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Monday, 4 December 2023

Chair: Councillor C Brooks
Vice-Chair: Councillor J Hall

To: All Members of the Council

MEETING:	Full Council
DATE:	Tuesday, 12 December 2023 at 6.00 pm
VENUE:	Civic Suite, Castle House, Great North Road, Newark, NG24 1BY
<p>You are hereby requested to attend the above Meeting to be held at the time/place and on the date mentioned above for the purpose of transacting the business on the Agenda as overleaf.</p> <p>If you have any queries please contact Nigel Hill on Tel: 01636 655243 Email: Nigel.hill@newark-sherwooddc.gov.uk.</p>	

AGENDA

Page Nos.

1. Apologies for absence
2. Declarations of Interest by Members and Officers
3. Notification to those present that the meeting will be recorded and streamed online
4. Minutes from the meeting held on 17 October 2023 4 - 10
5. Communications which the Chairman, Leader, Chief Executive or Portfolio Holders may wish to lay before the Council
6. In accordance with Rule No. 3.1 to receive the presentation or the debating of any Petitions from Members of the Council (if any)
7. Questions from Members of the Public and Council

In accordance with Rule No. 3.3.3, the following question has been submitted to the Council from Councillor J Lee:

“I want to address a matter of significant concern pertaining to wildlife protection and community safety within our towns and villages. This issue was brought to my attention during recent interactions with residents in Wellow, highlighting an alarming trend that seems to be emerging across our district.

Specifically, I wish to draw your attention to two distressing incidents. The first is a recent allegation from Wellow, where an individual reportedly threatened to shoot fireworks at a peahen. The second incident, reminiscent of this, occurred last year around Balderton Lake, involving harm to wildlife. These episodes not only cause distress among our residents but also pose a serious threat to the well-being of our local wildlife.

Given these circumstances, I am compelled to ask, what proactive measures is the District Council implementing to combat such anti-social behaviour and wildlife crimes in our towns and villages? It is essential to understand the Council's strategy and the collaborative efforts with the police and other organizations in addressing these issues.

The protection of wildlife and the maintenance of community safety are paramount. I am keen to learn about the initiatives and policies the Council has in place or plans to introduce to prevent such incidents from recurring. Ensuring a safe and harmonious environment for all, including our wildlife, is a shared responsibility that I believe our Council can lead on effectively.”

8.	Community Plan 2023 - 2027	11 - 44
9.	Proposed Schedule of Meetings 2024/25	45 - 51
10.	Localised Council Tax Support Scheme 2024/25	52 - 54
11.	Treasury Management Mid-Year Report 2023/24	55 - 66
12.	Review of Statement of Licensing Policy 2024 - 2029	67 - 99
13.	Amended Allocations and Development Management Development Plan Document - Submission	100 - 144
14.	Notices of Motion (if any)	
15.	Minutes for Noting	
	(a) Cabinet - 31 October 2023	145 - 153
	(b) Planning Committee - 9 November 2023	154 - 163
	(c) Planning Committee - 23 November 2023	164 - 166
	(d) Audit & Governance Committee - 22 November 2023	167 - 172
	(e) General Purposes Committee - 30 November 2023	To Follow
	(f) Licensing Committee - 30 November 2023	To Follow
	(g) Policy & Performance Improvement Committee - 4 December 2023	To Follow

Agenda Item 4

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Full Council** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Tuesday, 17 October 2023 at 6.00 pm.

PRESENT: Councillor C Brooks (Chair)
Councillor J Hall (Vice-Chair)

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

APOLOGIES FOR ABSENCE: Councillor D Darby, Councillor P Taylor, Councillor L Tift, Councillor T Thompson and Councillor T Wildgust

37 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor E Oldham declared an interest in the second motion on the Council agenda on Ocean Recovery given she had written a children's book on a similar theme. Councillor Oldham advise that this was not a disclosable pecuniary interest as there was no direct link between the book and the motion.

There were no other declarations of interest from Members and Officers and the Council noted the interests previously declared by Members in Agenda Item No. 11 – Minutes for Noting.

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

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

39 MINUTES FROM THE MEETING HELD ON 18 JULY 2023 AND THE EXTRAORDINARY MEETING HELD ON 20 SEPTEMBER 2023

AGREED that the minutes of the meeting held on 18 July 2023 and the Extraordinary Meeting held on 20 September 2023 be approved as a correct record and signed by the Chair.

40 AUDIT & GOVERNANCE COMMITTEE ANNUAL REPORT

The Council considered the report of the Business Manager - Financial Services which informed the Council of the activity undertaken by the Audit & Governance

Committee during the 2022/23 financial year.

AGREED (unanimously) that the Audit & Governance Committee Annual Report for 2022/23 be noted.

41 MEMBERS ALLOWANCES INDEPENDENT REMUNERATION PANEL

The Council considered the report of the Assistant Director - Legal & Democratic Services and Monitoring Officer which presented the final report and recommendations of the Members Allowance Independent Remuneration Panel which had been reconvened to review the current scheme given the increase in the number of Portfolio Holders.

During their review, the Panel also considered the special responsibility allowance made to the Leader of the Main Opposition Group, the current childcare and dependents carers' allowance and the wording of the scheme in respect of the payment of allowances to Leaders of Minority Opposition Groups.

The Panel report was attached as Appendix A, and this had been considered at the Audit & Governance Committee meeting held on 27 September 2023. The points raised by the Committee and the response of the Panel were detailed in Section 2 of the report.

The panel report recommended that the existing SRA of £8,500 be paid to all Cabinet Members with portfolio (excluding Leader and Deputy Leader) with no changes to any other Special Responsibility Allowances. In addition, the report proposed changes to the wording of the scheme in respect to the limit on the number of special responsibility allowances payable and clarified the definition of Opposition Group Leaders. The report also recommended that the current rates payable for childcare and dependent carers' allowances were increased from up to £10 per hour to a maximum level of the National Living Wage.

AGREED (with 20 votes for and 14 against) that the recommendations of the Independent Remuneration Panel on changes to the current scheme of Members Allowances as set out in their report, be approved.

In accordance with Rule 5.4 a recorded vote was requested and taken as follows:

Councillor	Vote
Neil Allen	Against
Adrian Amer	For
Alice Brazier	For
Lee Brazier	For
Celia Brooks	For
Irene Brown	Against
Rowan Cozens	For
Susan Crosby	For
Linda Dales	Against
Phil Farmer	Against

Simon Forde	For
Andy Freeman	For
Jean Hall	For
Peter Harris	For
Simon Haynes	Against
Rhona Holloway	Against
Roger Jackson	Against
Jack Kellas	Against
Johno Lee	Against
Keith Melton	For
Sylvia Michael	Against
David Moore	For
Emma Oldham	For
Paul Peacock	For
Claire Penny	For
Mike Pringle	For
Penny Rainbow	Against
Karen Roberts	For
Neil Ross	For
Susan Saddington	Against
Maurice Shakeshaft	For
Tom Smith	Against
Matthew Spoons	For
Tim Wendels	Against

42 NOTICES OF MOTION

United Nations Sustainable Development Goals

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

“The Council agrees to:

- A. Adopt the United Nations Sustainable Development Goals (UN SDGs) as a framework for informing our local authority's policies, work programs, and initiatives.
- B. Contribute to the achievement of the UN SDGs through delivery of the Community Plan.
- C. Actively engage and collaborates with other local authorities, organisations, and community groups to share best practices, experiences, and lessons learned in advancing the UN SDGs.
- D. Receive an annual report from the Portfolio Holder for Climate Change setting out the Council's contributions to the global agenda for sustainable development.”

The motion, on being put to the vote, was agreed with 21 votes for and 13 against.

Ocean Recovery

In accordance with rule No. 3.4.3, Councillor E Oldham moved and Councillor K Melton, seconded a motion to the following effect:

“The Council pledges to champion ocean recovery by:

1. Working with responsible authorities and others with an interest in the River Trent to bring an action plan and to review the timetable to Cabinet within 12 months. Longer-term, we commit to making this report publicly available on the NSDC website and to subsequent bi-annual progress reporting at the Policy & Performance Improvement Committee.
2. Embedding protection and recovery of the River Trent and its tributaries in decision making by the Council (particularly in planning, regeneration, waste, skills and economic policy), in line with our actions to mitigate the Climate and Ecological Emergencies and to consider nature-based solutions in our journey towards a carbon neutral and climate resilient future.
3. Working with Severn Trent, the Environment Agency, developers, and other agencies to explore ways to improve the water quality of our rivers and coastal waters in our district benefitting nature and residents alike.
4. Updating the Council’s Climate Change plan to recognise how land and rivers connect to and impact the ocean and strive to support ocean recovery through a source-to-sea approach. Ensure any future relevant plans set out in our new Development Plan 2024 to 2029, also adopts this approach.
5. Growing ocean literacy (where a person understands the ocean’s impact on them and their impact upon the ocean) and marine citizenship in Newark & Sherwood, including:
 - a) Working with the responsible authorities with the aim of ensuring that all primary school-aged children in Newark and Sherwood have a first-hand experience of the ocean or River Trent- striving to engage home-schooled children.
 - b) Promoting sustainable and equitable experience and awareness of the ocean or River Trent through physical and digital experiences for all residents; and
 - c) Through these actions, embed understanding of the ‘source to sea’ approach and how all people, wherever they live, impact and are impacted by ocean health.
6. Using our website and other communication channels to provide updates on the recovery of our rivers, and signpost to opportunities and guidance that enable residents to become more ocean literate and to get involved with river and marine citizenship activities and to stop pollution at its source.
7. Ensuring that the Council’s Biodiversity Portfolio Holder, or Cabinet in any future absence of a designated Portfolio Holder, champions ocean recovery in line with the pledges laid out in this motion.
8. Recognising that wherever we live we share responsibility for sustainable marine management, the Leader will write to the Government calling on them to put the ocean into recovery by 2030, following expert guidance as outlined in Appendix 2 to the motion.”

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

In accordance with Rule 5.4 a recorded vote was taken as follows:

Councillor	Vote
Neil Allen	For
Adrian Amer	For
Alice Brazier	For
Lee Brazier	For
Celia Brooks	For
Irene Brown	For
Rowan Cozens	For
Susan Crosby	For
Linda Dales	For
Phil Farmer	For
Simon Forde	For
Andy Freeman	For
Jean Hall	For
Peter Harris	For
Simon Haynes	For
Rhona Holloway	For
Roger Jackson	For
Jack Kellas	For
Johno Lee	For
Keith Melton	For
Sylvia Michael	For
David Moore	For
Emma Oldham	For
Paul Peacock	For
Claire Penny	For
Mike Pringle	For
Penny Rainbow	For
Karen Roberts	For
Neil Ross	For
Susan Saddington	For
Maurice Shakeshaft	For
Tom Smith	For
Matthew Spoons	For
Tim Wendels	For

Disposal of Single Use Vapes

In accordance with Rule No. 3.4.3, Councillor R Jackson moved and Councillor J Lee, seconded a motion to the following effect:

“Although the Government is looking at banning single use vapes because of health reasons and their use by young children, in recent weeks it has been reported that discarded single use vapes have found their way into general waste and recycling bins

and have unfortunately been responsible for causing fires in refuse collection lorries and at waste transfer stations and recycling centres around the country. Newark & Sherwood District Council will review the issue of the dangers of single use vapes and explore safe and effective methods of their collection and disposal through a Policy & Performance Improvement Committee working group, bringing recommendations to the Cabinet.”

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

Housing of Asylum Seekers at RAF Scampton

In accordance with Rule No. 3.4.3, Councillor A Freeman moved and Councillor C Penny, seconded a motion to the following effect:

“This Council believes that the Home Office decision to use the historic home of the former Dambusters airfield, RAF Scampton, to house Asylum Seekers, will have a detrimental effect on the employment opportunities for residents in Newark & Sherwood District. A Judicial Review of the decision commences at the end of this month and this Council resolves to send a letter of support to West Lindsey District Council in its campaign to stop the proposal. We recognise that this site is not the right site at the right location for asylum seekers and further, that the loss of the planned £300 million investment in a “landmark deal” to bring thousands of highly-skilled jobs to the area will be a serious blow to the Government’s stated commitment to Levelling Up our areas.”

The motion, on being put to the vote, was agreed with 19 votes for and 15 abstention.

(Councillor Spoors abstained from voting given a potential conflict of interest with his employment).

Proposal for Closure of Ticket Office at Newark Northgate Railway Station

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

“That this Council write to LNER and East Midlands Railway strongly requesting that they take serious note of the concerns of residents of Newark & Sherwood district raised during the recent public consultation, and reverse their proposals to close the ticket offices at Newark Northgate and Newark Castle stations. Residents and travellers across the district have pointed out that they will be forced to rely on apps and remote mobile teams to be available to assist them rather than having trained staff on stations.

This is catastrophic for elderly, disabled and vulnerable passengers trying to access the rail network.”

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

- 43 MINUTES FOR NOTING
- 43a CABINET - 12 SEPTEMBER 2023
- 43b CABINET - 19 SEPTEMBER 2023
- 43c EXECUTIVE SHAREHOLDER COMMITTEE - 12 SEPTEMBER 2023
- 43d POLICY AND PERFORMANCE IMPROVEMENT COMMITTEE - 11 SEPTEMBER 2023
- 43e POLICY AND PERFORMANCE IMPROVEMENT COMMITTEE - 25 SEPTEMBER 2023
- 43f PLANNING COMMITTEE - 10 AUGUST 2023
- 43g PLANNING COMMITTEE - 7 SEPTEMBER 2023
- 43h AUDIT AND GOVERNANCE COMMITTEE - 27 SEPTEMBER 2023
- 43i GENERAL PURPOSES COMMITTEE - 14 SEPTEMBER 2023
- 43j LICENSING COMMITTEE - 14 SEPTEMBER 2023
- 43k PLANNING COMMITTEE - 5 OCTOBER 2023

Meeting closed at 8.50 pm.

Chair



Report to: Meeting of the Full Council – 12 December 2023

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

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

Lead Officer: Rowan Bosworth-Brown, Transformation & Service Improvement Officer, Ext. 5824

Report Summary	
Report Title	Community Plan 2023 - 2027
Purpose of Report	To approve the Community Plan 2023-2027
Recommendations	That the Council approve the Community Plan to be implemented for the period 2023 - 2027
Reason for Recommendations	<p>The Community Plan has been under development for a number of months with Portfolio Holders, Chairs and Vice Chairs. It has since been presented to both the Policy & Performance Improvement Committee and Cabinet, as well as shared with Community Partners.</p> <p>The Plan has now taken into account the feedback and comments from the sources named above and is ready to be presented to Full Council for approval prior to implementation.</p>

1.0 **Background**

- 1.1 The Community Plan is the key direction setting document used to outline the priorities and vision of the Council over the course of a four year term. As a result of the election in May 2023, a new administration was appointed and they have worked together to develop the Community Plan 2023-2027.
- 1.2 The Community Plan has been under development for a number of months, in which the Cabinet, Chairs and Vice Chairs have met a number of times with the aim of developing and shaping the priorities of the Community Plan 2023 – 2027. The results of the Resident Survey 2022 have been used to inform the development of the Community Plan (attached as an appendix to the report).
- 1.3 Business Managers have reviewed the draft Community Plan objectives and associated actions and have had the opportunity to provide feedback.

- 1.4 As the Community Plan guides the direction of the Council over a four year term, the necessary exploratory works, approvals and start dates of actions will be staggered throughout that term. As such Business Managers are currently working on Business Plans which set out the activities which will commence in year 1, they are also plotting start dates throughout the term for commencement of each action.
- 1.5 The Community Plan was presented to the Policy & Performance Improvement Committee (PPIC) on 25 September 2023 and Members of the committee contributed a number of comments which were carried forward for Cabinet to consider. The committee carried the recommendation to endorse and recommend the draft Community Plan to Cabinet.
- 1.6 The Community Plan was presented to Cabinet on 31 October 2023, the comments made by PPIC were shared with Cabinet for consideration. Cabinet carried the recommendation to endorse and recommend the Community Plan to Full Council for approval.
- 1.7 The Community Plan was presented to a meeting of Community Partners hosted by the Council in November. It is acknowledged that within the Community Plan some of the actions set out are only deliverable if the Council works in partnership with the relevant partners and organisations, as such this session set out to share our Community Plan with our partners.
- 1.8 It is recognised that the Community Plan must remain at the heart of doing what is right for our residents. As such, the Community Plan must remain adaptable to ensure that the Council can respond to the needs of the community. The Community Plan will also be reviewed on an annual basis hereafter.

2.0 Proposal/Details of Options Considered

- 2.1 It is recommended that the Council approve the Community Plan, which will outline the priorities and vision for the period 2023-2027.

3.0 Implications

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

Financial Implications (FIN23-24/8812)

- 3.1 Where appropriate any resource requirements to enable the delivery of the actions contained with the draft Community Plan 2023-2027 will be built into the budgets/HRA Business Plan/Medium Term Financial Plan that will be approved during February and March 2024.
- 3.2 For those actions that require further work to be undertaken to understand the resource requirements to deliver the actions, where appropriate, individual reports will be brought back on the various topics, which will identify any resource requirements to deliver the action whether that be from a one-off perspective or on-going.

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

NEWARK AND SHERWOOD DISTRICT COUNCIL

**COMMUNITY PLAN
2023 - 2027**



SERVING PEOPLE, IMPROVING LIVES



**NEWARK &
SHERWOOD
DISTRICT COUNCIL**

Agenda Page 14



CONTENTS

Welcome to Newark and Sherwood’s Community Plan	4
Our vision	5
Our District	6
How the Council works	8
How will we finance our plans?	9
Objective 1: Improve Health and Wellbeing	12
Objective 2: Increase the Supply, Choice, and Standard of Housing	14
Objective 3: Raise peoples’ skills levels and create employment opportunities for them to fulfil their potential	17
Objective 4: Reduce Crime and Anti-Social Behaviour	20
Objective 5: Protect and enhance the district’s natural environment and green spaces	23
Objective 6: Reduce the impact of climate change	25
Objective 7: Celebrate and invigorate community spirit, pride of place and a sense of belonging	28
Objective 8: To be a top performing, modern and accessible Council	30
Our performance	32
Have your say	34



WELCOME TO NEWARK AND SHERWOOD'S COMMUNITY PLAN

2023 - 2027

Welcome to Newark and Sherwood's Community Plan, covering the period from 2023 to 2027.

The plan sets out what the Council intends to achieve over the next four years and how we will go about doing this. It takes account of feedback that we've received from our residents and focuses on the things that matter most to them - like tackling crime and anti-social behaviour and protecting and enhancing our environment.

In so many ways, Newark and Sherwood is a fantastic place to live, work and visit. We are privileged to be surrounded by wonderful countryside, are home to a thriving and diverse business and community sector and have many local amenities on our doorstep that cater for all kinds of different interests. At the same time, some of the people we serve are finding life especially tough at the moment, struggling to cope with the continued high cost-of-living and finding it difficult to fulfil their potential. While some Council services and some activities within the Community Plan are universal - in other words they benefit everyone - there's a strong theme running through our plan to maximise the strengths and unleash the potential of individuals and communities that have yet to share in the wider prosperity of Newark and Sherwood. This will involve working at multiple levels (national, regional, county, district and neighbourhood) if we're to raise aspirations, improve local skills levels, stimulate inward investment and improve health and well-being.

The other strong current flowing through our plan is our ambition to accelerate action to combat climate change and to enhance and protect biodiversity. There's plenty more we can do as a Council, for example to reduce our energy consumption through our planning policies and sensitive approaches to land management and conservation. But as with all of our challenges and opportunities, we can't do this alone and rely on constructive relationships with a wide range of partners. So, in our plan you'll find actions that the Council will be leading on and other actions that are about us influencing others for the benefit of our community.

The Community Plan provides a focus for the Council's activities and we will use it to prioritise how we spend public money. However, we know from experience that plans change. Think COVID, the war in Ukraine and the cost-of-living crisis, none of which were on the horizon when we developed our last plan yet all of which had a profound impact on our own organisation and the people that we serve. We will therefore carry out regular reviews of our Plan, to ensure that we are making good progress so that it remains fresh and in touch with local priorities.

Finally, although the bulk of the plan focuses on the actions we're going to take, there's an important section which concentrates on the "how" - the way we go about our business. This is hugely important - we call these our values - and they reflect what is important to us in the way that we think, behave and interact within and beyond the Council. You can find our values listed on page 5 of the Community Plan and ultimately, you will be the judge as to whether we are living these out or not!

We hope you find the Plan of interest and if you have any comments or suggestions, we'd love to hear from you.

Best wishes.



John Robinson
Chief Executive of Newark and
Sherwood District Council

Councillor Paul Peacock
Leader of Newark and
Sherwood District Council

Agenda Page 17

OUR VISION

The ethos of Newark and Sherwood District Council is 'Serving People, Improving Lives'. We exist for the benefit of others and we are accountable for making things better. We accept this responsibility and recognise that our Community Plan can only be achieved by working in partnership with others and at a variety of different levels – sometimes street based, sometimes regionally, nationally and internationally.

Our Council wants to make a positive difference - now and for future generations. We're passionate for everyone within our community to fulfil their potential and our aspiration is to be at the forefront of sustainable living.

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

OUR PURPOSE AND OUR VALUES

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

Ambitious and forward thinking:

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

Caring and compassionate:

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

Commercial and business-like:

Careful and creative with resources; securing value for money.

Professional and trustworthy:

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

Welcoming and responsive:

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

'SERVING PEOPLE, IMPROVING LIVES'

OUR DISTRICT

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

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

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

Strengths:

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

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

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

Challenges:

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

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

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

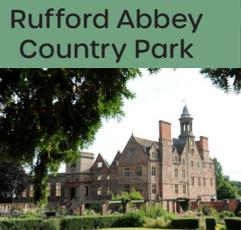
The health of our residents presents some challenges. 44.7% of residents would describe their health as very good, which is 3.8% lower than the national average. There are several factors which shape the conditions in which we are born, grow, live, work and age. These factors result in the differences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



Thoresby Estate



Sherwood Forest and Sherwood Pines



Rufford Abbey Country Park



Vicar Water Country Park



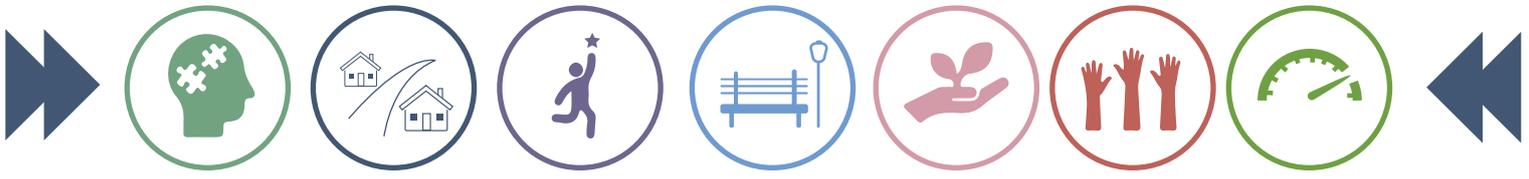
Newark Castle



Sconce and Devon Park

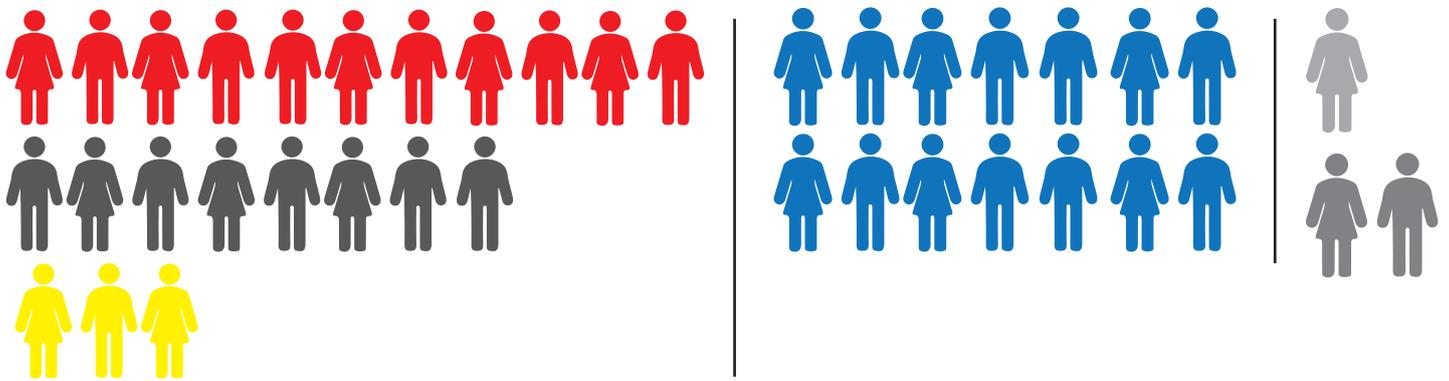
Southwell Minster and Archbishops Palace





HOW THE COUNCIL WORKS

Residents of Newark and Sherwood are represented by 39 elected members. The political make-up of the Council from May 2023 is shown below. As no single political group has a majority of seats (20) on the Council, a collective has been formed between the Labour group, Independents for Newark and District and the Liberal Democrat Group who between them provide the political leadership of the Council.



Councillors are elected by the community to decide how the Council should carry out its various activities. They represent public interest as well as individuals living within the ward in which he or she has been elected to serve a term of office. They have regular contact with the general public through Council meetings, telephone calls or surgeries. Surgeries provide an opportunity for any ward resident to go and talk to their Councillor face-to-face and these take place on a regular basis. Councillors appoint a Leader and Deputy Leader to provide political leadership and direction for the Council as a whole. Each year, Councillors also appoint a Chairman to undertake civic responsibilities on behalf of the whole Council.

Find out more about our Councillors, including the Councillor representative for each ward here: [Your Councillors - Newark and Sherwood District Council \(newark-sherwooddc.gov.uk\)](http://newark-sherwooddc.gov.uk)

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





HOW WILL WE FINANCE OUR PLANS?

Since 2010/11 the way in which Local Government has been financed has fundamentally changed, with Councils needing to be more financially self-sufficient in order to meet their objectives and priorities. In 2010/11 the Council received 23.12% of its total expenditure directly from Central Government in the form of a grant. In 2023/24 that percentage reduced to 7.5%.

Further reform in the way local government is financed has been anticipated for some years, however since 2019/20 several national priorities have impacted on ministerial time and the reform has therefore been delayed. It is expected that the reform will, when introduced, largely seek to rebalance the funding between lower tier (District and Borough Councils) and upper tier (County Councils) to address national priorities such as funding of adult and children’s social care services. It is expected that the reform will happen but when it will happen is uncertain, and unlikely now to be before 2026/27.

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

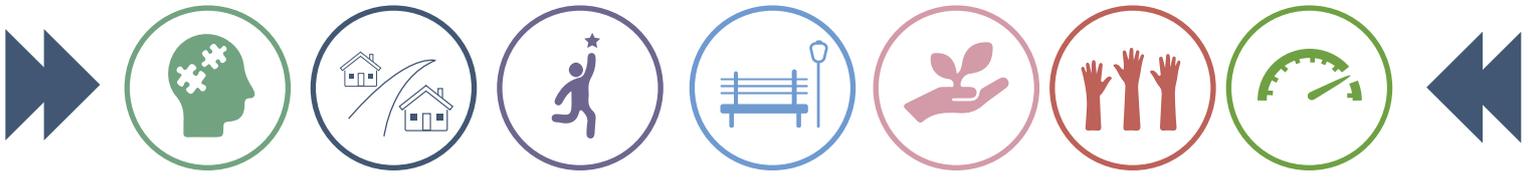
Fees and Charges: This is made up of a number of different types of fees and charges, some of which are mandatory (for example certain types of planning fee or certain types of licencing fee) and some are discretionary (such as lorry park charging or entry fee to the National Civil War Centre).

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



BREAKDOWN PER £1 OF COUNCIL TAX

Average Parish Precepts - £0.04
Nottinghamshire Fire and Rescue - £0.04
Newark and Sherwood District Council - £0.08
Nottinghamshire Police and Crime Commissioner - £0.11
Nottinghamshire County Council - £0.73



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

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

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

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

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

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





OBJECTIVE 1

Improve health and wellbeing.

OBJECTIVE 2

Increase the supply, choice, and standard of housing.

OBJECTIVE 3

Raise peoples' skills levels and create employment opportunities for them to fulfil their potential.

OBJECTIVE 4

Reduce crime and anti-social behaviour.

OBJECTIVE 5

Protect and enhance the district's natural environment and green spaces.

OBJECTIVE 6

Reduce the impact of Climate Change.

OBJECTIVE 7

Celebrate and invigorate community spirit, pride of place and a sense of belonging.

OBJECTIVE 8

To be a top performing, modern and accessible Council.





OBJECTIVE 1: IMPROVE HEALTH AND WELLBEING



Objective 1: Improve health and wellbeing	Lead Director/Officer	Portfolio Holder
Review the impact of the Council's cost-of-living action plan and consider future support.	Chief Executive/Director of Housing, Health and Well-Being	Health, Wellbeing and Leisure Strategy Performance and Finance Public Protection and Community Relations Sustainable Economic Development
Maximise take up of housing benefit, Council Tax support and other household grants to support residents financially.	Revenues and Benefits Business Manager	Strategy Performance and Finance
Support the delivery of community-based prevention services through the construction of a new car park at Newark Hospital.	Corporate Property Business Managers	Strategy Performance and Finance
Deliver our 'Warm Homes on Prescription' service in partnership with Mansfield District Council.	Housing Maintenance and Asset Management Business Manager	Health, Wellbeing and Leisure
Deliver our 'Playpark Investment Plan' to improve play park areas across the district, exploring natural play opportunities.	Environmental Services Business Manager	Biodiversity and Environmental Services
Develop options for improving Southwell Leisure Centre, including the provision of a new centre..	Corporate Property Business Manager Housing Strategy and Regeneration Business Manager	Health, Wellbeing and Leisure
Explore options for 'green' entrances and exits to and from estates and villages.	Environmental Services Business Manager	Biodiversity and Environmental Services
Explore options for improving air quality in specific locations.	Public Protection Business Manager	Climate Change
Work with partners to reduce health inequalities in targeted areas and seek to increase local access to services and green spaces for all.	Housing Strategy and Regeneration Business Manager	Health, Wellbeing and Leisure Biodiversity and Environmental Services



Support NHS partners via sign posting and jobs fairs to recruit and retain staff from the local community in order to improve access to health and social care.	Housing Strategy and Regeneration Business Manager	Health, Wellbeing and Leisure
Develop plans and seek funding opportunities for the Council and its partners to improve cycling and walking infrastructure.	Planning Policy and Infrastructure Business Manager	Health, Wellbeing and Leisure
	Housing Strategy and Regeneration Business Manager	Sustainable Economic Development
Develop an agreed approach to increase the number of groups and individuals actively engaged in volunteering, making sure the offer is as inclusive and as varied as possible.	Housing Strategy and Regeneration Business Manager	Public Protection and Community Relations
Develop and seek funding to implement a 'Playing Pitch Strategy' and 'Facilities Improvement Plan'.	Housing Strategy and Regeneration Business Manager	Health, Wellbeing and Leisure
Implement our 'Health and Wellbeing Strategy', having regard to the Office of National Statistics indices of wellbeing.	Housing Strategy and Regeneration Business Manager	Health, Wellbeing and Leisure
Work with partners to develop a Local Transport Plan for the district, including options for improving public transport with a focus on increasing the geographical coverage and frequency of these services and opportunities for low emission vehicles.	Planning Policy and Infrastructure Business Manager	Sustainable Economic Development
Explore options to further develop parks in the district enabling free play and exercise, making sure the offer is as inclusive and as varied as possible.	Environmental Services Business Manager	Biodiversity and Environmental Services
Provide ongoing support to raise the profile of cycling within the district, including the promotion of high-profile events, supporting increased participation in cycling, and encouraging active travel and recreation.	Economic Growth and Visitor Economy Business Manager	Health, Wellbeing and Leisure
	Housing Strategy and Regeneration Business Manager	
To design and implement a changing places style facility within the Dukeries Leisure Centre to increase accessibility for all residents.	Corporate Property Business Manager	Health, Wellbeing and Leisure
	Housing Strategy Regeneration Business Manager	
Consider how to ensure major projects are developed with community involvement where appropriate and seek to maximise the delivery of wider benefits, including health, climate, biodiversity and heritage and culture.		Health, Wellbeing and Leisure
	Economic Growth and Visitor Economy Business Manager	Biodiversity and Environmental Services Heritage, Culture and the Arts



OBJECTIVE 2: INCREASE THE SUPPLY, CHOICE, AND STANDARD OF HOUSING



Objective 2: Increase the supply, choice, and standard of housing	Lead Director/Officer	Portfolio Holder
Deliver the Housing Strategy, 2023-2028.	Housing Strategy and Regeneration Business Manager	Housing
Review the 'Housing Allocations Scheme', including a full refresh of the housing register.	Housing and Estates Management Assistant Business Manager	Housing
Continue to respond to additional and emerging demands for the resettlement of refugees.	Housing and Estates Management Assistant Business Manager	Housing
Deliver a 'Housing Stock Condition Survey' for Council housing and private rented sector properties.	Housing Maintenance and Asset Management Business Manager Public Protection Business Manager	Housing
Implement a new Homelessness and Rough Sleeper Strategy, 2024-2027.	Housing Strategy and Regeneration Business Manager	Housing
Explore ways to reduce the number of empty private homes across the district.	Housing Strategy and Regeneration Business Manager Public Protection Business Manager	Housing
Explore ways to improve energy efficiency in the private rented sector.	Housing Maintenance and Asset Management Business Manager Housing Strategy and Regeneration Business Manager	Housing Climate Change
Complete the current Council house building programme and explore plans for a future programme.	Director of Housing, Health and Wellbeing	Housing



Develop new homes for open market sale or rent through Arkwood Developments Ltd, balancing housing quality, mix of housing, environmental sustainability and financial return.	Chief Executive Officer	Strategy Performance & Finance
Undertake an options appraisal for 'Housing with Care' in conjunction with partners.	Housing Services Business Manager	Housing
Develop an 'Affordable Housing and Development Contributions Supplementary Planning Document'.	Housing Strategy and Regeneration Business Manager Planning Policy and Infrastructure Business Manager	Housing
Progress the amended 'Allocations and Development Management DPD' through the examination process to adoption.	Director of Growth and Regeneration	Sustainable Economic Development
Develop and deliver a strategy to meet the housing needs of the Gypsy, Roma and Traveller community.	Housing Strategy and Regeneration Business Manager Housing Services Business Manager	Housing
Complete development of Alexander Lodge, a new temporary accommodation facility, incorporating pathways to independence for care leavers.	Corporate Property Business Manager Housing and Estates Management Assistant Business Manager	Housing
Embed and evaluate our new 'Repairs Online' service.	Housing Maintenance and Asset Management Assistant Business Manager	Housing
Review planning guidance and policies to encourage and require where possible enhanced sustainability standards in new developments.	Planning Policy and Infrastructure Business Manager	Sustainable Economic Development Climate Change
Design and implement a 'New Housing Management System' for Council owned homes, to provide a modern system and better user experience for both tenants and staff.	Housing Income and Leaseholder Management Business Manager	Housing
Deliver the estate regeneration scheme at Yorke Drive.	Housing Strategy and Regeneration Business Manager Corporate Property Business Manager	Housing
Explore further ways to seek out imaginative and effective ways to engage with and involve tenants.	Housing Services Business Manager	Housing



OBJECTIVE 3:

RAISE PEOPLES' SKILLS LEVELS AND CREATE EMPLOYMENT OPPORTUNITIES FOR THEM TO FULFIL THEIR POTENTIAL



Objective 3: Raise peoples' skill levels and create employment opportunities for them to fulfil their potential	Lead Director/Officer	Portfolio Holder
Review and adopt a new Sustainable Economic Development and Visitor Economy Strategy 2023-2028.	Economic Growth and Visitor Economy Business Manager	Sustainable Economic Development
Work alongside educators and employers to identify, support and expand local opportunities in green and land management sectors.	Economic Growth and Visitor Economy Business Manager	Sustainable Economic Development Climate Change Biodiversity and Environmental Services
Support the further development of the Air and Space Institute (Newark)@ including linked sectors, future skills, and supply chain.	Economic Growth and Visitor Economy Business Manager	Sustainable Economic Development
Continue to develop and deliver the 'Future First Career Expo' annually.	Economic Growth and Visitor Economy Business Manager	Sustainable Economic Development
Maximise local employment opportunities during, and arising from, major infrastructure and housing schemes, including the Southern Link Road, A46 and Ollerton Roundabout.	Economic Growth and Visitor Economy Business Manager Planning Policy and Infrastructure Business Manager	Sustainable Economic Development
Redevelop the Clipstone Holdings site with high quality, environmentally sustainable industrial units.	Corporate Property Business Manager	Sustainable Economic Development
Progress the development of 14 Market Place to provide commercial space to the ground floor and residential dwellings above.	Corporate Property Business Manager	Sustainable Economic Development

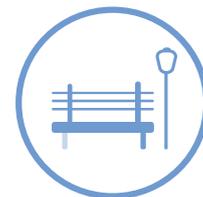


Progress the relocation of Newark Lorry Park and redevelopment of Newark Gateway.	Economic Growth and Visitor Economy Business Manager Corporate Property Business Manager	Sustainable Economic Development
Undertake a feasibility study for the refurbishment of the Sutton-on-Trent industrial site with a view to creating employment opportunities.	Corporate Property Business Manager	Sustainable Economic Development
Deliver the 'Shared and Rural Prosperity Fund Programmes' up to March 2025.	Economic Growth and Visitor Economy Business Manager	Sustainable Economic Development
Reinvigorate Invest Newark and Sherwood.	Economic Growth and Visitor Economy Business Manager	Sustainable Economic Development
Review annually the 'Infrastructure Funding Statement' to pro-actively support identified priorities through a combination of developer delivery, direct delivery, securing funding, and using influence to shape third party delivery plans.	Planning Policy and Infrastructure Business Manager	Sustainable Economic Development
Expand the number of apprenticeship and work experience opportunities across the Council and district, including major projects, working with partner organisations to deliver this.	Economic Growth and Visitor Economy Business Manager HR and Training Business Manager	Sustainable Economic Development
Promote the market for arts, culture and creative industries, including opportunities for high quality training and access to a variety of creative outlets.	Heritage and Culture Business Manager	Heritage, Culture and the Arts
Recognise and promote access to art and creative subjects, enabling all residents to realise their potential and explore how to increase employment opportunities within this sector.	Economic Growth and Visitor Economy Business Manager	Heritage, Culture and the Arts
Review with partners the wide variations in educational attainment across the district and develop targeted proposals to address this.	Economic Growth and Visitor Economy Business Manager	Sustainable Economic Development

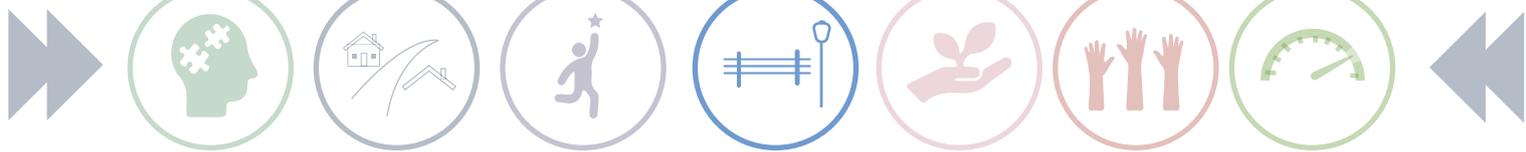




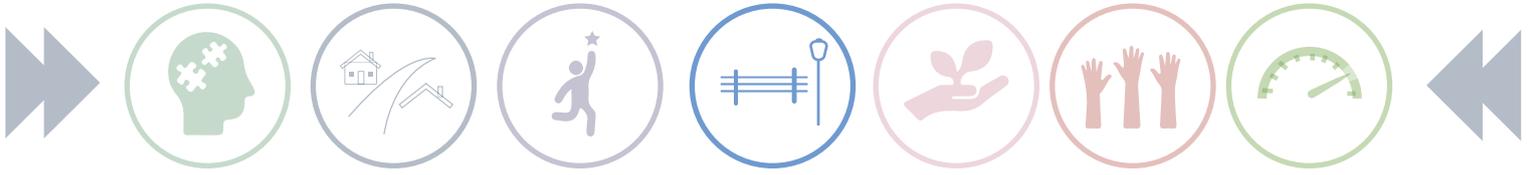
OBJECTIVE 4: REDUCE CRIME AND ANTI-SOCIAL BEHAVIOUR



Objective 4: Reduce crime and anti-social behaviour	Lead Director/Officer	Portfolio Holder
Develop a Community Safety Strategy and action plan addressing the priorities for 2024/25.	Public Protection Business Manager	Public Protection and Community Relations
Increase the level of resource in order to tackle anti-social behaviour in target locations.	Director of Communities and Environment/Public Protection Business Manager	Public Protection and Community Relations
Undertake a comprehensive review of public realm CCTV with a view to making recommendations for its future coverage, geographical locations and partnership arrangements.	Public Protection Business Manager	Public Protection and Community Relations
Maximise the use and effectiveness of CCTV to deter crime and bring offenders to justice.	Public Protection Business Manager	Public Protection and Community Relations
Intervene to reduce the number of empty premises across high streets to deter potential anti-social behaviour and encourage footfall.	Public Protection Business Manager Economic Growth and Visitor Economy Business Manager	Public Protection and Community Relations
Improve lighting and review infrastructure to reduce opportunities for crime and anti-social behaviour and improve feelings of safety.	Public Protection Business Manager	Public Protection and Community Relations
Integrate reduction mechanisms for crime and anti-social behaviour into town centre schemes, such as Newark Towns Fund, Newark Cultural Heart Programme, Heritage Action Zones and Shop Local campaigns.	Public Protection Business Manager Planning Development Business Manager	Public Protection and Community Relations
Actively promote the reporting of anti-social behaviour to increase intelligence and enable better targeting of interventions, including Pub Watch and Shop Watch.	Public Protection Business Manager	Public Protection and Community Relations
Continue to undertake regular 'Nights of Action', targeting crime and anti-social behaviour 'hot spots'.	Public Protection Business Manager	Public Protection and Community Relations
Continue to work with partners and businesses to identify and intervene with known groups who perpetrate anti-social behaviour.	Public Protection Business Manager	Public Protection and Community Relations



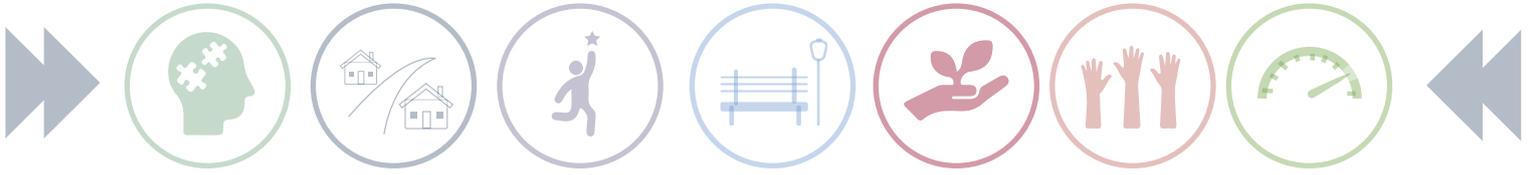
Continue to work with partners to encourage interventions at an early stage through education in schools and assisting families in need of support, including young people who have fallen out of education.	Public Protection Business Manager	Public Protection and Community Relations
Assist in the delivery of 'Rural Crime and ASB Prevention' with additional target hardening at Sherwood Forest Corner.	Public Protection Business Manager	Public Protection and Community Relations
Coordinate enforcement activity across Public Protection, Housing and Estate Management and Environmental Services to ensure joined up collaborative approaches.	Public Protection Business Manager Environmental Services Business Manager Housing Services Business Manager	Public Protection and Community Relations
Reduce the number of environmental crimes committed by increasing visibility and enforcement in targeted areas.	Environmental Services Business Manager Public Protection Business Manager	Public Protection and Community Relations
Complete a programme of target hardening to protect vulnerable sites from unauthorised encampments.	Public Protection Business Manager	Public Protection and Community Relations
Continue to deliver the 'Safer Streets' project and identify future funding streams.	Public Protection Business Manager	Public Protection and Community Relations
Continue with the concession for the enviro-crime enforcement scheme.	Environmental Services Business Manager	Public Protection and Community Relations
Work in partnership with other housing providers to enable early intervention in matters of anti-social behaviour, which may include enforcement action for those in private rented accommodation.	Public Protection Business Manager	Public Protection and Community Relations
Work with partners to develop early intervention and youth diversionary activities to prevent crime and anti-social behaviour and engage with young people to understand what those activities might be.	Public Protection Business Manager	Public Protection and Community Relations
Consider options of expanding the 'Community Alcohol Partnership' (CAP) service into the district.	Housing Strategy and Regeneration Business Manager	Public Protection and Community Relations
When new projects are underway, actively seek out ways to involve residents in aspects of their design and development, thereby increasing a local sense of ownership and mitigating against the risk of vandalism and damage.	Planning Development Business Manager Public Protection Business Manager	Public Protection and Community Relations
Examine how the provision of art and creative activities could be used as a means of diverting some young people away from anti-social behaviour and giving direction, hope and aspiration for the future.	Public Protection Business Manager Housing Strategy and Regeneration Business Manager	Heritage, Culture and the Arts



OBJECTIVE 5: PROTECT AND ENHANCE THE DISTRICT'S NATURAL ENVIRONMENT AND GREEN SPACES



Objective 5: Protect and enhance the district's natural environment and green spaces	Lead Director/ Officer	Portfolio Holder
Support Newark Town Council in the delivery of improvement plans at Sherwood Avenue Park.	Director of Communities and Environment	Biodiversity and Environmental Services
Understand the biodiversity baseline within the district, allowing the development and implementation of a Biodiversity Strategy, 2024 - 2028.	Planning Development Business Manager Planning Policy and Infrastructure Business Manager	Biodiversity and Environmental Services
With WRAP (Waste and Resources Action Programme) and Nottinghamshire County Council, develop an options appraisal for the collection of weekly food waste collections and mixed recycling.	Environmental Services Business Manager	Climate Change
Roll out new kerbside glass recycling service.	Environmental Services Business Manager	Climate Change
Improve recycling levels by promoting positive behavioural changes, through community events, targeted communication and enforcement.	Environmental Services Business Manager	Climate Change
Improve the appearance of the environment and recycling rates in targeted communities by delivering at least 10 school or community projects per annum, aligned with the future 'Days of Action' programme.	Environmental Services Business Manager	Climate Change
Undertake environmental protection activities to reduce levels of littering and fly tipping across the district, whilst also focusing on improving the quality of natural habitats.	Environmental Services Business Manager	Biodiversity and Environmental Services
Utilise new real time reporting analysis of street cleansing/grounds maintenance to improve our response times.	Environmental Services Business Manager	Biodiversity and Environmental Services
Carry out a district wide audit of litter and dog bins.	Environmental Services Business Manager	Biodiversity and Environmental Services



<p>Conduct a programme of focus weeks (targeted following district wide monitoring) of joint working between Street Scene, Housing and the Environmental Protection Officer.</p>	<p>Environmental Services Business Manager Public Protection Business Manager Housing Services Business Manager</p>	<p>Biodiversity and Environmental Services</p>
<p>Deliver on the Council's Tree Strategy.</p>	<p>Environmental Services Business Manager</p>	<p>Biodiversity and Environmental Services</p>
<p>Play an active role in biodiversity net gain for the district, including the potential to own our own biodiversity offset sites, as well as looking at how our own developments can contribute.</p>	<p>Planning Development Business Manager Corporate Property Business Manager</p>	<p>Biodiversity and Environmental Services</p>

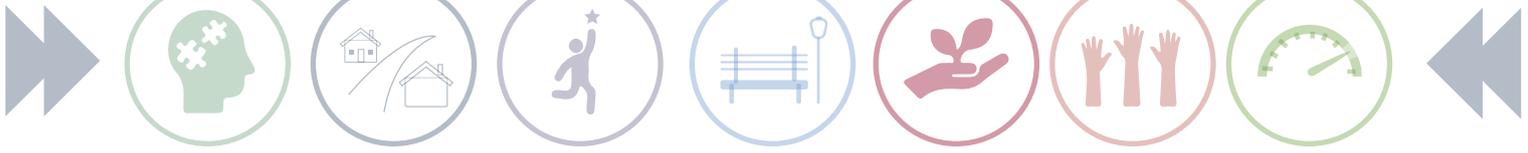




OBJECTIVE 6. REDUCE THE IMPACT OF CLIMATE CHANGE



Objective 6: Reduce the impact of climate change	Lead Director/Officer	Portfolio Holder
Further develop and deliver a Council-wide decarbonisation plan for our built assets as set out within the Decarbonisation Plan, including the decarbonisation of heating systems within our corporate and leisure buildings.	Director of Communities and Environment	Climate Change
Continue to deliver the Brunel Drive Masterplan, including the trial of electric and hybrid vehicle options. Facilitate the expansion of mass vehicle charging required at Brunel Drive Depot.	Director of Communities and Environment	Climate Change
Undertake an annual assessment of the carbon footprint of Newark and Sherwood District Council to measure performance against the Council's target of net zero.	Director of Communities and Environment	Climate Change
Implement the 'Local Area Energy Plan'.	Director of Communities and Environment	Climate Change
Work with key strategic partners to support completion and evaluation of the 'Home Upgrade Grant' scheme.	Housing Maintenance and Asset Management Business Manager Housing Strategy and Regeneration Business Manager	Climate Change Housing
Complete a project for our Council homes to renew over 100 oil heating systems with air source heat pumps and solar panels to improve affordability for tenants and reduce carbon emissions.	Housing Maintenance and Asset Management Business Manager	Housing Climate Change
Roll out programme of solar panels across Council buildings and explore other options to deliver our commitment to decarbonise Council owned assets.	Director of Communities and Environment	Climate Change
Engage with the Carbon Trust to explore the feasibility and implications of accelerating the decarbonisation target, our pledge to become Net Zero by 2035 and expanding it to include social housing.	Director of Housing, Health and Wellbeing Director of Communities and Environment	Climate Change
Investigate securing greater renewable energy solutions within new developments across the district, including small scale community schemes where appropriate.	Planning Policy and Infrastructure Business Manager	Climate Change



Restructure current collection rounds and develop improved driver behaviour strategies, including the monitoring of vehicle repairs, to reduce fuel consumption and CO2 emissions.	Environmental Services Business Manager	Climate Change
Take the lead to develop a more joined-up approach to the management of the public realm, focusing on key areas in town centres and local estates.	Environmental Services Business Manager	Biodiversity and Environmental Services
	Housing Services Business Manager	Housing
Work with partners to consider how best to maximise the potential benefit of the River Trent, including as a source of energy generation and as a tourism asset.	Economic Growth and Visitor Economy Business Manager	Sustainable Economic Development
	Economic Growth and Visitor Economy Business Manager	Biodiversity and Environmental Services Climate Change Heritage, Culture and the Arts
Declare a 'Motion for the Ocean' to champion good stewardship by the relevant authorities of the River Trent and its tributaries. To encourage addressing pollution and litter at source, contributing significantly to the preservation and restoration of the ocean.	Environmental Services Business Manager	Biodiversity and Environmental Services Climate Change
Consider how to celebrate community contributions made through youth volunteering.	Housing Strategy and Regeneration Business Manager	Public Protection and Community Relations
Explore options for the creation of community works of art which communicate an environmental message, including a love of the natural world and to ensure all residents have a voice including young people.	Housing Strategy and Regeneration Business Manager	Heritage, Culture and the Arts





OBJECTIVE 7: CELEBRATE AND INVIGORATE COMMUNITY SPIRIT, PRIDE OF PLACE AND A SENSE OF BELONGING



Objective 7: Celebrate and invigorate community spirit, pride of place and a sense of belonging	Lead Director/Officer	Portfolio Holder
Develop a flexible, creative approach to cultural visiting, with family orientated activities. To include family tours, drop-in arts activities and storytelling that utilise the three heritage sites with a vision of integrating our offer to broaden our reach and appeal to a wide range of audiences.	Heritage and Culture Business Manager	Heritage, Culture and the Arts
Review current grant aid support to voluntary and community groups to ensure Council funding has maximum impact.	Housing Strategy and Regeneration Business Manager	Public Protection and Community Relations
Deliver seasonal destination marketing campaigns to promote visitor attractions, working in partnership with accommodation and food providers, and events promoters. Create brand ambassadors for the district both within the Council and the wider district.	Economic Growth and Visitor Economy Business Manager	Heritage, Culture and the Arts
Deliver the Newark Castle Gatehouse scheme.	Heritage and Culture Business Manager Corporate Property Business Manager	Heritage, Culture and the Arts
Deliver the National Portfolio Organisation (NPO) activity plan.	Heritage and Culture Business Manager	Heritage, Culture and the Arts
Support the delivery of community initiatives through ongoing grant schemes.	Housing Strategy and Regeneration Business Manager	Public Protection and Community Relations
Develop and implement an Evening Economy Strategy for towns in the district.	Economic Growth and Visitor Economy Business Manager	Sustainable Economic Development
Develop and implement a package of improvements to enhance Sherwood Forest as a visitor destination.	Economic Growth and Visitor Economy Business Manager	Heritage, Culture and the Arts
Lead the delivery of the Newark Cultural Heart programme.	Economic Growth and Visitor Economy Business Manager	Heritage, Culture and the Arts
Respond to community requests to support any community-led days of action across the district, in conjunction with partners.	Environmental Services Business Manager	Public Protection and Community Relations
Implement a 'Shopfront Grant Scheme' as part of the Heritage Action Zone Programme.	Economic Growth and Visitor Economy Business Manager	Sustainable Economic Development



Conclude feasibility work in readiness for future funding opportunities for Ollerton Town Centre and Mansfield Road, Clipstone.	Economic Growth and Visitor Economy Business Manager Housing Strategy and Regeneration Business Manager	Sustainable Economic Development
Complete the development of 32 Stodman Street and explore further opportunities to revitalise town centres through residential development, including the 'Newark Town Centre Masterplan and Design Code'.	Economic Growth and Visitor Economy Business Manager Corporate Property Business Manager	Sustainable Economic Development
Actively promote the Councils role in supporting the Veteran community, both as an employer and within the community.	Transformation and Service Improvement Manager Housing Strategy and Regeneration Business Manager	Councillor Neil Ross
Explore options for implementing a youth Council and youth awards, as a way of recognising the contribution of young people throughout the district as positive role models, in a range of settings that include the arts, providing positive mentoring and inspiring success stories.	Elections & Democratic Services Business Manager	Public Protection and Community Relations
Champion and promote the arts, culture and heritage through the enjoyment of music and arts from different cultures, increasing a sense of belonging, shared experience and community pride.	Economic Growth and Visitor Economy Business Manager Heritage and Culture Business Manager	Heritage, Culture and the Arts
Explore opportunities for having themed music and art events that focus on individual communities that celebrate diversity in the district and mutual respect, through a celebration of the arts.	Economic Growth and Visitor Economy Business Manager	Heritage, Culture and the Arts
Examine further ways to take art and artefacts out into areas of the community that are not geographically close to our museum and heritage buildings.	Heritage and Culture Business Manager	Heritage, Culture and the Arts
Strive to ensure the composition of delivery boards for all major projects include as diverse a group as possible, leading to more inclusive decision making.	Economic Growth and Visitor Economy Business Manager	Heritage, Culture and the Arts Sustainable Economic Development
Work with partners to look at opportunities for music and the arts to provide therapy.	Housing Strategy and Regeneration Business Manager	Heritage, Culture and the Arts Health, Wellbeing and Leisure
Develop opportunities to maximise the visitor offer linked to Sherwood Forest.	Economic Growth and Visitor Economy Business Manager	Heritage, Culture and the Arts
Expand activities and events across the district to enable as many people as possible to benefit from the variety we offer, tying in ways to increase ease of access through joint promotion and offers, transport, food and facilities.	Economic Growth and Visitor Economy Business Manager	Heritage, Culture and the Arts



OBJECTIVE 8: TO BE A TOP PERFORMING, MODERN AND ACCESSIBLE COUNCIL



Objective 8: To be a top performing, modern and accessible Council	Lead Director/Officer	Portfolio Holder
Commission a 'Corporate Peer Challenge' and develop an action plan arising from its findings.	Transformation and Service Improvement Manager	Strategy Performance and Finance
Develop a Parish Council conference.	Transformation and Service Improvement Manager	Public Protection and Community Relations
Maximise the benefits to Newark and Sherwood arising from the East Midlands Mayoral Combined Authority.	Chief Executive Officer	Strategy Performance and Finance
Explore opportunities with Nottinghamshire County Council and other Nottinghamshire District and Borough Councils for closer integration of services.	Chief Executive Officer	Strategy Performance and Finance
Through the Commercialisation Strategy and action plan, continue to seek out and generate new sources of income, whilst retaining our public service ethos.	Financial Services Business Manager	Strategy Performance and Finance
Finalise and implement the Communications Strategy.	Communications and Marketing Manager	Strategy Performance and Finance
Ensure the new Customer Experience Strategy is fully embedded in the operations and culture of the Council.	Customer Services Business Manager	Strategy Performance and Finance
Reinvigorate the Residents' Panel to ensure the panel is representative of the demographic profile to help drive service improvement across the Council.	Transformation and Service Improvement Manager	Strategy Performance and Finance
Expand the range and quality of services available online, whilst ensuring we are accessible to all with continued telephony and face to face options for all residents.	Customer Services Business Manager ICT & Digital Services Business Manager	Strategy Performance and Finance
Expand customer satisfaction measures, both internally and externally, through regular surveys and other means.	Customer Services Business Manager Transformation and Service Improvement Manager	Strategy Performance and Finance
Expand and refresh the wellbeing and engagement programme, including reinvigorating Councillor and officer wellbeing champions.	HR & Training Business Manager	Strategy Performance and Finance
Undertake a Staff Survey every 18 months and respond to the survey findings.	Transformation and Service Improvement Manager	Strategy Performance and Finance



Develop a package of measures to recruit and retain staff, including a review of the pay grading structure and the Council's job evaluation scheme.	HR & Training Business Manager	Strategy Performance and Finance
Plan and implement arrangements to respond to new regulatory inspections and requirements.	All Business Managers	Strategy Performance and Finance
Review the impact of the Community Hub, with findings being used to support improved access to services in targeted communities.	Housing Services Business Manager	Public Protection and Community Relations



Agenda Page 40

OUR PERFORMANCE

Why does the Council measure performance?

