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Monday, 15 January 2024

Chair: Councillor P Peacock

Members of the Cabinet:

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

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

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

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

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

AGENDA

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NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Cabinet** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Tuesday, 5 December 2023 at 6.00 pm.

PRESENT: Councillor P Peacock (Chair)

Councillor S Crosby, Councillor L Brazier, Councillor K Melton,
Councillor E Oldham, Councillor M Spoons and Councillor P Taylor

APOLOGIES FOR ABSENCE: Councillor R Cozens and Councillor R Holloway

59 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

There were no declarations of interest.

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

The Leader advised that the proceedings were being audio recorded and live streamed by the Council.

61 MINUTES FROM THE PREVIOUS MEETING

Subject to an amendment to Minute No. 55 to read 'there was a potential for temporary closure' in the third paragraph, the minutes from the meeting held on 31 October 2023 were agreed as a correct record and signed by the Chairman.

62 CHAIR'S UPDATE

The Leader and Chair referred to the successful Levelling Up fund bid, after the announcement that Sherwood would benefit from a £20million investment as part of round three of the Levelling Up fund.

63 BUDGET PERFORMANCE - QUARTER 2 - 2023/24

The Business Manager - Financial Services presented a report which detailed performance against the approved estimates of revenue expenditure and income; reported on major variances from planned budget performance; and reported on variations to the Capital Programme for approval; in accordance with the Council's Constitution.

Members heard that despite an unfavourable variance of £418,000 for the net cost of services, it was forecast that the Council would be able to transfer £422,000 into reserves at the end of the year. The HRA also showed a favourable variance of £113,000 likely to be able to transferred to the major repairs reserve at the end of the year. The report included details of the summary position for the Capital Programme split between the General Fund and Housing Revenue Account, with a forecast outturn of £81.237m.

AGREED (unanimously) that Cabinet:

- (a) note the General Fund projected favourable outturn variance of £0.422m;
- (b) note the Housing Revenue Account projected favourable outturn variance of £0.113m to the Major Repairs Reserve;
- (c) approve the variations to the Capital Programme at Appendix E;
- (d) approve the Capital Programme revised budget and financing of £81.237m; and
- (e) note the Prudential indicators at Appendix H.

Reasons for Decision:

To consider the forecast outturn position for the 2023/24 financial year for the Council's General Fund and Housing Revenue Account revenue and capital budgets.

Options Considered:

Not applicable.

64 COMMUNITY PLAN PERFORMANCE - QUARTER 2 - 2023/24

The Director – Customer Services & Organisational Development presented the Community Plan Performance report for Q2 highlighting various projects and services including a new community hub in Ollerton, an improved facility for tenants to report repairs and investment in playparks. The report also detailed the fixed penalty notices issued by the Council for fly-tipping, littering and failure to have correct waste carrier and transfer documents.

The Committee welcomed the report, particularly the reduction in fly-tipping and anti-social behaviour and the very well received investment in playparks.

AGREED (unanimously) that Cabinet:

- (a) review the Community Plan Performance Report attached as Appendix 1;
- (b) review the compliance report attached as Appendix 2; and
- (c) consider the Council's performance against its objectives highlighting any areas of high performance and identifying areas for improvement.

Reasons for Decision:

To enable the Cabinet to monitoring performance management and compliance to drive improvement.

Options Considered:

Not applicable.

65 HOUSING SERVICES COMPLIANCE REPORT

The Portfolio Holder - Housing presented the Housing Services Compliance report to provide an update on the position at the end of Q2 2023/24 with regard to compliance assurance overview and actions arising. The Business Manager - Housing Maintenance & Asset Management was in attendance and explained the work undertaken to gain access to properties to ensure compliance. The Cabinet noted the numbers of non-compliance cases and heard that with regard to oil servicing it was now only one property which was non-compliant and an appointment for a service had been made. The delay in the grant of injunctions was noted and Members heard that the team were seeking to work 6 months ahead to ensure all services could be undertaken within the required timescales to ensure compliance.

AGREED that Cabinet:

- (a) note the compliance performance for the end of the financial year, the items for action and changes for next financial years reporting; and
- (b) identify any areas of concern or for further investigation or detail.

Reasons for Decision:

To enable the Cabinet to monitor performance and compliance relating to the Council's legal and regulatory landlord responsibilities for 27 building safety measures including fire protection, gas, asbestos, electrical and water.

Options Considered:

Not applicable.

Meeting closed at 6.24 pm.

Chair

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NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Cabinet** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Tuesday, 19 December 2023 at 6.00 pm.

PRESENT: Councillor P Peacock (Chair)

Councillor R Cozens, Councillor S Crosby, Councillor L Brazier,
Councillor K Melton, Councillor P Taylor and Councillor R Holloway

ALSO IN ATTENDANCE: Councillor N Allen, Councillor R Jackson, Councillor S Michael and
Councillor P Rainbow

APOLOGIES FOR ABSENCE: Councillor E Oldham and Councillor M Spoors

66 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

Councillor K Melton declared an other registerable interest in relation to Agenda Item No. 12 – Southwell Leisure Centre Pool Works - as a Trustee of Southwell Leisure Centre, but advised that he did not consider there was any conflict of interest which would prevent him taking part in any debate and vote on the item.

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

The Leader advised that the proceedings were being audio recorded and live streamed by the Council.

68 CHAIR'S UPDATE

The Leader had no update, but Councillor K Melton as the Portfolio Holder for Climate Change took the opportunity to clarify that he had visited the Sheffield Energy Recovery Facility as part of his brief as Portfolio Holder in order to learn about where waste from our District went.

69 CORPORATE PROPERTY OVERVIEW

The Business Manager – Corporate Property presented a report which provided some background and overview of the changes to the Corporate Property Business Unit over the past five years and detailed the functions performed and latest performance.

AGREED (unanimously) that Cabinet review the report and note the positive impact of the Business Unit on service delivery and financial contribution to the overall budget of the Council.

Reasons for Decision:

To inform Members of the wide responsibilities and performance of the Corporate Property Business Unit.

Options Considered:

Not applicable, with the report providing an overview of the Corporate Property Business Unit.

70 SHERWOOD AVENUE PARK (KEY DECISION)

The Director – Communities & Environment presented a report which put forward proposals that would lead to significant investment and improvement in Sherwood Avenue Park in Newark. In the absence of the Portfolio Holder, the Director – Communities & Environment read a statement indicating her support for the exciting vision for the park and the excellent partnership work behind the scheme proposals. The concept design and detail were set out in the report and appendices along with the breakdown of the different funding elements.

AGREED (unanimously) that Cabinet:

- a) formally supports the development of the scheme as set out in the report and appendices and in line with the cost plan;
- b) agrees that Section 106 monies from the Arkwood development on Lord Hawke Way are allocated to the scheme;
- c) approve the Capital Programme budget of £520,400 financed by Section 106, Shared Prosperity Fund, Capital Receipt and Newark Town Council Contribution;
- d) supports a short period of public consultation in the New Year, to ensure the plans align with community feedback and aspirations for the site; and
- e) subject to no material changes being required from the consultation exercise, the scheme and its packages are formally tendered and the scheme is progressed through to delivery.

Reasons for Decision:

The recommendations align with the Community Plan objectives in relation to health and wellbeing and the environment and in response to resident feedback as evidenced through the latest resident survey, which placed growing emphasis on parks and play areas. It is also in line with the strategy for increased town centre living, whilst the park and all of its proposed improvements are free to access.

Options Considered:

Given the age of the park, its prominence in the town centre and the links to the Council's Community Plan objectives, doing nothing is not deemed to be a viable alternative. Scope does exist to reduce the scope of the intervention, but this is not deemed desirable given the funding package that has been put together and the community desire for improvement that has been expressed to date.

71 INFRASTRUCTURE FUNDING STATEMENT (KEY DECISION)

The Business Manager – Planning Policy & Infrastructure presented a report which provided an update on matters set out in the Infrastructure Funding Statement for 2022/23 and sought approval for the publication of the 2023 Statement by the end of the calendar year. The report provided a summary of CIL and developer contributions income and expenditure.

AGREED (unanimously) that Cabinet approve the publication of the Infrastructure Funding Statement, which has been produced in accordance with the legislative requirements, before the end of the calendar year.

Reasons for Decision:

To ensure that the District Council is operating in accordance with the requirements of the Community Infrastructure Regulations.

Options Considered:

None. There is a requirement to publish the Infrastructure Funding Statement by the end of the calendar year.

72 OLLERTON TOWN CENTRE UPDATE AND PURCHASE OF PROPERTY (KEY DECISION)

The Director – Planning & Growth presented a report which updated the Cabinet on the progress of the Ollerton Town Centre Regeneration Scheme including land acquisition and funding updates given the recent announcements regarding the national Levelling Up Fund Round 3. The Cabinet welcomed this funding and how the scheme had evolved to likely uses including a library, public sector hub, a cinema, housing, business and commercial space and a transport and mobility hub.

AGREED (unanimously) that Cabinet:

- a) note and welcome the progress on the Ollerton Town Centre Regeneration Scheme;
- b) note and welcome the Government announcement that the Ollerton Town Centre Regeneration Scheme, along with Clipstone Mansfield Road development, has been identified to benefit from £19,995,358 under the Levelling Up Fund Round 3 (LUF3);
- c) delegate to the Director - Resources, in consultation with the Director - Planning & Growth, Business Manager - Corporate Property and Portfolio Holders for Strategy, Performance & Finance and Sustainable Economic Growth, authorisation to negotiate and purchase in accordance with the requirements of the Council's Acquisitions and Disposals Policy the former Lloyds Bank on Forest Road for the Maximum Offer detailed at paragraph 2.2 of the report and in the Exempt Appendix B;
- d) delegate to the Director - Resources, in consultation with the Director - Planning & Growth, Business Manager - Corporate Property and Portfolio Holders for Strategy, Performance & Finance and Sustainable Economic Growth, authorisation to negotiate terms

for necessary land assembly and lease deals with the Ollerton Regeneration Partners and prospective tenants, subject to completion of a Full Business Case to be presented to a future Cabinet, which includes Town Council Offices, a piece of brownfield land referred to as the Courtalds site and The Forest Centre;

- e) delegate to the Director - Resources, in consultation with the Director - Planning & Growth, Business Manager - Corporate Property and Portfolio Holders for Strategy, Performance & Finance and Sustainable Economic Growth, authority to agree and enter terms with Government to access the £19,995,358 LUF3 Funds, including any further updates that may be required for the LUF3 projects given the time elapsed between the bid and confirmation of success;
- f) agree additional revenue budget of £150,000 from the change management reserve in 2023/24 to allow acceleration of feasibility design work in advance of receipt of LUF3 funding, with delegation to the Director - Planning & Growth, in consultation with the Business Manager - Corporate Property and Portfolio Holders for Strategy, Performance & Finance and Sustainable Economic Growth;
- g) request a future update to Cabinet, including timetable for submission of a planning application and development of final Business Case; and
- h) request update report(s) following all negotiations to seek approval for future capital budget requirements.

Reasons for Decision:

To allow progression, at pace, the development of the LUF 3 Ollerton Town Centre Regeneration Scheme with the Ollerton Development Partners and prospective tenants, including all necessary land deals, such that the Council can provide appropriate updates and implementation timelines to Government in order to access the LUF 3 funding.

Options Considered:

It remains an option to pause, stop, or reduce the scale of ambition of the LUF3 projects in Clipstone and Ollerton. This has been discounted given the desperate need to invest in these communities through transformational proposals such as those forming the Ollerton Town Centre Regeneration Scheme. The Regeneration Partners, including the District Council, remain committed to the project.

73 PLANNING DEVELOPMENT - PLANNING APPLICATION BUDGET

The Director – Planning & Growth presented a report which provided an update on the Planning Development Business Unit in terms of the emerging legislative and operational service challenges, the planning fee increase effective as from 6 December 2023, and proposals for an increased staffing budget to build in greater capacity, including the creation of an Assistant Director post.

AGREED (unanimously) to increase the Planning Development staffing budget to £1,023,170 based on forecast planning fee income to £1,031,700 from 2024/25.

Reasons for Decision:

To enable the Planning Development Business Unit to review resources in order to implement some of the many changes resulting from legislation and the actions identified within the Community Plan – both directly for the service as well as actions for other departments that require our resources.

Options Considered:

There is an option to do nothing but this is not considered viable given the current pressures on the service.

74 DAMP AND MOULD POLICY (KEY DECISION)

The Portfolio Holder for Housing and the Business Manager – Housing Maintenance & Asset Management presented a report which set out and sought approval for a Damp & Mould Policy which set out the Council's approach to tackling and preventing damp and mould in Council owned homes. It was noted that the Policy Performance & Improvement Committee and the Tenant Engagement Board had both recommended approval of the policy.

AGREED (unanimously) that Cabinet endorse the Damp & Mould Policy for approval as recommended by the Local Influence Network Chairs.

Reasons for Decision:

As detailed in the report, to meet legislative requirements and adhere to guidance and regulations.

Options Considered:

There are no viable alternatives and taking no action would mean failure to meet our regulatory requirement to ensure that we have measures in place to appropriately tackle cases of damp and mould and keep tenants safe in their homes.

75 BUILDING SAFETY IN THE HOME POLICY (KEY DECISION)

The Portfolio Holder for Housing and the Business Manager – Housing Maintenance & Asset Management presented a report which set out and sought approval for a Building Safety in the Home Policy which set out how tenants and leaseholders in Council owned homes can raise safety concerns and the Council's responsibilities to keep homes warm, safe and decent. It was noted that the Policy Performance & Improvement Committee and the Tenant Engagement Board had both recommended approval of the policy.

AGREED (unanimously) that Cabinet endorse the Building Safety in the Home Policy for approval as recommended by the Local Influence Network Chairs.

Reasons for Decision:

The Policy supports the Council's Community Plan to create more and better quality homes through our roles as landlord, developer and planning authority.

Options Considered:

There were no viable alternatives and taking no action would mean failure to meet our regulatory requirement to ensure that we have measures in place to keep tenants safe in their homes.

76 SOUTHWELL LEISURE CENTRE POOL WORKS (KEY DECISION)

The Business Manager – Corporate Property presented a report which provided the Cabinet with an update on the outcome of the investigation works to the main pool and a summary of the repair and replacement options with costs, and an update on the works being carried out to the 'dry side' of the centre.

