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Monday, 11 September 2023

Chairman: Councillor P Peacock

Members of the Cabinet:

Councillor R Cozens
Councillor S Crosby
Councillor L Brazier
Councillor K Melton
Councillor E Oldham
Councillor M Spoors
Councillor P Taylor
Councillor R Holloway

MEETING: Cabinet

DATE: Tuesday, 19 September 2023 at 6.00 pm

**VENUE: Civic Suite, Castle House, Great North Road, Newark,
Nottinghamshire, NG24 1BY**

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

If you have any queries please contact Nigel Hill on Nigel.hill@newark-sherwooddc.gov.uk.

AGENDA

Page Nos.

1. Apologies for Absence
2. Declarations of Interest from Members and Officers
3. Notification to those present that the meeting will be recorded and streamed online
4. Chair's Update

Strategy, Performance & Finance Portfolio

5. Plans to Decarbonise the Council's Estate (Key Decision) 4 - 7

Climate Change Portfolio

6. Update on Kerbside Glass Recycling Scheme 8 - 15

Sustainable Economic Development Portfolio

7. Amended Allocations and Development Management Development Plan Document (Key Decision) 16 - 40
8. Newark Towns Fund Projects Update and Project Adjustment Request (Key Decision) 41 - 51

Housing Portfolio

9. Decant Policy 2023 - 2026 (Key Decision) 52 - 60
10. Housing Services Resources 61 - 68
11. 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.

12. Amended Allocations and Development Management DPP - Exempt Appendix 69
13. Housing Services Structure Proposal 70 - 77



Report to: Cabinet Meeting - 19 September 2023

Portfolio Holders: Councillor Paul Peacock - Strategy Performance & Finance
Councillor Keith Melton - Climate Change

Director Lead: Matthew Finch, Director - Communities & Environment

Lead Officer: Stephen Young, Decarbonisation Project Surveyor, Ext. 5440

Report Summary	
Type of Report	Open Report, Key Decision
Report Title	Plans to Decarbonise the Council's Estate
Purpose of Report	To provide the Cabinet with an update on plans to appoint consultants to develop a decarbonisation plan for the Council's buildings in line with the Council's Community Plan objectives and stated plan to be net carbon neutral by 2035. To agree a budget to fund the work.
Report Recommendations	That Cabinet approve a budget of £150,780 from the Change Management Reserve to fund this work.
Alternative Options Considered	The Council has a target of being net carbon neutral, excluding housing, by 2035. The two main sources of carbon within the Council's footprint are its fleet and its buildings. Doing nothing is therefore not deemed a viable alternative to deliver carbon savings within the Council's estate, whilst the expertise and capacity to deliver this work in-house is not currently available.
Reason for Recommendations	To enable a programme of decarbonisation activities in line with the Council's Climate Emergency Strategy and Action Plan for a carbon net neutral target date of 2035.

1.0 Background

1.1 NSDC declared a Climate Emergency at the Full Council meeting on 16 July 2019. Following the declaration, the Carbon Trust were appointed to work alongside officers and members to develop a Climate Emergency Strategy and Action Plan. A carbon net neutral target date of 2035, and an emissions reduction target, were developed in line with this aspiration. The Climate Emergency Strategy and both targets were approved by Policy and Finance Committee in September 2020 and Full Council in December 2020.

- 1.2 The Council's agreed target for reduction is 2,165 tCO₂e.
- 1.3 Underpinning that aspiration, a Greening Newark and Sherwood Action Plan was developed to deliver the target set out in Climate Emergency Strategy. It outlines recommended carbon reduction initiatives which the council can undertake to improve energy efficiency and reduce our overall carbon footprint.
- 1.4 Within the Council's carbon footprint, there are two principal sources of emissions – the fleet and the Council's buildings. Work is underway to understand how the Council's depot at Brunel Drive may need to be developed into the future to support low emission vehicles and there are now two electric vehicles operating within the Council as a part of a small-scale pilot.
- 1.5 Five buildings have also been identified for photovoltaic panels to be fitted, in addition to those already in situ on the Council's main office, Castle House. Those additional sites are the Newark Sports and Fitness Centre, the Dukeries Leisure Centre, the Beacon Business Innovation Centre and the Green Flag parks of Sconce and Devon and Vicar Water.
- 1.6 However, there are clearly many more buildings in the Council's estate that PV is not suitable for, or is only one part of a whole building approach to reducing carbon. With that in mind, the Council is seeking expert support to draw up a decarbonisation plan for the wider estate.
- 1.7 The following sites have been approved for the decarbonisation plan:
- Newark Sports and Fitness Centre
 - Dukeries Leisure Centre
 - Blidworth Leisure Centre
 - Newark Beacon
 - Castle House Offices
 - Brunel Drive Depot
 - National Civil War Centre
 - Palace Theatre
 - Vicar Water Visitor Centre
 - Sconce and Devon Visitor Centre
 - Sherwood Arts and Crafts Centre
 - Farrar Close – Stores + Offices
 - 19 Carparks throughout the district
- 1.8 The Council recently approached the market to identify suitably qualified and experienced consultants to undertake this work. This will give the Council a detailed profile including the required recommendations to decarbonise, reducing the carbon footprint and total energy usage and, ultimately, to achieve net zero by the 2035 deadline.

2.0 Proposal/Details of Options Considered

- 2.1 Following a tender process over the summer of 2023, the preferred tender bid is for a value of £150,780.

- 2.2 Surveys would commence immediately after Cabinet approval of budget, with a completion date in late Autumn 2023.
- 2.3 Costings for the required works will also be produced within the report for future funding requests. Government funding rounds do become available, but on a competitive basis and it is imperative that the Council has ready made schemes it can submit if it is to be successful.

Scope

- 2.4 The purpose of the development of the Decarbonisation Plan is also to determine how and when carbon reduction measures should be put in place e.g. the replacement of fossil fuel reliant heating systems with low carbon alternatives.

“The Decarbonisation Plan” works has 3 key elements;

- 2.5 To establish and describe the current state of NSDC’s sites with detailed survey information including:
- Digital surveys in CAD format
 - Detailed assessment of the current building fabric (insulation/U-Values, Windows and doors, BR Part L1A Airtightness etc)
 - Detailed assessment of the existing MEP systems
 - Infrastructure audit
- b. Establish a baseline in terms of energy use to provide the background on the condition and energy consumption of the buildings.
- c. Outline energy efficiency projects and existing low carbon heating technology in place.
- 2.6 Analysis of each site considering for each the possible decarbonisation measures, the costs, product lifetime, payback periods, intended outcomes and carbon savings.

Note: it is crucial to emphasise that this will not be a one size fits all strategy. Each building/site will need to be carefully surveyed, modelled and an on-off decarbonisation plan developed for each individual site.

- 2.7 The final output is an action plan detailing the prioritised recommended actions for each site. This will:
- a. Identify carbon saving/ decarbonisation works required to meet our 2035 net zero target.
 - b. Recommendations for energy efficiency/ decarbonisation works considering timescales, planning constraints, payback, and costs with consideration to electricity loading capacity and any future changes to load capacity.
 - c. Identification of key challenges; consideration for risks associated with implementing recommended improvements and identify any issues that may limit the recommended action performance, whether these issues are technical, financial, or logistical in nature.

With this information at hand, we will be able to provide Members with proposed future schemes to adapt and improve our buildings and carparks in order to achieve our pledge of net zero.

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 below where appropriate.

Financial Implications (FIN23-24/7483)

- 3.1 The works proposed in section 2.0 are feasibility works and therefore will be revenue expenditure. The £150,780 will need to be funded from the Change Management Reserve.
- 3.2 Any works are that approved to be taken forward as a result of the feasibility study will need to be added to the Capital Programme.

Legal Implications (SLB 01/09/2023)

- 3.3 This Key Decision was added to the Forward Plan on 5 September 2023. Therefore, the required 28 clear days' notice has not been given. The Council's Monitoring Officer has informed the Chair of the Policy and Performance Improvement Committee, in accordance with the procedure for taking urgent decisions (paragraph 3.1 of Part D – Section 6 – Procedure for Taking Urgent Decisions of the Constitution refers).
- 3.4 The Chairman of the Policy & Performance Improvement Committee indicated his support to consider the report at this meeting of the Cabinet in order to get started with the project.

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: Cabinet Meeting - 19 September 2023

Portfolio Holder: Councillor Keith Melton – Climate Change
Councillor Paul Peacock – Strategy, Performance and Finance

Director Lead: Matt Finch – Director of Communities & Environment

Lead Officer: Ryan Oliff, Waste and Recycling Manager, Ext. 5682

Report Summary	
Type of Report	Open report, non-key decision
Report Title	Update on Kerbside Glass Recycling Scheme
Purpose of Report	For Members to consider the current status and risks of the glass recycling project
Recommendations	<p>That Cabinet:</p> <ul style="list-style-type: none"> a) note the current status of the project and note the challenges which may impact the project launch date; b) note that there is currently an additional forecast budget requirement of £30k from 2024/25; c) note that the garden recycling subscription fee is increased from £35 to £37 from 2024/25, in line with the rationale set out in paragraphs 2.6.8 and 2.6.10 of the report; d) note that the one-off funding of circa £8k for glass recycling boxes be provided to Recycling Ollerton and Boughton (ROB); e) approve the transition of apprentice Mechanic to permanent FTE NS9; and f) further updates be provided where required.
Alternative Options Considered	As set out, the report provides an update on an existing Council decision to introduce a kerbside glass collection service in Newark and Sherwood. As such, no alternatives have been put forward at this stage.
Reason for Recommendations	To introduce a kerbside glass collection service in line with resident feedback, the aspirations within the Community Plan and within the budget previously agreed by the Council.

1.0 Background

- 1.1 Residents have repeatedly expressed their frustration at the lack of kerbside glass collection in Newark and Sherwood. This was expressed in both the 2018 and 2022 Resident's Surveys which found that recycling continues to be an issue of high importance for residents. In the 2022 survey it was listed as being important or very important to 83% of residents to live in a sustainable and environmentally aware way. 270 respondents commented to specifically request the introduction of kerbside glass recycling.
- 1.2 Residents also referenced recycling of food and garden recycling however glass was the most requested kerbside service. This is likely because it is collected and recycled in at least half of the district's households, but also because of its potential in reducing the district's carbon footprint. As glass is one of the few materials which is 100% recyclable with no loss in quality during the recycling process, for every tonne of recycled glass that is used to make new glass containers, there are emission savings of 314kg of and CO2 and it prevents 1.17 tonnes of raw materials being used.
- 1.3 A new kerbside glass recycling scheme was approved by cabinet in February 2023 with the first project group taking place in March to meet and discuss progress and milestones on the various work strands.
- 1.4 There are neighbouring authorities that have introduced very similar schemes and there is available data which has helped shape our assumptions on expected tonnages, income generation and certain timescales as well as some experiences of planning and implementing a scheme of this nature.
- 1.5 However, there are also aspects of the project which are unique to NSDC. One of these is the existence of Recycling Ollerton and Boughton (ROB) who offer to collect glass from the kerbside every fortnight from approximately 10,000 properties in the district.
- 1.6 ROB is a charity which provides work-based training placements to adults with learning difficulties. Providing the collection is one of their placement experiences and they mitigate some of the costs associated with their charity with the glass recycling income. We have no desire to damage their business model and seek to offer our service as a complimentary alternative to the ROB scheme.

2.0 Project Update

2.1 Infrastructure & Capital Works

- 2.1.1 Additional infrastructure is required to implement the service. Current vehicle space at the Brunel Drive depot is at its limit and a glass transfer station is required for the storage and bulking up of collected glass for sale, whilst three new collection vehicles are required to run the new service.

2.2 Vehicles and Depot Capacity

- 2.2.1 Happily, an agreement is now in place to use land at Farrar Close to deal with the extra space needed for private vehicle parking, fleet parking and bin storage capacity.
- 2.2.2 Vehicles have also been ordered and these have come in below the anticipated price resulting in budget savings.
- 2.2.3 Although the opt in numbers for the ROB area are low, there will still be the requirement for a 2nd collection team and therefore the space needed at Brunel Drive for the additional fleet and staff parking will remain the same as previously modelled.

