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Monday, 5 February 2024

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

To: All Members of the Council

MEETING:	Full Council
DATE:	Tuesday, 13 February 2024 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 Tel: 01636 655243 Email: Nigel.hill@newark-sherwooddc.gov.uk</p>	

AGENDA

	<u>Page Nos.</u>
1. Notification to those present that the meeting will be recorded and streamed online	
2. Apologies for absence	
3. Declarations of Interest by Members and Officers	
4. Minutes from the meeting held on 12 December 2023	6 - 19
5. Communications which the Chair, 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	
<p>In accordance with Rule No. 3.3.2, the following question has been submitted to the Council from member of the public, Laurence Goff:</p> <p>“What is the District Council doing regarding rough sleepers during the winter months. Have they considered ‘NAP Pads’ which could save the lives of homeless people in the District. Would the Council have a suitable location for these. The NAP Pads are fitted with non-invasive ‘vital life’ sensors to confirm that the users are still breathing. Each pad is self-contained with toilet and wash facilities, a security door, window, power points, heater and LED lighting. These NAP Pads are being piloted in York and other areas and could save countless lives.”</p>	
8. Council Tax Empty Homes Premium	20 - 23
9. 2024/25 Housing Revenue Account Budget and Rent Setting	24 - 37
10. Political Composition of the Council and Allocation of Seats to Political Groups	38 - 41
11. Constitution Update - Public Speaking at Planning Committee	42 - 48
12. Notice of Motion	

Flooding in Newark and Sherwood

In accordance with Rule No. 3.4.3, Councillor P. Taylor will move and Councillor E. Oldham, will second a motion to the following effect:

Newark and Sherwood District has seen occurrences of three severe weather events over recent months. This has resulted in both serious

flooding in locations that have a track record of flooding alongside new locations.

Understandably, the people of Newark and Sherwood are angry and concerned about the number of times their homes, communities and livelihoods have been impacted.

The consequences of this flooding has been:

- Homes repeatedly flooded and damaged.
- Businesses and farmland flooded.
- Roads closed.
- Impact on people's mental health.

These types of flooding incidents have been described as once in 100-year events. However, with the impacts of climate change escalating, we know flooding is harder to forecast and will become more commonplace.

As water levels start to reduce there is a danger that there will be a perception that Newark and Sherwood District Council is returning to business as usual.

We cannot go back to business as usual. We do not accept the level of pain and suffering so many of our residents across Newark and Sherwood have been through. Our thinking and future actions need to show an understanding that some degree of adaptation needs to be considered in relation to the impacts of Climate Change

We know that many people and businesses are still suffering from the impacts of the recent flooding, with their homes and lives devastated. For some, this is likely to be an ongoing issue for many months. Even after homes have dried out and been refurbished, many will be living with the fear that it will happen again. We cannot see these individuals abandoned.

As a Council we wish to acknowledge the hard work and commitment of so many people during the floods. The staff of this council who worked tirelessly, putting in long hours over and above their normal working hours to support residents.

We would like to thank all the Community Flood Wardens for all their expertise and hard work. Members of the emergency services, Police and Fire Brigade. We would also like to acknowledge the work of organisations who have statutory responsibility around flooding. The County Council as the Flood Authority, the Environment Agency and the Drainage Boards along with the water authorities. Our communities would have suffered even more had it not been for the efforts of volunteers and neighbours helping one another, along with community groups. We should also acknowledge supermarkets who donated provisions for those isolated.

As a council we have organised a debrief session with the above to learn the

lessons from their perspective and we will continue to learn lessons as we further engage with our communities.

Moving forward

This Council proposes that we bring together local authorities and other agencies with a responsibility for flood alleviation across the Trent Valley to explore ways of addressing the continued threat of flooding. This will include a proposal to jointly commission—a River Trent Valley Flood Alleviation Plan.

The plan should capitalise on the benefits of natural solutions, including restoring wetlands and floodplains, tree planting, creation of reed beds, and dedicated dredging.

Flood alleviation is the responsibility of;

- Central Government
- Environment Agency
- Nottinghamshire County Council (Flood Authority)
- Seven Trent Water
- Drainage Authorities

Other stakeholders

- Local Authorities the length of the Trent.

Ultimately, we will need Government support in order to implement any flood alleviation plan.

This Council therefore resolves to work tirelessly with those authorities with statutory responsibilities and other stakeholders to ensure the creation of a flood alleviation plan for the Trent Valley. This Council will then lobby Government for the resources to be made available to implement the plan as soon as possible.

13. Minutes for Noting

(a)	Cabinet - 5 December 2023	49 - 52
(b)	Cabinet - 19 December 2023	53 - 60
(c)	Cabinet - 23 January 2024	61 - 64
(d)	Executive Shareholder Committee - 5 December 2023	65 - 66
(e)	Planning Committee - 7 December 2023	67 - 70
(f)	Planning Committee - 18 January 2024	71 - 78

(g) Policy and Performance Improvement Committee - 29 January
2024

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, 12 December 2023 at 6.00 pm.

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

Councillor N Allen, Councillor A Brazier, Councillor L Brazier, Councillor I Brown, Councillor R Cozens, Councillor S Crosby, Councillor A Freeman, Councillor P Harris, Councillor S Haynes, 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 S Saddington, Councillor T Smith, Councillor M Shakeshaft, Councillor M Spoor, Councillor P Taylor, Councillor L Tift, Councillor T Thompson, Councillor T Wendels and Councillor T Wildgust

APOLOGIES FOR ABSENCE: Councillor A Amer, Councillor L Dales, Councillor D Darby, Councillor P Farmer, Councillor S Forde, Councillor R Holloway and Councillor N Ross

44 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor P Harris declared an Other Registerable Interest regarding the Air & Space Institute (ASI) as he was an employer for engineering.

NOTED the interests declared as above and shown in the schedule circulated at the meeting.

45 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.

46 MINUTES FROM THE MEETING HELD ON 17 OCTOBER 2023

AGREED that that minutes of the meeting held on 17 October 2023 be approved as a correct record and signed by the Chair.

47 COMMUNICATIONS WHICH THE CHAIRMAN, LEADER, CHIEF EXECUTIVE OR PORTFOLIO HOLDERS MAY WISH TO LAY BEFORE THE COUNCIL

The Chair announced that due to the season of peace and good will a buffet had been provided after the Council meeting for Members and employees. A raffle had also been organised and tickets were on sale, the proceeds would support the Lincs & Notts Air Ambulance.

The Leader briefed Members on the significant increase of the Internal Drainage Board Levies. He commented that the Internal Drainage Board played a vital role in our communities and for the economy. They protected land, operated pumping stations and maintained water courses. The Internal Drainage Board were funded by a levy charge through Councils in their geographical boundary. Newark & Sherwood District had two internal drainage boards, Trent Valley Internal Drainage Board and Upper Witham Drainage Board. The levy charge for 2023/24 was reported to be £950,000 an increase of £269,000 from the previous year, this would be added to Council budgets in the absence of support from the Government. The level of the increase was not sustainable and there were a number of Councils nationally that were experiencing similar and worse increases for example East Lindsey District Council, who had been reported as the worse affected Council with a total bill of £4.9m. In 2023/24 the fifteen most affected Councils including Newark & Sherwood would receive a one off funding to cover 90% of the costs which would be approx. £239,069. This amount did not cover the ongoing rising costs to be funded by Council Tax increases. Up until 2013/14 the costs were funded by the Government through the Revenue Support Grant, since 2013/14 the Revenue Support Grant had been reduced each year by the Government to the extent that it was non-existent. With no Revenue Support grant the burden of funding fell on the Council's General Fund. The LGA had set up a special interest group for all Councils affected and had asked them to lobby the Government regarding how the Internal Drainage Boards were funded, either by direct funding through the Government or through a formal grant to the Council. Newark & Sherwood was one of the first fifteen Councils to support this special interest group. The special interest group had so far written to the Secretary of State for the Department for Levelling Up, which had to date refused to help Councils in 2024/25. It had now resolved to write to the Prime Minister, Chancellor of the Exchequer, Shadow Chancellor of the Exchequer and all MPs and the Leader was actively involved in lobbying. Councillor Cozens would be attending a meeting with internal Ministers at Westminster in the New Year to put the Council's case forward. Members were urged to ask their MPs to support this work.

On the 20 November 2023 the Council was awarded the Levelling Up grant for £20m for Ollerton and Clipstone, for the levelling up part 3. A number of projects were reported to be undertaken in two of the Council's neglected areas.

The Portfolio Holder for Housing informed Council of the good news story from the Council's ICT Business Unit. ICT employees had joined him in London on 8 December 2023 and had attended an award event for the User Experience Project of the Year award. The Council had not won the award but had enjoyed a good award ceremony evening. Partnership working within ICT had taken place with Lincoln City Council.

48 QUESTIONS FROM MEMBERS OF THE PUBLIC AND COUNCIL

In accordance with Rule No. 3.3.3 one question had been submitted by a Member to the Council. Details of the question put forward and the response given by Councillor P Taylor are attached as Appendix A to the minutes.

49 COMMUNITY PLAN 2023 – 2027

The Council considered the joint report of the Chief Executive and Director – Customer Services & Organisational Development which sought approval for the Community Plan to be implemented for the period 2023 – 2027.

AGREED (with 20 votes For and 12 Abstentions) that the Council approve the Community Plan to be implemented for the period 2023 – 2027.

50 PROPOSED SCHEDULE OF MEETINGS 2024/25

The Council considered the report of the Assistant Director – Legal & Democratic Services which sought to approve the Schedule of Meetings for the period May 2024 to May 2025.

