

CABINET – TUESDAY, 10 DECEMBER 2024

DECISION NOTICE

The following decisions were taken on Tuesday, 10 December 2024 by Cabinet.

Date notified to all Members: **Wednesday 11 December 2024**

End of the call-in period is **12 noon on Monday 16 December 2024**

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

Present: P Peacock, R Cozens, S Crosby, L Brazier, E Oldham, C Penny, P Taylor and J Kellas

<u>Agenda Item No.</u>	<u>Subject</u>	<u>Decision</u>	<u>Action By</u>
5.	Arts Council England National Portfolio Organisation Extension Application (Key Decision)	<p>AGREED that Cabinet:</p> <p>(a) approve the submission of the extension application by 19 December 2024;</p> <p>(b) approve the extension of the three staff for £137,000 funded by the Arts Council National Portfolio Organisation, to be added to the establishment for 2026-27; and</p> <p>(c) approve a budget in 2026-27 of the remaining £172,000 of the £309,000 funded by the National Portfolio Organisation Grant.</p> <p><u>Reasons for Decision:</u> The Open Doors programme links to Objective 7 in the community plan, to celebrate and invigorate community spirit, pride of place and a sense of belonging through heritage, culture and the arts, enabling the Heritage and Culture Business Unit to reach more audiences and increase cultural engagement.</p> <p><u>Options considered:</u> The extension application is not mandatory, however if the Council does not apply for the extension year there will be a gap in funding and activity will not be able to continue. Not applying would also be to the detriment of any future NPO application, which is anticipated to cover the period 2027-2030.</p>	Carys Coulton-Jones, Business Manager-Heritage, Culture and Visitors
6.	Proposal to Site the 'Kiddey Stones' at Castle House, Newark	<p>AGREED that Cabinet:</p> <p>a) consider the report on the public consultation on the Kiddey sculptures at Appendix B to the report;</p>	Matt Finch, Director-Communities & Environment

		<p>b) consider the comments from the Policy, Performance and Improvement Committee at Appendix A to the report;</p> <p>c) confirm the earlier, in principle decision taken on 4 June 2024, to site the Kiddey sculptures at Castle House, Newark;</p> <p>d) add a sum of £87,430 to the capital programme funded by the Change Management Reserve, to fund the installation at Castle House; and</p> <p>e) give delegated authority to the Director - Communities and Environment, in consultation with the Portfolio Holder, to enter into an agreement with Newark Town Council for a loan of the Kiddey Sculptures.</p> <p><u>Reasons for Decision:</u> The recommendations align with the Community Plan objectives in relation to heritage and culture, particularly the specific actions around increasing the quantity and quality of public art in the district.</p> <p><u>Options considered:</u> The Kiddey Stones are part of Newark’s heritage. For around 40 years they have been under tarpaulin in the town’s cemetery. Without funding and a suitable location to site the stones, it is highly likely they will continue to remain away from public view. However, it is an option not to invest in the project.</p>	
7.	Tenant Engagement Update	<p>AGREED that Cabinet:</p> <p>a) review and note the responsibilities of the Council (both Members and officers) as a housing authority in relation to consumer regulation;</p> <p>b) note the progress and planned engagement with the Tenant Participation Advisory Services (TPAS) on creating a new, strengthened tenant engagement structure;</p> <p>c) note how feedback and insight from the tenant engagement survey 2024 will be used alongside Tenant Satisfaction Measures performance and learning from complaints, to inform the workplan for service improvement for next 18 months;</p> <p>d) note that the results of the TPAS re-engineering project will be reported to the Policy and Performance Improvement Committee in June 2025 to scrutinise the detailed action plan, proposals for</p>	Suzanne Shead, Director – Housing, Health & Wellbeing