2.3 Waste Transfer Station

- 2.3.1 An agreement has also been reached to use the lorry park for the waste transfer station however there were concerns which needed to be addressed before finalising a specific site due to the potential noise issues.
- 2.3.2 In response to these concerns, an audiometry exercise has been carried out at Mansfield District Council's waste transfer station to measure the noise whilst glass is being ejected from the refuse vehicle when tipping and also when the glass is being loaded into the contractor's haulage lorry. Recordings have also been carried out to record baseline noise levels from the lorry park at nearby properties on Sikorski Close.
- 2.3.3 It has become apparent that planning permission is needed to construct the waste transfer station and a consultant has been assigned to go through that process. Plans for the waste transfer station have been drawn up and are being progressed.
- 2.3.4 Planning permission will be submitted to the relevant bodies and will take up to 12 weeks to approve.
- 2.3.5 Based on initial quotations, we expect the waste transfer station to go over budget. The project was initially costed early in 2022 and since this time the costs of materials and labour has increased significantly; however the savings made on vehicle purchases should cover the cost of any increase.
- 2.3.6 At the time of writing this report, there is an element of uncertainty around a 'go live' date due to the planning and licencing issues alluded to above. A public commitment to a go-live date will only be announced once this certainty has been achieved.

2.4 Project Policy & Details

- 2.4.1 Decisions were made early in the project regarding how the consultation with residents will take place and whether they will need to opt in or out and the time scales and method of consultation was agreed. This has been completed and is discussed in 2.7.

2.4.2 *Bin Colour*

It has been decided that the colour of the bin will be a silver body and teal lid as this will take advantage of the established and nationally recognised WRAP iconography for mixed glass.

2.4.3 *Collection Times*

It is intended that glass collections to start at 6am in line with other waste services. This will allow staffing of the service to be managed alongside existing services. The feedback from Mansfield District Council's glass collections was that complaint numbers were very low and the frequency of collection (every 8 weeks) meant that noise was less of an issue.

2.4.4 *Bring Sites*

The existing network of glass bottle banks will remain in situ until at least the delivery of glass bins commences however it is anticipated that the drop in glass being deposited in the bottle banks will result in the contractor withdrawing its collection service shortly after.

2.4.5 Tonnage data from 2022/23 show that we collected over 65% of our glass from 8 sites so in order to divert more glass to the kerbside collections, all other sites will be removed. The 8 sites that will remain will be refurbished and replaced with new bins and emptied by the new glass recycling teams.

2.5 Recycling Ollerton and Boughton

Recycling Ollerton and Boughton have seen an increase in customers requesting their glass collection services since we issued our consultation letters. As a result, they have purchased just under 1000 new glass collection boxes for their customers. Following additional operational work carried with ROB, NSDC is being asked to commit one-off funding (circa £8,000) as a contribution to assist with the collection infrastructure in the form of kerbside collection boxes.

2.6 Procurement

2.6.1 *Wheeled Bins*

We will need 43,996 bins to complete the roll out but an additional 1,000 bins will be ordered to cover new build properties and any potential influx of requests from the ROB area. We will also need around 30 660L containers for communal bin areas and around 50-60 for the replacement bottle banks.

2.6.2 Now that the formal consultation has finished and responses have been compiled and we have had confirmation that the ROB area will still be offered the service, we will be able to source the bins from a procurement framework.

2.6.3 *Glass Sales*

The contract for the sale of glass was also delayed due to the uncertainty of where the transfer station will be located but now this has been confirmed, we can proceed. Given that there is some uncertainty with the tonnage collected, quality and contamination, we will be tendering the contract for 1 year only through a procurement framework. This process will be quicker than an open tender and all the large waste management companies are signed up to the procurement framework that we will using. After year 1, we will be well placed to enter into a longer-term contract from year 2 onwards.

2.6.4 *Licensing & Training*

It has been confirmed that the proposed waste transfer station will require an environmental permit from the Environment Agency. This will be a 'bespoke' permit as the conditions (the site is within 200m of a domestic residence) do not fit those of a 'standard rules' permit.

2.6.5 As was the case for the tendering process, we had not been able to proceed with the application process until the exact location had been finalised.

2.6.6 A certificate of technical competence is required to manage the site and whilst the outcome of environmental permit would confirm the level of COTC required (low risk, medium risk or high risk), it is possible to start the compulsory modules while we await confirmation by the Environment Agency and the registration process is already underway.

2.6.7 It is a necessary for the application process to have a named COTC holder however the COTC holder at Mansfield District Council who had offered to assist with the application process has recently made a decision to take early retirement and therefore this is no longer an option. We are currently seeking an alternative.

2.6.8 *Staffing*

Additional drivers and loaders will be required to operate the new glass recycling rounds and although both crews will not be required every day for glass collections, they will be able to be deployed onto an increasingly subscribed garden recycling service, as well as collecting from the residual bring sites.

2.6.9 The recruitment process has not started yet but following the interest for recent recruitment exercises for waste operatives, we do not anticipate any issues filling the required number of posts.

2.6.10 As the new crews will enable growth in the garden recycling service, it is also timely to consider plans for the development of this service in 24/25. Since the service was brought back in-house in April 2020, the price has remained at £35 per annum. Given inflationary pressures the service has faced since that time, it is recommended that the charge in 24/25 is increased to £37 per annum – the first increase in four years, with fees in neighbouring authorities across Nottinghamshire as high as £40

2.6.11 *Round Formulation*

Officers have received demonstrations from companies that specialise in creating efficient waste round collections via computer software and our IT team is discussing compatibility issues with the supplier. We can then use this to create collection rounds and round maps for the crews and these will also be used to assist the bin deliveries.

2.6.12 The added complexity of the lower participation in the ROB area has increased the need for round modelling.

2.6.13 We have also finished a communal bin audit for all flats and houses of multiple occupation which will not be able accommodate individual bins. This exercise has created a list of properties which will be suitable for either; a shared larger bin (660 litre capacity), shared standard bin or no space at all.

2.6.14 *Communication*

Opting In and Out

2.6.15 Residents have been given the opportunity to opt in or out of the scheme, with residents of the area covered by Recycling Ollerton and Boughton opted out by default and all other residents opted in.

2.6.16 The consultation exercise has finished with 2628 residents from the NSDC area opting out of the service (6%). We have also received 1494 requests to opt in to the scheme from the ROB area (13%). This gives a total of 43996 properties schedule to receive a bin for glass.

2.6.17 The deadline has passed for residents to complete the online form themselves but if anyone phones the contact centre then we will still accept any requests to opt in/out.

2.6.18 *Funding*

Now we have revised numbers for the anticipated take up, we have re-run the financial implications based on the new figures. We have worked closely with ROB to improve the take up of their service, as well as providing financial assistance new containers. As a result of these actions, NSDC's income is reflecting a lower than anticipated level.

2.6.19 Awareness also needs to be maintained that the price from the sale of glass will fluctuate over the life of the service which will result in the revenue element of the budget fluctuating.

2.6.20 As stated above, there is already a consideration to increase garden recycling subscriptions to cover the increasing cost of running the garden recycling service (fuel, vehicle maintenance, staffing costs etc).

2.6.21 *Timescales*

The aspiration is to commence the service this financial year, with an announcement made once planning permission and permits are obtained.

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 FIN23-24/4464

3.1 Glass Collection – Following Consultation

3.1.1 The latest figures for 2023-24 shows a reduction in the anticipated uptake in and out of the ROB area following the consultation period; this has resulted in an anticipated reduction of income generated from glass recycling totalling around £9.3k over a 12-month period. The recycling credits income anticipated has also subsequently reduced by £19.3k over the same period, giving an overall loss in projected income over a full 12 month of £28.5k.

- 3.1.2 If the service were to start during the current financial year, there would be no adverse budgetary impact.
- 3.1.3 For the financial year 2024-25, and subsequent future years, the budget would require an increase of circa £30k due to the reasons described in paragraph 3.1.1
- 3.1.4 In order to support the funding of this adverse requirement, there has been some consideration regarding the increase in Garden Recycling Collection Fee & Charge and the rationale for this is included above.
- 3.1.5 The 2024-25 budget set in the 2023-24 MTFP for garden recycling was £680k. This was based on 19,410 customers paying £35. During the current year, the garden recycling service has exceeded 20,000 customers and has generated more than £720k.
- 3.1.6 Should we choose to increase this Fee & Charge to £36 for 2024-25 and set a customer base of 20,000, this would be an income of £720,000 or an increase to £37 would be an income of £740,000. This is an additional £40-60k as an efficiency item to the new 2024-25 income budgets.
- 3.1.7 Therefore, should both of the proposals be accepted, the increase in garden recycling income more than offsets the increase in budget requirement as a result of the reduction in glass recycling income.

3.2 Additional Associated Requirements

- 3.2.1 Currently, the service has an Apprentice Mechanic who is nearing the end of their apprenticeship. This apprentice started in Aug 2020 and has shown a great amount of potential and commitment to the role and has added a vast amount of value to the service and team.
- 3.2.2 To enable this apprentice to convert to a full-time permanent post, as opposed to starting a new apprenticeship with a new candidate which is in the MTFP, an adjustment from Apprentice to Established NS9 post would be an impact of circa £13k for a full 12 months on going year on year from 2024-25. Any additional costs during this financial year can be accommodated from the service budget.
- 3.2.3 The increase in Garden Recycling would comfortably support the permanent full-time mechanic and supports the need for the additional work resulting from the 3 vehicles for Glass Collection.

3.3 Capital

- 3.3.1 The bin purchases budget in the Capital Programme, allowed for an 80% take up on both non-ROB and ROB areas. The result of the consultation led many in the ROB area to take up the service with ROB, rather than the Council, which has resulted in an unexpected financial burden for ROB purchasing additional bins.
- 3.3.2 Due to the Capital Budget including an element for ROB bin purchases, it has been proposed that the cost of those purchases is funded by the Council for which there is forecast to be sufficient budget for.

Summary

- For 2024-25, the example of £37 for Garden Recycling would give a new income level of £740k, which is £60k more than the MTFP currently states and would support the additional requirement of the £30k mentioned above in paragraph 4 and the staff transition from Apprentice to a fully established Mechanic of around £13k and still leaving circa £17k additional income generated by this service area.
- The glass recycling project continues to progress across the various areas and is still on schedule to be able to go live in 2023/24 however there is a risk with the transfer station status.
- There is an anticipated shortfall in the budgets from 2024 onwards, however, if a planned increase in the garden recycling fee takes place, this will be covered.
- The planning permission will be reviewed by the relevant bodies and the timescales are beyond our control.
- The Environment Agency will be considering the environmental permit but planning permission will need to be in place by the time it is reviewed, and we have been advised this could take up to 13 weeks (or longer if the regional office is experiencing a backlog).
- The requirement for a COTC holder means there will be a need to fast track the training of an officer to obtain the qualification.

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: Cabinet Meeting – 19 September 2023

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

Director Lead: Matt Lamb, Director - Planning & Growth

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

Report Summary	
Type of Report	Open report (with exempt appendix) Key Decision
Report Title	Amended Allocations & Development Management Development Plan Document
Purpose of Report	<p>To present to Cabinet for approval the Publication Version of the Amended Allocations & Development Management Development Plan Document</p> <p>To set out proposals around the provision of a Gypsy Roma Traveller site at the former Belvoir Iron Works, Newark including to secure approval to purchase the site, subject to planning.</p>
Recommendations	<p>That Cabinet:</p> <ol style="list-style-type: none"> a) endorse the proposed amendments to the previous version of the Amended Allocations & Development Management DPD as set out in Appendix B; b) recommends to Full Council that the Amended Allocations & Development Management DPD as set out in Appendix B is published for a period of public representation; c) approves, subject to planning, a Maximum Contribution (as set out in the Exempt Appendix) towards the delivery of former Belvoir Iron Works Site, with delegated Authority being given to the Deputy Chief Executive & Director of Resources, in consultation with the Portfolio Holders for Strategy, Performance & Finance and Sustainable Economic Development, to conclude the terms of a land purchase in accordance with the Council's Acquisitions and Disposals Policy, subject to planning and the outcome of the grant funding submission to the Homes England Affordable Homes Programme; and

	d) to add the maximum contribution (as set out in the Exempt Appendix) into the Capital Programme financed by the Change Management Reserve.
Reasons for Recommendations	To allow Full Council to consider a publication version of the Allocations & Development Management DPD for a period of public representation. To allow the delivery of the former Belvoir Iron Works site as part of the Council's Gypsy and Traveller Strategy, as contained within the publication version of the Allocations & Development Management DPD.

