

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, 21 February 2023 at 6.00 pm.

PRESENT: Councillor D Lloyd (Chairman)

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

ALSO IN ATTENDANCE: Councillor Mrs B Brooks, Councillor S Carlton, Councillor L Goff, Councillor Mrs S Michael, Councillor Mrs P Rainbow and Councillor R White

75 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

Councillor T Wendels and Sanjiv Kohli, Deputy Chief Executive, Director – Resources and Section 151 Officer declared Other Registerable Interests in Agenda Item No. 12 – Stodman Street Update as Directors of Arkwood.

76 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.

77 MINUTES FROM THE PREVIOUS MEETING HELD ON 20 DECEMBER 2022 AND 17 JANUARY 2023

The minutes from the meetings held on 20 December 2022 and 17 January 2023 were agreed as a correct record and signed by the Chairman.

78 2023/24 PROPOSED REVENUE BUDGET (KEY DECISION)

The Leader and Portfolio Holder for Strategy, Performance & Finance presented a report which enabled Members to consider the spending proposals in the Council's proposed 2023/24 General Fund Revenue Budget. The budget proposals had been prepared in accordance with the Council's budget setting strategy for 2023/24, as approved by Cabinet on 12 July 2022.

The Local Government Finance Settlement provided key figures for Government Grant that formed part of the Council's budget. The provisional settlement was announced on 19 December 2022 with the final settlement still to be announced. It was reported that the assumed Council Tax increase within the proposed revenue budget was an increase in the Band D equivalent of 1.94%

AGREED (with 5 votes for and 1 vote against) that Cabinet recommends to Full Council at its meeting on 9 March 2023 that:

- i. the following amounts be now calculated by the council for the 2023/24 financial year, in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 as amended by the Localism Act 2011:
 1. £51,696,080 being the aggregate of the amounts which the council estimates for items set out in Section 31A(2)(a) to (f) of the Act (the District Council's gross expenditure for 2022/23);
 2. £32,709,480 being the aggregate of the amounts which the council estimates for the items set out in Section 31A(3)(a) to (d) of the Act (the District Council's gross income for 2022/23); and
 3. £18,986,600 being the amount by which the aggregate at (b)(i) above exceeds the aggregate at (b)(ii) above, calculated by the council, in accordance with Section 31A(4) of the Act, as its Net Budget Requirement for the year;
- ii. the figures shown as i.1. and i.3. above to be increased only by the amount of Parish Precepts for 2023/24;
- iii. the budget amounts included in the report be the council's budget for 2023/24; and
- iv. the fees and charges shown in Appendices C1-C21 be implemented with effect from 1 April 2023.

Reasons for Decision:

To enable Cabinet to make recommendations to Council of the amounts to be calculated in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended by the Localism Act 2011, for the purposes of setting Council Tax levels for the 2022/23 financial year.

Options Considered:

Not applicable

79 CAPITAL PROGRAMME BUDGET 2023/24 TO 2026/27 (KEY DECISION)

The Leader and Portfolio Holder for Strategy, Performance & Finance presented a report which detailed the proposed capital schemes over the medium term, together with the available resources to finance them. In accordance with the Financial Regulations, Cabinet was required to consider the Capital Programme and recommend to the Council the final Programme for approval on 9 March 2023.

In respect of the general fund capital expenditure, the Council intended to spend £78.631m from 2023/24 to 2026/27 on the schemes set out in Appendix A to the report. In respect of the Housing Revenue Account expenditure, the Council intended to spend £50.607 from 2023/24 to 2026/27. This was made up of £27.624m on existing property investment and £22.983m on additional Affordable Housing. Details of the individual schemes were set out in Appendix B to the report.

AGREED (unanimously) that the General Fund schemes set out at Appendix A to the report and the Housing Services schemes set out at Appendix B to the report, be recommended to Full Council on 8 March 2023 as committed expenditure in the Capital Programme for 2023/24 to 2026/27.

Reasons for Decision:

To enable the Capital Programme to be considered by Cabinet in accordance with Financial Regulation 6.2.3 prior to its submission to Council.

