



*Castle House
Great North Road
Newark
NG24 1BY*

Tel: 01636 650000

www.newark-sherwooddc.gov.uk

Monday, 18 March 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 Spoor
Councillor P Taylor
Councillor R Holloway**

MEETING:	Cabinet
DATE:	Tuesday, 26 March 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

	<u>Page Nos.</u>
1. Notification to those present that the meeting will be recorded and streamed online	
2. Apologies for Absence	
3. Declarations of Interest from Members and Officers	
4. Minutes from the previous meeting held on 5 March 2024	4 - 7
5. Chair's Update	
Strategy, Performance & Finance Portfolio	
6. Growth Investment Fund	8 - 10
7. Update on Jubilee Bridge Maintenance Costs (Key Decision)	11 - 13
8. 14 Market Place, Newark - Feasibility and Delivery (Key Decision)	14 - 23
Sustainable Economic Development Portfolio	
9. Statement of Community Involvement Review (Key Decision)	24 - 68
10. Draft Affordable Housing Supplementary Planning Document and Planning Policy Work Programme (Key Decision)	69 - 72
11. Sherwood Levelling Up 3 Update - Ollerton and Clipstone (Key Decision)	73 - 85
12. Newark Long Term Town Fund Update and Associated Feasibility Work	86 - 89
Public Protection and Community Relations Portfolio	
13. In-house CCTV Monitoring Business Case (Key Decision)	90 - 98
14. Exclusion of the Press and Public	
To consider resolving that, under section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.	
15. Growth Investment Fund	99 - 101
16. 14 Market Place, Newark - Feasibility and Delivery (Exempt Appendix)	102
17. Sherwood Levelling Up Fund 3 Update - Ollerton and Clipstone (Exempt Appendix)	103 - 107

18.	Newark Long Term Town Fund Update (Exempt Appendix)	108
19.	In-house CCTV Monitoring - Exempt Business Case	109 - 200

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 March 2024 at 6.00 pm.

PRESENT: Councillor P Peacock (Chair)

Councillor R Cozens, Councillor S Crosby, Councillor L Brazier,
Councillor K Melton, Councillor E Oldham, Councillor M Spoor,
Councillor P Taylor and Councillor R Holloway

ALSO IN ATTENDANCE: Councillor N Allen, Councillor I Brown, Councillor C Penny and
Councillor P Rainbow

103 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.

104 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

Councillor K Melton advised the Cabinet of his resignation as a Trustee of Southwell Leisure Centre.

105 MINUTES FROM THE PREVIOUS MEETING HELD ON 20 FEBRUARY 2024

The minutes from the meeting held on 20 February 2024 were agreed as a correct record and signed by the Chairman.

106 PERFORMANCE FRAMEWORK

The Transformation & Service Improvement Manager presented a report and presentation to Members, which detailed the Performance Framework and indicators that would be used to monitor and measure our performance against the 2024-27 Community Plan. Performance would be measured against 117 targets, 30 of which were newly added. Of the targets, 38 were numerical, 32 a percentage target and 47 targets would use trend or demands to create realistic targets for the service. The report detailed those existing targets which had been altered. The Cabinet welcomed the new performance framework.

AGREED (unanimously) to review the Performance Framework and any accompanying comments carried forward from the Policy & Performance Improvement Committee

Reasons for Decision

Performance reporting is a key aspect of how we perform as a Council. It is vital that all stakeholders have a clear understanding of our Performance Framework to ensure that we remain committed to being a top performing, modern and accessible Council. To enable the Cabinet to monitor performance management and compliance to drive improvement.

Options Considered

Not applicable.

107 BUDGET PERFORMANCE QUARTER 3

The Business Manager - Financial Services, presented a report to update Members with the forecast outturn position for the 2023/24 financial year for the Council's General Fund and Housing Revenue Account revenue and capital budgets. The report detailed performance against the approved estimates of revenue expenditure and income; reported on major variances from planned budget performance and on variations to the Capital Programme for approval; all in accordance with the Council's Constitution.

The report detailed a projected unfavourable variance on Service budgets against the revised budget of £0.331m, with an overall favourable variance of £0.636m to be transferred to General Fund reserves. The HRA accounts showed a projected unfavourable variance on the Net Cost of HRA Services against the revised budget of £0.044m. However, overall there was an increase in the forecast transfer to the Major Repairs Reserve of £0.025m: The main reasons for the £0.044m unfavourable variance on services were detailed at Appendix C and D to the report.

AGREED (unanimously) that Cabinet:

- a) note the General Fund projected favourable outturn variance of £0.636m;
- b) note the Housing Revenue Account projected favourable outturn variance of £0.025m 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 £69.585m; 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.

108 COMMUNITY PLAN PERFORMANCE QUARTER 3 2023/24

The Transformation & Service Improvement Manager was in attendance to present the Quarter 3 Community Plan Performance Report, October to December 2023, highlighting performance from a number of items from the Community Plan including tenant engagement, sustainable growth, the Newark Beacon Centre and the opening of Alexander Lodge. The Cabinet noted that the Policy and Performance Improvement

Committee had requested a ward breakdown of Anti-social behaviour which they would receive twice a year.

In discussion, the Cabinet considered: the Council's Green Rewards App, noting that it helped individuals to see how their own actions contributed to reducing their carbon footprint; the forthcoming Big Green Week from 8-16 June; the proposal to rebrand tenant engagement groups to make it clearer for those tenants wanting to get involved; and the proposal to bring the CCTV monitoring in house, which would enable the Council to further assist the Police in dealing with anti-social behaviour.

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.

109 CORPORATE PEER CHALLENGE - JUNE 2024

The Chief Executive presented a report which set out the reasoning behind and process for a Peer Challenge to be undertaken June 2024. Newark & Sherwood District Council last took part in a Peer Challenge in 2016. The Peer Challenge would help the Council identify what it was doing well, and where improvements could be made. The team undertaking the Challenge would be on site for 3 to 4 days and would provide a presentation of key findings on the last day and follow this up with a full report within a few weeks.

AGREED (unanimously) that Cabinet:

- a) note the rationale and practicalities for an LGA Peer Challenge; and
- b) welcomes the Peer Challenge and agrees to progress with the provisional arrangements.

Reasons for Decision

A peer challenge which looks at how we work, how we deliver for our residents and how our culture operates will enable us to focus on areas of improvement to assist in delivering our community plan.

Options Considered

The LGA is the national membership body for local authorities which works on behalf of member councils to support, promote and improve local government. There are no other organisations that provide this kind of service. There is no compulsion to undertake a peer challenge but as best practice it would be expected to participate every 5 years.

110 HOUSING COMPLIANCE QUARTER 3

The Portfolio Holder for Housing presented a report which provided an update on the position at the end of Quarter 3 2023/24 from 30 September 2023 to 31 December 2023, 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 Council had also written to the Regulator for Social Housing on 5th February to request the removal of the regulatory notice with supporting evidence. The service would remain under close scrutiny and a report was scheduled for Audit and Governance in April 2024.

The Cabinet noted that delays in the Courts process was an additional cause of delays. The Assistant Director- Legal and Democratic Services confirmed that the Council was a member of the Court User group and regularly raised the issue of the impact of delays.

AGREED (unanimously) that Cabinet:

- a) note the exceptions to performance of the housing service compliance functions;
- b) note the request to the Regulator to remove the regulatory notice; and
- c) note that the presentation of performance will change from Quarter 1 2024/2025 reporting cycle onwards.

Reasons for Decision

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

Options Considered

Not applicable.

Meeting closed at 7.17 pm.

Chair



Report to: Cabinet Meeting - 26 March 2024
 Portfolio Holder: Councillor Paul Peacock, Strategy, Performance & Finance
 Director Lead: Sanjiv Kohli, Director - Resources
 Lead Officer: Nick Wilson, Business Manager – Financial Services, Ext. 5317.

Report Summary	
Type of Report	Open Report, Non-Key Decision (Separate Exempt Report)
Report Title	Growth Investment Fund
Purpose of Report	To update Cabinet on the scheme and agree its closure.
Recommendation	That Cabinet approve the formal closure of the scheme.
Alternative Options Considered	To review the scheme and consider a refresh/relaunch; this option has not been explored in depth due to the period the scheme has been dormant.
Reason for Recommendation	To formally close the scheme which has not been operational in practice since 2019.

1.0 Background

- 1.1 In 2012, the Council set up the Think BIG loan scheme. Its initial purpose was to assist existing businesses with recognised financial potential, to help with working capital, rather than on seed or early-stage finance. The focus of support should be on quality rather than quantity.
- 1.2 At the outset of the scheme, it was noted that planning should be based on a failure rate of up to 33%, the level experienced by similar funds in the past.
- 1.3 Outputs from the scheme show that there has been a net increase of 86 jobs available in the district.

2.0 Proposal/Details of Options Considered

- 2.1 Since the inception of the scheme, the Council has made 23 loans to businesses, totalling £1,507,968. Of this total, 18 loans have been paid in full, totalling £1,031,999. In addition, the remaining 5 loans have payments of £119,619 against them. Therefore 76.37% of the capital has been returned – a failure rate of 23.63%.

- 2.2 In addition to the payments received against the initial capital outlay, the Council has also levied charges against each loan in fees, £65,064, and interest, £191,310. This has generated an additional £253,436 in income to the Council. £2,938 remains outstanding in unpaid interest.
- 2.3 £246,013 has previously been written off in relation to loan balances on 3 different loans. This leaves a loan balance on the scheme of £110,337, which is owed in relation to loans granted to 2 limited companies. This, together with the £2,938 due in interest, leaves an overall balance on the scheme of £113,275.
- 2.4 After consideration of the above, from the initial outlay of £1,507,968, the Council have received repayments and income totalling £1,405,054. The Council have therefore received back 93.2% of the initial outlay and hence a default rate of 6.8%.
- 2.5 The 23 loans that were granted had generated a net increase of 86 jobs available throughout the district. This was accurate at the time each of the loans had been repaid, and subsequently has not been tested again since.
- 2.6 The 2 remaining companies have both been subject to insolvency action, in each case the companies were wound up by creditors voluntary liquidation, one in 2020 and the other in 2022. In each case, the Council had obtained a charge against the company, thereby ensuring its treatment as a secured creditor, however, following the insolvency, no dividends were paid to any creditor.
- 2.7 Under the Council's constitution, the section 151 officer has delegated authority to write off any amount relating to a debt subject to insolvency.

3.0 Implications

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

Financial Implications FIN23-24/8508

- 3.1 At the initial outset of the scheme, it was identified that it held a 33% risk of non-compliance. This equated to a provision for bad debt of £497,600 of the capital outlay.
- 3.2 There is currently £127,366 remaining in the provision for bad debt post the previous written off transactions, which is sufficient to write off the proposed £113,275. The £115 that continue to be paid will be written on each year as and when the payments are received. The remaining £14,091 will be released into the General Fund.
- 3.3 After taking account of the additional income generated in fees and interest, any write off balance on the scheme is reduced to £106,564. This represents a 6.8% actual write off of the outlay.

Legal Implications

- 3.4 The Section 151 Officer has authority to write-off any outstanding amount owed to the Council up to the limit of £20,000 in respect of each debt, or to an unlimited amount in respect of any debt where the debtor is in liquidation or has been declared bankrupt. Items in excess of the amount specified in this delegated authority may only be written off by the Cabinet.

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 - 26 March 2024

Portfolio Holder: Councillor Peacock, Strategy, Performance & Finance

Director Lead: Sanjiv Kohli, Director - Resources

Lead Officer: Mark Eyre, Business Manager - Corporate Property, Ext. 5440
Eric Dyche, Corporate Property Repairs & Maintenance Manager, Ext. 5433.

Report Summary	
Type of Report	Open Report, Key Decision
Report Title	Update on Jubilee Bridge Maintenance Costs
Purpose of Report	To update the Cabinet on the current position regarding the proposed future maintenance requirements of the Jubilee Footbridge over the River Trent and request financial direction.
Recommendation	That Cabinet approve Option 1 as set out in the report – Replace existing softwood deck boards with hardwood timber boards.
Alternative Options Considered	There are other options available, however these options do not represent good value for money as evidenced in the body of this report.
Reason for Recommendation	The recommended course of action is considered to be the most viable option and is considered to offer value for money.

1.0 Background

- 1.1 A report was presented to members in February 2023 detailing the proposed works with a series of options which could be selected in order to upkeep and maintain Jubilee Bridge. These options included estimated costs forecasted by an external Quantity Surveyor (QS) appointed by N&SDC.
- 1.2 Since this report was received by Members in February 2023, Corporate Property have undertaken a procurement exercise for the options of repair outlined in the report. The purpose of this update report is to give Members an update of the costs received through the tender exercise. With a request for a change in the recommended option from the Cabinet on the grounds of value for money.

2.0 Proposal/Details of Options Considered

- 2.1 A procurement exercise was undertaken by Corporate Property in the summer of 2023. This gave contractors an opportunity to price for all required repair options (as detailed in the table below).
- 2.2 The outcome of this procurement exercise was that the tender returns were vastly beyond those forecasted by the quantity surveyor (QS) appointed by N&SDC. The cheapest contractor for all three repair options was Hankinson Whittle. They also scored highly on the quality assessment of the tender. A summary of the Hankinson Whittle submitted tender costs for each repair option is outlined in the table below alongside the costs estimated by the consultant quantity surveyor (QS) for each option. An explanation of the difference between the QS estimates and the tendered price return has been received. The consultant quantity surveyor stated that “The cost plan was prepared by a QS as a ‘current’ cost at the time the specification was initially compiled and when the tender returns were received, market costs had increased due to a mix of design development and construction market factors in 2023.”

Option	Predicted life expectancy	Estimated cost by Consultancy Quantity Surveyor	Lowest cost submitted and received by tendering contractor
Option 1 – Replace existing softwood deck boards with hardwood timber boards	20 – 25 years	£314,296.67 + Vat	£321,624.60 + Vat
Option 2 – Replace existing with a mild steel deck which is coated with a shell grip type anti-slip coating / finish	30 – 35 years	£323,899.67 + Vat	£487,832.40 + Vat
Option 3 – Replace existing with steel trays which are infilled with Tarmacadam to match the existing bridge	30 – 35 years	£333,499.67 + Vat	£536,960.60 + Vat

- 2.3 The preferred option recommended to Members in February 2023 was to refurbish the Jubilee Bridge as per Option 3, i.e. Replacing the existing softwood timber approach ramps with steel trays which are infilled with Tarmacadam to match the existing bridge. This was because of the predicted lifespan and durability of the product compared to cost, was justifiable at the time of reporting.
- 2.4 Since the report has been submitted and the tender returns have been received the officer opinion on the best value for money option has now changed. With the most sensible option being Option 1, to replace the existing softwood deck boards with new hardwood timber boards. This recommendation will still give a relatively long-life span for the bridge.

- 2.5 The original budget approval at Cabinet in February 2023 was £333,500. The total cost for the bridge works are quoted at £321,624 for Option 1 as defined in the table above. Given that there will be a further requirement for an ecologist watching brief for the project and some vegetation clearance the project team request that the remaining budget surplus of £11,876 is retained within the project budget to cover these additional costs.
- 2.6 The preferred contractor Hankinson Whittle have confirmed that the work can commence in the early summer of 2024, subject to Hankinson Whittle being in receipt of an order by the 31st March 2024. It is therefore requested that members are asked to approve their appointment and the instruction of Option 1 being implemented at March 2024 cabinet.
- 2.7 It is the intention of the authority for officers to continue to investigate the proposed adoption of the Jubilee Footbridge by Nottinghamshire County Council. Should any specification changes be required to facilitate the formal adoption of the bridge a further report will be brought before the Cabinet Committee.

3.0 Implications

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

Financial Implications FIN23-24/4516

- 3.1 In the previous report regarding the same Jubilee Bridge works that went to cabinet on 21 February 2023, option 3 was approved for £333,500 funded by borrowing. Option 3 had a lifespan of 35 years and therefore had would cost £9,530 in Minimum Revenue Provision and £13,910 per year in interest.
- 3.2 Since the costs have increased to a point where it is no longer best value for money, option 1 is now being considered, which can be carried out within the existing budget, but the lifespan will be 20-25 years. This means that the revenue costs of carrying out the scheme would cost £13,340 in Minimum Revenue Provision and £17,910 per year in interest.

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 - 26 March 2024

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

Director Lead: Sanjiv Kohli, Director - Resources

Lead Officers: Mark Eyre, Business Manager - Corporate Property, Ext. 5440
Lauren Anthony, Senior Surveyor and Jak Whitney, Project Surveyor

Report Summary	
Type of Report	Open Report (with exempt appendix), Key Decision
Report Title	14 Market Place, Newark - Feasibility and Delivery
Purpose of Report	To provide Cabinet with Officer recommendations for 14 Market Place, Newark
Recommendations	That Cabinet: <ul style="list-style-type: none"> a) note and support the preferred delivery approach of Option 1: Retention as a General Fund Commercial Asset and Sale of one Residential Unit; and b) approve the Capital Budget as set out in the exempt appendix in 2024/25 to be financed by Capital Receipts to support the delivery and refurbishment of 14 Market Place as noted within this report and in accordance with option 1.
Alternative Options Considered	Sale of the asset in its current condition. Retention as a General Fund Commercial Asset and Transfer of Residential Unit to HRA.
Reason for Recommendations	14 Market Place sits within a prominent position in Newark town centre and is in disrepair and unoccupied. This recommendation helps bring the property back into use and helps deliver the Community Plan by creating sustainable economic growth and providing housing within the town centre with the knock-on effect of a more vibrant and active town centre.