1.0 Background

1.1 The Council's Development Plan provides direction for future growth of Newark & Sherwood, including making allocations for new housing, employment and community facilities and sets out the planning policies which the Council uses to determine planning applications. Our Development Plan is made up of two parts:

- Amended Core Strategy
- Allocations & Development Management Development Plan Document (DPD)

1.2 The Council has been going through a process of reviewing these documents known as the Plan Review. The Core Strategy has already been updated, with the Amended Core Strategy being adopted in 2019. Since then the Council has been updating its Allocations & Development DPD focusing on the following four elements:

- 1) Ensuring that the housing, employment, and retail allocations continue to be deliverable and that any settlement specific planning policy issues continue to be appropriately addressed.
- 2) Ensuring that the Development Management policies are in line with the Amended Core Strategy and the latest national planning policy.
- 3) Updating housing policies contained in the Amended Core Strategy to reflect the latest Housing Needs Assessment and national planning policy
- 4) The development of a strategy to deliver enough sites and pitches to meet the future needs of our Gypsy, Roma, Traveller (GRT) communities.

1.3 Work on preparing the Amended Allocations & Development Management DPD (*hereafter referred to as the* DPD) has gone through the various statutory stages culminating in the publication of a Draft DPD for a period to receive formal representations in November and December 2022.

2.0 Representations Received and Proposed Amendments

2.1 In response to the Draft DPD a total of 164 representations were received from 63 individuals and organisations. The details are contained in the [Statement of Consultation](#) which is available on the planning policy webpage. Officers have reviewed and considered the representations and have identified those which need to be addressed. Attached at **Appendix A** is a table setting out the proposed amendments to the Draft DPD in response to the representations we received. Each change is linked by

number and name to the representations in the Statement of Consultation. A range of further proposed changes to update the document are also set out in Appendix A. The proposed changes have been considered and endorsed by Planning Policy Board at its 6 September meeting.

2.2 The proposed amendments fall into the following groups:

Amendment	Purpose/Reason
Amendment in response to representations received.	In most instances the proposed amendments seek to clarify the intention of the policy or better reflect national policy.
Amendments following updated evidence and change of circumstances since the Draft DPD was published	To reflect current position.
Inclusion/Re-inclusion of allocations	A small number of additional Allocations have been included that have been demonstrated that they are deliverable
Amendments of Fact	These relate to the change in timelines in DPD production, more up-to-date information and any grammatical and spelling errors that need amending (these are not always noted in the Changes schedule)

2.3 Alongside amendments to the Draft DPD, the District Council has been seeking to address the concerns of the Environment Agency. Despite the District Council being in detailed and productive discussions with the Agency for a significant period of time about the proposed approach to flood risk at Tolney Lane the Agency, in making their representation, stated until such time as they were happy with the flood risk model and its outcomes, they could not support the Tolney Lane flood alleviation scheme.

2.4 The District Council's flood risk consultants (Tetra Tech) have been hoping to use the updated model created by National Highways for the A46 scheme to model in more detail the impacts of the Tolney Lane Flood Alleviation (TLFA) scheme. This model is currently being validated by the Environment Agency. However, officers have become concerned that it will not be available in time for use by the Tetra tech for submission of the DPD in December. To avoid further delays Officers have commissioned Tetra Tech to comprehensively model the area and the impacts of the TLFA scheme themselves. We will outline our approach the Environment Agency and seek to agree a statement of common ground on the issue.

3.0 Proposed Amended Allocations & Development Management DPD

3.1 Attached at **Appendix B** (separate from main agenda document) is a Draft version of the Second Publication Amended Allocations & Development Management DPD incorporating all of the changes discussed in section 2 and Appendix A. As we are amending an already amended document the new amendments are signified by double underlining's for additions and double strike throughs for deletions. For ease at this

stage we have also highlighted changes in yellow. This is a working draft and as such the maps have not yet been inserted into the document and are at the rear of Appendix B.

3.2 It should be noted that there are 2 additional GRT sites that have been included within the Draft DPD:

- NUA/GRT/7 Shannon Falls Newark - The site will be behind the proposed Tolney Lane Flood Alleviation Scheme and is currently already in use having temporary permissions for GRT accommodation. The proposal is to formalise this as part of the plan as a site for 21 pitches.
- OB/GRT/6 - Land East of Newark Road Ollerton - This site was previously considered for GRT accommodation but ruled out because of highway concerns. These have now been satisfactorily addressed and we are proposing to allocate the site accordingly. It will help meet the needs of the nearby existing sites in the Area.

3.3 Allocation Bi/Ho/1 Land North of Kirklington Road Bilsthorpe was due to be deallocated as it was assessed as no longer deliverable. New owners have indicated that they intend to develop the site and as with all such allocated sites if they are deliverable, we have undertaken to continue to allocate them in the DPD. To that end we are proposing not to deallocate Bi/Ho/1.

3.4 Alongside the identification of additional GRT allocations other elements of GRT policy have been updated. This reflects representations received and the consideration of latest case law. Significantly the Planning Inspectorate are requiring Local Planning Authorities in the Plans to include total GRT housing need as the pitch target rather than the 'planning definition' need set out in the national policy. In the case of Newark and Sherwood this makes the target 169 pitches rather than 118. What is not clear, as no update to national policy has been undertaken, is the detailed implications for delivering supply. Officers in redrafting the policies to reflect the change in the stance of the Inspectorate have attempted to provide as much flexibility as possible to cover off a variety of scenarios with regards to the supply that we are seeking to demonstrating. The Inspectorates approach has allowed the policies to be simplified because there no longer needs to be a differential between the planning definition and other need.

4.0 Delivery of the Council's GRT Strategy

4.1 It is important to note that there is no requirement as part of this DPD to allocate more general market housing or employment land that that already identified and allocated in previous rounds of Plan Review. That is not the case for all housing sectors with one of the main challenges of the Plan Review being the ability of the Council to identify sufficient sites to meet the future identified needs of the GRT community. The need for an additional 169 pitches over the plan period (up to 2033) is very significant when compared to many authorities in the East Midlands. This is small when compared to general market housing requirements of 9050 dwellings for the District over the same period, albeit as a percentage uplift it is greater than the general market housing requirement. Meeting ongoing GRT need is challenging because of a lack of available and suitable sites. This lack of suitable alternative sites had effectively led to 'market failure', in other words the market is failing in its own right to deliver sufficient pitches. This has led the Council to conclude that only a comprehensive GRT Pitch Delivery

Strategy, which includes intervention from the Council to facilitate additional sites, will allow the delivery of sufficient sites and pitches for our GRT communities.

4.2 The Pitch Delivery Strategy reflected in the Draft DPD is set out below:

Pitch Delivery Strategy Meeting the overall need by the following actions:		
1 Contribution from Existing Sites	2 Allocating new sites in private ownership	3 New sites facilitated by Council Action
Current sites with existing additional capacity contribute additional pitches Sites with potential to accommodate need have been identified.	Sites in locations around Newark allocated for additional pitch provision Proposed sites on Tolney Lane can be brought out of flood risk	Purchase of a site to deliver on our own or with partners Work with private sector operators to bring sites back into GRT use.
Cross Cutting Action: Delivery of a flood safe access to Tolney Lane and associated mitigation work		

- 4.3 The vast majority of our GRT community live in Newark on sites on Tolney Lane. This area, adjacent to the River Trent, is at significant risk of flooding. As outlined above work by the Council’s flood risk consultants has concluded that whilst full flood defence of the area is not feasible, a flood safe access could be provided by raising the level of Tolney Lane significantly reducing the risk during flood events that residents will not be able to leave the site. The scheme can be supported by funding from the Community Infrastructure Levy.
- 4.4 The provision of a Tolney Lane Flood Alleviation scheme, alongside a number of private GRT sites which have been promoted by the market for GRT allocation will go some way towards assisting the Council meet both its overall GRT need for the plan period and its ongoing 5 year land supply challenges. More is required, including consideration of the Council delivering a GRT site.
- 4.5 The Draft DPD identifies the former Belvior Ironworks site to the south of Newark as a preferred additional allocation which can be delivered with Council support and resources. As detailed in the Exempt Appendix negotiations with the landowner continue. Based on information currently available it is recommended that the Council commits a Maximum Contribution towards the purchase and delivery of this site. It is anticipated that this will be supplemented by public sector grant via Homes England based on recent negotiations.
- 4.6. Both the Tolney Lane Flood Alleviation scheme and any decision to pursue the former Belvior Ironworks site for GRT accommodation will result in very significant financial and resource commitments from this Council. The Council is committed to planning for the future housing needs of all its communities, including GRT. The Council has asked the Government to assist this commitment by providing funding (see **Appendix C**).

5.0 Next Steps

- 5.1 The finalised DPD will be presented to an Extraordinary Full Council on the 20 September 2023 seeking approval to publish a Second Publication DPD. The timetable post this event is set out below:

PLAN REVIEW TIMETABLE
Consideration of the Draft DPD <i>Cabinet 19th September</i> <i>Full Council Additional Meeting 20/21 September</i>
Publication of Draft DPD (and final Integrated Impact Assessment) for period of Public Representation (September/October/November 2023)
Consideration of representations and any potential amendments
Submission of DPD to Secretary of State (December 2023) <i>Full Council 12 December</i>
Pre-Hearing Period January to March 2024
Examination by Inspector (April 2024)
Consultation on Main Modifications (June/July 2024)
Receipt of Inspector's Report (September 2024)
Adoption and Publication (October 2024)

- 5.2 With respect to the former Belvior Ironworks site the Council intends to secure its interest in the site, subject to the Maximum Contribution detailed within the Exempt Appendix. This will also be subject to securing planning permission.

6.0 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 - FIN23-24/267

- 6.1 There are no direct financial implications beyond pre-existing budgets associated with the continued progression of the Development Plan. Community Infrastructure Levy contributions for the Tolney Lane Flood Alleviation scheme had previously been identified and funding of the Council's Maximum Contribution towards the delivery of the former Belvior Ironworks for GRT accommodation can be provided in accordance with the Exempt Appendix.

Equality & Diversity Implications

- 6.2 An Integrated Impact Assessment is being prepared alongside the Plan Review process to ensure that the impact on groups with protected characteristics of the proposals are considered as part of the policy making process. It concludes:

The following new and amended policies are assessed as having positive impacts in relation to equality: Core Policy 1, Core Policy 2A, Core Policy 3, GRT1, GRT2, GRT3, GRT4, GRT5, DM5b and DM10. Core Policies 1, 2A and 3, relating to specific types of housing provision, together with the suite of Gypsy Roma Traveller policies GRT1 to GRT5, enhance the opportunities for all members of the Districts communities to access

appropriate, good quality accommodation in suitable locations, ensuring equality of opportunity for all. Policy DM5b requires consideration of a range of measures to improve health and well-being, integration and social interaction and therefore has a potentially significant beneficial impact on equality and policy DM10 promotes improvements in air quality, helping to address inequalities associated with deprivation linked to poor air quality.

Overall, the Draft Amended DPD has a positive and beneficial impact in relation to equality and there are no new or amended policies which have been assessed as having any negative or conflicting impacts upon equality.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Newark & Sherwood Publication Amended Allocations & Development Management DPD [Statement of Consultation](#)

Newark & Sherwood Publication Amended Allocations & Development Management DPD November 2022

Note – Appendix B to the report has been published as a separate document.

