,473.53	1,684.04	1,894.54	2,315.55	2,736.56	3,157.57	3,789.08

5. it be noted for the year 2025/2026 that the Nottinghamshire Police and Crime Commissioner has stated the following amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each valuation band shown below;

Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
£	£	£	£	£	£	£	£
197.40	230.30	263.20	296.10	361.90	427.70	493.50	592.20

6. it be noted for the year 2025/2026 that the Nottinghamshire Fire and Rescue Service has proposed the following amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each valuation band shown below; and

Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
£	£	£	£	£	£	£	£
64.81	75.61	86.41	97.21	118.81	140.41	162.02	194.42

7. having calculated the aggregate in each case of the amounts at 3(i) and 4, 5 and 6 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amount of Council Tax for the year 2025/2026 for each valuation band shown on the following pages:

Proposal 7									
Part of the Council's area, being the Parishes of:-									
		Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
		£	£	£	£	£	£	£	£
1	Alverton	1,657.64	1,933.91	2,210.18	2,486.45	3,038.99	3,591.54	4,144.09	4,972.90
2	Averham	1,671.65	1,950.26	2,228.87	2,507.47	3,064.68	3,621.90	4,179.12	5,014.94
3	Balderton	1,740.69	2,030.79	2,320.91	2,611.02	3,191.25	3,771.47	4,351.71	5,222.04
4	Barnby in the Willows	1,689.33	1,970.88	2,252.44	2,533.99	3,097.10	3,660.21	4,223.32	5,067.98
5	Bathley	1,667.76	1,945.71	2,223.68	2,501.63	3,057.55	3,613.46	4,169.39	5,003.26
6	Besthorpe	1,725.45	2,013.02	2,300.60	2,588.17	3,163.32	3,738.47	4,313.62	5,176.34
7	Bilsthorpe	1,713.63	1,999.23	2,284.84	2,570.44	3,141.65	3,712.86	4,284.07	5,140.88
8	Bleasby	1,691.33	1,973.21	2,255.10	2,536.98	3,100.75	3,664.52	4,228.31	5,073.96
9	Blidworth	1,712.99	1,998.49	2,283.99	2,569.48	3,140.47	3,711.47	4,282.47	5,138.96
10	Bulcote	1,699.07	1,982.24	2,265.42	2,548.59	3,114.94	3,681.29	4,247.66	5,097.18
11	Carlton-on-Trent	1,709.65	1,994.58	2,279.53	2,564.46	3,134.34	3,704.22	4,274.11	5,128.92
12	Caunton	1,680.21	1,960.23	2,240.27	2,520.30	3,080.37	3,640.43	4,200.51	5,040.60
13	Caythorpe	1,698.21	1,981.24	2,264.28	2,547.31	3,113.38	3,679.45	4,245.52	5,094.62
14	Clipstone	1,726.47	2,014.21	2,301.96	2,589.70	3,165.19	3,740.68	4,316.17	5,179.40
15	Coddington	1,679.06	1,958.90	2,238.74	2,518.58	3,078.26	3,637.95	4,197.64	5,037.16
16	Collingham	1,684.58	1,965.34	2,246.10	2,526.86	3,088.38	3,649.91	4,211.44	5,053.72
17	Cotham	1,657.64	1,933.91	2,210.18	2,486.45	3,038.99	3,591.54	4,144.09	4,972.90
18	Cromwell	1,663.99	1,941.31	2,218.65	2,495.97	3,050.63	3,605.29	4,159.96	4,991.94

19	Eakring	1,684.78	1,965.57	2,246.37	2,527.16	3,088.75	3,650.34	4,211.94	5,054.32
20	East Stoke	1,680.54	1,960.62	2,240.72	2,520.80	3,080.98	3,641.15	4,201.34	5,041.60
21	Edingley	1,704.65	1,988.76	2,272.87	2,556.97	3,125.18	3,693.40	4,261.62	5,113.94
22	Edwinstowe	1,729.79	2,018.08	2,306.38	2,594.67	3,171.26	3,747.85	4,324.46	5,189.34
23	Egmanton	1,685.49	1,966.39	2,247.31	2,528.22	3,090.05	3,651.87	4,213.71	5,056.44
24	Elston	1,730.09	2,018.43	2,306.78	2,595.12	3,171.81	3,748.50	4,325.21	5,190.24
25	Epperstone	1,702.65	1,986.41	2,270.19	2,553.96	3,121.51	3,689.05	4,256.61	5,107.92
26	Farndon	1,709.66	1,994.60	2,279.54	2,564.48	3,134.36	3,704.25	4,274.14	5,128.96
27	Farnsfield	1,703.14	1,986.99	2,270.85	2,554.70	3,122.41	3,690.12	4,257.84	5,109.40
28	Fiskerton-cum-Morton	1,672.82	1,951.62	2,230.42	2,509.22	3,066.82	3,624.43	4,182.04	5,018.44
29	Girton	1,671.93	1,950.57	2,229.23	2,507.88	3,065.19	3,622.49	4,179.81	5,015.76
30	Gonalston	1,657.64	1,933.91	2,210.18	2,486.45	3,038.99	3,591.54	4,144.09	4,972.90
31	Grassthorne	1,657.64	1,933.91	2,210.18	2,486.45	3,038.99	3,591.54	4,144.09	4,972.90
32	Gunthorpe	1,709.85	1,994.81	2,279.79	2,564.76	3,134.71	3,704.65	4,274.61	5,129.52
33	Halam	1,683.64	1,964.24	2,244.85	2,525.45	3,086.66	3,647.87	4,209.09	5,050.90
34	Halloughton	1,657.64	1,933.91	2,210.18	2,486.45	3,038.99	3,591.54	4,144.09	4,972.90
35	Harby	1,692.18	1,974.20	2,256.24	2,538.26	3,102.32	3,666.37	4,230.44	5,076.52
36	Hawton	1,684.92	1,965.73	2,246.56	2,527.37	3,089.01	3,650.64	4,212.29	5,054.74
37	Hockerton	1,688.79	1,970.24	2,251.71	2,533.17	3,096.10	3,659.02	4,221.96	5,066.34
38	Holme	1,657.64	1,933.91	2,210.18	2,486.45	3,038.99	3,591.54	4,144.09	4,972.90
39	Hoveringham	1,721.33	2,008.21	2,295.10	2,581.98	3,155.75	3,729.52	4,303.31	5,163.96
40	Kelham	1,671.65	1,950.26	2,228.87	2,507.47	3,064.68	3,621.90	4,179.12	5,014.94
41	Kersall	1,672.90	1,951.71	2,230.53	2,509.34	3,066.97	3,624.60	4,182.24	5,018.68
42	Kilvington	1,657.64	1,933.91	2,210.18	2,486.45	3,038.99	3,591.54	4,144.09	4,972.90
43	Kirklington	1,694.73	1,977.18	2,259.64	2,542.09	3,107.00	3,671.91	4,236.82	5,084.18
44	Kirton	1,697.73	1,980.68	2,263.64	2,546.59	3,112.50	3,678.41	4,244.32	5,093.18
45	Kneesall	1,672.90	1,951.71	2,230.53	2,509.34	3,066.97	3,624.60	4,182.24	5,018.68
46	Langford	1,685.97	1,966.96	2,247.96	2,528.95	3,090.94	3,652.93	4,214.92	5,057.90
47	Laxton & Moorhouse	1,685.03	1,965.87	2,246.71	2,527.54	3,089.21	3,650.89	4,212.57	5,055.08
48	Lowdham	1,714.30	2,000.01	2,285.73	2,571.44	3,142.87	3,714.30	4,285.74	5,142.88
49	Lyndhurst	1,657.64	1,933.91	2,210.18	2,486.45	3,038.99	3,591.54	4,144.09	4,972.90

50	Maplebeck	1,657.64	1,933.91	2,210.18	2,486.45	3,038.99	3,591.54	4,144.09	4,972.90
51	Meering	1,657.64	1,933.91	2,210.18	2,486.45	3,038.99	3,591.54	4,144.09	4,972.90
52	Newark	1,750.82	2,042.62	2,334.42	2,626.22	3,209.82	3,793.43	4,377.04	5,252.44
53	North Clifton	1,675.63	1,954.89	2,234.17	2,513.43	3,071.97	3,630.51	4,189.06	5,026.86
54	North Muskham	1,687.73	1,969.02	2,250.31	2,531.59	3,094.16	3,656.74	4,219.32	5,063.18
55	Norwell	1,686.34	1,967.39	2,248.45	2,529.50	3,091.61	3,653.72	4,215.84	5,059.00
56	Ollerton and Boughton	1,775.19	2,071.05	2,366.92	2,662.78	3,254.51	3,846.24	4,437.97	5,325.56
57	Ompton	1,672.90	1,951.71	2,230.53	2,509.34	3,066.97	3,624.60	4,182.24	5,018.68
58	Ossington	1,657.64	1,933.91	2,210.18	2,486.45	3,038.99	3,591.54	4,144.09	4,972.90
59	Oxton	1,709.42	1,994.32	2,279.22	2,564.12	3,133.92	3,703.73	4,273.54	5,128.24
60	Perlethorpe-cum-Budby	1,673.51	1,952.43	2,231.35	2,510.26	3,068.09	3,625.93	4,183.77	5,020.52
61	Rainworth	1,681.52	1,961.77	2,242.02	2,522.27	3,082.77	3,643.28	4,203.79	5,044.54
62	Rolleston	1,699.21	1,982.40	2,265.61	2,548.80	3,115.20	3,681.60	4,248.01	5,097.60
63	Rufford	1,668.93	1,947.07	2,225.23	2,503.38	3,059.69	3,615.99	4,172.31	5,006.76
64	South Clifton	1,673.41	1,952.30	2,231.21	2,510.10	3,067.90	3,625.70	4,183.51	5,020.20
65	South Muskham	1,705.25	1,989.46	2,273.67	2,557.87	3,126.28	3,694.70	4,263.12	5,115.74
66	South Scarle	1,694.54	1,976.96	2,259.38	2,541.80	3,106.64	3,671.49	4,236.34	5,083.60
67	Southwell	1,722.00	2,008.99	2,296.00	2,582.99	3,156.99	3,730.98	4,304.99	5,165.98
68	Spalford	1,657.64	1,933.91	2,210.18	2,486.45	3,038.99	3,591.54	4,144.09	4,972.90
69	Staunton	1,657.64	1,933.91	2,210.18	2,486.45	3,038.99	3,591.54	4,144.09	4,972.90
70	Staythorpe	1,671.65	1,950.26	2,228.87	2,507.47	3,064.68	3,621.90	4,179.12	5,014.94
71	Sutton-on-Trent	1,692.39	1,974.45	2,256.52	2,538.58	3,102.71	3,666.84	4,230.97	5,077.16
72	Syerston	1,657.64	1,933.91	2,210.18	2,486.45	3,038.99	3,591.54	4,144.09	4,972.90
73	Thorney	1,678.39	1,958.12	2,237.85	2,517.58	3,077.04	3,636.50	4,195.97	5,035.16
74	Thorpe	1,680.54	1,960.62	2,240.72	2,520.80	3,080.98	3,641.15	4,201.34	5,041.60
75	Thurgarton	1,703.93	1,987.92	2,271.91	2,555.89	3,123.86	3,691.84	4,259.82	5,111.78
76	Upton	1,687.32	1,968.53	2,249.76	2,530.97	3,093.41	3,655.84	4,218.29	5,061.94
77	Walesby	1,733.62	2,022.55	2,311.49	2,600.42	3,178.29	3,756.16	4,334.04	5,200.84
78	Wellow	1,685.79	1,966.74	2,247.71	2,528.67	3,090.60	3,652.52	4,214.46	5,057.34
79	Weston	1,680.11	1,960.12	2,240.14	2,520.15	3,080.18	3,640.21	4,200.26	5,040.30
80	Wigsley	1,670.21	1,948.58	2,226.95	2,505.31	3,062.04	3,618.78	4,175.52	5,010.62

81	Winkburn	1,657.64	1,933.91	2,210.18	2,486.45	3,038.99	3,591.54	4,144.09	4,972.90
82	Winthorpe	1,685.97	1,966.96	2,247.96	2,528.95	3,090.94	3,652.93	4,214.92	5,057.90
83	Fernwood	1,708.02	1,992.68	2,277.36	2,562.02	3,131.36	3,700.69	4,270.04	5,124.04
84	Kings Clipstone	1,714.65	2,000.41	2,286.19	2,571.96	3,143.51	3,715.05	4,286.61	5,143.92

Parishes joint for Precept purposes

*	Averham, Kelham, Staythorpe	1,671.65	1,950.26	2,228.87	2,507.47	3,064.68	3,621.90	4,179.12	5,014.94
**	Kneesall, Kersall, Ompton	1,672.90	1,951.71	2,230.53	2,509.34	3,066.97	3,624.60	4,182.24	5,018.68
***	Winthorpe, Langford	1,685.97	1,966.96	2,247.96	2,528.95	3,090.94	3,652.93	4,214.92	5,057.90
*** *	East Stoke, Thorpe	1,680.54	1,960.62	2,240.72	2,520.80	3,080.98	3,641.15	4,201.34	5,041.60

8. **determine that the Council's basic amount of council tax for 2025/26 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992 and that the referendum provisions in Chapter 4ZA do not apply for 2025/26. As the billing authority, the Council has not been notified by a major precepting authority that its relevant basic amount of Council Tax for 2025/26 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992.**

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Extraordinary Meeting of **Full Council** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Wednesday, 19 March 2025 at 6.00 pm.

PRESENT: Councillor J Hall (Chair)
Councillor L Tift (Vice-Chair)

Councillor N Allen, Councillor A Amer, Councillor L Brazier, Councillor I Brown, Councillor R Cozens, Councillor L Dales, Councillor D Darby, Councillor P Farmer, Councillor A Freeman, Councillor S Forde, Councillor S Haynes, Councillor R Holloway, Councillor R Jackson, Councillor J Kellas, Councillor J Lee, Councillor K Melton, Councillor S Michael, Councillor D Moore, Councillor E Oldham, Councillor P Peacock, Councillor C Penny, Councillor M Pringle, Councillor P Rainbow, Councillor K Roberts, Councillor N Ross, Councillor S Saddington, Councillor T Smith, Councillor M Shakeshaft, Councillor M Spoor, Councillor T Wendels and Councillor T Wildgust

APOLOGIES FOR ABSENCE: Councillor A Brazier, Councillor C Brooks, Councillor S Crosby, Councillor P Harris, Councillor P Taylor and Councillor T Thompson

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

The Chair advised the Council that the meeting was being recorded and streamed online in accordance with usual practice.

Councillor J. Lee notified the Council that he would be recording parts of the meeting.

71 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor J. Lee declared an interest as a Members of Nottinghamshire County Council and the Nottinghamshire & City of Nottingham Fire and Rescue Authority.

72 LOCAL GOVERNMENT REORGANISATION IN NOTTINGHAM AND NOTTINGHAMSHIRE

The Leader of the Council presented a report which outlined the contents of the Governments English Devolution White Paper which set out the requirements for local government reorganisation and the specific plans to be developed in Nottingham and Nottinghamshire. The report outlined the work undertaken to respond to those requirements, and to endorse the submission of an interim plan for the area of Nottingham and Nottinghamshire which was required to be submitted to the Government by 21 March 2025.

The interim plan at appendix C to the report, had been developed by officers across the nine Councils in Nottinghamshire with independent support and advice from PWC.

In presenting the report, the Leader of the Council confirmed his intention to withdraw recommendation (b) from the report as it was not necessary at this stage to express a preference for any options.

In the debate, the Council considered the process and timescales being proposed by the Government, noted that at least one other local authority in the county were supporting a three unitary councils model, and supported a full public consultation exercise prior to any new model being implemented.

AGREED (with 32 votes for and 1 against) that:

- a) the interim plan for local government reorganisation in Nottingham and Nottinghamshire as attached at Appendix C to the report be endorsed for submission to Government by 21 March 2025;
- b) the reference within the interim plan, seeking support from Government for adjustments to District/Borough boundaries where they are considered to provide more “sensible geography” be noted, but acknowledging that such adjustments would be unlikely to take effect until after the establishment of the new unitary Councils;
- c) the Council engage with Town and Parish Councils in the development of the next phase of work, recognising the importance of ‘sub-structures’ that will sit beneath the new unitary Councils; and
- d) the Council continue to work collaboratively with other Nottinghamshire authorities with a view to developing a proposal for a single tier of local government in Nottinghamshire for submission to Government by 28 November 2025.

Meeting closed at 6.27 pm.

Chair



Report to: Annual Meeting of the Full Council – 20 May 2025

Portfolio Holder: Councillor Paul Peacock, Strategy, Performance & Finance

Director Lead: John Robinson, Chief Executive

Lead Officer: Nigel Hill, Business Manager Elections & Democratic Services, Ext. 5243

Report Summary	
Report Title	Political Composition of the Council and allocation of seats on Committees
Purpose of Report	In accordance with the Constitution, to consider the allocation of seats to political groups in accordance with the political balance rules.
Recommendations	That the Council approve the allocation of seats to political groups in accordance with Appendix A to the report.
Reason for Recommendation	To ensure the Council complies with Section 15 of the Local Government & Housing Act 1989 and the Local Government (Committees & Political Groups) Regulations 1990.

1.0 Background

1.1 Section 15 of the Local Government & Housing Act 1989 requires the Council to consider the political composition of the Council. The Act, together with Local Government (Committees & Political Groups) Regulations 1990, require local authorities to allocate seats on Committees of a local authority on a proportional basis, in accordance with the number of seats on the Council held by each political group.

1.2 The seats held by each political group on the Council are as follows:-

Political Group	Membership	Percentage of Council (rounded)
Conservative	11	28.21
Labour	10	25.64
Independents for Newark & District	6	15.38
Liberal Democrats	3	7.69
Green	2	5.14
Newark & Sherwood Independents	2	5.14

- 1.3 There are also five independent non-aligned Members on the Council as follows:

Independent Non-Aligned Members	Percentage of Council (rounded)
Cllr Amer	2.56
Cllr Brown	2.56
Cllr Dales	2.56
Cllr Holloway	2.56
Cllr Lee	2.56

- 1.4 Under the Leader / Executive model of governance only certain Committees are required to reflect the political balance. There are a total of 77 seats on Committees which must comply with political balance rules as follows:

Committee	No. of Members
Policy & Performance Improvement Committee	15
Planning Committee	15
Licensing Committee	15
General Purposes Committee	15
Audit & Governance Committee	12
Board of Gilstrap Trustees	5
Total	77 seats

- 1.5 Based on these arrangements the following calculations can be made in terms of allocation of seats on Committees:

			<u>Rounded</u>
Conservative	77 x 28.21%	21.72	22* 23
Labour	77 x 25.64%	19.74	20
Independents for Newark & District	77 x 15.38%	11.84	12
Liberal Democrats	77 x 7.69%	5.92	6
N&S District Independents	77 x 5.14%	3.95	4
Green	77 x 5.14%	3.95	4
Ind N/A (Amer)	77 x 2.56%	1.97	2
Ind N/A (Brown)	77 x 2.56%	1.97	2* 1
Ind N/A (Dales)	77 x 2.56%	1.97	2* 1
Ind N/A (Holloway)	77 x 2.56%	1.97	2
Ind N/A (Lee)	77 x 2.56%	1.97	2
			<hr/> 77 <hr/>

*Following discussions with groups and the Independent Non-aligned Members.

- 1.6 The allocation of seats on Committees to each political group calculated above, gives seats to the independent non-aligned Members, but the allocation of these seats is at the discretion of the Full Council and currently Councillors Irene Brown and Linda Dales only have one seat each on Committees.

- 1.7 The matrix at **Appendix A** of the report sets out the proposed allocation of seats to political groups.

2.0 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.

Legal Implications (LEG2425/2827)

- 2.1 Full Council is the appropriate body to consider the content of this report. There is no legal requirement for Non-aligned Independent Members to be allocated Committee seats.

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

ALLOCATION OF SEATS TO POLITICAL GROUPS

Committee	Conservative	Labour	Independents for Newark & District	Liberal Democrats	Newark & Sherwood District Independents	Green	Independent N/A - Amer	Independent N/A - Brown	Independent N/A - Dales	Independent N/A - Holloway	Independent N/A - Lee	Total Seats By Committee
Policy & Performance Improvement	4	4	3	1	1	1				1		15
Planning	4	4	2	2		1	1		1			15
General Purposes	5	4	2	1	1	1					1	15
Licensing	5	4	2	1	1	1					1	15
Audit & Governance*	3	3	3	1	1					1		12
Board of Gilstrap Trustees+	2	1					1	1				5
Total Seats by Group	23	20	12	6	4	4	2	1	1	2	2	77

*Note The Audit & Governance Committee includes one independent co-opted member acting in an advisory capacity

+Note The Board of Trustees of the Gilstrap Charity includes up to four non-voting co-opted Members (Newark Wards)



Report to: Annual Meeting of the Full Council – 20 May 2025

Portfolio Holder: Councillor Paul Peacock, Strategy, Performance & Finance

Director Lead: John Robinson, Chief Executive

Lead Officer: Nigel Hill, Business Manager Elections & Democratic Services, Ext. 5243

Report Summary	
Report Title	To allocate Chairs, Vice-Chairs and Members to Committees etc.
Purpose of Report	To agree the composition of the Council's Committees and make appointments to the positions of Chair and Vice-Chairs.
Recommendations	That the Council approve the appointments of the Chairs and Vice-Chairs on Committees and the appointment of other Members to Committees etc. as per the schedule to be circulated at the meeting.

1.0 Background

- 1.1 The previous report on the agenda set the structure of Council Committees for 2025/26 and allocated seats to groups in accordance with the political composition of the Council as per the requirements of Section 15 of the Local Government and Housing Act 1989.
- 1.2 The Council also appoints Members to other committees, joint committees, boards and working groups which do not need to meet the requirements of Section 15 of the Local Government and Housing Act 1989.
- 1.3 The full schedule of appointments will be circulated at the meeting once they have been received from the political groups.

2.0 Proposal

- 2.1 The Council are asked to make the appointments of the Chairs and Vice-Chairs on Committees as set out in the table below and agree the other appointments which will be set out on the schedule to be circulated.

Committee	Chair	Vice-Chair
Policy & Performance Improvement Committee	Councillor Mike Pringle	Councillor Neil Ross
Planning Committee	Councillor Andrew Freeman	Councillor David Moore

Licensing and General Purposes Committees	Councillor Jean Hall	Councillor Linda Tift
Audit & Governance Committee	Councillor Rhona Holloway	Councillor Sylvia Michael
Board of Gilstrap Trustees	Councillor Adrian Amer	

- 2.2 The Leader has confirmed to keep Cabinet Member appointments and the Cabinet scheme of delegation unchanged.

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 Legal Implications (LEG2425/7538)

Full Council is the appropriate body to consider the content of this report in accordance with paragraph 1.1 of the Full Council Procedure Rules in Part D of the Council's Constitution.

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.



Report to: Annual Meeting of the Full Council – 20 May 2025

Director Leads: John Robinson, Chief Executive
Deborah Johnson, Director - Customer Services & Organisational Development

Lead Officers: Carl Burns, Transformation & Service Improvement Manager
Rowan Bosworth-Brown, Senior Transformation & Service Improvement Officer, Ext. 5824

Report Summary	
Report Title	Community Plan 2023 - 2027
Purpose of Report	To approve the refreshed Community Plan 2023-2027 (Appendix 1).
Recommendations	That Council approve the refreshed version of the Community Plan, for continued implementation between 2025 – 2027.
Reason for Recommendations	The Community Plan 2023-2027 is the key document which will set the vision and direction of the Council during a four-year term. As such it is necessary that this document is refreshed throughout the four-year term, to ensure the plan reflects the projects and initiatives which are ongoing or yet to be delivered.

1.0 Background

- 1.1 The Community Plan is the key direction setting document used to outline the priorities and vision of the Council for a four-year term. The current Community Plan has been in place formally since December 2023, when it was approved by Full Council.
- 1.2 One of the key items of feedback from the LGA Peer Challenge was to review the Community Plan with a particular focus on reducing the number of actions. The Council was also encouraged to focus to a greater extent on those functions that were core business, investing less resource on responsibilities that belonged to partners. As a result, Portfolio Holders, Committee Chairs and Vice Chairs undertook a comprehensive review of the Community Plan and developed a refreshed version.
- 1.3 The refreshed Community Plan was subsequently presented to the Policy and Performance Improvement Committee (PPIC) at the meeting held 10 March 2025 where it was endorsed unanimously for referral to Cabinet.

1.4 All members who were not directly involved in the refresh of the Community Plan, were invited to attend a session held with the Chief Executive on 24 March 2025 to discuss the refreshed Community Plan and the proposed changes.

1.5 On 1 April 2025, Cabinet agreed to approve the refreshed Community Plan 2023-2027 for submission to Full Council.

2.0 Proposal/Details of Options Considered

2.1 It is recommended that the Council approve the refreshed Community Plan, which outlines the vision, priorities and key actions for the period 2023-2027.

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 (FIN24-25/6470)

3.1 Many of the actions within the Community Plan do not require additional financial resources due to the nature of the actions. For the actions that require additional budget, this budget has been included within the 2025/26 budget or within the 2025/26-2028/29 Medium-Term Financial Plan.

Legal Implications (LEG2425/2827)

3.2 Full Council is the appropriate body to consider the content of this report; the Community Plan is part of the Policy Framework that is reserved to Full Council for approval under Part C of the Council's Constitution, Responsibility for Functions.

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.

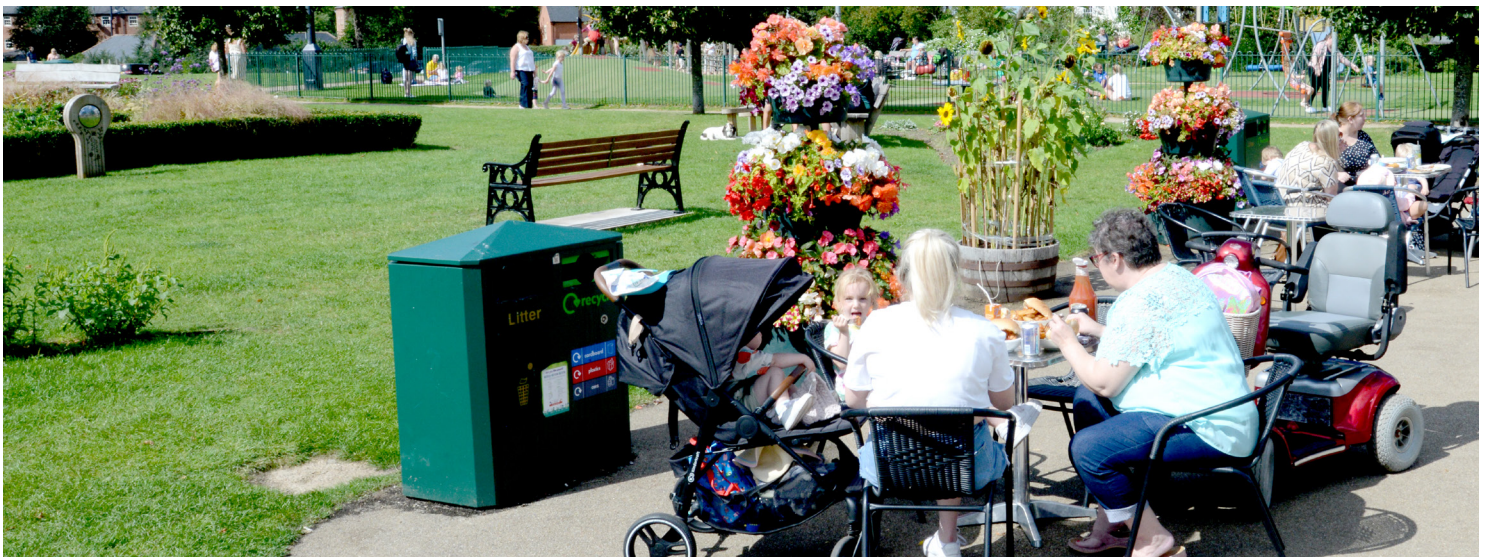
[Cabinet Meeting 01.04.25](#)

COMMUNITY PLAN 2023 - 2027

REVISED: APRIL 2025



SERVING PEOPLE, IMPROVING LIVES



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WELCOME TO NEWARK AND SHERWOOD'S COMMUNITY PLAN 2023 - 2027

Welcome to this updated version of Newark and Sherwood's Community Plan.

The plan covers the period up until May 2027 and sets out what the Council intends to achieve and how we will go about doing that.

Since the plan was first put together, a new national Government has been elected and there have already been a number of new policies and priorities introduced that are having an impact on our organisation and our local community. The first Mayor of the East Midlands has been elected and on the horizon is the most significant set of changes proposed for local government in 50 years, with plans to replace the current two-tier system of County and Borough/District Councils with unitary local councils. We've also had a number of changes to our own political make-up and hosted an external Corporate Peer Challenge that has identified a number of improvements to act upon.

This refreshed Community Plan takes stock of these and other changes in our operating environment and provides an agenda for action. At the time of writing, it takes us to a point in time that looks likely to be the end of Newark and Sherwood District Council as it is currently configured. Of course, we can be confident that the services we currently provide will be continued in part or in their entirety by our successor Council but this particular Community Plan has an eye to the legacy we want to leave – high quality services that offer good value for money and a Council that genuinely lives out its values – Welcoming and responsive; ambitious and forward thinking; caring and compassionate; commercial and business-like; professional and trustworthy.

In seeking to improve the quality of life for our local community and act in their best interests, we regularly go beyond the boundaries of our own organisational responsibilities. Flooding, re-settlement of refugees, health and well-being, business support, community events, environmental education, even the provision of leisure centres, all of these are non-statutory services for Newark and Sherwood District Council. It's part of our culture, part of what makes us an ambitious and responsive Council that we've stretched our remit, and the reality is that some discretionary services have come to be regarded as mandatory by the people we serve. But the recommendations from our Peer Challenge have encouraged us to take stock, to revisit our priorities and to scale back on activity that is not our core business. This doesn't mean that we won't take an interest in the full range of factors that impact on peoples' quality of life. Instead, that we should place greater emphasis on influencing others rather than expending our own resources on things that are the proper responsibility of others.

Delivery of the plan will be reviewed every quarter and will require the continued support of our excellent partners and colleagues.



John Robinson
Chief Executive of Newark and
Sherwood District Council

Councillor Paul Peacock
Leader of Newark and
Sherwood District Council

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OUR VISION

The ethos of Newark and Sherwood District Council is **'Serving People, Improving Lives'**. We exist for the benefit of others and we are accountable for making things better. We accept this responsibility and recognise that our 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.



Our Council wants to make a positive difference - now and for future generations. We're passionate for everyone within our community to fulfil their potential and our aspiration is to remove the barriers to opportunity that prevent this from happening.

We are proud to represent Newark and Sherwood and although not everyone will agree with everything that we do, we are a Council that is true to its values: welcoming, ambitious, responsive, professional and value for money.

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OUR PURPOSE AND OUR VALUES

We want to serve our local community in the best way we possibly can. As public servants we place a great emphasis on adopting a public sector ethos and seek to embody this in the way that we interact with you and with each other. The Council's purpose and values make it clear what we are here to do and how we will go about it.

Ambitious and forward thinking:

Focused on achieving the very best and always looking to improve and innovate.

Caring and compassionate:

Sensitive to the different needs and circumstances of others; seeks to empower people to fulfil their potential.

Commercial and business-like:

Careful and creative with resources; securing value for money.

Professional and trustworthy:

Open, honest and transparent. Consistently delivering on promises; providing good quality and demonstrating integrity.

Welcoming and responsive:

Approachable, friendly and inclusive. Open to feedback and challenge and swift to act.

'SERVING PEOPLE, IMPROVING LIVES'

OUR DISTRICT

Welcome to our district, we are proud to be home to 122,900 people with a total of 53,300 households over 651 square kilometres. The population of Newark and Sherwood has increased by 7% between 2011 and 2021, meaning our population has grown more quickly when compared with the population nationally. The population of residents aged 65 years and over has increased the most (by 26.7%) with the number of residents in all age groups 50 and over being higher than the national average. In contrast those aged 15 year and under has increased by 1.3%, with the number of residents in all age groups 14 and below being lower than the national average.

Despite the growing population, as of 2021 Newark and Sherwood is the 12th least densely populated local authority area out of 35 in the East Midlands.

13.9% of households in the district are socially rented, which is 3.2% lower than the national average. However, there are 7,814 socially rented households within Newark and Sherwood, and of those 5,534 (70.82%) properties are owned by Newark and Sherwood District Council.

STRENGTHS

Newark and Sherwood is a district which has much to celebrate and be proud of. The district is fortunate enough to have access to green spaces throughout the district, including five green flag parks as of 2023, as well as a number of green space visitor destinations which are detailed in the map of the district, which you can find on the next page.

The district also has a number of historic visitor destinations, Sherwood Forest is a historic and ancient woodland that is associated with the world-renowned legend of Robin Hood and draws many visitors into the district. Newark and Sherwood is also the home of the National Civil War Centre and Newark Castle and Gardens.

Looking at the residents who call Newark and Sherwood home, we know that 69.8% of households own their own home, either outright or with a mortgage, loan or shared ownership and this is 7.5% higher than the national average. Newark and Sherwood District Council is the largest social landlord in the district, with 69.24% of all socially rented properties being owned and maintained by the Council.



CHALLENGES

Whilst there is much to celebrate and be proud of, it is recognised that there are challenges experienced by residents within the district.

There is educational disparity across the district, which varies by ward. For example, there are 2,059 residents concentrated in one ward who do not hold a formal qualification compared to 258 residents in a different ward. This theme continues when looking at numbers of residents who hold a level 4 qualification; 3,295 of residents who hold a level 4 qualification are concentrated in one ward compared to 592 residents in a different ward.

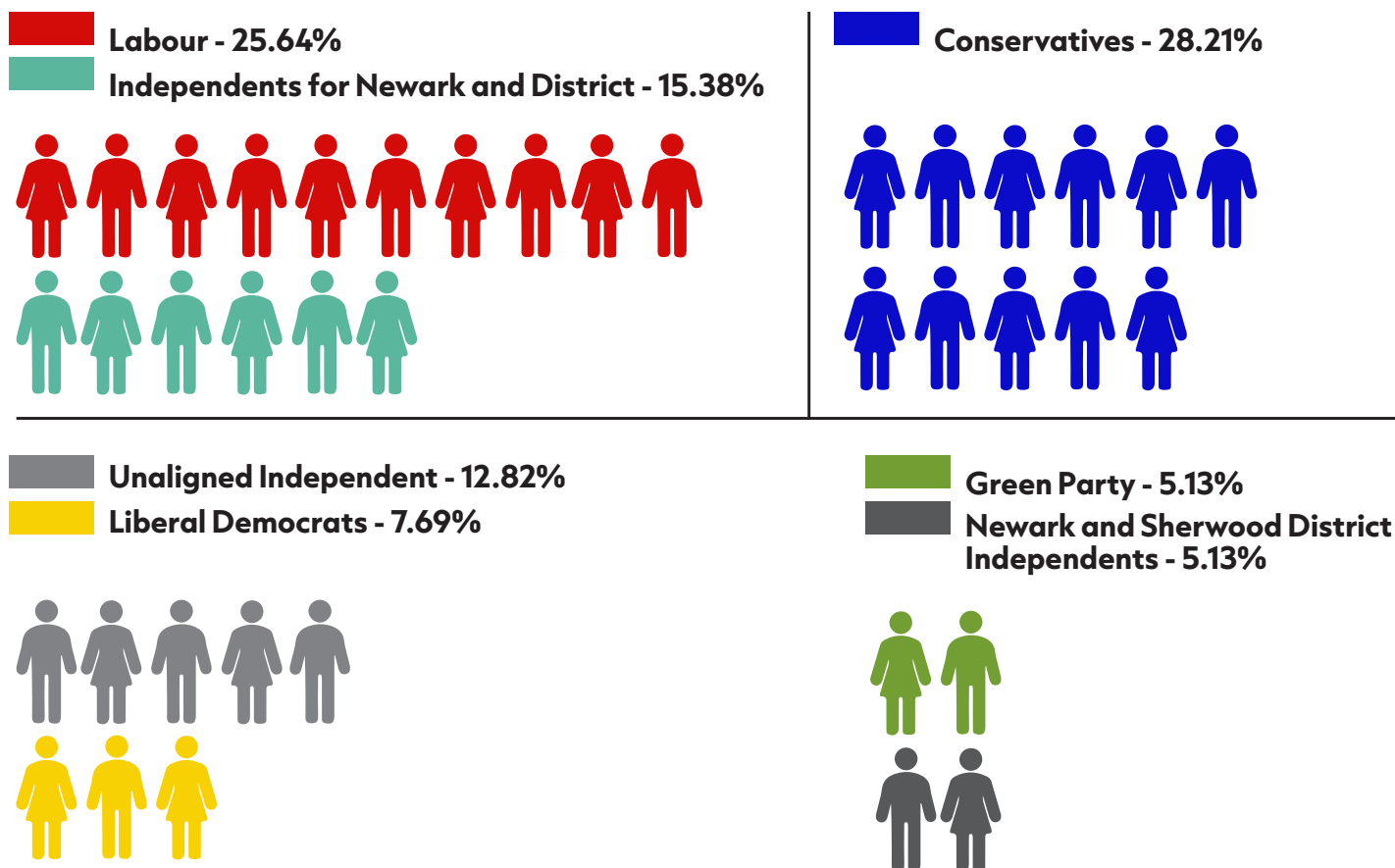
Employment rates are a challenge within the district. In 2021, 58.4% of the working age population of the district was in employment or actively seeking employment which is 2.5% lower than the national average. As such, we understand that the percentage of the working age population who were employed and not actively seeking employment, is lower than the national average.

The health of our residents presents some challenges. 44.7% of residents would describe their health as very good, which is 3.8% lower than the national average. There are several factors which shape the conditions in which we are born, grow, live, work and age. These factors result in the differences between people or groups caused by social, geographical, biological or economical influences which can both cause advantages and disadvantages to health. The gap in life expectancy across the district is 9.1 years for men and 9.4 years for women, this means the residents living in one particular area will live on average 9 years less than those in another.



HOW THE COUNCIL WORKS

Newark and Sherwood District Council are represented by 39 elected members. The current political make-up of the Council is shown below. As no single political group has a majority of seats (20) on the Council, a collective has been formed between the Labour group and the Independents for Newark and District who between them provide the political leadership of the Council.



Councillors are elected by the community to represent local peoples interests and undertake a wide range of responsibilities. These include identifying priorities, making decisions on how to spend public money and responding to residents' concerns. They have regular contact with the general public through Council meetings, telephone calls or surgeries. Surgeries provide an opportunity for any ward resident to go and talk to their Councillor face-to-face and these take place on a regular basis. Councillors appoint a Leader and Deputy Leader to provide political leadership and direction for the Council as a whole. Each year, Councillors also appoint a Chairman to undertake civic responsibilities on behalf of the whole Council.

Find out more about our Councillors, including the Councillor representative for each ward here:

[Your Councillors - Newark and Sherwood District Council \(newark-sherwooddc.gov.uk\)](http://newark-sherwooddc.gov.uk)

All Councillors meet together as the "Full Council" and these meetings are open to the public.

HOW WILL WE FINANCE OUR PLANS?

The Council funds its ambitions and priorities through several different routes, four of which are outlined below:

Fees and Charges: This is made up of a number of different types of fees and charges, some of which are mandatory (for example certain types of planning fee or certain types of licencing fee) and some are discretionary (such as lorry park charging or entry fee to the National Civil War Centre).

Business Rates – All businesses have a rateable value (the estimated annual rental value for a property) which is set by the Valuation Office Agency. Central Government annually sets a multiplier, which generates how much each business must pay in Business Rates by multiplying the multiplier by the rateable value. The Council then collects those funds and retains 50%, which is split 40% to this Council, 9% to Nottinghamshire County Council and 1% to Nottinghamshire Fire Authority.



BREAKDOWN PER £1 OF COUNCIL TAX

Local Town and Parish Council - £0.04
Nottinghamshire Fire Service - £0.04
Newark and Sherwood District Council - £0.08
Nottinghamshire Police and Crime Commissioner - £0.12
Nottinghamshire County Council - £0.73

Council Tax – This is a tax on domestic properties based on the estimated value of a property. Each property in the district is then levied with a charge based on their size and proximity to services and is allocated a band on a scale from A-H. Only around 8% of the total Council Tax collected goes to Newark and Sherwood District Council. The remaining 92% funds a number of other preceptors and their operations. The chart shows where each £1 of your Council Tax goes in respect of the 2023/24 financial year. The charges are reviewed annually by each of the authorities during February and March for the forthcoming year, and hence the proportions can change depending on what each authority approves. More information, and updated proportions visit www.newark-sherwooddc.gov.uk/counciltax

Central Government grants – The Council receives a number of grants directly from Central Government to assist with both general funding (through grants such as the Revenue Support Grant (RSG) and New Homes Bonus) and specific funding (through grants such as the Homelessness Grant). Any external funding that is received assists the Council in delivering its ambitions and priorities and ensures that a smaller burden is placed on the local Council Taxpayer.

The Council has produced a Medium-Term Financial Plan, which describes how the ambitions and priorities set out in this document will be financed over the medium term. This document is refreshed annually to reflect the changing economic environment in respect of various external factors. From the changes described above in funding arrangements, through to economic fluctuations in interest rates and inflation, it is important to ensure that our ambitions and priorities remain sustainable.

The latest approved Medium-Term Financial Plan, together with future amendments and previous history is available on our website at www.newark-sherwooddc.gov.uk/budgets

An integral part of the Council's funding plans has been the approval of a Commercialisation Strategy in January 2022, which provides support for front line services by creating efficiencies and increasing income. Work continues over the medium term to drive forward the organisation and ensure that service delivery is efficient, effective and offers good value for money.

The original Commercialisation Strategy is available on our website at www.newark-sherwooddc.gov.uk/councilstrategies Future updates on the progress of projects underpinned by this strategy are reported within the Medium-Term Financial Plan each financial year.

In respect of the social housing landlord responsibilities that the Council undertakes, it holds a ring-fenced account to maintain the income and expenditure. The Council produces a 30-year Housing Revenue Account (HRA) Business Plan, which details the projects and activities undertaken in support of the Council's Housing stock. This is reviewed annually to account for changes and assumptions made around internal and external factors that may affect the financial viability of the plan. This ensures that the priorities and commitments made around Housing services can be met and informs future investment decisions.