Monitoring performance across the Council is key to understanding if we are delivering on the promises we have made and that we're meeting the needs of our residents.

Performance management is used as a tool to drive improvement rather than simply used as a counting device. We acknowledge the value of understanding our performance, as this knowledge allows us to embed and disseminate good practice and quality service delivery as well as identifying and tackling areas for improvement.

How does the Council measure performance?

The Council's performance is measured in a variety of ways, to ensure that we understand if we're putting the right resource into delivering against the right priorities. This is done by analysing data and progress against key activities, as well as building a picture of the context of performance using district statistics, customer feedback and workforce information.



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

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

HAVE YOUR SAY

Resident Panel

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

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

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

Online: Join the Resident Panel (newark-sherwooddc.gov.uk)

Email Customer Services: customerservices@newarksherwooddc.gov.uk

Call: 01636 650 000



Local Influence Network

The Local Influence Network is a group of Council tenants who review and scrutinise the Council's delivery and performance in relation to housing. The Network are also involved in the Council's appeals process relating to housing complaints. We will work with you so you can improve your knowledge, learn new skills and meet new people.

If you are interested in being part of the Local Influence Network please contact our Customer Services team by email at customerservices@newarksherwooddc.gov.uk or by calling 01636 650 000.

getinvolved@newark-sherwooddc.gov.uk.

Consultations

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



Contact Us

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

Telephone: 01636 650000

Email: customerservices@newark-sherwooddc.gov.uk

In person: Castle House, Great North Road, Newark, Nottinghamshire NG24 1BY

The offices and telephone lines are open 9am to 5pm Monday to Friday. Most of our services are also available on our website.

Agenda Page 44

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Report to: Meeting of the Full Council – 12 December 2023

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

Director Lead: Sue Bearman, Assistant Director – Legal & Democratic Services

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

Report Summary	
Report Title	Proposed Schedule of Meetings 2024/25
Purpose of Report	To approve a Schedule of Meetings for the period from May 2024 to May 2025.
Recommendations	That the proposed Schedule of Meetings for 2024/25 as set out in Appendix A to the report be approved.
Reason for Recommendation	To ensure the Council has a full schedule of meetings in place for the 2024/25 Municipal Year.

1.0 Background

- 1.1 A proposed draft Schedule of Meetings for 2024/25 is attached as **Appendix A** to the report.
- 1.2 The Schedule reflects the Council’s governance arrangements and has factored in additional meetings of the Policy & Performance Improvement Committee.
- 1.3 It is necessary to get future meetings dates scheduled to enable the effective planning of Council business going into the 2024/25 Municipal Year.
- 1.4 One proposed change to highlight in the current schedule is moving the May 2024 Annual Council Meeting from Tuesday 14 May 2024 to Tuesday 21 May 2024 which is reflected in the appendix. This proposed change is considered necessary as if the Annual Council Meeting was to be held on the 14 May 2024, the deadline for submitting motions and questions from the public and the publishing of the agenda, would fall on Friday 3 May 2024. This is not pragmatic as the Democratic Services team and senior officers will be conducting the counts for the East Midlands Combined Authority Mayor and the Nottinghamshire Police & Crime Commissioner.

2.0 Implications

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

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

2024	Monday	Tuesday	Wednesday	Thursday	Friday
May			1	2 POLICE & CRIME COMMISSIONER / COMBINED AUTHORITY MAYORAL ELECTIONS	3
	6 BANK HOLIDAY	7	8	9 PLANNING	10
	13	14 ANNUAL COUNCIL	15	16	17
	20	21 ANNUAL COUNCIL	22	23	24
	27 BANK HOLIDAY	28	29	30	31
June	3	4 CABINET	5	6 PLANNING	7
	10	11	12	13	14
	17	18	19	20 GENERAL PURPOSES & LICENSING	21
	24 POLICY & PERFORMANCE IMPROVEMENT	25 CABINET (PERFORMANCE) EXECUTIVE SHAREHOLDER	26	27	28
July	1	2	3 AUDIT & GOVERNANCE	4 PLANNING	5
	8	9 CABINET	10	11	12
	15	16 COUNCIL	17	18	19
	22 POLICY & PERFORMANCE IMPROVEMENT	23	24	25	26
	29	30	31		

2024	Monday	Tuesday	Wednesday	Thursday	Friday
August				1 PLANNING	2
	5	6	7	8	9
	12	13	14	15	16
	19	20	21	22	23
	26 BANK HOLIDAY	27	28	29	30
September	2	3	4	5 PLANNING	6
	9 POLICY & PERFORMANCE IMPROVEMENT	10 CABINET (PERFORMANCE) EXECUTIVE SHAREHOLDER	11	12 GENERAL PURPOSES & LICENSING	13
	16	17	18	19	20
	23	24 CABINET	25 AUDIT & GOVERNANCE	26	27
	30				
October		1	2	3 PLANNING	4
	7	8	9	10	11
	14	15 COUNCIL	16	17	18
	21	22	23	24	25
	28 POLICY & PERFORMANCE IMPROVEMENT	29	30	31	

2024/25	Monday	Tuesday	Wednesday	Thursday	Friday
November					1
	4	5 CABINET	6	7 PLANNING	8
	11	12	13	14	15
	18	19	20	21	22
	25	26	27	28	29
December	2 POLICY & PERFORMANCE IMPROVEMENT	3 CABINET (PERFORMANCE) EXECUTIVE SHAREHOLDER	4	5 PLANNING	6
	9	10 CABINET	11 AUDIT & GOVERNANCE	12 GENERAL PURPOSES & LICENSING	13
	16	17 COUNCIL	18	19	20
	23	24	25 BANK HOLIDAY	26 BANK HOLIDAY	27
	30	31			
January			1 BANK HOLIDAY	2	3
	6	7	8	9	10
	13	14	15	16 PLANNING	17
	20	21 CABINET	22	23	24
	27 POLICY & PERFORMANCE IMPROVEMENT	28	29	30	31

2025	Monday	Tuesday	Wednesday	Thursday	Friday
February	3	4	5	6	7
	10	11 COUNCIL	12	13 PLANNING	14
	17	18 CABINET	19 AUDIT & GOVERNANCE	20	21
	24	25	26	27	28
March	3	4	5	6 COUNCIL (TAX SETTING)	7
	10 POLICY & PERFORMANCE IIMPROVEMENT	11 CABINET (PERFORMANCE) EXECUTIVE SHAREHOLDER	12	13 PLANNING	14
	17	18	19 AUDIT & GOVERNANCE	20 GENERAL PURPOSES & LICENSING	21
	24	25	26	27	28
	31				
April		1 CABINET	2	3	4
	7	8	9	10 PLANNING	11
	14 POLICY & PERFORMANCE IIMPROVEMENT	15	16	17	18 BANK HOLIDAY
	21 BANK HOLIDAY	22	23 AUDIT & GOVERNANCE	24	25
	28	29	30		

2025	Monday	Tuesday	Wednesday	Thursday	Friday
May				1 NOTTINGHAMSHIRE COUNTY COUNCIL ELECTIONS	2
	5 BANK HOLIDAY	6	7	8 PLANNING	9
	12	13	14	15	16
	19	20 ANNUAL COUNCIL	21	22	23
	26	27	28	29	30

All meetings will start at 6.00pm, with the exception of the Planning Committee which will start at 4.00pm.



Report to: Full Council Meeting – 12 December 2023

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

Director Lead: Sanjiv Kohli – Deputy Chief Executive, Director – Resources and Section 151 Officer

Lead Officer: Phil Ward, Business Manager – Revenues & Benefits, Ext. 5347

Report Summary	
Report Title	Localised Council Tax Support Scheme 2024/25
Purpose of Report	To confirm the continuation of the Localised Council Tax Support Scheme for 2024/25 with minor changes in accordance with the annual uprating amounts applied by the Department for Works and Pensions.
Recommendations	That the Council continues to adopt the existing Localised Council Tax Support Scheme for all potential claimants for the financial year 2024/25 and uprates the applicable amounts, premiums, state benefits and disregard criteria in accordance with the annual uprating amounts applied by the Departments for Works & Pensions.
Reason for Recommendation	To ensure that the Council discharges its responsibilities to agree it's Council Tax Support scheme by 31 January 2024.

1.0 Background

- 1.1 This report was considered and recommended for approval by the Cabinet at their meeting held on 31 October 2023.
- 1.2 As part of the 2012 Welfare Reform Act the national Council Tax Benefit scheme was abolished and in accordance with the Local Government Act 2013 local authorities were required to introduce Localised Council Tax Support schemes from 1 April 2013.
- 1.3 Government funding for the new schemes was reduced by approximately 10%, for Newark & Sherwood claimants and this amounted to around £1m.
- 1.4 Support for Council Tax is now offered as reductions within the council tax system with claimants of state pension age receiving a discount of up to 100% thereby ensuring that they receive no reduction in support as a direct result of the reform.

- 1.5 Localisation provided local authorities with the flexibility to design Council Tax Support schemes for working age claimants taking into account the needs of vulnerable groups and the importance of supporting work incentives. Our current scheme provides the following:
- a) A maximum award of 80% of the liability that Council Tax Support would cover for properties in Bands A and B.
 - b) A maximum award of the liability that Council Tax Support would cover equivalent to a council tax band A charge for properties in Bands C to H.
 - c) No entitlement to Council Tax Support where claimants have in excess of £16,000 in capital.
 - d) A work incentive entitlement that maintains the current rate of council tax support for six weeks when moving into employment.
 - e) Providing additional support to vulnerable groups by applying the annual uprating of income and disregard criteria in accordance with the annual uprating amounts applied by the Department for Works and Pensions.

2.0 Proposal

- 2.1 Council Tax Support is calculated by comparing the claimant's income and capital to the applicable amount. The applicable amount is a notional figure made up of amounts set by the DWP each year and is a measure of someone's basic living requirements.
- 2.2 The applicable amount is made up of one or more of the following: dependent upon the makeup of the household:
- A personal allowance for the claimant/partner and children.
 - Any qualifying premiums such as the disability living premium.
- 2.3 By comparing the claimant(s) income and capital to the applicable amount a decision can then be made on the amount of any Council Tax Support entitlement.
- 2.4 This report asks Council to approve the uprating the applicable amounts, premiums, state benefits and disregard criteria in accordance with the annual uprating amounts applied by the Department for Works and Pensions (DWP); whilst continuing the current Localised Council Tax Support Scheme for 2024/25 financial year.
- 2.5 In consideration of the obligation to consider vulnerable groups within the design of our local scheme Child Benefit, War Pensions, Personal Independence Payments, Disability Living Allowance and Attendance Allowance continue to be disregarded as income and the disability premiums are retained to protect families with children and people with disabilities.
- 2.6 By applying the annual uprating of income and disregards to the 2024/25 scheme the Council will continue to maintain the current level of support to all Council Tax Support claimants and ensure that the scheme continues to benefit the most vulnerable and low -income households using nationally recognised rates of DWP income rather than continuing with the 2023 rates that are being used in the current scheme.

- 2.7 Should the Council decide not to uprate the income and disregards in line with the annual uprating amounts applied by the DWP, this would then penalise claimants as where their income increases their applicable amount would remain the same as the current year. This would then potentially lead to a reduction in Council Tax support awarded.

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 4567)

- 3.1 As at the end of August 2023, the number of working age claimants eligible for Council Tax Support was 3,789 and the number of pensioners eligible for Council Tax Support was 2,917.
- 3.2 The value of support awarded to date for the 2023/24 year is £7,290,000, in line with the forecast expenditure for the scheme. This would be forecast to increase for 2024/25 but will be dependent on the total Council Tax bill including preceptors, which at the time of writing this report are not available. The implications of an 80% award will be built into the Council Tax base in order to prepare the budget for 2024/25.
- 3.3 The additional estimated cost of moving to a maximum (working age) award of up to 90% would be approximately £911,000 of which the cost to Newark and Sherwood District Council would be £78,000.
- 3.4 The additional estimated cost of moving to a maximum (working age) award of 100% would be £1,822,000 of which the cost to Newark and Sherwood District Council would be an additional £156,000.

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: Meeting of the Full Council – 12 December 2023
 Committee Chairman: Councillor Peter Harris, Audit & Governance Committee
 Director Lead: Sanjiv Kohli, Director – Resources and S151 Officer
 Lead Officer: Andrew Snape, Assistant Business Manager Financial Services, Ext. 5323

Report Summary	
Report Title	Treasury Management Mid-Year Report 2023/24
Purpose of Report	This report provides an update on the Council’s treasury activity and prudential indicators for the first half of 2023/24. This was reported to the Audit & Governance Committee on 22 November 2023.
Recommendations	That the Full Council note: (a) the treasury management activity; and (b) the Prudential Indicators detailed in Section 6 & 7 of the report.
Reason for Recommendation	To allow Full Council to note the Treasury Management Activity and Prudential Indicators.

1.0 Background Information

1.1 This report has been written in accordance with the requirements of the Chartered Institute of Public Finance & Accountancy’s (CIPFA) Code of Practice on Treasury Management (revised 2017). The primary requirements of the Code are as follows:

- 1.2 Creation and maintenance of a Treasury Management Policy Statement which sets out the policies and objectives of the Council’s treasury management activities.
- 1.3 Creation and maintenance of Treasury Management Practices which set out the manner in which the Council will seek to achieve those policies and objectives.
- 1.4 Receipt by the Full Council of an annual Treasury Management Strategy Statement - including the Annual Investment Strategy and Minimum Revenue Provision Policy - for the year ahead, a Mid-year Review Report and an Annual Report, (stewardship report), covering activities during the previous year.
- 1.5 Delegation by the Council of responsibilities for implementing and monitoring treasury management policies and practices and for the execution and administration of treasury management decisions.
- 1.6 Delegation by the Council of the role of scrutiny of treasury management strategy and policies to a specific named body. For this Council the delegated body is the Audit & Governance Committee.

1.2 This mid-year report has been prepared in compliance with CIPFA’s Code of Practice on Treasury Management and covers the following:

- An economic update for the first part of the 2023/24 financial year;
- A review of the Treasury Management Strategy Statement and Annual Investment Strategy;
- The Council’s capital expenditure, as set out in the Capital Strategy, and prudential indicators;
- A review of the Council’s investment portfolio for 2023/24;
- A review of the Council’s borrowing strategy for 2023/24;
- A review of any debt rescheduling undertaken during 2023/24;
- A review of compliance with Treasury and Prudential Limits for 2023/24.

1.3 Treasury Management is defined as: “The management of the local authority’s borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks”.

1.4 The second main function of the treasury management service is the funding of the Council’s capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning to ensure the Council can meet its capital spending operations. This management of longer term cash may involve arranging long or short term loans, or using longer term cash flow surpluses, and on occasion any debt previously drawn may be restructured to meet Council risk or cost objectives.

2.0 Summary of Treasury Balances as at 30 September 2023

2.1 Below is a summary of the Council’s borrowing position as at 30 September 2023, further information is available at section 4.

Balance on 01/04/2023 £m		Balance on 30/09/2023 £m
90.769	Total Borrowings	89.755
5.009	Total Other Long Term Liabilities	5.009
95.778	TOTAL EXTERNAL DEBT	94.764

2.2 Below is a summary of the Councils investment position as at 30 September 2023, further information is available at section 5.

Balance on 01/04/2023 £m		Balance on 30/09/2023 £m
49.575	Total Short Term Investments	49.915
12.500	Total Long Term Investments	12.500
62.075	TOTAL INVESTMENTS	62.415

2.3 Below is a summary of the Councils capital expenditure position as at 30 September 2023, further information is available at section 3.

Capital Expenditure	2023/24 Initial Capital Budget £m	2023/24 Revised Estimate £m	2023/24 Current Expenditure £m
General Fund Expenditure	66.294	74.073	16.703
HRA Expenditure	23.045	16.887	4.345
Total Capital Expenditure	89.339	90.960	21.048

2.4 **Prudential Indicators**, during the first half of the financial year there was no breach in the prudential indicators.

Treasury Management Strategy Statement (TMSS) and Annual Investment Strategy update

2.5 The Treasury Management Strategy Statement (TMSS) for 2023/24 was approved by Full Council on 9 March 2023. There are no suggested policy changes to the TMSS within this report; the details in this report update the position in the light of the updated economic position and capital budget changes approved at Policy and Finance throughout the year.

3.0 The Council's Capital Position

3.1 This part of the report is structured to update:

- The Council's capital expenditure plans;
- How these plans are being financed;
- The impact of the changes in the capital expenditure plans on the prudential indicators and the underlying need to borrow; and
- Compliance with the limits in place for borrowing activity.

3.2 The table below shows the revised estimates for capital expenditure and the changes since the Capital Programme was agreed within the Capital budget on 9 March 2023.

Capital Expenditure	2023/24 Original Budget Approved 9 March 2023 £m	2023/24 Revised Budget as at 30 September 2023 £m	Actual Spend as at 30 September 2023 £m
General Fund Expenditure	66.294	74.073	16.703
HRA Expenditure	23.045	16.887	4.345
Total Capital Expenditure	89.339	90.960	21.048
Financed By:			
Capital Receipts	5.738	2.935	
Capital Grants & CIL	34.592	47.853	
Capital Reserves	0.754	6.662	

Revenue	17.992	13.088	
Total Financing	59.076	70.538	
Borrowing Requirement	30.263	20.422	

- 3.3 The financing of the Capital Programme will be determined by the S151 Officer at the year-end based on best use of resources.

The movement from the Budget approved on 9 March 2023 relates to approved capital carry forward requests and approved variations to the capital programme as shown in the table below.

Original Capital Budget Approved 23/24	£89.339m
Capital Slippages Carried Forward	£28.642m
Cabinet Approvals 12.09.23	(£8.331m)
Cabinet Variations requested 05.12.23	(£18.751m)
New Revised Budget	£90.960m

4.0 **Borrowing Strategy**

- 4.1 At 30 September 2023 the Council held £89.755m of loans, as part of its strategy for funding previous years' borrowing within those capital programmes.

- 4.2 Borrowing Activity in 2023/24

	General Fund		HRA	
	Balance on 01/04/2023 £m	Balance on 30/09/2023 £m	Balance on 01/04/2023 £m	Balance on 30/09/2023 £m
Short Term Borrowing	0.340	0.843	8.994	7.478
Long Term Borrowing	3.500	3.500	77.935	77.935
Total Borrowing	3.840	4.343	86.929	85.413
Other Long Term Liabilities	5.009	5.009	0.000	0.000
Total External Debt	8.849	9.352	86.929	85.413
CFR	28.018	48.320	106.601	103.571
Under / (over) borrowing	19.169	38.968	19.672	18.158

- 4.3 As the Council is in a significant under borrowed position, as per the table in 4.2, there may be a requirement during the remainder of the financial year where new borrowing is required. Any new borrowing will be within the approved Treasury Management Borrowing Strategy framework and will have been reviewed by the S151 Officer for cost effectiveness as whether to borrow shorter term or long term in relation to interest rate forecasts.

- 4.4 **LOBOs:** The Council holds £3.5m of LOBO (Lender’s Option Borrower’s Option) loans where the lender has the option to propose an increase in the interest rate at set dates, following which the Council has the option to either accept the new rate or to repay the loan at no additional cost. All of the £3.5m of LOBOS had options during the last 6 months, none of which were exercised by the lender. The Council acknowledges there is an element of refinancing risk even though in the current interest rate environment lenders are unlikely to exercise their options.
- 4.5 **Internal Borrowing:** For the Council, the use of internal resources in lieu of borrowing has continued to be the most cost effective means of funding of capital expenditure that has not been funded from grants and other resources. This has lowered overall treasury risk by reducing both external debt and temporary investments. However, this position will not be sustainable over the medium to longer term as the Council needs to use reserves for the purpose they were set aside for, and external borrowing may need to be undertaken.
- 4.6 **Debt Rescheduling:** The premium charge for early repayment of PWLB debt remains relatively expensive for the loans in the Council’s portfolio and therefore unattractive for debt rescheduling activity. No rescheduling activity was undertaken or is proposed during the rest of the financial year as a consequence.

5.0 Investment Activity

- 5.1 The Guidance on Local Government Investments in England gives priority to security and liquidity and the Council’s aim is to achieve a return commensurate with these principles.

5.2 Investment Activity in 2023/24

Type of Investment	Balance on 01/04/2023 £m	Balance on 30/09/2023 £m	Average Interest Rate
Short term Investments			
<i>Fixed Term Deposits:</i>			
Santander	5.000	5.000	4.01%
Lloyds 95 Day Notice	5.000	5.000	3.92%
Close Brothers	2.000	2.000	5.60%
Goldman Sachs International Bank	5.000	5.000	5.53%
Standard Chartered	3.000	3.000	5.36%
Standard Chartered Sustainable Deposit	12.000	12.000	5.39%
<i>Money Market Funds:</i>			
Goldman Sachs	0.010	0.460	5.22%
Deutsche Bank	1.475	0.045	5.13%
Invesco	2.550	3.170	5.33%
Northern Trust	11.300	12.000	5.27%
CCLA	2.240	2.240	5.07%
Total Short Term Investments	49.575	49.915	
Long term Investments			

CCLA Property Fund	7.000	7.000	4.81%
CCLA Diversified Income Fund	5.500	5.500	3.49%
Total Long Term Investments	12.500	12.500	
TOTAL INVESTMENTS	62.075	62.415	
Increase/ (Decrease) in Investments		0.340	

5.3 Both the CIPFA Code and government guidance require the Council to invest its funds prudently, and to have regard to the security and liquidity of its treasury investments before seeking the optimum rate of return, or yield. The Council's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.

6.0 Non-Treasury Investments

6.1 The definition of investments in CIPFA's revised Treasury Management Code now covers all the financial assets of the Council as well as other non-financial assets which the Council holds primarily for financial return or regeneration purposes. This is replicated in MLUHC's Investment Guidance, in which the definition of investments is further broadened to also include all such assets held partially for financial return or regeneration purposes.

Breakdown below of current Non-Treasury Investments held:

Counterpart	Balance at 30/09/2023 £m
Loans to Housing Associations	0.013
Loans to Parish Councils	0.011

6.2 These investments are due to generate £0.001m of investment income for the Council after taking account of direct costs, representing a rate of return of 6.31%.

6.3 **Maturity Structure of Fixed Rate Borrowing.** This indicator is to limit large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates.

	Upper Limit %	Actual at 30/9/23 £m	Actual at 30/9/23 £m	Compliance
Under 12 Months	15%	3.500	3.94%	Yes
12-24 Months	15%	11.000	12.37%	Yes
2-5 Years	30%	3.979	4.47%	Yes
5-10 Years	100%	21.831	24.55%	Yes
Over 10 Years	100%	48.602	54.66%	Yes

Limits to Investing Activity

- 6.4 **Security.** The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating of its investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk.

Credit risk indicator	Target	Actual	Compliance
Portfolio average credit rating	A	AA-	Yes

- 6.5 **Liquidity Risk Indicator.** The Council has adopted a voluntary measure of its exposure to liquidity risk by monitoring the amount of cash available to meet unexpected payments within a banding period, without additional borrowing.

Total Cash Available within;	Limit	Actual 30/09/23	Compliance
3 Months	100%	64%	Yes
3-12 Months	80%	16%	Yes
Over 12 Months	60%	20%	Yes

- 6.6 **Principal Sums Invested for over 364 Days.** The purpose of this indicator is to control the Council's exposure to the risk of incurring losses by seeking early repayment of its investments.

Price risk indicator	Limit	Actual 30/09/23	Compliance
Limit on principal invested beyond year end	£15m	£12.5m	Yes

7.0 Limits to Capital Activity

- 7.1 **Capital Financing Requirement.** The table below shows the CFR, which is the underlying external need to incur borrowing for a capital purpose.

	2023/24 Original Estimate £m	2023/24 Revised Estimate £m
CFR – non housing	56.860	48.320
CFR – housing	108.439	103.571
Total CFR	165.299	151.891
Estimated Net Movements in CFR		-13.408

7.2 **Capital Financing Costs to Net Revenue Stream.** Although capital expenditure is not charged directly to the revenue budget, interest payable on loans and MRP are charged to revenue, offset by any investment income receivable. The net annual charge is known as financing costs; this is compared to the net revenue stream i.e. the amount funded from Council Tax, business rates and general government grants.

	2023/24 Original Estimate £m	2023/24 Revised Estimate £m
<i>General Fund</i>		
Financing Costs	-0.480	-0.515
Proportion of net revenue stream	-2.61%	-2.28%
<i>Housing Revenue Account</i>		
Financing Costs	14.464	13.966
Proportion of net rental stream	54.52%	51.49%

8.0 **Economic Background/Interest Rate Forecast**

8.1 **Appendix A and Appendix B** gives a summarised outlook for the economic background and interest rate forecast from our Treasury Consultants, Link.

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.

Economics Update

- The first half of 2023/24 saw:
 - Interest rates rise by a further 100bps, taking Bank Rate from 4.25% to 5.25% and, possibly, the peak in the tightening cycle.
 - Short, medium and long-dated gilts remain elevated as inflation continually surprised to the upside.
 - A 0.5% m/m decline in real GDP in July, mainly due to more strikes.
 - CPI inflation falling from 8.7% in April to 6.7% in August, its lowest rate since February 2022, but still the highest in the G7.
 - Core CPI inflation declining to 6.2% in August from 7.1% in April and May, a then 31 years high.
 - A cooling in labour market conditions, but no evidence yet that it has led to an easing in wage growth (as the 3myy growth of average earnings rose to 7.8% in August, excluding bonuses).
- The 0.5% m/m fall in GDP in July suggests that underlying growth has lost momentum since earlier in the year. Some of the weakness in July was due to there being almost twice as many working days lost to strikes in July (281,000) than in June (160,000). But with output falling in 10 out of the 17 sectors, there is an air of underlying weakness.
- The fall in the composite Purchasing Managers Index from 48.6 in August to 46.8 in September left it at its lowest level since COVID-19 lockdowns reduced activity in January 2021. At face value, it is consistent with the 0.2% q/q rise in real GDP in the period April to June, being followed by a contraction of up to 1% in the second half of 2023.
- The 0.4% m/m rebound in retail sales volumes in August is not as good as it looks as it partly reflected a pickup in sales after the unusually wet weather in July. Sales volumes in August were 0.2% below their level in May, suggesting much of the resilience in retail activity in the first half of the year has faded.
- As the growing drag from higher interest rates intensifies over the next six months, we think the economy will continue to lose momentum and soon fall into a mild recession. Strong labour demand, fast wage growth and government handouts have all supported household incomes over the past year. And with CPI inflation past its peak and expected to decline further, the economy has got through the cost-of-living crisis without recession. But even though the worst of the falls in real household disposable incomes are behind us, the phasing out of financial support packages provided by the government during the energy crisis means real incomes are unlikely to grow strongly. Higher interest rates will soon bite harder too. We expect the Bank of England to keep interest rates at the probable peak of 5.25% until the second half of 2024. Mortgage rates are likely to stay above 5.0% for around a year.
- The tightness of the labour market continued to ease, with employment in the three months to July falling by 207,000. The further decline in the number of job vacancies from 1.017m in July to 0.989m in August suggests that the labour market has loosened a bit further since July. That is the first time it has fallen below 1m since July 2021. At 3.0% in July, and likely to have fallen to 2.9% in August, the job vacancy rate is getting closer to 2.5%, which would be consistent with slower wage growth. Meanwhile, the 48,000 decline in the supply of workers in the three months to July offset some of the loosening in the tightness of the labour market. That was due to a 63,000 increase in inactivity in the three months to July as more people left the labour market due to long term sickness or to enter education. The supply of labour is still 0.3% below its pre-pandemic February 2020 level.

- But the cooling in labour market conditions still has not fed through to an easing in wage growth. While the monthly rate of earnings growth eased sharply from an upwardly revised +2.2% in June to -0.9% in July, a lot of that was due to the one-off bonus payments for NHS staff in June not being repeated in July. The headline 3myy rate rose from 8.4% (revised up from 8.2%) to 8.5%, which meant UK wage growth remains much faster than in the US and in the Euro-zone. Moreover, while the Bank of England's closely watched measure of regular private sector wage growth eased a touch in July, from 8.2% 3myy in June to 8.1% 3myy, it is still well above the Bank of England's prediction for it to fall to 6.9% in September.
- CPI inflation declined from 6.8% in July to 6.7% in August, the lowest rate since February 2022. The biggest positive surprise was the drop in core CPI inflation, which declined from 6.9% to 6.2%. That reverses all the rise since March and means the gap between the UK and elsewhere has shrunk (US core inflation is 4.4% and in the Euro-zone it is 5.3%). Core goods inflation fell from 5.9% to 5.2% and the further easing in core goods producer price inflation, from 2.2% in July to a 29-month low of 1.5% in August, suggests it will eventually fall close to zero. But the really positive development was the fall in services inflation from 7.4% to 6.8%. That also reverses most of the rise since March and takes it below the forecast of 7.2% the Bank of England published in early August.
- In its latest monetary policy meeting on 20 September, the Bank of England left interest rates unchanged at 5.25%. The weak August CPI inflation release, the recent loosening in the labour market and the downbeat activity surveys appear to have convinced the Bank of England that it has already raised rates far enough. The minutes show the decision was "finely balanced". Five MPC members (Bailey, Broadbent, Dhingra, Pill and Ramsden) voted for no change and the other four (Cunliffe, Greene, Haskel and Mann) voted for a 25bps hike.
- Like the US Fed, the Bank of England wants the markets to believe in the higher for longer narrative. The statement did not say that rates have peaked and once again said if there was evidence of more persistent inflation pressures "further tightening in policy would be required". Governor Bailey stated, "we'll be watching closely to see if further increases are needed". The Bank also retained the hawkish guidance that rates will stay "sufficiently restrictive for sufficiently long".
- This narrative makes sense as the Bank of England does not want the markets to decide that a peak in rates will be soon followed by rate cuts, which would loosen financial conditions and undermine its attempts to quash inflation. The language also gives the Bank of England the flexibility to respond to new developments. A rebound in services inflation, another surge in wage growth and/or a further leap in oil prices could conceivably force it to raise rates at the next meeting on 2 November, or even pause in November and raise rates in December.
- The yield on 10-year Gilts fell from a peak of 4.74% on 17th August to 4.44% on 29th September, mainly on the back of investors revising down their interest rate expectations. But even after their recent pullback, the rise in Gilt yields has exceeded the rise in most other Developed Market government yields since the start of the year. Looking forward, once inflation falls back, Gilt yields are set to reduce further. A (mild) recession over the next couple of quarters will support this outlook if it helps to loosen the labour market (higher unemployment/lower wage increases).
- The pound weakened from its cycle high of \$1.30 in the middle of July to \$1.21 in late September. In the first half of the year, the pound bounced back strongly from the Truss debacle last autumn. That rebound was in large part driven by the substantial shift up in UK interest rate expectations. However, over the past couple of months, interest rate expectations have dropped sharply as inflation started to come down, growth faltered, and the Bank of England called an end to its hiking cycle.

- The FTSE 100 has gained more than 2% since the end of August, from around 7,440 on 31 August to 7,608 on 29 September. The rebound has been primarily driven by higher energy prices which boosted the valuations of energy companies. The FTSE 100's relatively high concentration of energy companies helps to explain why UK equities outperformed both US and Euro-zone equities in September. Nonetheless, as recently as 21 April the FTSE 100 stood at 7,914.

Interest Rate Forecasts

Appendix B

The Council has appointed Link Group as its treasury advisors and part of their service is to assist the Council to formulate a view on interest rates. The PWLB rate forecasts below are based on the Certainty Rate (the standard rate minus 20 bps) which has been accessible to most authorities since 1st November 2012.

The latest forecast on 25th September sets out a view that short, medium and long-dated interest rates will be elevated for some little while, as the Bank of England seeks to squeeze inflation out of the economy.

Our PWLB rate forecasts below are based on the Certainty Rate (the standard rate minus 20 bps, calculated as gilts plus 80bps) which has been accessible to most authorities since 1st November 2012.

Link Group Interest Rate View	25.09.23												
	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25	Dec-25	Mar-26	Jun-26	Sep-26	Dec-26
BANK RATE	5.25	5.25	5.25	5.00	4.50	4.00	3.50	3.00	2.75	2.75	2.75	2.75	2.75
3 month ave earnings	5.30	5.30	5.30	5.00	4.50	4.00	3.50	3.00	2.80	2.80	2.80	2.80	2.80
6 month ave earnings	5.60	5.50	5.40	5.10	4.60	4.10	3.60	3.10	2.90	2.90	2.90	2.90	2.90
12 month ave earnings	5.80	5.70	5.50	5.20	4.70	4.20	3.70	3.20	3.00	3.00	3.00	3.00	3.00
5 yr PWLB	5.10	5.00	4.90	4.70	4.40	4.20	4.00	3.90	3.70	3.70	3.60	3.60	3.50
10 yr PWLB	5.00	4.90	4.80	4.60	4.40	4.20	4.00	3.80	3.70	3.60	3.60	3.50	3.50
25 yr PWLB	5.40	5.20	5.10	4.90	4.70	4.40	4.30	4.10	4.00	3.90	3.80	3.80	3.80
50 yr PWLB	5.20	5.00	4.90	4.70	4.50	4.20	4.10	3.90	3.80	3.70	3.60	3.60	3.60



Report to: Meeting of the Full Council - 12 December 2023

Committee Chairman: Councillor Jean Hall, Licensing Committee

Director Lead: Matthew Finch, Director – Communities & Environment

Lead Officer: Damian Wilkins, Environmental Health & Licensing Manager Ext. 5314

Report Summary	
Report Title	Review of Statement of Licensing Policy 2024-2029
Purpose of Report	To seek adoption by Full Council following an amended Statement of Licensing Policy receiving approval from the Licensing Committee after a six week consultation period.
Recommendations	That Full Council adopt the revised Statement of Licensing Policy 2024-2029 in order to allow licensing decisions to be made.
Reason for Recommendation	Section 5 of the Licensing Act 2003 requires that each Licensing Authority must in respect of each five-year period, determine its policy with respect to the exercise of its licensing functions and publish a statement of that policy. The Statement of Licensing Policy 2024-2029 has been consulted upon and received approval from the Licensing Committee on 30 November 2023.

1.0 Background

- 1.1 The Licensing Act 2003 requires the Council to have in place a Policy relating to the carrying out of its functions under that Act. In respect of carrying out its duties the Council is required to adopt and have in place a Statement of Licensing Policy relating to those duties. The Policy sets out the principles which the Council will apply in considering and granting licences under the Act.
- 1.2 The Licensing Act requires the Policy to be reviewed every five years. The current Policy was adopted in January 2019 and therefore needs to be reviewed and adopted before January 2024.
- 1.3 The purpose of the Statement of Licensing Policy is to assist the Licensing Authority in determining applications and to provide clarity for applicants, residents and members of the business community. This also provides information and guidance on the general approach that the Licensing Authority will take when assessing applications and sets out expected operating standards.

- 1.4 This Licensing Authority covers a wide variety of licensed premises undertaking a range of activities, including pubs, restaurants, private members' clubs, village and community halls, cinemas, off-licences and late night food premises. It is therefore important that the Licensing Policy is sufficiently flexible to reflect their differing needs and characteristics.
- 1.5 In June 2023 a draft copy of a revised Policy was presented to the Licensing Committee and it was agreed that the draft should be released for consultation. Following a six week consultation, we have received one consultation response from the Fire Service regarding the wording of part of the Policy.
- 1.6 On 30 November Officers submitted an update report to the Licensing Committee with the results of the consultation and Members agreed with the minor amendment and subsequently recommended adoption by the Full Council of the Policy available at **Appendix 1**.

2.0 Proposal/Options Considered

- 2.1 Members should be aware that if we are unable produce a licensing policy statement in accordance with the Act and accompanying Regulations this will render the Authority susceptible to criticism and legal challenge. Without adoption of the Statement of Licensing Policy, the Licensing Authority is powerless to make decisions or exercise the licensing objectives in its locality.
- 2.2 The Licensing Committee recommends to Full Council that the draft Statement of Licensing Policy as amended, is adopted at this meeting for the period 2024 until 2029.

3.0 Implications

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

3.1 Legal

Section 5 of Licensing Act 2003 requires that Licensing Authorities have in place a Statement of Licensing Policy with respect to the exercise of its licensing functions and that this policy is reviewed at least every five years.

3.2 Financial

The associated preparation and publication costs will be met in full from Licensing Act 2003 applications and annual fees income.

3.3 Safeguarding

The protection of children from harm is one the licensing objectives underpinning the Licensing Act 2003.

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.

Licensing Act 2003
Section 182 Guidance

Newark and Sherwood District Council

STATEMENT OF LICENSING POLICY

Effective from January 2024

SECTION	CONTENT	Page Number
1	Introduction	3
2	The Licensing Objectives and Licensable Activities	5
3	How this Statement of Policy works	6
4	Strategic Links and other Regulatory Regimes	7
5	Delivering Licensing Services	9
6	Applications, Notifications and their Consideration	9
	Representations	10
	Responsible Authorities	11
	Panel and Committee Hearings	11
	Entitlement to work in the UK	12
	Home Office online right to work checking service	12
7	Licensing Policies	13
	Policy One	13
	Policy Two	14
	Outside Areas	18
	Large Scale Events	18
	Counter terrorism	19
	Cumulative Impacts	19
	Public Space Protection Orders	20
	Closure Notices	20
	Encouraging diversity	21
	Provisional Statements	21
	Adult entertainment	22
	Licence Suspensions	22
	Reviews & Expedited Reviews	23
	Early Morning Alcohol Restriction Orders	23
	Personal Licences	24
	Alcohol Delivery Services	25
	Pavement Licences	25
	Policy Three	26
	Temporary Event notices	26
8	Safeguarding and Children	27
	Policy Four	29
9	Equality and Diversity	29
10	General Enforcement Statement	29
11	Monitoring and Review of this Statement of Policy	30

1. INTRODUCTION

- 1.1 Newark and Sherwood District Council is a Licensing Authority for the purpose of the Licensing Act 2003. Section 5 of the Act requires all licensing authorities to prepare and publish a Statement of Licensing Policy that they propose to apply in exercising their functions under the Act during the five-year period to which the policy applies. The Statement of Licensing Policy can be reviewed and revised by the authority at any time.
- 1.2 Newark and Sherwood District covers 65,000 hectares with a population of approximately 112,000. The District has contrasting areas of agriculture, market towns, commuter villages and rural coalfield villages.
- 1.3 Throughout the District there are public houses, restaurants and takeaways, both in the rural parts of the district and in the more built up ones. Although some are well away from residential districts many are not, which may cause tension between those wishing to enjoy these leisure and hospitality venues and those simply wishing to enjoy a good night's sleep.
- 1.4 The Authority recognises that licensed premises are a major contributor to the economy of the District. They help to attract tourists and visitors, make for vibrant towns and communities and are a major employer.
- 1.5 The Council monitors the impact of licensing on regulated entertainment, and particularly live music and dancing. Where there is any indication that licensing requirements are deterring such events, the policy will be revisited with a view to investigating how the situation might be reversed. Only proportionate, reasonable and appropriate conditions should be imposed on any such events. As part of implementing the Council's Cultural Strategy proper account will be taken of the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of communities generally.
- 1.6 The Council has obtained in its own name, premise licences for appropriate public spaces within the District including suitable Council owned art centres, community centres and many existing public open spaces such as the Castle Grounds and Market Place, Newark. In this instance performers and entertainers would not need to obtain a licence or give a Temporary Event Notice themselves to enable a performance to be given in such places but would require the permission of the appropriate Business Unit of the Council as the licence holder. They would also need to adhere to any conditions relating to the use of such premises.
- 1.7 This Policy Statement seeks to establish sensible controls and appropriate guidance to encourage and further the efforts that are being made by the Council and its partners, together with the licensed trade, to help the Authority deal with issues that arise from licensable

activities. This will be achieved by:-

- Establishing and building upon best practice within the industry;
- Recognising and facilitating the role of partners and stakeholders;
- Encouraging self-regulation by licensees and managers;
- Providing a clear basis for the determination of licence applications; and
- Supporting related policies and strategies of the District Council.
- An inspection and enforcement regime targeted at premises that present a high risk.

1.8 The Authority is committed to working with its licensing partners and stakeholders in delivering the licensing function. This Policy Statement therefore seeks to provide information on the general approach that the Authority will take in carrying out its licensing functions.

1.9 In preparing and publishing this Policy Statement due regard has been given to the guidance issued by the Secretary of State under section 182 of the Act, and to good practice advice issued by approved government advisory bodies. In particular the Authority has consulted those persons and bodies as required by the guidance and given proper weight to their views. Partnership working between Licensing Authorities in Nottinghamshire has enhanced the production of this Policy Statement and will help ensure consistency in terms of both policy and enforcement where licensing boundaries meet.

1.10 This Policy Statement should not be regarded or interpreted as indicating that any requirement of law may be overridden; each application will be considered and treated on its own merits. No restrictive controls will be introduced or imposed unless they are felt to be proportionate, necessary and appropriate.

1.11 There are certain matters which the Authority is prevented from taking into account or from dealing with in a specified way. For example the Authority is not allowed to take the issue of the “need” for further licensed premises into account when determining licence applications. On the other hand the cumulative impact of licensed premises on the promotion of the licensing objectives is a matter that can be properly considered by the Authority. Cumulative impact and related matters are dealt with in section seven of this Policy Statement.

1.12 Nothing in this Statement of Policy prevents any one person or body applying for a variety of current permissions under the Act. Nor does it override the right of any Responsible Authority, other person or business to make representations or seek a review of a licence or certificate where provision has been made for them to do so in the Act.

2. THE LICENSING OBJECTIVES AND LICENSABLE ACTIVITIES

- 2.1 In exercising their functions under the Licensing Act 2003, Licensing Authorities must have regard to the licensing objectives as set out in section 4 of the Act. The licensing objectives are:
- (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance; and
 - (d) the protection of children from harm.
- 2.2 Guidance on the Licensing Objectives is available on the Government's websites at: <https://www.gov.uk/alcohol-licensing>
- 2.3 Licensing law is not the primary mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the individual club, or business holding the licence, certificate or permission concerned. Licensing is about the management of licensed premises and activities within the terms of the Act and conditions attached to various authorisations will be focused on matters which are within the control of the individual licence holder and others.
- 2.4 The Act only covers certain "licensable activities" namely:-
- (a) the sale by retail of alcohol
 - (b) the supply of alcohol by or on behalf of a club to a member
 - (c) the provision of "regulated entertainment" and
 - (d) the provision of late night refreshment
- 2.5 The definition of what constitutes "regulated entertainment" is complex and has been (and remains) the subject of Government deregulation. Whilst "regulated entertainment" potentially covers live or recorded music, dancing, plays, films, and certain types of sporting activity the Act itself provides various exemptions and restrictions on the types of activities which are subject to the Licensing regime. Other legislation such as the Live Music Act 2012 has removed the ability of the Licensing Authority to regulate live music at certain times and in certain circumstances. Deregulation initiatives have added further activities from those that are exempt from the licensing regime, particularly where it relates to entertainment taking place between 8am and 11pm and where that entertainment takes place before an audience of a prescribed size. It cannot be assumed therefore that a licence is required for all forms of entertainment or, even if a licence is required, that the Licensing Authority will necessarily have the power to impose restrictions or conditions on such entertainment. Each activity is determined on its own circumstances and arrangements.

- 2.6 Where an activity is licensable the promotion of the Licensing Objectives is the paramount consideration for the Authority. In the absence of valid representations from Responsible Authorities or other persons all applications must be granted subject only to any prescribed mandatory conditions and such other conditions which are consistent with the operating schedule provided by the applicant. Where valid representations are received and maintained the application will normally be determined at a hearing before the Licensing Committee or one of its Panels. The Committee or Panel will then assess whether the application would result in the licensing objectives being undermined to such an extent that the application should be refused or, whether it would be possible to grant the licence subject to such conditions as are felt appropriate by the Authority.
- 2.7 Conditions will be tailored to the size, style, characteristics and activities taking place at the premises concerned. Conditions will be focused on matters that are within the control of individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places. Whether or not incidents can be regarded as being “in the vicinity” of licensed premises or places, is ultimately a matter of fact to be decided by the courts in cases of dispute. In addressing such matters consideration will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.
- 2.8 The imposition of standardised conditions is prohibited as being disproportionate and burdensome. It should be noted, however, that the Authority is permitted to establish pools of conditions from which appropriate and proportionate conditions may be drawn. Further details regarding such conditions are available on request.

3. HOW THIS STATEMENT OF POLICY WORKS

- 3.1 The purpose of the Statement of Policy is to:
- provide a clear basis for determining license applications;
 - provide a clear framework for licensing strategies, including the effect known as ‘cumulative impact’; and
 - support wider strategies and policies of the Council.
- 3.2 The text of this Statement of Policy **in bold type** indicates the **Policies** with *the reason* for each policy shown immediately after *in bold italics*.
- 3.3 This Policy sets out the Authority’s expectations in relation to certain matters. Whilst applicants are not obliged to meet these expectations in their Operating Schedules they may find that Responsible Authorities or other persons are more likely to raise representations if they do not.

This can lead to a delay with the application having to be considered by a Committee/Panel which may then either refuse the application or impose conditions if the application is not found to sufficiently promote the licensing objectives and meet this Policy. On appeal the Court is also obliged to have regard to the terms and requirements of this Policy and can only depart from it if it has good reason.

- 3.4 In this Statement of Policy any reference made to the imposition of conditions refers to conditions imposed in accordance with the requirements of the Act outlined in paragraph 2.6 above. As a general rule the Authority will seek to avoid attaching conditions that duplicate existing legal requirements and obligations imposed by other regimes unless such obligations and requirements fail to adequately address the specific circumstances of the case.

4. STRATEGIC LINKS AND OTHER REGULATORY REGIMES

- 4.1 There is a range of strategic influences and statutory controls which affect the licensing system in terms of policy formulation, administration and enforcement activities. Examples of these strategies can be found in the Section 182 guidance produced by the Home Office <https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>. The Authority will seek to have an active involvement in the development and review of these by ensuring an appropriate exchange of dialogue between the Licensing Authority and other relevant regimes. Such involvement may result in the imposition of conditions and formulation of policies supporting the relevant strategies where appropriate.
- 4.2 The granting of a licence, certificate or provisional statement will not override any requirement of the planning system or vice-versa. The licensing system will provide for the detailed control of operational matters, which are unlikely to be addressed through planning processes. However there will be overlapping issues of interest e.g. disturbance, which will remain material considerations for planning purposes as well as being relevant in terms of the licensing objectives. Applicants should also ensure that they have due regard to any planning restrictions on the use of premises when applying for licence/certification to avoid any possible enforcement action.
- 4.3 The four statutory licensing objectives aim to reduce crime and disorder and increase public safety. Licensing policies are not currently required to address Public Health concerns, however, there is strong evidence that alcohol outlet density is associated with increased alcohol-related hospital admissions and alcohol-related mortality. Alcohol contributes to more than 60 diseases and health conditions and represents 10% of the burden of disease and death in the UK, placing it in the top three lifestyle risk factors after smoking and obesity.

- 4.4 Whilst the exact relationship between alcohol and ill-health is often complex and affected by other factors such as the socioeconomic make-up of the neighbourhood, studies have found that local authorities' greater use of licensing powers leads to reductions in alcohol-related hospital admissions in England (Institute of Alcohol Studies, 2017). In light of this, this authority has reviewed Public Health indicators both at District level from the Local Alcohol Profiles for England and at sub-district level.
- 4.5 Across Newark and Sherwood public health analysts have mapped a number of alcohol-related measures that are considered to have a negative impact on health and wellbeing to show how the relative levels of these measures vary across Nottinghamshire County Districts and Boroughs.
- 4.6 Measures used were selected for their relevance to licensing and public health and their availability at sub-district level and include:
- alcohol-related hospital admissions
 - anti-social behaviour
 - crimes against the person including domestic violence
 - rate of persons in treatment for substance use
 - an estimate of the percentage of the population drinking at least once a day and
 - deprivation.
- 4.7 These measures have been used to create a matrix which ranks areas within Newark and Sherwood in relation to overall levels of harm associated with alcohol. The matrix can be used to support responsible Authorities to make representations where required based on the rank, and therefore the levels of overall harm, for the area in which a licensing application has been made.
- 4.8 This data analysis has identified some areas with relatively higher levels of harm and for Newark and Sherwood these are:
- North and East
 - Ollerton, Part of Boughton, Part of Edwinstowe and Clipstone (towards Clipstone), Part of Rainworth South and Blidworth (towards Blidworth)
 - South West
 - Castle, Bridge, Devon
- 4.9 Applications within these areas or surrounding areas should be aware of, and consider, their contribution to the burden of alcohol-related harms to the health and wellbeing within the community. All applicants are encouraged to provide details of any mitigating measures they plan to put in place to reduce alcohol-related harms within their application. Further information can be found at: www.nottinghamshireinsight.org.uk/d/205456

5. DELIVERING LICENSING SERVICES

- 5.1 The Authority will make available guidance and such resources as required by law to enable engagement with the licensing process. Such guidance and resources may be accessed through Newark & Sherwood District Council web site, following the link for Licensing or by contacting the Authority direct.
- 5.2 The Licensing Authority will maintain an impartial role in service delivery and cannot act in favour of one party over another. The Licensing Authority may, in certain circumstances, act as a Responsible Authority. However this will only be done in exceptional circumstances and the Licensing Authority will not normally take over the role of other Responsible Authorities or parties.
- 5.3 Responsible Authorities are public bodies which must be fully notified of licence applications and are entitled to:
- Make relevant representations
 - Request reviews
 - Make representations with regard to cumulative impacts

Details of Responsible Authorities can be found on the Licensing pages of the Council's website.

6. APPLICATIONS, NOTIFICATIONS AND THEIR CONSIDERATION

- 6.1 The procedure and documentation required for the various applications and notices is prescribed by the Act and Regulations. Further advice on these processes is available on the Council's web site. This section of the policy gives basic guidance on how those applications and notifications will be considered. Failure to comply with the statutory requirements may result in the application or notice being invalid. To ensure the application is completed fully, applicants must consider the contents of this policy statement, the government guidance issued under section 182 Licensing Act 2003 and relevant guidance published by the licensing authority. Applicants are encouraged to seek advice from the licensing authority and responsible authorities before submitting an application. Failure to comply with the statutory requirements may result in an application or notice being invalid/rejected
- 6.2 The processes of applying for new premises licences and full variations of current premises licences are dealt with in same way and involve serving the application on all Responsible Authorities and advertising the application in the prescribed way. If objections are received the matter will be heard by the Licensing Committee of the Council. The fee for such applications depends on the size of the premises.

6.3 The process of a minor variation to current premises licences are dealt with differently. Minor variations can be applied for to vary times of activities but not to increase the hours when alcohol can be sold. The process can also be used when making minor structural alterations to the premises and to add or remove conditions from the licence. These minor variations should not have a material effect on the way in which the premises are operated, and there is one set fee. The granting of a minor variation is determined at officer level after consultation with those Responsible Authorities affected. If the application is refused the applicant can resort to the full variation process.

6.4 All applicants are encouraged to use the gov.uk site to submit online applications.

6.5 Representations

6.5.1 Where the licensing authority receives an application for a new licence or a variation to an existing licence, the responsible authorities and other persons have 28 days to make representations about the application. Representations can be positive as well as negative. Guidance on making a representation is available from the Home Office and a preferred form is available on the Council's Licensing web page for individuals or groups to make their representations.

6.5.2 Submissions of representations made via e-mail will be accepted so long as there is a clear indication of who has submitted the representation, it is clear and legible and details of how that person or group can be contacted.

6.5.3 For a representation to be relevant it should be positively tied or linked by a causal connection to particular premises. Representations received outside the statutory period for making such representations will be invalid and will not be taken into consideration when the application is determined. The Licensing Authority also has the power to reject a representation made by someone other than a Responsible Authority if it finds it to be vexatious or frivolous. An example could be where a representation was made solely on the basis that the application would provide competition to an existing trader, where there is no relevance or link was made to any of the licensing objectives.

6.5.4 Members of the public who wish to submit a representation need to be aware that their personal details will be made available to the applicant. If this is an issue, they may contact their ward Councillor or other locally recognised body such as a resident's association about submitting a representation on their behalf. The Council is not able to accept anonymous representations.

6.5.5 Where a representation proceeds to a hearing the Hearings Regulations allow for further information to be put forward in support of that representation. However, that material must only relate to the initial representation and must not add new grounds of objection. It is

therefore vitally important that as much detail and evidence as possible is included at the time the representation is made. Representations made without supporting detail and evidence may be viewed as frivolous or vexatious and disregarded.

- 6.5.6 It is for the Licensing Authority to determine whether any representation by an interested party is, on its own merits, vexatious or frivolous. The Authority will determine this and make the decision on the basis of what might ordinarily be considered to be vexatious or frivolous.
- 6.5.7 Where representations are received, the characteristics of an area and the impact that the premises may have upon that area, will be a fundamental consideration in determining whether a licence should be granted, and if so what conditions should be attached to it. Conditions will be focused on matters that are within the control of individual licensees and others in possession of relevant authorisations. These matters will centre on the premises being used for licensable activities and the vicinity of those premises. What amounts to the “vicinity” will be a question of fact to be determined in the light of the individual circumstances of the case. Consideration will primarily be given to the direct impact of the licensed activity on those who live, work or are engaged in business or other activities in the area concerned.

6.6 Responsible Authorities

- 6.6.1 Although the licensing authority is a responsible authority in its own right, it expects other parties such as local residents, Councillors or community groups should make representations in their own right when they are reasonably able to do so rather than rely on the licensing authority to make representations for them.
- 6.6.2 The Director of Public Health is responsible for making representations and observations on applications on behalf of health bodies. Public health is not yet a licensing objective but Public Health is a responsible authority under the Licensing Act, and the licensing authority believes that public health has much to add to licensing in relation to the local populations’ alcohol related health needs. Health bodies such as Public Health have unique access to data not available to other responsible authorities which may inform licensing decisions. Public Health is useful in providing evidence of alcohol related health harms particularly in relation to cumulative impact policies.

6.7 Panel/Committee Hearings

- 6.7.1 The Act creates a presumption that applications will be granted unless a valid representation is raised. An application will then be determined by the Licensing Committee/Panel unless the issue that led to the representation can be negotiated to an agreed conclusion between the parties.
- 6.7.2 The Authority considers the effective and responsible management of the premises, the instruction, training and supervision of staff and the adoption of best practice in the leisure

industry, which may include participation in such schemes as Pub Watch, Best bar None, Purple Flag or Business Improvement Districts, to be amongst the most important control measures for the achievement of all of the Licensing Objectives.

6.8 Entitlement to work in the UK

6.81 All individual applicants applying for a “Premises Licence”, or a “Personal Licence” with this Licensing Authority must submit further documentation to demonstrate their entitlement to live and work in the United Kingdom (UK).

6.82 A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK
- is subject to a condition preventing them from doing work relating to the carrying on of a licensable activity

6.83 Any licence issued in respect of an application made on or after 6th April 2017, will become invalid if the holder ceases to be entitled to work in the UK.

6.84 Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

They do this in one of two ways:

- a) by providing, with this application, copies or scanned copies of the documents* which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance
- b) by providing their nine (9) digit 'share code' to enable the Licensing Authority to carry out a check using the Home Office online right to work checking service (see below)

**Applicants are required to submit one (1) of the documents listed at Annex A of the Home Office's Employer right to work checks supporting guidance published on: [Right to work checks: an employer's guide \(GOV.UK\)](#) to show they have permission to be in the UK and are permitted to undertake work in a licensable activity.*

6.9 Home Office online right to work checking service

6.91 To demonstrate their right to work via the Home Office online right to work checking service,

applicants should include in their application a nine (9) digit share code (provided to them upon accessing the service at [Prove your right to work to an employer: get a share code \(GOV.UK\)](#)) which, along with the applicant's date of birth, will allow the Licensing Authority to carry out the check.

7. LICENSING POLICIES

POLICY 1

The Authority expects to see evidence of the effective and responsible management of the licensed premises, such as examples of instruction, training and supervision of staff and the adoption of best practice used in the leisure industry, being specifically addressed within the Operating Schedule.