Options Considered:

If the Council did not have a Capital Programme, this would result in not being able to deliver the schemes and not achieve the objectives in the community plan.

80 MEDIUM TERM FINANCIAL PLAN 2023/24 TO 2026/27 (KEY DECISION)

The Leader and Portfolio Holder for Strategy, Performance & Finance presented a report concerning the Council's Medium Term Financial Plan (MTFP) for 2023/24 to 2026/27. A copy of the MTFP was attached as an appendix to the report.

The MTFP provided Members and Officers with a clear financial framework for delivering the Council's Community Plan objectives over the next 4 financial years and maintaining the Council's MTFP was an essential pre-requisite to the annual budget setting process for future years.

The MTFP showed that the Council was able to set a balanced budget for 2023/24, though would need to reduce expenditure and/or increase income to pay for service delivery in future years.

AGREED (with 5 votes for and 1 abstention) that Cabinet recommends the 2023/24 to 2026/27 Medium Term Financial Plan (MTFP) for approval by Full Council at their meeting to be held on 9 March 2023.

Reasons for Decision:

To provide a framework to support the Council's future spending plans.

Options Considered:

Not applicable

81 LOCALISED COUNCIL TAX SUPPORT SCHEME

The Leader and Portfolio Holder for Strategy, Performance & Finance presented a report in relation to the continuation of the Localised Council Tax Support Scheme for 2023/24 with minor changes in accordance with the annual uprating amounts applied by the Department for Works & Pensions.

Members were provided with details of the current scheme and the proposals for the forthcoming year in order to continue to maintain the current level of support to all Council Tax Support claimants.

AGREED (unanimously) that Cabinet recommends to Council the uprating of the applicable amounts, premiums, state benefits and disregard criteria in accordance with the annual uprating amounts applied by the Department for Works & Pensions (DWP); whilst continuing the current Localised Council Tax Support Scheme for 2023/24 financial year.

Reasons for Decision:

To ensure the Council discharges its responsibilities to agree its Council Tax Support scheme by 11 March 2023.

Options Considered:

An alternative option would be to increase the maximum award of 80% - the cost of doing this has been considered at 3.4 and 3.5 of this report.

82 COUNCIL TAX EMPTY HOMES PREMIUM (KEY DECISION)

The Leader and Portfolio Holder for Strategy, Performance & Finance presented a report in relation to the options for and proposed changes to the current policy on charging a Council Tax premium on long term empty homes in the district.

The Local Government Act 2012 gave deleted 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. The amount that councils could charge for long-term empty properties was further amended with the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, details of which were reported at paragraph 1.3 of the report.

In noting the proposed changes to the current policy, as detailed in paragraph 2.2 of the report, Members agreed that it would incentivise the owners of long-term empty properties to bring the dwellings back into much needed use.

AGREED (unanimously) that Cabinet recommends to Full Council the proposal to increase the long-term empty home premium as set out in paragraph 2.2 of the report, Option 1, effective from 1 April 2023.

Reasons for Decision:

To assist the Council with achieving its objectives of creating more and better-quality homes through our roles as landlord, developer and planning authority and reducing crime and anti-social behaviour within our communities.

Options Considered:

Section 2 of the report details the alternative options that have been considered as part of the production of this report.

83 RESPONSE TO THE COST OF LIVING CRISIS (KEY DECISION)

The Leader and Portfolio Holder for Strategy, Performance & Finance presented a report which sought to update Members on the development of proposals to assist tenants and residents, local businesses and employees with the rise in the cost of living.

The report set out the proposals which had been developed by a cross-council group of officers who had considered how best to allocate the fund of £150,000, established by Cabinet at their meeting held on 6 December 2022. Paragraph 2.0 of the report provided details of the proposed individual projects/activities the fund would be used for to support with paragraph 3 providing Members with information as to the ongoing activities.

It was noted that following a meeting held earlier that day with Nottinghamshire County Council, there was potential for a number of the proposals to be funded from the Household Support Fund and, if so, this would enable money to go back into the Council's fund to support additional activities.

