

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, 16 July 2024 at 6.00 pm.

PRESENT: Councillor J Hall (Chair)
Councillor L Tift (Vice-Chair)

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

APOLOGIES FOR ABSENCE: Councillor L Dales and Councillor R Jackson

Prior to the transaction of business, the Council stood in silence in memory of Steven Adams who worked in Economic Growth & Visitor Economy.

15 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 usual practice.

16 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor J Hall declared an Other Registrable Interest in Agenda Item No. 6 – Petitions – given she had received a petition in her role as Council Chair prior to the meeting in respect of Lowfield Lane. She advised the Council that she had been involved with the action group behind the petition.

The Council noted the interests previously declared by Members in Agenda Item No. 10 – Minutes for Noting.

17 MINUTES FROM THE MEETING HELD ON 21 MAY 2024

AGREED that minutes of the Annual Meeting held on 21 May 2024 be approved as a correct record and signed by the Chair.

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

The Chair informed Members of the D-Day celebrations and remembrance services she had attended on behalf of the Council, including the sunset service at the Victoria Embankment, Nottingham.

The Chair also thanked all officers that had worked tirelessly on the General Election.

The Leader of the Council offered his condolences to Steven Adam's family stating that he would be sadly missed.

The Leader of the Council extended his congratulations to Michelle Welsh and Robert Jenrick on being elected as the Members of Parliament for the Sherwood Forest and Newark constituencies. He hoped that the Council could work in partnership with both MP's in representing residents in the District. He also congratulated Keir Starmer on his appointment as Prime Minister.

The Leader also referred to correspondence he had received from the new Secretary of State for Levelling Up, Housing & Communities, Angela Rayner, giving an assurance to put local government at the top of her agenda, which he welcomed.

The Leader of the Council also thanked Officers that had worked hard and efficiently on 4 July General Election.

Councillor R Cozens also thanked Officers for their hard work on the General Election and extended her congratulations to Michelle Welsh and Robert Jenrick for their election success. She added that it was a good time to recommit to working in a cooperative and diverse way across all parties.

The Portfolio Holder for Public Protection & Community Relations commented upon an inaccurate posting on social media by a Member of the opposition regarding data relating to Anti-Social behaviour, the posting had also asked for his resignation. He considered that to be a breach of the Nolan principles.

The Portfolio Holder for Biodiversity & Environmental Services congratulated Officers as the Council had secured all five green park flags in the District for the ensuing year. She also announced the work to be undertaken on the Sherwood Avenue play area.

The Portfolio Holder for Housing informed the Council that the Housing Development team had been nominated and short listed for the Inside Housing Best Rural and Suburban Development team, the award ceremony would take place 27 September 2024 and wished the team well in securing the award.

19 IN ACCORDANCE WITH RULE NO. 3.1 TO RECEIVE THE PRESENTATION OR THE DEBATING OF ANY PETITIONS FROM MEMBERS OF THE COUNCIL (IF ANY)

No petitions were presented or debated, however the Chair notified the meeting that she had received a petition in relation to a planning application at Lowfield Lane which would be referred to the Council's Planning Team.

20 PROPOSED CHANGES TO MEETING DATES

The Council considered the report of the Assistant Director – Legal & Democratic Services which sought to approve changes to dates of three meetings of the Policy & Performance Improvement Committee in the 2024/25 meeting schedule and to put in a date for a future Member training session.

AGREED (unanimously) that the changes in the dates of the Policy & Performance Improvement Committee as set out in paragraph 1.3 of the report be approved and a future Member training date of 19 November 2024 be noted.

21 NOTICES OF MOTION

Out of Hours Medical Care in Newark

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

“The difficulty in accessing out of hours medical care is an increasing concern for people in Newark and its surrounding area.

NHS Nottinghamshire discontinued its Accident and Emergency service in Newark Hospital in 2010. At that time, a specific commitment was made that NHS 24-hour urgent treatment would be available at Newark Hospital so that urgent cases of a lower severity could be treated locally, including at night, without the need for patients to travel outside the town for care¹.

Between 2011 and 2021, the population of Newark grew by 9.8%. This is greater than the District or National increase, and this population growth is projected to continue².

