

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, 4 October 2022 at 6.00 pm.

PRESENT: Councillor D Lloyd (Chairman)

Councillor K Girling, Councillor Mrs R Holloway, Councillor P Peacock and Councillor T Wendels

ALSO IN ATTENDANCE: Councillor L Goff, Councillor Mrs P Rainbow and Councillor Miss R White.

APOLOGIES FOR ABSENCE: Councillor R Jackson (Committee Member)

22 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

There were no declarations of interest.

23 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.

24 MINUTES FROM THE PREVIOUS MEETING HELD ON 12 JULY 2022

The minutes from the meeting held on 12 July 2022 were agreed as a correct record and signed by the Chairman.

25 CHAIRMAN'S UPDATE

The Leader and Chairman informed the Cabinet that proposals would be coming forward regarding helping residents during the current cost of living issue. He advised of the work the Council had already started and the increasing engagement with the relevant and necessary partners in order to bring about the appropriate help and support to residents.

26 EAST MIDLANDS DEVOLUTION DEAL

The Leader and Portfolio Holder for Strategy, Performance & Finance presented a report which advised the Cabinet of the devolution agreement that had been reached in principle between government and the four upper tier authorities across Nottinghamshire and Derbyshire. The report recommended that Cabinet seek endorsement for the agreement from the Full Council.

The East Midlands Devolution Deal would include the first of a new type of combined authority, designed for two-tier areas, which would be established through new legislation by central government. The legislation would enable the formation of an

East Midlands Mayoral Combined County Authority with a 'level 3' deal which offered the most local powers and funding in return for a new elected mayor. The report set out the headline details of the deal and the Chief Executive confirmed the ongoing and strong influential roles the district and boroughs would have on the combined authority.

AGREED (unanimously) to seek Full Council's endorsement of the East Midlands Devolution deal.

#### Reason for Decision

To express support for the East Midlands Devolution Deal

#### Options Considered

There is no requirement for Borough and District Councils to endorse the devolution deal – the agreement is between Government and the four upper tier authorities. Nevertheless, we have contributed to the content of the deal and will have a relationship with the new Mayor and Combined Authority. The deal document respects and recognises the distinct responsibilities of Boroughs and Districts and our endorsement is considered to be an appropriate expression of support for the principle of devolution and the specific content of the East Midlands deal.

#### 27 PROJECTED GENERAL FUND AND HOUSING REVENUE ACCOUNT REVENUE AND CAPITAL OUTTURN REPORT TO 31 MARCH 2023 AS AT 30 JUNE 2022

The Leader and Portfolio Holder for Strategy, Performance & Finance presented a report which provided an updated forecast outturn position for the 2022/23 financial year for the Council's General Fund and Housing Revenue Account revenue and capital budgets. The report showed performance against the approved estimates of revenue expenditure and income. The accounts showed a projected unfavourable variance against the revised budget of £0.947m on service budgets, with an overall unfavourable variance of £0.457m that was forecast to be transferred from usable reserves. Appendix A to the report detailed the variances in service areas and other budgets.

It was noted that the unfavourable variance of £0.947m included an unfavourable variance of £0.873m on employee spend which was due to the significant recruitment issues across the Council. The unfavourable variance of £0.873m on employee spend also included the total estimated additional cost of the forecast 2022/23 pay award.

AGREED (unanimously) that Cabinet:

- a) note the General Fund projected unfavourable outturn variance of £0.457m to usable reserves;
- b) note the Housing Revenue Account projected unfavourable outturn variance of £0.524m to the Major Repairs Reserve;

- c) approve the variations to the Capital Programme at Appendix C; and
- d) approve the Capital Programme revised budget and financing of £89.944m (£53.787 GF, £36.207 HRA).

#### Reasons for Decision

To consider the forecast outturn position for the 2022/23 financial year for the Council's General Fund and Housing Revenue Account revenue and capital budgets.

To show performance against the approved estimates of revenue expenditure and income; report on major variances from planned budget performance; and report on variations to the Capital Programme for approval; all in accordance with the Council's Constitution.

### 28 COMMUNITY PLAN PERFORMANCE FOR QUARTER 1 - 2022/23

The Transformation & Service Improvement Manager presented the Community Plan Performance report for Quarter 1. The performance information was assessed against the Council's Community Plan objectives. The Transformation & Service Improvement Manager reported that the Policy & Performance Improvement Committee had sought assurance in relation to the performance indicator concerning the percentage of homes with valid gas compliance certificates which they would review again at their next meeting; they also reflected on the over performance in respect of fly tipping and considered that these targets could be stretched further in the second quarter; and they also considered the performance in relation to the time to process claims which linked into the work to be undertaken in relation to the cost of living issues.