		<p>implementation and endorse for approval by the Tenant Engagement Board and Cabinet; and</p> <p>e) approve and endorse a bespoke training session for all Members, to be led by the Tenant Engagement team, to raise awareness and understanding of the Council’s obligations regarding tenant engagement and the broader consumer regulations.</p> <p><u>Reasons for Decision:</u> To keep Members updated on progress towards maximum compliance with the Consumer Standards and to highlight how we are aiming to achieve this within the tenant engagement team.</p> <p>These recommendations align to objective 2, and 8 of the Community Plan. Specifically:</p> <p>Objective 2 - Explore further ways to seek out imaginative and effective ways to engage with and involve tenants; Design and implement a ‘New Housing Management System’ for Council owned homes, to provide a modern system and better user experience for both tenants and staff; Embed and evaluate our new ‘Repairs Online’ service.</p> <p>Objective 8 - Plan and implement arrangements to respond to new regulatory inspections and requirements.</p> <p><u>Options considered:</u> Continue with current methods and structure – this would impact the ability of the Council to meet the Consumer Standards, as set out in the Regulator of Social Housing’s regime, and potentially result in a worse rating upon inspection.</p> <p>This option has been discounted since compliance with the standards is a regulatory requirement.</p>	
8.	Yorke Drive Regeneration Update (Key Decision)	<p>AGREE that Cabinet:</p> <p>a) as landowner, promotes a scheme which will deliver 207 units with an initial split of 133 market and 74 social units;</p> <p>b) alongside this, continue to negotiate with Homes England to maximise the affordable housing on the scheme through grant funding and a further report will be brought forward at the appropriate time;</p>	<p>Cara Clarkson, Business Manager - Regeneration and Housing Strategy</p>

		<p>c) increase the HRA Capital budget by xx (financed by the Major Repairs Reserve) to xx to allow for future inflation and contingency;</p> <p>d) the Revenue loss of xx due to the change from Affordable Rent to Social Rent and a reduction in units from 100 to 74 be noted; and</p> <p>(e) give delegated authority to the Director - Housing, Health &amp; Wellbeing in consultation with the Director – Resources / S151 Officer and Portfolio Holder for Housing to negotiate and enter into the development agreement and subsequent JCT agreements, subject to planning permission, costs remaining within the approved budget envelope and risk profile.</p> <p><u>Reasons for Decision:</u> To continue the delivery of the Yorke Drive Regeneration Programme, a key action within the Community Plan and delivering overarching transformation for the Bridge Ward.</p> <p><u>Options considered:</u> Alternative options are considered within the body of the report.</p>	
9.	Community Grant Scheme Update (Key Decision)	<p>AGREED that Cabinet:</p> <p>a) notes the delivery of the Community Grant Scheme in 2024-25 to date; and</p> <p>b) continue to budget for the Community Grant Scheme for 2025-26 to 2028-29.</p> <p><u>Reasons for Decision:</u> To ensure that funding can be allocated to community groups, supporting communities to be sustainable and thrive.</p> <p><u>Options considered:</u> To withdraw the community grant scheme – this alternative has been discounted due to the demonstrable positive impact the scheme has on the local community – empowering local groups and developing community capacity and resilience.</p> <p>To amend the community grant scheme criteria and prioritisation – this alternative has been discounted as the scheme criteria and prioritisation have only been in place for one year (approved Oct 2023) and continue to reflect the Council’s community plan objectives.</p>	Cara Clarkson, Business Manager - Regeneration and Housing Strategy

10.	Revised Contaminated Land Strategy (Key Decision)	<p>AGREED that the Contaminated Land Strategy as set out in Appendix 1 to the report be approved.</p> <p><u>Reasons for Decision:</u> This is a legally required strategy that must be in place to set out how contaminated land is identified across the district.</p> <p><u>Options considered:</u> Not appropriate, the existing strategy is out of date and not in line with current statutory guidance.</p>	Jenny Walker, Business Manager- Public Protection
11.	Proposals for the Future Development of the Brunel Drive Depot Site (Key Decision)	<p>AGREED that Cabinet:</p> <ul style="list-style-type: none"> <li>a) approve the future development plan (Option 4) as set out in the attached study at Appendix A and described in the report;</li> <li>b) approve that a planning application is prepared and submitted for the permanent siting of the glass bulking facility at the Lorry Park in Newark;</li> <li>c) approve a first phase investment of £669,000 including contingency, inflation, and fees, at Brunel Drive and Farrar Close and equivalent budget being added to the Capital Programme for 25/26, in line with the timescales and phasing set out in the report; and</li> <li>d) give delegated authority to the Directors of Communities and Environment and Housing, Health and Wellbeing, in consultation with the Portfolio Holders, to tender and deliver the phased programme of investments in line with the indicative timescale set out in the report.</li> </ul> <p><u>Reasons for Decision:</u> The recommendations align with the Community Plan objectives in relation to the environment and climate change, whilst waste and recycling always features at the top of any resident polling about the services provided by the Council which matter most to them. The proposals are the most cost-effective in the circumstances and are legislatively and operationally deliverable. They facilitate effective changes in the use of buildings which are no longer required. They also facilitate the Council's ability to accommodate the long-term delivery of new services from the existing site, including food waste, and in time may open up exciting opportunities to enable public access into the Council's museum store. Whilst there has been a prolonged impasse in terms of national waste and recycling policy and how that is to be funded, the previous Government</p>	Matt Finch, Director- Communities & Environment