In October 2023, the NHS Nottingham and Nottinghamshire Integrated Care Board (ICB) review of the Urgent Treatment Centre in Newark resulted in a plan to close the Urgent Treatment Centre (UTC) at night. During this 2023 Engagement Exercise over 70% of people in Newark and the surrounding area were opposed to closing the UTC at night. Such a change is against the wishes of the population and contrary to commitments made to the people of Newark in 2010.

Newark and Sherwood District Council supports the view that provision of NHS urgent medical care and urgent treatment, 24 hours a day, free at the point of need, should be made available in Newark, based on the criteria of accessibility, patient safety, and clinical effectiveness.

This Council calls on the ICB to continue to work with the Health and Wellbeing Portfolio Holder at Newark and Sherwood District Council, alongside other stakeholders, to ensure that NHS capability and capacity for urgent treatment is maintained in Newark, with due regard to the needs of the people of Newark and its surrounding area”.

1. “Retaining A&E is not possible (see page 2). But the PCT has commissioned a 24/7 replacement. As a result, up to 85% of patients will still be treated at Newark, 24 hours a day, seven days a week. For the first time, there will be a GP presence at Newark Hospital through the night. This means people will no longer have to travel outside the town to see a doctor.”

Newark’s Healthcare Review 2010.

2. Department of Levelling Up Housing and Communities, Local data Profile for Newark on Trent, March 2024.

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

(Councillor M Shakeshaft left the meeting at this point).

Flood Mitigation

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

“It is almost a year since Newark and Sherwood residents suffered a services of devastating flooding events including Storm Babet and Storm Henk. We are rapidly approaching the next flood season.

As a Council we are committed to not going back to business as usual until we resolve the flooding issues, as flooding is devastating so many of Newark and Sherwood resident’s lives.

We established the Newark and Sherwood Multi Agency Flood partnership to develop the following asks to address flooding across Newark and Sherwood.

This Council agrees to lobby locally, including our two MPs, regionally the East Midlands Mayor Claire Ward and nationally government Ministers to implement the following 11 urgent requests. As part of any solutions as previously agreed we will seek to promote increased use of natural solutions to flooding when appropriate as often this is the most economic solution.

1. A flood mitigation scheme needs to be developed for the Trent at a national level. This would require support and development from those with the statutory responsibilities. We need a system of assessing flood defences which moves away from a simple financial judgement in terms of how many people are taken out of flood risk compared to the investment required.
2. Funding or at least a format to achieve whole society preparedness for emergencies as was announced post covid. This should be similar to the Scotland prepared programme.
3. A suite of communications tools should be developed for at risk communities so the burden of giving bad news to homeowners regarding climate change and the local impacts they face doesn’t sit on just the shoulders of Councils.
4. Review and tightening of national planning and connection regulations, to require both approval and inspection of completed flood and drainage schemes by the relevant flood risk authority. This would be aimed at reducing unauthorised connections into foul sewer systems and ensuing mitigation measures are correctly installed. The inability to deal with inappropriate connections to foul sewer systems needs revisiting at a national level given an ongoing inability to redress such connections.

5. Consider how developments can robustly mitigate flood risk in locations which have suffered flooding even if flood risk maps have not been updated. It should then be a mandatory requirement that such solutions are implemented and checked by the relevant flood risk authority. Currently, there is a lag between validating where flooding has taken place and updating flood risk maps, meaning planners are making decisions on maps which may change. Flood guidance should require schemes to mitigate that risk where flooding is known to have occurred.
6. Ensure water authorities are required and resourced to deliver effective flood prevention maintenance on rivers and water courses. Whilst this would need to be done sympathetically to protect wildlife and biodiversity, prevention is far better and cheaper than cure.
7. Funding to assist water safety training for essential responders. Our officers have consistently been prepared to put themselves in harm's way, to support vulnerable residents and communities, yet we have no statutory requirement to do so. If we're going to continue to go above and beyond, we should be given funding to appropriately train those staff and provide them with the right equipment.
8. In a similar vein, Government should recognise the revenue resources authorities such as ours need to invest in response, recovery and mitigation activities. Newark and Sherwood encompass a third of the land mass of Nottinghamshire and has historically suffered more flooding than any other part of the County. Yet, those resource requirements don't feature in our settlements currently. When emergency responses are undertaken, the Government should make payments far more rapidly – costs the Council incurred during Storm Babet and Storm Henk (£105k) have still not been recovered despite numerous conversations with officials. There has been no official communication, nor proactive engagement, moreover individual authorities have been left to "forge their own path" for claiming reimbursement, with no deadline dates for submitting information and no deadline dates for confirmation of approval or rejection. There does not appear to be, or it does not appear to be working correctly, any set framework to assist authorities in reimbursement of these additional revenue costs, despite acknowledgement of issue through the various other parts of the Flood Recovery Framework.
9. The Government needs to raise its game in supporting communities in their recovery. Over Storms Babet and Henk, we experienced consistent delays in Government guidance surrounding the flood recovery framework, along with some ill-thought-out guidance and criteria that served to add unnecessary anxiety to those hit by flooding at a time when they needed rapid financial support.
10. Over the last four financial years, the Internal Drainage Board (IDB) levy for Newark and Sherwood has increased by 59% from £595,400 in 2020/21 to £949,800 in 2024/25, far outstripping the increases in Council Tax which is allowed to be charged (a maximum of 10.3% over the same period). As annual