REASON: To ensure the promotion of the licensing objectives.

- 7.1 Licensing law is not the primary mechanism for the general control of the anti-social behaviour of patrons once they have left the vicinity of the licensed premises, rather it is part of a holistic approach to the management of the District.
- 7.2 Where appropriate the Authority will seek to identify mechanisms that are available for addressing the potential impact of anti-social behaviour arising both in respect of the management and operation of licensed premises themselves and that arising once patrons leave the licensed premises. Regard will be had to the Section 182 Guidance in this respect and the following may be employed to address such behaviour and the potential for cumulative impact.
- Planning controls.
 - Positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority.
 - The provision of CCTV surveillance in town centres, taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols.
 - Powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly.
 - The confiscation of alcohol from adults and children in designated areas.
 - Police enforcement of the general law concerning disorder and antisocial behaviour, including the issuing of fixed penalty notices.
 - Prosecution for the offence of selling alcohol (or allowing such a sale) to a person who is drunk.
 - Police powers to close down instantly for up to 24 hours any licensed premises or temporary events on grounds of disorder, the likelihood of disorder or excessive noise emanating from the premises causing a nuisance.
 - The power of the police, other Responsible Authorities or a local resident or business to seek a review of the licence or certificate in question.

- Early Morning Alcohol Restriction Orders (EMROs).
- Any other local initiatives that similarly address these problems.

POLICY 2

When preparing or considering applications, applicants, Responsible Authorities, other persons and the Licensing Authority shall, where appropriate, take into account the following matters in assessing both the potential for the Licensing Objectives to be undermined and the appropriateness of, any conditions which may be offered or imposed on any resulting licence, certificate or permission:

- (i) The nature of the area within which the premises are situated.**
- (ii) The precise nature, type and frequency of the proposed activities.**
- (iii) Any measures proposed by the applicant in the Operating Schedule.**
- (iv) The nature (principally in terms of the age and orderliness) and number of any customers likely to attend the licensed premises.**
- (v) Means of access to and exit from the premises.**
- (vi) The provision and availability of adequate seating and the restriction of standing areas.**
- (vii) Noise from the premises or people visiting the premises**
- (viii) The potential cumulative impact (see below).**
- (ix) Other means and resources available to mitigate any impact.**
- (xi) Such other matters as may be relevant to the application.**

REASON: To ensure that all relevant matters are taken into consideration during the application process.

- 7.3 The authority wishes to encourage high quality, well managed premises. The operating schedule should describe how these high management standards will be achieved. In particular applicants will be expected to demonstrate:
- Knowledge of best practice
 - That they understand the legal requirements of operating a licensed business
 - Knowledge and understanding of the licensing objectives, relevant parts of the licensing policy, and their responsibilities under the Licensing Act 2003
- 7.4 The operating schedule must include all of the information necessary to enable the licensing, responsible authorities and members of the public to assess whether the steps outlined for the promotion of the licensing objectives are sufficient. This will mean that applicants will need to complete their own risk assessments on their businesses. Where the operating schedule does not provide enough detail, there is an increased likelihood that representations will be made.
- 7.5 The authority will expect that the completed operating schedule is specific to the premises subject to the application and the licensable activities to be carried out rather than containing general or standard terms
- 7.6 Levels of noise from licensed premises, which may be acceptable at certain times of day, may

not be acceptable later in the evening or at night when ambient noise levels are much lower. The main impact of customers arriving, queuing and leaving should be confined to principal pedestrian routes as far as possible. The impact of noise arising from patrons that are temporarily outside the premises (e.g. smoking or moving from one part of the premises to another), must be recognised and mitigated against.

- 7.7 Applicants should carefully consider the hours that they will wish to operate for each licensable activity and when to close their premises for the entry of customers and to require them to leave. They should consider each licensable activity separately and carefully and reflect this in their operating schedule. Shops, stores and supermarkets will normally be permitted to sell alcohol and or late-night refreshment at any time when they are open for shopping unless there are good reasons related to the promotion of the licensing objectives for restricting these hours.
- 7.8 Applicants should consider the benefits of stopping serving alcohol before other licensable activities stop and a suitable time before the premises close and customers must leave. In noise-sensitive areas operators should consider ceasing the playing of dance music and switching to quieter, slower tempo music with a less pronounced beat for a period prior to the closure of the premises.
- 7.9 Applicants should also consider making arrangements with local transport operators to provide information to customers to ensure they can access public transport and leave the vicinity of the premises quickly by the most appropriate route.
- 7.10 The Authority is mindful of the responsibilities that licence holders have for preventing anti-social behaviour on and within the vicinity of their premises. The Authority must, however, also bear in mind its statutory duty under the Crime and Disorder Act 1998 to do all it can to prevent crime and disorder in the District. Where appropriate, conditions will be imposed which reflect local crime prevention strategies
- 7.11 Applicants are expected to have carried out the relevant assessments under other legislation (e.g. fire **safety**, health and safety at work, etc) prior to submitting their applications. These assessments should be used to identify particular issues which may need to be addressed in the operating schedule in order to ensure that the objectives will not be undermined. Suggested methods of addressing Policy 2 may be outlined in more detail in any guidance issued by the Responsible Authorities but could include the matters listed below where appropriate.
- 7.12 **The Council will expect licensees to take all reasonable steps to prevent the entry of drugs into premises under their control, to take appropriate steps to prevent drugs changing hands within**

the premises, to take practical measures to prevent tragedies as a result of drug misuse by way of management and design of the premises and work collaboratively with the Police to deal with any such issues.

7.13 Licensees should also consider what action will be taken to prevent the spiking of drinks at the premises, i.e. where drugs or alcohol are added to someone's drink without them knowing. Alcohol is the common substance used to spike drinks. Safety measures could include encouraging customers to ensure their drinks are not left unattended, and the use of publicity material to ensure customers remain vigilant.

- The use of toilet attendants or regular documented toilet checks and Searches of the premises
- Training of staff in drug awareness to identify and prevent the supply and use of illegal drugs and new psychoactive substances
- Physical measures to deter drug use on the premises.
- Make customers aware of the risk of drink-spiking
- Train staff in drug awareness issues and ensure sufficient staffing and managerial support to make identification and handling of incidents practicable.
- 'Ask for Angela' - this initiative advises customers through posters in venue toilets that, if they 'ask for Angela' at the bar, staff will be alerted to the fact that the person feels unsafe or threatened. Staff will know that the individual needs support to leave their situation, and can call them a taxi, escort them to their car or call the police, for example.

7.14 Examples of recommended management practice to minimise Crime and Disorder:

- The provision of seating and restriction of 'standing only' premises to provide less congestion and potential for disorder
- Use of CCTV both within and outside the premises.
- Metal detection and search facilities.
- Procedures for risk assessing promotions and events such as "happy hours" and plans for minimising such risk.
- Measures to prevent the use or supply of illegal drugs.
- Employment of licensed door supervisors and other appropriately trained staff.
- Participation in an appropriate Pub Watch Scheme or other such scheme aimed at achieving a safe, secure and social drinking environment e.g. bar tariffs (for all bar price lists to carry a guide of how many units of alcohol each individual drink contains) and recommendations that all licensees, managers or supervisors attend regular meetings or send a representative if they cannot attend.
- The licensee providing a taxi call point, waiting and concierge service for taxi marshalling at the licensed premises.
- Use of measures aimed at ensuring patrons are more relaxed and quieter when leaving the licensed premises e.g. playing quieter music and promoting non-alcoholic drinks towards

the end of the event, ensuring good lighting outside the premises, staggering the closing time with regard to nearby licensed premises, etc.

7.15 Examples of recommended management practice to ensure public safety:

- The preparation and application of appropriate risk assessments including fire safety.
- The setting and monitoring of occupancy levels for the premises.
- Reasonable facilities, access and egress for people with disabilities.
- Having glassware policies.

7.16 Examples of recommended management practice for the protection of children:

- Exclusion from the premises in certain circumstances.
- Implementation of a robust proof of age scheme.

Supply of Alcohol (Off Sales)

- the display of prominent warning notices about the supply of alcohol to minors;
- knowledge of the offences which adults can commit by buying alcohol for minors;
- the requirements for production of satisfactory proof of age;
- a commitment to the promotion of age verification schemes (Challenge 21/Challenge 25);
- whether any high strength beers, lagers, ciders, etc will be made available for sale.

7.17 Examples of recommended management practice for preventing nuisance:

- Keeping doors and windows of licensed premises closed to minimise noise break-out.
- Sound limiting devices, or insulation to contain sound and vibration so as to address noise break-out not only from music but also, for example, from air handling equipment, generators or patrons.
- With popular premises that attract queues ensuring that the direction of any queue is away from residential accommodation.
- Proper and adequate door supervision.
- Erecting prominent notices at the exits to premises asking customers to leave quietly and not to slam car doors and repeating such requests verbally.
- Reducing the volume of music towards the end of the evening and where appropriate playing quieter, more soothing music as the evening winds down.
- Arrangements with licensed taxis or private hire vehicles to take patrons from the premises.
- In appropriate cases door supervisors or a manager patrolling nearby streets to assess for themselves whether there is a problem and how best to deal with it.
- Banning people who regularly leave in a noisy fashion and liaising with other premises on such bans.
- Where the premises have a membership scheme, including provisions in the conditions of membership concerning conduct and noise when leaving the premises.
- Adequate provisions for dealing with litter/refuse arising from the operation of premises.
- Appropriate times for, and methods of dealing with, bottle delivery, disposal and collection.

- The licensee providing a help line or contact number for concerned residents.

7.18 In some cases it may be helpful for applicants and/or their advisors to discuss their draft Operating Schedule with representatives of Responsible Authorities, before it is submitted. This will help ensure it properly addresses all relevant issues that might give rise to concern.

7.19 In order to provide a consistent and clear approach, when considering the addition of conditions to a licence the Licensing Authority will where possible use a condition from a 'pool of potential conditions' that has been agreed by all the Licensing Authorities in Nottinghamshire. Other Responsible Authorities will be encouraged to do likewise.

7.20 Any condition attached to a licence or certificate should be:

- clear
- enforceable
- evidenced
- proportionate
- relevant
- be expressed in plain language capable of being understood by those expected to comply with them

7.21 As a general rule, the Licensing Authority will seek to avoid attaching conditions that duplicate existing legal requirements and obligations imposed by other regimes unless such obligations and requirements fail to adequately address the specific circumstances of the case.

7.22 Outside areas

7.22.1 The prohibition on smoking in enclosed public spaces has increased the demand for outside areas. Applicants are reminded that whilst they can be a valuable addition to the business, they can cause increased nuisance and disorder for residents. Operating schedules should detail how noise nuisance and disorder will be dealt with.

7.22.2 Although consumption of alcohol is not a licensable activity, if the plan does not show outside area such as beer gardens or similar, then any premises licence authorising the sale of alcohol on the premises only would not authorise the use of such areas.

7.23 Large Scale Events

7.23.1 Existing licensed premises which intend to run one-off large scale events (and particularly dance events) are encouraged to consult with the responsible authorities and the Safety Advisory Group well in advance of the event taking place, to ensure that the event does not undermine the licensing objectives.

7.24 Counter terrorism

7.24.1 The licensing authority expects that:

- The venue has robust procedures and relevant training in place and staff are knowledgeable of those procedures to be taken and the necessity of following them in the event of a terrorist incident, such as firearms or weapons attack, including:
 - Evacuation/Invacuation/Lockdown
 - RUN/HIDE/TELL principles
 - How customers will be safeguarded.
- Steps are taken to ensure all people employed at the premises whose job includes being alert to the terrorist threat are aware of:
 - the current terrorist threat level
 - what that level means in relation to the possibility of an attack.
 - Have undertaken the Action Counters Terrorism (ACT) eLearning course within the last 12 months. See note below.
- Risk assessments for public entertainment venues include consideration of the risk of a terrorist attack and the different types of attack. .
- Staff must be clear about what to do if the public report suspicious activity or unusual behaviour to them.
- All suspicious behaviour by customers or members of the public close to the venue must be noted and be reported promptly to the police so that investigations can be made, and action taken, if appropriate.
- Measures to alert staff and visitors of any immediate threat or incident.

7.25 Action Counters Terrorism (ACT) training

Further details, updates and to register for the ACT e-learning training course please visit: <https://www.protectuk.police.uk/>

7.26 Cumulative Impact

7.26.1 Cumulative Impact Assessments (CIA's) were introduced in the Licensing Act 2003 by the Policing and Crime Act 2017.

7.26.2 This potential impact on the promotion of the Licensing Objectives by a significant number of licensed premises concentrated in one area is called "cumulative impact". This should not be confused with the issue of "need" which relates to the commercial demand for licensed premises and cannot be taken into account when determining licensing applications.

7.26.3 A cumulative impact assessment (CIA) may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. CIAs relate to applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in a specified area.

- 7.26.4 The CIA must include a statement saying that the licensing authority considers that the number of premises licences and/or club premises certificates in one or more parts of the area described is such that it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives. As part of the publication a licensing authority must set out the evidential basis for its opinion. Any CIA published by the Council will be summarised in the Statement of Licensing Policy.
- 7.26.5 The absence of a CIA does not prevent any responsible authority or other person making representations on an application for the grant or variation of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives, However, in each case it would be incumbent on the person making the representation to provide relevant evidence of cumulative impact.
- 7.26.6 Having taken into account the evidence presented, the Council is satisfied that there are no areas within the Newark and Sherwood District presently suffering from cumulative impact. Should this situation change, the Council will consider the available evidence and consult with those bodies and individuals listed in the Licensing Act 2003. If the Council is satisfied that it would be appropriate to publish a CIA, it will be published on the Council's website and a summary will be included in this statement of licensing policy.
- 7.26.7 Responsible Authorities and Interested Parties may still make representations on specific applications concerning cumulative impact even though those applications are not for premises in an area covered by a cumulative impact Policy. In such circumstances the application may be refused, (though there will be no presumption that this will be the case), and the Authority may then choose to review this Statement of Policy and consult as to whether the particular area should be designated as an area to which a cumulative impact Policy should apply.

7.27 Public Space Protection Orders

- 7.27.1 The authority supports the use of public space protection orders as a tool to prevent alcohol related crime and disorder in the streets. The authority expects premises that operate in areas where DPPOs have been implemented to have measures in place to ensure that their customers do not contribute to drink related anti-social behaviour

7.28 Closure notices

- 7.28.1 Section 19 of the Criminal Justice and Police Act 2001 (the Act) gives licensing authorities, police & local authorities the power to serve a closure notice where any premises are being used (or have been used within the last 24 hours), for the sale of alcohol for consumption on or in the vicinity of the premises; and the activity was not authorised (premises licence, club premises

certificate or temporary event notice) or not in accordance with the conditions of authorisation.

7.28.2 The notice informs the person with control of, or responsibility for, the activities carried on at the premises (normally the licence holder or the designated premises supervisor) that if unauthorised alcohol sales continue, an application may be made to a court under section 20 for an order to close the premises under section 21 of the Act. Such an application cannot be made less than seven days or more than six months after the service of the closure notice under section 19.

7.28.3 Further power to close premises are contained in Anti-Social Behaviour Crime and Policing Act 2014. Closure Notices can be issued if the use of the premises has, or is likely to result in, nuisance and disorder. Under a Closure Notice a premises can be closed for up to 48 hours. A subsequent application can then be made to Magistrates Court for a Closure Order if there is evidence that there is serious nuisance to members of the public or there is disorderly, offensive or criminal behaviour on, or likely to be on, the premises. A Closure Order can be made for up to 3 months and a subsequent application can extend for up to a further 3 months.

7.29 Encouraging diversity

7.29.1 The Licensing Authority recognises that creating a vibrant night-time economy is important. Key to this is ensuring that the area appeals to a wide group of people including families and older adults who may not wish to frequent premises where the main, if not only attraction is the consumption of alcohol.

7.29.2 Applications for premises whose predominant offer is vertical drinking are not encouraged, but if applications are made for such premises, it is expected that the operating schedule will demonstrate robust arrangements for promoting the licensing objectives.

7.30 Provisional Statements

7.30.1 Where it is proposed to build or alter premises which may require a premises licence then the Licensing Act permits an application for a Provisional Statement. This application is dealt with in the same way as an ordinary application but does not result in the issue of a premises licence. That is applied for when the premises are complete.

7.30.2 Where a provisional statement has been issued by the Authority and the relevant works are completed satisfactorily then any subsequent application for a premises licence must be granted and any objection which could have been raised at the Provisional Statement stage must be disregarded.

7.31 Adult Entertainment

7.31.1 The potential for the provision of adult entertainment to impact on the licensing objectives is recognised in the prescribed application form and all applicants are required by the prescribed application form to indicate in their operating schedules whether they intend to provide any such entertainment which may give rise to concerns in respect of children.

7.31.2 Applicants for new licences or variations of existing licences must also indicate the nature of any adult entertainment to be carried out at the premises. Where this section contains no information it will be assumed that there are no intentions to allow such activities and the licensing authority will impose a condition to that effect.

7.31.3 Newark and Sherwood District Council has adopted Schedule 3 Local Government (Miscellaneous Provisions) Act 1982 which means that venues proposing to provide sexual entertainment must apply for a sexual entertainment venue licence in addition to the premises licence under the Licensing Act 2003.

7.31.4 There is an exemption under the Local Government (Miscellaneous Provisions) Act 1982 that does permit premises to offer sexual entertainment no more than 11 times a year and no more frequently than monthly. Where operators intend to take advantage of this exemption, the licensing authority expects a clear explanation in the operating schedule of the proposed signage, publicity and external advertising/display materials. Explicit material should not be visible while signage relating to the nature of the entertainment and the exclusion of children should be prominent and conspicuous.

7.31.5 The provision of adult entertainment on premises may mean that access by children will not be permitted during periods when such entertainment is taking place. The Authority expects licensees to ensure that any age restrictions for shows or entertainment of an adult or sexual nature are properly complied with. In addition it may be appropriate to impose age restrictions for persons working in the premises, and applicants are advised to also consider the wider crime and disorder issues which can be associated with such forms of entertainment, such as issues relating to drugs and prostitution.

7.31.6 Responsible Authorities are likely to continue to consider all applications involving adult entertainment very carefully with regard to the promotion of the licensing objectives within the vicinity in which the premises are located.

7.32 Licence Suspensions

7.32.1 The Licensing Act 2003 requires Licensing Authorities to suspend a premises licence or club premises certificate if the annual fee is not paid when it is due unless an administrative error or dispute has been notified to the Licensing Authority. In such cases there will be a grace period of 21 days to allow the matter to be resolved. If the matter is not resolved within the grace period the licence must be suspended.

7.32.2 Where such a suspension takes place the Licensing Authority must give a minimum of two days' notice and may inform the police and other Responsible Authorities of the suspension. All licensable activities must cease when the suspension takes effect. The suspension will only cease on payment of the outstanding fee irrespective of any transfer or hearing which may take place.

7.33 Reviews & Expedited Review

7.33.1 At any stage following the grant of a premises licence or club premises certificate a Responsible Authority, other persons may ask for a review. Evidence will however be required to show that a specific concern exists relating to one or more of the licensing objectives.

7.33.2 Where a review Hearing is held the Licensing Authority has a variety of options that it may take ranging from taking no action at all, to varying conditions or suspending or revoking the licence. The Guidance reminds the Authority that the powers of review are to be used in the interests of the wider community and not that of the individual licence/certificate holder. Whilst the financial circumstances of the licence/certificate holder will be a consideration for the Licensing Authority, the promotion of the licensing objectives will be the Authority's primary concern. In some circumstances e.g. the use of premises for the purchase and consumption of alcohol by minors, revocation may be considered an appropriate course of action, even in the first instance.

7.33.3 Where a licensed premises appears to be associated with serious crime, serious disorder or both, the Police can apply for a 'summary', or 'expedited', review of the premises licence.

7.34 Early Morning Alcohol Restriction Orders (EMRO)

7.34.1 The legislation gives Licensing Authorities discretion to restrict sales of alcohol by introducing an Early Morning Alcohol Restriction Order to restrict the sale or supply of alcohol to tackle high levels of alcohol-related crime and disorder, nuisance and anti-social behaviour. The order may be applied to the whole or part of the Licensing Authority area, and if relevant on specific days and at specific times. The Licensing Authority must be satisfied that such an order would be appropriate to promote the licensing objectives.

7.34.2 The only exemptions relating to EMROs are New Year's Eve and the provision of alcohol to residents in premises with overnight accommodation by means of mini bars and room service.

7.34.3 The decision to implement an EMRO should be evidence based and may include consideration of the potential burden imposed as well as the potential benefits.

7.35 Personal Licences

7.35.1 In most cases the Authority is under a duty to grant a Personal Licence so long as the applicant meets the criteria prescribed in section 120 of the Act. Where an applicant for a Personal Licence has certain types of conviction (for relevant or foreign offences as defined by the act) or, has been required to pay an immigration penalty the Authority is required to notify the police, and, in the case of immigration offences and penalties, the Secretary of State. In these cases a licence will still be granted unless an objection is received within the prescribed period.

7.35.2 Where a Personal Licence holder is convicted of a relevant offence the Court may order that the licence be forfeit. If an applicant is convicted of a relevant offence during the application period and this only comes to light after the licence has been granted or renewed then the Authority must notify the Chief Officer of Police and if an objection notice is lodged within the relevant period a Hearing will be held to determine whether the licence should be revoked.

7.35.3 Where the authority is aware that a Personal Licence holder has been convicted of a relevant offence, foreign offence or required to pay an immigration penalty it may suspend the licence for a period not exceeding six months or revoke the licence. Before doing so the Authority will serve a notice on the personal licence holder inviting them to make representations within 28 days regarding:

- The offence /penalty
- Any decision a court made regarding the licence at the time of the conviction
- Any other relevant information (including the holder's personal circumstances)

7.35.4 After the 28 day period has elapsed the authority will make a decision as to what action it will take based on the information provided to it. In circumstances where the Authority does not propose to revoke the licence, notice must be given to the Chief Officer of Police inviting representations as to whether the licence should be suspended or revoked. **The Act does not require a hearing to be held at any stage during the process**, although the Authority may invite the licence holder to make a personal representation. Licence holders (and the police) will be notified of the Authority's decision in writing along with their right of appeal

7.36 Alcohol Delivery Services

7.36.1 An applicant seeking a licence that will enable them to provide alcohol as part of an alcohol delivery service should include in their operating schedule the procedures that they intend to operate to ensure that:

- That the person they are selling alcohol to is over the age of 18
- That alcohol is only delivered to a person over the age of 18
- There is a clear document trail of the order process from order, despatch from the licensed premises and delivery to the customer is maintained (with times and signatures) and available for inspection by an authorised officer.
- A refusals log will be maintained for deliveries and available for inspection on request
- The time that alcohol is sold on the website/over the phone and the time the alcohol is delivered is within the hours stated on the licence for the sale of alcohol
- Alcohol shall only be delivered to a residential or business address and may not be delivered to a public place
- Any delivery driver or third party courier will be required to have appropriate age verification training, and in particular they will be required to have undergone training in refusal of supply where age verification is not provided, or the recipient is clearly intoxicated
- Operators to have systems in place to ensure alcohol is not delivered to problematic house parties or to people who appear drunk and, in such instances, alcohol should be refused and that refusal recorded.

7.37 Pavement Licences

7.37.1 A pavement licence is a licence granted by the local authority which allows the licence-holder to place removable furniture over certain highways adjacent to the premises in relation to which the application was made, for certain purposes. It is important to note the grant of a pavement licence only permits the placing of furniture on the highway.

7.37.2 A pavement licence does not negate the need to obtain approvals under other regulatory frameworks, such as the need for a licence to sell alcohol, and the need to comply with registration requirements for food businesses.

7.37.3 It is important that any pavement licence granted promotes the four licensing objectives.

7.37.3 For further information on pavement licences please use the link below:

[View further information on pavement licenses](#)

POLICY 3

When considering an objection notice or immigration objection notice the authority will take the following matters into consideration

- (i) The circumstances in which the offences were committed or the penalty imposed;
- (ii) The period that has elapsed since the offence(s) were committed or the penalty imposed;
- (iii) Whether the offences/penalty reveal a pattern of offending or were a one-off occurrence; and
- (iv) Any mitigating circumstances.

In consideration of an objection notice the Authority will reject the application/revoke the licence if it considers it appropriate to do so in order to promotion of the crime prevention objective.

In consideration of an immigration objection notice the Authority will reject the application/revoke the licence if it considers it appropriate to do so for the prevention of illegal working in licensed premises.

REASON: Prevention of crime is both an objective of the Licensing Act 2003 and an important responsibility of the Authority under the Crime and Disorder Act 1998. Granting a licence to a person with relevant convictions will in many cases undermine rather than promote the crime prevention objective. Similarly granting licence to a person convicted of an immigration offence or who has paid an immigration penalty will in many cases undermine the prevention of illegal working in licensed premises which itself is a crime.

7.38 Temporary Event Notices

7.38.1 There are two types of types of Temporary Event Notice,

- A standard TEN
- A Late TEN

7.38.2 A standard TEN must be served no later than ten working days before the event to which it relates and this does not include the day it is given or the day of the event, and a late TEN is served not before nine and not less than five working days before the event to which it relates.

7.38.3 Whilst the Council recognises that a Temporary Event Notice may be served at least ten clear working days prior to the commencement of a Permitted Temporary Activity (the event), the current Guidance issued under the Act encourages a locally established preferred period of

notice. There is a case for not serving such Notices too early as this could make it difficult for a sensible assessment to be made of the implications of such an event on the Crime and Disorder and Prevention of Public Nuisance objectives. The Council considers that a reasonable period of notice for the service of a Temporary Event Notice is 28 days.

7.38.4 Persons serving Temporary Event Notices must also serve a copy notice on the police and the Responsible Authority for Environmental Health functions i.e. the Council's Environmental Health section. Except when the TEN is served electronically/digitally

7.38.5 Further information regarding Temporary Event Notices is contained on the Council's web pages at the following link: [View further information on Temporary Event Notices](#)

8. SAFEGUARDING AND CHILDREN

8.1 Newark and Sherwood District Council is committed to the Safeguarding of children and vulnerable adults. The Licensing Act places legal responsibilities on holders of Premises licences and Club Premises Certificates and those who work in licensed premises to ensure that children are protected from harm at all times when on licensed premises.

8.2 The Authority in partnership with the police, the Nottinghamshire Safeguarding Board and the Community Safety Partnership works closely with licensed premises in order to build awareness across the industry as to how those that work in such establishments may better recognise the indicators of children and vulnerable adults who may be subject to, or at risk of abuse, exploitation and trafficking and the reporting mechanisms for these concerns.

8.3 When considering applications for new or variations to existing premises the Authority will seek to be assured that applicants have considered the safeguarding of children and vulnerable adults within the operating schedule of the application.

8.4 Employers have a duty of care for employees and should adopt a risk based assessment approach to ensuring the safety of all staff working late or unsocial hours to facilitate a safe and affordable journey home

8.5 Public Safety is of paramount importance for the licensing authority and a safe night is a priority. The authority supports a number of initiatives in the to improve safety in the night-time economy.

- Vulnerability training for staff working in the night-time economy
- Ask for Angela <https://askforangela.co.uk/>
- Street Pastors <https://www.streetpastors.org/>
- Best Bar None <https://bestbarnone.com/>

- Pubwatch <https://www.nationalpubwatch.org.uk/>

8.6 Violence against women and girls' covers a range of unacceptable and deeply distressing crimes, including rape and other sexual offences, stalking, domestic abuse, 'honour'-based abuse (including female genital mutilation, forced marriage and 'honour' killings), 'revenge porn' and 'up-skirting', as well as many others. These crimes disproportionately affect women and girls.

8.7 The licensing authority supports the Nottinghamshire Police and Crime Commissioners Violence Against Women and Girls Strategy '[Violence Against Women and Girls](#)' and positively promotes and supports initiatives driven by this agenda.

8.8 Where there are concerns over the potential for harm to children from licensable activities, the Authority recognises the following body as competent to advise on matters relating to the protection of children from harm:

- The Nottinghamshire Safeguarding Children Board.

Applications should therefore be copied to this body in its capacity as a Responsible Authority.

8.9 Examples which may give rise to concerns in respect of children include those:

- Where there have been convictions for serving alcohol to minors
- Where there is a reputation for underage drinking
- Where there is a known association for drug taking or dealing
- Where there is a strong element of gambling on the premises
- Where entertainment of an adult or sexual nature is provided

8.10 Where premises are used for film exhibitions, the Authority will impose the mandatory condition restricting access only to persons who meet the required age limit in line with any certificate granted by the British Board of Film Classification or the Authority itself.

8.11 The Authority expects applicants to include any arrangements for restricting under-age children from viewing age-restricted films in their Operating Schedule. The Authority expects that licensees will ensure that any age restrictions for cinema exhibitions are properly complied with.

8.12 It is recommended that all alcohol licensed premises follow the [Portman Group Code of Practice](#), in particular that relating to particular appeal to under-18s.

POLICY 4

Where representations have raised concerns in respect of individual premises and it is felt that access of children should be restricted, the Authority will consider imposing conditions which may include the following:

- (i) Limitations on the hours when children may be present.
- (ii) Age limitations for persons under 18.
- (iii) Limitations or exclusion when certain activities are taking place.
- (iv) Full exclusion of persons under 18 when certain licensable activities are taking place.
- (v) Limitations of access to certain parts of the premises for persons under 18.
- (vi) A requirement for adults to be present.

REASON: To protect children from harm.

8.13 Applicants seeking a licence that would enable them to provide alcohol as part of an alcohol delivery service should include in their operating schedule the procedures they intend to operate to ensure that:

- The person they are selling alcohol to is over 18
- That alcohol is only delivered to a person over 18
- That a clear document trail of the order process from order to delivery is maintained (with times and signatures) and available for inspection by an authorised officer
- The time that alcohol is sold on the website/over the phone and the time the alcohol is delivered is within the hours stated on the licence for the sale of alcohol.

8.14 Age verification policies

8.14.1 It is mandatory for premises which sell or supply alcohol to have an age verification policy in place. The Council favours the Challenge 25 scheme and such a scheme volunteered as part of an operating schedule will be given the appropriate weight when the Council determines the licence application.

9. EQUALITY AND DIVERSITY

9.1 Delivery of the licensing regime will be in accordance with the Council's Equal Opportunities Policy. Compliance with this Policy will be subject to on-going monitoring and customer/stakeholder consultation during the life of this Policy. Relevant matters that come to light as a result of monitoring and consultation may result in changes to service delivery and where necessary may result in changes to the Council's licensing policy.

9.2 Newark & Sherwood District Council is committed to implementing and upholding equality and diversity in everything it does. The Council strives to be an effective service provider,

community leader and corporate body, and in doing so, recognises the importance of meeting the needs of the diverse mix of communities represented amongst its residents, service users and workforce. In meeting those needs, the Council will develop and harness a safe and sustainable community inclusive to all.

9.3 To affirm its commitment and to ensure continuous improvement, the Council uses the Equality Standard for Local Government as the improvement framework against which to assess its performance and development in equality and diversity. All council policies are subject to Equality Impact Assessments.

9.4 Advice and guidance will be made available in English, which is the most common language of customers and stakeholders. On request the Council will signpost customers to providers of guidance and information relating to translation services.

10. GENERAL ENFORCEMENT STATEMENT

10.1 All decisions, determinations, inspections and enforcement action taken by the Authority will have regard to the relevant provisions of the Licensing Act 2003, national guidance, relevant codes of practice and the enforcement policy of the Council.

10.2 The Authority has established and maintains enforcement protocols with the local police and other relevant enforcement agencies.

11. MONITORING AND REVIEW OF THIS STATEMENT OF POLICY

11.1 This Statement of Policy will be reviewed within legislative timescales and as and when appropriate. In preparing the succeeding Statement of Policy regard will be had to data and information collated over the operating period of the current policy, together with trends and the outcome of related initiatives from both local sources and nationally issued data and guidance.



Report to: Meeting of the Full Council - 12 December 2023

Portfolio Holder: Councillor Matthew Spoons, Sustainable Economic Development

Director Lead: Matt Lamb, Director - Planning & Growth

Lead Officer: Matthew Norton, Business Manager - Planning Policy & Infrastructure
Ext 5852

Report Summary	
Report Title	Amended Allocations and Development Management Development Plan Document – Submission
Purpose of Report	<p>To present Council with an overview of the representations received following the publication of the Amended Allocations & Development Management Development Plan Document (DPD) and to set before members modifications which seek to address the issues raised by the representations.</p> <p>To seek approval from Council to submit to the Secretary of State for examination the Amended Allocations & Development Management DPD as amended by proposed modifications.</p> <p>To seek approval from the Council to accept the Planning Inspectors recommendations as binding and seek approval for delegated authority to make any further minor amendments.</p>
Recommendations	<p>That:</p> <ul style="list-style-type: none"> (a) the contents of the report be noted; (b) the DPD as amended by the proposals contained within Appendix B is submitted to the Secretary of State for examination; (c) when asked the District Council agree to accept a binding report from the Inspector; and (d) the Director - Planning & Growth be given delegated authority to propose amendments to the DPD following consultation with the Portfolio Holder for Sustainable Economic Development and Planning Policy Board in accordance with paragraph 3.4 of the report.
Reason for Recommendations	To seek approval for Submission of the Amended Allocations & Development Management Development Plan Document.

1.0 Background

1.1 Following approval by the Full Council on 20 September 2023, the Amended Allocations & Development Management DPD was published for a second pre-submission Representation Period on Monday 25 September for a period of six weeks ending on Monday 6 November 2023. Also published at this time were proposed amendments to the Policies Map to reflect changes in the DPD which the Council also sought representations on.

2.0 Second Publication Amended Allocations & Development Management DPD - Representations Received

2.1 In total 123 representations were made by 59 Representors. The contents of the representations have been made available to view on the Council website since the 4 December 2023 (the day that this report was published) these are included within a Statement of Consultation. The representations are also attached at **Appendix A**.

2.2 It is very important to note that as with the first Publication DPD in 2022 the representation period is distinctly different from the earlier consultation periods; its purpose is to allow comment on legal compliance, the duty to cooperate and soundness by reference to specified tests. All representations will be available to the Inspector as part of the examination process, including those from the earlier 2022 representation period unless the representor has withdrawn them.

2.3 As part of the supporting material and information that has to be sent to the Planning Inspectorate together with a Submission DPD, a 'Summary of Main Issues' arising from the various representations, is required. The Summary gives an overview of the main issues which were raised in the representation responses. It is not meant to be exhaustive and will be a starting point for the Inspector to consider in his/her decision making on what topics should be discussed in detail at the Hearing Sessions which form an important part of the Examination process. The 'Summary of Main Issues' is set out below and, in some cases, proposed modifications to the plan (these modifications are included at **Appendix B**):

Main Issue 1 – Environment Agency Response

2.4 The Environment Agency (Ref 62) objected to the 1st Publication DPD, because they wanted more detailed modelling for the Tolney Lane Flood Alleviation Scheme before they could support the plan. Subsequent to this the Council and Agency have been in detailed discussion about next steps for the scheme and the Agency, considering the complexities of the situation, have confirmed in a holding statement, that they want to address these matters through a Statement of Common Ground.

2.5 District Council Response: The District Council welcomes the approach taken by the Environment Agency and is already working towards agreeing a Statement of Common Ground with the Agency. This will outline the current position in terms of flooding in the District, the approach taken to dealing with flooding as part of the Amended Allocations & Development Management DPD, the issues for dealing with flooding at Tolney Lane in particular and the proposed approach for dealing with this.

2.6 Action: Agree a statement of common ground with the Environment Agency.

Main Issue 2 – Newark Showground Policy Area

2.7 Various landowners within the Showground Policy Area (SPA) have made representations including regarding NUA/MU/1 the mixed-use allocation within the SPA. The developers of NUA/MU/1 Lindum (75) are currently engaged in a land swap with Newark Showground (67). This swap will enable the showground operations to continue to operate efficiently. Both propose that the land swap should be reflected in a change in boundaries to the allocation. They also want to remove reference to hotel/conference centre from the allocation because that is no longer proposed, and a covenant will restrict this on the land transferred to Lindum. Newark Showground further proposes that an allocation be made elsewhere for a Hotel/Conference facility.

2.8 District Council Response: It is recognised that in order to deliver NUA/MU/1, and to allow the Showground to effectively function the land swap should be reflected in the extent of the policy. It is also noted that the allocation will not be able to deliver a Hotel/Conference Facility in the location proposed and therefore it is appropriate to amend the wording. It is not proposed to make a new allocation at this stage, in any event hotel and conference facilities are permitted on the wider site as part of the proposed amendment to NUA/SPA/1.

2.9 Action: Propose to the Inspector that the allocation is adjusted as part of a modification. Remove reference to Hotel/Conference facility from NUA/MU/1.

Main Issue 3 – Policy CI/MU/1 Clipstone Colliery

2.10 Welbeck Estates (24) who are the major landowner within the allocation are supportive of the continued allocation of the site but want a number of adjustments to the policy:

- Retail – the policy is currently flexible and does not specify a size for the retail provision, Welbeck want a definition of up to 20,000 square feet.
- Employment – Whilst phase 1 and 2 of the redevelopment are currently under consideration as planning applications, the residual of the site is still being considered. At this stage the exact distribution and quantum of development is under consideration, given current thinking Welbeck want to state that 8.5 hectares of employment provision will be made.
- Open Space – Welbeck want to include a figure of 10.8 hectares for Public Open Space and sports provision in policy.

2.11 District Council Response: At this stage the exact distribution and quantum of development for a large element of the site is still under consideration and to that extent it is not considered appropriate to fix the quantum of development. In particular the flexibility for retail will allow a proposal to be developed which supports the wider redevelopment and meets the requirements of wider retail policy. It is therefore proposed that the wording around the quantum of employment growth be amended to support flexibility.

2.12 Action: Propose to the Inspector that the wording is modified to provide flexibility.

Main Issue 4 – Objections to the (continued) allocation of sites

- 2.13 A number of representations have been made regarding the suitability and deliverability of existing and proposed allocations, most notably, NUA/Ho/10 (73,77,79,86,88), GRT/NUA/10 (65,90) and GRT/NUA/11 (42, 43).
- 2.14 District Council Response: Following review of the representations it is not proposed to amend any allocations.
- 2.15 Action: None

Main Issue 5 - NUA/Ho/1

- 2.16 A representor (91) questions why NUA/Ho/1 is proposed for deallocation setting out that the site is still suitable for development and will not be impacted upon by the A46 Bypass scheme.
- 2.17 District Council Response: The site was proposed for deallocation as we had had no contact from the owner in many years. At this late stage it would not be appropriate to change our position on this allocation as no one has been afforded the right to comment on continuing to allocate the site. The area of land will remain within the Urban Boundary for Newark Urban Area.
- 2.18 Action: None

Main Issue 6 – DM2 and DM3

- 2.19 These policies were amended by the District Council following earlier representations made regarding the status of Supplementary Planning Documents. Representations now require further clarification of the evidence required to justify developer contributions.
- 2.20 District Council Response: The District Council notes the request for clarity on this matter and the need to set out the types of evidence that the Plan is proposing to be used.
- 2.21 Action: Propose to the Inspector that the wording is modified to provide further clarification.

Main Issue – DM4 Renewable Energy

- 2.22 Two representors (16 and 33) have suggested that DM4 will not assist in allowing them to develop renewable energy and suggest that the Policy is not in line with the NPPF.
- 2.23 District Council response: Whilst the policy is broadly supportive of renewable energy a number of amendments have been proposed to ensure that the policy is in line with the NPPF.

- 2.24 Action: Propose to the Inspector that the wording is modified to ensure that the policy is in line with the NPPF.

Main Issue – DM8 Development in the Open Countryside

- 2.25 Representations were received on various elements of DM8, representor 16 did not believe that the policy in relation to employment development was facilitative enough for existing large employers, such as their client British Sugar, in open countryside locations. Representors 53 and 72 are concerned that the elements relating to conversion of existing buildings and the supporting paragraphs 7.74 and 7.75 are not fully in line with Paragraph 80 of the NPPF.
- 2.26 District Council Response: The District Council accepts that further clarifications to the policy to show support for existing appropriate employers in the Open Countryside and clarify how all types of conversion of buildings should be dealt with.
- 2.27 Action: Propose to the Inspector that the wording is modified at para 7.80 to make clear the Council will work with existing businesses in the countryside. It is also proposed to reword DM8 and para 7.74 and 7.75 to more clearly reflect the NPPF.

Main Issue – Viability in housing policies

- 2.28 The Home Builders Federation (50) have raised issues with Core Policy 1 Affordable Housing and Core Policy 3 Housing Mix, Type and Density with regard to their viability. The policies in the plan have been subjected to a whole plan viability assessment.
- 2.29 District Council Response: The policies in the plan have been subjected to a whole plan viability assessment which justifies the approach taken. The HBFs submission is being considered by our viability consultant and whilst the details of the viability assessment could change, officers do not believe that this will fundamentally alter the viability position.
- 2.30 Action: Viability representation to be addressed.

Outstanding Issues

- 2.31 It should be noted that the Officers are currently considering the results of a further noise assessment in relation to Old Stable Yard Winthorpe Road (site NUA/GRT/12), following discussions with interested parties any actions that result from these discussions will be reported to Full Council.

3.0 Publication Amended Allocations & Development Management DPD - Proposed Modifications

- 3.1 A number of the actions detailed in Section 2 require modifications to the Amended DPD. These modifications fall into two categories, Main Modifications and Clarification Minor Amendments. Main Modifications are to ensure that the Plan is Sound, are made by the Planning Inspector, and the Council must request a binding report containing such modifications. After making and advertising such modifications we would be able to adopt the plan. It is necessary to request a binding report as otherwise the Inspector may have no choice but to find the Plan unsound.

- 3.2 Alongside representations opposing or supporting the plan, a number of organisations, developers and individuals made suggested amendments on the details of the plan. Many suggested Clarification Minor amendments which would make the plan clearer and clarify the requirements. Contained in **Appendix B** is a schedule of such changes which the District Council is proposing to make to the Amended DPD.
- 3.3 It is recommended Council agree to amend the DPD to include the proposed Main Modifications Clarification Minor Amendments contained in **Appendix B**.
- 3.4 It is likely that further Main Modifications and Clarification Minor Amendments will emerge through discussion at the Examination Hearing Sessions and the Inspector will very quickly expect the Council to discuss these matters. As such it is proposed that Council give delegated authority to the Director of Planning & Growth in consultation with the Portfolio Holder for Sustainable Economic Growth and the Planning Policy Board to propose modifications to the DPD in line with requests from the Inspector.

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 and Sustainability and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

Assessing the Impact of the Amended Allocations & Development DPD on Sustainability, Equalities and Health

- 4.1 The Council has carried out an Integrated Impact Assessment (IIA) of the DPD. The IIA integrates Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA), Equalities Impact Assessment (EqIA) and Health Impact Assessment (HIA). Sustainability Appraisals (SA) are a requirement of the Planning and Compulsory Purchase Act 2004 and Strategic Environmental Assessments (SEA) are required by European Directive EC/2001/42, which was transposed into UK law by the Environmental Assessment Regulations for Plans and Programmes (July 2004). The EqIA is a way of demonstrating the District Council is fulfilling the requirements of the Public Sector Equality Duty contained in section 149 of the Equality Act 2010. HIA is a recognised process for considering the health impacts of plans and undertaking this type of assessment is widely seen as best practice.
- 4.2 **Sustainability & Health** - Overall, the proposal in the Publication DPD are positive and very few negative impacts on the objectives of the IIA have been identified. The amended and new suite of development management policies provide significant beneficial impacts, particularly in relation to the Health and Sustainable Communities objectives.
- 4.3 **Equality and Diversity** – The results of the Integrated impact assessment conclude that the following policies are assessed as having positive impacts in relation to equality: Core Policy 1, Core Policy 2A, Core Policy 3, GRT1, GRT2, GRT3, GRT4, GRT5, DM5b and DM10. Core Policies 1, 2A and 3, relating to specific types of housing provision, together with the suite of Gypsy, Roma and Traveller policies GRT1 to GRT5,

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

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

Financial Implications FIN23-24/1621

- 4.5 This report has no direct financial implications, however, the delivery of the GRT Pitch Delivery Strategy which supports the Amended DPD will require updates to Cabinet in the future to agree any funding required.

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.

2nd Publication Amended Allocations & Development Management DPD

Appendix A – Second Publication AADMDPD (2023) Representations Summary

Responses to Question 8 - Please provide details of why you believe the DPD is, or is not, legally compliant, sound or in compliance with the duty to cooperate in the box below.

ID	Respondent	Comment
001	Harris Lamb obo CB Collier NK (SSC) Limited	<p>We object to the omission of the former Flowserve Sports and Social Club site as a proposed housing allocation in the plan to accommodate approximately 115 dwellings. CB Collier responded to the publication version of the Amended Allocations and Development Management DPD in November 2022 in respect of its land interests at the former Flowserve Sports and Social Club, Hawton Lane, Newark (“the Site”). In their representations CB Collier’s objected to the designation of the former sports and social club site as public open space/school playing fields on the draft Proposals Map. As stated in the previous representations we consider the designation should be removed as there is no demand for this facility and that the Site should be reallocation for a residential development of approximately 115 dwellings. The background to the Flowserve site and CB Collier’s involvement with it is set out in the previous representations and I do not propose to repeat in detail here. The facility remains on the market and is still being marketed although it has still generated no interest to be used in its current state. Following CB Collier representations to the previous version of the Plan in November 2022, CB Collier has engaged in Pre-application discussions with the Council in relation to the redevelopment potential of the sports and social club for residential use. A written response was provided by the Council in March 2023. The Pre-application advice set out the policy context in which a redevelopment proposal for a non-sporting use would be considered on the site and provided advice in respect of what the applicant would need to demonstrate in order for the Council to support such a proposal. CB Collier are currently engaging with Officers following receipt of the Pre-application advice in order to determine whether subject to providing an appropriate financial contribution to re-provide the facilities elsewhere, the release of the site to an alternative use would be acceptable. CB Collier has been working with a cost consultant to establish the cost of re-providing the facilities to ensure the financial contribution reflects what is required by planning policy. Consequently, CB Collier’s intentions are clear that it intends to pursue alternative development on the Site as there is clearly no demand for the current facility in its current state. None of the changes proposed by the Council in the Second Amended Allocations and Development Management DPD relate to the sports and social club nor do they respond to the representations submitted previously by CB Collier. On the Proposals Map the sports and social club is still notated as an area of open space/playing fields and subject to Spatial Policy 8 of the adopted Core Strategy. CB Collier, therefore, wish to maintain their objection to the proposed policy designation covering the sports and social club site and continue to seek its reallocation for a residential development of approximately 115 dwellings. In summary:</p> <ul style="list-style-type: none"> •CB Collier object to the notation on the Proposals Map which identifies the sports and social club as open space/playing fields. •CB Collier also object to the omission of the sports and social club site as a proposed housing allocation that can deliver up to approximately 115 dwellings.
002	Highways England	<p>We previously responded to the initial consultation in November 2022 the consultation period running until January 2023. We understand that the ADMDPD is the second part of the Development Plan (Local Plan) for the district, following the adoption of the Core Strategy in March 2019. The ADMDPD sets out allocations of land for new housing, employment, and other development for the district up to 2033. It also sets out housing and development management policies for the district over the Plan period. We understand that following previous consultations, changes have been made to the ADMDPD document in readiness for submission to the Secretary of State, for examination. Further information has been provided by the Environment Agency in relation to the Tolney Lane Flood Alleviation Scheme. Additional information relating to the Gypsy/Traveller community has also been received and is to be included in the revised document warranting a further consultation period which will run until 6th November 2023. Given the stage the document is at, the Council only wishes to seek Representations on the Plan on the grounds of whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements or alternatively its soundness in planning terms (as prescribed by Paragraph 35 of the National Planning Policy Framework [2021]). We have had significant previous engagement with the Council in the preparation of its Development Plan, most recently in August 2021 when we provided a response to the Allocations and Development Management Options Report & Open Space Strategy Consultation. Throughout our engagement with the Council, it has been understood that the DPD supports the delivery of the Amended Core Strategy adopted in 2019. In a slightly unusual situation, the earlier 2011 Core Strategy had higher development targets and therefore rolling the plan period forward to 2033 has not required additional housing and employment allocations to be made. As such, the review of the DPD, which allocates land and policies for growth, has been to consider if the previously allocated land is still available and deliverable. In light of the above, the transport evidence base underpinning this Local Plan review has consisted of a ‘light touch’ update to the 2010 Transport Study in order to ensure that the Infrastructure Delivery Plan (IDP) remains appropriate. National Highways is accepting of this approach and has not requested to see any new highway capacity assessments for this review. Notwithstanding this, throughout our engagement we have maintained our position that development in Newark and Sherwood has the potential to impact significantly upon the operation of the A46 and A1. As such, our position has been that any large strategic sites with the potential to impact upon the operation of the SRN shall be subject to Transport Assessments for their impacts to be appropriately assessed. We are happy that this requirement has been outlined in the allocation policies of the DPD. In light of this, National Highways is content that the ADMDPD has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements as set out the NPPF.</p>
003	Newark Town Council	<p>Newark Town Council is unable to support a Local Development Plan that includes the land east of Newark. Future development of the land east of Newark will represent an unconscionable loss of one of Newark’s largest areas of open green space and amenity land. Newark Town Council does, however, recognise the need for and the importance of, having an up-to- date Local Development Plan. Newark Town Council understands the long term need to identify sites for future housing growth and is willing to work with Newark and Sherwood District Council to better understand the long-term housing needs of Newark and consider carefully, how those needs can be met.</p>
013	Natural England	<p>Thank you for consulting Natural England on the Amended Allocations and Development Management DPD (second publication amended – September 2023). Natural England has no comments on the specific amendments set out in the updated DPD. We made two representations on the previous document (December 2022) which supported both the Habitat Regulations Assessment and the amendments to Policy DM7 regarding the protection of the Birklands & Bilhaugh SAC and the Sherwood ppSPA. We would wish for these two representations to continue and be forwarded to the Inspector. We would however like to draw your attention to a couple of updates since the previous consultation which should be considered within the wording of Policy DM7. The first concerns Biodiversity Net Gain in the last paragraph of the section headed Enhancing Biodiversity, it should be noted that the introduction of mandatory net gain has now been delayed until January 2024. The second update is within the following section Delivering Green Infrastructure, it should be noted that Natural England’s Green Infrastructure Framework has now been launched (since January 2023). In addition we would suggest that the NE Green Infrastructure Framework, and specifically the Green Infrastructure Planning and Design Guide should be referenced within Policy DM5(b): Design, within section 6, Trees, Woodland, Biodiversity and Green and Blue Infrastructure, or within the accompanying text (please see link GI Design Guide (naturalengland.org.uk) This Guide provides guidance on how to plan and design good green infrastructure and complements the National Model Design Code and National Design Guide.</p>
015	Sport England	<p>Sport England responded to the Amended Allocations Development DPD Publication consultation on 15th December 2022. It is noted that all representations made to the First Publication Allocations and Development Management DPD (November 2022) Regulation 19 Stage will be forwarded to the Inspector unless respondents wish to supersede the representations with a new representation to this Second Publication Allocations and Development Management DPD. Sport England would want previous representations to be forwarded to the Inspector. Having reviewed the amendments proposed through this second round of consultation Sport England would also support minor modifications to address the following additional comments:</p> <ul style="list-style-type: none"> • It is noted that updates have been provided in relation to the timescale for preparation of the Playing Pitch Strategy, this update is welcomed. It is also noted that wording has been added to the paragraphs which relate to open space provision, e.g. para 2.25, to set out that development proposals should take into account the open space requirements to ensure new development has access to good quality open space. It is recommended that similar wording is also added to the end of the paragraphs on outdoor sports facilities, e.g. 2.26, to ensure that it is clear that proposals should take into account the Playing Pitch Strategy to ensure that new development makes appropriate provision for outdoor sports facilities either through on site provision or contributions. • A factual update is needed to Paragraph 7.48 as Sport England, in conjunction with Active Travel England and the Office for Health Improvement and Disparities, has now produced Active Design (2023). The document can be downloaded via the following link: https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design
016	Rapleys Obo British Sugar	<p>-Policy DM8: We object to Policy DM8, on the basis that: 1 it is not positively prepared, particularly as there is no other allocation or development management policies which recognise the significance of the Newark Sugar Factory to the local and regional economies and support its ongoing operation and growth, and 2 it is not consistent with the NPPF Paragraphs 81, 82 and 84, which require planning policies to:</p> <ul style="list-style-type: none"> • help create the conditions in which businesses can invest, expand and adapt, placing significant weight on the need to support economic growth; • set out a clear economic vision and strategy to positively and proactively encourage sustainable economic growth, and • enable the sustainable growth and expansion of all types of business in rural areas.