AGREED (unanimously) that the Council has a full schedule of meetings in place for 2024/25 Municipal Year.

51 LOCALISED COUNCIL TAX SUPPORT SCHEME 2024/25

The Council considered the report of the Deputy Chief Executive, Director – Resources and Section 151 Officer, which sought 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.

AGREED (unanimously) 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.

52 TREASURY MANAGEMENT MID-YEAR REPORT 2023/24

The Council considered the report of the Director – Resources and Section 151 Officer, which provided 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 the 22 November 2023.

AGREED (unanimously) that the Full Council note:

(a) the treasury management activity; and

(b) the Prudential Indicators detailed in Section 6 & 7 of the report.

53 REVIEW OF STATEMENT OF LICENSING POLICY 2024 - 2029

The Council considered the report of the Director – Communities & Environment, which sought adoption by Full Council following an amended Statement of Licensing Policy receiving approval from the Licensing Committee after a six-week consultation period.

AGREED (unanimously) that Full Council adopt the revised Statement of Licensing Policy 2024-2029 in order to allow licensing decisions to be made.

54 AMENDED ALLOCATIONS AND DEVELOPMENT MANAGEMENT DEVELOPMENT PLAN DOCUMENT - SUBMISSION

The Council considered the report of the Director – Planning & Growth, which presented the 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 Council modifications which sought to address the issues raised by the representations. Approval was sought from Council to submit to the Secretary of State for examination the Amended Allocations & Development Management DPD as amended by proposed modifications. Approval was also sought from the Council to accept the Planning Inspectors recommendations as binding and approval was sought for delegated authority to make any further minor amendments.

The Director – Planning & Growth had provided a Report Addendum, which as noted at paragraph 2.31 of the main report, Officers were currently considering the results of a further noise assessment in relation to Old Stable Yard, Winthorpe Road (site NUA/GRT/12). The addendum report addressed that issue. The revised report recommendations contained in the addendum report took into account the proposals within the additional paper and replaced those in the main report.

Councillor M Spors proposed and Councillor P Peacock seconded and in accordance with Rule 5.4 a recorded vote was requested and taken as follows:

Councillor	Vote
Neil Allen	Abstention
Adrian Amer	Apology
Alice Brazier	For
Lee Brazier	For
Celia Brooks	For
Irene Brown	For
Rowan Cozens	For
Susan Crosby	For
Linda Dales	Apology
Debbie Darby	Apology
Phil Farmer	Apology
Simon Forde	Apology
Andy Freeman	For
Jean Hall	Abstention
Peter Harris	For
Simon Haynes	Abstention
Rhona Holloway	Apology
Roger Jackson	For
Jack Kellas	Abstention
Johno Lee	Against
Keith Melton	For

Sylvia Michael	For
David Moore	For
Emma Oldham	Abstention
Paul Peacock	For
Claire Penny	For
Mike Pringle	For
Penny Rainbow	For
Karen Roberts	For
Neil Ross	Apology
Susan Saddington	Abstention
Maurice Shakeshaft	For
Tom Smith	For
Matthew Spoons	For
Paul Taylor	For
Tina Thompson	
Linda Tift	Had left the meeting
Tim Wendels	For
Tim Wildgust	For

AGREED (with 23 votes For, 1 vote Against and 6 Abstentions) that:

- (a) the contents of the report and the Addendum Report be noted;
- (b) the DPD as amended by the proposals contained within Appendix B of the main report is agreed by Council;
- (c) that following a period to allow the promoters of site NUA/GRT/12 to make representations on the latest evidence in relation to their site that the DPD with the proposed modifications in Appendix B of the main report and at 3.1 of the Addendum Report is submitted for examination.
- (d) when asked the District Council agree to accept a binding report from the Inspector; and
- (e) the Director - Planning & Growth be given delegated authority to propose amendments to the DPD following consultation with the Portfolio Holder for Sustainable Economic Growth and the Planning Policy Board in accordance with paragraph 3.4 of the main report.

55 MINUTES FOR NOTING

56 CABINET - 31 OCTOBER 2023

Minute No. 56 – Revisions to the Community Grant Scheme (Key Decision)

Councillor R Jackson raised concerns regarding comments made regarding transparency in relation to the new rules of the community grant scheme. He commented that by taking away all checks and balances from Members, had put

pressure on Officers to scrutinise the grant applications being submitted. By changing the scheme to allow up to £20,000 of funding for one application, would drain the scheme, with five applications and only large community groups would have the capacity and the schemes of that size and funding to match it. Thirty-two local communities had benefitted from the community grant scheme last year. The community grant scheme was established to allow small precepting Parish Councils and community groups to benefit from low-cost schemes which had long-term benefits to the local community. It was felt that that had been completely taken away, as there was no Member or Parish Council involvement at all. It had been suggested that the Parish Council increased their precept, which was considered a labour policy to tax people. He asked Councillor Taylor to write to the Chief Executive and apologise to the Officers for his comments.

Councillor J Lee commented that he felt that Members had been taken out of the equation and asked the Portfolio Holder to look at the model used by Nottinghamshire County Council.

Councillor P Peacock commented that lots of good courses had been supported over the years through the community grant scheme. The scheme had been changed over many years to see if the Council could achieve better results. The response was that Parish Council could support those schemes and get further down to grass roots and work through community and sports groups. Council staff had embraced the new scheme and the decision had been made and applications had been submitted for this phase and if it was considered that the system was not working the process could be changed.

57 PLANNING COMMITTEE - 9 NOVEMBER 2023

58 PLANNING COMMITTEE - 23 NOVEMBER 2023

59 AUDIT & GOVERNANCE COMMITTEE - 22 NOVEMBER 2023

60 GENERAL PURPOSES COMMITTEE - 30 NOVEMBER 2023

60a LICENSING COMMITTEE - 30 NOVEMBER 2023

60b POLICY & PERFORMANCE IMPROVEMENT COMMITTEE - 4 DECEMBER 2023

Meeting closed at 7.56 pm.

Chair

QUESTIONS FROM MEMBERS OF THE PUBLIC AND MEMBERS

In accordance with Rule No. 3.3.3 the following questions were submitted to the Council from Members:

Question from Councillor John 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'.

Reply from Councillor Paul Taylor – Portfolio Holder for Public Protection & Community Relations

Since 2021 the Council and Police have undertaken a lot of work in relation to wildlife crime following reports received by Council and Police in early 2021 of wildlife being catapulted, birds killed, particularly along the Sustrans Track (around London Road Pond) and at Balderton Lakes but also other areas, such as Sconce Park.

As a result, Newark has a targeted operation, tackling youth related wildlife and green space crime, as well as ASB in rural and green spaces, named Operation Swift. Wildlife crime was a priority throughout 2021, and it was not only targeted patrols and taking action on individuals identified. The Police completed awareness sessions in schools, and NSDC, in partnership with Police and Fire Services hosted events such as the Balderton Day of Activity (August 2021) at Balderton Lakes, to raise awareness of wildlife crime and safety elements (water safety) responsible dog ownership, etc.

As part of our safety events engaging local primary schools, during 2022 (Farndon, Sconce Park, Riverside Park) we have delivered sessions on wildlife crimes and conservation. Also including harm to wildlife with deliberate fire setting (we had young people deliberately setting fires at Vicar Water Country Park and Sconce Park). Vicar Water was subject to repeat incidents in 2021 and 2022, with the Nottinghamshire Fire and Rescue Service (NFRS) running awareness sessions in local primary schools (no fires reported in 2023).

In June 2024, NSDC in partnership with NFRS and Police will be delivering the 999 Safety Zone event, this is offered to all year 6 primary schools and will include talks by NSDC Rangers on wildlife and conservation, and the police/ASB team on wildlife crime.

The operation began back in 2021 where targeted patrols, enforcement, partnership working and school education sessions around these topics were undertaken, resulting a number of youths detained and interviewed in relation to wildlife offences.

It became apparent that catapulting wildlife, hare coursing, causing distress to animals and birds at local greenspaces and ASB were becoming a trend and fashion amongst local young people. The initial project was in partnership with NSDC and Hill Holt Wood, with £12000 of funding from the Locality Funding 2022/23.

Due to the success of this pilot scheme, Newark Neighbourhood Policing Team worked alongside Hill Holt Wood and submitted a successful bid for £66,000 for a two year program, based on education, diversion and restorative justice. This is a long term project with a simple mantra – inspire today to protect tomorrow. Although NSDC supported the project bid, the work has been carried forward by the police and Hill Holt.

The three parts to Operation SWIFT are as follows:

Education – Neighbourhood Policing Team officers and Hill Holt Wood Rangers are in the process of visiting every primary school in the Newark and surrounding area, around 15 schools, and complete an interactive presentation on wildlife and ASB, exploring offences and consequences and also promoting a sense of ownership, getting across an emphasis of being champions of the local area. When the talk is complete, bird box kits are provided, where officers and rangers build them with the children. Since this began, children have actually been reporting incidents directly to police and feedback from schools has been excellent. By next year, over 1000 primary school children will have had an input.

Diversion – Neighbourhood Policing Team officers and Hill Holt Wood Rangers host two diversion sessions a month for youths identified as ASB offenders. Referrals for the sessions come from police directly and our partners. Officers agree for the youth to attend with parents, collect them on the day and take them to Hill Holt Wood. Here they have a short input which can be tailored to a particular type of crime of ASB such as arson, off road bikes, catapulting for example. The youths will then go into the woods and do some hands on work such as dead hedging or similar. Those taking part get all the PPE, get shown how to do whatever skill they're learning and once the session is done get taken home again. If we get a troublesome youth then they can attend two sessions and get a UK Rural Skills qualification which for some of the youths, who are not in school for example, is quite the achievement.