SERVICES WE PROVIDE FOR OUR COMMUNITIES, EVERY DAY

"Local government touches the lives of everybody, every day." – Local Government Association

As a local authority, we are responsible for providing a range of essential services which impact on the lives of our residents and businesses across the District every day. Each year we set a budget which enables the Council to provide these essential services and more. Most often these services are taking place in the background of our day to day lives, sometimes without our residents and businesses even being aware of it. This includes services such as refuse collection, street cleansing, parks and grounds maintenance, customer services, environmental protection, environmental health inspections, Council housing services, homelessness and resettlement support, communications, development of planning policy and the facilitation of property development, as well supporting the local economy to grow - to name a handful of the services our teams are working hard to deliver for you, our communities, every day.





AMBITION 1

Break down barriers to opportunity to enable residents and businesses to prosper and fulfil their potential



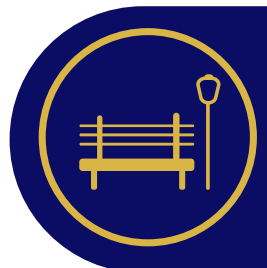
AMBITION 2

Increase the supply of housing, in particular decent homes that residents can afford to buy and rent, as well as improving housing standards



AMBITION 3

Improve health and wellbeing, with an emphasis on communities with lower levels of life expectancy



AMBITION 4

Reduce crime and anti-social behaviour, improving community feelings of safety



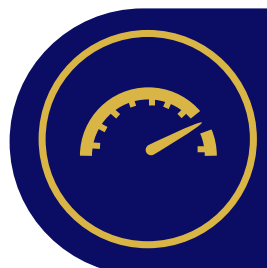
AMBITION 5

Promote, maximise and celebrate the diversity of Newark and Sherwood's heritage, culture and community spirit



AMBITION 6

Reduce the impact of climate change and protect and enhance green spaces



AMBITION 7

Be a top performing, modern and accessible Council that get its everyday services right for the residents and businesses that it serves



AMBITION 1

Break down barriers to opportunity to enable residents and businesses to prosper and fulfil their potential.

Ambition 1	Lead Director/ Officer	Portfolio Holder
Develop and deliver a new Sustainable Economic Development and Visitor Economy Strategy 2025-2030.	Economic Growth and Visitor Economy Business Manager	Sustainable Economic Development
Maximise local economic opportunities in green and land management sectors.	Economic Growth and Visitor Economy Business Manager	Sustainable Economic Development
Redevelop the Clipstone Holdings site.	Economic Growth and Visitor Economy Business Manager Corporate Property Business Manager	Sustainable Economic Development
Increase the number and coordination of apprenticeship and work experience opportunities across the public sector.	Economic Growth and Visitor Economy Business Manager HR and Training Business Manager	Sustainable Economic Development
Support local communities to develop the necessary skills in order to benefit from the pipeline of major infrastructure developments.	Economic Growth and Visitor Economy Business Manager	Sustainable Economic Development
Work with partners to identify options and sources of funding to improve public transport.	Planning Policy and Infrastructure Business Manager	Sustainable Economic Development
Continue to progress the regeneration scheme in Ollerton Town Centre.	Economic Growth and Visitor Economy Business Manager Housing Strategy and Regeneration Business Manager	Sustainable Economic Development



AMBITION 2

Increase the supply of housing, in particular decent homes that residents can afford to buy and rent, as well as improving housing standards.

Ambition 2	Lead Director/ Officer	Portfolio Holder
Deliver the Housing Strategy, 2023-2028.	Housing Strategy and Regeneration Business Manager	Housing
Develop new homes for open market sale or rent through Arkwood Developments Ltd.	Chief Executive Officer	Strategy, Performance and Finance
Implement and embed our new Housing Management System, as part of a wider programme of improvements to Housing Repairs and Empty Homes Services.	Housing Maintenance and Asset Management Business Manager	Housing
Undertake stock condition surveys for Council Housing and private rented stock; use the findings to develop investment and improvement plans.	Housing Maintenance and Asset Management Business Manager Public Protection Business Manager	Housing
Deliver phase 6 of the Council house building programme, which will provide circa 50 new Council homes.	Director of Housing, Health and Wellbeing	Housing





Ambition 2	Lead Director/ Officer	Portfolio Holder
Deliver phase 1 of the estate regeneration scheme at Yorke Drive.	Housing Strategy and Regeneration Business Manager	Housing
Undertake an options appraisal for 'Housing with Care' in conjunction with partners.	Housing Strategy and Regeneration Business Manager	Housing
Ensure ongoing compliance with regulatory standards, including the preparation for the inspection by the regulator of social housing.	Director of Housing, Health and Wellbeing	Housing
Explore applying the principles of the Boughton Community Hub to more areas, to coordinate services with partners in the community, building on existing support networks.	Housing Strategy and Regeneration Business Manager	Health, Wellbeing & Leisure
Renew Council homes' heating systems to improve affordability for tenants and reduce carbon emissions in line with government funding opportunities.	Housing Maintenance and Asset Management Business Manager	Housing

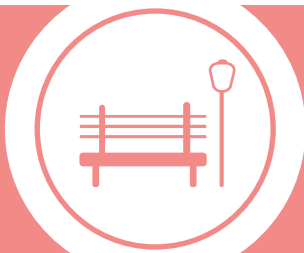




AMBITION 3

Improve health and wellbeing, with an emphasis on communities with lower levels of life expectancy.

Ambition 3	Lead Director/ Officer	Portfolio Holder
<p>Explore options to further develop and uplift play parks in the district enabling free play and exercise, making sure the offer is as inclusive and as varied as possible.</p> <p>Including continuing to support Newark Town Council in the delivery of improvement plans at Sherwood Avenue Park, aimed at achieving green flag status.</p>	Environmental Services Business Manager	Climate and the Environment
Complement the implementation of our 'Health and Wellbeing Strategy' with activities to reduce health inequalities in targeted areas.	Housing Strategy and Regeneration Business Manager	Health, Wellbeing and Leisure
Develop plans to raise the profile of cycling within the district and seek funding opportunities for the Council and its partners to improve cycling, wheeling and walking infrastructure.	<p>Housing Strategy and Regeneration Business Manager</p> <p>Planning Policy and Infrastructure Business Manager</p>	<p>Health, Wellbeing and Leisure</p> <p>Sustainable Economic Development</p>
Implement the 'Playing Pitch Strategy' and 'Sport and Recreational Facilities Strategy', including the provision of 5 new 5G sports pitches.	Housing Strategy and Regeneration Business Manager	Health, Wellbeing and Leisure
Investigate external investment opportunities with the aim of improving health and wellbeing facilities across the district.	Housing Strategy and Regeneration Business Manager	Health, Wellbeing and Leisure
Continue to progress the Clipstone regeneration scheme.	<p>Economic Growth and Visitor Economy Business Manager</p> <p>Housing Strategy and Regeneration Business Manager</p>	Sustainable Economic Development
Develop action plans to implement the Open Space Strategy and Playing Pitch Strategy audits, focusing on localities with significant shortfalls.	Housing Strategy and Regeneration Business Manager	Health, Wellbeing & Leisure



AMBITION 4

Reduce crime and anti-social behaviour, improving community feelings of safety.

Ambition 4	Lead Director/ Officer	Portfolio Holder
Reduce opportunities for crime and anti-social behaviour, by reviewing infrastructure and encouraging behavioural change across the district with the aim of improving feelings of safety.	Public Protection Business Manager Economic Growth and Visitor Economy Business Manager	Public Protection and Community Relations
Design and implement an annual targeted programme of nights of action and focus weeks.	Public Protection Business Manager	Public Protection and Community Relations
Continue to work with partners to support businesses, providing education and intervening where necessary in order to prevent anti-social behaviour.	Public Protection Business Manager	Public Protection and Community Relations
Assist in the delivery of 'Rural Crime and ASB Prevention' with additional target hardening at Sherwood Forest Corner.	Public Protection Business Manager	Public Protection and Community Relations
Deliver the new enhanced in-house CCTV control room.	Public Protection Business Manager	Public Protection and Community Relations
Work with statutory authorities to improve flood mitigation and resilience across the district	Public Protection Business Manager	Public Protection & Community Relations



AMBITION 5

Promote, maximise and celebrate the diversity of Newark and Sherwood's heritage, culture and community spirit.

Ambition 5	Lead Director/ Officer	Portfolio Holder
Deliver the Newark Castle Gatehouse scheme.	Economic Growth and Visitor Economy Business Manager Heritage and Culture Business Manager	Heritage, Culture and the Arts
Deliver the National Portfolio Organisation (NPO) activity plan. Championing and promoting the arts, culture and heritage through the enjoyment of music and arts from different cultures.	Heritage and Culture Business Manager	Heritage, Culture and the Arts
Lead the delivery of the Newark Cultural Heart Events programme.	Economic Growth and Visitor Economy Business Manager	Heritage, Culture and the Arts
Complete the development of 32 Stodman Street and explore further opportunities to revitalise town centres through residential development.	Economic Growth and Visitor Economy Business Manager Corporate Property Business Manager	Sustainable Economic Development
Explore options for implementing a youth Council and youth awards.	Democratic Services Business Manager Housing Strategy and Regeneration Business Manager	Public Protection and Community Relations
Work with partners to look at opportunities for music and the arts.	Housing Strategy and Regeneration Business Manager	Heritage, Culture and the Arts Health, Wellbeing and Leisure



Ambition 5	Lead Director/ Officer	Portfolio Holder
Develop opportunities to maximise the visitor offer linked to Sherwood Forest.	Economic Growth and Visitor Economy Business Manager	Heritage, Culture and the Arts
Install the Kiddey Sculptures.	Heritage and Culture Business Manager	Heritage, Culture & the Arts
Deliver physical transformation of Newark Market and Market Square.	Economic Growth and Visitor Economy Business Manager	Sustainable Economic Development
Develop 14 Market Place Newark, as part of the wider transformation of the Town.	Economic Growth and Visitor Economy Business Manager Corporate Property Business Manager	Sustainable Economic Development
Deliver a Parish Council conference.	Democratic Services Business Manager	Public Protection & Community Relations
Work alongside Bilsthorpe Parish Council and other partners, to continue to support the development of the Bilsthorpe Community Hub.	Housing Strategy and Regeneration Business Manager	Public Protection & Community Relations





AMBITION 6

Reduce the impact of climate change and protect and enhance green spaces.

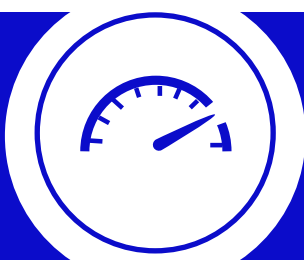
Ambition 6	Lead Director/ Officer	Portfolio Holder
Implement weekly food waste collections with WRAP (Waste and Resources Action Programme) and Nottinghamshire County Council.	Environmental Services Business Manager	Climate and the Environment
Provide opportunities for residents' involvement in parks and green spaces.	Environmental Services Business Manager	Climate and the Environment
Deliver the Council's Tree Strategy, enabling the exploration of options to develop new community woodland and wildlife spaces and support the improvement of air quality.	Environmental Services Business Manager	Climate and the Environment
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.	Planning Development Business Manager Corporate Property Business Manager	Climate and the Environment
Further develop and deliver a Council-wide decarbonisation plan for our built assets/deliver a programme of prioritised decarbonisation actions, in response to the Carbon Trust report 2025, following engagement with stakeholders.	Director of Communities and Environment	Climate and the Environment
Deliver the Brunel Drive Masterplan.	Director of Communities and Environment	Climate and the Environment
Implement the 'Local Area Energy Plan'.	Director of Communities and Environment	Climate and the Environment
Work in conjunction with the statutory authorities to promote good river and waterway health.	Environmental Services Business Manager	Climate and the Environment



AMBITION 6

Reduce the impact of climate change and protect and enhance green spaces.

Ambition 6	Lead Director/ Officer	Portfolio Holder
Explore coordinating and enhancing open space, including biodiversity and sports provision in the south of Newark. Including by developing plans and costed proposals for the Middle Beck Green Basin.	Economic Growth and Visitor Economy Business Manager Environmental Services Business Manager	Sustainable Economic Development
Develop a new Local Plan for Newark & Sherwood, promoting action to tackle climate change through sustainable design policies, protecting existing open space and securing new open space as part of development and securing biodiversity improvements through appropriate policies and projects.	Planning Policy and Infrastructure Business Manager	Sustainable Economic Development
Explore opportunities for commercial glass collection, with an ambition to run the service as close to breakeven as possible.	Environmental Services Business Manager	Climate & the Environment
Improve recycling levels by promoting positive behavioural changes, through community events, targeted communication and enforcement.	Environmental Services Business Manager	Climate & the Environment
Take the lead to develop a more joined-up approach to the management of the public realm, focusing on key areas in town centres and estates where appropriate.	Environmental Services Business Manager Housing Services Business Manager Economic Growth and Visitor Economy Business Manager	Climate & the Environment Housing Sustainable Economic Development



AMBITION 7

Be a top performing, modern and accessible Council, that get its everyday services right for the residents and businesses that it serves.

Ambition 7	Lead Director/ Officer	Portfolio Holder
Seek to secure the very best option for Newark and Sherwood arising from the reorganisation of local government.	Chief Executive	Strategy Performance and Finance
Develop and implement an action plan arising from the 'Corporate Peer Challenge.	Transformation and Service Improvement Manager	Strategy Performance and Finance
Through the Commercialisation Strategy and action plan, continue to seek out and generate new sources of income, whilst retaining our public service ethos.	Financial Services Business Manager	Strategy Performance and Finance
Develop a package of measures to recruit and retain staff, including a review of the pay grading structure and the Council's job evaluation scheme.	HR and Training Business Manager	Strategy Performance and Finance
Finalise and implement the Communications and Marketing Strategies.	Communications and Marketing Manager	Strategy Performance and Finance
Expand and embed a broader range of customer satisfaction measures to drive performance improvement.	Customer Services Business Manager Transformation and Service Improvement Manager	Strategy Performance and Finance

OUR PERFORMANCE

Why does the Council measure performance?

Monitoring performance across the Council is key to understanding if we are delivering on the promises we have made and that we're meeting the needs of our residents. Performance management is used as a tool to drive improvement rather than simply used as a counting device. We acknowledge the value of understanding our performance, as this knowledge allows us to embed and disseminate good practice and quality service delivery as well as identifying and tackling areas for improvement.

How does the Council measure performance?

The Council's performance is measured in a variety of ways, to ensure that we understand if we're putting the right resource into delivering against the right priorities. This is done 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.



Some of the key methods we use to measure our performance are described below:

What we do:	Listening to our residents	Key performance indicators (KPI's)	Community Plan performance reporting	Finance performance reporting	Governance
How often we do it:	We do this by reviewing customer comments, feedback and complaints. We also undertake consultation and surveys.	These are set once every four years in line with the Community plan and reviewed when the Community Plan is refreshed annually.	Quarterly reports are presented to committee and published online.	Quarterly reports are presented to committee and published online.	At least six of the Policy and Performance Improvement Committee (PPIC) are held each year. Quarterly meetings of Performance Cabinet held each year.
Why we do it:	To capture district wide views of residents, using this feedback to allow us to drive service improvement and deliver services that meet the needs of residents.	KPI's are developed to enable performance to be measured and tracked. KPI's also enable the Council's performance to be benchmarked against national indicators.	We report on performance against the Community Plan as this provides visibility of performance against key activities. This enables us to disseminate good practice and quality service delivery as well as identifying and tackling areas for improvement.	We report on financial performance to consider the forecast/ actual outturn position for each financial year for the Council's General Fund and Housing Revenue Account revenue and capital budgets.	The PPIC provide a 'scrutiny' function and has an integral role in improving the work of the Council through outcome focused challenge and development of strategies and policies. Performance Cabinet meetings are held in order for Cabinet to review the Council's performance and identify areas of high performance and areas where improvement is required.
How it relates to the Community Plan:	Surveys such as the Resident Survey gather the views of residents which then informs the development of the Community Plan.	These are used to measure the success of the Community Plans aims.	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.	Resource is key to delivering on our Community Plan actions and commitments.	The role of PPIC is a 'critical friend' to Cabinet, both committees review the Councils performance against the Community Plan.

HAVE YOUR SAY

RESIDENT PANEL

The Resident Panel is a group of people from across the district who would like to share their views on the area they live in and help shape the future of Newark and Sherwood. The panel has been created because we want to understand the views and experiences of residents in the district and use this understanding to ensure that our Council services are the best they can be.

Any resident of the district, over the age of 18, can join the panel to have their say on the Council's services, plans, proposals and development of their local area.



TENANT ENGAGEMENT

COMMUNITY LINK GROUPS

Following feedback from our tenants we have launched Community Link Groups to give tenants, leaseholders and residents the opportunity to further shape their local community.

Taking place at locations across the district, the Groups provide an essential forum for tenants and leaseholders to raise issues and ideas that are important to them and are specific to their local community with officers and councillors from the District Council and partner organisations such as Nottinghamshire Police.

To find out when the next Community Link Group is taking place, please visit our website: www.newark-sherwooddc.gov.uk/communitylinkgroups/



IF YOU ARE INTERESTED IN BEING PART EITHER PANEL YOU CAN SIGN UP IN THE FOLLOWING WAYS:

If you are interested in being part either panel you can sign up in the following ways:

Online: www.newark-sherwooddc.gov.uk (Search resident panel or tenant scrutiny panel).

Email: customerservices@newarksherwooddc.gov.uk

Call: 01636 650 000

CONSULTATIONS

We also regularly consult on Council services, plans and decisions. Visit our consultations page to have your say: www.newark-sherwooddc.gov.uk/consultation.



CONTACT US...

Our residents, tenants and businesses can contact us in a number of ways.

 01636 650 000

 customerservices@newark-sherwooddc.gov.uk

 Castle House, Great North Road, Newark, Nottinghamshire NG24 1BY

 www.newark-sherwooddc.gov.uk

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Report to: Annual Full Council Meeting - 20 May 2025

Relevant Committee Chair: Councillor Rhona Holloway, Audit & Governance Committee

Director Lead: Sue Bearman, Assistant Director - Legal & Democratic Services and Monitoring Officer

Lead Officer: Nigel Hill, Business Manager - Elections and Democratic Services and Deputy Monitoring Officer, Ext. 5243

Report Summary	
Report Title	Review of the Council's Constitution
Purpose of Report	To consider proposals for amendments to the Council's Constitution following consideration by the Audit & Governance Committee.
Recommendations	<p>That Full Council: -</p> <ul style="list-style-type: none"> a) adopts the Constitutional amendments set out in Appendices A, B, C, D, H, I and J and paragraph 2.8 of the report; b) subject to the approval of a) above, notes the adoption of templates for motions and amendments as illustrated in Appendices E and F to the report; c) adopts the terms of reference for a new Licensing Committee as set out in Appendix G of the report, to be implemented with effect from 15 July 2025; d) confirms for the Licensing Committee Terms of Reference in the Constitution to be updated accordingly once the Committee has approved any revisions to its Scheme of Delegation; e) approves a reduction in membership of the Audit & Governance Committee to 9 Members with effect from 15 July 2025 for a trial period, and adding two further meetings of the Committee to the Schedule of Meetings; f) approves the addition of 'Principal Legal Officer' to the Officers listed in the Council's Constitution as having authority to seal legal documents on behalf of the Council; g) notes that a further report will be brought to the Full Council meeting on 15 July 2025 to consider a revised allocation of seats on committees, if the changes recommended at c) and e) above are approved; and

	h) approves the convening of the Independent Remuneration Panel to undertake a desktop review of the affected Members' Special Responsibility Allowances, if the proposed changes to Committees are agreed.
Reason for Recommendation	To ensure the Constitution is up to date and fit for purpose.

1.0 Background

- 1.1 The Audit & Governance Committee is responsible for overview of the Constitution and the Work Programme includes an annual review. The Committee held three informal working parties between October 2024 and March 2025 to consider potential changes to the Constitution and following their meeting held on 7 May 2025 resolved to recommend several amendments to Full Council for approval.
- 1.2 In addition, at its meeting of 18 February 2025, the Cabinet considered the findings of the Local Government Association Peer Challenge and agreed the formation of a working group tasked with an action plan to address those findings. At its first meeting on 25 February 2025, the group agreed for the Audit & Governance Committee to action the following recommendation: 'review Audit, Governance, Overview & Scrutiny functions of the Council to maximise councillor engagement and council productivity'. This recommendation has been considered by the Audit & Governance Committee as part of its review of the Constitution.
- 1.3 At its meeting of 7 May 2025, the Audit & Governance Committee also considered updates, proposed by the Business Manager - Financial Services, to the Financial Regulations and the Contract Procedure Rules, both of which are Constitutional documents. The Financial Procedure Rules (FPR's) set out the principles, roles and processes involved in Finance at the Council. The Contract Procedure Rules (CPR's) set out the principles, roles and processes involved in procurement at the Council.

2.0 Proposal/Options Considered

Financial Procedure Rules

- 2.1 The FPRs have been reviewed in conjunction with the Council's Section 151 Officer to update where appropriate and clarify relevant sections. There have been no material changes to the FPR's as a result of this review. **Appendix A** to the report shows the proposed changes to the FPR's.

Contract Procedure Rules

- 2.2 The main changes within the CPR's relate to at which points in the procurement process Welland Procurement (the Council's contracted procurement service) should be engaged. It is proposed that on each occasion a procurement is likely to be above £75,000 Welland must be engaged. There is further clarification regarding the approval to procure (which is after the budget has been secured) and the approval to

award (post the signature of the contract). It also details those officers (and when it is necessary for those officers) who can sign the contract, bearing in mind that £75,000 is still the limit for having the contract sealed. The CPR's have also been updated to reflect the requirements of the Procurement Act 2023. **Appendix B** to the report shows the proposed changes to the CPR's.

Petitions

- 2.3 The Council's Petition Scheme currently states that it welcomes e-petitions which are created through our website. While it does not prohibit e-petitions submitted through alternative platforms, the Scheme does not explicitly say they are accepted. It is proposed that the Scheme should be amended to allow discretion to be exercised on the acceptance of e-petitions from other platforms (as we do now in practice). One minor amendment is also proposed in relation to petitions with more than 1,000 signatures that are actioned prior to the next meeting of Full Council at which they could be debated. The Petition Scheme, with proposed tracked changes, is **Appendix C** to this report (amendments at paragraphs 1.5 and 1.7).
- 2.4 The Full Council Procedure Rules contain provisions about the presentation of petitions. It is proposed to amend the Procedure Rules to allow for all petitions that fall under the remit of the Petition Scheme to be presented to Full Council by the relevant Member. Currently, the rules say that if a petition is to be debated it will not first be presented by the relevant Member. Two further additions are proposed; firstly, to clarify that the agreed course of action will normally be to refer the matter to another Council body or to note the petition; and secondly for the outcome of any consideration of petitions by the Cabinet, Portfolio Holders or Officers, to be reported back to Full Council for completeness. The relevant extract of the Full Council Procedure Rules, with proposed tracked changes, is attached as **Appendix D** to this report (paragraph 3.1).

Motions

- 2.5 It is proposed to refine the Constitution's provisions regarding motions and introduce the use of a template. The proposed tracked changes to the Full Council Procedure Rules are shown in **Appendix D** to the report (paragraph 3.4). This includes a new 3.4.1(c) which seeks to provide clarity for Members on valid motions. The template which is proposed for use going forward is attached as **Appendix E** to the report. There is also a provision recommending that early advice is sought prior to the deadline for submission of motions.
- 2.6 It is further proposed to introduce a template for amendments to motions, and a provision for amendments to be submitted to Democratic Services ahead of meetings where possible (**Appendix D paragraph 4.6.2**). The template is attached as **Appendix F** to the report.

Licensing and General Purposes Committees

- 2.7 The Audit & Governance Committee undertook a review of the terms of reference for these two Committees. Changes were proposed both for clarification and to remove functions that are no longer relevant. Members also discussed whether the two Committees could be combined into one. A number of neighbouring authorities, including Mansfield District Council, Ashfield District Council and Bassetlaw District Council have established a single committee for regulatory licensing functions. There is no statutory requirement to have two separate committees. The historical reason for having two, is that the committees were set up under different legislation with slightly different requirements. It was agreed to consult with the Licensing and General Purposes Committees on combining the committees. Such a report was taken to this meeting on 20 March 2025 and the Committees supported the proposal to combine. If Full Council approves the proposal a revised political composition report will be presented to the next meeting to be held on 15 July 2025 to adjust allocation of seats to committees, with the changes coming into effect immediately after that.
- 2.8 If a single committee is to focus solely on regulatory licensing functions, some of the General Purposes Committee's functions will need to be moved elsewhere. It is considered that the Audit & Governance Committee would be the most suitable body to consider these electoral matters. The amount of committee business relating to these functions is minimal. In 2023-24 there were no reports, and in 2024-25 there was one report relating to a review of polling districts and polling places, and two reports relating to a Community Governance Review. The proposed terms of reference for the single Licensing Committee is attached as **Appendix G** to the report (**Appendix G(i)** shows tracked changes for comparison). The functions that would be moved to Audit & Governance Committee are highlighted in **Appendix G(i)**, these are: -
- Functions relating to parishes, elections and electoral registration.
 - Functions relating to Polling Station reviews.
 - Functions relating to Community Governance Reviews.
 - Making recommendations to Council relating to the name and status of areas and individuals.
 - Making recommendations to Council on the promotion or approval of local bill.
 - Making recommendations to the Council as to recommendations to the Secretary of State on district boundaries, ward boundaries, electoral divisions, wards or polling districts.
- 2.9 The Council's Licensing Team is in the process of reviewing and updating the Scheme of Delegation for Licensing functions which sets out which matters are reserved to Committee, which are delegated to the Sub-Committee, and which are delegated to Officers. The Scheme is set out in the Terms of Reference for the Committee. It is proposed that Full Council confirms for the Terms of Reference in the Constitution to be updated accordingly once the Committee has approved any revisions to the Scheme.

Audit & Governance Committee

2.10 Consideration was given to the current arrangements for the Audit & Governance Committee including the size of the Committee and whether the functions should be divided between two separate committees; one for audit and one for governance.

2.11 For comparison, arrangements at other Nottinghamshire authorities are as follows: -

Authority	Combined or Separate	Membership
Nottinghamshire	Combined	11
Nottingham City Council	Separate	9 - Audit (2 independent) 8 – Governance (1 independent)
Gedling Borough Council	Separate	7 – Audit 2 from each group – Standards (2 co-optees)
Bassetlaw	Combined	9
Rushcliffe	Combined	9 (1 independent)
Broxtowe	Combined	13
Ashfield	Separate	7 – Audit 7 - Standards
Mansfield	Combined	9

2.12 There were mixed views expressed by Members of the Audit & Governance Committee regarding separating the functions into two separate committees. Also, the timescale for the Government review of the Standards regime is unknown, and it may be that new requirements will come into effect regarding standards committees that require changes to the Council's arrangements. Considering the mixed views and potential upcoming changes, it is proposed to make some minor changes for a trial period of this municipal year.

2.13 It is proposed to reduce the membership of Audit & Governance Committee to 9. It is further proposed that for a trial period to add at least 2 extra Committee meetings, to be dedicated to Governance and Standards matters as far as possible, with other meetings being dedicated to Audit as far as possible. If Full Council approves the proposal a revised political composition report will be presented to the next meeting on 15 July to adjust allocation of seats and add to the Schedule of Meetings, with the changes coming into effect immediately after that.

Independent Remuneration Panel

2.14 If the changes in paragraphs 2.7 and 2.8 are approved by Full Council, the Independent Remuneration Panel will need to be convened to undertake a desktop review of the affected Members' Special Responsibility Allowances.

Planning Policy Board

- 2.15 The Audit & Governance Committee endorsed proposals from Planning Officers to increase the membership of the Planning Policy Board to 9, comprising of the Portfolio Holder for Sustainable Economic Development, 4 Members nominated by the Policy and Performance Improvement Committee (any Member of Council), and 4 Members of the Planning Committee including the Chair and Vice-Chair. The rationale for this is to increase the geographical coverage and political representation of the membership. The proposed amendments to the Planning Policy Board are set out in **Appendix H**.

Acquisitions and Disposals Policy

- 2.16 Officers have refreshed and reviewed this Policy, which is included in the Financial Governance section of the Constitution. The proposed revised Policy is attached as **Appendix I** to the report.
- 2.17 The main changes are summarised below:
- Inclusion of all legislative requirements for disposals by local authorities for ease of reference and to reduce the risk of omission.
 - Clarification on delegations.
 - Incorporation of reference to the distinction between General Fund and Housing Revenue Account assets.
 - Addition of reference to 'appropriation' – the transfer of land between the General Fund Budget to the Housing Revenue Account Budget.
- 2.18 As this Policy relates to Cabinet and Portfolio Holder decision-making, Officers have consulted with the Leader before bringing this report to Full Council.

Other

- 2.19 Some minor amendments are required to the Terms of Reference for Planning Committee to ensure it accurately reflects the contents of the Officer Scheme of Delegation and the Protocol for Planning Committee. The proposed amendments are set out in **Appendix J** to the report.
- 2.20 Finally, the Officer Scheme of Delegation in the Constitution delegates authority to the Chief Executive, Directors (including the Assistant Director) and Deputy Monitoring Officer, to seal legal documents on behalf of the Council. Due to hybrid working arrangements this is not always practical, and it is proposed to extend this provision to include Principal Legal Officers.

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 (FIN25-26/7042)

- 3.1 It is proposed that remuneration for the Chair and the two members of the panel to be consistent with previous payments. This was previously £1,000 for the Chair and £600 for the other two members in 2023 when the Panel convened to review new portfolios. The scope of this review will be more limited; therefore it is anticipated that costs will be £500 for the Chair and £300 for the other two members. This can be funded from the annual Change Management budget.

Legal Implications (LEG2425/5629)

- 3.2 Adoption and alteration of the Constitution is a function reserved to Full Council; therefore, Full Council is the appropriate body to consider the content of this report.

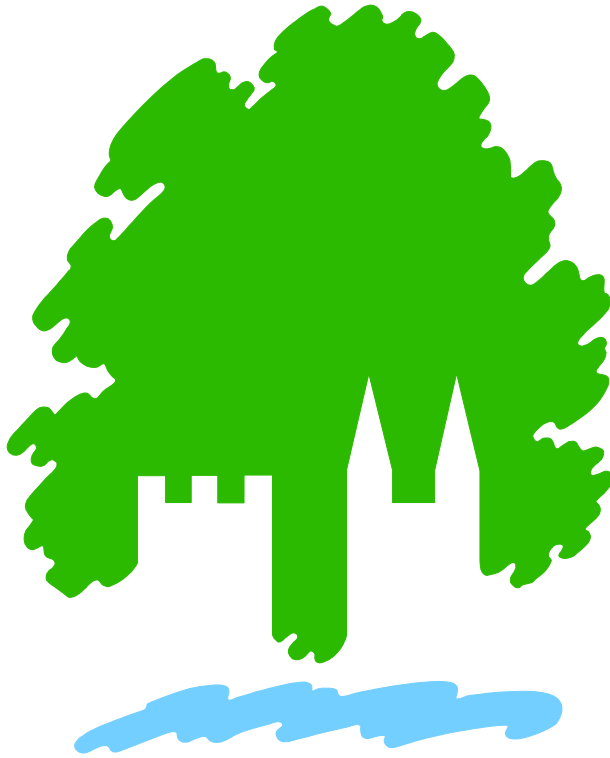
Background Papers and Published Documents

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.

7 May 2025 Audit & Governance Committee –

- Item 5 – Review of Contract Procedure Rules
- Item 6 – Review of Financial Procedure Rules
- Item 10 – Review of the Council's Constitution

<https://democracy.newark-sherwooddc.gov.uk/ieListDocuments.aspx?CId=298&MIId=1179>



**NEWARK &
SHERWOOD**
DISTRICT COUNCIL

FINANCIAL REGULATIONS

Revised: May 2025

Next revision due: March 2028

FINANCIAL REGULATIONS

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1. GENERAL

1.1 Notice to All Employees

- (i) These Financial Regulations provide the framework of controls and standards necessary to achieve the proper administration of the Council's financial affairs. Financial Regulations are designed to safeguard the interests of the Council, its Members and its employees. They apply to all elected members (Members), employees, and temporary and agency staff and to all transactions of the Council.
- (ii) All Members and officers have a responsibility for taking reasonable action to provide for the security of the assets under their control and for ensuring that the use of these resources is legal, properly authorised, provides value for money and achieves best value.
- (iii) The Council expects the highest standards of financial probity from its officers and Members. The Section 151 Officer may report any breach of Financial Regulations to Cabinet or if sufficiently serious, direct to full Council. Any failure to comply with these Regulations may result in action being taken in accordance with the Council's disciplinary procedures or in the case of Members referred to the Audit and Governance Committee. If you have any doubt on their meaning or interpretation, it is advised that you contact the Section 151 Officer.
- (iv) It is the responsibility of officers to ensure that they have the necessary knowledge of the Council's Financial Regulations to enable their duties to be undertaken to meet the requirements of these regulations.
- (v) These Financial Regulations supersede all previous versions.
- (vi) If after reading these regulations you require further guidance or clarification, or if you are not sure how best to comply with the regulations then please contact your Line Manager, Financial Services or the Head of Internal Audit.

2. INTRODUCTION

2.1 Complementary Factors

2.1.1 These Financial Regulations form part of the Constitution and are complementary to:

- (i) Any current or future legislation, and shall not be considered to over-ride any such legislation affecting the functions of the Council;
- (ii) The Council's Standing Orders;
- (iii) The Council's Contract Procedure Rules;
- (iv) Any EU Public Procurement Directives;
- (v) The Codes of Conduct for Members and Officers;
- (vi) The Information Technology Regulations (for all matters relating to Information

Technology).

- (vii) The Council's Anti-Fraud Strategy.
- (viii) The Council's Guidance for Dealing with Irregularities.
- (ix) The Council's Whistleblowing Policy.
- (x) Appropriate Guidance Notes issued by the Section 151 Officer

- 2.1.2. The above documents shall be considered to have the force of financial regulations for all their related matters. This shall also include any related subsidiary regulations.

2.2 Financial Implications of Proposals and Reports to Members

- 2.2.1 No item having financial consequences shall be placed on a Council, Cabinet or Committee agenda without obtaining the financial implications and reference number from the Section 151 Officer. Any report containing new proposals shall include an independent financial assessment by the Section 151 Officer. This extends to all reports tabled at the Council's Senior Leadership Team (SLT).

- 2.2.2 In general, reports requiring comments of the Section 151 Officer shall be presented to the Financial Services Business Unit a minimum of 3 working days prior to the publication of the agenda for the agenda meeting for the relevant Council, Cabinet or Committee meeting.

- 2.2.3 Where there are significant financial implications it is a requirement that the Financial Services Business Unit will be involved in the development of the proposals.

2.3 Availability

- 2.3.1 A copy of these Financial Regulations shall be made available to Members, Officers and members of the public at all reasonable times.

2.4 Compliance

- 2.4.1 SLT and Business Managers shall be responsible for ensuring that these Financial Regulations are complied with and are available to all employees within their areas of responsibility.

3. DEFINITIONS

3.1 Terms

- (i) The term Council shall be deemed to include reference to Cabinet, Portfolio Holders or Officers acting in accordance with delegated authority on behalf of the Council.
- (ii) Where legislation and regulations are referred to in these Financial Regulations, they are deemed to refer to the latest statutory and regulatory requirements.
- (iii) The term Chief Executive relates to the Head of Paid Service for the Council.
- (iv) The term Section 151 Officer relates to the Director – Resources/Deputy Chief Executive (the Responsible Financial Officer). This is a statutory officer appointed by Full Council to have responsibility for the financial affairs of the Council as required by Section 151 of the Local Government Act 1972.

- (v) The term Deputy Section 151 Officer relates to the officer nominated by the Section 151 Officer to undertake the Section 151 responsibilities in the absence of the Section 151 Officer.
- (vi) The term Director relates to Corporate Directors, who form the Strategic Leadership Team (SLT).
- (vii) The term Monitoring Officer relates to the officer appointed by the Council as required by the Local Government Housing Act 1989.
- (viii) The term Duly Authorised Officer relates to an officer with delegated authority from the relevant Business Manager.
- (ix) The term Head of Internal Audit relates to the officer appointed by the contractor in consultation with the Section 151 Officer.

4. LEGAL RESPONSIBILITIES

4.1 Local Government Act 1972 Section 115 - Legal Responsibilities of Officers

4.1.1 Officers employed by the Council have a legal responsibility under Section 115 of the Local Government Act, which states that:

“Every Officer employed by a Local Authority, whether under this Act or any other enactment, shall at all times during the continuance of his office, or within three months after ceasing to hold it, and in such manner as the Local Authority directs, make out and deliver to the Authority, or in accordance with their directions, a true account in writing of all money and property committed to his charge, and of his receipts and payments, with vouchers and other documents and records supporting the entries therein, and a list of persons from whom or to whom money is due in connection with his office, showing the amount due from or to each”.

4.1.2 Every such officer shall pay all money due from him/her to an officer designated by the Section 151 Officer or in accordance with their directions.

4.2 Local Government Act 1972 Section 117(1) & (2) - Disclosure by Officers of Pecuniary Interest in Contracts.

4.2.1 Staff involved in contract and purchasing procedures shall be aware of the provisions of section 117(1) of the Local Government Act 1972 concerning the disclosure by officers of pecuniary interests in contracts. This provides that “if it comes to the knowledge of an officer employed whether under this Act or any other enactment by a Local Authority that a contract in which he/she has a pecuniary interest, whether direct or indirect, (not being a contract to which he/she is a party), has been or is proposed to be entered into by the Authority, he/she shall, as soon as practicable, give notice in writing to the Authority of the fact that he/she is interested therein”. An indirect pecuniary interest for these purposes is as follows:

- (a) If the officer or any nominee of the officer is a member of a company or other body with which the contract was or is proposed to be made.
- (b) If the officer is a partner or is in the employment of a person with whom the contract is, or is proposed to be made.

- (c) In the case of married persons or partners, the interests of one partner, if known to the other, is deemed to be the interest of the other spouse.

Appropriate officers will be required to complete a declaration form covering any related third party transactions on an annual basis.

The clause above shall also refer to contracts relating to either of the Council's wholly owned companies Active4Today Ltd and Arkwood Developments Ltd.

- 4.2.2 Section 117(2) states that "an officer of a Local Authority shall not under colour of his office or employment, accept any fee or reward whatsoever, other than his proper remuneration".
- 4.2.3 Any Officer who has any direct or indirect pecuniary interest in any contract, or is offered any fee or reward, whether or not it is accepted, shall notify the Chief Executive, who shall enter such details into a central register maintained for such purposes. Any person who fails to comply with Section 117(1) and (2) may render themselves liable to a fine.
- 4.2.4 Section 117(4) states that "References to a local authority shall include references to a joint committee appointed under part VI of the Act or any other enactment".
- 4.3 **Local Government Act 1972 Section 151 - Officer Responsible for Financial Administration.**
- 4.3.1 Under Section 151 "every Local Authority shall make arrangements for the proper administration of their financial affairs, and shall secure that one of their officers (who in accordance with the Local Government and Housing Act 1989 (Section 6 paragraph 3) must be a member of one or more of the Accountancy Bodies specified in the Act), has responsibility for the administration of those affairs".
- 4.3.2 The Council has appointed the Director – Resources/Deputy Chief Executive as the Section 151 Officer (the Responsible Finance Officer). Under the Accounts and Audit Regulations 2006, the Section 151 Officer is responsible for determining the accounting systems and the form of accounts and supporting records. This officer shall also ensure that all such determinations are observed, and that the accounts and supporting records are kept up to date.
- 4.4 **Local Government Finance Act 1988 Section 114 - Reporting under Part VIII: Responsibility of the Section 151 Officer.**
- 4.4.1 A requirement is placed upon the Section 151 Officer by Section 114(1) of the Local Government Act 1988 to make a report to the Council in certain circumstances where there is the possibility of an illegal payment, or of spending exceeding resources available.
- 4.4.2 Making a report falls under two Sections. Section 114(2) states that the Section 151 Officer is required to decide that an act or omission is or could be unlawful.
- 4.4.3 Under Section 114(2) the duty to send the report starts a "21 day clock" whereby the Council is required to hold a meeting within this time and until this is done, must

refrain from the course of action reported.

- 4.4.4 Section 114(3) requires the Section 151 Officer to issue a report in cases of an unbalanced budget - real or potential. This report is also subject to the procedure described in 4.4.3 above.
- 4.4.5 In the absence of the Section 151 Officer the duties referred to at 4.4.1 to 4.4.4 shall be performed by the officer acting as the Deputy Section 151 Officer.

5. RESPONSIBILITIES/REGULATORY ROLES

Council

- 5.1.1 Council is responsible for setting the Council's annual General Fund Budget and Council Tax.
- 5.1.2 Council is responsible for the setting of the Council's Housing Revenue Account (HRA) budget and the annual rent.
- 5.1.3 Council is responsible for approving the Council's Medium Term Financial Plan and the 30 year HRA Business Plan.
- 5.1.4 Council is responsible for approving the Treasury Strategy, Investment Strategy and Capital Strategy.
- 5.1.5 Council is responsible for setting the Capital budgets for both the General Fund and the HRA.

5.2 Cabinet

- 5.2.1 Cabinet are responsible for monitoring the in-year forecast outturn against the budget as part of the performance framework.
- 5.2.2 To recommend to Council the annual General Fund and HRA budgets for consideration and approval.
- 5.2.3 To recommend to Council the Medium Term Financial Plan for consideration and approval.
- 5.2.4 To recommend to Council the HRA 30 year Business Plan for consideration and approval.
- 5.2.5 To recommend to Council the Capital Programme for both the General Fund and the HRA.

5.3 Audit and Governance Committee

- 5.3.1 The Audit and Governance Committee are responsible for the approval of the Annual Statement of Accounts.
- 5.3.2 To recommend to Council the Treasury Strategy, Investment Strategy and Capital

Strategy.