1.0 Background

1.1 The Newark Town Investment Plan 2020 identified a strategy based on four pillars of change; two of the pillars within the Strategy state; 1) To create a vibrant town centre where people visit, experience, shop, work and live, and 2) To promote significant residential repurposing and redevelopment within and close to the Town Centre. The

proposed project at 14 Market Place is an intervention by the Council to achieve these aims. Further recent consultation in the development of the Newark Masterplan has identified from 1500 responses a need to focus on tackling vacant retail units and improving the market square. The repurposing and upgrading of 14 Market Place will promote the Council actively trying to listen and address issues raised by our community.

- 1.2 14 Market Place is in the town centre of Newark with a dual frontage onto the Market Place and Queens Head Court. It is owned freehold by Newark and Sherwood District Council and is comprised of a large basement, ground floor retail space and former residential space spread over the upper three floors. See appendix 1 (location map and photographs).
- 1.3 14 Market Place sits in a prominent location within the Market Place and is building of significant visual interest and contributes to the character of the Market Place.
- 1.4 The property was previously rented to a local business trading as 'The Little Tea Pot' café. The tenant moved out of the property early in 2022.
- 1.5 The property has had minimal investment in previous years and does not meet current standards for it to be used as viable commercial unit. The upper floors currently do not conform to a habitably or lettable standard due to their long period of non-occupation.
- 1.6 A valuation and appraisal report were carried out by IHCS Ltd on 9 of June 2023. In its current condition, the property has been valued at £134,550 as a freehold sale. This is divided up as £90,675 Market Value for the retail space including basement and £43,875 for the residential accommodation on the upper floors.
- 1.7 The building is in a conservation area, so any works required to the property would be subject to additional planning regulation.

2.0 Proposal/Details of Options Considered

- 2.1 **Option 1 (the preferred option): Refurbish the entire property; retaining the ground/basement floors as commercial rental space and selling the upper floors on a long lease as 1 two-bedroom flat.**
 - 2.1.1 The ground floor and basement would be retained as a General Fund asset and let out to a commercial tenant. The capital cost of this option was set out in the exempt appendix to the report, along with the potential contribution for tenant fit-out of the space. The total Estimated Budget requirement was also detailed in the exempt appendix. It is estimated this would generate an annual rental income of £6,000 p.a. The Corporate Property Estates team have confirmed that this type of property would attract a reasonable tenant demand. The Corporate Property Estates Team will liaise with the Economic Growth team to ensure a suitable and appropriate appraisal process is undertaken for the award of the lease to a tenant who provides an attractive, complimentary, and appropriate use for the town centre.
 - 2.1.2 Local market research and the housing needs for the area has given a strong indication that a two-bedroom apartment would achieve an Estimated Capital Receipt of

£140,000. This was confirmed by two local estate agents (Richard Watkinson and Buttercross).

2.1.3 The sale of the flat would generate an Estimated Capital Receipt of £140,000 for the General Fund. This option would provide an Annual Net Rate of Return (ANRR) of 2.11% and would payback within 52 years.

2.1.4 This option helps deliver the Community Plan by creating sustainable economic growth and providing housing within the town centre with the knock-on effect of a more vibrant and active town centre.

2.2 Option 2: Sale of the asset in its current condition

2.2.1 In the current condition the property has a Market Value of £134,550.

2.2.2 This option would have a Net Present Value of £131,950, once all legal and estate agent costs have been considered.

2.2.3 It would also leave the future of the building unknown which could have a negative impact on the town centre by way of remaining vacant and in poor condition, which would not support the Community Plan of creating sustainable economic growth and providing housing within the town centre. It is for these reasons that this option is not supported.

2.3 Option 3: Retention as a General Fund Commercial Asset and Transfer of Residential Unit to HRA

2.3.1 The ground floor and basement would be retained as a General Fund asset and leased on a commercial basis. The upper floors could create 1 two-bedroom HRA flat.

2.3.2 Following consultation with the Business Manager for Housing there is no appetite to have a two-bedroom HRA flat within the Market Place due to the challenges and additional housing management implications for a one-off property within this location.

3.0 Implications

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

Financial Implications (FIN23-24/5413)

3.1 Option 1 is the preferred option. It has been assumed that £6,000 income will be receivable per year in rental income from the commercial unit (increasing with each anticipated rent review) and £1,000 expenditure for management. Any other costs associated with the premises will be passed on to the tenant/owner of the residential units in this option.

- 3.2 The estimated budget requirement is detailed in the exempt appendix to the report. An estimated £140,000 of the capital requirement will be replenished on receipt of the sale of the residential unit.
- 3.3 Excluding the disposal options, option 1 is the most favourable in terms of payback. None of the options have a positive net present value but the preferred option has an annual net rate of return is expected to be 2.11%.

Legal Implications

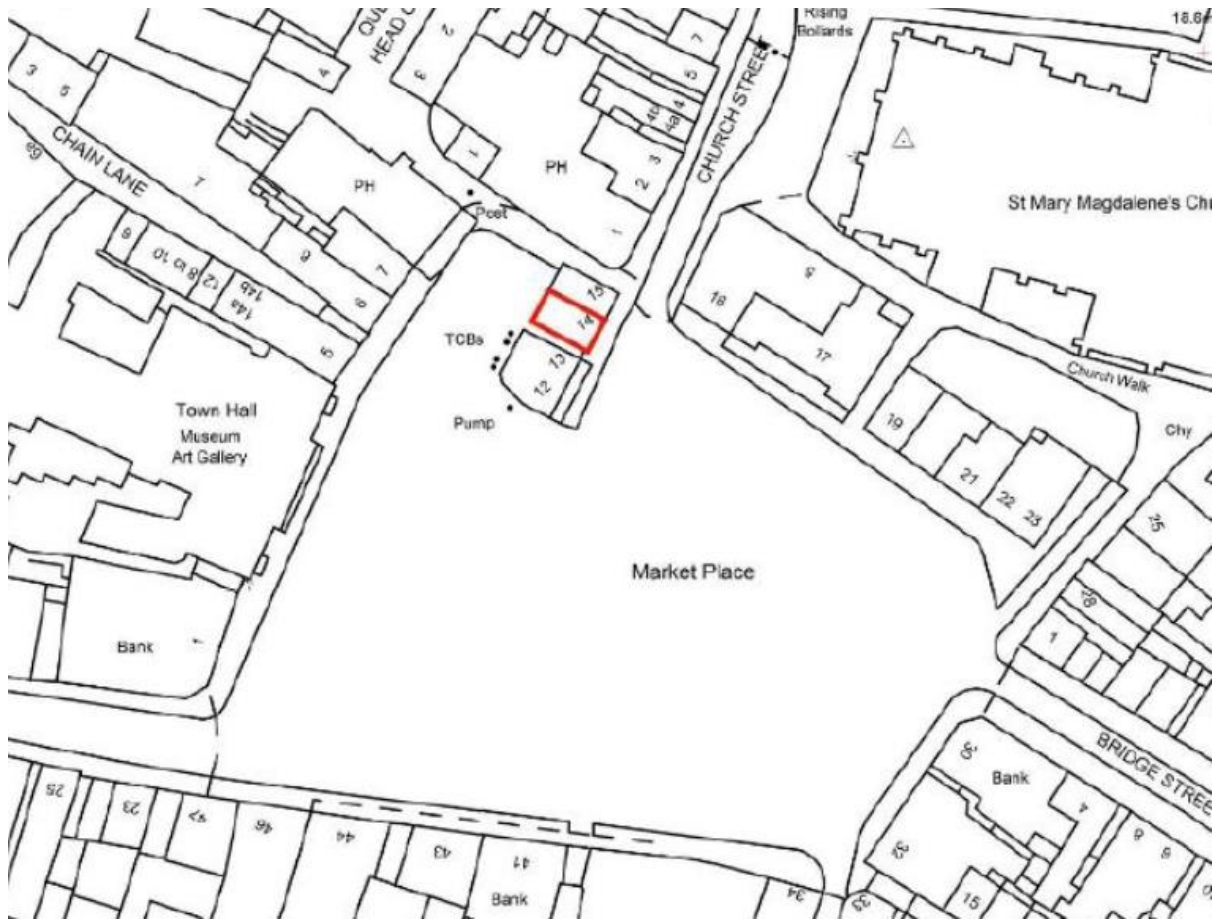
- 3.4 The Council's Legal Team will need to work with Corporate Property to finalise terms for lease agreements for the commercial units, and for a long leasehold disposal. The long leasehold disposal will need to be conducted in accordance with the Council's Acquisitions and Disposals Policy and comply with relevant statutory requirements for long leaseholds. The Legal Team has reviewed the legal title to the property and the restrictive covenants are as follows:
- A right for the proprietors of the Dominant Land (land at buildings known as 12 & 13 Market Place), to use the fire escape attached the Servient Land (14 Market Place);
 - A right for the fire escape to be attached to the Servient Land;
 - Proprietors of the Dominant Land must repair and maintain the fire escape, not carry out any work without our approval and carry out the work in a proper manner;
 - NSDC must not obstruct the fire escape and must allow free access to the public highway.

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

Location Map and Photographs



Location Plan of 14 Market Place



Rear Elevation of 14 Market Place



Front Elevation of 14 Market Place



Basement



Ground Floor Retail Space



Accommodation



Accommodation



Report to: Cabinet Meeting: 26 March 2024

Portfolio Holder: Councillor Matthew Spoons, Sustainable Economic Development

Director Lead: Matt Lamb, Director - Planning & Growth

Lead Officers: Lisa Hughes, Business Manager – Planning Development, Ext.5565
 Matthew Norton, Business Manager – Planning Policy & Infrastructure, Ext. 5852.

Report Summary	
Type of Report	Open Report, Key Decision
Report Title	Statement of Community Involvement Review
Purpose of Report	To update the Statement of Community Involvement (SCI) in relation to Planning Committee permitting public speaking.
Recommendations	That Cabinet approve: a) the proposed amendments to the SCI; and b) public consultation be undertaken for 6-weeks on the proposed amendments for referral back to Cabinet for adoption.
Alternative Options Considered	It was not considered appropriate to continue with an unamended SCI following the decision of Planning Committee to allow public speaking.
Reason for Recommendations	To ensure the SCI aligns with the Council’s Constitution and ‘Protocol for Dealing with Planning Matters’. To allow consultation to be undertaken on the Draft SCI.

1.0 Background

1.1 A [report](#) was presented to Full Council on 13 February 2024, where Members agreed changes to the Council’s Constitution to facilitate Planning Committee to allow public speaking, should they determine this was appropriate. Planning Committee subsequently considered a report on the 14 March 2024 where it resolved to allow public speaking in accordance with the procedures set out within the ‘Protocol for Dealing with Planning Matters’. The Statement of Community Involvement (SCI) provides the detail of engagement by the Council in relation to planning matters – both for plan preparation as well as for consideration of a planning application as well as pre-application advice. The SCI therefore requires amending to address that public speaking has now been permitted.

2.0 Proposal/Details of Options Considered

Do Nothing

- 2.1 This was considered as an option but dismissed in favour of allowing public speaking, bringing this Council in line with the vast majority of many others nationally. Not updating the SCI to reflect the Planning Committee resolution would be inappropriate.

Update the SCI

- 2.2 This is considered the only reasonable option available due to the Full Council and Planning Committee resolutions. Opportunity has also been taken to ensure that the SCI is up-to-date in relation to a number of other matters given the time elapsed since it was last updated. This includes, but is not limited to, the process of an application, appeals procedure, suggested amended wording in relation to negotiation during the consideration of a planning application updating hyperlinks, the Council's address. The suggested amended SCI is attached at **Appendix A**.
- 2.3 It is not proposed to make any further changes to the SCI as under the planning reforms introduced under the Levelling Up and Regeneration Act SCI's will be replaced by consultation statements relating to individual Local Plan consultations. The proposed amendments to the SCI are included in Appendix A, below, with updates provided in underlined text and text to be removed crossed out ~~as such~~.

Consultation on the Proposed Changes

- 2.4 The Statement of Community Involvement sets out the legislative requirements for consulting on changes to it. These mirror the requirements for Supplementary Planning Documents. Whilst the changes are factual and primarily related to public speaking at Planning Committee it is a requirement to undertake consultation as set out within the SCI at Appendix 4. This includes town/parish councils, voluntary bodies as well as statutory consultees who regularly comment on Planning. The consultation will be publicised on the Council's website and copies placed in Libraries in the District. The consultation will be for a period of six weeks. Once completed officers will consider any comments, propose any changes to respond to any concerns raised, and finalise the SCI for adoption by Cabinet.

3.0 Implications

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

Financial Implications FIN23-24/1965

- 3.1 There are no financial implications arising from this report, the consultation will be paid for from the existing Local Development Framework Budget.

Background Papers and Published Documents

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

[Newark & Sherwood Local Development Framework – Statement of Community Involvement](#)
Full Council Meeting – 13 February 2024 – [Constitution Update – Public Speaking at Planning Committee](#)

Planning Committee 14 March 2024 – [Planning Constitution Review](#)



Newark & Sherwood Local Development Framework

Draft Statement of Community Involvement

~~March 2015~~ xxx 2024

Document Passport **TO BE UPDATED FOR CONSULTATION**

Title: Newark & Sherwood Local Development Framework Statement of Community Involvement.

Status: Adopted document.

Summary: This document sets out the District Council's methods for consulting the public on planning policy documents and planning applications.

Date of adoption: 11th March 2015.

Adopted by: Economic Development Committee.

Please note: This document is available in alternative formats upon request.

Consultation Summary: The consultation sought views from neighbouring authorities, developers, Town and Parish Councils, Parish Meetings and other stakeholders for a period of six weeks from 7th January 2015 until 17th February 2015. Following consideration of representations received the document was revised and the final version was submitted to the Council's Economic Development Committee on 11th March 2015 for adoption.

Availability of document: Copies are deposited at Kelham Hall (open between 8.30 a.m. and 5.15 p.m. Monday to Thursday and 8.30 a.m. to 4.45 p.m. on Friday), the District's libraries and the Council's website: <http://www.newark-sherwooddc.gov.uk/planningpolicy/>

Planning Policy Business Unit
Newark & Sherwood District Council
Kelham Hall
Newark
Nottinghamshire
NG23 5QX

CONTENTS

	Section	Page
	Document passport	
	Contents	
1	Introduction	1
	Statement of Community Involvement	1
	The role of Nottinghamshire County Council	2
	The Community Infrastructure Levy	2
	Neighbourhood planning	3
	Planning Aid	3
	SCI monitoring	4
2	Planning policy documents	5
	Principles	5
	Developing planning policy	6
	Plan review	6
	Sustainability Appraisal Integrated Impact Assessment	6
	Habitats Regulations Assessment	7
	Equalities Impact Assessment	7
	LDF Consultation	8
	Local Plan Production	8
	SPD Production	10
	Consultation groups	11
	Consultation methods	12
	How to comment and make representations on policy documents	13
	How comments received about policy documents are used	13
	The Duty to Co-operate	13
3	Planning applications	15
	Principles	15
	Pre-application advice	15
	Pre-application consultation with local communities	16
	Consultation on planning applications	18
	Viewing planning applications	21
	Commenting on planning applications	21
	Material considerations	22
	Publication of comments on planning applications	22
	Decisions on planning applications: Planning Officers	23
	Decisions on planning applications: Planning Committee	23
	Planning appeals	23
	Complaints	24
	Appendix 1 Glossary	26
	Appendix 2 How to comment on planning applications	32
	Appendix 3 Example site notice	36
	Appendix 4 Consultation bodies	38

PART 1

1.0 Introduction

Statement of Community Involvement

1.1 This Statement of Community Involvement (SCI) explains how Newark and Sherwood District Council helps individuals, groups and communities with an interest in the District to participate in the planning system. This document is a revision of the existing Newark & Sherwood Statement of Community Involvement which was adopted in March ~~2015~~ 2006. ~~There have been significant changes to the planning system since then, so it is necessary to update the SCI to respond to the requirements of new legislation and regulations.~~

~~1.2 At a national level, major changes to planning policy since 2006 include the introduction of the National Planning Policy Framework (NPPF) and Planning Practice Guidance, and the enactment of the Localism Act 2011 (see web links below). The NPPF sets out that the District Council as Local Planning Authority (LPA) should seek early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses (Paragraph 155).~~

~~[National Planning Policy Framework \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)~~

~~<http://planningguidance.planningportal.gov.uk/>~~

~~<http://www.legislation.gov.uk/ukpga/2011/20/contents>~~

1.2 The policies that manage development in the District have ~~also~~ changed since the production of the ~~original~~ ~~2015~~ SCI. The District Council has adopted the Amended Core Strategy Development Plan Document (DPD) ~~and the Allocations & Development Management DPD~~, which updated ~~replaced~~ the policies of the Core Strategy adopted in 2011. ~~Newark & Sherwood Local Plan (1999)~~. The Allocations & Development Management DPD is currently under review and will hopefully be replaced by the end of 2024. These ~~new~~ documents form part of the Newark & Sherwood Local Development Framework (LDF) (see web link below) which alongside the SCI includes the following additional documents:

- Supplementary Planning Documents (SPDs) which provide detail on the interpretation and implementation of policies;
- The Policies Map, which shows the geographical scope of policies;
- The Annual Monitoring Report (AMR) which records progress in implementing the LDF; and
- The Local Development Scheme (LDS) which is the timetable for LDF document production.

1.3 This document sets out the District Council's approach to public consultation in two areas of planning:

- Planning policy documents: how the public and interested groups are involved in the preparation and review of planning policy documents is described in Part 2.
- Planning applications: how people are consulted about planning applications that the District Council is responsible for determining is explained in Part 3.

1.4 Although every effort has been made to present this document in the clearest possible language, the use of certain specialist words and phrases, and sets of initials, cannot be avoided. A glossary is provided in Appendix 1, and the reader is encouraged to refer to this when unfamiliar language is encountered, or to see precisely how words are used in the context of this document. In January 2015, the Government published a plain English guide to the planning system which may also be useful to those unfamiliar with the specialist language associated with planning (see web link below).