During the closure of the main pool water level measurements were recorded and the findings showed a sizeable leak with a water loss which was beyond the average for the type and size of pool by an extreme margin. Therefore, operating the main pool was considered viable. The pool leak remediation options were set out in paragraph 2.5 of the report.

AGREED (unanimously) that Cabinet:

- a) note the progress of works to the dry side;
- b) approve the continued closure of the main pool;
- c) approve the additional revenue budget of £12,300 from the Change Management Reserve to fund the engineered solution to safeguard the structure of the main pool as set out in section 2.5(d) of the report;
- d) note that the learner pool would continue to operate;
- e) note the continued arrangements to support users of Southwell main pool to swim at other venues;
- f) approve, in principle, the option of developing a new swimming facility (main pool, teaching pool plus associated changing facilities) on land adjacent to the current Southwell leisure centre, as set out in section 2.5(c)(2) of the report subject to detailed feasibility being undertaken and agreement of land transfer with the current landowner(s); a further report being brought back to Cabinet for approval as soon as practicable;
- g) approve the capital budget of £5.5m financed by borrowing for the estimated build cost of the replacement pools as set out in 2.5(c)(2) of the report noting that reports will be brought to Cabinet on revised estimated costs as the feasibility project progresses;

- h) approve a revenue budget of £25,000 from the Capital Feasibility Reserve to carry out design works to RIBA Stage1 for a new Leisure Centre which incorporates the new pool building; the design works to be procured on in principle agreement of land transfer to the Council; and
- i) request officers to work up options, costings and methods of finance for the replacement pools to form part of aspirations for a wider development of a new leisure centre on the site, in conjunction with partners and relevant landowners.

Reasons for Decision:

To provide a long-term, value for money solution for the provision of swimming and other leisure centre activities at Southwell.

Options Considered:

The four possible alternative options were detailed in full in section 2.5 of the report.

77 CCTV SYSTEM REVIEW (KEY DECISION)

The Portfolio Holder for Public Protection & Community Relations and Business Manager – Public Protection presented a report which sought approval of the recommendations proposed following the Member review of the Council’s CCTV systems. The report provided a detailed picture of what CCTV systems the Council held and made recommendations based on the findings of the ASB Policy & Performance Improvement working group which were first presented to the Cabinet on 21 February 2023.

AGREED (unanimously) that Cabinet approve:

- a) the CCTV replacement scheme as set out in Appendix 1 to the report;
- b) the recommendation for all CCTV cameras moving forward to become in the full ownership of NSDC as detailed in paragraph 2.2 of the report;
- c) the continuation of NSDC’s membership in the CCTV partnership;
- d) the creation of a CCTV Project to undertake a detailed feasibility exercise to provide a full business case on the possibility of bringing CCTV in house; and
- e) the allocation and draw down of £8,200 from the Capital Feasibilities Reserve to be allocated to the CCTV Revenue Cost Centre.

Reasons for Decision:

To enhance the Council’s management of their CCTV systems in addition to improving and updating our coverage across the district in line with the Community Plan objective of maximise the use and effectiveness of CCTV to deter crime and bring offenders to justice.

Options Considered:

To continue with the current CCTV partnership accepting that the Council will continue to share Control Room resources with partners and the service level will remain as now.

To delay the replacement programme until cameras fail beyond economic repair.

78 EXCLUSION OF THE PRESS AND PUBLIC

79 OLLERTON TOWN CENTRE UPDATE AND PURCHASE OF PROPERTY - EXEMPT APPENDIX

Meeting closed at 7.46 pm.

Chair



Report to: Cabinet Meeting – 23 January 2024

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

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

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

Report Summary	
Type of Report	Open Report, Key Decision
Report Title	Council Tax Empty Homes Premium
Purpose of Report	To update Cabinet with the current position relating to Council Tax empty homes premium charges and collection. To enable Cabinet to consider changing the trigger date for charging empty home premium from two years to one year.
Recommendations	That Cabinet recommends to Full Council the proposal to increase the long-term empty home premium as set out in paragraph 2.7 of the report, effective from 1 April 2024.
Alternative Options Considered	The alternative is to leave charging unchanged.
Reasons for Recommendations	To assist the Council with achieving its objectives of increasing the supply, choice, and standard of housing by reducing the number of empty homes across the district.

1.0 Background

- 1.1 In the Local Government Act 2012 Local Authorities in England were given delegated powers, under Section 11B of the Local Government Finance Act 1992 (as amended), to increase Council Tax by adding up to 50% to the Council Tax charge on some long-term empty properties. This is known as the ‘long term empty home premium’. The amount that Councils can charge was changed in the Rating (Property in Common Occupation) & Council Tax (Empty Dwellings) Act 2018.
- 1.2 In a report to Cabinet on 6 December 2012, it was agreed that the amount of Council Tax payable in respect of properties empty for more than 2 years, should be subject to an empty home premium of 50% of their Council Tax payable, where regulations permit.
- 1.3 In a report to Cabinet on 21 February 2023, it was agreed that the amount of Council Tax payable in respect of long-term empty homes, be increased to the maximum allowed in regulations, for properties empty for more than 2 years to 100%, for properties empty for more than 5 years, but less than 10 years, to 200% and over 10

years to 300%. It was further agreed that the new charges come in to force from 1 April 2023.

2.0 Proposal/Details of Options Considered

- 2.1 During the 2023/24 charge period, the Council has levied Council Tax empty homes premium in respect of 267 properties. The total charge levied is £1,013,854, this is made up to £422,030 in 'normal' Council Tax charges and £591,824 in additional 'premium' charges.
- 2.2 Of the 267 properties where the premium charge has been levied, 208 remain unoccupied, however 59 have now been occupied meeting this Council and Government policy aims in helping to reduce the number of empty homes by giving the highest incentive to owners to bring the properties back in to use, by either selling or renting the property.
- 2.3 Of the £1.014m charged, £456k has been paid (45%) during the first 6 months of the charge being due. This is slightly lower than the overall collection rate during the same period, 52.4%. £130k is in arrears (12.8%) and 56 liability orders have been obtained which will now be actioned.
- 2.4 Of the additional £592k levied, approximately £68k will be retained locally as a potential increase to in-year Council Tax surplus. This surplus is created as the decision made to increase the levy rates in 2023/24 was made after the tax base calculations which determine Council Tax budget levels.
- 2.5 The Levelling-Up & Regeneration Bill, which received Royal Assent on 26 October 2023, changes the date that Councils can charge the long-term empty home premium from. Current legislation enables a 100% increase for properties empty for more than 2 years, this is amended to 1 year under the new rules.
- 2.6 On 1 October, 748 properties have been empty between 1 and 2 years. The current Council Tax liability relating to the properties is £1.431m, this charge and the income to preceptors would double if the new premium rules were implemented. The table below breaks down the number by band and charges.

CT Band	A	B	C	D	E	F	G	H	TOTAL
Properties empty between 1 and 2 years	381	141	95	58	36	22	14	1	748
Council Tax liability	598,696	258,492	199,041	136,710	103,711	74,902	54,998	4,714	1,431,265
100% premium charge	598,696	258,492	199,041	136,710	103,711	74,902	54,998	4,714	1,431,265
TOTAL CHARGE	1,197,392	516,984	398,083	273,420	207,422	149,805	109,997	9,428	2,862,531

- 2.7 The proposal for agreement of Cabinet and referral to Council is to change the date on which the Council Tax long-term empty home premium becomes due from 2 years to 1. This proposal would best support Council and Government policy in helping to reduce

the number of empty homes by giving the highest incentive to owners to bring the properties back into use, by either selling or renting the property.

- 2.8 This proposal would also maximise income to the Council Tax preceptors: Nottinghamshire County Council, Nottinghamshire Police & Crime Commissioner, the Nottinghamshire Fire Authority, Newark & Sherwood District Council and the numerous town and parish councils.
- 2.9 On the basis of the number in the above table, the element of the total Council Tax liability that relates to the District Council's income increases by £114,500 to £229,000.
- 2.10 Information has been obtained from each of the 6 other District and Borough councils in Nottinghamshire regarding their policies. 4 have advised they will be seeking approval to amend the start date for charging empty homes premium to 1 year with effect from 1 April 2024, the remaining 2 authorities will not be changing their current arrangements.

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 – (FIN23-24/2077)

- 3.1 All financial figures provided in this report are based on 2023/24 Council Tax and precepting charges.
- 3.2 Based on the current number of long-term empty properties in Newark and Sherwood District, there would be an increase in the Collection Fund of £1,431,265. £114,500 would come directly to the Council's budget, the remaining funding would be shared with Council Tax preceptors at proportionate levels.
- 3.3 Together with the substantive existing premium charged during 2023/24, £47,000, (being the district council's element alone under the existing scheme), this would mean an additional Council Tax yield of £161,500 during 2024/25, which would be budgeted for as additional income. This value is subject to change in future years dependant on empty property number and council tax precepts.
- 3.4 Any subsequent increase in homes brought back into occupation following long periods of being empty could attract grant funding from central government under a New Homes Bonus scheme.

Legal Implications

- 3.5 There are no legal implications as a direct consequence of this report. Changing the date that the Empty Homes Premium falls due is in line with the Local Government Finance Act 1992 (as amended).

3.6 In accordance with the regulations, the new scheme will be promoted through a press release. All owners of long-term empty properties impacted by this decision will be written to, to ensure that they are aware of the change.

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 - 23 January 2024

Portfolio Holder: Councillor Lee Brazier, Housing

Director Lead: Sanjiv Kohli, Deputy Chief Executive / Director – Resources / S151 Officer
Suzanne Shead, Director – Housing, Health & Wellbeing

Lead Officer: Nick Wilson, Business Manager – Financial Services, Ext. 5317
David Price, Business Manager – Housing Income & Leasehold Management, Ext. 5538

Report Summary	
Type of Report	Open Report, Key Decision
Report Title	2024/25 Housing Revenue Account (HRA) Budget and Rent Setting
Purpose of Report	<ul style="list-style-type: none"> a) To examine the proposed income and expenditure on the HRA for the 2024/25 financial year, in accordance with Section 76 (Duty to prevent debit balance on the Housing Revenue Account) of the Local Government and Housing Act 1989. b) To provide indicative amounts of income and expenditure for the 2025/26 to 2027/28 financial years; and c) To set rent levels and service charges for 2024/25 (with effect from the first Monday in April 2023).
Recommendations	<p>That Cabinet recommend to Council at its meeting on 13 February 2024:</p> <ul style="list-style-type: none"> a) the HRA budget for 2024/25, as set out in Appendix A1 to the report; b) an increase of 7.7% in the 2023/24 rents of all properties in the HRA as at 31 March 2024 be applied from 1 April 2024; and c) the 2024/25 service charges, as set out in Appendix C to the report.
Alternative Options Considered	<p>Various modelling was undertaken to assess the impact of different rent levels on the viability of the HRA 30-year business plan to arrive at the recommendation above.</p> <p>Consideration was also given to varying increases between general needs and supported (sheltered and extra care) accommodation but no rationale was found to support this, alongside the equitable nature of any decision to do so.</p>

Reason for Recommendations	To advise Members of the proposed HRA budget and charges in rent and service charge levels for 2023/24 and for these to be recommended to Council at its meeting on 13 February 2024.
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1.0 Background Information

1.1 The setting of the HRA budget and the approval of rent levels must be completed within the required time to notify tenants of proposed changes to rents in accordance with legislation.

1.2 The key dates in the budget setting timetable are detailed in the table below:

Council determination of HRA budget and rent setting	13 th February 2024
Newark & Sherwood District Council update of rent systems	16 th February 2024
Generation of rent cards and letters to notify tenants of variation of their rent levels (tenants are required to be given four weeks' notice of the changes).	By end of February 2024

1.3 Any slippage from these key dates would jeopardise the implementation of rent increases from the first Monday in April 2024, and as a consequence, pose a risk to the sustainability of the 30-year HRA Business Plan (BP).

2.0 Proposal/Details of Options Considered

Statutory Duty

2.1 Section 76 of the Local Government and Housing Act 1989 requires local housing authorities to set a budget annually for their HRA, and that implementation of the budget proposals will not result in a debit balance (deficit position) at year-end.

2.2 Following housing financing reforms (self-financing) in April 2012 the council's HRA has been operating within a 30-year business plan. The inputs and assumptions in the Business Plan are key to setting the HRA budgets annually for each year of the HRA's four-year medium-term financial plan (MFTP).

Rent Standard 2020

2.3 In February 2019, the Secretary of State for Housing, Communities & Local Government published a Direction to the Regulator of Social Housing (RSH) to set a Rent Standard which would apply from 2020. This was published alongside a Policy Statement on Rents for Social Housing 2018 (Rent Policy Statement) for the Regulator to have regard to when setting its Rent Standard.

2.4 The Rent Standard 2020 specifies that rents must be set in accordance with the Rent Policy Statement. The government's Rent Policy Statement allows annual rent increases to social rent and affordable rent properties for at least five years, up to (and including) the Consumer Price Index (CPI) rate published for September of the preceding financial year plus 1%. A new rent settlement for post-2025 is expected to be announced by summer 2024.

Cap on social housing rent increases consultation

- 2.5 In January 2024, the Regulator of Social housing published a direction on the Rent Standard 2024, setting out the policy for 1st April 2024 – 31st March 2025 to set rents to Consumer Price Index (CPI) +1%.
- 2.6 As there has been no proposal for a rent cap for 2024/25, and with a CPI rate of 6.7% at September 2023, this gives a provision for an increase of 7.7% from 1st April 2024.
- 2.7 The below table shows average and weekly increase in rent for different property types for all socially rented properties. The table provides data for 5%, 7% and 7.7% rent increases.