5.4 Section 151 Officer

- (i) Under Section 151 “every Local Authority shall make arrangements for the proper administration of their financial affairs, and shall secure that one of their officers (who in accordance with the Local Government and Housing Act 1989 (Section 6 paragraph 3) must be a member of one or more of the Accountancy Bodies specified in the Act), has responsibility for the administration of those affairs”.
- (ii) Under the Accounts and Audit Regulations 2006 (as amended), the Section 151 Officer is responsible (under the control and general direction of Cabinet and in accordance with the Accounts and Audit Regulations 2006 (as amended)) for the accounts and finances of the Council, including determining the accounting systems and the form of accounts and supporting records. This officer shall also ensure that all such determinations are observed, and that the accounts and supporting records are kept up to date.
- (iii) The Section 151 Officer shall have regard to any statutory guidance issued by the appropriate Secretary of State and professional guidance issued by the Chartered Institute of Public Finance and Accountancy (CIPFA).
- (iv) The Section 151 Officer shall advise the Council on all financial matters.
- (v) The Section 151 Officer shall present annually to the Council detailed estimates of the Council's income and expenditure for the following financial year and shall provide a risk assessment of the Council's proposed budget.
- (vi) The Section 151 Officer shall also present to the Audit and Governance Committee, after the close of each financial year, a Statement of Accounts in accordance with the latest Accounts and Audit Regulations. The Accounts of the Council shall be submitted to the Council's External Auditor.
- (vii) Under the Accounts and Audit Regulations 2006 (as amended), the Council is responsible for maintaining an adequate and effective system of Internal Audit covering financial and all other operations of the Council and also require any Officer or Member of the Council to make available such documents as appear necessary for the purpose of the audit together with such information and explanation considered necessary for that purpose. This function is discharged through the Section 151 Officer together with The Senior Leadership Team.
- (viii) The Section 151 Officer shall periodically present to Cabinet and the Audit and Governance Committee, budgetary control statements showing performance against the approved estimates of revenue expenditure and income. The appropriate Business Manager will report on any major variances from planned budget performance.
- (ix) Notwithstanding the information available on the on-line Financial Information System, the Section 151 Officer shall supply to Business Managers, by arrangement, such cost and other financial statements as may reasonably be required in the interests of financial control and general management. The

production of additional financial and statistical information shall also be maintained, as considered necessary by the Section 151 Officer, to provide efficient overall management control.

- (x) The Section 151 Officer, in consultation with SLT, shall review the Financial Regulations periodically and shall have regard to their relevance and practical application in changing circumstances. A motion to add to, vary or revoke these Financial Regulations shall, unless the addition, variation or revocation has previously been considered by Cabinet, stand adjourned to the next meeting of the Council when the motion shall proceed whether or not it has been considered.

5.5 Internal Audit

- 5.5.1 The Council will comply with the current Accounts and Audit Regulations, the Public Sector Internal Audit Standards and the CIPFA Code of Practice for Internal Audit in Local Government and shall maintain an adequate and effective system of Internal Audit of the accounts and other operations of the Council.
- 5.5.2 The Head of Internal Audit shall be responsible for the operation of the internal audit function, agreed with the Section 151 Officer covering financial and all other operations of the Council and value for money studies as required, considering the efficient, effective and economic use of resources. The Head of Internal Audit shall periodically report to SLT and the Section 151 Officer and will provide reports to the Audit and Governance Committee on progress made concerning on-going investigations and reviews and audits completed.
- 5.5.3 The Section 151 Officer or his authorised representative shall have authority for the purpose of the Internal Audit function to:
 - (i) Enter any Council premises or land at all reasonable times.
 - (ii) Have access to all records, documents, files (including information held electronically) and correspondence relating to any financial and other business of the Council which the Section 151 Officer considers necessary to fulfil his duties under S151 of the Local Government Finance Act 1972. No record shall be removed by audit staff without notification to the appropriate Business Manager, or relevant senior officer. This authority also shall apply to all records, documents and files maintained by any subsidiary of the Council, and the Mansfield & District Crematorium.
 - (iii) Require and receive such explanations as are necessary concerning any matter under examination, and
 - (iv) Require any employee of the Council to produce cash, stores or any other Council property under his control.
- 5.5.4 Each Director or Business Manager is responsible for ensuring that action is implemented in response to Internal Audit's agreed recommendations in accordance with the agreed timescale. Where an Internal Audit recommendation is not accepted a written explanation and acceptance of the consequent risk must be provided by the Business

Manager and reported to the Section 151 Officer. Such an explanation may be reported to the Audit and Governance Committee.

5.5.5 The Section 151 Officer, or his nominated officer shall:

- (i) Approve any new systems for the maintenance of financial records, or records of assets or any changes to such systems.
- (ii) Be notified by Business Managers of any plans for transferring staff duties in order to allow for the examination of the implications as regards internal control (e.g. authorisation, separation of duties etc.)

5.6 Business Managers

5.6.1 In addition to the general responsibilities described elsewhere in this document, Business Managers will be responsible for certifying on an annual basis the necessary requirements to enable the Section 151 Officer to complete the Council's Annual Governance Statement and Letter of Representation to the Council's External Auditor.

6. FINANCIAL MANAGEMENT

6.1 Financial Consultation

There will be consultation between Business Managers and the Section 151 Officer, or his/her delegated officers from the Financial Services Business Unit, on any matters concerning the following:

- (i) Preparation and submission of estimates of Council expenditure and income.
- (ii) Preparation of estimates for any external body or partnership e.g. County Council, Government Departments etc., the purpose being the adequacy and accuracy of the estimates.
- (iii) It will be the responsibility of the relevant Business Manager to ensure that any report presented to Cabinet or any other constituted party of the Council or to the Council which has financial implications shall include the Section 151 Officer's observations (See Section 2.2).
- (iv) Proposals for and methods of financing specific expenditure not included in the approved estimates, together with means of approval for such expenditure where this is not otherwise stipulated.
- (v) Proposals to reduce or cancel income included in approved estimates.
- (vi) Applications, bids or submissions by the Council for grant aid or any external funding or spending power from outside bodies. Consultation must take place before submitting any such proposal to an outside body.
- (vii) Proposals to enter into any joint working arrangement with another local authority or other partner.

No financial matter under headings 6.1 (i) to (vii) above shall be concluded **without consultation with the Section 151 Officer**.

6.2 Financial Planning and Control

A major project, as defined by the Council's Senior Leadership Team (SLT), cannot proceed until a project plan is submitted to SLT and approval is received, followed by approval from Members where appropriate.

6.2.1 Process for Developing the General Fund and HRA Revenue Budget

The process for developing the budget is set out as part of the Budget Strategy reported to Cabinet each year.

6.2.2 General Fund and HRA Revenue Budgetary Control

6.2.2.1 Business Managers are responsible for monitoring and regulating the financial performance of their appropriate service throughout the financial year using the Council's online financial management system and performance information provided by the Section 151 Officer. Where budgets are delegated to Budget Holders they are charged with the same responsibility.

6.2.2.2 The Section 151 Officer will provide performance monitoring information on a monthly basis.

6.2.2.3 Cabinet will receive a consolidated report detailing the whole Council performance quarterly. This will also be presented to the Audit and Governance Committee and the Policy, Performance Improvement Committee.

6.2.2.4 Where it appears that the amount included under any head of the approved budget is likely to be exceeded or the budgeted amount of income under any head is unlikely to be reached then budget officers are required to find savings elsewhere in their budget. Variations over £100,000, where savings cannot be identified, the Business Manager must consult with the Section 151 Officer and ultimately take a report to Cabinet.

6.2.2.5 The Section 151 Officer shall be entitled to receive from each Business Manager such information as he/she requires in relation to the annual amount of income achieved and expenditure incurred for inclusion in the Council's annual Statement of Accounts.

6.2.2.5 The Section 151 Officer shall report to the Audit and Governance Committee and Cabinet on the accounts of each financial year as soon as is practicable, and in accordance with the Accounts and Audit Regulations applicable at the time.

6.2.3 Capital Estimates

- (i) New schemes must be accompanied by the appropriate Appraisal forms, and will by an agreed date, be scored together to form a list to be approved by SLT before proceeding to the committed Capital Programme (to be approved by Council).
- (ii) Cabinet Portfolio Holders may, via the Director of the service, recommend capital schemes to Cabinet for inclusion within the Council's Capital Programme. Any

schemes that are recommended, must go through the process detailed at 6.2.3 (i) prior to being included within the committed capital programme.

- (iii) In November each year SLT will review a list of proposed schemes for inclusion in the Cabinet report for the February meeting together with capital financing proposals.
- (iv) Cabinet shall consider any recommendations arising from consultation with Members and will submit recommendations to the Council for the approved Capital Programme for the following four years, or such other period as the Section 151 Officer advises.
- (v) The Council shall in February for the HRA and March for the General Fund, of each year, by simple majority, determine the Council's Capital Programme, having considered the proposals recommended by Cabinet.
- (vi) Following approval of the Council's Capital Programme the appropriate Business Managers are authorised to incur expenditure in respect of all schemes included in the committed Capital Programme unless otherwise directed by Cabinet or the Section 151 Officer.
- (vii) The Section 151 Officer is authorised to arrange the financing of the Capital Programme so as to maximise the resources available to the Council, having regard to the provisions of the Local Government and Housing Act 1989 or subsequent relevant legislation.
- (viii) The Section 151 Officer is authorised to make any necessary adjustments to the Capital Programme that arise at year-end due to slippage and report these retrospectively to Cabinet.
- (ix) Any favourable variances identified within the approved committed Capital Programme must be reported to Cabinet. Any internal funding that has not been required will therefore be available for funding other capital schemes.
- (x) No third party funding or grant aid may be accepted where matched funding is required until the source of the matched funding has been identified and approved by the Cabinet
- (xi) Any scheme involving matched funding that is not received must be reported to Cabinet for consideration of whether additional funding should be allocated in order to continue with the scheme.
- (xi) The Section 151 Officer will report periodically to Cabinet on any variations to the Capital Programme for approval.
- (xii) The Section 151 Officer is required to take all necessary steps to implement the committed Capital Programme and is authorised, in the event of slippage, to bring forward schemes from the following year provided that this does not increase the total commitment and that such changes are reported to Cabinet retrospectively.

- (xiii) No schemes worth less than £15,000 will be added to the Capital Programme as the Council's de minimus limit is set at £15,000 in line with paragraph 9.5.4.
- (xiv) In-Year additions to the Capital Programme will need to be approved by Cabinet.

6.2.4 General Fund and HRA Capital Programme Monitoring

- 6.2.4.1 The monitoring of the overall Capital Programme, with regard to the monitoring of funding, progress, variations, amendments etc. is the responsibility of the Section 151 Officer who can delegate to an appropriate working group.
- 6.2.4.2 Regular reports will be made to Cabinet on the overall progress of the Capital Programme.
- 6.2.4.3 It is the individual Business Manager's responsibility to exercise control over any capital schemes within their remit and to report any possible significant variations which may arise to the Section 151 Officer.

6.3 Variation of Estimates – General Fund and HRA Revenue

- 6.3.1 The object should be to avoid the transfer of estimates and this is best achieved by sound and detailed estimating together with the accurate coding of expenditure during the year in accordance with the provisions made.
- 6.3.2 Where it is desired to transfer funds between budget cost headings, the following procedure shall be adopted and the Financial Services Business Unit is informed in every case, to effect the necessary amendments in the Council's Financial Management System:
 - a) **Where the transfer of budget is managed within a cost centre**, this can be approved by the Business Manager.
 - b) **Where the transfer of budget is within more than one cost centre within a Business Unit**, this can be approved by the Business Manager up to an annual cumulative limit of £25,000. Between £25,000 and £50,000 this should be approved by the Director responsible for the Business Unit in consultation with the S151 Officer.

Cumulative transfers from a cost centre in excess of £50,000 up to £100,000 should be approved by the relevant Portfolio Holder(s) of the service in consultation with the relevant Director and the s151 Officer.

Any transfers above £100,000 should be approved by the Portfolio Holder for Finance in consultation with the relevant service Portfolio Holder(s) and the s151 Officer (having also been approved by the relevant director).

- c) **Where the transfer of budget is between Business Units within a Directorate**, this can be approved by the relevant Director up to a cumulative limit of £50,000 in consultation with the S151 Officer.

Cumulative transfers within a Directorate, between Business Units in excess of £50,000 up to £100,000 must be approved by the Portfolio Holder for Finance in

consultation with S151 Officer (having been previously approved by the relevant Director).

Any cumulative transfers in excess of £100,000 must be approved by Cabinet.

- d) **Where the transfer of budget is between Directorates**, up to £50,000 this can be approved by the relevant Directors, in consultation with the S151 Officer.

Between £50,000 and £100,000 this must be approved by the Portfolio Holder for Finance in consultation with the S151 Officer and the relevant Directors.

Any individual request above £100,000 must be approved by Cabinet (having been previously approved by the relevant Directors and the S151 Officer).

- 6.3.3 **Use of Reserves.** Where it is desired to add funds to the revenue account from earmarked reserves, the following procedure shall be adopted and the Financial Services Business Unit informed in every case, to effect the necessary amendments in the Council's Financial Management System:

- a) **Where the transfer of budget is up to £50,000 and the transfer is for the specific purpose and function for which the reserve was established, then** this can be authorised by the S151 Officer in consultation with the relevant Director responsible for the receiving service. If the transfer is not for the specific purpose and function for which the reserve was established then the request for transfer will be referred to the Portfolio Holder for Finance and the S151 Officer, who can either approve the request or refer it to Cabinet.
- b) **Where the transfer of budget is between £50,000 and £100,000 and the transfer is for the specific purpose and function for which the reserve was established, then** this can be authorised by the Portfolio Holder for Finance in consultation with the S151 Officer. If the transfer is not for the specific purpose and function for which the reserve was established the transfer must be authorised by Cabinet.
- c) **Where the transfer of budget exceeds £100,000 and the transfer is for the specific purpose and function for which the reserve was established, then** this can be authorised by the Portfolio Holder for Finance in consultation with the relevant Portfolio Holder(s) and the S151 Officer. If the transfer is not for the specific purpose and function for which the reserve was established then the transfer must be authorised by Cabinet.

- 6.3.4 No transfer shall be undertaken with the purpose of utilising additional income for expenditure purposes without the express consent of the Section 151 Officer. No transfer shall be undertaken out of savings on payroll codes without the express consent of the Section 151 Officer.

- 6.3.5 There shall be no carry forward of any under-spending on budgets into the following financial year without the express authorisation of the Portfolio Holder for Finance and the Section 151 Officer. This includes budgets held on job codes. When considering any applications for carry forwards, the Section 151 Officer in consultation with the Portfolio Holder for Finance shall consider the overall budget position of the Council.

6.3.6 The Section 151 Officer is authorised to introduce additional restrictions on virements.

Variation of Estimates – General Fund and HRA Capital

6.3.7 Where the change is less than £10,000 per scheme within a financial year, it is delegated to the Section 151 Officer to approve the change in budget, arranging also the amendment to the financing of the Capital Programme.

6.3.8 Changes of between £10,000 and £150,000 can be approved by Portfolio Holder decision or Cabinet.

6.3.9 All changes above £150,000 will need to be approved by Cabinet.

6.3.10 All reprofiles of scheme expenditure will need to be approved by Cabinet.

6.3.11 All changes approved above will need to be noted by Cabinet.

6.4 Treasury Management

6.4.1 The Council has adopted CIPFA's Treasury Management in the Public Services Code of Practice 2018 as updated from time to time.

6.4.2 All matters relating to Treasury Management shall be subject to the supervision and control of the Section 151 Officer.

6.4.3 External Borrowing, and all other Treasury Management transactions, shall be undertaken in accordance with the CIPFA Treasury Management Code of Practice, Prudential Code and the rules and procedures laid down in the Council's Treasury Management Policy. The Treasury Management Manual shall be considered to be the Council's Financial Regulations for Treasury Management transactions and procedures.

6.5 Bank Accounts and Cheques

6.5.1 The Section 151 Officer shall arrange for such bank accounts to be kept as may be deemed necessary. The Section 151 Officer shall be responsible for the operation, supervision and control of those accounts. No member of staff shall arrange for a bank account to be opened without the express authorisation of the Section 151 Officer.

6.5.2 No direct debits from the Council's bank account must be set up without the prior approval of the Section 151 Officer.

6.5.3 Bank overdraft facilities and the amounts and conditions of bank charges shall be negotiated and agreed by the Section 151 Officer.

6.5.4 The Officers authorised to sign cheques or transfer money on behalf of the Council, shall be limited to the Section 151 Officer, Deputy Section 151 Officer or such officers as authorised by the Section 151 Officer.

6.5.5 Any cheques exceeding £50,000 must bear two authorised signatures, at least one of which must be a manual signature.

- 6.5.6 Where use is made of the on-line banking system for payments to be made out of any of the Council's bank accounts electronically, the requirements for authorisation of payments shall be equivalent to that of 6.5.4 and 6.5.5 above.
- 6.5.7 All unused cheques shall be held as "Controlled Stationery" and shall be held in a secure location.
- 6.5.8 No cheques are to be cancelled except by persons authorised by the Section 151 Officer.
- 6.5.9 Instructions for stopping cheques shall be notified to the Bank in writing and all preliminary telephone instructions in this connection shall be confirmed in writing immediately afterwards by the Section 151 Officer or Duly Authorised Officer.
- 6.5.10 No replacement cheques shall be issued until the Bank confirm that a stop has been placed on the original cheque. Confirmation received from the Bank regarding stopped cheques must be retained for a period approved by the Section 151 Officer.
- 6.5.11 All Giro credit balances shall be transferred by automatic transfer at regular intervals by officers authorised by the Section 151 Officer.
- 6.5.12 Bank accounts shall be reconciled with financial records and cashbooks at least once in each month and any discrepancies identified and appropriate action undertaken.

6.6 Procurement Cards

- 6.6.1 The Section 151 Officer shall have the authority to approve requests for applications for procurement cards, including merchant category code blocks, monthly card limits and single transaction limits.
- 6.6.2 The Business Manager (Administrative Services) shall administer all applications for procurement cards. No officer shall apply for procurement cards other than through the Business Manager (Administrative Services).
- 6.6.3 All procurement cards must be held securely. Card details and PIN numbers must not be disclosed other than for the purposes of using the card for payments. Cardholders may be held personally liable for any expenditure that they cannot account for.
- 6.6.4 On a monthly basis, a record of card purchases shall be maintained by individual cardholders and reconciled to the card statement provided by the card issuer. Business Managers shall approve the monthly record of card purchases and provide a copy to the Financial Services Business Unit for processing.
- 6.6.5 Any discrepancies between the card issuer statement and the cardholder's record of purchases must be promptly reported to the Business Manager (Administrative Services).
- 6.6.6 Procurement cards shall only be used for authorised purchases relating to council business. Under no circumstances shall they be used for personal expenditure.
- 6.6.7 In all circumstances, every purchase with VAT will require a VAT receipt in order for the

card statement to be accounted for correctly. Any items that do not include a VAT receipt will be charged fully to the revenue code.

6.7 Controlled Stationery

- 6.7.1 The term Controlled Financial Stationery refers to stationery which is sequentially pre-numbered to provide a sound audit trail, usually to record and process items of a financial nature, the use of which has to be regulated in order to ensure it is restricted to authorised Officers only.
- 6.7.2 Within the Council this primarily relates to cheques, income collection sheets, income receipts, petty cash books and car park tickets.
- 6.7.3 The Section 151 Officer may designate any item he considers appropriate to be controlled stationery.
- 6.7.4 Such stationery must be retained securely at all times and any issues from stock signed for.

6.8 Retention of Financial Records

- 6.8.1 All financial records, whether in written or printed form or stored electronically and all records supporting financial transactions in whatever form shall be retained in accordance with instructions issued by the Section 151 Officer, who shall determine the Council's retention requirements in accordance with relevant legislation and shall be responsible for the Council's Records Retention and Disposal Policy with respect to financial records.

6.9 Authorised Signatory List

- 6.9.1 SLT and Business Managers, in consultation with the Section 151 Officer will nominate authorised signatories for their service for the authorisation of orders, invoices, timesheets, overtime claims and contracts. The Section 151 Officer may authorise additional officers to undertake these duties.

6.10 Taxation

- 6.10.1 The Section 151 Officer is responsible for ensuring that adequate procedures are in place and adequate advice available for Business Units so as to ensure that the Council is at all times compliant with the specific requirements of the various tax regimes which affect its operations and delivery of services.
- 6.10.2 The Section 151 Officer is responsible for maintaining the Council's tax records, making all tax payments, receiving tax credits and submitting tax returns by their due date as appropriate.
- 6.10.3 All Business Managers will at all times conduct the financial arrangements of their Business Units, with regard to taxation issues, in accordance with advice or instructions issued by the Section 151 Officer, and shall provide any related information or documents upon request.

7. EXPENDITURE RELATED REGULATIONS

7.1 Employers Records and Payments of Salaries and Wages

- 7.1.1 Business Managers shall be responsible for promptly notifying the Business Manager Human Resources & Training of all information required to maintain correct records for all employees of the Council in respect of service, including appointments, terminations, promotions (including 'acting up' allowances and honorariums), qualifying examination awards, sickness and absenteeism.
- 7.1.2 Memoranda to the Business Manager Human Resources & Training in respect of 7.1.1 above shall be signed by the Business Manager or Duly Authorised Officer. The Human Resources Business Unit shall immediately forward such details to the Financial Services Business Unit to ensure that the correct payment of wages and salaries and other related items (including deductions) can be made.
- 7.1.3 Business Managers shall be responsible for arranging the submission of wages time sheets, staff salary data, overtime claims and claims for standby payments to arrive in the Financial Services Business Unit in accordance with the prescribed timescale.
- 7.1.4 Payment of wages/salaries shall only be made to:
- (i) Personnel included in the approved establishment for the service areas of the Council, or
 - (ii) Approved temporary or casual personnel who have been properly notified to the Financial Services Business Unit.
 - (iii) Appointments as authorised in sub-paragraph 7.1.6 below.
- 7.1.5 Business managers will be required to provide positive confirmation of current post holders prior to the payment of wages and salaries
- 7.1.6 Appointments other than those included in the approved establishment as amended from time to time shall be made in accordance with Human Resources Policies.

7.2 Consultants

- 7.2.1 Where a consultant is to be engaged, it is the responsibility of the officer arranging the contract to determine whether or not payments are to be made to the consultant directly or to a personal service company (PSC). This is a limited company owned by the consultant and is commonly used to reduce tax and National Insurance liability. If payment is to be through a personal service company, advice must be sought from the S151 Officer and the Business Manager HR and Training before any appointment is made in order for an IR35 assessment to be conducted.

7.3 Travelling and Subsistence Claims

- 7.3.1 All claims by Officers for payment of subsistence allowances, travelling and incidental expenses shall be submitted, duly certified by or on behalf of the Business Manager, on

the Council's electronic expense system in accordance with a timetable specified by the Section 151 Officer.

- 7.3.2 The names of Officers authorised to certify claims shall be sent to the Section 151 Officer by each Business Manager. The Section 151 Officer will determine the controls, to be put in place for electronic systems.
- 7.3.3 The certification by or on behalf of the Business Manager shall be taken to mean that the certifying officer is satisfied that the journeys were authorised, the expenses properly and necessarily incurred, and that the allowances are properly payable by the Council.
- 7.3.4 Un-receipted expenditure will only be considered for reimbursement at the discretion of the Section 151 Officer or his nominated officer where they are satisfied that the authorising officer has established that a receipt was not available.
- 7.3.5 Officers claims shall normally be submitted monthly, and any submitted more than six months after the expenses were incurred shall be paid only with the express approval of the Section 151 Officer. Business Managers shall ensure that all Officers using their own vehicles on Council business:
 - (i) Hold a current full driving licence authorising them to drive the vehicle in question.
 - (ii) Have a current insurance policy, which indemnifies the Council against all third party claims (including those of passengers) arising out of the use of the vehicle in question on the Council's business.
 - (iii) Hold a current MOT certificate, where applicable, for the vehicle in question.
 - (iv) Have paid the appropriate road tax, where applicable, for the vehicle.

7.4 Members Allowances

- 7.4.1 Claims shall be undertaken in accordance with the Members' Allowance scheme approved by the Council on a form approved by the Section 151 Officer on the following basis:
 - (i) Claims may be submitted at the end of each month.
 - (ii) Claims for all expenses and travelling in any financial year up to the end of January must be submitted to the Democratic Services Business Unit by the 5th working day of March.
 - (iii) Claims for expenses and travelling during February and March must be submitted to the Democratic Services Business Unit by the end of April.
- 7.4.2 Claims will verified by Democratic Services Business Unit prior to being submitted for approval by the Financial Services Business Unit.
- 7.4.3 Further guidance concerning Members Allowances is given in the Members handbook and the latest scheme of Members Allowances approved by Council.

7.5 Orders for Goods, Works and Services

- 7.5.1 Each member of SLT and Business Manager shall be responsible for all official orders issued from their remit ensuring that:
- (i) The estimated costs are covered by an approved budget or other prior sanction. This includes where amendments to orders are necessary, in that this must be covered by an approved budget.
 - (ii) There is compliance with Standing Orders and Contract Procedure Rules, and procurement law and regulations concerning tenders and contracts.
 - (iii) It can be demonstrated that the purchase represents value for money.
 - (iv) Order values are not split to avoid having to comply with procurement rules.
- 7.5.2 All orders must be made through the Council's Financial Management system and must be in the name of Newark & Sherwood District Council and in a form approved by the Section 151 Officer. Wherever possible electronic orders should be raised in advance of the purchase, and the supplier advised of the relevant purchase order number.
- 7.5.3 Official orders must clearly show the nature and quantity of the materials, works or services required, and details of the agreed price (or estimated price), discounts and terms in relation to packing and delivery.
- 7.5.4 Official orders shall indicate that invoices/accounts are to be submitted to the Financial Services Business Unit quoting the relevant purchase order number unless expressly authorised by the Section 151 Officer.
- 7.5.5 Official orders and variations to orders shall be authorised only by:
- (i) Business Managers.
 - (ii) Duly Authorised Officers, nominated by appropriate Business Managers detailed in a schedule supplied to the Section 151 Officer showing the financial limits to an Officer's authority and a specimen signature.
- 7.5.6 Official orders must be generated for all work, goods, and services to be supplied to the Council except:
- (i) No order shall be issued if the estimated value of the work or services exceeds the value where a tender process is required in accordance with Contract Procedure Rules (This value is £75,001). In this instance a formal tender process must be initiated in consultation with Welland Procurement
 - (ii) For periodic payments such as rents or rates, for petty cash purchases or such other exception as the Section 151 Officer may approve.
 - (iii) Goods and services ordered by use of a Council Procurement Card.
- 7.5.7 Council orders shall not be used for personal or private purchases.
- 7.5.8 Business Managers or Duly Authorised Officers must review electronic purchase orders on a regular basis and cancel those that are no longer required.

7.6 Goods Received

- 7.6.1 The system of checking goods received, or works done, against official orders shall be in accordance with instructions laid down by the Section 151 Officer and must be adhered to by all officers.
- 7.6.2 Where an electronic order has been raised, a Goods Receipt Note should be input to the Financial Management system as soon as the goods have been checked.
- 7.6.3 The same Officer must not both authorise an order and certify that goods have been received or work done.
- 7.6.4 Where the value of the order is above £15,000 only an authorised officer can allocate a goods receipt note onto the Council's online financial management software.
- 7.6.5 Where goods/works/services have not been supplied to the satisfactory standard of the Council, no goods receipt note should be added to the system, but a dispute notification must be made to the Section 151 Officer, in order to denote the invoice is in dispute.

7.7 Invoices

- 7.7.1 Where an invoice is not subject to an electronic order raised on the Council's Financial Management system, due to any of the circumstances outlined at 7.5.6, the invoice should be authorised for payment by one of the following:
- (i) SLT
 - (ii) Business Managers
 - (iii) Duly Authorised Officers, nominated by appropriate Business Managers detailed in a schedule supplied to the Section 151 Officer showing the financial limits to an Officer's authority and a specimen signature. Business Managers shall be responsible for promptly notifying the Financial Services Business Unit of amendments to Duly Authorised Officers.
- 7.7.2 Before certifying an invoice, the authorising officer shall be satisfied that:
- (i) The work, goods or services to which the invoice relates have been received, carried out, examined and approved.
 - (ii) The prices, extensions, calculations, trade discounts, other allowances, credits and tax are correct.
 - (iii) The relevant expenditure has been properly incurred, and is within the relevant estimate provision.
 - (iv) Appropriate entries have been made in registers, inventories, stores records or stock books, as required, and
 - (v) the invoice has not been previously passed for payment and is a proper liability of the Council.
- 7.7.3 Where any amendment is required to an invoice the supplier must be asked for an amended invoice or, alternatively, a credit note.
- 7.7.4 Business Units shall promptly forward any invoices received directly to the Administration

Business Unit after ensuring that the appropriate purchase order has been goods receipted.

- 7.7.5 Invoices shall only be paid within the computer-based system timetable. Any invoices for which there is no purchase order and/or Goods Receipt Note on the Financial Management system cannot be paid (with the exception of those under circumstances detailed in 6.4.6) and the relevant Business Unit will be notified to correct the omission.
- 7.7.6 Business Managers are responsible for ensuring that all necessary data and authorisations are input to the Financial Management system to guarantee payment of commercial invoices within 30 days of receipt.
- 7.7.7 Copy invoices and orders substituted for the original document shall be clearly marked "copy" and initialled.
- 7.7.8 No payments made by the Section 151 Officer will be other than by use of official stationery or by approved electronic means.
- 7.7.9 The Section 151 Officer will be responsible for the deduction of any tax from payments to contractors under the provision of the Construction Industry Tax Deduction Scheme.
- 7.7.10 Any queries on invoices that cause delay in payment must be raised formally with the supplier. When the invoice is passed to the Financial Services Business Unit for payment the reason for delay must be provided.

7.8 Petty Cash and Post

7.8.1 General

- (i) Petty cash is only available under special circumstances. Procurement cards should be used in the first instance.
- (ii) Procedures for Petty Cash Imprest Accounts and Post shall be in accordance with instructions laid down by the Section 151 Officer. New or temporary accounts/floats shall not be raised out of income.
- (iii) New or temporary accounts/floats can only be raised by Financial Services

7.8.2 Petty Cash Imprest Accounts

- (i) A Petty Cash Imprest Account is defined as a fund of cash from which incidental expenses are paid, which is topped up periodically from central funds. These transactions should be minor, routine transactions, where raising an official order and processing an invoice through the Creditor system would be neither realistic nor cost effective. This differs from a change float which is a sum of money used to provide change at the start of the day, which is deducted from the total at the end of the day when calculating the day's takings. A Petty Cash Imprest Account should be kept and accounted for separately to a change float.
- (ii) Holdings of Petty Cash shall be limited to amounts prescribed by the Section 151 Officer.
- (iii) Signatures of Petty Cash holders confirming the amounts held shall be obtained annually under year-end procedures and periodic management checks shall be made to verify petty cash holdings.
- (iv) Business Managers shall be responsible for ensuring the comprehensive recording

of all petty cash disbursements, the custody of supporting documents and vouchers and the safe custody of all unused balances of petty cash.

- (v) Reimbursement of petty cash shall be obtained by the production of the appropriate voucher together with receipts to the Section 151 Officer for inclusion in the invoice payment system.
- (vi) Un-receipted expenditure will only be considered for reimbursement at the discretion of the Section 151 Officer or his nominated officer where they are satisfied that the authorising officer has established that a receipt was not available.
- (vii) Two people shall be involved in the preparation/authorisation of an imprest claim.
- (viii) The Petty Cash system must not be utilised for payments that should be processed through other systems (e.g. Members/Officers expenses) unless expressly authorised by the Section 151 Officer.
- (ix) On leaving the employment of the Council or otherwise ceasing to be entitled to hold a petty cash or other float an Officer shall account to the Section 151 Officer for the amount advanced to him, and a hand over certificate shall be completed.

7.8.3 Post

- (i) All post should be processed through the Business Mail process.
- (ii) The Business Mail process is not to be used for personal items of mail.

7.9 Right to Set Off

7.9.1 The Right to Set Off concerns the situation whereby the Council owes a person money, but where that person also owes money to the Council, and the Council sets off what is owed before paying the balance (if any) to the person.

7.9.2 Business Managers shall be responsible for ensuring that suitable arrangements are in place to consider the setting off of monies owed to the Council where applicable.

7.9.3 Set Offs shall be undertaken where:

- (i) The opportunity arises, subject to any statutory obligation upon the Council.
- (ii) The circumstances of the particular case justify such a course of action.

Each case must be considered on its own merits.

7.9.4 Officers undertaking set offs shall ensure that the course of action proposed has been evaluated by the Legal Business Unit and the VAT Officer within Financial Services prior to it being undertaken.

7.9.5 No grant shall be offered to a third party where that person/entity is in debt to the Council, and such debt has become outstanding and in arrears, without the express consent of the Section 151 Officer.

7.10 Contracts

7.10.1 All contracts shall be made and administered in accordance with the Contract Procedure Rules.

- 7.10.2 Directors are responsible for notifying the names of Officers authorised to sign contracts and their authorisation limits to the Section 151 Officer. Any changes should be notified to the Financial Services, HR and Legal Business Units.

8. INCOME RELATED REGULATIONS

8.1 Responsibilities

- 8.1.1 Business Managers shall be responsible for the collection, custody and banking of income received as due to the Council in accordance with the instructions issued by the Section 151 Officer.

- 8.1.2 Every Officer of the Council who pays money into a bank account of the Council, shall enter on a paying in slip, and on the counterfoil or duplicate thereof, particulars of such payment, including, in the case of each cheque paid in:

- (i) The amount of the cheque, and
- (ii) A reference (such as the number of the receipt given or the name of the debtor) which will connect the cheque with the debt or debts in discharge or partial discharge of which it was received.

Where any cheque paid in was not received in discharge or partial discharge of a debt due to the Council, the Officer shall note the fact on the counterfoil or duplicate of the paying in slip.

- 8.1.3 It is the responsibility of the Business Manager that is receipting income to put in place adequate procedures to ensure that where works/services/goods have been provided cash receipts are reconciled from the Council's financial management system to the source records held by the Business Unit. This should be completed monthly and any discrepancy between actual cash received and the source information should be directed to the Business Manager – Financial Services for investigation.

8.2 General

- 8.2.1 The rules for the collection of all income due to the Council shall be under the general control of the Section 151 Officer.
- 8.2.2 The records kept by each budget holder with regard to items of income shall be in such a form as may be agreed by the Section 151 Officer from time to time.
- 8.2.3 All payments received in cash on behalf of the Council shall be acknowledged by the issue of an official receipt. Such receipts shall only be valid if in the form of an official machine printed receipt, except where official manual receipt books are issued for prescribed purposes.
- 8.2.4 All income shall be collected and deposited intact without delay into the Council's bank account, as directed by the Section 151 Officer, on the same day as received wherever possible. Where appropriate, income shall be deposited under night-safe arrangements, including suitably secure safes on the Council's own premises, or held securely by another

appropriate method approved by the Section 151 Officer. Where cash is held in secure safes on Council premises the Business Manager responsible for the service depositing the money shall ensure that sufficient insurance arrangements are in place.

- 8.2.5 No personal cheques are to be cashed out of Council funds.
- 8.2.6 All cheques, postal orders, money orders and postal drafts etc, received on behalf of and due to the Council shall be crossed "A/C Newark and Sherwood District Council" immediately on receipt unless they are already clearly marked with equivalent wording.
- 8.2.7 Post-dated cheques will only be accepted at the discretion of the Section 151 Officer.
- 8.2.8 The Section 151 Officer on receipt of details from Business Manager shall ensure that a record is maintained of all items of income due to the Council classified as "periodic income" for which fixed or varying charges apply. For this purpose the term "periodic income" shall mean any fee or charge receivable by the Council on a recurring basis one or more times in any one year.
- 8.2.9 Business Managers shall be responsible for notifying the Section 151 Officer of all items of miscellaneous income due to be paid to the Council.
- 8.2.10 Cash receipts over a value of £1,500 shall be reported to the Council's Anti Money Laundering Reporting Officer (the Section 151 Officer) who shall be responsible for taking the appropriate action. The Section 151 Officer may issue further arrangements in respect of anti-money laundering.
- 8.2.11 Instances where currency is identified as being forged shall be reported to the Section 151 Officer.
- 8.2.12 No online payment system must be set up without the prior approval of the Section 151 Officer.
- 8.2.13 All online payments must be in accordance with instructions issued by the Section 151 Officer.

8.3 Cash Receipting

- 8.3.1 Receipt books are controlled stationery and shall be retained securely.
- 8.3.2 Where Council income other than cheque payments, whether cash or otherwise, is passed from one employee to another, the receiving employee shall sign an appropriate form of receipt, which shall be retained by the Officer who passed the income.
- 8.3.3 Adequate details of receipts and specific records of cheques shall be kept which refer to the original debt.
- 8.3.4 Postal income shall be held securely, opened wherever possible in a secure environment, by a minimum of two officers, recorded on appropriate documentation, and promptly investigated in the event of discrepancies.

- 8.3.5 Change must not be given in the event of a cheque being received for a greater value than the debt outstanding.
- 8.3.6 Coin operated machines shall be emptied on a regular basis, with the income counted in a secure environment by a minimum of two officers, with a note of machine readings being taken (where applicable), with discrepancies being promptly investigated.
- 8.3.7 Change floats shall be issued and approved by the Section 151 Officer, be kept secure when not in use, checked prior to use, and deducted from the total at the end of the day when calculating the days takings. Unofficial floats must not be maintained.
- 8.3.8 Cashing up duties shall be undertaken by a minimum of two officers, in a secure environment away from public view, with the details being recorded on an appropriate daily return, with discrepancies being promptly investigated.
- 8.3.9 Further details concerning cash handling procedures are outlined in the Cash Handling Guidance notes which can be found in the Safety section on the Council's intranet.

8.4 Debtor Accounts - Recovery, Amendment and Write-Off

- 8.4.1 The Council shall submit invoices for rechargeable work within one month of the work being completed and appropriate documentation being received.
- 8.4.2 All arrangements for recovery of outstanding debts to the Council shall be made in accordance with instructions from the Section 151 Officer (this may include the debtor details being submitted to the Council's Legal Business Unit or an outside collection agency suitably appointed by the Council).
- 8.4.3 Cancellation of Sundry Debtor accounts, whether in part or full, shall be authorised in writing by the relevant Business Manager or Duly Authorised Officer, on the basis of appropriate documentation prepared by the originator of the debt, which justifies the said cancellation.
- 8.4.4 The Section 151 Officer shall be authorised to write off debts owed to the Council in accordance with delegated authority contained in the Council's Constitution. Items in excess of the amount specified in delegated authority may only be written off by the Cabinet.

8.5 Gifts and Hospitality

- 8.5.1 The procedures to be adopted concerning gifts and hospitality being offered to an employee of the Council, shall be in accordance with guidance notes within the Employees Code of Conduct, Member Code of Conduct, or issued by the Councils Monitoring Officer or Section 151 Officer.

9. PROTECTION OF ASSETS

9.1 Security

- 9.1.1 The Section 151 Officer shall maintain an up-to-date asset register. The Section 151 Officer should be notified in any case where security is thought to be defective or where it is considered that special arrangements may be needed.
- 9.1.2 Officers arranging legal contracts shall ensure that the legal documents are lodged with the Legal Business Unit.
- 9.1.3 The Council's Legal Business Unit shall be responsible for the safe custody of all legal agreements, leases etc, showing due dates for termination and for the review of "break clauses" as applicable and shall keep a register of all such legal agreements.
- 9.1.4 The Contract Officer is responsible for ensuring appropriate action is taken to meet the requirements of the relevant operative dates.
- 9.1.5 Each Business Manager shall be responsible for maintaining proper security at all times for all buildings, stocks, stores, furniture, equipment, cash etc, under his control. He shall consult the Section 151 Officer (and, where necessary, the Business Manager Community Safety) in any case where it is considered that special security arrangements may be needed.
- 9.1.6 Maximum limits for cash holdings shall be agreed with the Section 151 Officer in accordance with insurance limits, and shall not be exceeded without his express permission.
- 9.1.7 Keys to safes, similar receptacles, cash offices, stock rooms and office keys must be held securely. The loss of any such keys must be reported to the Section 151 Officer immediately.
- 9.1.8 Each Business Manager shall be responsible for maintaining a secure record of key holders together with details of keys held in other locations. All keys held personally by individual officers must be signed out and signed back in again when they are no longer required to be held.
- 9.1.9 Any losses of either ID badges or building access cards must be reported immediately to the Business Manager Public Protection & Admin Services.
- 9.1.10 Any breaches in security shall be reported immediately to the Business Manager Public Protection.

9.2 Inventories

- 9.2.1 Business Managers shall ensure that an inventory is maintained of all items, as approved, in a form approved by the Section 151 Officer.
- 9.2.2 The inventory shall give an adequate description of all movable plant and machinery, vehicles, and valuable, desirable and portable equipment belonging to Newark and Sherwood District Council. The inventory will be a permanent record and under no circumstances shall an item be deleted. Entries relating to items disposed of or transferred shall be annotated to that effect. The inventory should detail such identification marks as to enable the item to be easily identified i.e. model number, serial number, unique identification number etc.

- 9.2.3 All new inventory items purchased must be entered onto the inventory immediately and where relevant, the Risk and Insurance Officer should be notified.
- 9.2.4 Business Managers shall be responsible for maintaining an annual check of all items on the inventory. As part of the Annual Governance Statement process, Business Managers are asked in April each year to certify the accuracy and completeness of inventories. As such, there must be an inventory check undertaken of all items in time to complete this certification. This is a minimum requirement; in some instances a more frequent review may be appropriate.
- 9.2.5 All surpluses or deficiencies shall be properly documented and recorded as an amendment to the inventory and reported to the appropriate Director and Risk and Insurance Officer, subject to 9.2.6 below.
- 9.2.6 Surpluses or deficiencies in excess of £50 for any one item and £500 in total must be reported to the Section 151 Officer who may, at his discretion, order an investigation.
- 9.2.7 In connection with surplus inventory items with a value over £50:
- (i) Prior to disposal, the surplus item must be offered for internal use elsewhere in the Council. In this case both inventories should record the transfer.
 - (ii) All disposals must be authorised by the appropriate Business Manager.
 - (iii) The method of disposal shall be approved by the Section 151 Officer.
 - (iv) All disposals must be properly documented.
 - (v) The Risk and Insurance Officer shall be informed of all relevant disposals.
- 9.2.8 Any inventory item identified as being obsolete must only be disposed of on the authority of the appropriate Business Manager, after consultation with the Section 151 Officer.
- 9.2.9 No inventory item shall be subject to personal use by an employee without authorisation by the appropriate Business Manager. Any item removed for home working should be shown as such on the inventory or through an appropriate booking out mechanism.
- 9.2.10 Employees are responsible for inventory items allocated to them. Employees are also responsible for keeping a record if they loan inventory items to other officers.

9.3 Stores

- 9.3.1 Each Business Manager shall be responsible for the custody, control, ordering, issuing and recording of stocks and stores in their Business Unit. The system in operation shall be subject to the express approval of the Section 151 Officer.
- 9.3.2 Business Managers shall arrange for a continuous and independent stocktaking of stores.
- 9.3.3 Stocktaking procedures shall be sufficiently regular and robust so as to ensure that stock is accurately recorded. This must include a stocktake at 31st March each year.
- 9.3.4 Following the stocktaking of stores, the following procedures shall apply:
- (i) Investigations shall be made into discrepancies to isolate and correct accounting

errors. The results of any investigations including any reports must be sent to the Section 151 Officer at an early stage.