increases in the levy have outweighed the additional yield in Council Tax generatable, budgets available for front line services have had to be diverted to contribute towards the cost of the imposed levy. The impact on service delivery is compounded with inflationary costs (such as pay awards and cost inflation) that are not able to be raised through Council Tax as the whole of the Council Tax increase is being consumed by the increase in the levy. The Leader of this Council has been working with the LGA Special Interest Group in making representations to government for a sustainable funding solution. By either compensating in whole, or centrally funding IDB expenditure, government could reduce the burden on local authority budgets that are disproportionately affected by IDB levies.

11. Consider how, in circumstances where developments have already been consented and thus are being lawfully implemented based on a previous version of the flood risk of an area (so the flood risk maps relevant at the time of the consent) how flood risk agencies and/or preferably developers can retrospectively address flood risk if the flood profile or maps upon which the consent was based are now demonstrably out of date to such a degree that flood risk has increased”.

In accordance with Rule 4.6.1 Councillor J Kellas moved and Councillor S Saddington seconded an amendment to the motion as follows:

“It is almost a year since Newark and Sherwood residents suffered a series of devastating flooding events including Storm Babet and Storm Henk. We are rapidly approaching the next flood season.

This Council is committed to working with the appropriate flood authorities, recognising that Nottinghamshire County Council is the Local Lead Flood Authority as flooding is devastating so many of Newark and Sherwood residents’ lives.

This Council established the Newark and Sherwood Multi Agency Flood partnership to develop the following asks to address flooding across Newark and Sherwood.

This Council agrees to lobby the appropriate authorities to implement the following 14 urgent items. This Council will write to the Members of Parliament for Sherwood Forest and Newark, Nottinghamshire County Council, the Environment Agency, the Mayor of the East Midlands and Government Ministers to raise residents’ concerns and request their support, as appropriate. This Council will promote increased use of natural solutions to flooding when appropriate as often this is the most economical solution.

1. A flood mitigation scheme needs to be developed for the river Trent at a national level. The scheme should assess risk to communities holistically, recognising prevention is more cost effective than repeated repairs, without excluding smaller collections of properties.
2. Whole society preparedness for emergencies as was announced post covid. This should be similar to the Scotland prepared programme.