Restorative Justice – Neighbourhood Policing Team officers and Hill Holt Wood Rangers hold 10 of these sessions a year. These are very similar to the diversion events but tailored to the specific crime. A recent example is two youths found to be hare coursing. They were signed up for the session, collected and taken to Hill Holt Wood, where they were educated on the law around hare coursing, the consequences of hare coursing and police powers if they were to continue to commit wildlife offences. They were shown the impact on the environment, ecology and more. Both youths then went and repaired some local hare habitat and this is very much about giving back.

The Police have had referrals for our division sessions from the Youth Justice Service, Nottinghamshire County Council and we are working on this becoming a recognised disposal via the Youth Justice Service for such offences.

The program has a further 12 months to run and has been hugely successful, and played a real part in not only reducing wildlife and green space crime and ASB, but nurturing the future of town to take responsibility and ownership.

Not one of our offenders who have been through the Restorative Justice program has reoffended.

Operation SWIFT was recently presented at the National Wildlife and Rural Crime conference with huge success, with several forces across the UK looking to take on the program. Operation SWIFT is fully supported by the National Wildlife Crime Unit

Supplementary Question from Councillor John Lee

“You have reported in the Newark Advertiser that crime is down, but you have also admitted it is down because people are not reporting it. Would you clarify whether reported crime is down or is crime down due to people not reporting it. If it is down because people are not reporting it, what are you going to do about it?”

Reply from Councillor Paul Taylor – Portfolio Holder for Public Protection & Community Relations

“Crime is down and ASB is also down. Looking at the latest figures for Devon and Castle Wards it was down by 50%, which is really good. It is however not good enough. People are suffering from ASB and crime and we are determined to try and tackle this. It is nice to report ASB and crime is down as it makes me believe that we are having an effect, however in many ways I would like to see that number go up because people are reporting more things that are currently going unreported. We have had that discussion already, seeing the figures go down is clearly positive and seeing less victims is positive. However, there is still not enough reporting and I urge everyone if they see ASB or crimes taking place to report it to the local authority and the police and not to just make postings on their facebook pages”.

APPENDIX B

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	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 – 13 February 2024

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

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

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

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

1.0 Background

- 1.1 In the Local Government Act 2012 Local Authorities in England were given delegated powers, under Section 11B of the Local Government Finance Act 1992 (as amended), to increase Council Tax by adding up to 50% to the Council Tax charge on some long-term empty properties. This is known as the ‘long term empty home premium’. The amount that Councils can charge was changed in the Rating (Property in Common Occupation) & Council Tax (Empty Dwellings) Act 2018.
- 1.2 In a report to Cabinet on 6 December 2012, it was agreed that the amount of Council Tax payable in respect of properties empty for more than 2 years, should be subject to an empty home premium of 50% of their Council Tax payable, where regulations permit.
- 1.3 In a report to Council on 9 March 2023, it was agreed that the amount of Council Tax payable in respect of long-term empty homes, be increased to the maximum allowed in regulations, for properties empty for more than 2 years to 100%, for properties empty for more than 5 years, but less than 10 years, to 200% and over 10 years to 300%. It was further agreed that the new charges come in to force from 1 April 2023.

2.0 Proposal

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

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

- 2.7 The proposal to Council is to change the date on which the Council Tax long-term empty home premium becomes due from 2 years to 1. This proposal would best support Council and Government policy in helping to reduce the number of empty homes by giving the highest incentive to owners to bring the properties back into use, by either selling or renting the property.

- 2.8 This proposal would also maximise income to the Council Tax preceptors: Nottinghamshire County Council, Nottinghamshire Police & Crime Commissioner, the Nottinghamshire Fire Authority, Newark & Sherwood District Council and the numerous town and parish councils.
- 2.9 On the basis of the number in the above table, the element of the total Council Tax liability that relates to the District Council's income increases by £114,500 to £229,000.
- 2.10 Information has been obtained from each of the 6 other District and Borough councils in Nottinghamshire regarding their policies. 4 have advised they will be seeking approval to amend the start date for charging empty homes premium to 1 year with effect from 1 April 2024, the remaining 2 authorities will not be changing their current arrangements.
- 2.11 This proposal was recommended to Full Council, by the Cabinet at their meeting held on 23 January 2024.

3.0 Implications

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

Financial Implications (FIN23-24/2077)

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

Legal Implications

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

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

Background Papers and Published Documents

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

None.



Report to: Full Council Meeting - 13 February 2024

Portfolio Holder: Councillor Lee Brazier, Housing

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

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

Report Summary	
Report Title	2024/25 Housing Revenue Account (HRA) Budget and Rent Setting
Purpose of Report	<ul style="list-style-type: none"> a) To examine the proposed income and expenditure on the HRA for the 2024/25 financial year, in accordance with Section 76 (Duty to prevent debit balance on the Housing Revenue Account) of the Local Government and Housing Act 1989; b) To provide indicative amounts of income and expenditure for the 2025/26 to 2027/28 financial years; and c) To set rent levels and service charges for 2024/25 (with effect from the first Monday in April 2023).
Recommendations	<p>That Council approve:</p> <ul style="list-style-type: none"> a) the HRA budget for 2024/25, as set out in Appendix A to the report; b) an increase of 7.7% in the 2023/24 rents of all properties in the HRA as at 31 March 2024 be applied from 1 April 2024; and c) the 2024/25 service charges, as set out in Appendix C to the report.
Reason for Recommendations	To advise Members of the proposed HRA budget and charges in rent and service charge levels for 2023/24 and for these to be recommended to Council at its meeting on 13 February 2024.

1.0 Background Information

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

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

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

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

1.4 The Cabinet considered this report at their meeting held on 23 January 2024, and recommended the budget to the Full Council for approval.

2.0 Proposal/Details of Options Considered

Statutory Duty

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

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

Rent Standard 2020

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

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

Cap On Social Housing Rent Increases Consultation

2.5 In January 2024, the Regulator of Social housing published a direction on the Rent Standard 2024, setting out the policy for 1 April 2024 – 31 March 2025 to set rents to Consumer Price Index (CPI) +1%.

2.6 As there has been no proposal for a rent cap for 2024/25, and with a CPI rate of 6.7% at September 2023, this gives a provision for an increase of 7.7% from 1 April 2024.

- 2.7 The below table shows average and weekly increase in rent for different property types for all socially rented properties. The table provides data for 5%, 7% and 7.7% rent increases.

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

Borrowing Cap

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

30-year HRA Business Plan (BP)

- 2.11 The BP summarises the viability of the Council's plans to fulfil its management, maintenance and investment responsibilities to its HRA assets over the next 30 years. Key assumptions are made in the BP based on the Council's strategic priorities and policies, detailed stock data and other factors.
- 2.12 The assumptions in the BP are key to setting the HRA budgets annually for each year of the HRA's four-year MTFP. The main assumptions that are fed into the HRABP were noted by the Policy & Performance Improvement Committee on 7 December 2023.
- 2.13 Officers monitor relevant government policy announcements and model the implications of these on the HRA BP. Recently these have included increased legislation around building safety, including the Building Safety Act 2022, Fire Safety Act 2021, Regulatory Reform (Fire

Safety Order 2005) and Regulatory Reform (Fire Safety Order 2005). The Social Housing Bill which was enacted in July 2023 will bring further changes to the regulatory framework the Council operates within, changes to consumer standards, increased scrutiny on accountability to tenants, performance, a refresh of the Decent Homes Standard, embedding the priority of decarbonisation and the introduction of enhanced regulation of the sector also have implications for the long-term viability of the plan. Officers will model the impacts of these changes on the BP as further details become available and this will be refreshed when any rent standard is considered for future years.

- 2.14 As per paragraph 2.11 above, a range of scenarios have been modelled into the 30-year business plan. 7.7% has been modelled into the budgets currently and hence is reflected within the attached appendices. The table below describes the alternative options compared (both annually and 30 year cumulative) against the proposed 7.7%:

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

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

Rent Cycle

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

Affordability Considerations

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

Rent Level Comparable Data

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

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

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

- 2.22 For all sizes of accommodation, the Council's average social housing rents are significantly lower than those in the private rented sector.
- 2.23 *Table 2* compares 2022/23 data on average rent levels for Private Registered Providers (PRPs) in Newark and Sherwood to the council's average social housing rents, split for each by whether properties are for general needs tenants or supported housing tenants.

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

Type of Accommodation	Social Rent: General Needs		Social Rent: Supported Housing/Housing for Older People	
	NSDC	Private Registered Providers	NSDC	Private Registered Providers
Non-self-contained	-	-	-	£177.24
Bedsit	£61.02	£62.14	£59.63	£116.33
1 bedroom	£68.53	£80.32	£75.25	£100.16
2 bedrooms	£76.16	£95.03	£84.03	£96.61
3 bedrooms	£87.55	£97.34	£91.48	£115.89
4 bedrooms	£94.99	£107.50	-	-
5 bedrooms	£101.43	£101.91	-	-
Average: excluding non-self-contained	£84.48	£93.36	£80.37	£100.85

Average: all accommodation types	£84.48	£93.36	£80.37	£120.16
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- 2.24 For all sizes of accommodation, NSDC’s average social housing rents are lower than those of the PRPs. Furthermore, we would expect to see a greater divergence of rents in 2023/24 given NSDC limited rent increase to 5% in 2023/24 and the likelihood that most PRP’s increased their rents by the maximum 7% in April 2023.
- 2.25 The average 2022/23 social rent levels of £93.36 (general needs tenants) and £120.16 (supported housing tenants) by PRPs in *Table 2* excludes service charges. *Table 3* shows the average 2022/23 service charges for these groups.