AGREED (unanimously) that the initial list of proposals set out at paragraph 2.0 of the report be supported.

Reasons for Decision:

To support tenants, residents, businesses and employees with the rise in the cost of living.

Options Considered:

A number of different ideas/options have been explored, with those contained at Section 2.0 being those considered to be of most value at the present time.

84 STODMAN STREET UPDATE (KEY DECISION)

The Leader and Portfolio Holder for Strategy, Performance & Finance presented a report which sought to update Members on the project, including procurement and revisions to the Council's Capital budget to allow a start on site at the earliest opportunity. Details of the works undertaken so far were provided in the report together with an indicative timetable for delivery, subject to agreement of the appointed contractor and approval of the increase in the capital budget for the scheme.

AGREED (unanimously) that Cabinet:

- a) note and welcome the updates provided; and
- b) approve an amendment to the Council's Capital Programme to the Maximum Capital budget detailed in Exempt Report in order to secure a contractor and delivery of the 32 Stodman Street project.

Reasons for Decision:

The project, one of 9 priority Towns Fund and Town Investment Plan project will contribute to all of the Council's Community Plan objectives, including creating more and better-quality homes through our role as landlord and developer.

Options Considered:

Cabinet could decide not to proceed with the development, which would result in the lack of a much-needed town centre intervention which has the full support of this Council, the Newark Towns Board, the Newark Town Investment Plan and Central

Government who have approved the Newark Towns Fund. Moreover, Newark Towns Fund grant would be at risk if the project does not proceed.

(Having declared an Other Registerable Interest, Councillor Wendels did not take part in the consideration or voting of this item.)

85 FUNDING REQUIREMENT FOR JUBILEE BRIDGE MAINTENANCE COSTS (KEY DECISION)

The Leader and Portfolio Holder - Strategy, Performance & Finance presented a report to brief Members on the options and financial implementations in relation to Jubilee Bridge, Newark. The Jubilee Bridge was constructed circa 2002 acting as one of the principal pedestrian crossing points across the river Trent from the Maltings Retail Park/Aldi on the West to Waitrose and the Newark Castle train station. The Jubilee Bridges current inspection certificate would expire on the 25 May 2023 and in its current condition the Bridge was unlikely to pass the next inspection without undergoing necessary repairs.

Members were requested to approve option three for the reasons cited within the contents of the report to give the prolonged lifespan of the more durable materials and the lower repair costs. On approval of option three an estimated budget cost of £333,499.67 + Vat would then be added to the capital programme.

AGREED (unanimously) that Cabinet:

- a) approve repair option 3 to Upgrade the existing approach ramp with steel trays infilled with tarmacadam / hot rolled stone chippings to match the existing subject to approval by a structural engineer; and
- b) approve an estimated budget cost of £333,499.67 + Vat will then be added to the capital programme.

Reasons for Decision:

To ensure the maintenance of the Jubilee Bridge is undertaken to provide safe use and enhancement of the area for local residents.

Options Considered:

Not completing the works would result in the eventual closure of the bridge and the detrimental impact to the area because of poorly maintained public infrastructure.

86 OUTCOME OF THE CONSULTATION ON A KERBSIDE GLASS SERVICE (KEY DECISION)

The Leader and Portfolio Holder – Strategy, Performance and Finance presented a report detailing the outcomes of the consultation on a Kerbside Glass Service and to consider resident views in a decision on implementation of a glass collection service.

The consultation showed residents are overwhelmingly in favour of the introduction of a kerbside glass recycling service. 2,690 responses had been reviewed and the themes raised by 1% or more were;

- 25.3% positive/supportive comments

- 3.4% commented on wanting to say with a ROB (Recycling Ollerton and Boughton) service and/or not disrupting/negatively impacting their service
- 2.8% commented that the proposed collection frequency is not frequent enough
- 1.7% commented that they would prefer a box
- 1.5% commented that the service was too expensive and the fundings should be invested elsewhere
- 1.2% commented that NSDC should look to lobby NCC to change the contract detailing what could be included in the recycling bins.

