



Report to: Portfolio Holder for Housing

Decision Date: 14 October 2025

Portfolio Holder: Councillor Lee Brazier

Director Lead: Suzanne Shead, Director - Housing, Health & Wellbeing

Lead Officers: Cara Clarkson, Business Manager – Healthy Places; and Ellie Buchanan, Regeneration Project Delivery Manager

Report Summary	
Type of Report	Non-Key Decision
Report Title	Yorke Drive – Approval to apply for extension of Initial Demolition Notices
Purpose of Report	This report seeks approval to request an extension of the Initial Demolition Notices issued as part of the Yorke Drive Estate Regeneration Project, to ensure legal continuity on Right to Buy applications.
Recommendations	To support an application to the Secretary of State to extend the time period for the initial demolition notices served in relation to the York Drive Regeneration Scheme.
Alternative Options Considered	It continues to be an option not to extend the Initial Demolition Notices and allow them to expire. This poses as a high risk to the Council should a tenant subsequently submit a Right to Buy application due to the timescales and costs associated with new, fragmented, Compulsory Purchase Orders. The legal impact of this could be delays of between 12-18 months on the project programme, leaving the Council vulnerable to financial penalties and clauses from Lovell due to the inability to progress the construction programme on time.
Reason for Recommendation	The justification to extend the Initial Demolition Notices is grounded in a series of unprecedented and complex challenges that have impacted project progression, including the COVID-19 pandemic; the war in Ukraine; redesign requirements; and the resolution of highways concerns through the planning process. Extending the notices safeguards the project’s strategic objectives, and enables the Council to complete all final acquisitions (including the Compulsory Purchase Order) whilst preventing the

	continuation of Right to Buy applications within the Yorke Drive Regeneration zone.
Decision Taken	As per the recommendations.

1.0 Background

- 1.1 The Yorke Drive Regeneration Project is a flagship housing-led initiative designed to transform the estate through phased demolition and the construction of high-quality mixed-tenure new homes, alongside public realm improvements. The regeneration aims to address poor design and long-standing issues of anti-social behaviour, while improving open space and creating a more inclusive community.
- 1.2 Initial Demolition Notices were issued to tenants within the project's demolition zone under Schedule 5A of the Housing Act 1985 as amended by the Housing Act 2004 in 2019 and 2020, signalling the Council's intention to demolish properties and thereby suspending tenants ability to submit a Right to Buy application.
- 1.3 Suspending the ability of tenants to submit Right to Buy applications on affected properties (located within the project's demolition zone), prevents the accumulation of further fragmented private ownership, which would delay the programme further and create increased costs for the Council, through additional legal works on implementing new Compulsory Purchase Orders (CPO). The CPO process is inherently complex and time-sensitive, requiring legal notices, negotiations, and potential inquiry proceedings.
- 1.4 The Initial Demolition Notices are valid up to and including 01 March 2026 with the subsequent Final Demolition Notices due to be served before expiration, with final notices valid for two years. However, Final Demolition Notices can only be served when all acquisitions of the remaining freehold properties (four) within the demolition zone are finalised, including the Compulsory Purchase Order.

2.0 Proposal

- 2.1 Due to a series of unprecedented and complex challenges that have impacted upon project progress since the council issued the Initial Demolition Notices, an extension to the Initial Demolition Notices is necessary. This is to ensure strategic objectives are safeguarded and legal continuity is maintained through continued prevention of Right to Buy applications on affected properties, enabling final acquisitions (including the Compulsory Purchase Order) to complete.
- 2.2 The fundamental reasons which impacted upon project progress include:
- a) **COVID-19 Pandemic** - The global COVID-19 pandemic had a profound and disruptive impact on public sector operations with Council resources diverted to emergency response and public health priorities. Key activities such as resident consultation, design evolution, and planning development were significantly constrained by lockdowns and social distancing requirements.

- b) **Ukraine War** - The war in Ukraine has had far-reaching consequences for local authorities across the UK, including Newark and Sherwood District Council. The conflict has led to inflationary pressures, material shortages, and a redirection of national and local priorities, particularly in relation to housing and refugee support. Newark and Sherwood District Council, like many councils, has had to respond to increased demand for housing and support services, which has temporarily diverted attention and resources away from the regeneration project at Yorke Drive.
- c) **Redesign Works** - Following Outline planning consent in November 2019, the scheme underwent a series of redesigns to improve layout, density, and compliance with consultees, such as Sport England and Nottinghamshire County Council (the Highway Authority). The redesign process included adjustments to housing typologies, open space provision, and integration with existing infrastructure. Whilst the redesigns have ultimately strengthened the quality and deliverability of the Yorke Drive scheme, they have also significantly impacted the programme.
- d) **Highways Concerns and Planning Resolution** - One of the key challenges encountered during the planning process was the resolution of highways concerns, particularly in relation to traffic flow and parking provision. These issues required detailed negotiation with Nottinghamshire County Council and amendments to the site layout. The process of addressing highways concerns was complex and time-consuming, involving transport assessments and design revisions. These efforts were essential to securing Reserved Matters planning approval in February 2025.

2.3 These delays have affected the timeline for demolition and acquisition, making it impossible for the Council to progress within the original Initial Demolition Notice validity period. Extending the Initial Demolition Notices is therefore essential to account for the time lost (as detailed above) and ensure the regeneration area remains under Council control, enabling the decant programme and estate demolition to legally proceed in accordance with the approved plans.

2.4 The extension of the Initial Demolition Notices will enable the Council to complete all final acquisitions (four), including those subject to the CPO, before issuing the Final Demolition Notices.

2.5 It is important to note, the decant operation which involves relocating residents from properties scheduled for demolition (either to homes off the estate or to one of the new homes being built), can continue as planned regardless of the demolition notices. The application to extend does not affect the Council's ability to rehouse residents or implement the Decant Strategy. However, maintaining valid demolition notices supports the decant process by providing clarity and legal certainty for residents. It ensures that tenants understand the Council's intentions and can make informed decisions about their housing options.

- 2.6 It is therefore recommended that Newark and Sherwood District Council submit an application to the Ministry of Housing, Communities and Local Government to seek consent of the Secretary of State, to extend the Initial Demolition Notices for a further two years, ensuring the successful delivery of the Yorke Drive regeneration programme.

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.

Financial Implications

- 3.1 There are no specific financial implications arising from this report.

Legal Implications - LEG2526/1901

- 3.2 The Council have engaged external legal advice to assist in drafting the application to extend the initial demolition notices.
- 3.3 Schedule 5a of the Housing Act 1985 (as amended) at Para 4 says that a further initial demolition notice may not be served within a period of 5 years if the first notice has ceased to be in force for whatever reason (including a lapse of time) unless the further notice is served with the consent of the Secretary of State (Para 4 (2) (a)).
- 3.4 This is a discretionary power by the Secretary of State (meaning they can make a decision either way on receipt of the Council's submission) and the Council have been advised by the SoS (through our external legal advisors) that they must show: reasons for wishing to extend the notice and reasons for the delay; start and end date of the new notice and an explanation for the timescale; full addresses of the properties in question; details of anyone who is a tenant but not residing a property to which the notice will apply; details of anyone else likely to be adversely affected by failure to carry out the demolition within the original timeframe; steps the council will take to advertise the notice and any additional relevant information.

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.

Original approval for Initial Demolition Notice – Policy and Finance Committee November 2018

<https://democracy.newark-sherwooddc.gov.uk/documents/s3511/29.11.18%20-%20Estate%20Regeneration%20-%20Yorke%20Drive.pdf>