		<p>-Policy DM10: The Newark Factory Site is identified as a 'Hazardous Installation' in the adopted Policies Map under Policy DM10. In the previous representations, British Sugar confirmed that no part of the British Sugar factory site is designated as a Control of Major Accident Hazards (COMAH) site and that 4 British Sugar's operations do not require Hazardous Substances Consent (HSC). As such, we objected to the designation of Newark Sugar Factory as a Hazardous Installation, which is misleading and inappropriate. Since the previous representations were submitted, it has been clarified by the Council that the site is classified as a Hazardous Installation on the basis of the Health and Safety Executive's (HSE) record that the site holds a HSC to store hazardous chemicals above a specified threshold quantity. British Sugar liaised with the HSE and it has transpired that the classification on their records relates to a historic HSC for the storage of sulphur trioxide. However, British Sugar has never stored sulphur trioxide at the Newark Sugar Factory site and there is no tank/facility which can store sulphur trioxide. As such, the HSE's records are historical and do not accurately reflect the fact that British Sugar does not store any hazardous substance. The HSE has advised that they will not change the records until Newark and Sherwood Council as the Hazardous Substances Authority (HSA) changes its records regarding the HSC related to Newark Sugar Factory. In order to rectify and correct both the HSA and HSE's records, British Sugar has been liaising with Newark and Sherwood Council, as the HSA, to revoke the redundant HSC which can only be facilitated by the HSA under the Planning (Hazardous Substances) Act 1990.</p> <p>-Policy DM10 seeks to ensure that development proposals near hazardous substance installations as defined on Policies Map take account of and the potential risk arising from them and resists development which would be put at an unacceptable risk from its proximity to such installation. This is in line with the 'agent of change' principle set out in the NPPF Paragraph 187, which states that <i>"existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the application (or 'agent of change') should be required to provide suitable mitigation before the development has been completed."</i> Therefore, we do not object to the aim of Policy DM10, as Newark Sugar Factory as a nationally important sugar beet processing factory and a significant contributor to the regional and local economy should be protected by the Development Plan to ensure its ongoing operations are not prejudiced by development proposals. However, the designation the site as a Hazardous Installation is unjustified given the factually incorrect position on the storage of hazardous substances. Rather, given its significant role in the economy and longstanding business operating in the District, we reiterate our request that Newark Sugar Factory should be recognised and identified as a major employment site for protection and support for ongoing operations and growth.</p> <p>- Policy DM4: Renewable and Low Carbon Energy Generation We support Policy DM4 being carried forward to encourage and support renewable and low carbon energy generation development as both standalone projects and part of other development, its associated infrastructure. However, we object to Policy DM4 and its justification paragraph 7.10 which places a blanket ban on wind energy generation developments unless areas suitable for wind energy generation development are identified in a neighbourhood plan. This approach has the potential to rule out wind energy generation development by existing businesses wishing to reduce carbon emissions from their operations where there is no certainty of a neighbourhood plan for an area in which the business is located being prepared. As explained above, British Sugar is committed to working towards a more sustainable and low carbon future, and one of the potential ways to achieve this is through on-site renewable technologies including wind turbines.</p>
017	Mansfield District Council	<p>-Paragraph 6.2: Mansfield District Council supports the proposed amendment in paragraph 6.2 "The District Council will work collaboratively with Mansfield District Council where appropriate". It is considered this amendment addresses the representation made in respect of paragraph 7.105 of the First Publication version of the AADMDPD and accordingly withdraws its representation in this regard.</p> <p>-Paragraph 7.4: Mansfield District Council supports the proposed amendment in paragraph 7.4 "...and where justified in neighbouring districts". It is considered this amendment addresses the representation made in respect of paragraph 7.4 of the First Publication version of the AADMDPD and accordingly withdraws its representation in this regard.</p> <p>-Paragraph 7.61: Mansfield District Council supports the proposed amendment in paragraph 7.61 "Where appropriate, the District Council will work with neighbouring competent authorities within the Zone of Influence". It is considered this amendment addresses the representation made in respect of paragraph 7.61 in the First Publication version of the AADMDPD and accordingly withdraws its representation in this regard.</p>
022	Ashower Estates	NUA/SPA 1: Fully support amendment to add to add an allocation for a lorry park use, providing this located sensitively to compliment the adjacent Overfield Park, providing employment and economic gains to the Newark and Sherwood District as a whole.
023	The Coal Authority	<p>Thank you for your notification received on the 25th September 2023 in respect of the above consultation. The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas. Our records indicate that within the Newark and Sherwood District area there are recorded coal mining features present at surface and shallow depth including; mine entries, mine gas sites and reported surface hazards. These features pose a potential risk to surface stability and public safety. Please find below our comments in respect of Newark and Sherwood (LPD) Second Publication Allocations and Development Management Development Plan Document (DPD) (Regulation 19 Consultation) (September 2023).</p> <p>Policy DM5(b) Design: We are pleased that the Revised Policy wording in Policy DM5(b) Design, (on page 132 of the emerging Regulation 19 Local Plan (September 2023) - Policy indent 9: Unstable land) continues to refer to the importance and need to consider 'Unstable land' when development proposals are being proposed.</p> <p>Wider Plan - Site Allocations: We are also pleased to see that, where relevant, Site Allocations also identify the need for potential impacts arising from the legacy of former coal mining to be investigated and the implementation of any necessary remedial works.</p>
024	The Welbeck Estates Company Ltd – Cerda Planning	<p>This updated response has been prepared by Cerda Planning Ltd on behalf of The Welbeck Estates Company Ltd in response to the Newark & Sherwood Amended Allocations and Development Management DPD Second Regulation 19 consultation. For clarity, as requested on the Representation Form, this response updates and supersedes the previous response provided by Cerda Planning. The response to Question 8 of the Public Stage Representation Form below is submitted to constructively comment on the emerging position, with reference to policies DM2 and CI/MU/1. The comments below set out why The Welbeck Estates Company Ltd consider the strategy of the DPD to be 'justified' and thus sound. The Welbeck Estates Company Ltd has an interest in land the at former Clipstone Colliery which is allocated under Policy CI/MU/1 for mixed use development in the adopted Allocations & Development Management DPD (ADM DPD). The Regulation 19 consultation version of the Amended ADM DPD carries forward this allocation under the same policy. The Welbeck Estates Company Ltd supports the continuation of Policy CI/MU/1 in the emerging Amended ADM DPD.</p> <p>Background The allocation of the former Clipstone Colliery includes around 120 dwellings, 12 hectares of employment provision, retail and enhanced public open space. An application (23/00832/FULM) for 124 dwellings with open space, landscaping, highways and drainage infrastructure and associated works was submitted to Newark and Sherwood District Council on 15th May 2023 with the intention that the application will be taken to planning committee in December 2023. An application for proposed leisure and recreation facilities (23/01846/FULM) for the area of the allocation site immediately to the south was submitted to the Council on 17th October 2023, with a view to the application being determined in February 2024. Should both of these planning applications be approved the residential and enhanced open space requirements of the policy would be met. This would result in the allocation being unable to meet the employment requirements as a result of the enhanced leisure and recreation facilities being provided. The remaining space within the allocation Cerda therefore may no longer be conducive to strategic employment. This would result in additional space within the allocation for alternative uses to be provided, such as retail.</p> <p>Retail Use Welbeck Estates are seeking greater clarity and support on the provision of retail uses on the site. It is considered that this description of the quantum of retail development to be provided for is not specific and would therefore be open to interpretation. It is therefore proposed that the quantum of retail development as part of the allocation is specified within the policy and the suggested change to wording is as follows: 'The site will accommodate around 120 dwellings, 12 hectares of employment provision, approximately 20,000 sqft of retail use (for a small/medium supermarket) and enhanced Public Open Space.' Having regard to the current planning situation with the two submitted applications referred to above, it is likely to be the case that the overall amount of employment land is reduced. Therefore, should the applications be approved prior to the adoption of this policy the wording may need to be amended to: 'The site will accommodate around 120 dwellings, approximately 8.5 hectares of employment provision, approximately 20,000 sqft of retail use (for a small/medium supermarket) and 10.8 hectares of enhanced Public Open Space and sports provision.' The policy, as currently written, offers flexibility by stating that the 'retail element will be of a size and scale which helps facilitate the wider delivery of the scheme... to help meet the needs of the site and the wider settlement'. However, without clarifying the approximate size of the potential supermarket permitted the policy leaves this discussion open-ended and does not provide certainty as to what would be supported. Given Policy CI/LC/1 seeks to protect the existing Clipstone Local Centre any new retail unit of a similar scale would potentially directly compete with the existing retailers within the Local Centre. A supermarket larger than 20,000 sqft may compete with existing town centre retailers and larger supermarkets within Mansfield. At present Clipstone is poorly served by existing supermarkets, with only a small convenience store located within the Local Centre and a similarly sized convenience store located on the development off Cavendish Way. The nearest supermarkets, as the crow flies, are both within Mansfield, with the nearest Asda supermarket approximately 3 miles to the west from Clipstone and a Tesco Extra 3.5m to the southwest; neither are distances that facilitate sustainable means of travel and thus trips to these supermarkets will primarily be car-based. The provision of a small/medium supermarket within this</p>

		<p>mixed-use site, which is larger than the retail units in the Local Centre, but smaller than the supermarkets in Mansfield, would occupy a niche in the village, allowing for far more sustainable shopping habits for local residents of Clipstone, not just those within the mixed-use development. It is therefore recommended that the scale of the small supermarket is defined within policy CI/MU/1 of approximately 20,000 sqft. There has been significant growth in Clipstone without additional retail provision having been delivered. In fact historic permissions 93/50350/OUT (340 dwellings) and (420 dwellings) have delivered over 700 dwellings to the immediate north of Clipstone, accessed from Cavendish Way, without any substantial additional retail facilities for the village, save for a small Co-operative supermarket on Cavendish Way.</p> <p>Policy DM2</p> <p>The wording of the adopted and emerging Policy CI/MU/1 states that development of the former Clipstone Colliery will be subject to Policy DM2, which relates to development on allocated sites. Policy DM2 of the Amended ADM DPD is carried forward from the adopted ADM DPD. As an alternative to amending the wording of the policy additional commentary could be provided in the supporting text to the same effect. The wording of adopted Policy DM2 is as follows: <i>“Within sites allocated in the Allocations & Development Management Development Plan Document (A&DM DPD), proposals will be supported for the intended use that comply with the relevant Core and Development Management Policies, the site specific issues set out in the A&DM DPD and make appropriate contributions to infrastructure provision in accordance with the Developer Contributions SPD. In addition to national and local submission requirements, proposals on allocated sites should be accompanied by transport, flood risk and other appropriate assessments sufficient to address the site specific issues identified in the A&DM DPD. Development proposals within the Newark Strategic Sites will be assessed against Area Policies NAP 2A, 2B & 2C, and the other considerations set out above.”</i> Policy DM2 in the Amended ADM DPD has been amended to include the following wording: <i>“It is anticipated that allocated sites will be developed comprehensively with an accompanying site masterplan to reflect phasing and infrastructure provision. Where comprehensive development proposals cannot be prepared, proposals should be developed to ensure that they do not prejudice the proper overall delivery of the whole allocation. Development proposals which prejudice proper overall delivery will be refused.”</i> The Welbeck Estates Company Ltd, owner of the allocated site, has a development partner on board who is bringing forward the residential element of the allocation. In addition, The Welbeck Estates Company Ltd is also bringing forward a significant amount of enhanced leisure and recreation facilities within the allocated site, as required by the policy, which will amount to 10.8 hectares of open space for the community. In addition, there is interest in the retail use coming forward on the site and an initial layout is provided in the annexe of this response. The additional wording in Policy DM2 of the Amended ADM DPD provides flexibility in terms of how development of an allocated site is delivered. The Welbeck Estates Company Ltd supports the amended wording of Policy DM2, which has been prepared to allow development of allocated sites to come forward in part, if it can be demonstrated that the overall delivery of the wider allocation would not be prejudiced. The wording demonstrates a more flexible approach to the delivery of allocations, to ensure that they would not be stifled if not brought forward comprehensively.</p> <p>Notwithstanding, clarification of how the council would determine whether a development proposal demonstrates that it would not prejudice the proper overall delivery of the whole allocation is not provided in the wording or supporting text of Policy DM2. It is considered that the following requirement carried forward in Policy CI/MU/1 of the amended ADM DPD is sufficient in the context of the Clipstone Colliery allocation to demonstrate that delivery of the allocation in part would not prejudice the overall delivery of the allocation at a later date. <i>“A Masterplan, forming part of any planning applications(s) setting out the broad locations for the different types of development and their phasing, taking account of infrastructure provision, constraints and the need to ensure that the delivery of the range of uses is not prejudiced;”</i> It is therefore suggested that the amendment to Policy DM2 be revised to clarify that a proportionate and case-by-case approach would be taken by the council to determine whether development proposals which deliver allocations in part have ensured that the delivery of the entire allocation would not be prejudiced. Suggested revised wording is as follows: <i>‘It is anticipated that allocated sites will be developed comprehensively with an accompanying site masterplan to reflect phasing and infrastructure provision. Where comprehensive development proposals cannot be prepared, proposals should be developed to ensure that they do not prejudice the proper overall delivery of the whole allocation. Development proposals which prejudice proper overall delivery will be refused. An assessment as to whether proposals which deliver allocations in part would prejudice proper overall delivery will be done so on a case-by-case basis, and in such a way that is commensurate to the scale and context of the wider allocation’.</i> It is understood from Map 14 of the Regulation 19 Amended ADM DPD version (and as shown in Figure 1 below) that allocation CI/MU/1 is the only planned location for growth in the village. Having reviewed the evidence bases supporting this consultation which set out the likely implications of planned growth upon infrastructure within the district, their conclusions do not suggest that infrastructure capacity improvements within Clipstone are reliant upon the CI/MU/1 allocation coming forward as a comprehensive development. The 2022 Infrastructure Capacity Study 2022 update states that site allocation policies in the Amended ADM DPD set out the infrastructure requirements for each site. There are no infrastructure requirements in Policy CI/MU/1 which suggest that the allocation must come forward as a comprehensive development. The 2022 Transport Update Study does not identify any transport link affecting Clipstone that would require improved infrastructure works in the context of planned growth. Neither evidence base specifically identifies the allocated site as triggering infrastructure requirements that are reliant upon the allocation coming forward as a comprehensive development.</p> <p>For the reasons set out above, it is considered justified in the case of Policy DM2 and Policy CI/MU/1 that development on the allocation can come forward in part. The wording and thus strategy of both policies is justified. However, the wording of Policy DM2 should be amended to provide greater clarity as to how the council will determine whether a development proposal would ensure the delivery of an entire allocation is not prejudiced. In the view of The Welbeck Estates Company Ltd, the residential use on site allocation CI/MU/1 could come forward in accordance with policies DM2 and CI/MU/1 and demonstrate that the overall delivery of the allocation would not be prejudiced. In the context of Policy DM2 and CI/MU/1, the Amended ADM DPD is considered to be sound.</p>
025	Canal and River Trust	<p>Thank you for your various consultations on the DPD. We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process. We have previously provided comments on the first draft Regulation 19 ADMDPD, our representations at that stage were referenced as follows:</p> <ul style="list-style-type: none"> · 025/DM5a DM5b/S/0047 · 025/DM7/S/0048 · 025/DM9/S/0049 <p>The Trust has reviewed the Second Publication documents, and we have no comment to make. Please do not hesitate to contact me with any queries you may have. Yours sincerely, Richard Forbes MRTPI Area Planner.</p>
030	Tetlow King Planning obo Sparks	<p>Southwell Area Policies Paragraph 3.6 sets out that with 3% of the district’s housing growth directed to Southwell, this results in a need to provide 264 dwellings between 2013 and 2033, noting that previous completions and committed developments will contribute towards the achievement of this target. It is relevant to note that on the matter of housing needs, the emerging Southwell Neighbourhood Plan Review evidence base includes the 2022 Housing Needs Assessment (HNA) for Southwell undertaken by AECOM. The AECOM HNA for Southwell identifies that there is a need for 90 affordable rented homes and 60 affordable home ownership dwellings over the Plan period with it stating that <i>“both forms of affordable housing appear valuable in meeting the needs of people on various incomes”</i>. In this context, it is important to note that the remaining allocated sites not proposed for deletion – some of which already of course have planning permission – comprising So/Ho/2 (45 dwellings), So/Ho/4 (45 dwellings), So/Ho/5 (60 dwellings) and So/Ho/7 (18 dwellings), all of which cumulatively total 168 dwellings. If one applies the Amended Core Strategy Policy 1: Affordable Housing Provision, threshold of 11 dwellings for a 30% contribution then although all sites are captured by the threshold this would result in a total of 51 affordable homes, just a third of the need identified by the most recent assessment of housing needs in Southwell. What becomes immediately apparent is that with the delivery of open market led housing schemes being the main delivery driver for cross subsidising affordable homes in the district, more dwellings need to be brought forward in Southwell in order to address these local unmet housing needs. The most obvious, and simplest, way to address this would be for the proposed Policy So/RL/1 to be utilised for residential development and to come forward within this Plan period to address the unmet housing needs identified by the 2022 HNS for Southwell that the existing allocations will be insufficient to meet. In respect of the specific policies, Tetlow King Planning sets out our client’s position on these below.</p> <p>Policy So/Ho/1: Southwell Housing Site 1 The Council’s deletion of Policy So/Ho/1 following the completion of development on this allocated site is supported and considered to be a sensible and appropriate approach to this Plan Review process.</p> <p>Policy So/Ho/3: Southwell Housing Site 3 The Council’s deletion of Policy So/Ho/3 following the completion of development on this allocated site is supported and considered to be a sensible and appropriate approach to this Plan Review process.</p> <p>Policy So/Ho/6: Southwell Housing Site 6 The Council’s deletion of Policy So/Ho/6 following the completion of development on this allocated site is supported and considered to be a sensible and appropriate approach to this Plan Review process.</p> <p>Policy So/MU/1: Mixed Use Site 1 Tetlow King Planning client agrees with the Council’s deletion of Policy So/MU/1 as it will no longer be developed given its status as Higgons Mead open space.</p> <p>Policy So/HN/1: Southwell Housing Need The Council’s deletion of Policy So/HN/1 is supported given that this is required in order to reflect the fact that the housing need evidence base that underpins the emerging Plan no longer reflects the requirements of that policy to secure smaller housing units.</p>

		<p>Policy So/E/2: Land East of Crew Lane Tetlow King Planning support the Council’s approach to reduce the size of the allocation in order to remove the element of the existing allocation adversely affected by flood risk. Policy So/E/3 – Land South of Crew Lane Tetlow King Planning support the Council’s approach of de-allocating land south of Crew Lane as employment land and re-designating it but consider that the proposed land use should be identified now as an allocation for residential development.</p> <p>Policy So/RL/1: Southwell – Reserved Land to the south of Crew Lane Tetlow King Planning broadly support the redesignation of this parcel of land and its removal from its previous employment use allocation, however it is unclear why the site is being restricted for the next stage of Plan review rather than dealt with in more detail during the current stage of Plan review. Although the reasoned justification at paragraph 3.7 states that it is not specified what development will occur on the site, it appears almost certain that it will be residential development given that its employment designation has been removed. It would be nonsensical to remove the employment use designation and then for it to be developed for employment uses, as such it is recommended that the reserved land is identified as ‘Reserved Land for Residential Development’. It is not considered necessary, appropriate, or justifiable for the Policy to express that the ‘Reserve Land’ is for the next round of Plan making. The policy text is prohibitively worded and means that in any scenario where the Reserve Land were required to come forward within this Plan period – for example to help address a five year housing land supply shortfall – then the site would be adversely constrained by this policy wording as any application within the Plan period would not comply with the policy by virtue of the policy wording referring to the next round of Plan making. Furthermore, the Southwell Neighbourhood Plan is currently subject to review and it is entirely possible that the Neighbourhood Plan itself shall seek to designate what So/RL/1 should be used for, though given the Town Council’s previous representations - as show at figure 1 – that is likely to be for residential development. There appears no logical or justifiable reason not to allocate this land for residential development now, particularly given the unmet affordable housing needs identified by the evidence base to the emerging Neighbourhood Plan Review that the existing allocations will fail to meet. On behalf of our client, we also remain open to discuss with the District Council the prospect of an alternative means of vehicular access from Fiskerton Road to the proposed ‘Reserve Land’ south of Crew Lane through Policy So/RL/1 via our client’s land interests, in recognition of the existing highway constraints associated with accessing the site from Upton Road/Easthorpe through the Crew Lane Industrial Estate.</p> <p>Southwell Allocations and Housing Need Paragraph 3.4 states that “Southwell does however have a serious local housing need which is perpetuated by high local housing prices”. Yet despite this paragraph 3.6 explains that just 3% of the Amended Core Strategy housing growth is directed to the Town which equates to a need for 264 dwellings between 2013 and 2033. It goes on to say that previous completions and committed developments will all contribute towards the achievement of this target. The use of the words ‘contribute towards’ suggest that there are not sufficient allocations made at Southwell to actually meet identified housing needs and resultantly additional allocations should be considered by the Council to address this unmet need. 5 The deletion of Policies So/Ho/1, 3 and 6 and So/MU/1 means that the allocations that remain - So/Ho/2, 4, 5 and 7 – total 168 dwellings. Notwithstanding the unmet affordable housing needs identified earlier in this representation based upon the findings of the 2022 HNS for Southwell, this is 96 dwellings short of the residual housing need for Southwell identified at paragraph 3.6 of the emerging Plan and means that additional land for residential development is necessary to ensure that the housing needs of the Town are met before even taking into account the need for 150 new affordable homes identified in the 2022 HNS for Southwell. The Town is uniquely constrained to the north, northeast, south and south west by a combination of the Southwell Protected Views (So/PV) and the Work house Immediate Surroundings (So/Wh) designations. To the north west Norwood Park and Norwood Park Gold Centre provide additional constraints to future expansion of the Town.</p> <p>Policy DM2: Development on Allocated Sites: There is a disconnect between DM2 and So/RL/1 in that the latter is effectively an allocation, albeit that its use is not determined (though its hard to see it as anything other than residential) and its implementation is unjustifiably restricted to the next Plan review stage despite it having a policy designation within this current Plan Review.</p> <p>Policy DM5(c): Sequential Test: Tetlow King Planning consider it to be unreasonably onerous and unjustified to continue to require sequential tests to be undertaken on a district-wide basis. The Planning Practice Guidance (PPG) at Paragraph 033 of the Flood Risk and Coastal Change section under the heading of ‘how should the sequential test be applied to planning applications’ states that: “For individual planning applications...the area to apply the sequential test across will be defined by individual circumstances relating to the catchment area for the type of development proposed” And that: “When applying the sequential test, a pragmatic approach on the availability of alternative should be taken. For example in considering planning applications for extensions to existing business premises it might be impractical to suggest that there are more suitable alternative locations for the development elsewhere” The application of the sequential test on a district-wide basis as a starting point is neither a pragmatic approach and nor have the Council provided any evidence of what individual circumstances would warrant such an approach in Newark and Sherwood District. The requirement to apply this on a districtwide basis should be removed from the proposed amendments to Policy DM5(c) as it is neither justified nor has the Council presented any evidence demonstrating such an onerous approach is necessary to reflect local circumstances.</p> <p>Policy DM8: Development in the Open Countryside: Tetlow King Planning broadly supports the Council’s approach to the amendments to Policy DM8(8), in particular the introduction of additional text related to employment uses which supports the construction of buildings for expanding existing or new businesses in the open countryside in areas such as industrial areas and, where necessary, expansion into adjacent areas where it can be demonstrated that the impacts are acceptable. The expanded text at DM8(8) is considered to be a sensible and pragmatic approach that reflects the fact that for many of the district’s settlements existing employment areas (such as industrial estates) are located on, or close to, settlement limits with limited scope for expansion of employment uses other than outside for settlement limits and into open countryside. The increased flexibility built into the policy will ensure that growth of existing and new businesses in such location is not unduly constrained and will help to support the economic growth of the district.</p> <p>Policy DM9: Protecting and Enhancing the Historic Environment: Tetlow King Planning consider that the additional wording proposed to DM9(5) that provides further detail of the Council’s expectations in respect of planning applications that affect heritage assets provides helpful clarification for landowners where this would be a matter to address in preparing applications for the proposed development of their land interests. Core Policy 2A: Entry Level Exception Sites Tetlow King Planning are broadly supportive of this policy approach which has been translated from the NPPF and provides a local policy approach to delivering entry-level housing tenures outside of, but adjacent to, settlement boundaries in the higher tiers of the settlement hierarchy, including locations such as Southwell.</p>
031	Lichfields Obo Bourne Leisure Ltd	<p>-DM4: Bourne Leisure endorses the amendments to Policy DM4 which recognise that proposed wind energy schemes involving turbines will only be considered acceptable in areas where, inter alia, they would be set away from sensitive receptors and identified as suitable for wind energy development in the Development Plan.</p> <p>-DM5a: Bourne Leisure recognises the value that pre-application discussions and community engagement can bring to the design process. Given, however, the recognition in PPG ‘Before submitting an application’ (paragraph 09) that this is to be encouraged only “where it will add value to the process and the outcome” we would question the robustness of draft Policy DM5(a) stating that this should be the case for all developments.</p> <p>- DM5b: Bourne Leisure endorses the overall approach of this policy on the basis that to policy is worded to incorporate flexibility in the approach. This allows schemes to be considered on a case-by-case basis, factors. And consider site specific factors.</p> <p>-DM8: Bourne Leisure endorses the proposed amendments to draft Policy DM8 so that it is better aligned with Core Policy 7. In particular, Bourne Leisure welcomes the recognition that tourism development (both accommodation And associated facilities) often needs to be located within the countryside and that this is supported – in principle – by DM8.</p> <p>- DM9: Bourne Leisure endorses the revised wording to Policy DM9 regarding listed buildings and consider this to now align with para 190 of the NPPF.</p>
Agenda Page 110	AECOM obo Egdon Resources UK limited	<p>DM4: Egdon made representations in respect of Policy DM4 during the consultation period of the First Publication Amended Allocations & Development Management DPD (November 2022). We wish that the original representation is forwarded to the Inspector. In addition, we would like this new representation to be added as a supplement. Egdon notes that the Council has not made any further amendments to Policy DM4 since the First Publication AA & DM DPD. This is very disappointing. Moreover, the Council has not published any explanation of how the representations how been considered and why it has not resulted in changes to policies sought by consultees to make the plan sound. The proposed changes sought by Egdon to Policy DM4 are required to ensure that the DPD is in accordance with paragraph 155 of the NPPF, and to achieve consistency with Core Policy 10 (Climate Change) in the Amended Core Strategy adopted by the Council in March 2019. Core Policy 10 commits the Council to working to ensure that development proposals <u>maximise</u>, where appropriate and viable, the use of available local opportunities for district heating and decentralised energy. The Council has added paragraph 1.13 to the Second Publication AA & DM DPD. This states that “climate change is a significant issue that requires urgent action”. It goes on to say that “the Plan Review has provided the Council with further opportunity to strengthen the Publication AA & DM DPD to address the climate change emergency.” Egdon welcomes the inclusion of this further amendment. However, it seems that the Council has missed the opportunity to strengthen Policy DM4 and allow for appropriate development to harness the significant potential for geothermal heat recovery within the district. Policy DM4 is a key policy within the draft Plan which can help to make a meaningful difference in addressing climate change.</p> <p>DM8: Egdon made representations in respect of Policy DM8 during the consultation period of the First Publication Amended Allocations & Development Management DPD (November 2022). We wish that the original representation is forwarded to the Inspector. In addition, we would like this new representation to be added as a supplement. Egdon notes that the Council has not made any further amendments to Policy DM8 since the First Publication AA & DM DPD. This is very disappointing. Moreover,</p>

		<p>the Council has not published any explanation of how the representations how been considered and why it has not resulted in changes to policies sought by consultees to make the plan sound. The proposed changes sought by Egdon to Policy DM8 are required to ensure that the DPD is in accordance with paragraph 155 of the NPPF, and to achieve consistency with Core Policy 10 (Climate Change) in the Amended Core Strategy adopted by the Council in March 2019. Core Policy 10 commits the Council to working to ensure that development proposals <u>maximise</u>, where appropriate and viable, the use of available local opportunities for district heating and decentralised energy. The Council has added paragraph 1.13 to the Second Publication AA & DM DPD. This states that “climate change is a significant issue that requires urgent action”. It goes on to say that “the Plan Review has provided the Council with further opportunity to strengthen the Publication AA & DM DPD to address the climate change emergency.” Egdon welcomes the inclusion of this further amendment. However, it seems that the Council has missed the opportunity to strengthen Policy DM8 and allow for appropriate development to harness the significant potential for geothermal heat recovery within the district. Policy DM8 is a key policy within the draft Plan which can help to make a meaningful difference in addressing climate change.</p>
035	Delta Planning obo Tritax Acquisition 39 Limited	<p>Our objections and concern relate to the employment land provision and allocations for Newark, and the omission of Land East of Newlink Business Park from the site allocations. Our comments below are supported by the following evidence lodged with these representations:</p> <ol style="list-style-type: none"> 1. Site Promotional Document for Land East of Newlink Business Park, Newark 2. Outline planning permission and Reserved Matters approval relating to Phase 1 development at Land East of Newlink Business Park 3. JLL Logistics Need and Market Demand Statement 4. DfT ‘The Future of Freight’ 2022 5. BPF ‘The Logic of Logistics’ 2022 <p>Paragraph 1.2 of the AADMDPD states that the intention of the Plan Review is to ensure that the DPD continues to allocate sufficient land for housing, employment and retail to meet the needs of Newark and Sherwood District to 2033. Paragraph 1.28 notes that the AADMDPD sets out the detail for how employment land will be provided across the District in line with Spatial Policy 2 of the Amended Core Strategy which identified a requirement of 83.1 ha for the period 2013 to 2033. Paragraph 1.28 then suggests that the District has a supply of 185.56ha of employment land (of which 133.08ha is stated to be in Newark) and as such no additional employment allocations are included within the Plan, which is confirmed at Paragraph 1.32. The above position is not sound. Our case is based around the following key points:</p> <ol style="list-style-type: none"> 1. The existing employment land supply does not adequately cater for the requirements of the Big Box logistics market, and the Amended Core Strategy requirement figure is clearly stated as a minimum. The Strategy specifically provides for new allocations to be identified through Spatial Policy 9, where justified. The updated AADMDPD is the opportunity to do just that with regard to meeting the needs for logistics. 2. The evidence base has moved on considerably since the Amended Core Strategy was prepared and examined. There is now a clearly evidenced significant need and demand for additional strategic logistics sites in Nottinghamshire and that evidence base encourages additional provision in Newark which it notes is well placed to meet some of the requirement for new strategic sites. The DPD is therefore not correctly justified or effective in meeting needs. 3. A further Core Strategy Review has not commenced, and it could therefore be some years before a new strategic policy is in place. In the meantime, Newark will fail to meet and capitalise on the identified need and demand for strategic logistics in this area. As a result, the DPD is not being positively prepared and will not comply with the NPPF. The overall case and economic benefits of the Logistics Sector are set out in recent studies by the BPF and the DfT. 4. Land East of Newlink Business Park (SHELAA Ref. 16_0174) is ideally placed to meet the additional need for logistics sites, and already has Reserved Matters approval for a first phase. The remainder of the site should therefore be brought forward through the AADMDPD. <p>We further detail each of these points in turn below.</p> <p>Employment Land Requirements and Core Strategy Spatial Policy 9</p> <p>Spatial Policy 2 of the Amended Core Strategy (adopted in 2019) sets an employment land requirement of 83.1ha and specially states that this is a minimum. The word ‘minimum’ was introduced late in the preparation of the document as a Main Modification following the examination of the Amended Core Strategy. The Inspector did not take issue with the suggested employment land target at the time as it was considered justified by the evidence and in particular the 2015 Employment Land Forecasting Study for Nottingham Core & Outer Housing Market Areas. However, he considered it essential to express the employment land target as a minimum, noting that setting a limit would be contrary to national policy as it would not have provided a sufficiently flexible policy to enable investment and economic growth over the plan period. Whilst the employment land policies were found sound through the Amended Core Strategy, we do not agree that this provides sufficient justification to discount allocating any new sites for employment development. The employment land target in the Amended Core Strategy is set as a minimum in order to provide flexibility to enable the Council to respond to changing circumstances. It is therefore disappointing to note that the opportunity has not been taken to review the site allocations in light of the now very clear updated evidence base that demonstrates there is a significant need and demand for additional strategic logistics sites within the District which far outstrips the current supply including the allocated sites. This is explained further below. It is also important to note that Amended Core Strategy Spatial Policy 9 acknowledges that from time to time the Council will need to allocate additional sites to meet the development needs of the District. The policy sets out 10 guiding principles which will be used to make such allocations. All of these criteria are satisfied by the land East of Newlink Business Park as demonstrated through the Site Supporting Statement submitted alongside these representations.</p> <p>Significant need and demand for strategic logistics sites</p> <p>The employment land target of 83.1ha in the Amended Core Strategy is based on evidence that dates as far back as 2015 and does not recognise the specific needs of the logistics sector. The economic landscape, particularly in respect of logistics, has changed significantly since the evidence that informed the Core Strategy was prepared and it no longer provides a robust basis to guide economic development and the use of land in the district. A detailed review of the latest evidence on need and demand for strategic logistics is provided by the Logistics Need and Market Demand Statement prepared by JLL and submitted with these representations. Key points are summarised below. The evidence with regard to employment land has recently been updated with the publication of the Nottingham Core HMA and Nottingham Outer HMA Employment Land Needs Study (Lichfields, May 2021) and, more importantly, the Nottingham Core and Outer HMA Logistics Study (Iceni, August 2022) which specifically looks at the need for strategic logistics land. Neither of these two documents is listed at Paragraph 1.14 of the AADMDPD as part of the evidence that has informed the preparation of the DPD. This itself is an error that should be corrected. The Iceni Logistics Study is also missing from the list of evidence base documents that have been made available on the Council’s website. The Iceni Logistics Study has concluded that there is a need of 1,486,000 sq.m. of B8 floor space for the study area (i.e. the county of Nottinghamshire). The study has identified a maximum supply of 885,000 sq.m., resulting in a residual need of at least 600,000 sq.m. Newark is specifically identified as one of five Areas of Opportunity within the Logistics Study where new strategic logistics sites should be located. This is based on its historic suitability as a successful logistics location (as demonstrated through the past delivery of large units at Newlink Business Park), the suitability of the A1 route as an artery for strategic logistics providers and the proximity of a suitable local labour market. It should be noted that the overall employment land supply figure quoted in the AADMDPD includes 3 logistics sites in Newark as follows: Land south of Newark (50ha), Land west of Stephenson Way (6.85ha) and Land of Brunel Drive (also referred to as Land off Beacon Hill Road, G Park) (15.61ha). None of the other supply is deemed by the Logistics Study as being potentially suitable for Big Box distribution. This is probably due to the size of the plots, their proposed use (e.g. NAP2C – allocated for just B1), their setting (i.e. as part of a mixed development – e.g. NUA/MU/1) or a combination of these elements. The three logistics sites are not however considered sufficient to meet market needs. Despite these recent studies, which should form part of the Council’s evidence base to the AADMDPD, no new allocations are proposed. The AADMDPD continues to rely on existing sites. As acknowledged by the Logistics Study, Newark already lacks a suitable scale and range of sites to meet this demand. The evidence base not only supports the need for Development Plans to allocate additional logistics sites, but also provides criteria for the identification and selection of suitable sites. These criteria include scale (a minimum of 25ha), direct access to the motorway and strategic road network, and locations away from built settlements. It also prioritises extensions to existing industrial/distribution sites.</p> <p>Land East of Newlink Business Park meets all the criteria set by the Logistics Study. Its principal attributes include: -</p>

		<ul style="list-style-type: none"> • Scale – at 47ha gross it easily exceeds the threshold set (i.e. 25ha); • Access – direct access to the A17, close to the junction of the A1, A17 and A46; • Amenity – a location away from built settlement; • Location – the site acts as a natural extension to Newlink Business Park, an established logistics location and sequentially, it is a preferred location to other less well-located sites. <p>Given the above there is clear justification for allocating additional land, and specifically allocating land East of Newlink Business Park. Loss of opportunity/non-compliance with national policy Given a Core Strategy Review has not yet commenced it will be some years before new strategic policies are in place in Newark. Indeed, as noted at Paragraph 1.32 of the AADMDPD, the Council is unlikely to commence a full review of the Local Plan until 2024. In light of the strong evidence for additional strategic logistics sites, we consider that the Council should not await the outcome of the Core Strategy Review, but act now to ensure that Newark can satisfy and capitalise on the opportunities presented by the strong logistics market and its status as a key area of opportunity for strategic logistics development. Evidence (confirming many of the points in favour of the proposed allocation in this case) is contained in a very recent report commissioned by the British Property Federation (BPF) and other industry stakeholders including Tritax on the role of logistics in the Government’s ‘Levelling Up’ policy agenda (copy provided with this submission). This is a very important piece of research which looks in detail at the critical value of logistics to the UK economy, its speed of growth and the quality and quantity of jobs it delivers. This also links to how the sector can play a significant role in the Government’s ‘Levelling Up’ policies. It includes a broad commentary on the failure of the planning system to allocate sufficient land for logistics as a result of development plans being prepared against the backdrop of an inadequate evidence base, as is precisely the case with this DPD at present. Section 6 of the NPPF (2023) notes at Paragraph 81 that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. It further requires that significant weight should be placed on the need to support economic growth and productivity, considering both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. Paragraph 83 further states that planning policies and decisions should recognise and address the specific locational requirements of different sectors, and that this includes making provision for storage and distribution operations. As currently drafted, we consider the AADMDPD does not comply with the NPPF.</p> <p>Allocation of Land East of Newlink Business Park As identified above, Land East of Newlink Business Park should be allocated to meet these identified needs. It satisfies all the site selection criteria of Core Strategy Spatial Policy 9 as well as the locational and site selection criteria in the Icen Logistics Study. This is expanded upon in the Site Supporting Statement submitted alongside these representations and under Question 9 below.</p>
036	Historic England	<p>Re: Newark and Sherwood Local Plan, second Publication consultation, November 2023</p> <p>Many thanks for consulting Historic England on the above consultation. Please note that Historic England submitted comments on the Regulation 19 consultation, undertaken by the Council in January 2023, and these limited comments remain valid for consideration at this time. During this consultation response, we have only made commentary on the additional information provided during this consultation period. We note the amendment made for Historic England, on Map 9 relating to the inclusion of Laxton Castle, Scheduled Monument, on the mapping and we welcome this amendment. Our understanding is that the majority of amendments appear to relate to statements of fact or amendments due to errors or timeframe updates and as such we have not commented on these amendments. The information sets out that there has been an amendment to the approach for Gypsy, Traveller and Travelling Showpeople Accommodation. It is our understanding that Policy GRT2 has not allocated any new sites for Gypsy, Traveller and Travelling Showpeople accommodation but instead has increased the number of pitches to make a more efficient use of land. Policy GRT3 seeks to bring back existing Gypsy, Traveller and Travelling Showpeople sites into use and ensure that the pitch provision is appropriate in terms of an efficient use of land. We note limited amendments since our opportunity to comment in January 2023. Policy GRT4 now includes a new site for new Gypsy, Traveller and Travelling Accommodation at Land East of Newark Road, Ollerton. We have the following comments: We welcome the reference to archaeology within the site considerations. It could be beneficial to consider the impacts to Grade II Chaley House on the opposite side of the A616. As referenced within our January 2023 representation, we welcome the inclusion of Policy DM9 Protecting and enhancing the historic environment, as well as the archaeology section of the Plan involving specific area policies. We note this area of the Plan has not changed and we welcome this.</p>
042	Jamie Moore	<p>The Former Belvoir Ironworks (North) site at Middlebeck is unsuitable for a number of reasons, many noted in prior consultations. Further to my letter to Cllr David Lloyd, The Rt Hon Robert Jenrick and Cllr John Lee on 3 April 2022, I again reiterate concerns regarding the suitability of this site, specifically services and facilities (in particular the lack of any public transport facilities, and provision available at the new primary school to cater to an already increasing number of new residents and pupils), access and highways (specifically concerns regarding trip generation), availability of more appropriate alternative sites, inherent flood risk, impacts on the visual amenity of Middlebeck, the potential destruction of trees and wildlife and pending comments from the local police. With regard to national policy, it should be noted that increasing capacity of traveller sites to the number quoted may simply increase demand overall creating an ever-growing cycle leading to ever-growing financial demand to supply. I refer you to extracts of comments made by Urban & Civic of their objections to this site within the Statement of Consultation document from October 2022:</p> <p><i>‘Belvoir Ironworks North lies to the south of Newark South and Urban & Civic have concerns about the potential implications of this on services and facilities at Newark South, and in terms of site access and impact on the highway network. Our response to Question 9 is supported by a Transport and Highways Technical Review prepared by SLR and provided as Appendix 1.</i></p> <ul style="list-style-type: none"> ▪ Services & Facilities - <i>The site assessment, as set out at paragraph 3.16.11 of the Options Report, states that the site is considered reasonably located in respect of access to services and facilities, with specific reference to the Middlebeck development - that is, Newark South. The Transport and Highways Technical Review sets out that the Belvoir Ironworks North site cannot be considered as having sustainable access to facilities and services, including at Newark South, with, for example, Middlebeck Primary School being in excess of an 800-metre walk. Moreover, Urban & Civic are concerned about the pressure that around 30 pitches may have on services and facilities being provided as part of the Newark South development. For example, Middlebeck Primary School, which opened September 2021, provides additional school places to meet the demand from the Newark South development only, and Urban & Civic is, therefore, concerned that should children from the gypsy and traveller pitches take school spaces at Newark South then this will result in the needs of children at Newark South not being met. It should be noted that this additional pressure would be combined with pressure from new housing in the immediate locality, with the appeal for up to 322 dwellings on Land at Flowserve Pump Division being allowed in June 2021 (Ref: APP/B3030/W/20/326097), and also proposals within this Options Report if taken forward - in particular, the extension to Site NUA/HO/10 - Land North of Lowfield Lane, and Opportunity Sites, notably the Tarmac Site within Bowbridge Road Policy Area.</i> ▪ Access & Highways - <i>The Transport and Highways Technical Review concludes that, based on the information available, it is unclear as to whether a safe and suitable access to the Belvoir Ironworks North site can be achieved for the proposed use in visibility terms. Furthermore, based on the potential level of trip generation associated with the use, there may be a requirement for the access to the site to include a central treatment on Bowbridge Lane (such as a ghost island right turn), but no information is available to demonstrate that such a junction arrangement would be deliverable within land controlled by the local highway authority and that associated with the site. In terms of trip generation, the Transport and Highways Technical Review sets out that daily movements to and from the site could be in the order of 300 vehicles, with potential peak hour trip generation in excess of 30 two-way movements, which is the typical threshold at which a local highway authority would require operational assessments to consider the highway impacts at off-site junctions. This level of traffic is of concern to Urban & Civic as it would be utilising highway capacity that has been designed and delivered to support the delivery of Newark South and other existing planned housing allocations in Newark. In this respect, the Newark South development is delivering the SLR, with triggers for delivery including that no more than 600 dwellings are to be occupied unless Phase 1 of the SLR is complete and that no more than 700 dwellings are to be occupied unless construction of Phase 2 of the SLR has commenced. Urban and Civic object to additional development coming forward and taking capacity on the highway network, that should first and foremost be used to facilitate the delivery of dwellings at Newark South, whilst development at Newark South is constrained. For the reasons given above, Urban & Civic respectfully request that Site 2 - Belvoir Ironworks North, Newark (Ref: 19_0004) is categorised as not suitable, with the site assessment amended accordingly to take account of the constraints in terms of access to, and capacity of, services and facilities, and site access and highways.’</i> <p>Within the same report, objections were noted by residents based on concern regarding the following, many of which have yet to be addressed:</p> <ul style="list-style-type: none"> ▪ <i>‘Increase in Anti-Social Behaviour/crime</i> ▪ <i>Undermine delivery of remaining Middlebeck phases</i> ▪ <i>Area already seeing a lot of development</i>

- *Environmental Concerns - waste and littering*
- *Supporting infrastructure (schools, amenity facilities and roads etc.) unable to support development*
- *Localised parking issues will be exacerbated (Flaxley Lane)*
- *Flood risk*
- *Poor public transport connections*
- *Increased traffic*
- *Tensions between settled and travelling communities*
- *Out of keeping with character of the area*
- *Existing sites should be expanded*
- *Site too close to waste tips and sites with groundworks underway*
- *Pitch numbers too high due to impact on properties directly adjacent*
- *Thorough investigation of land contamination required*
- *Impact on amenity of adjoining cottages'*

I also refer you to the information contained within the Newark and Sherwood Local Development Framework Plan Review Integrated Impact Assessment. As the proposed site is located beyond the Urban Boundary of the Newark Urban Area and as there is a lack of public transport connectivity for the proposed site, there will be further reliance on making journeys using private motor vehicle which causes more traffic on the road potentially creating highway safety issues (especially in an area home to many children), noise and further pollution. Furthermore, due to the dependence upon using private motor vehicles this will limit the level of impact on climate change. I also refer you to comments made by Highway Engineers from the GTLAA report from 2022 with regard to physical constraints.

'An independent report has been submitted objecting to this site. The cited trip generation is based on a single site which was counted in 2010 and the outputs are not included in the appendices so cannot be verified. The HA have not been able to locate the site on the TRICs data base but have located the site on Google maps. The trip rates may be high and linked to the poor sustainability of this site which has access only to the major road network with no footways/no community facilities within walking distance. It is also noted in the introduction to this note that trip rates may also be higher per unit due to Gypsy communities which often have extended families all living together. This of course is not in itself a reason to object to a site, and instead requires application of a lesser threshold for provision of a TA/TS. If the submitted report is correct, it would be appropriate to require one for this site.'

I also refer you to additional comments present within the GTLAA report from 2022 with regard to flood risk concerns:

'Flood Risk Comments: Section of Bowbridge Lane at the access to the site located within Flood Zone 2. As part of planning appeal in 2015 the flood depths were considered to be shallow (and acceptable) turning right when leaving site, but deep and unacceptable turning left. Was deemed acceptable if restricted to right turn only during times of flooding. Emergency access option onto the Sustrans route was also considered. There is the potential that appropriate emergency access arrangements could be put in place, subject to further detailed investigation. Caravans are a highly vulnerable use in flood risk terms, but following national Planning Practice Guidance can be compatible with Flood Zone 2 - subject to application of the Exception Test.'

A portion of the site is within Flood Zone 2 as well as areas along Bowbridge Lane which would provide access to the site. As caravans are vulnerable to a flood risk, the land would have to be safe from a flood risk to be viable and I would assert there are alternative sites that would be safer and more suitable. From the documentation required, it appears the below has not yet been completed (or results of investigations not yet published):

- *'On-site SuDS required to address water quality*
- *Conducting a check with EA with regards to it being former contaminated land to avoid risk of groundwater contamination and movement of contaminants to Middlebeck through any nearby/associated drainage of the site*
- *Further investigations to ground contamination and issue of impact on the amenity of adjoining cottages*
- *A follow up with Urban & Civic regarding access and highways comments with the Highways Authority'*

I also believe it would be incredibly useful to see proposed design plans for the proposed site. I also refer you to the summary of site assessments below with respect to the 40 sites assessed and their viability with regard to suitability, availability and achievability. As can be clearly noted, many sites have far better assessments of all three areas than the proposed site at Former Belvoir Ironworks (North) with comparable pitch allocations.

043

Laura Musson

The Former Belvoir Ironworks (North) site at Middlebeck is unsuitable for a number of reasons, many noted in prior consultations. Further to my letter to Cllr David Lloyd, The Rt Hon Robert Jenrick and Cllr John Lee on 3 April 2022, I again reiterate concerns regarding the suitability of this site, specifically services and facilities (in particular the lack of any public transport facilities, and provision available at the new primary school to cater to an already increasing number of new residents and pupils), access and highways (specifically concerns regarding trip generation), availability of more appropriate alternative sites, inherent flood risk, impacts on the visual amenity of Middlebeck, the potential destruction of trees and wildlife and pending comments from the local police. With regard to national policy, it should be noted that increasing capacity of traveller sites to the number quoted may simply increase demand overall creating an ever-growing cycle leading to ever-growing financial demand to supply. I refer you to extracts of comments made by Urban & Civic of their objections to this site within the Statement of Consultation document from October 2022:

'Belvoir Ironworks North lies to the south of Newark South and Urban & Civic have concerns about the potential implications of this on services and facilities at Newark South, and in terms of site access and impact on the highway network. Our response to Question 9 is supported by a Transport and Highways Technical Review prepared by SLR and provided as Appendix 1.

- **Services & Facilities** - *The site assessment, as set out at paragraph 3.16.11 of the Options Report, states that the site is considered reasonably located in respect of access to services and facilities, with specific reference to the Middlebeck development - that is, Newark South. The Transport and Highways Technical Review sets out that the Belvoir Ironworks North site cannot be considered as having sustainable access to facilities and services, including at Newark South, with, for example, Middlebeck Primary School being in excess of an 800-metre walk. Moreover, Urban & Civic are concerned about the pressure that around 30 pitches may have on services and facilities being provided as part of the Newark South development. For example, Middlebeck Primary School, which opened September 2021, provides additional school places to meet the demand from the Newark South development only, and Urban & Civic is, therefore, concerned that should children from the gypsy and traveller pitches take school spaces at Newark South then this will result in the needs of children at Newark South not being met. It should be noted that this additional pressure would be combined with pressure from new housing in the immediate locality, with the appeal for up to 322 dwellings on Land at Flowserve Pump Division being allowed in June 2021 (Ref: APP/B3030/W/20/326097), and also proposals within this Options Report if taken forward - in particular, the extension to Site NUA/HO/10 - Land North of Lowfield Lane, and Opportunity Sites, notably the Tarmac Site within Bowbridge Road Policy Area.*

- **Access & Highways** - *The Transport and Highways Technical Review concludes that, based on the information available, it is unclear as to whether a safe and suitable access to the Belvoir Ironworks North site can be achieved for the proposed use in visibility terms. Furthermore, based on the potential level of trip generation associated with the use, there may be a requirement for the access to the site to include a central treatment on Bowbridge Lane (such as a ghost island right turn), but no information is available to demonstrate that such a junction arrangement would be deliverable within land controlled by the local highway authority and that associated with the site. In terms of trip generation, the Transport and Highways Technical*

Review sets out that daily movements to and from the site could be in the order of 300 vehicles, with potential peak hour trip generation in excess of 30 two-way movements, which is the typical threshold at which a local highway authority would require operational assessments to consider the highway impacts at off-site junctions. This level of traffic is of concern to Urban & Civic as it would be utilising highway capacity that has been designed and delivered to support the delivery of Newark South and other existing planned housing allocations in Newark. In this respect, the Newark South development is delivering the SLR, with triggers for delivery including that no more than 600 dwellings are to be occupied unless Phase 1 of the SLR is complete and that no more than 700 dwellings are to be occupied unless construction of Phase 2 of the SLR has commenced. Urban and Civic object to additional development coming forward and taking capacity on the highway network, that should first and foremost be used to facilitate the delivery of dwellings at Newark South, whilst development at Newark South is constrained. For the reasons given above, Urban & Civic respectfully request that Site 2 - Belvoir Ironworks North, Newark (Ref: 19_0004) is categorised as not suitable, with the site assessment amended accordingly to take account of the constraints in terms of access to, and capacity of, services and facilities, and site access and highways.'

Within the same report, objections were noted by residents based on concern regarding the following, many of which have yet to be addressed:

- Increase in Anti-Social Behaviour/crime
- Undermine delivery of remaining Middlebeck phases
- Area already seeing a lot of development
- Environmental Concerns - waste and littering
- Supporting infrastructure (schools, amenity facilities and roads etc.) unable to support development
- Localised parking issues will be exacerbated (Flaxley Lane)
- Flood risk
- Poor public transport connections
- Increased traffic
- Tensions between settled and travelling communities
- Out of keeping with character of the area
- Existing sites should be expanded
- Site too close to waste tips and sites with groundworks underway
- Pitch numbers too high due to impact on properties directly adjacent
- Thorough investigation of land contamination required
- Impact on amenity of adjoining cottages'

I also refer you to the information contained within the Newark and Sherwood Local Development Framework Plan Review Integrated Impact Assessment. As the proposed site is located beyond the Urban Boundary of the Newark Urban Area and as there is a lack of public transport connectivity for the proposed site, there will be further reliance on making journeys using private motor vehicle which causes more traffic on the road potentially creating highway safety issues (especially in an area home to many children), noise and further pollution. Furthermore, due to the dependence upon using private motor vehicles this will limit the level of impact on climate change. I also refer you to comments made by Highway Engineers from the GTLAA report from 2022 with regard to physical constraints.

'An independent report has been submitted objecting to this site. The cited trip generation is based on a single site which was counted in 2010 and the outputs are not included in the appendices so cannot be verified. The HA have not been able to locate the site on the TRICs data base but have located the site on Google maps. The trip rates may be high and linked to the poor sustainability of this site which has access only to the major road network with no footways/no community facilities within walking distance. It is also noted in the introduction to this note that trip rates may also be higher per unit due to Gypsy communities which often have extended families all living together. This of course is not in itself a reason to object to a site, and instead requires application of a lesser threshold for provision of a TA/TS. If the submitted report is correct, it would be appropriate to require one for this site.'

I also refer you to additional comments present within the GTLAA report from 2022 with regard to flood risk concerns:

'Flood Risk Comments: Section of Bowbridge Lane at the access to the site located within Flood Zone 2. As part of planning appeal in 2015 the flood depths were considered to be shallow (and acceptable) turning right when leaving site, but deep and unacceptable turning left. Was deemed acceptable if restricted to right turn only during times of flooding. Emergency access option onto the Sustrans route was also considered. There is the potential that appropriate emergency access arrangements could be put in place, subject to further detailed investigation. Caravans are a highly vulnerable use in flood risk terms, but following national Planning Practice Guidance can be compatible with Flood Zone 2 - subject to application of the Exception Test.'

A portion of the site is within Flood Zone 2 as well as areas along Bowbridge Lane which would provide access to the site. As caravans are vulnerable to a flood risk, the land would have to be safe from a flood risk to be viable and I would assert there are alternative sites that would be safer and more suitable. From the documentation required, it appears the below has not yet been completed (or results of investigations not yet published):

- On-site SuDS required to address water quality
- Conducting a check with EA with regards to it being former contaminated land to avoid risk of groundwater contamination and movement of contaminants to Middlebeck through any nearby/associated drainage of the site
- Further investigations to ground contamination and issue of impact on the amenity of adjoining cottages
- A follow up with Urban & Civic regarding access and highways comments with the Highways Authority'

I also believe it would be incredibly useful to see proposed design plans for the proposed site. I also refer you to the summary of site assessments below with respect to the 40 sites assessed and their viability with regard to suitability, availability and achievability. As can be clearly noted, many sites have far better assessments of all three areas than the proposed site at Former Belvoir Ironworks (North) with comparable pitch allocations.

047	Fisher German obo Richborough Estates	Further to notification of the second Reg19 consultation – as attached, I have reviewed its content and do not wish to comment further on behalf of my client, Richborough. The representations submitted to the November 2022 consultation remain so please use these to issue to the Inspectorate.
048	House Builders Federation	Thank you for consulting the Home Builders Federation (HBF) on the Second Publication Amended Allocations & Development Management DPD. Please find below our response to the consultation on the further amendments to the Allocations and Development Management DPD. The HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational corporations through to regional developers and small local housebuilders. Our members account for over 80% of all new housing built in England and Wales in any one year. We note that the consultation webpage says: “following the close of the previous representation period it was decided that a Second Regulation 19 Consultation would be required due to a representation received from the Environment Agency and a change in situation regarding the Gypsy & Traveller Pitch Delivery Strategy.” However, these do not seem to be the only matters that this second draft version of the consultation is seeking to address. For example, additional wording has been added to Policy DM5(b) and paragraph 7.14 and 7.46 on design. Furthermore, the new wording in para 1.13 explains “that climate change is a significant issue that requires urgent action, and the Council therefore declared a climate change emergency on 16th July 2019. The Local Development Framework already addresses climate change through both the Amended Core Strategy (2019) and Allocations and Development Management DPD (2013). The Plan Review has provided the Council with further opportunity to strengthen the Publication Amended Allocations

& Development Management DPD to address the climate change emergency and the Council will seek to integrate further action in Supplementary Planning Documents and guidance that it produces in future". This approach should also be subject to re-consultation. The Guide to the Publication Development Plan Document section of this consultation document says that "proposed amendments since the First Publication DPD are now double underlined and proposed deletions are double crossed through. This gives everyone the opportunity to read the DPD as amended and consider if they wish to make Representations on the contents of the document." It is unclear from this wording if comments are only being sought on the new amendments, or whether we need to reiterate our previous comments on the earlier Reg 19 consultation. For the avoidance of doubt HBF reiterates its comments made on the previous Reg 19 consultation version, which are not repeated verbatim here. We have also made comments on the new changes (shown as double underlined or double crossed out in the Second Publication Amended Allocations & Development Management DPD) and flagged some policy area that we believe should have been updated as part of the re-consultation but have not been- such as the policy on Biodiversity Net Gain. National BNG policy has moved on since the earlier Winter 2022 consultation.

Core Policy 1: Affordable housing provision: The policy is unsound as it has not been fully justified:

Only a small grammatical change has been made to this policy, and the fundamental questions around viability that HBF raised remain unanswered. In our earlier response we welcomed the amendments to ensure the inclusion of First Homes within the policy we would have expect further amendments to reflect the latest viability evidence published by the Council Newark & Sherwood District Council Whole Plan & Community Infrastructure Levy Viability Assessment May 2021 which indicates at paragraph 5.4 that development on brownfield sites in low and medium value areas facing challenging viability. Given that the NPPF outlines at paragraph 58 of the NPPF and paragraph 10-007 of Planning Practice Guidance (PPG) that most sites should be deliverable at planning application stage without further viability assessment negotiations it is disappointing that this matter has still not been addressed. HBF continue to suggest that the requirements of the policy should be reduced to reflect the Council's evidence. Indeed, it is disappointing that more up to date viability work has not been undertaken to reflect additional costs, such as increased prices due to inflation and the new policies on BNG. Such evidence is essential to demonstrate the plan both justified and deliverable. HBF remains concerned about the robustness of some of the assumptions made in the viability assessment. It is important that the level of planning obligations required from development means that viability negotiations occur occasionally rather than routinely. Detailed discussion resulting in trade-offs between policy requirements, affordable housing and infrastructure provision should not be necessary at the application stage. However, in order to ensure that viability negotiations on a site-by-site basis are limited, there must be a robust plan-wide viability assessment. HBF remain particularly concerned with the inputs relating to the higher energy efficiency standards in part L of the 2021 Building Regulations and the 10% Biodiversity Net Gain required by the Environment Act 2021.

Part L of the Building Regulations

Part L of the Building Regulations were amended in 2021 to require a higher level of energy efficiency in order to achieve a 31% improvement on the 2013 Building Regulations. The viability assessment considers sustainable construction standards at paragraph 4.18 stating that the cost rates reflect current building standard but makes no mention as to the latest amendments. The impact of these amendments on the cost of building a new should not be ignored with the Government estimating that these could add around £4,8501 to the cost of building a new detached home compared to current standards. However, the HBF consider that this may be too low with our members estimating that these could add between £5,335 to £5,580 to the cost of a new build home and must be added to the base build costs. Further costs are also likely to be felt by housebuilders and developers as a result of changing Building Regulations through the introduction of the heat metering regulation, as set out in a separate consultation by the Department for Business, Energy, and Industrial Strategy. These new regulations, which go in line with the new Part L regulations, could add an additional £400 - £800 per plot, meaning the total cost per new home for the package of changes to underpin the reformed Part L introduced this year amount to between £5,700 and £6,400 per new home. The viability study must take these into account in order to provide a robust assessment of the viability implications on development in future. More recent HBF information suggests that complying with the Future Homes Standard Part L in 2025 is anticipated to cost £7500+ per plot.

Building Safety Levy

Other factors that need to be taken into account include increasing costs of materials and labour due to inflation and the fact that the cost-of-living crisis has also impacted the housing market making borrowing more expensive for potential future purchasers. There will also be the addition of the Building Safety Levy that is coming in pay for cladding. This will be a per plot basis around the UK, and initial values are around £1500- £2500 per plot. The whole plan viability assessment needs to fully consider all of these costs and requirements when assessing the viability of development. Biodiversity Net Gain 1 Table 8 Final Stage Impact Assessment 2021 changes to the energy efficiency requirements of the Building

Regulations for domestic buildings

The costs of mandatory BNG are also still emerging as the off-site market is yet to be established. Although the initial price of statutory credits is now known this national fallback option has been deliberately highly priced to discourage their use. Whilst this intention is understandable, at present the lack of functioning local markets for off-site credits causes viability problems because HBF members experience to date suggests that any scheme that needed to rely on statutory credits would become unviable. In light of the above information HBF strongly question the £500 per dwelling cost of BNG used in the viability study. As HBF noted in our response to the Options consultation table 16 of the DEFRA Biodiversity Net Gain & Local Nature Recovery Strategies: Impact Assessment: gives the costs per greenfield development (residential) East Midland at an estimate £1,011 per dwelling based on the central estimate that expects 75% of net gains to be delivered on site. However, it must be remembered that the degree to which BNG can be delivered onsite is dependent on the baseline level of biodiversity. This can vary significantly between sites and could require far more offsite provision that is allowed for in the Government's central estimate. For example, a site delivering all of its mitigation offsite (scenario C in the impact assessment) would see costs rise to £3,562 and £943 per dwelling on greenfield and brownfield development respectively. HBF suggested in our Feb 2023 response that before the plan is submitted the Council should undertake some sensitivity testing to understand the impact of higher BNG costs on development in Newark and Sherwood. We remain of the view that this is a necessary piece of work that must be undertaken, without it the plan is not justified and is therefore unsound.