The Cabinet welcomed the proposed service, which would improve recycling rates but acknowledged the cost to the Council. The Council proposed to improve working with Recycling Ollerton and Boughton to help them improve and expand their own service.

AGREED (unanimously) that Cabinet:

- a) approve, based on resident support, the implementation of a glass collection service in the district as agreed by Cabinet, 8 weekly, 140l bin, and assign the required budget, as detailed at 6.0 in the report; and
- b) approve the next steps for implementing the service, as outlined at 5.0 in the report, including contacting all households, and assign £35,900 from the Change Management Reserve for the implementation activity.

Reasons for Decision:

To decide on the implementation of a kerbside glass collection service based on resident views and considering the costs and options presented to Cabinet on 1 November.

Options Considered:

Not to introduce the service.

87 PAY POLICY STATEMENT 2023/24

The Portfolio Holder – Organisational Development & Governance presented the proposed Pay Policy Statement for 2023/24 which the Council was required to produce annually in accordance with Section 38 (1) of the Localism Act 2011. The Statement would be submitted to Full Council for approval subject to any revisions required.

The Pay Policy Statement must set out the authority’s policies for the financial year relating to:

- the remuneration of the authority’s lowest-paid employees (together with a definition of “lowest-paid employees”) and the reasons for adopting that definition;

- the relationship between remuneration of Chief Officers and that of other officers (pay multiples); and
- the remuneration of Chief Officers.

The minimal changes that had been made to the Policy for the year were highlighted in the report. The changes included the cessation of the voluntary application of uplift for the living wage as basic salaries now exceeded that level amendments to reflect the introduction of the Vivup staff benefits platform.

Details of the pay claim for 2023/24 were included in the covering report. The Council had budgeted for a 5% pay increase across all grades.

AGREED (unanimously) that Cabinet:

- a) approve the Pay Policy Statement for presentation to Full Council including amendments as detailed at section 2 of the report; and
- b) note the ongoing issues with recruitment and endorse a review of pay and market supplements.

Reasons for Decision:

Compliance with Section 38 (1) of the Localism Act 2011.

Options Considered:

Not applicable - the publication of the Pay Policy Statement is required by the Localism Act 2011.

88 AMENDED ALLOCATIONS AND DEVELOPMENT MANAGEMENT DPD REPRESENTATION PERIOD AND GYPSY, ROMA TRAVELLER SITE PROVISION AND DELIVERY (KEY DECISION)

The Leader and Portfolio Holder – Strategy, Performance & Finance and the Portfolio Holder – Economic Development and Visitors presented a report to update the Cabinet on the initial results of the period of public representation of the Amended Allocations & Development Management Development Plan Document (DPD) and which sought approval to delay submission of the DPD because of the objection of the Environment Agency.

Members all agreed that they were frustrated and upset by the delay caused by the Environment Agency objection. Officers had worked hard to produce the Plan. The Leader explained that he had a meeting scheduled with a Minister representing the Secretary of State to discuss the issue and raise concerns about the particular burden of funding placed on the small number of authorities who were required to provide sites for Gypsy, Roma and Travellers in meeting a national policy directive.

AGREED (unanimously) that Cabinet:

- a) note the initial results of the period of public representation of the Amended Allocations & Development Management Development Plan Document; and

- b) authorise the delay of the submission of the DPD to allow the Environment Agency to validate the results of the Tolney Lane Flood Alleviation Scheme modelling.

Reasons for Decision:

To allow for the update to be noted.

The objection of the Environment Agency means that submission of the DPD is not possible in March 2023.

Options Considered:

As set out at 2.3 without support by the Environment Agency for the overall strategy the DPD cannot currently be submitted.

89 NEXT STEP WITH THE DELIVERY OF THE FOREST CORNER MASTERPLAN PROJECT (KEY DECISION)

The Portfolio Holder – Economic Development & Visitors presented a report which provided an update on the work to develop a revised masterplan and strategy for the Forest Corner area near Edwinstowe, including proposals to allocate resource for 2023-24, and to develop a second phase of work to maximise the wider Sherwood Forest offer.