Unit Size	Average Rent 23/24	Average Proposed Rent 24/25	Average Weekly Increase 24/25	Average Proposed Rent 24/25	Average Weekly Increase 24/25	Average Proposed Rent 24/25	Average Weekly Increase 24/25
		5% Increase		7% Increase		7.7% Increase	
1 Bedroom	£78.80	£82.74	£3.94	£84.32	£5.52	£84.87	£6.07
2 Bedroom	£86.59	£90.92	£4.33	£92.66	£6.06	£93.26	£6.67
3 Bedroom	£92.15	£96.76	£4.61	£98.60	£6.45	£99.25	£7.10
4+ Bedroom	£100.25	£105.26	£5.01	£107.26	£7.02	£107.97	£7.72
Average	£87.10	£91.46	£4.36	£93.20	£6.10	£93.81	£6.71

Borrowing Cap

- 2.8 As part of the HRA self-financing reforms introduced in April 2012, the government set a maximum amount of housing debt that each local authority could have. In subsequent years, the government awarded some local authorities limited increases to their housing borrowing limits. On 29 October 2018, the Limits on Indebtedness (Revocation) Determination 2018 revoked all previous determinations that specified limits on local authority housing indebtedness.
- 2.9 Though councils are no longer restricted in how much they can borrow in their HRAs, there is still the requirement for councils to make sure that all borrowing is affordable and proportionate within the context of their 30-year HRA business plan (BP). The council has used the expert external advice it obtained on the assumptions in the BP to monitor the affordability of future indebtedness.
- 2.10 From the expert external advice obtained the Council has chosen to use the Interest Cover Ratio (ICR) as its borrowing boundary for the HRA. The ICR represents the cover that the HRA has against its interest cost liabilities in any year. The ICR is set to a minimum which provides comfort that if there were a sudden drop in income or increase in operating costs, there would be sufficient headroom to continue to cover debt interest payments. Anticipated future levels of indebtedness are currently viable within the plan based on this ratio and the limits will be approved as part of the Councils Treasury Management Strategy.

30-year HRA Business Plan (BP)

- 2.11 The BP summarises the viability of the council’s plans to fulfil its management, maintenance and investment responsibilities to its HRA assets over the next 30 years. Key assumptions are made in the BP based on the council’s strategic priorities and policies, detailed stock data and other factors.
- 2.12 The assumptions in the BP are key to setting the HRA budgets annually for each year of the HRA’s four-year MTFP. The main assumptions that are fed into the HRABP were noted by the Policy, Performance and Improvement Committee on 7th December 2023.
- 2.13 Officers monitor relevant government policy announcements and model the implications of these on the HRA BP. Recently these have included increased legislation around building safety, including the Building Safety Act 2022, Fire Safety Act 2021, Regulatory Reform (Fire Safety Order 2005) and Regulatory Reform (Fire Safety Order 2005). The Social Housing Bill which was enacted in July 2023 will bring further changes to the regulatory framework the Council operates within, changes to consumer standards, increased scrutiny on accountability to tenants, performance, a refresh of the Decent Homes Standard, embedding the priority of decarbonisation and the introduction of enhanced regulation of the sector also have implications for the long-term viability of the plan. Officers will model the impacts of these changes on the BP as further details become available and this will be refreshed when any rent standard is considered for future years.
- 2.14 As per paragraph 2.11 above, a range of scenarios have been modelled into the 30 year business plan. 7.7% has been modelled into the budgets currently and hence is reflected within the attached appendices. The table below describes the alternative options compared (both annually and 30 year cumulative) against the proposed 7.7%:

Rental increase	Annual difference compared to 7.7%	30 year cumulative difference compared to 7.7%
5%	£0.659m	£26.738m
7%	£0.171m	£6.931m

- 2.15 As can be seen from the table above, available resources would be significantly reduced based on the alternative options. This would therefore limit the ability of the HRA to be able to meet future responsibilities that may be passed to Local Authorities from government policy announcements as described at paragraph 2.13 above.
- 2.16 Therefore, a rent increase of 7.7% on current tenants, across all stock types is recommended in this report.
- 2.17 Currently the assumptions made within the BP together with future forecasts of income and expenditure (both capital and revenue) are affordable and sustainable within the 30-year plan, based on the recommendations within this report.
- 2.18 Priorities remain the safety and decency of council homes, modernisation of service delivery, future development of new homes to replace those lost through Right to Buy as well as moving towards decarbonisation and more energy efficient homes using green energy.

Rent Cycle

2.19 Rent is currently charged over 48 weeks, giving tenants four “rent free weeks” albeit that the full years rent charge is the same as if charged across 52 weeks. However, there are 53 Mondays that fall into the 2024/25 rent cycle, and as such 49 weeks rent will be charged along with the usual 4 ‘rent free’ weeks. The non-charge weeks for 2024/25 will be weeks commencing 27th May 2024, 26th August 2024, 23rd December 2024 and 31st March 2025.

Affordability Considerations

2.20 This section provides information regarding the impact of the proposed changes to rent and services charges, as well as data on how tenants pay their rent and the support they receive from Housing Benefit and Universal Credit.

Rent level Comparable Data

2.21 *Table 1* compares 2022/23 data on average rent levels for the private rented sector (PRS) in Newark and Sherwood and in England to the council’s average social housing rents for general needs tenants.

Table 1: Comparison of data on weekly average rent levels for the PRS in Newark and Sherwood, the PRS in England, and NSDC’s social rented stock

	Newark and Sherwood Private Rented (mean as at 31/03/2023)	England Average Private Rented (mean as at 31/03/2023)	NSDC General Needs and Supported Social Rented Stock (mean as at Nov 2023)
One Bed	£113.31	£184.62	£78.80
Two Bed	£140.54	£207.46	£86.59
Three Bed	£165.00	£239.77	£92.15
Four Bed plus	£246.23	£405.46	£100.25
Average for all categories	£149.54	£221.54	£87.10

2.22 For all sizes of accommodation, the council’s average social housing rents are significantly lower than those in the private rented sector.

2.23 *Table 2* compares 2022/23 data on average rent levels for Private Registered Providers (PRPs) in Newark and Sherwood to the council’s average social housing rents, split for each by whether properties are for general needs tenants or supported housing tenants.

Table 2: Comparison of 2022/23 data on average rent levels for PRPs in Newark and Sherwood and NSDC’s social housing rents, split by general needs tenants and supported housing tenants

Type of accommodation	Social Rent: General Needs		Social Rent: Supported Housing/Housing for Older People	
	NSDC	Private Registered Providers	NSDC	Private Registered Providers

Non-self-contained	-	-	-	£177.24
Bedsit	£61.02	£62.14	£59.63	£116.33
1 bedroom	£68.53	£80.32	£75.25	£100.16
2 bedrooms	£76.16	£95.03	£84.03	£96.61
3 bedrooms	£87.55	£97.34	£91.48	£115.89
4 bedrooms	£94.99	£107.50	-	-
5 bedrooms	£101.43	£101.91	-	-
Average: excluding non-self-contained	£84.48	£93.36	£80.37	£100.85
Average: all accommodation types	£84.48	£93.36	£80.37	£120.16

2.24 For all sizes of accommodation, NSDC's average social housing rents are lower than those of the PRPs. Furthermore, we would expect to see a greater divergence of rents in 2023/24 given NSDC limited rent increase to 5% in 2023/24 and the likelihood that most PRP's increased their rents by the maximum 7% in April 2023.

2.25 The average 2022/23 social rent levels of £93.36 (general needs tenants) and £120.16 (supported housing tenants) by PRPs in *Table 2* excludes service charges. *Table 3* shows the average 2022/23 service charges for these groups.

Table 3: average 2022/23 Net rent, service charge and gross rent charged by PRPs in Newark and Sherwood to general needs tenants and supported housing tenants

Type of Tenant (average amounts per week)	Net Rent	Service Charge	Gross Rent
General Needs	£93.36	£5.07	£96.37
Supported Housing/Housing for Older People	£120.16	£73.83	£193.82

2.26 It should be noted in *Table 3* that the gross rent equals the sum of the net rent and service charge only for supported housing tenants: not for general needs tenants. This is because the average service charge relates only to those properties with service charges, and as all properties for supported housing tenants have service charges whereas not all properties for general needs tenants have service charges.

2.27 Further information on the council's limited range of service charges is provided in the 'Service Charges' section below.

Housing Benefit (HB) and Universal Credit (UC)

2.28 A snapshot of data taken in November 2023 estimates that of the 5,437 current tenants, 3,683 (68%) received help from benefits towards paying their rent. This has increased by 3% compared to this time last year. 1,963 (36%) were in receipt of Housing Benefit and 1,720 (32%) were in receipt of Universal Credit. The remaining 1,754 (32%) of tenants paid their rent without receiving help from benefits.

2.29 Universal Credit (UC) is the Government's working-age benefit which combines six means tested ('legacy') benefits, including Housing Benefit (HB), into a single monthly payment. UC was a central feature of the government's Welfare Reform Act 2012. The Government

started rolling out UC in 2013, with the full service commencing in 2018 across Newark and Sherwood.

- 2.30 Since 2018, there has been a significant increase in the number of council housing tenants claiming UC, increasing from 95 to 1,720 between June 2018 and November 2023. Of the 1,720 UC claimants, around 43% have their rent paid directly to the council, either due to being in arrears or due to a vulnerability. Just under 76% of UC claimants are general needs tenants.
- 2.31 UC cases increased significantly during 2020 due to the COVID-19 pandemic but have since stabilised as people have moved off the benefit. It is anticipated that over 2,000 tenants will be claiming UC once all relevant households have transferred to UC.
- 2.32 As the number of council housing tenants claiming UC is increasing, the number claiming Housing Benefit (HB) as a standalone ('legacy') benefit is decreasing. Around 2,179 of council households had tenant(s) in receipt of legacy HB in December 2021, compared to the 1,963 currently receiving legacy HB.
- 2.33 Despite the trends outlined above, a significant number of council housing tenants will continue to receive legacy HB even after all relevant households have transferred to UC. This is because eligible adults of all ages (including older people) can claim legacy HB, whereas only eligible adults of working-age can claim UC. Around 47% of the council's social housing stock is designated for older people.
- 2.34 Around 1,293 of the 1,963 households, or just under two-thirds, are entitled to the maximum amount of HB, and around 670 households entitled to partial HB.

Supporting Tenants

- 2.35 We offer a range of support to tenants to help them meet their housing costs and will continue to provide additional support with cost of living challenges:
- We continue with our commitment to not move to evict tenants for rent arrears as long as they continue to engage with us to address their debt with us;
 - We recognise the importance of supporting tenants at an early stage to sustain their tenancies, especially around rent collection, benefit entitlement and arrears management;
 - Our established support mechanisms to help sustain tenancies include the Starting Well and Targeted Arrears support projects which formed part of the 2020-2023 Community Plan. We also promote the use of Discretionary Housing Payments (DHP's) where appropriate and refer tenants to partner advice agencies for specialist financial support and advice; and
 - We have implemented new initiatives such as the Helping Hand Fund which looks to promote positive engagement with tenants through matching arrears payments.
- 2.36 We have also implemented further initiatives from the Tenant Welfare Fund which has targeted tenants who do not receive additional support from HB or UC towards their increase in rent. This could be due to people falling just outside of benefit support or have limited qualification such as single people or couples.

Service Charges

- 2.37 In addition to rent, local authorities can charge for other services they provide (service charges). Section 93 (Power to charge for discretionary services) of the Local Government

Act 2003 requires charges to be set such that taking one financial year with another, the income from charges for a service does not exceed its costs of provision.

- 2.38 The Policy Statement on Rent for Social Housing (February 2019) sets out an expectation that service charge increases remain within the limit of rent charge of CPI + 1% in order to keep service charges affordable. Appendix C details the current (2023/24) and proposed (2024/25) service charges, with proposed increases to current charges of 7.7%. Subsequent paragraphs provide details about the services that tenants are charged for.

Housing-Based Services for Supported Housing and Extra Care Services

- 2.39 The main housing-based support service provided is a community alarm service, to help tenants live more independently. Tenants with lifeline units in their properties can raise an alarm call from anywhere in the home if they require this. Around half of the council's social housing properties have these lifeline units.
- 2.40 Tenants in properties with Careline units currently pay £1.94 per week for the community alarm service and this report proposes to increase £2.50 per week. This above inflation increase is necessary to pay for the essential improvement and modernisation to the service's infrastructure required as a result of the digitisation of the national telephone network as well as the replacement and ongoing costs of the new Lifeline units which have an ongoing monthly SIM cost.
- 2.41 The charges for the service have covered the majority of the staff costs for delivering the service, so with additional service delivery costs and limiting the service charge increase to an inflationary only increase, would push the service into a significant financial deficit.
- 2.42 As part of the review of the service and to ensure customers are reviewing value for money, we are enhancing the Careline offer to increase the number of outbound welfare calls to customers in addition to offering the core, responsive service.
- 2.43 This increased proactive contact with allow earlier intervention on matters that could impact on the sustainability of the tenancy and allow for the earlier detection of issues such as damp and mould.
- 2.44 The change in the service has given the opportunity to offset the increase in cost by allowing part of the service to be eligible for Housing Benefit support – around 65% of tenants in supported properties are in receipt of benefit to help with their rent. Previously the service has been wholly ineligible for Housing Benefit.
- 2.45 Tenants not in receipt of help towards their rent would be required to pay the weekly increase of 56 pence per week for the enhanced service.
- 2.46 As mentioned above, the Policy Statement on Rent for Social Housing (February 2019) sets out an expectation that service charge increases remain within the limit of rent charge of CPI + 1% in order to keep service charges affordable. However, given the significant improvement to service delivery proposed, the additional financial support that many tenants will receive now that the service is partially eligible for be benefit support and the benefit uprating announced for pensioners and working age benefit claimants announced in the Autumn Statement for 2024/25, it is felt that the increase in charge is reasonable and affordable.

- 2.47 In addition, analysis of the Careline equivalent services offered by neighbouring authorities, the proposed charge of £2.50 for 2024/25 is significantly lower than charges in currently in place across Nottinghamshire.
- 2.48 In addition to these support services, tenants in the extra care housing schemes receive additional housing management and housing-related services due to their specialist needs. The council currently has four extra care housing schemes. These are at Gladstone House, The Broadleaves, Vale View and the Bilsthorpe Bungalows.

Other Housing-Based Services

- 2.49 Other weekly service charges applied to tenants are for the costs of water and sewerage provided to properties at Vale View (£4.55 per week) and for the costs (where appropriate) of landscaping, lighting and drainage provided to 79 general needs properties.
- 2.50 The council provides a number of housing-related services for which it does not currently recover the cost of provision through service charges, therefore resulting in costs being met through rent income. Such services include communal cleaning, communal lighting and grounds maintenance. It is proposed that work is undertaken to identify these costs and how they might be separated from the rent charge and identified as distinct service charges. This would help to meet the cost of provision, increase transparency and meet the expectations of the Regulator.