First Homes

HBF remain concerned that there does not appear to be any consideration as to the impact of First Homes on development viability. Whilst these are defined as being affordable homes they are built and sold by the developer and are a market home. As such the profit margin on these homes will need to reflect those for full cost market housing rather than the lower 6% return on an affordable housing unit. The viability study should be revised and updated to reflect these comments, and the results fed into changing the working of the Policies in the Plan, to better reflect viability and deliverability.

Conclusions on HBF concerns about Core Policy 1:

Viability negotiations at planning application stage cause uncertainty for both the Council and developers and can result in significant delay to housing delivery or even non-delivery. Without a robust approach to viability assessment, the Amended Allocations & Development Management DPD will remain unsound, land could potentially be withheld from the market by landowners and housing delivery targets will not be achieved. Before the document is submitted the viability assessment should be updated to reflect the higher development costs outlined above.

DM2: Development on allocated sites

The policy is unsound as it is not consistent with national policy. This policy has been amended to remove reference to the Developer Contributions and Planning Obligations SPD. This change is supported by HBF as one we requested. It is not appropriate for policy to seek to give Local Plan status an existing or an emerging SPD. Planning policy must be made through the Local Plan process and be subjected to the mandatory requirements for public consultation and independent scrutiny through the Examination process. However, although the new document has been amended to address this issue in relation to Policy DM2, other policies continue to seek to give Local Plan status to SPDs, namely Criterion 2 and 14 of Policy DM5(b) which reference the Residential Cyle and Car Parking SPD and the Design SPD respectively, Policy DM7 which references the Planning Obligations and developers Contributions SPD, and policy DM10, which seeks to give Local Plan policy status to the forthcoming Air Quality SPD. HBF reiterates that the Council's requirements should be set out in sufficient detail to determine a planning application without relying on, other criteria or guidelines set out in a separate SPD. If the Council wish to provide additional advice on the interpretation of any policy, this should be done through a Supplementary Planning Document, which is prepared and consulted on after the Local Plan policy has been adopted. It cannot be done through trying to give Local Plan policies status to any existing SPD, especially as the existing SPD hangs from the adopted policies in the Local Plan, which will be replaced when this new Local Plan is adopted. HBF is also concerned about changes proposed to the wording of the policy which now references the need for developers to "make appropriate contributions to infrastructure provision in accordance with the Council's latest, most up to date evidence", without specifying what that evidence might be. If the wording is to remain as it is, paragraph 7.3 should explain what up to date evidence the Council will be seeking to rely on, is it a new SHELAA, 5YLS, IDP, AMR, Council's Housing Strategy, parish level housing survey, or something else? This needs to be clear, so a developer knows both what evidence they should be consulting and what constitutes up to date.

DM3: Developer Contributions and Planning Obligations

The policy is unsound as it is not consistent with national policy. HBF is pleased to see the removal of the Policy DM3 reference to provision of appropriate contributions being guided by the Council's Planning Obligations & Developer Contributions SPD.

We asked for this change noting that the reference to “in accordance with the Developer Contributions & Planning Obligations Supplementary Planning Document (SPD)” should not be interpreted by the Council’s Development Management Officers as conveying the weight of a DPD onto this SPD, which has not been subject to examination and does not form part of the Amended Allocations & Development Management DPD. The Town and Country Planning (Local Planning) (England) Regulations 2012 are clear that development management policies, which are intended to guide the determination of applications for planning permission should be set out in policy in the Local Plan. To ensure a policy is effective, it should be clearly written and unambiguous so it is evident how a decision maker should react to development proposals. However, the new policy wording now includes the phrase “most up to date evidence”, without specifying what that evidence might be. If the wording is to remain as is, it should set out somewhere within the section that is currently paragraphs 7.4 to 7.7 what up to date evidence the Council will be seeking to direct developers and how the Council would define ‘up to date’. Therefore, although HBF is pleased the reference to the Developer Contributions & Planning Obligations Supplementary Planning Document has been removed from the policy and is now mentioned instead the text, we are still concerned by the new wording in para 7.5 which implies the adopted SPD are supporting evidence. The new wording in paragraph 7.5 could be clearer in relation to SPDs providing additional guidance and advice, rather than evidence. HBF suggest that para 7.5 is amended to say: Planning Obligations for appropriate infrastructure to meet the needs of development will take into account Amended Core Strategy Policy for Affordable Housing, the Infrastructure Delivery Plan, and the Open Space Assessment & Strategy and supporting evidence, including advice provided in adopted Supplementary Planning Documents DM5a: The Design Process The policy is unsound as it is not consistent with national policy

The policy has been amended to include reference to the National Design Guide and locally adopted Design Codes. The policy continues to require all new residential development to perform positively against Building for a Healthy Life. It would seem unreasonable and disproportionate for a planning application for individual dwelling to have to undertake a full Building for a Healthy Life assessment and indeed it is not designed for such use. HBF is supportive of use of Building for a Healthy Life toolkit but note that it is not really a ‘standard’ to be achieved, but rather a toolkit for considering design and thinking about the qualities of successful places. The Local Plan needs to be clear about what ‘meeting the standard’ would entail, and what information would be needed to show that a development would achieve it. HBF is supportive of the use of best practice guidance, but the use of Building for a Healthy Life should remain voluntary rather than becoming a mandatory policy requirement. The Council should signpost such guidance in its supporting text rather than making it a requirement in policy wording. Policy DM5(b) Design The policy is unsound as it is not consistent with national policy. The beginning of the policy has been amended to include reference to the National Design Guide and locally adopted Design Codes. Although the second paragraph appears to be a repetition of the first. This need resolving.

Section 4 of the policy on Local Distinctness and character continues to refer to the SPD on Landscape Character. It is not appropriate to seek to give Local Plan status to SPDs. Policy must be made in the Local Plan. Similarly, Section 14 of this policy is titled “Design SPD and Design Codes”. Although the new wording explains that “Local Design Codes, masterplans and design briefs will be prepared to provide a detailed framework for the assessment of development proposals within particular areas and sites within District”. This section still implies that the SPD that will be prepared in the future will have Local Plan policy status. This is not appropriate and contrary to national guidance and legislation. Paragraph 7.51 is a more appropriate place to refer to the Council’s intention to prepare SPD. Section 14 of DM5(b) should be changed from policy to supporting text. Core Policy 3- Housing Mix, Type and Density The policy is unsound as it is not justified or effective. There is a need for Core Policy 3- Housing Mix, Type and Density to differentiate between M4(3)a and M4(3)b in building Regulations. M4(3)a sets out standards for wheelchair adaptable housing, where M4(3)b relates to wheelchair accessible housing which can only be required on affordable housing where the Council has nomination rights. There are cost implications for providing housing that meets M4(3)a standards, and the costs for meeting M4(3)b can be very significant. The whole plan viability assessment should have considered the implications of this policy requirements on the viability of the policies in the plan. Without this being clearly shown the plan is unsound as it is not justified and ineffective. It should also be noted that the requirements to meet Part M4(2) will be superseded by changes to residential Building Regulations. The Government response to ‘Raising accessibility standards for new homes’ states that the Government proposes to mandate the current M4(2) requirement in Building Regulations as a minimum for all new homes, with M4(1) applying in exceptional circumstances. This will be subject to a further consultation on the technical details and will be implemented in due course through the Building Regulations. The requirement to address this issue is planning policy is therefore unnecessary.

Policy DM7 Biodiversity and Green Infrastructure

The policy is unsound as it is not justified, not effective and not in compliance with national policy. Biodiversity Net Gain is an emerging area of national policy. As such Newark and Sherwood Council should have updated their Local Plan policy on this issue as part of this further Local Plan consultation, but this has not occurred. HBF suggest that the policy could be updated to reflect ‘amendments of facts’ as the Council have done in relation to other issues. Paragraph 7.62 will also need amending. The policy currently says: “Development proposals in all areas of the District should seek to enhance biodiversity. Proposals should take into account the latest information on biodiversity including Nottinghamshire Biodiversity Opportunity Mapping, and the forthcoming Local Nature Recovery Strategy. Except for exempt development proposals, the enhancement should be a net gain of at least 10% (or if different, the relevant percentage set out in the Environment Act) as measured by the applicable DEFRA metric or any successor document. These gains must be guaranteed for a period of at least 30 years. On 9th November 2023 a two-year transition period will end; after which biodiversity net gain of the relevant percentage becomes a legal requirement on developments where it is applicable.” This policy has been superseded by events and need rewriting to reflect the current national policy position. The implementation date for Mandatory Biodiversity Net Gain has been put back from Nov 23 to Jan 2024, and additional guidance is emerging and expected. HBF is supportive of the need to address the nature crisis and cognisant of the important role that house builders can play. This however must be proportionate, reasonable and not serve as a block on housing delivery, for this reasons HBF support the 10% mandatory Biodiversity Net Gain and the requirement to secure this for 30 years. HBF is concerned that policies which seek to go further and faster than National Guidance will result in different LPAs taking different approaches to delivery and policy that could add unnecessary complexity to the policy landscape and serve to undermine the emerging BNG local markets. The policy should therefore limit itself to seeking only the 10% BNG required nationally with BNG being secured for 30 years. Guidance is still emerging as preparation for the introduction of Biodiversity Net Gain which has now been put back from Nov 2023 to Jan 2024. Work to prepare for this continues. See for example this June 2023 Government Blog that details the work so far, and what additional work still to come <https://defralanduse.blog.gov.uk/2023/07/20/bng-whats-happened-and-whatscoming-next/>

Additional advice and guidance is being regularly released <https://defralanduse.blog.gov.uk/2023/10/05/irreplaceable-habitats-and-bngwhat-you-need-to-know/>. It will be important for the Local Plan to reflect the current national policy and guidance, and the policy is likely to need to be kept under review during the Examination, with a version able to be finalised and consulted on through the Main Modifications process. The PAS guidance <https://www.local.gov.uk/pas/topics/environment/biodiversitynet-gain-local-authorities/biodiversity-net-gain-faqs> has some very helpful information for Local Planning Authorities around the implementation of BNG. The Local Plan policy should set out the implications of the Environment Act amendments to the Town & Country Planning Act (TCPA) to secure BNG.

Guidance has just been published setting out what should happen to off site BNG after 30 years <https://defralanduse.blog.gov.uk/2023/10/10/off-site-bng-what-canyou-do-after-30-years/>. Further guidance and advise is due to be published in November 2023 in preparation for the Jan 2024 implementation date. HBF suggests that the Local Plan policy and supporting text should clearly explain that BNG should be calculated using the statutory Biodiversity Metric and suggest reference should also be made to the need for local planning authorities to approve a biodiversity gain plan as part of a planning application determination. The Local Plan BNG policy should explain what information the Council requires to demonstrate how the habitat will be secured for at least 30 years via planning obligations or conservation covenants, and recognise that BNG can be delivered on-site, through off-site units or via the new statutory biodiversity credits scheme. Reference in the text to the development of the national register for net gain delivery sites is being established would be helpful. This is being established initially for all off-site BNG. The policy should also recognise that whilst on-site provision should be explored first there may be many reasons why on-site BNG is not deliverable and/or not the preferred approach. Factors that may need to be considered could include for example, deliverability- such as whether the site is suitable for the type of BNG to be provided; and, the priorities of the Local Nature Recovery Strategy, such as the opportunity to coordinate contributions from a range of sites to provide for large landscape scale BNG schemes. HBF suggest that the policy should also recognised that BNG can be delivered via either a Section 106 agreement or through a Conservation Covenant. Although best practice on conservation covenants is still emerging recent guidance on how to apply to be a Responsible Body, sets out who can become a Responsible Body, an option not limited to just Local Authorities (see <https://www.gov.uk/government/publications/conservation-covenants-apply-tobecome-a-responsible-body>). Therefore, a developer may deliver their BNG requirements through BNG off-site unit payments to a Responsible Body who is not the LPA. It would be helpful for the plan to set out whether Newark and Sherwood intend to become a responsible body or not, as the decision may impact on how BNG can be delivered. The current wording of paragraph 7.62 states that the Nottinghamshire Local Authorities are developing a joint approach to managing the implementation of Net Gain in the County. It would be helpful for the Plan to set out a timetable for this work, and how this will feed into and/or work with the Local Plan policy on BNG. Delivering 10% BNG

It is accepted that the requirement for 10% mandatory biodiversity net gain is supported by national policy and legislation. It will be important for the Local Plan and its supporting evidence to demonstrate that BNG can be addressed and delivered in practice. Policies should set out how the Council will approach BNG and what developers need to do. The Plan should set out what information is required when, including what monitoring will be required. The Council should also highlight what help and advice is available at the pre-app and planning application stages, and during the delivery and monitoring of the project(s). It is helpful for the plan to clearly link BNG into wider work around the Nature Recovery Network and the Local Nature Recovery Strategy (LNRS). It would be helpful for the Local Plan to include a link to the relevant LNRS and the timetable for its preparation, where one has yet to be produced. If the Council wants to explain how it would like to see BNG off-site delivery prioritised, this could be included within the supporting text, as strategic importance of a BNG asset is a factor considered in the metric. HBF agree that it would be useful for the Council to set out how it’s approach to BNG links into the wider Local Nature Recovery

		<p>Strategy for Nottinghamshire, although as this is an emerging document HBF would suggest it is not appropriate to include this within the policy, and it should just be included in the text. It is reasonable for BNG policy to seek to require biodiversity net gain to be delivered on site where this is possible. However, this will not always be possible and where on-site delivery is not feasible policy can seek to encourage BNG to be provided as close to the development site as possible. However, there must be a pragmatic approach to how this is implemented and applied in practice. Any policy which seeks to restrict all BNG to be secured on land within the Borough boundary would be unsound. Such an approach does not reflect how the BNG is expected to work in practice. Whilst the mitigation hierarchy should seek to minimise biodiversity loss in the first place, where net gain is required, the system allows for on-site biodiversity, off-site biodiversity, which must be registered, and as a last resort the purchase of statutory credits. Any BNG policy in the Local Plan must be deliverable and not a serve as a stop on new development. The intention of BNG is that development enables improvements to biodiversity, enabling nature recovery and delivery of the wider benefits of increased nature, for example health and wellbeing, climate change mitigation, carbon sequestration etc. It is understood that the current BNG 4.0 Metric will form the basis of the statutory metric, which is expected to be made available shortly. The metric considers not only the type of the biodiversity asset, but also its condition and rarity. The metric requires any lost biodiversity to be replaced with either a like-for-like asset(s) or one of a better quality. It is not possible to ‘trade down’. The metric also incentivises the implementation of BNG closest to the site, through the multipliers applied to off-site provision and the deliberately high cost of statutory credits. Although a new national metric will be introduced for national mandatory BNG, HBF understand that this will contain the same principles and approach, but with additional information about statutory credits.</p> <p>The BNG Metric process allows for, and reflects different levels of Biodiversity creation on-site, locally offsite (with guidance expected to define local as being within the Local Planning Authority Area), the next tier is an adjacent LPA area, and the final tier is anywhere in England. Any BNG Policy must reflect this. If a developer is able to show that BNG on-site delivery is not desirable and/or deliverable, and that there is no off-site provision available, the system allows for statutory BNG credits to be purchased. These credits may be delivering BNG projects anywhere in England. This is allowable under the BNG national approach, and as such a Local Plan policy cannot restricts BNG to only within the Borough is in conflict with the national approach. With BNG becoming mandatory from Jan 2024, there is significant concern that the market for off-site biodiversity provision is still emerging. There are not yet bank of off-site biodiversity options available in every area. Although this is the medium to long term aspiration, the current situation means at least for now there may be a greater reliance on statutory credit to bring sites forward for development. This may impact on their viability.</p> <p>BNG and Viability</p> <p>An allowance for BNG needs to be includes within the viability assessment of the Local Plan. This needs to be considered as part of the planning obligations and should be specified as a single specific item rather than rolled into a s106 allowance that is inclusive of a BNG contribution. There are significant additional costs associated with biodiversity gain, which should be fully accounted for in the Council’s viability assessment, some of which are unknown at this time. It is important that BNG does not prevent, delay or reduce housing delivery. As this is an emerging policy area and the market for off-site provision, and statutory credits are not yet known, any figure used for BNG costs will need to be kept under review as BNG implementation progresses and a greater understanding of actual costs become available. The Whole Plan Viability Assessment should reflect the most up to date BNG costs information available.</p> <p>Policy DM10 Pollution and Hazardous Material</p> <p>This policy is also seeking to give Local Plan policy status to an SPD, this time the Air Quality SPD. An SPD that has not even been prepared yet. This is not appropriate. HBF reiterates that the Council’s requirements should be set out in sufficient detail to determine a planning application without relying on, other criteria or guidelines set out in a separate SPD.</p>
051	IBA Planning obo Mr H Fury	IBA Planning have not made any comments on the amended DPD. However, they have indicated that the DPD is legally compliant, abides by the duty to cooperate and appears to be sound. They also do not wish the participate in the oral examination.
052	Turley obo Bellway Homes	We consider that the emerging Newark and Sherwood Publication Amended Allocations Development Management Document (DPD) is not legally sound. We believe the DPD will not effectively deliver on the economic and residential objectives set out for in Rainworth. Rainworth is recognised as a ‘Service Centre’ and has a range of shops and a secondary school, which serves part of the Sherwood Area and the southern part of the Mansfield Fringe. Rainworth is well related to Mansfield Sub-Regional Centre with its jobs and facilities and is therefore considered to be a sustainable location for continued growth. The adopted A&D DPD identifies Land West of Colliery Lane for employment development (under Policy Ra/E/1 Rainworth), and this is retained in the emerging DPD. However, the site is the subject of an outline planning application (application ref:21/00996/OUTM) for 91 dwellings submitted in April 2021 and this was recently approved at Planning Committee on 5th October 2023. The Applicant argued that this site is not appropriate for employment use given its site constraints, including the severe topography of the site, overall scale of the site and requirements for an access off the A617 to serve an employment use. Given that this application has recently been approved, this has left Rainworth with no employment allocations. Our client’s site at Land north of the A617 provides both a short-and longer-term opportunities for a mix of employment uses and housing within Rainworth. Please refer to the letter of representations submitted with this form for further details, which provides precise details as to why we believe the emerging DPD is not legally sound.
053	IBA Planning	<p>-Our previous representations highlighted what we considered was a material inconsistency between the proposed wording of Policy DM8 (and associated explanatory paragraph 7.74) and national planning policy with regard to the residential conversion of rural buildings – and between the policy itself and explanatory paragraph 7.74. Notwithstanding these representations, the highlighted inconsistencies have not been remedied via this subsequent Second Publication Amended Allocations and Development Management DPD. Our previous representations therefore remain – and should be supplemented by the following. Given section 5 of Policy DM8 deals simply with the conversion of existing buildings, I am not sure of the relevance of the first sentence stating that consideration should be given to the conversion of existing buildings before proposing replacement development? The second sentence would appear to introduce the requirement to approach proposed re-uses of an existing building sequentially. This is considered to be inconsistent with national planning policy – which contains no such requirement. In the above connection, para 80 of the NPPF confirms that the residential re-use of disused or redundant buildings in isolated locations is acceptable where this results in an enhancement to its setting. There is no such requirement that an applicant considers and discounts other uses beforehand. Whilst para 80 deals specifically with isolated locations, it would clearly make no sense whatsoever if the Government was not similarly supportive of the residential conversion of rural buildings in non-isolated locations. Policy DM8 has been further amended to deal with redevelopment proposals which significantly expand the existing form of the building. Again, I do not see the relevance of this here – since the policy deals simply with the re-use of existing buildings, not their redevelopment. In any event, as presently worded, this part of the policy is considered ambiguous – as there is no clarity as to what would be regarded as significantly expanding the existing form of the building, or what might be considered appropriate before tipping the balance to constituting significant expansion? The entire first paragraph of section 5 of Policy DM8 is considered to be either unnecessary or inconsistent with national planning policy – and should be removed. Its inclusion adds little meaningful to the application of this part of the policy, and its removal would take nothing away from the effectiveness of the balance of the policy itself and the associated explanatory paragraph. Turning to the second paragraph of section 5 of Policy DM8, the removal of the word ‘only’ where this refers to the residential conversion of buildings is supported. It is understood the Council accepts the need for amendments to Policy DM8 to reflect national planning policy – as the current adopted Policy DM8 is inconsistent. However, the policy is still considered too ambiguous (when read in conjunction with explanatory paragraph 7.74) as regards the Council’s position with regard to its support for the residential conversion of all rural buildings in line with national planning policy. Turning then to paragraph 7.74, this clearly needs to be amended to reflect the Council’s intended amendments to section 5 of Policy DM8 to ensure consistency with national planning policy. As currently worded, paragraph 7.74 appears to maintain the Council’s previous position that only the residential conversion of buildings of architectural or historic merit are appropriate for residential conversion – and this is plainly inconsistent with national planning policy (in particular paragraph 80 of the NPPF). Paragraph 7.75 is also considered to be inconsistent with national planning policy and should be removed in its entirety – save for the final sentence referring to the Conversion of Traditional Rural Building SPD (which could sensibly be tagged on to the end of para 7.74).</p> <p>- Our previous representations sought amendments to the Policy to update it to reflect the fact that half of the site has already been developed for housing. None of the amendments sought have been made – and the Policy remains essentially as per the previous version. It is noted that the Council has considered it appropriate to remove/amend allocations where they have been completed – and it would therefore seem sensible to remove that part of the original allocation already completed in a similar manner and update the balance of the wording of the Policy to reflect the up-to-date situation. Housing delivery on the balance is expected soon, with strong interest from a housing developer – who has already engaged positively with the local planning authority via a pre-application enquiry. The housing developer is currently working through the various application validation requirements before submitting the formal planning application. However, they are understandably keen not to appear to conflict with the requirements of Policy Ra/Ho/2 – whose original requirements and wording was predicated on the delivery of the site as a whole (and in practice this has obviously not been the case). Given the purpose of the amended Allocations and Development Management DPD is presumably to bring it up to date to reflect the latest situation on the ground (as it has done seemingly almost everywhere else), it seems odd that the need to update this policy in similar circumstances seems to have slipped through the net. In its current form, we remain of the view that this part of the Plan cannot be judged to have been positively prepared, or considered justified or effective.</p>
054	Stantec obo Urban and Civic	Core Policy 1: Stantec, on behalf of Urban & Civic previously made representations to the first Publication Amended Allocations & Development Management Development Plan Document (AADMDPD) Regulation 19 stage. Our representations made in relation to Core Policy 1 and supporting text at paragraph 8.9 (Ref: 054/Para 8.9 (CP1)/T4/0136 on behalf of Urban and Civic) still stand and should be forwarded to the Inspector. These representations to the Second Publication AADMDPD should be read alongside our representations to the first Publication AADMDPD. These representations are made on behalf of Urban & Civic, the master developer leading the delivery of the Sustainable Urban Extension at Newark South (now called Middlebeck). Newark

South benefits from a strategic site allocation under Area Policy NAP 2A of the Amended Core Strategy adopted March 2019 (ACS) and also benefits from outline planning permission reference 14/01978/OUTM for up to 3,150 dwellings, up to 50ha employment land, associated community facilities and infrastructure including the Southern Link Road (SLR). Development has commenced and works continue on site. The first phase of the SLR is substantially complete and open to traffic, dwellings are being delivered and the first residents moved onto site in spring 2018, and Middlebeck Primary School opened September 2021. Our representations to the first Publication AADMDPD (Ref: 054/Para 8.9 (CP1)/T4/0136 on behalf of Urban and Civic) demonstrate that the proposed approach to First Homes within Core Policy 1 and its supporting text at paragraph 8.9 is not consistent with national policy and would result in under delivery of First Homes, in that it requires 25% of affordable home ownership units rather than 25% of all affordable housing units to be First Homes. Consequently, our representations to the first Publication AADMDPD (Ref: 054/Para 8.9 (CP1)/T4/0136 on behalf of Urban and Civic) requested that the wording of Core Policy 1 and paragraph 8.9 be amended to ensure consistency with national policy. In response to our representations, as set out in the 'Schedule of Proposed Amendments to the DPD' (September 2023), Core Policy 1 has been amended "for clarity". However, the amendment does not address Urban & Civic's fundamental point that the approach to First Homes is inconsistent with national policy. That is, the approach to First Homes within Core Policy 1 and its supporting text at paragraph 8.9, within the Second Publication AADMDPD, still requires 25% of affordable home ownership units rather than 25% of all affordable housing units to be First Homes. Therefore, our representations to the first Publication AADMDPD (Ref: 054/Para 8.9 (CP1)/T4/0136 on behalf of Urban and Civic) still stand. On the basis of the above and taking account of our representations to the first Publication AADMDPD (Ref: 054/Para 8.9 (CP1)/T4/0136 on behalf of Urban and Civic), the position remains that the proposed wording of Core Policy 1 and paragraph 8.9 is not consistent with national policy and, as such, the AADMDPD is not sound.

Core Policy 3: Stantec, on behalf of Urban & Civic previously made representations to the first Publication Amended Allocations & Development Management Development Plan Document (AADMDPD Regulation 19 stage. Our representations made in relation to Core Policy 3 (Ref: 054/CP3/S/0137 on behalf of Urban & Civic) set out that amendments made following the Options Report consultation make the AADMDPD sound in respect of Core Policy 3. Our representations to the first Publication AADMDPD (Ref: 054/CP3/S/0137 on behalf of Urban & Civic) still stand and should be forwarded to the Inspector.

Policy DM5: Stantec, on behalf of Urban & Civic previously made representations to the first Publication Amended Allocations & Development Management Development Plan Document (AADMDPD) Regulation 19 stage. Our representations made in relation to Policy DM5(a) and supporting paragraph 7.24 (Ref: 054/Para 7.24 (DM5a)/T2T3/0135 on behalf of Urban and Civic) still stand and should be forwarded to the Inspector. These representations to the Second Publication AADMDPD should be read alongside our representations to the first Publication AADMDPD. These representations are made on behalf of Urban & Civic, the master developer leading the delivery of the Sustainable Urban Extension at Newark South (now called Middlebeck). Newark South benefits from a strategic site allocation under Area Policy NAP 2A of the Amended Core Strategy adopted March 2019 (ACS) and also benefits from outline planning permission reference 14/01978/OUTM for up to 3,150 dwellings, up to 50ha employment land, associated community facilities and infrastructure including the Southern Link Road (SLR). Development has commenced and works continue on site. The first phase of the SLR is substantially complete and open to traffic, dwellings are being delivered and the first residents moved onto site in spring 2018, and Middlebeck Primary School opened September 2021. Our representations to the first Publication AADMDPD (Ref: 054/Para 7.24 (DM5a)/T2T3/0135 on behalf of Urban and Civic) demonstrate that the supporting paragraph 7.24 to Policy DM5(a), in encouraging major development to pursue engagement at all four stages of the design process, is not effective or justified, as it may hinder the delivery of major developments, including strategic allocations, and a proportionate approach would be more appropriate. Consequently, our representations to the first Publication AADMDPD (Ref: 054/Para 7.24 (DM5a)/T2T3/0135 on behalf of Urban and Civic) requested that the wording of paragraph 7.24 be amended to provide a proportionate approach to engagement. Our requested amendment to paragraph 7.24 has not been taken forward to the Second Publication AADMDPD. Therefore, our representations to the first Publication AADMDPD (Ref: 054/Para 7.24 (DM5a)/T2T3/0135 on behalf of Urban and Civic) still stand. The position remains that the proposed wording of paragraph 7.24 is not effective or justified and, as such, the AADMDPD is not sound.

Policy GRT 4: Stantec, on behalf of Urban & Civic previously made representations to the first Publication Amended Allocations & Development Management Development Plan Document (AADMDPD) Regulation 19 stage. Our representations made in relation to Policy GRT4 and Policy Map 2 (Newark South Proposals) (Ref: 054/GRT4 P MAP 2/T1T2T3T4/0138 on behalf of Urban and Civic) and the supporting Gypsy & Traveller Land Availability Assessment (GTLAA) (Ref: 054/GTAA Pages 29-33/T1T2T3T4/0139 on behalf of Urban and Civic) still stand and should be forwarded to the Inspector. These representations to the Second Publication AADMDPD should be read alongside our representations to the first Publication AADMDPD. These representations are made on behalf of Urban & Civic, the master developer leading the delivery of the Sustainable Urban Extension at Newark South (now called Middlebeck). Newark South benefits from a strategic site allocation under Area Policy NAP 2A of the Amended Core Strategy adopted March 2019 (ACS) and also benefits from outline planning permission reference 14/01978/OUTM for up to 3,150 dwellings, up to 50ha employment land, associated community facilities and infrastructure including the Southern Link Road (SLR). Development has commenced and works continue on site. The first phase of the SLR is substantially complete and open to traffic, dwellings are being delivered and the first residents moved onto site in spring 2018, and Middlebeck Primary School opened September 2021. Our representations to the first Publication AADMDPD (Refs: 054/GRT4 P MAP 2/T1T2T3T4/0138 on behalf of Urban and Civic & 054/GTAA Pages 29-33/T1T2T3T4/0139 on behalf of Urban and Civic) demonstrate that the proposed allocation of the Former Belvoir Ironworks, Bowbridge Lane, Newark for Gypsy, Roma and Traveller pitches (then Site NUA/GRT/13, now Site NUA/GRT/11), is not positively prepared, justified, effective or consistent with national policy, as it is not consistent with achieving sustainable development, is not supported by the evidence, and has the potential to undermine the delivery of Middlebeck, a strategic allocation in the ACS. Consequently, our representations to the first Publication AADMDPD (Refs: 054/GRT4 P MAP 2/T1T2T3T4/0138 on behalf of Urban and Civic & 054/GTAA Pages 29-33/T1T2T3T4/0139 on behalf of Urban and Civic) requested that the proposed allocation of the Former Belvoir Ironworks for Gypsy, Roma and Traveller pitches be removed from the AADMDPD. That is, it be deleted from Policy GRT4 (Site Allocations) and removed from Policy Map 2 (Newark South Proposals). Our requested amendments to Policy GRT/4 and Policy Map 2 (Newark South Proposals), to remove the proposed allocation of the Former Belvoir Ironworks for Gypsy, Roma and Traveller pitches, has not been taken forward to the Second Publication AADMDPD. Therefore, our representations to the first Publication AADMDPD (Refs: 054/GRT4 P MAP 2/T1T2T3T4/0138 on behalf of Urban and Civic & 054/GTAA Pages 29-33/T1T2T3T4/0139 on behalf of Urban and Civic) still stand. The remainder of this representation provides an update to the case as made in our representations to the first Publication AADMDPD (Refs: 054/GRT4 P MAP 2/T1T2T3T4/0138 on behalf of Urban and Civic & 054/GTAA Pages 29-33/T1T2T3T4/0139 on behalf of Urban and Civic).

Our representations to the first Publication AADMDPD took account of the supporting GTLAA site assessment. The GTLAA has been updated, with the site assessment for the Former Belvoir Ironworks noted as being updated in July 2023. However, any updates do not address Urban & Civic's concerns around services and facilities, and access and highways, as raised in our representations to the first Publication AADMDPD. Our representations to the first Publication AADMDPD also refer to a reserved matters submission for 309 dwellings on the Flowserve Site (Ref: 22/01241/RMAM). Since the submission of our representations to the first Publication AADMDPD, this reserved matters submission has been withdrawn. This it is not, however, material to our case, as a further reserved matters submission has been made for 309 dwellings (Ref: 23/01755/RMAM). On the basis of the above, and taking account of our representations to the first Publication AADMDPD (Refs: 054/GRT4 P MAP 2/T1T2T3T4/0138 on behalf of Urban and Civic & 054/GTAA Pages 29-33/T1T2T3T4/0139 on behalf of Urban and Civic), the position remains that the proposed allocation of the Former Belvoir Ironworks (Site NUA/GRT/11) for Gypsy, Roma and Traveller pitches is not positively prepared, justified, effective or consistent with national policy, as it is not consistent with achieving sustainable development, is not supported by the evidence, and has the potential to undermine the delivery of Middlebeck, a strategic allocation in the ACS, and, as such, the AADMDPD is not sound.

Open Space Assessment Strategy 2022- Map 2 Newark South Proposals: Stantec, on behalf of Urban & Civic previously made representations to the first Publication Amended Allocations & Development Management Development Plan Document (AADMDPD) Regulation 19 stage. Our representations made in relation to Policy Map 2 (Newark South Proposals) and the Open Space Assessment Strategy 2022 (Ref: 054/P MAP 2 Open Space Assessment Figure 4.1/T2/0140 on behalf of Urban & Civic) still stand and should be forwarded to the Inspector. These representations to the Second Publication AADMDPD should be read alongside our representations to the first Publication AADMDPD. These representations are made on behalf of Urban & Civic, the master developer leading the delivery of the Sustainable Urban Extension at Newark South (now called Middlebeck). Newark South benefits from a strategic site allocation under Area Policy NAP 2A of the Amended Core Strategy adopted March 2019 (ACS) and also benefits from outline planning permission reference 14/01978/OUTM for up to 3,150 dwellings, up to 50ha employment land, associated community facilities and infrastructure including the Southern Link Road (SLR). Development has commenced and works continue on site. The first phase of the SLR is substantially complete and open to traffic, dwellings are being delivered and the first residents moved onto site in spring 2018, and Middlebeck Primary School opened September 2021. The updates to the Policies Map (Map 2 Newark South Proposals) includes updates to the Public Open Space/ School Playing Fields designations, which are subject to ACS Spatial Policy 8. As set out in our representations to the first Publication AADMDPD (Ref: 054/P MAP 2 Open Space Assessment Figure 4.1/T2/0140 on behalf of Urban & Civic) the updates are made to include sites mapped in the Open Space Assessment Strategy 2022. The updates associated with the first Publication AADMDPD included the designation of the School Playing Fields at a Middlebeck Primary School. Our representations to the first Publication AADMDPD (Ref: 054/P MAP 2 Open Space Assessment Figure 4.1/T2/0140 on behalf of Urban & Civic) demonstrate that the proposed designation of the School Playing Fields at Middlebeck Primary School is not supported by the evidence and is not therefore justified. Consequently, representations to the first Publication AADMDPD (Ref: 054/P MAP 2 Open Space Assessment Figure 4.1/T2/0140 on behalf of Urban & Civic) requested that the proposed designation be removed. Responding to a factual point on the extent of the proposed designation of School Playing Fields at Middlebeck Primary School, as set out in the 'Post Consultation Changes – Policies Map' (September 2023), the boundary of the School Playing Fields has been amended to "reflect the built form on the ground". Whilst Urban & Civic welcome this amendment in so far as it removes the car park from the designation, Urban & Civic do not support the continued inclusion of areas of general landscaping/ habitat zone which have been retained, and increased. Moreover, the amendment does not address Urban & Civic's fundamental point that the evidence does not support the proposed designation of School Playing Fields at Middlebeck Primary School. Our requested amendment that the proposed designation of School Playing Fields at Middlebeck Primary School be removed has not been taken forward. Therefore, our representations to the first Publication AADMDPD (Ref: 054/P MAP 2 Open Space Assessment Figure 4.1/T2/0140 on behalf of Urban & Civic) still stand. The remainder of this representation provides an update to the case as made in our representations

to the first Publication AADMDPD (Ref: 054/P MAP 2 Open Space Assessment Figure 4.1/T2/0140 on behalf of Urban & Civic). In this respect, in addition to retaining the proposed designation of School Planning Fields at Middlebeck Primary School, and increasing the extent of general landscaping/ habitat zone within this, further proposed designations have been made within Middlebeck comprising the open space of Bowbridge Square and Willow Walk. As noted in our representations to the first Publication AADMDPD, Figure 4.1 of the Open Space Assessment Strategy 2022 shows open space provision mapped in Newark, but this does not show any provision mapped within Middlebeck. That is, the evidence base does not support the proposed designation of Public Open Space/ School Playing Fields at Middlebeck. For the reasons given above, and taking account of our representations to the first Publication AADMDPD (Ref: 054/P MAP 2 Open Space Assessment Figure 4.1/T2/0140 on behalf of Urban & Civic) the proposed designation of Public Open Space/ School Playing Fields across Middlebeck is not supported by the evidence and is not therefore justified. As such the Second Publication AADMDPD is not sound.

Policy NUA/AR/1: Stantec, on behalf of Urban & Civic, previously made representations to the first Publication Amended Allocations & Development Management Development Plan Document (AADMDPD) Regulation 19 stage. Our representations made in relation to Policy NUA/AR/1 and Policy Map 2 (Newark South Proposals) (Ref: 054/NUA AR 1 P MAP 2/T2/0134 on behalf of Urban and Civic) still stand and should be forwarded to the Inspector. These representations to the Second Publication AADMDPD should be read alongside our representations to the first Publication AADMDPD. These representations are made on behalf of Urban & Civic, the master developer leading the delivery of the Sustainable Urban Extension at Newark South (now called Middlebeck). Newark South benefits from a strategic site allocation under Area Policy NAP 2A of the Amended Core Strategy adopted March 2019 (ACS) and also benefits from outline planning permission reference 14/01978/OUTM for up to 3,150 dwellings, up to 50ha employment land, associated community facilities and infrastructure including the Southern Link Road (SLR). Development has commenced and works continue on site. The first phase of the SLR is substantially complete and open to traffic, dwellings are being delivered and the first residents moved onto site in spring 2018, and Middlebeck Primary School opened September 2021. The updates to the Policies Map (Map 2 Newark South Proposals) include the addition of an archaeological area. This includes the designation of land within the western part of Middlebeck. The designation of land within Middlebeck includes land within both NUA/AR/1 – Area A and NUA/AR/1 – Area B, both of which are subject to proposed Policy NUA/AR/1 (Archaeology – Fardon and River Devon Ice Age Landscape). Policy NUA/AR/1 defines Area A as containing ‘Nationally Important Archaeological Remains’ (demonstrable equivalence to a Scheduled Monument – National Planning Policy Framework, footnote 68). Footnote 68 states that “Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.” Area B is defined as having a ‘High Risk of Nationally Important Archaeological Remains’. This identifies land where the risk of nationally important archaeological remains is regarded as high and specialist approaches to archaeological assessment are required. Our representations to the first Publication AADMDPD (Ref: 054/NUA AR 1 P MAP 2/T2/0134 on behalf of Urban & Civic) demonstrate that the proposed designation of part of Middlebeck as NUA/AR/1 - Area A is not justified as it is not supported by the evidence. Consequently, our representations to the first Publication AADMDPD (Ref: 054/NUA AR 1 P MAP 2/T2/0134 on behalf of Urban & Civic) requested land classified as NUA/AR/1 - Area A within Middlebeck be reclassified as NUA/AR/1 - Area B. In response to our representations, as set out in the ‘Schedule of Proposed Amendments to the DPD’ (September 2023), Policy NUA/AR/1, and supporting text at paragraph 2.18, has been amended to “improve the flexibility to take account of future archaeological evidence.” Urban & Civic welcome these amendments. Notwithstanding this, the proposed amendments do not address Urban & Civic’s fundamental point that the evidence does not support the classification of land within Middlebeck as NUA/AR/1 – Area A. Our requested amendment for land classified as NUA/AR/1 - Area A within Middlebeck to be reclassified as NUA/AR/1 - Area B has not been taken forward. Therefore, our representations to the first Publication AADMDPD (Ref: 054/NUA AR 1 P MAP 2/T2/0134 on behalf of Urban & Civic) still stand. The remainder of this representation provides an update to the case as made in our representations to the first Publication AADMDPD (Ref: 054/NUA AR 1 P MAP 2/T2/0134 on behalf of Urban & Civic). The outline planning permission for Middlebeck is subject to a condition which requires submission of an Archaeological Management Plan (AMP). The AMP was submitted to the Local Planning Authority and approved in 2015. The AMP provides the framework for further specifications for archaeological mitigation for each phase, and Oxford Archaeology were instructed, through the auspices of RPS, in the Autumn of 2022, to prepare an iterative response to the known potential for nationally important archaeological remains to be present within the western extent of Middlebeck. This has involved undertaking extensive field investigations across Areas A and B (as they fall within Middlebeck) to respond to the increased understanding of the archaeological interest in this area. Written Schemes of Investigation (WSIs) for geophysical survey, LiDAR assessment, Ground Investigation monitoring and fieldwalking were submitted to and approved by Newark and Sherwood District Council’s planning archaeologist. The results of these surveys informed a deposit model, which was tested through a programme of targeted test pitting and trial trenching.

The iterative approach employed by Oxford Archaeology and the specific team undertaking the work had previously, on other development sites incorporating wetland environments, successfully identified similar deposits and material to that anticipated across this site. This approach is consistent with that espoused by Historic England’s draft guidance document Managing Lithic Sites and Scatters: Archaeological Guidance for Planning Authorities and Developers. This work has continued since the submission of our representations to the first Publication AADMDPD. To date, a total of 6 flints have been found in the combined fieldwork above that are assessed as convincingly of Late Upper Palaeolithic date. These were all found on the eastern side of the River Devon within Area B. These flints were all found ex situ. With specific reference to Section 4.4 of Curating the Palaeolithic, HE 2023, the section relating to national recognition and the criteria set for assessment of national importance, and policies for designated heritage assets (National Planning Policy Framework, paragraph 200 and footnote 68; see also Section 1.3) it is clear that the Late Upper Palaeolithic finds from the Middlebeck site do not meet the criteria for national importance. In summary therefore there was no Late Upper Palaeolithic material recovered from the Area A within the Middlebeck site – that is, the area defined as containing ‘Nationally Important Archaeological Remains’ – despite intensive investigation. Six Late Upper Palaeolithic flints were found dispersed across c. 7ha within Area B, east of the River Devon, although as set out above these do not meet the criteria for national importance. Whilst there are surviving pockets of a buried palaeo-land surface, dated to the late glacial period (Windermere Interstadial 14,700–12,900 BP), which was sealed between cold climate laminated sands and overlying coversands and also alluvial sands overlying gravels and laminated sands – these did not produce any lithics or any other evidence for cultural activity of Late Upper Palaeolithic date. This is consistent with the two previous evaluations by Cook and Mudd (2015), as part of the A46 construction, and Garton et al (2020), ice landscapes community project, which also did not produce any evidence of LUP finds from the palaeosoils within Middlebeck. The results of the recent fieldwork are clear, the baseline data supporting the mapping is currently too broad and untested to justify designation of parts of Middlebeck as being known to contain Nationally Important Archaeological Remains. Not only does this designation potentially preclude further development, it could also preclude or complicate further assessment and evaluation. The archaeological sensitivity of land within Middlebeck is best expressed as a potential for discoveries rather than known/defined areas of activity. For the reasons above, and taking account of our representations to the first Publication AADMDPD (Ref: 054/NUA AR 1 P MAP 2/T2/0134 on behalf of Urban & Civic), the proposed designation of part of Middlebeck as NUA/AR/1 - Area A is not justified as it is not supported by the evidence. As such, the Second Publication AADMDPD is not sound.

NUA/Ho/7: Stantec, on behalf of Urban & Civic previously made representations to the first Publication Amended Allocations & Development Management Development Plan Document (AADMDPD) Regulation 19 stage. Our representations made in relation to Policy NUA/Ho/7 (Ref: 054/NUA Ho 7/T3/0131 on behalf of Urban and Civic) still stand and should be forwarded to the Inspector. These representations to the Second Publication AADMDPD should be read alongside our representations to the first Publication AADMDPD. These representations are made on behalf of Urban & Civic, the master developer leading the delivery of the Sustainable Urban Extension at Newark South (now called Middlebeck). Newark South benefits from a strategic site allocation under Area Policy NAP 2A of the Amended Core Strategy adopted March 2019 (ACS) and also benefits from outline planning permission reference 14/01978/OUTM for up to 3,150 dwellings, up to 50ha employment land, associated community facilities and infrastructure including the Southern Link Road (SLR). Development has commenced and works continue on site. The first phase of the SLR is substantially complete and open to traffic, dwellings are being delivered and the first residents moved onto site in spring 2018, and Middlebeck Primary School opened September 2021. Our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 7/T3/0131 on behalf of Urban and Civic) demonstrate that Policy NUA/Ho/7, in seeking to bring forward redevelopment of Opportunity Site 1 the Tarmac Site, is not effective as it may undermine the delivery of Middlebeck, a strategic allocation in the ACS. Consequently, our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 7/T3/0131 on behalf of Urban and Civic) requested that the wording of Policy NUA/Ho/7 be amended to delete reference to Opportunity Site 1 the Tarmac Site. Our requested amendment to Policy NUA/Ho/7 has not been taken forward to the Second Publication AADMDPD. Therefore, our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 7/T3/0131 on behalf of Urban and Civic) still stand. The remainder of this representation provides an update to the case as made in our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 7/T3/0131 on behalf of Urban and Civic). Our representations to the first Publication AADMDPD set out that delivery of dwellings at Middlebeck is dependent on delivery of the SLR which includes a trigger for Phase 1 of the SLR to be completed before occupation of more than 600 dwellings. Since the submission of our representations to the first Publication AADMDPD, a S106A Deed of Variation has amended this trigger to 650 dwellings. Whilst this increase assists delivery of dwellings at Middlebeck, it is not material to our case, given it allows for occupation of an additional 50 dwellings only before completion of Phase 1 of the SLR and that the trigger for construction of Phase 2 of the SLR to commence before the occupation of more than 700 dwellings remains. That is, delivery at Middlebeck is still constrained. Our representations to the first Publication AADMDPD also refer to a reserved matters submission for 309 dwellings on the Flowserve Site (Ref: 22/01241/RMAM). Since the submission of our representations to the first Publication AADMDPD, this reserved matters submission has been withdrawn. This is not, however, material to our case, as a further reserved matters submission has been made for 309 dwellings (Ref: 23/01755/RMAM). On the basis of the above, and taking account of our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 7/T3/0131 on behalf of Urban and Civic), the position remains that the proposed wording of Policy NUA/Ho/7 is not effective, as it may undermine delivery of Middlebeck, a strategic allocation in the ACS, and, as such, the AADMDPD is not sound.

NUA/Ho/10: Stantec, on behalf of Urban & Civic previously made representations to the first Publication Amended Allocations & Development Management Development Plan Document (AADMDPD) Regulation 19 stage. Our representations made in relation to Policy NUA/Ho/10 and Policy Map 2 (Newark South Proposals) (Ref: 054/NUA Ho 10 P MAP 2/T3/0132 on behalf of Urban and Civic) still stand and should be forwarded to the Inspector. These representations to the Second Publication AADMDPD should be read alongside our representations to the first Publication AADMDPD. These representations are made on behalf of Urban & Civic, the master developer leading the delivery of the Sustainable Urban Extension at Newark South (now called Middlebeck). Newark South benefits from a strategic site allocation under Area Policy NAP 2A of the Amended Core Strategy adopted March 2019 (ACS) and also benefits from outline planning permission reference 14/01978/OUTM for up to 3,150

		<p>dwelling, up to 50ha employment land, associated community facilities and infrastructure including the Southern Link Road (SLR). Development has commenced and works continue on site. The first phase of the SLR is substantially complete and open to traffic, dwellings are being delivered and the first residents moved onto site in spring 2018, and Middlebeck Primary School opened September 2021. Our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 10 P MAP 2/T3/0132 on behalf of Urban and Civic) demonstrate that Policy NUA/Ho/10 and Policy Map 2 (Newark South Proposals), in seeking an extension to Site NUA/Ho/10 Land North of Lowfield Lane and increasing its capacity from 120 dwellings to 170 dwellings, is not effective as it may undermine the delivery of Middlebeck, a strategic allocation in the ACS. Consequently, our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 10 P MAP 2/T3/0132 on behalf of Urban and Civic) requested that the proposed extension of Site NUA/Ho/10 Land North of Lowfield Lane be removed from the AADMDPD and capacity of the site be maintained at 120 dwellings. Our requested amendments to Policy NUA/Ho/10 and Policy Map 2 (Newark South Proposals), to remove the proposed extension of Site NUA/Ho/10 Land North of Lowfield Lane and maintain its capacity at 120 dwellings, have not been taken forward to the Second Publication AADMDPD. Therefore, our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 10 P MAP 2/T3/0132 on behalf of Urban and Civic) still stand. The remainder of this representation provides an update to the case as made in our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 10 P MAP 2/T3/0132 on behalf of Urban and Civic). Our representations to the first Publication AADMDPD set out that delivery of dwellings at Middlebeck is dependent on delivery of the SLR which includes a trigger for Phase 1 of the SLR to be completed before occupation of more than 600 dwellings. Since the submission of our representations to the first Publication AADMDPD, a S106A Deed of Variation has amended this trigger to 650 dwellings. Whilst this increase assists delivery of dwellings at Middlebeck, it is not material to our case, given it allows for occupation of an additional 50 dwellings only before completion of Phase 1 of the SLR and that the trigger for construction of Phase 2 of the SLR to commence before the occupation of more than 700 dwellings remains. That is, delivery at Middlebeck is still constrained. Our representations to the first Publication AADMDPD also refer to a reserved matters submission for 309 dwellings on the Flowserve Site (Ref: 22/01241/RMAM). Since the submission of our representations to the first Publication AADMDPD, this reserved matters submission has been withdrawn. This it is not, however, material to our case, as a further reserved matters submission has been made for 309 dwellings (Ref: 23/01755/RMAM). On the basis of the above, and taking account of our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 10 P MAP 2/T3/0132 on behalf of Urban and Civic), the position remains that the proposed extension to Site NUA/Ho/10 Land North of Lowfield Lane and increase in its capacity is not effective, as it may undermine delivery of Middlebeck, a strategic allocation in the ACS, and, as such, the AADMDPD is not sound.</p> <p>NUA OS/T3: Stantec, on behalf of Urban & Civic previously made representations to the first Publication Amended Allocations & Development Management Development Plan Document (AADMDPD) Regulation 19 stage. Our representations made in relation to Policy NUA/OS and supporting paragraph 2.10 (Ref: 054/Para 2.10 NUA OS/T3/0133 on behalf of Urban and Civic) still stand and should be forwarded to the Inspector. These representations to the Second Publication AADMDPD should be read alongside our representations to the first Publication AADMDPD. These representations are made on behalf of Urban & Civic, the master developer leading the delivery of the Sustainable Urban Extension at Newark South (now called Middlebeck). Newark South benefits from a strategic site allocation under Area Policy NAP 2A of the Amended Core Strategy adopted March 2019 (ACS) and also benefits from outline planning permission reference 14/01978/OUTM for up to 3,150 dwellings, up to 50ha employment land, associated community facilities and infrastructure including the Southern Link Road (SLR). Development has commenced and works continue on site. The first phase of the SLR is substantially complete and open to traffic, dwellings are being delivered and the first residents moved onto site in spring 2018, and Middlebeck Primary School opened September 2021. Our representations to the first Publication AADMDPD (Ref: 054/Para 2.10 NUA OS/T3/0133 on behalf of Urban and Civic) demonstrate that the supporting paragraph 2.10 to Policy NUA/OS, in supporting development of ‘Opportunity Sites’, is not effective as it may undermine the delivery of Middlebeck, a strategic allocation in the ACS. Consequently, our representations to the first Publication AADMDPD (Ref: 054/Para 2.10 NUA OS/T3/0133 on behalf of Urban and Civic) requested that paragraph 2.10 be deleted and replaced with wording to confirm that development of Opportunity Sites will be supported where it is clear that delivery of allocated sites is not taking place at the rate required. Our requested amendment to paragraph 2.10 has not been taken forward to the Second Publication AADMDPD. Therefore, our representations to the first Publication AADMDPD (Ref: 054/Para 2.10 NUA OS/T3/0133 on behalf of Urban and Civic) still stand. The remainder of this representation provides an update to the case as made in our representations to the first Publication AADMDPD (Ref: 054/Para 2.10 NUA OS/T3/0133 on behalf of Urban and Civic). Our representations to the first Publication AADMDPD set out that delivery of dwellings at Middlebeck is dependent on delivery of the SLR which includes a trigger for Phase 1 of the SLR to be completed before occupation of more than 600 dwellings. Since the submission of our representations to the first Publication AADMDPD, a S106A Deed of Variation has amended this trigger to 650 dwellings. Whilst this increase assists delivery of dwellings at Middlebeck, it is not material to our case, given it allows for occupation of an additional 50 dwellings only before completion of Phase 1 of the SLR and that the trigger for construction of Phase 2 of the SLR to commence before the occupation of more than 700 dwellings remains. That is, delivery at Middlebeck is still constrained. Our representations to the first Publication AADMDPD also refer to a reserved matters submission for 309 dwellings on the Flowserve Site (Ref: 22/01241/RMAM). Since the submission of our representations to the first Publication AADMDPD, this reserved matters submission has been withdrawn. This it is not, however, material to our case, as a further reserved matters submission has been made for 309 dwellings (Ref: 23/01755/RMAM). On the basis of the above, and taking account of our representations to the first Publication AADMDPD (Ref: 054/Para 2.10 NUA OS/T3/0133 on behalf of Urban and Civic), the position remains that the proposed wording of paragraph 2.10 is not effective, as it may undermine delivery of Middlebeck, a strategic allocation in the ACS, and, as such, the AADMDPD is not sound.</p>
056	P&DG obo NSK Europe Ltd	We agree with the amendments to Policy NUA/OS and relevant paragraph 2.10. The amended wording recognises the sustainable credentials of the site and does not unduly limit its potential to contribute to delivering a mixed form of sustainable development as the clear opportunity arises and in response to the changing demands of the business and the need to improve utilisation.
057	Avant Homes	<p>Core Policy 1- Affordable Housing Provision: This representation supports the proposal to align the requirements of Core Policy 1 with the updated National Planning Policy Framework (NPPF). This approach will ensure that the housing mix for proposals can be developed to accord both with local and national planning policy. Therefore, the emerging policy will accord with Paragraph 16d of the updated NPPF. 2.2 Nonetheless, the proposed wording of Core Policy 1 contains a repetition of the wording found in Paragraph 65 of the NPPF. The Council should avoid the unnecessary duplication of policies contained in the NPPF, as is required in Paragraph 16f, and as such, the wording should be amended accordingly. Further to this, the wording of Core Policy 1 should be updated to reflect the position stated in the 24th May 2021 Written Ministerial Statement in relation to First Homes, and specifically updated to contain the requirement for a minimum of 25% of all affordable housing units secured through developer contributions to be First Homes. Clarity should also be provided that where cash contributions for affordable housing are secured instead of on-site units, a minimum of 25% of these contributions should be used to secure First Homes. Where a mixture of cash contributions towards affordable housing and on-site units are secured, 25% of the overall value of affordable housing contributions should be applied to First Homes. Further to this, the wording of Core Policy 1 should be updated to reflect the position stated in the 24th May 2021 Written Ministerial Statement in relation to First Homes, and specifically updated to contain the requirement for a minimum of 25% of all affordable housing units secured through developer contributions to be First Homes. Clarity should also be provided that where cash contributions for affordable housing are secured instead of on-site units, a minimum of 25% of these contributions should be used to secure First Homes. Where a mixture of cash contributions towards affordable housing and on-site units are secured, 25% of the overall value of affordable housing contributions should be applied to First Homes.</p> <p>Policy DM2 – Development on Allocated Sites: This representation supports the wording contained in the ‘preferred approach’ amendment to Policy DM2. Further to this, we wish to emphasise the importance of the comprehensive delivery of allocated sites, and that where comprehensive development cannot be achieved that proposals for allocated sites ensure that they do not prejudice the overall deliverability of the whole allocation. As is considered in the draft Policy, development proposals which prejudice proper overall delivery should be refused. 2.10 The NPPG guidance makes clear that plan-makers need to assess the suitability, availability and achievability of sites, including whether the site is economically viable. This provides information on which a judgement can be made as to whether a site can be considered deliverable within the plan period. 2.11 A site can be considered available for development, when, on the best information available there is confidence that there are no legal or ownership impediments to development. For example, land controlled by a developer or landowner who has expressed an intention to develop may be considered available. 2.12 A site can be considered achievable for development where there is a reasonable prospect that the particular type of development will be developed on the site at a particular point in time. This is essentially a judgement about the economic viability of a site, and the capacity of the developer to complete and sell the development over a certain period. 2.13 Where constraints have been identified, the assessment will need to consider what action could be taken to overcome them.</p> <p>Policy DM7 Biodiversity and Green Infrastructure: Avant consider that this Policy is unsound by virtue of it being outdated when considered against latest national policy. Biodiversity Net Gain is currently an area of continuous movement and the current position is that the implementation date for Mandatory Biodiversity Net Gain has been put back from November 23 to January 24, and additional guidance is emerging and expected. Clearly, Avant Homes recognise the importance of Biodiversity, Net Gain and Green Infrastructure. However, any requirements need to be proportionate, reasonable and not stifle development unnecessary and timescales should be in line with those set by National Policy in order to avoid adding delays and complexity to an already slow planning system. Any policy requirement should therefore be set at a maximum of 10% BNG required for a maximum of 30 years, with each site being assessed independently and as part of a greater understanding of wider issues and package of each development site.</p> <p>In summary, Avant consider the following points need further review from the Council prior to adopting the Local Plan in its proposed format:</p> <ul style="list-style-type: none"> · The land at Cavendish Way, Clipstone should be allocated for development in the short term. It is available, deliverable, and achievable in terms of development and Avant have a legal interest in the land to ensure delivery of residential development in the immediate/short-term. From our preliminary investigations, the site does not have any technical constraints and is located in a sustainable and complementary position to the existing residential envelope. · Design Policy DM5a is unnecessary restrictive;

		<ul style="list-style-type: none"> · Affordable Housing (as per previous reps) remains in conflict with national policy; and, · The policy position on Biodiversity needs updating and to be consistent with national policy.
059	Protect Newark's Green Spaces	Policy NUA/Ho/10: There are 2 mentions of Lowfield Lane in the revised DPD: 'Land Nort of Lowfield Lane has been allocated on the Policies Map for residential development providing around 170 dwellings (previously 120), p.18. And the inclusion of 170 dwellings in the 'Housing Trajectory Chart' on pg. 233. Arkwood are revising the plans for the site and the number of dwellings is currently unknown. Important details about the proposed development of this land are not yet available which prevents informed Submissions being made to the consultation about this site.
060	Dessurne & Son	The AADMDPD makes clear the housing trajectory numbers, and for Fernwood which is one of the three main allocations, the growth can only lead to serious problems with transport to and from Newark. The trouble with the development of Fernwood is that the only way to travel to Newark is over the A1, via the bridge along the B6326. There will be another alternative at some point when the road to the North of Fernwood called Hollowdyke Lane is reconnected, which passes underneath the A1 near Main Street, Balderton. However, this will be no solution because it leads to the road between Balderton and Coddington, with Main Street to the left and the bridge over the East Coast Mainline railway to the right. We only have to look at Map 2 in the Policies Map or Image 1 in the TI 4 Transport Study to see the problem with excess traffic over the B6326 bridge, as this is the link between the two roundabouts that serve the slip roads onto the A1. Any congestion at the roundabouts will lead to traffic backing up the slip roads onto the A1 and cause serious issues if the first lane of the A1 is brought to a halt. Surely, the integrity of the A1 must be paramount.
062	Environment Agency	The Environment Agency (EA) and Newark & Sherwood District Council (N&SDC) continue to engage in detailed discussions related to the flood risk posed to the Tolney Lane area and the proposed flood protection/alleviation scheme currently being worked upon by N&SDC. As such we felt it would be worth issuing the below holding statement for the benefit of the inspector. The proposed Tolney Lane flood protection/alleviation scheme being worked upon by N&SDC is extremely complicated and requires extensive partnership working between the two risk management authorities. While this work is ongoing, we recognise the challenges faced by N&SDC in providing pitch provision over the course of the local plan period which would require some allocation of pitches prior to the implementation of the flood alleviation scheme. As such we are currently collaborating with N&SDC on a Statement of Common Ground (SoCG) which will be designed to give the inspector greater understanding of the unique challenges impacting the Tolney Lane area in relation to flood risk.
064	NHS	We have now reviewed the Local Development Framework Plan Review – Second Publication Allocations & Development Management Development Plan Document – Regulation 19 Consultation? We have already formally responded with our comments to the Infrastructure Delivery Plan referred to at Section 1.15 and are assuming that the CIL and infrastructure facilities referenced at sections 1.17 and 1.18 (<i>local infrastructure, including facilities and services which are essential for development to take place, or which are needed to mitigate the impact of development at the site or neighbourhood level, will be secured through planning obligations</i>) will include those for healthcare. We have no further comments in relation to the requirements of the Duty to Cooperate, legal compliance or the 'Tests of Soundness.'
065	Celia Derbyshire	The allocation of Chestnut Lodge as a site for a further 20 pitches for gypsy/roma/traveller use does not comply with National or local planning policy guidelines. The site is in open countryside with no local facilities or amenities. The intensification of the development with rows of small pitches in straight lines is totally out of character with the rural environment. The pitch sizes are between half and two-thirds of the recommended size for traveller pitches. The number and close-positioning of the pitches is out of proportion to the local area, where single dwellings are widely spaced in the rural setting, and is also out of proportion to the nearest village, Barnby in the Willows. The rural road which provides the only means of access to this site is unsuited to the quantity and type of extra vehicles that this site will bring. There is no public transport, no street lighting, no cycle lane or pedestrian walkway, meaning all journeys will be by car or van. The only justification for allocating such an obviously unsuitable site is the "unmet need" for travellers' sites in the current DPD. This should not be used to justify allocation of a site which is clearly inappropriate. Allowing a current "unmet need" to dictate policy in a way that will impact local populations permanently is not acceptable. Even if "unmet need" is enough justification for allocating a site which is inappropriate according to all National and local planning guidelines, it does not justify the inclusion of a new dwelling for a manager. The unmet need is for travellers' pitches. Other sites have managers' offices, not new dwellings. Allowing a new dwelling to be built in a rural area goes against national and local planning policy and cannot be justified. It sets a dangerous precedent for all future GRT planning applications. The site already has 2 pitches, given permission in 2021. On that basis I cannot see why it was not included as part of GRT2, "Additional provision on existing sites", rather than GRT4. Either way, serious consideration needs to be given to whether a site that is suitable for 2 pitches is therefore necessarily suitable for ten times that many. Putting this site forward in a document that is offered up now for public consultation is a travesty. The site was given planning permission in August 2023 for a further 19 pitches. (23/00963/FULM). The fact that the site was earmarked for allocation was made clear in committee and therefore will have had some influence on committee members' decisions. The public consultation and formal adoption (or otherwise) of this allocation should have taken place BEFORE any planning application for the site was decided. Offering a period of public consultation on a decision which has already been taken (and which was hugely unpopular with local residents) does not demonstrate the level of public accountability that a District Council should be adhering to.
066	Planning Design and Practise obo clients	The DPD is not sound in regard to Policy NA/MOA because it is not justified or consistent with national policy. Policy NA/MOA is not justified as, compared to the pre-amble prior to the policy, it is very brief and should contain more detail. Additionally, the South Muskham designation does not meet the criteria listed in the pre-amble, meaning the plan is not sound. The site does not play an important role in defining the settlement's form and structure as it is an overgrown, unused parcel of land. It is also not open to the public, viewable from public land or accessible via footpaths. The site would benefit from planning permission being granted, which isn't currently permitted under Policy NA/MOA, to open the site to pedestrians and residents of the village, whilst providing better quality public green space. Additionally, Policy NA/MOA of the DPD is not consistent with national policy as it is not consistent with relevant paragraphs of the NPPF. Paragraph 102 of the NPPF, which most closely resembles the Main Open Area designation, defines Local Green Space as being <i>demonstrably special to a local community and holding a particular local significance because of its beauty, historic significance, recreational value and tranquillity of richness of its wildlife</i> . Therefore, as per the above, the South Muskham designation does not accord with the description of a Local Green Space in line with paragraph 102, which shows that the policy should be amended or the designation at South Muskham should be removed as part of the Second Amended DPD.