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

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

- 2.26 It should be noted in *Table 3* that the gross rent equals the sum of the net rent and service charge only for supported housing tenants: not for general needs tenants. This is because the average service charge relates only to those properties with service charges, and as all properties for supported housing tenants have service charges whereas not all properties for general needs tenants have service charges.
- 2.27 Further information on the council’s limited range of service charges is provided in the ‘Service Charges’ section below.

Housing Benefit (HB) and Universal Credit (UC)

- 2.28 A snapshot of data taken in November 2023 estimates that of the 5,437 current tenants, 3,683 (68%) received help from benefits towards paying their rent. This has increased by 3% compared to this time last year. 1,963 (36%) were in receipt of Housing Benefit and 1,720 (32%) were in receipt of Universal Credit. The remaining 1,754 (32%) of tenants paid their rent without receiving help from benefits.
- 2.29 Universal Credit (UC) is the Government’s working-age benefit which combines six means tested (‘legacy’) benefits, including Housing Benefit (HB), into a single monthly payment. UC was a central feature of the government’s Welfare Reform Act 2012. The Government started rolling out UC in 2013, with the full service commencing in 2018 across Newark and Sherwood.
- 2.30 Since 2018, there has been a significant increase in the number of council housing tenants claiming UC, increasing from 95 to 1,720 between June 2018 and November 2023. Of the 1,720 UC claimants, around 43% have their rent paid directly to the council, either due to being in arrears or due to a vulnerability. Just under 76% of UC claimants are general needs tenants.

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

Supporting Tenants

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

Service Charges

- 2.37 In addition to rent, local authorities can charge for other services they provide (service charges). Section 93 (Power to charge for discretionary services) of the Local Government Act 2003 requires charges to be set such that taking one financial year with another, the income from charges for a service does not exceed its costs of provision.
- 2.38 The Policy Statement on Rent for Social Housing (February 2019) sets out an expectation that service charge increases remain within the limit of rent charge of CPI + 1% in order to keep service charges affordable. Appendix C details the current (2023/24) and proposed

(2024/25) service charges, with proposed increases to current charges of 7.7%. Subsequent paragraphs provide details about the services that tenants are charged for.

Housing-Based Services for Supported Housing and Extra Care Services

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

- 2.48 In addition to these support services, tenants in the extra care housing schemes receive additional housing management and housing-related services due to their specialist needs. The council currently has four extra care housing schemes. These are at Gladstone House, The Broadleaves, Vale View and the Bilsthorpe Bungalows.

Intensive Housing Management Services

- 2.49 Intensive Housing Management services include a suite of tasks to support vulnerable and/or frail tenants living in our Extra Care Schemes who require additional support to live independently and sustain their tenancies. These tasks can include benefit advice, more visits and check ins to keep tenants safe and well in their home and encouraging interaction with residents and the community. Appendix C sets out the intensive housing management charges for Extra Care schemes. The charges is higher for the bungalows at Bilsthorpe than at other extra care schemes due to the limited opportunity for economies of scale and the dispersed nature of the properties. The service provided within the IHMS are eligible for housing benefit so support is available for tenants on low incomes.
- 2.50 The changes to the Careline service provision will provide an opportunity for us review the service delivery model at the Bilsthorpe Bungalows with a view to make it more cost-effective for current and prospective service users and increase the service offer.

Other Housing-Based Services

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

3.0 Implications

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

Digital Implications

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

Equalities Implications

- 3.2 The proposed rent increase would apply to all occupied council social housing, rather than to the tenants themselves or to tenants in specific properties. The proposed rent increase is therefore not expected to discriminate against any of the characteristics protected under the Equality Act 2010.

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

Financial Implications

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

Community Plan – Alignment to Objectives

- 3.12 The implementation of the proposals in this report will directly support the council's HRA to meet multiple objectives of the Community Plan 2023-2027, such as to:
- a) "Increase the supply, choice, and standard of housing..."; and
 - b) "Reduce the impact of Climate Change...".
- 3.13 Some of the actions the council is taking to achieve the Community Plan objectives are to:
- Embed and evaluate our new 'Repairs Online' service;

- Explore further ways to seek out imaginative and effective ways to engage with and involve tenants;
- Deliver the Housing Strategy, 2023-2028;
- Complete a project for our Council homes to renew over 100 oil heating systems with air source heat pumps and solar panels to improve affordability for tenants and reduce carbon emissions; and
- Engage with the Carbon Trust to explore the feasibility and implications of accelerating the decarbonisation target, our pledge to become Net zero by 2035 and expanding it to include social housing.

Background Papers and Published Documents

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

None

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

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

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

7.70%

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



Report to: Full Council – 13 February 2024

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

Director Lead: John Robinson, Chief Executive

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

Report Summary	
Report Title	Political Composition of the Council and allocation of seats on Committees to Political Groups.
Purpose of Report	To inform the Council of the political composition of the Council following the resignation of Cllr Amer from the Independents for Newark & District group and to amend the allocation of seats to committees accordingly.
Recommendations	That the Council: a) agree the allocation of seats to Political Groups in accordance with Appendix A to the report; and b) changes to appointments to Committees be made as advised at the meeting.
Reason for Recommendation	To ensure the Council complies with Section 15 of the Local Government & Housing Act 1989 and the Local Government (Committees & Political Groups) Regulations 1990.

1.0 Background

- 1.1. Section 15 of the Local Government & Housing Act 1989 requires the Council to consider the political composition of the Council. The Act, together with Local Government (Committees & Political Groups) Regulations 1990, require local authorities to allocate seats on Committees of a local authority on a proportional basis, in accordance with the number of seats on the Council held by each political group.
- 1.2 Councillor Amer advised the Chief Executive on 21 January 2024 that he had resigned as a member of the Independents for Newark & District political group.
- 1.3 Following this resignation, the seats held by each Group on the Council are now as follows:

	<u>No. of Seats</u>
Conservative	14
Labour	11

Independents for Newark	7
Liberal Democrat	3
Newark & Sherwood District	2
Independents	
Independent N/A (Amer)	1
Independent N/A (Brown)	1

1.4 Under the Leader / Executive model of governance only certain Committees are required to reflect the political balance. There are a total of 77 seats on Committees which must comply with political balance rules as follows:

Committee	No. of Members
Policy & Performance Improvement Committee	15
Planning Committee	15
Licensing Committee	15
General Purposes Committee	15
Audit & Governance Committee	12
Board of Gilstrap Trustees	5
Total	77 seats

Based on these new arrangements the following calculation can be made:

a) No of seats on Council = 39

% of total seats held by each Group (rounded) =

	%
Conservative	35.9%
Labour	28.2%
Inds for Newark & District	17.9%
Liberal Democrats	7.7%
N&S District Inds	5.1%
Ind N/A (Amer)	2.6%
Ind N/A (Brown)	2.6%
	100%

b) The allocation of seats to each Group on these Committees would be:

			<u>Rounded</u>
Conservative	77 x 35.9%	27.64	28*
Labour	77 x 28.2%	21.71	22
Inds for Newark & District	77 x 17.9%	13.78	14
Liberal Democrats	77 x 7.7%	5.93	6
N & S District Inds	77 x 5.1%	3.92	4
Ind N/A (Amer)	77 x 2.6%	2.00	2
Ind N/A (Brown)	77 x 2.6%	2.00	1*
			77

*Following discussion with groups and Councillor Brown.

- c) The number of seats allocated on Committees to each Political Group is therefore as follows:

Conservative	28
Labour	22
Independents for Newark & District	14
Liberal Democrats	6
Newark & Sherwood District Independents	4
Independent N/A (Amer)	2
Independent N/A (Brown)	1

- 1.5 The allocation of seats on Committees to each political group calculated above, gives seats to the two independent non-aligned Members but the allocation of these seats is at the discretion of the Full Council and currently Cllr Irene Brown has only taken one seat.
- 1.6 As a result of the resignation of Cllr Amer from the Independents for Newark & District, this group effectively have two less seats on committees. The matrix at Appendix A of the report sets out the proposed allocation of seats to political groups to reflect this change.

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

ALLOCATION OF SEATS TO POLITICAL GROUPS

Committee	Conservative	Labour	Independents for Newark and District	Liberal Democrats	Newark & Sherwood District Independents	Independent Non-Aligned – Cllr. Amer	Independent Non-Aligned – Cllr. Brown	Total Seats By Committee
Policy & Performance Improvement	5	5	3	1	1			15
Planning	5	5	2	2		1		15
General Purposes	6	4	3	1	1			15
Licensing	6	4	3	1	1			15
Audit & Governance*	4	3	3	1	1			12
Board of Gilstrap Trustees+	2	1				1	1	5
Total Seats by Group	28	22	14	6	4	2	1	77

*Note The Audit & Governance Committee includes one independent co-opted member acting in an advisory capacity

+Note The Board of Trustees of the Gilstrap Charity includes up to four non-voting co-opted Members (Newark Wards)



Report to: Full Council Meeting - 13 February 2024

Committee Chairman: Councillor Peter Harris, Audit & Governance Committee

Director Lead: Sue Bearman - Assistant Director Legal & Democratic Services and Monitoring Officer

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

Report Summary	
Report Title	Constitution Update – Public Speaking at Planning Committee
Purpose of Report	To seek Full Council’s approval 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.
Recommendations	That the Council’s Constitution is amended as set out in paragraphs 2.2 to 2.4 below (and as set out in the appendix to the report) to enable Planning Committee to make provision for public speaking if it resolves to do so.
Reason for Recommendation	Allowing members of the public to comment directly on planning applications to the Councillors who make the decisions will enhance the public participation provisions in the Council’s Constitution. Delegating authority to Planning Committee to make specific arrangements will give the Committee flexibility to test and amend as necessary to ensure the correct balance between public participation and efficient dispatch of Planning Committee business.