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.

Digital Implications

- 3.1 There are no digital implications directly arising from this report.

Equalities Implications

- 3.2 The proposed rent increase would apply to all occupied council social housing, rather than to the tenants themselves or to tenants in specific properties. The proposed rent increase is therefore not expected to discriminate against any of the characteristics protected under the Equality Act 2010.
- 3.3 The proposed rent and service charge increases are not expected to adversely impact tenants in receipt of benefits. The government's increase of 8.5% in State Pension and working-age benefits for 2024/25 is more than the 7.7% proposed increase in rent and most service charges for next year.
- 3.4 As outlined in the report, working-age council housing tenants claiming benefits in need of help with housing costs can request a Discretionary Housing Payment (DHP) from the council. The Government has not yet announced how much DHP it will be giving councils for 2024/25. Officers recognise the importance of supporting tenants of all ages to sustain their tenancies.

Financial Implications

- 3.5 The majority of the financial implications are set out in the body of this report or its appendices. The financial implications of tenants' Right to Buy (RTB) are covered in further detail below. Right to Buy (RTB)
- 3.6 The council signed a Retention Agreement with the Secretary of State to use 40% of its retained receipts (1-4-1 receipts) from properties sold under the RTB scheme on the provision of replacement social housing. The one-for-one replacement of RTB sales with new affordable rent homes is at the national level.
- 3.7 If the council is unable to spend its retained receipts within three years of receiving them, it must return these to Government with interest of 4% above the base rate (currently 5.25%).
- 3.8 As at the time of writing this report, all 1-4-1 receipts currently received have been either spent or allocated to future projects, which will ensure that they have been utilised by each of the individual deadlines.
- 3.9 Officers closely monitor spend against the council's approved HRA development programme to ensure that 1-4-1 receipts are used as appropriate.
- 3.10 The number of RTB sales affects how much the council receives in 1-4-1 receipts, and thus how much the council must spend on replacement social housing from its own resources or borrowing, though also affects the number of properties from which the council receives weekly rent.
- 3.11 Officers consider current and prospective local and national trends in RTB sales when setting the HRA budget annually.

Community Plan – Alignment to Objectives

- 3.12 The implementation of the proposals in this report will directly support the council's HRA to meet multiple objectives of the Community Plan 2023-2027, such as to:
- a) "Increase the supply, choice, and standard of housing..."; and
 - b) "Reduce the impact of Climate Change...".
- 3.13 Some of the actions the council is taking to achieve the Community Plan objectives are:
- Embed and evaluate our new 'Repairs Online' service;
 - Explore further ways to seek out imaginative and effective ways to engage with and involve tenants;
 - Deliver the Housing Strategy, 2023-2028;
 - Complete a project for our Council homes to renew over 100 oil heating systems with air source heat pumps and solar panels to improve affordability for tenants and reduce carbon emissions; and
 - Engage with the Carbon Trust to explore the feasibility and implications of accelerating the decarbonisation target, our pledge to become Net zero by 2035 and expanding it to include social housing.

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

2023/24 BASE BUDGET £	SUMMARY	2024/25 BASE BUDGET £	2025/26 BASE BUDGET £	2026/27 BASE BUDGET £	2027/28 BASE BUDGET £
	INCOME				
(24,950,730)	Rents: dwellings	(27,350,700)	(27,625,630)	(28,454,400)	(29,029,120)
(159,850)	Rents: non-dwellings	(163,630)	(164,320)	(169,250)	(174,330)
(1,263,030)	Charges for services	(1,198,280)	(1,204,480)	(1,240,110)	(1,276,810)
(1,304,250)	Contributions to expenditure	(1,513,790)	(1,570,850)	(1,624,310)	(1,679,900)
(27,677,860)	Sub Total - Income	(30,226,400)	(30,565,280)	(31,488,070)	(32,160,160)
	EXPENDITURE				
5,918,950	Repairs & maintenance	6,353,120	6,551,170	6,861,530	6,957,050
6,627,780	Supervision & management	8,210,070	8,768,820	9,015,090	9,359,290
1,042,320	Rents, rates, taxes & other charges	1,225,450	1,268,630	1,304,100	1,340,810
5,994,430	Depreciation & impairment	6,388,080	6,583,050	6,583,050	6,602,630
25,000	Debt management costs	26,250	27,040	27,580	28,130
368,000	Efficiency savings: prospective revenue initiatives	368,000	0	0	0
19,976,480	Sub Total - Expenditure	22,570,970	23,198,710	23,791,350	24,287,910
(7,701,380)	NET COST OF SERVICES	(7,655,430)	(7,366,570)	(7,696,720)	(7,872,250)
3,619,000	Interest payable/(receivable)	3,955,455	4,562,623	5,001,189	4,581,085
27,300	(Profit)/loss on sale of non-current assets	27,300	27,300	27,300	27,300
(4,055,080)	NET OPERATING EXPENDITURE	(3,672,675)	(2,776,647)	(2,668,231)	(3,263,865)
	APPROPRIATIONS				
(27,300)	(Profit)/loss on sale of non-current assets	(27,300)	(27,300)	(27,300)	(27,300)
114,750	Pension-related costs	119,250	123,750	126,230	128,750
4,467,630	Revenue contribution to/(from) Major Repairs Reserve	3,580,725	2,680,197	2,569,301	3,162,415
(500,000)	Contributions to/(from) earmarked reserves	0	0	0	0
0	HRA (SURPLUS)/DEFICIT FOR YEAR	0	0	0	0
(2,000,000)	WORKING BALANCE brought forward (b/f)	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)
(2,000,000)	WORKING BALANCE carried forward (c/f)	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)

	2023/24 BASE BUDGET £	SUMMARY	2024/25 BASE BUDGET £	2025/26 BASE BUDGET £	2026/27 BASE BUDGET £	2027/28 BASE BUDGET £
	122,540	STORES	133,470	139,660	145,850	152,400
	3,548,770	CENTRAL CHARGES INCL SLA'S	4,144,970	4,171,250	4,214,000	4,343,990
	331,570	HOUSING CHOICE	545,830	570,790	595,320	621,150
	669,590	INCOME MANAGEMENT	794,870	794,690	830,540	868,200
	45,000	INVESTMENT TEAM	127,790	129,360	131,010	132,750
	291,720	COMMUNITY CENTRES	316,790	328,660	338,930	349,580
	161,080	VALE VIEW	186,040	198,290	207,930	217,910
	139,390	STREET WARDENS	176,850	188,270	197,900	208,140
	1,056,890	VOIDS MAINTENANCE	1,047,550	1,083,740	1,115,860	1,139,060
	2,508,710	RESPONSIVE REPAIRS	2,520,990	2,619,150	2,710,820	2,793,300
	1,234,780	TENANCY & ESTATES	1,531,100	1,604,100	1,678,220	1,755,590
	(240,510)	GLADSTONE HOUSE	(151,540)	(129,790)	(126,580)	(122,210)
	1,443,780	COMPLIANCE SERVICES	1,599,550	1,617,940	1,761,970	1,707,520
	(118,820)	BOUGHTON EXTRA CARE SCHEME	(50,310)	(34,560)	(30,160)	(25,450)
	355,530	CARELINE SERVICES	348,440	364,720	380,810	397,810
	25,080	CPOOL/SEWAGE EMPTYING/REPAIRS	25,980	26,920	27,710	28,530
	385,000	YORKE DRIVE SCHEME	406,800	419,000	427,370	435,910
	0	COMMUNITY HUBS	20,000	20,600	21,010	21,430
	(19,661,480)	HOUSING REVENUE ACCOUNT	(21,380,600)	(21,479,360)	(22,325,230)	(22,897,860)
	(7,701,380)	NET COST OF SERVICES	(7,655,430)	(7,366,570)	(7,696,720)	(7,872,250)

Newark and Sherwood District Council (NSDC) proposed Housing Revenue Account (HRA) charges for 2024/25

7.70%

Service charge	2023/24 Charge (£)	Proposed 2024/25 charge (£)	Frequency	Other information
<u>CareLine service</u>				
Lifeline alarm monitoring. Advice, contact of next of kin or emergency service if required by tenant	1.94	2.50	per week	All tenants
Sensor rental and monitoring for two to five sensors	1.69	1.82	per week	All tenants. Lifeline customers only
Additional Tenancy Assistance (opt-in service)	5.62	6.05	per week	
<u>Gladstone House</u>				
Support Charge	1.94	2.50	per week	
Intensive Housing Management Charge	75.68	81.50	per week	
TV Licence	0.21	0.21	per week	
Meal Charge	41.13	44.29	per week	
<u>Broadleaves</u>				
Support Charge	1.94	2.50	per week	
Intensive Housing Management Charge (Apartment)	76.39	82.27	per week	
Intensive Housing Management Charge (Bungalow)	63.74	68.64	per week	
TV Licence	0.27	0.27	per week	
Meal Charge	51.63	55.60	per week	
<u>Vale View</u>				
Intensive Housing Management Service	87.11	93.81	per week	
Support Charge	1.94	2.50	per week	
Water Charge	4.23	4.55	per week	
<u>Extra Care Bungalows, Bilsthorpe</u>				
Intensive Housing Management Service	112.25	120.89	per week	
Support Charge	1.94	2.50	per week	
<u>Other charges relating to dwellings or tenants</u>				
New build landscaping, lighting and drainage	2.05 - 7.74	2.20 - 8.34	per week	
<u>Garages</u>				
Garage Rent	9.82	10.57	per week	VAT added if let to non-council tenant
Garage Plot	46.11	49.66	annually	VAT added if let to non-council tenant
Garage Port	4.38	4.71	per week	VAT added if let to non-council tenant



Report to: Cabinet Meeting - 23 January 2024

Portfolio Holder: Councillor Emma Oldham – Biodiversity & Environmental Services
Councillor Matthew Spoons - Portfolio Holder- Sustainable Economic Development

Director Lead: Matt Lamb – Planning and Growth

Lead Officer: Nick Law – Biodiversity & Ecology Lead Officer, Ext. 5333

Report Summary	
Type of Report	Open report, key decision.
Report Title	Biodiversity Net Gain – Policy and Actions
Purpose of Report	To inform Cabinet regarding 4 ‘topics’ relating to mandatory Biodiversity Net Gain (BNG) and propose recommended actions that are considered necessary.
Recommendations	<p>For Cabinet to:</p> <ol style="list-style-type: none"> 1. To adopt and publish definitions of what constitutes ‘significant enhancement’ within mandatory BNG calculations as set out in Section 2 and Appendix A to this report. 2. To adopt and publish interim definitions to be used for ‘strategic significance’ within mandatory BNG calculations as set out in Section 2 and Appendix B to this report. 3. To approve for a ‘call for sites – expressions of interest’ exercise to be undertaken. 4. To approve for officers to make an application for Newark and Sherwood District Council (NSDC) to be considered for Responsible Body status.
Alternative Options Considered	<p>For all four items, a ‘do nothing’ option has been considered.</p> <p>For ‘significant enhancement’ and ‘call for sites – expressions of interest’ a further option involving a collaborative approach with other Nottinghamshire planning authorities has been considered.</p>
Reason for Recommendations	<ol style="list-style-type: none"> 1. <u>‘Significant Enhancement’</u> – to provide clarity for applicants, facilitate efficiency for the Planning Development Team, future-proof alignment with emerging Policy DM7, and maximise opportunities to enhance and restore biodiversity within the district as required by Core Strategy Policy 12.

<p>Reason for Recommendations</p>	<p>2. <u>'Strategic Significance'</u> – to provide clarity for applicants, in the interim period before the Nottinghamshire Local Nature Recovery Strategy (NLRS) is published, and to facilitate efficiency for the Development Management Team when considering applications required to provide a BNG calculation.</p> <p>3. <u>'Call for sites – expressions of interest'</u> – It is considered important for NSDC to be proactive regarding the potential provision of off-site biodiversity units within the district. This is to ensure that the biodiversity gains from development are provided close to development sites and at least within the district to avoid the district bearing the impacts on biodiversity with the benefits provided elsewhere. Also, to ensure that the district does not become an unfavourable area for developers due to an insufficient supply of off-site biodiversity units.</p> <p>4. <u>'Responsible Body status'</u> –</p> <p>It is considered important that for NSDC to achieve full engagement of biodiversity net gain within the district, providers of off-site biodiversity units should not be constrained to a single option of entering into a Section 106 Agreement (s106) with NSDC. If their preference is to work with NSDC but via a Conservation Covenant rather than a s106, NSDC will only be able to do so if they have Responsible Body status.</p> <p>DEFRA's timeline for deciding on Responsible Body applications is within 12 weeks. Therefore, it is recommended that NSDC is proactive and applies as soon as possible rather than be reactive in the future and potentially miss opportunities for engagement with landowners where the 12-week delay might be considered unacceptable.</p> <p>This recommendation is made on the Lead Officer's understanding that, once awarded Responsible Body status, there is then no obligation to act as a Responsible Body if approached to do so.</p> <p>All four proposals are considered to be consistent with, and provide an important contribution towards, Community Plan Objective 5 to Protect and enhance the District's natural environment and green spaces; specifically <i>"To plan an active role in biodiversity net gain for the district,..."</i></p>
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1.0 **Background**

- 1.1 The [Environment Act 2021](#) set the legislative background for the implementation of mandatory Biodiversity Net Gain (BNG) of at least 10%. A two-year transition period then followed with secondary legislation proposed for November 2023 to provide the detail and measures needed to enable mandatory BNG to operate, and to provide a start date.
- 1.2 Two [draft Statutory Instruments](#) (SIs) were laid before Parliament on 30 November 2023. These have now been passed by the Commons and Lords enabling a further four related SIs to be laid before Parliament. This is expected to happen sometime during

the week commencing 15 January 2024, with mandatory BNG then coming into force towards the end of January 2024. These will be made under the negative procedure, so if the normal convention of having a negative SI laid in Parliament for at least 21 days before it comes into effect applies, mandatory BNG would start sometime on or after 05 February 2024.

1.3 Associated draft guidance regarding mandatory BNG has been published by the Government. Whilst this will remain as 'draft' until the suite of SIs come into force, major changes are not expected in the final guidance.