069	Harris Lamb obo Telereal Trillium Group:	<p>We are instructed by Telereal Trillium Group (“TTG”) to submit representations to the Second Publication Amended Allocations and Development Management DPD and welcome the opportunity to comment at this time. To put our representations into context TTG own and are promoting land for development to the west of Newark Road, Ollerton. TTG previously secured planning permission for residential development under planning permission 05/02273/FULM in 2006 for 184 dwellings. The permission was implemented and as a result remains extant. The site, having an extant planning permission, was referred to in the adopted Allocations and Development Management DPD as a “Housing site with planning permission” which correctly identified the site’s planning status. However, when the Allocations and Development Management DPD came to be reviewed, the TTG site was identified as open space/school playing fields. Following the publication of the first version of the Allocations and Development Management DPD TTG have sought to query the revised designation of the site with the Council as open space. Ostensibly on grounds that the site has an implementable planning permission for residential development and that by changing the designation of this to open space it could undermine the future delivery of the site for housing. In addition, TTG also note that the Council’s latest Open Space Assessment (2022) confirms that there is already an overprovision of certain typologies of open space within Ollerton. In response to our query, the Council has confirmed that the identification of the site as open space was an error and has deleted the open space designation for the site in the current consultation version of the Plan and for the site to be shown as white land on the Proposals Map. TTG support this change. To support the Council’s deletion of the open space designation, we refer to the Newark and Sherwood District Council Open Space Assessment and Strategy Report (January 2022) which seeks to detail what open space provision exists in the District along with assessing its condition, distribution and overall quality. Table 4 on page 6 of the report lists the current provision of parks and gardens, natural and semi-natural green space, amenity green space and allotments against the standards for each typology in the developer contributions and planning obligations SPD for each settlement in the District. In respect of Ollerton and Boughton there is a significant overprovision of natural and semi-natural green space (9.01 hectares). TTG’s site is undeveloped and would most closely align with the natural and seminatural green space typology. TTG’s site is 5.5 hectares and the deletion of the open space designation of the site would still result in a significant surplus of 4 hectares. Consequently, deleting the open space designation on TTG’s site would still result in there being more than enough natural and semi-natural green space in the settlement against current standards. In light of the above, we support the Council’s intention to delete the open space designation from TTG’s site to the west of Newark Road, Ollerton. Specifically, we support the proposed change to Map 10 of the Proposals Map that removes the open space designation from the site. Whilst we support the removal of the open space designation, we do not support the identification of TTG site as white land on the Proposals Map. In light of the fact that the site has an extant planning permission for residential development we propose that the site at the very least be returned to being identified as a “Housing site with planning permission”, and for certainty we consider the site should be identified as a residential allocation. The site is identified in the Council’s latest statement of the 5 year housing land supply (1st April 2023) as being part of the 5 year supply. Accordingly, the Council considers the site deliverable and capable of delivering housing within the next 5 years. The extant planning permission (05/02273/FULM) was granted in 2006 for 184 dwellings to include a mix of houses, bungalows and apartments. Fourteen of the dwellings were subsequently developed implementing the permission and leaving an extant planning permission for a total of 160 dwellings on the remainder of the site still to be built out. Whilst the permission remains extant, TTG have recently sought pre-application advice for an amended residential scheme that better reflects current market conditions. The response from the Council to the Pre-application enquiry was positive in that the principle of residential development remains acceptable due to the site’s location within the built up area of Ollerton. Furthermore, the site is considered to be located in a sustainable location in the settlement being easily accessible to shops, services and facilities and being well served by public transport. Employment opportunities are also located within the settlement in easy reach of the site. In light of the site’s sustainability credentials coupled with the extant planning permission TTG consider that the site should be identified as an allocation in the Plan (and not just as white land as on the revised Proposals Map). The residential allocation of the site, if confirmed, would provide certainty that the principle of residential use is acceptable and would enable a site specific policy to be adopted to help guide the future development of the site. We, therefore, object to the omission of the site as a proposed housing allocation in the Second Amended Allocations and Development Management DPD on the grounds that the Plan is not positively prepared as a result of the omission. In order to address our objections, the site should be included as an allocation for approximately 184 dwellings, which would address our concerns.</p> <p>Please find enclosed our supporting representations forms setting out the above. We would welcome the opportunity to participate at the examination in due course to present our case in full. We, therefore, trust you will take our representations into consideration and look forward to being informed of the submission of the Plan and the start of the examination in due course. Should you have any questions or wish to discuss the representations above please do not hesitate to contact me.</p>
070	Dr and Mrs Johnston	<p>Policy SP8, paragraph 3.2: These comments/objections refer to the woodland north of our property, Park Farm on Crink Lane, Southwell NG250TJ as marked green on reference map 6. We are concerned that N+SDC in the amended DPD proposes that this area of woodland should be designated as “Public open Space” under SP8. We own this woodland and over many years have endeavoured to make the footpath that crosses it safe for the public by ensuring that any unsafe trees are removed or shortened. We do not wish to open up the rest of the wood to the public having already had instances of fires being lit and damage to trees. Hitherto we have been able to point out to the public that the wood is private. However, should this area be formally designated as “public” we cannot be held liable for any injury or worse to the public other than those relating to the footpath itself, given that there will always be dead trees/fallen branches to contend with. The wood is already protected from development within the conservation area so we do not see what is gained by this additional designation. Surely the word “public” is an invitation to roam over what is privately owned land, with potential environmental and legal consequences as noted above. As a further subsidiary comment, it has only come to our notice very recently that this designation is being proposed with the deadline for responses being 6 Nov. Surely N+SDC could have the courtesy to notify landowners directly of such proposals. We do not find SP8 clarifies what “public” means. We feel that a proposal to make “public” privately owned woodland, without direct consultation with the owners, does not sit well with democratic process.</p>
071	Aspbury Planning obo Messers Briggs Price, Hiller and Porter	<p>Please find set out below representation on the above-cited DPD on behalf of Messrs Briggs-Price, Hiller and Porter who are the joint owners of land at Coddington lying to the north of Old Hall Gardens. Their ownership (See attached Plan) comprises the majority of the land designated as a Main Open Area on what is understood to be the undeveloped residue of the former Coddington Hall estate. The Representors propose that the MOA designation be deleted as it is an arbitrary and unjustified designation on its own merits and, therefore unreasonable, for the following reasons:</p> <ul style="list-style-type: none"> • There is no discrete settlement policy for Coddington within which the MOA designation is explained and objectively justified; • In other settlements where the MOA policy is applied (e.g. Collingham and Sutton-on-Trent) there is a specific Policy (e.g. Co/MOA and ST/MOA) relating to it; • Taking the above-cited settlements as an example MOAs are described as areas of predominantly open land within the settlement that play an important part in defining its form and structure. In both cases the built up area is contained by a 'Village Envelope' and the MOAs are all within the envelope. By contrast there is no Village Envelope at Coddington and both the MOAs designated there are, therefore, both as a matter policy and physical fact, outside the built up area; • Notwithstanding the above, the MOA area north of Old Hall Gardens is an arbitrary designation which lacks any landscape, land use or tenurial unity as a separate space. So far as can be seen, it happens to constitute the incidental residue of the Coddington Hall estate, some of which was planned parkland and some merely fields/paddocks, left after, firstly, the development of the MoD married quarters (e.g. Parklands Close) and, subsequently, the extensive suburban housing development astride Lancaster Road and Beaconsfield Drive. • Whilst the northern part of the designation enjoys some, albeit poorly-maintained and degraded, character as relic parkland, and thus some minor landscape value, its significance has been lost because of the loss of its historic context and its limited area. In any event its 'protection as a MOA is inappropriate and its character could be maintained by the simple 'countryside' status of the land around it, or, through designation together with the open land to the immediate north, east and west as an 'Open Break', separating the Village from the development now permitted astride the A17 to the north. • The southern part (strongly [physically and visually] contained by the development astride Old Hall Gardens, Beaconsfield Drive and Parklands Close and outlined in red on the attached Plan) comprises heavily grazed paddock land with no demonstrable intrinsic landscape, visual or ecological value (except for a single, isolated, large veteran tree specimen). The Council will be aware that the Representors have advanced the candidacy of this Site for residential development in the latest SHELAA and the current representations are consistent with that proposal. <p>In summary, therefore, the MOA designation in question is neither necessary, nor justified and should be deleted through a Modification at an appropriate time in the preparation of the Plan.</p>
072	Chris Wickham Assoc obo Civitas SPV6 Limited	<p>Policy/Bi/Ho/1: The allocation of this housing site is fully supported by the owners who remain committed to delivering the site for residential development comprising approximately 20 dwellings. To this end, the owners are engaging actively with developers. However, as currently set out, the policy states, under the second bullet point, that development of the site will be subject to phasing in relation to the implementation of the extant planning permission for residential development on adjacent land (to the north and west – i.e. Allocation Bi/Ho/2) but this stipulation is considered to be unnecessary given that development on the adjacent allocated site is now well underway.</p> <p>Paragraph 5.31: This paragraph states that allocated site Bi/Ho/1 (Bilthorpe - Housing Site 1, Land to the north of Kirklington Road) is to be removed from the village envelope of Bilthorpe. This is unjustified when read in the context of Policy Bi/Ho/1, and is assumed to be a drafting error which appears to reflect the earlier proposal to de-allocate site Bi/Ho/1 in the First Publication Regulation 19 Amended Allocations & Development Management DPD (AADMPD). The current Second Publication version of the AADMPD reinstates the allocation, and Map 12 of the associated Plan Review Policies Map (September 2023) shows site Bi/Ho/1 included within the village envelope of Bilthorpe.</p>

		<p>-Paragraph 7.74: The objection to supporting paragraph 7.74 should be read in conjunction with the objection by Civitas SPV6 Limited’s objection to Part 5 of Policy DM8 (Conversion of Existing Buildings). As in the case of Policy DM8, the wording of the paragraph is considered to be unsound because it is not consistent with national policy set out at paragraph 80 (c) of the NPPF. Specifically, the paragraph is unnecessarily restrictive in that it limits support for the residential conversion of existing buildings to those which are considered to be of architectural or historic merit. The conversion of existing permanent and structurally sound buildings of utilitarian design would also be sustainable, and would offer the opportunity for enhancing the external appearance through careful conversion. This more expansive approach to the conversion of all forms of existing permanent buildings would be consistent with the NPPF, paragraph 80 (c) of which supports residential development in the countryside where ‘the development would re-use redundant or disused buildings and enhance its immediate setting’. This support is not qualified by the architectural merit or otherwise of the existing building. In addition, whilst stating correctly that existing buildings in the countryside are mostly in unsustainable locations, this paragraph of the DPD should acknowledge that the conversion of existing buildings on sites which are located close or adjacent to settlement boundaries may not be materially less sustainable than development within settlement boundaries. Proximity to existing settlements should be expressly acknowledged as a factor which lends further support to the conversion of existing buildings, including conversion to residential use.</p> <p>Policy Number: DM8 (Part 5 – Conversion of existing buildings): The wording of Part 5 of Policy DM8 is considered to be unsound because it is not consistent with national policy (Paragraph 80(c) of the NPPF), and provides no convincing reasons for deviating from national policy. Specifically, the policy is unnecessarily restrictive in that it limits explicit support for the residential conversion of existing buildings to those which are considered to be of architectural or historic merit. The conversion of existing permanent and structurally sound buildings of utilitarian or similar design would also be sustainable, in particular in locations close or adjacent to existing settlements, and would offer the opportunity for enhancing external appearance through careful conversion. This more expansive approach to the conversion of all forms of existing permanent buildings would be consistent with paragraph 80(c) of the NPPF which supports residential development in the countryside where ‘the development would re-use redundant or disused buildings and enhance its immediate setting’. This support within the NPPF is not qualified by reference to the architectural or historic merit of the existing building.</p>
073	Kate Murrell	<p>NUA/Ho/10: I am responding to the current allocation consultation re Lowfield Lane development. I would like to indicate that this old field with species rich grassland should not be developed and would be a very good green asset for a highly developed area. It would most likely be considered an area of rich biodiversity by any ecological surveys independently performed anyway, so should be omitted from any residential or other development or interference. Owner of field opposite development on Lowfield Lane.</p>
074	Southwell Civic Society	<p>So/RL/01- paragraph 3.6: This should remain as employment land. Reference Map 6- The wooded area to the east of Park Farm on Crink Lane and situated to the North and West of Crink Lane is marked as Spatial Policy 8- Public Open Space. This is not a public open Space but is privately owned woodland. A public right of way crosses the site. The allotments to the east of Crink Lane and across the road from the above woodland are owned by a trust and the allotments off Lower Kirklington Road are privately owned by Sir John Starkey. There is no Public access to either site.</p>
075	Aspbury Planning obo Lindum Developments	<p>We refer to the above draft DPD and specifically to Policies NUA/SPA/1 – ‘Newark Urban Areas – Newark Showground Policy Area’ and NUA/MU/1 – ‘Mixed Use Site 1’. Lindum Group maintains significant interest and indeed ownership of a large proportion of the land within the NUA/MU/1 – Mixed Use Site 1 and has been applicant developer for extant, current and anticipated future planning applications/developments within what has subsequently been known as Overfield Park. The Lindum Group is broadly supportive of both of the above Policies subject to the following suggested amendments: • Delete from the second sentence, first paragraph of NUA/MU/1: “a Hotel/Conference facility”. • Amend the Proposals Map – Inset Map 1 – ‘Newark North Proposals’ to: o delete that part of the NUA/MU/1 – Mixed Use Site allocation extending east from the western edge of the former Winthorpe Aerodrome main runway (SSW/NNE aligned) and to the north of Godfrey Drive/Overfield Park (including the ‘Wirtgen’ premises) (Green Area on the attached plan); and, add the area west of the aforementioned runway extending north to the southern edge of Golf Driving Range/former Indoor Bowls Club. (Blue Area on the attached Plan).</p> <p>Comment: As has been articulated to planning officers as part of the most recent Lindum outline planning application (Ref. 23/01283/OUTM) related to Overfield Park, it is considered that, by virtue of its character and other component uses, the existing/expanding Overfield Business Park (NUA/MU/1) does not represent a hotel location that is commercially appropriate, attractive to the market and environmentally compatible. By contrast the Newark Showground demise offers - especially on the A46 frontage – alternative opportunity sites that are likely to have greater appeal for hotel operators and, therefore, to optimise the prospects for securing such a facility (see below). The Newark & Nottinghamshire Agricultural Society, the owner and operator of the Newark Showground, has recently agreed to sell the area west of the former main runway the subject of the proposed ‘swap’ of areas within the NUA/MU/1 allocation - highlighted in the 2nd bullet/2nd sub bullet above.- The Lindum Group, the joint owners of Overfield Park, will shortly be submitting an outline planning application for this area for commercial development in accordance with the provisions of NUA/MU/1, but excluding a hotel conference facility. Indeed, the Newark & Nottinghamshire Agricultural Society having imposed a covenant on the sale which prohibits such hotel development. The rationale for this covenant, as stated by the Society, is that the Showground already provides a range of conference facilities and, whilst they are supportive of the provision of new hotel in this area, considers that such a facility should be closely related to, integrated with and complementary to the operational Showground. Furthermore, any additional meeting/conference facilities ancillary to any hotel here do not duplicate and thereby undermine the existing Showground offer.</p> <p>In relation to the proposed spatial rearrangement of the NUA/MU/1 allocation area and, specifically, the deletion of that part extending east from the western edge of the former Winthorpe Aerodrome main runway and to the north of Godfrey Drive/Overfield Park (Green Area) As mentioned above Lindum Group will shortly be submitting a Phase II, following on from a Phase I application (Ref. 23/01283/OUTM), with an area of the proposed application totalling 3.75 hectares (Blue Area on the attached plan) located outside of the current allocation plan area. This forthcoming application proposes to offset the allocation area to better suit the Operational nature of the Showground, whilst not seeking to provide a net increase to the overall area identified and allocated by Newark and Sherwood for Employment Use. This presently allocated area (green area) lies within the aforementioned Society’s ownership and continues to be an important part of the operational Showground, in particular providing car etc. parking during major events. Moreover, the operational importance and function of Green Area, and, thus, its fundamental importance to the Showground will, incidentally, be significantly increased through the Lindum Group’s proposed Planning Application on the land to the west of the former main runway since this Application includes the provision of a new all-purpose access/egress to/from the Showground on Godfrey Drive. The value of the new access lies in the fact that it allows a better distribution of traffic both within and without the Showground during major events, amongst other things providing better dispersal of vehicles (away from the Drove Lane axis) on the local highway network. As such, it is proposed that the area west of the former main runway (blue area) be substituted for it in the Allocation area and the extent thereof be adjusted accordingly. It is understood that The Newark & Nottinghamshire Agricultural Society supports this amendment and will be making separate representations to this end.</p>
076	Mrs Victoria Hodgson	<p>Q2 - the score of 0 Neutral (<i>Policy has no impact or the effect is neutral</i>) is erroneous as it does not meet the indicators stated. It does not; A) improve Health inequalities, B) Does not provide New or enhanced health facilities and C) it reduces Accessible natural green space. The health benefits of this area both mental and physical should not be underestimated – during the lock down period this area of natural open green space was invaluable to many and continues to be, providing easy access for Newark residents without the use of transport required.</p> <p>Q6 - the score of 0 Neutral (<i>Policy has no impact or the effect is neutral</i>) is erroneous as an ecological appraisal has identified the site as having ecological value (see extracts below) therefore how can a 0 score of “having no impact” be recorded. The ecological survey suggests there is wildlife and grassland that is of at least district if not county level significance. This score should be a triple negative as it does not “increase biodiversity levels across the district or protect habitats” it is in direct conflict to the objective.</p> <p>Below are some extracts from the Ecological Appraisal 2/2/23 published on planning application 22/02375/FULM but interestingly not made available on the Supporting Evidence Base Documents for the Amended Allocations and Development Management DPD</p> <p>1.2.1 “has found a significant level of ecological interest on the site”,</p> <p>4.3.7 “a mosaic with the grassland habitats that is of significant ecological interest”,</p> <p>4.3.8 “A targeted survey was not carried out but more than 50 grassland species were recorded”,</p> <p>4.5.1 “The desk study returned 38 records of bats within the search area”</p> <p>4.8.3 “The score is slightly higher than the previous calculation because the terrestrial habitat has significantly improved for amphibians owing to a lack of management” “It is also considered that the value of the hedgerow habitat in 2020 was underestimated”</p> <p>4.10.1 “A total of 16 species of birds were recorded by casual observation”</p>

		<p>5.4.8 “The hedgerows are considered to be of significant ecological interest because of their size, structural diversity, species-richness, connectivity and links to neighbouring scrub and grassland habitats. Without mitigation, any loss of hedgerows or reduction in size will have an adverse impact at least at local, if not district level of geographical importance.”</p> <p>5.4.9 “it is obvious that the value of the grassland habitat (TN1 and TN11) is of much greater significance than was previously assessed”.</p> <p>5.4.10 “the total number of grassland species average numbers in a square metre are indicative of a grassland that is of at least district if not county importance. Even without a targeted botanical survey a total of 12 grassland indicator species were recorded13. Given the diversity and extent of the grassland resource it is considered that the impact of losses would be adverse at district and possibly county level of geographic importance”</p> <p>5.11.4 “Given the number of notable species (birds) observed by casual observation it is considered that the impact could be significant”</p> <p>Q7 the score of + (<i>Supports objective, but beneficial impact may be minor</i>) the objective is to enhance the district’s landscapes, prevent inappropriate development, facilitate access to green spaces and the countryside, and develop Green Infrastructure networks.</p> <p>This amended allocation (and the previous allocation in 2013) is destroying one of the last surviving country lanes in Balderton, the development is inappropriate due to its’ dangerous accessibility from London Road and lack of infrastructure. The green infrastructure network is already here – it is being destroyed not developed. Look at the wildlife photos on Balderton Wildlife Facebook group for 1000’s of evidential photos from the last 8 months. Breeding tawny and barn owls, kestrels, deer, fox, bats etc they require the green enclave to the south of Balderton area in order to thrive. The long-term plan is to create a series of “nature reserves” along the southern boundary, please leave this land as one of those – it already exists, don’t manufacture sites in the hope that you can tempt wildlife to them, it will be gone.</p>
077	Mr Steven Hodgson	<p><u>Ecology</u></p> <p>Ecological Appraisal – recommendations for further targeted surveys advised for all the below!</p> <ul style="list-style-type: none"> • The development must comply with current nature conservation policy and legislation • The report has found significant levels of ecological interest • Further survey is recommended for roosting bats (trees and buildings), bat activity, nesting birds, reptiles hedgehogs and great crested newts. • Ecological impacts on feature of interest including grassland, swamp and hedgerow will need to be avoided, or appropriate mitigation be put in place • No Sites of Special Scientific Interest found within 5km of site – we know this is incorrect as bordering fields are significant in their biodiversity and data collected. • The hedgerows and boundaries are of significant ecological interest with 16 hedgerows and 6 categories of hedgerow present. • A targeted survey of grassland was not carried out BUT more than 50 grassland species were recorded. • A desk study returned 38 records of bats in the search areas with 7 different identified species identified and 1 species unidentified. The hedgerow, dense scrub, grassland and garden mosaic provide moderate to good quality potential for foraging and commuting bats which do tend to reuse the same roost sites, therefore bat roost is protected whether bats are present at the time or not. • A desk study found 10 records of hedgehog • An adult fox was observed during the survey in the edge of the field and is regularly seen with its two pups on our walks. • 9 amphibian records were found on the desk study – 3 species and noted the natural habitat has now significantly improved. • The value of the hedgerow habitat in the 2020 survey is now considered to have been underestimated. • 9 records of grass snake recorded on the desk study – the nearest 0.8km away at a gypsum mine • The site has recently become more suitable for all reptiles (as it no longer managed) particularly for the grass snake and slow worm. • 16 species of birds were observed during the survey as the limited levels of disturbance recently, the range and mosaic of habitat types have provided nesting and roosting opportunities for all birds. All nesting birds are protected and given the number of notable species observed by casual observation it is considered that the impact of this development could be significant. • There are several pieces of legislation that prohibit interference with places used for shelter or protection, or to intentionally disturb animals from occupying such places. • There are protections for some species of animals (European protected species) two of these are Bats and Great Crested Newts – you cannot disturb any EPS, damage or destroy a breeding or resting site of an EPS, intentionally or recklessly disturb an EPS while it’s occupying a structure or place that it used for shelter or protection • Lowfield lane Grassland, Balderton Works meadow 1 & 2 are designated for their botanical interest. • The loss of woodland at the site would be adverse at the site at a level of geographical importance • The bramble scrub forms an extensive part of mosaic scrub and is of limited botanical interest but does provide habitat for a wide range of fauna. • Mosaics of grassland and mixed scrub are no longer common in the wider countryside, particularly in small field systems and loss of this will be adverse at both a local and geographical level. • The value of the grassland is of much greater significance than was previously assessed. The average number of species in a square metre are indicative of a grassland that is of at least district if not county level due to its’ diversity and extent. • The area of swamp, although low botanical diversity does contribute as it increases the structural and habitat diversity of the area and there is no other area of swamp in the surrounding area. • A desk study returned records of quaking grass and field scabious which are near threatened in England, their presence cannot be discounted. <p>As already suggested by the Balderton Parish Council. An in depth ecological survey should be undertaken to fully assess the considerable potential impact of the proposal. 180. When determining planning applications, local planning authorities should apply the following principles:</p> <p>a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;</p>
	Cllr Thomas Collier	<p>As a member of the Town Council planning committee, I would like to echo the points we raised as a group. Namely, that the area around Clay Lane (east of Newark) should be removed from the strategic planning area as both a local amenity with environmental value, accessible to people without private transport. Also, it is an area with a flood risk. With many such areas being developed, there should, in my view, be areas left undeveloped for the finding of new water routes which will not impact housing. Thirdly, there may be archaeological value to the site. I would like to raise the point that excavations so far have been possibly hindered by over reliance on the Royal Commission estimates in the 1960s about the location of civil war sites. Also there has been an understandable reluctance to disturb hedgerows. While this is laudable, defences often used ditches at the edge of field systems which are similar today. Therefore, by not disturbing hedges, which are earmarked for destruction anyway, archaeological excavations are being hindered. I would also like to echo the query around continued adherence to EU legislation. If this is in force, that is acceptable but if not, it is arguably an irrational use and waste of local authority officer time and resources. I would be interested if any clarification of this is possible, please.</p>

079	Protect Our wildlife on Lowfield Lane	<p>I submit that the allocation plan in relation to NUA/ Ho10 is:</p> <ol style="list-style-type: none"> 1. in direct conflict with the councils own strategic objectives no 3 and 4 without any evidence to support why this isn't the case or to demonstrate that it isn't in conflict. 2. I also submit that the same allocation does not cooperate with advice received from statutory consultees and other bodies. 3. The allocation is not consistent with national Planning guidance or Govt policy <ol style="list-style-type: none"> 1. The allocation plan contains some very commendable policies in regard to community and the natural environment however these are simply not reflected in the application of objectives 3 and 4 In relation to allocation of NUA/Ho10. Objective 3 ' to ensure and sustain a network of sustainable communities which offer a sense of place that are safe and balanced socially inclusive and respond to the needs of local people ' a 2000 signature local petition sends a very clear signal that this is not responding to the needs of local people by seriously denuding a local well used cherished greenspace wildlife area affording accessible countryside on the last remaining mature true country lane so close to our community . objective no 4 aspires' to protect and enhance the built and natural environment ' it clearly destroys 7 ha of PHI habitat , within a wonderful continuous green corridor of irreplaceable wildlife and cultural value with medieval field patterns and ridge and furrow landforms on species rich lowland grassland used by list one and Redlist species for feeding and breeding – a very strong and obvious contradiction. 2. Advice received in response to the planning application from Natural England the Nottinghamshire wildlife trust clearly requires the application of Biodiversity Net Gain to this site which has not been applied by the council . This requirement has been further reinforced by many other consultees including our campaign and a petition of 2000 signatures asking for the same . More over the application of the current BNG methodology would indicate that there are areas of the allocation of such high value that they cannot be compensated for and must be retained . BNG is also a requirement of National planning policy framework NPPF section 15 . Please note the provisions of section 180 points a and c which apply to this site parts of which are irreplaceable where planning permission should be refused . 3. The allocation is clearly in conflict with National Policy planning framework as described above it is also in conflict with the primary aims of the EIP 2023 where the central aspiration is to 'leave nature in a better state than we found it ' . This clearly removes a great tract of high quality irreplaceable habitat used by list 1 species and red list species as I have previously described in my other submission . it is also in conflict with the '15 to green initiative' recently adopted by UK government, as it pushes current accessible green space even further away from the community who cherish and use it. There is inadequate buffering provided to protect the adjacent 3 local wildlife sites containing designated PHI habitat from deterioration which has not been adequately addressed or factored into the allocation. 4. The recent addition of another area to the west of the current allocation which is currently species rich ridge and furrow grassland further compounds the damage as this allows the allocation to go from 120 houses to 170 with loss of another 2 hectares of high ecological value land.
080	Coddington Parish Council	<p>The Policies Map does not take into account the large-scale development taking place East of Newlinc Park following appeal. Coddington Parish Council support the maintenance of the existing Newark Urban Boundary, and the exclusion of the area from the allocation of employment land, given the availability of employment land adjacent to the Southern Link Road under construction.</p>
081	Savills obo Oxton Farms Trust	<p>Savills UK Ltd is instructed by our client, Oxton Farms Trust to make representations in relation to Newark and Sherwood Amended Allocations & Development Management DPD consultation that extends until 6th November 2023. These representations relate to land in our client's ownership in and around the village of Oxton. Comments have been set out below in response to the relevant policy within the Amended Allocations & Development Management DPD.</p> <p>Policy DM8 Development in the Open Countryside</p> <p>6. Rural Diversification</p> <p>Our client welcomes the increased support for rural diversification in the revised wording of policy DM8 (6) . With changes to subsidy regimes, enabling farming businesses to diversify into new activities remains more important than ever. Therefore, the inclusion of the following working in 6. Rural Diversification is supported:</p> <p><i>"Proposals for development which helps sustain existing agricultural and other rural enterprises such as smallscale farm shops selling local produce will be supported. To represent appropriate rural diversification, Farm Shops will be expected to source a reasonable proportion of their produce from the farm and / or local area. This would be secured by way of condition. Planning applications should be supported by a statement that demonstrates the proposed development forms part of an appropriate rural diversification scheme which will contribute to making the existing business viable."</i></p> <p>It is considered important that the policy goes further to support diversification, and encourage uses other than farm shops which could also be appropriate in the countryside (see comments below in relation to 8. Employment uses).</p> <p>8. Employment uses</p> <p>In relation to rural employment and business uses, the amendments to the policy seek to add a sequential element to focus development in the first instance within and on the edge of settlements. The following paragraph is proposed as part of the policy:</p> <p><i>"Proposals to expand existing businesses or construct buildings for new businesses in the open countryside are more likely to be appropriate in areas such as industrial estates where the principle of such development is established. Where it is demonstrated that it is necessary, expansion into adjacent areas could be considered appropriate if the impacts are judged to be acceptable. The proportionality of such developments should be assessed individually and cumulatively and impacts on both the immediate vicinity and the wider setting should be considered. It should be demonstrated that location of existing employment allocations or on employment land within urban boundaries or village envelopes is not more appropriate."</i></p> <p>Our client is disappointed with the inclusion of an additional hurdle for employment uses in the countryside and this is contradictory to the positive approach proposed in other parts of DM8 in relation to farm shops and holiday accommodation in particular. The policy amendments specify that development should be 'small scale' and therefore it is considered unnecessary to place a further requirement to sequentially justify the choice of site. In many cases, these small scale employment uses will form part of the diversification of a rural business and therefore, an approach such as that set out in part 6 of the policy, relating to farm shops, would be more appropriate. Unless a proposal is of a large scale, it is considered that a site specific explanation and consideration of impacts would be a more appropriate and proportionate policy response. Paragraph 84 of the NPPF (2023) states: <i>"Planning policies and decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; b) the development and diversification of agricultural and other land-based rural businesses"</i> Paragraph 85 goes on to state: <i>"Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist."</i> Furthermore, the principle of small scale employment uses is recognised by the introduction of permitted development rights in 20151 for the conversion of up to 500 square metres of agricultural building/s to uses including Class B8 (storage or distribution), Class C1 (hotels), Class E (commercial, business or service). Whilst specific to conversions, the GPDO confirms that the principle of small scale employment is appropriate in a rural context. It is therefore considered that the proposed wording of part 8 of DM8 is not in accordance with national guidance and legislation, and creates an additional barrier to rural diversification at a time when local authorities should be doing all they can to support growth in these areas. The draft policy contradicts the guidance in paragraphs 85 and 86 of the NPPF. An approach which reflects that in part 6 of the policy for farm shops is considered more appropriate.</p> <p>11. Visitor Based Tourism Development and Tourist Accommodation</p> <p>Amendments to part 11 of DM8 are welcomed and it appears that the policy takes a slightly more flexible approach to tourism development and accommodation (albeit in accordance with Core Policy 7 of the adopted Core Strategy). As noted previously, policies which help facilitate the diversification of rural businesses are welcomed, and tourism presents an important opportunity to attract new visitors to the countryside. The emphasis of part 11 of the policy is considered to be in accordance with NPPF paragraph 84 states that: <i>"Planning policies and decisions should enable: c) sustainable rural tourism and leisure developments which respect the character of the countryside;"</i></p> <p>Core Policy 2A - Entry-Level Exception Housing</p> <p>It is noted that a new policy is proposed which relates to ' Entry-Level Exception Housing'.</p>

		<p><i>“Core Policy 2A - Entry-Level Exception Housing Entry-level exception sites as set out in national planning policy will be supported in locations adjacent to the Urban Boundary/Village Envelopes of the Newark Urban Area, Service Centres and Principal Villages where it can be demonstrated that they are addressing a shortfall of the type of entry-level product being promoted in the proposal. Such proposals should also reflect the type of entry level product that is required in the locality of the proposal. They should not be larger than one hectare in size or exceed 5% of the size of the existing settlement and be in line with DM5b Design and the Sustainable Design SPD. Entry-level exceptions sites are not acceptable in the Green Belt, on Main Open Areas, Open Breaks, Local Green Space, or areas at risk of flooding, or on designated nature conservation sites or that impact on the special character of heritage assets contrary to the provisions of Core Policy 14 Historic Environment.”</i></p> <p>It is disappointing that this policy would not apply to those settlements smaller than Principal Villages nor within the Green Belt. Paragraph 78 of the NPPF states: <i>“In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.”</i> Furthermore, paragraph 79 states: <i>“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.”</i> It is therefore important that all types of rural exception housing should be supported in rural areas, including the Green Belt. Other Matters: Call for Sites In September 2021 seven sites were submitted to NSDC for consideration through the SHELAA. I have included the details of these sites in Appendix 1. Conclusion I trust this submission confirms the position of Oxton Farms Trust in relation to the emerging Amended Allocations & Development Management DPD. The Local Plan has a vital role to play in supporting sustainable growth in the countryside, which is essential in ensuring the resilience and vitality of rural communities. Please do not hesitate to contact me should you require any further information.</p>
082	Avant Homes	<p>RE: Land at Harrow Lane, Boughton</p> <p>I write in relation to the above consultation and following our previous comments submitted to the earlier versions of the proposed Allocations and Development Management DPD. For the avoidance of doubt, the previous comments remain of relevance (but not repeated)/ Further comments are set out below: Boughton (Page 78) Within the emerging Plan, Ollerton and Boughton is stated to act as a ‘Service Centre to a large population both in the Town and the surrounding Sherwood Area. The plan proposes to include some allocations where developments have already been undertaken and proposed 2 new Mixed use sites, but have not chosen to allocate the land at Harrow Lane. This land extends to c30 acres and has potential to deliver c15 acres/225 dwellings of residential land (on the western side of the site) and c15acres of employment land (on the eastern side of the site). This land is well related to the settlement and local facilities and services. It is also not technically constrained and is available, deliverable and achievable for development in the short term. Avant has a legal interest in the land which would ensure that development would be forthcoming upon allocation of the site and we would work with the Council to bring the site forward in accordance with a mixed use Masterplan. Boughton is identified as a sustainable settlement within the Plan and is well placed to accept further development at Harrow Lane in the short term. Worst case, this site should be identified as safeguarded land in order to enable development to come forward if the delivery of the other allocations is not forthcoming. Policy DM2: Development on Allocated Sites: It is noted that this policy has been amended to remove the reference to Developer Contributions and Planning Obligations SPD. This deletion is supported by Avant and allows appropriate evidence at the relevant time to be taken into account. However, the Council should identify what evidence is expected to be relied upon i.e, SHELAA, SYLS etc. By stating which evidence is likely to be used, developers would know exactly which evidence to review and consider in terms of understanding development opportunities on new sites. Policy DM5a: The Design Process Avant Homes consider that the changes to this policy are unsound and are not consistent with national policy. It is noted that the policy amendments include reference to the National Design Guide and locally adopted Design Codes and requires all new residential development to perform positively against Building for a Healthy Life. Whilst Avant do seek to work in accordance with the Building for Healthy Life criteria, it is noted that this is not understood to be a ‘standard’ to be achieved, and aims to guide development as much as possible in terms of considering design and the creation of successful places. In that context, it is not considered appropriate to state that Developers should meet the standard of those objectives in Local Plan policy (when it is actually a voluntary position) – particularly, without setting out and understanding what would be specifically required as part of future development schemes. Policy DM7 Biodiversity and Green Infrastructure Avant consider that this Policy is unsound by virtue of it being outdated when considered against latest national policy. Biodiversity Net Gain is currently an area of continuous movement and the current position is that the implementation date for Mandatory Biodiversity Net Gain has been put back from November 23 to January 24, and additional guidance is emerging and expected. Clearly, Avant Homes recognise the importance of Biodiversity, Net Gain and Green Infrastructure. However, any requirements need to be proportionate, reasonable and not stifle development unnecessary and timescales should be in line with those set by National Policy in order to avoid adding delays and complexity to an already slow planning system. Any policy requirement should therefore be set at a maximum of 10% BNG required for a maximum of 30 years, with each site being assessed independently and as part of a greater understanding of wider issues and package of each development site.</p>
083	The Impact Branch Limited	<p>Policy DM8- Policy Map- Bilsthorpe: With regards to the changes to Policy DM8, we note the rewording of the first paragraph, removes the emphasis from ‘the main built up areas’ and makes the policy more generic in that it simply now refers to development away from villages or settlements. However, there are no alterations to (or removal of) the development boundaries in the policies maps to reflect this. Policy DM8 (8) relates to the development of employment uses. The wording is proposed to be altered to allow ‘larger scale development’ where the need is demonstrated. These changes are welcomed, but additional supporting information should be provided to confirm what is deemed to be appropriate need. For example, a demand side need brought about by prospective tenants should be supported. The proposed additional paragraph is welcomed in general. The aim of the additional paragraph relates to expansion of businesses or new businesses with the open countryside. The proposed wording begins to support expansion of existing business areas, such as industrial estates, as opposed to the existing wording of the policy which only supports the expansion of ‘existing businesses’. The wording of the last sentence should be altered to ensure the other ‘appropriate sites’ which are to be considered are within the nearest village/settlement to which the development site relates. On this basis, we agree with the direction of travel with the changes to DM8 but believe that additional detail and justification should be included to allow a more accurate interpretation by developers when considering the expansion of existing business parks within the open countryside.</p>
084	Lindum Group	<p>Lindum Group maintains significant interest and ownership of a large proportion of land within the NUA/MU/1 – Mixed Use Site 1 and has been applicant developer for extant, current and anticipated future planning applications / developments within what has subsequently been known as Overfield Park. Representations have been made separately for this policy to support the deletion of Hotel/Conference facility and proposed amendments to the Proposals Map – Insert Map 1. We as neighbouring landowners support the proposed amendments to the Showground Policy area (NUA/SPA/1) including the allocation for Lorry Park use. This if designed and located sensitively would be a complementary use to Overfield Park, providing employment and economic activity in the area.</p>
085	Pegasus Group obo Gleeson	<p>Thank you for this opportunity to submit comments in relation to the Newark and Sherwood Amended Allocations and Development Management Policies DPD (AADMPPDPD). We submit comments on behalf of our client, Gleeson, who has land interests at Oldbridge Way, Bilsthorpe. The Site The site is a large, broadly linear plot of land which abuts the southern edge of Bilsthorpe. To the north is the existing settlement of Bilsthorpe and to the east and west is the new residential development which is being delivered by Gleeson. Land to the south of the site is designated as open countryside. A playing field is located adjacent to the north eastern corner of the site. The site is currently being built out by Gleeson, who gained planning permission for the redevelopment of the entire site for 120 dwellings in July 2020 (application reference: 20/00642/FULM). This followed multiple earlier planning applications for the residential redevelopment of the wider site parcel. Figure 1 below is an approved planning layout plan to show how the comprehensive redevelopment will be delivered on site.</p> <p>(See original representation for Figure 1)</p> <p>This followed an earlier approved proposal to build further into this undeveloped land. As shown in Figure 2 below, application 16/01618/OUTM approved built form further into this undeveloped land and the Council approved this in April 2017. The Council considered this as an appropriate location for development and there were no site-specific constraints to prevent this land being developed. Figure 2 – Approved masterplan for application 16/01618/OUTM. Proposed Settlement Boundary for Bilsthorpe The proposed settlement boundary, which is being discussed as part of this consultation, is shown in Figure 3 below. The settlement boundary proposes to tightly follow the edge of the built development that is coming forward. For some unknown reason it currently excludes the green space within the centre of development from the settlement boundary, despite this forming part of the comprehensive redevelopment of this site.</p> <p>(See original representation for Figure 2)</p> <p>(See original representation for Figure 3)</p>

		<p>The green space forms an integral part of this development and sits in between the two blocks of development coming forward. The boundary to the edge of the developed part of this site is poorly defined. It is not formed with any physical feature which could be readily recognisable, and which is likely to be permanent. Accordingly, we are concerned with the way in which the settlement boundary has been drawn which we wish to set out within these representations. The settlement boundary should be drawn as per Figure 4 below.</p> <p>(See original representation for Figure 4)</p> <p>Settlement Boundaries Context A settlement boundary is a line which is drawn on a policies map around a village or area of built development. The settlement boundary is used as a policy tool reflecting the area where a set of plan policies are to be applied. Settlement boundaries should be drawn to facilitate an appropriate level of proportional growth within the plan period. The National Planning Policy Framework (NPPF) (2023) sets out the government’s planning policies for England. The NPPF does not directly discuss defining a settlement boundary however it does provide a few paragraphs which are relevant to setting settlement boundaries. Paragraph 11a of the NPPF advocates flexibility in the plan-making process to; <i>‘Promote a sustainable pattern of development that seeks to meet the development needs of the area’</i>. There are no specific requirements within the NPPF or the Planning Practice Guidance (PPG) to review settlement boundaries as part of the Local Plan, and that is it for individual Local Planning Authorities to determine the most appropriate approach, based on local circumstances. However, it is clear in the NPPF that there should be a clear separation of the urban areas from the defined countryside. There is no clear evidence within the Council’s evidence base which sets out how the settlement boundaries have been drawn and what methodology has been used. From a review of other Councils’ Local Plans and their evidence base, a settlement boundary paper is usually prepared, 5 which sets out what methodology will be used and how this has been applied to the settlements within the borough. Without this evidence and from reviewing the proposed settlement boundary for Bilsthorpe, it is unclear why the settlement boundary has been drawn this way and why this comprehensive development has not been included within the settlement boundary in its entirety, following permanent and recognisable features. This area of Bilsthorpe is not characteristic of the countryside and this part of the site can no longer be considered as having a countryside setting. Over one hundred new dwellings are coming forward in this area which has significantly changed the character of this area. This land is now well related to the built form of Bilsthorpe and characteristic of the built environment surrounding it. Therefore, all of land should be included within the settlement boundary, as shown in Figure 4. Open Space As per the Council’s Open Space Assessment and Strategy Document, prepared in January 2022, this site is not designated open space and is not included within the Council’s totals for the open space available within the borough. The report confirms that there is no need for additional open space to be identified within Bilsthorpe as there is a plentiful supply. As such, if this area is to be included in the settlement boundary it should just be identified as land within the settlement boundary as opposed to open space as it is not counted within the Council’s open space supply.</p>
086	Ruth Neilson	<p>Policy NUA/Ho/10 Newark Urban Area - Housing Site 10: This site is included in the DPD yet the LPA, NSDC is acting ultra vires. The Screening Opinion in respect of 23/02375/FULM, the planning application for NUA/Ho/10, was not published to the NSDC planning portal until, I, a member of the public requested a copy by email at 18 September 2023 15:40. This created a failure to comply with planning guidance & regulations, a lack of democratic accountability & transparency. NSDC then published the Screening Opinion to its portal with the date of publication as 09 March 2023. Until I submitted the request for the Screening Opinion, 23/SCR/00001 had not been published to the public, accessible via the Planning Portal. I requested by email at 20 September 2023 02:36 that the <u>correct</u> publication date of 19 September 2023 be entered onto the planning portal as 19 September 2023 was the first date the public had access to the document 23/SCR/00001. The LPA, NSDC confirmed by email at 25/09/23 12:43 that the publication date had been amended to 19 September 2023. All emails are held by NSDC. The Screening Opinion was undertaken after the closure of the representation period on 09 January 2023 for the Newark & Sherwood Local Development Framework, Plan Review, Publication Amended Allocations & Development, Management DPD, Statement of Consultation document dated September 2023 & before the meeting of the Full Council, 20 September 2023 where the current document, Second Publication Amended Allocations & Development Management Development Plan Document (DPD) was approved. The public were denied the legal opportunity to comment on the Screening Opinion from the LPA, NSDC decision date 09 March 2023 to 19 September 2023, a period of 194 days. Note that the first opportunity for the public to comment on the Screening Opinion, as published, was one day before the Full Council meeting, see above. The LPA validated on 07 March 2023, its own application as the Developer, Arkwood Developments Ltd and made the declaration within its Application Form (Planning Portal Reference: PP-11715467) that the Sites Existing Use is an Allocated Development Site, when at that date the Screening Opinion was unavailable to the public. Prior to any Screening Opinion no assessment or consultation had been made by the LPA, NSDC as to the suitability of NUA/Ho/10 as a development site. The LPA, NSDC did not apply an Environmental Impact Assessment to the Screening Opinion 23/SCR/00001 even though the types of impact are of a markedly different nature as the site has not been intensively developed (it is a wildlife site with highly important, some unique, ecological and species components) and the development would have significant urbanising effects in a previously non-urbanised area. The presumption of Allocation is faulty given the failures outlined.</p>
087	Turley obo Nottingham Trent University Brackenhurst Campus	<p>Introduction and Background</p> <p>Turley has been instructed by Nottingham Trent University (NTU) to review the ‘Amended Allocations and Development Management DPD’ currently out for consultation (Monday 25th September 2023 to Monday 6th November 2023). NTU is the owner and operator of ‘Brackenhurst Campus’. Brackenhurst Campus is located to the south of the town of Southwell in Nottinghamshire. It is currently occupied by a series of buildings across a 200-hectare estate which provide academic, support and residential space for NTU. It is based on a working farm and is home to teaching facilities for veterinary nursing and other courses related to animal, rural and environmental sciences. The site has been home to the Brackenhurst Campus of Nottingham Trent University for over 20 years and caters for over 1,000 students from the School of Animal, Rural and Environmental Sciences. It is based around a former countryside estate with landscaped gardens and a country house built in 1828.</p> <p>Current Planning Policy Position</p> <p>The proposals map associated with the adopted Allocations and Development Management Development Plan Document (A&DM DPD), adopted in July 2013, shows that part of the main campus (the Top Ground Southwell Cricket Club Ground) is designated as “<i>public open space / school playing fields</i>”. This is covered under Spatial Policy 8 (leisure and community facilities) in the Amended Core Strategy (ACS 2019). The policy applies to “<i>community facilities (Community Halls, Village Halls, Halls related to places of worship, village shops, post offices and public houses), built sports and cultural facilities (including libraries), sports fields, education facilities, school playing fields, public open space, amenity open space, children’s play area and allotments</i>”. The justification for this designation was set out in the ‘Playing Pitch Strategy Assessment Report’ (September 2014) which formed part of evidence base for ACS 2019. Southwell Cricket Club currently plays on this pitch under agreement with NTU, and there is also a football field marked out on the site. Accordingly, its designation as an area of Public Open Space / School Playing Field in the adopted DPD is considered appropriate in this respect. Additionally, the area to the south of the Brackenhurst Main Hall (to the south of the Students Union) is designated as a Site of Interest in Nature Conservation in the adopted development plan. The policy (ACS Core Policy 12 and the A&DM DPD Policy DM7) requires that development seeks to conserve and enhance the biodiversity and geological diversity in the district. The majority of the main campus, and the fields to the south, falls within the open countryside under Policy DM8 in the A&DM DPD and Spatial Policy 3 in the ACS 2019. The area to the north of the main campus is designated as ‘Protected Views’ (A&DM DPD Policy So/PV).</p> <p>Amendments Proposed to the A&DM DPD</p> <p>NTU fully supports the District Council’s decision to progress with an update to the A&DM DPD as the plan was last adopted in 2013. NTU has no specific comments on any amendments to the policies within the document. The following comments relate to the proposed changes to the Policies Map. In addition to retaining Top Ground Southwell Cricket Club as ‘Public Open Space / School Playing Field’ under Spatial Policy 8 of the ACS 2019, the District Council is now proposing that three new areas of the main campus are placed under the same designation. These areas are described as follows:</p> <p>Area 1 Edwardian Walled Garden</p> <p>This part of the campus is enclosed by the Grade II listed ‘Garden Walls and Potting Sheds’ to the north-east of Brackenhurst Hall. The area is currently used as allotments associated with...</p> <p>Area 2 Land east of Brackenhurst Main Hall</p> <p>This part of the campus forms the gardens historically associated with the Brackenhurst Main Hall. The area is also designated as a Site of Interest in Nature Conservation, covered under Core Policy 12 of the ACS 2019 (biodiversity and green infrastructure).</p> <p>Area 3 Land south and west of Brackenhurst Main Hall (excluding compound)</p> <p>Similar to Area 2, this part of the campus forms the gardens historically associated with the Brackenhurst Main Hall, this time to the south and west. This area forms landscaped areas of grassland for the amenity of students. This area is not open to the public. The proposed designation does not include the area of hardstanding / compound shown in the image below, although this area has now been returned to grassland. The Amended A&DM DPD is supported by ‘Open Space Assessment and Strategy’, prepared in January 2022, by Knight, Kavanagh and Page Ltd. Although it is not clear from our review of this document, it does appear as though these new areas are covered by single reference 491 in the report (termed ‘NTU Brackenhurst’). The area</p>

		measures 2.34 hectares, which could cover all three areas listed above. The reference is referred to as “Parks and Gardens”, the primary purpose of which is for “ <i>Accessible, high-quality opportunities for informal recreation and community events</i> ”. Appendix Two of the report lists out the sites outside of the larger settlements and includes reference 491 NTU Brackenhurst. The document states that “ <i>sites without a quality or value rating were highlighted as being inaccessible</i> ”. There is no quality score or value score for reference 491 in the document. Accordingly, using the assessment as set out in Appendix Two, our assumption is that the three areas above are classed as “inaccessible” as areas of open space. Returning to ACS 2019 Spatial Policy 8, this refers to land for leisure and community facilities. The supplementary text goes on to state that the policy applies specifically to the following: “ <i>community facilities (Community Halls, Village Halls, Halls related to places of worship, village shops, post offices and public houses), built sports and cultural facilities (including libraries), sports fields, education facilities, school playing fields, public open space, amenity open space, children’s play area and allotments</i> ”. As the three areas are in private ownership and are used for the amenity of students, NTU consider that the designation of these areas as leisure or community facilities for the public is inappropriate as it cannot be classified as space consistent with any of the uses set out above. Accordingly, it is requested that these areas remain undesignated as they are in the current adopted Policies Map.
088	Severn Trent Water	<p>-DM5(b): Severn Trent is supportive of this policy, particularly points 7 (Ecology) and 10 (Flood Risk and Water Management)</p> <p>-DM5(d): Severn Trent is supportive of this policy as it aligns with our own water efficiency ambitions</p> <p>-DM7: Severn Trent is supportive of this policy as it aligns with our ambitions to enhance our natural environment and boost biodiversity across our region</p> <p>-NUA/Ho/10: In the Sewer Capacity Assessment completed August 2022, this allocation was assessed for 120 properties and returned a ‘High’ risk for the potential impact on the foul sewerage network. This allocation has now increased to 170 properties, further increasing the risk to the foul sewerage network. As plans develop further for this site, we would recommend consultations/discussions with Severn Trent are initiated as early as possible so further assessment / modelling can be completed to understand the risk in more detail and, if required, plan any required improvements to the network.</p>
089	William Robinson	The DPD is not sound because it is not positively prepared or justified. My comments and objection refer to an agricultural field, which is currently planted with trees, to the south of my house in Easthorpe, Southwell, NG25 0HY, and adjacent to the allotments on Crink Lane. The private Filed (with a public footpath that crosses it) is part of a block of land which is coloured green on reference map 6. I am concerned that NSDC in the amended DPD proposes that this field, currently woodland should be designated as ‘public open space’ under SP8. My family and I owned this field for 116 years and have always made sure the footpath that crosses it is safe for the public to use. More recently, since the field has had trees on it, we continue to try to make sure that the public footpath is clear and free of overhanging or fallen branches. However, since the field has become wooded, we have had several cases of trespass by the public, fires being lit and damage to trees which have had branches cut to form bivouacs. We have recently had to remove Old duvets and pillows, beer cans and general rubbish, etc. and this is whilst the wood is still private. I am concerned that if this area becomes formally designated as ‘public’ then such occurrences will increase. We cannot be held liable for any injury to the public who believe that they have a right to roam as they feel fit over what they perceive as public open space because of how it is named as such on the map. The wood is already protected from development as it is already in the conservation area so I do not understand why its name has to change from private to public land? I am disappointed that the NSDC did not have The courtesy to notify me directly of such proposals. It’s only by pure chance that I heard recently from another landowner (who wasn’t notified either) about the proposal to make private land designated as Public open space.
090	Barnby in the Willows Parish Council	<p>With regard to the DPD:</p> <p>Policy GRT4 quotes: “Site layouts should recognise on-site capacity constraints with; new pitches being capable of meeting the needs of occupants; supporting an acceptable level of residential amenity for occupants and neighbouring uses; and be capable of providing for a safe standard of occupation. Positive management of surface water will need to ensure that the site itself is safe in flood risk terms and risk is not increased elsewhere”. Chestnut Lodge pitch sizes are smaller than recommended, which will adversely impact families, especially when there is lack of clarity about whether the same family will reside in the static and tourer planned per pitch, or if it could be different families in each i.e. Two families across each pitch. There will not be an acceptable level of amenity provided – there is no provision for children to play on site, and the site is not within easy distance of shops, schools or medical services due to its rural location – in fact, although with Balderton’s boundary, the nearest settlement is Barnby in the Willows which has only a church, a pub and a Village Hall. Proposals would mean significantly increasing population in comparison to Barnby, creating a huge impact, as well as there being no safe provision for travel on foot or by bike into Balderton (due to lack of foot/cycle paths and the rural roads being dangerous). Insufficient information has been provided about how waste or surface water will be managed – e.g. septic tank / water connections. It does not comply with NSDC Spatial Policy 3 for rural areas.</p> <p>NUAGRT/10 quotes: “the site is allocated fora new dwelling in order to assist with the management and operation of the new pitches and creation of an additional new vehicular access to serve the pitches”. The Chestnut Lodge site has had planning permission granted for a permanent house/structure to be used to facilitate management of the site. It is not accepted that a house is needed at all, let alone to such a scale. This is not “acceptable in landscape and visual terms” because not only is it overbearing, and not in keeping with the rural area, the permission would not have been granted had it been a non-GRT provision – this is potentially discriminatory against the non-GRT community. Planning applications within the village, on a much smaller scale, have been historically declined due to conservation / rural impacts, so it is highly irregular that this should be permitted. Vehicular access has been deemed safe but splay data was not accurate, and visibility is not clear putting other users at risk. Therefore, this cannot be treated as compliant, or sound. It is felt that insufficient consideration has been given to the fact that there are a number of existing, and proposed, GRT developments / allocations in the area surrounding Barnby in the Willows which will have adverse impacts on not only rural life and landscape, but safety through increases in traffic speeds and volumes on roads that cannot cope – especially when likely to be used to cut through to main roads / other sites. Lack of evidence of consideration of neighbouring sites / needs being met in neighbouring authorities suggests that the document has not been positively prepared. There has been a lack of information about whether or not consultations / site visits have taken place to assess wider considerations e.g. Historic England / archaeological surveys / Environmental Health (potential land contamination from previous use), impacts to gas mains, and to review alleged breaches of previous planning terms so the document cannot be deemed to have been produced positively or effectively if planning decisions are made without gathering full facts.</p> <p>In terms of the National Planning Policy Framework -</p> <p>Section 2 states the need for achieving sustainable development with three overarching objectives being economic, social and environmental. The DPD does not meet these objectives because allocating Chestnut Lodge:</p> <ul style="list-style-type: none"> • is not “the right land in the right place”. • does not “foster a well-designed, beautiful safe place. • does not have “accessible services that reflect need, or support communities’ health, social and cultural well-being”. • does not “protect the natural environment” or -improve biodiversity”. <p>Section 8 outlines how development has to support the importance of safe and effective pedestrian and cycle routes – the inclusion of Chestnut Lodge does not meet this as there are no such routes, nor a way of developing such link to nearest amenities, thereby, preventing the GRT community from accessing “social, recreational and cultural facilities” or “public service infrastructure”. Section 9 deals with sustainable transport options, of which there is a limited bus service to the area, and no pedestrian / cycle networks. Section 12 quotes that developments “are sympathetic to local character and history, including the surrounding environment and landscape setting”. Allocating the Chestnut Lodge site does not meet these guidelines / recommendations. The section entitled Ground Conditions and Pollution states proposals must “take account of ground conditions and risks arising from contamination – insufficient evidence has been shown to confirm if the land has been contaminated by previous agricultural use which could put the community at risk. Looking at the Government’s Planning Policy for Traveller Sites –</p> <p>Policy B (plan making) – the DPD fails to meet the majority of items under point 13.</p> <p>Policies C and H – state that authorities should ensure that scale of sites does not dominate the nearest settled community – as it is Barnby (not Balderton centre) that is the nearest, the inclusion of the Chestnut Lodge site will potentially dominate the village and massively increase population in that area. The DPD apparently ignores / contravenes points 14 and 25 specifically.</p>
091	Maurice Leach	There is no robust or reliable evidence base to justify the chosen option to de-allocate what is presently designated as a development site for 20 houses. To quote the existing DPD, “Land at the end of Alexander Avenue and Stephen Road has been allocated on the policies map for residential development providing around 20 dwellings”. This de-allocation fails to take sufficient account of both documented and hidden unmet need,. It also seems to indicate a lack of continued cooperation with National Highways A46 draft. Plans between Newark and Winthorpe, these have not been approved by the Secretary of State and the project team have already decided that the scheme will not require this land and have refused a ‘blight’ application.

Responses to Question 9 - Please set out what change(s) you consider necessary to make the DPD legally compliant or sound, having regard to the test you have identified at 6 above where this relates to soundness

ID	Respondent	Comment
001	Harris Lamb obo CB Collier NK (SSC) Limited	The proposed designation of the former Sports and Social Club site as open space/playing fields should be deleted and the site allocated for approximately 115 dwellings instead.
003	Newark Town Council	Requests the deletion of Land East of Newark allocation
013	Natural England	Suggests amendments to the wording of DM7 and DM5b to reflect updates to NE guidance.
015	Sport England	Suggest a factual update to Paragraph 7.48 as Sport England, in conjunction with Active Travel England and the Office for Health Improvement and Disparities, has now produced Active Design (2023).
016	Rapleys obo British Sugar	<p>We therefore consider that the following amendments are necessary to Part 8 of Policy DM8. Employment development should be small in scale unless a larger scale can be justified and will only be supported where it can demonstrate the need for a particular rural location and a contribution to providing or sustaining rural employment to meet local needs in accordance with the aims of Core Policy 6 of the Amended Core Strategy. Proposals for the improvement and enhancement including renewable energy development, and/or the proportionate expansion of existing businesses will be supported where they can demonstrate an ongoing contribution to local employment. Such proposals will not require justification through a sequential test. Proposals to expand existing businesses or construct buildings for new businesses in the open countryside are more likely to be appropriate in areas such as industrial estates and the Newark Sugar Factory site, where the principle of such development is established. Where it is demonstrated that it is necessary, expansion into adjacent areas could be considered appropriate if the impacts are judged to be acceptable. The proportionality of such developments should be assessed individually and cumulatively, and impacts on both the immediate vicinity and the wider setting should be considered. It should be demonstrated that location on existing employment allocations or on employment land within urban boundaries or village envelopes is not more appropriate. The administrative process to revoke the redundant HSC will need to be completed by the HSA. In the meantime, evidently, Newark Sugar Factory should not be identified as a Hazardous Installation in the Development Plan by virtue of the site’s operator confirming that the site not storing any hazardous substance and that the facilities at the site cannot physically store the hazardous substance as per the records held by the HSE and the HSA. British Sugar operates three other sugar beet processing factories in the UK – in Wissington, Cantley and Bury St Edmunds. These sites are on the edge or outside the settlement boundaries and benefit from a site specific designation or allocation supporting existing operations and growth in the adopted and/or emerging Local Plans, as follows:</p> <ul style="list-style-type: none"> • Wissington Sugar Factory is designated as a Major Employment Site under Policy LP10 in the emerging Local Plan for King’s Lynn and West Norfolk Borough (currently at the examination stage), supporting the factory’s ongoing operation and growth. • Cantley Sugar Factory is a site specific allocation under Policy CAN1 in the adopted Broads Local Plan, supporting the factory’s ongoing operation and growth. • Bury St Edmunds Sugar Factory is designated as a General Employment Area and allocated as British Sugar under Policy BV16 of the adopted Bury St Edmunds Vision 2031 document, which supports British Sugar’s continued operation and growth and protects areas intrinsic to British Sugar’s operations for uses in connection with the congoing operation and continues growth of the factory. We request that the same approach is taken for Newark Sugar Factory instead of designation of the site as a hazardous installation. The suggested policy wording is set out in the last section of these representations. <p>Policy DM4: As such, we consider that this approach is not justified and request that this Review process assesses the suitability of wind turbines on a site specific basis where existing businesses are seeking to reduce carbon emissions from their existing operations. In the context of the significant industrial development within the Newark Sugar Factory area, it is considered that wind turbine proposals of appropriate scale and siting could be accommodated without causing significant harm to amenity, landscape and views. Indeed, Newark and Sherwood Landscape Capacity Study for Wind Energy Development (March 2014) identifies that the landscape character area, in which the Newark Sugar Factory site is located, has low sensitivity to small turbines (15 to 30m) and low to medium sensitivity to small to medium turbines (31-80m) and medium sensitivity to large turbines (81-110m). We consider that that an opportunity to reduce carbon emissions should not be overlooked by a blanket ban in the District’s Local Plan, particularly where the area is identified as having low to medium landscape sensitivity to wind turbines of up to 110m. We therefore request that the Newark Sugar Factory site is identified as a site suitable for wind energy generation development as part of the ongoing operation of the factory. As stated in these representations, we consider that Newark Sugar Factory should be recognised and protected as a major employment site, rather than being incorrectly identified as a Hazardous Installation, in order that its continued operation and growth, including renewable energy development to improve its operation is supported through the Development Plan. We believe, a site specific designation is justified given the significance of Newark Sugar Factory to the agri-food sector in the region and the local economy and a longstanding sustainable business operating outside the defined Urban Area. The suggested policy wording is as follows:</p> <p><i>“Newark Sugar Factory’s continued operation and the role it plays, both within the District and the wider area, as a major employment site is supported. Newark Sugar Factory including areas intrinsic to the operations of British Sugar are protected for uses in connection with the ongoing operation and continued growth of the factory. Appropriate forms of development/uses on these areas including renewable energy development, which 6 are connected to British Sugar’s operation will be supported, having regard to the relevant requirements of the Local Plan. The Newark Sugar Factory site is identified as being suitable”</i></p> <p>We reiterate our previous representations that the Newark Sugar Factory’s national significance and British Sugar’s commitment to the factory’s ongoing and long-term operation in Newark should be recognised in the Local Plan rather than being identified incorrectly and inappropriately as a Hazardous Installation. We request that the Amended Allocations and Development Management DPD positively supports and encouraged ongoing operation, adaptation and growth of the factory through a site-specific designation as a major employment site for protection and support for ongoing operation and growth, including wind energy generation development for the factory operation. It is requested that our representations are taken into consideration in the Local Plan Review process.</p>
017	Mansfield District Council	Not applicable
022	Ashover Estates	Not applicable
024	Welbeck Estates- Cedar Planning	<p>Having regard to the current planning situation with the two submitted applications referred to above, it is likely to be the case that the overall amount of employment land is reduced. Therefore, should the applications be approved prior to the adoption of this policy the wording may need to be amended to:</p> <p><i>‘The site will accommodate around 120 dwellings, approximately 8.5 hectares of employment provision, approximately 20,000 sqft of retail use (for a small/medium supermarket) and 10.8 hectares of enhanced Public Open Space and sports provision.’</i></p> <p>It is recommended that the scale of the small supermarket is defined within policy CI/MU/1 of approximately 20,000 sqft. 1.15. The wording of Policy DM2 should be amended to provide greater clarity as to how the council will determine whether a development proposal would ensure the delivery of an entire allocation is not prejudiced. 1.33 In the view of The Welbeck Estates Company Ltd, the residential use on site allocation CI/MU/1 could come forward in accordance with policies DM2 and CI/MU/1 and demonstrate that the overall delivery of the allocation would not be prejudiced.</p>
025	Canal and River Trust	The trust has reviewed the second publication documents and we have no comment to make.
026	Tetlow King Planning obo Sparks	<p>Tetlow King Planning suggests that the policy text for So/RL/1 be amended as follows to ensure that the Plan policy is justified:</p> <p>-Policy So/RL/1: Southwell- Reserved Land to the South of Crew Lane</p>

		<p>Land to the South of Crew Lane has been identified on the Policies Map and this land will be reserved to ensure that at the next round of plan making it allows for a comprehensive approach to address unmet residential development needs in this area. Development proposals which prejudice this approach will not normally be considered appropriate.</p> <p>The reasoned justification to the policy would also need to be amended accordingly to reflect this change in emphasis. The Council already proposes the inclusion of So/RL/1 as Reserved Land and it is considered that this should be extended eastwards to include our clients land south of Crew Lane to ensure that there is sufficient land available to address the shortfall of 96 dwellings from the current allocations and the unmet needs for 150 affordable homes identified in the 2022 HNS for Southwell.</p> <p>Policy DM2: Development on Allocated Sites: If the 'Reserved Land' policy name and wording were to be amended in line with our proposed changes then that disconnection with DM2 would be resolved and the additional wording the Council now proposes within DM2 would ensure that a comprehensive approach was taken to the development of So/RL/1.</p>
031	Lichfields Obo Bourne Leisure Ltd	<p>-DM4: N/A</p> <p>- DM5a: To ensure robustness and consistency with PPG, the current wording of Policy DM5(a) should be presented as supporting text to reflect how this is guidance only and that it is not, in any event, necessarily relevant or appropriate for all development proposals.</p> <p>- DM5b: N/A</p> <p>-DM8: N/A</p> <p>-DM9: N/A</p>
033	AECOM obo Egdon Resources UK limited	The proposed changes sought by Egdon to Policy DM4 are required to ensure that the DPD is in accordance with paragraph 155 of the NPPF, and to achieve consistency with Core Policy 10 (Climate Change) in the Amended Core Strategy adopted by the Council in March 2019. The proposed changes sought by Egdon to Policy DM8 are required to ensure that the DPD is in accordance with paragraph 155 of the NPPF, and to achieve consistency with Core Policy 10 (Climate Change) in the Amended Core Strategy adopted by the Council in March 2019.
035	Delta Planning obo Tritax Acquisition 39 Limited	As identified through our answer to Question 8, we submit that the AADMDPD should be amended to include the site East of Newlink Business Park (SHELAA Site Ref. 16_0174) as an additional employment site allocation. A Site Supporting Statement has been prepared and submitted with these representations which demonstrates the development potential of this site. It is important to note that the first phase of development amounting to 16.6ha (circa 37,000 sq.m.) has already received Reserved Matters approval. The principle and suitability of logistics use in this location has therefore already been established. The site's suitability is also fully acknowledged in the latest SHELAA (Site Ref. 16_0174) with the Site Assessment Report reaching the overall conclusion in respect of this site that <i>"The site is adjacent the urban boundary of Newark and may be considered suitable for development."</i> Newark has missed out previously on the growth of the logistics sector as it had no suitable and deliverable logistics sites to offer to the market. The allocation of this land for employment will increase the supply of sites of a sufficient size to accommodate strategic logistics/industrial occupiers in the District satisfying both immediate demands (through the delivery of the Phase 1 proposal) and supplementing the longer-term supply of sites.
036	Historic England	<p>Policy GRT4 now includes a new site for new Gypsy, Traveller and Travelling Accommodation at Land East of Newark Road, Ollerton. We have the following comments:</p> <p><i>"We welcome the reference to archaeology within the site considerations. It could be beneficial to consider the impacts to Grade II Chaley House on the opposite side of the A616"</i>.</p>
042	Jamie Moore	Further to the above comments, many of which extracted from previous objections and concerns to the plans that have been raised before, further work and enquiries need to be undertaken to ensure that all potential issues have been addressed and can be eliminated to ensure the proposed site is viable and suitable for the traveller community.
043	Laura Musson	Further to the above comments, many of which extracted from previous objections and concerns to the plans that have been raised before, further work and enquiries need to be undertaken to ensure that all potential issues have been addressed and can be eliminated to ensure the proposed site is viable and suitable for the traveller community.
047	Fisher German obo Richborough	Not applicable
048/49	George Machin	Not applicable
050	House Builders Federation	<p>At present we still do not consider the plan to be sound, as measured against the tests of soundness set out in paragraph 35 of the NPPF, in the following key areas:</p> <ul style="list-style-type: none"> • The policy on BNG needs updating • Affordable housing policy has not been amended to reflect viability evidence in accordance with national policy; • Viability study does not reflect full impact of policies on the cost for development, including SPD • Requirements to accord with SPD are unsound • Reference to Building for a Healthy Life should be voluntary and not a requirement
051	IBA Planning obo Mr H Fury	Not applicable
052	Turley obo Bellway Homes	It is clear that this growing housing need should be addressed, and we recommend that the Part 2 Plan should commit to an early, full review of the Core Strategy. This is referenced and supported under Paragraph 1.32 in the emerging AADMDPD, which states that the NPPF will require that in 2024 the Council reviews the Amended Core Strategy to see if it remains up-to-date, and at that point it is likely that the Council will begin the process of developing a new Local Plan. Further changes are required to Policy Ra/E/1 Rainworth given that the outline planning application (ref:21/00996/OUTM) for 91 dwellings submitted in April 2021 was approved at Planning Committee on 5 th October 2023. Please refer to the letter of representations submitted with this form for further detail.
053	IBA Planning	Policy DM8: As above, the first paragraph of section 5 of Policy DM8 should be removed in its entirety as it is not directly relevant and/or inconsistent with national planning policy. The second paragraph of section 5 of Policy DM8 can be retained as presently worded, but only if explanatory paragraph 7.74 is amended to provide the necessary clarity regarding the Council's position (i.e. that they support) on the residential conversion of rural buildings. Paragraph 7.74 should be amended to remove the current conflict with section 5 of Policy DM8 – and to be consistent with national planning policy. The sustainability of the location of a site is irrelevant with regard to the residential conversion of buildings. The NPPF makes it clear that the residential conversion of a building in an isolated location is acceptable subject to the development resulting in an enhancement to its setting – and it would therefore make no sense whatsoever for the residential conversion of buildings in non-isolated (i.e. more sustainable) locations to not be supported in the same way. Paragraph 7.75 is also considered to be inconsistent with national planning policy and should be removed in its entirety – save for the final sentence referring to the Conversion of Traditional Rural Building SPD (which could sensibly be tagged on to the end of para 7.74).
054	Stantec obo Urban and Civic	<p>As our representations to the first publication AADMDPD (Ref: 054/Para 8.9 (CP1)/t4/0136 on behalf of Urban and Civic), and taking account of the proposed amendment within the Second Publication AADMDPD, Urban & Civic respectfully request that the proposed wording of Core Policy 1, B 'Tenure' is amended as follows (underlined/strikethrough).</p> <p><i>"On qualifying schemes, the District Council will seek to secure 30% Affordable Housing. A minimum of 25% of all affordable housing units will be First Homes, which includes may make up or contribute to the national requirements to secure 10% of new dwellings as affordable home ownership product as set out in part D of this policy.</i></p> <p><i><u>In respect of the remainder of the affordable housing units,</u> the District Council will seek to secure a tenure mix of Affordable Housing to reflect local housing need and viability on individual sites. Overall, the tenure requirement in the district should reflect the following mix:</i></p>

		<ul style="list-style-type: none"> - 60% X Social rented/ affordable rented - X% affordable rented - 40% affordable home ownership product <p>The affordable home ownership product element of the contribution will comprise the overall national 25% First Homes with the remaining 15% made up of other affordable home ownership products will be based on an up-to-date assessment of local need. First Homes should secure a minimum discount of 30% against the market value.</p> <p>In addition, the last bullet point within the supporting text at paragraph 8.9, should be amended as follows:</p> <p>“Whatever your local target for affordable home ownership product housing units a minimum of 25% must be First Homes”.</p> <p>These proposed changes reflect the First Homes requirement within PPG, together with the guidance on its application. The proposed changes make Core Policy 1 and its supporting text consistent with national policy which is necessary for the AADMDPD to be sound.</p> <p>As our representations to the first publication AADMDPD (Ref: 054/Para 7.4 (DM5a/T2T3/0135 on behalf of Urban and Civic), Urban & Civic respectfully request that paragraph 7.24 is amended as follows (underlined/strikethrough):</p> <p>“Applicants are strongly encouraged to engage local communities and other stakeholders at each stage of in the design process for proposed major or otherwise sensitive developments with the extent of engagement proportionate to the scale, form, type and sensitivity of the proposals. For instance, for major developments it is recommended that applicants undertake community and stakeholder engagement at Design Stage 1 and 2, testing and validating their findings prior to progressing to Design Stage 3. At Design Stage 3 further engagement work prior to progressing to Design Stage 4 is recommended. This level of community and stakeholder engagement is in addition to the usual Planning Application notification and stakeholder engagement is in addition to the usual Planning Application Notification and consultation process. Early and proactive engagement with local communities and stakeholders ensures that meaningful discussions take place at the appropriate stages in the design process when there is more scope for communities and stakeholders to shape development proposals”.</p> <p>The proposed change provides a more proportionate approach to engagement that will assist in the delivery of major developments. It is necessary for the approach to engagement within the AADMDPD to be justified and effective and thus sound.</p> <p>Policy GRT4: As our representations to the first Publication AADMDPD (Refs: 054/GRT4 P MAP 2/T1T2T3T4/0138 on behalf of Urban and Civic & 054/GTAA Pages 29-33/T1T2T3T4/0139 on behalf of Urban and Civic), Urban & Civic respectfully request that proposed Gypsy, Roma and Traveller pitches at the Former Belvoir Ironworks are removed from the AADMDPD. As such, Urban & Civic respectfully request that Site NUA/GRT/11 Former Belvoir Ironworks, Bowbridge Lane, Newark is deleted from Policy GRT4 (Site Allocations) and removed from Policy Map 2 (Newark South Proposals). The proposed allocation is not consistent with achieving sustainable development, is not supported by the evidence, and has the potential to undermine the delivery of Middlebeck, a strategic allocation in the ACS. As such, it is not positively prepared, nor consistent with national policy, and is neither justified nor effective. Its deletion from Policy GRT4, and associated removal from Policy Map 2 (Newark South Proposals), is therefore necessary to make Policy GRT4, and the Policies Map in respect of Gypsy and Traveller Accommodation Allocations in the vicinity of Middlebeck, sound.</p> <p>Open Space Assessment Strategy 2022- Map 2 Newark South Proposals: As our representations to the first Publication AADMDPD (Ref: 054/P MAP 2 Open Space Assessment Figure 4.1/T2/0140 on behalf of Urban & Civic), Urban & Civic respectfully request that Policy Map 2 (Newark South Proposals) be amended to remove the proposed designation of the School Playing Fields at Middlebeck Primary School. In addition, Urban & Civic respectfully request that the further proposed designation of open space at Bowbridge Square and Willow Walk also be removed. The proposed designation of Public Open Space/ School Playing Fields at Middlebeck is not supported by the evidence and, as such, is not justified. Removal of this designation across Middlebeck is therefore necessary to make the AADMDPD sound in respect of Spatial Policy 8 - Public Open Space/School Playing Fields designations at Middlebeck.</p> <p>NUA/AR/1: As our representations to the first Publication AADMDPD (Ref: 054/NUA AR 1 P MAP 2/T2/0134 on behalf of Urban & Civic), Urban & Civic respectfully request Policy Map 2 (Newark South Proposals) be amended to reclassify the part of Middlebeck proposed to be designated as NUA/AR/1 – Area A, as NUA/AR/1 – Area B. The proposed NUA/AR/1 – Area A designation is not supported by the evidence and, as such, is not justified. Its redesignation as NUA/AR/1 – Area B is therefore necessary to make the AADMDPD sound in respect of archaeological areas within Middlebeck.</p> <p>NUA/Ho/7: As our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 7/T3/0131 on behalf of Urban and Civic), Urban & Civic respectfully request that the last paragraph of the proposed wording of Policy NUA/Ho/7 is amended as follows (strikethrough): “The Council will work with stakeholders to seek appropriate regeneration within the area and seek to resolve existing environmental problems which exist in the Policy Area including by the redevelopment of Opportunity Site 1 the Tarmac site.” This proposed change will assist in placing the emphasis on the delivery of strategic allocations over Opportunity Sites. The proposed change will therefore assist the delivery of Middlebeck and is necessary for the AADMDPD to be effective and thus sound.</p> <p>NUA/Ho/10: As our representations to the first Publication AADMDPD (Ref: 054/NUA Ho 10 P MAP 2/T3/0132 on behalf of Urban and Civic), Urban & Civic respectfully request that the extension of Site NUA/Ho/10 Land North of Lowfield Lane is removed from the AADMDPD. As such, Urban & Civic respectfully request that the proposed increase in capacity of the site within Policy NUA/Ho/10 is deleted and capacity is maintained at 120 dwellings, and that the proposed extension of the site is removed from the Policies Map. This proposed change will assist the delivery of Middlebeck and is necessary for the AADMDPD to be effective and thus sound.</p> <p>NUA/OS: As our representations to the first Publication AADMDPD (Ref: 054/Para 2.10 NUA OS/T3/0133 on behalf of Urban and Civic), Urban & Civic respectfully request that the wording of paragraph 2.10 is deleted and replaced with the following text: “Development of these sites will be supported where it is clear that delivery of allocated sites is not taking place at the rate required.” This proposed change will assist in placing the emphasis on the delivery of strategic allocations over Opportunity Sites. The proposed change will therefore assist the delivery of Middlebeck and is necessary for the AADMDPD to be effective and thus sound.</p>
056	P&DG obo NSK Europe Ltd	Not applicable
057	Avant Homes	<p>Core Policy 1- Affordable Housing Provision: The wording of Core Policy 1 should be updated to reflect the position stated in the 24th May 2021 Written Ministerial Statement in relation to First Homes, and specifically updated to contain the requirement for a minimum of 25% of all affordable housing units secured through developer contributions to be First Homes. Clarity should also be provided that where cash contributions for affordable housing are secured instead of on-site units, a minimum of 25% of these contributions should be used to secure First Homes. Where a mixture of cash contributions towards affordable housing and on-site units are secured, 25% of the overall value of affordable housing contributions should be applied to First Homes.</p> <p>Core Policy 3 - Housing Mix, Type and Density: The wording of the amended Policy should be updated to reflect that the housing mix, type and density of schemes should vary at the local level across the District, to respond to localised needs and demands. The Integrated Impact Assessment which has been produced to inform the consultation states that “providing for a mix, type and density of new housing development which is able to respond to the housing needs of the District can help promote the creation of sustainable communities”. By this merit, it is imperative that the wording of the amended Policy be updated to allow for the identified variations in local housing needs, which have been informed by the Council’s own evidence base. 2.5 For example, the ‘Mansfield Fringe Area’, which Clipstone is a part of, is shown in the ‘District Wide Housing Needs Assessment – Sub Area Summaries’ (December 2020) to have an overall housing mix demand (as a percentage) to be 34.3% requiring the ‘4 or more bedroom house’ category whereas for Newark & Sherwood District there was a demand of 10.4% for the same category. 2.6 Simultaneously, it was found for the Mansfield Fringe Area there was a demand of 26.9% for the ‘3-bedroom house’ category whereas it was 39.9% for Newark & Sherwood District, which was the largest requirement of any category. Naturally, this has informed the proposed policy amendment, which seeks for an “emphasis on 2 and 3-bedroom family housing”. Whilst it may be that other areas in the District have a greater preference for these house types, it is unreasonable to over-emphasise or over rely on these house types in the Mansfield Fringe Area when there is a stated need for an increased provision of 4 or more bedroomed houses. Indeed, we consider that the wording of the Policy prior to the proposed amendment was more appropriate, as it stated that “the District Council will seek to secure an appropriate mix of housing types to reflect local housing need. Such a mix will be dependent on the local characteristics of the site, the viability of the development and any localised</p>

		<p>housing need information”. 2.8 The NPPF is clear in Paragraphs 61 and 62 that strategic policies should be informed by a local housing needs assessment, such as the District Wide Housing Needs Assessment and its associated Sub Area Summaries document, and that the context, size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.</p> <p>Policy DM2 – Development on Allocated Sites: We consider it appropriate for an additional allocation to be made in Clipstone, to protect the housing land supply of the District and to support the Government’s objective to significantly boost the supply of homes, as contained in Paragraph 60 of the NPPF. In response to this, and in response to other allocated sites which may not come forward as expected elsewhere in the District, we propose the allocation of ‘Land off Clipstone Drive, Clipstone’ which could be developed for residential purposes delivering in the order of approximately 800 dwellings. ‘Land off Clipstone Drive, Clipstone’ benefits from being sited in a highly sustainable location being located between the main body of the settlement and the recently developed land off Cavendish Way to the north east. It therefore has the potential to improve connectivity by bridging the gap between the core of the village and the new development for the benefit of all residents. 2.16 The site benefits from having access to the south-west from Clipstone Drive with the possibility of pedestrian accessibility into the parcel of land to the north-east where Persimmon Homes obtained full planning permission for 107no. dwellings (app. ref: 17/00582/FULM). 2.17 Further to this, the site also benefits from being located entirely within Flood Zone 1 and does not contain any trees or groupings of trees which are protected by Tree Preservation Orders. There are also no listed buildings nor scheduled ancient monuments on or within proximity to the site. The site has no landscape value and its development would effectively infill existing development to the north-east and south-west, demonstrating that this is a logical location for development. 2.18 The most recently published SHELAA assessment (2010) of the submitted site provided an overall conclusion that stated that “potential contamination issues at the site if necessary”. It is considered that this element could be further investigated prior to the submission of an application with appropriate mitigation measures incorporated into the scheme, if needed. 2.19 The SHELAA assessment also stated that there are “highway access constraints in this location”. In response to this, an Access Technical Note has been produced by Ardent Consulting, which sought to establish an agreement with Nottinghamshire County Council for an ‘in-principle’ access strategy that was proposed to consist of two adopted accesses from Clipstone Drive and Cavendish Way. This would enable an 800-unit development of the site to have more than a single point of access, which had been noted as the primary highway constraint to the site. 2.20 More recently, pre-application engagement was made with the Council in September 2020, with the response concluding that, at the current time, an application would not be supported due to the site being outside of the settlement boundary of Clipstone. The response advised that the site should be put forward for allocation during the Local Plan review. 2.21 ‘Land off Clipstone Drive, Clipstone’ is now controlled by Avant Homes, who have a proven and established track record of delivering housing in a timely manner in Clipstone, as well as elsewhere in the region. 2.22 The allocation of the site will act to reinforce the five-year housing land supply of the District in the short to medium term, and the developer would be able to get on-site promptly due to the relative lack of pre-development preparatory works or infrastructure which is required. Amended Allocations & Development Management Plan Document (DPD) – Avant Homes 2.23 This site would make a material contribution towards not only meeting the housing requirements of the District but could also support the economic and housing needs of Mansfield whose boundary is located within metres of the site and with Clipstone being referred to as a settlement in the ‘Mansfield Fringe Area’ in the Allocations and Development Management DPD (2013). Therefore, the allocation of land off Clipstone Drive, Clipstone is accordant with the general thrust of the NPPF and in particular the duty for local planning authorities to have regard to the specific needs of neighbouring authorities. 2.24 In conclusion, there are no material reasons why land off Clipstone Drive, Clipstone could not be allocated for housing as part of this Local Plan Review process. As such, further allocations should be considered to ensure that the housing land needs of the District are met, being mindful of the Government’s aspiration to deliver 300,000 dwellings a year.</p> <p>Policy DM5a – The Design Process 2.25 The proposed preferred approach for Policy DM5a seeks to introduce a requirement for new residential development to “perform positively” against the Building for a Healthy Life guidance. Whilst we are supportive of its use as guidance, we consider it appropriate that conformity to Building for a Healthy Life be voluntary as opposed to a mandatory policy requirement, as meeting the requirements of the guidance can have potentially significant impacts upon the viability and the deliverability of sites. This should be reflected in the wording of the policy, or alternatively adherence to Building for a Healthy Life guidance should be kept in the policy subtext only. 2.26 Further clarity should be provided regarding what the Council consider a “robust site and contextual appraisal” to include, in addition to the stated constraints and opportunities. This will ensure that there is as little ambiguity in the design process as possible, particularly in the early stages of the development of the design and in ensuring that these are translated through to the latter design stages and eventual submission design. 2.27 We query the inclusion of the statement “the District Council expects applicants to ensure that their design teams are well skilled, creative and passionate about creating great places whilst also being well informed in best practice and innovation” as this is something of a throwaway comment that is not supported by corresponding paragraph/s in the NPPF.</p> <p>Policy DM5b - Design 2.28 It is acknowledged that Policy DM5b (1. Access) seeks to encourage the integration of sustainable and active modes of travel, however the wording of the Policy should be amended to include reference to the provisions of Paragraph 105 of the NPPF. This Paragraph also seeks to maximise sustainable transport solutions; however, it recognises that opportunities for this will differ between urban and rural areas. As is considered in the Paragraph, “this should be taken into account in both plan-making and decision-making”. 2.29 For Policy DM5b (2. Parking), reference is made to development proposals being “in accordance with the adopted Residential Cycle and Car Parking Design Guide SPD”. In effect, this ordains the SPD with the same decision-making weight as an adopted DPD, which has not been subject to examination and does not itself form part of the emerging Amended Allocations & Development Management DPD. 2.30 Per Paragraph 16d of the NPPF, Local Plan policies should be “clearly written and unambiguous”. As such, the wording for Policy DM5b (2. Parking) should be updated to contain the cycle and car parking requirements, noting that further information is available in the associated SPD. -In summary, Avant consider the following points need further review from the Council prior to adopting the Local Plan in its proposed format:</p> <ul style="list-style-type: none"> · The land at Cavendish Way, Clipstone should be allocated for development in the short term. It is available, deliverable and achievable in terms of development and Avant have a legal interest in the land to ensure delivery of residential development in the immediate/short-term. From our preliminary investigations, the site does not have any technical constraints and is located in a sustainable and complementary position to the existing residential envelope. · Design Policy DM5a is unnecessary restrictive; · Affordable Housing (as per previous reps) remains in conflict with national policy; and, · The policy position on Biodiversity needs updating and to be consistent with national policy.
059	Protect Newark Green Spaces	<p>Policy NUA/Ho/10:</p> <ol style="list-style-type: none"> 1. Remove mentions of ‘Land north of Lowfield Lane’ from the DPD until full details are known and publicly available such that informed submissions can be made. 2. If there is a legal reason why 1 above cannot be done. We propose the following revised wording of the 2 mentions of ‘Land North of Lowfield Lane’: <ul style="list-style-type: none"> p.18 Land North of Lowfield Lane has been allocated on the Policies Map for residential development; the extent of the development, number of dwellings and other details are currently unknown and under review. P.233 Housing Trajectory: All numbers removed against ‘Land North of Lowfield Lane’ and totals adjusted accordingly.
060	Dessurne & Son	One solution I could propose, would be to slip Barnby Road onto the A1 at the bridge over the A1 near to the Barnby Road/ Coddington Road junction. This would not completely solve the problem but would help in several ways, firstly, it would give some help to congestion at Fernwood by allowing the alternative route along Hollowdyke Lane to be used at a greater extent because the constraint of Coddington Road would be reduced, even though the bridge over the railway would not be helped, the problem of traffic ending up in the village of Coddington would be eliminated. Secondly, it would give an alternative access route to Newark Town centre via Barnby Road, albeit, with the constraint of Barnby Road railway crossing, which however, would act as a traffic modulator as I have found, living along Bull pit Lane. Thirdly, it would allow better access for all the residents and all the businesses that live and operate along Barnby Road and Bullpit Lane, as this is becoming increasingly difficult; refer: TI 3_5: Impacts of Growth, and it can only get worse.
061	Environment Agency	The proposed Tolney Lane flood protection/alleviation scheme requires extensive partnership working between the two risk management authorities.
062	NHS	We have no further comments in relation to the requirements of the Duty to Cooperate, legal compliance or the ‘Tests of Soundness’.
063	Celia Derbyshire	Chestnut Lodge should be removed from the list of allocated sites and the new dwelling should be removed from the allocation completely. Unfortunately, however it is too late to do either of these things as permission has already been granted.

066	Planning Design & Practice obo clients	The site at South Muskham should be removed from Policy NA/MOA, to make the plan more consistent with paragraph 102, as the area no longer plays an important role in defining the settlement form and structure. It is an overgrown, unused site which could be sustainably developed into an integral site in the centre of the village to provide open space and access for all residents. The policy designation on the site at South Muskham is not justified or consistent with national policy, therefore, is not sound and should be removed from the Second Amended DPD.
067	Aspbury Planning obo Newark and Notts agricultural soc	<p>We refer to the above draft DPD and specifically to Policies NUA/SPA/1 – ‘Newark Urban Areas – Newark Showground Policy Area’ and NUA/MU/1 – ‘Mixed Use Site 1’.</p> <p>The Newark & Nottinghamshire Agricultural Society is the owner and operator of the Newark Showground - one of the premier event venues in the East Midlands - which occupies the majority of the Showground Policy Area.</p> <p>The Society is broadly supportive of both of the above Policies subject to the following suggested amendments:</p> <ul style="list-style-type: none"> • Delete from the second sentence, first paragraph of NUA/MU/1: “a Hotel/Conference facility”. • Amend the Proposals Map – Inset Map 1 – ‘Newark North Proposals’ to: <ul style="list-style-type: none"> ○ delete that part of the NUA/MU/1 – Mixed Use Site allocation extending east from the western edge of the former Winthorpe Aerodrome main runway (SSW/NNE aligned) and to the north of Godfrey Drive/Overfield Park (including the ‘Wirtgen’ premises); and, ○ add the area west of the mentioned runway extending north to the southern edge of Golf Driving Range/former Indoor Bowls Club. (See attached Plan). • Add a new Allocation – NUA/MU/1A(?) -comprising the Showground frontage to the A46(T): that is, the land to north-north-east of the proposed amended NUA/MU/1 allocation (see above), between the north-west edge of the former airfield main runway and the A46(T), extending as far as Drove Lane (see attached Plan [detailed boundary subject to the A46 improvement]): The supporting text to read: <p style="margin-left: 40px;"><i>“(This Site) is allocated on the Policies Map for mixed use development, compatible with and complementary, to the Showground Policy Area allocation within which it lies. The Site will accommodate Hotel and Conference -, Restaurant -, small scale Convenience Retail - and Sporting facilities, together with Education/Training and Employment uses.”,</i></p> <p>The text would then continue in the same terms as the second paragraph onwards of NUA/MU/1</p> <ul style="list-style-type: none"> ○ add the area west of the aforementioned runway extending north to the southern edge of Golf Driving Range/former Indoor Bowls Club. (See attached Plan). • Add a new Allocation – NUA/MU/1A(?) -comprising the Showground frontage to the A46(T): that is, the land to north-north-east of the proposed amended NUA/MU/1 allocation (see above), between the north-west edge of the former airfield main runway and the A46(T), extending as far as Drove Lane (see attached Plan [detailed boundary subject to the A46 improvement]): The supporting text to read: <p style="margin-left: 40px;"><i>“(This Site) is allocated on the Policies Map for mixed use development, compatible with and complementary, to the Showground Policy Area allocation within which it lies. The Site will accommodate Hotel and Conference -, Restaurant -, small scale Convenience Retail - and Sporting facilities, together with Education/Training and Employment uses.”,</i></p> <p>The text would then continue in the same terms as the second paragraph onwards of NUA/MU/1.</p>
069	Harris Lamb obo Telereal Trillium Group	Land West of Newark Road, Ollerton: In light of the fact that the site has an extant planning permission for residential development we propose that the site at the very least be returned to being identified as a “Housing site with planning permission”, and for certainty we consider the site should be identified as a residential allocation.
070	Dr and Mrs Johnston	Remove the proposed designation of public open space for the woodland referred to above.
071	Aspbury Planning obo Messers Briggs Price, Hiller and Porter	In summary, therefore, the MOA designation in question is neither necessary, nor justified and should be deleted through a Modification at an appropriate time in the preparation of the Plan.
072	Chris Wickham Assoc obo Civitas SPV6 Limited	<p>Policy/Bi/Ho/1: The Policy should be changed to omit the second bullet point. This change will make the Policy sound because delivery of housing on this site allocation will no longer be subject to an unnecessary phasing restriction.</p> <p>Paragraph 5.31: Paragraph 5.31 should be amended to omit the words ‘and to also remove site Bi/Ho/1’. By doing so, the paragraph will be consistent with Policy Bi/Ho/1, and therefore sound.</p> <p>Paragraph 7.74: should be amended to read as follows:- ‘The countryside contains many buildings that are no longer needed or suitable for their original purpose and a significant number of these have already been converted to other uses. The conversion to dwellings will be supported, in particular in more sustainable locations close or adjacent to settlements. It will need to be demonstrated through the submission of a structural survey that the building is capable of being converted without substantial alteration or re-building. If approval is granted, the amount of re-building permitted will normally be restricted by condition to that required by the structural survey. If the need for further re-building is identified during the construction process, this may trigger the requirement for a new planning application. Submission of a protected species survey and any proposed mitigation will also be required as part of any application.’ The above change will achieve consistency with paragraph 80(c) of the NPPF, and will therefore make this paragraph sound.</p> <p>Policy Number: DM8 (Part 5 – Conversion of existing buildings): The second paragraph of Part 5 of Policy DM8 policy should be amended to read as follows:- ‘Proposals for the conversion to new residential uses will be supported, in particular in locations close or adjacent to settlement boundaries, where it can be demonstrated that the buildings can be converted without significant re-building, alteration or extension. This includes the conversion of buildings of historical merit where conversion would result in their preservation. Further guidance over how proposals for the conversion of traditional rural buildings will be considered is provided in the Conversion of Traditional Rural Buildings Supplementary Planning Document.’ This change would bring the policy closely into line with the less restrictive approach to the re-use of redundant or disused buildings in the countryside, as set out at paragraph 80(c) of the NPPF, and would make this part of the policy consistent with national policy, and therefore sound.</p>
073	Kate Murrell	field opposite development on Lowfield Lane: It would most likely be considered an area of rich biodiversity by any ecological surveys independently performed anyway, so should be omitted from any residential or other development or interference.
074	Southwell Civic Society	So/RL/01- paragraph 3.6: Remove the above areas from Public Open Space- change the designation of So/RL/01 to So/E/3
075	Aspbury Planning obo Lindum Developments	<p>The Lindum Group is broadly supportive of both of the above Policies subject to the following suggested amendments:</p> <ul style="list-style-type: none"> • Delete from the second sentence, first paragraph of NUA/MU/1: “a Hotel/Conference facility”. • Amend the Proposals Map – Inset Map 1 – ‘Newark North Proposals’ to: delete that part of the NUA/MU/1 – Mixed Use Site allocation extending east from the western edge of the former Winthorpe Aerodrome main runway (SSW/NNE aligned) and to the north of Godfrey Drive/Overfield Park (including the ‘Wirtgen’ premises) (Green Area on the attached plan); and, add the area west of the aforementioned runway extending north to the southern edge of Golf Driving Range/former Indoor Bowls Club. (Blue Area on the attached Plan).

076	Victoria Hodgson	I do not believe the Integrated Impact Assessment Framework has been objectively assessed, seeming to be weighted in favour of the objectives, with little acknowledgement of the adverse impacts other than token wording being added to a policy without any real meaning. Until it can be objectively assessed then the land should not be allocated. The fact that a planning application for 151 dwellings has already been submitted, despite only 120 being approved by the secretary of state in 2013 suggests an assumption that it's already a forgone conclusion regardless of any cooperation or participation. Until all the evidence is available then this allocation should be withdrawn. As a layman with no previous experience of land allocation, government policies or strategies, planning permissions etc I have found this process absolutely bewildering – how access to any of this information meets “duty to cooperate” is beyond me. I would go so far as to suggest back as far as 2011 the numbering of this allocation changing from NU/HO/12 to NUA/HO/10, the jump from 100, to 120 to 170 is misleading and extremely time consuming to follow a paper trail therefore could not suggest wording of a particular policy or objective to enhance understanding to the common man.
077	Steven Hodgson	Although the ecological appraisal has identified value, there is not any enhancement which protects the biodiversity listed above. The change required to rectify the shortcomings of the DPD in relation to NUA/HO/10 would be to de allocate this parcel of land north of Lowfield lane. The council and their in-house developers have hugely underestimated the ecological value of this site. Due diligence was not given at the land purchase stage and continues to be driven forward to avoid embarrassment on the waste of resources. There is no mitigation to building on greenfield sites with a view to conserve wildlife. Builders move in, wildlife moves out, never to return This allocation should be refused for the wellbeing of our existing wildlife and the conservation of the varied threatened species existing here for all to admire.
078	Cllr Thomas Collier	Not applicable
079	Protect Our wildlife on Lowfield Lane	Remove mentions of ‘Land north of Lowfield Lane’ allocation NUA/ Ho 10 from the DPD until more accurate and sound assessment of its agreement with the councils strategic policies in the allocation plan and objectives 3, 6 and 7 can be made on the basis of more accurate assessment and survey data. The inclusion of the additional parcel of land on to the west of the site in this updated plan which takes the capacity from 120 houses to 170 houses should be subjected to scrutiny as it was not included in the original allocation and should be considered in the light of current govt and planning policy not considered as part of the original allocation granted back in 2012/13 .
080	Coddington Parish Council	Not applicable
081	Savills obo Oxton Trust Farms (response above)	Policy DM8: It is considered important that the policy goes further to support diversification, and encourage uses other than farm shops which could also be appropriate in the countryside Employment uses: Our client is disappointed with the inclusion of an additional hurdle for employment uses in the countryside and this is contradictory to the positive approach proposed in other parts of DM8 in relation to farm shops and holiday accommodation in particular. The policy amendments specify that development should be ‘small scale’ and therefore it is considered unnecessary to place a further requirement to sequentially justify the choice of site. In many cases, these small scale employment uses will form part of the diversification of a rural business and therefore, an approach such as that set out in part 6 of the policy, relating to farm shops, would be more appropriate. Unless a proposal is of a large scale, it is considered that a site specific explanation and consideration of impacts would be a more appropriate and proportionate policy response. Core Policy 2A - Entry-Level Exception Housing: Entry-level exception sites as set out in national planning policy will be supported in locations adjacent to the Urban Boundary/Village Envelopes of the Newark Urban Area, Service Centres and Principal Villages where it can be demonstrated that they are addressing a shortfall of the type of entry-level product being promoted in the proposal. It is disappointing that this policy would not apply to those settlements smaller than Principal Villages nor within the Green Belt and therefore important that all types of rural exception housing should be supported in rural areas, including the Green Belt.
082	Avant Homes	In summary, Avant consider the following points need further review from the Council prior to adopting the Local Plan in its proposed format: · The land at Harrow Lane, Boughton should be allocated for mixed use development in the short term. It is available, deliverable and achievable in terms of development and Avant have a legal interest in the land to ensure delivery of a suitable mixed use development site in the immediate/short-term. From our preliminary investigations, the site does not have any technical constraints and is located in a sustainable and complementary position to surrounding land uses. · Design Policy DM5a is unnecessary restrictive; · Affordable Housing (as per previous reps) remains in conflict with national policy; and, · The policy position on Biodiversity needs updating and to be consistent with national policy.
083	The Impact Branch Limited	As detailed above, the proposed wording of Policy DM8 is generally welcomed but does not allow an easy interpretation by developers looking to expand within the open countryside. Additional supporting paragraphs or altered wording to the policy as above should be included within Policy DM8 to further detail how development of existing business parks should be considered.
084	Lindum Group	Not Applicable
085	Pegasus Group obo Gleeson	As part of the Newark and Sherwood Second Publication Amended Allocations and Development Management Policies DPD Consultation, the Bilsthorpe settlement boundary should be amended to include land which is currently being delivered as a comprehensive redevelopment of the site. This land is not designated open space, nor has it been included within the within the open space provision within the Council’s recent open space assessment (2022). The area is not characteristic of the countryside and therefore should be included within the settlement boundary. We trust our representations are clear but if you have any questions or wish to discuss this further, please do not hesitate to contact us.
086	Ruth Neilson	-To remove NUA/Ho/10 from the DPD. -To undertake a robust, legal and transparent democratic consultation exercise as to the current and potential use options for the area identified as NUA/Ho/10. -To withdraw 23/SCR/00001. -To withdraw 23/02375/FULM
087	Turley obo Nottingham Trent Brackenhurst Campus	To remove the proposed designation of the three areas above as ‘Public Open Space / School Playing Fields’.
088	Severn Trent Water	NUA/Ho/10: As plans develop further for this site, we would recommend consultations/discussions with Severn Trent are initiated as early as possible so further assessment / modelling can be completed to understand the risk in more detail and, if required, plan any required improvements to the network.
089	William Robinson	SP8- Paragraph 3.2: The designation of ‘public open space’ should be removed from this private wood that is not even visible from the town. There is already a public footpath that is clearly shown as such on existing maps.
090	Barnby in the Willows Parish Council	The Chestnut Lodge site should not be included within the DPD due to it failing to meet a number of policy criteria as stated above. The Council should seek to buy sites that satisfy the planning policy rules, rather than end-up, granting retrospective planning to random, sites that have been set up that don't fulfil planning policy requirements.
091	Maurice Leach	NUA/HO/1- Newark North Map 1: Up until this point, the district council clearly regarded this site as appropriate for development. Deallocation would therefore seem to be unreasonable and unjustifiable in the context of its own established criteria. In order to render the DPD ‘sound’, the site should continue to be allocated for housing and the same wording should be retained: “Land at the end of Alexander Road and Stephen Road has been allocated on the policies map for residential development providing around 20 dwellings”. Any decision about the site should not have been made for work on the A46 as these have no impact on the upon the effectiveness of delivery of housing development. The site should only be de-allocated if it can be shown by solid evidence that housing could not be delivered. I have engaged with the A46 project team and they have stated that this site is not required. Perhaps there needs to be more cooperation between the council and the A46 project team.