<https://www.gov.uk/government/publications/plain-english-guide-to-the-planning-system>

The role of Nottinghamshire County Council

1.5 Some aspects of the planning system within the District are the responsibility of Nottinghamshire County Council. The County Council deals with policies and applications concerning minerals and waste, as well as applications for their own developments including schools, libraries and roads. The District Council, and relevant Town and Parish Councils, will be consulted on these types of policies and applications. Further information on the County Council's planning role can be found on their website (see web link below).

<http://www.nottinghamshire.gov.uk/thecouncil/democracy/planning/>

The Community Infrastructure Levy

1.6 The Community Infrastructure Levy (CIL) is a charge that the District Council introduced on 1st December 2011 [and updated in 2018](#). CIL charges apply only to certain types of development and are based on its size, type and location. The money raised goes to pay for new infrastructure to support growth. To make sure that the views of communities within the District were taken into account when deciding which infrastructure projects would be paid for, consultation on the Preliminary Draft Charging Schedule [for CIL was undertaken](#). ~~for CIL took place between 8th November 2010 and 20th December 2010.~~ More detailed information about CIL is available on the Council's website (see web link

below). Whilst the detailed regulations around CIL differ from those that apply to planning applications and the production of planning policy documents, the District Council will use the SCI as a guide for conducting consultation on any future changes to the CIL charging schedule.

<http://www.newark-sherwooddc.gov.uk/cil/>

Neighbourhood planning

- 1.7 The Localism Act 2011 introduced new powers for local communities to have greater influence over the way their area is developed by participating in neighbourhood planning. Town and Parish Councils or 'neighbourhood forums' can set general planning policies for their area by producing neighbourhood development plans, or permit particular kinds of development by introducing neighbourhood development orders. Neighbourhood forums are community groups designated by the LPA that work on neighbourhood planning in areas without parishes.
- 1.8 Neighbourhood plans must comply with national policy and guidance and be in general conformity with local policy, and be compatible with ~~EU obligations~~ [habitat regulations](#) and human rights requirements. It is important to note that neighbourhood plans cannot influence planning decisions already taken, and cannot prevent development from happening. Neighbourhood development plans or orders do not take effect unless there is majority support in an area-wide referendum. The District Council supports neighbourhood planning by:
 - Publishing neighbourhood forum ~~and neighbourhood area~~ applications for consultation ([and Neighbourhood Area Application which are not related solely to one Parish](#));
 - Publishing draft neighbourhood plans for consultation;
 - Arranging for referendums and appointing independent examiners; and
 - Making (adopting) plans that achieve majority support at a referendum and publishing them on the Council's website.
- 1.9 While the District Council is not responsible for the production of neighbourhood plans, it will provide advice and assistance. The Town or Parish Council, or neighbourhood forum, representing an area should engage with and consult the wider community as much as possible at all stages of the process of creating a neighbourhood plan and this SCI should be used by them to help plan such consultation. More detailed information about neighbourhood planning can be found on the Government's Planning Portal website (see web link below).

[Introduction - Neighbourhood planning - Planning Portal](#)

Planning Aid

- 1.10 People who need advice or assistance to participate in the planning system beyond that which can be provided by the District Council may wish consider contacting Planning Aid (see web link below). This organisation provides free and independent professional planning advice to community groups and individuals who cannot afford to pay professional fees. There is a ~~web based resource called Planning Aid Direct and an~~ [online Advice Service](#), ~~which operates between 9.30 a.m. and 4.30 p.m. Monday to Friday, and~~ that can be contacted via the website [RTPI | Online advice service](#) ~~on 0330 1239244 or by~~ email at advice@planningaid.rtpi.org.uk. In some circumstances further support may be available to people on low incomes, and to groups or individuals who have traditionally not been involved in the planning system.

[RTPI | Planning Advice](#)

SCI monitoring

- 1.11 To ensure that the Statement of Community Involvement is meeting the needs of those with an interest in the District and promoting positive public involvement in planning applications, it will be kept under review as part of the Annual Monitoring Report, and will be updated as required.

PART 2

2.0 Planning policy documents

Principles

- 2.1 As the LPA, Newark & Sherwood District Council will abide by the principles set out below when consulting on planning policy documents:

Principles of consultation on planning policy documents:

- 1. The LPA will involve the public and consultees at the earliest opportunity when producing planning policy documents, and throughout the process.**
- 2. Consultation will be transparent, open and accessible to all communities. The LPA will enable all people to engage with the planning system.**
- 3. The consultation process will allow local communities and consultees to see how ideas have developed at various stages, and will include effective feedback.**
- 4. Where possible, consultation will be carried out together with other community engagement initiatives.**

- 2.2 The Local Development Framework (LDF) currently comprises DPDs and SPDs, and contains the policies and allocations that will shape the way that the District develops. The documents that make up the LDF are supported by a range of research, reports and other material that contribute to, explain and justify their preparation. These supporting documents are made publicly available alongside policy documents to support consultation on the District Council's website (see web link below). The regulations which guide the production of planning policy documents have changed and now DPDs are referred to as Local Plans. The rest of this section refers to Local Plans in accordance with this new approach.

[Local development framework | Newark & Sherwood District Council \(newark-sherwooddc.gov.uk\)](http://newark-sherwooddc.gov.uk)

Developing planning policy

- 2.3 Planning is a democratic process and decisions are ultimately the responsibility of elected Councillors. At Newark & Sherwood District Council the group of Councillors responsible for the development of planning policy and guidance are called the ~~Economic Development Committee~~ Cabinet. Each Councillor is responsible for different Council services and is called a Portfolio Holder, this includes the Portfolio Holder for Sustainable Economic Development who is responsible for Planning Policy. ~~This Committee~~ It has the power to adopt SPDs and guidance notes, although Local Plans must be adopted by Full Council. Detailed scrutiny of the development of planning policy is carried out by the Planning Policy Board ~~LDF Task Group~~, which is made up of the Portfolio Holder for Sustainable Economic Development ~~Leader of the Council~~ and members who sit on ~~a range of Committees including Policy & Finance, Homes & Communities, Economic Development and Planning~~ Committee and Policy & Performance Improvement Committee.

Plan Review

- 2.4 In order to ensure that the Local Plan remains robust and up-to-date, it will be subject to regular review. The current review process is just in its final stages and is scheduled to end in 2024 ~~elements of it will be reviewed in 2015 / 2016~~. This ~~will~~ has included updating the evidence base for the Plan, reviewing development targets housing and retail need and assessing the delivery of housing and employment sites. Consultation with communities within the District ~~will be~~ was central to this process.
- ~~2.5 The first stage will be a scoping exercise to determine how extensive the updating or replacement of elements of the Plan will need to be. Then, a series of topic papers will be prepared that set out potential future approaches. The Council will engage with the public in a consultation on these, in order to gain an understanding of stakeholders' views on the Plan Review. This will lead to the production of a Plan Review Preferred Approach Document, which will also be consulted upon. Having taken account of consultation responses, the Council will publish a Draft Plan which will again be consulted upon. This Plan, alongside any suggested modifications, will then be subject to public examination.~~

~~Sustainability Appraisal~~ Integrated Impact Assessment

- 2.5 The District Council seeks to ensure that the wider impacts of the Local Plan are considered as part of the process. These are documented in an Integrated Impact Assessment (IIA) which considers the social, economic, environmental, health and equalities impacts of the plan. These integrate three separate appraisals in one place:
- **Sustainability Appraisal** - The delivery of sustainable development is central to the LDF. An important part of the process of preparing a Local Plan is the

Sustainability Appraisal (SA), which in this District is usually produced along with a Strategic Environmental Assessment (SEA) as a single process document. ~~This document~~ It assesses the social, environmental and economic impact of the Local Plan's policies. A SA is carried out throughout the preparation of a Local Plan and there will be opportunities for consultation at each stage that the Local Plan is consulted upon. There is usually no need to subject SPDs to a SA because the policies that they are based on have already been assessed. Occasionally, however, an SPD may be considered likely to give rise to significant effects which have not been assessed in a higher-level planning document, and in these circumstances an SA will be required.

- **Health Impact Assessment** is a tool to assess the impact of the plan on health and is a voluntary assessment recommended by public health and planning professionals.
- **Equalities Impact Assessment** - The purpose of an Equalities Impact Assessment (EqIA) is to ensure that planning policies do not discriminate and that, where possible, they promote equalities. All policy documents will be subject to an EqIA initial screening stage to determine whether they would result in significant equalities issues which would require a full EqIA. If the initial screening stage highlights anything that may have a negative impact on any of the identified equalities groups, a full EqIA will be carried out. In this District, a full EqIA will assess the impact of policies on equalities groups relating to gender, race, disability, pregnancy and maternity, age, faith, social inequality and sexual orientation. The results of this full EqIA will highlight changes that can be made to the policies to mitigate any negative impacts on the equalities groups. To ensure that no possible equalities implications are missed, the EqIA is consulted on alongside the document that it relates to.

Habitats Regulations Assessment

- 2.6 A Habitats Regulations Assessment (HRA) is required when a Plan could impact upon the integrity of a site or sites of international nature conservation importance in Europe. This District contains one of these sites – the Birklands and Bilhaugh Special Area of Conservation (SAC), and therefore an HRA may be necessary when producing a Local Plan (but not normally a SPD). HRAs are consulted on alongside the Local Plans that they relate to.

Equalities Impact Assessment

- ~~2.8 The purpose of an Equalities Impact Assessment (EqIA) is to ensure that planning policies do not discriminate and that, where possible, they promote equalities. All policy documents will be subject to an EqIA initial screening stage to determine whether they would result in significant equalities issues which would require a full EqIA. If the initial screening stage highlights anything that may have a negative impact on any of the~~

~~identified equalities groups, a full EqIA will be carried out. In this District, a full EqIA will assess the impact of policies on equalities groups relating to gender, race, disability, pregnancy and maternity, age, faith, social inequality and sexual orientation. The results of this full EqIA will highlight changes that can be made to the policies to mitigate any negative impacts on the equalities groups. To ensure that no possible equalities implications are missed, the EqIA is consulted on alongside the document that it relates to.~~

LDF Consultation

2.7 There is consultation throughout the process of producing Local Plans and SPDs. The Town and Country Planning (Local Planning) (England) Regulations 2012) set the minimum requirements for consultation, which the District Council meets or exceeds. The stages at which the public are involved in the production of Local Plans and SPDs are set out below:

Local Plan Production

Production	Consultation/Examination
<p>Evidence gathering</p> <p>To begin with, the District Council will collect information on a range of social, economic and environmental matters relevant to the Local Plan. Certain stakeholders with specialist knowledge will be consulted on their areas of expertise; other evidence gathering seeks to assess conditions for all the communities in the District. The Council will consult with neighbouring authorities and other bodies as required by the Duty to Co-operate (see paragraph 2.12).</p>	
<p>Produce Issues and Options Paper(s)</p> <p>The findings of the previous stage of production are used to identify the main issues that need to be addressed by the Local Plan, and the options that are available.</p>	
	<p>Consult on Issues and Options Paper(s)</p> <p>In line with Regulation 18, the Council will publicise what the Local Plan is about and seek representations. As well as the specific consultation bodies that the Council is required to consult at this stage, views will also be sought from general</p>

	consultation bodies, people who have previously expressed an interest in the LDF, and all the District's communities. People will be invited to submit representations, and views expressed at meetings and exhibitions will be noted.
	Consider responses to the Consultation on the Issues and Options Paper(s) The representations received and the views expressed during the Consultation on the Issues and Options Paper will be considered. These representations, the District Council's responses, and any changes made will be set out in a Consultation Responses Document.
Produce Preferred Approach Report In the light of the responses to the Consultation, a Preferred Approach Report will be produced.	
	Consult on Preferred Approach Report The Preferred Options Report Consultation is an important opportunity for the Council to take account of the views of local communities. Great care is therefore taken to ensure that appropriate consultation and participation methods are employed.
Produce Publication Local Plan The publication stage of a Local Plan is different from the previous stages in that it represents the version of the document that the Council wishes to submit to the Secretary of State.	
	Publication stage representation period The Council will publicise the publication stage of the Local Plan and seek representations on it in accordance with regulations 19, 20 and 35. The Council will seek representations on the soundness of the Publication Local Plan. Following the close of the representation period, meetings of Economic Development Committee and Full Council consider the submission of the Local Plan.
Produce Submission Local Plan In conformity with regulation 22, the Council will produce a Submission Local	

<p>Plan and send this along with supporting documents to the Secretary of State to be examined. Specific and general consultees and anyone else who has expressed an interest will be informed that the documents have been submitted and that copies are available for inspection at the Council's offices and libraries throughout the District.</p>	
	<p>Independent examination An Inspector appointed by the Government will consider representations submitted and carry out an independent examination of the soundness of the plan, as set out in regulations 23 and 24. People who made representations on the plan may be allowed to appear in front of the Inspector in person so that their views can be discussed. These are called Hearing sessions. If during the process of examination it is identified that changes are required to make the plan sound then consultation on these will be undertaken. This is normally after the hearing sessions have occurred so the Inspector can consider what those who have made representations think of these proposed changes before writing their report. This consultation will follow the approach set out in regulations 19, 20 and 35.</p>
<p>Publication of the Inspector's report and adoption Following the examination, the Inspector will write a report and indicate any changes that are required. The Inspector's report will be published online and Full Council will consider its findings and any required changes. If Full Council is happy with these it will adopt the Plan including the changes in line with regulation 26.</p>	

SPD Production*

Production	Consultation
Evidence gathering The first stage is collecting information on social, economic and environmental matters relevant to the SPD.	
Produce Draft SPD A draft version of the SPD is produced, based on the evidence collected at the first stage.	
	Consult on Draft SPD The draft SPD is put out to consultation. As required by regulations 12 and 13, views will be sought from the general public, representatives of communities within the District and bodies with responsibility for or specialist knowledge of topics relevant to the SPD.
	Consider responses to Draft SPD The SPD will be amended in the light of representations received. These representations, the District Council's responses, and any changes made will be set out in a Consultation Responses Document, as required by regulations 12 and 13.
Produce finalised SPD The final version of the SPD will be produced.	
Adopt SPD The SPD will be adopted in line with regulation 14.	

*The production stages set out in this table also apply to updating the SCI.

Consultation groups

2.8 There are seven main groups that the District Council seeks representations from during consultations:

- The general public;
- Hard to reach groups;
- Local voluntary groups / interest groups;
- Town Councils, Parish Councils and Parish Meetings;
- Businesses;
- Statutory bodies; and

- Developers.

For more detailed information about organisations that the Council consults about policy documents, please see Appendix 4.

2.9 Hard to reach groups are those sections of the community whose opinions can be difficult to obtain because they have less day to day contact with the planning system than other groups of consultees. In Newark & Sherwood District, these are:

- Young people;
- Older adults;
- Ethnic minorities, including gypsies and travellers;
- People with disabilities; and
- Homeless people.

The District Council will work together with organisations representing hard to reach groups to ensure that the most appropriate consultation methods are used to seek their opinions, and that the views of people within these groups are properly taken account of. The Council will also draw upon the expertise of these representative groups by inviting them to comment on policy documents.

Consultation methods

2.10 Although there are differences in the ways that Local Plans and SPDs are produced and adopted, the methods used to consult on them are the same. The consultation period will be for a minimum of six weeks. As part of each consultation, the methods being used and the groups being contacted will be set out along with other information such as the closing date and details of how people can respond. The District Council will:

- Contact appropriate people and organisations by email or by letter if that is their preference;
- Publicise the consultation via appropriate local media ~~and if possible in the Council's Voice magazine;~~
- Announce the consultation on social media;
- Provide details of the document or documents being consulted on as well as comments forms on the Council's website;
- Place consultation documents on deposit in libraries in areas affected by the subject of the document, at the Council's headquarters and on the Council's website;
- Consider organising exhibitions, briefing sessions, workshops or meetings; and
- Produce and distribute a Consultation Responses Document as soon as possible.

How to comment and make representations on policy documents

- 2.11 The District Council makes it as easy as possible to comment on policy documents. Most people prefer to respond to consultations via the Council's website, with the appropriate web link being given out along with the documents. Comments forms are [available at](#) ~~given out in~~ District libraries, where paper copies of the document being consulted on are made available. The Council also accepts comments via email, post or telephone. Sometimes the Council will hold consultation events and Officers will take note of issues commonly raised by members of the public and address these formally, as well as responding in person.
- 2.12 After the Consultation period has concluded and the Council has taken account of consultees' representations, a Publication Local Plan will be produced. This will be publicised and made available in the same way as consultation documents, and the Council will seek representations on this document for at least six weeks. This is different to the consultation stage because the Council is not seeking views about the subject of the document, but only representations on the soundness of the Local Plan. Representations can be submitted either in writing or electronically.

How comments received about policy documents are used

- 2.13 At the end of the consultation period, Officers will consider all of the representations received , [subject to complying with our Planning privacy notice](#), and make changes to the document if appropriate. All of the comments received will be made public. This means that they will be available for other people to view upon request. A Statement of Consultation will be produced which contains an overview of the consultation activities undertaken, a summary of the responses received and how these have been taken into account when producing the final version of the document. A copy of this Statement will be placed on the Council's website and will be made available to view at libraries throughout the District and at the Council's offices.

The Duty to Co-operate

- 2.14 The Localism Act 2011 introduced the Duty to Co-operate. This requires LPAs to engage with neighbouring authorities and other organisations to work jointly on 'strategic matters' including the preparation of planning documents. The other organisations include the Environment Agency, English Heritage, Natural England, the Civil Aviation Authority and further groups with responsibility for their areas of expertise. Newark & Sherwood District Council complies fully with the Duty to Co-operate.

PART 3

3.0 Planning applications

Principles

- 3.1 As the LPA, Newark & Sherwood District Council will abide by the principles set out below when consulting on planning applications:

Principles of consultation on planning applications:

- 1. The Council welcomes and encourages comments on planning applications from members of all communities in the District.**
- 2. To enable all communities in the District to comment on planning applications, they will be made available to view online.**
- 3. The Council encourages people intending to submit significant applications to first:**
 - engage with the LPA in pre-application discussions; and**
 - consult with communities within the District.**

- 3.2 A guide to how to apply for planning permission is included in this document at Appendix 2.