1.4 In many areas this guidance is not providing the clarity hoped by those that will effectively become practitioners of mandatory BNG.

1.5 Following a review of the SIs and guidance, the Lead Officer has identified four areas considered important to address at this stage of the emergence of the start of mandatory BNG. These are the subject of this report. It should be noted that mandatory BNG is a complex issue and as continued analysis of the guidance and implantation of the legislation continues there will invariably be other matters that will need to be considered and potentially brought before Cabinet. The short timescale between the legislation being made, guidance issued, and the requirements coming into effect, also means there has been insufficient opportunity for public and stakeholder consultation. A plan for future consultation will be considered; the results of this, and experience of implementation may require fresh consideration of the proposals set out in this report. The Council's Planning Policy Board is due to consider the proposals in detail after publication of this report, on Tuesday 16 January. Officers will update Cabinet regarding feedback from the Board at the meeting.

1.6 The four 'topics' are:

- The definition of '**significant enhancement**' (a critical factor in relation to securing and monitoring on-site BNG);
- Interim definitions for '**strategic significance**' (an input value for habitats within the Statutory Biodiversity Metric that will be used to calculate BNG);
- Consideration of a '**call for sites - expressions of interest**' (a proposal to help ensure that sufficient 'off-site' BNG will be available in the district); and
- A proposal to apply for '**responsible body**' status (in relation to Conservation Covenants which are a new form of legal agreement that can be used to secure BNG).

1.7 This report deals with the four topics in this order.

Significant Enhancement

1.8 Mandatory BNG will be provided in two locations:

- Within the development site (on-site); and
- Away from the development site (off-site) via Biodiversity Gain Sites (also known as 'habitat banks').

1.9 Whilst the wider public understanding is that there will be an automatic legal obligation for the mandatory minimum 10% BNG to be delivered and maintained for at least 30 years, this is not the case.

1.10 All the off-site element of a development's mandatory BNG obligation will need to be legally secured. This will be via legal agreements to ensure delivery, maintenance,

monitoring, and if required enforcement. These agreements might be with the relevant local planning authority (LPA) but may be with a Responsible Body. The relevant LPA cannot insist that the agreement is with them and so might not be involved with the off-site element. This is discussed further under the “Responsible Body” section of this report.

- 1.11 Schedule 7A (9) of the Environment Act 2021 sets out how it is only the on-site biodiversity increase that the relevant planning authority considers is **significant** in relation to the pre-development biodiversity value, that must be maintained for at least 30 years after the development is completed. Therefore, defining what constitutes ‘significant enhancement’ is of critical importance in terms of determining what measures will need to be delivered for at least 30 years.
- 1.12 Current [Government draft guidance](#) refers to ‘significant onsite habitat enhancements’, with specific guidance relating to what might be considered significant, within separate [guidance](#) aimed at developers.
- 1.13 It was hoped that the guidance would give unequivocal definitions as to what constitutes significant enhancement, but this is not the case. Whilst it gives some examples of what it considers would normally represent significant enhancement, these are preceded by the following text:

“What counts as significant enhancement will vary depending on the scale of the development and existing habitat, but these would normally be...” [\(DEFRA 2023\)](#)
- 1.14 As currently written, it is envisaged that applicants may seek to reduce their long-term obligations regarding delivery of the onsite element of their BNG by their interpretation of what constitutes ‘significant enhancement’, leading to challenges and disputes during the determination of development applications.
- 1.15 The guidance is clear in relation to habitats which are proposed to be retained but with no enhancement, *“Retention of existing habitat does not count as on-site enhancement”*. [\(DEFRA 2023\)](#)
- 1.16 The Cabinet is advised that in most cases this scenario will occur where habitat is present that is of sufficiently high biodiversity value (as defined by the Statutory Biodiversity Metric) for there to be no scope to achieve any uplift in biodiversity value. Appropriate management to maintain this state should therefore be a priority of any planning approval to align with existing and emerging local planning policy concerned with conserving biodiversity.
- 1.17 The proposed management and monitoring of significant on-site enhancements will need to be set out in the applicant’s Habitat Management and Monitoring Plan (HMMP). These will then need to be legally secured, monitored and if necessary enforced, by the LPA for at least 30 years.
- 1.18 Government guidance for developers is clearer for these non-significant enhancements *“...so for non-significant enhancements, you do not need to have an HMMP, legal agreement or commitment to maintain them for 30 years.”* [\(DEFRA 2023\)](#)
- 1.19 It is up to the LPA to decide if it wishes to secure the non-significant on-site element of the mandatory BNG. This would be via planning conditions for management plans like Landscape and Environmental Management Plans (LEMP) and Biodiversity Management Plans (BMP), i.e., the same as the current situation before the start of mandatory BNG.

- 1.20 This process will also result in LPAs having various parts of a development site where there is an obligation to legally secure, monitor and enforce the proposed habitat enhancement, with other areas falling outside of this obligation. These different areas will likely need to be covered by different sets of management plans and possibly different legal agreements, leading to an unnecessarily complicated post development administration.
- 1.21 All the component parts of a development site are included within the BNG calculation required to demonstrate delivery of mandatory BNG of at least 10%. With the non-significant on-site element not secured for 30 years it is likely that on many development sites some of this non-significant enhancement will not be delivered, or not achieve its proposed condition as projected within the BNG calculation. Although this might be at a low level on some sites, the cumulative effect across the district is likely to result in less than 10% BNG being realised.
- 1.22 This prediction is against a background of an emerging [Amended Allocations & Development Management Development Plan](#) Policy DM7 'Biodiversity and Green Infrastructure' that requires a net gain of at least 10% and for this to be guaranteed for at least 30 years.
- 1.23 Also, NSDC officers have contributed to the development of 'A Biodiversity Net Gain Framework for Nottinghamshire and Nottingham' with the expectancy that at an appropriate time a recommendation will be made to Cabinet for an endorsement of the Framework by NSDC. The Framework expects development to deliver a minimum 10% BNG (reflecting the legislation) but with aspirations for higher gains where possible, and aspirational targets of 20%. The predicted potential for 10% to not be delivered in full, does not align with the Framework.

Strategic Significance

- 1.24 The BNG will need to be calculated using the Statutory Biodiversity Metric (SBM). On 29 November 2023 the Department for Environment, Food & Rural Affairs (DEFRA) published the SBM and associated draft [Statutory Biodiversity Metric Guidance](#).
- 1.25 When a SBM (which is based on an Excel™ spreadsheet) is being populated to perform a BNG calculation some cells are automatically populated and the inputter has no control over them, others utilise drop-down lists which cannot be overridden, and other cells are open (e.g., habitat areas and lengths).
- 1.26 One of the required input values is 'strategic significance', and this represents one of what are referred to as habitat quality inputs. Strategic significance is the local significance of a habitat based on its location and habitat type. There are three categories, 'high', 'medium' and 'low'. Habitats of 'high' strategic significance have a multiplier score of 1.15, 'medium' 1.1 and 'low' 1.0, so habitats of high significance are given a higher value than those of 'medium' or 'low' distinctiveness.
- 1.27 The SBM offers the user three dropdown options to define these three categories:
- Formally identified in local strategy = **High** Strategic Significance
 - Location ecologically desirable but not in local strategy = **Medium** Strategic Significance
 - Area/compensation not in local strategy/ no local strategy = **Low** Strategic Significance

- 1.28 The draft [Statutory Biodiversity Metric Guidance](#) states that the relevant Local Nature Recovery Strategy (LNRS) and descriptions provided in Table 7 of the guidance should be used to assign the appropriate strategic significance to habitats.
- 1.29 The Nottinghamshire LNRS is unlikely to be published until sometime in 2025. There is therefore a need to address this matter in the interim with mandatory BNG expected to commence towards the end of January or early February 2024.
- 1.30 The draft user guidance addresses the issue where there is no published LNRS; *“If an LNRS has not been published, a relevant planning authority should specify alternative documents for assigning strategic significance whilst an LNRS is put in place.”*. It then goes on to list 13 examples of the type of document this might include. Examples that would potentially be of relevance within the district include, Local Plans and Neighbourhood Plans, Biodiversity Action Plans, Species conservation and protected sites strategies (i.e., the Local Wildlife Sites system), Green Infrastructure Strategies, River Basin Management Plans, and Catchment Plans and Catchment Planning Systems.
- 1.31 With the breadth and complexity that these documents cover, there is unlikely to be consistency with the approach taken by applicant’s ecologists when deciding which level of strategic significance to apply to specific habitat types within the SBM. In the absence of any published position by NSDC, there will be little, if any, scope for successful challenges to be made by NSDC if it is considered that incorrect strategic significance levels have been applied to habitats within completed SBMs.
- 1.32 An important element of the aforementioned Biodiversity Net Gain Framework for Nottinghamshire and Nottingham is to try and ensure that the ‘right habitats’ are created in the ‘right places’. This is considered important to maximise opportunities to create, restore and enhance ecological networks across the district and county. The strategic significance element of the SBM has an important role to play in this respect, by placing a greater value in the BNG calculation on specific habitats in specific locations that have been identified locally as being the most important.

Call for sites – expressions of interest

- 1.33 Most of the provision of off-site biodiversity units will come from land owned by third-party providers rather than from off-site land owned by the applicant. These units will be generated and sold as a commercial enterprise by landowners.
- 1.34 In the absence of any requirement to provide a measurable biodiversity net gain within the Council’s current local plan policies, there has been no market for the provision of biodiversity units within the district. When mandatory BNG begins this market will develop.
- 1.35 Recent Government delays and changes of position regarding some environmental issues (i.e., Nutrient Neutrality, delays to mandatory BNG starting) have not helped in terms of engagement by landowners pre-the onset of mandatory BNG.
- 1.36 It is important for sufficient supply of off-site biodiversity units to be available within the district to minimise the risk of off-site BNG being delivered out of the district.

Responsible Body status

- 1.37 Conservation covenants are a relatively new concept which enable private, voluntary agreements between landowners and a responsible body. They are intended to provide long-term conservation benefits for the public good. It is expected they will be used for a variety of purposes, but a key use will be to support the provision of BNG. It

is anticipated that with time, the use of Conservation Covenants will increase in popularity and may become the preferred type of legal agreement.

- 1.38 Before providers of off-site biodiversity units can sell biodiversity units, they must register their land on the National Biodiversity Gains Sites Register, which is administered by Natural England. Before the land can be registered, there needs to be a legal agreement to secure the commitment to create and manage the habitats to deliver the proposed BNG for at least 30 years.
- 1.39 The required legal agreement can either be a section 106 agreement or Conservation Covenant with the relevant local planning authority, or a Conservation Covenant with a responsible body.
- 1.40 Whilst the focus of this report relates to the use of Conservation Covenants on land used to provide offsite biodiversity units for developments, Conservation Covenants can also be used to secure the onsite element of a development's biodiversity net gain requirement.
- 1.41 Conservation covenants can only be with a responsible body, so if this is with a local authority, that authority must have responsible body status. It is the secretary of state that decides whether an organisation is suitable to be designated a responsible body.
- 1.42 Local authorities, public bodies or charities where at least some of their main purposes or functions relate to conservation, or private sector organisations where at least some of their main activities relate to conservation, can apply to be a responsible body. DEFRA's criteria for becoming and remaining a responsible body are:
 - *Eligibility;*
 - *Financial security;*
 - *Operational capacity and capability;* and
 - *Ongoing suitability.* ([Criteria for being a responsible body](#))
- 1.43 A key factor with responsible body status, is that it is the responsible body that has the legal obligation to regulate and enforce what the landowner has agreed to do under a Conservation Covenant. Whilst local authorities will have experience of this type of regulatory and enforcement role through its existing development functions, for other organisations eligible for responsible body status this is likely to be daunting, and may be the reason why at the time of writing there seems to be little interest in organisations wishing to obtain responsible body status.
- 1.44 A provider of off-site biodiversity units can make their own decision whether to use a section 106 agreement with the relevant local authority, or if they prefer, a Conservation Covenant. If it is a Conservation Covenant, they are under no obligation to enter into the agreement with the relevant local authority, they can use whatever responsible body they wish, if that responsible body is willing to enter into the agreement. If the responsible body is not the local authority, that authority will then not be involved with the landowner or the scheme that is delivering biodiversity units.
- 1.45 It may therefore be prudent for NSDC to consider obtaining responsible body status to ensure that providers of offsite biodiversity units have the option to enter into an agreement with NSDC using either a section 106 agreement or a Conservation Covenant. From NSDC's perspective, having responsible body status will increase the flexibility to have greater control of the delivery of BNG within the district.

2.0 Proposal/Details of Options Considered

Significant Enhancement

Options Considered

- 2.1 One option would be to do nothing. It is considered that the implications of such an approach have been set out in Section 1 of this report.
- 2.2 There has been informal discussion amongst some of the Nottinghamshire local authority ecologists as to whether a coordinated approach should be taken across the County in terms of defining what is considered to represent significant on-site enhancement. This would be another option.
- 2.3 Whilst this might be of benefit to developers by providing a consistent approach across the County, this is a particularly complex matter that would need consideration against specific aspirations and policy positions amongst the districts and require an appropriate level of time for such deliberations. It is considered by the Lead Officer that this is an issue that needs to be addressed as soon as mandatory BNG starts in late January/early February. Consequently, this is not considered to be a preferred alternative at the present time.
- 2.4 However, it is important to note that a decision to follow the proposal recommended in this report, would not preclude the option to adopt a County-wide approach in the future.

The Proposal

- 2.5 The proposed recommendation is for Newark and Sherwood District Council to have stated a position and published what it considers represents significant enhancement. This would be via an appropriate published document. It is therefore proposed that the Cabinet approves this approach, using the text set out in **Appendix A**.
- 2.6 The proposal is considered to be consistent with, and provide an important contribution towards, [Community Plan](#) Objective 5 to Protect and enhance the District's natural environment and green spaces; specifically "*To plan an active role in biodiversity net gain for the district,...*"

Financial

- 2.7 The proposal would likely result in the need for a greater number of legal agreements to secure on-site enhancements, and subsequent monitoring by an ecologist, and enforcement for 30 years, than would be needed if the alternative options were adopted. Increased staff resources will be needed in the future within these respective disciplines.
- 2.8 For ecologist time, it is expected that full cost recovery should be achieved by including a charge as part of the relevant legal agreement required to secure the management and monitoring of the habitats that would be included within this proposal. [The Community Infrastructure Levy \(Amendment\) \(England\) \(No.2\) Regulations 2019](#) allow for charges to be levied for monitoring planning obligations. Verna Earth, suppliers of the Mycelia software for BNG administration, which is being trialled by NSDC, have provided an Excel spreadsheet tool to assist with the calculation of these costs.