- (ii) Discrepancies still outstanding shall be presented to the appropriate responsible Director for comment and explanation.
- (iii) The Section 151 Officer shall have authority after receipt and consideration of the comments and explanations to make the necessary adjustments to the stores ledger, and may require an investigation and/or report to the Audit and Accounts Committee.

9.3.5 The Section 151 Officer shall be entitled to receive from each Business Manager such information as he requires in relation to stores for the accounting, costing and financial records, including a certificate of the value of stores held at the 31st March each year for submission at audit.

9.3.6 Prior to disposal, the Business Manager shall ensure that the Council has ownership of the asset. Surplus or obsolete materials, stores or equipment with an estimated value over £500 shall be disposed of by competitive tender or public auction, unless appropriate written approval is obtained from the Section 151 Officer who decides otherwise in a particular case. The proceeds of the sale of any asset should be paid directly to the Council without any deductions.

9.3.7 No stores item shall be subject to personal use by an employee.

9.4 Insurance

9.4.1 The Section 151 Officer shall be responsible for effecting adequate insurance cover, through an insurance company (or companies) or such other means approved by Cabinet for all assets, commitments and contingent liabilities in the performance and discharge of statutory or other authorised duties by the Council, its Members and Officers.

9.4.2 No officer shall arrange insurance other than through the Council's Risk and Insurance Officer.

9.4.3 Insurance requirements shall be actioned in accordance with the Council's Insurance Guide, which can be found in the Public Protection section of the intranet.

9.4.4 The Section 151 Officer shall carry out periodic reviews to ensure the maintenance of adequate insurance cover as above, and shall maintain a record of "risks" covered, the amount of cover and premiums due.

9.4.5 Business Managers shall be responsible for promptly notifying the Section 151 Officer of the extent and nature of new risks or of any variations concerning insurance cover required in respect of their own service area.

9.4.6 Business Managers shall be responsible for promptly notifying the Section 151 Officer of full details of all accidents or occurrences likely to lead to a proper claim on the Council.

9.4.7 Where any claim is received from a third party by any officer, this must be immediately forwarded to the Council's Risk and Insurance Officer.

- 9.4.8 The Section 151 Officer shall maintain a record of all insurance claims made against the Council.
- 9.4.9 No correspondence should be entered into in respect of any claim or other insurance matter except by the Council's Risk and Insurance Officer, without the express approval of the Section 151 Officer.
- 9.4.10 At no time should any officer or Member or any other person acting on behalf of the Council make an admission of liability on behalf of the Council without the express authority of the Section 151 Officer.
- 9.4.11 Any expenditure in relation to dealing with the settling or resisting of claims must be authorised by the Section 151 Officer or any other duly authorised officer prior to any expenditure being committed.

9.5 Asset Management

- 9.5.1 All matters relating to Asset Management shall be administered in accordance with the Council's Asset Management Plan.
- 9.5.2 The Section 151 Officer shall ensure that an Asset Register is maintained by the Council in accordance with the latest advice issued by the Chartered Institute of Public Finance and Accountancy.
- 9.5.3 It is the responsibility of the appropriate Director to ensure that Asset Management expertise is available to the Council.
- 9.5.4 The Asset Register shall include all assets of the Council valued in excess of £15,000.

9.6 Management of Information

- 9.6.1 Business Managers shall be responsible for maintaining the proper security and privacy of all information under their control including computerised files and for ensuring the Council acts in accordance with the Data Protection/Freedom of Information legislation.
- 9.6.2 Intellectual property (i.e. the generic term that includes inventions, creative writings, software and drawings) arising from the course of employment will belong to the Council.

9.7 Motor Vehicles

- 9.7.1 Council vehicles must not be used for private purposes, or hired or lent out, without the express approval of the appropriate Director who shall check with the Council's Risk and Insurance Officer that such use is covered by the Council's insurance policy. Records of any such use should be kept to ensure the driver of any such vehicle shall be known at all times. If there is any doubt that adequate insurance cover is in place, no such use of the vehicle shall be permitted.
- 9.7.2 Business Managers shall ensure that all Officers using Council owned vehicles hold a

current full driving licence authorising them to drive the vehicle in question.

9.7.3 All Officers using Council owned vehicles are responsible for the security of the vehicle, whilst it is in their care.

9.7.4 Where a Council vehicle is to be taken home overnight to facilitate call-out, stand-by or other appropriate duties, Financial Services must be informed to ensure that taxation issues are managed appropriately.

9.8 Reporting of Irregularities

9.8.1 The reporting of irregularities shall be in accordance with the Council's Guidance for Dealing with Irregularities which is available in the Financial Services section of the Intranet.

9.9 Whistleblowing Policy

9.9.1 Each Business Manager shall be responsible for ensuring that their staff are aware of, understand and comply with the Council's Whistleblowing Policy which is available within the Council's Constitution.

9.10 I.C.T. Systems

9.10.1 All proposals for the acquisition, development, maintenance and use of computing facilities and systems shall conform with the Council's I.C.T. policies and strategies and the Employee Code of Conduct.

10. EXTERNAL ARRANGEMENTS

10.1 Partnerships, Shared Services and Collaboration Arrangements

10.1.1 No partnership or shared service arrangement shall be set up without taking into consideration the factors covered in 10.1 of these regulations.

10.1.2 Business Managers shall ensure that the appropriate approval is obtained prior to any negotiations being concluded in relation to work with external bodies.

10.1.3 The Section 151 Officer must be consulted on the financial implications of new partnerships or shared services arrangements and must approve that:

- (i) A scheme appraisal for financial viability in both current and future years has been undertaken.
- (ii) Costs and income are provided for in the Council's budget.
- (iii) Arrangements are in place for accurate accounting for cost and income.
- (iv) Sufficient controls are in place for the successful operation of the partnership/shared service, including arrangements for sufficient access to financial and other records.
- (v) Carry forward arrangements have been determined.
- (vi) A formal risk appraisal has taken place and a management strategy devised.
- (vii) An auditing, security and control regime has been established.

(viii) Appropriate arrangements are in place for the recovery of VAT.

10.1.4 Financial performance of partnerships and shared services must be monitored and reported back to the Council as agreed.

10.1.5 These Financial Regulations also apply to all partnerships and shared services unless similar arrangements have been approved by the Section 151 Officer.

10.1.6 Where collaboration is agreed with an external partner, the relevant Business Manager is responsible for ensuring that all income due is invoiced and recorded promptly within the Financial Management system and that invoices for expenditure incurred in relation to the collaboration are received and recorded promptly.

10.1.7 Where an Officer is working for a Collaboration partner, the Financial Regulations of the partner body will apply.

10.2 External Funding

10.2.1 No applications for external funding shall be made without prior consultation with the Section 151 Officer. Directors or Business Managers shall be responsible for providing the Section 151 Officer with the following information:

- (i) How the bid is compatible with the Councils aims and priorities.
- (ii) Whether the bid is for capital or revenue funding.
- (iii) Whether matched funding contributions are required from the Council and how these will be identified.
- (iv) Whether matched funding contributions are required from other organisations and how these amounts will be secured.
- (v) An exit strategy setting out how budgets will be adjusted after the external funding expires.
- (vi) Where the bid is for revenue funding, whether it is to support existing levels of activity or enhanced/new activities.
- (vii) Where the bid is for capital funding, whether an asset will be created and how this fits in with the Councils Asset Management Plan, how the ongoing maintenance of the asset will be funded and whether the asset can/will be disposed of at a later date.
- (viii) Details of ownership and insurance of the asset.

10.2.2 Business Managers shall be responsible for ensuring that:

- (i) The key conditions of funding and any statutory requirements are complied with and that the responsibilities of the accountable body are clearly understood.
- (ii) Any funding received is used for the intended purpose and is notified to the Section 151 Officer.

10.2.3 The Section 151 Officer shall be responsible for:

- (i) Approving all external funding bids prior to application.
- (ii) Approving all interim and final claims for external funding once the bid has

been accepted and is live.

- (iii) Ensuring that any funding received is properly recorded in the Council's accounts.

10.3 Work for Third Parties

10.3.1 No Officer should set up their own trading company to provide services to the Council without the prior approval of the Section 151 Officer and the Monitoring Officer.

10.3.2 Where works are to be provided to a third party, any contractual arrangement above £15,000 must be approved by the Section 151 Officer prior to being signed. This is regardless of whether the piece of work is a one off or on-going.

10.3.3 Business Managers shall be responsible for ensuring that:

- (i) A register is maintained of all contracts entered into with third parties.
- (ii) Any risks are minimised and such work is intra vires.
- (iii) Appropriate insurance arrangements are made.
- (iv) The Council is not put at risk from any bad debts.
- (v) No contract is subsidised by the Council.
- (vi) Wherever possible, payment is received in advance of the delivery of the service.
- (vii) The Business Unit has the appropriate expertise to undertake the Contract.
- (viii) All contracts are properly documented.
- (ix) Appropriate information is provided to the Section 151 Officer for final accounts purposes.

11. DIRECTOR/OFFICER DELEGATIONS

11.1 Director/Officer delegations will be in accordance with the latest Scheme of Delegation as approved by Council.

12. CONTRACT AND WINDFALL SAVINGS

12.1 Unless specific agreement with the Section 151 Officer is obtained, contract savings and windfall savings (i.e. unanticipated income or unanticipated savings on expenditure including any figure relating to previous years) will revert to Balances.

13. FAILURE TO COMPLY WITH FINANCIAL PROCEDURE RULES

13.1 Failure to comply with the Financial Procedure Rules:

- Is a breach of the Code of Conduct for Officers that is covered by the Council's Disciplinary and Dismissal Policy.

13.2 Councillors must report any apparent breach of the Financial Procedure Rules to the Chief Executive. Officers must report apparent breaches to an appropriate Chief Officer or the S151 Officer. The Chief Officer (where this isn't the S151 Officer) should report breaches of these Rules to the S151 Officer and the Monitoring Officer.

Revised: May 2025

Next revision due: March 2028

CONTRACT PROCEDURE RULES

Reviewed and Updated May 2025

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1 Introduction

The purpose of these Contract Procedure Rules is to set out the principles, roles and processes involved in procurement at the Council. All procurements must comply with these Rules, the Council's Financial Procedure Rules, English law, and European law in force in England.

All procurements must realise value for money through the optimum combination of whole life costs and quality of outcome.

These Rules seek to protect the Council's reputation by minimising the risk of allegations of corruption, dishonesty, and failure to meet legal obligations; as such they must be followed in all commercial activity undertaken on behalf of the Council and within a partnership arrangement, regardless of the source of funding.

These Rules should be read in conjunction with the Council's Financial Regulations and Purchasing Card Procedure (as appropriate). These Rules (together with the Council's relevant policies and procedures) set out how the Council will have regard to the importance of the following Procurement Act 2023 objectives:

- delivering value for money;
- maximising public benefit;
- sharing information for the purpose of allowing suppliers and others to understand the authority's procurement policies and decisions;
- acting, and being seen to act, with integrity; and
- having regard to the fact that small and medium-sized enterprises may face particular barriers to participation and consider whether such barriers can be removed or reduced.

If there is any change to the law which affects these Rules, then that change must be observed until these Rules can be revised. If these Rules conflict in any way with the law, then the law takes precedence.

These Rules are supported by detailed, practical guidance available in the Procurement Toolkit, which can be accessed via the [procurement portal](#). The Procurement Toolkit covers:

- The Procurement Cycle
- Assessing Needs
- When does TUPE apply?
- Assessing Risks
- Valuing Your Requirement
- Understanding Social Value
- Sustainable Procurement
- Procurement timetable
- Specification
- Evaluation Methodology and Criteria
- Terms and Conditions
- Due Diligence

- The Procurement Process
- Procuring via a Framework Agreement
- Contract Management and Review
- Variation
- Extensions

If, after reading these Rules, you require further guidance or clarification, or you are not sure how best to comply with them, then please contact your Line Manager, the Business Manager – Financial Services or Welland Procurement.

Any values stated within these Rules are exclusive of VAT, staff costs and fees.

Grant money received shall be deployed in line with these Rules unless the grant conditions state otherwise.

These Rules do not apply in the following circumstances:

- 1.1 The purchase or lease of property, land acquisition, interest in land, transaction in land or disposal. This does not extend to any service, supplies, or works contracts that may be required to make the land, existing buildings, or immoveable property ready for acquisition, disposal, or leasing.
- 1.2 Direct employment of permanent or fixed term employees, for the avoidance of doubt these Rules do apply to consultancy and employment agency contracts.
- 1.3 Instructing barristers or solicitors (as long as those costs do not exceed the relevant Public Procurement Threshold).
- 1.4 The lending or borrowing of money by the Council.
- 1.5 Contracts between Local Authorities as defined by Clause 3 of Schedule 2 of the Procurement Act 2023 .
- 1.6 Contracts between Local Authorities as defined by Clause 1 of the Local Authorities (Goods and Services) Act 1970.
- 1.7 Section 75 NHS Act 2006 arrangements (although details must be recorded on the Council's Contract Register).

1.8 Quick Reference Guide: Contract Procedure Rules

- 1.8.1 A decision to procure is required before procurement commences AND a decision to award must be obtained before a contract is awarded.
- 1.8.2 Procurements with a [total value](#) of £5,000 or more are subject to Transparency Regulations and will need to be entered on to the Council's Contracts Register.

1.8.3 The table over is a quick reference guide only and is supported by the details Contract Procedure Rules in this document.

<u>Total Contract Value</u>	Procurement Guidance	Governance Guidance
Under £10,000	<p>Notices Required: None</p> <p>Method: At least one written quotation required (Rule 6.3).</p> <p>Note: Budget Holders are responsible for all awards over £5,000 being entered on the Contracts Register.</p>	<p>Governance Process: Decision does not require a formal officer decision notice. A Purchase Order (PO) must be raised before award, and this will be deemed sufficient authority to award the contract with a copy of all documentation kept on the file for audit purposes.</p> <p>Finance Process: Must be within budget. A Purchase Order (PO) should be raised before award and authorised by Budget Holder in accordance with the Budget and Policy Framework.</p> <p>Legal Process: PO Ts & Cs are on the intranet. Please ensure these are fit for purpose for the contract before award. If bespoke terms are required, please instruct Legal Services before procuring. PO to be approved / signed by the relevant Budget Holder (Rule 6.6) prior to award of the Contract once all due diligence has taken place. All documentation to be kept on file for audit purposes. All awards over £5,000 must be entered on the Contracts Register.</p> <p>Signing: Can be signed by Business Manager</p>
Between £10,000 and £74,999 where the process is closed process (The Council knows the suppliers that are due to engage with)	<p>Notices Required: All Contracts over £20,000 must have a formal award notice issued by Welland Procurement (on Find a Tender Service).</p> <p>Method: At least 3 quotations should be sought using RFQ template. At least 2 quotations should be from locally based suppliers (this is not necessary when using a framework) (Rule 7.3).</p>	<p>Governance Process: All contracts below £20,000 do not require a formal decision record unless it is deemed high risk, politically or financially sensitive or other circumstances dictate a formal record is required e.g., recording a delegation to award from a Committee / Cabinet. The Purchase Order (PO) must be raised before award, and this will be deemed sufficient authority to award the contract with a copy of all documentation kept on the file for audit purposes.</p> <p>All Contracts between £20,000 and £74,999 will require a decision record authorising the award of the contract BEFORE the Contract is awarded. This decision can be made by the relevant Officer. If the matter is high risk, politically or financially sensitive it should be</p>

		<p>made by the Director and/or relevant Portfolio Holder – please liaise with your Director for guidance.</p> <p>Finance process: Must be within budget. A Purchase Order must be raised prior to award and signed off by the Budget Holder. Purchase Order can be authorised by a Director in accordance with the Budget and Policy Framework.</p> <p>Legal Process: Standard T's and C's to be used. Purchase Order / Decision notice and printed copies of the Contract (No. of copies = No. of parties to the Contract) to be provided to legal signed by the relevant Business Manager/Director as per delegations (Rule 7.12) unless sealing applies (Rule 13.11). The award must be entered on the Contracts Register. All awards over £20,000 must have a Contract Finder Award Notice – consult Welland Procurement.</p> <p>Signing: Contract signed by relevant Business Manager/Director (Rule 7.12) unless sealing applies (Rule 13.11).</p>
<p>Between £10,000 and £74,999 where the process is an open process (The Council does not know the suppliers that are due to engage with)</p>	<p>Welland Procurement must be instructed.</p> <p>Notices Required: Find a Tender Service Advertising and Award notices. (Rule 8).</p> <p>Method: A single stage (open) tender is required. Tenders at this level are run via Welland Procurement's e-tendering system.</p>	<p>Governance Process: All contracts below £20,000 do not require a formal decision record unless it is deemed high risk, politically or financially sensitive or other circumstances dictate a formal record is required e.g., recording a delegation to award from a Committee / Cabinet. The Purchase Order (PO) must be raised before award, and this will be deemed sufficient authority to award the contract with a copy of all documentation kept on the file for audit purposes.</p> <p>All Contracts between £20,000 and £74,999 will require a decision record authorising the award of the contract BEFORE the Contract is awarded. This decision can be made by the relevant Officer. If the matter is high risk, politically or financially sensitive it should be made by the Director and/or relevant Portfolio Holder – please liaise with your Director for guidance.</p>

		<p>Finance process: Must be within budget. A Purchase Order must be raised prior to award and signed off by the Budget Holder. Purchase Order can be authorised by a Director in accordance with the Budget and Policy Framework.</p> <p>Legal Process: Standard T's and C's to be used. Purchase Order / Decision notice and printed copies of the Contract (No. of copies = No. of parties to the Contract) to be provided to legal signed by the relevant Business Manager/Director as per delegations (Rule 7.12) unless sealing applies (Rule 13.11). The award must be entered on the Contracts Register. All awards over £20,000 must have a Contract Finder Award Notice – consult Welland Procurement.</p> <p>Signing: Contract signed by relevant Business Manager/Director (Rule 7.12) unless sealing applies (Rule 13.11).</p>
Between £75,000 and relevant Public Procurement Threshold	<p>Welland Procurement must be instructed.</p> <p>Notices Required: Find a Tender Service Advertising and Award notices. (Rule 8).</p> <p>Method: A single stage (open) tender is required. Tenders at this level are run via Welland Procurement's e-tendering system, or use of an approved framework.</p>	<p>Governance Process: Unless prior budgetary provision has been approved all contracts with a total value of £150,000 (revenue) and £300,000 (capital) must not be awarded without it having followed the Key Decision process. Key Decisions can be made by the relevant Portfolio Holder or Cabinet. If matter is high risk, politically or financially sensitive it should be made by Cabinet – please liaise with the relevant Director. All contracts must be on the Forward Plan for at least 28 days before the decision to award can be taken (at a Cabinet meeting or by decision notice). Once the decision notice is signed, there is a call-in period of 3 days which will have to pass before the Contract can be awarded.</p> <p>Finance process: Must be within budget. Once awarded a Purchase Order must be raised. Purchase Orders can be authorised by a Director in accordance with the Budget and Policy Framework.</p> <p>Legal Process: Decision Notice required. Forward Plan timelines to be considered. Contract must be sealed (Rule 15.11).</p>

		<p>Signing: The relevant Business Manager/Director must instruct the legal business unit to seal the contract (Rule 15.11).</p>
<p>Over relevant Public Procurement Threshold</p>	<p>Welland Procurement must be instructed.</p> <p>Notices Required: Find a Tender Service Advertising and Award notices (Rule 10).</p> <p>Method: A method defined by Public Procurement Legislation . Tenders at this level are run via Welland Procurement's e-tendering system, or use of an approved framework</p>	<p>Governance Process: Unless prior budgetary provision has been approved all contracts with a total value of £150,000 (revenue) and £300,000 (capital) must not be awarded without it having followed the Key Decision process. The decision should normally be made by Cabinet. All contracts must be on the Forward Plan for at least 28 days before the decision to award can be taken (at a Cabinet meeting or by decision notice). Once the decision notice is signed, there is a call-in period of 3 days which will have to pass before the Contract can be awarded. Please liaise with Democratic Services for support.</p> <p>Finance process: Must be within budget. Once awarded a Purchase Order must be raised. Purchase Orders can be authorised by a Director in accordance with the Budget and Policy Framework.</p> <p>Legal Process: Decision Notice required. Forward Plan timelines to be considered. Contract must be sealed (Rule 15.11).</p> <p>Signing: The relevant Director must instruct the legal business unit to seal the contract (Rule 15.11).</p>
<p>Market engagement</p>	<p>Welland Procurement must be instructed prior to any market engagement.</p> <p>Notices Required: Market engagement process (UK2) must be completed for any market engagement</p> <p>Method: Discussion with Welland Procurement regarding approaching the market and the mandatory notices. Find a Tender Service</p>	<p>Governance Process: All engagement with the market (irrespective of value) needs to be completed through the Find a Tender service.</p>

2 Roles and Responsibilities

Officers

- 2.1 The Officer responsible for the procurement must comply with these Contract Procedure Rules and the Financial Regulations. The Officer is also responsible for ensuring that any Agents acting on behalf of the Council do so in compliance with these Rules and must seek written confirmation of their agreement. Wilful or negligent breach of these Rules will be deemed to amount to gross misconduct and treated as a disciplinary matter
- 2.2 As part of the service planning process Officers are expected to highlight all required procurement support through the annual Procurement Service Plan in advance of the next financial year.
- 2.3 Officers are responsible for the contracting activity, and must ensure:
- (a) Continued compliance with the Council's requirements;
 - (b) Value for money;
 - (c) Compliance with these Rules as well as any legal and statutory requirements;
 - (d) Compliance with any relevant Council policy; and
 - (e) Contracts are signed/sealed before the commencement of any Works, Services or Goods delivered (unless prior written approval is given by the Chief Executive, the Section 151 Officer, and the relevant Director – these Officers must consider the risks and any mitigation of risk before giving approval).
- 2.4 The Officer is responsible for ensuring the Welland Procurement Unit are aware of the timescales for upcoming procurement work, especially for contracts in excess of £75,000, or requiring an open process, in sufficient time.
- 2.5 The Officer must have regard to the guidance contained in the Procurement Toolkit which can be accessed via the [procurement portal](#).
- 2.6 Before beginning a commercial activity the Officer responsible for it must carry out an appraisal and consider:
- The requirements from any relevant Best Value or other review;
 - The need for the expenditure and its priority e.g., has a business case been developed which sets out the service objectives, the criteria for evaluation and the options for delivery;
 - Defining the objectives of the purchase;
 - The risks associated with the purchase over its life and how to manage them;
 - What procurement method is most likely to achieve the purchasing objectives, including internal or external sourcing, and collaboration with other purchasers;
 - If a contract has already been let by the Council for the benefit of Council staff, and whether it would be suitable to make of this;
 - If a suitable framework exists, and whether it would be suitable to call off of it;

- Consulting users as appropriate about the proposed procurement method, contract standards, and performance and user satisfaction monitoring; and
- Selecting the most appropriate procurement method.

The Procuring Officer's approach to the appraisal tasks should be proportionate to the complexity, risks, and value of the procurement.

- 2.7 The Officer must keep the records detailed in these Rules.
- 2.8 The requirements for the various procurement procedures (based on [total value](#)) are detailed below. Where a procedure is required that would be above the Public Procurement threshold (in terms of [total value](#)), the Officer **must** contact Welland Procurement before embarking on the procurement.
- 2.9 Officers must take all necessary legal, financial, and other professional advice (e.g., HR, Comms etc.) and ensure the necessary decisions are in place before embarking upon any procurement process. Please speak to the Business Manager – Elections and Democratic Services for any queries relating to approvals.
- 2.9.1 Officers will need to ensure they have the relevant budget approved and available prior to embarking upon a procurement process. Budget approval ensures you have provision to fund any commitment within your own budget, and where sufficient budget isn't available the additional required funding has been sought and approved via members or delegated decision via the Section 151 Officer to access funding from reserves. Further information on this (and the process) can be found within the Financial Procedure Regulations; if in doubt, please speak to the Budget Holder or the Business Manager – Financial Services. This will provide you with your permission to procure.
- 2.9.2 Officers must ensure that, where they are anticipating engaging with Welland procurement, procurement documentation is provided to Welland in a timely fashion to ensure correct scrutiny together with information to the Legal Business Unit.
- 2.9.2.1 For contracts with a total value under £75,000, Welland must be engaged with at least four weeks in advance and then the final agreed procurement documentation (agreed with Welland) must be received at least three working days prior to the publication date. Contractual information should be passed to the Legal Business Unit as soon as is feasibly possible, but as a minimum two weeks prior to the publication date.
- 2.9.2.2 For contracts with a total value above £75,000, Welland must be engaged with as part of the pre-procurement process and a timeline will be developed alongside Welland. Contractual information should be passed to the Legal Business Unit as soon as is feasibly possible, but as a minimum two weeks prior to the

publication date to ensure that the Ts&Cs are completed prior to publication.

2.9.2.3 For contracts above the current goods and services Public Procurement Threshold, Welland must be part of the project team and be involved in the review of the specification. Contractual information should be passed to the Legal Business Unit as soon as is feasibly possible, but as a minimum two weeks prior to the publication date to ensure that the Ts&Cs are completed prior to publication.

2.10 The provisions of the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) apply to a relevant business transfer where the transferor (incumbent supplier) has a dedicated team of employee(s) that carry out the service activity that is to be transferred. In practice this will often apply where a Council service is:

- ‘out-sourced’
- brought back ‘in-house’ / in-sourced
- where a contract that former Council employees are undertaking comes up for renewal and is awarded again to the same supplier or to a new supplier
- transferred from one external organisation to another
- TUPE is also likely to apply where a supplier who has been awarded a contract subsequently awards or sub-contracts all or part of it to another supplier, whilst retaining the contract with the main client

TUPE can apply irrespective of whether there has been a formal procurement exercise or not. Officers must ask the current Supplier whether or not any employee of the Council or of the Supplier may be affected by any transfer arrangement (TUPE). Where this is relevant, the Officer must ensure that the Transfer of Undertaking (Protection of Employment) issues are considered and obtain relevant advice before undertaking the procurement process. This will include liaising with Nottinghamshire County Council where any employee of the Council or of the Supplier is a member of the Local Government Pension Scheme (LGPS). Guidance on whether TUPE applies must be referred to Human Resources or Legal services in the first instance, before proceeding, so that the scope of any legal obligations may be identified. If TUPE does apply this must be factored into the procurement strategy / plan and timescales.

Suppliers must seek their own legal guidance on the application of TUPE; the Council must not offer any such advice. The Council’s only involvement with TUPE is to facilitate through the provision of TUPE information; it must not get involved in other TUPE related matters.

‘TUPE Information’ templates are available on the Welland [procurement portal](#). This information will need to be completed by the current supplier which Officers will issue to the market as part of the procurement documentation on which potential suppliers are invited to bid. This information must be gathered prior to going out to market, and Officers would need to review the information to ensure it has been anonymised (TUPE information is confidential – please discuss with Welland Procurement whether TUPE information should be published with the tender pack, or to individual bidders, subject to the return of TUPE

Confidentiality Agreement), and whether or not there are any LGPS (Local Government Pension Scheme) members. Officers can refer to the Procurement Toolkit available on the [Welland Procurement portal](#) for guidance on considerations for LGPS members.

- 2.11 Officers must ensure that the contracts for which they are responsible for are effectively managed and monitored to ensure they deliver the requirement as intended. This must be in line with the Contract Management toolkit which is available on the Intranet.
- 2.12 It is the Officer's responsibility to carry out [due diligence](#) on successful suppliers, both at Contract Award, and for the duration of the Contract. Where contracts are over the current goods and service or works Public Procurement threshold a credit check must be completed on the potential supplier. This must be facilitated through the Financial Services Business Unit or Welland Procurement. Where the score is below 50, the Section 151 Officer must be consulted prior to the award of the contract.
- 2.13 Where an Officer has a potential conflict of interest within a procurement process, the Officer must declare this immediately to the relevant Director and Monitoring Officer and Welland Procurement. The Officer may be required to withdraw from the procurement process. Any Officer who fails to declare such a conflict of interest may be subject to disciplinary proceedings and sanctions.

A 'Conflict of Interest Declaration – Confidentiality Agreement' form can be obtained from the [procurement portal](#).

- 2.14 Officers must ensure details of bidders and their submissions are kept confidential (subject to [Freedom of Information](#) considerations).
- 2.15 Officers shall complete the Council's electronic Contract Register (to record all approved exemptions and contracts with an estimated [total value](#) of £5,000 and above including any changes over the contract life e.g., extensions).
- 2.16 Officers shall notify Welland Procurement of any contracts awarded with an estimated [total value](#) of £20,000 and above (including any changes over the contract life e.g., extensions), so that a Find a Tender Service Award Notice can be published.

Senior Leadership Team

- 2.17 The Senior Leadership Team must ensure that staff are aware of their responsibilities under these Rules, receive adequate training and guidance and that they and their Officers comply with these Rules at all times.
- 2.18 The Senior Leadership Team should facilitate Value for Money being achieved in all procurements.

- 2.19 The Senior Leadership Team must ensure that they have in place a scheme of delegation that records in writing what action Officers are authorised to take under these Rules.
- 2.20 In the interests of forward planning, the Senior Leadership Team should facilitate the process of preparing, maintaining, and reviewing a rolling schedule in respect of procurement activities with a [total value](#) over £75,000.
- 2.21 The Senior Leadership Team is responsible for ensuring a process is in place so that the Council's Contracts Register is updated as required following procurement activity.
- 2.22 Where an Officer within the Senior Leadership Team has a potential conflict of interest within a procurement process, the Officer must declare this immediately to the relevant Director and Monitoring Officer. The Officer may be required to withdraw from the procurement process. Any Officer who fails to declare such a conflict of interest may be subject to disciplinary proceedings and sanctions.

A 'Conflict of Interest Declaration – Confidentiality Agreement' form can be obtained from the [procurement portal](#).

- 2.23 Ensure that all completed contracts are passed to the Legal Business Unit for safe keeping.

3 Non-Compliance with these Rules

- 3.1 Where an Officer becomes aware of any non-compliance with these Rules (which cannot be remedied), they must declare this to the relevant Director and Monitoring Officer.

4 Total Value

- 4.1 Total Value is the maximum potential contract value. This is an estimation of the annual value, multiplied by the maximum contract length (including any extensions). This calculation is to be used for contracts that fall under the Procurement Act 2023. All references to "value" within these Rules refer to Total Value and those values must be estimated and calculated in accordance with the rules governing estimating the value of a contract under [Schedule 3](#) of the Procurement Act 2023.

Where a proposed work or provision of services may result in contracts being awarded in the form of separate lots, account shall be taken of the total estimated value of all such lots. Where the aggregate value of the lots is equal to or greater than the relevant [Public Procurement Threshold](#). Please speak to Welland Procurement for further guidance on aggregation.

- 4.1.1 For works contracts, the calculation of the estimated value shall take account of both the cost of the works and the total estimated value of the

supplies and services that are made available to the contractor by the Council if they are necessary for executing the works.

- 4.1.2 For services contracts which do not indicate a total price, the basis for calculating the estimated contract value shall be based on the total estimated cost over the full contract period.
- 4.1.3 For the appointment of consultants, the Estimated Total Contract Value shall be calculated using the requisite rate for the consultant, multiplied by the total duration of the assignment required to complete all the specified activities and deliverables of the consultant for their entire appointment. Any change in scope of the assignment would require additional procurement.
- 4.2 For Concessions contracts (where the supplier makes money from the right given by the Council to provide), contract values are based on what it is worth to the supplier or the cost the Council would incur to provide the contract. The Total Value for these contracts shall be the total turnover of the concessionaire generated over the duration of the contract, as estimated by the Council, considering:
- (a) the value of any form of option and any extension of the duration of the concession contract;
 - (b) revenue from the payment of fees and fines by the users of the works or services other than those collected on behalf of the Council;
 - (c) payments or any other financial advantages, in any form, from the Council to the concessionaire, including compensation for compliance with a public service obligation and public investment subsidies;
 - (d) the value of grants or any other financial advantages, in any form, from third parties for the performance of the concession contract;
 - (e) revenue from sales of any assets which are part of the concession contract;
 - (f) the value of all the supplies and services that are made available to the concessionaire by the Council, provided that they are necessary for executing the works or providing the services;
 - (g) any prizes or payment.
- 4.3 Contracts shall not be subdivided with the effect of preventing it from falling within the scope of these Rules, thresholds, or any relevant Procurement Act 2023 and accompanying Regulations.
- 4.4 Re-occurring Contracts shall not be put in place with the effect of preventing it from falling within the scope of these Rules, thresholds, or any relevant Public Procurement Legislation. Spend must be aggregated where it is appropriate to do so, whether that is within Council departments, or across multiple departments for the same scope of work; to ensure value for money is achieved and reduce the duplication of work. Examples of where aggregate spend would be appropriate includes (but is not limited to):
- One department spot purchasing similar pieces of work on a regular basis throughout the financial year;

- Multiple Council departments purchasing the same services under different contracts; and
 - Individual contracts being kept under a certain threshold to avoid procurement obligations within these Rules (e.g. annual renewals of contracts).
- 4.5 It is the responsibility of each individual Officer to review the contracts register prior to entering into any contract, to understand if the Council is already in a contractual relationship in relation to the proposed goods/services/work. If the Council is, then the Officer would need to investigate whether the contract covers their own requirement, or if there is scope for variation in the current contract. Please speak to Welland Procurement and Legal to ensure contractual and procurement compliance.
- 4.6 Where the Council may be contributing only part of the total value of a contract, it is nevertheless the Estimated Total Contract Value that should be applied in determining the correct procedures to be applied under these Rules. Examples of where this would be appropriate includes (but is not limited to):
- Collaborations between departments within the Council;
 - Collaboration between the Council and at least one other Contracting Authority; and
 - Where the Council is only part funding a project, in partnership with another funding source.
- 4.7 In the event that the estimated Total Contract Value is below the [Public Procurement Threshold](#), and following a quotation process the proposed winning bidder's Total Bid Value exceeds the relevant [Public Procurement Threshold](#), the Officer must not award the contract without consulting with Welland Procurement and Legal as to the risks associated with awarding the contract.
- 5 Contract Term**
- 5.1 The term of a Contract must not exceed five years in total (including any potential extension options), without the written approval of the relevant service Director. This must be gained prior to the procurement process commencing.
- 5.2 Framework agreements must not exceed four years. Call-off contracts based on framework agreements may be longer than four years and may extend beyond the expiry date of the framework.
- 6 Procurements Valued Under £10,000**
- 6.1 Officers will need to ensure they have the relevant budget approved and available prior to embarking upon a procurement process.

- 6.2 Council Officers may decide it is appropriate to [reserve contracts for services](#) at this value to the local area (county) or SME's/voluntary sector. Please refer to the appropriate guidance in this document (and consult Welland Procurement) before any reservations are made.
- 6.3 Where the contract has a [total value](#) below £10,000, Officers are required to seek at least one written quotation (email is acceptable). Value for money remains a primary objective and so Officers may decide to seek more than one quotation to ensure that objective is achieved.
- 6.4 Quotations can be submitted via email, preferably in PDF format to prevent tampering or accusations thereof; the onus will be on the bidder to make this decision. Quotations are not to be "opened" prior to the deadline for return (not applicable if only one quote is being sought).
- 6.5 The quotation(s) must be received before any order is processed and must include the following information:
- (a) A description of the goods, services or works to be supplied;
 - (b) When and where they will be supplied;
 - (c) The total value of the requirement; and
 - (d) Payment terms.
- 6.6 The Contract or Purchase Order must be approved/signed by the relevant Budget Holder in accordance with budget authorisation limits (as outlined in the Financial Procedure Rules) via the Council's Corporate Financial System (electronic Purchase Order).
- If a Council Officer or Supplier needs to sign contract documentation electronically, please speak to Legal Services for advice and guidance on the use of electronic signatures.
- 6.7 Where the value of the contract is £5,000 and above, the resultant contract must be added to the Contract Register to ensure compliance with Transparency Regulations.
- 6.8 It is the Officer's responsibility to carry out [due diligence](#) on successful suppliers, both at Contract Award, and for the duration of the Contract.

7 Procurements Valued Between £10,000 and £74,999

- 7.1 Officers will need to ensure they have the relevant budget approved and available prior to embarking upon a procurement process.
- 7.2 Council Officers may decide it is appropriate to [reserve contracts for services](#) at this value to the local area (county) or SME's/voluntary sector. Please refer to the appropriate guidance in this document (and consult Welland Procurement) before any reservations are made.
- 7.3 Where the contract has a [total value](#) between £10,000 and £74,999 at least three comparable quotations must be sought in writing (email is acceptable), with at least two quotations being sought from locally based suppliers. Where local quotations cannot be sought the Officer must keep a written record of the

reason. Those quotations can be invited from identified suppliers as advertising is not mandatory. If the Council chooses to advertise a quotation opportunity for any reason, the officer should contact Welland Procurement for assistance with this.

- 7.4 Where Welland are instructed to support the procurement, the Officer must complete a Procurement Initiation Document (PID), available on the [procurement portal](#), prior to the commencement of the procurement process (at pre-procurement stage).
- 7.5 It is recommended that the Request for Quotation Template document is used which can be obtained from the [procurement portal](#). In any case the criteria for selecting the most advantageous quotation must be established before the quotations are invited and be made clear in the procurement documentation. The quotations must contain (as a minimum):
- (a) A specification (covering the goods, services or works to be supplied, the “where” and “when” they are to be supplied, and any relevant performance and contract management details)
 - (b) Instructions to bidders:
 - a. Evaluation criteria
 - b. How to respond
 - c. How clarification messages are to be asked (who sent to, any deadlines for messages)
 - d. Information bidders need to include within response
 - e. Deadline for responses (day and time); and
 - f. The short form terms and conditions to be applied (please contact the Legal Business Unit for details).

In some instances, Officers may need to consider [TUPE](#) implications.

- 7.6 Where fewer than three potential suppliers can be identified, the Officer must keep a written record of the reason and all potential suppliers should be invited to quote. It is accepted that the Officer may receive fewer than three quotations even where three or more suppliers have been invited to quote.

The Procurement Act 2023 introduces statutory rules specifying conditions of participation and the new mandatory and discretionary grounds for excluding suppliers (including at section 29, on the grounds of national security) and the introduction of the Government’s debarment list including the actions that the Council must take if it decides to exclude a supplier from a procurement in reliance on one of the exclusion grounds.

- 7.7 As part of the procurement process (quotation), potential bidders can seek clarification on either the information published or the process itself.

The nature of any clarification or response from the Council must not materially change the scope/substance of the requirement. If it does, Officers may need to abandon the process and restart, using revised documentation. Please discuss this with Welland Procurement.

- All requests for clarification and questions relating to the quote (and its associated documents) must be submitted as per the instruction document (via email or the eTendering system)
- The Council must respond to all clarifications as soon as possible (via email or the eTendering system)
- A copy of all requests for clarifications and the responses must be anonymised and published to all potential bidders (who have either been invited to quote, or have expressed an interest in the quote) where the clarification and response are not considered confidential
- If a potential bidder wishes the Council to treat a clarification as confidential and therefore not publish the response to all, it must state this when submitting the clarification. If in the opinion of the Council, the clarification is not confidential, the Council will publish it in an anonymised format
- Officers must state a deadline for receipt of clarifications
- Officers must keep a record of communications between potential bidders and the Council

Unless it is part of a clarification and the above is observed, Officers must not:

- Contact suppliers/potential bidders
- Send information to suppliers/potential bidders

If a supplier/potential bidder contacts an Officer, they should advise them that messages must be submitted as per the instruction document; via email or the eTendering system.

- 7.8 Quotations can be submitted via email, preferably in PDF format to prevent tampering or accusations thereof; the onus will be on the bidder to make this decision. Quotations are not to be “opened” prior to the deadline for return, if one is given.
- 7.9 The Officer must keep copies of the Council’s procurement documentation as well as copies of all quotations received and any communication between the Council and the successful bidder.
- 7.10 Evaluation of the quotations received must be carried out using the evaluation criteria identified in the procurement documentation. Any subjective evaluation (such as quality) must be carried out independently by a minimum of two evaluators (preferably three), and then moderated by an independent moderator to reach a final agreed score. The evaluators should be fully briefed on the evaluation process. The ‘Conflict of Interest Declaration – Confidentiality Agreement’ on the [procurement portal](#) gives further guidance on evaluation principles and best practice; it is advisable to ask all evaluators to complete, sign and return this document to the Council lead. Welland Procurement can act as the independent moderator but cannot undertake any scoring. Clarification questions may be asked where responses would not result in a material change of the bid received.

Award of the Contract

- 7.11 The contract or terms and conditions must be signed by the Business Manager for the relevant Business Unit or an available Director,. This will act as the approval to award the contract.

If a Council Officer or Supplier needs to sign contract documentation electronically, please speak to the Legal Business Unit for advice and guidance on the use of electronic signatures.

- 7.12 The resultant contract must be added to the Council's Contract Register to ensure compliance with Transparency Regulations. Officers must then provide the Legal Business Unit with any paper copies of the Contract for the subsequent storage and safe keeping.
- 7.13 An award notice is required on Find a Tender Service for all Contracts with a [total value](#) of £20,000 or above. Welland Procurement is responsible for such award notices. If an Officer has managed the procurement process without assistance from Welland Procurement, they must formally advise them of the award details, so that they can publish the award notice.
- 7.14 It is the Officer's responsibility to carry out [due diligence](#) on successful suppliers, both at Contract Award, and for the duration of the Contract. This must follow the process as set out at paragraph [2.12](#).

8 Procurements Valued between £75,000 relevant national public procurement threshold

- 8.1 Officers will need to ensure they have the budget available prior to embarking upon a procurement process (as per [2.9](#) of this document).
- 8.2 Council Officers may decide it is appropriate to [reserve contracts for services](#) at this value to the local area (county) or SME's/voluntary sector. Please refer to the appropriate guidance in this document (and consult Welland Procurement) before any reservations are made.
- 8.3 Welland Procurement must be notified in respect of all contracts with a [total value](#) between £75,000 and the relevant national Public Procurement Threshold. Welland will be able to advise on the most appropriate route to market.
- 8.4 Where Welland are instructed to support the procurement, the Officer must complete a Procurement Initiation Document (PID), available on the [procurement portal](#), prior to the commencement of the procurement process (at pre-procurement stage).
- 8.5 The procurement must be advertised on Find a Tender Service, Welland Procurement is responsible for managing this advertising.

- 8.6 The procurement will be managed using an electronic tendering system; the Officer must therefore contact Welland Procurement to access that system.
- 8.7 Council Officers must conduct the Tender process using Welland Procurement's templated procurement documents (unless agreed otherwise by the Head of Welland Procurement). Open Tender Document One must be used to ensure that the required Standard Suitability Questions are used. The Officer must ensure that all relevant procurement documents are finalised before the procurement is advertised, these will include at least the Specification, Long Form Terms and Conditions of Contract (please speak to the Legal Business Unit to source this), [TUPE information](#) (where applicable) and pricing & quality evaluation criteria.