The Cabinet welcomed the comments of the Policy & Performance Improvement Committee and confirmed these would be reviewed accordingly. The Cabinet also highlighted positive performance in relation to the new local influence networks for tenants; the new empty homes standard and starting well scheme; the number of web chats; the day of action in Bilsthorpe; and the evolving engagement with customers.

AGREED (unanimously) that the Community Plan Performance Quarter 1 report be noted, with the Cabinet considering the Council's performance against its objectives.

#### Reason for Decision

To enable the Cabinet to review the Quarter 1 Community Plan Performance report.

### 29 CONSULTATION AND ENGAGEMENT STRATEGY (KEY DECISION)

The Portfolio Holder for Organisational Development & Governance presented a report which sought to approve the Consultation & Engagement Strategy and

associated action plan. The current Consultation & Engagement Strategy required updating in line with the Council's values and engagement aspirations. The proposed Consultation and Engagement outlined the Council's high-level approach to engagement to ensure communities and stakeholders were involved in decision making and could influence the future of where they live by directing change and informing service developments. The Portfolio Holder reported that the Strategy had been endorsed by the Tenant Engagement Board.

AGREED (unanimously) that Cabinet:

- a) approve the Consultation & Engagement Strategy and associated Action Plan;
- b) endorse the creation and use of operational guidance for officers to sit below this strategy; and
- c) request that Policy & Performance Improvement Committee review the impact of this strategy after one year.

#### Reason for Decision

To put an appropriate framework in place to ensure decision making is informed by resident views and services are shaped by an understanding of resident priorities and needs.

### 30 NEWARK TOWN FUND UPDATE AND LORRY PARK OPTIONS FOR RELOCATION (KEY DECISION)

The Portfolio Holder for Economic Development & Visitors presented a report which provided an update on the Newark Town Fund Programme including recommendations to continue to progress the relocation of Newark Lorry Park and the redevelopment of the Newark Gateway site.

Since the update report to the Cabinet on 7 June 2022, a number of Towns Fund projects had progressed at pace including assessment and in many cases assurance of Outline and Full Business Cases via the Council's external independent assurers and the Council's S151 Officer. The report provided an update on all Towns Fund projects but substantively dealt with the SisCLog proposals and linked activity surrounding the Newark Lorry Park and its need for relocation given the proposals emerging through the A46 Newark Northern Bypass scheme.

With regard to the Lorry Park, it was reported that the preferred route for the Newark A46 Northern Bypass would significantly impact on the existing lorry park site. Given that and the associated income loss to the Council, it was still recommended to relocate the lorry park, with the preferred location still being the Newark Showground.

AGREED (unanimously) that Cabinet:

- a) note the progress on the Newark Town Fund Programme and associated projects being delivered;
- b) authorise the Director – Planning & Growth in consultation with the Portfolio Holders for Strategy, Performance & Finance and Economic Development & Visitor Economy to respond to National Highways Statutory Consultation on the A46 Newark Northern Bypass to outline the strong support for the proposals alongside the need to deliver the Council’s aspirations to relocate the Lorry Park, redevelop the Gateway site, and to secure adequate compensation for the impacts of the Bypass proposals;
- c) authorise the Business Manager, Corporate Property, in consultation with the Director – Planning & Growth and Portfolio Holders for Strategy, Performance & Finance and Economic Development & Visitor Economy, to progress negotiations with landowner(s) for a proposed new Newark Lorry Park site in order to allow terms to be considered as part of development of a Business Case for the Lorry Park relocation; and
- d) authorise the Business Manager, Corporate Property, in consultation with the Director – Planning & Growth and the Portfolio Holders for Strategy, Performance & Finance and Economic Development & Visitor Economy, to develop a business case (including where appropriate identifying a development partner), and planning applications for a relocated Newark Lorry Park and redevelopment of the Gateway site, supported by additional revenue budget of £200,000 funded from the Change Management Reserve to cover necessary fees.

Reasons for Decision

A retained but relocated and expanded Newark Lorry Park will continue to offer an important facility to the logistics and transport sector, as reflected by its increase in use and importance in recent years. The relocation will also allow for the delivery of the Gateway site, specifically the SiSCLog proposals as supported by the Government, this Council, and the Newark Towns Board. The proposals support all of the Community Plan objectives given their scale and scope of outputs in continuing to provide opportunities and aspiration for residents and businesses.

Options Considered:

The development of the Newark Town Investment Plan and selection of priority Towns Fund projects was part of a significant assessment process undertaken by the Newark Towns Board, in consultation with a range of partners and industry, including the Council. With respect to the Gateway site and the existing Newark Lorry Park the report explored various options available to the Council as a result of the impact of the A46 Newark Northern Bypass.

updated the Cabinet on recent national planning guidance and its impact on the publication of the Amended Allocations & Development Management Development Plan Document (DPD) for a period of public representation.

It had been intended that a finalised version of the Allocations & Development Management DPD be presented to this meeting of the Cabinet, however updated guidance on flood risk was issued by the government in late August which significantly increased the time for the purposes of plan making. An additional programme of work had been agreed with the Council's flood risk consultants which commenced in September, to ensure findings are available in such time to provide recommendations to the 1 November 2022 Cabinet meeting.

AGREED (unanimously) that:

- a) the report be noted; and
- b) the Chief Executive be requested to call an Extraordinary Full Council meeting to be held on Wednesday, 9 November 2022 to agree publication of the amended Allocations & Development Management DPD.

#### Reasons for Decision

To update Cabinet on recent national planning guidance and its impact on the publication of the Amended Allocations & Development Management Development Plan Document (DPD) for a period of public representation. To allow the Council to agree to the publication of the Amended Allocations & Development Management DPD in November 2022.

#### Options Considered

Without this work being undertaken it is considered that the Council would not be able to demonstrate that a sound DPD had been produced in line with National Policy and Guidance and therefore there is no alternative to the course of action proposed. In order to carry out the consultation in 2022, full Council needs to have approved the consultation by the second week of November therefore it would not be possible to wait until the meeting of the full Council in December.

### 32 NEWARK SOUTHERN LINK ROAD PROJECT (KEY DECISION)

The Portfolio Holder for Economic Development & Visitors presented a report which provided an update on the funding and delivery of the Newark Southern Link Road (SLR), including updates to the Council's Capital Program.

It was reported that government funds were now being released to the Council in agreed tranches as per the Memorandum of Understanding with the Department for Transport. Work had progressed at pace to ensure the SLR delivery was accelerated. This included securing amended detailed highway design and assembling a contractor package to present to market. The Director – Planning & Growth confirmed to the Cabinet that five tender documents had been returned which were now to be analysed.

AGREED (unanimously) that Cabinet:

- a) note the progress on the Newark Southern Link Road (SLR), including the pending receipt of tender returns from contractors to build the remainder of the SLR; and
- b) subject to the outcome of the tender returns, delegate authority to the Director - Planning & Growth, in consultation with the Portfolio Holders for Strategy, Performance & Finance and Economic Development & Visitors to request Nottinghamshire County Council to provide an appropriate financial contribution to the Newark Southern Link Road (SLR).

#### Reasons for Decision

To deliver the Newark SLR, addressing local congestion and unlocking significant growth in delivering the Middlebeck Sustainable Urban Extension (SUE) including associated housing, employment, education, and open space in accordance with the Council's Amended Core Strategy (2019) and Community Plan (2020-2023).

#### Options Considered

A range of options, over many years, have previously been explored to deliver the SLR (in full or in part) and its associated growth and congestion-reduction benefits. The funding package now in place represents the most viable option to accelerate delivery of the full SLR and associated growth.

### 33 SHARED PROSPERITY FUND

The Portfolio Holder for Economic Development & Visitors presented a report which sought approval for the next steps in the delivery of the Shared Prosperity Fund.

Following the Cabinet report on 7 June 2022, and agreement by the Newark & Sherwood Place Board on 26 July 2022, Officers submitted the Newark & Sherwood Investment Plan to government by the required date of 1 August 2022. The expected date for confirmation that the Investment Plan would release the grant funding allocation for 2022/23 was October 2022. This would provide a sum of £399,360 for defrayment by 31 March 2023, and a further £798,720 in 2023/24, and £2,092,646 in 2024/25.

The government had recognised that local authorities would require support in terms of capacity to deliver the Shared Prosperity Fund programme and had allocated an up to 4% top slice to enable delivery. It was proposed that this funding be utilised to appoint a Programme Manager to provide dedicated support.

AGREED (unanimously) that:

- a) Cabinet support the establishment of a Shared Prosperity Fund Programme Manager;
- b) the Council's base budget be increased to include the new SPF Programme

Manager by £72,745 (based on 4% of the grant allocation) or £65,121 (based on 6% of the grant allocation) depending on outcome of the request to increase the top slice percentage; and

- c) delegated authority be given to the Section 151 Officer, in consultation with the Portfolio Holder for Economic Development & Visitors to approve projects and interventions in line with SPF Guidance and the identified priorities.

#### Reasons for Decision

The selected option will allow the Council to implement a structured programme management approach, providing the necessary capacity and capability in contract management, procurement, commissioning and engagement.

#### Options Considered

Use of the allocation of Shared Prosperity Fund for additional capacity through acquiring a consultant on a fixed term contract or recruitment of a part time programme manager.

Meeting closed at 7.00 pm.

Chairman