1.0 Background

- 1.1 The Planning Development Business Unit has been tasked with investigating allowing public speaking at the Planning Committee. Initial investigations established that the Council is one of the few in England and Wales who do not permit public speaking.
- 1.2 The Full Council has delegated authority to the Planning Committee to adopt a Protocol for the Committee. This Protocol sets out the current arrangements for speaking at Committee, which includes provision for parish councillors and Ward (including neighbouring ward) Members. It currently states that members of the public, including any applicant or objector, are not entitled to speak.

- 1.3 The Council's Constitution includes provision for public speaking at Full Council but is silent on whether any committees can make arrangements for public speaking. The Committee Procedure rules do not include provision for public speaking.

2.0 Proposal/Options Considered

- 2.1 Audit & Governance Committee considered the potential introduction of public speaking at the Planning Committee at their meeting held on 22 November 2023 and resolved to recommend that Full Council approve some minor amendments to the Council's Constitution to approve the principle of public speaking. If approved it will be for the Planning Committee to finalise arrangements and, if adopted, to keep them under review.
- 2.2 Part B of the Council's Constitution sets out the Council's arrangements for public participation. It is proposed to add a new Section 4 entitled 'Planning Committee', stating 'The Planning Committee's Protocol for Dealing with Planning Matters sets out who is entitled to speak at meetings of the Committee.'
- 2.3 Part C of the Council's Constitution sets out the terms of reference for Committees. Under the terms of reference for Planning Committee it is proposed to add at paragraph 14, which requires the Committee to adopt a Protocol for Planning Committee, 'and may include provision for public speaking'.
- 2.4 Part D of the Council's Constitution includes the Committee Procedure Rules. It is proposed to add a new Section 6.8 entitled 'Public Speaking', stating 'Planning Committee may make arrangements for public speaking in its Protocol for Dealing with Planning Matters'.
- 2.5 The intention of these minor amendments is for the Constitution to be permissive rather than prescriptive on public speaking; to delegate Planning Committee autonomy to make appropriate arrangements.
- 2.6 The Appendix to this report shows the proposed amendments as tracked changes.

3.0 Implications

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

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.

Report to Audit & Governance Committee 22 November 2023 <https://democracy.newark-sherwooddc.gov.uk/documents/s18187/Item%2010%20Constitution%20Update%20-%20Public%20Speaking%20at%20Planning%20Committee.pdf>

Report to Planning Committee 9 November 2023 - <https://democracy.newark-sherwooddc.gov.uk/documents/s18065/FINAL%20Public%20Speaking%20Planning%20Constitution%20Update.pdf>

The Council's Constitution is published - <https://www.newark-sherwooddc.gov.uk/constitution/>

NEWARK & SHERWOOD DISTRICT COUNCIL

**CONSTITUTION
MAY 2022**

**Part B – Public Participation
Page B1**

4. ~~ACCESS TO INFORMATION PROCEDURE RULES~~ PLANNING COMMITTEE

~~4.1. Introduction~~

The Planning Committee’s Protocol for Dealing with Planning Matters sets out who is entitled to speak at meetings of the Committee.

45. ACCESS TO INFORMATION PROCEDURE RULES

45.1. Introduction

.....

NEWARK & SHERWOOD DISTRICT COUNCIL

**CONSTITUTION
JULY 2023**

**Part C – Responsibility for Functions
Page C1**

7.3 PLANNING COMMITTEE

Rules

- The Committee Procedure Rules and the Access to Information Procedure Rules shall apply to the Planning Committee.
- The Protocol for Planning Committee shall apply to the Planning Committee and shall take precedence in the event of their conflicting with the Committee Procedure Rules.

Membership, Chair and Quorum

Number of Members	15
Substitute Members Permitted	No

Political Proportionality Rules Apply	Yes
Appointments/Removals	Resolution of Full Council
Restrictions on Membership	<ul style="list-style-type: none"> • All Members of the Planning Committee must have undertaken the required training, a minimum of once a year.
Restrictions on Chair/Vice-Chair	None
Quorum	One quarter (1/4) of the committee members rounded up
Number of Ordinary Meetings per Council Year	At least 4 per year

Remit and Terms of Reference

1. To perform the duties and exercise the powers of the Council as the local planning authority.
2. To determine and advise on all planning and development management applications, including but not limited to:-
 - a. Planning obligations;
 - b. All matters concerning public path orders required as a result of planning legislation;
 - c. Advertisement consents;
 - d. Conservation area consents and notices;
 - e. Revocation or modification of planning permissions by order under planning legislation;
 - f. Enforcement action including in respect of advertisement contraventions;
 - g. Tree preservation orders;
 - h. Consent to carry out work to protected trees;
 - i. Listed building consents and notices;
 - j. Certificates of alternative development;
 - k. Direct action by execution of works, taking steps and/or carrying out operations, by or on behalf of the Council under any current planning legislation, including the recovery of any costs or expenses;
 - l. Legal proceedings in respect of any breach of planning obligations;
 - m. Any other notices, orders, demands, permissions, consents and grants under current planning legislation; and
 - n. Observations, comments and representations on development proposals being determined by other bodies and/or in adjoining or nearby administrative areas.
3. To determine planning and development management applications referred by Members or Officers of the Council.
4. To determine planning and development management applications submitted by, or on behalf of, the Council or such applications in which the Council has an interest;

5. To determine planning and development management applications submitted by Members, Senior Officers (Senior Leadership Team and Business Managers) and Officers who would otherwise be involved in the determination of the application.
6. The monitoring of enforcement action taken under planning and other applicable legislation.
7. To administer the registration and record keeping provisions required under applicable legislation.
8. To exercise the Council's statutory duties in respect of the Building Regulations and associated legislation.
9. To exercise the Council's statutory powers in respect of land drainage and associated legislation.
10. To exercise the Council's statutory powers in respect of highways and associated legislation.
11. To consider and make recommendations on the formulation of the Local Development Framework and other plans, policies, protocols or guidance impacting on functions within the remit of the committee.
12. To do anything which is incidental, conducive or calculated to facilitate any of the Committee's functions or which are necessary for the discharge of the functions.
13. To adopt a scheme of delegation to Officers, including the ability for District Councillors to reserve matters to Committee in circumstances prescribed by the scheme; the scheme to be reviewed as necessary and at least annually, and
14. To adopt a Protocol for Planning Committee which must take Probity in Planning or equivalent national guidance into account and may include provision for public speaking.

NEWARK & SHERWOOD DISTRICT COUNCIL

**CONSTITUTION
MAY 2022**

**Part D – Council Procedure Rules
Page D3**

6.7 Attendance of other District Councillors

- 6.7.1 Any District Councillor who wishes to attend a meeting of Cabinet, a committee or sub-committee of which they are not a member will be entitled to do so. With the consent of the Chair they will be entitled to speak once on any matter that is of primary importance to their electoral division or its inhabitants rather than a general matter, but not to vote.

6.7.2 A District Councillor who attends a meeting in this capacity will be entitled to remain in the meeting when a resolution excluding the public is in force.

6.7.3 These provisions apply to Planning Committee, subject to its Protocol for Members on Dealing with Planning Matters, but not to any other committee or sub-committee that is exercising a function which is judicial in nature.

6.8 Public Speaking

Planning Committee may make arrangements for public speaking in its Protocol for Dealing with Planning Matters.

6.98 Suspension of Committee Procedure Rules

These Committee Procedure Rules except Rule 2.7.1 (signing minutes) and Rules 6.1, 6.3 and 6.4 (conduct and general disturbance) may be suspended by the Chair of a Committee or by motion without notice if at least one half of the whole number of members of the Committee or Sub-Committee, are present. Suspension can either be for an item or for the duration of the meeting.

Public Document Pack Agenda Item 13a

NEWARK AND SHERWOOD DISTRICT COUNCIL

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

PRESENT: Councillor P Peacock (Chair)

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

APOLOGIES FOR ABSENCE: Councillor R Cozens and Councillor R Holloway

59 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

There were no declarations of interest.

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

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

61 MINUTES FROM THE PREVIOUS MEETING

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

62 CHAIR'S UPDATE

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

63 BUDGET PERFORMANCE - QUARTER 2 - 2023/24

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

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

AGREED (unanimously) that Cabinet:

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

Reasons for Decision:

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

Options Considered:

Not applicable.

64 COMMUNITY PLAN PERFORMANCE - QUARTER 2 - 2023/24

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

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

AGREED (unanimously) that Cabinet:

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

Reasons for Decision:

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

Options Considered:

Not applicable.

65 HOUSING SERVICES COMPLIANCE REPORT

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

AGREED that Cabinet:

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

Reasons for Decision:

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

Options Considered:

Not applicable.

Meeting closed at 6.24 pm.