The specification must cover the scope of the requirement i.e., the goods, services or works to be supplied, the "where" and "when" they are to be supplied as well as any relevant performance and contract management details. A template is available on the [procurement portal](#).

- 8.8 As part of the procurement process (tender), potential bidders can seek clarification on either the information published or the process itself.

The nature of any clarification or response from the Council must not materially change the scope/substance of the requirement. If it does, Officers may need to abandon the process and restart, using revised documentation. Please discuss this with Welland Procurement.

- All requests for clarification and questions relating to the tender (and its associated documents) must be submitted as per the instruction document (the eTendering system)
- The Council must respond to all clarifications as soon as possible (the eTendering system)
- A copy of all requests for clarifications and the responses must be anonymised and published to all potential bidders (who have expressed an interest in the tender) where the clarification and response are not considered confidential
- If a potential bidder wishes the Council to treat a clarification as confidential and therefore not publish the response to all, it must state this when submitting the clarification. If in the opinion of the Council, the clarification is not confidential, the Council will publish it in an anonymised format
- Officers must state a deadline for receipt of clarifications
- Officers must keep a record of communications between potential bidders and the Council

Unless it is part of a clarification and the above is observed, Officers must not:

- Contact suppliers/potential bidders
- Send information to suppliers/potential bidders

If a supplier/potential bidder contacts an Officer, they should advise them that messages must be submitted as per the instruction document; via the eTendering system.

- 8.9 Tenders will be received via the electronic tendering system. An Officer or a representative of Welland Procurement will be responsible for opening tenders.
- 8.10 Tenders must be evaluated in accordance with the advertised evaluation criteria, clarification questions may be asked as long as the response would not have the effect of materially changing the tender received. Any subjective evaluation (such as quality) must be carried out independently by a minimum of two evaluators (preferably three), and then moderated by an independent moderator to reach a final agreed score. The evaluators should be fully briefed on the evaluation process. The 'Conflict of Interest Declaration – Confidentiality Agreement' on the [procurement portal](#) gives further guidance on evaluation principles and best practice; this form must be completed, signed, and returned to the procurement lead. Welland Procurement can act as the independent moderator but cannot undertake any scoring.
- 8.11 All tenders in this category must be evaluated online through the eTendering system portal.
- 8.12 The bidder with the highest evaluation score will be awarded the contract. If this is not the case, the advice of Welland Procurement must be sought prior to award. The contracting Officer must perform due diligence on the supplier prior to the signing of the contract in accordance with paragraph [2.12](#) above.
- 8.14 All bidders must be notified of the Award decision simultaneously in writing (via the Council's electronic tendering system) by the Officer (or the Welland Procurement Unit), whether or not their bid was successful.
- 8.15 As the contract will require sealing, please see Section [13.11](#) below, the relevant Business Manager/Director must give the approval to award the contract to the Legal Business Unit
- 8.16 The resultant contract must be added to the Council's Contract Register to ensure compliance with Transparency Regulations. Officers must then provide the Legal Business Unit with any signed paper copies of the Contract for the subsequent storage and safe keeping.
- 8.17 The Officer must keep the following records for 6 years:
- (a) A record of all decisions from pre to post procurement;
 - (b) The method of obtaining tenders;
 - (c) Tender documents produced by the Council;
 - (d) Tenders received from bidders. The successful tender should be retained for at least the life of the contract. Unsuccessful tenders should be retained for the first 12 months of the contract;
 - (e) A written record of the evaluation;
 - (f) A record of the Award approval;

- (g) A signed copy of the Contract which should be retained for the life of the contract and in normal circumstances for 6 years thereafter; and
 - (h) Communications to and from bidders during the procurement process.
- 8.18 Where an Agent has managed the procurement on behalf of the Council, the Officer must ensure that the above documents are returned to the Council upon completion of the process and stored as detailed in clause [8.17](#) above.
- 8.19 An award notice is required on Find a Tender Service; Welland Procurement is responsible for such award notices. If an Officer has managed the procurement process without assistance from Welland Procurement, they must formally advise them of the award details, so that they can publish the award notice.
- 8.20 It is the Officer's responsibility to carry out [due diligence](#) on successful suppliers, both at Contract Award, and for the duration of the Contract.
- 9 Procurements for Works Contracts Valued above the relevant national public procurement threshold**
- 9.1 Officers will need to ensure they have the budget available prior to embarking upon a procurement process (as per [2.9](#) of this document).
- 9.2 Welland Procurement must be instructed for all procurements with a [total value](#) above the national procurement threshold. Welland will be able to advise on the most appropriate route to market.
- 9.3 Officers will need to ensure they have the budget available prior to embarking upon a procurement process (as per [2.9](#) of this document).
- 9.4 Where Welland are instructed to support the procurement, the Officer must complete a Procurement Initiation Document (PID), available on the [procurement portal](#), prior to the commencement of the procurement process (at pre-procurement stage).
- 9.5 The procurement must be advertised on Find a Tender Service, Welland Procurement is responsible for managing this advertising.
- 9.6 The procurement will be managed using an electronic tendering system; the Officer must therefore contact Welland Procurement to access that system.
- 9.7 Council Officers must conduct the Tender process using Welland Procurement's templated procurement documents (unless agreed otherwise by the Head of Welland Procurement). Open Tender Document One must be used to ensure that the required Standard Suitability Questions are used. The Officer must ensure that all relevant procurement documents are finalised before the procurement is advertised, these will include at least the Specification, Long Form Terms and Conditions of Contract (please speak to the Legal Business Unit to source this), [TUPE information](#) (where applicable) and evaluation criteria.

The specification must cover the scope of the requirement i.e., the goods, services or works to be supplied, the “where” and “when” they are to be supplied as well as any relevant performance and contract management details. A template is available on the [procurement portal](#).

- 9.8 Tenders will be received via the electronic tendering system. An Officer or a representative of Welland Procurement will be responsible for opening the tenders.
- 9.9 As part of the procurement process (tender), potential bidders can seek clarification on either the information published or the process itself. This must be conducted as per [8.8](#) of this document.
- 9.10 Tenders must be evaluated in accordance with the advertised weighted evaluation criteria, clarification questions may be asked as long as the response would not have the effect of materially changing the tender received. Any subjective evaluation (such as quality) must be carried out independently by a minimum of two evaluators (preferably three), and then moderated by an independent moderator to reach a final agreed score. The evaluators should be fully briefed on the evaluation process. The ‘Conflict of Interest Declaration – Confidentiality Agreement’ on the [procurement portal](#) gives further guidance on evaluation principles and best practice; this form must be completed, signed, and returned to the procurement lead. Welland Procurement can act as the independent moderator but cannot undertake any scoring.
- 9.11 All tenders in this category must be evaluated online through the eTendering system.
- 9.12 The bidder with the highest evaluation score will be awarded the contract. If this is not the case, the advice of Welland Procurement must be sought prior to award. The contracting Officer must perform due diligence on the supplier prior to the signing of the contract in accordance with paragraph [2.12](#) above.
- 9.13 All bidders must be notified of the Award decision simultaneously in writing (via the Council’s electronic tendering system) by the Officer (or the Welland Procurement Unit), whether or not their bid was successful.
- 9.14 As the contract will require sealing, please see Section [13.11](#) below, the relevant Director must give the approval to award the contract to the Legal Business Unit
- 9.15 The details of the resultant contract must be added to the Council’s Contract Register to ensure compliance with Transparency Regulations. Officers must

then provide the Legal Business Unit with any signed paper copies of the Contract for the subsequent storage and safe keeping.

- 9.16 The Officer must keep the following records:
- (a) A record of all decisions from pre to post procurement;
 - (b) The method of obtaining tenders;
 - (c) Tender documents produced by the Council;
 - (d) Tenders received from bidders. The successful tender should be retained for at least the life of the contract. Unsuccessful tenders should be retained for the first 12 months of the contract;
 - (e) A written record of the evaluation;
 - (f) A record of the Award approval;
 - (g) A signed copy of the Contract which should be retained for the life of the contract and in normal circumstances for 6 years thereafter; and
 - (h) Communications to and from bidders during the procurement process.
- 9.17 Where an Agent has managed the procurement on behalf of the Council, the Officer must ensure that the above documents are returned to the Council upon completion of the process and stored as detailed in clause [9.16](#) above.
- 9.18 An award notice is required on Find a Tender Service; Welland Procurement is responsible for such award notices. If an Officer has managed the procurement process without assistance from Welland Procurement, they must formally advise them of the award details, so that they can publish the award notice.
- 9.19 It is the Officer's responsibility to carry out [due diligence](#) on successful suppliers, both at Contract Award, and for the duration of the Contract.

10 Purchasing from a Framework Agreement or Dynamic Purchasing System (DPS)

- 10.1 Officers will need to ensure they have the relevant budget approved and available prior to embarking upon a procurement process. This approval will be from the Budget Holder, in accordance with budget authorisation limits (as outlined in the Financial Procedure Rules). Please see [2.9.1](#) for further information. Officers also need to speak to their Business Manager about any further approvals required outside of these Rules. Approval to procure must be obtained as per [2.9](#) of this document.
- 10.2 Welland Procurement must be notified in respect of all contracts with a [total value](#) above £75,000 irrespective of whether the officer is expecting to procure via a framework or DPS. Welland will be able to advise on the most appropriate route to market.
- 10.3 A contract of any value can be procured via a framework agreement or DPS. Compliance with these Rules and relevant national law is achieved through compliance with the framework agreement/DPS terms and conditions. This will involve:
- reviewing relevant Framework/DPS guidance document(s)

- reviewing the correct process for call off (which may be through further competition or direct award)
- following the stated call off process, as laid out in the Framework/DPS documentation

Officers must ensure they are fully conversant with the eligibility of the Council to use the framework, as stated within the Framework Agreement. If these Rules are not sufficiently detailed for the Officer to be assured of the eligibility and requisite process, they must engage with Welland Procurement to seek advice on the validity of the Framework Agreement.

As part of the procurement process (call off), potential bidders can seek clarification on either the information published or the process itself. This must be conducted as per [8.8](#) of this document.

- 10.4 For the avoidance of doubt, a framework agreement or DPS is considered a compliant procurement route where:
- (a) It has been entered into by the Council in compliance with these Rules; or
 - (b) Another contracting authority, purchasing consortium or Central Government has tendered the framework agreement or DPS in compliance with national procurement law and the Council is named as a potential user of the arrangement.
- 10.5 It is recommended that the Further Competition Template document is used which can be obtained from the [procurement portal](#) or Welland Procurement; if template documentation is provided by the Framework/DPS Owner, Officers can make use of this.

In any case the criteria for selecting the most advantageous submission must be established before call offs submissions are invited and be made clear in the procurement documentation. The call offs must contain (as a minimum):

- (a) The goods, services or works to be supplied;
- (b) The “where” and “when” they are to be supplied;
- (c) Instructions to bidders:
 - (i) Evaluation criteria
 - (ii) How to respond
 - (iii) How clarification messages are to be asked (who sent to, any deadlines for messages)
 - (iv) Information bidders need to include within response
 - (v) Deadline for responses (day and time); and
 - (vi) The terms and conditions to be applied to the call off (as per Framework/DPS guidance document, please use the terms stated, these must be agreed by Legal Services).

In some instances, Officers may need to consider [TUPE](#) implications.

- 10.6 Contract award must be approved as per [2.9](#) of this document.

- 10.7 All bidders must be notified of the Award decision simultaneously in writing (via the method used to run the procurement process i.e., email, ProContract or other system used by the Framework/DPS owner) by the Officer (or the Welland Procurement Unit or the Framework/DPS owner), whether or not their bid was successful.
- 10.8 The contract must be signed/sealed in line with the appropriate Rule, dependent on the [total value](#) of the contract.
- Procurements valued under £10,000 see [Rule 6.6](#)
 - Procurements valued between £10,000 and £74,999 see [Rule 7.12](#)
 - Procurements valued between £75,000 and Current Goods and Services Public Procurement Threshold see [Rule 8.15](#)
 - Procurements for Works Contracts Valued between the Goods and Services Public Procurement Threshold and the Works Public Procurement Threshold see [Rule 9.14](#)
 - Procurements valued over the Relevant Public Procurement Threshold see [Rule 10.16](#)

If a Council Officer or Supplier needs to sign contract documentation electronically, please speak to the Legal Business Unit for advice and guidance on the use of electronic signatures.

- 10.9 Where the Council is using an external framework, and the [total value](#) of the contract is £5,000 or above, the resultant contract must be added to the Contract Register to ensure compliance with Transparency Regulations.

Where the Council has set up a framework, only the framework is necessary to be recorded on the register. It is not necessary to record the individual call-offs from the framework.

- 10.10 Signed contracts that have a [total value](#) of £10,000 or more must be scanned in. Officers must then provide the Legal Business Unit with any signed paper copies of the Contract for the subsequent storage and safe keeping.
- 10.11 Where the contract has a [total value](#) of £20,000 or above an award notice is required on Find a Tender Service. The Officer must formally advise Welland Procurement of the award details, so that they can publish the award notice.
- 10.12 The Officer must keep the following records:
- (a) A record of all decisions from pre to post procurement;
 - (b) The method of obtaining tenders;
 - (c) Tender documents produced by the Council;
 - (d) Tenders received from bidders. The successful tender should be retained for at least the life of the contract. Unsuccessful tenders should be retained for the first 12 months of the contract;
 - (e) A written record of the evaluation;
 - (f) A record of the Award approval;
 - (g) A signed copy of the Contract which should be retained for the life of the contract and in normal circumstances for 6 years thereafter; and

(h) Communications to and from bidders during the procurement process.

10.13 Where an Agent has managed the procurement on behalf of the Council, the Officer must ensure that the above documents are returned to the Council upon completion of the process and stored as detailed in clause [11.15](#) above.

10.14 It is the Officer's responsibility to carry out [due diligence](#) on successful suppliers, both at Contract Award, and for the duration of the Contract.

11 Setting up a Framework Agreement/DPS

11.1 Where an officer feels a framework or DPS could be advantageous to the Council, they should contact Welland Procurement in order to progress this further.

12 Public Services (Social Value) Act 2012 and Health Care Services

12.1 The Public Services (Social Value) Act requires people who commission public services to think about how they can also secure wider social, economic, and environmental benefits.

12.2 Before starting a procurement process, the Officer should think about whether the services they are going to buy, or the way they are going to buy them, could secure the above benefits for their area or stakeholders.

12.3 The Council must consider, in the form of a Social Value appraisal whilst recognising the principal of proportionality;

- (a) how what is proposed to be procured might improve the economic, social, and environmental well-being of the relevant area, and
- (b) how, in conducting the process of procurement, it might act with a view to securing that improvement.

12.4 The Officer must consult Welland Procurement for advice on specifying requirements under Social Value, and how to evaluate tenders against these requirements. Further information and guidance is also available in the Procurement Toolkit, which can be accessed via the [procurement portal](#).

12.5 The Health Care Services (Provider Selection Regime) Regulations 2023 require that when procuring relevant Health Care Services, the it is expected that the Council complies with those Regulations in that the Council must act with a view to securing the needs of the people who use the services; improving the quality of the services; and improving efficiency in the provision of the services transparently, fairly and proportionately.

12.6 When acting with a view to the matters in paragraph 14.5, the lead officer may, in consultation with Welland Procurement, consider the value of providing services in an integrated way, including with other health care services, health-related services or social care services.

13 Other Matters to Consider

These Rules are relevant to all Contracts with a [total value](#) above £10,000.

13.1 Conflict of Interest

13.1.1 Clause [2.13](#) and [2.19](#) define when a conflict of interest must be declared.

13.1.2 For contracts with a [total value](#) of £75,000 or more, all Officers, Members and other stakeholders involved in procuring for the Council must sign a Declaration of Interest form at the start of the procurement process. This form is available on the [procurement portal](#).

For contract with a [total value](#) of between £10,000 and £75,000, it is advisable that all Officers, Members, and other stakeholders involved in procuring for the Council sign a Declaration of Interest form at the start of the procurement process. This form is available on the [procurement portal](#).

13.1.3 This form must be kept on file during the procurement itself and the contract term.

13.1.4 Before publishing a tender or transparency notice, a conflicts assessment will need to be prepared. This will need to be kept under review and revised as necessary. When publishing certain notices, it will need to be confirmed that a conflicts assessment has been prepared and revised accordingly.

13.2 Abnormally Low Bids

13.2.1 Under s 19(3)(c) of the Procurement Act 2023 , the Council may request an explanation of the price or costs proposed in a tender where that price or those costs appear to be abnormally low in relation to the requirement. However, the Council may disregard any tender that it considers to be abnormally low for the performance of the contract.

13.2.2 Advice should be sought from Welland Procurement during this investigation process to ensure that the requirements of the Procurement Act 2023 are adequately complied with.

13.3 Errors in Tenders

13.3.1 If it is identified that a bidder has made an error or omission that is “obvious”, the Officer can request the bidder to correct this, as long as:

- (a) the Section 151 Officer or the Chief Executive has given written approval, and agrees that the error or omission was “obvious”;
- (b) it has been determined that the bidder has gained no unfair advantage from correcting the error or omission; and
- (c) any such corrections are recorded, along with the approval decision.

13.4 Receiving Late Submissions

13.4.1 Where a Tender/Quote has been received late (beyond the stated response deadline), the Officer must get written approval to either accept or reject the submission from the relevant Section 151 Officer or the Chief Executive **before** opening any of the responses. Late submissions must only be accepted in exceptional circumstances.

13.4.2 The Officer must record:

- (a) the circumstances behind the late response;
- (b) how late the response was received;
- (c) if any advantage could have been gained by the bidder in submitting the late response (i.e., having longer to respond to the opportunity compared with other bidders); and
- (d) the Director's decision to accept or reject the late response (based on the above points).

13.5 Receiving Irregular Tenders

13.5.1 Irregular tenders are those that:

- (a) do not comply with the terms of the tender documents (i.e., fail to supply key information); or
- (b) make reservations (i.e., if the pricing submitted contains conditions, when these are explicitly prohibited within the tender documentation).

13.5.2 If the Officer receives an irregular Tender, they shall immediately report this to the relevant Director.

13.5.3 The Director may accept the irregular tender if it has been determined that the bidder has gained no unfair advantage from the irregularity.

13.5.4 Any acceptance or rejection of irregular tenders shall be recorded in writing.

13.6 UK GDPR Requirements

13.6.1 The UK General Data Protection Regulations impose greater obligations on the Council to protect an individual's information.

13.6.2 Officers conducting a procurement process should ensure that the UK GDPR screening questions, available from Welland Procurement, are completed as early as possible in the planning stages of that procurement.

13.6.3 Should any of the UK GDPR screening questions be answered positively, further advice must be sought from the Council's Data Protection Officer before any further action is taken.

13.6.4 Officers shall consider the information governance requirements of the contract if they anticipate any Personal Data is to be processed as part of the contract e.g., data protection, security of information, records management.

13.6.5 Where Personal Data may be processed as part of the contract, a Privacy Impact Assessment tool shall be completed. This will help the Council identify the most effective way to comply with their data protection obligations and meet individuals' expectations of privacy.

13.6.6 Where requirements are identified by the Privacy Impact Assessment, the Officer shall ensure that any requirements of contractors are considered and built into the specification and assessed where necessary as part of the evaluation.

13.6.7 Any queries relating to this should be directed to the Council's Data Protection Officer.

13.7 Freedom of Information

13.7.1 The Council has specific obligations under the FOI Act 2000, regarding disclosure of information. Officers have an obligation to record and maintain accurate records relating to Contracts, as well as complying with FOI requests.

13.7.2 Bidders should be asked to identify any information they supply that is confidential or commercially sensitive, and detail why they consider this the case. This justification should be considered when responding to FOI requests.

13.7.3 Any queries relating to this should be directed to the Council's Data Protection Officer.

13.8 Modern Slavery

13.8.1 The Council is committed to ensuring that modern slavery does not exist within its supply chains.

13.8.2 All procurements with a [total value](#) of £75,000 or more are required to include the Standard Selection Question regarding Modern Slavery Act compliance.

13.8.3 Where procurement is considered high risk in terms of modern slavery, for example transport and waste related procurements, additional award questions should be considered with advice from Welland Procurement.

13.8.4 Where a supplier is required to comply with the Modern Slavery Act, i.e., their turnover is above £36 million, that compliance should form part of the contract management (as per [13.10](#)).

13.8.5 A Modern Slavery Helpline is available on Tel: 08000 121 700 or [online](#). The Helpline provides information and advice about modern slavery, a 24-hour telephone reporting line and an online reporting function through the website.

13.9 Safeguarding Provisions in Contracts and Grant Arrangements

13.9.1 Any service engaged by the Council should be provided based on agreed terms or a contract. Safeguarding compliance should be included in all arrangements. All services commissioned by the Council must operate within the requirements of the Council's Safeguarding Policy and meet the relevant legislative standards. Where appropriate, procuring officers will need to ensure that contractors demonstrate that they meet these requirements.

13.9.2 It is expected that the lead officer on any commissioning project be responsible for ensuring that any contract includes proper provision for the safeguarding of children, young people, and adults with care and support needs; this also includes making reasonable requests for evidence from suppliers that the requirements stated in the Safeguarding Policy (where applicable) are in place or ready to be implemented. Where there is any confusion about the need for the inclusion of safeguarding in a contract arrangement clarification and/or advice should be sought from the Safeguarding Lead.

13.10 Due Diligence

13.10.1 It is the Officer's responsibility to carry out due diligence on successful suppliers, both at Contract Award, and for the duration of the Contract. This will involve requesting, obtaining, and maintaining records (and asking for appropriate evidence) of relevant due diligence, annual inspections, and any future expiration/renewals. This should include (but not be limited to):

- (a) Insurance certificates (new certificates to be requested upon expiry of the individual insurance policy);
- (b) Details as required by the selection/suitability criteria asked as part of the procurement process (annually, upon anniversary of Contract start date):
 - i. Supplier policies
 - Quality Management
 - Environmental
 - Equality
 - Health and Safety
 - Data protection/GDPR
 - ii. Licences/certificates/registrations
 - iii. Business continuity plans
 - iv. Required training (and updates for staff (Council and supplier)
 - v. Staff certifications/qualifications (Council and staff); and
- (c) A financial appraisal, which must include a financial credit check and / or a review of submitted financial information (as per the standard selection questionnaire). The request must be made to the Financial Services Business Unit to perform the credit check. Where contracts are over the current goods and service Public Procurement threshold a credit check must be completed on the potential supplier. This must be facilitated through the Financial Services Business Unit or Welland Procurement. Where the score is below 50, the Section 151 Officer must be consulted prior to the award of the contract.

13.10.2 Before the contract commences (and regularly throughout the duration of a contract), contract managers should request and inspect key health and

safety records to provide assurance that controls are operating effectively. The frequency of requests and types of records to be reviewed should be agreed and outlined as part of the procurement process. Records should include but not be limited to:

- Up to date Health and safety policies
- Risk Assessments
- COSHH assessment
- Induction and training records
- Fire safety logbooks (if applicable)
- PAT certificates
- Health and Safety inspections (as well as any actions arisen, and how they are being followed up on, reviewed and regularly monitored) and whether these are carried out by the Council or the supplier
- Accident reporting

13.10.3 Throughout the duration of the contract, Council Officer's must keep a record (and ask for appropriate evidence) of relevant due diligence as well as any future expiration/renewals.

13.11 Sealing a Contract

13.11.1 A contract must be sealed where:

- 13.11.1.1 The [total value](#) is over £75,000;
- 13.11.1.2 The Council wishes to enforce the contract for more than six years after its expiry; or
- 13.11.1.3 The price paid or received under the contract is a nominal price and does not reflect the value of the goods, services or works; or
- 13.11.1.4 There is any doubt about the authority of the person signing for the other contracting party; or
- 13.11.1.5 A Bond is established on behalf of the Supplier(s) or their guarantors; or
- 13.11.1.6 Required by the Parties to the agreement; or
- 13.11.1.7 Where the Monitoring Officer deems it appropriate.

13.11.2 Where contracts are completed by each side adding their common seal, the affixing must be attested by or on behalf of the Council in accordance with the Constitution. The Monitoring Officer is responsible for the process of sealing a contract.

13.11.3 If a Council Officer or Supplier needs to sign contract documentation electronically, please speak to Legal Services for advice and guidance on the use of electronic signatures.

13.12 Reserving below Threshold Procurements (for Services contracts only)

Officers can consider reserving below threshold services contracts to local and/or SME (Small and Medium Sized Enterprises) status organisations as part of a procurement process.

This will be managed by officers on a case-by-case basis, after assessing the market to ensure there is sufficient competition (based on the reserved criteria). This will help support the local economy and encourage entrepreneurship and small businesses in the area.

Being able to reserve the procurement by supplier location would mean being able to run a competition and specify that only suppliers located in a geographical area can bid (Nottinghamshire). Additionally, reserving the procurement for Small and Medium sized Enterprises (SMEs) would mean that only SMEs can bid, encouraging entrepreneurship, and attracting new and smaller organisations to work with and for the Council.

13.12.1 If Council Officers wish to reserve below threshold Services procurements as per the guidance set out in this section, they must:

- (a) Consult with Welland Procurement;
- (b) Comply with all other Rules within this document;
- (c) Provide rationale for reserving a contract; and
- (d) Receive written approval from the relevant Director for this approach.

13.12.2 Council Officers may consider the following options for the procurement of below threshold Services contracts (applying either both or just one option):

- (a) Reserve the procurement by supplier location - this means being able to run a competition and specify that only suppliers located in a geographical area can bid. This could be by county to tackle economic inequality and support local recruitment, training, skills, and investment. Where a county reservation is to be applied, only a single county may be reserved. Supplier location should be described by reference to where the supplier is based or established and has substantive business operations and not by location of corporate ownership.
- (b) Reserve the procurement for Small and Medium sized Enterprises (SMEs) and Voluntary, Community and Social Enterprises (VCSEs) - this means being able to run a competition and specify that only SMEs and VCSEs can bid.

13.12.3 Definitions:

- (a) Small and Medium sized Enterprise (SME): Any business with fewer than 250 employees and either an annual turnover below £45m or a total balance sheet less than £40m.
- (b) Voluntary, Community and Social Enterprises (VCSEs): Any organisation (incorporated or not) working with a social purpose. This ranges from small community-based groups / schemes, through to larger registered charities and social enterprises, public service mutuals and cooperatives that operate locally, regionally, and nationally. This term is often interchangeable with the terms 'third sector' or 'civil society' organisations.

- (c) **Supplier Location:** Where the supplier is based or established in a particular location and has substantive business operations in that location. In this context, this means having a registered office, factory, or other permanent base in that location from which meaningful business operations have been conducted for at least 12 months. For example, if the reservation is for the UK or a county such as Nottinghamshire, this should not preclude foreign suppliers from participating as long as they are based or established and have substantive business operations in the UK in the first example or in Nottinghamshire in the second example.

13.12.4 When considering either of the above, Council Officers would need to:

- (a) Make reservation decisions on a case-by-case basis, and record justifications for the decision to reserve a contract;
- (b) Make the reservation clear in the procurement documentation in terms of any intention by including the standardised definitions of SME / VCSE and supplier location;
- (c) Eliminate bidders that do not meet the stated criteria, following on from written approval being received from the relevant Director; and
- (d) Ensure value for money can still be met, and an open competitive process is followed.

13.13 Procuring with External Grant Monies

13.13.1 Procuring contracts using external grant monies can bring about additional risks to the Council due to additional regulatory or grant funder requirements in the way the money is controlled and additional scrutiny that the procurement process may receive. Therefore, Officers must be fully aware of all requirements of the relevant funding body and ensure full compliance.

13.13.2 Officers shall ensure that they engage, in advance of undertaking a procurement activity, with Welland Procurement, providing full access to any relevant additional guidance.

13.13.3 **NOTE:** Specifically for ERDF funding, the Officers shall appraise the intended procurement activity against the ERDF published 'common mistakes' guidance prior to initiating any procurement activity to ensure none of the common mistakes have been made.

14 Exemptions to Contract Procedure Rules

14.1 The exemptions listed in this Section do not apply to procurements with a [total value](#) above the relevant Public Procurement Threshold. Exemptions are not a substitute for instances where procurement planning has not been exercised and Officers find themselves with insufficient time to undertake a competitive process. Officers must still consider commercial awareness and achieve value for money.

- 14.2 Officers must obtain a fully approved exemption in advance of awarding a contract and must ensure that the actual spend does not exceed the [total value](#) stated in the approved exemption.

Officers will need to ensure they have the relevant budget approved and available prior to embarking upon a procurement process. This approval will be from the Budget Holder, in accordance with budget authorisation limits (as outlined in the Financial Procedure Rules). Please see [2.9.1](#) for further information. Officers also need to speak to their Business Manager about any further approvals required outside of these Rules.

- 14.3 Signed contracts that have a [total value](#) of £10,000 or more must be scanned in. Officers must then provide the Legal Business Unit with any signed paper copies of the Contract for the subsequent storage and safe keeping.

If a Council Officer or Supplier needs to sign contract documentation electronically, please speak to the Legal Business Unit for advice and guidance on the use of electronic signatures.

- 14.4 Exemptions must be approved by the Chief Executive, the Section 151 Officer, and the relevant Director. A copy of the form is available from Finance Services. The following are exemptions under these CPRs:

- 14.4.1 No genuine competition: proprietary or patented goods or services; requirement of such a specialist nature that it can genuinely only be fulfilled by one person or organisation; compatibility with existing goods or services is required and where those existing goods or services can only be sourced from the same supplier.
- 14.4.2 There is a sound business case and/or an independent review that there is no value for money in running a full procurement process. Supporting evidence will need to demonstrate market testing and enquiries to other suppliers. This must not be used to avoid competition or where decisions to procure have been postponed and there are insufficient timelines to procure.
- 14.4.3 Genuine emergencies: critical preventative or remedial work where there is a real and imminent risk to the safety of people or property arising from hitherto unforeseen 'catastrophic' events or incidents, for example fire, bombing, landslide etc.
- 14.4.4 Urgent Situations not of the Council's own making: the urgency must have been reasonably unforeseeable (e.g., existing supplier going into liquidation) and genuinely be a case of time is of the essence. Urgency arising from the Council's own making (e.g., lack of planning) shall not justify an exemption. Where this exemption is used, a compliant procurement must be implemented as soon as possible.

- 14.4.5 Collaborative/Joint Procurement: where another authority/public body is acting as the 'lead buyer' and provided that the Officer can demonstrate those arrangements comply with relevant Legislation and best practice.
- 14.4.6 Grants which the Council may receive or make except where the grant is the form of payment for a contract for services where the Council specifies the output or outcomes to be delivered. The awarding of grants by the Council or on behalf of the Council must be carried out under the principles of openness, fairness, non-discrimination, and value for money. Officers cannot choose to treat procurement as a grant in order to avoid conducting a competitive process. **This exemption cannot be used if the grant funding guidance states a procurement process must be conducted (such as ERDF funding); Officers must be fully aware of all requirements of the relevant funding body and ensure full compliance.** Please discuss with Welland Procurement before any exemption on this basis is requested.
- 14.4.7 Contracts for the execution of either mandatory works or provision of goods or services which must be provided by a Statutory Provider other than the Council. This includes but is not limited to public utility companies and other legal authorities.
- 14.5 All contracts must be added to the Contract Register (on ProContract) to ensure compliance with Transparency Regulations.
- 14.6 An award notice is required on Find a Tender Service for all Contracts with a [total value](#) of £20,000 or above. Welland Procurement is responsible for such award notices. Officers must formally advise Welland of the award details, so that they can publish the award notice.
- 14.7 A distinction must be made by the lead officer between contracts exempt from these Rules and contracts as defined as Exempt Contracts under Schedule 2 of the Procurement Act 2023 and advice must be sought from Welland Procurement in regard to this.
- 14.8 The publication of a Transparency Notice is required for all direct awards awarded under section 41 and 43 of the Procurement Act 2023. Officers must consult with and formally advise Welland regarding the direct award details so that Welland can publish a Transparency Notice.
- 15 Contract Management**
- 15.1 Contract Management**
- 15.1.1 The Contracting Officer must ensure that they add the Contract (where the contracting value is greater than £5,000) to the Central Contracts Register. This either being via Welland Procurement, where Welland have been involved in the procurement exercise, or Admin Services where not. A flow diagram describing this is included at appendix 3.

- 15.1.2 The named Contract Manager should be noted in the Contract Register. All contracts must have a named Contract Manager for the entirety of the contract and that Contract Manager is responsible for the application of these Rules.
- 15.1.3 For all contracts with a [total value](#) over £75,000, the Contract Manager must identify the risks by maintaining a suitable risk register and ensure that suitable contingency measures are in place.
- 15.1.4 During the life of the contract, the Contract Manager must monitor the overall performance of the contract closely in order to ensure any issues of underperformance are addressed as soon as possible and any areas of added value are identified as soon as possible.
- 15.1.5 Officers must ensure that the contracts for which they are responsible are effectively managed and monitored to ensure they deliver the requirement as intended. This must be in line with the Contract Management Toolkit which is available on the Intranet here.
- 15.1.6 Where a supplier intends to sub-contract, Officers must assess whether it is appropriate for the supplier to obtain quotations from locally based suppliers as part of this process.

15.2 Variations

- 15.2.1 In any case where a modification/variation (independently or cumulatively) means that the [total value](#) of a contract would exceed the relevant Public Procurement Threshold, or where there is any material change to the contract, the contract must be treated as a new procurement under these Rules.

If any modification/variation (independently or cumulative) means that the [total value](#) of a contract would exceed a threshold set out in these Rules, Officers must seek advice from Welland Procurement.

Officers need to consult the applicable procurement regime on making contract modifications which will depend on which regime the original contract was awarded pursuant to. For modifications under the Procurement Act 2023, highlight the new requirement to publish contract change notices (and copies of contracts for some procurements). Officers must seek advice from Welland Procurement.

- 15.2.2 A material change is one which:
- 15.2.2.1 Would have allowed the admission of other Bidders or the acceptance or another tender; or
 - 15.2.2.2 Extends the scope of the contract considerably to goods, services or works not initially covered by the Specification; or

- 15.2.2.3 Changes the economic balance in favour of the contractor in a manner not provided for in the procurement documents.
- 15.2.3 For clarity, a change will be deemed immaterial if the value of the modification is both below the relevant Public Procurement Threshold and below 10% of the original contract value (15% for works contracts).
- 15.2.4 All variations to contracts shall be in writing, following approval from the relevant Director or Business Manager.
- 15.2.5 All modifications/variations to a contract (that was originally above the [Public Procurement Threshold](#) and therefore advertised on OJEU or Find a Tender Service) must have a Modification Notice published. Please discuss this with Welland Procurement prior to any variation being entered.
- 15.2.6 Any novation of a contract is restricted by the Procurement Act 2023 which states that except as provided for in paragraph 9 of Schedule 8 (modification permitted on corporate restructuring), a contracting authority may not modify a public contract so as to change the supplier.
- 15.3 Extensions**
- 15.3.1 A contract should not be extended beyond its initial term unless the contract documents allow it (the potential extension option was advertised) and it complies with the Procurement Act 2023.
- 15.3.2 A Framework Agreement shall only be extended if the contract documents and framework allow, and the original term and extension together should not exceed four years except in exceptional circumstances.
- 15.3.3 Where a business need has been identified which means that a contract is required to be extended beyond the term permissible in the original contract documents, advice must be sought from Welland Procurement and the Council's Legal Business Unit in the first instance and authority sought from the Monitoring Officer or the Section 151 Officer if such an extension is proposed.
- If any extension (independently or cumulative) means that the [total value](#) of a contract would exceed a threshold set out in these Rules, Officers must seek advice from Welland Procurement.
- The Officer must be satisfied that such an extension would achieve value for money and be reasonable in all circumstances. The Officer must record the reasons for these conclusions in writing (i.e., the relevant decision record).
- All extensions to a contract (that was originally above the [Public Procurement Threshold](#) and therefore advertised on OJEU or Find a Tender Service) must have a Modification Notice published. Please discuss this with Welland Procurement prior to any extension being entered.

16 The Appointment of Consultants to Provide Services

- 16.1 Consultants, including technical and management consultants, shall be selected, and commissions awarded, in accordance with the procedures detailed within these Contract Procedure Rules (relevant to the estimated [total value](#) of the consultancy contract). This includes, but is not limited to:
- Approvals obtained (as per [2.9](#) of this document)
 - A compliant competitive procurement route being followed, as per the estimated total value of the consultancy contract
 - Tender documentation being used as appropriate
 - The formation of an outcome-based specification, which must cover the scope of the requirement i.e., the services to be supplied, the “where” and “when” they are to be supplied as well as any relevant performance and contract management details. A template is available on the [procurement portal](#)
 - Terms and conditions, evaluation criteria and any relevant deadlines stated as part of the procurement process
 - Evaluation carried out fairly, as per the relevant Rule of this document
 - Carry out [due diligence](#), both at Contract Award, and for the duration of the Contract
 - The resultant contract must be added to the Council’s Contract Register (on ProContract) to ensure compliance with Transparency Regulations. Officers must then provide the Legal Business Unit with any signed paper copies of the Contract for the subsequent storage and safe keeping
 - An award notice is required on Find a Tender Service for all Contracts with a [total value](#) of £20,000 or above. If an Officer has managed the procurement process without assistance from Welland Procurement, they must formally advise them of the award details, so that they can publish the award notice
- 16.2 The engagement of a consultant shall follow the agreement of a brief that adequately describes the scope of the services to be provided (inclusive of ALL potential phases of work and associated costs) and shall be subject to completion of a formal letter or contract of appointment.
- 16.3 Consultants shall be required to provide evidence of, and maintain professional indemnity insurance policies to the satisfaction of the relevant Chief Officer after consultation with the Section 151 Officer or in his absence the Deputy Section 151 Officer for the periods specified in the respective agreement and any subsequent liability.
- 16.4 All consultancy appointments should clearly stipulate that the copyright in any report or other work or information created as a result of the contract shall be assigned by the contractor to the Council absolutely with full title guarantee.

- 16.5 It is the responsibility of the person arranging the consultancy contract to determine whether or not payments are to be made to the consultant's employer, to the consultant directly or to a personal service company (PSC; this is a limited company owned by the consultant and is commonly used to reduce tax and National Insurance liability). If payment is to be to the consultant personally or through a personal service company, advice must be sought from the Section 151 Officer and the Business Manager – HR and Training before any appointment is made.

17 Bonds and Parent Company Guarantees

- 17.1 The Contract Officer should, prior to the tender documentation being published, decide whether a performance bond or a parent company guarantee is applicable for the contract.
- 17.2 The Contract Officer must consult the Section 151 Officer about whether a Bond or Parent Company Guarantee would be necessary where the total value exceeds £75,000. This must be determined prior to any procurement process, so that the requirement can be included in the terms and conditions for the contract.
- 17.3 Where security is considered to be appropriate and required, the Contract Officer, in consultation with the appropriate officers, shall specify in the tender the nature and amount of the security to be given. This as a minimum shall be at least 10% of the total value of the contract.
- 17.4 The security shall be obtained by the contractor in a format, and from an institution or bank approved by the Section 151 Officer.

18 Certificates/Interim Payments

- 18.1 No certificate of work performed on a contract shall be raised prior to the signing of the contract, subject to compliance with appropriate contract conditions. Any exceptions to this requirement must be approved by the Monitoring Officer and the Section 151 Officer.
- 18.2 Interim payments to contractors shall only be made by the Section 151 Officer or his nominated Officer on receipt of an approved form of certificate signed by an authorised Officer.
- 18.3 Where a performance bond is required for a contract, no payment is to be made until the bond has been received. Any exceptions to this requirement must be approved by the Monitoring Officer and the Section 151 Officer.
- 18.4 Any contractual retention monies shall be deducted from payments in accordance with contract conditions.

Appendix 1: Definitions

Agent(s)	A person or organisation acting on behalf of the Council, or on behalf of another organisation.
Award Criteria	The criteria used by the Council to evaluate a Bidder's submission against the needs identified within the specification to determine the successful tender.
Award Notice	A notice published on Find a Tender and/or Find a Tender Service which provides details of the winning bidder and the total value of the contract. Award notices are required to be published on Find a Tender Service for all procurements with a total value at £20,000 or above.
Bidder	An individual or organisation who submits a tender or quotation in a competitive procurement process.
Bond	An insurance policy: If the Economic Operator does not do what it has promised under a contract with the Council, the Council can claim from the insurer the sum of money specified in the Bond (often 10% of the Total Contract Value). A Bond is intended to protect the Council against a level of cost arising from the Economic Operator's failure.
Candidate	An individual or organisation that has sought an invitation or has been invited to take part in a restricted procedure, a competitive procedure with negotiation, a negotiated procedure without prior publication, a competitive dialogue, or an innovation partnership.
Conflict of Interest	The concept of conflicts of interest shall at least cover any situation where relevant staff members have, directly or indirectly, a financial, economic, or other personal interest which might be perceived to compromise their impartiality and independence in the context of the procurement procedure.
Constitution	The Constitution sets out how the Council operates, how decisions are made and the procedures which are followed to make sure these are efficient, transparent, and accountable to local people.
Contract	A legal document that states and explains a formal agreement between two different parties.
Contracting Authority	Has the definition contained within the Procurement Act 2023 . It means the State, regional or local authorities, bodies governed by public law or associations formed by one or more such authorities or one or more such bodies governed by public law, and includes central government authorities, but does not include Her Majesty in her private capacity.

Contract Management	Is the process of managing contract creation, execution, and analysis to maximise operational and financial performance at an organisation, all while reducing financial risk.
Contract Register	A register that stores details of the Council's Contracts, including duration and expiry dates. All Contracts with a total value of £5,000 and above must be entered onto the register.
Contract Term	The length of the contract including the initial term and any extension periods proposed.
Council	Newark & Sherwood District Council.
Dynamic Purchasing System (DPS)	Is similar to an electronic framework agreement, with two exceptions, new suppliers can join at any time, and it is to be run as a completely electronic process.
Economic Operator	A contractor, a supplier, or a service provider. Any person who offers on the market supplies, services, or works and who sought, who seeks, or who would have wished to be the person to whom a public contract is awarded. In this document Economic Operators are not yet active in the procurement process. If they are active in the process, they will be named Bidders in this document.
Electronic Tendering (eTendering)	A secure means to store and transmit all Procurement Documentation via a secure electronic vault (ProContract).
Evaluation	The process of assessing received tenders or quotations against the published criteria to identify the winning bidder, i.e., the bidder with the highest evaluation score. Any subjective evaluation (such as quality) must be carried out independently by a minimum of two evaluators (preferably three), and then moderated by an independent moderator to reach a final agreed score. The evaluators should be fully briefed on the evaluation process. The 'Conflict of Interest Declaration – Confidentiality Agreement' on the procurement portal gives further guidance on evaluation principles and best practice. Welland Procurement can act as the independent moderator but cannot undertake any scoring.
Exemption	An act or instance of waiving a right to obey these Rules.
Extension (contract)	An additional period identified within the contract, beyond the initial term which may be used to lengthen the contract term.
Find a Tender	An e-notification service which has replaced OJEU, used to post, and view public sector procurement notices.

Framework Agreement	A framework is an agreement established on behalf of multiple public bodies with multiple suppliers to establish terms governing contracts that may be awarded during the life of the framework agreement. It is a general term for agreements that set out terms and conditions for making specific purchases (call-offs).
Goods	Tangible products that satisfy a need.
Initial Term	The initial period of a contract; this may be subsequently extended.
Legislation	The Procurement Act 2023, the Procurement Regulations 2024 and all other applicable legislation governing public procurement as enacted from time to time.
Locally Based Suppliers	Those suppliers that have a post code for their head office of NG or LN.
OJEU	The Official Journal of the European Union.
Parent Company Guarantee	A contract which binds the parent of a subsidiary company as follows: If the subsidiary company fails to do what it has promised under a contract with the Council, they can require the parent company to do so instead.
Personal Data	Any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
Procurement	Procurement is the process of finding, agreeing terms and acquiring goods, services or works from an external source, often via a tendering or competitive bidding process.
Procurement Documentation	The full suite of procurement documents required to undertake a compliant procurement process. Includes (but not limited to); SQ, Specification, ITT, Terms and Conditions, TUPE information and Form of Tender.
Procurement Toolkit	A document containing best practice guidance to support Officers in their commercial activity.
Proportionate/ Proportionality	Operating in a way that ensures that all aspects of a tender process and contract management including; timescales, specifications, Suitability Criteria, evaluation process and Award Criteria correspond to the size, complexity, risk, and value of the requirements of the procurement and/or contract.
Public Procurement Procedure	A procurement process where the total value exceeds the relevant Public Procurement Threshold and so governed by the Procurement Act 2023 and The Procurement Regulations 2024.

Public Procurement Threshold	The threshold above which a statutory procedure must be carried out. There are thresholds for goods/services, works and concessions. The current thresholds are contained within Appendix 2 .
Publicly Available Contract	A contract that has been let by another Contracting Authority and which is available for use by the Council. The Council must have been named specifically or generally within the procurement documentation in order to enable access.
Quotation	A formal statement setting out the estimated cost for a particular job or service.
Services	A valuable action, deed, or effort performed to satisfy a need or to fulfil a demand.
Specification	<p>An exact statement of the needs to be satisfied, or essential characteristics that a customer requires (in a good, material, method, process, service, system, or work) and which a bidder must deliver.</p> <p>The specification must cover the scope of the requirement i.e., the goods, services or works to be supplied, the “where” and “when” they are to be supplied as well as any relevant performance and contract management details. A template is available on the procurement portal.</p>
Standard Suitability Questions/Questionnaire	The set of standard suitability or selection questions referred to in PPN 08/16 which must be used in all advertised procurements.
Selection Questions/Questionnaire	
Successful Supplier/ Supplier/ Contractor/ Provider	An Economic Operator who is contracted to provide services.
Tender	A written invitation sent to potential suppliers of a good or service to inform them about the information required for the buyer to choose between them.
Terms and Conditions	General and special arrangements, provisions, requirements, rules, specifications, and standards that form an integral part of an agreement or contract.
TUPE	Stands for the Transfer of Undertakings (Protection of Employment) Regulations 2006. TUPE regulations ensure the rights of employees are transferred along with the service.
Value for Money	Where quality and cost combine to produce a service which meets technical and customer requirements, at an acceptable level of expenditure in the prevailing budgetary constraints, for an acceptable level of quality.
Variation	A modification to the scope, term and economic balance in favour of the supplier of a Contract. The limitations of

	s.74 of the Procurement Act 2023 should be borne in mind when varying a contract.
Whole Life Costs	The total cost of ownership over the whole length of the contract and sometimes beyond.
Works	As defined by the Procurement Act 2023 and The Procurement Regulations 2024 . Means means any of the activities coming within a CPV code listed in Schedule 3 The Procurement Regulations 2024 .

Appendix 2: Variable Information

The following information is subject to change and may be updated as changes occur by the relevant Director.

Further Documentation and Guidance

Available to Council Officers on the Welland Portal:

- Procurement Toolkit
- Procurement Initiation Document
- Roles and Responsibilities
- Risk Register
- A Guide to Tender Evaluation
- Electronic Tender Opening Procedures
- 2020 Guide to Contract Management
- Conflict of Interest – Confidentiality Agreement
- Awarding a Contract via a Framework Agreement
- Tender Timetable Planner
- Specification Template
- Quotation Documents (One and Four)
- Further Competition Documents (One and Four)
- Award Letter Templates
- Modification Notice Template
- Find a Tender Service Award Notice Template
- TUPE Templates
- Evaluator Schedule Templates

Public Procurement Thresholds

Details of the current Public Procurement thresholds can be found on [Proactis](#).

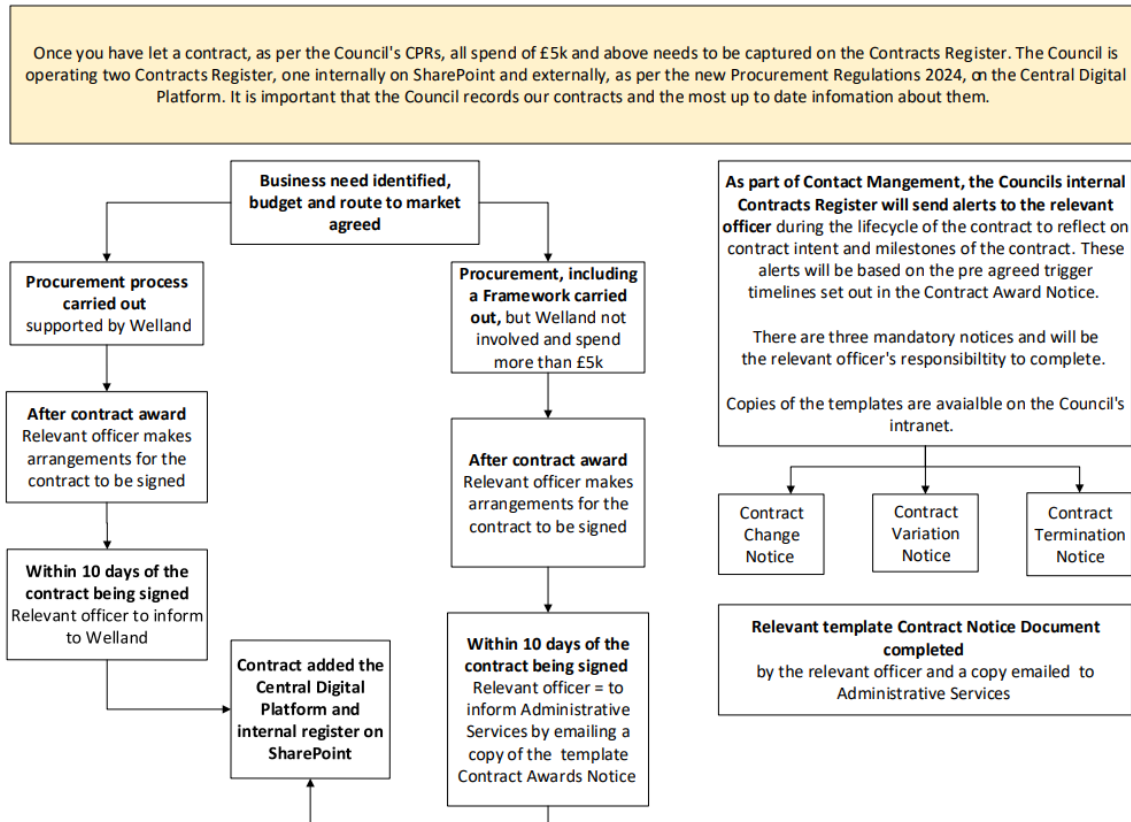
The Cabinet Office have revised the threshold figures, which came into force on 1st January 2022. These revised thresholds will not apply to any procurement which has commenced prior to the Regulations coming into force.

The proposed new threshold amounts include VAT; therefore you must check whether your commercial activity is above/below this threshold with Welland Procurement prior to any procurement process being conducted.

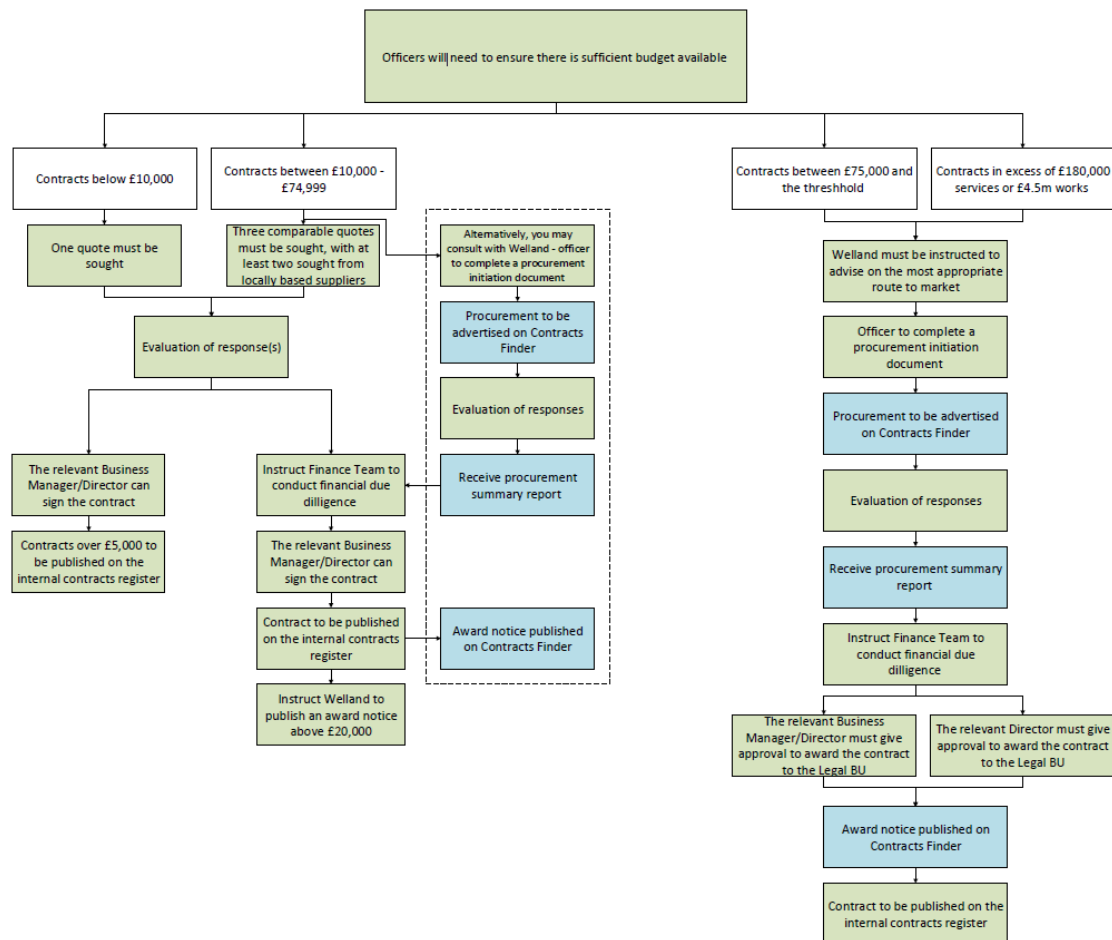
Welland Procurement

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Appendix 3: Contract Register Updates



Appendix 4: Responsibilities



1. NEWARK & SHERWOOD DISTRICT COUNCIL'S PETITION SCHEME

1.1 Introduction

The Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. A petition is defined as a communication in writing or using an electronic facility, which is signed by the appropriate number of qualifying people. All petitions sent or presented to the Council will receive an acknowledgement within 10 working days of receipt. This acknowledgement will set out what we plan to do with the petition. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition.

Paper petitions can be sent to the Chief Executive, Newark & Sherwood District Council, Castle House, Great North Road, Newark, Notts. NG24 1BY.

Petitions with less than 1,000 signatures can be presented to a meeting of the full Council on your behalf by a Councillor. These meetings take place within an annual cycle of meetings, details of which can be found at www.newark-sherwooddc.gov.uk. If you would like your petition to be presented to a full Council Meeting please contact your local Councillor asking them to present it on your behalf or contact Democratic Services on 01636 655243 or committees@newark-sherwooddc.gov.uk at least 10 working days before the Council meeting.

If your petition has received 1,000 signatures or more from people that live and/or work in the District then this will trigger a debate at full Council. If this is the case contact will be made with the lead petitioner to discuss arrangements.

If your petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures will apply.

1.2. What are the guidelines for submitting a petition?

Petitions submitted to the Council must include:

- a clear and concise statement covering the subject of the petition. The subject should be relevant to some matter in relation to which the Council has functions or which affects the area or its residents. It should also state what action the petitioners wish the Council to take; and
- the name and address (including postcode) and signature of any person supporting the petition.

Signatures are only valid for people who live, work or study within the District. In the case of an e-petition submitted via the Council's website or an alternative platform, a signature is not required but a valid email address, name, address and postcode must be supplied by each of the petitioners. Further details about e-petitions are given later in this petition scheme.

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Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition. The contact details of the petition organiser will not be placed on the website. If the petition does not identify a petition organiser, we will contact signatories to the petition to agree who should act as the petition organiser.

If you want to submit a petition to a specific meeting of the Council then you need to ensure that we receive a completed petition with details of the petition subject matter, number of signatures and your contact details 10 working days before the meeting to enable it to be submitted and included on the summons for the meeting.

Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply. If a petition does not follow the guidelines set out above, the Council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

The Council's Monitoring Officer will decide as to whether or not the guidelines referred to above have been met and therefore whether a petition should be accepted.

1.3 What will the Council do when it Receives my Petition?

An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on our website.

If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a Council debate then the acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take. If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures will apply.

To ensure that people know what we are doing in response to the petitions we receive, the details of all the petitions submitted to us will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed).

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Page B3****1.4. How will the Council Respond to Petitions?**

Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- taking the action requested in the petition
- considering the petition at a Council meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by a Cabinet Member or a committee of the Council whose remit includes the matters referred to in the petition
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition

If your petition is about something that a different Council is responsible for or over which the Council has no direct control (for example rail services or a hospital) we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other organisation, but could involve other steps. In any event we will always notify you of the action we have taken.

1.5. Full Council Debates – Petitions with More than 1,000 Signatures

If a petition contains more than 1,000 signatures it will be scheduled for debate by the Full Council. This means that the issue raised in the petition will be discussed at a meeting at which all Councillors can attend. The Council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. 15 minutes will be allocated for the debate. The Council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

The Council may consider there to be a more expedient way in which to deal with a petition which contains more than 1,000 signatures. If this is the case, the lead petitioner will be notified accordingly—, and the petition will be presented to Full Council together with confirmation of the action taken.

1.6. Presentation of Petitions at Full Council – Petitions with Fewer than 1,000 Signatures

Your petition may not have the requisite number of signatures to trigger a Council debate. However, your petition can still be presented to a meeting of the full Council. When you are satisfied that your petition meets all of the criteria you should contact your local Ward Councillor or appropriate Member to request the submission of the petition to the next full Council Meeting. Democratic Services can also approach the relevant Councillor on your behalf.

The Member being asked and wishing to present the petition should satisfy themselves that the petition meets the guidelines for petitions as set out in this Scheme and notify the Chief Executive, prior to the full Council meeting that they intend to present the petition. They have a maximum of 1 minute in which to present the petition to the full Council meeting. The petition organiser does not have a right to present the petition to the full Council meeting and there will be no debate.

1.7. E-Petitions

The Council welcomes e-petitions which are created through our website www.newark-sherwooddc.gov.uk/epetitions. For these the petition organiser must provide us with their name and address (including postcode) and email address. You will also need to decide how long you would like your petition to be open for signatures. Most petitions run for six months, but you can choose a shorter or longer timeframe up to a maximum of 12 months. When you create an e-petition it will take up to 5 working days before it is published on the website. This is because we have to check that the content of your petition before it is published online. If we feel that we cannot publish your petition for some reason we will contact you within this time to explain. You will be able to change and resubmit your petition if you wish. If you do not do this within 10 working days, a summary of the petition and the reason why it has not been accepted will be published on the website.

When an e-petition has closed for signature it will automatically be submitted to Democratic Services. In the same way as a paper petition, you will receive an acknowledgment within 10 working days. You can see all the e-petitions currently available on the website www.newark-sherwooddc.gov.uk/epetitions. When you sign the e-petition you will be asked to provide your name, postcode and a valid email address.

E-Petitions from alternative platforms may be accepted providing the guidelines at paragraph 1.2 above are met, or at the discretion of the Monitoring Officer in exceptional circumstances.

1.8. What can I do if I feel my Petition Has Not Been Dealt with Properly?

Depending on the nature of any concerns raised, the matter may be considered under the corporate complaints procedure, or another appropriate procedure.

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NEWARK & SHERWOOD DISTRICT COUNCIL

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MAY 2022Part D – Council Procedure Rules
Page D2**3. Business to be Conducted****3.1 Petitions**

- 3.1.1 In accordance with the Council's published Petition Scheme (attached at Part B Section 1 of this Constitution) petitions with less than 1,000 valid signatures can be presented to the Council, and will be received but not debated. Petitions with more than 1,000 valid signatures can be presented to the Council for debate, ~~without presentation~~ as set out below.
- 3.1.2 A petition must be signed by persons other than members of the Council, and be relevant to some matter in relation to which the Authority has functions, or which affects the area of the Authority, or part of it, or the inhabitants of that area, or some of them.
- 3.1.3 A Member wishing to present a petition shall satisfy himself/herself that the petition is proper to be received. The Member shall give notice of his/her intention to present to the Chief Executive at least six clear working days before meeting at which he/she wishes to present it.
- 3.1.4 Petitions shall be presented in the order in which notice of them is received by the Chief Executive.
- 3.1.5 The presentation of any petition ~~of less than 1,000 signatures~~ shall be limited to not more than one minute, and shall be confined to reading out or summarising the purpose of the petition, indicating the number and description of the signatories, and making such further supporting remarks relevant to the petition as the Member presenting it shall think fit. ~~There will be no debate.~~
- 3.1.6 The Council will limit debate on any petition of more than 1,000 signatures to a maximum of 15 minutes and will close the debate with an agreed course of action, which will normally be to refer the matter to Cabinet or the relevant Portfolio Holder for further consideration, or to note the petition.
- 3.1.7 A report back to Council noting the outcome of any consideration by Cabinet, the relevant Portfolio Holder or Committee will be brought to the next appropriate meeting.

3.4 Motions**3.4.1 Motions on Notice****Scope**

- (a) Motions must be about matters for which the Council has a direct responsibility or duty, or that directly impact on the Council's residents where the Council may have the ability to influence.

(b) It shall be the duty of the Monitoring Officer, after consultation with the Chair, to refuse to accept any motion or amendment to a motion which they deem to be illegal, improper, vexatious or out of order.

(c) A valid motion must:

- a. Not seek to alter or reverse any Executive decision unless it is contrary to the Policy Framework or contrary to or not wholly consistent with the budget
- b. Not be substantially the same (in terms of subject matter or scope) as a motion already submitted, or a substantive item already on the meeting's agenda, or one that has been put to a meeting of the Full Council (whether passed or not) in the past 6 months
- c. Not relate to a planning application or any other quasi-judicial matter
- d. Not require disclosure of confidential or exempt information
- a-e. be in accordance with any guidance issued by the Monitoring Officer and/or the Section 151 Officer

3.4.2 Motions to Reverse Decisions

- (a) Council decisions are final and should normally not be altered or amended for 6 months. However, where a decision proves to be unworkable or not in the best interests of the Council and its communities for whatever reason a further report on the issue can be brought back to Full Council for further consideration with the agreement of the Council's Chair and Vice Chair.
- (b) Alternatively, a notice of motion may be submitted in writing endorsed by at least twelve Councillors. This must be submitted to the Chief Executive not later than noon 8 days before the meeting at which it is intended to be moved. The Chief Executive will determine to what extent the decision has already been implemented and whether it would be practicable for the decision to be reversed or rescinded. When any such motion or amendment has been dealt with, no similar motion or amendment may be proposed within a further period of 6 months.

3.4.3 Notice

- (a) Except for motions which can be moved without notice under Rule 4.11 below or during debate under Rule 4.10 below, written notice of every motion, must be delivered by hand or e-mail, using the motions template available from Democratic Services to the Chief Executive **not later than noon 5 clear working days** before the Council meeting at which it is to be considered. It is recommended that early advice is sought from Democratic Services on the validity of motions.

- (b) Written notice of a motion to move an amendment of the Cabinet's proposals for the Council's General Fund Budget and Precept or Housing Revenue Account Budget and Rent Setting, must be delivered to Democratic Services **not later than midday 3 working days before the Council meeting at which it is to be considered** for financial comments to be added. The Section 151 Officer will comment whether the alternative proposals are reasonably calculated and sufficiently deliverable as to be robust and sustainable in the medium term and continue to ensure that reserves are maintained at an adequate level which protects the Council's financial standing. Once financial comments have been added, the amendment will be circulated at the earliest opportunity for all Members of full Council and where possible published on the Council's website. Motions received after the deadline will only be considered in exceptional circumstances and with the approval of the Chair, Section 151 Officer and Monitoring Officer. Motions under this Rule will be dealt with in the order in which they were received unless this proves unworkable for any reason, in which case the Chair has discretion on how to deal with Motions.

3.4.4 Motion Set Out in Agenda

- (a) Motions for which notice has been given will be listed on the agenda in the order in which they were received.
- (b) Where notice of a motion has been given for any meeting and it is not moved and seconded either by the members who gave the notice or by some other members on their behalf it shall, unless postponed by consent of the meeting, be treated as withdrawn and shall not be moved without fresh notice

3.4.5 Motions Without Notice

Some motions may be moved without notice to facilitate the business of the meeting, or during debate. See 4.11 and 4.10 below.

4.6 Amendments to Motions

- 4.6.1 An amendment to a motion must be relevant to the motion and will either be:-
- a. to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - b. to leave out words;
 - c. to leave out words and insert or add others; or
 - d. to insert or add words

as long as the effect of b. to d above is not to negate the motion or to introduce a new motion.

- 4.6.2 Except for minor amendments that arise during the meeting and are designed to correct a factual error, or to make the motion more acceptable to Councillors, notice of an amendment must be given in writing using the amendment template available from Democratic Services, as early as practicable before the Full Council meeting. It is recommended that early advice is sought from Democratic Services on the validity of amendments. If accepted as valid, and subject to the relevant Member's consent, the amendment will be circulated to all members as soon as practicable.

4.6.2a At the request of two members of Council or the Chair, an amendment proposed during the meeting may be required to be put in writing and circulated to all members at the meeting before it is discussed.

- 4.6.3 Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.

- 4.6.4 If an amendment is not carried, other amendments to the original motion may be moved.

- 4.6.5 If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

- 4.6.6 After an amendment has been carried, the Chair will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

NOTICE OF MOTION FOR FULL COUNCIL

See [Part D of the Council's Constitution – Council Procedure Rules](#) – for the rules on motions

Title of Motion:	<i>Consider an appropriate title which reflects the proposed actions of the motion</i>
-------------------------	--

Date of Council meeting:	
---------------------------------	--

Proposer of Motion: (Name, and signature if hard copy submitted)	<i>Any signatures will be removed from the version printed in the Council book</i>
--	--

Seconder of Motion: (Name, and signature if hard copy submitted)	<i>See above</i>
--	------------------

Background/supporting information (maximum 300 words):

Include here any relevant information in support of the recommendations to be considered by the Council, (which should be specific to the active part of the motion) ensuring it provides enough information for the Council to make a lawful decision. E.g. if the decision would have a financial cost to the Council if agreed, that needs explaining here including where the money would come from.

Statements of belief etc attributed to the Council are not appropriate, this section should be factual in nature. Any statistical information must reference recognised and verifiable sources and include links where possible.

Note this section of the motion cannot be amended and it will not be included in the minutes.

Motion to be proposed (active section):
--

This should be the actions the Council are being asked to take, similar to recommendations in Council reports. Examples of actions - the Council can be asked "to note", "to agree", "to endorse" "to call upon" "to write to". The matter could also be referred to the relevant Cabinet Member / Policy and Performance Improvement Committee for consideration.

Where there is more than one action, each part should be separated out with a number: e.g.:

- 1. That the Council agrees / notes / endorses / calls upon*
- 2. That the Council writes to*
- 3. That the Council refer the matter to...*

Note this section can be amended and it will be included in the minutes.

Date and time received: (for completion by Democratic Services)	
---	--

AMENDMENT TO MOTION FOR FULL COUNCIL

See [Part D of the Council's Constitution – Council Procedure Rules](#) – for the rules on amendments

Title of Motion (or report with recommendations) to be amended:

Date of Council meeting:

Proposer of Amendment:
(Name, and signature if hard copy submitted)

Any signatures will be removed from the version printed in the Council book

Seconder of Amendment:
(Name, and signature if hard copy submitted)

See above

Amendment to be proposed to the Motion (active section):

This should include a version showing tracked changes to the original recommendations and a "clean" version of the amendment showing what it would be if it were agreed. Democratic Services will provide a Word version of the original recommendations on request.

The text must meet the requirements of a valid amendment as set out in the Council's Constitution.

Date and time received:
(for completion by Democratic Services)

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APPENDIX G**

7.4 LICENSING COMMITTEE

Rules

- The Committee Procedure Rules and the Access to Information Procedure Rules shall apply to the Licensing Committee and as applicable to its Sub-Committees.

Membership, Chair and Quorum

Number of Members	15
Substitute Members Permitted	No
Political Proportionality Rules Apply	Yes
Appointments/Removals	Resolution of full Council
Restrictions on Chair/Vice-Chair	None
Quorum	One quarter (1/4) of the committee members rounded up
Number of Ordinary meetings per Council Year	At least 4 per year (1 per quarter)
Standing Sub-Committee	<p>Licensing Act and Hackney Carriage and Private Hire Hearing Panels</p> <p>Five members (with a quorum of three) to be drawn from the membership of the Licensing Committee.</p> <p>The Sub-Committee shall have full delegated authority to carry out the same functions and have the same powers as the full committee in respect of those matters</p>

Remit and Terms of Reference

1. To discharge those functions set out in the Licensing Act 2003.
2. To discharge those functions set out in the Gambling Act 2005.
3. To discharge functions under the Local Government (Miscellaneous Provisions) Act 1976.
4. To review fees and charges and recommend approval to Full Council.
5. All non-executive functions of the Council with regard to:
 - a) Environmental Health
 - b) Health and Safety at work (other than the exercise of the functions of the Council in the capacity of employer)
 - c) Food hygiene and safety
 - d) Animal health and hygiene

6. The determination of applications for licences, approvals, consents, permission or registration of the direct regulation of any person or the enforcement of the same in relation to contaminated land, control of pollution, air quality and noise and statutory nuisance listed in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (“the Regulations”).
7. All non executive functions of the Council with regards to the licensing and registration of :
 - a) caravan sites
 - b) hackney carriage and private hire vehicle licences, drivers and operators
 - c) betting, gaming and lotteries
 - d) theatres and cinemas
 - e) Sexual Entertainment Venues
 - f) Street trading and markets
 - g) House to house collections
8. The power to make a closing order on a takeaway food shop (this function is delegated to Officers).
9. Making recommendations to the Council on the adoption of bylaws within the remit of Licensing
10. The passing of a resolution that schedule 2 to The Noise and Statutory Nuisance Act 1993 should apply in the authority’s area
11. All other licensing functions listed in Part B of Schedule 1 to the Regulations other than those relating to streets and highways.
12. To make recommendations to the Cabinet and Council insofar as it impacts on the role and remit of the Council.

The Licensing Committee has approved a scheme of delegation in respect of Licensing Act matters as follows:

Matter to be Dealt with	<u>Full Committee</u>	<u>Sub Committee</u>	<u>Officers</u>
Application for Personal licence		If a police objection	If no objection is made
Application for personal licence with unspent convictions			
Application for premises licence/club premises certificate	If a relevant representation is made that means the creation of a new Saturation Zone	If a relevant representation is made	If no relevant representation is made
Application for provisional statement	If a relevant representation is made that means the creation of a new Saturation Zone	If a relevant representation is made	If no relevant representation is made
Application to vary premises licence/club premises certificate	If a relevant representation is made that means the creation of a new Saturation Zone	If a relevant representation is made	If no relevant representation is made
Application to vary designated personal licence holder		If a police objection	All other cases
Request to be removed as designated personal licence holder			All cases
Application for transfer of premises licence		If a police objection	All other cases
Application for interim authority		If a police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint or			All cases

objection is irrelevant, frivolous, vexatious etc.			
Decision to object when Local Authority is a consultee and not the lead authority		All cases	
Determination of a police representation to a temporary event notice		All cases	

The scheme of delegation will normally be adhered to but may be varied in exceptional circumstances and having regard to any relevant statutory requirements.

NOTE:

Where an Officer has delegated authority to deal with any matter falling within the remit of this Committee, the matter will normally be dealt with by that Officer, exercising delegated powers, unless, in the opinion of that Officer, the matter is likely to give rise to significant controversy or the nature of the decision is such that, in his or her opinion, it should be referred to Committee for determination.

**Licensing Act and Hackney Carriage and Private Hire Hearing Panel
Composition**

a) A Hearing Panel will be drawn from the membership of the Licensing Committee on an ad hoc basis.

b) Members of the Hearing Panel will be selected based on availability respecting political balance where possible.

c) Members representing a Ward in which the application premises are situated will not be selected.

d) Each selected Member shall be asked to confirm their attendance. If confirmation cannot be given then the next Member alphabetically will be selected.

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7.4 LICENSING COMMITTEE

Rules

- The Committee Procedure Rules and the Access to Information Procedure Rules shall apply to the Licensing Committee and as applicable to its Sub-Committees.

Membership, Chair and Quorum

Number of Members	15
Substitute Members Permitted	No
Political Proportionality Rules Apply	Yes
Appointments/Removals	Resolution of full Council
Restrictions on Chair/Vice-Chair	None
Quorum	One quarter (1/4) of the committee members rounded up
Number of Ordinary meetings per Council Year	At least 4 per year (1 per quarter)
Standing Sub-Committee	Licensing <u>Act and Hackney Carriage and Private Hire</u> Hearing Panels <u>five members (with a quorum of three) to be drawn from the membership of the Licensing eCommittee.</u> <u>The Sub-Committee shall have full delegated authority to carry out the same functions and have the same powers as the full committee in respect of those matters</u>

Remit and Terms of Reference

- To discharge those functions set out in the Licensing Act 2003.
- To discharge those functions set out in the Gambling Act 2005.
- To discharge functions ancillary matters under the Local Government (Miscellaneous Provisions) Act 1976.
- To fix review fees and charges and recommend approval to Full Council.
- All non-executive functions of the Council with regard to:
 - Environmental Health
 - Health and Safety at work (other than the exercise of the functions of the Council in the capacity of employer)
 - Food hygiene and safety
 - Animal health and hygiene
- The determination of applications for licences, approvals, consents, permission or registration of the direct regulation of any person or the enforcement of the same in relation to contaminated land, control of pollution, air quality and noise and statutory nuisance listed in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 ("the Regulations").

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7. All non executive functions of the Council with regards to the licensing and registration of :

a) caravan sites,

—hackney carriage and private hire vehicle licences, drivers and operators, entertainm-ents

b) ents,

c) hackney carriage and private hire vehicle licences, drivers and operators,

d) betting, gaming and lotteries,

e) theatres and cinemas

f) Sexual Entertainment Venues

g) Street trading and markets

h) House to house collections

8. All other licensing functions listed in Part B of Schedule 1 to the Regulations other than those relating to streets and highways.

4.9. The passing of a resolution that schedule 2 to The Noise and Statutory Nuisance Act 1993 should apply in the authority's area

2-10. To make recommendations to the Cabinet and Council insofar as it impacts on the role and remit of the Council.

NOTE:

~~There is no statutory requirement for the Licensing Committee to be politically balanced but the Council has resolved to apply political balance roles of the membership of the Committee where possible.~~

The Licensing Committee has approved a scheme of delegation in respect of Licensing Act matters as follows:

Matter to be Dealt with	Full Committee	Sub Committee	Officers
Application for Personal licence		If a police objection	If no objection is made
Application for personal licence with unspent convictions			
Application for premises licence/club premises certificate	If a relevant representation is made that means the creation of a new Saturation Zone	If a relevant representation is made	If no relevant representation is made
Application for provisional statement	If a relevant representation is made that means	If a relevant representation is made	If no relevant representation is made

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	the creation of a new Saturation Zone		
Application to vary premises licence/club premises certificate	If a relevant representation is made that means the creation of a new Saturation Zone	If a relevant representation is made	If no relevant representation is made
Application to vary designated personal licence holder		If a police objection	All other cases
Request to be removed as designated personal licence holder			All cases
Application for transfer of premises licence		If a police objection	All other cases
Application for interim authority		If a police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint or objection is irrelevant, frivolous, vexatious etc.			All cases
Decision to object when Local Authority is a consultee and not the lead authority		All cases	
Determination of a police representation to a temporary event notice		All cases	

The scheme of delegation will normally be adhered to but may be varied in exceptional circumstances and having regard to any relevant statutory requirements.

[Licensing Act and Hackney Carriage and Private Hire Hearing Panel Composition](#)

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- a) A Hearing Panel will be drawn from the membership of the Licensing Committee on an ad hoc basis.
- b) Members of the Hearing Panel will be selected based on availability respecting political balance where possible.
- c) Members representing a Ward in which the application premises are situated will not be selected.
- d) Each selected Member shall be asked to confirm their attendance. If confirmation cannot be given then the next Member alphabetically will be selected.

7.5 — Licensing and Environment GENERAL PURPOSES COMMITTEE**Rules**

The Committee Procedure Rules and the Access to Information Procedure Rules shall apply to the General Purposes Licensing and Environment Committee and as applicable to its Sub-Committees.

Membership, Chair and Quorum

<u>Number of Members</u>	<u>15</u>
<u>Substitute Members Permitted</u>	<u>No</u>
<u>Political Proportionality Rules Apply</u>	<u>Yes</u>
<u>Appointments / Removals</u>	<u>Resolution of full Council</u>
<u>Restrictions on Chair/Vice-Chair</u>	<u>None</u>
<u>Quorum</u>	<u>One quarter (1/4) of the committee members rounded up</u>
<u>Number of Ordinary Meetings per Council Year</u>	<u>At least 4 per year (1 per quarter) with sub committees being arranged as and when required by law.</u>
<u>Standing Sub-Committee</u>	<u>Hackney Carriage/Private Hire Vehicle Sub-Committee</u> <u>Five members (with a quorum of three) to be drawn from the membership of the General Purposes Licensing and Environment Committee.</u>

Remit and Terms of Reference

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- ~~— To make recommendations to the Cabinet and Council insofar as it impacts on the role and remit of the Council.~~
 - ~~— To fix fees and charges~~
 - ~~— All non-executive functions of the Council with regard to:~~
 - ~~Environmental Health~~
 - ~~Health and Safety at work (other than the exercise of the functions of the Council in the capacity of employer)~~
 - ~~Food hygiene and safety~~
 - ~~Animal health and hygiene~~
 - ~~— local authority licensing functions and ancillary matters other than those falling within the remit of the Licensing Committee including~~
 - ~~— The determination of applications for licences, approvals, consents, permission or registration of the direct regulation of any person or the enforcement of the same in relation to contaminated land, control of pollution, air quality and noise and statutory nuisance listed in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 ("the Regulations");~~
 - ~~— All non-executive functions of the Council with regards to the licensing and registration of:~~
 - ~~caravan sites,~~
 - ~~hackney carriage and private hire vehicle licences, drivers and operators, entertainm~~
 - ~~ents,~~
 - ~~betting, gaming and lotteries,~~
 - ~~theatres and cinemas~~
 - ~~Sexual Entertainment Venues~~
 - ~~Street trading and markets~~
 - ~~House to house collections~~
1. ~~All other licensing functions listed in Part B of Schedule 1 to the Regulations other than those relating to streets and highways.~~
 2. Commons regulation and town and village greens
 3. Health and safety regulations (otherwise than as employer)
 4. Contaminated land and statutory nuisances (excluding policy issues)
 5. The power to apply for an enforcement order against unlawful works on registered common land under Section 41 of the Commons Act 2006.
 6. The power to protect unclaimed registered common land and unclaimed town or village greens against unlawful interference under Section 45(2)(a) of the 2006 Act (Section 45 re-enacted, with amendments, the more familiar Section 9 of the Commons Registration Act 1965 with effect from 1st October 2006).
 7. The power to institute proceedings for offences in respect of unclaimed land under Section 45(2)(b) of the 2006 Act.

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~~8. All matters relating to the consideration and granting of Sexual Entertainment Venues licences. Check why deleted~~

9.1. The power to make a closing order on a takeaway food shop (this function is delegated to Officers). Check if in scheme of delegation

10.2. Making recommendations to the Council on the adoption of bylaws within the remit of Licensing

~~11. Functions relating to parishes, elections and electoral registration~~

~~12. Functions relating to Polling Station reviews~~

~~13. Functions relating to Community Governance Reviews~~

~~14. Making recommendations to Council relating to the name and status of areas and individuals~~

~~15. Making recommendations to Council on the promotion or approval of local bill.~~

~~16. Making recommendations to the Council as to recommendations to the Secretary of State on district boundaries, ward boundaries, electoral divisions, wards or polling districts~~

17.3. To make recommendations to the Cabinet and to Council on the budget insofar as it impacts on the role and remit of the Committee.

NOTE:

Where an Officer has delegated authority to deal with any matter falling within the remit of this Committee, the matter will normally be dealt with by that Officer, exercising delegated powers, unless, in the opinion of that Officer, the matter is likely to give rise to significant controversy or the nature of the decision is such that, in his or her opinion, it should be referred to Committee for determination.

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7.5.1 Hackney Carriage/Private Hire Vehicle Sub-Committee

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Remit and Terms of Reference

To deal with all matters relating to Hackney Carriage/Private Hire Vehicle Licence
applications and

SECTION 4: OTHER BODIES

1. Tenant Engagement Board

The membership of Tenant Engagement Board includes Council Tenants and is an important way for the Council to engage with residents. Its terms of reference are included in the Public Engagement section of this Constitution.

2. The Planning Policy Board

Rules

- The Planning Policy Board is an advisory body and has no decision-making authority.
- The Committee Procedure Rules and The Access to Information Procedure Rules are not applicable.

Membership, Chair and Quorum

Number of Members	7 9
Substitute Members Permitted	No
Political Proportionality Rules Apply	No
Appointments / Removals	The relevant committees will make appointments annually
Restrictions on Membership (see Note)	The Planning Policy Board shall comprise:- <ul style="list-style-type: none"> • Portfolio Holder for Sustainable Economic Development • 3-4 Members from the membership of the Council appointed by the PPI Committee • 3-4 Members of the Planning Committee including the Chair and Vice-Chair
Restrictions on Chair/Vice-Chair	Portfolio Holder for Sustainable Economic Development
Quorum	3
Number of Ordinary Meetings per Council Year	At least 4 per year

Remit and Terms of Reference

1. To act in an advisory capacity to the Portfolio Holder for Sustainable Economic Development and Officers in the preparation, publication and submission of the Council's Development Plan. The Development Plan is made up of Development Plan Documents, these can be a single document known as the Local Plan or a number of documents covering particular locations of subject areas.
2. To oversee the preparation of the Development Plan including development targets, allocations of land for new development, planning policies for the determination of planning applications and the planning policies map which

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details where such land allocations and planning policies apply within the District of Newark & Sherwood.

3. To provide strategic overview of the production of those documents which will comprise the Development Plan.
4. To provide strategic overview of the production of those documents which will support the production and implementation of the Development Plan.
5. At the discretion of the Chair, Members of the Council who are not members of the Planning Policy Board may be invited to its meetings and / or consulted on matters pertaining to the Development Plan which may affect their Wards.

Note

When considering nominations for membership of the Board, Members should seek to achieve geographical coverage of the District and balanced political representation as far as reasonably possible.

Acquisitions & Disposals Policy E91

ACQUISITIONS AND DISPOSALS POLICY

November 2021

Date for Review: November 2023

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1. Introduction

~~1.1. Acquisitions of land and property are an essential part of enabling the Council to provide a service to the residents of Newark and Sherwood and in delivering the aims and objectives set out in the Community Plan. An adopted The purpose of this Acquisitions and Disposal Policy ("Policy") is to act as a framework to instruct Members, officers, third parties and members of the public on the Council's adopted approach on the acquisition and disposal of property (including land and built assets). This Acquisitions and Disposals Policy is necessary, in order to ensure that acquisitions and disposals are performed with due consideration of current legislation, financial controls and best practice whilst ensuring that the aims of the Community Plan are achieved.~~

~~1.1.~~

~~1.2. The purpose of the policy is to act as a framework to instruct Members, officers, third parties and members of the public on the Council's adopted approach on the acquisition and disposal of property (including land and built assets).~~

~~1.2. This Policy covers property assets held by both the General Fund Account ("GF") and the Housing Revenue Account ("HRA") and the appropriation from the HRA to GF. The HRA is a ring-fenced account and as such stands separate from the GF. Before any disposal is progressed under this Policy the land/property responsibility must be established and the appropriate Estates Team identified.~~

1.3. This ~~p~~Policy will cover the acquisition and disposal of freehold or leasehold interests (including for the avoidance of doubt lease renewals, surrenders and assignments of leases and including easements and covenants) in property (land and buildings). The ~~p~~Policy does not cover the acquisition of goods, services or items required to perform service delivery by the Council as this is already covered by the Contract Procedure ~~r~~Rules of the Council.

1.4. The ~~p~~Policy focuses on the principal processes of acquisitions and disposals, ~~authority routes and~~ roles/responsibilities within the Council and appropriate delegations for decision making.

~~1.5. Any reference to the 'Estate Team' will mean either on behalf of the the Estates Team of the Corporate Property Business Unit or Housing Business Units depending on the type of property or scenario of acquisition or disposal in question. In most circumstances this will be the Corporate Property Business Unit for GF assets and the Housing Business Units for HRA assets.~~

~~1.5. A reference to Service Department shall mean any department/ Business Unit occupying or using the property being considered for acquisition or disposal.~~

1.6. All the steps taken to comply with this ~~p~~Policy should be set out in the report to the relevant decision maker so that they have all the information needed to make a robust decision, including any cross reference to the Financial

Regulations. These reports should include Legal and Financial Implications, provided by the relevant Business Unit.