Pre-application advice

- 3.3 The District Council's role as the LPA is to facilitate sustainable development unless material considerations indicate otherwise. Applicants are strongly encouraged to ~~arrange an appointment for~~ **apply for** pre-application advice before submitting a **planning** significant (i.e. not domestic or small scale) application. Details of this service including the pre-application advice form are available on the Council's website (see web link below).

[Our pre application service | Newark & Sherwood District Council \(newark-sherwooddc.gov.uk\)](http://newark-sherwooddc.gov.uk)

- 3.4 Guidance about domestic applications within Newark & Sherwood can be found in the Council's 'Householder Development SPD' (see web link below).

[Adopted-Householder-Development-SPD.pdf \(newark-sherwooddc.gov.uk\)](http://newark-sherwooddc.gov.uk)

3.5 The pre-application phase of development management can be critically important and should provide the applicant and the Council with the opportunity to gain a clear understanding of the objectives of, and constraints on, development. It also provides an opportunity for wider engagement, where appropriate, with other stakeholders, including the local community, which can deliver better outcomes for all parties. Pre-application advice will help applicants:

- Identify aspects of proposals that may need amending;
- Identify information that it is necessary to include in an application;
- Receive advice on any consultation that should be carried out before an application is submitted;
- Discuss planning policies and how they are applied; and
- Find out whether a proposed development will be liable for the Community Infrastructure Levy (CIL) (see paragraph 1.8).

For more detailed guidance about the process of pre-application discussions and what can be expected from them, please see the Government's Planning Practice Guidance on the subject (see web link below).

<http://planningguidance.planningportal.gov.uk/blog/guidance/before-submitting-an-application/>

Pre-application consultation with local communities

3.6 Some applications, particularly for larger scale or controversial developments, have the potential to affect whole communities rather than just residents of neighbouring properties. For some, there is a legal requirement to undertake engagement and consultation with communities and other bodies e.g. Nationally Strategic Infrastructure Projects (NSIPs) which are determined by the Secretary of State (see weblink below). For developments that are not NSIPs but are larger scale or controversial, the Council encourages developers to consult with local communities before submitting an application. Community consultation is compulsory for many ~~wind turbine~~ large-scale renewable and low carbon energy proposals (for further details, see the Government's Planning Practice Guidance via the web link below). The District Council will expect developers of ~~most wind turbines~~ such development proposals to demonstrate that they have consulted with residents of affected parishes and representatives of the Parish Councils or Meetings, and taken account of their views. Large scale ground-mounted solar photovoltaic farms can also be controversial and the Council will expect developers to show evidence of meaningful community consultation. Whether

compulsory or not, well publicised pre-application consultation can facilitate development by identifying community concerns at an early stage and offering local residents an opportunity to engage with the development process.

[National Infrastructure Planning \(planninginspectorate.gov.uk\)](http://planninginspectorate.gov.uk)

[Renewable and low carbon energy - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

The table below sets out the minimum level of consultation required by national policy for various types of major development, as well as the consultation methods that the District Council requests developers to use:

Type of development	Minimum consultation legally required	Consultation requested by the District Council
<p>Wind turbine development involving more than two turbines or where the hub height of any turbine exceeds fifteen metres.</p>	<p>A developer must:</p> <p>Publicise the proposal widely enough that most people living or using premises nearby will be aware of it;</p> <p>Make clear how people can contact them about the proposal and when they need to submit their comments by;</p> <p>If they apply for planning permission, have regard to any responses received when finalising the application; and</p> <p>When submitting their application, explain how the local community has been consulted, what comments have been received, and how account has been taken of those comments.</p>	<p>The Council will expect developers to show that they have consulted with representatives of the Parish Councils or Meetings of all affected parishes, as well as residents.</p> <p>The developer should erect site notices and hold a well-publicised consultation event to allow local residents to view the proposals.</p> <p>Any benefit that the community could expect to gain from the development of a wind energy scheme should be clearly stated as part of the consultation. The Council may request that an applicant consult with the local community even if the application is for a single turbine of less than fifteen metres.</p>
<p>Large scale ground-mounted solar photovoltaic farms.</p>	<p>N/a</p>	<p>The developer should show that they have consulted with</p>

		<p>representatives of the Parish Councils or Meetings of all affected parishes, as well as residents.</p> <p>The Council will expect to see evidence that people were fully informed about the proposal and given adequate time to respond to the consultation. The developer should show how account has been taken of views expressed.</p>
Other major developments (residential development of ten or more houses or with a site area of more than 0.5 hectares; and development with new floorspace of more than 1000 metres or with a site area of more than 1 hectare).	N/a	The Council will expect to see evidence of meaningful community consultation which may include public exhibitions and meetings, surveys of opinion and consultation with key local groups.
Development that may involve the loss of community facilities.	N/a	The Council will expect to see evidence of meaningful community consultation which may include public exhibitions and meetings, surveys of opinion and consultation with key local groups.

[We also hold Development Consultation Forums for large schemes with the aim of improving Councillor and public involvement in the pre-application process, and provide greater understanding of potential large developments within the District. Further information may be found via the above link.](#)

Consultation on planning applications

- 3.7 When the District Council receives a planning application, it is checked to see whether it contains all the information necessary for it to be considered – if so, it is a valid application. For more information about the requirements of the validation process, please see the Council’s website (see web link below). During the process of validation,

a decision is taken as to who should be consulted about a planning application. All properties that share a boundary with the application site are sent a letter informing them that the Council has received the application and has begun the process of determining it. Where the ownership of land or property adjoining an application site is unknown, the Council will put up a site notice to try and ensure that everyone potentially affected by a development is informed. An example site notice can be seen in Appendix 3.

<http://www.newark-sherwooddc.gov.uk/validationchecklists/>

- 3.8 The Council has a wide range of consultees that it may choose to contact about applications. There are some organisations that regulations require the LPA to contact about certain types of application, and these are known as Statutory Consultees. There are other consultees whose opinions are sought because of their specialist expertise or local knowledge. Town Councils, Parish Councils and Parish Meetings are consulted about all applications in their area, along with those in neighbouring areas which might have a significant impact upon them.
- 3.9 With some applications, such as those to develop ~~larger scale wind energy~~ large-scale renewable and low carbon energy projects, the developer will be legally obliged to consult with local communities and demonstrate that they have taken account of consultation responses. Community consultation can help make proposals more acceptable, and it can sometimes be advisable even when it is not obligatory. Following the initial period of consultation, it may be that further additional consultation on changes submitted by an applicant is considered necessary, prior to any decision being made.
- 3.10 The Council is legally obliged to publicise all valid applications that it receives, and will decide which methods to use and who to contact depending on the type of application. Communities within the District will be made aware of and consulted on applications and development proposals in different ways. Larger developments will be advertised in local newspapers. It may be appropriate for a developer to hold community meetings, workshops or other events. The minimum requirements for publicity that Council must carry out, depending on the type of application, are set out in the table below (an X indicates that this measure is required):

Type of development	Site notice	Site notice or neighbour notification letter	Newspaper advertisement	Website
Applications for major development		X	X	X

Applications for developments likely to have a significant effect on the environment which are accompanied by an environmental statement	X		X	X
Applications which do not accord with the development plan in force in the area	X		X	X
Applications which would affect a right of way (as defined in Part 3 of the Wildlife and Countryside Act 1981)	X		X	X
Applications for planning permission not covered in the entries above e.g. non-major development		X		X
Applications for listed building consent where works to the exterior of the building are proposed	X		X	X
Applications to vary or discharge conditions attached to a listed building consent or conservation area consent, or involving exterior works to a listed building.	X		X	X

3.11 To ensure that communities in the District have the opportunity to engage with the planning system, the District Council frequently does more than is required by the regulations to publicise and invite comment on planning applications. With major applications, the Council will often erect site notices and also send letters to residents of properties adjoining the proposed development. For proposed developments affecting a Conservation Area or its setting, the Council will usually display a site notice and publish an advertisement in local newspapers, and for all developments a site notice will be displayed if neighbours cannot be contacted.

3.12 The District Council is not the authority responsible for determining all the planning applications in the District. Nationally significant infrastructure projects are the

responsibility of national government. The County Council deals with applications for minerals and waste, as well as its own development such as schools, libraries and roads. While the District Council will often be asked to comment on national or County developments, it is not responsible for consulting communities about them.

Viewing planning applications

- 3.13 The Council's website allows anyone who wants to search and view detailed information about valid applications submitted within the District (see web link below). It is possible to see weekly or monthly application lists, to search using a map, to search by address or reference number or to look at particular types of application. Documents associated with an application will be displayed when they are available. People who register are able to track the progress of applications. Planning applications can also be viewed at the Council's offices, at District libraries using the free internet facilities, or sometimes through the clerks of relevant Parish and Town Councils.

[Simple Search \(newark-sherwooddc.gov.uk\)](http://newark-sherwooddc.gov.uk)

Commenting on planning applications

- 3.14 Anyone can comment on a planning application, whether or not they live in the District or have received a letter about it. Comments ~~should~~ **must** be made in writing, ~~either by letter or email~~ **preferably** via the Council's planning application website **or by email or letter** within 21 days (**plus any UK bank holidays**) of the date of the notification letter, site notice or press advertisement (see web link below). After this time comments can still be submitted if the outcome of the application has not yet been decided, but the Council can make its decision at any time after the 21 day notification period has expired. Anyone wishing to comment after the notification period has elapsed is strongly advised to check the Council's website to see if the application has been decided.

[Simple Search \(newark-sherwooddc.gov.uk\)](http://newark-sherwooddc.gov.uk)

- 3.15 Most people who comment on applications do so online, because this is an immediate and simple way to make their views known. Although not everyone has a device that gives them access to the internet, computers are available to book for free in all District libraries. All these computers have screen magnification software to aid those with visual impairment, and adaptive hardware is also available. For more information about using computers in libraries including how to book them, please see Nottinghamshire County Council's website (see web link below).

[Computers in Libraries | Inspire - Culture, Learning, Libraries \(inspireculture.org.uk\)](http://inspireculture.org.uk)

Material considerations

3.16 Only certain matters, known as ‘material considerations’, can be taken into account by Council Officers and the Planning Committee when assessing a planning application.

Material considerations include, but are not limited to:

- The suitability of the land for the proposed use;
- The effect on the character of the area;
- Loss of privacy;
- Loss of light;
- The proposed design, appearance and layout;
- Environmental constraints including flood risk and water management;
- Issues surrounding access, parking and road safety; and
- The effect on trees and landscape.

3.17 Issues which are not material considerations and therefore cannot be taken into account when determining a planning application include:

- Issues relating to the loss of a private view;
- The effect on property values;
- Disputes regarding boundaries, private rights of way and land ownership;
- The character of the applicant or their agent;
- Whether a lot of other people have objected;
- Whether the work was started without planning permission; and
- Matters covered by other legislation such as building regulations.

Publication of comments on planning applications

3.18 ~~Comments made by members of the general public are available to view on request. Personal information such as telephone numbers, email addresses and signatures will not be displayed. Anyone providing information about a third party should ensure that they have permission to do this. All other comments received about planning applications are made available for the public to view on the Council’s website and at the Council’s headquarters, subject to complying with our Planning privacy notice. Personal information such as telephone numbers, email addresses and signatures will not be displayed. If there is an appeal against a decision, the Planning Inspector will ~~look at~~ be provided with all of the comments that were received and accepted about the application.~~

Decisions on planning applications: Planning Officers

- 3.19 Usually, an application will be decided by Planning Officers under delegated powers arrangements, once the consultation period has concluded. In these circumstances, a case planning officer will prepare a report for an Authorised Officer who will either approve or refuse the application, and impose any conditions thought appropriate. All comments submitted about the application that concern material considerations will be taken into account. The decision notice will then be sent to the applicant, or their agent, and published on the Council's website (see web link below).

[Simple Search \(newark-sherwooddc.gov.uk\)](http://newark-sherwooddc.gov.uk)

Decisions on planning applications: Planning Committee

- 3.20 Sometimes, an application will be decided by a group of Councillors called Planning Committee. Any application can be dealt with by Planning Committee, but they often determine larger scale or more controversial applications, ~~or look at cases where the recommendation of a Planning Officer is contrary to the response received from a consultee.~~ For each application that goes to Planning Committee, Officers will prepare a report that includes details of all comments received. The agenda, minutes from previous meetings and reports for each meeting of Planning Committee are matters of public record and are available to view on the Council's website (see web link below).

[Browse meetings - Planning Committee - Newark and Sherwood District Council \(newark-sherwooddc.gov.uk\)](http://newark-sherwooddc.gov.uk)

- 3.21 ~~The public are~~ **Anyone is** entitled to attend Planning Committee. **Public speaking is also permitted. The Council's Protocol for Planning Committee details the full process which includes who is able to speak, for how long and how to register. This might include members of the public,** Ward Councillors (that is, District Councillors whose ward includes the location of the application site) or representatives from their Parish or Town Councils or Parish Meetings **or statutory consultees** ~~are able to speak to set out the considered view of the local community. Members of the public can contact them to make their views known.~~ **Further information may be found via the weblinks below.**

[Attach link to Protocol](#)

[Attach link to any other relevant page](#)

- 3.22 ~~Neither applicants (those who submit applications) nor objectors (those who object to a scheme) are able to speak at the meeting. This is because the details of the application~~

~~and comments received (including objections) have already been set out in the report that the Councillors consider. The Council believes that this enables the maximum amount of information to be given to the decision maker, rather than relying on the eloquence of either an applicant or objector to state their case. applicants (those who submit applications) nor objectors (those who have objected to a scheme) are able to speak at the meeting.~~

Planning appeals

3.22 People who have submitted an application have the right to appeal to the planning inspectorate if:

- The application has been refused;
- A decision about the application has not been reached within the statutory period (which is usually either eight or thirteen weeks from the date that the application was registered); or
- Approval has been granted, but there are conditions applied that the applicant disagrees with.

For more information, please see the Planning Portal website (web link below).

<http://www.planningportal.gov.uk/planning/appeals/appeals>

3.23 Most appeals are decided by an Inspector appointed by the Secretary of State, although occasionally some, usually the largest or most controversial cases, will be decided by the Secretary of State themselves. Appeals are usually dealt with by the submission and exchange of written representations by the Appellant and the LPA. People who have commented earlier on applications which have gone to appeal will be contacted and invited to make further comments with the exception of Fast Track appeals, and if there is a Hearing, they will be invited to appear at that.

Complaints

3.25 The District Council takes all complaints seriously and they are dealt with under the 'customer comments procedure'. Complaints about planning matters, or anything else, will be dealt with in accordance with the Council's Customer Complaints and Feedback Policy.

- ~~Passed to the Chief Executive;~~
- ~~Acknowledged within three working days of receipt; and~~
- ~~Responded to by the relevant manager within ten working days from the acknowledgement.~~

Further information and online comments forms can be found on the Council's website (see web link below).

[Customer feedback | Newark & Sherwood District Council \(newark-sherwooddc.gov.uk\)](https://www.newark-sherwooddc.gov.uk/customer-feedback)

- 3.26 If a complaint about planning concerns a procedural matter and the complainant feels that the Council has not responded satisfactorily, they can go to the Local Government [and Social Care](#) Ombudsman. The Ombudsman may also look at complaints where the Council's response is considered inadequate. For more information, please see the Local Government [and Social Care](#) Ombudsman's website (web link below).