AGREED (unanimously) that Cabinet:

- a) note the update and endorse the direction of travel for the Forest Corner project;
- b) welcome plans to commence a second phase of work to develop the wider offer for Sherwood Forest; and
- c) approve £75k revenue for 2023-24 to sustain this work through project management, specialist studies and short-term improvements.

Reasons for Decision:

These recommendations are made in order to ensure Cabinet is aware of recent work and intended next steps and to secure the necessary resources to maintain momentum.

The proposals align with the Community Plan objectives to:

- Deliver inclusive and sustainable economic growth
- Enhance and protect the district's natural environment

Improve the health and well-being of local residents

Options Considered:

A 'do nothing' alternative has been considered with regard to the Forest Corner project. This would have significant reputational risk given the undertaking made to stakeholders in 2020 to revise the masterplan in light of consultation responses. It would also fail to realise the potential of the area and close the gap between visitor expectation and experience.

90 TENANCY AGREEMENT REVIEW (KEY DECISION)

The Portfolio Holder – Homes & Health presented a report detailing the outcomes of the Council's tenancy agreement review following tenant and officer consultation and which set out the key changes proposed to the existing agreement along with a new draft tenancy agreement. The Council was legally obligated to consult with all tenants in line with section 103 of the Housing Act 1985; and this period of consultation commenced on 9 December 2022 and closed on 16 January 2023. The review process included a working group consisting of members of the tenancy team and involved tenants.

AGREED (unanimously) That Cabinet approve the adoption and implementation of the revised Tenancy Agreement.

Reasons for Decision:

The current tenancy agreement has been in use since 2010 and needs updating to reflect changes in the law, regulation, our policies and general accepted good practice.

The revised agreement aligns with the Community Plan objectives:

Create vibrant and self-sufficient local communities where residents look out for each other and actively contribute to their local area

Improve the health and wellbeing of local residents

Reduce crime and anti-social behaviour and increase feelings of safety in our communities

Options Considered:

Not applicable

91 COMMUNITY GRANT SCHEME - ROUND 3

The Portfolio Holder – Homes & Health presented a report to advise the Cabinet of the recommendations made by relevant Portfolio Holders in respects of grant applications submitted under the District Council's Community Grant Scheme. Members noted that the scheme was oversubscribed and popular within the community and parish councils. It was anticipated that the review of the criteria would help improve the viability of approved schemes by requiring levels of sustainability and in the case of local councils, reserves, to be identified within the application process.

AGREED (unanimously) that:

- a) the recommendations of the Portfolio Holders as detailed in Appendix A of the report be approved; and
- b) a review of the criteria for Community Grant Scheme applications be undertaken and any proposed amendments reported back to Cabinet for approval.

Reasons for Decision:

The schemes have been assessed by Portfolio Holders and Members in respect of alignment to the Council's wider 'Community Plan' objectives and each will provide community value and benefit when delivered.

To enable the approved schemes, submitted under Round Three of the Community Grant Scheme, to be delivered and thereby provide valuable community benefits aligned to the current approved Council Community Plan objectives.

Options Considered:

That the awards as recommended are increased which would require further additional budget provision.

92 PLANS FOR A PROGRAMME OF PLAYGROUND IMPROVEMENT WORKS (KEY DECISION)

The Portfolio Holder- Cleaner, Safer, Greener presented a report proposing a programme to modernise a number of Newark and Sherwood's play areas and equipment provision. The programme would replace aging equipment for new, pieces of play equipment and included inclusive play equipment for all ability users where possible to do so. It also put forward plans for consultation on new play facilities at one of Newark and Sherwood's Green Flag parks.

Members noted that at present, there was no national accreditation on play parks and, as such, officers were proposing that the approach used to make the assessments in 2022 was now formally contained within a Play Park Plan for Newark and Sherwood. It was hoped that towns and parishes across the District would apply that policy in making judgements about their own play park assets and when seeking local grants or funding support to ensure high standards of play equipment across Newark and Sherwood.