1.7. In this Policy where there is reference to either land or property, these can be used interchangeably.

1.8. A wide range of legislation and case law applies to local authority land transactions. For that reason, legal advice should always be sought at the earliest opportunity to ensure that all implications can be identified.

1.9. Any disposal or acquisition transaction under this Policy may be subject to fees that need to be recovered including legal fees.

2. **Disposals**SPOSALS

2.1. For the purposes of this Policy Disposals are considered to include but are not limited to:

- A sale of a freehold interest
- Grant of a lease
- Assignment of any expired term of a lease
- The grant of an easement

2.2. Properties disposed of under the Right to Buy are excluded from this Policy as their disposal is prescribed under the Housing Act 1985 (as amended).

2.3. Surplus Property

2.3.1. Where is it identified that property could be surplus then the following test should be applied.~~The test for declaring a property to be surplus.~~ One or more of the following key criteria should be considered to be met in order to progress a disposal of Council property:

- (a) The property makes little or no contribution to the Council's service delivery, aims or objectives within the Community Plan and cannot be appropriated for planning purposes under section 122 Local Government Act 1972.
- (b) The property generates little to no income or / produces a loss and has limited regeneration potential.
- (c) An alternative site has been identified which would achieve a more ~~cost~~ efficient ~~cost-efficient~~ way of delivering this service for the Council.
- (d) Its disposal is important for the delivery of organisation aims/~~objectives~~ such as those set out in the Community Plan.
- (e) The property is deemed to be an underperforming asset with either under-utilisation of space at low capacity or that the financial cost to retain property is too significant, the income generation possibilities are too low with a greater return/ cost saving being achievable through disposal of the property.

2.3.2. Any property can be identified as surplus by either a Business Manager for a particular service in consultation with the Estates Team Business Manager, Business Manager for Corporate Property or Business Manager for Housing.

The case for disposal will need to be clearly set out and must include the criteria for disposal, as set out in this Policy.

2.4. Review of disposal constraints

2.4.1. Once a property has been identified as being potentially surplus the Estates Team will establish whether there are any constraints on the site that would limit or even prevent disposal. This could include such as legal, planning, statutory authorities, government policy, and/or financial constraints, (such as the property having been the subject of funding in the past that necessitates the repayment of grant monies) and should be in consultation with the relevant Business Units. If such constraints are found that prevent disposal, alternative options may need to be considered and pursued, as part of the options appraisal for disposal.

2.5. Initiation period.

2.5.1. Where appropriate Business Units occupying a property shall give the Estates Team at least three months written notice of their intention to vacate property. ~~In instances where properties are leased in by the Council, Estates will send a trigger notice to the occupying service and a joint decision will be taken as to whether to renew the lease.~~ On notification of a Service Department Business Unit vacating a property, the Estates team will carry out a survey of the property to inform any works or holding costs required during the disposal process. A full inventory of compliance documentation and servicing is required from the Service Department Business Unit at the point of handover. All holding costs and additional compliance/ remedial works to the property will be covered by the departing Service Department Business Unit's budget. The Service Department Business Unit must leave the property in a clean and tidy condition to the satisfaction of the Estates team.

2.5.2. Once a property ~~is declared~~ has been identified as surplus ~~by a Service Department where appropriate~~ the Estates Team ~~will~~ instigate a process of engagement with other ~~departments Business Units~~ for future Council use. As part of the options appraisal for disposal, an approach will also be made to the Housing Revenue Account Development Team and the Council's preferred housing developer Arkwood Developments Limited, for consideration of development options. If appropriate, then Third Sector interest, Ward Members, Public Sector partners, local Parish & Town Councils and tenants of the property will be contacted before seeking formal approval to sell on the open market. This does not apply to investment property where decisions will be made on a financial return basis and often only a short to medium term investment lease will be offered to perspective tenants.

2.5.2.2.5.3. Where it is decided to negotiate a disposal to a single party (identified by paragraph 2.5.2) rather than offer it on the open market then this needs to be referred to in any decision. When negotiations take place with the interested party in order to reach an agreed sale price and the provisions of paragraph 2.7.1 still apply.

2.6 Public Open Space Engagement Requirements

- 2.6.1. Public open space is defined as any land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground¹. Disposals of open space pursuant to Sections 123(2A) of the Local Government Act 1972 and ~~(where the land was acquired or appropriated for planning purposes)~~ section 233(4) of the Town and Country Planning Act 1990 ~~("the 1990 Act")~~ require a local authority wishing to dispose of open space to advertise its intentions in a local newspaper for at least two consecutive weeks and to consider objections. This is to be undertaken before making any final decisions about disposal as the public response to the notices may be material to any such decision. Where there are a significant number of objections to a disposal of open space then it should be referred to Cabinet for decision. It could also be an important factor in any determination by the Secretary of State of an application for specific consent.

2.7. Disposal Valuation and Marketing.

- 2.7.1. ~~Where it is decided to negotiate a disposal to a single party (such as the Housing Revenue Account or to Arkwood Development Limited), rather than offer on the open market, a~~An independent valuation should be carried out by a suitably trained member of the Royal Institution of Chartered Surveyors, where possible, a minimum of two valuations should be obtained for review and agreement by the Estates Business Manager. ~~Negotiations should then take place with the interested party in order to reach an agreed sale price.~~ The final agreed price should be as close to the initial valuation as possible. If there are valid reasons on why the initial valuation figure was not reached then these should be recorded and if necessary the valuation report amended to reflect this. Where there is a significant difference between the final negotiated-agreed price and the independent valuation figures then, to protect the Council's interest in the event of subsequent sales, the agreement to sell should include, as appropriate, mechanisms which protect the Council's future interests as advised by Legal Services. ~~an asset lock, claw back or uplift clause, restrictive covenants, ransom strip retention, user rights or right of pre-empti~~
- 2.7.2. The preferred route for any disposal is that the property is marketed for a period of time by the Estates team or by a suitably trained and knowledgeable appointed agent in order to ensure that the best possible offers are received for the property before considering other methods of disposal.

2.8. Method of Disposal.

¹ s.336 of the Town and Country Planning Act 1990 (as amended)

2.8.1. The most appropriate method of disposal should be adopted from the following, taking into account the advice on marketing strategy from a RICS surveyor:

- (a) Private Treaty – Where there is limited interest and a narrow valuation band. Where appropriate, sales may be conducted by private treaty where a marketing exercise has already been undertaken by a minimum of two RICS Surveyors.
- (b) Auction – Where there is wide interest and if this method of sale is considered to be best to attract the highest price. The property is marketed as part of an external auction process. A reserve price will be set except in exceptional circumstances and where approved by the decision maker.
- (c) Formal Tender – Where there is wide interest, land ownership is not complex, no uncertainties regarding the grant of planning permission, and a wide valuation band. Under this method, the Council would invite sealed bids which are opened at the same time. The Council and the purchaser then enter into a contract under which the purchaser usually pays a 10% deposit.
- (d) Informal Tender - Where there is a need to identify a preferred bidder and enable further detailed terms to be determined. This method will be appropriate where there are uncertainties such as planning, and, large or complex redevelopment sites. The Council invites offers, which are opened together, immediately following the closing date for the bids specified in the Tendering process. If a higher unsolicited offer is subsequently received all parties may be asked to resubmit.
- (e) Occasionally, a limited marketing exercise may be used where the land or property has already been subjected to open market testing or following short-listing after initial expressions of interest exercise or there are known to be a limited number of purchasers.
- (f) Leasehold disposal. In certain circumstances, it may be appropriate to dispose of property on a leasehold basis. This is particularly relevant where a property may be required to fulfil a service need in the future or if the property is held for investment, community provision or economic growth purposes. Lease terms can be flexible to suit the occupational requirements but should be on a market rental value basis (unless if there is justification for deviation from this on the grounds listed in paragraph 2.10 of this policy). Leases should also be contracted out of security of tenure provisions of the Landlord and Tenant Act 1954, where possible, to avoid creating secure tenancies.

2.9. De minimis Disposals.

- 2.9.1. In circumstances where a low value disposal is identified but for the avoidance of doubt, under £10,000, (at less than £15,000) such as garden land within the HRA estate, boundary rectification or infrastructure adoptions these de minimis transactions are recommended to be dealt with in house by the Estates Team; to be approved by the Corporate Property/ Housing Business Manager for the relevant Estates' Team and the s151 Officer. For any land disposals the Estates team can be requested to handle a disposal subject to appropriate time/resource. A valuation will be carried out by the Estates Team using comparable evidence of transactions previously conducted by the

Council and industry comparables in order to evidence that market value is being achieved. Infrastructure adoptions such as pump stations will be dealt with by the relevant Estates Team managing the property served by the infrastructure, depending on which property is served by the infrastructure in question (i.e. General Fund or Housing Revenue Account).

2.10. Disposal at Less Than Best Consideration.

2.10.1. The Council has a general power to dispose of land in any manner they wish subject to further provisions under s123 of the Local Government Act 1972 (the "1972 Act"). ~~of disposal, contained in Section 123 of the Local Government Act 1972.~~ This provides that Local Authorities are not permitted to dispose of land, or grant leases in excess of 7 years, for a consideration ~~which is~~ less than the best ~~price which is that can~~ reasonably ~~be obtained~~² ~~obtainable~~, unless they first obtain consent from the Secretary of State or the General Consent referred to below applies. Where a disposal is undertaken at less than best price, then to protect the authority's interest in the event of subsequent sales, it should include, where appropriate, a legal mechanism to secure the Council's interest or benefit. Also, a disposal at less than best consideration could be providing the purchaser with a subsidy under UK subsidy control and the implications of this need to be considered. ~~a asset lock, claw back or uplift clause, restrictive covenants, ransom strip retention, user rights or right of pre-emption.~~

2.10.2. A valuation by a suitably trained and knowledgeable member of the Royal Institution of Chartered Surveyors should be undertaken in order to quantify the amount of the undervalue (unrestricted less restricted value). In addition, an attempt needs to be made to financially quantify the economic, social and environmental benefits to the authority and community which justify a disposal at less than the valuation/best price amount. The overriding factor to be considered when disposing at below the valuation/best price is to ensure that it is within the Council's power to do so, and the reasons are well documented, transparent and justifiable.

2.10.3. It is for the Council to decide whether any proposed disposal requires specific consent under the 1972 Act and legal advice should be sought on this point and any application to the Secretary of State.

2.11. Exceptions to the Obligation on Achieving Best Value:

2.11.1. **Short tenancies.** The obligation to obtain best value contained in sections 123 of the ~~Local Government Act 1972~~ Act does not apply to disposals of land by way of a "short tenancy" such as by the grant of a lease for a term not exceeding seven years or the assignment of a term which has not more than seven years to run.

2.11.2. **The disposal meets a specific wellbeing purpose.** The Local Government Act 1972 General Disposal Consent 2003 ("the Consent")

² s123(2) Local Government Act 1972 (as amended)

removes the requirement for authorities to seek specific consent from the Secretary of State for any disposal of land where the local authority considers that the purpose for which the land is to be disposed is likely to contribute to the achievement of any one or more of the promotion or improvement of:

- a) Economic wellbeing
- b) Social wellbeing
- c) Environmental wellbeing

- 2.11.3. In this circumstance the undervalue (i.e. the difference between the unrestricted value of the interest to be disposed of and the consideration accepted) must be £2,000,000 or less. Where the proposed disposal does not fall within the terms of the Consent an application to the Secretary of State for a specific consent is required.
- 2.11.4. Following amendment by the Growth and Infrastructure Act 2013 section 233 of the Town and Country Planning Act 1990 now empowers the Secretary of State to give consent in relation to land held for planning purposes.

[Previous table to be replaced by flowchart for ease of reference]

3. Acquisitions

- 3.1 **Reasons for Acquisition.** There are a number of circumstances where the acquisition of land or built assets may be necessary. This includes service delivery, investment purposes and strategic development opportunities within the district. There are essential criteria which each type of acquisition must meet to be considered for approval as outlined below:

3.1.1 **Service delivery requirement.** If the Estates Team are requested to acquire any land or property on behalf of the Council at the request of a Business Unit of a Service Department then the requirement will first be considered across the availability of existing property held in the Councils estate. The test of suitability will be agreed between the Service Department Business Unit and Estates Team Department but will focus on size, location and quality of space required.

3.1.2 **Strategic development purposes.** If there is a way of increasing the deliverables of housing units and/or objectives set in the Community Plan then this will be considered as a Strategic Development Acquisition and tested on the basis of final outcomes of the wider site and a full options appraisal being carried out rather than the individual piece of land or property being acquired.

3.1.3 **Investment purposes.** Land or property may be acquired for the purpose of the Council making an investment subject to the following criteria being met:

- (a) The property generates a predicted net return on investment of 6%.
- (b) The land or property proposed to be acquired has had a full inspection and survey of the condition and is in relatively good condition with full repairing and insuring leases in place for any tenanted parts.
- (c) The management of the property is able to be facilitated by either the in-house Estates Team or through the appointment of a managing agent on a temporary basis until recruitment or extra capacity can be secured.
- (d) All ongoing revenue costs are approved and identified within an existing budget.
- (e) If held as an outright investment rather than for redevelopment or place-shaping then a company should be used by the Council in line with the provisions of the Localism Act 2011.

3.2 Market appraisal and valuation

3.2.1 All proposed acquisitions of property with a financial cost will be valued by a suitably trained and qualified professional with knowledge of the local market. This is recommended to be a Chartered Surveyor with knowledge of the specific market in question and who holds a Registered Valuer status from the Royal Institution of Chartered Surveyors. The level of appraisal of a potential acquisition should be reflective of the proposed value and advice should be sought from the Estates Team.

3.2.2 Acquisition at a higher than market value (i.e. acquisition at a premium) may be possible where the end deliverable result will mean a higher net return or saving for the Council. For example where a site may have an income producing lease agreed subject to the Council acquiring the land. Conversely where acquiring the land will over time produce a net saving to the Council. The promotion or improvement of economic wellbeing, social wellbeing or environmental wellbeing savings/ profits will also be considered in any justification for acquisition at a higher than market value price. This would have to be clearly demonstrated within any business case/report for decision.

3.3 Due Diligence must be carried out prior to acquisition: All property being acquired will have proper due diligence carried out by appropriately qualified professionals prior to purchase depending on the nature of the site. This will consist of legal searches, site inspections and investigations on potential impacts of use and planning feasibility. This work will be led-co-ordinated by the acquiring Estates Team and will be in consultation with the relevant Business Units, such as Legal, Finance and Planning and will may where required involve appointment of external consultants. to undertake the required surveys

~~3.4 All property being acquired will also have consideration to the carbon footprint the acquisition will have for the Council. Reduction measures should be factored into any options appraisals for the property acquisitions.~~

3.53.4 De minimis acquisitions In circumstances where a low value acquisition is identified (at less than £10,000 ~~£15,000~~) such as strategic site access or boundary rectification these transactions are recommended to be dealt with in house by the Estates Team; to be approved by the Corporate Property/ Housing Business Manager and the s151 Officer. For any land acquisitions the Estates team can be requested to handle an acquisition subject to appropriate time/ resource. A valuation will be carried out using comparable evidence of transactions previously conducted by the Council and industry comparables in order to evidence that the property is being purchased at the correct value.

~~3.63.5 The Council has the power to acquire land compulsorily, known as a Compulsory Purchase Order ("CPO") but this requires approval by the relevant confirming authority. The Council should use compulsory purchase powers where it is expedient to do so and where there is a compelling case in the public interest to make a compulsory purchase order. The process for CPO is laid out in legislation. The use of statutory powers for acquisition. Compulsory purchase powers are provided to enable acquiring authorities to compulsorily purchase land to carry out a function which Parliament has decided is in the public interest.~~

~~3.73.6 Management Responsibility.~~ Where appropriate, the Estates Team and the service representatives will carry out a pre-completion inspection of the property and if necessary seek instructions from the service regarding the interim management of the property acquired pending development or occupation.

~~3.83.7 Data Collection.~~ In all cases where an acquisition occurs, arrangements will be made to ensure that details are recorded in the asset management records and Terrier records.

3.93.8 Performance Management. There will be ongoing monitoring of acquisitions between the responsible officers and the parties selling or otherwise concerned with the acquisitions. There will be appropriate reporting to Senior Leadership Team and the relevant Portfolio Holder as appropriate where performance is in question.

~~3.103.9~~ Following the completion of an acquisition the relevant Business Units must be notified so that the acquisition can be correctly dealt with for the purposes such as the asset register, insurance, Legal post-completion and potentially business rates

[Previous table to be replaced by flowchart for ease of reference]

4. Roles in Acquisitions/Disposals

4.1 The roles in acquisitions and disposals under this Policy will usually be determined by the whether the asset is held (or to be held in the case of an acquisition) by the GF or HRA accounts.

- 4.2 Where appropriate the Corporate Property Estate Team will assist transactions relating to the HRA account.
- 4.3 Support will be provided and often required in transactions under this Policy by Planning, Legal Services and Finance.

5. Delegations and Approvals

- 5.1 These delegations apply to acquisitions and disposals under this Policy subject to any acquisition forming part of the Capital Programme.
- 5.2 The Capital Programme is set by Full Council through the Budget following the process outlined in the Financial Regulations. All expenditure must comply with the Financial Regulations and additional advice can be sought from Financial Services.
- 5.2

<u>Value of Acquisition or Disposal</u>	<u>Delegated Authority</u>
Wayleaves, easements and licences at less than £1 value <u>of £1 or less</u>	Business Manager for Corporate Property on General Fund or Business Manager of Housing for HRA
De minimus level at sub £15,000 <u>£10,000 or less (de minimis)</u>	Recommendation by Business Manager for Corporate Property/ Housing of the relevant Estates Team, and approved by the <u>S151 Officer.</u>
<u>More than £10,000 and up to £50,000</u>	<u>Relevant Director to be approved by the S151 Officer</u>
Any disposal/acquisition more than De minimis and less than £100,000 value	Relevant Director
Any disposal/acquisition m More than £100,000 <u>£50,000</u> and less than £300,000 value	Relevant director(s) or Portfolio Holder(s) as applicable in consultation with <u>relevant Director and S151 Officer. SLT.</u>
Anything at £300,000 or more value <u>£300,000 or above</u>	Relevant Portfolio Holder or Cabinet in accordance with Key Decision requirements.

6. Appropriation

- 6.1 There are separate rules for the HRA and GF accounts to ensure that neither subsidises the purposes of the other. Transfer of assets known as appropriation is the transfer of land or buildings from the HRA to the GF or vice versa. Appropriation does not involve a sale or purchase as no transfer of title takes place, the property simply moves from one council account to another.

6.16.2 There is a general power to appropriate land³ but this is subject to certain provisions.

6.26.3 If assets are appropriated from the HRA into the General Fund, they are bound by the same legal rules as if they had been disposed of to an outside party. Local authorities are required to seek consent from the Secretary of State to appropriate land which has housing on it and advice should be sought from the Council's Legal Services.

6.36.4 Appropriation will be considered on a site by site basis and will be subject to the follow approvals: regardless of the value

<u>Value of Appropriation</u>	<u>Delegated Authority</u>
<u>£10,000 or less</u>	<u>Relevant Director to be approved by S151 Officer</u>
<u>More than £10,000 and up to £50,000</u>	<u>Portfolio Holder(s) as applicable in consultation with relevant Director and S151 Officer.</u>
<u>Above £50,000</u>	<u>Cabinet decision</u>

³ S122(1) of the Local Government Act 1972

Planning Committee Terms of Reference

Existing

13. To adopt a scheme of delegation to Officers, including the ability for District Councillors to reserve matters to Committee in circumstances prescribed by the scheme; the scheme to be reviewed as necessary and at least annually, and

14. To adopt a Protocol for Planning Committee which must take Probitry in Planning or equivalent national guidance into account and may include provision for public speaking.

Proposed:

13. To adopt a ~~s~~Scheme of ~~d~~Delegation to Officers, ~~including subject to~~ the ability for District Councillors to ~~reserve~~refer matters to Committee in circumstances prescribed by the ~~scheme~~Protocol; the scheme to be reviewed as necessary and at least annually, and

14. To adopt a Protocol for Planning Committee which must take Probitry in Planning or equivalent national guidance into account. Including the ability for District Councillors to refer matters to Committee in circumstances prescribed by the Protocol and may include provision for public speaking. The Protocol to be reviewed as necessary and at least annually.



Report to: Annual Full Council Meeting – 20 May 2025

Relevant Portfolio Holder: Councillor Paul Peacock, Strategy, Performance & Finance

Director Lead: Sue Bearman, Assistant Director Legal and Democratic Services and Monitoring Officer

Lead Officer: Nigel Hill, Business Manager - Elections and Democratic Services and Deputy Monitoring Officer, Ext. 5243

Report Summary	
Report Title	Call-In Annual Report
Purpose of Report	To update Full Council on call-in requests received during the 2024-25 municipal year.
Recommendations	That Members note the content of the report.
Reason for Recommendation	To comply with the call-in procedure rules in the Council's Constitution.

1.0 Background

- 1.1 The use of the Council's call-in procedure is monitored annually in accordance with the Call-in Procedure Rules in the Council's Constitution. This is the first report to Full Council since the Call-in Procedure was adopted in May 2022, as previously there have been nil returns.
- 1.2 Executive decisions (i.e. those taken by Cabinet, Committees of Cabinet and Cabinet Portfolio Holders) can be called-in for consideration by a Call-In Sub-Committee of Policy and Performance Improvement Committee. Any call-in delays the implementation of a decision. While it is an important check and balance under Executive Arrangements, it can have an impact on the speed of decision making in an authority if it is used extensively.
- 1.3 This report summarises the use of call-in from May 2024 to the end of April 2025.

2.0 Summary

- 2.1 The Monitoring Officer received one call-in request in 2024-25. On 22 January 2025, five Members submitted a call-in notice in relation to a decision made by Cabinet on 21 January 2025 regarding the disposal of land at Lowfield Lane, Balderton. The grounds

for the call-in were that the decision was not made in accordance with the Council's decision-making principles and was not in the public interest. The call-in was determined to be invalid on the basis the notice did not contain sufficient information, did not properly specify at least one of the grounds detailed in the call-in procedure rules, and raised a question already answered in the report relating to the decision.

- 2.2 The small number of call-ins is an indication that the call-in process is not being used to cause unnecessary delay or frustration of the decision-making process. No amendments are proposed to the call-in procedure at the present time.

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.

3.2 Legal Implications (LEG2425/9773)

In accordance with the Call-In Procedure Rules in the Council's Constitution Full Council is the appropriate body to consider the content of this report.

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.

Notice of Call-in of Decision dated 22 January 2025

Decision in relation to Call-in Notice dated 24 January 2025

Cabinet meeting 21 January 2025 – Item 231 'Lowfield Lane Disposal' -

<https://democracy.newark-sherwooddc.gov.uk/ieListDocuments.aspx?CId=288&MIId=1016>

The Call-in Procedure is at page D46 of the Council's Constitution - [https://www.newark-sherwooddc.gov.uk/media/nsdc-redesign/documents-and-images/your-council/your-council/councillors-and-committees/councilx27s-constitution-/Constitution-\(Complete-Version---20.02.25\).pdf](https://www.newark-sherwooddc.gov.uk/media/nsdc-redesign/documents-and-images/your-council/your-council/councillors-and-committees/councilx27s-constitution-/Constitution-(Complete-Version---20.02.25).pdf)

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, 11 March 2025 at 6.00 pm.

PRESENT: Councillor P Peacock (Chair)

Councillor R Cozens, Councillor S Crosby, Councillor L Brazier,
Councillor S Forde, Councillor C Penny, Councillor P Taylor and
Councillor J Kellas

ALSO IN Councillor P Rainbow
ATTENDANCE:

APOLOGIES FOR None
ABSENCE:

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

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

253 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

There were no declarations of interest.

254 MINUTES FROM THE PREVIOUS MEETING 18 FEBRUARY 2025

The minutes from the meeting held on 18 February 2025 were agreed as a correct record and signed by the Chair.

255 BUDGET PERFORMANCE QUARTER 3

The Assistant Business Manager - Financial Services presented a report which detailed the forecast outturn position, as at 31 December 2024, for the 2024/25 financial year for the Council's General Fund and Housing Revenue Account revenue and capital budgets. The report detailed performance against the approved budget estimates of revenue expenditure and income; report on major variances from planned budget performance; and report on variations to the Capital Programme for approval; all in accordance with the Council's Constitution.

Members noted a projected favourable variance on Service budgets against the revised budget of £1.023m, with an overall favourable variance of £0.250m to be transferred to General Fund reserves. The favourable variance of £1.023m on service budgets managed by business managers represented 4.71% of the total service budgets. The Council had been fully compliant with all prudential indicators during the reporting period.

AGREED (unanimously) that Cabinet:

- (a) note the General Fund overall projected favourable outturn variance of £0.250m;
- (b) note the Housing Revenue Account overall projected favourable outturn variance of £0.500m to the Major Repairs Reserve;
- (c) approve the variations to the Capital Programme at Appendix E;
- (d) approve the Capital Programme revised budget and financing of £42.162m; and
- (e) note the Prudential indicators at Appendix H.

Reasons for Decision:

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

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

Options Considered:

Not applicable.

256 COMMUNITY PLAN PERFORMANCE QUARTER 3

The Transformation and Service Improvement Officer presented a report which detailed the Quarter 3 Community Plan Performance Report (October to December 2024).

The report and accompanying presentation highlighted various projects undertaken by Business Units and performance in areas including Council Tax Support and processing Housing Benefit Claims, rent arrears, the Beacon Centre, recycling and focus weeks, and the new Newark and Sherwood Gift Card.

In discussion, Members noted that with regard to the rent arrears target, an increase in arrears had been anticipated due to the move to universal credit and the delay in new benefits being paid. The new Housing Management system due to be launched imminently, would help reduce the levels through faster transactions.

Members discussed the Beacon Centre, noting the performance targets for occupation and the difficulty setting a target for the centre due to the nature of the churn of tenants, which was to be welcomed as a space for new businesses to grow. The target would be reliant on the tenants predicted growth. The Centre Manager was in regular dialogue with tenants and advertisement and marketing was undertaken to raise awareness of the Centre and to attract new businesses.

AGREED (unanimously) that Cabinet:

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

Reasons for Decision:

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

Options Considered:

Not applicable.

257 QUARTER 3 2024/25 - HOUSING HEALTH & WELLBEING HOUSING COMPLIANCE ASSURANCE REPORT

The Director - Housing, Health & Wellbeing presented a report which set out the performance position as of 31 December 2024 (Quarter 3) in the new format with regard to compliance, including actions to rectify identified issues. The report set out the Council's performance against the Council's legal and regulatory landlord responsibilities for a range of building safety measures including fire protection, gas, asbestos, electrical and water as well as summarising details of the Council's housing stock.

Members discussed the actions taken in relation to fire safety, including fire safety checks and fire door inspections, noting the challenging inspection programme and the need to be able to demonstrate safety compliance. Members were satisfied with the proposed schedule of inspections.

AGREED (unanimously) that Cabinet note:

- a) the exceptions to performance of the housing service compliance functions; and
- b) the new format for performance for Quarter 3 2024/25 onwards.

Reasons for Decision:

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

Options Considered:

Not applicable.

Meeting closed at 7.05 pm.

Chair

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, 1 April 2025 at 6.00 pm.

PRESENT: Councillor P Peacock (Chair)

Councillor R Cozens, Councillor L Brazier, Councillor S Forde, Councillor C Penny, Councillor P Taylor and Councillor J Kellas

ALSO IN ATTENDANCE: Councillor N Allen, Councillor S Haynes, Councillor R Holloway and Councillor P Rainbow

APOLOGIES FOR ABSENCE: Councillor S Crosby

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

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

259 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

Councillor L Brazier declared an Other Registerable Interest in Agenda Item No. 6 – Levelling Up 3 - Programme Update – as a Member of Ollerton & Boughton Town Council.

260 MINUTES FROM THE PREVIOUS MEETING HELD ON 11 MARCH 2025

The minutes from the meeting held on 11 March 2025 were agreed as a correct record and signed by the Chair.

261 LEVELLING UP 3 - PROGRAMME UPDATE (KEY DECISION)

The Director – Planning & Growth presented a report which provided Cabinet with an update on the Levelling Up Fund 3 (LUF 3) programme and proposed key recommendations to the Cabinet regarding the delivery of the Ollerton and Clipstone regeneration projects. Following the update report presented to the Cabinet in December 2024, officers had continued to discuss the developments associated with the 'Shaping Sherwood's Revival Scheme' with the government and had continued to seek the necessary extension of the LUF 3 funding period to March 2028, following a pause of the national programme in 2024, and the prolonged confirmation of the £20m grant for the local scheme.

It was reported that in January 2025, the Council and government successfully formalised the £20m LUF 3 commitment to Sherwood through a Memorandum of Understanding (MoU). The MoU provided further assurance relating to the future funding in addition to the release of an initial draw down of LUF 3 grant of £1,264,211. However, it was noted that the essential deadline extension to March 2028 remained unconfirmed by the government at the current time.

AGREED (unanimously) that Cabinet:

- a) notes the updates associated with the LUF 3 Programme, including the recent execution of the Government Memorandum of Understanding (MoU), and the initial payment of LUF 3 grant to the Council, as detailed in paragraph 1.2 of the report.

Ollerton Town Centre Regeneration Scheme

- b) approves the reallocation of £450,000 of the capital budget of £500,000 approved by Cabinet on 10 December 2024, to revenue budget, as detailed in paragraph 2.5 of the report, funded by the LUF 3 grant;
- c) approves the addition of £68,000 within the Capital Programme, financed by grant, as detailed in paragraphs 1.5 and 1.6 of the report; and
- d) approves the addition of a £322,000 revenue budget, financed by grant, as detailed in paragraphs 1.5 and 1.6 of the report.

Clipstone Regeneration Scheme

- e) approves the reallocation of the capital budget of £200,000 approved by Cabinet on 10 December 2024, to revenue budget, as detailed in paragraph 2.6 of the report, funded by the LUF 3 grant; and
- f) notes the additional £40,000 revenue budget, funded by Government granted LUF 3 capacity funding, as detailed in paragraph 1.13 of the report.

Reasons for Decision:

The recommendations within the report aim to prevent further delays of both Ollerton and Clipstone projects, supporting the scheme to meet an anticipated March 2028 LUF 3 spend deadline. Without the provision of additional funding to progress key workstreams, the ability to meet a March 2028 spend deadline is further compromised and would present a subsequent risk regarding potential loss of funding.

Options Considered:

Consideration has been given as to whether both Ollerton and Clipstone should be placed into a secondary paused status, until the outstanding risks and matters noted in this report are resolved. This approach is not recommended at this stage, as by pausing both projects again, it is unlikely that either scheme will be able to defray the LUF 3 funds by March 2028, preventing transformational change to be delivered to the Ollerton and Clipstone communities. Furthermore, the budgets requested within this report are required to finalise the outstanding matters detailed in this report, and therefore progression is not possible without additional funding.

262 STRATEGIC HOUSING AND EMPLOYMENT LAND AVAILABILITY ASSESSMENT METHODOLOGY

The Business Manager – Planning Policy & Infrastructure presented a report which presented the draft Strategic Housing and Employment Land Availability Assessment (SHELAA) methodology and sought approval of the document for public consultation. The National Planning Policy Framework required all local authorities to prepare a SHELAA to identify a sufficient mix of sites for housing and employment. In order to assess each site, it was necessary for a methodology document to be prepared. This was attached as Appendix 1 to the report. The draft methodology document had been considered by the Planning Policy Board in February who had recommended it to the Cabinet for approval.

AGREED (unanimously) that Cabinet approve:

- a) the proposed contents of the Strategic Housing and Employment Land Availability (SHELAA) Assessment Methodology at Appendix 1 to the report; and
- b) undertaking the public consultation for a period of six weeks with relevant stakeholders on the proposed Methodology.

Reasons for Decision:

To allow the District Council to consult on the draft SHELAA Methodology.

Options Considered:

There is no formal requirement to consult on SHELAA methodology, but it is considered that by doing so it will ensure the site assessment process is robust.

263 BASSETLAW, NEWARK & SHERWOOD COMMUNITY SAFETY PARTNERSHIP STRATEGY (KEY DECISION)

The Business Manager – Public Protection presented a report which sought approval for a new Bassetlaw and Newark & Sherwood Community Safety Partnership Strategy. Each Community Safety Partnership (CSP) was required to have in place a Strategy and a delivery plan setting out key themes within the CSP. The Bassetlaw and Newark & Sherwood CSP was attached as Appendix 1 to the report, with the delivery plan at Appendix 2. The key themes in the Strategy were: serious violence against women and girls and domestic abuse; anti-social behaviour; vulnerability and contextual safeguarding; community cohesion; and neighbourhood crime. It was noted that the Strategy had been formally adopted by Bassetlaw District Council.

AGREED (unanimously) that Cabinet approve the adoption of the new Community Safety Strategy.

Reasons for Decision:

To ensure Newark and Sherwood District Council meet the requirement from the Community Safety Partnership by adopting the strategy. This directly links to the reduction of Crime and Anti-Social Behaviour Objective from the Community Plan.

Options Considered:

Community Safety Partnerships are required to have a strategy in place. This document has been adopted by Bassetlaw. There are no other alternative options.

264 DOMESTIC ABUSE POLICY (KEY DECISION)

The Business Manager – Public Protection presented a report which sought approval for a four-week public consultation period on a draft Domestic Abuse Policy, prior to formal approval. It was noted that every local authority in Nottinghamshire had committed to seek accreditation through the Domestic Abuse Housing Alliance which was being supported and funded by Nottinghamshire County Council. The draft policy was attached as Appendix 1 to the report and this set out what people could expect when contacting the Council and how the Council would support those impacted by domestic abuse. The draft policy would be shared with the Tenant Engagement Board, Engaged Tenants and key stakeholders, alongside the proposed public consultation.

AGREED (unanimously) that:

- a) approval be given for a four-week period public consultation for the draft Domestic Abuse Policy; and
- b) delegated authority be given to the Portfolio Holder for Public Protection & Community Relations in consultation with the Director - Communities & Environment to approve any amendments resulting from the consultation.

Reasons for Decision:

- To ensure compliance with the requirements of the Domestic Abuse Housing Alliance Accreditation;
- To continue to seek improvements for those facing Domestic Abuse; and
- The recommendations link directly to the Community Plan Objectives of Reducing Crime and Anti-Social Behaviour.

Options Considered:

A Domestic Abuse Policy is required to be in place in order to ensure compliance with the Domestic Abuse Housing Alliance Accreditation, there are no alternative options.

265 COMMUNITY PLAN REFRESH (KEY DECISION)

The Transformation and Service Improvement Officer presented a report which proposed a refreshed Community Plan for 2023-27 for recommendation to Full Council. The Community Plan was the key direction setting document used to outline the priorities and vision of the Council for a four-year term. The current Plan had been in place formally since December 2023 and senior Members and Portfolio Holders had been reviewing progress against the Plan and challenging what was outstanding as a priority and account for any emerging priorities which had arisen since the development of the Plan. The refreshed Community Plan was attached as Appendix 1 to the report, with the changes being highlighted in Appendix 2.

As part of the refresh, it was proposed to adapt and broaden out the action which described the Motion for the Ocean, to instead to outline the Council's ambition to work in conjunction with statutory authorities to promote good river and waterway health. The refreshed Community Plan had been presented to the Policy and Performance Improvement Committee at their meeting held on 10 March 2025, at which they recommended approval.

AGREED (with 6 votes for and 1 abstention) that:

- a) the refreshed Community Plan 2023-2027 be referred to Full Council for approval and adoption;
- b) the £45,000 budget that was allocated towards activities for Motion for the Ocean as part of the 2025/26 revenue budget setting, be re-allocated into the Flooding Defence Reserve to fund a further Community Resilience Grant Scheme in 2025/26; and
- c) the transfer of £10,000 from the Cleaner, Safer, Greener reserve to Environmental Services to allow the organisation of day-to-day activities around the commitment to grow ocean literacy (Motion for the Ocean) be approved.

Reasons for Decision:

The Community Plan 2023-2027 is the key document which will set the vision and direction of the Council during a four-year term. As such it is necessary that this document is refreshed throughout the four year term, to ensure the plan reflects the projects and initiatives which are ongoing or yet to be delivered.

Options Considered:

To not refresh the Community Plan for 2023-2027.

266 MANSFIELD CREMATORIUM REDEVELOPMENT (KEY DECISION)

The Assistant Director – Legal & Democratic Services presented a report which sought approval of the resolution by the Mansfield and District Joint Crematorium Committee (of which the Council is a constituent member) to redevelop Mansfield Crematorium and to approve the financial arrangements for the Council's contribution to the cost of redevelopment.

The Crematorium required either significant refurbishment or replacement, as was detailed in the exempt appendix to the report. The Joint Committee had carefully considered the available options and on 24 February 2025 unanimously resolved to endorse refurbishment, subject to approval by each constituent authority. It was reported that both Mansfield and Ashfield District Council's had resolved to endorse refurbishment and approve the applicable capital expenditure arrangements.

AGREED (unanimously) that Cabinet approve:

- a) Option C the high level refurbishment of Mansfield Crematorium as detailed in Exempt Appendix A to the report, and commencement of the refurbishment project;

- b) the allocation of the Usable Reserves to partially cover the VAT liability on the development, limiting the financial impact on each authority area for the refurbishment programme, as set out in Annex A within Exempt Appendix A to the report;
- c) the remaining total contribution by the Council, to pay the remaining VAT liability and year one deficit, as set out in paragraphs 2.45, 2.46 and Annex A within Exempt Appendix A to the report; and
- d) an increase to the Capital Programme by £211,900, funded by the Change Management Reserve, to fund the Council's contribution towards the high-level refurbishment works as suggested in Option C.

Reasons for Decision:

To ensure ongoing performance, viability and reputation of the Mansfield Crematorium.

Options Considered:

The Mansfield and District Joint Crematorium Committee has considered alternatives including new build, sale, closure and a lower-level refurbishment. These are all explored in detail in the exempt appendix to the report.

Meeting closed at 7.25 pm.

Chair

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Policy & Performance Improvement Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Monday, 10 March 2025 at 6.00 pm.

PRESENT: Councillor M Pringle (Chair)
Councillor N Ross (Vice-Chair)

Councillor N Allen, Councillor C Brooks, Councillor R Holloway,
Councillor S Michael, Councillor D Moore, Councillor P Rainbow,
Councillor M Spoors, Councillor T Thompson and Councillor T Wendels

APOLOGIES FOR ABSENCE: Councillor A Brazier, Councillor A Freeman, Councillor J Hall, Councillor R Jackson and Councillor K Roberts

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

The Chair advised that the meeting was being recorded and live streamed from Castle House.

83 DECLARATION OF INTEREST BY MEMBERS AND OFFICERS

There were no declarations of interest.

84 MINUTES OF THE MEETINGS HELD ON 10 FEBRUARY AND 17 FEBRUARY 2025

The minutes from the meetings held on 10 and 17 February 2025 were agreed as a correct record and signed by the Chair.

85 BUILDING SAFETY POLICY

The Committee considered the report presented by the Director – Housing, Health & Wellbeing which sought to share with Members the draft Building Strategy Policy which now included how tenants and leaseholders in Council owned homes could raise safety concerns together with the Council's own responsibilities to keep homes warm, safe and decent.

As reported, the aim of the Policy was to set out how the Council met the requirements of the Building Safety Act 2022, the Fire Safety Act 2021 and other legislative and regulatory changes that had been introduced and proposed following the Grenfell tragedy and how it discharged those duties to residents and other stakeholders to keep residents and buildings safe.

It was also reported that there was a separate Policy for tenants and residents called "Safety in the Home" which set out how the Council managed their health and building safety responsibilities. This Policy outlined how the Council managed all risks identified to ensure effective action plans were in place to mitigate those risks as soon as reasonably practicable for all residents living in those buildings, employees and contractors who would work in and around those buildings and members of the public.

In responding to a query about what process was in place should there be a lift failure at one of the Council's housing with care facilities, the Director advised that this was set out in the Fire Safety Strategy.

AGREED (unanimously) that the Building Safety Policy be endorsed.

86 COMPLIANCE UPDATE - HOUSING SERVICES

The Committee considered the report presented by the Director – Housing, Health & Wellbeing which sought to provide Members with the performance position as at 31 December 2024 (Q3) against the Council's legal and regulatory landlord responsibilities for a range of building safety measures which included: fire protection; gas; asbestos; electrical; and water. The report also summarised details of the Council's housing stock. The information was presented in a new format with regard to compliance, including actions to rectify identified issues. It was reported that the range of the Red/Amber/Green (RAG) ratings had been shortened as recommended by external auditors and the Regulator of Social Housing with the changes detailed at paragraph 2.4 of the report.

Performance exceptions were listed at paragraph 3 of the report and these included: Domestic Gas Servicing; Fire Safety Checks; Fire Door Inspections; Domestic Asbestos & Communal; Water Safety; Stair Lifts & Hoists; EICR Electrical Certification; and Solid Fuel & Oil Servicing.

In responding to a query raised about the number of Red ratings within the performance exceptions, the Director advised that consideration was being given to whether additional resources were required. She also noted that some of the exceptions listed had a very low level of tolerance and that it would only take 1 or 2 issues to put the compliance rating into amber or red.

In relation to incidents of damp and mould, a Member queried whether the Council were aware of the primary causes and whether these were prioritised. The Director advised that consideration was being given as to whether the compliance criteria should be broadened to include this. Work was ongoing to introduce Awab's Law but the reason for incidents of damp and mould could be due to a variety of reasons for example: a cold spot on an external wall; issues with ventilation. The Council employed a Damp & Mould Surveyor and also operated a 24 hour emergency response. She noted that the number of complaints had increased, in part due to the Council actively engaging with tenants to ask them questions about this.

In closing the debate, the Chair referred to the annual fire risk assessment and the work undertaken in relation to fire door repairs and also welcomed the inhouse challenges to the housing teams in a drive to improve service provision.

AGREED (unanimously) that:

- a) the exceptions to performance of the housing service compliance functions be noted; and

- b) the new format for performance for Q3 2024/2025 onwards be noted.

87 PROJECTED GENERAL FUND AND HRA REVENUE AND CAPITAL OUTTURN REPORT TO 31 MARCH 2025 AS AT 31 DECEMBER 2024

The Committee considered the report presented by the Business Manager – Financial Services which provided Members with the forecast outturn position for the 2024/2025 financial year for the Council's General Fund and Housing Revenue Account revenue and capital budgets. The report also provided Members with information as to the performance against the approved estimates of revenue expenditure and income and on major variances from planned budget performance, in accordance with the Council's Constitution.

Details were provided as to the current position (as at 31 December 2024) variances. Table 1 showed a favourable variance on service budgets against the revised budget of £1.023m, with an overall favourable variance of £0.250m that would require transferring to the General Fund reserves. Table 3 provided an overview of projected Housing Revenue Account (HRA) Outturn for 2024/25 with an unfavourable variance on the net cost of HRA Services against the revised budget of £0.061m and an increase in the forecast transfer to the Major Repairs Reserve of £0.500m. Details of the overview of the Projected Capital Outturn 2024/25 were also provided.

In considering the report, a Member queried as to the increase in variation to the budget for the remedial works at the Newark Castle. The Business Manager advised that he would provide a written response.

AGREED (unanimously) that:

- a) the General Fund projected favourable outturn variance of £0.250m be noted;
- b) the Housing Revenue Account projected favourable outturn variance of £0.500m to the Major Repairs Reserve be noted; and
- c) the Capital Programme forecast Outturn of £42.162m be noted.

88 COMMUNITY PLAN PERFORMANCE FOR QUARTER 3

The Committee considered the report presented by the Transformation & Service Improvement Officer which presented to Members the Quarter 3 Community Plan Performance Report (October to December 2024). Members were asked to review the Reports attached as Appendix 1 together with the Compliance Report attached as Appendix 2.

In considering the report, a number of queries were raised and responded to in relation to ASB; adaptations; and increase in rent arrears. In relation to footfall indicators Members queried whether there was data available that would enable an IP address to be split and whether there was a charge for the removal of graffiti on commercial premises. Members were advised that a written response would be provided.

AGREED (unanimously) that the Community Plan Performance Report for Quarter 3 be noted.

89 COMMUNITY PLAN REFRESH

The Committee considered the report presented by the Transformation & Service Improvement Officer which presented to Members the refreshed Community Plan 2023/2027. It was reported that the Community Plan was the key direction setting document used to outline the priorities and vision for the Council for a four-year term. Portfolio Holders, committee Chairs and Vice-Chairs had been working to review progress against the Community Plan as it entered the start of the third year and this had led to the document being refreshed as detailed in paragraphs 2 and 3 of the report.

AGREED (unanimously) that the refreshed Community Plan 2023/2027 be endorsed and forwarded to Cabinet for consideration at their meeting on 1 April 2025.

90 PRESENTATION BY PORTFOLIO HOLDER FOR SUSTAINABLE ECONOMIC DEVELOPMENT

The Committee considered the presentation delivered by the Portfolio Holder for Sustainable Economic Development.

Detailed within the presentation was reference to work undertaken in relation to the areas which fell within the Portfolio Holders remit. These broadly included: within Economic Growth & Visitor Economy - Business Support & Investment Skills; social Mobility, Pride in Place & Place Making; within Planning Development – planning applications; street naming; land charges; agenda forum; Council and Regeneration Projects; Conservation Ecology Leaders; national planning targets (both major and minor); within Planning Policy & Infrastructure – development and production of planning policy documents; spatial planning support of priorities; and infrastructure.

The presentation also provided Members with future proposals for the delivery, reform and reshaping of policies and strategies to enable development and regeneration within the district.

In considering the presentation, Members raised a number of queries.

Social Mobility - a Member requested statistical information as to NSDC's ranking within the whole country to enable comparisons to be made on the Council's progress to improve this.

Education & Skills – the Portfolio Holder advised that conservations were ongoing with Nottinghamshire County Council to develop this area of work.

Capacity to Deliver on all Projects – was this prioritised and was there sufficient resource to deliver? The Portfolio Holder advised that the Economic Growth Team had the expertise to deliver on the projects and had the ability to pivot on projects as priorities changed.

High Street Support – what did this mean in practical terms? The Portfolio Holder advised that this was about high street regeneration. A team of Business Advisors were able to support businesses to develop.

Visitor Economy – a Member commented that the Council must ensure that promotion of our district was a priority to ensure that visitors were aware of what was on offer. The Portfolio Holder advised she would raise this with the Visitor & Marketing Manager for a response.

Results of 2022 Residents Survey – what was being done to bridge the gap between the most important services and residents' opinions. The Portfolio Holder advised that there had been 11 crossovers and they were being addressed regardless of whether they were highlight as priorities of residents.

AGREED (unanimously) that Councillor Claire Penny, Portfolio Holder for Sustainable Economic Development be thanked for her presentation.

91 UPDATE ON DIGITAL STRATEGY REFRESH WORKING GROUP

The Committee considered the verbal update of the Chair of the Review of the Digital Strategy Working Group, Councillor Neil Ross.

Councillor Ross advised that the final meeting of the Working Group had taken place and listed the key learning taken from the work of the group: the importance of keeping the customer at heart; there must be a balance between analogue and digital communication; acknowledgement that there was poor digital connectivity in certain areas of the district; digital connectivity and infrastructure was essential going forward; acknowledgement of the progression of 5G; acknowledgement of emerging technologies e.g. AI and the need for a flexible approach; how to best engage with communities; digital poverty; how best to measure success and achievements; future benchmarking by comparing to neighbouring authorities; ability to merge systems ready for local government reorganisation. Members were advised that the next step was a presentation of the Digital Framework Strategy to the June 2025 meeting of the Committee.

In considering the verbal update, a Member queried whether anything specific had been discussed in relation to provision into social housing. Councillor Ross advised that maximum connectivity was vital but that the Council were unable to control the installation of infrastructure to achieve that. He added that if individual connectivity was not possible, consideration could be given to providing this at community centres.

NOTED the verbal update presented by Councillor Neil Ross, Chair of the Digital Strategy Refresh Working Group.

92 CABINET FORWARD PLAN - FEBRUARY TO MAY 2025

NOTED the Forward Plan of the Cabinet for the period February to May 2025.

93 MINUTES OF CABINET MEETING HELD ON 18 FEBRUARY 2025

NOTED the Minutes of the Cabinet meeting held on 18 February 2025.

94 PROVISIONAL ITEMS FOR FUTURE AGENDA

NOTED the provisional items for future meetings of the Policy & Performance Improvement Committee.

Meeting closed at 7.50 pm.

Chair

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Policy & Performance Improvement Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Monday, 14 April 2025 at 6.00pm.

PRESENT: Councillor M Pringle (Chair)
Councillor N Ross (Vice-Chair)

Councillor N Allen, Councillor A Brazier, Councillor C Brooks, Councillor A Freeman, Councillor J Hall, Councillor R Jackson, Councillor D Moore, Councillor P Rainbow, Councillor K Roberts and Councillor T Wendels

APOLOGIES FOR ABSENCE: Councillor R Holloway, Councillor M Spoors and Councillor T Thompson

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

The Chair advised that the meeting was being recorded and live streamed from Castle House.

96 DECLARATION OF INTEREST BY MEMBERS AND OFFICERS

There were no declarations of interest.

97 MINUTES OF THE MEETING HELD ON 10 MARCH 2025

The minutes from the meeting held on 10 March 2025 were agreed as a correct record and signed by the Chair.

98 NEWARK TOWN CENTRE MASTER PLAN

The Committee considered the presentation jointly delivered by the Business Manager and Strategy Manager – Economic Growth & Visitor Economy and the Senior Planner, Planning Policy which sought to update Members on the Newark Masterplan and Design Code.

The presentation set out the timeline of the Masterplan to-date and provided a summary of the results of the survey which had been undertaken. The structure of the Masterplan was outlined and the six key themes therein, namely: a market town; a skilled and creative town; a riverside town; a thriving town; an active and accessible town; and a town of discovery. Within the town there were nine character areas listed as: The Medieval Core; Friary; Barnby Gate; the College Quarter; North Gate Station Quarter; North Gate; Mill Gate and Sconce; Riverside; and London Road.

A summary of the design code was noted as a set of simple, concise and illustrated design requirements and that it provided clear rules and standards for new development in each of the aforementioned character areas. It was also noted that the code was mandatory and struck a balance between providing clear rules but not

restricting high quality creative design. The code was supplemented by looser 'guidance' should coding not be possible. The design code would be taken forward as a supplementary planning document and would be a material consideration in planning decisions.

Stage 2 was a consultation of the Masterplan and the Design Code which would run for a period of 6 weeks in May and June 2025. There would also be an exhibition, explaining how the Masterplan had been developed together with an explanation of the Design Code process. The next steps after Stage 2 would be to finalise the documents in the summer of 2025 with reports being presented to the Policy & Performance Improvement Committee and Cabinet in September 2025 with implementation by the end of the year.

The Chair of the Committee thanked the Officers for their presentation noting the importance of maximising tourist provision in the town.

AGREED that the presentation be noted.

99 ATTENDANCE AT COMMITTEE BY PORTFOLIO HOLDERS

The Committee considered the report of the Transformation & Improvement Officer which sought Members approval for the change in approach for Portfolio Holders when attending Committee. A summary of the attendance by Portfolio Holders during the 2024/2025 municipal year was detailed in the report with paragraph 2 listing the proposed change in approach and the timetable for Portfolio Holders attendance.

In considering the report, the Chair asked Members of the Committee to put forward any areas they would wish to particularly scrutinise within the portfolio areas so that these could be communicated with the Portfolio Holder, enabling them to prepare a presentation for their attendance at Committee.

AGREED (unanimously) that:

- a) the changes to the approach that Portfolio Holders take when attending Committee be approved; and
- b) the proposed schedule of attendance by Portfolio Holders, subject to their availability, be noted.

100 PERFORMANCE FRAMEWORK

The Committee considered the joint report of the Transformation & Service Improvement Manager and the Senior Transformation & Service Improvement Officer which sought to provide Members with an update on the Performance Framework and indicators that would be used to monitor and measure performance against the refreshed Community Plan. The report also shared the results of the recent Assurance Review of Performance Management, which were attached at Appendix 3 to the report.

AGREED (unanimously) that:

- a) the Corporate Planning, Performance Management and Assurance Framework and the refreshed performance indicators be noted; and
- b) the findings of the recent assurance review of performance management be noted.

101 POLICY & PERFORMANCE IMPROVEMENT COMMITTEE'S WORK PROGRAMME FOR 2025/2026

The Committee considered the report of the Democratic Services Officer which sought to provide Members with an outline of the Committee's Work Programme for the 2025/2026 Municipal Year.

Details of the topics discussed at the Committee's workshop held on 10 March 2025 and which had been put forward for inclusion in the work programme were listed at paragraph 1.2 of the report. The current work programme was appended to the report with a proposal that the items detailed in paragraph 1.2 be included. Members were also requested to consider any further topics they may wish to discuss at a future meeting.

In presenting the report, the Director – Customer Services & Organisational Development suggested that an invitation be extended to the Department for Work & Pensions (DWP) to attend a future meeting of the Committee to enable Members to better understand the DWP's decision in relation to provision in the Ollerton area.

AGREED (unanimously) that:

- a) the topics listed for inclusion in the Work Programme, as listed in paragraph 1.2 of the report, be approved; and
- b) an invitation to attend a future meeting of the Committee be extended to the Department for Work & Pensions, as detailed above.

102 CABINET FORWARD PLAN - APRIL TO JULY 2025

NOTED the Forward Plan of the Cabinet for the period April to July 2025.

103 MINUTES OF CABINET (PERFORMANCE) MEETING HELD ON 11 MARCH 2025

NOTED the Minutes of the Cabinet (Performance) meeting held on 11 March 2025.

104 PROVISIONAL ITEMS FOR FUTURE AGENDAS

NOTED the provisional items for future meetings of the Policy & Performance Improvement Committee.

Meeting closed at 6.27 pm.

Chair

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Planning Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Thursday, 13 March 2025 at 4.00 pm.

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

Councillor A Amer, Councillor C Brooks, Councillor L Dales, Councillor S Forde, Councillor P Harris, Councillor K Melton, Councillor E Oldham, Councillor P Rainbow, Councillor M Shakeshaft, Councillor L Tift and Councillor T Wildgust

APOLOGIES FOR Councillor S Saddington
ABSENCE:

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

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

116 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

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

117 MINUTES OF THE MEETING HELD ON 13 FEBRUARY 2025

AGREED that the minutes from the meeting held on 13 February 2025 were agreed as a correct record and signed by the Chair.

118 CLIPSTONE HOLDING CENTRE, MANSFIELD ROAD, CLIPSTONE - 24/01714/FULM

The Committee considered the report of the Business Manager – Planning Development, which sought the erection of buildings for industrial purposes following demolition with associated landscaping, car and cycle parking, pedestrian and vehicular accesses.

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

A schedule of communication was circulated prior to the meeting which detailed correspondence received following publication of the agenda from Natural England and the Agent, including updated plans.

A letter from Nottinghamshire County Council was circulated to the Planning Committee Members and an adjournment of five minutes was taken to read the letter. The motion to adjourn for five minutes was moved by Councillor Dales and seconded by Councillor Moore. There was no material planning matters raised in the

letter, which affected the nature of the report.

The letter confirmed that the Highway Authority accepted in-principle the site access and on-site layout details shown on drawing number 102-450/(P)102B. Further details on the Travel plan (TP) were presented in the letter. The Highway Authority also made recommendations that a number of conditions, informatives and obligations be included in the Planning Committee report which were detailed in the letter. It was confirmed in the letter that subject to the inclusion of a construction management condition (suggested wording set out in the letter), approval of the travel plan condition included in the committee report and agreement on planning obligations (contributions towards travel plan monitoring and bus stop improvements), the Highways Authority had no objection to the planning application. The Business Manager advised that should Members be minded to approve, the decision should include a condition for the construction management plan and a condition ensuring agreement on the planning obligations.

Mr C Lindley, agent for the applicant, spoke in support of the application.

Members whilst considering the application welcomed the regeneration of the area and the job opportunities this would create. The planting as detailed in the report appeared to be complementary and a lot of trees had also been retained. The permeable car parking surface was also complemented alongside many positive environmental design features.

AGREED (unanimously) that:

- (a) planning permission be approved subject to the conditions contained within the report;
- (b) the additional conditions as detailed in the late schedule of communication circulated to Members at the start of the meeting concerning the Construction Management Plan, the wording to be delegated to the Business Manager – Planning Development; and
- (c) an additional condition requiring a S106 agreement to be entered into, the wording to be delegated to the Business Manager – Planning Development.

Councillor P Rainbow left the meeting at this point.

119 REVIEW AND UPDATE OF THE PROTOCOL FOR PLANNING COMMITTEE AND PLANNING SCHEME OF DELEGATION

The Committee considered the report of the Business Manager – Planning Development and Principal Legal Officer – Commercial, which suggested amendments to the Protocol for Planning Committee and Planning Scheme of Delegation.

The Principal Legal Officer confirmed that there were a couple of typographical errors in the first paragraph of the report. The sentence should read: The last full review was undertaken in 2023-2024 and changes adopted on 8 April 2024.

A Planning Committee Member workshop was held on the 4 February 2025 to review and discuss the Protocol and Scheme. It was broadly agreed that the arrangements were working well, but some clarity was sought around the referral provisions within the Protocol. Key observations were detailed within the report. The suggested amended Scheme of Delegation and Planning Protocol were attached as appendices to the report.

AGREED (unanimously) that:

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

120 APPEALS LODGED

AGREED that the report be noted.

121 APPEALS DETERMINED

AGREED that the report be noted.

122 DEVELOPMENT MANAGEMENT PERFORMANCE REPORT

The Committee considered the report of the Director for Planning & Growth relating to the performance of the Planning Development Business Unit over the three-month period October to December 2024 (Quarter 3). Performance had continued to be met and exceeded, despite challenges within and without the organisation.

The Planning Department undertook a range of activities including the processing of planning applications and associated appeals, planning enforcement, conservation and listed building advice, tree applications, pre-application advice as well as other service areas including land charges, street naming and numbering and management of the building control service for the Council. The report related to the planning functions of the service area.

The Planning Committee Chair thanked the Business Manager – Planning Development and the Development Control team for their work.

AGREED that the report be noted.

Meeting closed at 5.39 pm.

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Audit and Governance Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Wednesday, 16 April 2025 at 6.00 pm.

PRESENT: Councillor R Holloway (Chair)
Councillor S Michael (Vice-Chair)

Councillor R Cozens, Councillor S Forde, Councillor J Hall, Councillor S Haynes and Councillor C Penny and Mr C Richardson (Non-Voting Co-Optee)

ALSO IN ATTENDANCE: Councillor I Brown

APOLOGIES FOR ABSENCE: Councillor P Farmer, Councillor A Freeman, Councillor P Harris, Councillor M Shakeshaft and Councillor T Thompson

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

Other than the Council recording in accordance with usual practice, there were no declarations of intention to record the meeting.

157 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

That no Member of Officer declared any interest pursuant to any statutory requirement in any matter discussed or voted upon at the meeting.

158 MINUTES OF THE MEETING HELD ON 19 FEBRUARY 2025

AGREED that the minutes from the meeting held on 19 February 2025 be approved as a correct record and signed by the Chair.

The Chair informed the meeting that report item 10 would be taken after item 5.

159 ANNUAL EXTERNAL AUDIT STRATEGY MEMORANDUM 2024/25

The Committee considered the report from the Business Manager for Financial Services presenting the External Audit Strategy Memorandum for the 2024/25 Statement of Accounts work for Members to review and comment.

The representative from Mazars, Mark Surridge presented the External Auditor's report having joined the meeting through Teams and Livestreamed.

The External Audit Strategy Memorandum at Appendix A of the report sets out the proposed work of the Council's external auditors for 2024/25, relating to the audit of the financial statements and the commentary on the Council's Value for Money arrangements.

AGREED (unanimously) that the External Audit Strategy Memorandum be noted.

160 STRATEGIC RISK MANAGEMENT

The Committee considered the report from the Safety and Risk Manager providing an update to Members highlighting the Council's 2025/26 Strategic Risk Register and its current status.

The report highlighted that in accordance with the Risk Management Policy, a facilitated strategic risk workshop was undertaken with the Senior Leadership Team (SLT) in February 2025. This workshop evaluated all existing strategic risks and identified emerging risks for the forth coming year.

AGREED (unanimously) that the Committee noted amendments to the Strategic Risk Register and highlighted any issues of concern.

161 PROJECTED GENERAL FUND AND HOUSING REVENUE ACCOUNT REVENUE AND CAPITAL OUTTURN REPORT TO 31 MARCH 2025 AS AT 31 DECEMBER 2024

The Committee considered the report from the Business Manager for Financial Services to update with the forecast outturn position for the 2024/25 financial year for the Council's General Fund and Housing Revenue Account revenue and capital budgets. The report showed performance against the approved estimates of revenue expenditure and income.

The report ensured the Council has overall financial sustainability for the current financial year compared to the budgeted position.

AGREED (unanimously) that:

- (a) the Committee noted the General Fund projected favourable outturn variance of £0.250m;
- (b) the Committee noted the Housing Revenue Account projected favourable outturn variance of £0.500m to the Major Repairs Reserve;
- (c) the Committee noted the Capital Programme revised budget and financing of £42.166m; and
- (d) the Committee noted the Prudential indicators at Appendix A.

162 STATEMENT OF ACCOUNTING POLICIES 2024/2025

The Committee considered the report from the Assistant Business Manager for Financial Services providing Members with updates made to the Council's accounting policies in relation to the closedown of the 2024/2025 financial year.

The report provided a review at Appendix A with reference to not a lot of change to policies.

AGREED (unanimously) that Members approved the amended Statement of

163 UNDERLYING PENSION ASSUMPTIONS FOR 2024/2025 STATEMENT OF ACCOUNTS

The Committee considered the report from the Assistant Business Manager for Financial Services providing Members with information regarding the assumptions made by the pension fund actuary in calculating the IAS 19 (International Accounting Standard 19 - Employee Benefits) figures to be reported in the 2024/2025 Statement of Accounts.

AGREED (unanimously) that Members noted and approved the assumptions used in the calculation of pension figures for 2024/2025.

164 UNDERLYING VALUATION ASSUMPTIONS FOR 2024/2025 STATEMENT OF ACCOUNTS

The Committee considered the report from the Assistant Business Manager for Financial Services providing Members with information regarding the assumptions made by the Valuers in calculating the figures to be reported in the 2024/25 Statement of Accounts, as per the revaluation model approach taken by the Council under IAS 16 (International Accounting Standard 16 – Property, Plant and Equipment).

AGREED (unanimously) that Members noted and approved the assumptions used in the calculation of asset valuation figures for 2024/2025.

165 COUNTER-FRAUD ACTIVITIES FROM 1 MAY 2024 TO 31 MARCH 2025

The Committee considered the report from the Business Manager for Financial Services informing Members of counter-fraud activity undertaken since the last update reported on 1 May 2024.

The report gave an element of the role of the Audit & Governance Committee is to provide assurance to the Council that its anti-fraud arrangements are operating effectively. In order to do this, counter-fraud activity reports are brought to the Committee twice a year. These reports detail the number of cases detected, amounts lost, the outcome of cases and amounts recovered, together with any other counter fraud work that has been undertaken.

AGREED (unanimously) that Members noted the report.

166 FRAUD RISK ASSESSMENT

The Committee considered the report from the Business Manager for Financial Services informing Members of the update of the Fraud Risk Register undertaken during March 2025.

The report reminded Members that a fraud risk assessment was first undertaken in June 2014 and a fraud risk register produced and presented to the Audit and Accounts Committee.

The fraud risks are assessed annually and the register updated. The amended Fraud

Risk Register as at April 2025 was attached at Appendix A to the report.

The exempt appendix was not discussed in the open meeting or the exempt discussed during the meeting.

AGREED (unanimously) that Members noted the content of the report.

167 AUDIT AND GOVERNANCE COMMITTEE WORK PLAN

The Committee considered the joint report of the Assistant Director Legal & Democratic Services, Monitoring Officer and the Business Manager for Financial Services which attached the Committee's Work Plan for consideration.

The Committee noting that an additional Committee meeting would take place on 7 May 2025, to consider the Governance reports.

AGREED (unanimously) that the Work Plan be noted.

168 DATE OF NEXT MEETING - 7 MAY 2025

Meeting closed at 6.57 pm.

Chair

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Audit and Governance Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Wednesday, 7 May 2025 at 6.00 pm.

PRESENT: Councillor R Holloway (Chair)
Councillor S Michael (Vice-Chair)

Councillor R Cozens, Councillor S Forde and Councillor S Haynes

ALSO IN ATTENDANCE: Councillor N Allen and Councillor P Rainbow

APOLOGIES FOR ABSENCE: Councillor P Farmer, Councillor A Freeman, Councillor J Hall, Councillor P Harris, Councillor C Penny, Councillor M Shakeshaft and Councillor T Thompson and Mr C Richardson (Non-Voting Co-Optee)

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

Other than the Council recording in accordance with usual practice, there were no declarations of intention to record the meeting.

170 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

That no Member or Officer declared any interest pursuant to any statutory requirement in any matter discussed or voted upon at the meeting.

171 MINUTES OF THE MEETING HELD ON 16 APRIL 2025

AGREED that the minutes from the meeting held on 16 April 2025 be approved as a correct record and signed by the Chair.

172 REVIEW OF CONTRACT PROCEDURE RULES

The Committee considered the report from the Business Manager for Financial Services to review the Council's Contract Procedure Rules, approve the revisions where appropriate and recommend to Council for adoption.

The Contract Procedure Rules were last reviewed in May 2022 when the Council adopted the Cabinet system of Governance, the report advised they were due for a review and refresh.

The Contract Procedure Rules have been reviewed in conjunction with Welland Procurement with suggested changes from the updates to the Procurement Act 2023, together with their knowledge of Contract Procedure Rules from other authorities.

AGREED (unanimously) that Members considered and commented upon the revised Contract Procedure Rules and recommended to Council for approval.

173 REVIEW OF FINANCIAL PROCEDURE RULES

The Committee considered the report from the Business Manager for Financial Services to review the Council's Financial Procedure Rules, approve the revisions where appropriate and recommend to Council for adoption.

The Financial Procedure Rules were last reviewed in May 2022 when the Council adopted the Cabinet system of Governance, they are therefore due for a review and a refresh.

The Financial Procedure Rules have been reviewed in conjunction with the S151 Officer to update where appropriate and clarify any relevant sections, with no material changes to the Financial Procedure Rules as a result of this review.

AGREED (unanimously) that Members considered and commented upon the revised Financial Procedure Rules and recommend to Council for approval.

174 OUTCOME OF HOUSING OMBUDSMAN INVESTIGATION (REF: 202324726)

The Committee considered the report from the Business Manager for Housing Services to inform Members of the outcome of an investigation where the Ombudsman found fault with the Council.

A resident had complained to the Housing Ombudsman regarding various issues relating to the Council's handling of:

- Noise nuisance, anti-social behaviour and inappropriate staff conduct
- Complaints

The Housing Ombudsman determined there to be maladministration in one area and service failure in two areas:

- Maladministration in respect of the landlord's response to the resident's reports of ASB
- Service failure in respect of the landlord's complaint handling

The report advised that Corporate ASB training has been added to the 2025/2026 programme and will include the lessons learnt from this determination. Training will take place following the implementation of the new housing management system in May 2025.

The report highlighted that findings of maladministration are published regularly on the Housing Ombudsman Service website along with spotlight reports which focus on specific issues or service areas to raise awareness and help landlords improve.

AGREED (unanimously) that Members noted the report, and the lessons learnt.

175 OUTCOME OF HOUSING OMBUDSMAN INVESTIGATION (REF: 202333701)

The Committee considered the report from the Business Manager for Housing Services to inform Members of the outcome of an investigation where the

Ombudsman found fault with the Council.

A resident had complained to the Housing Ombudsman regarding various issues relating to the Council's handling of:

- Noise nuisance, anti-social behaviour and inappropriate staff conduct
- Services covered by the service charge not being provided
- Complaints

The Housing Ombudsman determined there to be maladministration in one area and service failure in two areas:

- There was maladministration in relation to the landlord's handling of the resident's reports about noise nuisance, ASB and inappropriate staff conduct
- There was service failure in relation to the landlord's handling of the resident's report about services covered by the service charge not being provided
- There was service failure in relation to the landlord's complaint handling

Corporate ASB training has been added to the 2025/2026 programme and will include the lessons learnt from this determination. Training will take place following the implementation of the new housing management system in May 2025.

The report highlighted that findings of maladministration are published regularly on the Housing Ombudsman Service website along with spotlight reports which focus on specific issues or service areas to raise awareness and help landlords improve.

AGREED (unanimously) that Members noted the report, and the lessons learnt.

176 LOCAL GOVERNMENT PEER REVIEW - CORPORATE PEER CHALLENGE

The Committee considered the report from the Assistant Director Legal & Democratic Services and Monitoring Officer informing the meeting of the recommendations from the Local Government Association Peer Challenge that have been delegated to Audit & Governance Committee.

At its meeting of 18 February 2025, Cabinet considered the findings of the Local Government Association Peer Challenge and agreed the formation of a working group tasked with an action plan to address those findings. The Chair and Vice Chair of Audit & Governance Committee were appointed to the group. At its first meeting on 25 February, the group agreed for Audit & Governance Committee to action the following recommendations:

- 1.1.1 Review the audit, governance, and overview and scrutiny functions of the Council to maximise councillor engagement and council productivity
- 1.1.2 Strengthen and enhance the Annual Governance Statement
- 1.1.3 Strengthen the application of the national Code of Conduct
- 1.1.4 Establish a Councillor development group
- 1.1.5 Ensure councillors understand the longer-term budget pressures
- 1.1.6 Establish an ongoing councillor development programme

A progress report is due to be submitted to the working group in May, with a view to progress on the entire action plan being reviewed with the Local Government Association around September 2025.

AGREED (unanimously) that Committee:

- (a) notes progress on the recommendations from the Local Government Association Peer Challenge that have been delegated to Audit & Governance Committee; and
- (b) updates the Committee's Work Plan accordingly.

177 REVIEW OF THE COUNCIL'S CONSTITUTION

The Committee considered the report from the Assistant Director Legal & Democratic Services and Monitoring Officer with proposals for amendments to the Council's Constitution following consideration by an informal Audit & Governance Committee working party.

Amendments and updates endorsed by this Committee will be recommended to Full Council for approval at the Annual Meeting in May and the Council's Independent Remuneration Panel will be asked to undertake a review in respect of any changes in Committee Terms of Reference.

The Committee noted training on procedure rules for Members in June, and an addition to Appendix I was circulated at the meeting with additional wording for the Acquisitions and Disposals Policy:

- 2.5.3 Where it is decided to negotiate a disposal to a single party (identified by paragraph 2.5.2) rather than offer it on the open market then this needs to be referred to in any decision. When negotiations take place with the interested party in order to reach an agreed sale price and the provisions of paragraph 2.7.1 still apply.

AGREED (unanimously) that Audit & Governance Committee:

- (a) recommends the Constitutional amendments set out in Appendices A, B, E, G, I and J to Full Council for approval;
- (b) endorses the adoption of templates for motions and amendments as illustrated in Appendices C and D subject to approval by Full Council of the relevant amendments to Full Council Procedure Rules;
- (c) recommends a reduction in membership of Audit & Governance Committee to 9 members to Full Council for approval;
- (d) endorses amendments to arrangements for Audit & Governance as set out in paragraph 2.9 of the report;

- (e) request that Officers explore options for more regular meetings with the auditors to assist with Audit & Governance Committee Member development;
- (f) recommends that Policy & Performance Improvement Committee re-issues guidance to all Members as set out in paragraph 2.11 of the report;
- (g) updates its work programme to include feedback at least annually on meetings between the Chair and Vice Chair of this Committee, and the Chair and Vice Chair of Policy & Performance Improvement Committee;
- (h) recommends the addition of 'Principal Legal Officer' to the list of Officers with authority to seal legal documents on behalf of the Council, to Full Council for approval; and
- (i) approves the review of the sections of the Constitution set out in paragraph 2.26 of the report, with any proposals for amendment being brought to this Committee as soon as practicable.

178 CONDUCT AND PUBLIC SERVICE

The Committee considered the report from the Assistant Director Legal & Democratic Services and Monitoring Officer on progress on implementation of the Full Council resolution 'Conduct and Public Service' made on 15 October 2024.

Members discussed the possibility of the Council hosting a conference to promote good conduct in public service with the aim of encouraging people to enter public life. There were mixed views about the merits of hosting a conference, and some concerns were raised about the potential cost, and whether a conference properly falls within the Council's remit.

The report proposed to convene a further workshop to focus on review and update of the Councillor Social Media Protocol. Officers to also explore the cost and resource implications of raising awareness of the Local Government Association's 'Debate not Hate' campaign.

AGREED by 4 Members 'For' and 1 'Against' that Committee:

- (a) notes that proposals for Member training in respect of standards of conduct will be taken forward in the Member Training Protocol workstream;
- (b) agrees to give further consideration to amendments to the Code of Conduct for Councillors at a future date;
- (c) agrees to convene one further workshop on the Conduct and Public Office topic focussing on social media;
- (d) notes that Officers will explore the cost and resource implications of supporting the Local Government Association's Debate not Hate Campaign; and

(e) notes that further enquiries will be made regarding the possibility of hosting a conference regarding good conduct in public office.

179 AUDIT AND GOVERNANCE COMMITTEE WORK PLAN

The Committee considered the joint report of the Assistant Director Legal & Democratic Services and Monitoring Officer and the Business Manager for Financial Services which attached the Committee's Work Plan for consideration.

The Chair noted 8 reports currently in the Work Plan including the additional Conduct and Public Service in Social Media and Local Code of Corporate Governance.

The Committee were concerned with the recent cyber incidents affecting large named companies such as Marks & Spencer, the Committee requested that Dave Richardson, Business Manager for ICT & Digital Services attends the next Audit & Governance Committee to provide an update to the LGA Newark and Sherwood District Council Cyber 360 Progress Report. Councillor Haynes would also email Dave Richardson with relevant questions before the next meeting in preparation of the Committee.

Councillor Michael asked if a date had been set for this year's Treasury Management Training, however the relevant officers to ask were not present, the date to be provided following this meeting.

AGREED (unanimously) that the Work Plan be noted.

180 DATE OF NEXT MEETING - 2 JULY 2025

Meeting closed at 7.04 pm.

Chair

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **General Purposes Committee** held in the Castle House, Great North Road, Newark, NG24 1BY on Thursday, 20 March 2025 at 6.00 pm.

PRESENT: Councillor J Hall (Chair)
Councillor L Tift (Vice-Chair)

Councillor N Allen, Councillor L Brazier, Councillor S Michael, Councillor D Moore, Councillor K Roberts, Councillor M Spoors and Councillor T Wildgust

APOLOGIES FOR ABSENCE: Councillor A Brazier, Councillor D Darby, Councillor R Jackson, Councillor J Lee, Councillor S Saddington and Councillor P Taylor

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

The Chair advised that the proceedings were being recorded by the Council and that the meeting was being livestreamed and broadcast from the Civic Suite, Castle House.

42 DECLARATIONS OF INTERESTS FROM MEMBERS AND OFFICERS

NOTED that no Member or Officer declared any interest pursuant to any statutory requirement in any matter discussed or voted upon at the meeting.

43 MINUTES OF THE MEETING HELD ON 12 DECEMBER 2024

AGREED that the minutes from the meeting held on 12 December 2024 were agreed as a correct record and signed by the Chair.

44 NEWARK COMMUNITY GOVERNANCE REVIEW

The Committee considered the report presented by the Business Manager – Elections & Democratic Services which sought Members consideration of the initial submissions following the first stage of the Community Governance Review of Newark Town Council and also to consider the draft proposal for further public consultation.

The report set out that the boundaries for Newark Town Council were last reviewed in 2017. However, the East Ward still had minimal electors with no respect of significant development ahead of the next scheduled elections in 2027. In addition, the South Ward continued to see development growth and an increase in electors. Following Committee's approval of the timetable for review the first stage of consultation had been held with the responses therefrom attached as Appendix A to the report. Paragraph 2.0 of the report provided a summary of the proposals following the consultation which were to rename the South Ward to the Middlebeck Ward and to address some of the elector ratios ahead of the elections scheduled to take place in 2027.

In considering the report, Members raised no queries or concerns with the proposals as detailed in Appendix B to the report.

AGREED (unanimously) that the Draft Proposals, as set out at Appendix B to the report, for the second and final stage of public consultation, be approved.

45 ADOPTION OF A PERMANENT PAVEMENT LICENSING SCHEME

The Committee considered the report presented by the Environmental Health & Licensing Manager which sought approval for the adoption of the Permanent Pavement Licence scheme to replace the current temporary scheme. Approval was also sought for the fees for pavement licences together with delegated authority being approved for the Business Manager – Public Protection to determine applications.

The report set out that a Pavement Licence permitted a pub, bar, restaurant, café, snack bar, coffee shop, or ice cream parlour to place street furniture in an approved location on the highway – defined as generally being footpaths restricted to pedestrians or roads and places to which vehicular access is restricted or prohibited. The designated area would be solely to provide an area for the serving and consumption of food and drink outdoors at such establishment. It was reported that the maximum fee for a Temporary Pavement Licence was £100, however the Council had opted to charge a fee of £50.00, with a renewal fee of £25.00. Paragraph 1.8 of the report detailed the proposed changes from the temporary scheme to the permanent scheme.

In considering the report Members did not raise any queries or concerns with the proposals as detailed within the report.

AGREED (unanimously) that:

- a) the Permanent Pavement Licence Scheme replace the temporary scheme be approved;
- b) the proposed fees for Pavement Licences be approved; and
- c) delegated authority be given to the Business Manager – Public Protection to determine applications, as within the Temporary Scheme – be approved.

46 UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report of the Senior Licensing Officer, which set out the range and number of license applications received during the period October to December 2024 in relation to Hackney Carriage/Private Hire Drivers, Private Ambulance Drivers together with House to House and Street Collections.

In considering the report, Members queried as to the reason for there not being any returns for House to House and Street Collections. In response Officers advised that no returns had been submitted but that an update would be provided. It was noted that a street collection had been carried out in Southwell with a Member querying whether the failure to supply the return would jeopardise any future applications. The Senior Licensing Officer advised she would contact the organisation in question.

In response to whether the issue of taxis being able to pick up disabled people at Newark Hospital, the Senior Licensing Officer advised that the situation was unresolvable at present.

AGREED unanimously that the report be noted.

47 MINUTES OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S SUB-COMMITTEE

NOTED the minutes of the Hackney Carriage/Private Hire Driver's Sub-Committee held on 6 December 2024.

Meeting closed at 6.12 pm.

Chair

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Licensing Committee** held in the Castle House, Great North Road, Newark, NG24 1BY on Thursday, 20 March 2025 at 6.13pm.

PRESENT: Councillor J Hall (Chair)
Councillor L Tift (Vice-Chair)

Councillor N Allen, Councillor L Brazier, Councillor S Michael, Councillor D Moore, Councillor K Roberts, Councillor M Spoor and Councillor T Wildgust

APOLOGIES FOR ABSENCE: Councillor A Brazier, Councillor D Darby, Councillor R Jackson, Councillor J Lee, Councillor S Saddington and Councillor P Taylor

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

The Chair advised that the proceedings were being recorded by the Council and that the meeting was being livestreamed and broadcast from the Civic Suite, Castle House.

47 DECLARATIONS OF INTERESTS FROM MEMBERS AND OFFICERS

NOTED that no Member or Officer declared any interest pursuant to any statutory requirement in any matter discussed or voted upon at the meeting.

48 MINUTES OF THE MEETING HELD ON 12 DECEMBER 2024

AGREED that the minutes from the meeting held on 12 December 2024 were agreed as a correct record and signed by the Chair.

49 CONSTITUTIONAL CHANGES FOR THE LICENSING AND GENERAL PURPOSES COMMITTEES

The Committee considered the report presented by the Principal Legal Officer which provided Members with details of the proposed changes to the remit of both the General Purposes and Licensing Committees and also sought their consideration as to merging the two committees into one single committee.

The report provided a summary of the remits of the two committees and noted that the Council's Audit & Governance Committee were undertaking a review of the Council's Constitution, which included a review of the General Purposes and Licensing Committees. It was further reported that an informal working group met in October 2024 to undertake a desktop review of the current committee terms of reference. The proposed changes resulting from that were a clarification the terms of reference and remove functions that were no longer relevant. The suggestion of merging the two committees was also discussed with the opinion being reached that a single committee was preferable.

In considering the report, Members agreed that the proposal to merge the two committees be supported.

AGREED (unanimously) that:

- a) the contents of the report be noted; and
- b) the proposal to merge the General Purposes and Licensing Committees into a single committee be supported.

50 LOCAL GOVERNMENT OMBUDSMAN DECISION OUTCOME REPORT

The Committee considered the report presented by the Business Manager – Public Protection which provided Members with details of the outcome of an investigation where the Ombudsman found fault with the Council.

The report set out the background to the Ombudsman’s findings, which had been as a result of a complaint lodged by a resident in relation to the time it had taken the Council to act in respect of a statutory noise nuisance. The actions taken in response to the nuisance were documented in the Local Government & Social Care Ombudsman final decision statement which was attached as Appendix 1 to the report which had also been presented to the Audit & Governance Committee in December 2024. Paragraph 4.0 of the report advised that when a complaint was upheld, it was important that lessons were learnt, details of which were reported in paragraph 4.2 of the report.

In considering the report, Members raised the issue of receiving complaints direct from residents, querying whether they would also receive information from licensing enforcement as to what investigations and/or enforcement actions were currently being undertaken. The Business Manager advised that should Members receive a complaint directly from a resident, they should refer this to the Licensing Team for action.

AGREED (unanimously) that the report and lessons learnt be noted.

51 MINUTES OF LICENSING HEARING HELD ON 11 DECEMBER 2024

NOTED the Minutes of the Licensing Hearing held on 11 December 2024 in respect of Club X, 18 Castle Gate, Newark.

52 MINUTES OF LICENSING HEARING HELD ON 23 DECEMBER 2024

NOTED the Minutes of the Licensing Hearing held on 23 December 2024 in respect of the Roaring Meg, Barnby Gate, Newark.

53 TEMPORARY EVENT NOTICES (OCTOBER TO DECEMBER 2024)

NOTED the Temporary Event Notices received and acknowledged between 1 October until 31 December 2024.

54 UPDATE ON PERFORMANCE & ENFORCEMENT MATTERS

NOTED the various activities undertaken by the Licensing Team in relation to the different types of licensing matters covered by the Licensing Act 2003 between the period 1 October to 31 December 2024.

Meeting closed at 6.34 pm.

Chair

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Executive Shareholder Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Tuesday, 11 March 2025 at 6.00 pm.

PRESENT: Councillor P Peacock (Chair)

Councillor R Cozens, Councillor L Brazier, Councillor S Crosby,
Councillor S Forde, Councillor P Taylor, Councillor C Penny and
Councillor J Kellas

ALSO IN ATTENDANCE: Councillor N Allen, Councillor S Haynes and Councillor P Rainbow

APOLOGIES FOR
ABSENCE:

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

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

18 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

Councillor S. Forde declared an interest in Item 5- Active4Today Performance Quarter 3 as he was a Director of Actie4Today.

The Deputy Chief Executive and Section 151 Officer declared an interest in Items 6 and 8 as he was a Director of Arkwood Developments Ltd.

19 MINUTES FROM THE PREVIOUS MEETING HELD ON 3 DECEMBER 2024

The minutes from the meeting held on 3 December 2024 were agreed as a correct record and signed by the Chair.

20 ACTIVE4TODAY PERFORMANCE QUARTER 3

The Health Improvement and Community Relations Manager was in attendance to present a report detailing the performance of Active4Today for the period 1 April – January 2025.

Members heard that the Company was performing well with growth at Newark and Blidworth Sites offsetting losses at Southwell and Dukeries sites. Overall membership had risen to 12,001. Costs were lower than anticipated for the period and the Active Reserve had risen from £590,188 to £640,188. Latest forecasting set the subsidy per user at 7pence. Members noted details of the activities undertaken during the reporting period and the draft Business Plan for 2025/26 which had been approved by the Active4Today Board on 15 January 2025. The Business Plan set the management fee at £109,390 for 2025/26.

The Committee welcomed the report and the positive financial position.

AGREED (unanimously) That the Executive Shareholder Committee note the performance of Active4Today up to period 10, 2024-25 and approve the Business Plan 2025 - 2026 as detailed in Appendix 4.

Reasons for Decision:

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

Options considered:

Not applicable

21 ARKWOOD DEVELOPMENTS PERFORMANCE QUARTER 3

The Managing Director- Arkwood was in attendance to present the performance report for quarter 3 2024/25 and a presentation updating Members on recent progress with developments and an update on the pipeline. Members noted the report.

AGREED (unanimously)

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

Reasons for Decision:

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

Options considered:

Not applicable

22 EXCLUSION OF THE PRESS AND PUBLIC

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

23 ARKWOOD DEVELOPMENTS BUSINESS PLAN

The Executive Shareholder Committee considered the exempt report in relation to the Arkwood Developments Business Plan for 2025-2030.

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

Meeting closed at 8.28 pm.

Chair

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

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