3. A suite of communications tools should be developed for at risk communities to ensure consistent and efficient support.
4. Review and tightening of national planning and connection regulations, to require both approval and inspection of completed flood and drainage schemes by the relevant flood risk authority. This would be aimed at reducing unauthorised connections into foul sewer systems and ensuring mitigation measures are correctly installed. The inability to deal with inappropriate connections to foul sewer systems needs reviewing.
5. Consider how developments can robustly mitigate flood risk in locations which have suffered flooding even if flood risk maps have not been updated. Mandate that such solutions are implemented and checked by the relevant flood risk authority. Currently, there is a lag between validating where flooding has taken place and updating flood risk maps, meaning planners could make decisions on maps which may change. Flood guidance should require schemes to mitigate that risk where flooding is known to have occurred.
6. Ensure water authorities are required and resourced to deliver effective flood prevention maintenance on rivers and water courses, such as dredging where appropriate, such as the River Trent at Farndon. Actions would need to be done sympathetically to protect wildlife and biodiversity; prevention is more efficient than response.
7. This Council will engage with the Lead Local Flood Authority to seek training for NSDC staff, where appropriate, to fully equip them to assist residents during future flooding events.
8. Payments to local authorities to reimburse emergency flood responses should be made swiftly and within an agreed time frame as not to disadvantage the authority and the ability to deliver services.
9. Flood Recovery Framework guidance, criteria and support should be reviewed and refined following local authority feedback to best serve residents and local authorities.
10. Over the last four financial years, the Internal Drainage Board (IDB) levy for Newark and Sherwood has increased by 59% from £595,400 in 2020/21 to £949,800 in 2024/25, far outstripping the increases in Council Tax which is allowed to be charged (a maximum of 10.3% over the same period). As annual increases in the levy have outweighed the additional yield in Council Tax generatable, budgets available for front line services have had to be diverted to contribute towards the cost of the imposed levy. The impact on service delivery is compounded with inflationary costs (such as pay awards and cost inflation) that are not able to be raised through Council Tax as the whole of the Council Tax increase is being consumed by the increase in the levy. This Council will write to the appropriate Government Ministers at the Department for Environment, Food & Rural Affairs, HM Treasury, and the Ministry of Housing, Communities and Local Government regarding the disproportional impact of the internal drainage levies on the finances, and therefore services, of Newark and Sherwood District Council, and highlighting the need for change.

11. This Council will continue to contribute to, through the Leader of the Council, and draw attention to the Local Government Authority Special Interest Group on Internal Drainage Levies led by the South and East Lincolnshire Councils Partnership working on a sustainable funding solution, recognising the disproportional effect on Newark and Sherwood District Council.
12. Consider how developments that have already been consented and thus are being lawfully implemented based on a previous version of the flood risk of an area (so the flood risk maps relevant at the time of the consent) flood risk agencies and/or preferably developers can retrospectively address flood risk if the flood profile or maps upon which the consent was based are now demonstrably out of date to such a degree that flood risk has increased.
13. This Council will lead by example by reviewing all its own proposed, potential and consented planning developments, including those of the Council's connected companies, to ensure they align with the spirit of this motion in preventing rather than causing incidents of flood for both the existing and to-be-developed area.
14. This Council will work collaboratively with the Lead Local Flood Authority, engaging elected members of that authority in the flood-related works of this Council, recognising their role and influence in this important matter".

On being put to the meeting the amendment was declared lost with 13 votes for, 22 against and 1 abstention.

The original motion as proposed by Councillor Taylor and seconded by Councillor Oldahm, on being put to the vote, was agreed with 35 votes for and 1 against.

22 MINUTES FOR NOTING

22a CABINET - 14 MAY 2024

Minute No. 134 – Southwell Leisure Centre Update

Councillor P Harris asked the date the information referred to was received by the Council. The Leader of the Council confirmed that he would clarify that date in writing.

22b CABINET - 4 JUNE 2024

22c POLICY AND PERFORMANCE IMPROVEMENT COMMITTEE - 24 JUNE 2024

Minute No. 8 – Presentation By Councillor L Brazier – Portfolio Holder For Housing

Councillor P Harris stated that the 'Tenant Times' had not been distributed to the community rooms in Southwell to date and asked when that would be undertaken.

Councillor P Harris also sought clarification regarding how long it took to address issues raised at walk-about. He referred to one issue in his Ward that had been raised but not responded to and suggested that a clear timetable was required to address matters raised at walk-about.

Minute No. 14 – Outcomes of Information Sharing with Elected Councillors Working Group

Councillor P Harris sought clarification as to what Power BI system was and commented that the response from the Working Group was not effective and he would like them to consider how Ward Members were engaged in the future.

Councillor M Pringle commented that the Working Group Chaired by Councillor J Kellas considered the Power BI system had been well received. Councillor K Kellas commented that a training session had been provided for Officers and Members which had been recorded and was available to view.

(Councillors I Brown and S Saddington left the meeting at this point).

22d PLANNING COMMITTEE - 28 MAY 2024

22e PLANNING COMMITTEE - 6 JUNE 2024

22f PLANNING COMMITTEE - 19 JUNE 2024

Meeting closed at 7.55 pm.

Chair