AGREED (unanimously) that Cabinet:

- a) approve the replacement and modernisation programme at the ten sites across Newark & Sherwood that are identified in the report;
- b) approve, in principle, that a budget of £349, 201 is entered into the General Fund and Housing Revenue Account capital budgets for 2023/24, subject to approval from Cabinet;

- c) subject to the above, Cabinet approve that public consultation is sought on the plans to develop a new Castle-style playground and outdoor fitness zone at the Sconce and Devon Park, and on plans for improvements at the Turner Lane play park in Boughton and the Cleveland Square play park in Newark; and
- d) support the medium-term development of a formal play park and play equipment policy, together with a complementary asset register, to guide the future development and investment in play parks in its ownership across Newark and Sherwood.

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.

Options Considered:

Given the age of the equipment, doing nothing was not deemed to be a viable option. The plan to develop a play park and play equipment policy, together with an asset register, will lead to a cycle of play park improvements at all sites over the medium and longer term.

93 ANTI-SOCIAL BEHAVIOUR WORKING GROUP REVIEW

The Portfolio Holder – Cleaner, Safer, Greener presented a report detailing recommendations made by the ASB (Anti-Social Behaviour) Policy & Performance Improvement Working Group. The Policy & Performance Improvement Committee (PPIC) set-up a working group to look at ASB on 13 June 2022 to look at current working practices with a view to making recommendations about how they can be improved further. Cabinet expressed their thanks to the ASB working group and requested that members of the public report any ASB so they could be addressed.

AGREED (unanimously) that Cabinet approve the recommendations of the ASB Working Group within the report as endorsed by the Policy & Performance Improvement Committee.

These are set out in section 2 of the report. Noting that a timeline of 9 months is added to recommendation (q) to ensure it is undertaken within an appropriate timeframe.

Reasons for Decision:

To consider the work the Council currently undertakes to tackle ASB within the district and to suggest ways in which this could be enhanced.

Options Considered:

Alternative recommendations and suggestions were debated throughout the working group process. These were outlined in appendix 1 to the original working group report.

The Portfolio Holder- Cleaner, Safer, Greener presented a report which sought to notify the Cabinet of the required operational changes to ensure legal compliance associated with how waste containing Persistent Organic Pollutants (POPs) was collected and disposed of.

The Environment Agency had advised that all upholstered items would require incineration from 1 January 2023, which was a County/Veolia responsibility. However, we were notified by Nottinghamshire County Council during the week before Christmas that there was a requirement for all collection authorities to collect and transport all upholstered items (including sofas, sofa beds, armchairs, kitchen and dining room chairs, foot stools, office chairs, futons, bean bags and sofa cushions) to Veolia's Waste Transfer Station at Welshcroft Close at Kirkby-in-Ashfield from 1 January 2023.

Members raised their concern over the cost implications to the Council and the risk of increasing levels of fly-tipping in the District as a result of the requirements from the Environment Agency.

AGREED (unanimously) that Cabinet:

- a) approve the proposed changes detailed in this report to ensure that there are sufficient resources to facilitate the changes in collections;
- b) approve that 3 additional staff be added to the establishment in line with paragraph 4.1 below; and
- c) approve the vehicle purchase to be financed from the change management reserve in line with paragraph 4.1 below.

Reasons for Decision:

In order to meet the new legislative requirements and mitigate the risk of service reduction in cleansing services which are valued by local residents and a key component of the Council's work to create a Cleaner, Safer, Greener Newark & Sherwood as set out in the Community Plan.

Options Considered:

Officers have considered alternatives to the proposed solution and consulted Councils across Nottinghamshire. Some are choosing to re-direct cleansing resources to undertake this function, whilst others have no plans as yet. The size of Newark and Sherwood, accounting for one-third of the landmass of Nottinghamshire, and the volume of fly tips due to its size and connectivity to main trunk roads, are considerations specific to the N&S area. Given the Community Plan objectives to cleaner, safer and greener, it is also not recommended to divert away resources from cleansing duties.

Meeting closed at 7.20 pm.

Chairman