		<p>stated they would not be funding new depots or changes to depots with the rollout of a kerbside food waste collection service and there is no real reason currently to believe that stance will change. As such, Councils will need to arrange and fund their own requirements, which is what these proposals do.</p> <p><u>Options considered:</u></p> <p>The study appended to this report sets out that it is not operationally, legislatively, or financially cost-effective for the Council to try to accommodate all of its future needs on the existing Brunel Drive and Farrar Road sites., as well accommodating the glass bulking facility on that site.</p> <p>The Council could look to purchase a wholly new site, but this would be financially prohibitive and is not necessary given the ability to accommodate much of the Council’s operations on the existing site, whilst taking advantage of some buildings on the site which are no longer required or soon could be surplus to requirements.</p> <p>The Council could look to find an alternative site for the glass bulking station now situated on the Lorry Park. However, this would require the purchase or lease of additional land and the additional construction of a glass bulking facility, which already exists on the Lorry Park. This option would carry unnecessary additional costs. Furthermore, suitable locations are likely to be very challenging to find in order to meet the Environment Agency’s permitting regime and planning permission. Efforts to find an alternative site to the Lorry Park in 2023 did not yield a suitable alternative.</p> <p>The Council could forego the income generated through a glass bulking site and simply take the glass to the Veolia Materials Recovery Facility at Mansfield. In this way the Council would preserve the much-requested kerbside glass recycling service, but would lose a significant quantum of the forecasted £165,000 annual income being generated through the current model, which offsets some of the costs of providing the service.</p>	
12.	14 Market Place, Newark (Key Decision)	<p>AGREED that Cabinet:</p> <ul style="list-style-type: none"> <li>a) note and support the proposed approach to create a usable community space at ground floor and single residential apartment at upper floors for long-lease sale to the market;</li> <li>b) approve amending the existing committed Capital budget from £353,000 to £373,000 in order to cover the costs of delivering a) above;</li> </ul>	<p>Neil Cuttell, Business Manager – Economic Growth &amp; Visitor Economy</p> <p>Kevin Shutt, Development</p>

		<p>c) delegate to the Deputy Chief Executive and Director – Resources authority to enter into a lease with the Lincoln College Group (LCG) for use of the ground floor and basement as a Community Information Hub for a minimum period of 3 years and to proceed with the long-leasehold sale of the apartment at upper floors, including the imposition of any necessary service charges for both uses approved;</p> <p>d) delegate to the Deputy Chief Executive and Director – Resources authority to include within the terms of c) above a rent-free and service charge free period of 12 months, with rent for subsequent years being jointly sought by the LCG, CVS, and this Council from any revised Newark Long Term Plan for Towns (LTPfT) which shall be capped at a maximum of £9,000 per annum until 31<sup>st</sup> March 2029; and</p> <p>e) subject to c) and d) above to conclude necessary fit-out costs for the Community Information Hub, providing the envelope remains within the revised capital budget of £373,000.</p> <p><u>Reasons for Decision:</u> The use of the building for community space and residential will enable worthwhile use of a key asset within the Council’s property portfolio in line with town centre strategy.</p> <p><u>Options considered:</u> There is an option to ‘do nothing’ and mothball the building. This option has been discounted as it is a prime retail unit within Newark Town Centre and regenerating the site for future uses is a focus for the economic growth of the town.</p>	<p>Manager, Corporate Property</p>
<p>13.</p>	<p>Towns Fund Project Update</p>	<p>AGREED that Cabinet:</p> <p>a) note and welcome the progress and achievements of Newark Towns Fund projects; and</p> <p>b) note the future of Long-Term Plan for Towns Programme following the Autumn Statement in October 2024.</p> <p><u>Reasons for Decision:</u> To update Members on Newark Town Fund and Long-Term Plan for Town Programme.</p> <p><u>Options considered:</u> None, the report just details the projects finding which</p>	<p>Neil Cuttell, Business Manager – Economic Growth &amp; Visitor Economy</p>