Chapter	Part of Plan	Policy/Para	Proposed Amendment	Reason	In response to:
0	Document Passport and Guide to the DPD	Document Passport and Guide to the DPD	Amend to reflect that this is the 2nd Publication DPD	Update position	Amendments of fact
1	Introduction	para 1.13	Insert new paragraph on the climate emergency	Update position	Amendments of fact
1	Introduction	para 1.18	Amend to reflect the consultation on the Publication Plan	Update position	Amendments of fact
1	Introduction	para 1.25	Update the 5 year land supply position	Update position	Amendments of fact
1	Introduction	para 1.27	Update employment land supply position	Update position	Amendments of fact
2	Newark Area - Newark	NUA/Ho/2	Add to existing FRA criterion	Update position	Updated info from SFRA
2	Newark Area - Newark	NUA/Ho/5	Add flood risk criterion	Update position	Updated info from SFRA
2	Newark Area - Newark	NUA/Ho/6	Add flood risk criterion	Update position	Updated info from SFRA
2	Newark Area - Newark	NUA/Ho/9	Add flood risk criterion	Update position	Updated info from SFRA

Chapter	Part of Plan	Policy/Para	Proposed Amendment	Reason	In response to:
2	Newark Area - Newark	NUA/Ho/10	Add criterion to NUA/Ho/10 regarding ecological evaluation and mitigation; and add flood risk criterion	New ecological information and Update position	40 – Nick Crouch
2	Newark Area - Newark	NUA/MU/1	Add Policy DM5(b) to list of policies to be referred; and amend traffic assessment requirements to reflect decision making requirements	Update position	Updated info from SFRA and amendment of fact
2	Newark Area - Newark	NUA/OS	Amend policy NUA/OS/ in relation to additional uses	Suitable uses may be wider than housing and employment	56 - NSK Europe Ltd c/o Planning & Design Group
2	Newark Area - Newark	para 2.10	Amended supporting text to NUA/OS/ in relation to additional uses	Suitable uses may be wider than housing and employment	56 - NSK Europe Ltd c/o Planning & Design Group
2	Newark Area - Newark	NUA/E/2	Amend site Area for NUA/E/2 and amend polygon on Map (now 6.2 ha) and add flood risk criterion	Update position	Amendments of fact
2	Newark Area - Newark	NUA/E/3	Amend site Area for NUA/E/3 and amend polygon on Map (now 1.01) and add flood risk criterion	Size reduced in error	11 - Taylor Lindsey c/o Knights

Chapter	Part of Plan	Policy/Para	Proposed Amendment	Reason	In response to:
2	Newark Area - Newark	NUA/E/4	Add to existing FRA criterion	Update position	Updated info from SFRA
2	Newark Area - Newark	para 2.12	Refer to Newark Town Centre Masterplan.	Update position	Amendments of fact
2	Newark Area - Newark	NUA/TC/1	Refer to Newark Town Centre Masterplan.	Update position	Amendments of fact
2	Newark Area - Newark	NUA/LC/3	Insert new policy identifying Fernwood Village Centre as a defined Local Centre	Update position	Fernwood Village Centre is now built out and can be defined as other local centres reflecting Amended Core Strategy Core Policy 8
2	Newark Area - Newark	para 2.16	Refer to Newark Town Centre Masterplan.	Update position	Amendments of fact
2	Newark Area - Newark	para 2.18	Amend supporting text to policy NUA/AR/1	To improve the flexibility to take account of future archaeological evidence.	55 - Urban & Civic c/o Stantec
2	Newark Area - Newark	NUA/AR/1	Amend policy NUA/AR/1	To improve the flexibility to take account of future archaeological evidence.	54 - Urban & Civic c/o Stantec

Chapter	Part of Plan	Policy/Para	Proposed Amendment	Reason	In response to:
2	Newark Area - Newark	para 2.24 Table 1	Include reference to need for additional cemetery space	Newark Cemetery is filling up	Raised by Newark Town Council
2	Newark Area - Newark	para 2.25	Clarify the importance of considering site specific circumstances when requiring open space as part of new developments	To improve clarity	29 – Emma Oldham, 39 - SWAN, 41 – Gordon Robertson. 44 - Newark Sport Association, 59 - Protect Newark's Green Spaces, 61 - Cllr Debbie Darby
2	Newark Area - Newark	para 2.26	update timescale for Playing Pitch Strategy publication	Update position	Amendments of fact
2	Newark Area - Newark	Map 1 - Newark North	Amend Open Break boundary at Blacks Farm, Coddington	To reflect the accurate boundary on the ground	7 – Mr & Mrs CL & JD Smith c/o TOWN-PLANNING.CO.UK
2	Newark Area - Newark	Map 1 - Newark North	Add Shannon Falls Newark to the Policy Map	to reflect reality on the ground	Amendments of fact
2	Newark Area - Newark	Map 2 - Newark South	Add NUA/LC/3 Fernwood Village Centre Local Centre Boundary	Update position	Fernwood Village Centre is now built out and can be defined as other local centres are reflecting Amended Core Strategy Core Policy 8
2 - Open space	Newark Area - Newark	Map 2 - Newark South	Amend extent of Middlebeck Primary	Boundary amended to reflect actual	54 - Urban and Civic

Chapter	Part of Plan	Policy/Para	Proposed Amendment	Reason	In response to:
2	Newark Area - Newark	Map 3 Newark Town Centre	Add Shannon Fall Newark to the Policy Map	to reflect reality on the ground	Amendments of fact
2	Newark Area - Collingham	para 2.34	Clarify the importance of considering site specific circumstances when requiring open space as part of new developments	To improve clarity	Consequential change to reflect change to para 2.26
2	Newark Area - Collingham	para 2.35	Update timescale for Playing Pitch Strategy publication	Update position	Amendments of fact
2	Newark Area - Sutton-on-T	ST/LC/1	Amend policy ST/LC/1 to refer to an indicative location for the Local Centre	The components of the Local Centre are not all in that precise location	5 - TOWN-PLANNING.CO.UK
2	Newark Area - Sutton-on-T	para 2.42	Clarify the importance of considering site specific circumstances when requiring open space as part of new developments	To improve clarity	Consequential change to reflect change to para 2.26

Chapter	Part of Plan	Policy/Para	Proposed Amendment	Reason	In response to:
2	Newark Area - Sutton-on-T	para 2.43	Update timescale for Playing Pitch Strategy publication	Update position	Amendments of fact
2	Newark Area - Sutton-on-T	Map 5 - Sutton-on-Trent	Amend Key to Indicative location identified for future Local Centre	The components of the Local Centre are not all in that precise location	6 - TOWN-PLANNING.CO.UK
3	Southwell Area - Southwell	So/Ho/5	Add flood risk criterion	Update position	Updated info from SFRA
3	Southwell Area - Southwell	So/Ho/7	Add flood risk criterion	Update position	Updated info from SFRA
3	Southwell Area - Southwell	So/E/2	Add flood risk criterion	Update position	Updated info from SFRA
3	Southwell Area - Southwell	para 3.9 Table 4	Include reference to need for additional cemetery space	Update position	Raised by Town Council

Chapter	Part of Plan	Policy/Para	Proposed Amendment	Reason	In response to:
3	Southwell Area - Southwell	para 3.10	Clarify the importance of considering site specific circumstances when requiring open space as part of new developments	To improve clarity	Consequential change to reflect change to para 2.26
3	Southwell Area - Southwell	para 3.11	Update timescale for Playing Pitch Strategy publication	Update position	Amendments of fact
3	Southwell Area - Farnsfield	para 3.25	Clarify the importance of considering site specific circumstances when requiring open space as part of new developments	To improve clarity	Consequential change to reflect change to para 2.26
3	Southwell Area - Farnsfield	para 3.26	Update timescale for Playing Pitch Strategy publication	Update position	Amendments of fact
4	Nottingham Fringe - Lowdham	para 4.7	Clarify the importance of considering site specific circumstances when requiring open space as part of new developments	To improve clarity	Consequential change to reflect change to para 2.26
4	Nottingham Fringe - Lowdham	para 4.8	Update timescale for Playing Pitch Strategy publication	Update position	Amendments of fact

Chapter	Part of Plan	Policy/Para	Proposed Amendment	Reason	In response to:
5	Sherwood Area - Laxton	ShA/L/1	Amend Policy ShA/L/1 to frame the proposals positively, and refer to public benefits	To aid clarity and provide a positively framed policy	63 - Trustees of Thoresby Estate c/o Pegasus Planning
5	Sherwood Area - Laxton	Map 9 - Laxton	Add Scheduled Monuments at Laxton Castle to Map 9 - Laxton	Amendment of fact	36 - Historic England
5	Sherwood Area - Ollerton & Boughton	OB/MU/2	Add to existing FRA criterion	Update position	Updated info from SFRA
5	Sherwood Area - Ollerton & Boughton	OB/E/1	Add flood risk criterion	Update position	Updated info from SFRA
5	Sherwood Area - Ollerton & Boughton	OB/E/2	Add flood risk criterion	Update position	Updated info from SFRA
5	Sherwood Area - Ollerton & Boughton	OB/E/3	Add flood risk criterion	Update position	Updated info from SFRA

Chapter	Part of Plan	Policy/Para	Proposed Amendment	Reason	In response to:
4	Sherwood Area - Ollerton & Boughton	para 5.11	Clarify the importance of considering site specific circumstances when requiring open space as part of new developments	To improve clarity	Consequential change to reflect change to para 2.26
5	Sherwood Area - Ollerton & Boughton	para 5.12	Update timescale for Playing Pitch Strategy publication	Update position	Amendments of fact
5	Sherwood Area - Ollerton & Boughton	Map 10 - Ollerton & Boughton	Add new G&T site at Land East of Newark Road Ollerton/Wellow	New G&T allocation now identified	51 – Heath Fury c/o IBA Planning
5	Sherwood Area - Edwinstowe	para 5.20	Clarify the importance of considering site specific circumstances when requiring open space as part of new developments	To improve clarity	Consequential change to reflect change to para 2.26
5	Sherwood Area - Edwinstowe	para 5.21	Update timescale for Playing Pitch Strategy publication	Update position	Amendments of fact

Chapter	Part of Plan	Policy/Para	Proposed Amendment	Reason	In response to:
5	Sherwood Area - Bilsthorpe	Bi/Ho/1	Reinstate Policy Bi/Ho/1 and amend reference to Amended Core Strategy and remove reference to the employment use on neighbouring site which has ceased, and the land is under construction for residential development	New site owners confirm deliverability	Amendments of fact
5	Sherwood Area - Bilsthorpe	Bi/E/1	Add Policy DM5(b) to list of policies to be referred	Update position	Updated info from SFRA
5	Sherwood Area - Bilsthorpe	para 5.28	Clarify the importance of considering site specific circumstances when requiring open space as part of new developments	To improve clarity	Consequential change to reflect change to para 2.26
5	Sherwood Area - Bilsthorpe	para 5.29	update timescale for Playing Pitch Strategy publication	Update position	Amendments of fact
5	Sherwood Area - Bilsthorpe	Map 12 - Bilsthorpe	Reinstate Policy Bi/Ho/1 and replace original Village envelope	New site owners confirm deliverability	Consequential amendment
6	Mansfield Fringe Area	para 6.2	Refer to collaborative working with Mansfield DC	This area is adjacent to Mansfield District	17 - Mansfield District Council

Chapter	Part of Plan	Policy/Para	Proposed Amendment	Reason	In response to:
6	Mansfield Fringe Area - Rainworth	Ra/E/1	Add flood risk criterion	Update position	Updated info from SFRA
6	Mansfield Fringe Area - Rainworth	para 6.9	Clarify the importance of considering site specific circumstances when requiring open space as part of new developments	To improve clarity	Consequential change to reflect change to para 2.26
6	Mansfield Fringe Area - Rainworth	para 6.10	Update timescale for Playing Pitch Strategy publication	Update position	Amendments of fact
6	Mansfield Fringe Area - Clipstone	CI/MU/1	Add to existing FRA criterion	Update position	Updated info from SFRA
6	Mansfield Fringe Area - Clipstone	para 6.17	Clarify the importance of considering site specific circumstances when requiring open space as part of new developments	To improve clarity	Consequential change to reflect change to para 2.26
6	Mansfield Fringe Area - Clipstone	para 6.18	Update timescale for Playing Pitch Strategy publication	Update position	Amendments of fact
6	Mansfield Fringe Area - Blidworth	BI/E/1	Add Policy DM5(b) to list of policies to be referred	Update position	Updated info from SFRA