Human Resources

- 2.9 As identified under 'Financial' increased staffing levels will be needed in to the future and advanced planning for this will be a consideration.

Information and Communications Technology

- 2.10 The identified increased staffing levels in the future will require additional resources (e.g., laptop/tablet, hardware for home working etc.). This will be considered fully and a report prepared when additional resource is required.

NSDC Planning Applications and Enforcement

- 2.11 If approved and implemented, this would apply to any planning applications submitted to and by NSDC which are required by the relevant legislation to provide a mandatory minimum 10% BNG.
- 2.12 With regular monitoring, enforcement for non-compliance is not anticipated to be a regular occurrence, but some additional enforcement officer time is likely, but this is less easy to account for than ecologist time. Where enforcement action is required, there would also be an impact upon legal resources as well. Consideration to this will also be given as and when this arises and more is understood.

Strategic Significance

Options Considered

- 2.13 It is considered that there are just two options; to do nothing or to publish a document that specifies how NSDC expects strategic significance to be applied in the interim period before the Nottinghamshire LNRS has been published.
- 2.14 The implications of the 'do nothing' approach have been set out in Section 1 of this report. To 'do nothing' would also be inconsistent with the NSDC Community Plan Objective 5 to Protect and enhance the District's natural environment and green spaces; specifically "*To plan an active role in biodiversity net gain for the district...*" [Community Plan](#). The proposal is therefore to do the alternative option.

Proposal

- 2.15 The proposal to publish an interim definition of how strategic significance should be applied in the interim period before the LNRS is published. This definition is formed of two parts, one focussing on work previously undertaken to identify priority areas for habitat creation and enhancement, and the other focussing on sites designated for their nature conservation interest. Table 1 below summarises these.

Table 1 – Summary of habitat strategic significance definitions

Strategic Significance		
High	Medium	Low
Habitats identified as a priority within the relevant Biodiversity Opportunity Mapping Focal Area.		All other habitats not meeting the definitions for High or Medium strategic significance.
Habitats immediately adjacent to a designated site that represent the habitat type(s) for which the site has been designated.	Habitats within 100m of a designated site that represent the habitat type(s) for which the site has been designated.	

Biodiversity Opportunity Mapping – Focal Areas

- 2.16 In 2008 the Nottinghamshire Biodiversity Action Group resolved to produce a Biodiversity Opportunity Map (BOM) for the county. The reasons were manifold but included providing baseline information to underpin BNG. The Council supported this approach and contributed to the costs for the work in its District. The outputs for [The Sherwood Biodiversity Mapping Project](#) were:
- A basemap showing the habitats across the district based on a digitised 1997-8 Phase 1 habitat survey with some updates from more recent survey data;
 - Habitat Network Maps for four broad habitat types (woodland, grassland, wetland and heathland/acid grassland);
 - Biodiversity Opportunity Maps highlighting ‘Long-Term 50 Year Opportunities’ and ‘Short-Term 10 Year Opportunities’ for habitat creation; and
 - Focal Area Maps which identify locations where it was considered that there are concentrations of opportunities for habitat creation, and where it was considered that activities for habitat creation and enhancement could be prioritised to provide maximum biodiversity benefits.
- 2.17 The assignment of specific strategic significance values can have a substantive difference on both the pre-development baseline value of a development site and for the predicted post-development biodiversity value. Therefore, it has been considered important to ensure that the approach taken is transparent and underpinned by a sound evidence base. In that respect it is considered that use of the BOM Focal Areas is appropriate. They have been determined via a detailed assessment process agreed by the various planning authorities and the assessment has been county-wide. The latter point is considered important as biodiversity is not constrained by arbitrary boundaries and Focal Areas frequently cross local planning authority boundaries. They identify where creation or enhancement of specific broad habitat types would provide maximum biodiversity benefits.
- 2.18 The proposal is for the broad habitat types and their corresponding SBM and/or UK HAB habitat types as set out in **Appendix B** should be considered as being of ‘High’ Strategic Significance. UK HAB is the habitat classification system utilised by the SBM.

Designated Sites

- 2.19 The key sites for biodiversity within the district are those that are afforded a nature conservation designation. These include statutory designations, which include sites within the National Site Network (of which there is just one – Birklands & Bilhaugh Special Conservation Area (SCA)), Sites of Special Scientific Interest (SSSI) and Local Nature Reserves (LNR) (although declarations for LNRs are not always based on them having a significant nature conservation interest). Other key sites are those that are afforded the non-statutory designation as Local Wildlife Sites, these have been selected against a set of published criteria based on local nature conservation importance values. The creation of appropriate habitats immediately adjacent to, or near, sites designated for the habitats they support is considered important. These provide opportunities to increase the area of interest, or to provide important steppingstones to enhance or create ecological networks.
- 2.20 It is proposed that any habitat of the type for which a site has been specifically designated for (either mentioned in the site citation, or which it can be shown that the

site meets the current selection criteria for) which is created or enhanced, and which is situated immediately adjacent to the designated site boundary is to be considered as being of 'High' Strategic Significance. Where such habitats are not immediately adjacent to the designated site boundary, but are within 100m of the boundary, these are to be considered as being of 'Medium' Strategic Significance. This is because these habitats will represent ecological linkage to important locations; i.e., sites designated for their nature conservation importance.

- 2.21 It is not proposed that there should be any size thresholds for such habitats as this would potentially over complicate matters. It is however acknowledged that some areas/lengths of habitats assigned 'high' or 'medium' strategic significance using this approach may be too small to provide a meaningful contribution to the objectives.

Habitats not meeting the proposed 'High' and 'Medium' definitions

- 2.22 All other habitat types not meeting the above criteria for 'High' and 'Medium' strategic significance are to be considered as being of 'Low' strategic significance.

Relevance with local policies and plans

- 2.23 Relevant extracts of the various considerations concerning biodiversity within the emerging Allocations & Development Management Development Plan Policy DM7 Biodiversity and Green Infrastructure ([NSDC 2023](#)) are:

"New development, in line with the requirements of Core Policy 12 of the Amended Core Strategy, should protect, promote and enhance biodiversity and the ecological network of habitats, species and sites of international, national and local importance".

"Development proposals in all areas of the District should seek to enhance biodiversity. Proposals should take into account the latest information on biodiversity including Nottinghamshire Biodiversity Opportunity Mapping, and the forthcoming Local Nature Recovery Strategy."

- 2.24 Therefore, it is considered that the proposal which focuses on the importance of designated sites, and which utilises the Biodiversity Opportunity Mapping exercise is consistent with the emerging policy.

- 2.25 Amended Core Policy 12 'Biodiversity and Green Infrastructure' ([NSDC 2019](#)) states how the Council will *"Seek to secure development that maximises opportunities to conserve, enhance and restore biodiversity..."*. It is considered that the proposal will assist with facilitating this outcome and is therefore consistent with the aims and objectives of Core Policy 12.

- 2.26 The proposal is considered to be consistent with, and provide an important contribution towards, [Community Plan](#) Objective 5 to Protect and enhance the District's natural environment and green spaces; specifically *"To plan an active role in biodiversity net gain for the district,..."*

Call for sites – expressions of interest

Options considered

Do nothing.

- 2.27 If an applicant cannot source their required off-site biodiversity units locally (i.e., within the district) they will have the option to source them out of the district or via the Government's statutory biodiversity credit scheme. In the latter case, this could be

anywhere in the country, although use of this scheme is disincentivised by the high tariffs set by the Government for use with the scheme [Statutory Biodiversity Credit Prices](#) . To do nothing, increases the risk of this happening.

- 2.28 If there are insufficient off-site biodiversity units available within the district to meet the needs of development proposals and this forces applicants to use the expensive Government statutory biodiversity credit scheme, this might make the district unattractive to developers. This has the potential to have a negative impact on delivery of development identified within the NSDC Local Development Framework.

Collaborative approach with other local planning authorities within Nottinghamshire

- 2.29 There has been informal discussion amongst some of the Nottinghamshire local authority ecologists as to whether a coordinated approach should be taken across the county to try and identify potential off-site providers. Rushcliffe Borough Council are already quite advanced in terms of developing a resource for off-site BNG provision within their area so considered it unnecessary to engage with this approach. Funded from the LNRS work, VIA have now been commissioned to undertake research into the issue of likely provision of BNG within the County. However, it is the Lead Officer's understanding that their remit and subsequent output (which is expected to be towards the end of March 2024) is not one of direct engagement and encouragement of landowners to consider setting up 'habitat banks' to provide off-site BNG.
- 2.30 The Lead Officer's advice to Cabinet is that timing is likely to be very important in terms of maximising the chances of generating interest from landowners. There is likely to be widespread coverage in both the national and farming media when BNG finally comes into force, and being pro-active at this time is likely to help with generating interest. This is likely to require a different approach to the work of VIA and would require an earlier action. Consequently, this is not considered a suitable option. However, the results and experiences of the recommended proposal would be shared with other districts, and potentially provide a useful input to the VIA work.

Proposal

- 2.31 To ensure that there is an adequate supply of appropriate off-site biodiversity units within the district it is considered that NSDC should be proactive and publish a call for expressions of interest to provide off-site biodiversity units, to coincide with the date that mandatory BNG comes into force.

Relevance with local policies and plans.

- 2.32 The proposal is considered to be consistent with, and provide an important contribution towards, [Community Plan](#) Objective 5 to Protect and enhance the District's natural environment and green spaces; specifically "*To plan an active role in biodiversity net gain for the district,...*".

Responsible Body Status

Options considered

- 2.33 One other option has been considered. That is to do nothing and wait and see if there is a demand for Conservation Covenants before deciding whether to apply for responsible body status.
- 2.34 The concern with this approach is the 12-week duration for DEFRA to decide on an application for responsible body status. The lead officer is already dealing with an approach from a potential offsite provider within the district and if Cabinet approval is

given for the call for sites expression of interest these approaches are likely to increase. Such discussions with landowners are likely to be more engaging if the Council has a stated position regarding the use of Conservation Covenants and responsible body status. If the Council have applied for responsible body status, this would demonstrate the ability to engage with landowners regarding Conservation Covenants if that was their preference.

- 2.35 Should the use of Conservation Covenants be required and deemed acceptable, delays would be minimised by having made the application for responsible body status.

Proposal

- 2.36 The proposal is for Cabinet approval for officers to apply for the Council to become a responsible body for Conservation Covenants.

Wider implications

- 2.37 In making this recommendation it is important to highlight that as Conservation Covenants are a relatively new concept, the potential impacts on resources that might be additional compared to entering into a Section 106 agreement are unknown and are likely to only become apparent once Conservation Covenants start to be drawn up, or when there is more widespread use of Conservation Covenants elsewhere (i.e., in other districts). Consequently, this recommendation is being made based on the following understandings:

- A responsible body is under no obligation to enter into a conservation agreement if approached to do so;
- A Conservation Covenant can be transferred to another responsible body as long as the covenant doesn't state that this cannot be done;
- An organisation can request to have its status as a responsible body revoked; and
- It is intended that officers would aim initially to only enter into Conservation Covenants for relatively small and uncomplicated schemes to better understand the implications before engaging with large and relatively complicated schemes.

- 2.38 It is therefore expected that should Cabinet agree to the proposal, that a future report(s) would be submitted regarding the wider implications of retaining responsible body status and entering into Conservation Covenants with landowners. If the proposal is approved by Cabinet, the immediate demands on resources would potentially be a few days of officer time spread across several disciplines to complete the application and deal with any subsequent queries from DEFRA.

- 2.39 It should be noted that having responsible body status could open a potential revenue stream, by NSDC acting as the responsible body for Conservation Covenants outside of the district.

Relevance with local policies and plans.

- 2.40 The proposal is considered to be consistent with, and provide an important contribution towards, [Community Plan](#) Objective 5 to Protect and enhance the District's natural environment and green spaces; specifically "*To plan an active role in biodiversity net gain for the district,...*".

3.0 Implications

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

Significant Enhancement

Financial Implications (FIN 23-24/7471)

- 3.2 There are no direct financial implications at this stage. A budget for the Biodiversity & Ecology Lead Officer and Mycelia software has been included in the revenue budget. If any reviews of the regulations which require any additional budget; a further report will need to be brought to Cabinet.

Strategic Significance

- 3.3 It is not considered that the proposal would have any implications beyond the normal workings of the disciplines listed in paragraph 3.1.

Call for sites – expressions of interest

- 3.4 It is not considered that the proposal would have any implications beyond the normal workings of the disciplines listed in paragraph 3.1.

Responsible Body status

- 3.5 It is not considered that the proposal would have any implications beyond the normal workings of the disciplines listed in paragraph 3.1. However, it is anticipated that there will be the need for future widespread consultation and submission of subsequent reports to Cabinet regarding the use of Conservation Covenants as a designated responsible body.

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.

Mandatory Biodiversity Net Gain – ‘Significant on-site enhancement’.

Newark and Sherwood District Council (NSDC) considers that ‘significant on-site enhancement’ in relation to mandatory Biodiversity Net Gain is represented by all elements of the post development habitats within a Statutory Biodiversity Metric (SBM) calculation supporting a development application, except for the following habitat types:

1. Artificial unvegetated, unsealed surface.
2. Built linear features.
3. Developed land; sealed surface.
4. Unvegetated garden.
5. Vegetated garden.

Except for these habitat types, all other habitats within the post-development site are to be included within the Habitat Management and Monitoring Plan (HMMP).

In addition, except for these listed habitat types, any habitat retained and not enhanced from its pre-development state, shall be included within the HMMP which shall include measures for managing and monitoring retained habitat in its pre-development state.

Justification.*Excluded habitat types:*

- Habitats 1, 2, and 3 have a zero-biodiversity value so have no significance in the calculation.
- Habitat types 4 & 5. Gardens have the same biodiversity value irrespective of how they are managed and this is the same for unvegetated gardens. Therefore, the area of garden within the SBM calculation will deliver the projected biodiversity value irrespective of how they are managed, or whether they are un-vegetated. So there is no merit in monitoring these habitats.