Chair

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Public Document Pack Agenda Item 13b

NEWARK AND SHERWOOD DISTRICT COUNCIL

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

PRESENT: Councillor P Peacock (Chair)

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

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

APOLOGIES FOR ABSENCE: Councillor E Oldham and Councillor M Spors

66 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

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

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

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

68 CHAIR'S UPDATE

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

69 CORPORATE PROPERTY OVERVIEW

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

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

Reasons for Decision:

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

Options Considered:

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

70 SHERWOOD AVENUE PARK (KEY DECISION)

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

AGREED (unanimously) that Cabinet:

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

Reasons for Decision:

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

Options Considered:

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

71 INFRASTRUCTURE FUNDING STATEMENT (KEY DECISION)

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

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

Reasons for Decision:

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

Options Considered:

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

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

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

AGREED (unanimously) that Cabinet:

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

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

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

Reasons for Decision:

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

Options Considered:

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

73 PLANNING DEVELOPMENT - PLANNING APPLICATION BUDGET

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

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

Reasons for Decision:

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

Options Considered:

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

74 DAMP AND MOULD POLICY (KEY DECISION)

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

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

Reasons for Decision:

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

Options Considered:

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

75 BUILDING SAFETY IN THE HOME POLICY (KEY DECISION)

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

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

Reasons for Decision:

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

Options Considered:

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

76 SOUTHWELL LEISURE CENTRE POOL WORKS (KEY DECISION)

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

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

AGREED (unanimously) that Cabinet:

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

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

Reasons for Decision:

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

Options Considered:

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

77 CCTV SYSTEM REVIEW (KEY DECISION)

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

AGREED (unanimously) that Cabinet approve:

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

Reasons for Decision:

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

Options Considered:

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

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

Meeting closed at 7.46 pm.

Chair

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, 23 January 2024 at 6.00 pm.

PRESENT: Councillor P Peacock (Chair)

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

ALSO IN ATTENDANCE: Councillor S Michael, Councillor P Rainbow, Councillor N Ross and
Councillor T Wendels

1 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

There were no declarations of interest.

2 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.

3 MINUTES FROM THE PREVIOUS MEETINGS HELD ON 5 DECEMBER 2023 AND 19 DECEMBER 2023

The minutes from the meetings held on 5 December and 19 December 2023 were agreed as a correct record and signed by the Chair.

4 CHAIR'S UPDATE

The Leader and Chair made a statement in relation to Southwell Leisure Centre as follows:

“At our last Cabinet meeting, we agreed to set aside £5.5m to provide a new swimming pool facility at Southwell Leisure Centre. We agreed that this presented better value for money than spending an estimated £645,000 on repairing the pool, given the risk of other repair items emerging in the 60-year-old building. We see the pool as the first step towards the development of a new leisure centre on the site.

I'm disappointed to report that we've not progressed things in the way we'd have hoped as some representatives of the Trust are clinging on to repair of the pool as their preferred option, either instead of, or as well as a replacement pool. I want to make it clear, yet again, that the Council will not use taxpayers money from across the District to repair a 60-year old pool and urge Southwell Leisure Centre Trust to focus on working with us on a replacement.”

5 COUNCIL TAX EMPTY HOMES PREMIUM (KEY DECISION)

The Business Manager – Financial Services presented a report on the current position relating to the Council Tax empty homes premium charges and collection. The proposal in the report was to change the date on which the Council tax long-term empty home premium becomes due from two years to one as had been enabled by the Levelling-Up & Regeneration Bill, which received Royal Assent in October 2023. This proposal would support the Council and Government policy in helping to reduce the number of empty homes by giving an incentive to owners to bring the properties back into use, by either selling or renting the property.

It was noted that the element of the total Council Tax liability which related to the District Council's income, would increase by £114,500 to £229,000.

AGREED (unanimously) that Cabinet recommends to Full Council the proposal to increase the long-term empty home premium as set out in paragraph 2.7 of the report, effective from 1 April 2024.

Reason for Decision

To enable Cabinet to consider changing the trigger date for charging empty home premium from two years to one year.

Options Considered

The alternative is to leave charging unchanged.

6 2024/25 HOUSING REVENUE ACCOUNT BUDGET AND RENT SETTING (KEY DECISION)

The Business Manager – Financial Services presented a report which examined the proposed income and expenditure on the Housing Revenue Account (HRA) for the 2024/25, in accordance with Section 76 of the Local Government and Housing Act 1989. The report also detailed indicative amounts of income and expenditure for the 2025/26 to 2027/28 financial years and proposed rent levels and service charges for 2024/25, with effect from the first Monday in April 2024.

The setting of the HRA budget and the approval of rent levels would be presented to the Full Council Meeting in February 2024, which would allow the required time to notify tenants of proposed changes to rents in accordance with the legislation.

AGREED (with 8 votes for and 1 against) that Cabinet recommend to Full Council at its meeting on 13 February 2024:

- a) the HRA budget for 2024/25, as set out in Appendix A1 to the report;
- b) an increase of 7.7% in the 2023/24 rents of all properties in the HRA as at 31 March 2024 be applied from 1 April 2024; and
- c) the 2024/25 service charges, as set out in Appendix C to the report.

Reason for Decision

To advise Members of the proposed HRA budget and charges in rent and service charge levels for 2024/25 and for these to be recommended to Ful Council at its meeting on 13 February 2024.

Options Considered

Various modelling was undertaken to assess the impact of different rent levels on the viability of the HRA 30-year business plan to arrive at the recommendation made to the Cabinet.

Consideration was also given to varying increases between general needs and supported (sheltered and extra care) accommodation but no rationale was found to support this, alongside the equitable nature of any decision to do so.

7 BIODIVERSITY NET GAIN - POLICY AND ACTIONS (KEY DECISION)

The Biodiversity & Ecology Lead officer presented a report which informed Cabinet of the four 'topics' relating to mandatory Biodiversity Net Gain (BNG) and proposed recommended actions that were considered necessary in the run up to implementation.

The Environment Act 2021 set the legislative background for the implementation of mandatory BNG of at least 10%, and two draft Statutory Instruments were laid before Parliament on 30 November 2023, and the Biodiversity & Ecology Lead officer confirmed that that mandatory BNG would come into force as from 12 February 2024. The Cabinet also noted that the report had also been considered by the Planning Policy Board who had recommended approval following a lengthy debate.

AGREED (unanimously) that Cabinet:

- a) adopt and publish definitions of what constitutes 'significant enhancement' within mandatory BNG calculations as set out in Section 2 and Appendix A to the report;
- b) adopt and publish interim definitions to be used for 'strategic significance' within mandatory BNG calculations as set out in Section 2 and Appendix B to the report;
- c) approve for a 'call for sites – expressions of interest' exercise to be undertaken; and
- d) approve for officers to make an application for Newark and Sherwood District Council (NSDC) to be considered for Responsible Body status.

Reason for Decision

1. 'Significant Enhancement' – to provide clarity for applicants, facilitate efficiency for the Planning Development Team, future-proof alignment with emerging Policy DM7, and maximise opportunities to enhance and restore biodiversity within the district as required by Core Strategy Policy 12.

2. 'Strategic Significance' – to provide clarity for applicants, in the interim period before the Nottinghamshire Local Nature Recovery Strategy (NLRS) is published, and to facilitate efficiency for the Development Management Team when considering applications required to provide a BNG calculation.

3. 'Call for sites – expressions of interest' – It is considered important for NSDC to be proactive regarding the potential provision of off-site biodiversity units within the district. This is to ensure that the biodiversity gains from development are provided close to development sites and at least within the district to avoid the district bearing the impacts on biodiversity with the benefits provided elsewhere. Also, to ensure that the district does not become an unfavourable area for developers due to an insufficient supply of off-site biodiversity units.

4. 'Responsible Body status' –

It is considered important that for NSDC to achieve full engagement of biodiversity net gain within the district, providers of off-site biodiversity units should not be constrained to a single option of entering into a Section 106 Agreement (s106) with NSDC. If their preference is to work with NSDC but via a Conservation Covenant rather than a s106, NSDC will only be able to do so if they have Responsible Body status.

DEFRA's timeline for deciding on Responsible Body applications is within 12 weeks. Therefore, it is recommended that NSDC is proactive and applies as soon as possible rather than be reactive in the future and potentially miss opportunities for engagement with landowners where the 12-week delay might be considered unacceptable.

This recommendation is made on the Lead Officer's understanding that, once awarded Responsible Body status, there is then no obligation to act as a Responsible Body if approached to do so.

All four proposals are considered to be consistent with, and provide an important contribution towards, Community Plan Objective 5 to Protect and enhance the District's natural environment and green spaces; specifically "To plan an active role in biodiversity net gain for the district,..."

Options Considered

For all four items, a 'do nothing' option has been considered.

For 'significant enhancement' and 'call for sites – expressions of interest' a further option involving a collaborative approach with other Nottinghamshire planning authorities has been considered.

Meeting closed at 6.37 pm.

Chair

Public Document Pack Agenda Item 13d

NEWARK AND SHERWOOD DISTRICT COUNCIL

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

PRESENT: Councillor P Peacock (Chairman)

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

ALSO IN ATTENDANCE: Councillor P Rainbow and Councillor I Brown.

ATTENDANCE:

APOLOGIES FOR ABSENCE: Councillor R Cozens and Councillor R Holloway

12 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

There were no declarations of interest.

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

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

14 MINUTES FROM THE PREVIOUS MEETING HELD ON 12 SEPTEMBER 2023

The minutes from the meeting held on 12 September 2023 were agreed as a correct record and signed by the Chairman.

15 ACTIVE4TODAY PERFORMANCE REPORT

The Committee considered the report of the Business Manager- Regeneration and Housing Strategy, which presented the performance of Active 4 Today for the period to October 2023, Period 7.

Overall income was projected to be £340,670 above the original budget by year end, driven in most by increases in direct debit memberships and facility hire income. The company had seen a range of cost increases, most significantly in utilities, irrecoverable VAT on utilities and forecasting for an increase in staff costs to reflect the 'cost-of-living' payment yet to be agreed. Child membership was showing a decline since March 2023 across all leisure centres but Blidworth, representing seasonal fluctuations and was in line with the same trajectory last year.

It was noted that current income and expenditure profiling did not take into account any further closures associated with the necessary works at Southwell Leisure Centre and the impact on memberships and other income.

The Committee welcomed the positive report and the Leader reiterated the Council's

commitment to a maintaining wetside provision at Southwell Leisure Centre.

AGREED (Unanimously) that the performance of Active4Today for period 7 be noted.

16 ARKWOOD DEVELOPMENTS PERFORMANCE REPORT

The Committee considered the report of the Transformation & Service Improvement Manager which detailed the performance for Arkwood Developments for quarter two. The report detailed performance relating to the number of units delivered and plots commenced. The Managing Director for Arkwood was in attendance and explained that the Bowbridge Road development was on track for completion by January 2024 and that a new site with full planning consent had recently been purchased by the Company.

The Committee noted the progress made with land purchase and works on site, and welcomed the positive impact on the overall finances of the Council.

AGREED (unanimously) that the Executive Shareholder Committee note the Arkwood Performance Report and consider the company's performance against its targets and objectives highlighting any areas of high performance and identifying areas for improvement.

Meeting closed at 6.43 pm.

Chair

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, 7 December 2023 at 4.00 pm.

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

Councillor A Amer, Councillor C Brooks, Councillor L Dales, Councillor P Harris, Councillor K Melton, Councillor E Oldham, Councillor P Rainbow, Councillor M Shakeshaft, Councillor L Tift and Councillor T Wildgust

ALSO IN
ATTENDANCE:

APOLOGIES FOR ABSENCE: Councillor J Lee and Councillor S Saddington

84 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

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.

85 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.

86 MINUTES OF THE MEETING HELD ON 9 NOVEMBER 2023

AGREED that the minutes of the meeting held on 9 November 2023 were approved as a correct record and signed by the Chair.

87 MINUTES OF THE MEETING HELD ON 23 NOVEMBER 2023

AGREED that the minutes of the meeting held on 23 November 2023 were approved as a correct record and signed by the Chair.

88 LAND OFF HOLLY COURT, ROLLESTON - 22/02341/OUT

The Committee considered the report of the Business Manager – Planning Development, which sought outline planning for the erection of two detached dwellings and the realignment of Rolleston Public Footpath no. 5 with all matters reserved except access.

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 Planning Officer.

Councillor Steele, Rolleston Parish Council, spoke against the application in accordance with the views of Rolleston Parish Council as contained within the report.

Members considered the application and concern was raised regarding the status of the land and the encroachment into the open countryside. There was also an additional house being built at the end of the lane, with four cars per property and a very narrow lane the proposed development was considered over intensive. The surface water run-off from the developed land also raised concern. The Business Manager Planning Development confirmed that the site was in flood zone 1, with the lowest risk and permeable surfacing could be sought through condition.

A vote was taken and lost with 4 votes For and 7 votes Against, to approve the application subject to an additional condition and Section 106 agreement.

Councillor Amer entered the meeting during the Officer presentation and took no part in the vote.

Moved by Councillor L Dales and Seconded by Councillor D Moore

AGREED (with 8 votes For and 3 votes Against) that contrary to Officer recommendation outline planning consent be refused, on the grounds of over intensification of the site and encroachment into the open countryside and previously undeveloped land the Planning Committee considered the site was in the open countryside.

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	Against
L Dales	For
A Freeman	Against
P Harris	For
J Lee	Absent
K Melton	For
D Moore	For
E Oldham	For
P Rainbow	For
S Saddington	Absent
M Shakeshaft	For
M Spors	Absent
L Tift	For
T Wildgust	Against

89 MANOR FARM, LONG LANE, BARNBY IN THE WILLOWS, NEWARK ON TRENT, NG24 2SG - 23/01490/FUL

The Committee considered the report of the Business Manager – Planning

Development, which sought the change of use of two agricultural buildings to storage and distribution (Class B8).

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 Planning Officer and Barnby-in-the-Willows Parish Council.

Members considered the application and it was commented that there were no major issues with diversity of farming. Clarification however was raised regarding the maintenance of the hedgerow and the potential hazard in terms of road safety if that could not be maintained at certain periods of the year. The Business Manager Planning Development confirmed that the hedgerow was not currently in the visibility splays and there was legislation that allowed hedgerows to be cut back where there was a danger to life even in bird season. Another Member raised concern regarding the change of use from agricultural use to a logistic hub, as the building was only twenty years old and requested concise smart conditions. It was also commented that the approval of the application would be protecting a business, which was creating three jobs. It was considered that the additional vehicle movement through the village would not be detrimental.

AGREED (with 11 votes For and 1 vote Against) that full planning permission be approved, subject to the conditions contained within the report.

90 APPEALS LODGED

AGREED that the report be noted.

91 APPEALS DETERMINED

AGREED that the report be noted.

92 DEVELOPMENT MANAGEMENT PERFORMANCE REPORT

The Committee considered the report of the Director – Planning & Growth relating to the performance of the Planning Development Business Unit over the three-month period July to September 2023. In order for the latest quarter's performance to be understood in context, in some areas data going back to July 2021 was provided. The performance of the Planning Enforcement team was provided as a separate report.

AGREED that the report be noted.

93 QUARTERLY PLANNING ENFORCEMENT ACTIVITY UPDATE REPORT

The Committee considered the report of the Business Manager – Planning Development updating Members as to the activity and performance of the planning enforcement function over the first quarter of the current financial year.

The report provided Members with examples of cases that had been resolved, both through negotiation and via the service of notices and provided detailed and explanations of notices that had been issued during the period covered 1 July 2023 – 30 September 2023.

AGREED that the contents of the report and the ongoing work of the planning enforcement team be noted.

Meeting closed at 5.15 pm.

Chair

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, 18 January 2024 at 4.00 pm.

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

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

94 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

The Chair advised the Committee 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 L Dales declared an other registerable Interest in Application Item 5 – Newark Day Service, Woods Court, Walker Close, Newark On Trent (22/02321/FULM (Major) as she was a District Councillor appointed as a Governor on the Sherwood Forest Hospitals Foundation Trust and a Parish Councillor appointed on the Newark health consultation group, Councillor L Dales confirmed that she had not discussed this item at any other meeting.

Councillor J Lee declared an other registrable Interest as appointed representative on the Nottingham Fire Authority. He also declared an other registrable Interest in Application No. 5 – Newark Day Service, Woods Court, Walker Close, Newark On Trent (22/02321/FULM (Major) as he had taken part in discussions at Newark Town Council.

Councillor D Moore declared an other registerable Interest in Agenda Item 6 – Newark Castle, Castle Gate, Newark-on-Trent (21/02690/FUL) as he commented during the debate of this item, that tourism would be good for his business.

95 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.

96 MINUTES OF THE MEETING HELD ON 7 DECEMBER 2023

AGREED that the minutes of the meeting held on 7 December 2023 were approved as a correct record and signed by the Chair.

97 ORDER OF BUSINESS

The Chair with the permission of the Committee changed the order of business on the

agenda and Agenda Item No. 7 – The Rhymes, Carlton Lane, Sutton On Trent (23/00584/FUL) was taken as the first item of business under Part 1 – Items For Decision.

98 THE RHYMES, CARLTON LANE, SUTTON ON TRENT, NG23 6PH - 23/00584/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the rebuilding and replacement of existing barns, sheds and outbuildings for agricultural use, following demolition, the application was part Retrospective.

Members considered the presentation from the Senior 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 Agent. The Planning Officer therefore suggested an amendment to condition 01 to read:

The approved building shall be completed in accordance with the approved plans listed below, within 12 months of the date of this decision.

- 0001 P1 Site Location Plan received 31st March 2023
- 0005 P1 Proposed Block Plan received 31st March 2023
- 0004 REV P4 Proposed Plans and Elevations received 25th October 2023

Reason: To define this permission and to ensure the development is completed in accordance with the approved plans.

Recommend condition 02 is amended to read:

The development shall be carried out in accordance with the submitted flood risk assessment (ref TRST-BSP-XX-XX-T-W-0001-P04_Flood_Risk_Assessment, revision P04, dated 24 October 2023 and compiled by BSP Consulting) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 7.79 metres above Ordnance Datum (AOD) as detailed within Section 4.1.2 of the report.
- A water entry strategy shall be provided through the addition of a 6700mm x 175mm security mesh panels as the base of the two pairs of timber barn doors to allow the flow of water during a flood event. This is detailed within Section 4.1.3 and on the plan and elevation details within Appendix B of the report.

These mitigation measures shall be fully implemented prior to first use of the building or within 12 months of the date of this decision, whichever comes first. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that floodplain volume is not lost during a flood event.

Councillor S Michael, Local Ward Member for Sutton-on-Trent, spoke against the

application on the grounds of design, inappropriate building and uncharacteristic of a farm building.

Councillor S Tyers, of Sutton-on-Trent Parish Council, spoke against the application in accordance with the views of Sutton-on-Trent Parish Council as contained within the report.

Members considered the application and raised their concern regarding whether the proposed barn would be used for farming as there appeared to be windows being installed and there was no roof ventilation.

In answer to a Members question seeking clarification if the building was not used solely for agricultural use what action would be taken. The Senior Planning Officer confirmed that the building would not have a lawful use and enforcement action could be taken.