Appendix B – Proposed Main Modifications and Minor Amendments to the Amended Allocations & Development Management DPD

Part of the AADMPD	Main Modification (MM) or Clarification Minor Amendment (CMA)	Proposed Change
Chapter 1: Introduction		
Para 1.18	CMA 1	<p>Amend paragraph to read: In addition, local infrastructure, including facilities and services which are essential for development to take place, or which are needed to mitigate the impact of development at the site or neighbourhood level, will be secured through planning obligations.</p>
Chapter 2: Newark Area		
Policy NUA/MU/1	MM 1	<p>Amend first paragraph to read: Land North of the A17 has been allocated on the Policies Map for mixed use development. The site will accommodate a Hotel/Conference Facility, restaurant facilities to support the wider showground uses, and employment uses.</p> <p>See also MM 12 for change to the allocation.</p>
Para 2.12	CMA 2	<p>Amend third sentence to read: Three purpose-built shopping centres are located to the north and south of the core, anchored by Morrison's, Wilkinson's and Asda. The District Council and its partners are pursuing a range of activities to enhance the sustainability of the centre.</p>
Para 2.26 (and all subsequent mentions of this in each settlement chapter at para 2.35, 2.43, 3.11,	CMA 3	<p>Amend supporting text to read: Outdoor sport facilities are not analysed as part of the Open Space Strategy & Assessment as a different methodology in line with national guidance (Sport England) is prescribed and is contained in a separate standalone Playing Pitch Strategy (PPS). This document is currently being updated</p>

3.26, 4.8, 5.12, 5.21, 5.29, 6.10, 6.18)		and due to be published in Winter 2023/24. <u>The PPS will help inform requirements for new playing pitches as a result of additional development.</u>
Chapter 5: Sherwood Area		
Policy Bi/Ho/1	MM 2	Delete the second bullet point: Phasing of development in relation to the implementation of the planning permission for residential development adjacent.
Para 5.31	MM 3	Amend paragraph to read: The village envelope has been amended to include the development under construction at Oldbridge Way, <u>and</u> completed development elsewhere in the village and to also remove site Bi/Ho/1.
Chapter 6: Mansfield Fringe Area		
Para 6.5	CMA 4	Amend the last two sentences to read: Sufficient land has been <u>allocated</u> , completed or has the benefit of planning permission to meet the employment requirements in the Mansfield Fringe Area. Whilst some of the allocations have the benefit of planning permission and may be under construction, the allocations are retained unless all of the site is complete.
Policy CI/MU/1	MM 4	Amend the third sentence, first paragraph of the policy to read: Including the retention of the headstocks and powerhouse, the site will accommodate around 120 dwellings, <u>up to</u> 12 hectares of employment provision, retail and enhanced Public Open Space. The retail element will be of a size and scale which helps facilitate the wider delivery of the scheme and may include a small supermarket and other complementary facilities to help to meet the needs of the site and the wider settlement.
Chapter 7: Development Management Policies		
Para 7.3	MM 5	Add new paragraph after paragraph 7.3 to read: <u>Up to date evidence includes the supporting evidence of the Local Development Framework and any future updates. The Infrastructure Delivery Plan, the Open Space Assessment & Strategy, the Strategic Flood Risk Assessment, and the Playing Pitch Strategy are included in this list of evidence. Guidance from Supplementary Planning Documents should also be taken into account.</u>
Para 7.5	CMA 5	Amend paragraph to read:

		<p>Planning Obligations for appropriate infrastructure to meet the needs of development will take into account Amended Core Strategy Policy for Affordable Housing Policy, the Infrastructure Delivery Plan, the Open Space Assessment & Strategy, and supporting evidence, including <u>advice provided in</u> adopted Supplementary Planning Documents.</p>
Policy DM4	MM 6	<p><u>Amend second paragraph of Policy to read:</u> Applications to develop new wind energy schemes involving turbines of sufficient size to require planning permission will only be considered acceptable:</p> <ul style="list-style-type: none"> • In areas identified set away from sensitive receptors and identified as suitable for wind energy development in the Development Plan; • Where it is demonstrated that the local community has been consulted and are supportive; and • Where the planning impacts identified by the affected local community have been fully addressed. <p><u>Applications to develop new wind energy schemes involving turbines of sufficient size to require planning permission will only be considered acceptable in areas set away from sensitive receptors; and where it is demonstrated that the local community has been consulted and are supportive.</u></p>
Para 7.10	MM 7	<p><u>Amend Paragraph to read:</u> No areas in Newark and Sherwood have been <u>are currently</u> identified as suitable for wind energy developments involving turbines of sufficient size to require planning permission. The District Council does not intend to identify such areas, but <u>can identify such areas in a Supplementary Planning Document and</u> local communities are free to do so as part of the production of a neighbourhood plan. The Newark & Sherwood Landscape Capacity Study for Wind Energy Development can inform the identification of areas suitable for wind energy developments involving turbines of sufficient size to require planning permission. This can be seen at:</p> <p>https://www.newark-sherwooddc.gov.uk/windenergyspd/</p>

Policy DM5a	MM 8	<p>Amended second paragraph of policy to read: <u>All Nnew residential development (unless otherwise identified by the Council)</u> will also need to perform positively against Building for a Healthy Life (or any successor version of the tool).</p>
Policy DM5b	CMA 6	<p>Amended policy text to remove duplicated paragraph at the beginning of the policy: In accordance with the requirements of Core Policy 9 of the Amended Core Strategy, having addressed the design principles set out in the National Design Guide and any local Design Codes, all proposals for new development shall be assessed against the following criteria: In accordance with the requirements of Core Policy 9 of the Amended Core Strategy, having addressed the design principles set out in the National Design Guide and any local Design Codes, all proposals for new development shall be assessed against the following criteria:</p>
Para 7.39	CMA 7	<p>Amend paragraph and title to read: Trees, Woodlands, Biodiversity and Green <u>and Blue</u> Infrastructure Features of natural importance such as trees and hedges significantly contribute to the landscape character of the District and can also be used to help integrate new development into it. Where a site contains or is adjacent to such features, proposals should take account of their presence and wherever possible incorporate or enhance them as part of the scheme of development in order to improve the connectivity of the Green Infrastructure. Where it is proposed to remove features, justification will be required, and re-planting should form part of development proposals. An assessment of open space, through the Open Space Strategy and Assessment (2022) has been undertaken to ascertain the amount, quality and accessibility of different categories of open space in the District. This has recommended local standards of provision which set out where new open space is need and where existing open space needs to be protected (See Appendix D). <u>Reference should be made to Natural England’s Green Infrastructure Framework and Green Infrastructure Planning and Design Guide.</u></p>
Para 7.48	CMA 8	<p>Amend paragraph to read: The way places are designed affects the way residents and users behave. Active Design (20<u>15</u>23) published by Sport England in conjunction with Public Health England <u>Active Travel England and the Office for Health Improvement and Disparities</u> highlights the way design can be used to encourage greater levels of activity amongst residents and users of development. It sets out ten principles that can be applied when designing and master planning development proposals in</p>

		order to support create health lifestyles <u>active environments that encourage people to be active through the everyday lives</u> by facilitating participation in sport and physical activity, including encouraging walking and cycling for short journeys and introducing space for sport and recreation within development proposals.
Policy DM5c	MM 9	<p>Amend first and second paragraphs to read: In-line with Core Policy 10 of the Amended Core Strategy, the Council will follow a sequential approach to development and flood risk, seeking to steer new development away from those areas at highest risk (<u>all sources</u>). Development will not be permitted if there are reasonably available sites appropriate for the proposed development in areas at lower risk of flooding.</p> <p>The area of search within which to undertake the Test will normally be District-wide, unless it is appropriate for this to be further refined having had regard to relevant policy objectives within the Development Plan and/or any valid functional requirements of the proposed use. With specific regard to housing development, the presence of a settlement-level housing needs assessment will not normally justify restricting application of the test to that location, except in the circumstances outlined below.</p>
Policy DM7	MM 10	<p>Amend paragraph headed Enhancing Biodiversity to read: Development proposals in all areas of the District should seek to enhance biodiversity. Proposals should take into account the latest information on biodiversity including Nottinghamshire Biodiversity Opportunity Mapping, and the forthcoming Local Nature Recovery Strategy. Except for exempt development proposals, the enhancement should be a net gain of at least 10% (or if different, the relevant percentage set out in the Environment Act) as measured by the applicable DEFRA metric or any successor document. These gains must be guaranteed for a period of at least 30 years. On 9th November 2023 a two-year transition period will end; after which <u>From January 2024 for larger sites and April 2024 for small sites</u>, biodiversity net gain of the relevant percentage becomes a legal requirement on developments where it is applicable.</p>
Para 7.60	CMA 9	<p>Amend paragraph to read: This policy is required to facilitate the application of the strategic aims for biodiversity and green infrastructure established by Core Policy 12 to individual development proposals and to meet the NPPF's requirement to have criteria-based policy with which to assess proposals for any</p>

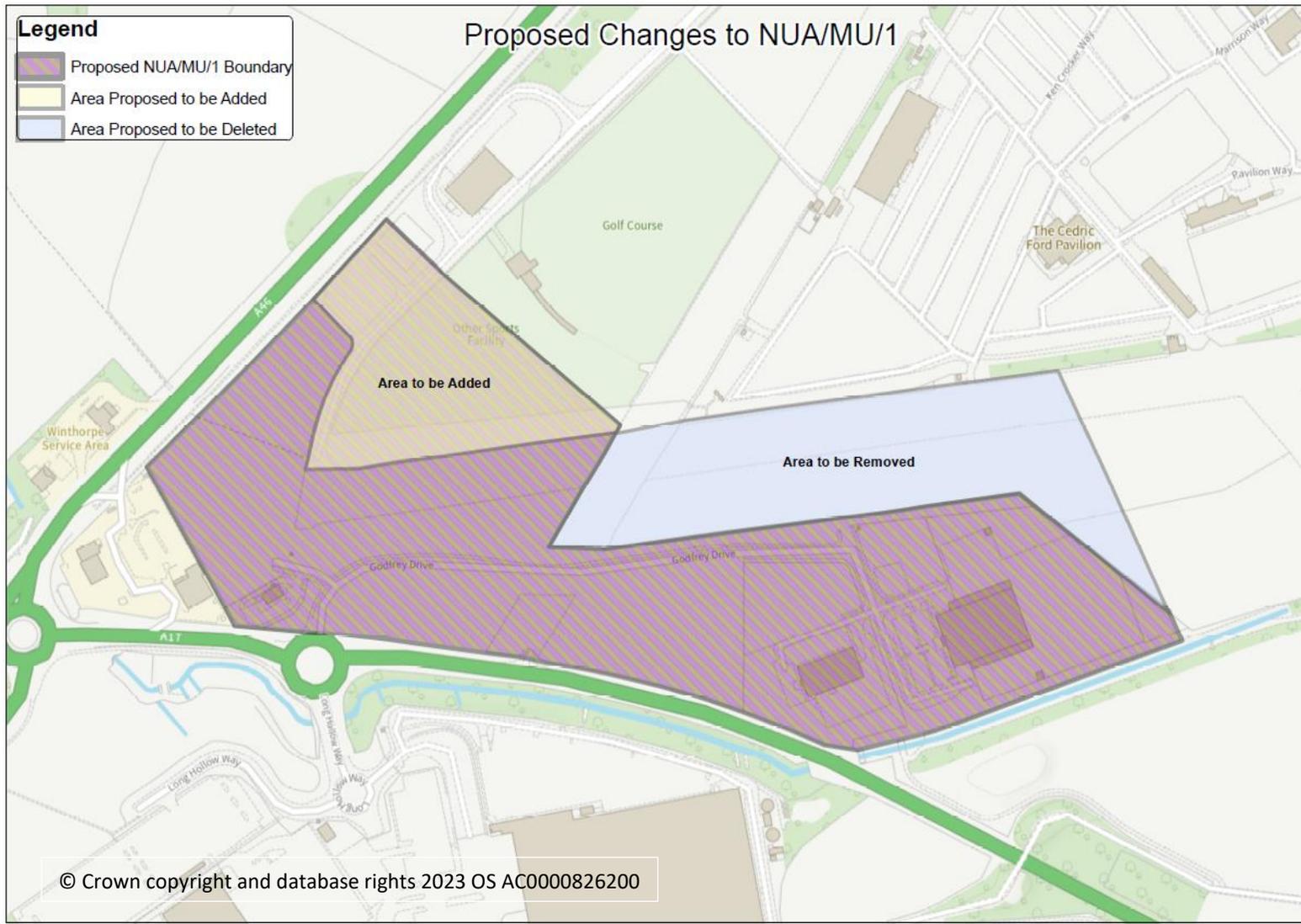
		development on or affecting protected wildlife or biodiversity sites. Green infrastructure should be understood to include blue infrastructure. <u>In 2023, Natural England launched the Green Infrastructure Framework and applicants should refer to this.</u>
Para 7.62	CMA 10	Amend the last two sentences of the paragraph to read: It is anticipated that The first preference is for the Net Gain to be on site, if this cannot be achieved off site contributions will be considered in line with the arrangements that secondary legislation will put in place. Currently Nottinghamshire Local Authorities are developing a joint approach to managing the implementation of Net Gain in the County. The Biodiversity Net Gain Framework for Nottinghamshire and Nottingham provides guidance on the implementation of <u>BNG policy.</u>
Policy DM8	MM 11	Amend Section 5. Conversion of existing buildings to read: 2. Conversion of existing buildings In the interests of sustainability, consideration should be given to the conversion of existing buildings before proposing replacement development. Proposals will be <u>should investigate and assessed alternative uses for buildings</u> in accordance with the aims of the Spatial Strategy and the NPPF and present a case for the most beneficial use. Redevelopment proposals, which significantly expand the existing form of the building, <u>or require substantial rebuilding,</u> will not be considered under this element of the policy, but will instead be assessed as new development in open countryside under other relevant provisions of this policy. <u>Proposals for the re-use of existing buildings will normally be required to submit a protected species survey and proposed mitigation alongside the planning application (i.e. a pre-determination species survey).</u> <u>Proposals for residential development that re-use redundant or disused buildings will be supported if they demonstrate that such development would enhance its immediate setting.</u> Planning permission will be supported for the conversion to new residential uses of buildings of architectural or historical merit where it warrants their preservation, and they can be converted without significant re-building, alteration or extension. Further guidance over how proposals for the conversion of traditional rural buildings will be considered is provided in

		<p>the Conversion of Traditional Rural Buildings Supplementary Planning Document.</p> <p>Proposals for the re-use of barns and other associated agricultural buildings will be required to submit a protected species survey and proposed mitigation alongside the planning application (i.e., a pre-determination protected species survey).</p> <p>Proposals for residential development will also need to demonstrate that the enhancement of their immediate setting has been provided for.</p>
Para 7.74	CMA 11	<p>Amend paragraph to read:</p> <p>The countryside contains many buildings that are no longer needed or suitable for their original purpose and a significant number of these have already been converted to other uses. Such buildings are mostly in unsustainable locations and consequently the Council will carefully consider new uses to ensure that they are the most appropriate to reflect the aims of the Spatial Strategy <u>and the NPPF. The Council will only support the principle of conversion to dwellings where the architectural or historical merit of the building(s) outweighs their unsustainable location. It will need to be demonstrated through the submission of a structural survey that the building is capable of being converted without substantial alteration or re-building. If approval is granted, the amount of re-building permitted will normally be restricted by condition to that required by the structural survey. If the need for further re-building is identified during the construction process, this may trigger the requirement for a new planning application. Submission of a protected species survey and any proposed mitigation will also be required as part of any application. In order for proposals to be considered under this element of the policy, the existing buildings must be capable of conversion without significant rebuilding. This will be demonstrated by the submission of an appropriate structural survey.</u></p>
Para 7.75	CMA 12	<p>Replace paragraph with the following text:</p> <p>In developing schemes of conversion, applicants should consider and investigate alternative uses to arrive at those that best meet the aims of the Spatial Strategy and are compatible with the design of the building. As the most suitable use will depend on the nature of the buildings and their location within the District, case by case justification will be required. Further details are set out in the Conversion of Traditional Rural Building SPD.</p>

		<u>The Council supports the principle of conversion of buildings of architectural or historical merit. However, it will need to be demonstrated through the submission of a structural survey that the building is capable of being converted without substantial alteration or re-building. If approval is granted, the amount of re-building permitted will normally be restricted by condition to that required by the structural survey. If the need for further re-building is identified during the construction process, this may trigger the requirement for a new planning application. Submission of a protected species survey and any proposed mitigation will also be required as part of any application. Further details are set out in the Conversion of Traditional Rural Building SPD.</u>
Para 7.80	CMA 13	Amend paragraph to read: Expansion of viable business and recreational uses will be supported subject to site specific assessment. It should be recognised that the expansion of any given site is likely to be limited at some point by its impacts on the countryside. <u>The District Council will seek to work with existing providers of employment in rural areas to facilitate proportionate expansion by ensuring that impacts on the countryside are acceptable.</u>
Policies Map		
Map 1 – Newark North Proposals	MM 12	Amend Policies Map to reflect amended site area and boundary now proposed for NUA/MU/1 See below details of the proposed amended areas of land to be included and removed from the allocation.
Map 6 – Southwell	CMA 14	Remove Crink Lane Wood (OSS Site 432), and Brackenhurst Campus (OSS Site 491) from SP8 GIS Layer Landowners wish for designation to be removed. The land is not open space.
Map 2 – Newark South Map 6 – Southwell Map 7 – Farnsfield Map 10 – Ollerton Map 11 – Edwinstowe	CMA 15	Add updated Local Nature Reserve GIS layer to Maps in AADMDPD To reflect Statement of Fact changes.

Map 12 – Bilsthorpe Map 13 - Rainworth Map 14 – Clipstone Map 15 - Blidworth		
All	CMA 16	Amend SP8 Layer title on key to read: “Spatial Policy 8 – Public Open Space / School Playing Fields”

MM12 – Proposed Changes to NUA/MU/1



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, 31 October 2023 at 6.00 pm.

PRESENT: Councillor P Peacock (Chair)

Councillor R Cozens, Councillor S Crosby, Councillor K Melton,
Councillor M Spoons, Councillor P Taylor and Councillor R Holloway

APOLOGIES FOR ABSENCE: Councillor L Brazier and Councillor E Oldham

43 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

Councillors K Melton, P Harris, P Rainbow and K Roberts declared other registerable interests in relation to Agenda Item No. 14 – Southwell Leisure Centre Works – as Trustees of Southwell Leisure Centre appointed by the District Council. The Director – Customer Services & Organisational Development declared an interest in the same item as a Director of Active4Today.

44 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.

45 MINUTES FROM THE PREVIOUS MEETINGS HELD ON 12 AND 19 SEPTEMBER 2023

The minutes from the meetings held on 12 September 2023 and 19 September 2023 were agreed as a correct record and signed by the Chair.

46 CHAIR'S UPDATE

The Leader and Chair referred to the recent flooding in the District and thanked District Council colleagues who helped with the response effort. He also welcomed the reversal of the Government's decision to close railway ticket offices and the Leader also expressed his thanks to the Customer Services Business Unit for their performance in processing housing support fund referrals.

47 COMMUNITY PLAN 2023 - 2027 (KEY DECISION)

The Chief Executive and Transformation & Improvement Officer presented a report which set out the draft Community Plan for 2023-2027 which was the key direction setting document which outlined the priorities and vision of the Council for the four-year term following the May 2023 election. The draft plan was attached as an appendix to the report and it was noted that appropriate amendments had been made following comments made by the Policy & Performance Improvement Committee which were also detailed in the report.

AGREED (unanimously) that Cabinet:

- a) review the Community Plan and the accompanying comments carried forward from the Policy & Performance Improvement Committee; and
- b) endorse and recommend the Community Plan to the meeting of Full Council to be held on 12 December 2023 for approval.

Reasons for Decision

Members of Cabinet, Chairs and Vice Chairs have worked together to reach a consensus and have developed the Community Plan over the course of a number of months. The Community Plan is the key direction setting document which sets out the priorities and vision for the Council.

Options Considered

The report details the process by which alternative options for inclusion in the plan have been considered.

48 LOCALISED COUNCIL TAX SUPPORT SCHEME 2024/25

The Business Manager – Revenues and Benefits presented a report in relation to the continuation of the Localised Council Tax Support Scheme for 2024/25 with minor changes in accordance with the annual uprating amounts applied by the Department for Works and Pensions (DWP). By applying the annual uprating of income and disregards to the 2024/25 scheme, the Council would continue to maintain the current level of support to all Council Tax Support claimants and ensure that the scheme continues to benefit the most vulnerable and low-income households using nationally recognised rates of DWP income rather than continuing with the 2023 rates that were being used in the current scheme.

AGREED (unanimously) that Cabinet recommends to Full Council the uprating of the applicable amounts, premiums, state benefits and disregard criteria in accordance with the annual uprating amounts applied by the Department for Works & Pensions (DWP); whilst continuing the current Localised Council Tax Support Scheme for the 2024/25 financial year.

Reasons for Decision

To ensure the Council discharges its responsibilities to agree its Council Tax Support scheme by 31 January 2024.

Options Considered

An alternative option would be to increase the maximum award of 80% - the cost of doing this has been considered within the financial implications section in the report.

49 UPDATE ON THE COUNCIL'S RESPONSE TO THE COST OF LIVING CRISIS (KEY DECISION)

The Business Manager – Regeneration & Strategic Housing presented a report which provided an update on the delivery of proposals to assist tenants, residents, local businesses and employees with the rise in the cost of living. The report set out the

progress against the cost of living action plan which captured the range of projects and activities designed to offer such cost of living support, and provided details of proposed additional activities for the remainder of 2023/24.

AGREED (unanimously) that Cabinet:

- a) note the progress against the Cost-of-Living Action Plan as outlined in section 2 of the report;
- b) approve the additional proposals set out in section 3.2 of the report funded from the existing budget previously approved; and
- c) approve that a further report be brought to the next meeting of the Cabinet in December 2023 outlining the proposed projects for 2024/25.

Reasons for Decision

To support tenants, residents, businesses and employees with the ongoing challenges of the cost of living.

Options Considered

Alternative options include not providing a cost-of-living response; however, this has not been considered viable given the pressures faced by residents, staff and business alike.

50 DIGITAL STRATEGY ACTION PLAN UPDATE

The Business Manager – ICT & Digital Services presented a report which provided the Cabinet with an update on the Digital Strategy Action Plan. The digital strategy was created with the three initiatives of Place, Customer and Council, with the community at the heart of the initiatives. The progress against the Action Plan was detailed in the appendix to the report. The Cabinet welcomed the progress and made a link to the economic strategy going forward.

AGREED (unanimously) that Cabinet:

- a) acknowledges the value of digital transformation and that the Council continues with a 'no customer left behind' approach to digital initiatives, therefore not closing any communication channels to the community;
- b) endorse the positive continuation of the final phase of the 2021-2024 Digital Strategy, that has a large focus on the digital community; and
- c) approve the commencement of work towards the 2024-2028 Digital Strategy.

Reasons for Decision

To ensure that the Council provides communities with digital services and platforms that are expected, within budgets, time, and quality.

Furthermore, ensuring the Council is more efficient and effective through the use of digital technologies including cost benefits and improvements to Council services.

Options Considered

Closing of those more expensive channels including face-to-face, telephone and postal. This option is not a viable option and as a Council we work towards being inclusive for all of our residents and businesses in the District. Therefore, channel shifting that includes closure of non-digital communications channels would pose risk to those digitally excluded, including the most vulnerable in our communities.

51 TRANSFER OF SECTION 106 COMMUNITY FACILITY CONTRIBUTIONS TO FARNSFIELD PARISH COUNCIL

The Business Manager – Regeneration & Strategic Housing presented a report which sought approval for the transfer of Section 106 contributions held by the District Council for community facilities in Farnsfield, to Farnsfield Parish Council. The contributions held could be used to improve community facilities in the parish of Farnsfield at the village hall, bowls, football, cricket or tennis clubs as deemed appropriate. The Cabinet considered that parish councils were best placed to determine projects in their areas in accordance with any requirements of the Section 106 agreements.

AGREED (unanimously) that:

- a) the Section 106 contributions for community facilities held by the District Council for improvements to community facilities in Farnsfield be transferred to Farnsfield Parish Council; and
- b) the Council's Capital Programme for 2023/24 is increased by £141,748.08 financed by the Section 106 receipts referenced AG977 and AG975 held for community facilities improvements in Farnsfield.

Reasons for Decision

To enable Farnsfield Parish Council to provide financial support to priority community projects in Farnsfield which will deliver positive outcomes for the local community.

Options Considered

The Section 106 receipts held under these two agreements must be spent on community infrastructure projects in Farnsfield, therefore it is appropriate that the District Council transfers the receipts held to Farnsfield Parish Council in order that it can determine which community projects should be supported and will deliver good community outcomes.

The District Council could continue to determine which projects should be supported but it does not have the local contacts and connection that the Parish Council has with its local clubs and groups, and it is felt appropriate therefore to enable the Parish Council to determine such local priorities for the benefit of its community.

52 NEWARK CASTLE GATEHOUSE PROJECT - DELIVERY PHASE APPLICATION (KEY DECISION)

The Business Manager – Heritage, Culture & Visitors presented a report which updated the Cabinet on the progress and revised costs of the Castle Gatehouse Project and sought approval to submit the delivery phase application to the National Lottery Heritage Fund. The report detailed the aims and objectives for the project and the timescale for delivery which needed to meet both Heritage Fund and Towns Fund requirements.

The report identified the key documents which would be commissioned as part of the development phase which would form the application to the Heritage Fund, provided some sample of designs for the project, and also included options around the charging model.

AGREED (unanimously) that Cabinet:

- a) approve the submission of the delivery phase application to the National Lottery Heritage Fund by 16 November 2023;
- b) subject to the outcome of the Heritage Fund bid and approval of the Towns Fund Full Business Case, agree that a report be brought back to Cabinet to consider the increase to the capital programme budget from the Heritage Fund and to add additional staff to the establishment, funded by the project; and
- c) approve the preferred charging model.

Reasons for Decision

The Heritage Fund is vital to securing the match funding for this project, and any delay to the delivery phase submission risks the timescales for delivery of the Towns Fund element.

This project supports the community plan objectives of enhancing and protecting the District's natural environment through a more biodiverse planting scheme and landscaping development, preserving the green space within this historic site. It will deliver sustainable economic growth through delivery of a destination attraction for the town, and will support residents and local communities through co-creation, participation activities and opportunities to support improved wellbeing.

Options Considered

No alternatives are considered appropriate at this time. Without the project, the District Council would still have the responsibility to preserve and conserve the fabric of the building which is an ancient scheduled monument and requires significant investment, but without the wider benefits this project will offer. The Gatehouse Project is significant in the redevelopment of the town's visitor offer and as a key driver for the visitor economy, and further offers residents improved access to their heritage and to the gardens, supporting improved wellbeing and health and offering numerous opportunities to participate in cultural activity. The proposed charging model reflects the best option for the economic sustainability of the project whilst providing residents with this significantly improved offer.

53 HOUSING REVENUE ACCOUNT - HOUSING OUTTURN 2022/23 AND FUTURE DELIVERY OF NEW HOMES (KEY DECISION)

The Business Manager – Regeneration & Strategic Housing presented a report which provided an update on the progress of the Council’s Housing Revenue Account (HRA) Development Programme in 2022/23 and proposals for future housing delivery. The report reflected on the HRA Development Programme which had delivered 279 properties since 2017. The report demonstrated a highly successful and value for money programme despite the challenges faced.

The report proposed the allocation of S106 affordable housing contributions to three sites which would provide additional affordable one bed bungalows, and set out plans for the future programme to build new housing, which included a smaller discreet development programme of up to 50 units being brought forward subject to capacity and affordability.

AGREED (unanimously) that Cabinet:

- a) notes the progress and expected completion of the current HRA Development Programme;
- b) allocates £234,747.64 from Section 106 contributions (as detailed in section 2.16 of the report) to development sites at South Crescent, Clipstone; Firview, Ollerton; and Gaitskell Crescent, Edwinstowe as part of Phase 5 of the HRA Development Programme therefore reducing the required borrowing by an equivalent amount;
- c) supports the creation of £10.7m budget for the development of a discreet programme of HRA Development up to 50 units within the HRA Capital Programme in 2024/25 financed by the surplus identified at paragraph 2.19 of the report of £2.445m and with the remaining £8.255m financed initially from borrowing whilst other funding is sourced; and
- d) commits the total of £1.292m from the Section 106 agreements listed at section 2.21 of the report to the new development programme within the obligations of the S106 agreements.

Reasons for Decision

To provide confidence in the ongoing delivery of the HRA Development Programme, securing value for money secured through the programme and the outcomes delivered to against the community plan objectives to create more and better-quality homes through our roles as landlord, developer and planning authority.

Options Considered

The completion of the HRA development programme, without the introduction of a future programme, was considered but discounted in recognition of the impact that a net loss of housing (through annual right to buy numbers) would have on the ongoing viability of the HRA 30 Year Business Plan.

A pause in the programme was also discounted as this would risk losing the in-house skills and experience that have been built up over the last five years.

54 DEVOLUTION RETROFIT FUNDING (KEY DECISION)

The Business Manager – Housing Maintenance & Asset Management presented a report which sought approval for government grant funding of £583,500 to be added to the housing assets capital programme to fund decarbonisation measures in 38 social housing properties. The funding had been allocated in preparation for the establishment of the East Midlands Combined Authority. The project would deliver domestic energy efficiency and low carbon retrofit activities through the Midlands Net Zero Hub.

AGREED (unanimously) that Cabinet:

- a) endorse the project plan and accept receipt of grant funding of £583,500 from the Department for Levelling Up Housing and Communities (DLUHC), which will be drawn down in arrears; and
- b) approve an increase in the Capital Programme of £583,500 in 2023/24 fully funded by DLUHC grant.

Reasons for Decision

The DLUHC grant will provide 100% funding to assist the Council in its decarbonisation programme for its own social housing stock. It meets both Community Plan objectives to create better homes as a landlord and improve tenants wellbeing by reducing fuel poverty and contributing to reducing carbon emissions.

Options Considered

As noted in section 3 of the report, there were no viable alternatives and taking no action would mean returning grant funding back to government and make it harder for the Council to meet the government requirements on energy efficiency and move towards decarbonisation of social housing stock.

55 SOUTHWELL LEISURE CENTRE WORKS (KEY DECISION)

The Director – Resources, Section 151 Officer and Deputy Chief Executive and Business Manager – Corporate Property presented a report which advised the Cabinet of the condition of Southwell Leisure Centre and the essential works that were required to the dry side and wet side facilities, and also updated the Cabinet on the decision taken to close the main pool at the centre from 29 October 2023 to 1 December 2023 in order to carry out further investigatory works.

The report summarised the works required under fire safety and general repairs following a full feasibility of a programme of works undertaken by Lindum, and in respect of the pool, Asher Swimpool Centre Limited had been instructed to undertake a condition survey, the full details of which were contained in an exempt appendix.

The costs for the fire safety and general repairs were set out, but it was noted that in relation to the larger programme of works there was a potential for closure of the centre which would result in a loss of net income. It was also noted that there were likely to be significant costs resulting from the pool survey, details of which would be brought to the next meeting of the Cabinet.

AGREED (unanimously) that Cabinet:

- a) approves an additional transfer of £161,800 funded from the Change Management Reserve, giving a total Capital budget of £740,000 to carry out the essential works to the dry side facility as set out in this report;
- b) note that whilst every effort will be made to phase the works to keep the Leisure Centre operational at all times, there is a possibility that the Leisure Centre may have to close for a period of time in order for the works to be carried out safely, effectively and efficiently; and
- c) note that in the event of closure, Active4Today will endeavour to accommodate customers at the Newark and Dukeries facilities, and that the Leisure Centre members affected will have their direct debits reduced to a nil payment where appropriate.

Reasons for Decision

To mitigate the risk of failure of the main pool and carry out the essential fire safety and general repair works to the building.

Options Considered

An alternative option would be to do nothing. This is not a feasible option as there are significant compliance and maintenance works that need to be carried out. In addition, the condition of the main pool at the centre poses a risk of significant water leakage and impact on wider operations to the site.

(Having declared an interest, Councillor K Melton did not vote on this item).

56 REVISIONS TO THE COMMUNITY GRANT SCHEME (KEY DECISION)

The Business Manager – Regeneration & Strategic Housing presented a report which proposed revised criteria for allocations against the Council's community grant scheme. In 2022/23 the Council offered a combined community grant scheme which consolidated a number of previous grant allocations and allocations under the scheme totalled £151,000, supporting 56 organisations. Given the criteria for the scheme was left relatively open, the demand on the scheme far exceeded the funds available. Therefore, this report proposed additional criteria to prioritise spend for 2023/24. The budget for 2023/24 had been set at £100,000 and a timeframe for allocations under the scheme was set out in the report, with a cross party panel being convened to consider applications.

AGREED (with 6 votes for and 1 abstention) that Cabinet approve the revised criteria for grant allocations as set out at sections 2.3 and 2.4 of the report.

Reasons for Decision

To ensure that funding can be allocated to community groups – supporting communities to be sustainable and thrive.

Options Considered

Maintaining the existing grant criteria was considered, however the changes proposed allow for greater targeting of funds in line with Community Plan priorities.

57 EXCLUSION OF THE PRESS AND PUBLIC

AGREED (unanimously) that, under Section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 3 and 5 of Part 1 of Schedule 12A of the Act.

58 SOUTHWELL LEISURE CENTRE WORKS - EXEMPT APPENDIX

The Cabinet considered the exempt appendix in relation to works at Southwell Leisure Centre.

(Summary provided in accordance with Section 100C(2) of the Local Government Act 1972).

Meeting closed at 7.40 pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Planning Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Thursday, 9 November 2023 at 4.00 pm.

PRESENT: Councillor A Freeman (Chair)
Councillor D Moore (Vice-Chair)

Councillor A Amer, Councillor C Brooks, Councillor L Dales, Councillor P Harris, Councillor J Lee, Councillor K Melton, Councillor P Rainbow, Councillor S Saddington, Councillor M Shakeshaft, Councillor M Spoons, Councillor L Tift and Councillor T Wildgust

APOLOGIES FOR ABSENCE: Councillor E Oldham

61 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor Mrs S Saddington declared having an other registerable interest on application Nos. 22/00975/FULM – Land at Knapthorpe Lodge, Hockerton Road, Caunton and 22/00976/FULM – Field Reference Number 2227, Hockerton Road, Caunton, as she had attended Parish Council meetings where the applications had been discussed.

The Chair advised the Committee of a blanket of other registerable interests declared on behalf of Councillors L Dales, A Freeman and K Melton as appointed representatives on the Trent Valley Internal Drainage Board for any relevant items.

Councillor J Lee declared having an other registerable interest as a member of the Fire Authority and a Member of Nottinghamshire County Council.

Business Manager – Planning Development declared an other registerable interest on application No. 23/01604/FUL – Lorry and Coach Park, Great North Road, Newark On Trent, as the Council was the applicant.

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

The Chair informed the Committee that the Council was undertaking an audio recording of the meeting and that it was being live streamed.

63 MINUTES OF THE MEETING HELD ON 5 OCTOBER 2023

AGREED that the minutes of the meeting held on 5 October 2023 were approved as a correct record and signed by the Chair.

64 ORDER OF BUSINESS

The Chair with the permission of the Planning Committee changed the order of business on the agenda. Agenda Item 6 – Oak Tree Stables, Sand Lane, Besthorpe (22/01203/FULM) was taken as the first item for decision, the agenda resumed its

stated order thereafter.

65 OAK TREE STABLES SAND LANE BESTHORPE NG23 7HS - 22/01203/FULM

The Committee considered the report of the Business Manager – Planning Development, which sought the use of the land as a residential caravan site for gypsy/traveller families (8 No. pitches) and conversion of existing stable to form amenity building and warden’s office.

A site visit had taken place prior to the commencement of the Planning Committee, for the reasons that there were particular site factors which were significant in terms of the weight attached to them relative to other factors and they would be difficult to assess in the absence of a site inspection; and the proposal was particularly contentious, and the aspects being raised could only be viewed on site.

Members considered the presentation from the Planning Case Officer, which included photographs and plans of the proposed development.

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the Agenda from local residents.

Karen Grundy, representing Besthorpe Parish Meeting, spoke against the application in accordance with the views of Besthorpe Parish Meeting as contained within the report.

Members considered the application and it was commented that this was not an allocated gypsy/traveller site and had not been put forward and allocated against the allocations plan criteria. The allocations plan was further advanced and had been considered at Full Council and had delivered thirty-four pitches and had identified further pitches within that plan. It was questioned whether it was correct for an Officer recommendation to be made before it had been considered by the Planning Policy Board and before assessment of responses had been undertaken, which would alter the Council’s weighting. It was questioned whether it was appropriate for this item to be deferred until an outcome had been reviewed.

The Business Manager – Planning Development confirmed that the consultation period for the allocations document had closed. The Planning Policy team would be analysing the responses to the Local Plan which at present had very limited weight. More weight would be applied after approval by Full Council in the coming months but would not be significantly more to assist in determination by the Planning Committee. The Director – Planning Growth also informed the Committee of the process of the Development Plan and confirmed that the plan was not at an advanced stage to attach any weight to the application to be considered.

A Member sought clarification regarding how many pitches the application could have if it had had been an allocated site. The Planning Case Officer confirmed that the site could accommodate twenty-two pitches.

AGREED (with 8 votes For and 5 votes Against) that full planning permission be approved, subject to the conditions contained within the report.

The Committee considered the report of the Business Manager – Planning Development, which sought the construction of a solar farm, access and all associated works, equipment and necessary infrastructure.

A site visit had taken place prior to the commencement of the Planning Committee, for the reason that the proposal was particularly contentious, and the aspects being raised could only be viewed on site.

Members considered the presentation from the Planning Case Officer, which included photographs and plans of the proposed development.

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the Agenda from the Planning Case Officer; Local Residents; Averham, Kelham and Staythorpe Parish Council; and the Agent. Additional late representations had been received from local residents.

Councillor D Catenach, South Muskham & Little Carlton Parish Council, spoke against the application in accordance with the views of South Muskham & Little Carlton Parish Council as contained within the report.

Members considered the application and commented that the solar panel farm had an overbearing impact and there was no biodiversity. Members were cynical regarding the two applications received separately, rather than one application which would have been determined by the Secretary of State. It was also raised that a planning policy regarding solar farms within the district would have been useful. It was commented that the ideal place for solar panels to be installed was on roof tops of businesses, schools, public buildings, warehouses, factories etc., the electricity generated could then be sold to the National Grid or shared within the community. Concern was raised regarding the narrow roads within that area, and problems encountered with the planning site visit bus that morning, which was unable to park safely on the highway. Concern was therefore raised regarding construction traffic if the committee were minded to approve the application. Concern was further raised regarding the runoff of rainwater from this site which may exacerbate the problem of flooding in that area. The Planning Case Officer confirmed that there was a 900mm bund included in the planning conditions. It was also confirmed that increased surface water run off rates were not known to increase with solar farm developments and there was potential for downstream betterment. The Planning Case Officer also confirmed that there was an error in the planning report and confirmed that the two access points were new. It was commented that the land should be used to grow crops rather than importing food due to the economic climate.

The Chair commented, in relation to the Great North Road solar scheme that the Council was only a consultee and this was a national infrastructure project.

Members raised concerns that the solar panel farms were being submitted to the Council piecemeal and felt that the Council did not have any framework to make decisions. Concern was also raised regarding the glint and glare from the solar panels

on the pilots of Caunton Airfield, which was in close proximity to the application site.

Councillor A Amer entered the meeting during the Member debate.

Councillor A Amer and Councillor D Member did not take part in the vote as they were not in the meeting for the duration of the Officers presentation.

A vote was taken and unanimously lost to Approve planning permission.

Moved Councillor A Freeman and Seconded Councillor S Saddington
AGREED (unanimously) that contrary to Officer recommendation planning permission be refused for the following reasons:

- (i) Loss of agricultural land;
- (ii) Loss of agricultural land over a forty-year period; and
- (iii) Landscape visual character impact.

In accordance with paragraph 13.5 of the Planning Protocol, as the motion was against Officer recommendation, a recorded vote was taken.

Councillor	Vote
A Amer	Did not vote
C Brooks	For
L Dales	For
A Freeman	For
P Harris	For
J Lee	For
K Melton	For
D Moore	Did not vote
E Oldham	Absent
P Rainbow	For
S Saddington	For
M Shakeshaft	For
M Spoons	For
L Tift	For
T Wildgust	For

Councillor D Moore left the meeting at this point.

67 FIELD REFERENCE NUMBER 2227 HOCKERTON ROAD CAUNTON - 22/00976/FULM

The Committee considered the report of the Business Manager – Planning Development, which sought the construction of a solar farm, access and all associated works, equipment and necessary infrastructure.

A site visit had taken place prior to the commencement of the Planning Committee, for the reason that the proposal was particularly contentious, and the aspects being raised could only be viewed on site.

At this point in the meeting, in accordance with Rule 2.7, the Chair indicated that the meeting had been ongoing for three hours and a motion was required to be proposed and seconded to extend the meeting for the duration of one hour.

AGREED (unanimously) that the meeting continue for the duration of one hour.

Members considered the presentation from the Planning Case Officer, which included photographs and plans of the proposed development.

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the Agenda from the following: local residents; Averham, Kelham and Staythorpe Parish Council; Planning Case Officer; and the Agent.

Councillor D Catenach, South Muskham & Little Carlton Parish Council, spoke against the application in accordance with the views of South Muskham & Little Carlton Parish Council as contained within the report.

Members considered the application and commented that this application was a link in a chain that would visually strangle Nottinghamshire. This was an economical disaster for future generations. It was questioned who could predict what would happen ten-forty years in the future, and the solar panels had a life span of around forty years. The impact would be devastating and would be the death of the beautiful landscape in Nottinghamshire that Members wished to protect. This was agricultural land and should remain that. The community was losing a massive area where they could walk and enjoy the countryside and not walk through acres of solar panels. It was commented that Wheaten House (to the east of the site) may also suffer from the glint and glare from the solar panels until the trees had grown in significant height and when they had grown, the residents would have lost their view. It was also questioned whether Caunton Airfield had an interest in the site, as it was considered strange that they had not submitted any comments, given the potential glint and glare to light aircraft and gliders. The Planning Case Officer confirmed that they had been told that the landowner of the site was also the landowner of the Airfield but that this had not been confirmed in the submission and the operator of the Airfield had been consulted separately on the Application. A Member suggested that the footpaths be widened to 30 metres and the northern boundary have a biodiversity buffer. The Planning Case Officer confirmed that this could impact the generating capacity of the scheme which would conflict with the description of the development and therefore could not be imposed by condition. The scale of the development at 49.9MW was such due to economies of scale where these schemes become viable and most efficient, reducing the capacity of the Solar Farm by removing areas for panels could impact the viability of the scheme.

A debate took place regarding whether the application should be deferred to discuss the possibility of widening the footpaths and adding the biodiversity buffer to the northern boundary. The Director – Planning & Growth advised the Committee that if they were minded to defer the application in order to discuss the footpaths and biodiversity buffer, if that was to the satisfaction of the applicant, that would indicate that all other matters were acceptable.

A vote was taken and lost for approval, with 1 vote For and 12 votes Against.

Councillor D Moore, having left the meeting during part of the Officer presentation took no part in the vote.

Moved Councillor J Lee and Seconded Councillor L Tift

AGREED (with 11 votes For and 2 Abstentions) that contrary to Officer recommendation planning permission be Refused for the following reasons:

- (i) Visual impact on landscape;
- (ii) Loss of agricultural land 3B;
- (iii) Loss of agricultural land for forty years.

In accordance with paragraph 13.5 of the Planning Protocol, as the motion was against Officer recommendation, a recorded vote was taken.

Councillor	Vote
A Amer	For
C Brooks	For
L Dales	For
A Freeman	Abstention
P Harris	For
J Lee	For
K Melton	Abstention
D Moore	Absent
E Oldham	Absent
P Rainbow	For
S Saddington	For
M Shakeshaft	For
M Spoons	For
L Tift	For
T Wildgust	For

The time being 9.00pm the Chair sought Planning Committee approval to continue business for a further one hour.

AGREED: that the Planning Committee continue for a further hour.

68 GLEBE COTTAGE, MAIN STREET, NORWELL, NOTTINGHAMSHIRE, NG23 6JN - 22/01504/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought a new proposed dwelling and a cart shed.

A site visit had taken place prior to the commencement of the Planning Committee, for the reason that there were specific site factors and/or significant policy or precedent implications that need to be carefully addressed.

Members considered the presentation from the Planning Case Officer, which included photographs and plans of the proposed development.

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the Agenda from Nottinghamshire County Council Highways.

Councillor A Robertshaw, Chair of Norwell Parish Council, spoke in support of the application in accordance with the views of Norwell Parish Council as contained within the report.

Members considered the application and it was commented that the applicant had worked hard with the Planning Case Officer to address any issues raised and had addressed them. The property was in flood zone 1 and had never flooded. There had been unanimous support from Norwell Parish Council, and it was considered in keeping with the rest of the village. Other Members commented that this was back land development in a conservation area, the planning principles were clear and if approved would set a precedent for future applications.

AGREED (with 6 votes For, 6 votes Against and 1 Abstention, the Chair used his casting vote in support of Refusal) that the report be refused for the reasons set out within the report.

69 MILL FARM, GONALSTON LANE, HOVERINGHAM, NG14 7JJ - 23/01159/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the proposed change of use of an agricultural buildings for weddings and events, including external alterations to the buildings and proposed use of field for associated car parking. Proposed change of use of main farmhouse for use as holiday accommodation and use of one room for wedding ceremonies.

A site visit had taken place prior to the commencement of the Planning Committee, for the reason that there were specific site factors and/or significant policy or precedent implications that need to be carefully addressed.

Members considered the presentation from the Planning Case Officer, which included photographs and plans of the proposed development.

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the Agenda from Planning Case Officer and Agent.

Councillor R Jackson as Local Ward Member (Dover Beck) spoke in support of the application on the grounds that the proposed application was suitable for redundant farm buildings to create a business and jobs in the open countryside.

The Planning Case Officer confirmed that the hedgerow had been removed along the access track and passing places created and an investigation regarding that was taking place separate from the application.

Members considered the application and some Members liked what had been done, which was an improvement from the old buildings. Changes had been made which didn't appear detrimental. Other Members commented that the application should not be approved and a wedding had taken place there recently without permission. Members commented that the Committee was being asked to accept a business which wasn't being run as alleged in the application and that other development had taken place on site that was disingenuous.

The Planning Case Officer confirmed that the applicant had submitted a business case, which would subsidise the applicant's income in the summer months when the farm was less profitable. The Planning Case Officer confirmed that the public benefit would not amount to special circumstances.

AGREED (with 10 votes For, 2 votes Against and 1 Abstention) that planning permission be refused for the reasons set out within the report.

The time being 9.00pm the Chair sought Planning Committee approval to continue business for a further one hour.

AGREED: that the Planning Committee continue for a further hour.

70 LAND ADJACENT TO FOSSE ROAD, FARNDON- 23/01429/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the erection of a four bedroom bungalow.

Members considered the presentation from the Planning Case Officer, which included photographs and plans of the proposed development.

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the Agenda from The Planning Case Officer following advice from the Environment Agency.

Councillor J Kellas Local Ward Member (Farndon and Fernwood) spoke in support of the application and commented that the application continued to be supported by Farndon Parish Council and some residents. There was a development to the north-east of the site that had been built in 2017 in flood zones 1 & 2 which created a precedent for the application. The application site had never flooded in the past and the proposed development would make the site visually appealing. The access road to the site would be raised and was in flood zone 2.

Members considered the application, and it was commented that by raising the access the proposed development would not have an impact on neighbouring properties by flooding. Other Members commented that they could not support the development as the access road was in flood zone 2.

AGREED (with 9 votes For, 2 vote Against and 2 Abstentions) that planning permission be refused for the reasons set out within the report with the omission of the last sentence starting "In addition,.....".

The Chair with the permission of the Planning Committee Members changed the order of business on the agenda and moved to Agenda item No. 12 – The Coach House, Church Hill, Bilsthorpe – 23/01186/FUL, due to the number of speakers registered to speak.

71 THE COACH HOUSE, CHURCH HILL, BILSTHORPE, NG22 8RU - 23/01186/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the demolition of an existing detached garage and outbuildings and the erection of a single storey dwelling.

A site visit had taken place prior to the commencement of the Planning Committee, for the reason that there were specific site factors and/or significant policy or precedent implications that need to be carefully addressed.

Members considered the presentation from the Business Manager - Planning Development, which included photographs and plans of the proposed development.

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the Agenda from the Agent and neighbouring residents.

Councillor Holloway Local Ward Member (Bilsthorpe) spoke in favour of the application and felt that there was scope when looking at heritage harm for different viewpoints. The reasons for refusal related to Core Policy 9 & 14 and DM 5 & 9. The proposal was low level single storey. It was pavilion style architecture which may have architectural merit in the future. The garden was large and accessible and would not affect the overall amenity of the neighbouring properties. The applicant had included items to increase biodiversity. The conservation area in Bilsthorpe covered many ages and styles of properties over the years. The previous vicarage had been changed into a much more modern building than neighbouring properties, which added to a distinctive character of this area. This property sat behind high gates and would have no visual impact on the surroundings.

Members considered the application and it was commented that the impact on the conservation area was when you could see it and it was considered that you could not see this property. This property could be a heritage asset in the future. Concern was raised regarding the solar panels and whether they could be incorporated in the design without an angle.

AGREED (with 7 votes For, 5 votes Against and 1 abstention) that planning permission be refused for the reasons set out within the report.

72 FIELD SIDE, 86 CAYTHORPE ROAD, CAYTHORPE, NG14 7EB - 23/01160/HOUSE

The Committee considered the report of the Business Manager – Planning Development, which sought a proposed first floor and ground floor rear extension and single storey side extension. The erection of a canopy at principal elevation and replacement roof covering and windows.

A site visit had taken place prior to the commencement of the Planning Committee, for the reason that there were specific site factors and/or significant policy or precedent implications that needed to be carefully addressed.

Members considered the presentation from the Planning Officer, which included photographs and plans of the proposed development.

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the Agenda from the applicant.

Councillor R Jackson Local Ward Member for (Dover Beck), spoke in favour of the application on the grounds that the current owners had bought the property whilst planning permission was still live and were trying to add a change to that. It was a very small semi-detached cottage amongst some very large houses, which were all newly built in that vicinity. The rooms were very small and the applicant was trying to create an extra bedroom and a larger living space and kitchen. He couldn't see any impact on the green belt, the neighbouring property had an extension to the side, which wasn't quite as large as what was being requested. The flood zone 2 was not an issue and this part of Caythorpe did not flood as it was higher than some parts of Caythorpe which did flood. The Parish Council fully supported this even though it was in part in the green belt. If the Planning Committee was to turn every planning application down because it was in the green belt Caythorpe would not evolve, if there was no change things would stagnate.

Members considered the application and some Members commented that there would be no harm to the green belt. Other Members felt the application should not be supported on the grounds of impact on the green belt and the size of the development.

Councillor K Melton did not vote as he was not in the meeting for the duration of the Officer presentation.

AGREED (with 7 votes For and 5 votes Against) that planning permission be refused for the reasons set out within the report.

73 MEETING ADJOURNMENT

The Chair proposed that the meeting be adjourned given the time being almost 10.00pm.

AGREED: that the meeting be adjourned and the business remaining on the Agenda be considered at an extraordinary meeting of the Planning Committee, the date to be confirmed.

Meeting closed at 9.58 pm.

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Planning Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Thursday, 23 November 2023 at 6.00 pm.

PRESENT: Councillor A Freeman (Chair)
Councillor D Moore (Vice-Chair)

Councillor A Amer, Councillor L Dales, Councillor P Harris, Councillor E Oldham, Councillor P Rainbow, Councillor M Shakeshaft, Councillor M Spoons and Councillor L Tift

APOLOGIES FOR ABSENCE: Councillor C Brooks, Councillor J Lee, Councillor S Saddington and Councillor T Wildgust

74 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Director – Planning & Growth declared an other registerable interest on application No. 23/01737/ADV – Former Marks & Spencer, 32 Stodman Street, Newark on Trent, as the Council was the applicant and he had been involved in the application.

The Chair advised the Committee of a blanket of other registerable interests declared on behalf of Councillors L Dales and A Freeman as appointed representatives on the Trent Valley Internal Drainage Board for any relevant items.

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

The Chair informed the Committee that the Council was undertaking an audio recording of the meeting and that it was being live streamed.

76 STABLE BUILDING, NEWHALL LANE, EDINGLEY - 23/01552/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the conversion of a stable building into a single dwelling.

Members considered the presentation from the Senior Planning Officer, which included photographs and plans of the proposed development.

Members considered the application acceptable.

Councillor A Amer entered the meeting during Committee debate and did not take part in the vote.

AGREED (unanimously) that planning permission be approved subject to the conditions contained in the report.

77 97 SOUTH AVENUE, RAINWORTH - 23/01213/HOUSE

The Committee considered the report of the Business Manager – Planning Development, which sought the front side elevation rebuild with render finish and

new porch extension which was part retrospective.

Members considered the presentation from the Senior Planning Officer, which included photographs and plans of the proposed development.

Members considered the application and commented that the scale of the porch was too large for the building. The Conservation Officers comments included in the report, informed the Committee that the retrospective works, including the render were harmful to the area and the planned nature of the colliery village which was a non-designated heritage asset. Another Member commented that the works were unique, neat and tidy.

AGREED (with 7 votes For and 3 votes Against) that planning permission be refused as detailed within the report.

78 LORRY AND COACH PARK, GREAT NORTH ROAD, NEWARK ON TRENT - 23/01604/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought a glass recycling compound.

Members considered the presentation from the Senior Planning Officer, which included photographs and plans of the proposed development.

Members considered the application and it was clarified that the Air and Space Institute (ASI) had been statutorily consulted. Members were concerned with the noise levels and air quality impacts on the ASI students and surrounding residents and suggested that a temporary condition for a maximum of three years be allowed.

AGREED (with 8 votes For and 2 votes Against) that planning permission be approved subject to the conditions contained within the report and an additional condition including a temporary condition for maximum of three years, specific wording to be delegated to the Business Manager – Planning Development.

Having declared a registerable interest on the following application the Director for Planning & Growth left the meeting at this point.

79 FORMER MARKS & SPENCER, 32 STODMAN STREET, NEWARK ON TRENT - 23/01737/ADV

The Committee considered the report of the Business Manager – Planning Development, which sought advertising hoardings for 32 Stodman Street.

Members considered the presentation from the Senior Planning Officer, which included photographs and plans of the proposed development.

Members considered the application acceptable.

AGREED (unanimously) that Advertisement Consent be approved subject to the conditions contained within the report.

The Director for Planning & Growth came back to the meeting.

80 PALACE THEATRE, 16 - 18 APPLETON GATE, NEWARK ON TRENT - 23/01551/LBC

The Committee considered the report of the Business Manager – Planning Development, which sought the attachment of steel truss to existing roof truss and drill holes to plasterwork ceiling for cables for lighting rig.

Members considered the presentation from the Senior Planning Officer, which included photographs and plans of the proposed development.

Members considered the application and commented that this would be a great addition to the theatre.

AGREED (unanimously) that Listed Building Consent be approved subject to the conditions contained within the report.

81 PUBLIC SPEAKING & PLANNING CONSTITUTION UPDATE

The Committee considered the report of the Director for Planning & Growth, which notified Members of a future report looking to introduce public speaking along with constitutional updates.

The Planning Development Business Unit had been tasked with investigating allowing public speaking at Planning Committee. Initial investigations established that the Council was one of the few in England and Wales who did not permit public speaking.

Due to Constitutional requirements, it was necessary for Full Council to agree to public speaking at Planning Committee. A report had been considered by the Audit & Governance Committee on 22 November 2023, detailing the general principles. It had been intended that a report be taken to the 7 December 2023 Planning Committee followed by Full Council on 12 December 2023. That had been changed and the Audit & Governance Committee had agreed that the report be forwarded to a future Full Council. The Planning Committee Chair informed the Committee that a workshop had been arranged for Planning Committee Members to discuss this matter on the 9 January 2024.

AGREED: that the report be noted

82 APPEALS LODGED

AGREED that the report be noted.

83 APPEALS DETERMINED

AGREED that the report be noted.

Meeting closed at 7.24 pm.

Chair

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NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Audit and Governance Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Wednesday, 22 November 2023 at 6.00 pm.

PRESENT: Councillor P Harris (Chair)
Councillor S Forde (Vice-Chair)

Councillor S Crosby, Councillor A Freeman, Councillor S Haynes,
Councillor J Kellas, Councillor J Lee, Councillor C Penny, Councillor
M Shakeshaft and Councillor T Thompson

APOLOGIES FOR ABSENCE: Councillor R Cozens and Councillor S Michael and Mr C Richardson
(Non-Voting Co-Optee)

31 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

That no Member or Officer declared any interest pursuant to any statutory requirement in any matter discussed or voted upon at the meeting.

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

Other than the Council recording in accordance with usual practice, there were no declarations of intention to record the meeting.

33 MINUTES OF THE MEETING HELD ON 27 SEPTEMBER 2023

AGREED that the minutes of the meeting held on 27 September 2023 be approved as a correct record and signed by the Chair.

34 INTERNAL AUDIT PROGRESS REPORT 2023/24

The Committee considered the report from the Business Manager for Financial Services providing a summary of Internal Audit work undertaken during 2023/24 against the agreed audit plan.

The Internal Auditors TIAA's representative Amanda Blakey was present at the meeting providing progress made and any changes to the plan. The report provided details of all reports issued within the first part of the financial year 2023/24.

Progress against the Annual Plan included Key Control Testing, Payroll, Grant Fund Spend and Administration and Contractual relationship with Active4Today.

AGREED (unanimously) that Members considered and commented upon the latest internal audit progress report and noted its content.

35 TREASURY MANAGEMENT MID-YEAR REPORT 2023/24

The Committee considered the report from the Assistant Business Manager for

Financial Services providing an update on the Council's Treasury Activity and Prudential Indicators for the first half of 2023/24.

The mid-year report was in compliance with CIPFA's Code of Practice on Treasury Management, providing:

- a) An economic update for the first part of the 2023/24 financial year;
- b) A review of the Treasury Management Strategy Statement and Annual Investment Strategy;
- c) The Council's capital expenditure, as set out in the Capital Strategy, and prudential indicators;
- d) A review of the Council's investment portfolio for 2023/24;
- e) A review of the Council's borrowing strategy for 2023/24;
- f) A review of any debt rescheduling undertaken during 2023/24;
- g) A review of compliance with Treasury and Prudential Limits for 2023/24.

Councillor Lee highlighted in the report the referral to scrutiny as part of the primary requirements of the Code of Practice:

- Delegation by the Council of the role of scrutiny of treasury management strategy and policies to a specific named body. For this Council the delegated body is the Audit and Governance Committee.

AGREED (unanimously) that:

- a) the Treasury Management activity be noted and recommended to Full Council on 12 December; and
- b) the Prudential Indicators detailed in Section 6 & 7 of the report were noted.

36 COUNTER-FRAUD ACTIVITIES FROM 1 APRIL 2023 TO 30 SEPTEMBER 2023

The Committee considered the report from the Business Manager for Financial Services informing Members of counter-fraud activity undertaken since the last update reported on 14 June 2023.

The report explained how an element of the Audit and Governance Committee was to provide assurance to the Council that its anti-fraud arrangements were operating effectively. Therefore counter-fraud activity reports are brought to the Committee twice a year showing the number of cases detected, amounts lost, the outcome of cases and amounts recovered, as well as any other counter-fraud that has taken place.

A table was provided providing progress of the Fraud Risk Register against the identified actions last reported to the Committee in June 2023.

The Chairman suggested an interim update report be provided for Members.

AGREED (unanimously) that Members noted the report.

37 STRATEGIC RISK MANAGEMENT

The Committee considered the report from the Safety and Risk Manager providing an update on the status of the Council's 2023/24 Strategic Risk Register.

The Safety and Risk Manager reminded the Committee that an update is provided on a 6 monthly basis having last received an update in April.

A table in the report provided the current risk scores and their location and risk score travel since last reported to the Audit & Governance Committee and within the agreed corporate risk matrix.

The Committee were advised that a risk workshop is expected to take place in January 2024. The workshop will lead SLT through the regional, national and international issues that may impact on the likelihood of new risks developing. SLT will then review all the current risks to ensure they are still applicable to the Council and will identify any additional emerging risks that will need to be added to the register.

The Safety and Risk Manager informed Members that a new register is to be devised, to go live in April for the 2024-25 register.

AGREED (unanimously) that Members noted the content of the report and highlighted any issues of concern.

38 HOUSING GAS COMPLIANCE

The Committee considered the update provided at the meeting by the Business Manager for Housing Maintenance & Asset Management on behalf of the Director of Housing, Health and Wellbeing for Housing Gas Compliance received as a verbal item.

The Committee were informed that currently there was a breach of 26 properties with no current gas certificate with a legal injunction taken out on 13 and waiting on another 13.

99.58% of all properties with gas have a valid certificate, meetings take place monthly with the Regulator and a written report to be taken to the next Audit & Governance Committee.

The Committee were informed that 3 attempted visits are taken out as part of the legal process to gain access before an injunction is requested.

AGREED (unanimously) that Members noted the verbal update.

39 CONSTITUTION UPDATE - PUBLIC SPEAKING AT PLANNING COMMITTEE

The Committee considered the report from the Assistant Director Legal & Democratic Services and Monitoring Officer seeking the Committee's endorsement of updates to the Council's Constitution to enable Planning Committee to revise the Council's Protocol for Dealing with Planning Matters to allow for public speaking at Planning Committee.

The report advised that the Audit & Governance Committee is asked to consider

recommending that Full Council approve some minor amendments to the Council's Constitution to approve the principle of public speaking. It will be for the Planning Committee to finalise arrangements and, if adopted, keep them under review.

The Appendix to the report showed the proposed amendments to the Constitution as tracked changes.

AGREED by 9 Members of the Committee and 1 against that the report be recommended to Full Council that the Council's Constitution is amended as set out in paragraphs 2.2 to 2.4 of the report to enable Planning Committee to make provision for public speaking.

40 MEMBER TRAINING

The Committee considered the Member Training update provided by the Assistant Director Legal & Democratic Services and Monitoring Officer as a verbal item.

This verbal update followed the update from the last meeting, with further information to follow including an annual training programme.

It was noted that all Committee Members have been invited to a Treasury Management and Investment Strategies Workshop on 5 December 2023.

AGREED (unanimously) that Members noted the verbal update.

41 AUDIT AND GOVERNANCE COMMITTEE WORK PLAN

The Committee considered the joint report of the Assistant Director Legal & Democratic Services and Monitoring Officer and the Business Manager for Financial Services which attached the Committee's Work Plan for consideration.

The Committee were concerned that additional reports proposed could result in the agenda for the meeting being too heavy to allow for sufficient consideration of each item. .

It was also noted that the LGA Newark and Sherwood District Council Cyber 360 Report, is to be updated for every agenda, rather than annually as listed on the current work plan.

AGREED (unanimously) that the Work Plan be noted.

42 DATE OF NEXT MEETING

The next Audit & Governance Committee meeting to be held on Wednesday 21 February 2024.

Meeting closed at 7.00 pm.

Chair

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