Chapter	Part of Plan	Policy/Para	Proposed Amendment	Reason	In response to:
6	Mansfield Fringe Area - Blidworth	para 6.27	Clarify the importance of considering site specific circumstances when requiring open space as part of new developments	To improve clarity	Consequential change to reflect change to para 2.26
6	Mansfield Fringe Area - Blidworth	New para after 6.27	Refers to outdoor sports facilities and the Playing Pitch Strategy	Omitted from previous document in error	Amendments of fact
7	Development Management	DM 2	Amend DM2 to refer to the Council's latest, most up to date evidence and delete reference to SPDs	To reflect provisions on the NPPF	50 - Home Builders Federation
7	Development Management	DM3	Amend DM3 to refer to the Council's latest, most up to date evidence and delete reference to SPDs	To reflect provisions on the NPPF	50 - Home Builders Federation
7	Development Management	para 7.4	insert text "...and where justified in Neighbouring Districts".	May be more appropriately located in adjacent Districts	17 - Mansfield District Council

Chapter	Part of Plan	Policy/Para	Proposed Amendment	Reason	In response to:
7	Development Management	para 7.5	Insert text re supporting evidence and SPDs	consequential change, no longer referenced in Policy	50 - Home Builders Federation
7	Development Management	para 7.14	Insert reference to Design Codes including in Neighbourhood Plans	Update position	Amendments of fact
7	Development Management	DM5a	Insert reference to Design Codes and positive and negative context of development proposals	Update position	Amendments of fact
7	Development Management	para 7.22	Insert examples of the context new developments should consider as part of the design process	To improve clarity	Amendments of fact
7	Development Management	DM5b	Insert reference to Design Codes, masterplans and design briefs	Update position	Amendments of fact
7	Development Management	para 7.51	Insert reference to Design Codes	Update position	Amendments of fact
7	Development Management	para 7.61	Add a reference to working with neighbouring competent authorities in the Zone of Influence.	Collaborative working with adjacent authorities	17 - Mansfield District Council

Chapter	Part of Plan	Policy/Para	Proposed Amendment	Reason	In response to:
7	Development Management	DM11	Amend the Newark section to reflect requirements to support a broad number of main town centre and other uses which support vitality and viability of the town centre. Refer to Newark Town Centre Masterplan. Amend the Local Centres section to refer to Fernwood Village Centre. Include reference to online expenditure in assessment of edge and out of centre retail.	Update position	Amendments of fact
7	Development Management	para 7.99	Refer to Newark Town Centre Masterplan and promoting vitality of the town centre.	Update position	Amendments of fact
7	Development Management	DM13	Refer to Newark Town Centre Masterplan and accompanying Design Code.	Update position	Amendments of fact
7	Development Management	para 7.104	Refer to Newark Town Centre Masterplan and design code.	Update position	Amendments of fact
8	Homes for All - Affordable Housing	CP1	Amend First Homes Section for clarity	For clarity	54 - Urban and Civic

Chapter	Part of Plan	Policy/Para	Proposed Amendment	Reason	In response to:
8	Homes for All - Affordable Housing	para 8.14	refer to CP2	For clarity	25 - Oxalis Planning
8	Homes for All - Affordable Housing	CP2	Add CP2 to Plan document for clarity and completeness - Not part of consultation	For completeness	26 - Oxalis Planning
8	Homes for All - GRT	para 8.22	Refer to Gypsy Roma Travellers from all backgrounds	Update position	Lisa Smith v The Secretary of State for Housing, Communities and Local Government and others [2021] EWHC 1650 (Admin) – High Court Decision
8	Homes for All - GRT	para 8.23	Remove reference to the planning definition	Update position	Lisa Smith v The Secretary of State for Housing, Communities and Local Government and others [2021] EWHC 1650 (Admin) – High Court Decision
8	Homes for All - GRT	para 8.24	Update showing pitch numbers	For clarity	Amendments of fact
8	Homes for All - GRT	Para 8.25	Deleted	No longer relevant	Consequential change

Chapter	Part of Plan	Policy/Para	Proposed Amendment	Reason	In response to:
8	Homes for All - GRT	para 8.26	Amended to refer to overall level of need	Update position	Lisa Smith v The Secretary of State for Housing, Communities and Local Government and others [2021] EWHC 1650 (Admin) – High Court Decision
8	Homes for All - GRT	para 8.26 table	Update 5 year tranche data	Update position	Consequential change
8	Homes for All - GRT	GRT1	Update policy by amending the definitions	Update position	Consequential change
8	Homes for All - GRT	para 8.30	Update pitch requirements	Update position	Consequential change
8	Homes for All - GRT	para 8.31	Consequential amendments	Update position	Consequential change
8	Homes for All - GRT	para 8.32	Refer to GRT supporting Paper	Update position	Amendments of fact
8	Homes for All - GRT	GRT2	Re-write Policy GRT2 including: Deletion of NUA/GRT/2, NUA/GRT/3, NUA/GRT/4 from Policy GRT/2 and renumber allocations; amendments around flood risk; and add Shannon Falls to the policy as NUA/GRT/7	Update position	Consequential change

Chapter	Part of Plan	Policy/Para	Proposed Amendment	Reason	In response to:
8	Homes for All - GRT	GRT3	Rewrite Policy GRT3 including amendments linking to GRT/1; renumbering allocations and amendments around flood risk	Update position	Updated info from SFRA
8	Homes for All - GRT	GRT4	Amend GRT 4 including amendments linking to GRT/1; renumbering allocations and pitch numbers; amendments around flood risk and add new G&T site at Land East of Newark Road Ollerton OB/GRT/6	New G&T allocation now identified	52 – Heath Fury c/o IBA Planning



Department for Levelling Up,
Housing & Communities

Lee Rowley MP

*Parliamentary Under Secretary of State for Local
Government and Building Safety*
2 Marsham Street
London
SW1P 4DF

Our reference: 28595128

Councillor Paul Peacock
Newark & Sherwood District Council

3 August 2023

Dear Councillor Peacock,

Thank you for your letter of 22 June about meeting the housing needs of the gypsy and traveller community in Newark and Sherwood.

We believe strongly in the plan-led system where having an effective, up-to-date plan in place is essential to plan for and to meet the needs of the community and to avoid sporadic, unplanned developments from taking place. To support your authority in progressing its plan given concerns raised over potential soundness issues, Departmental officials can arrange an advisory visit with a Planning Inspector if that would be helpful. Whilst the Inspector will not be the appointed Inspector who examines your authority's plan, they can discuss and provide advice on potential soundness concerns. Please contact sara.lewis@levellingup.gov.uk or sarah.hunt@levellingup.gov.uk if you wish an advisory visit to be arranged.

Regarding funding, as outlined in the meeting you referenced with your authority on 28 February 2023, there is no central funding available at this time. Your authority would be very welcome to bid for funds in any future funding pots should they open and they will be considered against the criteria and the wider demand for any such fund, just as the previous Traveller Site Fund was.

Whilst there is no specific funding available currently, the £11.5 billion Affordable Housing Programme (AHP) is designed to delivery thousands of affordable homes for both rent and to buy right across the country. Should you wish to discuss potential options within that programme, you can contact Homes England at ahp2126@homesengland.gov.uk to talk through your options and whether the AHP can help support them.

I trust that this letter makes clear the Government's position once again and assists you in clarifying your responsibilities as leader of the District Council.

Yours sincerely,

LEE ROWLEY MP



Report to: Cabinet Meeting - 19 September 2023

Portfolio Holder: Councillor Matthew Spoons - Sustainable Economic Development

Director Lead: Matt Lamb, Director - Planning & Growth

Lead Officer: Neil Cuttall, Business Manager - Economic Growth & Visitor Economy, Ext. 5853

Report Summary	
Type of Report	Open report, Key Decision
Report Title	Newark Towns Fund Projects Update and Project Adjustment Request
Purpose of Report	To update on the delivery of the identified priority projects in the Town Investment Plan through the Newark Town Deal (NTD). To update on a Project Adjustment Request seeking to change the redline boundary of the NTD.
Recommendations	That Cabinet: <ul style="list-style-type: none"> a) note and welcome the progress made in the delivery, assurance and monitoring of the Town Deal (NTD) and proposals within the Town Investment Plan (TIP); and b) approve the Project Adjustment Request (PAR) relating to the Towns Fund area, as detailed at paragraph 3 to the report.
Alternative Options Considered	There is an option to not undertake the PAR relating to the Town Fund Area. This has been discounted as it would not deliver the necessary requirements for the priority projects to be delivered within the programme period.
Reason for Recommendations	To ensure the ongoing governance and management of the Towns Fund programme. To ensure that the Towns Fund area boundary is representative of updated information and encompasses all relevant areas.

1.0 Background

1.1 The Newark Town Investment Plan (TIP) was developed in Spring 2020, following a Towns Fund opportunity made available to 101 identified Councils to submit a package of proposals on a town-scale basis for capital programs and projects that would offer genuine transformational change for communities. This was a competitive process, with

Councils invited to submit bids in 4 submission rounds. The Towns Fund guidance was clear in setting a role for the Council as accountable body, alongside and on behalf of a locally convened forum represented by a range of partners, notably the private sector. This led to the formulation of the [Newark Town Board](#) in January 2020 and consultation with different audiences and stakeholders, much of which was as the Covid-19 pandemic and associated lockdowns took hold.

- 1.2 The preliminary stages of developing the TIP included a series of workshops aimed at different groups of stakeholders to gather their ideas and priorities. The national lockdowns provided an opportunity to innovate, with schools running on-line forums to seek the ideas of children and their families; the CVS undertaking telephone interviews with clients; and the Council and its appointed consultancy team hosting multiple on-line groups, briefings and workshops.
- 1.3 The final Newark TIP captured a clear ambition to target legacy projects (those which create an ability to provide opportunity and ongoing benefits) across 4 Pillars of Intervention detailed below. The four areas of intervention as set out in the Town Investment Plan came to light as a result of the extensive consultation with stakeholders undertaken at the development stage of the TIP

Figure 1 - Four Pillars of Intervention



- 1.4 The unanimously Council-backed Newark Town Investment Plan was submitted to Government (Department Levelling Up, Housing & Communities) as part of national cohort 1 applications for Towns Fund Grant in July 2020. It contained an ask for Government to support ten priority projects.
- 1.5 The ten Priority projects were identified as:
 1. **Newark Construction College** – offers training, retraining and work experience placements to facilitate Newark residents getting jobs in high-demand, stable sectors such as plumbing, bricklaying and gas engineering.

2. **YMCA Community & Activity Village** – offers leisure facilities, education and training and access to crucial services such as integrated health care to Newark residents and young people.
3. **Air & Space Institute** – a state of the art educational facility offering further and higher educational pathways in highly paid, future-proofed sectors: aviation engineering, cyber security and pilot studies.
4. **Newark Southern Link Road** – a long-standing aspiration to unlock growth and ease congestion, connecting the A1 and A46.
5. **Relocation of Newark Police Station** (subsequently withdrawn) – proposals to co-locate public services at Castle House and redevelop the existing site for a new residential offer on the edge of the town, close to Newark Northgate rail station.
6. **20 minute Cycle Town** – a scheme with Brompton Bikes to provide a high quality offer and brand within the town, in conjunction with transport providers, employers, and developers.
7. **Newark Cultural Heart** – enhanced activities and events and associated infrastructure to establish Newark’s reputation as a vibrant town, increasing footfall and pride of place.
8. **32 Stodman Street Redevelopment** – repurposing a significant and vacant retail space to create high quality town centre residential homes, ground floor commercial opportunities, and new public realm improvements.
9. **Smart Innovation Supply Chain & Logistics Enterprise Zone SISCLOG** (now known as Newark Gateway) – establish at a key Gateway into Newark a high-tech businesses zone bringing more and better paid jobs into the town.
10. **Castle Gatehouse** – making it easier to access the Castle, alongside a raft of educational and interpretation offers.

1.6 In March 2021 the Government announced that Newark was successful in securing the maximum £25m grant of Town Deal funding. The Council entered into a Newark Town Deal (NTD) with Government in May 2021, committing to develop all 10 priority projects. Projects were required to be developed in accordance with a standard methodology (the 5 Case Green Book Business Case Model) and were subject to assurance by the Newark Town Board, the Council’s s151 Officer, and ultimately the Government before the grant could be spent on individual projects. As part of this deal, the Government confirmed that the grant allocation could not be used on any other project than those within the deal.

1.7 Members will recall that in addition to the NTD the Council additionally submitted proposals to the Levelling Up Fund for the Newark Parliamentary Constituency Area for the Newark Southern Link Road (SLR). A maximum £20m grant was secured, meaning that the SLR would not need to draw on any Towns Funding.

2.0 Project Updates

2.1 Full Business cases have then been developed for most projects, with three of these still in development. The below table shows the timeline of the Business case development and approval.

Figure 1- Progress to Date

Project	OBC Assured	Summary Doc Approved by Government	FBC Assured
Construction College	See reports to Newark Town Board, S151 officer and Grant agreement, February 2021		
YMCA Community and Activity Village	n/a	August 2021	September 2021
Air and Space Institute	January 2022	January 2022	September 2022
20 Minute Cycle Town	December 2021	January 2022	n/a
Stodman Street Redevelopment	n/a	May 2022	February 2022
Newark Cultural Heart	April 2022	May 2022	Expected December 2023
SISCLOG (Gateway Project)	December 2022	February 2023	Expected November 2023
Castle Gatehouse	May 2022	July 2022	Expected early 2024

2.2 All completed Outline and Full Business Cases have been signed off by Newark Town Board, and the Council’s retained independent assurers, Quod consulting, who advise the S151 officer on the value for money and deliverability of the projects. The first business case for each project is submitted to Department Levelling Up, Housing and Communities, in the form of a Summary Document for approval by government before the project funding allocation was drawn down. Therefore, each project has been robustly assured and accepted both at a council and a government level and the funding has been drawn down.

Figure 2: Project Updates Finance – the £25m Town Deal Funding was divided as follows

Project	Towns Fund Grant	Match Funding	Project Adjustments (£)	Comments
Construction College	£0.389m	£0.133m from Lincoln College		Opened in September 2021. Next steps looking at plans for expansion given levels of demand and employer popularity.
YMCA Community and Activity Village	Phase 2: CAV - £2m	Phase 1: Sports Pitches – S106 £463k, NCC £1m, Phase 2 CAV: S106 £766k, Elm Avenue Capital Receipt £501k, D2N2 LEP £810k, Notts YMCA £10.4m		Opened in July 2022, monitoring and evaluation ongoing
Air and Space Institute	£10.6m	£5m Lincoln College Group	Name change from IASTI to ASI, June 2022	Construction on track due to complete January 2024

20 Minute Cycle Town	£0.2m	50k match from private businesses.		Four Brompton Bike Docks installed. Phase 2 including training and partnership working underway
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Stodman Street Redevelopment	£2.2m Town Deal £284k Accelerated Town Deal funding (separate to the £25m from the Town Deal)	£284k One Public Estates Grant £7.9m NSDC £400k Shared Prosperity Fund	Additional £200k reprofiled from the cancelled Police Station Relocation Project, April 2022 Additional from NSDC £3.6m - SLT report March 2023	Construction & demolition due to start in September 2023
Newark Cultural Heart	£2.1m	600k match per annum for at least 3 years from Newark Town Council	Change of project sponsor from Newark Town Council to NSDC – February 2023	Programme Development officer in post. Out to advert for Events Officer.
SISCLOG	£4.4m	Match TBC	Additional £400k reprofiled from the cancelled Police Station Relocation Project, April 2022	Interdependencies with relocation of lorry park and the National Highways A46 improvement works are being worked out. Capital financing options being explored with Capita consultants.
Castle Gatehouse	£3m	£1.385m NLHF £1m NSDC	Additional £400k reprofiled from the cancelled Police Station Relocation Project, April 2022	Progressing to the second stage of the National Lottery Heritage Fund application. Full Business Case planned for early 2024.

3.0 Town Fund Boundary Change Request

3.1 The Towns Fund boundary was originally amended to have regard to the developments south of the Newark Urban Area, notably Middlebeck (and the SLR) and Fernwood. The northern boundary was not amended, with this being formed by the A46 and A1. Whilst it has always been known that a relocated Newark Lorry Park would be further north, close to Newark Showground, this would be subject to further work on the SiSCLog/Newark Gateway proposals. It is now clear that funding for any relocated

Newark Lorry Park and SiSCLog/Newark Gateway redevelopment will need to be viewed together. The preferred solution remains within the Newark Showground area. To allow conclusion of a Full Business Case for the SiSCLog/Newark Gateway redevelopment it is necessary to amend the Newark Towns Fund boundary to include the Newark Showground Policy Area. See Annex A and Annex B at the end of this report for the proposed redline boundaries. Agreement will also be required from this Council, the Newark Town Board, and the Government. It is recommended that Cabinet be the first in sequence to support this boundary change, allowing the submission of a Project Adjustment Form to the Government and progression towards a Full Business Case for submission to Government.

Additional Autonomy over Project Adjustment Requests Given to Accountable Bodies:

- 3.2 The Department for Levelling Up, Housing & Communities published additional guidance on Project Adjustment Requests on 5 July 2023 which stated that for any changes to project outputs of 30% variance or below, the accountable body was given the freedom and flexibilities to make this decision without referring it to DLUHC. For requests to vary the projects by more than this 30% figure, the Project Adjustment Requests would be referred to the Department in the first instance as normal, and they would commit to a reply within 20 working days. This does not extend to Towns Fund boundary changes, hence the request made within this report.

4.0 Proposal/Options Considered

- 4.1 This report is seeking the approval of a Project Adjustment Request form that requests the change of the Towns Fund boundary in order to allow the production of the FBC for the SISCLLOG/Gateway project. The proposed boundary change will incorporate the Newark Showground Policy Area, as defined in the 2013 NSDC Allocations and Development Management Policies Development Plan Document (ADMDDPD) and its emerging replacement (which proposes to keep the same area
- 4.2 Officers have considered what other options are available to the Gateway/SISCLLOG Project, which includes a 'do nothing' approach and maintain the redline boundary of the Town. This option has been discounted as it constrains the ability to develop the FBC and defray grant within the March 2026 timeframes, placing at risk a proportion of town fund grant will may otherwise need to be returned to Government or be withheld from drawing down.

5.0 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 (FIN23-24/4380)

- 5.1 There are no direct financial implications arising from the recommendations in this report.
- 5.2 As mentioned in paragraph 2.3, robust processes are in place to provide assurance on the individual schemes from Outline Business Case. All the Towns Fund projects within the Capital Programme continue to be monitored and are reported quarterly within the budget monitoring report to Cabinet.
- 5.3 To date, £16.950m has been received of the £25m allocation.

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.

Project Adjustment Request Additional Guidance, 5 July 2023.

Newark Town Board [website](#) for:

- Town Investment Plan, July 2020
- Local Assurance Framework
- Minutes of Newark Town Board meeting, 17 March 2023

Committee/Cabinet Reports:

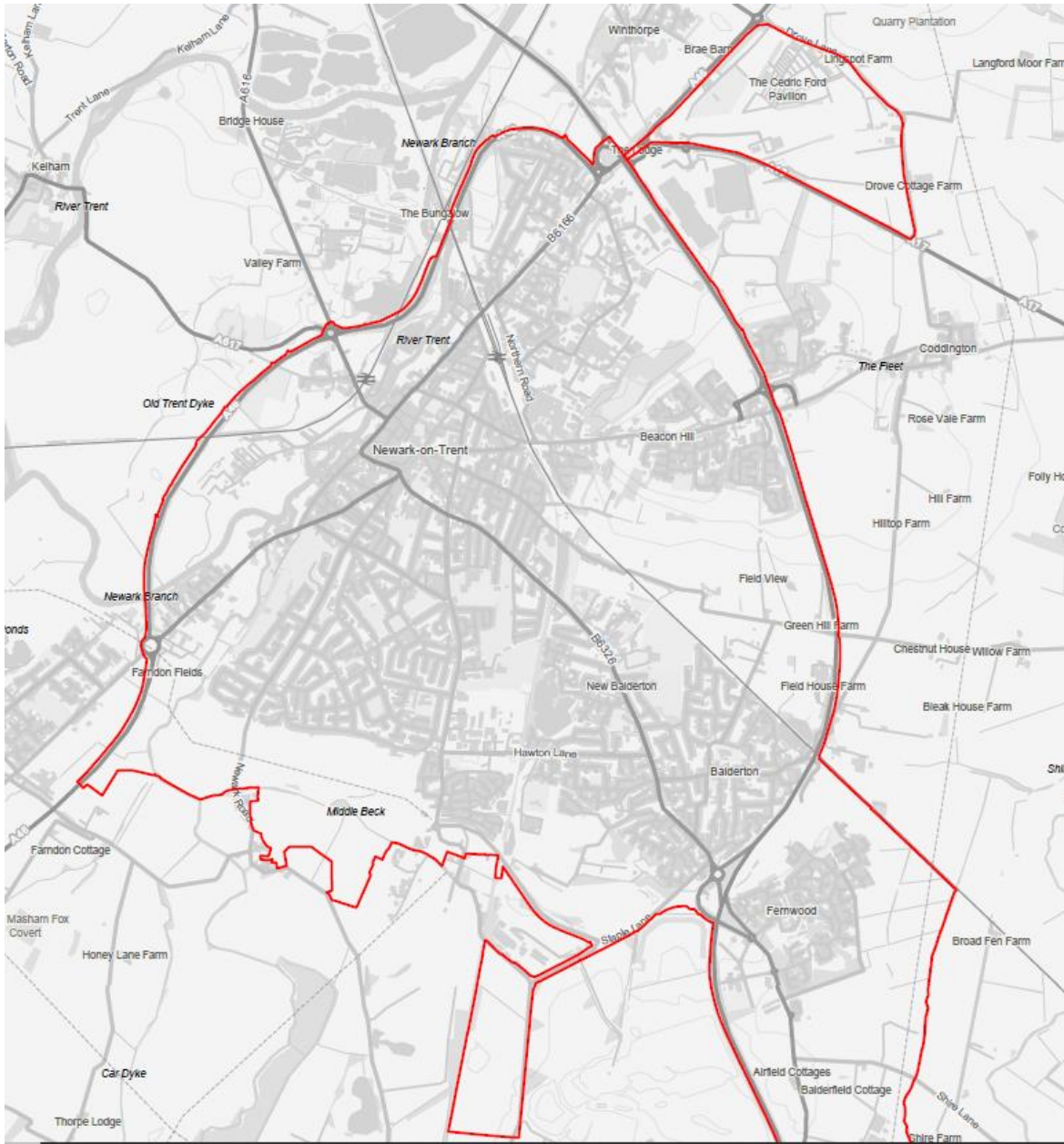
- Economic Development Committee – 19 January 2022 – Newark Town Fund Update
- Policy & Finance Committee 27 January 2022 – Newark Town Fund Update and Approvals
- Policy & Finance – 17 March 2022
 - o Towns Fund Update
 - o Castle Gatehouse Update
 - o Cultural Heart Update
 - o Newark Gateway Update
 - o 32 Stodman Street Redevelopment
- Economic Development 23 March 2022
 - o A46 Newark Northern Bypass Preferred Route Announcement
 - o Towns Fund Projects Update
- Cabinet – 7 June 2022 – Newark Town Fund Update and Lorry Park Relocation Options
- Cabinet – 4 October 2022
 - o Newark Town Fund Update and Lorry Park Relocation Options
 - o Newark Southern Link Road Project





Original Town Fund Redline Boundary







Report to: Cabinet Meeting - 19 September 2023
 Portfolio Holder: Councillor Lee Brazier - Housing
 Director Lead: Suzanne Shead, Director - Housing, Health & Wellbeing
 Lead Officer: Julie Davidson, Business Manager - Housing Services, Ext. 5542

Report Summary	
Type of Report	Open report, key decision
Report Title	Decant Policy 2023 - 2026
Purpose of Report	This report sets out how the Council supports its tenants across the District when it is necessary to move tenants from their homes temporarily or permanently to complete major works or where a property is to be demolished or disposed of.
Recommendations	That Cabinet approve and adopt the Decant Policy for 2023-2026 as set out in the Appendix to the report.
Alternative Options Considered	None, it is necessary to support tenants in this manner.
Reason for Recommendations	To ensure the Council has suitable arrangements in place to support tenants with moving to facilitate necessary works to homes and for good management of housing stock to support our Community Plan objective to create more and better quality homes through our roles as landlord, developer and planning authority.

1.0 Background

- 1.1 A decant is a process followed by the Council when it is necessary tenants to move “decant” from their homes to enable the completion of major works which cannot reasonably be done with the tenant in residence) or where a property is to be demolished or disposed of.
- 1.2 The Council recognises that moving home under any circumstances can be unsettling; so in order to ensure all tenants have information available to them explaining the process this policy has been produced to outline the process we will follow to ensure that disruption is kept to a minimum and that tenants feel supported throughout.
- 1.3 Effective and meaningful interaction with tenants during this process is expected of all landlords; keeping them at the heart of decisions and services is integral to ensuring we

keep the decant process as smooth and easy as possible and take account of the needs of those affected.

2.0 Proposal/Details of Options Considered

2.1 The Decant Policy is attached as an **appendix** to this report. Once approved the Policy will be published on the Council's website.

3.0 Implications

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

3.1 Financial Implications – FIN23-24/1632

There are no additional financial implications resulting from this report.

3.2 Equalities

The policy has no direct equalities implications although there is an expectation that approaches to supporting decants are varied and will reflect the needs and requirements of tenants. An Equality Impact Assessment has been completed.

3.3 Tenant Involvement

Local Influence Networks (LINs) and the Tenant Engagement Board have been consulted in the creation of this Policy which is welcomed to bring clarity and assurance for tenants around the process and financial support available.

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

Document Name	Decant Policy
Effective Date	September 2023
Date for Review	September 2026
Version Number	1
Approved by	Cabinet
Responsible Business Manager	Business Manager Housing Services

DRAFT

Newark and Sherwood District Council

Decant Policy 2023 - 2026

Contents

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Linked policies:

Compensation Policy

Complaints and Feedback Policy

1. Purpose

- 1.1 The purpose of this policy is to explain how Newark and Sherwood District Council support when it is necessary for us to move tenants from their homes to complete major work (which cannot reasonably be done with the tenant in residence) or where a property is to be demolished or disposed of. This process is called a 'decant.'

2. Policy Statement

- 2.1 The Council recognises that moving home under any circumstance can be unsettling, especially if the requirement to move is not a matter of choice for the tenant.
- 2.2 Where possible, the Council will carry out work whilst the tenant remains in their home. However, there will be certain situations when this is not possible such as extensive works or urgent health and safety works. Where this is the case, we will explain the reasons for the requirement to move and work closely with tenants throughout the decant process. We will explain the process, timescales, the nature of the works whilst also making sure that disruption is kept to a minimum and that tenants feel supported throughout.
- 2.3 Moves will either be on a temporary or permanent basis. A temporary move is where we expect the tenant to return to their main home; and a permanent move is where the tenant moves to another property and will not move back to the original property. Any arrangements will be confirmed in writing.
- 2.4 Eligibility for the preserved Right to Buy should not be affected by either a temporary or permanent decant as the preserved Right to Buy is based on tenancy with a qualifying landlord and not on a specific property. The Council will clearly explain any impact of a decant on a tenant's rights and security of tenure.
- 2.5 This policy does not cover:
- i. where a tenant chooses to move through transfer, mutual exchange or by ending their tenancy.
 - ii. Planned investment works such as new kitchens or bathrooms
 - iii. Regeneration schemes with their own separate arrangements

3. Temporary Decant

- 3.1 Situations classed as temporary include, but are not limited to:
- i. An emergency that causes a significant impact on the condition of the current property meaning it is uninhabitable.
 - ii. To undertake major repair works which could aggravate the medical condition of a householder or adversely impact on a vulnerable household's health and wellbeing.
 - iii. Extensive repair and improvement works which would leave the home uninhabitable.
- 3.2 In an emergency, the Council will ask tenants if they are able to stay temporarily with family or friends. Where this is not possible or appropriate, tenants may be referred to the Council's Housing Options Team to assess for suitable options.

- 3.3 The Council will try to provide choice regarding the temporary accommodation offered but this cannot be guaranteed, and, in some circumstances, the Council may make one direct offer of suitable accommodation only.
- 3.4 Where offering temporary accommodation, the Council will consider:
- i. Whether the size of the temporary accommodation meets the households needs.
 - ii. The distance of the accommodation from the household's place of work or education.
 - iii. Evidenced health and wellbeing needs of the household.
- 3.5 A 'Decant Agreement' will be issued if the temporary accommodation also belongs to the Council. They will continue to pay rent (including claiming Housing Benefit or the housing element of Universal Credit) on their main home and will not be charged rent in respect of the temporary accommodation. The tenant will also sign a separate undertaking stating they will return to their original home once works are completed and that they understand if they do not do so, Newark and Sherwood District Council may take legal action to repossess the temporary accommodation.
- 3.6 Where the temporary accommodation is not owned by Newark and Sherwood District Council (such as a hotel, bed and breakfast, private property or other home not owned by us) they will continue to pay rent (including claiming Housing Benefit or the housing element of Universal Credit) for their main home and the Council will cover the cost of the temporary accommodation and any agreed, relevant expenses relating to this stay.
- 3.7 The storage of belongings will be agreed as either:
- i. Left in their main home - This would be at the tenant's risk and the tenant will be responsible for making sure belongings are adequately insured.
 - ii. Moved to the temporary accommodation or put into storage. The reasonable cost of this will be covered by the Council.
- 3.8 There may be occasions when a temporary decant becomes permanent, if for example the level of work required is so great that the property has to be demolished or redeveloped, or if the tenant has been moved on a temporary basis but it is subsequently agreed by all parties that the new property is more appropriate for them to remain in. These will be considered on an individual case basis.

4 Permanent Decant

- 4.1 We may need a tenant to move out of their home permanently where the property is part of a major regeneration or redevelopment project, or it is being sold or demolished.
- 4.2 If this is the case, tenants will:
- i. Be consulted on an individual basis to ascertain their needs. They will be provided information on the nature of the works required, their re-housing options, possible compensation and when the move is expected to happen.

- This will also be confirmed in writing.
- ii. Supported to register for MyAccount and given sufficient priority to facilitate a move.
 - iii. Likely direct matched to a 'like-for-like' property, considering the circumstances and needs of the tenant and their household, per Section 3.4 of this policy.
- 4.3 Once a property has been accepted, the tenant will surrender their original tenancy and sign a new agreement for the property that they move in to. Where possible, they will be offered the same security of tenure and rights they currently have. If this is not possible, the tenant will be advised on the changes and what this means. Any refusal on these grounds will not be counted as suitable alternative accommodation.
- 4.4 Where the original home is subject to redevelopment or remodeling, the tenant may express a wish to move back to a new property on the site. The Council will consider accommodating such requests subject to the new property being suitable for the needs of the tenant and their meeting any letting criteria applicable to the new property including affordability and rent levels.

5 Compensation

- 5.1 Tenants may be entitled to compensation for losing their home permanently and support for the disturbance caused by moving temporarily or permanently from their home. Full details can be found in our Compensation Policy.
- 5.2 The Council will not cover expenses associated with a decant if it is a result of the tenant's own actions/lack of action. Here, the Council will consider recharging the tenant for the full cost of the decant and all works, even if the work is normally part of a landlord's responsibility.

6 Right to review decision

- 6.1 Where a tenant does not agree with the Council's final offer of accommodation, there is the right for this decision to be reviewed. A request to review:
- i. The review should be in writing to the Assistant Business Manager, Housing and Estates Management
 - ii. Must be submitted within 21 days of the refusal
 - iii. Must set out the reasons for the final offer of accommodation being unsuitable
- 6.2 The offer will be reviewed by a senior officer not involved in the original decision and a written outcome will be provided within 28 days of the review being received.

7 Legal action

- 7.1 Where possible the Council will seek to decant people by agreement. Legal action to gain possession of properties will only be instigated as a last resort.
- 7.2 Ground 10 and 10a of Schedule 2 of The Housing Act 1985 allows the Court to grant a possession order where a landlord intends to redevelop the property. To be successful, the Court will need to be satisfied that there is suitable alternative accommodation available before it will make an order.

- 7.3 If a tenant refuses to return to the original property once it becomes available on completion of works, and remains in the temporary home, Newark and Sherwood District Council may take legal action to address this. In this regard, Ground 8 of Schedule 2 of the 1985 Housing Act will be used.
- 7.4 Tenants are advised to seek their own independent legal advice in these circumstances, such as Citizens Advice.

8 Support and Assistance

- 8.1 The Council will put the tenant experience at the centre of this service and recognises some tenants may need extra support and reassurance. Tenant circumstances will be considered when a decant is required to provide a flexible process taking account of these circumstances.

9 Making a complaint or providing feedback

- 9.1 We welcome feedback to improve our services. If a tenant would like to provide feedback on this service or is not satisfied with how the Council has applied with any aspect of this policy, please refer to the Council's Corporate Feedback Policy on how to make a complaint.

10. Approval, Consultation and Review

Document Title	NSDC Decant Policy		
Version Number	1.0	Protective Marking	Official
Lead Director	Housing Health and Wellbeing		
Portfolio	Homes and Health		
Consultation	Tenant Engagement Board	Policy & Performance Improvement Committee	
	Local Influence Networks	Colleagues	
Approval Dates	SLT:		
	Portfolio Holder:		
Review Dates	Desktop:	July 2024	
		July 2025	
	Full:	July 2026	



Report to: Cabinet Meeting – 19 September 2023
 Portfolio Holder: Councillor Lee Brazier - Housing
 Director Lead: Suzanne Shead, Director - Housing, Health & Wellbeing
 Lead Officer: Julie Davidson, Business Manager – Housing Services, Ext 5542

Report Summary	
Type of Report	Open Report, Non-Key Decision
Report Title	Housing Services Resources
Purpose of Report	To set out the current challenges in the Housing Services Business Unit and seek Cabinet approval to increase staffing resources to effectively deliver the tenancy & estate management services.
Recommendations	That Cabinet approve: <ul style="list-style-type: none"> a) the use of £45,115 from the Housing Revenue Account Service Improvement Reserve to cover the costs of the additional posts for 2023-24; and b) that the budget for the 5 FTE tenancy officers is included in the baseline budget from 2024 onwards.
Alternative Options Considered	The consideration for temporary resource was discounted due to the continued rise of complex case management, the increase in homelessness duty discharge into our stock and the difficulty accessing support services within the district.
Reason for Recommendations	To ensure we continue to deliver excellent housing services across the district in line with best practice, regulatory compliance and keeping tenants at the heart of our services. The increase in staffing aligns with our community plan to: “Create vibrant and self-sufficient local communities where residents look out for each other and actively contribute to their local area”. “Reduce crime and anti-social behaviour and increase feelings of safety in our communities”. “Improve the health and wellbeing of local residents”.

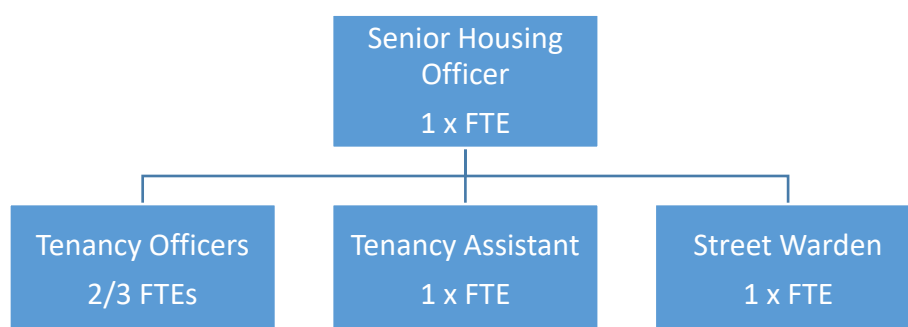
1.0 Background

1.1 The Tenancy & Estate Management Service is provided to 5554 Council properties, 170 leasehold properties and supporting 29 community centres across both large, high-density urban estates and suburban rural areas.

1.2 The housing stock is managed in four areas:

Patch	Area Covered	Total Properties
Newark 1	Hawtonville & surrounding villages	1535
Newark 2	Newark Central, Yorke Drive, Balderton & surrounding villages	1641
Sherwood 1	Blidworth, Clipstone, Rainworth & surrounding villages	1461
Sherwood 2	Ollerton, Boughton & surrounding villages	1176

1.3 Four teams are aligned to these areas and typically adopt this model:



1.4. On average, Tenancy Officers manage around 500 properties. The remit of the role is far ranging and covers the entire spectrum of support, not just tenancy management.

Tenancy Officers usual activities include:

- Tenancy Sign ups which can take 1 hour plus each, longer for complex cases.
- Assessing, issuing, and recording starting well funds
- Facilitating and completing transfers and mutual exchange activities
- Tenancy changes including investigating assignments and successions when a tenant leaves or dies.
- Signposting including referrals for furniture and food banks, mental health services, social care, Multi Agency Safeguarding Hub (MASH) and support agencies.
- Careline referrals and support
- Working with contractors on introduction or replacement of services i.e., alarms and new kit or new bathrooms and kitchens where tenant support is required.
- Consultations on service changes that may affect tenants in their area.
- Authorising permissions for property alterations and associated paperwork
- Completing 'Getting to know you' visits – a proactive visit to all tenants to check their home is working for them, to update our records, prevent fraud and to ensure the home is free from mould and damp.

- Advocating on behalf of tenants with Council services
- Dealing with Anti-Social Behaviour and other tenancy breaches, which often includes working with partner agencies.
- Dealing with safeguarding and child protection cases in partnership with other agencies
- Tenant surgeries
- Responding to emails/communications/phone calls from agencies/tenants
- Enabling essential servicing to be completed through supporting complex cases with access for gas and electric services.
- Supporting the income team with visits for rents and other arrears
- Attending days and nights of action and walkabouts.
- Encouraging, promoting, and working to involve tenants in service scrutiny and promoting involvement opportunities.
- Oversight of community centres in the tenancy officer's patch (NEW)
- Eyes and ears in homes, looking for hazards and health and safety issues (NEW)

1.5 The demand for Council properties is increasing and combined with the significant increase in applicants bringing with them a variety of vulnerabilities and complex needs has seen Officers stretched to capacity when delivering core landlord functions. This is exacerbated on our larger, higher density estates of Hawtonville and Boughton. It is also worth noting the geographical nature of our district provides an additional challenge for officers as the impact of travel time on their daily duties can often be excessive, despite our best efforts.

1.6 As mentioned above, officers frequently need to go above and beyond what could be considered landlord core functions due to their visibility in the communities in which they serve. This then can result in the less critical elements of their job becoming less of a priority. However, the Regulator of Social Housing (RSH) requires the council to meet its duty to tenants and comply with the regulatory standards. A consequence of these conflicting priorities can sometimes see officers attending child protection meetings over involving our tenants at a coffee morning, engagement with tenants is a requirement of the regulator, but also as a good landlord and Council, there is a commitment to meet our safeguarding and child protection duties.

1.7 The socio-economic picture of the district varies with areas of affluence and areas of recognised deprivation. In these latter areas, the needs can be far more complex and resource hungry. Nottinghamshire is ranked ninth out of the 26 shires in England on the deprivation scale. The table below demonstrates the five most deprived areas within Newark and Sherwood and these areas also have a high density of Council owned social housing stock.

Area	Rank within District
Boughton	1
Hawtonville	2
Yorke Drive	3
Blidworth	4
Clipstone	5

- 1.8 Anti-Social Behaviour (ASB) and tenancy management are core landlord functions and ASB cases continue to increase year on year:

Year	Case Numbers
2021/2022	146
2022/2023	258
Projected outturn for 23/24	300

- 1.9 ASB cases can often take months to resolve and needs the tenancy team to work together with the Police and other agencies to help resolve matters. This is an important yet time consuming part of their role and is a key priority for Newark and Sherwood District Council to ensure a safer community and to improve on the tenant satisfaction of this service, which from the Survey of Tenants and Residents was 47.8% compared to our peers at 58%.
- 1.10 Tenancy management caseload is difficult to accurately assess due to the limitations of the current Housing Management System and whilst this will be better captured in our new housing management system via Customer Relationship Management (CRM) modules, it is estimated that the team deal with 84 cases related to tenancy management and sustainment per month.
- 1.11 Linked to the challenges outlined above, there will also been additional workload to test and implement the new Housing Management System due to be implemented by August 2025 which will reduce duplication of data entry and help officers work in a more agile way.

2.0 **Changes in the Sector**

- 2.1 Over the last two years, the wider housing sector has seen the emergence of various drivers for change. These external influences include the tragedy of Grenfell, the death of Awaab Ishak and the sad circumstances surrounding the death of Sheila Seleone among others.
- 2.2 These failures have reinforced the need for landlords to be regularly involved with tenants and keep their voice at the centre of everything the Council do, safe in their homes that are warm, free from damp and mould and when things go wrong, responding swiftly and appropriately to make things right again. We have already taken a great step towards this through the introduction of 'Getting to know you' visits, which enables us to engage with tenants in a proactive way, not just when things have reached crisis point.
- 2.3 The value of these 'Getting to know you' visits cannot be underestimated in the support of all the drivers mentioned above, but it is noted that the original programme was over a two-year cycle, however due to pressures detailed in this report it is envisaged it will take four years to complete the programme with current resources, partly in response to the circumstances we find when we visit, and the support and signposting that tenants require.

2.4 The drivers outlined above form the spine of the Social Housing Bill which received Royal Assent in July 2023. This places responsibility on landlords to improve its performance and services for tenants, with the Social Housing Regulator adopting a stronger, proactive regulatory regime to drive up standards in the sector.

These include:

- a) putting tenants at the heart of decision making
- b) effective complaint resolution
- c) ensuring accommodation is a decent quality and safe.
- d) ensuring homes are allocated appropriately and fairly and making the best use of housing stock.
- e) working with partners to make communities and neighbourhoods clean and safe; consulting with tenants on how their neighbourhoods inc. communal areas could be improved.
- f) knowing who is behind the door - a strong focus on supporting the vulnerable and those with additional needs.
- g) Addressing anti- social behaviour, including increased partnership working and protocols.
- h) Introduction of tenant satisfaction measures from April 2023.
- i) Introduction of professional standards for the sector
- j) New consumer standards
- k) New inspection regime from April 2024

2.5 This new legislation places extra pressure on housing services teams to ensure that they continue to display professional curiosity in all their dealings with tenants and leaseholders, ensuring that issues such as mould and other defects within properties are reported swiftly and resolved promptly.

3.0 Proposal/Options Considered

3.1 The proposal is to reflect the additional workload that some areas of the district present in the number of tenancies an officer is responsible for.

3.2 A review of the patches determined that each tenancy officer manages an average of 500 households, plus the estates and any community centres. This is cited as good practice within the recent Peabody Report (following the death of Sheila Seleone), however as detailed within the report several areas within the district requiring more intense case management.

3.3 This report has considered the challenges facing front line housing staff in 2023 and applied a weighting to take account of the significant increase in complex housing management cases and focus on tenancy sustainment; there is not an option to do nothing. Being able to support the most vulnerable in our communities and ensure they are living in homes that are of good quality is a must. Service failures also draw the Housing Ombudsman and Regulator to inspect our services sooner.

- 3.4 This weighting means that for properties in the highest areas of need, one home is counted as the equivalent of two properties for the purposes of housing management. The table below demonstrates our rationale and workings; the property weightings have been applied to the specific areas only:

Patch	Total Homes	Current FTE	Total Homes with Weighting Applied	Deprived Area Ranking	Revised FTE	Additional Officers
Newark 1*	1535	2.6	2535	2	5	2.4
Newark 2**	1641	3.4	1962	3	3.9	.5
Sherwood 1***	1461	3.0	1915	4 & 5	3.8	.8
Sherwood 2****	1176	2.0	1552	1	3	1.0
Additional officers required						4.7

*Weighting applied to Hawtonville only

**Weighting applied to Yorke Drive and Chatham Court only

***Weighting applied to Clipstone and Blidworth only

****Weighting applied to Boughton only

- 3.5 The additional resources will relieve the pressure on existing staff, but also be available to be redirected as priorities and/or areas change or require a more intensive housing management approach.
- 3.6 To do nothing and continue with the current arrangements is likely to increase the exodus of experienced tenancy officers from this service. In the last two years, two colleagues have moved from the team, and more are looking for alternative roles within the Council citing the workload as a factor which is a reverse of previous trends. The health and wellbeing of staff is of paramount importance to us as a Council; the increased number of complex cases impacts on colleagues so adding resource and resilience to the team will support us retain staff and keep them healthy.
- 3.7 The consideration for introducing a temporary resource has been discounted due to the continued rise of complex case management, the increase in homelessness duty discharge into our stock and the decreasing access to support services within the district.
- 3.8 Public Protection Business Unit have also requested an additional anti-social behaviour resource due to the increase in demand for support on ASB. Whilst there is strong and successful joint working that takes place, this report focuses on a holistic tenancy management service that goes wider than the remit of ASB officer.
- 3.9 These resources will be reviewed annually and when a vacancy arises; the need to replace will be discussed and agreed between the Director and Business Manager.
- 3.10 A review of team resources will also be undertaken 12 months after the implementation of the new housing management system, as the system will allow for increased agile working, processes will be improved and streamlined with more tenants being able to self-serve.

4.0 Implications

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

4.1 Financial Implications – FIN23-24/5729

The cost of an additional 5 (FTE) Tenancy Officers is £191,080 including on-costs at the top of the existing scale (pay award pending).

The additional costs of £45,115 which assumes recruitment from the beginning of quarter 4 can be met from Housing Revenue Account (HRA) Service Improvement Reserve. The budget for future years will need to be included in the baseline budget from 2024/25 onwards.

There will be a need for additional ICT equipment and licences due to the increase in the permanent establishment.

4.2 HR and Equalities

The rationale for requesting approval for additional FTE is sound in that it will support the team to effectively meet the continued increasing workload and, therefore, continue to provide a high level of service for tenants, ensuring that we continue to meet our responsibilities as a landlord. There are increased expectations on Tenancy Officers to be aware of issues wider than ones which they may normally deal with, or that are the purpose of a particular contact with a tenant. It's vital that postholders have the capacity to do this effectively.

4.3 In addition to ensuring the wellbeing of our tenants, an increase in FTE will also support the wellbeing of our staff. The Tenancy Officer role is a front facing one and postholders are regularly in a position where they are trying to support tenants with a wide range of difficult issues. This not only means that they are managing a high workload and competing priorities daily but there can also be a significant impact on their own resilience and wellbeing. Weighting tenancies that sit within areas of higher need will help to ensure that individuals are not overwhelmed with the issues that they face as, if they are, this can lead to feelings of stress of work, increased absences, increased turnover, and compassion fatigue which impacts on the quality of service provided to tenants.

4.4 Prior to recruiting to fill the additional posts, it is recommended to speak with existing part-time Tenancy Officers to ask whether there is a desire from any to take any additional hours. There is also a possibility that existing Housing staff may apply and be successful for some of the new posts which will require backfilling to the roles individuals leave.

4.5 Recruitment will be undertaken in line with the Council's recruitment and selection policy to ensure that processes are transparent and that no one is put at a disadvantage due to having any protected characteristics. A recruitment plan will be agreed in order to increase the likelihood of success in recruiting to all posts.

4.6 ICT Implications

The proposed restructure will result in an increase to the establishment of 4.7 FTE which requires additional ICT equipment and licenses - noted in financial implications.

The digital strategy action plan has a major inflight project replacing the Housing Management System which is likely to affect the Tenancy and Estates team. However, based on the coverage of roles, this system improvement is unlikely to significantly reduce this by digital transformation or process re-engineering.

4.7 Tenant Implications

A discussion was held with the chairs of the Local Influence Networks regarding the need for additional resource, who supported the proposals especially in Newark 1 and Sherwood 2. There was also discussion that consideration be given to resource being flexible as detailed in 3.2 but to include project work across the district. The chairs agreed this additional resource would add value to tenants' district wide.

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.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 4 of Part 1 of Schedule 12A
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