It was suggested that a Section 106 agreement be sought which prevented the applicant from constructing a separate barn which had already received prior approval, subject to confirmation from the legal team as being lawful.

AGREED (with 9 votes For, 4 votes Against and 2 Abstentions) that full planning permission be approved, subject to the conditions contained within the report as amended by the Schedule of Communication and the addition of a Section 106 agreement, which would compel the applicant from constructing a separate barn which had already been subject to a prior approval process, this would be subject to confirmation from the legal team as lawful.

99 NEWARK DAY SERVICE, WOODS COURT, WALKER CLOSE, NEWARK ON TRENT, NG24 4BP - 22/02321/FULM (MAJOR)

The Committee considered the report of the Business Manager – Planning Development, which sought the demolition of existing store building, the creation of car parking and removal of trees.

A site visit had taken place prior to the commencement of the Planning Committee, for the reason that there were particular site factors which were significant in terms of the weight to be attached relative to other factors and they would be difficult to assess in the absence of a site inspection.

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 commented that this was a prime location for a medical practice which was a much-required requirement for residents of this area. A debate took place regarding whether the trees could be retained, and the car park be reduced on site, or whether the mature trees could be lifted with their root-ball by a qualified arborist and planted in an alternative location.

The Senior Planning Officer confirmed that discussions had taken place with the applicant regarding the reduction of the car park and they had confirmed that they did not want to reduce the car parking provision and that the application should be

determined on the car parking requested. It was also confirmed that it was doubtful whether the mature trees would successfully survive being moved and re-planted. It was confirmed that the trees may not survive if left in situ and the construction of a car park was undertaken.

A Member commented on the location of the site and the highly populated residential street adjacent to the proposed development. There was only a few houses on the street that had drive-ways and the on-street car parking was used by occupants. If the car park to the surgery was not constructed visitors to the surgery would use the on-street parking which would be detrimental to residents of that area. A Member commented that people needed to change their behaviour towards cars and look to use alternative methods of travel. It was further commented that the removal of the trees would change the ecology of the area and this was wrong in terms of reducing climate change.

Having declared an other registrable interest in this application, Councillor J Lee left the meeting for the duration of this item.

AGREED (unanimously) that full planning permission be refused.

Councillor J Lee returned to the meeting at this point.

The Director of Planning & Growth left the meeting for the duration of the following minute as the Council was the applicant.

100 NEWARK CASTLE, CASTLE GATE, NEWARK-ON-TRENT - 21/02690/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought engineering works to form a new gatehouse approach, alterations to existing castle, creation of new pedestrian access, construction of new entrance pavilion and multi-functional events facility and landscaping works.

Members considered the presentation from the Senior 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 and the Planning Case Officer.

Members considered the application and some Members commented that the modern element had been taken too far and the proposed extension was not in keeping with the historic building and the ramp should be on the other side of the castle where it would be less visible. Concern was also raised regarding the loss of trees which was required in order for this project to be undertaken. The Senior Planning Officer informed Committee that the applicant had been mindful of the trees on site and Historic England had been the driver regarding the design and had tried to keep the tree loss to a minimum. The project would not be possible without the loss of some trees.

Other Members commented on the benefits this project would bring to the Town Centre through tourism and commented that Historic England had provided their view

that this project was a sound proposal for Newark. The proposals would provide a more desirable attraction, which would be accessible for all, educational and have a multi-use. Tourism was beneficial for Newark and the rest of the district and the balance was considered acceptable. It was suggested that Condition 09 - replacement of trees/shrubs be increased from 5 years to 15 years.

Councillor D Moore having commented that his business would benefit from tourism having declared an other registerable interest and abstained from the vote.

AGREED (with 11 votes For, 3 votes Against and 1 Abstention) that full planning permission be approved, subject to the conditions contained within the report as amended by the Schedule of Communication and the amendment to Condition 09 - the replacement of trees/shrubs be increased from 5 years to 15 years.

101 PALACE THEATRE, 16 - 18 APPLETON GATE, NEWARK ON TRENT, NG24 1JY - 23/02073/LBC

The Committee considered the report of the Business Manager – Planning Development, which sought an addition of four poster boards on the theatre frontage.

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 Listed Building Consent be approved subject to the conditions contained within the report.

102 STREET VOTE DEVELOPMENT ORDER CONSULTATION

The Committee considered the report of the Director – Planning & Growth relating to a consultation by the Government and for Members to consider the proposed response to be made.

On 22 December 2023, the Department for Levelling Up, Housing and Communities commenced a consultation on Street vote development orders. The consultation ran for 6 weeks from the 22 December and would end 2 February 2024.

The report provided information regarding the Government’s directly quoted introduction to street vote development orders, why they were needed and their vision for such orders.

It was reported that the proposals for street vote development orders were guided by three key principles:

- to create a predictable system where residents have a high degree of certainty on what proposals are permitted to contain before they prepare a proposal;
- to make the system accessible and easy to use so local people can take up the

opportunity that street vote development orders provide; and

- to create a robust system that enables residents to bring forward well designed development on their street that has local support, in particular, from those most directly affected by it.

Members made the following comments and suggestions:

A Member commented that he agreed to question 41 with eligibility to vote and also the comments provided regarding Rural settlements.

Questions 4, 8, 11, 19, 22 & 38 would prefer it if the Council were more equivocal in their response and should say “yes or no” and “unsure” should not be used.

A Member commented that this system was already in place and was called Parish Councils, Community Groups, District Councils and County Councils. The proposals may make Parish Councils obsolete to save money. There would be a place for this if Newark and Sherwood was a Unitary Authority, however this would create another tier of decision making and would generate more work for Officers. The landowner had to be in agreement with any proposed development and it was questioned whether the agreement of the land owner should be sought before any work commenced. It was commented that the proposals did not make sense.

A Member commented that in relation to Question 22 & 23 Neighbourhood Plans should be referenced in our response and there was a difference as Neighbourhood Plans were subject to Referendum. There was no acknowledgment of the role of a neighbourhood plan within this consultation, which was really important as some of the district councils towns had established Neighbourhood Plans and those plans were significant as to where development was required. It was questioned how these could be put together without a coherent strategy.

It was further commented that this was complex and in reality establishing this would be difficult. Question 24 had been answered as Yes, it was questioned whether that should be No, looking at the biodiversity side of this.

Paragraph 64 – why lose the right to re-submit for three years, clarification was sought regarding the rationale behind that and suggested to be reviewed.

Paragraph 69 – 60% have to vote to agree, this may need reviewing.

It was commented that the criteria for what can be accepted had to be 50% plus one for the street vote order. If there wasn't the threshold what was the point of doing the work. It was felt that this did not make sense and was far too complex.

It was commented that the impact on residents at the end of a street could be detrimental and been missed out.

Question 11 – it was considered that this did not cover the areas with isolated pockets of up to nine dwellings, which would not get a voice. Those areas already felt frustrated that they had not currently got a voice.

Split boundaries was also questioned and what would happen in those circumstances.

The Chair requested that the responses be circulated to Members of the Planning Committee before the final version was submitted.

AGREED that:

- (a) the contents of the report and the proposal for street vote development orders be noted;
- (b) subject to the above comments and any further comments submitted after the Planning Committee, the draft Council response in Appendix 1 be endorsed; and
- (c) the responses be circulated to Members of the Planning Committee before the final version was submitted.

103 DE-LISTING NOTIFICATION

The Committee considered the report of the Director – Planning & Growth relating to the formal Notification of the de-listing of a Listed Building within the District.

On the 15 December, Historic England notified Newark and Sherwood District Council that Old Hall Cottage of Main Street, Kneesall had been removed from the List of Buildings of Special Architectural or Historic Interest (List entry number: 1045629). The date of Notification was reported as the date of de-listing. The building was originally designated in 1986. The report provided detail regarding how and why buildings were listed.

AGREED that the contents of the report and the notification of De-listing be noted.

104 PERMITTED DEVELOPMENT RIGHTS: SOLAR AND TELECOMMUNICATIONS MASTS

The Committee considered the report of the Director – Planning & Growth relating to the latest permitted development right.

On 28 February 2023, the Department for Levelling Up, Housing and Communities commenced a consultation on 4 proposals concerning:

- (1) permitted development rights relating to recreational campsites;
- (2) renewable energy;
- (3) electric charge vehicle points; and
- (4) film-making.

A paper was presented to the 20 April 2023 Planning Committee, setting out the Council's response to this consultation. The Government had issued, on the 28 November 2023, a new Statutory Instrument 2023 No. 1279 (The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) (No. 2) Order 2023), setting out permitted development rights relating to (2) Renewable Energy, in addition to amendments to the telecommunications permitted development right and extensions to schools, colleges, universities, prisons and hospitals. The amended legislation came into force on 21 December 2023. A report was also presented to the 10 August 2023 Planning Committee in relation to (1) and (4) as above.

AGREED that the contents of the report and the permitted development right changes be noted.

105 NATIONAL PLANNING POLICY FRAMEWORK 2023 AND MINISTERIAL STATEMENT - THE NEXT STAGE IN OUR LONG TERM PLAN FOR HOUSING UPDATE

The Committee considered the report of the Director – Planning & Growth relating to changes arising from the recently amended National Planning Policy Framework (December 2023) and changes that were to come into effect for planning.

AGREED that the report be noted and the Planning Committee be aware of the contents of the documents when considering planning applications.

During the presentation of the above item, 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.

106 APPEALS LODGED

AGREED that the report be noted.

107 APPEALS DETERMINED

AGREED that the report be noted.

Meeting closed at 7.08 pm.

Chair