		have delivered significant investment.	
14.	Levelling Up Fund 3 Programme Update (Key Decision)	<p>AGRED that Cabinet:</p> <p>a) note the report, including the updates associated with the LUF 3 Programme;</p> <p><u>Ollerton Project</u></p> <p>b) approves a capital budget of £500,000, financed initially by borrowing, to be replaced by the LUF 3 grant when received, to enable essential project development works associated with the Ollerton scheme, prior to the Council receiving a Memorandum of Understanding, as detailed in section 1.6 of the report;</p> <p><u>Clipstone Project</u></p> <p>c) approves a capital budget of £200,000, financed by borrowing initially, to be replaced by LUF 3 grant when received, to enable essential project development associated with the Clipstone scheme (Phases 2 and 3), prior to the Council receiving a Memorandum of Understanding, as detailed in section 1.9 of the report;</p> <p><u>Memorandum of Understanding (MoU)</u></p> <p>d) approves an amendment to the existing delegation to the S151 Officer, Deputy Chief Executive &amp; Director of Resources and Director of Planning and Growth, to include the acceptance of a partial (or full), LUF 3 grant of up to £20m, via an MoU, as detailed in sections 1.12 and 1.13 of the report; and</p> <p>e) notes the existing and proposed financial commitments immediately eligible for repayment by MHCLG, subject to a finalised partial, or full MoU, as detailed in section 1.13 of the report.</p> <p><u>Reasons for Decision:</u> To ensure Members are aware of the recent updates and developments associated with the LUF 3 programme, and to enable ongoing progression of both schemes for delivery within potential Government timescales. Without access to further funding, there is an elevated risk that both projects are unable to meet spend timescales detailed within this report.</p>	Matt Lamb, Director - Planning and Growth



		<p>It is recommended that the Council enters into an initial MoU with MHCLG at the earliest opportunity, to enable existing upfront investment to be eligible for repayment from LUF 3 Grant, in turn reducing the level of financial exposure for the Council.</p> <p><u>Options considered:</u> It remains an option for the Council to refuse to accept any future LUF 3 grant or decide not to provide further forward funding. This approach is not recommended as it would represent a missed opportunity to deliver genuine and impactful transformative change in the communities of Ollerton and Clipstone. Without additional forward funding, risk is elevated for both projects, particularly regarding timescales to deliver against LUF 3 funding requirements, potential loss of community and partnership momentum, and increased costs due to further delays.</p>	
15.	Infrastructure Funding Statement (Key Decision)	<p>AGREED that Cabinet:</p> <p>a) approve the publication of the Infrastructure Funding Statement, which has been produced in accordance with the legislative requirements, before the end of the calendar year; and</p> <p>b) approve consultation with Parish Councils and Parish Meetings on CIL meaningful proportion issues as set out in section 2 of the report.</p> <p><u>Reasons for Decision:</u> To ensure that the District Council is operating in accordance with the requirements of the Community Infrastructure Regulations.</p> <p>To discuss with Parish Councils and Parish Meetings various issues related to CIL meaningful proportions.</p> <p><u>Options considered:</u> None, there is a statutory requirement to publish the IFS by the end of the calendar year.</p> <p>It was considered whether or not consulting the Parish Council and Parish Meetings was necessary, but it is felt if the Council is formulating procedures, it would be appropriate to involve those impacted. In order for the Council to change the payment schedule consultation is required.</p>	Matthew Norton, Business Manager - Planning Policy and Infrastructure
16.	New Local Plan for Newark and	AGREED that Cabinet:	Matthew Norton,

	<p>Sherwood Decision)</p> <p>(Key</p>	<ul style="list-style-type: none"> <li>a) note the report;</li> <li>b) approve the preparation of a new Local Plan for Newark &amp; Sherwood; and</li> <li>c) adopt amendments to the Local Development Scheme as set in Section 2 of this report and Appendix A, to come into force on 17 December 2024.</li> </ul> <p><u>Reasons for Decision:</u></p> <p>To allow Cabinet to note progress on the Plan Review;</p> <p>To agree to begin preparation of a new Local Plan for Newark &amp; Sherwood so that the Council can demonstrate to the Planning Inspector that it is committed to producing one; and</p> <p>To allow the Council to publish an amendment to the timetable so that the Local Development Scheme can be updated to comply with the Planning and Compulsory Purchase Act 2004 and appropriate regulations.</p> <p><u>Options considered:</u></p> <p>The Inspectorate has requested that the Council confirm its position on Plan Review, therefore in order to meet these requirements it is necessary to review the Local Development Scheme.</p>	<p>Business Manager - Planning Policy and Infrastructure</p>
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