[Complaints about how your planning application is dealt with - Local Government and Social Care Ombudsman](#)

Appendix 1 - Glossary

Allocations & Development Management DPD	A Newark & Sherwood District planning policy document that forms part of the Local Plan and LDF and was adopted on 16 th July 2013. This document sets out allocations of land for new housing, employment and other development in the District's main settlements. It also contains development management policies that are used in the consideration of planning applications.
Annual Monitoring Report	A report that monitors the effectiveness of the policies within the Local Development Framework, and progress towards the delivery of its objectives. It also sets out details of the amount of residential, employment and other development within the District.
Community (or Public) engagement	This is defined by the Royal Town Planning Institute as 'actions and processes taken or undertaken to establish effective relationships with individuals or groups so that more specific interactions can then take place'. (Compare with Community (or Public) involvement).
Community Infrastructure Levy (CIL)	CIL is a levy that the Council charges on new developments in the District. The money can be used to fund a wide range of infrastructure that is needed as a result of development. This includes new or safer road schemes, flood defences, schools, hospitals and other health and social care facilities, park improvements, green spaces and leisure centres.
Community (or Public) involvement	This is defined by the Royal Town Planning Institute as 'effective interactions between planners, decision-makers, individual and representative stakeholders to identify issues and exchange views on a continuous basis'. (Compare with Community (or Public) engagement).
Community right to build orders	Under neighbourhood planning legislation, a Community Right to Build Order can be used to grant planning permission for development schemes (see 'Neighbourhood planning').
Consultation	The dynamic process of dialogue between individuals or groups, based upon a genuine exchange of views, and normally with the objective of influencing decisions, policies or programmes of action.
Amended Core Strategy DPD	A Newark & Sherwood District planning policy document that forms part of the Local Plan and LDF and was adopted on 29th <u>7th</u> March 2019 <u>2011</u> . This document sets out the spatial policy framework for delivering the development and change needed to realise the District Council's vision for the District up to 2033 <u>2026</u> .
Councillors	In Newark & Sherwood District, there are 46 <u>39</u> Councillors who run the Council, who may also be referred

	<p>to as Elected Members. The District is divided into areas known as wards, and the people in each ward elect a Councillor to represent them for four years.</p> <p>Councillors are responsible for making decisions on behalf of the local community about local services and budgets, including the level of the council tax.</p>
Delegated powers	These are powers which allow an Officer to determine certain planning and related applications without reference to Planning Committee, under the Scheme of Delegation operated by the Council.
Development Plan	Applications for Planning Permission are considered in line with contents of this document. See DPD and Local Plan below.
Development Plan Document (DPD) now referred to as a Local Plan (see below)	A document setting out the plan for the development of the local area, drawn up by the District Council in consultation with the community and subject to independent examination. Both the Allocations & Development Management DPD and the <u>Amended</u> Core Strategy DPD are examples.
District Council	A local government body with responsibility for running some of the area's services. Newark & Sherwood District Council is a non-metropolitan district council and is responsible for processing most planning applications and setting local planning policy, as well as refuse collection, recycling, street cleaning, environmental health and other services.
Duty to Co-operate	A legal duty on Local Planning Authorities such as the District Council, as well as English County Councils and certain other public bodies to work together. They should engage constructively, actively and on an ongoing basis on strategic and cross boundary issues when preparing plans.
Elected Members	See 'Councillors'.
<u>Integrated Impact Assessment (IIA)</u>	<u>The Integrated Impact Assessment (IIA) fulfils the statutory requirements to carry out a Sustainability Appraisal (SA) and a Strategic Environmental Assessment (SEA) as well as an Equalities Impact Assessment (EqIA). While there is no statutory obligation to undertake a Health Impact Assessment (HIA), this is a recognised process for considering the health impacts of plans and is widely seen as best practice. The IIA therefore also incorporates a HIA. See 'SA', 'SEA' below.</u>
Local Development Framework (LDF)	This is a set of documents that contain the policies that will shape how the District develops. These documents are the <u>Amended</u> Core Strategy DPD, the Allocations & Development Management DPD, the Policies Map, the

	Annual Monitoring Report (AMR), the Local Development Scheme (LDS), the Statement of Community Involvement, (SCI) and a number of Supplementary Planning Documents (SPDs).
Local Development Scheme (LDS)	The Local Development Scheme (LDS) sets out the timetable for the production and review of Newark & Sherwood's Development Plan.
Local Plan	In this District, this phrase refers to the Amended Core Strategy DPD and the Allocations & Development Management DPD. Taken together, these documents form the development plan for the future development of the District. Along with Supplementary Planning Documents (SPDs) and other documents, the Local Plan makes up the Local Development Framework.
Local Planning Authority (LPA)	A public authority with responsibility for carrying out certain planning functions for a particular area. The District Council is the Local Planning Authority (LPA) for Newark & Sherwood, and is an example of a non-metropolitan district council. Other types of LPAs in England include London borough councils, metropolitan borough councils and unitary authority councils.
Localism Act 2011	The Localism Act 2011 was intended to give more power to councils and to local communities. The Duty to Co-operate, the Community Infrastructure Levy and new rights to create Neighbourhood Plans were all introduced by this Act.
Material considerations	Matters that should be considered when reaching a decision about a planning application or appeal.
National Planning Policy Framework (NPPF)	This document sets out the Government's planning policies for England and how these are expected to be applied. The NPPF is a material consideration in the preparation of planning documents and when considering planning applications.
Neighbourhood development order	Under neighbourhood planning legislation, a means of granting permission for a particular kind of development within a specified area. This can be the whole neighbourhood or just a part of it.
Neighbourhood Forum	Neighbourhood forums are community groups that are designated to take forward neighbourhood planning in areas without parishes. It is the role of the local planning authority to agree who should be the neighbourhood forum for the neighbourhood area.
Neighbourhood planning	Neighbourhood planning was introduced through the Localism Act 2011 and the legislation has been in effect since April 2012. It allows communities (represented by a Neighbourhood Forum or Parish Council) to influence development in their area. This could be through a

	Neighbourhood Plan, Neighbourhood Development Orders or Community Right to Build Orders. It is necessary to gain a more than 50% 'yes' vote in a public referendum to bring these plans and orders into force.
Neighbourhood plan (or neighbourhood development plan)	<p>A plan prepared by a Parish Council or Neighbourhood Forum for a particular area. It may set out planning policies, describe aims for an area or allocate sites for a particular kind of development.</p> <p>A neighbourhood plan may focus on a single topic or address a wide range of issues. Any policies must conform with wider local and national policies. The plan cannot affect planning decisions that have already been taken, and it cannot be used to prevent development. Neighbourhood plans will be subject to an independent examination and must gain a more than 50% 'yes' vote in a public referendum to come into force.</p>
Parish Council	A parish council is an elected body that represents a civil parish, and is the first tier of local government. Smaller parishes, typically those with fewer than 200 electors, have parish meetings instead. Some parishes may share councils with neighbouring parishes. Newark & Sherwood District has 54 Parish Councils, including 3 Town Councils, and 22 Parish Meetings.
Parish Meeting	See 'Parish Council'.
Participation	The extent and nature of activities undertaken by those who take part in public or community involvement.
Planning Committee	<p>A formal meeting of councillors who make decisions on certain planning applications, often large scale or controversial proposals. Other planning applications are determined by Officers under a scheme of delegation.</p> <p>Planning committee is usually held every four weeks and is open to the public, <u>members of the public can attend and register to speak in accordance with the adopted Protocol for Planning Committee</u>. although only local members and representatives of parish councils can speak, for three minutes each.</p>
Public Engagement	See 'Community (or Public) Engagement'.
Public Involvement	See 'Community (or Public) Involvement'.
Soundness	To be considered sound, a Development Plan Document (DPD) must be justified and effective. This means that it must be founded on robust and credible evidence and be the most appropriate strategy, and also it must be deliverable, flexible and able to be monitored.

Statement of Community Involvement	A document that Local Planning Authorities have to produce that sets out the standards which they uphold in relation to involving local communities in the preparation, amendment and review of planning policy documents and in the determination of planning applications.
Strategic Environmental Assessment (SEA)	<p>An assessment of the environmental impacts of the policies and proposals of the LDF. The European ‘SEA Directive’ (2001/42/EC) requires a formal ‘environmental assessment’ of plans and programmes that set the framework for development in various fields, including planning.</p> <p><u>See also ‘IIA’</u></p>
Supplementary Planning Document (SPD)	A document that provides detailed guidance on the interpretation and implementation of adopted policies, but cannot introduce new policies. SPDs can be material considerations.
Sustainability Appraisal (SA)	<p>An evaluation of the social, economic and environmental implications of strategies, policies and proposals to ensure that they contribute to the achievement of sustainable development objectives. This will be carried out at the same time as the Strategic Environmental Assessment (SEA).</p> <p>All Development Plan Documents (DPDs) must be subject to SA. Supplementary Planning Documents (SPDs) only need to be subject to SA if they are found likely to give rise to significant effects which have not been formally assessed in the context of a higher level planning document (e. g. a DPD). The District Council screens SPDs to see if they require an SA.</p>
Sustainable development	<p>Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs.</p> <p>Paragraph 8 of the NPPF states:</p> <p>Achieving sustainable development means that the planning system has 3 overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):</p> <ul style="list-style-type: none"> • an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right

	<p>time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure</p> <ul style="list-style-type: none"> • a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and • an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
Validation	<p>This is the process of making sure that all the information necessary to reach an informed decision is submitted with a planning application. There are both local and national requirements. Only when an application has been through validation will it begin to be assessed on its merits.</p>

Appendix 2 - How to apply for planning permission

Pre-application advice

Prior to the submission of a planning application (including revisions to refused proposals) pre-application advice can be sought. This has many benefits - the most obvious being the understanding of how development plan policies will be applied to your proposal, the resolving of particular issues before the submission of an application and establishing the likelihood of planning permission being gained.

In the case where a bold and contemporary design is proposed then applicants are particularly recommended to take advantage of this service. For all applications, those Applications that have been submitted in the absence of any pre-application discussions are likely to **might** be refused without further negotiation where significant amendments are required to make the development acceptable. [Details of our service provision will be regularly reviewed, in light of Government Guidance and Regulations, and the latest information provided on the pre-application service page of our website.](#)

Please note that a fee ~~may~~ will be charged for advice. Further detail on how to apply for pre-application advice and any fees involved is available through our website (link below).

[Our pre application service | Newark & Sherwood District Council \(newark-sherwooddc.gov.uk\)](#)

Planning application process

Stage 1 - Submission

Submit a completed application form along with **as a minimum** your ownership certificates, site location plan, site layout plan, detailed drawings and application fee. Dependent on site circumstances there may be further submission requirements. Please refer to the District Council's website for more detail on:

How to apply & application fees:

<http://www.newark-sherwooddc.gov.uk/planning/submittinganapplication/> Submitting an application | Newark & Sherwood District Council (newark-sherwooddc.gov.uk)

Validation Requirements:

<http://www.newark-sherwooddc.gov.uk/validationchecklists/>



Stage 2 - Validation

Upon receipt, the application will be allocated to a Case Officer who will deal with the application and be the main contact point throughout the process. In order to run the application the Officer will check **checked to ensure** that it is valid and that all the information required has been submitted (see validation requirements above).

To help ensure the application process runs smoothly and to avoid unnecessary delays applicants should ensure that all necessary information and the correct fee have been submitted. Should this not be the case then the application will not be valid and further information will be requested from the applicant.



Stage 3 – Publicity & Consultation

Various bodies will be consulted to obtain their expert input on the proposal. This may include the Highway Authority, English Nature, English Heritage **Natural England, Historic England** or the Environment Agency. Adjoining properties will also be notified to let them know that an application has been submitted. Depending on the type and location of development proposed a site notice and/ or notice in the local press may also be used to advertise the application. Usually all parties will be given 21 days to make comments.



Stage 4 – **Allocation & Site Visit**

The application will be allocated to a Case Officer who will deal with the application and be the main contact point throughout the process.—The Case Officer will carry out a site visit to assess the proposal, with this normally being within four weeks of an application being registered. At the site visit the Officer will look at the plans, make notes and take photographs of the site as required.



Stage 5 - Consideration

The application will be assessed by the Case Officer who will take into account national planning policy and all relevant planning policies in the District's development plan, consultation responses, ~~and~~ comments from local residents received at Stage 3 **and any other material considerations**.



Stage 6a – Negotiation

In certain circumstances where the application, as submitted, is not acceptable but could become so through the making of amendments then these may be requested. If the changes necessary are significant then the re-notification of the application may take place with further comments being sought from stakeholders.



Stage 6b – Application Progresses to Determination

Following consideration of the application against relevant planning policy, the taking account of consultation responses / comments and the outcome from any negotiations the Case Officer will make a recommendation over whether the application should be approved or refused.



Stage 7 – Decision

After the Case Officer makes their recommendation, a decision over the application will be made ~~(the target date for the issuing of this decision is 8 weeks after registration~~ within the target date or extended date, as may be agreed). This decision will either be made ~~by an authorised officer~~ Authorised Officer of the District Council under delegated powers or through its referral on to Planning Committee.

The Council's Constitution and Scheme of Delegation sets out under what circumstances and application can be decided through the exercising of delegated powers.

<http://www.newark-sherwooddc.gov.uk/constitution/>

Once a decision has been made, a decision notice will be sent out to the applicant or their agent. Those who have commented on the application will however not be directly informed that the decision has been issued; all decisions will be available to view through the ~~Council's~~ planning Council's website.

<http://www.newark-sherwooddc.gov.uk/planningapplications/>



Stage 8a – Planning Permission Granted

Planning Conditions are applied to almost every grant of planning permission. It is important that applicants read and understand these Conditions as they can limit and control the way in which the permission may be implemented.

Informatives may also be attached to the decision notice to guide the applicant in properly carrying out the development.

[There may also be a s106 Planning Obligation, requiring the developer, Council or other party to undertake certain actions or pay monies as a result of the development. Obligations are available on the District Council's website.](#)

Please refer to the District Council's

Stage 8b – Planning Permission Refused

If the application has been refused then the decision notice will set out the reasons why. Any applicant who has an application refused has a right of appeal to the Secretary of State. Details of how to appeal are set out in the decision notice.

Prior to appealing it is however advised that applicants talk to the District Council as there may be changes which can be made to the proposal to make it acceptable. ~~Applications which are re-submitted can often be exempt from a planning application fee providing they are submitted within 12 months from a date of refusal or having been withdrawn.~~

Extensions and alterations may also require Buildings Regulations approval regardless of whether planning permission is required or not. The District Council's Building Control team offers a full plan checking and site inspection service. Further details can be found through the link below:

[Local Building Control | East Midlands Building Consultancy \(eastmidlandsbc.com\)](http://eastmidlandsbc.com)

Appendix 3 – Example of a site notice

Site Address:	1A Example Street Newark On Trent Nottinghamshire NG23 5QX
Proposal:	Householder application for demolition of existing single storey rear extension and construction of new single storey rear extension
Applicant:	Mrs. A. N. Example
Application Number:	14/99999/FUL
Reason for Site Notice:	Development in a Conservation Area

We have received the above application and would like to know your views.

Application details, including plans and supporting information are available to view on our website at www.newark-sherwooddc.gov.uk/planningapplications, or at your local Town/Parish Council by appointment. You can also track the progress of the application online.

You can submit your comments using the above website, or by e-mail to planning@nsdc.info or in writing to Technical Support (Growth) Business Unit, Newark and Sherwood District Council, Kelham Hall, Newark, Nottinghamshire NG23 5QX by the expiry date shown below. Please ensure you include application number **14/99999/FUL** on your comment.

Expiry date for comments: 7th January 2015

We regret that we are unable to provide detailed responses to your comment, however, a copy of the final decision (including any conditions or reasons for refusal) when this is made, will be available on our website for you to view.

Please be aware that all information you send to us is public information. Your comments will be available for public inspection on both the paper and electronic file held by us. We will not display anything which is personally identifiable including your name, address, telephone number or email address to the public.

If you are providing us with information about someone else, please make sure you have their permission before sending it to us.

Information regarding making comments on an application is available on our website at www.newark-sherwooddc.gov.uk/planning/vieworcommentonaplanningapplication/

In the event of an appeal against a refusal of planning permission, any comments made regarding a 'householder application'* will be sent to the Planning Inspectorate and there will be no further opportunity to comment at appeal stage. Further information can be found on their website at www.planning-inspectorate.gov.uk.

Click online to visit our website for your essential guide to planning and building control in Newark and Sherwood.

We have received the above application and would like to know your views. Application details, including plans and supporting information are available to view on our website at <https://publicaccess.newark->

sherwooddc.gov.uk/onlineapplications/ (or scan the QR code below), or at your local Town/Parish Council by appointment. You can also track the progress of the application online.

We are committed to protecting your personal data and privacy. The personal information you provide will only be used by Newark and Sherwood District Council, the Data Controller, in accordance with UK Data Privacy laws. For further information about how we process your data, please read the Planning Privacy Notice.

It is important you consider the content of your comment as this will be published on our website. Prior to publishing on our website, we will remove the author's telephone numbers, email address and signature but all comments relating to an application together with your name and address will be visible.

You can submit your comments using the above website or in writing to Planning Development Business Unit, Castle House, Great North Road, Newark, NG24 1BY, by the expiry date shown below. Please ensure you include application number 23/1234/FUL on your comment.

Expiry date for comments: 7th April 2024

We regret that we are unable to provide detailed responses to your comment, however, a copy of the final decision (including any conditions or reasons for refusal) when this is made, will be available on our website for you to view.

In the event of an appeal, comments must be provided to the Planning Inspectorate and the appellant. We will only remove the author's telephone numbers, email addresses and signatures. Further information can be found on their website www.gov.uk/government/organisations/planning-inspectorate. Please see our website for further information regarding commenting on a planning application and our privacy notice.

Scan the QR Code below to visit our planning application website and enter the above application number to view further details of this application.

Appendix 4 – Consultation bodies

The District Council is required by regulations (The Town and Country Planning (Local Planning) (England) Regulations 2012) to notify certain organisations that a local plan is being prepared or consulted on. These include any of the specific consultation bodies that the Council considers may have an interest in the subject of the proposed plan, and general consultation bodies or anyone else with an interest in the District that the Council thinks it is appropriate to consult. This will change over time and differ according to the documents being consulted on, so the list here should be taken as indicative rather than exhaustive, and as referring to successor bodies where reorganisations occur. DC stands for District Council and BC for Borough Council.