*Included habitat types:****Emerging Allocations & Development Management Development Plan Policy DM7 Biodiversity and Green Infrastructure has consideration of BNG...***

“Except for exempt development proposals, the enhancement should be a net gain of at least 10% (or if different, the relevant percentage set out in the Environment Act) as measured by the applicable DEFRA metric or any successor document. These gains must be guaranteed for a period of at least 30 years.”

Alignment with the policy will therefore require all elements within a development’s BNG calculation to be guaranteed for at least 30 years.

Amended Core Strategy Core Policy 12 – Biodiversity and Green Infrastructure states that:

“The District Council will therefore:...

...Seek to secure development that maximises the opportunities to conserve, enhance and restore biodiversity and geological diversity and to increase provision of, and access to, green infrastructure within the District;”

It is therefore considered that all elements of any proposed BNG are fundamental to achieve maximisation of opportunities to enhance and restore biodiversity within the District, and are therefore significant.

In accordance with the Biodiversity Gain Hierarchy onsite biodiversity gains should be considered first. Consequently, if habitats are being retained but not enhanced it is likely to be for one of the following reasons:

- The habitat is already in ‘good’ condition with no scope for enhancement or transition to a higher distinctiveness habitat type; or
- The measures needed to achieve enhancement and biodiversity uplift are technically impractical or excessively cost-prohibitive.

It is essential that appropriate management and monitoring of these retained habitats is secured to achieve compliance with Amended Core Strategy Policy 12. Inclusion within the HMMP avoids the need for two separate management plans, reducing costs for the applicant and simplifying administration.

Definitions of Strategic Significance Levels for Habitats used within the Statutory Biodiversity Metric within Newark and Sherwood District.

1.0 Introduction

- 1.1. This document sets out Newark and Sherwood District Council's definitions of 'High', 'Medium' and 'Low' Strategic Significance to be used within the Statutory Biodiversity Metric for Biodiversity Net Gain calculations supporting planning applications within the Newark and Sherwood District.
- 1.2. This has been produced to provide clarity for applicants during the interim period before the Nottinghamshire Local Nature Recovery Strategy is published. This is in accordance with the Department for Environment, Food and Rural Affairs (DEFRA) Statutory Biodiversity Metric user guidance.
- 1.3. These definitions have been derived from work previously undertaken to identify priority areas for habitat creation and enhancement within the Newark and Sherwood district, and with an additional focus on sites designated for their nature conservation interest.

2.0 Definitions of Strategic Significance within Newark and Sherwood District

Biodiversity Opportunity Mapping Focal Areas

- 2.1. A Biodiversity Opportunity Mapping exercise undertaken by the Nottinghamshire Biodiversity Action Group resulted in several outputs, which included Focal Area Maps which identify locations where it was considered that there are concentrations of opportunities for habitat creation, and where it was considered that activities for habitat creation and enhancement could be prioritised to provide maximum biodiversity benefits. The attached Plan Ref, NSDC_BNG_SS_01_Rev A shows the locations of these Focal Areas and lists the priority broad habitat types. NSDC consider these to all be habitats of 'High' strategic significance.
- 2.2. The series of tables at the end of this document provide correspondences between these broad habitat types, the habitat types listed within the Statutory Biodiversity Metric and the UK HAB habitat types.
- 2.3. Where these habitats occur, they should be recorded of 'Low' significance in the SBM baseline and as 'High' in the post-intervention sheets. This is in accordance with the DEFRA guidance.

Designated Sites

- 2.4. Key sites for biodiversity within the district are those that are afforded a nature conservation designation. This includes sites afforded a statutory designation, which encompasses sites within the National Site Network (i.e., Special Conservation Areas (SCA)), Sites of Special Scientific Interest (SSSI) and Local Nature Reserves (where the declaration includes a significant nature conservation interest). In addition, this includes sites afforded a non-statutory designation as Local Wildlife Sites. With the exception of Local Nature Reserves, these sites have been designated on the basis of meeting relevant criteria based on international, national and local conservation importance values. The creation of appropriate habitats immediately adjacent to, or near, sites designated for the habitats they support is considered important. This provides

opportunities to increase the area of interest, or to provide important steppingstones to enhance or create ecological networks.

- 2.5. It is proposed that any habitat of the type for which a site has been specifically designated for (either mentioned in the site citation, or which it can be shown that the site meets the current selection criteria for) which is created or enhanced, and which is situated immediately adjacent to the designated site boundary is to be considered as being of ‘High’ Strategic Significance. Where such habitats are not immediately adjacent to the designated site boundary, but are within 100m of the boundary, these are to be considered as being of ‘Medium’ Strategic Significance. This is because these habitats will represent ecological linkage to important locations; i.e., sites designated for their nature conservation importance.
- 2.6. Where relevant, these habitats meet the ‘High’ criteria they should be recorded as ‘Low’ significance in the SBM baseline and as ‘High’ in the post-intervention sheets. Where they meet the ‘Medium’ criteria they should be recorded as ‘Low’ significance in the SBM baseline and as ‘Medium’ significance in the post-intervention sheets.
- 2.7. The location of, and links to the citations for sites on the National Sites Network and for Sites of Special Scientific Interest are available from the Multi-Agency Geographic Information for the Countryside (MAGiC) interactive webtool [MAGIC \(defra.gov.uk\)](http://defra.gov.uk). The location of Local Wildlife Sites within Nottinghamshire are available from the Nottinghamshire Insight Mapping webtool [Nottingham City Council - Insight Mapping GIS Mapping](#).

Habitats not meeting the ‘High’ and ‘Medium’ definitions

- 2.8. All other habitat types not meeting the above criteria for ‘High’ and ‘Medium’ strategic significance are to be considered as being of ‘Low’ strategic significance.
- 2.9. These should be entered into the SBM as ‘Low’ in both the baseline and post-intervention sheets.

Summary

Strategic Significance		
High	Medium	Low
Habitats identified as a priority within the relevant Biodiversity Opportunity Mapping Focal Area.		All other habitats not meeting the definitions for High or Medium strategic significance.
Habitats immediately adjacent to a designated site that represent the habitat type(s) for which the site has been designated.	Habitats within 100m of a designated site that represent the habitat type(s) for which the site has been designated.	

Habitat Correspondence Tables

Focal Area	High Strategic Significance Habitats				
	Focal Area Priority Habitat	BM Habitat	UKHab Habitat Type	UKHab Code	Distinctiveness
Birklands and Bilhaugh	Mixed deciduous woodland.	Woodland and forest - Felled	Other woodland	53	High
		Woodland and forest - Lowland mixed deciduous woodland	Lowland mixed deciduous woodland	w1f	
			Dry oak-dominated woodland	w1f5	
			Other lowland mixed deciduous woodland	w1f7	
			Other broadleaved woodland	w1g	Medium
		Other woodland - mixed	w1h		
		Other woodland mixed: mainly broadleaved	w1h5		
			Wet woodland	w1d	High
		Woodland and forest – Wood-pasture and parkland	Woodland and Trees	26	Very High
	Heathland.	Lowland heathland	Lowland Heathland	h1a	High
			Dry heaths – lowland	h1a5	
			Wet heathland with cross-leaved heath – lowland	h1a7	
	Acid grassland.	Lowland dry acid grassland	Lowland dry acid grassland	g1a	Very High
			Other lowland dry acid grassland	g1a6	Medium
Other lowland acid grassland		Other lowland acid grassland	g1d		

Focal Area	High Strategic Significance Habitats				
	Focal Area Priority Habitat	BM Habitat	UKHab Habitat Type	UKHab Code	Distinctiveness
Burton Joyce, Lambley and Cocker Beck	Mixed deciduous woodland.	Woodland and forest - Felled	Other woodland	53	High
		Woodland and forest - Lowland mixed deciduous woodland	Lowland mixed deciduous woodland	w1f	
			Dry oak-dominated woodland	w1f5	
			Other lowland mixed deciduous woodland	w1f7	
			Other broadleaved woodland	w1g	Medium
			Other woodland - mixed	w1h	
		Other woodland mixed: mainly broadleaved	w1h5		
	Wet woodland	w1d	High		
	Woodland and forest – Wood-pasture and parkland	Woodland and Trees	26	Very High	
	Species-rich neutral grassland.	Grassland – Lowland Meadows	Lowland meadows	g3a	Very High
			Lowland hay meadows	g3a5	
			Other lowland meadows	g3a6	
		Grassland – Other neutral grassland	Other neutral grassland	g3c	Medium
Arrhenatherum neutral grassland (where the stands can be identified as representing one of the following NVC communities; MG1c, MG1d, MG1e)			g3c5		

Focal Area	High Strategic Significance Habitats				
	Focal Area Priority Habitat	BM Habitat	UKHab Habitat Type	UKHab Code	Distinctiveness
Clipstone	Mixed deciduous woodland.	Woodland and forest - Felled	Other woodland	53	High
		Woodland and forest - Lowland mixed deciduous woodland	Lowland mixed deciduous woodland	w1f	
			Dry oak-dominated woodland	w1f5	
			Other lowland mixed deciduous woodland	w1f7	
			Other broadleaved woodland	w1g	Medium
		Other woodland - mixed	w1h		
		Other woodland mixed: mainly broadleaved	w1h5		
		Wet woodland	w1d	High	
		Woodland and forest – Wood-pasture and parkland	Woodland and Trees	26	Very High
	Heathland.	Lowland heathland	Lowland Heathland	h1a	High
			Dry heaths – lowland	h1a5	
			Wet heathland with cross-leaved heath – lowland	h1a7	
	Acid grassland.	Lowland dry acid grassland	Lowland dry acid grassland	g1a	Very High
			Other lowland dry acid grassland	g1a6	Medium
Other lowland acid grassland		Other lowland acid grassland	g1d		

Focal Area		High Strategic Significance Habitats			
	Focal Area Priority Habitat	BM Habitat	UKHab Habitat Type	UKHab Code	Distinctiveness
Trent Valley (Langford Lowfields to Girton)	Wetland Habitats	Wetland – Fens (upland and lowland)	Lowland fens	f2a	Very High
			Hard-water springs depositing lime; lowlands	f2a6	
			Calcium-rich springwater-fed fens; lowland	f2a7	
			Aquatic marginal vegetation	f2d	High
		Wetland - Reedbeds	Reedbeds	f2e	High
		Lakes – Ponds (priority habitat)	Freshwater	40	High
		Lakes – Ponds (non-priority habitat)	Freshwater	41	Medium
		Lakes – Aquifer fed naturally fluctuating water bodies	Eutrophic standing waters	r1a	Very High
	Grassland – Floodplain wetland mosaic and CFGM	Coastal and floodplain grazing marsh	19	High	
	Species-rich neutral grassland.	Grassland – Lowland Meadows	Lowland meadows	g3a	Very High
			Lowland hay meadows	g3a5	
			Other lowland meadows	g3a6	
		Grassland – Other neutral grassland	Other neutral grassland	g3c	Medium
	Arrhenatherum neutral grassland (where the stands can be identified as representing one of the following NVC communities; MG1c, MG1d, MG1e)		g3c5		
	Heathland.	Lowland heathland	Lowland Heathland	h1a	High
			Dry heaths – lowland	h1a5	
			Wet heathland with cross-leaved heath – lowland	h1a7	
	Acid grassland.	Lowland dry acid grassland	Lowland dry acid grassland	g1a	Very High
			Other lowland dry acid grassland	g1a6	Medium
		Other lowland acid grassland	Other lowland acid grassland	g1d	

Focal Area	High Strategic Significance Habitats				
	Focal Area Priority Habitat	BM Habitat	UKHab Habitat Type	UKHab Code	Distinctiveness
Mercia Mudwoods	Mixed deciduous woodland.	Woodland and forest - Felled	Other woodland	53	High
		Woodland and forest - Lowland mixed deciduous woodland	Lowland mixed deciduous woodland	w1f	
			Dry oak-dominated woodland	w1f5	
			Other lowland mixed deciduous woodland	w1f7	
			Other broadleaved woodland	w1g	Medium
		Other woodland - mixed	w1h		
		Other woodland mixed: mainly broadleaved	w1h5		
	Wet woodland	w1d	High		
	Woodland and forest – Wood-pasture and parkland	Woodland and Trees	26	Very High	
	Species-rich neutral grassland.	Grassland – Lowland Meadows	Lowland meadows	g3a	Very High
			Lowland hay meadows	g3a5	
			Other lowland meadows	g3a6	
		Grassland – Other neutral grassland	Other neutral grassland	g3c	Medium
Arrhenatherum neutral grassland (where the stands can be identified as representing one of the following NVC communities; MG1c, MG1d, MG1e)			g3c5		

Focal Area	High Strategic Significance Habitats				
	Focal Area Priority Habitat	BM Habitat	UKHab Habitat Type	UKHab Code	Distinctiveness
River Maun and River Meden	Wetland Habitats	Wetland – Fens (upland and lowland)	Lowland fens	f2a	Very High
			Hard-water springs depositing lime; lowlands	f2a6	
			Calcium-rich springwater-fed fens; lowland	f2a7	
			Aquatic marginal vegetation	f2d	High
		Wetland - Reedbeds	Reedbeds	f2e	High
		Lakes – Ponds (priority habitat)	Freshwater	40	High
		Lakes – Ponds (non-priority habitat)	Freshwater	41	Medium
		Lakes – Aquifer fed naturally fluctuating water bodies	Eutrophic standing waters	r1a	Very High
		Grassland – Floodplain wetland mosaic and CFGM	Coastal and floodplain grazing marsh	19	High

Focal Area		High Strategic Significance Habitats			
	Focal Area Priority Habitat	BM Habitat	UKHab Habitat Type	UKHab Code	Distinctiveness
River Smite and River Devon	Mixed deciduous woodland.	Woodland and forest - Felled	Other woodland	53	High
		Woodland and forest - Lowland mixed deciduous woodland	Lowland mixed deciduous woodland	w1f	
			Dry oak-dominated woodland	w1f5	
			Other lowland mixed deciduous woodland	w1f7	
			Other broadleaved woodland	w1g	
		Medium	Other woodland - mixed	w1h	
			Other woodland mixed: mainly broadleaved	w1h5	
			Wet woodland	w1d	High
	Woodland and forest – Wood-pasture and parkland	Woodland and trees	26	Very High	
	Wetland Habitats	Wetland – Fens (upland and lowland)	Lowland fens	f2a	Very High
			Hard-water springs depositing lime; lowlands	f2a6	
			Calcium-rich springwater-fed fens; lowland	f2a7	
			Aquatic marginal vegetation	f2d	High
		Wetland - Reedbeds	Reedbeds	f2e	High
		Lakes – Ponds (priority habitat)	Freshwater	40	High
		Lakes – Ponds (non-priority habitat)	Freshwater	41	Medium
Lakes – Aquifer fed naturally fluctuating water bodies		Eutrophic standing waters	r1a	Very High	
Grassland – Floodplain wetland mosaic and CFGM	Coastal and floodplain grazing marsh	19	High		

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Focal Area	High Strategic Significance Habitats				
	Focal Area Priority Habitat	BM Habitat	UKHab Habitat Type	UKHab Code	Distinctiveness
South Sherwood	Mixed deciduous woodland.	Woodland and forest - Felled	Other woodland	53	High
		Woodland and forest - Lowland mixed deciduous woodland	Lowland mixed deciduous woodland	w1f	
			Dry oak-dominated woodland	w1f5	
			Other lowland mixed deciduous woodland	w1f7	
			Other broadleaved woodland	w1g	Medium
			Other woodland - mixed	w1h	
			Other woodland mixed: mainly broadleaved	w1h5	
		Wet woodland	w1d	High	
	Woodland and forest – Wood-pasture and parkland	Woodland and Trees	26	Very High	
	Heathland.	Lowland heathland	Lowland Heathland	h1a	High
			Dry heaths – lowland	h1a5	
			Wet heathland with cross-leaved heath – lowland	h1a7	
	Acid grassland.	Lowland dry acid grassland	Lowland dry acid grassland	g1a	Very High
			Other lowland dry acid grassland	g1a6	Medium
Other lowland acid grassland		Other lowland acid grassland	g1d		

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Focal Area	High Strategic Significance Habitats				
	Focal Area Priority Habitat	BM Habitat	UKHab Habitat Type	UKHab Code	Distinctiveness
The Dumbles	Mixed deciduous woodland.	Woodland and forest - Felled	Other woodland	53	High
		Woodland and forest - Lowland mixed deciduous woodland	Lowland mixed deciduous woodland	w1f	
			Dry oak-dominated woodland	w1f5	
			Other lowland mixed deciduous woodland	w1f7	
			Other broadleaved woodland	w1g	Medium
			Other woodland - mixed	w1h	
			Other woodland mixed: mainly broadleaved	w1h5	
			Wet woodland	w1d	High
		Woodland and forest – Wood-pasture and parkland	Woodland and Trees	26	Very High
	Species-rich neutral grassland.	Grassland – Lowland Meadows	Lowland meadows	g3a	Very High
			Lowland hay meadows	g3a5	
			Other lowland meadows	g3a6	
		Grassland – Other neutral grassland	Other neutral grassland	g3c	Medium
Arrhenatherum neutral grassland (where the stands can be identified as representing one of the following NVC communities; MG1c, MG1d, MG1e)			g3c5		

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Focal Area		High Strategic Significance Habitats			
	Focal Area Priority Habitat	BM Habitat	UKHab Habitat Type	UKHab Code	Distinctiveness
Trent Valley (Lady Bay to Hoveringham)	Wetland Habitats	Wetland – Fens (upland and lowland)	Lowland fens	f2a	Very High
			Hard-water springs depositing lime; lowlands	f2a6	
			Calcium-rich springwater-fed fens; lowland	f2a7	
			Aquatic marginal vegetation	f2d	High
		Wetland - Reedbeds	Reedbeds	f2e	High
		Lakes – Ponds (priority habitat)	Freshwater	40	High
		Lakes – Ponds (non-priority habitat)	Freshwater	41	Medium
		Lakes – Aquifer fed naturally fluctuating water bodies	Eutrophic standing waters	r1a	Very High
	Grassland – Floodplain wetland mosaic and CFGM	Coastal and floodplain grazing marsh	19	High	
	Species-rich neutral grassland.	Grassland – Lowland Meadows	Lowland meadows	g3a	Very High
			Lowland hay meadows	g3a5	
			Other lowland meadows	g3a6	
		Grassland – Other neutral grassland	Other neutral grassland	g3c	Medium
			Arrhenatherum neutral grassland (where the stands can be identified as representing one of the following NVC communities; MG1c, MG1d, MG1e)	g3c5	
	Heathland.	Lowland heathland	Lowland Heathland	h1a	High
			Dry heaths – lowland	h1a5	
			Wet heathland with cross-leaved heath – lowland	h1a7	
	Acid grassland.	Lowland dry acid grassland	Lowland dry acid grassland	g1a	Very High
			Other lowland dry acid grassland	g1a6	Medium
		Other lowland acid grassland	Other lowland acid grassland	g1d	

Focal Area	High Strategic Significance Habitats					
	Focal Area Priority Habitat	BM Habitat	UKHab Habitat Type	UKHab Code	Distinctiveness	
Upper Idle Valley (Bothamsall and Haughton to Retford)	Mixed deciduous woodland.	Woodland and forest - Felled	Other woodland	53	High	
		Woodland and forest - Lowland mixed deciduous woodland	Lowland mixed deciduous woodland	w1f		Medium
			Dry oak-dominated woodland	w1f5		
			Other lowland mixed deciduous woodland	w1f7		
			Other broadleaved woodland	w1g		
		Other woodland - mixed	w1h			
		Other woodland mixed: mainly broadleaved	w1h5			
	Wet woodland	w1d	High			
	Woodland and forest – Wood-pasture and parkland	Woodland and Trees	26	Very High		
	Species-rich neutral grassland.	Grassland – Lowland Meadows	Lowland meadows	g3a	Very High	
			Lowland hay meadows	g3a5		
			Other lowland meadows	g3a6		
		Grassland – Other neutral grassland	Other neutral grassland	g3c	Medium	
	Arrhenatherum neutral grassland (where the stands can be identified as representing one of the following NVC communities; MG1c, MG1d, MG1e)	g3c5				
	Wetland Habitats	Wetland – Fens (upland and lowland)	Lowland fens	f2a	Very High	
Hard-water springs depositing lime; lowlands			f2a6			
Calcium-rich springwater-fed fens; lowland			f2a7			

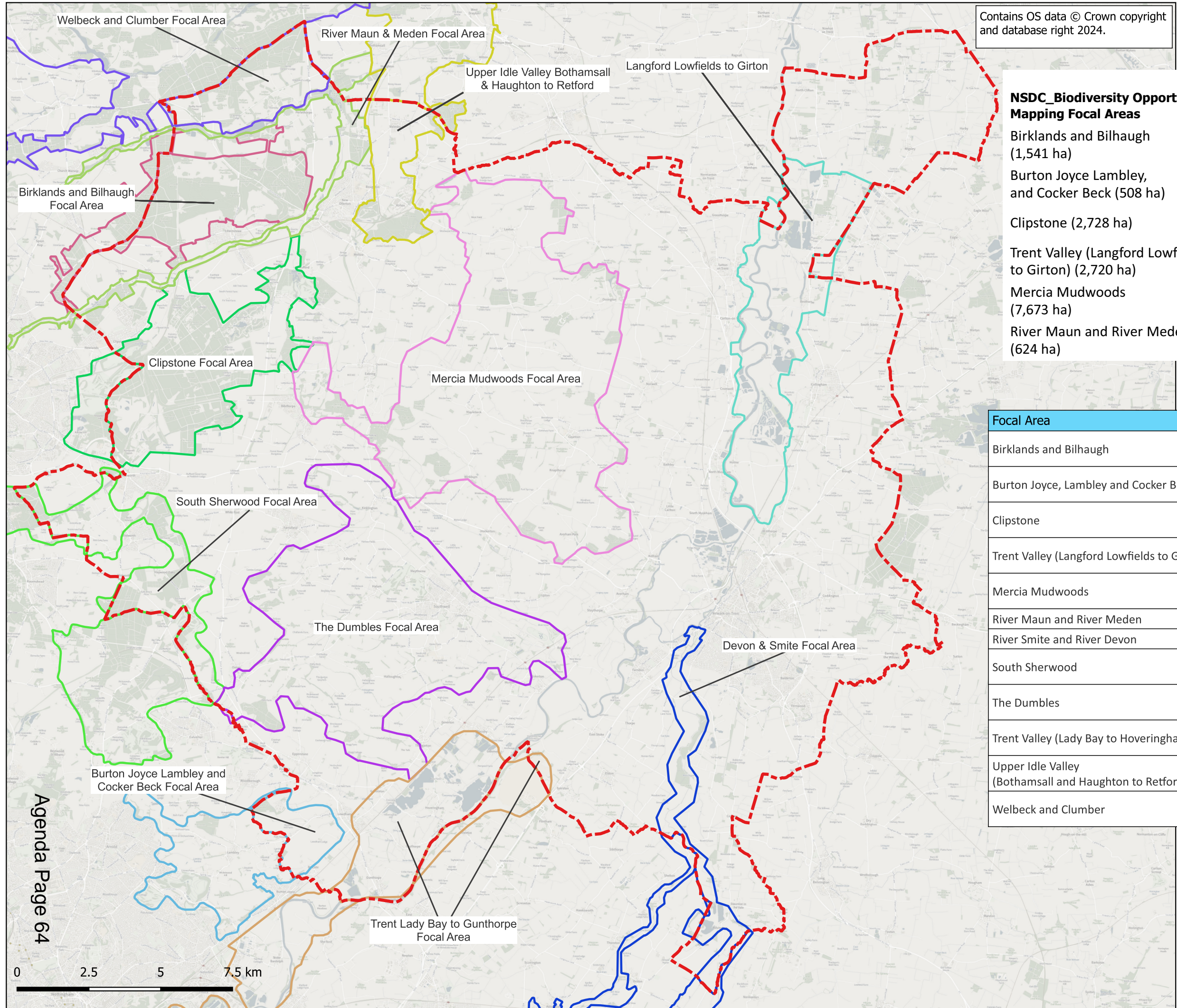
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Focal Area	High Strategic Significance Habitats				
	Focal Area Priority Habitat	BM Habitat	UKHab Habitat Type	UKHab Code	Distinctiveness
Upper Idle Valley (Bothamsall and Haughton to Retford)	Wetland Habitats	Wetland – Fens (upland and lowland)	Aquatic marginal vegetation	f2d	High
		Wetland - Reedbeds	Reedbeds	f2e	High
		Lakes – Ponds (priority habitat)	Freshwater	40	High
		Lakes – Ponds (non-priority habitat)	Freshwater	41	Medium
		Lakes – Aquifer fed naturally fluctuating water bodies	Eutrophic standing waters	r1a	Very High
		Grassland – Floodplain wetland mosaic and CFGM	Coastal and floodplain grazing marsh	19	High

Focal Area	High Strategic Significance Habitats								
	Focal Area Priority Habitat	BM Habitat	UKHab Habitat Type	UKHab Code	Distinctiveness				
Welbeck and Clumber	Mixed deciduous woodland.	Woodland and forest - Felled	Other woodland	53	High				
		Woodland and forest - Lowland mixed deciduous woodland	Lowland mixed deciduous woodland	w1f		Medium			
			Dry oak-dominated woodland	w1f5			Medium		
			Other lowland mixed deciduous woodland	w1f7	Medium				
			Other broadleaved woodland	w1g		High			
			Other woodland - mixed	w1h			High		
		Other woodland mixed: mainly broadleaved	w1h5	High					
	Wet woodland	w1d	High						
	Heathland.	Woodland and forest – Wood-pasture and parkland	Woodland and Trees	26	Very High				
						Lowland heathland	Lowland Heathland	h1a	High
							Dry heaths – lowland	h1a5	
	Wet heathland with cross-leaved heath – lowland	h1a7	High						
	Acid grassland.	Lowland dry acid grassland		Lowland dry acid grassland	g1a	Very High			
				Other lowland dry acid grassland	g1a6	Medium			
Other lowland acid grassland		Other lowland acid grassland	g1d	Medium					

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- NSDC Biodiversity Opportunity Mapping Focal Areas**
- Birklands and Bilhaugh (1,541 ha)
 - Burton Joyce Lambley, and Cocker Beck (508 ha)
 - Clipstone (2,728 ha)
 - Trent Valley (Langford Lowfields to Girton) (2,720 ha)
 - Mercia Mudwoods (7,673 ha)
 - River Maun and River Meden (624 ha)

- Newark and Sherwood District**
- River Smite and River Devon (879 ha)
 - South Sherwood (1,385 ha)
 - The Dumbles (6,021 ha)
 - Trent Valley (Lady Bay to Hoveringham) (1,692 ha)
 - Upper Idle Valley (Bothamsall and Haughton to Retford) (894 ha)
 - Welbeck and Clumber (982 ha)

Focal Area	High Strategic Significance Habitats
Birklands and Bilhaugh	Mixed deciduous woodland. Heathland. Acid grassland.
Burton Joyce, Lambley and Cocker Beck	Mixed deciduous woodland. Species-rich neutral grassland.
Clipstone	Mixed deciduous woodland. Heathland. Acid grassland.
Trent Valley (Langford Lowfields to Girton)	Wetland habitats. Species-rich neutral grassland. Heathland. Acid grassland.
Mercia Mudwoods	Mixed deciduous woodland. Species-rich neutral grassland.
River Maun and River Meden	Wetland habitats.
River Smite and River Devon	Mixed deciduous woodland. Wetland habitats.
South Sherwood	Mixed deciduous woodland. Heathland. Acid grassland.
The Dumbles	Mixed deciduous woodland. Species-rich neutral grassland.
Trent Valley (Lady Bay to Hoveringham)	Wetland habitats. Species-rich neutral grassland. Heathland. Acid grassland.
Upper Idle Valley (Bothamsall and Haughton to Retford)	Mixed deciduous woodland. Species-rich neutral grassland. Wetland habitats.
Welbeck and Clumber	Mixed deciduous woodland. Heathland. Acid grassland.

Rev	Date	Comments	Drn.
A	23.11.2023	Initial draft for review	NJL
B	05.01.2024	Labels added	NJL