<p>Specific consultees may include:</p> <p>Neighbouring Local Planning Authorities (Ashfield DC, Mansfield DC, Bassetlaw DC, West Lindsey DC, North Kesteven DC, South Kesteven DC, Melton BC, Rushcliffe BC, and Gedling BC);</p> <p>Active Travel England</p> <p>Nottinghamshire County Council;</p> <p>Leicestershire County Council;</p> <p>Lincolnshire County Council;</p> <p>Central Lincolnshire Joint Planning Units;</p> <p>Nottingham City Council;</p> <p>National Grid;</p> <p>The Coal Authority;</p> <p>The Environment Agency;</p> <p>National Highways Agency;</p> <p>NHS England and local NHS;</p> <p>The Historic Buildings and Monuments Commission for England (Historic England English Heritage);</p> <p>Natural England;</p> <p>Severn Trent Water;</p> <p>Anglian Water;</p> <p>Homes and Communities Agency;</p> <p>Upper Witham Internal Drainage Board;</p> <p>Trent Valley Internal Drainage Board;</p> <p>Telecommunications providers;</p> <p>Network Rail;</p> <p>Ofcom;</p> <p>Nottinghamshire Police; and</p> <p>Town and Parish Councils and Parish Meetings including Newark Town Council, Ollerton and Boughton Town Council and Southwell Town Council.</p>	<p>General consultees may include:</p> <p>Voluntary bodies whose activities benefit any part of the District;</p> <p>Groups representing the interests of different racial, ethnic or national groups in the District, including Gypsies and Travellers;</p> <p>Organisations representing local religious groups;</p> <p>Groups acting for disabled people including local access groups;</p> <p>Bodies representing the interests of local businesspeople;</p> <p>Other groups including local conservation groups, environmental organisations, sports and cultural associations, representatives of older adults and young people; homeless peoples’ groups and housing associations;</p> <p>Developers and landowners;</p> <p>Newark and Sherwood Homes;</p> <p>Nottinghamshire Wildlife Trust;</p> <p>Newark and Sherwood Council for Voluntary Services;</p> <p>Campaign to Protect Rural England;</p> <p>Crown Estates;</p> <p>Defence Estates;</p> <p>Sport England;</p> <p>Forestry Commission;</p> <p>Woodland Trust; and</p> <p>Royal Mail.</p>
--	--



Report to: Cabinet Meeting: 26 March 2024

Portfolio Holder: Councillor Matthew Spoons, Sustainable Economic Development

Director Lead: Matt Lamb, Director - Planning & Growth

Lead Officers: Matthew Norton, Business Manager Planning Policy & Infrastructure, Ext.5852

Report Summary	
Type of Report	Open Report, Key Decision
Report Title	Draft Affordable Housing SPD and Planning Policy Work Programme
Purpose of Report	To set before Cabinet the proposed Work Programme for 2024/2025
Recommendations	That Cabinet agree the new work programme for Planning Policy set out in Section 2 and Appendix B to the report.
Alternative Options Considered	Not applicable
Reason for Recommendations	To agree a Work Programme for Planning Policy for 2024/25

1.0 Background

- 1.1 The current work programme for Planning Policy is set out in the Local Development Scheme (LDS) which was adopted last June. The timetable is attached at **Appendix A**. Clearly the most important element is the Examination of the Amended Allocations & Development Management Development Plan Document (DPD). This is now in the hands of the Planning Inspectorate and currently the Council awaits the Planning Inspectors initial correspondence on the matter. It is not proposed to update the LDS at this time until we have good understanding of the Inspector's timescales for the DPD Examination.
- 1.2 Two Supplementary Planning Documents (SPD), the Affordable Housing SPD and the Developer Contributions & Planning Obligations SPD are programmed for consultation in April and May 2024. Following a review of the Affordable Housing SPD officers have concluded given the changing environment of the delivery of social housing, both in terms of product type and scheme delivery, initial consultation with developers and registered providers needs to take place first. This initial informal consultation will allow a Draft SPD to be drawn up which is based on a more detailed understanding of the concern of the interested sectors.

- 1.3 Issues related to developer contributions have been raised as part of the examination into the DPD. Therefore, officers believe it would be more prudent to understand the outcome of this element of the examination before progressing an update to the SPD.
- 1.4 At its 12 March 2024 meeting, Planning Policy Board discussed the idea of local guidance on solar energy. The Board agreed that a Solar Energy SPD should be prepared to set out national and local policy on solar energy farms.
- 1.5 The previous item that Cabinet considered relates to the Statement of Community Involvement (SCI) assuming that this has been approved this has been included in the proposed timetable.

2.0 Proposal/Details of Options Considered

- 2.1 It is not proposed to update the LDS at this time as set out at 1.1 above because until we have good understanding of the Inspector's timescales for the DPD Examination it would not be possible to do so. The proposals in relation to the SCI and SPDs, whilst in the LDS, are not required to be by regulation. Therefore, we can make changes to these elements of the our work programme without updating the LDS.
- 2.2 Due to the need to ensure that the initial consultation is carried out on the review of the Affordable Housing SPD it is proposed that the formal consultation would be undertaken in June and July with a view to adopt in September. In relation to the Developer Contributions & Planning Obligations SPD it is proposed to carry out consultation in early 2025. These proposals are shown in **Appendix B** of the Report. Also shown on the timetable is the SCI consultation and the two options for the Solar Energy SPD.

3.0 Implications

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

Financial Implications FIN23-24/9038

- 3.1 There are no financial implications arising from this report, the work programme will be paid for from the existing Local Development Framework Budget.

Background Papers and Published Documents

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

None

Appendix A – Current LDS

Year	2023												2024												2025				2026										
Quarter	3 rd			4 th			1 st			2 nd			3 rd			4 th			1 st		2 nd																		
Month	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN			
DPDs																																							
Adopted DPDs – Plan Review – Allocations & Development Management DPD																																							
SPDs																																							
Developer Contributions and Planning Obligations SPD																																							
Affordable Housing SPD																																							
Review of SPD implementation and preparation of a Sustainable Design Guide SPD																																							
Statement of Community Involvement																																							

Key

DPDs	Consultation period - following the Publication of the Submission Draft, this would refer to the period for representations to be submitted		Pre-Hearing meeting period	
	Bold text denotes a Key Milestone		Hearing and Reporting Period	
	Publish Draft DPD		Main Modifications Consultation (if required)	M
	Submit DPD for Examination		Receipt of Final Inspector's Report	
SPDs/SCI	Consultation Period		Adoption	

Appendix B Proposed Work Programme

Year	2023												2024												2025												2026							
Quarter	3 rd			4 th			1 st			2 nd			3 rd			4 th			1 st			2 nd			3 rd			4 th			1 st			2 nd										
Month	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN								
DPDs																																												
Adopted DPDs – Plan Review – Allocations & Development Management DPD																																												
SPDs																																												
Developer Contributions and Planning Obligations SPD																																												
Affordable Housing SPD																																												
Solar Energy SPD (None Landscape Study) Solar Energy SPD (Landscape Study)																																												
Statement of Community Involvement																																												

Key

DPDs	Consultation period - following the Publication of the Submission Draft, this would refer to the period for representations to be submitted		Pre-Hearing meeting period	
Bold text denotes a Key Milestone	Publish Draft DPD		Hearing and Reporting Period	
	Submit DPD for Examination		Main Modifications Consultation (if required)	M
			Receipt of Final Inspector's Report	
			Adoption	
			Review of DPD/SPD Implementation	
SPDs/SCI	Consultation Period		Adoption	



Report to: Cabinet Meeting: 26 March 2024

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

Director Lead: Matt Lamb – Director, Planning & Growth
Sanjiv Kohli – Deputy Chief Executive & Director - Resources

Lead Officer: Robert Ball – Major Capital Projects Delivery Manager (Corporate Property)
Ellie Buchanan – Senior Regeneration Officer (Regeneration & Housing Strategy), Ext. 5238
Steven Adams – Senior Economic Regeneration Officer (Economic Growth & Visitor Economy), Ext. 5831

Report Summary	
Type of Report	Open Report (with exempt appendix), Key Decision
Report Title	Sherwood Levelling Up 3 Update – Ollerton & Clipstone
Purpose of Report	To update Cabinet on the progress of the LUF 3 Programme, including funding and details of the two place projects at Ollerton Town Centre and Mansfield Road, Clipstone
Recommendations	<p>That Cabinet:</p> <ul style="list-style-type: none"> a) note and welcome the progress on the LUF 3 projects; Ollerton b) to add the requisite budget to the Council’s Capital Programme as detailed in the Exempt Appendix to cover the full costs of the acquisition and ongoing holding of the former Lloyds Bank Building until such time as the building is absorbed into the delivery of the Ollerton Town Centre LUF 3 scheme; c) to require presentation to a future Cabinet of a final Business Case for the Ollerton Town Centre Regeneration, including updates on funding, risk, any Council commitments (capital and revenue), programme, delivery route (procurement) and a request to include the project within the Council’s capital programme; d) c) delegate to the Portfolio Holders for Strategy, Performance & Finance and Sustainable Economic Growth in consultation with the Director – Resources and Director - Planning & Growth, authority to negotiate and enter legal options to purchase in accordance with the requirements of the Council’s Acquisitions and Disposals Policy the land holdings required for the Ollerton Town Centre Regeneration

(from Ollerton & Boughton Town Council and Johal Ltd) for the Maximum Offers detailed at Exempt Appendix A, subject to planning permission and a decision from Cabinet to implement the scheme.

- 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, authorisation to negotiate and seek formal commitments from Nottinghamshire County Council to secure a financial commitment for the Minimum amount in Exempt Appendix A and Tesco to secure ongoing commitment to the Public Transport Hub and car parking provision for patrons of this development and the wider Town Centre.

Clipstone

- f) to require presentation to a future Cabinet of a final Business Case for the Clipstone Mansfield Road Regeneration project (Phases 2 and 3), including updates on funding, risk, any Council commitments (capital and revenue), programme, delivery route (procurement) and a request to include the project within the Council's capital programme;
- g) f) delegate to the Portfolio Holders for Strategy, Performance & Finance and Sustainable Economic Growth in consultation with the Director – Resources and Director - Planning & Growth authorisation to negotiate and secure ongoing commitments from the Clipstone Miners Welfare Trust to ensure the District Council will have an ongoing role in the governance and management of any new Sports Facility associated with Phase 2 of the Mansfield Road Clipstone regeneration project;
- h) delegate to the Portfolio Holders for Strategy, Performance & Finance and Sustainable Economic Growth in consultation with the Director – Resources and Director - Planning & Growth authorisation to negotiate and seek formal commitments from Welbeck Estates for any land purchase or land swap to facilitate Phase 3 of the Mansfield Road Clipstone regeneration project, in accordance with the details provided at Exempt Appendix A; and
- i) to add to the Clipstone Road Mansfield budget an additional revenue of £250,000 to allow for further development of the Phase 2 and 3 projects through to RIBA Stage 3. The first £129,000 of this budget shall be funded by the Levelling Up Fund 3 Capacity Funded provided by Government with the residual drawdown (£121,000) being delegated to the Director of Resources & Deputy Chief Executive, in consultation with the Director for Planning & Growth upon receipt of LUF 3 funding from Government.

Alternative Options Considered	It remains an option to pause, stop, or reduce the scale of ambition of the LUF3 projects in Clipstone and Ollerton. This continues to be discounted given the desperate need to invest in these communities. The Regeneration Partners, including the District Council, remain committed to delivery notwithstanding the challenge of meeting the grant funding spend deadline of 31 March 2026.
Reason for Recommendations	To allow progression, at pace, the development of the LUF 3 Projects with 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 continue to access the LUF 3 funding.

1.0 Background

Previous Funding

- 1.1 Members will be aware of the various grant opportunities the Council has successfully secured in recent years, including the Newark Towns Funds 1 (NTF1), Brownfield Land Release Fund (BLRF), NSDC Community Renewal Fund (CRF), Heritage Action Zone (HAZ), the UK Shared & Rural Prosperity Funds (SPF & RPF), and Levelling Up Fund Round 1 (LUF1) for the Newark Constituency area. This has collectively secured over £72m of additional grant investment, unlocking multiple times that amount to provide new facilities and opportunities for residents, businesses, and communities. Further funding opportunities have arisen at through up to £20m grant as part of the Newark Long Term Plan for Towns Fund (LTPfT) and £20m grant for Sherwood Levelling Up 3 Funds.

Sherwood Levelling Up Fund

- 1.2 Members are aware of the Sherwood Levelling Up Prospectus, developed in association with a range of Sherwood partners and submitted to Government on 25th July 2022 as part of the Levelling Up Round 2 submission (our Round 1 bid was the successful submission for the Newark Southern Link Road). The Council's LUF2 bid had a focus on Ollerton (Town Centre) and Clipstone (Mansfield Road) supported by a range of delivery partners. Sadly, this bid was unsuccessful due to a change in assessment introduced after bid submission which excluded LUF2 funding for any Council which had successfully secured LUF1 funding. Work continued irrespective in the hope and expectation that funding would be available.
- 1.3 The outcome of LUF3 funding was announced on 20th November 2023 with this Council being one of 55 places nationally to be confirmed as successful in securing its full ask, in our case £19,995,358. It is envisaged at the current time that this funding split will be 75/25% in favour of the Ollerton project. At the current time there remains uncertainty on when funding will be provided from government. This Council continues to forward-fund necessary works to ensure delivery remains on track.
- 1.4 To this end, and as referenced in the December Cabinet update, work has continued at pace on both the Ollerton and Clipstone proposals. Updates are provided below on each. Liaison has also continued with government from a governance and funding perspective. Regular high-level updates on progress are provided in order assure government that the projects can continue to meet their spend targets. Such targets remain ambitions and challenging but are deliverable.

1.5 The LUF is overseen by a Sherwood Programme Manager, with each project also having support from a Project Manager (Regeneration & Housing Strategy, Economic Growth) and Build Manager (Corporate Property). As with all projects of this scope and scale liaison with colleagues from Procurement, Finance, Legal, Communications, and Planning continues.

2.0 Update and Recommendations

Ollerton Town Centre Regeneration

2.1 Members are aware of the evolution of this project from the December Cabinet update. Likely uses continue to include a library (NCC and Inspire), public sector hub (NSDC, OBTC, DWP and potentially healthcare), cinema (3 screen), housing (HRA), business and commercial space, a transport and mobility hub (led by NCC but complementary to the project), and public realm and way-finding improvements. New architects have been appointed to progress the scheme through to a planning application later this year. Draft proposals detailed at Open Appendix A.

2.2 5 no. landholdings are utilised for the revised scheme design, with each being detailed below. NCC are also included not as a landowner but as principal future tenant:

Partner/Landowner	Role
Ollerton & Boughton Town Council	Regeneration Partner. 2 land parcels (Courtholds site and OBTC Offices). Land ownership commitment in principle, with land value agreed between the parties on the basis that the value is broadly in accordance with NSDC independent valuations (in accordance with the Acquisitions & Disposals Policy) as detailed at Exempt Appendix A. Any land options agreed will be subject to NSDC committing to let a contract to construct the scheme and planning permission.
Johal Ltd	Regeneration Partner. Owners of Forest Centre. Land ownership commitment confirmed in principle, with an independent land valuation being obtained in accordance with the with the Acquisitions & Disposals Policy, as detailed in Exempt Appendix A. Johal Ltd have also agreed to build in an option to take-on the commercial elements of the scheme in accordance with a red book valuation that will be jointly commissioned between the parties. The proposed methodology is that the purchase, in accordance with the said red book valuation is committed between the parties upon contractors starting on-site, with payment (minus any deposit) and ownership being executed upon practical completion of this element of the scheme.
NSDC (General Fund)	Regeneration Partner and landowner at the point of completion of the purchase of the former Lloyds Bank. As detailed below NSDC will deliver and retain the Public Service Hub element of the scheme.

NSDC (HRA)	Residential elements of the scheme are being designed alongside housing colleagues with a view that the land is appropriated to the HRA and retains the final units.
Tesco	Provided agreement in principle as part of the LUF2 submission to host a transport and mobility hub. Tesco will also be important for ongoing town centre parking in accordance with the original S106 Commitment when the store was granted planning permission.
Nottinghamshire County Council/Inspire Learning	A proposed tenant of the library on a long-term lease. Negotiations with NCC are ongoing in this regard. The scheme is currently structured in order to allow a discounted long-lease in return for a capital contribution to the scheme as detailed at Exempt Appendix A. NCC are also leading the transport and mobility hub with an aim to fund this via external funding in advance of the main Town Centre scheme.

- 2.3 Dialogue with the cinema markets also continue, with clear demand and interest having been identified. Disappointingly, healthcare colleagues have confirmed that there is no appetite from the current doctor's to relocate. A further update on the project, including any land deals and tenant discussions will be provided at a future Cabinet prior to any planning application submission.

Structure of Delivery and Management

- 2.4 The Council has commission, via a Framework, a design and build contractor for the scheme. It is currently envisaged that this route will continue to delivery, subject to further updates to Cabinet on the project, including any final Business Case. It is currently envisaged that the Council will act as the developer, constructing all elements of the scheme. The Council will then retain the public services hub elements and any retained public realm. The commercial elements, as detailed above, will be available to Johal Ltd on a red book basis. The HRA will deliver the housing elements with NCC taking, subject to agreement, a long lease on the library alongside a capital financial contribution. Further updates will be provided on all elements to a future Cabinet.

Managing Risks

- 2.5 As with any project of this scale there are multiple risks to manage on an ongoing basis. Key risks are captured and mitigated via a risk register for the project, as is standard for the Council on all major Capital schemes.

Programme

- 2.6 The project as a whole is ambitious; aiming to be in a position to submit a planning application by the summer/autumn of 2024, with planning consent expected by the end of 2024. A start in 2025 will allow the spend of LUF 3 funds by March 2026 the deadline currently set by the government. It is anticipated that final fitouts will take place over the summer of 2026.

Additional Funding

2.7 Given the ongoing challenges in project delivery Officers continue to explore match funding opportunities. This has included:

- One Public Estate – A submission was made by the team in December for £150,000. The submission scored well and received positive feedback, however, due to the LUF award contributing to the project costs, our bid was unsuccessful.
- National Lottery Heritage Fund – An Expression of Interest submission was made in February for £2,335,000 to help support and enhance the heritage of Ollerton within the built form. This could include art in the public realm, design enhancements and a short film documenting Ollerton, old and new. Feedback on the EOI should be received by the end of March, and if successful, the Council will be invited to submit a full application.
- Arts Council Cultural Development Fund – An Expression of Interest submission was made in early March for £3,300,000 to help deliver the cultural elements of the project, such as the library, gallery, cinema and creative workspaces. Feedback on the EOI should be received in April, and if successful, we will be invited to submit a full application.

Mansfield Road, Clipstone

2.8 The LUF 3 funds will support the capital delivery of 3 phases with which the District Council is involved:

- Phase 1 – Clipstone Holdings. A new, energy efficient and sustainable industrial estate. The scheme will be developed not only to achieve sustainability standards and Biodiversity Net Gain, but has at the heart of its development a wish to create units which will have lower running costs than the wider market, ensuring tenants and businesses are as sustainable and resilient as possible.
- Phase 2 – A relocated and enhanced Sports Hub delivered by the Clipstone Miners Welfare Trust following a land swap with Welbeck Estates. Improving facilities in both quality and quantity will see a new pavilion, multiple additional sports provision will be provided, including 3G pitch (linking to the District Council's recently adopted Playing Pitch Strategy), cricket, and an ability to grow and welcome more teams including male, female, youth and disabled.
- Phase 3 – Vicar Water Country Park. A re-imagined entrance and welcome building providing for modern education facilities from which to deliver land management skills and experiences and a new home for the District Council's ranger service. The building will be a visual welcome and landing point. Connectivity to and enhancement of active travel routes is also identified.

2.9 Proposals also include feasibility works to develop plans for the Clipstone Headstocks (a future Phase 4) in partnership with the third party landowner. Historic England are also engaged.

2.10 A plan at **Appendix B** outlines the proposed phases.

Landownership

- 2.11 Members will be aware that the Phase 1 Clipstone Holdings site is now within District Council ownership given the freehold purchase in 2023.
- 2.12 Phase 2 land is currently within the ownership of Welbeck Estates (Welbeck). There is a deal in principle between Welbeck and the Clipstone Miners Welfare Trust (CMWT) to 'swap' land with Welbeck taking ownership for the residential redevelopment of the existing Lido site (1/2 mile away in Mansfield) in return for a larger land parcel for the enhanced Sports Hub. This deal is subject to valuations (agreed between the parties) and planning. A planning application is pending determination by the CMWT for the Sports Hub with this Council as the Local Planning Authority. A planning application has been submitted and is pending validation by Welbeck for the residential redevelopment of the Lido site. Mansfield District Council is the Local Planning Authority for this decision and Officers and colleagues across both Councils, the CMWT, and Welbeck continue dialogue in order to ensure both schemes co-ordinate and delivery.
- 2.13 Phase 3 land is mostly currently within the ownership of Welbeck, albeit the District Council long-lease from them the existing Vicar Water Country Park (save for the extent of Vicar Water in Mansfield which the District Council already owns).
- 2.14 Whilst Phases 1 and 2 of development can substantively deliver without LUF 3 funding, Phase 3 is dependant upon it for deliver. Phase 3 is also dependant upon all infrastructure (road, utilities, drainage, etc) being appropriate to take ALL future intended developments across Phases 2-4.

Structure of Delivery

- 2.15 The Council has engaged architects to design and secure planning permission for the Phase 1 Clipstone Holdings. Subject to planning, contractors will then be appointed. Members will be aware that the funding for this site is already within the Council's Capital Programme.
- 2.16 As detailed above, subject to a land swap with Welbeck and planning permission from Mansfield District Council the Phase 2 Sports Hub will be delivered by the CMWT. A scheme which replaces the Lido facilities would happen irrespective of LUF 3 funding. The LUF 3 funding will however provide for significant enhancements and a step-change in ambitions, including any necessary infrastructure capacity to future proof all of the land for phase 2-4.
- 2.17 The CMWT have a development team engaged. They have prepared and submitted the planning application and are preparing a 5 Case Green Book Business Case that will be necessary to submit to the District Council to make a case for any LUF 3 grant. Discussions with other Sports Funders are also continuing. Further updates on Phase 2 and any funding ask of the Council (including LUF and potentially S106 receipts) will be provided at a future Cabinet.
- 2.18 The CMWT currently owns (subject to disposal clauses with CISWO) the Lido and would own the Phase 2 land. Given any grant is likely to tip seven figures it is recommended

that the District Council would want to secure the longevity of any facilities, both in terms of the ability to claw-back grant in agreed circumstances and in the ongoing management and running of the facilities. The CMWT are aware of this, and are open to exploring Council representation on the Trust.

- 2.19 NSDC will lead on Phase 3 delivery. The schemes are now at a point where further design and technical work is required to take the proposals to a sufficient level of maturity to apply for planning permission. This will involve architects, quantity surveyors, ecologists, transport engineers, valuers, and others. It is forecasted that £250,000 is required in order to finalise the feasibility phase of the project and ensure that the Council remains on track to deliver by the required LUF 3 spend dates of March 2026. The required £250,000 will be part funded through existing LUF capacity payments, and the remainder to be funded through the core LUF allocation, upon receipt of, and confirmation of funding.

Managing Risks

- 2.20 This project is not only of scale but has many moving parts, some of which are not being delivered by the District Council. Project Management and coordination across the schemes is in place, as are global and individual risk registers. As all elements of the projects mature risk is managed, mitigated, and reduced.

Programme

- 2.21 Delivery in accordance with spend timetables remains ambitious. However, Phase 2 is in for planning, with Phase 1 expected later this year. Phase 3 proposals can be developed at pace, subject to the release of additional budget sought and further updates to Cabinet at a later date.

Alternative Funding

- 2.22 As with Ollerton additional funding opportunities continue to be explored. This has included a National Lottery Heritage Fund Expression of Interest for £1.5 Million to fund heritage aspects of the project including an exhibition as part of the new facility and enhancing aspects of the country park to celebrate the heritage of the area and park itself. Feedback on the EOI should be received by the end of March, and if successful, we will be invited to submit a full application.

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.

Legal Implications

- 3.1 As part of the feasibility work consideration should be given to the legal position in respect of any matters to be resolved regarding land ownership, assembly, and use of

land, that may be required. Legal support has been put in place with NSDC officers and Freeths, to ensure all elements of due diligence are being undertaken. Any terms agreed for land transfer should be subject to grant of planning permission and any other relevant pre-conditions for development.

Financial Implications (FIN23-24/5415)

- 3.2 Full financial implications are included in the exempt appendix to this report.
- 3.3 The results of the negotiations carried out as per the recommendations will be brought back to a future Cabinet meeting and detailed financial implications will be provided at that time.

Current Feasibility Budget

- 3.4 In order for the schemes to progress to RIBA 4, feasibility work is required in order to continue with the scheme’s timeline for delivery. The table below shows the money that is available, or approval is being sought for within the recommendations in this report.

Approval Date	Ollerton	Clipstone
Actual Spend		
Cabinet January 2023	101,798	31,377
In year Capacity Funding		34,500
Budgets Available		
Cabinet December 2023	150,000	
Remaining in year Capacity Funding		35,500
Portfolio Holder Decision December 2023 to contribute from SPF for 2024/25	100,000	
Remaining Capacity Funding from previous years <i>to be approved within this report</i>		129,000
LUF Grant 2024/25 Contribution <i>to be approved within this report</i>		121,000
Total	351,798	351,377
Overall Percentage of Estimated Cost	1.6%	2.41%

- 3.5 An additional revenue budget of £250,000 is required to allow for further development of the Phase 2 and 3 to take Clipstone Road Mansfield budget project through to RIBA Stage 3. This is detailed above. The first £129,000 of this budget shall be funded by the Levelling Up Fund 3 Capacity Funded provided by Government with the residual drawdown of £121,000 to only be committed upon receipt of LUF 3 funding from Government.
- 3.6 The result of the feasibility, will form part of the data within the full business case, which will be brought back to Cabinet with a full financial implications for the schemes to then progress into the Capital Programme for delivery in line with the LUF grant.

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.

Levelling Up White Paper, 2022
Levelling Up Fund Prospectus and Guidance, 2022
UK Shared Prosperity Fund Prospectus, 2022
Sherwood Levelling Up Bid, July 2022
Cabinet Report, Levelling Up Submission and UK Shared Prosperity Fund, June 2022
Cabinet Report, Sherwood Levelling Up Fund Update, November 2022
Cabinet Report, Ollerton Hall, July 2023
Cabinet Report, Ollerton Town Centre Regeneration and Bank purchase, December 2023

Indicative Layout of Ollerton Town Centre Regeneration

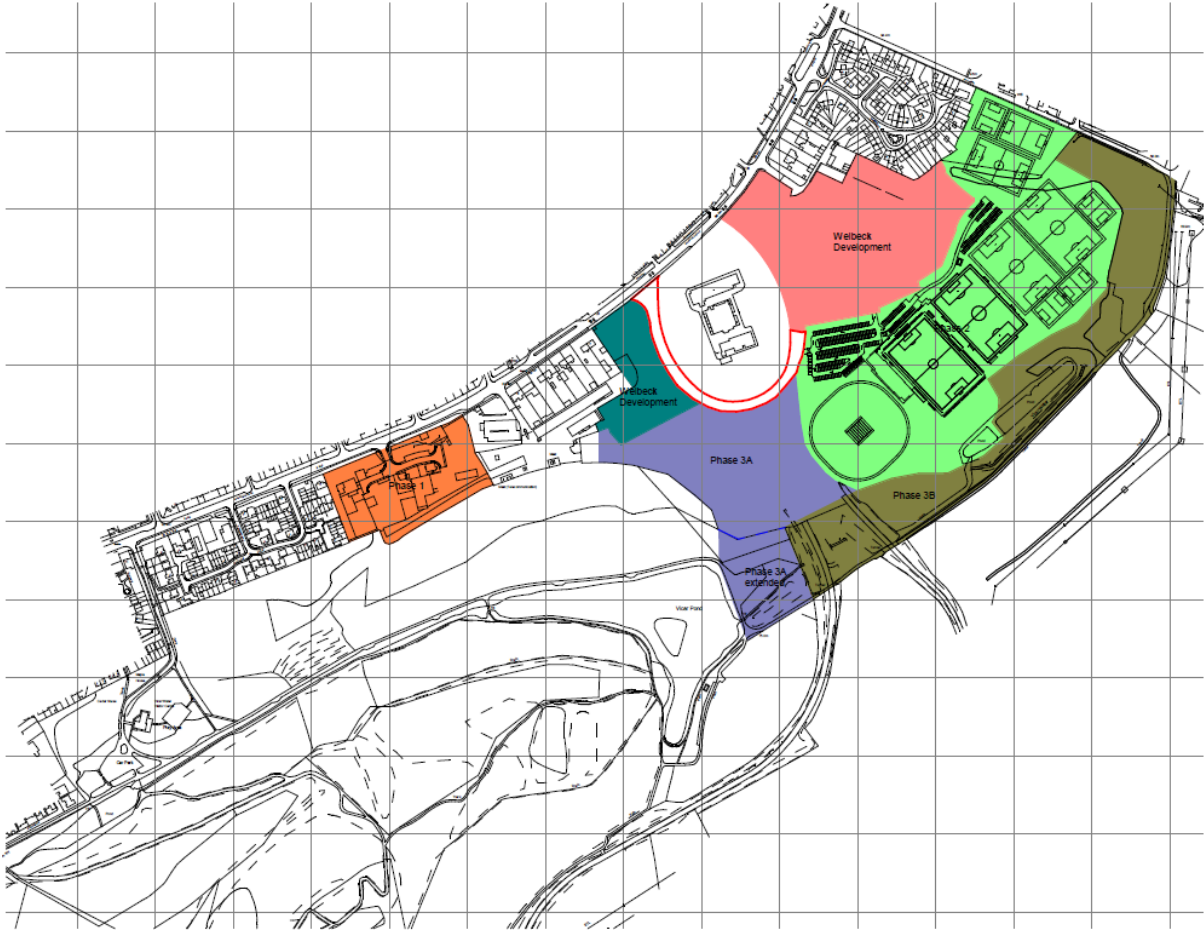
Likely floor plans and uses:

Ground Floor





Indicative Clipstone Mansfield Road site showing Phases 1, 2 & 3
(Proposal)





Report to: Cabinet Meeting: 26 March 2024

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

Director Leads: Matt Lamb, Director - Planning & Growth
Sanjiv Kohli, Deputy Chief Executive and Director - Resources

Lead Officers: Neil Cuttell – Business Manager - Economic Growth & Visitor Economy,
Robert Ball, Major Capital Projects Delivery Manager (Corporate Property)
Elaine Poon, Town Fund Programme Manager

Report Summary	
Type of Report	Open Report (with exempt appendix), Non-Key Decision
Report Title	Newark Long Term Town Fund Update and Associated Feasibility Work
Purpose of Report	To update Cabinet on the progress of the Newark Long-Term Town Fund and seek approval of budget to progress feasibility work for the St Marks Project.
Recommendations	That Cabinet approve a revenue budget of up to £145,000 from the Change Management Reserve to progress to the next stage of feasibility works for the St Marks Project.
Alternative Options Considered	Do Nothing Approach; It remains open for this Council and the Towns Board to decline the £20m grant available via the LTPfT fund. That is discounted on the basis that this is an opportunity to building upon the Town Investment Plan (2020) and its 9 priority projects and Levelling Up Fund 1 (Newark Southern Link Road). St Marks has been identified as a site which could be repurposed for positive change in the TIP1, the emerging Newark Masterplan & Design Code, and discussions to date with the Newark Towns Board.
Reason for Recommendations	To allow the Council to commence detailed feasibility and due diligence on future options to repurpose St Marks for the benefit of the Town.

1.0 Background and Update

1.1 Members will be aware of the success of this Council in working with partners to deliver the Newark Towns Fund and Newark Levelling Up Fund 1, with £45m of grant funding unlocking many times that amount in private sector match. In November 2023 the Government informed Newark and Sherwood District Council that they had been selected as one of 55 Towns to be offered an additional £20m over a 10-year period for

the regeneration of Newark. To receive this investment the Government requires Newark to.

- Develop a Long-Term Plan for Newark, comprising a Vision and at least 3-Year Investment Plan for the up to £20m available. The Vision and Investment Plan (referred to as the Town Investment Plan 2, TIP2, for ease) must demonstrate public consultation and support and be submitted to Government by 1 August 2024;
- Establish a Town Boards that must develop, oversee, and delivery the Vison and TIP2. The membership of the Board must comprise a number of mandated parties including all tiers of government, community leaders, employers, local authorities, educators, and the local MP. All board members will now be required to complete various governance requirements and sign up to the standards of the Nolan principles.

1.2 The Government have provided a financial profile of approximately £1.6m Capital funding and £0.4m Revenue Funding for each year up to 2033/34 and will require a further Investment Plan for 2027/28 onward.

1.3 Members will be aware that the Newark Town Masterplan & Design Code (TCM) is already in development. This is the appropriate vehicle to capture and inform the LTPfT Vision. This TCM will be complete prior to 1 August LTPfT deadline, allowing it to set the strategic case for investment alongside a TIP2 that will be developed. The TCM and TIP2 will be subject to the approval of the Towns Board and this Council, as was the case for the original Towns Fund.

1.4 To date over 1,500 people have responded to the Masterplan engagement. Further details will be provided at various Member briefings, public consultation events and PPIC. The final TCM and TIP2 will be presented for endorsement to Cabinet prior to the summer break. All emerging work identifies Newark Market Place and St Marks as a significant opportunity for intervention. The former is part of the Newark Towns Fund Cultural Heart project which may be enhanced through the LTPfT discussions. The latter is an opportunity that could be developed, subject to due diligence and detailed feasibility work. Emerging themes for intervention also include Newark Riverside, tackling anti-social behaviour, promotion, and upper floor residential living. These will be explored through the development of the TCM and TIP2.

1.5 Officers will continue to support the Towns Board and Members to develop the TIP2 for 1 August 2024 submission. In doing so it will be necessary to identify and appraise priority projects including community involvement and engagement, benefits they will deliver, and what value for money they will offer.

2.0 St Marks Feasibility

2.1 As detailed above St Marks is identified as an opportunity for change within the emerging TMP, as it was in the TIP1. In light of this Officers have engaged specialist retail consultants, Praxis alongside Allies and Morrison, our TCM team, to identify options for redevelopment. Work to date is high level, with additional feasibility now required.

- 2.2 The next stage of feasibility will involve standard due diligence work in terms of detailed building surveys, a red book valuation, legal checks, commercial agent support, and the commissioning of architects. A budget of up to £145k is required to conclude works to allow an informed decision on Council appetite to progress with any redevelopment plans. A breakdown is set out on the **exempt Appendix**.
- 2.3 If the St Marks project were to be one the Council should progress, two grant funding pots are potentially available. The first is via the Long-Term Town funding, subject to Cabinet and Town Board approval in due course. The second will be the potential repurposing of some or all of the remaining Towns Fund 1 Grant, subject to a future decision on the Newark Gateway project. The government have informally confirmed this approach would be acceptable if the Council and Town Board agree.

3.0 Proposal/Details of Options

- 3.1 That a further budget is agreed for up to £145,000 to feasibility-test the St Marks opportunity.

4.0 Implications

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

Financial Implications (FIN23-24/8508)

- 4.1 £145,000 is required to carry out due diligence on St Marks Place. This will allow further information to be gathered to understand the overall cost of investment and the cost of the potential development. This will be reported back to SLT and Cabinet to ensure best value is negotiated and the overall scheme is agreed to move forward.
- 4.2 The £145,000 can be committed to the Change Management Reserve.

Legal Implications

- 4.3 There are no legal implications as part of this report and the proposed recommendation. Legal will be providing input to the due diligence work, which will form part of the package information to be reported to Cabinet at a later date.

Background Papers and Published Documents:

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

Newark Town Board [website](#) for:

- Town Investment Plan, July 2020

Committee/Cabinet Reports:

- Economic Development Committee – 19 January 2022 – Newark Town Fund Update
- Policy & Finance Committee 27 January 2022 – Newark Town Fund Update and Approvals
- Policy & Finance – 17 March 2022
 - o Towns Fund Update
 - o Cultural Heart Update
 - o Newark Gateway Update
- Economic Development 23 March 2022
 - o Towns Fund Projects Update
- Cabinet – 7 June 2022 – Newark Town Fund Update and Lorry Park Relocation Options
Long Term Town Fund Guidance, 2023



Report to: Cabinet Meeting – 26 March 2024
 Portfolio Holder: Councillor Paul Taylor, Public Protection & Community Relations
 Director Lead: Matt Finch, Director - Communities & Environment
 Lead Officer: Jenny Walker, Business Manager - Public Protection, Ext. 5210

Report Summary	
Type of Report	Open Report (with exempt appendix), Key Decision
Report Title	In-house CCTV Monitoring Business Case
Purpose of Report	The report sets out the full business case of both revenue and capital requirements for the creation of an in-house CCTV control room to monitor all NSDC cameras.
Reason for Exempt Appendix	It is considered that the need to treat the information in this report as exempt outweighs the public interest in disclosure because it contains information which is commercially sensitive financial details and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
Recommendations	That Cabinet: a) approve the creation of a new CCTV Control Centre as set out in the exempt Appendix; b) formally give notice of termination to the CCTV Partnership; and c) allocate £30k from the Capital Feasibility Reserve in order for the full business case proposal to be developed in line with Towns Fund Requirements and report back to Cabinet on the outcome of such, with detailed financial implications of the Capital costs.
Alternative Options Considered	Remain in the CCTV partnership for the remaining term of the agreement and future agreement extensions.
Reason for Recommendations	It is recommended that Newark & Sherwood District Council formally give notice of termination to the CCTV Partnership agreement in order to develop an in-house CCTV control room service. The creation of this service will enable both proactive and reactive CCTV monitoring to take place, alongside great service

	<p>provision for other related areas such as security controls and out of hours.</p> <p>This recommendation directly links to the Community Plan Objective of Reduce Crime and Anti-Social Behaviour.</p>
--	---

1.0 **Background**

- 1.1 Following the approval at the December Cabinet meeting (minute number 77 refers) for the allocation of capital feasibility funding to be provided, a detailed business case for the creation of a CCTV monitoring centre within Newark has been developed.
- 1.2 The proposals for an in-house CCTV Control Room are detailed within Appendix 1 in full. The business case details the estimated capital costs for the creation of a control room, this includes details of the proposed location, the specification for the system itself such as the monitoring screens and back-office systems for all cameras to link to, the design and build costs for the control room, ensuring it meets all ergonomic requirements for the officers working within but also the security of the information and viewing screens.
- 1.3 In developing the proposed layouts, consultation has taken place with the existing control room manager through the partnership to understand key requirements and key learning from how the control room currently operates and the number of systems and services managed from within the control room. The proposals seek to ensure that all current activities are maintained and that improvements can be made in order to provide a significantly better and more locally focussed service. The key areas that the new control room must retain are as follows:
- Viewing of all 104 CCTV cameras across Newark and Sherwood
 - Activation of the lorry park barriers
 - Activation of all raising bollards
 - Monitoring and response to any Help Point activations
 - Monitoring of the Police radio
 - Monitoring of the ShopWatch Radios
 - Ability to extend the proposed set up to allow for increasing public realm CCTV monitoring by monitoring cameras not owned by NSDC (income generation opportunities)
 - Out of Hours Response for NSDC
 - Separate viewing area for Police and Council Officers to review footage
 - Ability for this viewing location to be used as a multi-agency base for large scale events

1.4 **CCTV Mast**

- 1.4.1 Currently, the majority of the cameras across Newark & Sherwood operates on wireless data streaming, this data “pings” from location to location back to our CCTV mast located in the lorry park. The location of the CCTV mast is critical for line of sight to the Dorkett Head mast that ensures images feed to the current control room at Police Headquarters. There is a very narrow degree of tolerance in the location of the mast in its current position.

- 1.4.2 The proposed A46 improvements will have an impact on the current CCTV mast. The detailed plans provided show that sections of the lorry park will be included within the expansion of the A46 and this in turn means the mast needs to move. In order to move the mast and keep direct access to the necessary masts to allow viewing at Police Headquarters, there is only one location it can move to within the lorry park. There is no flexibility in its location due to ensuring line of sight, should we remain within the partnership and continue to transmit to Police Headquarters, a new mast would have to be erected 7 metres into the lorry park at the same sight line angle. This is a very complicated and costly process, requiring planning approval, steel reinforced mounting bed and the new mast column to be installed and commissioned before the old is decommissioned to ensure continuity of service. This issue has been highlighted to National highways as part of the A46 planning in relation to impact and asset loss. We would expect any costs for this movement to be met by National highways as part of the compensation agreement.
- 1.4.3 Should a decision be made to leave the CCTV Partnership and to create a control room within Newark and Sherwood, the existing CCTV mast would no longer be required. Utilising existing assets within NSDC ownership for the control room location would enable location of the mast on existing buildings ensuring direct line of sight and ultimate control of the mast location and connection to the control room. This is much less costly as we would no longer require the use of the Dorkett Head mast, of which we pay an annual fee to use. Changing the CCTV mast location does require the cameras to be reset to ensure the data “pings” correctly to the mast and into the new control room.

1.5 Control Room Location

- 1.5.1 To undertake a detailed business case, it was necessary to identify potential locations where a control room could be located. One of the key priorities for any chosen location was that the space belonged to NSDC. This would provide reassurance and certainty of the location being able to operate without concerns of leases being terminated and increased lease costs. The current location of the control room at Police Headquarters is leased from Nottinghamshire Police. The certainty of the lease has been at risk on a few occasions where it was considered the space was needed back by Nottinghamshire Police. Whilst this has been avoided to date, it still remains a key risk for the partnership. We currently pay £7,397 per annum for the lease at Police Headquarters
- 1.5.2 A location has been identified that is within the control and ownership of NSDC. The selected location ensures a direct line of sight for camera data to be shared between NSDC assets and provides suitable and sufficient space for the development of a new control room. This location requires additional security measures to be installed in order for a control room to be set up, this in turn provides an additional benefit for NSDC in relation to our asset management.
- 1.5.3 As an NSDC asset there is no direct outward facing lease costs to fund from the revenue budget as we have currently. However, it does have an impact on other council budgets in terms of the utilisation of the identified space for this purpose. This would be circa £15,600 per annum.

1.6 Data Storage and Server Access

- 1.6.1 Discussions have taken place to identify the data requirements a new control room would require. As the locations are within the NSDC assets a suitable and sufficient space is required to store the required units for the data coming to the control and room and accessed from within it. It is not possible to locate these required units within the existing server room at Castle House as there is not enough remaining space in the server room and there is no ability to extend.
- 1.6.2 The business case in Appendix 1 details the requirements for data storage for a control room and detailed costings to create a suitable sufficient space. The creation of a larger space to hold the required data storage also offers an added benefit to the ICT Business Unit by allowing them to relocate our NSDC Disaster Recovery Centre. This would allow the current facility to be brought back into Newark and Sherwoods control, would reduce costs and provide greater levels of assurance in information security. Furthermore, the agreement with the current facility and reciprocal arrangement is being terminated by the other party.

1.7 Control Room Staffing

- 1.7.1 The current CCTV control room operating through the partnership includes the contract for the provision of control room staffing. The control room is monitored 24/7 and suitable and sufficient rotas are required to ensure that there is coverage at all times. As members of the partnership, we currently contribute £93,680 per annum for control room staffing.
- 1.7.2 Should the decision be made to withdraw from the partnership and set up a new control room, there would be a direct revenue cost to NSDC for the control room staff. The current staff operate through a contract that ensures cover but the cover may not be from consistent officers. The majority of the existing staff, except the control room manager, operate on zero hours contracts. The aim of this is to give flexibility to bring in people as and when required but this also means that on occasions continuity of staff can vary greatly.
- 1.7.3 By employing control room staff directly, we would be offering NSDC terms and conditions to the staff with all the benefits this includes in terms of sick pay, pension scheme, annual leave entitlement etc. This option tends to ensure a great loyalty and engagement in the team and sense of pride and purpose for the work undertaken and the benefit provides. In providing an in-house service solely concentrating on Newark and Sherwood cameras, we will be able to build stronger links and relationships between the control room staff and key stakeholders such as the Police, Fire, Town and Parish Councils and businesses and enable significantly better and more targeted local intelligence to increase identification of perpetrators, alongside the prevention and detection of both crime and ASB. Control room staff will therefore only have to monitor one police radio, specific to our area, alongside ShopWatch/SchemeLink radios.
- 1.7.4 We have estimated that we would require 5 new posts to suitably operate a control room 24 hours a day, this would be made up of:
- 1 CCTV Control Room Manager
 - 4 CCTV Operatives

- 1.7.5 Any new role would require a full job description and person specification to be developed and for these to be evaluated in line with our job evaluation scheme to identify the grade the posts would be paid. It is not possible to undertake this process until a decision has been made, however based on conversations with other local authorities we estimate the costs of staffing to be approximately £200,000.
- 1.7.6 There is a future possibility of providing the monitoring services of the CCTV control to external organisations to monitor other public realm CCTV in place. This has several benefits, first it allows a greater CCTV reach by enabling viewing and monitoring of NSDC cameras in addition to other cameras in the vicinity and second allows an income generation opportunity for the control room. Any additional monitoring by the control room would need to be undertaken with clear contracts and agreements in place but could be a beneficial way of increasing income and reducing the overall costs of the control room staffing. Examples have been provided for other areas that undertake public realm monitoring on behalf of organisations, generating a revenue income of approximately £80,000 a year, depending on the number of cameras and the number of agreements in place, this could increase. The proposed CCTV control room has designed to be extendable with additional screens and space for additional staff should this opportunity come forward in the future.

1.8 CCTV Maintenance

- 1.8.1 Through the existing partnership agreement, a maintenance contract is in place that covers both the cameras and the control room equipment. This contract allows for camera replacements, maintenance and fault resolution alongside any maintenance required within the control room. Should we leave the partnership it would be necessary for NSDC to procure a new maintenance contract to ensure continuity of service across our CCTV cameras located across the district.
- 1.8.2 The maintenance within the CCTV control room, once constructed and operational, would be minimal for a number of years as all the equipment would be within manufacturers and suppliers' warranties.
- 1.8.3 The current system at the Sherwood Lodge Control room has been in place for many years and is now a defunct system. The back-office system is operating on Windows 7, which is no longer supported and poses an ongoing risk to the partnership on its ability to maintain operations. Should we remain in the partnership, it is expected that a request to replace this system in full would be required at a cost to all partners. The business case in Appendix 1 has established that budget upgrade costs for the existing Sherwood Lodge CCTV surveillance control system would be in the region of £185,000.00. Whilst these costs would be split across the partnership, it could be assumed that NSDC would be asked to contribute a larger portion as we have the majority of the cameras.

1.9 Improvements to CCTV monitoring

- 1.9.1 There are a number of improvements that could be created by bringing the CCTV Control Room in house, these include the following:

- State of the art CCTV reviewing system with additional analytics to assist in the prevention and detection of crime
- A local base that enables easier connection between council officers and partners such as the Police
- Offers a dedicated space that can be used to proactively monitor large scale events taking place across the district with space for Police resources to be deployed from the location with the assistance of sharing the control room during key events
- The ability to consider installing help points/refuge points in strategic locations, where connection to the control room is assured
- The ability to offer the services of the control room to monitor other public realm CCTV on behalf of organisations as a method of revenue income generation and to extend the overall public realm viewing range
- The location move would enable a resolution to the potential CCTV mast issue arising from the A46 works
- Increasing the server room space within NSDC assets as part of the project, enables our Disaster Recovery system to be moved within district and provides a better option for the server room space
- Control room staff will be employed directly by NSDC and will have greater access to benefits and will not operate on zero hours contracts. This will enable greater loyalty and buy in for the role and develop better partnership working
- Control room staff will only be required to monitor one Police radio and will be able to actively monitor and look for known offenders or persons who may be wanted.

2.0 Proposal/Details of Options Considered

2.1 There are two options available for consideration: remain in the existing CCTV partnership; or to withdraw from the partnership and create our own CCTV Control Room. Each option is set out in summary below:

2.1.1 Option 1 – Withdrawal from the partnership and creation of an in-house CCTV Control Room

2.1.2 This would require formal notice to be given to the partnership. The current agreement requires a notice period of 24 months.

2.1.3 The feasibility proposal in Appendix 1 sets out the estimated costs for the creation of the CCTV Control Room. The proposal provides some differing options that could be provided within the control and these would form part of the final business case.

2.1.4 It is proposed that this project applies to the Long-Term Towns Fund for capital funding. In order to comply with the requirements of this fund a full business case would be required and the delivery of this would require external consultant support for its development. This revenue cost of approximately £20-30K could be requested at the Town Board Meeting from the revenue allocation. Any project proposals looking to access funding through the Long-Term Town Funding will need Town Board approval and therefore whilst this appears to be a suitable funding pot for this project as it directly links to the safety and security town's indicators for policy investment theme, it is not possible to provide certainty that funding for this project will be approved.

2.1.5 Due to the timescales of the notice period and the required processes for seeking funding and then project management, it is likely that the process may take around 18 months.

2.2 Option 2 – Remain within the existing CCTV Partnership

2.2.1 Should we choose to remain in the partnership we will continue to operate as we are currently. It would be necessary to have confirmation from National Highways that the CCTV Mast is included within the compensation process and time would be required to ensure a new mast is installed and the old one decommissioned. This is a complex project due to the narrow variance available to ensure line of sight to the Dorkett Mast. This piece of work in itself would require a detailed project plan and timeline to be created to ensure continuity of service provision.

2.2.2 The current CCTV Control Room equipment is dated and no longer in support. This poses a risk of failure and a replacement system is required. Remaining in the partnership would require that a proportion of the replacement costs would be shared with NSDC. There is not currently an allocated budget for this. An estimated cost has been provided in Appendix 1.

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 (FIN23-24/332)

There is an existing revenue budget of £133,000 in place to cover the ongoing costs associated with membership of the CCTV partnership. This is broken down in the table below:

Current cost	Current cost in partnership	Future cost in house control room
Lease for Sherwood Lodge NSDC pay 52% share	£7,397	£0
Staffing contract payment NSDC pay 43% share	£93,680	£200,000 (estimated)
CCTV Maintenance Contract NSDC pay a 52% share	£29,009	£24,470
Mast use at Dorkett Head NSDC pay a 52% share	£2,080	£0
Total Expenditure	£132,166	£224,467
Revenue generation	£0	(£85,000) estimated but could exceed depending on the number of cameras
Net Expenditure	£132,166	£139,467

3.1 Staffing Costs

- 3.1.1 An in-house CCTV Control Room would require the withdrawal from all partnership contracts including the current contract for control room staffing. Discussions with other local authorities have provided indicative staffing costs for operating a 24-hour service at circa £200,000. The specific costs for NSDC will depend on the outcome of any job evaluation process. Based on these estimated costs it would be possible to have 1 CCTV Control Centre Manager at NS08 and 4 Control Room Operatives on NS05.
- 3.1.2 The staffing costs alone would exceed the current revenue budget and there is no underspend within existing budgets to cover these increased costs. However, as stated in section 1.7.6 there the potential for future revenue income generation opportunities for the CCTV Control Room to deliver CCTV monitoring services of public realm CCTV cameras for other organisations. There is the potential for the income generated to cover the revenue increase in future years and depending on demand, could provide further income generation opportunities.

3.2 Capital Costs

- 3.2.1 The full detailed costs and options are provided within Appendix 1. It is proposed that the creation of the control room would be a project submitted as part of the Long-Term Plan for Towns Funding. The full costing of the project would be submitted via the board through a full business case and would require Towns Board approval.
- 3.2.2 Should funding not be granted via the Long-Term Plan, consideration would need to be given to the allocation of capital funds from the capital programme.
- 3.2.3 The £30,000 required to develop a full business case can be funded from the Capital Feasibility Reserve at this time. Should the scheme be approved as a Long-Term Plan for Towns (LTPFT) project, the £30,000 can be funded from the revenue element of the grant to replenish the Capital Feasibility Reserve.
- 3.2.4 If the scheme is not approved as a LTPFTs project, the Capital cost of up to £682,000 (including a contingency) will result in an additional revenue cost of £103,200 per year in interest and Minimum Revenue Provision based on an asset life of 10 years.

3.3 Data Protection

- 3.3.1 CCTV governance would be the independent responsibility of NSDC, this would likely improve the Councils ability to monitor and manage compliance without the requirement of ensuring all members of the partnership, agree and comply with controls and measures to ensure legal compliance. Data is a commodity, and the effective governance of this data could produce commercial opportunities.

3.4 Digital and Cyber Security

- 3.4.1 NSDC would have to move the current Disaster Recovery Centre to a different location, as the existing hosting party is wanting to end the agreement. Option 1 recommendation addresses this need to look for another location, gives more control over data and availability because it is in our own responsibility.

3.4.2 The current CCTV system is outdated and runs on an insecure and obsolete operating system that stopped being supported in January 2020. This creates a significant risk to the privacy, accuracy and accessibility of CCTV viewing and recording. The nature of the CCTV footage would be appealing for a malicious actor and therefore should be remediated as priority.

3.4.3 Hardware, Software licenses, maintenance and subscriptions would all have to be considered in financial implications for any new employees.

3.5 Legal

3.5.1 The existing partnership agreement for CCTV monitoring requires that any party wishing to terminate must provide 24 months notice. The current agreement is due to end in March 2026 and we would need to give notice of our intention to terminate immediately after cabinet's decision. The lease position would also need to be regularised.

3.5.2 The staffing contract currently in place also contains a TUPE of staff requirement. This is set at approximately a third, however how this would work in practice would need to be discussed with the partners as the current staffing levels are the minimum required for its operation whether we were in the partnership or we had left the two remaining councils.

3.6 Human Resources

3.6.1 If the Service were to be brought in-house it is likely that TUPE will apply to any staff employed by the current contractor who are assigned to the service. It should be noted that any staff transferring to the Council would come across on their current salary and terms and conditions but the number of staff likely to be in scope for transfer is unknown and therefore the associated cost is unknown at this point.

3.6.2 As this is a 24-hour service, careful consideration will need to be given to the resources required to deliver the standard of service required by the Council. This is difficult to determine at this stage without knowing the number and job type of the staff likely to TUPE transfer in. Any additional staffing required above those transferring in would be employed on Council terms and conditions and would require new posts to be created and job evaluated. Associated costs for any new posts would not be unknown until the job evaluation process has taken place.

Background Papers and Published Documents

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

None

By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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

Document is Restricted

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

Document is Restricted

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

Document is Restricted

By virtue of paragraph(s) 3, 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted