

ASHFIELD DISTRICT COUNCIL



Council Offices,
Urban Road,
Kirkby in Ashfield
Nottingham
NG17 8DA

Agenda

Cabinet

Date: **Tuesday, 13th December, 2022**

Time: **10.00 am**

Venue: **Council Chamber, Council Offices, Urban Road,
Kirkby-in-Ashfield**

For any further information please contact:

Lynn Cain

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Cabinet

Membership

Chairman: Councillor Jason Zadrozny

Councillors:

Samantha Deakin
Tom Hollis
Sarah Madigan
Matthew Relf
John Wilmott

David Hennigan
Rachel Madden
David Martin
Helen-Ann Smith

FILMING/AUDIO RECORDING NOTICE

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SUMMONS

You are hereby requested to attend a meeting of the Cabinet to be held at the time/place and on the date mentioned above for the purpose of transacting the business set out below.



Theresa Hodgkinson
Chief Executive

AGENDA

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1. To receive apologies for absence, if any.
2. Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests.
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Councillor Samantha Deakin – Executive Lead Member for Parks, Town Centres and Environmental Services

- 10. Discover Ashfield - A New Narrative.** 209 - 218

Non-Key Decision

Councillor Matthew Relf – Executive Lead Member for Regeneration and Corporate Transformation

- 11. Review of Tenancy Conditions (Council Housing).** 219 - 260

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Councillor Tom Hollis – Executive Lead Member for Council and Social Housing

- 12. Recommendations to Cabinet for Approval.** 261 - 372

Appendix A - Local Plan Development Panel – 15 November 2022
Ashfield Green Infrastructure and Biodiversity Strategy

Councillor Sarah Madigan – Executive Lead Member for Customer Services and Strategic Planning

Appendix B - Audit Committee – 28 November 2022
Treasury Management Mid Term Report 2022/23

Councillor David Martin – Deputy Leader and Executive Lead Member for Finance, Revenues and Benefits

CABINET

Meeting held in the Council Chamber, Council Offices, Urban Road, Kirkby-in-Ashfield,

on Tuesday, 8th November, 2022 at 10.30 am

Present: Councillor Jason Zadrozny in the Chair;

Councillors Samantha Deakin, Tom Hollis,
Rachel Madden, Sarah Madigan, David Martin,
Matthew Relf, Helen-Ann Smith and
John Wilmott.

Apology for Absence: Councillor David Hennigan.

Officers Present: Craig Bonar, Lynn Cain, Ruth Dennis,
Robert Docherty, Theresa Hodgkinson,
Peter Hudson, Paul Parkinson,
Chris Stephenson, Antonio Taylor and
Shane Wright.

**CA.30 Declarations of Disclosable Pecuniary or Personal Interests
and/or Non-Registrable Interests**

No declarations of interest were made.

CA.31 Minutes

RESOLVED

that the minutes of the meeting of the Cabinet held on 27 September 2022, be
received and approved as a correct record.

CA.32 Public Spaces Protection Order 2023 (PSPO)

Cabinet was requested to approve a consultation, publicity and notification
exercise for a new Public Spaces Protection Order 2023, including prohibitions
to restrict public right of way over specified areas of the highway in designated
locations.

Members considered the alternative option of declining to approve the
consultation and notification exercise for the proposed PSPO but this was not
recommended, as it would result in officers disproportionately focusing
resources in the designated areas and responding to incidents that could have
been prevented by initiating the proposals outlined in the report.

RESOLVED

that approval be given to undertake the necessary consultation, publicity and notification for a new proposed Public Spaces Protection Order 2023, to include prohibitions which restrict the public right of way over specified areas of the highway in respect to the following locations:

1. Between Spruce Grove and Beacon Drive, Kirkby-in-Ashfield
2. Between Bentinck Street and Bramley Court, Sutton-in-Ashfield
3. Between Downing Street and North Street (Service Road – Rear of Outram St, Sutton-In-Ashfield)
4. Rear of 34-37 Rockwood Walk, Hucknall
5. Adjacent 40 Rosewood Drive, Kirkby-in-Ashfield
6. Between Spruce Grove and Poplar Avenue, Kirkby-in-Ashfield
7. Between Welbeck Street and Portland Close, Sutton-in-Ashfield
8. Between Bramley Court and Sutton Lawn, Sutton-In-Ashfield.

Reason:

To proactively address concentrated anti-social behaviour and criminal behaviour across the affected areas by restricting access to members of the public through the implementation of a Public Spaces Protection Order.

CA.33 Community Safety Policy Updates

Cabinet was requested to consider and approve the refreshed Domestic Abuse Policy, Hate Crime Policy and updated Modern Slavery Policy Statement for 2022/23 as appended to the report.

Members considered the alternative options of declining to approve the refreshed policies or to make suggestions for different versions. The documents had been prepared to set out the current and ongoing action the Council intended to take to demonstrate its commitment to tackling community safety issues and reducing risk and vulnerability across the District.

RESOLVED

that the following refreshed policies and statement, as presented, be received and approved:

- Domestic Abuse Policy
- Hate Crime Policy
- Modern Slavery Policy Statement for 2022/23.

Reason:

To meet the Council's legal and moral obligations and to take a proactive approach in tackling community safety matters pertaining to vulnerability, abuse and safeguarding matters across Ashfield.

CA.34 Funding Update

Cabinet was updated on progress relation to funding allocations and programmes and asked to consider an adjustment to the Capital Programme for the Towns Fund and Future High Streets Fund projects and add additional Public Open Space Section 106 contributions to the Capital Programme.

Members considered alternative options to decline approval for the proposals outlined in the report but these were not recommended as any delays would jeopardise progress and delivery of the programmes.

RESOLVED that

- a) the progress for Future High Streets Fund and Towns Fund projects, as presented, be received and noted;
- b) Council be recommended, subject to Department for Levelling Up, Housing and Communities (DLUHC) approval, to make an amendment to the Capital Programme values for the Towns Fund and Future High Streets Fund schemes as outlined in the report;
- c) the receipt of Public Sector Decarbonisation Scheme (PSDS) Phase 3b funding, subject to the Council's bids being successful and the engagement with Mace Limited under the Scape 'Place Shaping' Framework (single supplier) to deliver the projects, be approved;
- d) Council be recommended, following receipt of funds, to agree that Section 106 monies be included on the capital programme as outlined in the report;
- e) the Council's successful bid for Cyber Security funding be noted and the £125k funding be duly accepted.

Reason:

To ensure that Cabinet is kept updated on progress with all the funding programmes and to ensure that projects and spend are delivered in accordance with the Council's Corporate Plan and improvements to parks and green spaces with a rolling programme of investment.

The meeting closed at 11.30 am

Chairman.

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Report To:	CABINET
Date:	13 DECEMBER 2022
Heading:	REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) - UPDATE
Executive Lead Member:	COUNCILLOR JASON ZADROZNY – LEADER OF THE COUNCIL
Ward/s:	N/A
Key Decision:	NO
Subject to Call-In:	YES

Purpose of Report

This report is to update Cabinet on the use of the Council's Regulation of Investigatory Powers Act (RIPA) Policy in the past 3 years and to approve the amendments needed to the Policy.

Recommendation(s)

Cabinet is asked to:

- 1. Note that the Council has not authorised any Directed Surveillance in the past 3 years pursuant to the RIPA powers;**
- 2. Adopt the minor amendments to the Policy;**
- 3. Note the training that is being undertaken following the Investigatory Powers Commissioner's Office (IPCO) inspection in March 2022; and**
- 4. Note the progress made in respect of the action plan put in place following the IPCO inspection earlier this year.**

Reasons for Recommendation(s)

Due to the impact of the Covid pandemic the Policy has not been presented to Cabinet since 2019. A brief update report was presented to Cabinet in June 2022. The current Code of Practice and Council Policy requires that Members are updated on RIPA authorisations on an annual basis. This report complies with that requirement.

The Policy should also be reviewed regularly to ensure it remains up to date and fit for purpose. The Policy has been reviewed and amended following the Investigatory Powers Commissioner's Office (IPCO) inspection in March 2022 to reflect legislative changes and recommendations following the inspection since the Policy was last adopted. Proposed amendments to the Policy comply with that requirement.

Alternative Options Considered

To not report to Members an update which could put the authority at risk of challenge for breach of policy.

To not adopt the changes to the Policy which goes against specific recommendations from the IPCO, and would mean that any powers utilised under the Policy could be subject to challenge.

Detailed Information

Regulation of Investigatory Powers Act 2000 (RIPA) – Update

The Regulation of Investigatory Powers Act 2000 (RIPA) sets out the legal framework for the conducting of surveillance by public authorities in the course of criminal investigations. RIPA ensures compliance with the Human Rights Act 1998, in particular the right to respect for private and family life. This right is qualified where interference in these rights is necessary and proportionate and carried out in accordance with the law.

The Council can only authorise directed surveillance under RIPA where the matter involves a criminal offence punishable by a custodial sentence of six months or more (e.g. serious criminal damage, dangerous waste dumping, health and safety offences, serious or serial benefit fraud) or is related to underage sale of alcohol and tobacco. The Council cannot authorise directed surveillance for less serious offences such as littering and dog control and cannot authorise intrusive surveillance which takes place either in a residential premises or in any private vehicle. Authorisation is not required however in a case of immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation to be sought or for general observation activities in a crime hotspot area.

The Policy:

1. The RIPA Policy was last amended in November 2019.
2. The IPCO carried out a desktop RIPA inspection in March 2022 and made a recommendation in relation to changes to the Policy as follows: The Policy has been updated in relation to procedures for the retention and destruction of all data and documents obtained as a result of covert activity.
3. Minor changes to the Policy have been made to remove references to the Shared Legal Service and to update details of authorising officers.
4. Members are asked to note and adopt the changes within the Policy.

Update on the Use of RIPA:

1. If the Council is required to carry out covert surveillance in the course of its enforcement work, it must comply with the Regulation of Investigatory Powers Act 2000 and related Codes of Practice.
2. The Council has a Policy in place which sets out a process for ensuring covert surveillance activity is carried out in accordance with the law. In accordance with the Policy and the Code of Practice, the Cabinet must receive an annual report.
3. In the past 3 years no covert surveillance was authorised.
4. Members are asked to note the update.

Training:

1. In March 2022, IPCO also noted that formal training for relevant staff has been impacted by the pandemic and assurances were given that training would commence later in the year.
2. The Service Manager, Legal Services, and Principal Lawyer have attended training and subsequently provided training on RIPA to all staff in Legal Services on 3 November 2022, to CLT members (Authorising Officers) on 14 November 2022 and to other relevant officers on 21 and 23 November 2022 (a mop up training session for those who could not attend these dates is planned for December 2022).
3. Members are asked to note the update.

Action Plan Update

1. The action plan put in place following the IPCO inspection earlier this year was presented to Cabinet in June. The updated action plan showing progress is appended to the report for Members to note.

Implications

Corporate Plan:

Safer and Stronger: the Council's Vision by 2023 is to ensure the foundations for a good quality of life are in place; reducing crime and anti-social behaviour.

Legal:

All legal issues are outlined within the report and detailed in the policy. [RLD 23/11/2022]

Finance: There are no direct financial implications arising from this report. [PH 17/11/2022].

Budget Area	Implication
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General Fund – Revenue Budget	N/A
General Fund – Capital Programme	N/A
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

Risk:

Risk	Mitigation
No risks associated with the recommendations in this report.	The Policy is in place to ensure the Council complies with the law.

Human Resources:

As per the report, training has been undertaken by relevant employees. [KH 02/12/2022]

Environmental/Sustainability

There are no environmental or sustainability implications relating to the report.

Equalities:

Implications are considered in the policy, in particular, in relation to article 8 of the Human Rights Act.

Other Implications:

None

Reason(s) for Urgency

N/A

Reason(s) for Exemption

N/A

Background Papers

Updated RIPA Policy attached

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ASHFIELD DISTRICT COUNCIL

**REGULATION OF INVESTIGATORY
POWERS ACT 2000 (RIPA)**

POLICY AND GUIDANCE

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Approved: Cabinet, 13 December 2022

Cabinet Minute Reference:

ASHFIELD DISTRICT COUNCIL

POLICY ON REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA)

Ashfield District Council only carries out covert surveillance where such action is justified and endeavours to keep such surveillance to a minimum. It recognises its obligation to comply with RIPA when such an investigation is for one of the purposes set out in that Act and has produced this Guidance document to assist officers undertaking this type of work (“Authorising” and “Investigating Officers”).

Applications for authority

A Chief Officer authorised by the Council (an “Authorising officer”) will consider all applications for authorisation in accordance with RIPA – See **Appendix A** for a list of Authorising Officers.

Any incomplete or inadequate application forms will be returned to the applicant for amendment.

The Authorising Officer shall in particular ensure that:-

- There is a satisfactory reason for carrying out the surveillance
- The serious crime threshold is met
- The covert nature of the investigation is necessary
- Proper consideration has been given to collateral intrusion
- The proposed length and extent of the surveillance is proportionate to the information being sought
- Authorisation from the Head of Paid Service (Chief Executive) is sought where confidential legal/journalistic/medical/spiritual welfare issues are involved
- The authorisations are reviewed and cancelled
- Records of all authorisations are sent to the Service Manager – Legal Services for entry on the Central Register

Once authorisation has been obtained from the Authorising Officer, the Authorising Officer or his/her nominee (e.g. investigating officer) will attend the Magistrates’ Court in order to obtain judicial approval for the authorisation. See flowchart at **Appendix B**.

Training

Each Authorising Officer shall be responsible for ensuring that relevant members of staff within their Directorate are aware of the Act's requirements.

Legal Services will provide advice and regular updates as well as specific training upon request.

Central register and records

The Service Manager - Legal Services shall retain the Central Register of all authorisations issued by Ashfield District Council.

The Director of Legal and Governance (Monitoring Officer), in conjunction with the Service Manager - Legal Services, will monitor the content of the application forms and authorisations to ensure that they comply with the Act.

Senior Responsible Officer ("SRO")

The SRO is a role required by the Investigatory Powers Commissioner's Office ("IPCO") with oversight of the Council's use of RIPA powers. The SRO is the Director of Legal and Governance (Monitoring Officer) and will only act as an Authorising Officer for the Council in exceptional circumstances to avoid any conflicts with the SRO role.

RIPA Coordinating Officer

The RIPA Co-ordinating Officer has the responsibility for the day-to-day RIPA management and administrative processes observed in obtaining an authorisation and advice thereon and this role is performed by the Service Manager - Legal Services.

REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) - GUIDANCE

DIRECTED SURVEILLANCE & COVERT HUMAN INTELLIGENCE SOURCE

1. Purpose

The purpose of this guidance is to explain

- the scope of RIPA – Part II;
- the circumstances where it applies; and
- the authorisation procedures to be followed

2. Introduction

- 2.1 This Act, which came into force in 2000, is intended to regulate the use of investigatory powers exercised by various bodies including local authorities, and ensure that they are used in accordance with human rights. This is achieved by requiring certain investigations to be authorised by an appropriate officer and approved by the judiciary before they are carried out.
- 2.2 The investigatory powers, which are relevant to a local authority, are directed covert surveillance in respect of specific operations involving criminal offences that are either punishable, whether on summary conviction or indictment, by a maximum term of at least 6 months imprisonment or are related to the underage sale of alcohol and tobacco and the use of covert human intelligence sources (CHIS). The Act makes it clear for which purposes they may be used, to what extent, and who may authorise their use. There are also Codes of Practice in relation to the use of these powers and the Home Office web site link for these is at **Appendix C and D**.
- 2.3 Consideration must be given, prior to authorisation as to whether or not the acquisition of private information is necessary and proportionate, i.e. whether a potential breach of a human right is justified in the interests of the community as a whole, or whether the information could be obtained in other ways.

3. Scrutiny and Tribunal

3.1 External

- 3.1.1 The Council must obtain an order from a Justice of the Peace approving the grant or renewal of any authorisation for the use of directed surveillance or CHIS before the authorisation can take effect and the activity is carried out. The Council can only appeal a decision of the Justice of the Peace on a point of law by judicial review.

3.1.2 The Investigatory Powers Commissioners Office was set up to monitor compliance with RIPA. The IPCO has “a duty to keep under review the exercise and performance by the relevant persons of the powers and duties under Part II of RIPA”, and the Investigatory Powers Commissioner will from time to time inspect the Council’s records and procedures for this purpose.

3.1.3 In order to ensure that investigating authorities are using the powers properly, the Act also establishes a Tribunal to hear complaints from persons aggrieved by conduct, e.g. directed surveillance. Applications will be heard on a judicial review basis. Such claims must be brought no later than one year after the taking place of the conduct to which it relates, unless it is just and equitable to extend this period.

3.1.4 The Tribunal can order:

1. Quashing or cancellation of any warrant or authorisation;
2. Destruction of any records or information obtained by using a warrant or authorisation;
3. Destruction of records or information held by a public authority in relation to any person.

3.1.5 The Council has a duty to disclose to the tribunal all documents they require if any Council officer has:

- Engaged in any conduct as a result of such authorisation;
- Any authorisation under RIPA.

3.2 **Internal Scrutiny**

3.2.1 The Council will ensure that the Senior Responsible Officer is responsible for:

- The integrity of the process in place within the public authority to authorise directed surveillance;
- Compliance with part II of the 2000 Act, Part III of the 1997 Act and with the accompanying Codes of Practice;
- Engagement with the Commissioners and Inspectors when they conduct their inspections; and
- Where necessary, overseeing the implementation of any post-inspection action plans recommended or approved by a Commissioner.

3.2.2 The Cabinet will receive updates on the use of the Act at least once a year and set/review the Council’s policy and guidance documents where necessary. They will also consider internal reports on use of the Act where necessary to ensure that it is being used consistently with the Council’s policy and that the policy

remains fit for purpose. They should not, however, be involved in making decisions on specific authorisations.

3.3 Unauthorised Activities

- 3.3.1 If an Officer is concerned that surveillance/CHIS activity is taking place and there is no authorisation under RIPA, he/she should notify the Director of Legal and Governance (Monitoring Officer) immediately.
- 3.3.2 If any activity is deemed to be unauthorised, it will be reported to the IPCO.

4. Benefits of RIPA authorisations

- 4.1 The Act states that if authorisation confers entitlement to engage in a certain conduct and the conduct is in accordance with the authorisation, then it will be lawful for all purposes. Consequently, RIPA provides a statutory framework under which covert surveillance activity can be authorised and conducted compatibly with Article 8 of the Human Rights Act 1998 – a person's right to respect for their private and family life, home and correspondence.
- 4.2 Material obtained through properly authorised covert surveillance is admissible evidence in criminal proceedings.

5. Definitions

- 5.1 'Covert' is defined as surveillance carried out in such a manner that is calculated to ensure that the person subject to it is unaware that it is or may be taking place. (s.26 (9)(a)).
- 5.2 'Covert human intelligence source' (CHIS) is defined as a person who establishes or maintains a personal or other relationship with a person for the covert purpose of obtaining/providing access to/disclosing, information obtained through that relationship or as a consequence of the relationship. (s.26 (8)).
- 5.3 'Directed surveillance' is defined as covert but not intrusive and undertaken:
- for a specific investigation or operation;
 - in such a way that is likely to result in the obtaining of private information about any person;
 - other than by way of an immediate response (s.26 (2)).
- 5.4 'Private information' includes information relating to a person's private or family life but has a wide meaning, not excluding business or professional activities.

5.5 'Intrusive' surveillance is covert surveillance that is carried out in relation to anything taking place on any residential premises or in any private vehicle and involves the presence of an individual on the premises or in the vehicle or using a surveillance device. **Ashfield District Council may not authorise such surveillance.**

5.6 'Authorising Officer' in the case of local authorities these are specified as Assistant Chief Officers (and more senior officers), Assistant Heads of Service, Service Managers or equivalent, responsible for the management of an investigation (see Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010 (SI 2010/521)). Ashfield District Council has appointed the Chief Executive and Directors as "Authorising Officers". Please refer to **Appendix A** for a list of Authorising Officers for Ashfield District Council.

6. When does RIPA apply?

6.1 Where the directed covert surveillance of an individual or group of individuals, or the use of a CHIS, **is necessary for the purpose of preventing or detecting crime or of preventing disorder.**

6.2 The Council can only authorise **Directed Surveillance** to prevent and detect conduct which constitutes one or more criminal offences. The criminal offences must be punishable, whether on summary conviction or indictment, by a maximum term of at least 6 months imprisonment or be an offence under:

- a) S.146 of the Licensing Act 2003 (sale of alcohol to children);
- b) S.147 of the Licensing Act 2003 (allowing the sale of alcohol to children);
- c) S.147A of the Licensing Act 2003 (persistently selling alcohol to children);
- d) S.7 of the Children and Young Persons Act 1933 (sale of tobacco, etc, to persons under eighteen).

6.3 CCTV

The normal use of CCTV is not usually covert because members of the public are informed by signs that such equipment is in operation. However, authorisation should be sought where it is intended to use CCTV covertly and in a pre-planned manner as part of a specific investigation or operation to target a specific individual or group of individuals. Equally a request, say by the police, to track particular individuals via CCTV recordings may require authorisation (from the police).

The Council's CCTV is managed by Newark and Sherwood District Council pursuant to a Service Level Agreement.

6.4 Online Covert Activity

Reviewing open source sites does not require authorisation unless the review is carried out with some regularity, usually when creating a profile, in which case directed surveillance authorisation will be required. If it becomes necessary to breach the privacy controls and become, for example, a "friend" on a Facebook site, with the investigating officer utilising a false account concealing his/her identity as a Council Officer for the purposes of gleaning intelligence, this is a covert operation intended to obtain private information and should be authorised, at a minimum, as directed surveillance. If the investigator engages in any form of relationship with the account operator then the investigator becomes a CHIS requiring authorisation as such and management by a Controller and Handler with a record being kept and a risk assessment created.

Where the serious crime threshold is not met in relation to an investigation, surveillance of social media sites could amount to a breach of an individual's Article 8 rights for which there is no protection offered by RIPA. Officers using social media sites as part of an investigation should seek advice from Legal Services as to when an authorisation for directed surveillance or CHIS would be required.

The Revised Code of Practice for Covert Surveillance and Property Interference (August 2018) provides the following guidance in relation to online covert activity:

3.10 The growth of the internet, and the extent of the information that is now available online, presents new opportunities for public authorities to view or gather information which may assist them in preventing or detecting crime or carrying out other statutory functions, as well as in understanding and engaging with the public they serve. It is important that public authorities are able to make full and lawful use of this information for their statutory purposes. Much of it can be accessed without the need for RIPA authorisation; use of the internet prior to an investigation should not normally engage privacy considerations. But if the study of an individual's online presence becomes persistent, or where material obtained from any check is to be extracted and recorded and may engage privacy considerations, RIPA authorisations may need to be considered. The following guidance is intended to assist public authorities in identifying when such authorisations may be appropriate.

3.11 The internet may be used for intelligence gathering and/or as a surveillance tool. Where online monitoring or investigation is conducted covertly for the purpose of a specific investigation or operation and is likely to result in the obtaining of private information about a person or group, an authorisation for

directed surveillance should be considered, as set out elsewhere in this code. Where a person acting on behalf of a public authority is intending to engage with others online without disclosing his or her identity, a CHIS authorisation may be needed (paragraphs 4.10 to 4.16 of the Covert Human Intelligence Sources code of practice provide detail on where a CHIS authorisation may be available for online activity).

3.12 In deciding whether online surveillance should be regarded as covert, consideration should be given to the likelihood of the subject(s) knowing that the surveillance is or may be taking place. Use of the internet itself may be considered as adopting a surveillance technique calculated to ensure that the subject is unaware of it, even if no further steps are taken to conceal the activity. Conversely, where a public authority has taken reasonable steps to inform the public or particular individuals that the surveillance is or may be taking place, the activity may be regarded as overt and a directed surveillance authorisation will not normally be available.

3.13 As set out in paragraph 3.14 below, depending on the nature of the online platform, there may be a reduced expectation of privacy where information relating to a person or group of people is made openly available within the public domain, however in some circumstances privacy implications still apply. This is because the intention when making such information available was not for it to be used for a covert purpose such as investigative activity. This is regardless of whether a user of a website or social media platform has sought to protect such information by restricting its access by activating privacy settings.

3.14 Where information about an individual is placed on a publicly accessible database, for example the telephone directory or Companies House, which is commonly used and known to be accessible to all, they are unlikely to have any reasonable expectation of privacy over the monitoring by public authorities of that information. Individuals who post information on social media networks and other websites whose purpose is to communicate messages to a wide audience are also less likely to hold a reasonable expectation of privacy in relation to that information.

3.15 Whether a public authority interferes with a person's private life includes a consideration of the nature of the public authority's activity in relation to that information. Simple reconnaissance of such sites (i.e. preliminary examination with a view to establishing whether the site or its contents are of interest) is unlikely to interfere with a person's reasonably held expectation of privacy and therefore is not likely to require a directed surveillance authorisation. But where a public authority is systematically collecting and recording information about a particular person or group, a directed surveillance authorisation should be considered. These considerations apply regardless of when the information was shared online. See also paragraph 3.6.

Example 1: A police officer undertakes a simple internet search on a name, address or telephone number to find out whether a subject of interest has an online presence. This is unlikely to need an authorisation. However, if having found an individual's social media profile or identity, it is decided to monitor it or extract information from it for retention in a record because it is relevant to an investigation or operation, authorisation should then be considered.

Example 2: A customs officer makes an initial examination of an individual's online profile to establish whether they are of relevance to an investigation. This is unlikely to need an authorisation. However, if during that visit it is intended to extract and record information to establish a profile including information such as identity, pattern of life, habits, intentions or associations, it may be advisable to have in place an authorisation even for that single visit. (As set out in the following paragraph, the purpose of the visit may be relevant as to whether an authorisation should be sought.)

Example 3: A public authority undertakes general monitoring of the internet in circumstances where it is not part of a specific, ongoing investigation or operation to identify themes, trends, possible indicators of criminality or other factors that may influence operational strategies or deployments. This activity does not require RIPA authorisation. However, when this activity leads to the discovery of previously unknown subjects of interest, once it is decided to monitor those individuals as part of an ongoing operation or investigation, authorisation should be considered.

3.16 In order to determine whether a directed surveillance authorisation should be sought for accessing information on a website as part of a covert investigation or operation, it is necessary to look at the intended purpose and scope of the online activity it is proposed to undertake. Factors that should be considered in establishing whether a directed surveillance authorisation is required include:

- Whether the investigation or research is directed towards an individual or organisation;
- Whether it is likely to result in obtaining private information about a person or group of people (taking account of the guidance at paragraph 3.6 above);
- Whether it is likely to involve visiting internet sites to build up an intelligence picture or profile;
- Whether the information obtained will be recorded and retained;
- Whether the information is likely to provide an observer with a pattern of lifestyle;
- Whether the information is being combined with other sources of information or intelligence, which amounts to information relating to a person's private life;
- Whether the investigation or research is part of an ongoing piece of work involving repeated viewing of the subject(s);
- Whether it is likely to involve identifying and recording information about third parties, such as friends and family members of the subject of interest, or information posted by third parties, that may include private information and

therefore constitute collateral intrusion into the privacy of these third parties.

3.17 Internet searches carried out by a third party on behalf of a public authority, or with the use of a search tool, may still require a directed surveillance authorisation (see paragraph 4.32).

Example: *Researchers within a public authority using automated monitoring tools to search for common terminology used online for illegal purposes will not normally require a directed surveillance authorisation. Similarly, general analysis of data by public authorities either directly or through a third party for predictive purposes (e.g. identifying crime hotspots or analysing trends) is not usually directed surveillance. In such cases, the focus on individuals or groups is likely to be sufficiently cursory that it would not meet the definition of surveillance. But officers should be aware of the possibility that the broad thematic research may evolve, and that authorisation may be appropriate at the point where it begins to focus on specific individuals or groups. If specific names or other identifiers of an individual or group are applied to the search or analysis, an authorisation should be considered.*

7. Covert Human Intelligence Source

7.1 Put simply, this means the use of members of the public, undercover officers or professional witnesses to obtain information and evidence.

7.2 The RIPA definition (section 26) is anyone who:

- a) establishes or maintains a personal or other relationship with a person for the covert purpose of facilitating the doing of anything falling within paragraphs b) or c);
- b) covertly uses such a relationship to obtain information or provide access to any information to another person; or
- c) covertly discloses information obtained by the use of such a relationship or as a consequence of the existence of such a relationship.

Any reference to the conduct of a CHIS includes the conduct of a source which falls within a) to c) or is incidental to it.

References to the use of a CHIS are references to inducing, asking or assisting a person to engage in such conduct.

7.3 Section 26(9) of RIPA goes on to define:

- a) a purpose is covert, in relation to the establishment or maintenance of a personal or other relationship, if, and only if, the relationship is conducted in a manner that is calculated to ensure that one of the parties to the relationship is unaware of that purpose; and
 - b) a relationship is used covertly, and information obtained as mentioned in s 26(8) (c) above and is disclosed covertly, if, and only if it is used or as the case may be, disclosed in a manner that is calculated to ensure that one of the parties to the relationship is unaware of the use or disclosure in question.
- 7.4 With any authorised use of a CHIS, the Council must ensure that arrangements are in place for the proper oversight and management of the CHIS, this includes appointing individual officers as Handlers and Controllers in relation to the CHIS (s.29(5)(a) and (b)).
- 7.5 There is a risk that an informant who is providing information to the Council voluntarily may in reality be a CHIS even if not tasked to obtain information covertly. It is the activity of the CHIS in exploiting a relationship for a covert purpose which is ultimately authorised in the 2000 Act, not whether or not the CHIS is asked to do so by the Council. When an informant gives repeat information about a suspect or about a family and it becomes apparent that the informant may be obtaining the information in the course of a neighbourhood or family relationship, it may mean that the informant is in fact a CHIS. Legal advice should always be sought in such instances before acting on any information from such an informant.
- 7.6 Detailed advice regarding applications for use of a CHIS are set out at paragraph 8.1.5 below. In the event that the use of CHIS is considered, the Service Manager - Legal Services must be consulted before any steps are taken to engage the CHIS.

The Revised Code of Practice for Covert Human Intelligence Sources (August 2018) provides the following guidance in relation to online covert activity:

4.11 Any member of a public authority, or person acting on their behalf, who conducts activity on the internet in such a way that they may interact with others, whether by publicly open websites such as an online news and social networking service, or more private exchanges such as e-messaging sites, in circumstances where the other parties could not reasonably be expected to know their true identity should consider whether the activity requires a CHIS authorisation. A directed surveillance authorisation should also be considered, unless the acquisition of that information is or will be covered by the terms of an applicable CHIS authorisation.

4.12 Where someone, such as an employee or member of the public, is tasked by a public authority to use an internet profile to establish or maintain a relationship with a subject of interest for a covert purpose, or otherwise undertakes such activity on behalf of the public authority, in order to obtain or provide access to information, a CHIS authorisation is likely to be required. For example:

- An investigator using the internet to engage with a subject of interest at the start of an operation, in order to ascertain information or facilitate a meeting in person.*
- Directing a member of the public (such as a CHIS) to use their own or another internet profile to establish or maintain a relationship with a subject of interest for a covert purpose.*
- Joining chat rooms with a view to interacting with a criminal group in order to obtain information about their criminal activities.*

4.13 A CHIS authorisation will not always be appropriate or necessary for online investigation or research. Some websites require a user to register providing personal identifiers (such as name and phone number) before access to the site will be permitted. Where a member of a public authority sets up a false identity for this purpose, this does not in itself amount to establishing a relationship, and a CHIS authorisation would not immediately be required, though consideration should be given to the need for a directed surveillance authorisation if the conduct is likely to result in the acquisition of private information, and the other relevant criteria are met.

Example 1: *An HMRC officer intends to make a one-off online test purchase of an item on an auction site, to investigate intelligence that the true value of the goods is not being declared for tax purposes. The officer concludes the purchase and does not correspond privately with the seller or leave feedback on the site. No covert relationship is formed and a CHIS authorisation need not be sought.*

Example 2: *HMRC task a member of the public to purchase goods from a number of websites to obtain information about the identity of the seller, country of origin of the goods and banking arrangements. The individual is required to engage with the seller as necessary to complete the purchases. The deployment should be covered by a CHIS authorisation because of the intention to establish a relationship for covert purposes.*

4.14 Where a website or social media account requires a minimal level of interaction, such as sending or receiving a friend request before access is permitted, this may not in itself amount to establishing a relationship. Equally, the use of electronic gestures such as “like” or “follow” to react to information posted by others online would not in itself constitute forming a relationship. However, it should be borne in mind that entering a website or responding on these terms may lead to further interaction with other users and a CHIS authorisation should

be obtained if it is intended for an officer of a public authority or a CHIS to engage in such interaction to obtain, provide access to or disclose information.

Example 1: *An officer maintains a false persona, unconnected to law enforcement, on social media sites in order to facilitate future operational research or investigation. As part of the legend building activity he “follows” a variety of people and entities and “likes” occasional posts without engaging further. No relationship is formed and no CHIS authorisation is needed.*

Example 2: *The officer sends a request to join a closed group known to be administered by a subject of interest, connected to a specific investigation. A directed surveillance authorisation would be needed to cover the proposed covert monitoring of the site. Once accepted into the group it becomes apparent that further interaction is necessary. This should be authorised by means of a CHIS authorisation.*

4.15 When engaging in conduct as a CHIS, a member of a public authority should not adopt the identity of a person known, or likely to be known, to the subject of interest or users of the site without considering the need for authorisation. Full consideration should be given to the potential risks posed by that activity.

4.16 Where use of the internet is part of the tasking of a CHIS, the risk assessment carried out in accordance with section 6.13 of this code should include consideration of the risks arising from that online activity including factors such as the length of time spent online and the material to which the CHIS may be exposed. This should also take account of any disparity between the technical skills of the CHIS and those of the handler or authorising officer, and the extent to which this may impact on the effectiveness of oversight.

4.17 Where it is intended that more than one officer will share the same online persona, each officer should be clearly identifiable within the overarching authorisation for that operation, providing clear information about the conduct required of each officer and including risk assessments in relation to each officer involved. (See also paragraph 3.23)

7.7 Juvenile Sources

Special safeguards apply to the use or conduct of juvenile sources; that is sources under the age of 18 years. On no occasion should the use or conduct of a source under the age of 16 years be authorised to give information against his parents or any person who has parental responsibility for him. The duration of a juvenile CHIS is **four** months. The Regulation of Investigatory Powers (Juveniles) Order 2000 SI No. 2793 contains special provisions which must be adhered to in

respect of juvenile sources. Any authorisation of a juvenile CHIS must be made by the Head of Paid Service (Chief Executive) or an Officer authorised on his behalf.

7.8 **Vulnerable Individuals**

A vulnerable individual is a person who is or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of himself, or unable to protect himself against significant harm or exploitation. Any individual of this description should only be authorised to act as a source in the most exceptional circumstances. Any authorisation of a juvenile CHIS must be made by the Head of Paid Service (Chief Executive) or an Officer authorised on his behalf.

8. **Authorisations (see flowchart at Appendix B)**

8.1 **Applications for directed surveillance**

- 8.1.1 All application forms must be completed fully with all the required details to enable the Authorising Officer to make an informed decision.

An authorisation provides for one period of Directed Surveillance lasting three months. If a proposed operation is expected to be completed in a shorter timeframe, the authorisation will still last for three months but an appropriately early review should be carried out and, if the operation is no longer necessary or proportionate the authorisation should be cancelled.

Officers should ensure they are using the most up-to-date forms for RIPA Authorisations. Application forms are available on the Home Office website:

<https://www.gov.uk/government/collections/ripa-forms--2>

No authorisation shall be granted unless the Authorising Officer is satisfied that the investigation is:

- **Necessary** for the purpose of preventing or detecting crime. It must be a criminal offence punishable whether summarily or on indictment by a maximum sentence of at least 6 months imprisonment or related to the underage sale of alcohol or tobacco (see para 6);
- **Proportionate to the ultimate objective**. This has 3 elements, namely:
 - a) that the method of surveillance proposed is not excessive to the seriousness of the matter under investigation;
 - b) the method used must be the least invasive of the target's privacy; and

- c) the privacy of innocent members of the public must be respected and collateral intrusion minimised (see 8.1.2).
- **Collateral Intrusion** is intrusion on, or interference with, the privacy of persons other than the subject of the investigation;
- **No other form of investigation would be appropriate.**

Necessity: Covert surveillance cannot be said to be necessary if the desired information can reasonably be obtained by overt means. It must also be necessary for the purpose of preventing or detecting conduct which constitutes one or more criminal offences as set out in paragraph 6 above.

Proportionality: The method of surveillance proposed must not be excessive in relation to the seriousness of the matter under investigation. It must be the method which is the least invasive of the target's privacy.

Collateral intrusion, which affects the privacy rights of innocent members of the public, must be minimised and use of the product of the surveillance carefully controlled so as to respect those rights.

The grant of authorisation should indicate that consideration has been given to the above points. Advice should be obtained from Legal Services where necessary.

- 8.1.2 The Authorising Officer must also take into account the risk of '**collateral intrusion**'. The application must include an **assessment** of any risk of collateral intrusion for this purpose.

Steps must be taken to avoid unnecessary collateral intrusion and minimise any necessary intrusion.

Those carrying out the investigation must inform the Authorising Officer of any unexpected interference with the privacy of individuals who are not covered by the authorisation, as soon as these become apparent.

Where such collateral intrusion is unavoidable, the activities may still be authorised, provided this intrusion is considered proportionate to what is sought to be achieved.

The Authorising Officer should also fully understand the capabilities and sensitivity levels of any equipment being used to carry out directed surveillance so as to properly assess the risk of collateral intrusion in surveillance techniques.

8.1.3 **Special consideration in respect of confidential information**

Particular attention is drawn to areas where the subject of surveillance may reasonably expect a high degree of privacy, e.g. where confidential information is involved.

Confidential information consists of matters subject to legal privilege, communication between Members of Parliament and another person on constituency matters, confidential personal information or confidential journalistic material. (ss 98-100 Police Act 1997).

Legal privilege

Generally, this applies to communications between an individual and his/her legal adviser giving of legal advice in connection with, or in contemplation of, legal proceedings. Such information is unlikely ever to be admissible as evidence in criminal proceedings.

If in doubt, the advice of the Director of Legal and Governance (Monitoring Officer) or the Service Manager - Legal Services should be sought in respect of any issues in this area.

Confidential personal information

This is oral or written information held in (express or implied) confidence, relating to the physical or mental health or spiritual counselling concerning an individual (alive or dead) who can be identified from it. Specific examples provided in the codes of practice are consultations between a health professional and a patient, discussions between a minister of religion and an individual relating to the latter's **spiritual welfare** or matters of **medical or journalistic confidentiality**.

Confidential journalistic material

This is material acquired or created for the purposes of journalism and held subject to an undertaking to hold it in confidence.

It should be noted that matters considered to be confidential under RIPA may not necessarily be properly regarded as confidential under section 41 Freedom of Information Act 2000.

In such cases, where it is likely that knowledge of confidential information will be acquired, the use of covert surveillance is subject to a higher level of authorisation and therefore may only be authorised by the Head of Paid Services (Chief Executive) or an officer authorised by him for this purpose. Authorisation can only be granted where there are exceptional and compelling circumstances that make the authorisation necessary.

8.1.4 **Notifications to Inspector/Commissioner**

The following situations must be brought to the Inspector/Commissioner's attention at the next inspection:

- Where an officer has had to authorise surveillance in respect of an investigation in which he/she is directly involved;
- Where legally privileged information has been acquired
- Where a lawyer is the subject of an investigation or operation;
- Where confidential personal information or confidential journalistic information has been acquired and retained.

8.1.5 **Applications for CHIS**

Applications for CHIS are made in the same way as for directed surveillance except that the serious crime threshold of investigating criminal offences with a sentence of at least 6 months in imprisonment does not apply. The authorisation must specify the activities of the CHIS and that the authorised conduct is carried out for the purposes of, or in connection with, the investigation or operation so specified.

The Authorising Officer must be satisfied that the use of a CHIS has been risk assessed and is proportionate to what is sought to be achieved by that use and it must be necessary for the prevention and/or detection of crime.

A record must be kept of the matters mentioned in s29(5) and the Source Records Regulations (SI 2000/2725). The Justice of the Peace must be satisfied that the provisions of section 29(5) have been complied with.

Section 29(5) requires:

- “ (a) *that there will at all times be a person holding an office, rank or position with the relevant investigating authority who will have day-to-day responsibility for dealing with the source on behalf of that authority, and for the source's security and welfare;*
- (b) *that there will at all times be another person holding an office, rank or position with the relevant investigating authority who will have general oversight of the use made of the source;*
- (c) *that there will at all times be a person holding an office, rank or position with the relevant investigating authority who will have responsibility for maintaining a record of the use made of the source;*

- (d) *that the records relating to the source that are maintained by the relevant investigating authority will always contain particulars of all such matters (if any) as may be specified for the purposes of this paragraph in regulations made by the Secretary of State; and*
- (e) *that records maintained by the relevant investigating authority that disclose the identity of the source will not be available to persons except to the extent that there is a need for access to them to be made available to those persons.”*

All application forms must be fully completed with the required details with a risk assessment to enable the authorising officer to make an informed decision.

8.1.6 **Judicial Approval of Authorisations**

Once the Authorising Officer has authorised the Directed Surveillance or CHIS, the Authorising Officer (or his/her nominee) who completed the application form should contact the Magistrates' Court to arrange a hearing for the authorisation to be approved by a Justice of the Peace.

The Authorising Officer (or his/her nominee) will provide the Justice of the Peace with a copy of the original authorisation and the supporting documents setting out the case. This forms the basis of the application to the Justice of the Peace and should contain all information that is relied upon.

In addition the Authorising Officer (or his/her nominee) will provide the Justice of the Peace with a partially completed judicial application/order form.

The hearing will be in private and the Authorising Officer (or his/her nominee) will be sworn in and present evidence as required by the Justice of the Peace. Any such evidence should be limited to the information in the authorisation.

The Justice of the Peace will consider whether he/she is satisfied that at the time the authorisation was given there were reasonable grounds for believing that the authorisation or notice was necessary and proportionate and whether that continues to be the case. They will also consider whether the authorisation was given by the appropriate designated person at the correct level within the Council and whether (in the case of directed surveillance) the crime threshold has been met.

The Justice of the Peace can:

- a) **Approve the grant of the authorisation**, which means the authorisation will then take effect;

- b) **Refuse to approve the grant of the authorisation**, which means the authorisation will not take effect but the Council could look at the reasons for refusal, make any amendments and reapply for judicial approval.
- c) **Refuse to approve the grant of the authorisation and quash the original authorisation**. The court cannot exercise its power to quash the authorisation unless the applicant has at least 2 business days from the date of the refusal in which to make representations.

Guidance for applications to the Magistrates' Court can be found via the link at **Appendix E**.

8.1.7 **Working in partnership with the Police**

Authorisation can be granted in situations where the police rather than the Council require the surveillance to take action, as long as the behaviour complained of, meets all criteria to grant and in addition is also of concern to the Council. Authorisation cannot be granted for surveillance requested by the police for a purely police issue.

The Police may authorise RIPA without Magistrates' Court approval; if an urgent situation arises and RIPA authorisation would be required urgently the Council should contact the Police.

9. **Duration and Cancellation**

- An authorisation for **directed surveillance** shall cease to have effect (if not renewed) **3 months** from the date the Justice of the Peace approves the grant
- If renewed the authorisation shall cease to have effect 3 months from the expiry date of the original authorisation.
- An authorisation for **CHIS** shall cease to have effect (unless renewed) **12 months** from the date the Justice of the Peace approves the grant or renewal.

This does not mean that the authorisation should necessarily be permitted to last for the whole period so that it lapses at the end of this time. The Authorising Officer, in accordance with s.45 of the Act, must cancel each authorisation as soon as that officer decides that the surveillance should be discontinued.

Authorisations continue to exist even if they have ceased to have effect. Authorisations, therefore, must be cancelled if the directed surveillance as a whole no longer meets the criteria upon which it was authorised.

The date the authorisation was cancelled should be centrally recorded and documentation of any instruction to cease surveillance should be retained and kept with the cancellation form.

The cancellation form should detail what surveillance took place, if there was any collateral intrusion, what evidence was obtained and how it is to be managed, any risks to a CHIS. Details relating to the retention of records is set out in paragraph 13 below.

10. Reviews

The Authorising Officer should review all authorisations at intervals determined by him/herself. This should be as often as necessary and practicable. The reviews should be recorded.

If the directed surveillance authorisation provides for the surveillance of unidentified individuals whose identity is later established, the terms of the authorisation should be refined at review to include the identity of these individuals. A review would be appropriate specifically for this purpose.

Particular attention should be paid to the possibility of obtaining confidential information.

11. Renewals

Any Authorised Officer may renew an existing authorisation on the same terms as the original at any time before the original ceases to have effect.

The renewal must then be approved by the Justice of the Peace, before the expiry of the original authorisation, in the same way the original authorisation was approved.

The process outlined in paragraph 8.1.6 should be followed for renewals.

A CHIS authorisation must be thoroughly reviewed at regular intervals before it is renewed.

12. Central Register of Authorisations

12.1 All authorities must maintain the following documents:

- Copy of the application and a copy of the authorisation and Order made by the Magistrates' Court together with any supplementary documentation and notification of the approval given by the Authorising Officer;
- A record of the period over which the surveillance has taken place;
- The frequency of reviews prescribed by the Authorising Officer;
- A record of the result of each review of the authorisation;
- A copy of any renewal of an authorisation and Order made by the Magistrates' Court and supporting documentation submitted when the renewal was requested;
- The date and time when any instruction to cease surveillance was given;
- The date and time when any other instruction was given by the Authorising Officer.

12.2 To comply with 12.1, the Service Manager - Legal Services holds the central register of all authorisations issued by officers of Ashfield District Council. The original copy of every authorisation, renewal and cancellation issued should be lodged immediately with the Service Manager - Legal Services in an envelope marked 'Private and Confidential'. Any original authorisations and renewals taken to the Magistrates' Court should be retained by the Council, the Court must only keep copies of the authorisations or renewals.

12.3 The Council must also maintain a centrally retrievable record of the following information:

- type of authorisation
- date the authorisation was given
- date the approval Order was given by the Magistrates' Court
- name and rank/grade of the Authorising Officer
- unique reference number of the investigation/operation
- title (including brief description and names of the subjects) of the investigation/operation

- details of renewal
- dates of any approval Order for renewal given by the Justice of the Peace
- whether the investigation/operation is likely to result in obtaining confidential information
- date of cancellation
- whether the authorisation was granted by an individual directly involved in the investigation
- Magistrates' Court Information
- Where any application is refused, the grounds for refusal as given by the issuing authority or Judicial Commissioner:
- a record of whether, following a refusal of any application by a Judicial Commissioner, there is an appeal to the Investigatory Powers Commissioner;
- where there is such an appeal and the Investigatory Powers Commissioner also refuses the issuing of an application, the grounds for refusal given.

These records will be retained for at least 3 years and will be available for inspection by the Investigatory Powers Commissioner's Office.

13. **Retention of records**

The Council must ensure that arrangements are in place for the secure handling, storage and destruction of material obtained through the use of directed surveillance or CHIS.

All documents must be treated as strictly confidential and the authorising officer must make appropriate arrangements for their retention, security and destruction, in accordance with Data Protection legislation and the RIPA codes of practice. The recommended retention period for authorisation records is three years from the ending of the period authorised.

Records must be available for inspection by the Investigatory Powers Commissioner and retained to allow the Investigatory Powers Tribunal ('IPT'), established under Part IV of the 2000 Act, to carry out its functions.

Where the product of surveillance could be relevant to pending or future criminal or civil proceedings, it should be retained in accordance with established disclosure requirements for a suitable period, commensurate to any subsequent review. The Codes of Practice draw particular attention to the requirements of the code of practice issued under the Criminal Procedure and Investigations Act 1996. This requires that material which is obtained in the course of a criminal investigation and which may be relevant to the investigation must be recorded and retained.

14. **Complaints procedure**

- 14.1 The Council will maintain the standards set out in this guidance and the Codes of Practice (**See Appendix C and D**). The Chief Investigatory Powers Commissioner has responsibility for monitoring and reviewing the way the Council exercises the powers and duties conferred by RIPA.
- 14.2 Contravention of the Data Protection Act 2018 may be reported to the Information Commissioner. Before making such a reference, a complaint concerning a breach of this guidance should be made using the Council's own internal complaints procedure. To request a complaints form, please contact the Council at Council Offices, Urban Road, Kirkby-in-Ashfield, Nottinghamshire, NG17 8DA, or telephone 01623 450000, or e-mail to customerservices@ashfield.gov.uk
- 14.3 The 2000 Act establishes an independent Tribunal. The Tribunal has full powers to investigate and decide any case within its jurisdiction. Details of the relevant complaints procedure can be obtained from the following address:

Investigatory Powers Tribunal

PO Box 33220

London

SW1H 9ZQ

0207 035 3711

Email: info@ipt-uk.com

Appendix A – Authorising Officers

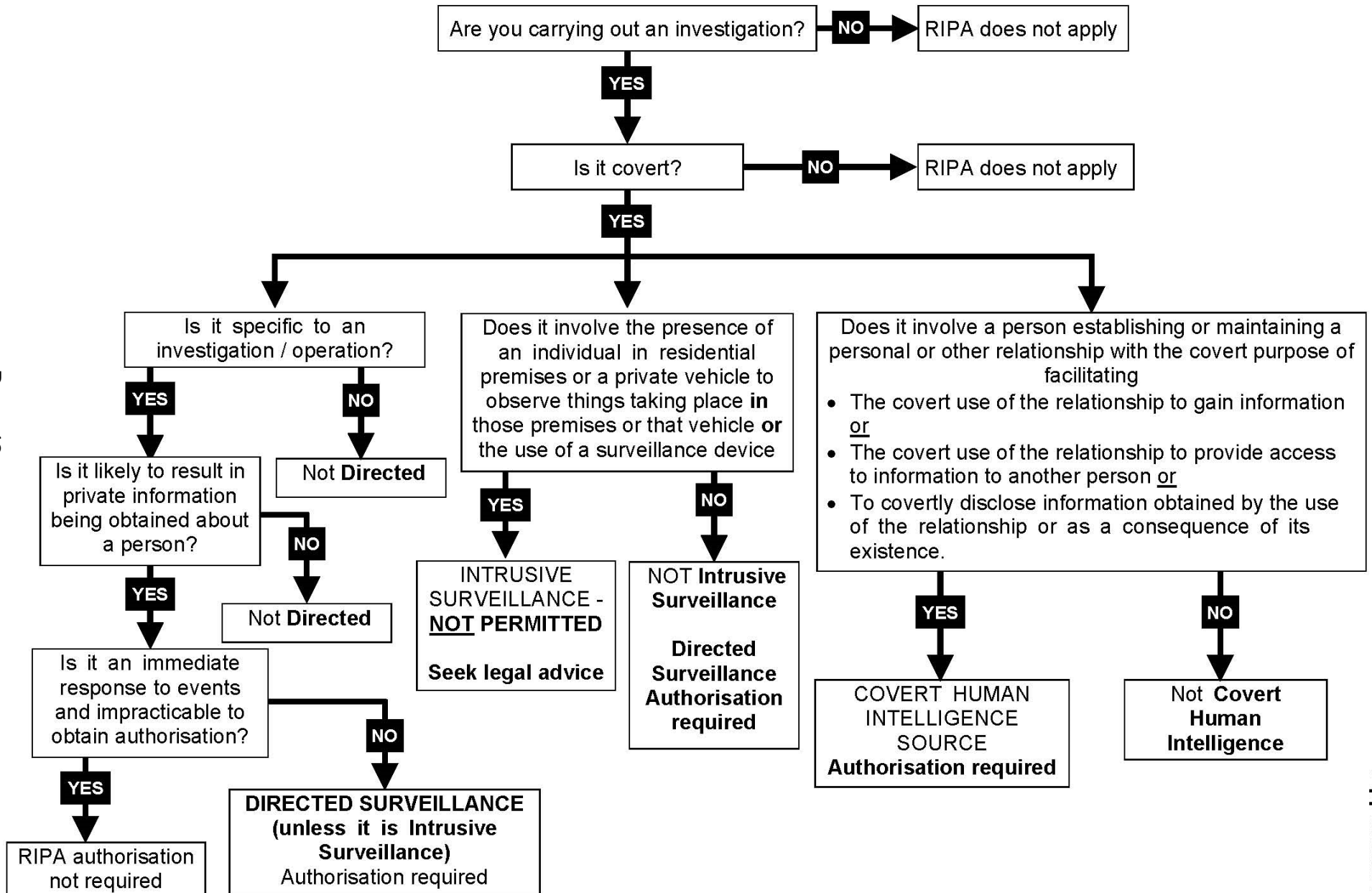
Job Title	Contact No.
Chief Executive, or interim Chief Executive (Head of Paid Service)	01623 450000 Ext: 4250
Director of Revenues and Business Transformation or interim Director	01623 450000 Ext: 4203
Director of Housing and Assets, or interim Director	01623 450000 Ext: 2891
Director of Place and Communities, or interim Director	01623 450000 Ext: 4374

For authorisations relating to Juveniles (para 7.7), Vulnerable CHIS (para 7.8) or Journalistic/Confidential Material (Para 8.1.3):

Chief Executive (Head of Paid Service), or interim Chief Executive	01623 450000 Ext: 4250
In exceptional circumstances:	
Director of Legal and Governance (Monitoring Officer) & RIPA Senior Responsible Officer	01623 450000 Ext: 4009

DIRECTED SURVEILLANCE

Regulation of Investigatory Powers Act 2000 - Do you need Authorisation?



APPENDIX C

Forms

See Home Office website:

<https://www.gov.uk/government/collections/ripa-forms--2>

APPENDIX D

Codes of Practice

See Home Office website:

<https://www.gov.uk/government/collections/ripa-codes>

APPENDIX E

Guidance for Applications at the Magistrates' Court

See Home Office website:

<https://www.gov.uk/government/publications/changes-to-local-authority-use-of-ripa>

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Investigatory Powers Commissioner's Office

Inspection Report – March 2022

Action Plan

Recommendation	Action	Who is Responsible?	Date for Completion	Date Completed
1. Annual Report to Cabinet regarding RIPA Policy and activity/non-activity	Report to Cabinet	Director of Legal and Governance	June 2022	COMPLETE Cabinet - 21 June 2022
2. Robust Policy statement (Social Media Policy) warning staff of the dangers of utilising personal profiles on social media for Council business	Review Employee Social Media Policy and ICT Social Networking Policy – include robust statement	HR Manager & Service Manager ICT / ICT Technical & Security Manager	June 2022 June 2022	New Social Media Policy revised Oct 2022 – COMPLETE ICT Social Networking Policy revised NOV 2022 - COMPLETE
	Cascade revised policies to staff and post reminder on MOTD	HR Manager & Service Manager ICT / ICT Technical & Security Manager	July 2022	New ICT policies cascaded to staff on MOTD - COMPLETE
	Include use of social media as an investigative tool in the revised training programme.	Director of Legal and Governance Service Manager, Legal Services	End of Dec 2022	COMPLETE

3. Training to recommence	Develop new training programme: <ul style="list-style-type: none"> • Generic • Specialist 	Director of Legal and Governance Service Manager, Legal Services	End of Dec 2022	Training programme developed - COMPLETE
	Implementation of the training programme	Director of Legal and Governance Service Manager, Legal Services	End of Dec 2022	Training for Legal Services and CLT COMPLETED Nov 2022 Training for relevant officers COMPLETED Dec 2022
	Training regarding Body Warn Cameras	Community Safety Manager	Annual refresh – April 2022	
4. Central Record – single electronic version only	Hardcopy version discontinued and staff informed that record to be retained in IKEN only. As no authorisations granted within the past 3 year, the record was “empty” anyway but we had retained a record sheet in a folder; this has been discontinued.	Director of Legal and Governance Service Manager, Legal Services	COMPLETE	COMPLETE 7 April 2022

5. Review retention and destruction policy requirements in particular for the destruction of product obtained as a result of covert activity	Include statements regarding retention and destruction in RIPA policy and CCTV Policy.	Director of Legal and Governance Service Manager, Legal Services Community Safety Manager	End of Sept 2022	Statement regarding retention and destruction in new RIPA policy - COMPLETE
	Develop and roll out a procedure document regarding retention and destruction to include paper based and electronic system eg, FLARE, ECINS, IKEN	Director of Legal and Governance Service Manager, Legal Services Community Safety Manager	End of Sept 2022	

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Report To:	CABINET
Date:	13TH DECEMBER 2022
Heading:	2022/23 FORECAST OUTTURN FOR GENERAL FUND, HOUSING REVENUE ACCOUNT (HRA) AND CAPITAL PROGRAMME AS AT SEPTEMBER 2022
Executive Lead Member:	EXECUTIVE LEAD MEMBER FOR FINANCE, REVENUES AND BENEFITS – CLLR DAVID MARTIN
Ward/s:	ALL
Key Decision:	NO
Subject to Call-In:	NO

Purpose of Report

To summarise the Council's forecast financial outturn position to 31 March 2023 compared to the latest approved budgets for the General Fund, Housing Revenue Account (HRA) and the Capital Programme. The forecast financial outturn is based on the actual financial activity to the 30 September 2022 and forecast costs and income from 1 October 2022 to 31 March 2023.

Recommendation(s)

Cabinet is requested:

- (1) To note the current forecast outturn for the General Fund, Housing Revenue Account (HRA) and Capital Programme for 2022/23.
- (2) To approve the budget adjustments outlined in paragraph 1.6 and section 3.1, Table 3.
- (3) To recommend to Council the amendments to the Capital Programme 2022/23 to 2023/24 and the funding of the Capital Programme as set out in Section 6 and Table 5.
- (4) To note that a Medium-Term Financial Strategy Update report will be brought to Cabinet in January 2023, reflecting the financial impact of the ongoing cost of living crisis.

Reasons for Recommendation(s)

In accordance with the Council's Financial Regulations to report to those charged with Governance, the financial position.

Alternative Options Considered

The financial position has to be reported to those charged with governance therefore there are no other options.

Detailed Information

Budget Monitoring April 2022 to Sept 2022 (General Fund and HRA)

1. Summary Budget for General Fund

- 1.1 Table 1 below sets out the 2022/23 net revenue forecast outturn position based on actual income and expenditure to September 2022 and forecast income and expenditure from October 2022 to March 2023, compared to the current revised budget (based on original budget approved by Council on the 3rd March 2022 and approved budget adjustments to 30th September 2022).
- 1.2 The current General Fund forecast variance against budget is a £570k overspend, being a forecast £910k use of General Fund balances compared to the revised budget of £340k use of General Fund balances.

Table 1 - Net Revenue Forecast to 31 March 2023 by Directorate

General Fund	Revised Budget	Forecast	Current Forecast Variance	Previous Forecast Variance	Change
	£'000	£'000	£'000	£'000	£'000
Directorate					
Chief Executive Officer	657	667	10	0	10
Legal and Governance	1,926	1,903	(23)	0	(23)
Resources and Business Transformation	(651)	(400)	251	113	138
Place and Communities	9,420	9,149	(271)	397	(668)
Housing and Assets	2,324	2,295	(29)	0	(29)
Energy Costs – all Directorates	33	33	0	0	0
Pay Award – all Directorates	0	806	806	0	806
Total Net Directorate Expenditure	13,709	14,453	744	510	234
Net Recharges	(2,927)	(2,927)	0	0	0
Capital Financing	2,591	2,462	(129)	(382)	253
Net Interest Payable /(Receivable)	20	188	168	71	97
Net Revenue Expenditure	13,393	14,176	783	199	584

Funding	(15,273)	(15,273)	0	0	0
Net Revenue Expenditure before transfer to(from) earmarked reserve	(1,880)	(1,097)	783	199	584
Transfer to(from) earmarked reserve	2,220	2,007	(213)	(209)	(4)
Net Revenue Expenditure after transfer to(from) earmarked reserve	340	910	570	(10)	580

- 1.3 Appendix 1 provides details of the variances for each Directorate, Corporate Costs and Funding.
- 1.4 The main changes since the previously reported position are:
- Resources and Business Transformation – Forecast underachievement of council tax recovery costs compared to budget.
 - Place and Communities - Budget adjustment (approved by Cabinet, in previous monitoring report) to recognise the use of the Covid reserve to fund the Liquidated Damages costs on the Leisure Centre building works. Also forecast reduced employee costs due to vacancies.
 - Energy costs – The revised budget and forecast include the estimated impact of increasing energy costs.
 - Pay award – The forecast includes the impact of the national pay award agreed.
 - Net Interest Payable - Higher interest rates increasing the interest earned on investments and the interest payable on balances.
- 1.5 As part of the previous forecast outturn position for 2022/23 as at July 2022, reported to the Cabinet meeting 27 September 2022, approval was given for the use of general fund balances of £152k to increase budgets in service area for further pressure on energy costs. In October 2022 the Government announced details of the Energy Bill Relief Scheme for businesses and other non-domestic customers. The scheme provides support for everyone on a non-domestic contract where a fixed price contract is agreed on or after 1 April 2022; a deemed or variable tariff; or a flexible purchase / similar contract. The Council's energy contracts include price changes at October for all gas supply and October or April for electricity supply; there are two electricity contracts with different assets on each contract. Therefore, it is anticipated the Energy Bill Relief Scheme will apply to the new rates the Council will have to pay from October 2022. Considering the estimated price increases and the relief scheme, it is now anticipated the pressure on energy costs will reduce to £33k. This has been reflected in Table 1 in terms of a revised budget (as within the 152k approved for this purpose) and the forecast for energy costs. Once the new rates and application of the Energy Bill Relief Scheme are fully known, service area budgets will be updated for the revised budgets and forecasts to reflect the increases and this line removed.
- 1.6 The budgets and forecasts included in each Directorate line in the table above are based on a 2% pay award. The current Employers flat rate offer of £1,925 per FTE regardless of grade was agreed in early November. This is an additional General Fund pressure of circa

£850k for 2022/23. This will be partially offset by £44k saving due to the 1.25% cut to National Insurance rates from November announced as part of Central Government mini budget in October, reversing the increase implemented from April 2022. This has been reflected in Table 1 by the inclusion of the pay award line. Cabinet approval is requested for a budget increase of £806k to fund the pay award from the General Fund balance. The impacts will be reflected within each Directorate for the next monitoring report and the pay award line removed.

- 1.7 Appendix 2 provides details of the approved and forecast earmarked reserves movements as at 30 September 2022.

2. General Fund Savings/Efficiencies Monitoring 2022/23

- 2.1 The 2022/23 budget included the proposed savings and efficiencies as detailed in Table 2 below. The forecast achievement of these savings is identified, on the following basis:
- saving has been achieved (green),
 - saving forecast to be achieved but actions are still required to secure the saving (amber),
 - saving will not be achieved (red).

Table 2 - General Fund Savings/Efficiencies Monitoring 2022/23

Saving / Efficiency	Detail	Budgeted Saving	Forecast Achieved Saving	Forecast Saving Shortfall
		£'000	£'000	£'000
Base Budget Review	Detailed line by line review of all General Fund budgets to identify areas of recurrent underspends and over-achievement of income budgets	43	43	0
		597	597	0
Neighbourhood Services	Deletion of vacant Performance Officer post	30	30	0
Place & Wellbeing	Staffing review – net saving	5	5	0
ICT	Renegotiation of Printing contract	5	5	0
Assets	Brook Street and Watnall Road offices rental income	108	108	0
Transformation Team	Staffing efficiencies	12	12	0
Grants	Community and Infrastructure Grants (net)	5	5	0
		805	805	0

- 2.2 The position outlined above shows all £805k savings are forecast to be achieved. £614k (categorised amber) of the £805k forecast savings are anticipated to be achieved, with actions currently being reviewed to ensure they are fully achieved.

3. General Fund Budget Adjustments

- 3.1 Cabinet approval is requested for the following budget adjustments to recognise additional income received in year and to create the corresponding expenditure budgets.

Table 3 – Budget Adjustments 2022/23

Description	£'000
Bed and Breakfast Expenditure	50
Housing Benefit Contribution to Bed and Breakfast Expenditure	(50)
Community Safety Partnership – Sanctuary Scheme income	(30)
Community Safety Partnership – Sanctuary Scheme expenditure	30
Safer Streets – Kirkby income	(158)
Safer Streets – Kirkby Expenditure	158
Place & Wellbeing – Consultancy Fee for Shared Prosperity fund	13
Place & Wellbeing – UK Shared Prosperity Fund development work grant (adjustment to be made once investment plan approved by DLUHC)	(13)

4. Summary for Housing Revenue Account (HRA)

- 4.1 Table 4 sets out the 2022/23 HRA forecast outturn position based on actual income and expenditure to September 2022 and forecast income and expenditure from October 2022 to March 2023, compared to the original budget approved by Council on 3rd March 2022 and approved budget adjustments to 30th September 2022.
- 4.2 Details of any significant variances incorporated within the forecast outturn are detailed in the commentaries below the table.

Table 4 – Housing Revenue Account Forecast to 31 March 2023

Description	2022/23 Revised Budget £'000	2022/23 Forecast Outturn £'000	Current Forecast Variance £'000	Previous Forecast Variance £'000	Change £'000
Income					
Rents, Charges and Contributions	(25,838)	(25,855)	(17)	0	(17)
Interest and investment income	(10)	(500)	(490)	(490)	0
Total Income	(25,848)	(26,355)	(507)	(490)	(17)
Expenditure					
Repairs and Maintenance	8,062	8,378	316	46	270
Supervision and Management	4,386	4,701	315	333	(18)
Interest payable and similar charges	3,548	3,548	0	0	0

Rents, Rates, Taxes and other charges	149	149	0	0	0
Depreciation and impairments of fixed assets	3,947	3,947	0	0	0
Debt Management Costs	44	44	0	0	0
Contribution to the Bad Debt Provision	200	200	0	0	0
Transfer to Major Repairs Reserve	4,199	3,199	(1,000)	0	(1,000)
Capital expenditure funded by the HRA	8,918	9,186	268	0	268
Total Expenditure	33,453	33,352	(101)	379	(480)
Net Cost of HRA Services	7,605	6,997	(608)	(111)	(497)

4.3 Interest and Investment Income

Increased Interest rates in the banking sector will increase the average annual interest rate on the HRA balances. Currently forecasting an increase of £490k but this is open to fluctuation dependant on the economy.

4.4 Repairs and Maintenance

Fuel price increases expected to remain high for the financial year forecasting an increase of £25k. Contractors negotiating changes to terms due to inflationary pressures within the construction industry £21k. Expected pay award above budget of £270k.

4.5 Supervision and Management

Forecasting an overspend due to utility price increases, this has reduced from the previous estimate of £317k to £209k with the Government's 6-month Energy Price Guarantee. Ombudsman fees increased to support the transformation in local complaint handling across the sector envisaged by the Social Housing White Paper £16k as previously reported. Expected pay award above budget of £90k.

4.6 Transfer to the Major Repairs Reserve (MRR)

The current forecast outturn shows the reduced level of financing required from the HRA for the major repair element of the capital programme for 2022/23. This is due to various major works schemes being unable to mobilise resources required to deliver the budget in full in year.

4.7 Capital Expenditure Funded by the HRA

Capital expenditure funded by the HRA is forecast higher than the revised budget due to the schemes estimating higher costs from the rise in construction labour and materials.

5 **HRA Savings/Efficiencies Monitoring 2022/23**

- 5.1 The 2022/23 HRA budget included the proposed savings and efficiencies as detailed in Table below. The forecast achievement of these savings is identified, on the following basis:

- saving has been achieved (green),
- saving forecast to be achieved but actions are still required to secure the saving (amber),
- saving will not be achieved (red).

Table 4 - HRA Savings/Efficiencies Monitoring 2022/23

<u>Saving/Efficiency</u>	<u>Detail</u>	Budgeted Saving	Forecast Achieved Saving	Forecast Saving Shortfall
		£'000	£'000	£'000
Relocation of Housing Staff	Brook Street Office rented out to DWP – staff relocated to Urban Road	215	215	0
Staff Establishment	Lettings Service Review - reduced by 1 Admin post	24	24	0
Staff Establishment	Housing Administration – reduced by 1 Senior Admin post	32	32	0
TOTAL		271	271	0

5.2 This remains as previously reported with all savings being achieved. The forecast achievement of these savings is included within the forecast outturn reported in section 4 of the report.

6 Capital Programme 2022/23

6.1 The current approved Capital Programme for 2022/23 as at 30th September 2022 is £54.954m. Table 5 below details Capital Programme changes proposed of £4.066m increasing the Capital Programme for 2022/23 to £59.020m.

6.2 The increase to the Capital Programme for the Towns Fund Projects is approved under delegated authority but is included for information, the other changes require approval by Full Council.

Table 5 – Capital Programme Proposed Changes 2022/23

	2022/23	2023/24	Total	Funding	Explanation
	£'000	£'000	£'000		
General Fund Schemes					
Towns Fund Projects	4,799	0	4,799	Grant	Further funding released from DLUCH following approval of business cases.
Tree Planting and Habitat Improvements, Ashfield-Wide	4	0	4	Grant	Grant received for £4k from Trees for Cities.
Total General Fund Schemes	4,803	0	4,803		

Housing Revenue Account					
Decent Homes Schemes					
Catch up and Major Repairs	-1,000	1,000	0	HRA Major Repairs	Slippage
Sub Total	-1,000	1,000	0		
Other Housing Revenue Account Schemes					
Maun View Sutton-in-Ashfield	-112	0	-112	HRA Balances	Savings expected on the scheme.
Warwick Close, Kirkby-in-Ashfield	375	375	750	HRA Balances	Cost pressures on the scheme.
Sub Total	263	375	638		
Total HRA Schemes	-737	1,375	638		
Grand Total	4,066	1,375	5,441		

6.2 Table 6 details the proposed Capital Programme 2022/23 including the above adjustments, the actual spend to date as at 30th September 2022 and an explanation of major variances.

Table 6 – Capital Programme Monitoring 2022/23

Description	Actual + Commitments to September 2022 £'000	Proposed December 2022 Capital Programme £'000	Variance to Proposed December 2022 Capital Programme £'000	Comments for major variances
Housing Revenue Account				
<i>Decent Homes Schemes</i>				
Management Fee	0	591	591	Expect to be spent by end of financial year.
Catch Up and Future Major Works	1,622	6,511	4,889	Expect to be spent by end of financial year.
Service Improvements	48	3,119	3,071	Main project commenced October 2022; expected to meet majority of spend by the end of the financial year (subject to weather and access to tenants' homes).
Contingent Major Repairs	41	82	41	
Exceptional Extensive Works	-10	1,010	1,020	Project to commence late in the financial year;
Kirkby & Rural	-80	0	80	Final account to be agreed.
Disabled adaptations - Major adaptations	13	524	511	Subcontractor delays. Tenant moving property so work has had to be re-specified. Unspent amount will be slippage into 23/24 to fund agreed works.
Disabled adaptations - Minor adaptations	155	352	197	Expect to be spent by end of financial year.
Sub Total	1,789	12,189	10,400	
<i>Other Housing Revenue Account Schemes</i>				
Affordable Housing	247	257	10	
Developments Sutton In Ashfield				
Davies Avenue Housing Project	0	1,980	1,980	Expect to be spent by end of financial year.
Devt of Unviable Garage Sites	39	856	817	Expect to be spent by end of financial year.
Kirkby-in-Ashfield				
Investment in New or Existing Dwellings	332	1,200	868	Difficulty in finding viable properties may result in slippage to 2023/24.
Green Homes Grant (HRA)	1	299	298	Under investigation, see overspend on GF scheme.
Green Homes Grant (HRA) (2)	243	450	207	Expect to be spent by end of financial year.
Hucknall Infill Sites	216	250	34	
Housing Vehicles	379	389	10	

Table 6 – Capital Programme Monitoring 2022/23

Maun View Sutton-in-Ashfield	927	3,088	2,161	Expect to be spent by end of financial year.
Northern View, Sutton-in-Ashfield	0	330	330	Expect to be spent by end of financial year.
Warwick Close, Kirkby-in-Ashfield	0	3,000	3,000	Expect to be spent by end of financial year.
Other Housing Revenue Account Schemes (less than £100k)	2	177	175	
Sub Total	2,386	12,276	9,890	
Total	4,175	24,465	20,290	
General Fund				
Annesley Public Open Space	0	106	106	Possible some slippage into 2023/24.
Depot Roof Repairs	121	773	652	Delayed due to Depot site review and investigation work.
Fox Street pop-up food court and car park	56	535	479	Spend ongoing likely to be slippage in 2023/24.
Green Homes Grant (GF)	1	1	0	
Green Homes Grant (GF) (2)	650	275	-375	Under investigation, see underspend on HRA scheme.
Health and Safety works for Kirkby Offices	111	115	4	Small forecast underspend at completion of the works.
Hucknall Car Park - Titchfield Street	0	0	0	
Hucknall Leisure Centre - Fixtures, Fittings and Equipment	-167	357	524	All Leisure Centre FFE budgets and actual are being reviewed. Underspend to be used to fund Lammas FFE overspend – position being finalised and then budget adjustment will be required.
Hucknall Leisure Centre - New Pool	3,367	3,390	23	
Improvement Grants 1996 Act Disabled Facility Grant	571	1,108	537	Expect to be spent by end of financial year.
In District Regeneration	0	3,000	3,000	Dependant on opportunities available.
Kings Mill Reservoir (The King and Miller to Kingfisher)	79	168	89	
Kings Mill Reservoir Car Park Expansion	0	192	192	Spend ongoing likely to be slippage in 2023/24.
Kirkby Leisure Centre	3,894	5,914	2,020	
Lammas Leisure Centre - Fixtures, Fittings and Equipment	1,052	716	-336	All Leisure Centre FFE budgets and actual are being reviewed. Overspend will be funded by underspends on the other Leisure Centre FFE schemes - position being finalised and then budget adjustment will be required.

Table 6 – Capital Programme Monitoring 2022/23

Low Street vacant units	163	3,177	3,014	Spend ongoing but not likely to be fully committed by year end. Delays in business case and governance sign off
New Kirkby LC - Fixtures, Fittings and Equipment	0	440	440	All Leisure Centre FFE budgets - position being finalised and then budget adjustment will be required.
Purchase of Vehicles	1,617	3,681	2,064	Expect to be spent by end of financial year.
Rurals and Open Space	14	120	106	Spend ongoing likely to be slippage in 2023/24. Delays due to scope change and new designs / costs required.
Sutton Academy Community Theatre/Cinema	28	398	370	Spend ongoing likely to be slippage in 2023/24. Delays in design and procurement process
Sutton Maker Space and Business Hub	197	1,117	920	Spend ongoing likely to be slippage in 2023/24. Delays in design and procurement process
Towns Fund Projects	1,120	8,073	6,953	Spend ongoing likely to be slippage in 2023/24.
Other General Fund Schemes (less than £100k)	114	899	785	Area schemes completion may be delayed due to resource issues.
Total	12,988	34,555	21,567	
Grand Total	17,163	59,020	41,857	

Implications

Corporate Plan:

The Revenue and Capital Budgets and Outturn position reflect delivery of the priorities in the Corporate Plan.

Legal:

This report ensures compliance with the Council's approved Financial Regulations. [RLD 23/11/2022]

Finance: [PH 25/11/2022].

Budget Area	Implication
General Fund – Revenue Budget	As set out in the detailed information section of the report.
General Fund – Capital Programme	As set out in the detailed information section of the report.
Housing Revenue Account – Revenue Budget	As set out in the detailed information section of the report.
Housing Revenue Account – Capital Programme	As set out in the detailed information section of the report.

Risk:

Risk	Mitigation
Failure to spend within approved budgets could impact the financial sustainability of the Council.	Regular financial monitoring reports to CLT and Cabinet. Financial Regulations. Finance training for Budget Managers and Budget Holders

Human Resources:

No implications

Environmental/Sustainability

No implications

Equalities:

No implications

Background Papers

Annual Budget and Council Tax 2022/23 and Medium-Term Financial Strategy Update to Council 3rd March 2022

Draft Outturn Report 2021/22 to Cabinet 19 July 2022

2022/23 Forecast outturn for General Fund, Housing Revenue Account (HRA) and Capital Programme as at July 2022 to Cabinet 27 September 2022.

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Appendix 1

Directorate: Chief Executive's Department

Forecast as at: 30/09/2022

Service Area	Forecast Underspend OR Income over-recovery (-) £'000	Forecast Overspend OR Income under-recovery (+) £'000	Key reasons for forecast variance
CEO		10	Vacancy factor not achievable
Total	0	10	
Net Forecast Under/Overspend	10		

Directorate:

Legal & Governance

Forecast as at:

30/09/2022

Service Area	Forecast Underspend OR Income over-recovery (-) £'000	Forecast Overspend OR Income under-recovery (+) £'000	Key reasons for forecast variance
Director		2	Vacancy factor not achievable
Legal Services		58	End of Shared Service with MDC. Some costs unable to reduce (e.g., Thomson Reuters). Payment to agency to recruit ex locum. Some costs need to be moved against Towns Fund Schemes.
Risk & Emergency Planning - Corporate Safety	-30		Vacant post
Democratic & Scrutiny Services		10	Vacancy factor not achievable
Electoral Services	-44		Service Manager vacancy
Governance Admin	-19		Vacant posts - Customer Service review phase 1
Total	-93	70	
Net Forecast Under/Overspend	-23		

Directorate:

Resources & Business Transformation

Forecast as at:

30/09/2022

Service Area	Forecast Underspend OR Income over-recovery (-) £'000	Forecast Overspend OR Income under-recovery (+) £'000	Key reasons for forecast variance
Director		5	Vacancy factor not achievable
HR & Payroll		5	Occupational Health Costs
ICT	-1	18	Vacancy factor not achievable
	-6		Materials - Toners are required less frequently
		6	Licences - Microsoft Help Desk is no longer required
			Telephones
GIS	-15		Street Naming & Numbering - had a one-off fee Barratt Homes
Revenues & Benefits	-3	26	Reduction in IBS Sundry Debtors income
			Reduction in Court Costs for Council Tax
		6	Reduction in Admin Grant - Budget based on previous year as the notification comes after the budgeting process
		150	Reduction in Income for Council Tax Court Reimbursements
	-104		Vacancies within the Section
	-1		Reduction in Car Mileage
	-1		Reduction in Car Lump Sum Allowance - vacancy
Customer Services		14	Staffing changes within the Section - Customer Services Review Phase 1

Finance			8	Vacancy factor not achievable
			1	Overspent on printing & stationery
	-1			Unbudgeted commission received
Investment Properties			125	Reduction in Hotel income, agreed to continue with 10% of turnover until 31-03-2023. To be met from Covid Reserve.
			2	Vacancy factor not achievable
Commercial Properties			2	Vacancy factor not achievable
	-7		22	Increased costs over all Commercial Properties
				Unbudgeted rental income
Total	-139	390		
Net Forecast Under/Overspend	251			

Directorate:

Place & Communities

Forecast as at:

30/09/2022

Service Area	Forecast Underspend OR Income over-recovery (-) £'000	Forecast Overspend OR Income under-recovery (+) £'000	Key reasons for forecast variance
Service Director		5	Increased employee costs (Interim covering substantive post)
Community Safety	-20 -6	34	Safer Streets repayment & residual costs Net saving from staff costs as a result of vacancies Increased contributions from partners
Neighbourhood Services	-221		Net saving from staff costs as a result of vacancies
Waste Services	-69	5	Higher income from Trade Waste. Increased employee costs mainly due to vacancy factor not achieved
Transport	-17		Net saving from employee costs as a result of vacancies
Place & Wellbeing	-59		Net saving from employee costs as a result of vacancies

		13	Payment for consultancy in respect of UK Shared Prosperity Fund. Government funding is to be received for the UK Shared Prosperity Fund development work, once the investment plan is signed off.
Markets		99	Lower income from Indoor Markets
		10	Increased employee costs mainly due to vacancy factor not achieved
Licensing	-7		Reduced employee costs mainly due to vacancy, partly offset by vacancy factor not achieved
Regeneration		4	Increased employee costs due to vacancy factor not achieved
Planning & Regulatory Services	-42		Net saving from employee costs as a result of vacancies
Total	-441	170	
Net Forecast Under/Overspend	-271		

Directorate:

Housing & Assets

Forecast as at:

30/09/2022

Service Area	Forecast Underspend OR Income over-recovery (-) £'000	Forecast Overspend OR Income under- recovery (+) £'000	Key reasons for forecast variance
Private Sector Housing		5	Costs incurred in moving on illegal traveller occupation.
Assets & Investments	-34		Reduced employee costs due to vacancies, partly offset by vacancy factor not achieved
Total	-34	5	
Net Under/Overspend	-29		

Corporate Costs

Corporate Costs

Forecast as at:

30/09/2022

Service Area	Forecast Underspend OR Income over-recovery (-) £'000	Forecast Overspend OR Income under-recovery (+) £'000	Key reasons for forecast variance
Loan Interest payable	-119		Forecast interest saving due to managing borrowing need through internal borrowing not taking on external debt. This has been achieved due to the increase in reserve levels and working capital.
Minimum Revenue Provision (MRP)	-96		Slippage and switch funding on 2021/22 Capital Programme funded by borrowing reducing the MRP charges in 2022/23
Capital Expenditure Financed from Revenue		86	£34k External Health and Safety, £49k Windmill and £3k Shop fronts - All funded from reserves
Net investment income		168	Higher interest rates increasing the interest earned on investments and the interest payable on balances. The balances held on behalf of others is forecast to be greater than the cash balances due to internal borrowing, resulting in a net interest cost.
	-215	254	
Net Forecast Under/Overspend	39		

Funding

Forecast as at:

30/09/2022

Service Area	Forecast Underspend OR Income over-recovery (-) £'000	Forecast Overspend OR Income under-recovery (+) £'000	Key reasons for forecast variance
No forecast variances			
Net Forecast Under/Overspend	0	0	

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Appendix 2

Statement of Movement on Reserves

	Opening Balance 1 April 2022	Approved		Balance 30 Sept 2022	Forecast		Forecast Balance 31 March 2023	Forecast Comments
		Contributions	Withdrawals		Contributions	Withdrawals		
General Fund Reserves	£	£	£	£			£	
Service Earmarked Reserves								
Elections	-118,858	-74,000	0	-192,858	0	0	-192,858	Direct Revenue Financing
Insurance Related Funds (Inc Risk Mngt)	-361,996	-75,000	0	-436,996	0	0	-436,996	
Revenue Grant Reserve	-3,217,294	0	543,000	-2,674,294	0	3,000	-2,671,294	
District Planning Enquiry Fund	-232,773	-39,000	183,000	-88,773	0	0	-88,773	
Asset Renewal	-646,776	0	0	-646,776	0	83,000	-563,776	
Leisure Maintenance Reserve (joint Use Pre 2021)	-388,678	-753,000	0	-1,141,678	0	0	-1,141,678	
Local Authority Mortgage Scheme (LAMS) Reserve	-15,899	0	0	-15,899	0	0	-15,899	
NNDR Equalisation Reserve	-3,210,791	-1,649,000	0	-4,859,791	0	0	-4,859,791	
Supported Housing Trading Fund	-53,377	0	0	-53,377	0	0	-53,377	
Corporate Change Reserve	-1,327,804	0	15,000	-1,312,804	0	0	-1,312,804	
Commercial Property Investment Reserve	-3,500,000	-700,000	0	-4,200,000	0	0	-4,200,000	
Economic Development and Place Reserve	-383,759	0	0	-383,759	0	0	-383,759	
Joint Crematorium Reserve	-540,738	0	0	-540,738	0	0	-540,738	
Selective Licencing	-56,794	0	0	-56,794	0	0	-56,794	
Licensing Reserve	-214,621	0	0	-214,621	0	0	-214,621	
Brexit Reserve	0	0	0	0	0	0	0	Hotel Rent
Covid-19 Grant Reserve	-886,000	0	374,000	-512,000	0	125,000	-387,000	
Legal Reserve	-10,000	-15,000	0	-25,000	0	0	-25,000	
Winter Maintenance Reserve	-10,000	-5,000	0	-15,000	0	0	-15,000	

Commercial Property Dilapidations Reserve	-20,000	-10,000	0	-30,000	0	0	-30,000	
Call Monitoring Reserve	0	0	0	0	0	0	0	
Harold Farr Bequest	-2,181	0	0	-2,181	0	2,181	0	Grants
IT Reserve	0	-15,000	0	-15,000	0	0	-15,000	
Total Service Earmarked Reserves	-15,198,338	-3,335,000	1,115,000	-17,418,338	0	213,181	-17,205,157	
Taxation Earmarked Reserve								
NNDR/Ctax S31 & Compensation Reserve	-2,235,918	0	1,683,111	-552,807	0	0	-552,807	
General Balance Reserve	-9,004,256		340,000	-8,664,256		806,000	-7,858,256	Pay award

HRA Reserves

Service Earmarked Reserve	Opening Balance 1 April 2022	Approved		Balance as at 30 Sept 2022	Forecast as at 30 Sept 2022		Forecast Closing Balance as at 31 March 2023	Forecast Comments
		Contributions	Withdrawals		Contributions	Withdrawals		
HRA Revenue Grants Reserve	-25,130	0	0	-25,130	0	0	-25,130	Energy Analytics Solution Procurement towards Social Housing Decarbonisation Housing Solution Interim Project Management Resource
HRA Eco Funding Reserve	-263,430	0	0	-263,430	0	19,882	-243,548	
HRA Insurance Reserve	-144,237	0	20,000	-124,237	0	0	-124,237	
HRA Corporate Change Reserve	-192,450	0	0	-192,450	0	24,750	-167,700	
HRA Technology Investment	-25,566	0	24,000	-1,566	0	0	-1,566	
HRA Welfare Reform Reserve	-170,399	0	100,000	-70,399	0	0	-70,399	
Total HRA Earmarked Reserves	-821,212	0	144,000	-677,212	0	44,632	-632,580	

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Report To:	CABINET
Date:	13 DECEMBER 2022
Heading:	ASHFIELD DISTRICT COUNCIL'S INFRASTRUCTURE FUNDING STATEMENT 2021/22
Executive Lead Member:	CLLR MADIGAN- EXECUTIVE LEAD MEMBER FOR CUSTOMER SERVICES AND STRATEGIC PLANNING
Ward/s:	ALL
Key Decision:	YES
Subject to Call-In:	YES

Purpose of Report

Local authorities, such as Ashfield, are required to produce and publish an infrastructure funding statement on an annual basis, because of changes to government legislation (Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019).

Approval is sought for the Council's Infrastructure Funding Statement dated November 2022. The document sets out the 2021/22 (1st April 2021 – 31st March 2022) income and expenditure relating to Section 106 (S106) agreements. It contains a summary of the financial contributions secured by the Council through S106 agreements from new developments for onsite provision of infrastructure, off-site infrastructure works and affordable housing. It also sets out planned expenditure for future years showing how unallocated funds will be spent. The statement is attached as part of this report.

Recommendation(s)

- 1. That Cabinet approves the Council's Infrastructure Funding Statement 2021/22 dated November 2022 and to publish on the Council's website in accordance with Regulation 121A of the Regulations.**

Reasons for Recommendation(s)

The Council is required to prepare and publish an Infrastructure Funding Statement under Regulation 121A of the Regulations before the end of the 2022 calendar year.

Alternative Options Considered

The Council is required to prepare and publish an Infrastructure Funding Statement under Regulation 121A of the Regulations before the end of the calendar year. The content of the Statement is accurate and is as prescribed in the Regulations. If approval of the publication of the Statement is not given, it would be contrary to the Regulations.

Not recommended.

Detailed Information

The Council's Infrastructure Funding Statement dated November 2022 sets out the 2021/22 (1st April 2021 – 31st March 2022) income and expenditure relating to Section 106 (S106) agreements. It contains a summary of the financial contributions secured by the Council through S106 agreements from new developments for onsite provision of infrastructure, off-site infrastructure works and affordable housing across the whole of the District. It also sets out planned expenditure for future years showing how unallocated funds will be spent.

Implications

Corporate Plan: The Infrastructure Funding statement supports the objectives of the Corporate Plan by identifying S106 funding to support infrastructure in association with development and maximise the benefits and opportunities from growth.

Legal: To comply with the requirements of The Community Infrastructure Levy Regulations 2010 (and amendments thereto) an Infrastructure Funding Statement for the annual year 2021/22 must be published before 31st December 2022. The Statement must include the information set out in Regulation 121A and the relevant schedules detailed therein. [RLD 15/11/2022]

Finance: [PH 16/11/2022].

Budget Area	Implication
General Fund – Revenue Budget	No financial implications contained within the Report.
General Fund – Capital Programme	Failure to correctly identify and deliver on the S106 schemes would mean that contributions including RPI inflation may have to be paid back to the developer.
Housing Revenue Account – Revenue Budget	No financial implications contained within the Report.
Housing Revenue Account – Capital Programme	No financial implications contained within the Report.

Risk:

Risk	Mitigation
No known risks	N/A

Human Resources: There are no direct HR implications related to the Report. There are no direct equality issues arising from the approval of the Statement. It is not envisaged that approving the recommendation within this report will adversely disadvantage any groups.

Environmental/Sustainability

Sustainability is at the heart of the planning system and the Infrastructure Funding Statement has been prepared with the aim of assisting with delivering sustainable development in the District in accordance with the requirements of paragraphs 7 and 8 of the National Planning Policy Framework (NPPF), 2021.

Equalities: There are no direct equality issues arising from the approval of the statement. It is not envisaged that approving the recommendation within this report will adversely disadvantage any groups.

Other Implications:

N/A

Reason(s) for Urgency

N/A

Reason(s) for Exemption

N/A

Background Papers

A copy of the Council's Infrastructure Funding Statement dated November 2022 (1st April 2021 – 31st March 2022) is appended to this report.

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Ashfield District Council

Infrastructure Funding Statement 2021/22

November 2022

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1. Introduction

1.1: About this statement

Welcome to Ashfield District Council's Infrastructure Funding Statement (IFS). This document sets out the 2021/22 (1st April 2021 – 31st March 2022) income and expenditure relating to Section 106 (S106) agreements.

Local authorities, such as Ashfield, are required to produce an infrastructure funding statement on an annual basis, because of recent changes to government legislation. [The Community Infrastructure Levy \(Amendment\) \(England\) \(no.2\) Regulations 2019](#). This document is the Council's infrastructure funding statement. For reporting S106 developer contributions, infrastructure can be defined as the following forms:

PHYSICAL

Transport is defined as strategic & local highway networks, bus rail, airports, travel management, cycle and pedestrian facilities, car parking.

Affordable Housing is defined as houses and flats.

Energy is defined as gas and electricity generation and distribution, renewable energy projects.

Water is defined as water supply, water treatment, drainage, flood defences, water quality.

Digital is defined as including broadband and wireless connections.

Waste is defined as collection and disposal, recycling.

Minerals is defined as reserves.

SOCIAL

Education is defined as primary, secondary, further education, and adult education.

Health is defined as centres, GP and dental surgeries, hospitals.

Emergency Services is defined as Police, Fire, Ambulance, community support.

Community Services is defined as community centres and centres for children, young people, elderly, and those with additional needs. Cemeteries, post offices.

Culture and Leisure is defined as museums, theatres, cinemas, sport centres, swimming pools, libraries, public art and realm, heritage assets.

GREEN

Open Space is defined as parks and country parks, children's play areas, sport pitches and grounds, allotments.

Forestry is defined as urban forest, woodland.

Biodiversity is defined as local wildlife sites, local nature reserves, private nature reserves, Sites of Special Scientific Interest, geological sites

BLUE

Waterways are defined as main rivers, small watercourses, canals.

S106 (known as ‘planning obligations’ or ‘developer contributions’) income is used to help fund the provision of supporting infrastructure in association with development and maximise the benefits and opportunities from growth, such as town centre regeneration and affordable homes. This can be onsite, off site or involve financial contributions known as commuted sums, in lieu of provision. Contributions for transport, affordable housing, education, open space, public realm, regeneration, and health are most commonly requested for new infrastructure in Ashfield. Further information on this can be found in Section 2. S106 Contributions.

Developer contributions are normally a key component of any authority’s approach to developing and delivering an infrastructure strategy for their area. Effective infrastructure planning, prioritisation, and governance of spend are critical to supporting the delivery of sustainable development and growth. [Developer contributions. Start with the spend in mind. PAS February 2020.](#) The Local Plan (Ashfield Local Plan Review 2002), prepared by the Council, is a plan for the future development of the District. The Local Plan (Ashfield Local Plan Review 2002) guides decisions on whether or not planning applications can be granted and details the requirements under which development contributions can be sought. Work is also underway on a replacement plan which, once adopted, will replace the Ashfield Local Plan Review 2002.

This report contains a summary of the financial contributions secured by the Council through S106 agreements from new developments for onsite provision of infrastructure, off-site infrastructure works and affordable housing. This report does not include highway works completed as part of Section 278 agreements (as this is within the remit of Nottinghamshire County Council as the highway authority) or Community Infrastructure Levy (CIL) Tariff payments. The Community Infrastructure Levy (the ‘levy’) is a charge which can be levied by local authorities on new development in their area. Ashfield District Council does not currently operate this charge as part of its development management processes.

Where S106 financial obligations have been secured and received on behalf of Nottinghamshire County Council (NCC) for highways, education or library infrastructure or the NHS Nottingham and Nottinghamshire Clinical Commissioning Group (CCG) for healthcare provision, the obligations will be recorded as spent within this document. NCC or CCG will explain, within their own IFS / reporting, details of how the funding has been used.

The information in this report will be published on the Council’s website and updated annually. [Ashfield District Council Infrastructure Statement 21 22](#)

The information is correct at date of publication. However, committed works for future years may be subject to change due to prevailing economic conditions, new legislation, and revised corporate priorities.

1.2: Key headlines from the statement

Monetary contributions

Total Money to be provided through planning obligations agreed in 2021/22	£4,733,435.05
Total Money received through planning obligations (whenever agreed) in 2021/22	£4,432,484.95
Total Money received through planning obligations (whenever agreed) spent in 2021/22	£935,804.86
Total Money received through planning obligations (whenever agreed) retained at the end of 2021/22 (excluding “commuted sums” for longer term maintenance)	£8,230,115.14
Total Money received through planning obligations (whenever agreed) retained at the end of 2021/22 (excluding “commuted sums” for longer term maintenance)	£51,173.72

Non- Monetary Contributions

Total number of affordable housing units to be provided through planning obligations agreed in 2021/22	23
Total number of affordable housing units which were provided through planning obligations (whenever agreed) in 2021/22	124
Total number of school places for pupils to be provided through planning obligations agreed in 2021/22	0
Total number of school places for pupils which were provided through planning obligations (whenever agreed) in 2021/22	Refer to Nottinghamshire County Council’s Infrastructure Financial Statement

2. S106 Contributions

2.1 Section 106 (S106) obligations

A Local Planning Authority can seek obligations, both physically on-site for a development and contributions for off-site, under Section 106 (S106) of the Town and Country Planning Act 1990. The obligations assist in mitigating the impact of otherwise unacceptable development to make it acceptable in planning terms. Obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. The obligations must be:

- Necessary to make the development acceptable in planning terms.
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

As part of the planning process, the development of new housing requires the provision of additional social, physical, and economic infrastructure to avoid a detrimental effect on the surrounding area and the lives of residents. Planning obligations assist in mitigating the impact of development which benefits local communities and supports the provision of local infrastructure [Government planning obligation guidance](#)

S106 obligations can include:

- Requirements for parts of a development to be used in certain ways (“in-kind” contributions), for example for affordable housing.
- Requirements for certain works to be undertaken or for other requirements and /or restrictions on the form of the development, for example requiring the development to be car free.
- Financial contributions to address the impacts of development (“off-site contributions”) – usually limited to those cases where it is not feasible to meet policy requirements on site and / or to mitigate specific development impacts, for example the carbon emissions from development.

Planning Practice Guidance 2019 Paragraph 023 ‘Planning Obligations’ [Planning Practice Guidance 2019 Planning obligations](#) states the following

“Planning obligations for affordable housing should only be sought for residential developments that are major developments...For residential development, major development is identified in the National Planning Policy Framework (2019) as development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development, it means additional floor space of 1,000 square metres or more, or a site of 1 hectare or more.

Planning obligations should not be sought from any development consisting only of the construction of a residential annex or an extension to an existing home.”

However, there are specific circumstances where contributions through planning obligations should not be sought from developers. These are:

Monitoring fees can be secured as part of a S106, but the amount secured must fairly and reasonably relate to the development and must be applied to monitoring costs.

2.2 Ashfield Local Plan Review 2002

The previous Ashfield Local Plan was adopted by Ashfield District Council in December 1995 with a plan period to 2001. Following adoption of the Nottinghamshire Structure Plan Review in November 1996, work commenced on the Ashfield Local Plan Review with a plan period to 2011. The Council resolved on 5th September 2002, to formally adopt the Local Plan in its modified form. The Council publicly advertised its decision to adopt the Plan (Ashfield Local Plan Review 2002), on the 22nd November 2002.

Local Planning Authorities such as Ashfield District Council are required under the Planning and Compulsory Purchase Act 2004 to prepare and maintain an up-to-date Local Development Scheme which helps project manage the ongoing production of the Local Plan. As part of the production of a new local plan, the Council prepared a revised Local Development Scheme (LDS) adopted 2018.

[Ashfield District Council Local Development Scheme](#)

The LDS represents a public statement of the programme for the preparation of the Local Plan, identifying key milestones and preparation arrangements. It also ensures that infrastructure planning forms an integral part of the evidence base for a new local plan.

The Council prepared an Infrastructure Delivery Plan (IDP) [Ashfield District Council Infrastructure Delivery Plan 2016](#) as an evidence base document for the Local Plan in 2016 and was submitted for Examination (Feb 2017). The Infrastructure Delivery Plan brings together infrastructure requirements and information relating to the policies and proposals contained in the development plan. In doing so, infrastructure planning may reveal gaps in public funding for infrastructure provision, which will be assisted by developer contributions.

In 2018, the decision was made to withdraw the Local Plan (2016) and start work on a new Local Plan which, at the time of publication of this document is ongoing.

Planning applications must take into account the saved development plan policies of the Ashfield Local Plan Review (2002) until such time as a new plan is adopted. The saved policies, as identified below set out the Council's priorities on planning obligations in the context of negotiations on planning applications, with the highest priority given to affordable housing and education. Other priorities include public open space and public realm improvements, healthcare provision and transport infrastructure such as cycle lanes / routes, bus service improvements and traffic flow improvements.

Local Plan Review 2002 Policy Reference and Titles

HG1	Housing Land Allocations
HG4	Affordable Housing
HG6	Public Open Space in New Residential developments
TR6	Developer contributions to Transport Improvements
RC3	Formal Open Space

The policies are supplemented by a number of adopted strategies such as the Public Open Space Strategy (2016) which considers the open space requirements for Ashfield for the period 2016 – 2026 and the Playing Pitch Strategy (2017) The Playing Pitch Strategy provides an overview of the provision for various sports in Ashfield for the period 2017 – 2020, which set standards and guide requests for developer contributions.

Ashfield District Council continues to work proactively with infrastructure and service providers (Nottinghamshire County Council for Education and Highways, healthcare providers such as NHS Nottingham and Nottinghamshire Integrated Care Board, etc.) to determine the needs arising from the anticipated growth of the District, and to coordinate the requirements with other neighbouring authorities. A significant amount of expenditure for the delivery of services, including healthcare, education, police, and waste management, is determined based on funding formulae, underpinned by population forecasts.

2.3 S106 process for offsite financial contributions

As part of the planning application process, the Council will hold discussions with the developer to ascertain whether onsite infrastructure and/or affordable housing can be provided. If it is determined that onsite provision is not feasible, then a financial contribution will be negotiated with the developer, in the form of obligations in a S106 agreement. The Assistant Director of Planning and

Regulatory Services works with development management case officers, developers, and the council's legal team to instruct S106 agreements for new developments, as required.

The Council will liaise with Nottinghamshire County Council to determine the level of primary and secondary education/ library/ and / or transport infrastructure contribution required to meet the needs (or also in the case of transport, mitigation works to minimise the impact) that would be generated by the development. Similar liaison will also take place with NHS Nottingham and Nottinghamshire Clinical Commissioning Group regarding health care contributions required for additional general practitioner service needs generated by the development. The Council's internal Place Team will be consulted to determine the level of public open space or public realm contribution required to meet the needs of the new development.

Once all the contributions have been collated, the requested sums are discussed with the developer and reviewed with regard to the overall viability of the proposed development. The various contributions are set out as time limited or staged payments (known as triggers) in the S106 agreement and will be due for payment by the developer such as on commencement of the works or at occupation of a specific number of houses.

The financial contribution requirement and planning for education is set by Nottinghamshire County Council. Their "Pupil Place Planning and School Capital Strategy" Nov 2017 can be accessed on the link below. [Nottinghamshire County Council Pupil Place Planning and School Capital Strategy Nov 2017](#)

The requirement for affordable housing is set by the Ashfield Local Plan Review 2002, Saved Policy HG4, p.76 of the Local Plan [Ashfield Local Plan Review 2002](#)

The financial contribution requirement for public open space and public realm is agreed with the developer to be what is proportionate to mitigate the impact of the development on the local area.

The S106 agreement is usually signed by all parties on the same day as the grant of planning permission. It then becomes an obligation which is registered as a land charge which stays with the land, binding future owners until the terms are fulfilled. The agreement will only be realised however if the planning permission is implemented, and the trigger points are reached.

Many of the S106 projects will be identified as priorities through the Corporate Plan and the Infrastructure Delivery Plan (IDP). The current IDP is being reviewed and updated as part of the work on the new emerging Local Plan. Developers will be required to contribute to the wider infrastructure, which looks to achieve the planning objective of sustainable development, responding to projected population growth and the need for new homes and jobs.

2.4 Governance structure for infrastructure delivery

Ashfield District Council has a governance and decision-making structure to ensure that infrastructure is delivered and the community benefits from S106 funding are realised. The governance arrangements are shown in the table below:

Decision making mechanism	Frequency	Purpose
Cabinet Chair: Council Leader	As and when required	Under the Ashfield District Council constitution's scheme of delegation, the Cabinet provides Member oversight for capital spending. The functions reserved to the Cabinet collectively are: <ul style="list-style-type: none"> i. Proposing the Budget and Policy Framework and Capital Programme to the Council and discharging Executive Functions in accordance with the Budget and Policy Framework agreed by Council. ii. Approval to the carry forward of underspends in excess of £15,000. iii. In-year budget re-allocations up to £100k (change from £50k). iv. Reallocation of capital budgets which do not exceed the overall capital programme. The Cabinet approves the Capital Programme in February. Updates to project programme can be taken to Cabinet throughout the year. Project performance is reported back to Cabinet.
Council Chair: Vice Chairman	Monthly	Capital Programme for new financial year approved at full Council, following approval at Cabinet.
Corporate Leadership Team (CLT) Chair: Chief Executive Officer	Weekly	The Capital Strategy and programme is reviewed in October. Next year's financial budgets are reviewed in November and the draft budget is approved in December.
Regeneration Board Chair: Director of Place and Communities	Bi- Monthly	Projects are generated for development in the regeneration pipeline, in line with the corporate plan objectives and departmental service plans. Project business cases are prepared for approval by the Regeneration Board. Project delivery is monitored by the Council's Performance Team using the Pentana project management system (quarterly updates) and at the regeneration board meetings
Capital programme review Extended Leadership Team (ELT) / CLT/ Finance	Monthly	S106 and grant funding project spend are circulated by the Finance team for comment and review.

Table 1: Ashfield District Council governance and decision-making structure

The stages below set out the decision-making process:

Stage 1: Corporate Leadership Team

October: The Capital Strategy and programme is reviewed.

December: Next year's financial budgets are reviewed.

January: Draft budget is approved in January.

Stage 2: Cabinet

February: Capital Programme considered and recommended for approval by Council for the new financial year, including the allocation of received S106 contributions to specific projects.

Stage 3: Council

February/ March: Capital Programme for new financial year approved at Full Council, following recommendation by Cabinet.

Stage 4: Regeneration Board

Throughout the year, projects are generated for development in the regeneration pipeline, in line with the corporate plan objectives and departmental service plans. Project business cases are prepared for approval by the Regeneration Board. Project delivery is monitored by the Council's Performance Team using the Pentana project management system (quarterly updates) and at the Regeneration Board meetings

Stage 5: Capital programme review

Throughout the year, S106 and grant funding project spend are circulated by the Finance team for comment and review. Service are required to provide details of forecast S106 and grant funding usage to the end of the financial year.

2.5 S106 Contributions Received in Previous Years

As set out in Section 2.2, Ashfield Local Plan Review 2002, the Council's IDP sets out the Council's approach to ensuring the delivery of infrastructure to support anticipated levels of growth. Developer contributions and planning obligations are the main means of delivering local infrastructure.

The following table shows that as of 31st March 2022, a net S106 total of £935,804.86 was spent. A large portion of the funding was transferred to Nottinghamshire County Council to fund education places in the district. The full detail of the education spend will be reported in Nottinghamshire County Council's 2021/22 IFS. Public open space, new affordable homes, transport, health, libraries, employment opportunities and public realm projects in the district made up the balance.

S106 monies	Amount
Total S106 monies received as at 31 March 2021	£4,432,484.95
Total record of S106 contributions received from 1st April 2021 to 31st March 2022	£4,733,435.05
Total contributions available	£9,165,920.00
Total Spend of S106 from 1st April 2021 to 31st March 2022	£935,804.86
Total S106 contributions available after 2019/20 spend (as of 31st March 2022)	£8,230,115.14
Balance held for longer term maintenance obligations (included in above)	£51,173.72

Table 2: Total S106 monies

The above table shows that as of 31st March 2022, a net S106 total of **£8,230,115.04** was available to fund public open space, education, healthcare, transport, libraries, waste management, regeneration, and affordable housing projects in the district.

2.6 S106 Agreements signed in 2021/22

In the period 1st April 2021 to 31st March 2022, Ashfield District Council entered into planning obligations to the sum of **£1,567,986.76**. Developments with S106 agreements signed in the last financial year (2021/22) are listed below with their planning application reference:

V/2010/0123 Land Between Buxton House And Crich View, Chesterfield Road, Huthwaite: Deed of release and discharge (1)

V/2010/0123 Land Between Buxton House And Crich View, Chesterfield Road, Huthwaite: Deed of release and discharge (2)

V/2019/0756 Residential development on Land off Millers Way, Kirkby-in-Ashfield : 54 Dwellings and associated highways, drainage, and landscaping infrastructure

V/2019/0491 Residential development on land to the rear of 211 Alfreton Road, Sutton In Ashfield: Maximum of 100 dwellings and associated access. Including demolition of 211 Alfreton Road. Unilateral Undertaking

V/2021/0241 Land relating to Blenheim Industrial Estate, Nottingham : Deed of variation.

V/2020/0791 Residential development on land at Clare Road, Sutton-in-Ashfield: 69 Dwellings and associated infrastructure, engineering works and open space with access from Clare Road and Leamington Drive.

V/2020/0884 Residential development on land to the rear of 211 Alfreton Road, Sutton In Ashfield : Demolition of 211 Alfreton Road, the garage of 213 Alfreton Road and garages to the rear of 209 Alfreton Road. Construction of 110 homes with associated infrastructure including a replacement garage to the rear of 209 Alfreton Road.

S106 agreements and other relevant documentation for each of the above planning applications (7 in total) can be viewed online on the Council's planning portal at: [Ashfield District Council Search Planning applications](#)

S106 agreements can also be viewed online at: [Ashfield District Council search planning applications](#)

Please see appendix 1 for details of:

- a) The total amount of money to be provided under any planning obligation which was entered into during 2021/22
- b) Summary details of any non-monetary contributions to be provided under planning obligations entered into during 2021/22 including details of –
 - i. In relation to affordable housing, the total number of units which will be provided
 - ii. In relation to educational facilities, the number of school places for pupils which will be provided and the category of school at which they will be provided.

2.7 S106 Contributions Received in 2021/22

In 2021/22, a total of **4,733,435.05** was received in S106 contributions. The table and bar chart below shows the contributions received by infrastructure type:

Infrastructure Financial Statement: 01 April 2021 to 31 March 2022

Infrastructure type	S106 Contributions received
Public Open Space	£419,166.98
Primary Education	£1,275,602.36
Secondary Education	£1,415,039.03
Transport	£682,042.48
Health	£635,451.50
Libraries	£6,591.00
Public Realm	£0
Affordable Housing	£97,334.75
Regeneration	£199,940.39
Interest	£2,266.56
TOTAL	£4,733,435.05

Table 3: Total S106 contributions received

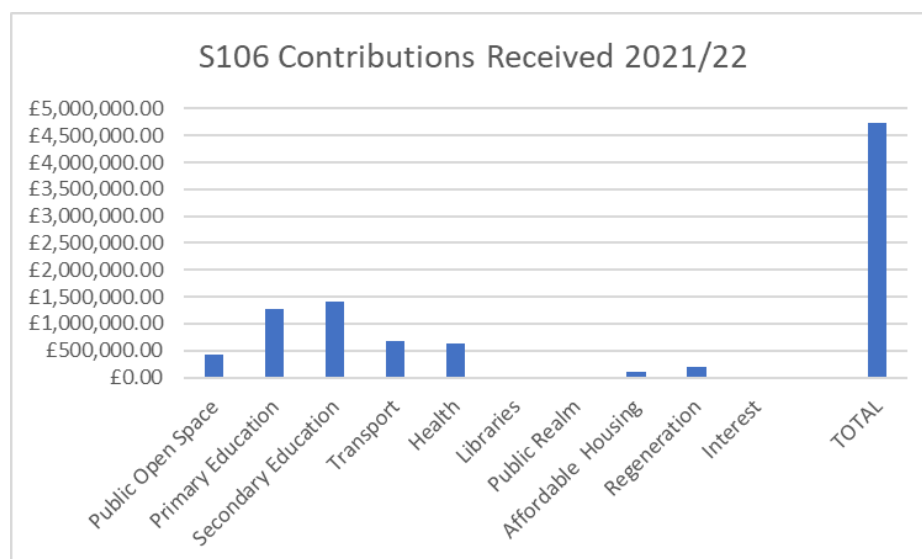


Figure 1: Total S106 contributions received

Total receipts in 2021/22 came from 10 sites, however most of the contributions came from the following sites:

V/2013/0123 Rolls Royce, Watnall Road, Hucknall £1,601,262.19

V/2019/0483 Broomhill Farm, Nottingham Road, Hucknall £971,305.75

Additional detail for the contributions received is shown in Appendix 2.

2.8 S106 Contributions allocated but not spent in 2021/22

Within the reported year, S106 funds received by the Council and allocated to a specific project, but not spent as of 31/03/2021 totals **£564,927.52**. These contributions comprise the following items:

PUBLIC OPEN SPACE

Planning application / Development site location	S106 Funds secured	Project Allocation
Hucknall POS*	£116,187.18	Hucknall area – Titchfield Park
Kirkby POS*	£80,094.64	Kirkby area – Nuncargate Recreation Ground
Sutton POS*	£368,645.70	Sutton area – Projects in development
Rurals POS*	£0	
TOTAL	£564,927.52	

TRANSPORT

Planning application / Development site location	S106 Funds secured	Project Allocation
Hucknall TR6*	£599,339.60	Hucknall area – Projects in development
Rolls Royce, Hucknall V/2013/0123	£124,585.76	To be paid to Nottinghamshire County Council for bus service contribution
Kirkby TR6*	£152,714.23	Kirkby area – Projects in development
Sutton TR6*	£542,825.65	Sutton area – Projects in development
V/2016/0208 Residential development on land at Brand Lane, Stanton Hill, Sutton	£100,747.26	To be paid to Nottinghamshire County Council for highways improvements in the Brand Lane area of Stanton Hill
Rurals TR6*	£10,671.50	Rurals area – Projects in development
TOTAL	£1,530,884.00	

AFFORDABLE HOUSING

Planning application / Development site location	S106 Funds secured	Project Allocation
Source applications V/2004/0484 V/2011/0560 V/2013/0656 V/2018/0393		£200k to part funding the new affordable housing scheme on Midland Road, Sutton in Ashfield providing 6 x 3 bed houses, 6 x 2 bed house, 4 x 1 bed flats and 4 x 2 bed flats
TOTAL	£748,484.43	

SPECIFIC PROJECT ALLOCATIONS

Planning application / Development site location	S106 Funds secured	Project Allocation
V/2003/1094 Land at Studfold Lane, Kirkby	£82,805.97	Kirkby - Regeneration of the town centre
V/2005/0886 Annesley Colliery, Kirkby	£276,573.47	Regeneration of the Woodhouse ward
V/2003/1094 Lindleys Lane, Kirkby	£77,930.65	Sorrel Drive Play area – New play area and play equipment
V/2005/0886 Annesley Colliery, Kirkby	£31,181.61	Art Feature Annesley -bespoke artwork features and street furniture across the Annesley area to link the new estate and site of former colliery with the existing miners' cottages.
V/2013/0493 Washdyke Lane, Hucknall	£13,892.73	Washdyke Recreation Ground – General landscape improvements.
V/2004/0356 Papplewick Lane, Hucknall	£1,013.10	Commission and install art features within the Papplewick Development
V/2019/0005 Royal Foresters, Sutton	£46,946.39	Improvements to Cowpasture Recreation Ground improvements (£15576.16) and Sutton Town Centre Public Realm (£31152.21)
V/2017/0329 Land Adj. The Bluebell, Carsic Lane, Sutton	£8,008.00	Improvements at Sutton Lawn
Land Adj. The Bluebell, Carsic Lane, Sutton V/2017/0329	£16,016.00	Improvements at Portland Square and or / Low Street or another Public Realm project
Land South of Mansfield Road, Sutton V/2017/0049	£37,702.44	Improvements to Low Street or another Public Realm project
The Twitchell V/2014/0045	£34,468.70	Improvements to Low Street or other Public Realm project (transferred from revenue to capital)
Residential development on land at Brand Lane, Stanton Hill V/2016/0208	£200,040.36	Provision of business realm Improvements to Brierley Park Close Industrial Units and Stanton Hill High Street Including shop frontage improvements and public realm Improvements
TOTAL	£826,579.42	

HEALTH

Planning application / Development site location	S106 Funds secured	Project Allocation
Fire Station Watnall Road, Hucknall V/2019/0129	£26,989.27	To be paid to the Local Clinical Commissioning Group towards the enhancement of capacity and/ or infrastructure in local practices
Annesley Miners Welfare V/ 2018/0393	£24,760.60	To be paid to the Local Clinical Commissioning Group towards the enhancement of capacity and/ or infrastructure in local practices
Broomhill Farm, Nottingham Road, Hucknall V/2019/0483	£117,695.25	To be paid to the Local Clinical Commissioning Group towards the enhancement of capacity and/ or infrastructure in local practices
Rolls Royce, Watnall Road, Hucknall V/2013/0123	£458,150.00	To be paid to the Local Clinical Commissioning Group for the funding of improved healthcare facilities of benefit to the development
Land to the rear of 211 Alfreton Road, Sutton in Ashfield V/2020/0884	£59,606.25	To be paid to the Local Clinical Commissioning Group for use by the CCG towards the reconfiguration or extension of existing healthcare facilities or the provision of new healthcare facilities within the vicinity of the site.
TOTAL	£687,201.37	

LIBRARIES

Planning application / Development site location	S106 Funds secured	Project Allocation
V/2016/0208 Residential development on land at Brand Lane, Stanton Hill, Sutton	£9521.68	To be paid to Nottinghamshire County Council towards the provision of new stock at Sutton library
Land to the rear of 211 Alfreton Road, Sutton in Ashfield V/2020/0884	£3,876.00	For the provision of additional stock and facilities at Sutton-in-Ashfield Library
Land at Annesley Road V/2015/0629	£2,715.00	To be paid to the County Council towards additional stock at Hucknall Library
TOTAL	£16,112.68	

OBLIGATIONS TOTAL

Obligation	Total
Public Open Space	£564,927.52
Transport	£1,530,884.00
Affordable Housing	£748,484.43
Specific Project Allocations	£826,579.42
Health	£687,201.37
Libraries	£16,112.68
Total	£4,374,189.42

EDUCATION

Planning application / Development site location	S106 Funds secured	Project Allocation
Source applications V/2017/0344,V/2013/0123 V/2004/0356, V/2017/0049 V/2016/0198 V/2018/0393 V/2015/0537 V/2016/0208	£3,622,518.29	To be paid to Nottinghamshire County Council for education provision in the District.
TOTAL	£3,622,518.29	

REVENUE

Planning application / Development site location	S106 Funds secured	Project Allocation
V/2005/0396 Land Off Lindleys Lane, Kirkby	£3,233.45	Employment Opportunities
V/2003/0845 Land off, Prospect Place, Sutton	£5,715.94	The Old Mill, Silk Street –improvements to open space around the mill
V/2010/0433 Former Annesley Colliery, Hucknall Road, Annesley	£28,168.11	Integrated transport initiatives within the district of Ashfield
V/2014/0045 The Twitchell, Sutton	£33,032.31	Public Realm works in the vicinity of the development
Grange Farm, Moor Road, Papplewick V/2011/0188	£11,442.13	Integrated transport initiatives within the district of Ashfield
S106 Interest payment	£113.54	Kirkby Regeneration
Broomhill Farm, Land to West of, Nottingham Road, Hucknall/2013/0409	£48,723.16	Hucknall – Maintenance of Unadopted land
Annesley Colliery V/2005/0886	£41,055.01	Annesley Regeneration
V/2005/0396 Land off Lindleys Lane, Kirkby	£10,750.06	Revenue contributions for feasibility studies
Public Open Space S106 agreements	£51,173.72	Maintenance commuted sums district wide
TOTAL	£233,407.43	

ALL OBLIGATIONS: S106 BALANCE

Obligation	Total
Obligations total	£4,374,189.42
Education	£3,622,518.29
Revenue	£233,407.43
ALL OBLIGATIONS: S106 BALANCE TOTAL	£8,230,115.14

Table 4: Contributions allocated but not spent in 2021/22. *= source planning application reference to be added at later date.

2.9 S106 Contributions Spent in 2021/22

In most cases, S106 agreements contain clauses detailing specific criteria as to how and where the contributions must be spent. Occasionally, clauses can be less prescriptive, and the associated funding is known as “unrestricted” funds. If there is no pressing need for the area to which the agreement refers, these funds may be held by the Council for a period of up to five years following the grant of planning permission until such time as a suitable need is identified.

Within the reported year, the total amount of S106 funds received by the Council that have been both allocated and spent or transferred to another party amounts to **£935,804.86**. Of the funded schemes, many of them are at different stages of delivery. The schemes are detailed below under obligation type headings:

- Housing

The Council spent **£347,611.06** of S106 affordable housing contributions during 2021/22 to part fund the purchase of 6 x 2 bed and 7 x 3 bed new build homes for affordable rent in Skegby. The funding came from the Larwood residential development at Twickenham Road in Kirkby - V/2013/0656 & V/2011/0560.

- Education

Ashfield District Council made Education payments totalling £406,089.57 to Nottinghamshire County Council in 2020/21. Of this sum, £300,757.12 came from V/2004/0356 Land Off, Papplewick Lane, Hucknall, Nottinghamshire, £23,813.00 from V/2017/0049 Draycotts Motor Company, Eastfield Side, Sutton In Ashfield, £22,910 from V/2015/0537 Roundhills Farm, £35,699.45 from Wayside, 20 Unwin Road, Sutton In Ashfield and £22,910.00 from V/2017/0049 Land South of Mansfield Road. Nottinghamshire County Council will report separately on the spend of this funding as part of their Infrastructure Financial Statement.

- Transportation

Ashfield District Council used £2930.75 Transport (TR6) in 2021/22 for general works associated with footpath improvements in Sutton and Annesley. The funding came from the development Land at Brand Lane V/2016/0208 and V/2010/0433 housing development at Annesley Colliery, Hucknall Road, Annesley.

- Business employment and skills

The Retail Improvement Scheme through a variety of grants helped 12 businesses within Ashfield. Nine grants were given for business start-ups and assistance with business growth. Two business grants were given, along with one vacant shop grant. The S106 funding came from V/2010/0433 Former Annesley Colliery.

- Parks and open spaces

The following projects as set out in the Table below were delivered across the district as a result of secured S106 monies:

HUCKNALL

Planning application / Development site	S106 Contribution Spent 2021/22	Project delivered
Capital receipts funding	14,000.00	Tichfield Park. New Play equipment / Youth equipment and associated works
V/2019/0483 Land at Broomhill Farm, Hucknall	1,504.01	Planting of trees within the district of Ashfield. Provision of other habitat improvements within the district of Ashfield.
Interest expenditure	1,090.22	Old applications - written off*

SUTTON - IN - ASHFIELD

Planning application / Development site	S106 Contribution Spent 2021/22	Project delivered
V/2012/ 0556 Land Between Pleasley Road And North Of, Mansfield Road, Sutton In Ashfield	2,555.09	Brierley Forest Park Management Plan: Actions as identified in the park management plan / Green Flag award requirements
V/2012/ 0556 Land Between Pleasley Road And North Of, Mansfield Road, Sutton In Ashfield	62,146.20	Brierley Forest Park Car Park Extension and Entrances: Disabled car park improvements at Skegby Road and main car park extension. Accessibility improvements to the Oval, Stoneyford Road and Brand Lane entrances.
Interest expenditure	2289.78	Old applications - written off*

KIRKBY – IN- ASHFIELD

Planning application / Development site	S106 Contribution Spent 2021/22	Project delivered
V/2010/0433 Annesley Colliery, Hucknall Road, Annesley	7,409.45	Annesley Kirkby Cycle Project. Oakwood Fields. Footpaths upgraded with new wider durable surfaces and access barriers improving the links between existing walking and cycling routes and Sherwood Business Park.
V/2012/0197 216 Lowmoor Road, Kirkby In Ashfield	52,564.96	Nuncargate Recreation Ground. Access improvements (footpaths & entrance) and new and extended play area
V/2012/0197 216 Lowmoor Road, Kirkby In Ashfield	£1,449.55	Kingsway Park. Implementation of Management Plan.

RURALS

Planning application / Development site	S106 Contribution Spent 2021/22	Project delivered
None	None	None

Table 5: Contributions spent on Parks and Open Spaces. *Planning application = source planning application reference for S106 agreement and details to be added.**



Brierley Forest Park : Car park improvements



Oakwood Field Footpath Improvements

2.10 Planned expenditure for future years

This section sets out how S106 income will be spent in the District of Ashfield. It is difficult to forecast future S106 income and expenditure exactly as contributions are negotiated on a site-by-site basis and depend on several considerations such as viability. S106 funding is often closely linked to the phasing of the development as set out in the terms of the legal agreement and can contain clauses relating to the timing (triggers) of the spending. The impact of the current pandemic has had an effect on delivery and the longer-term impacts on the construction industry are unclear.

Once complete, the Infrastructure Delivery Plan accompanying the Local Plan will also set out the required infrastructure to deliver the identified site allocations. Whilst this will not detail specifically the cost of various infrastructure items, it will provide an overview to developers and the community of the expected contributions.

Planned expenditure for future years sets out how unallocated funds should be spent.

The information below sets out the planned expenditure and funds remaining for the current S106 balance. With regard to the following funds :

- Transport: Spend on projects undertaken by Nottinghamshire County Council will be reported separately as part of their Infrastructure Financial Statement).
- Affordable Housing: £500,000 Planned expenditure, £ 248,484.43 remaining to be allocated to specific projects.
- Education: £3,622,518.29 remaining to be paid to Nottinghamshire County Council on confirmation of suitable projects. Spend will be reported by Nottinghamshire County Council as part of their Infrastructure Financial Statement).

The table below sets out project information in more detail:

PUBLIC OPEN SPACE: HUCKNALL

Location	Estimated Cost	S106 / Other public contribution	Required works	Status / funding source
Washdyke Recreation Ground	£18,000	£18,000 S106	New Play equipment and associated works	To be implemented 2022/23. V/2013/0493

PUBLIC OPEN SPACE: SUTTON – IN- ASHFIELD

Location	Estimated Cost	S106 / Other public contribution	Required works	Status / funding source
Football Changing Rooms	Details to be confirmed	£15,000 S106	Replacement changing rooms to be provided	S106 funding to potentially be allocated for works at a destination park
Kingsmill Reservoir footpath links	£1,000	£1,000 S106	Footpath improvements are identified in the Heritage Lottery funded works programme	To be allocated to the Kings Mill Reservoir HLF project budget. V/2107/0344
Sutton Lawn Management Plan.	£6,000	£6,000 S106	Actions as identified in the park management plan / Green Flag award requirements	To be implemented. V/2017/0329
Taylor Crescent Recreation Ground	To be confirmed	£10,000 S106	Project to be reviewed	No plan to implement project
Lindley's Windmill Roof	£6,000	£6,000 S106	Contribution towards a new roof	Works to be completed 2022/2023

PUBLIC OPEN SPACE: KIRKBY – IN- ASHFIELD

Location	Estimated Cost	S106 / Other public contribution	Required works	Status / funding source
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Annesley Art Project	£29,000	£29,000 S106	Construction of paths across open space	2022/23 work programme. V/2005/0886
Forest Road Nature Area	£23,000	£23,000 S106	General improvements to cycle network as part of Towns Fund programme	2022/23work programme.
Kingsway Park: implementation of management plan	£15,000	£15,000 S106	Actions as identified in the park management plan	Ongoing implementation of works. V/2012/0197
Kirkby footpaths/cycle ways	£1,000	£1,000 TR6	Phase 2 of path from Rowan Drive to Sutton Middle Lane	Ongoing work programme. V/2013/0656

GREEN SPACE IMPROVEMENTS

Location	Estimated Cost	S106 / Other public contribution	Required works	Status / funding source
Green Space Improvements (Ashfield wide)	£9,000	£9,000 S106	General improvements play equipment, signage, gates, and plant material for open spaces across the district.	Works to be identified and completed by March 2023.
Tree Planting and Habitat Improvements (Ashfield Wide)	£15,000	£15,000	Tree planting and habitat improvements on council owned open spaces across the district.	Works to be identified and completed between 2022/23 and 2024/25

TRANSPORT

Location	Estimated Cost	S106 / Other public contribution	Required works	Status / funding source
Hucknall Car Park – Titchfield Street	To be confirmed	£93,000 S106, £22,000 Capital Reciepts	Provision of new car park, as part of the Hucknall Inner Relief Road programme of works.	Project on hold, land not in ADC ownership

AFFORDABLE HOUSING

Location	Estimated Cost	S106 / Other public contribution	Required works	Status / funding source
Various locations	£500,000	£500,000	Provision of new build affordable housing	To be implemented 2022/23

throughout the district				onwards Individual S106 allocations to be agreed.
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PUBLIC REALM

Location	Estimated Cost	S106 / Other public contribution	Required works	Status / funding source
Sutton Town Centre Improvements	£70,000	£70,000	Fox Street area, Portland Square improvements.	Works to be completed 23/24. V/2017/0049 and V/2018/0198

ART

Location	Estimated Cost	S106 / Other public contribution	Required works	Status / funding source
	£0	£0	Art contributions have not been specifically identified. Contributions may be requested as part of the Towns Fund work development which is currently ongoing.	Completion date dependant on Towns Fund development work.

EDUCATION

Location	Estimated Cost	S106 / Other public contribution	Required works	Status / funding source
	£3,622,518.29	£3,622,518.29	For spend by Nottinghamshire County Council. Please see Nottinghamshire County Council Infrastructure Funding Statement 2020/21.	Awaiting confirmation of schemes in accordance with S106 agreements.

HEALTH

Location	Estimated Cost	S106 / Other public contribution	Required works	Status / funding source
	£687,201.37	£687,201.37	Health contributions have not been specifically identified at this stage.	The Integrated Care Board is currently

				working on an Estates Strategy.
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LIBRARIES

Location	Estimated Cost	S106 / Other public contribution	Required works	Status / funding source
	£16,112.68	£16,112.68	Please see Nottinghamshire County Council Infrastructure Funding Statement 2020/21.	

MAINTENANCE

Location	Estimated Cost	S106 / Other public contribution	Required works	Status / funding source
	£51,173.72	£51,173.72	Maintenance of adopted open spaces	Funded from S106 sites to be adopted by the Council. Figures to be reviewed nearer to dates of adoption

EMPLOYMENT

Location	Estimated Cost	S106 / Other public contribution	Required works	Status / funding source
	£3,233.45	£3,233.45	Business support grants	Grant applications being accepted and processed by ADC

Table 6: Planned S106 expenditure 1st April 2022 onwards

3. Conclusions

Ashfield District Council is working to ensure that as part of the planning process, the added value, and opportunities that new development can bring such as affordable homes, jobs and environmental improvements are maximised for the wellbeing and benefit of local communities.

If you have any further queries or comments about this statement, please contact the Forward Plans Team via email: localplan@ashfield.gov.uk or phone 01623 457379

4. Appendices

Appendix 1: The total amount of money to be provided under any planning obligation which was entered into during 2020/21

Appendix 2: S106 Contributions received 1st April 2021 – 31st March 2022

Appendix 3: Information links

Appendix 1: The total amount of money to be provided under any planning obligation which was entered into during 2021/22

Application no	Description	Detailed information and funds secured	Total amount of money to be provided under any planning obligation which was entered into during 2021/2022	Summary details of any non-monetary contributions to be provided under planning obligations entered into during 2019/20 including details of –			
				Affordable housing - total number of units which will be provided	Educational facilities - Total number of school places for pupils which will be provided and the category of school at which they will be provided		
					Primary	Secondary	Contribution only: spend location
V/2010/0123	Land Between Buxton House And Crich View, Chesterfield Road, Huthwaite	Deed of release and discharge (1)	£1,960.20	0	0	0	
V/2010/0123	Land Between Buxton House And Crich View, Chesterfield Road, Huthwaite	Deed of release and discharge (2)	£1,960.20	0	0	0	
V/2019/0756	Residential development on Land off Millers	54 Dwellings and associated highways, drainage, and landscaping infrastructure. Public Open Space	£329,660.90	5	0	0	0

	Way, Kirkby-in-Ashfield.	Improvements at Kingsway Park, including 15 years maintenance £162,000. Bus stop Infrastructure improvements:£8,500. Healthcare:£29,261.25. Highways :£54,000. Leisure facilities:£54,000.Library: £1899.68. TRO contribution: £20,000 for a Traffic Regulation Order revocation.					
V/2019/0491	Residential development on land to the rear of 211 Alfreton Road, Sutton In Ashfield.	Agreement subsequently replaced by V/2020/0884	0	0	0	0	0
V/2021/0241	Land relating to Blenheim Industrial Estate, Nottingham	Deed of variation. Base payment of £8,000 per 1,000sqm of gross floorspace	0	0	0	0	0
V/2020/0791	Residential development on land at Clare Road, Sutton-in-Ashfield.	69 Dwellings and associated infrastructure, engineering works and open space with access from Clare Road and Leamington Drive. Bus stop contribution: £20,000 Healthcare:£37,389.37 Monitoring:£1,000 Public Open Space Maintenance contribution at Hardwick Lane	£370,286.37	7			Sutton Town Planning Area

		or Twitchell Recreation Grounds: £51,750 Public Open Space :£86,250 Primary Education: £136,397 Public Realm:£35,000 Tree planting contribution :£2,500					
V/2020/0884	Residential development on land to the rear of 211 Alfreton Road, Sutton In Ashfield.	Demolition of 211 Alfreton Road, the garage of 213 Alfreton Road and garages to the rear of 209 Alfreton Road. Construction of 110 homes with associated infrastructure including a replacement garage to the rear of 209 Alfreton Road. Bus stop contribution: £22,500, Green Space: £60,832 Healthcare: £59,606.25 Libraries: £3,876 Monitoring: £2,500 Public Open Space :£220,000 Primary Education: £481,114 Travel Plan Monitoring Fee: £7,500 Waste Management contribution : £6,172.84	£864,101.09	11			Sutton Town Planning area
		TOTAL (excluding V/2019/0491)	£1,567,986.76	23	0	0	

Appendix 2: S106 Contributions received 1st April 2021 – 31st March 2022

Ashfield District Council					
Infrastructure Financial Statement 01 April 2021 to 31 March 2022				Contributions received	
Payment date	Payment type	Developer	Amount	Application no	Description
11.5.2021	Education	Jameson and Crown Ltd	11,908.23	V/2018/0285	Residential development on the former site of the Harrier Public House
11.5.2021	Public Open Space	Jameson and Crown Ltd	14,034.14	V/2018/0285	Residential development on the former site of the Harrier Public House
20.5.2021	Education	Bellway Homes Ltd	400,798.00	V/2019/0483	Broomhill Farm, Nottingham Road, Hucknall
20.5.2021	Public Open Space	Bellway Homes Ltd	35,000.00	V/2019/0483	Broomhill Farm, Nottingham Road, Hucknall
20.5.2021	Healthcare	Bellway Homes Ltd	117,695.25	V/2019/0483	Broomhill Farm, Nottingham Road, Hucknall
20.5.2021	Education	Bellway Homes Ltd	417,812.50	V/2019/0483	Broomhill Farm, Nottingham Road, Hucknall
15.6.2021	Education	MUSE	270,941.55	V/2013/0123	Rolls Royce, Watnall Road, Hucknall

15.6.2021	Transport	MUSE	104,473.26	V/2013/0123	Rolls Royce, Watnall Road, Hucknall
16.6.2021	Healthcare	MUSE	458,150.00	V/2013/0123	Rolls Royce, Watnall Road, Hucknall
30.07.2021	Transport	Wilson Bowden	70,133.55	V/2017/0086	Plot 1 Blenheim Park, Hucknall
24.8.2021	Transport	Wilson Bowden	195,129.00	V/ 2021/0241	Blenheim Park, Hucknall
30.08.2021	Public Open Space	Platform Housing	14,500.00	V/2020/0061	Wild Orchid Public House, Southwell Lane, Kirkby in Ashfield
30.08.2021	Bus stop	Platform Housing	8,000.00	V/2020/0061	Wild Orchid Public House, Southwell Lane, Kirkby in Ashfield
10.9.2021	Affordable Housing	Peveril Homes	97,334.75	V/2017/0049	Land South of Mansfield Road, Sutton-in-Ashfield
3.12.2021	Transport	Taggart Homes	40,912.88	V/2018/0393	Old Miners Welfare, Derby Road, Annesley
8.12.2021	Transport	MUSE	109,502.47	V/2013/0123	Rolls Royce, Watnall Road, Hucknall
16.12.2021	Education	MUSE	282,780.10	V/2013/0123	Rolls Royce, Watnall Road, Hucknall
17.12.2021	Bus stop	Countryside Properties UK Ltd	22,500.00	V/2020/0884	Land to the rear of 211 Alfreton Road, Sutton in Ashfield
17.12.2021	Green Space	Countryside Properties UK Ltd	60,832.00	V/2020/0884	Land to the rear of 211 Alfreton Road, Sutton in Ashfield
17.12.2021	Healthcare	Countryside Properties UK Ltd	59,606.25	V/2020/0884	Land to the rear of 211 Alfreton Road, Sutton in Ashfield

17.12.2021	Libraries	Countryside Properties UK Ltd	3,876.00	V/2020/0884	Land to the rear of 211 Alfreton Road, Sutton in Ashfield
17.12.2021	Public Open Space	Countryside Properties UK Ltd	220,000.00	V/2020/0884	Land to the rear of 211 Alfreton Road, Sutton in Ashfield
17.12.2021	Travel Plan	Countryside Properties UK Ltd	7,500.00	V/2020/0884	Land to the rear of 211 Alfreton Road, Sutton in Ashfield
17.12.2021	Waste Management	Countryside Properties UK Ltd	6,172.84	V/2020/0884	Land to the rear of 211 Alfreton Road, Sutton in Ashfield
21.12.2021	Education	Countryside Properties UK Ltd	240,557.00	V/2020/0884	Land to the rear of 211 Alfreton Road, Sutton in Ashfield
24.1.2022	Regeneration	Harron Homes	210,402.38	V/2016/0208	Brand Lane, Stanton Hill, Sutton in Ashfield
24.1.2022	Education	Harron Homes	227,700.13	V/2016/0208	Brand Lane, Stanton Hill, Sutton in Ashfield
24.1.2022	Highways	Harron Homes	84,819.48	V/2016/0208	Brand Lane, Stanton Hill, Sutton in Ashfield
22.2.2022	Education	Harron Homes	266,615.88	V/2016/0208	Brand Lane, Stanton Hill, Sutton in Ashfield
04.03.2022	Libraries	East Midlands Homes	2,715.00	V/2015/0629	Land at Annesley Road, Hucknall
04.03.2022	POS	East Midlands Homes	68,628.00	V/2015/0629	Land at Annesley Road, Hucknall
04.03.2022	Education	East Midlands Homes	154,082.00	V/2015/0629	Land at Annesley Road, Hucknall
04.03.2022	Education	East Midlands Homes	176,889.00	V/2015/0629	Land at Annesley Road, Hucknall
04.03.2022	TR6	East Midlands Homes	5,719.00	V/2015/0629	Land at Annesley Road, Hucknall
01.03.2022	Education	Countryside Properties UK Ltd	240,557.00	V/2020/0884	Land at 211 Alfreton Road, Sutton in Ashfield

30.03.2022	TR6	Bellway Homes	31,275.85	V/2019/0483	Broomhill Farm, Hucknall
30.03.2022	TR6	Bellway Homes	2,076.07	V/2019/0483	Broomhill Farm, Hucknall
		TOTAL	4,741,629.56		

Appendix 3: Information links

Ashfield District Council Corporate Plan 2019 -2023 PDF [Ashfield District Council Corporate Plan 2019-2023](#)

Ashfield District Council Adopted Local Plan 2002 PDF [Ashfield District Council Adopted Local Plan 2002](#)

Infrastructure Delivery Plan PDF [Ashfield District Council Infrastructure Delivery Plan 2016](#)

Playing Pitch Strategy 2017 - (Overview of the provision for various sports in Ashfield for the period 2017 – 2020) PDF [Ashfield District Council Playing Pitch Strategy 2017](#)

Public Open Space Strategy 2016 (Considers the open space requirements for Ashfield for the period 2016 – 2026) PDF [Ashfield District Council Public Open Space Strategy 2016](#)

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Report To:	CABINET
Date:	13TH DECEMBER 2022
Heading:	ADOPTION OF PLANNING GUIDANCE CLIMATE CHANGE
Executive Lead Member:	COUNCILLOR SARAH MADIGAN - EXECUTIVE LEAD MEMBER FOR CUSTOMER SERVICES AND STRATEGIC PLANNING
Ward/s:	ALL WARDS
Key Decision:	YES
Subject to Call-In:	YES

Purpose of Report

To consider the adoption of Planning Guidance Climate Change.

Recommendation(s)

To adopt Planning Guidance Climate Change.

Reasons for Recommendation(s)

The Guidance Note will drive a proactive agenda for sustainable development ensuring that the adaption and mitigation for climate change is emphasised in the consideration of all planning applications.

Alternative Options Considered

Not to take the Guidance Note forward. However, this would not reflect the emphasis the Council places on taking steps to tackle climate change.

Detailed Information

The evidence identifies that urgent action is required to tackle the impact of greenhouse gases. Climate change is resulting in more extreme weather events including extreme heat, droughts, flooding and wildfires. The adverse impacts of climate change have economic, social and environmental costs for local communities and for businesses with implications both for the natural and built environment. The Climate Change Committee in their June 2022 Progress Report to Parliament emphasised that tangible progress is lagging the policy ambition and a greater emphasis and focus must be placed on delivery.

The Council places a substantial importance on meeting the challenges that climate change brings:

“Ashfield District Council recognises the scale and urgency of the global challenge from climate change. This Council recognises that local action on global warming can make a difference.”

“Reaffirm its commitment to doing everything possible to combat climate change including committing to a robust climate change strategy.”

Addressing climate change is a core planning principle that underpins both plan making and decision taking. Planning has a vital role to play in enabling and encouraging the transition to a competitive and resilient low-carbon society that also supports the environment, health, and wellbeing. The Council’s Climate Change Strategy emphasises it is key that action is taken as soon as possible to tackle the climate crisis at a local level.

The Guidance Note is intended to ensure that new development providing homes and jobs positively contribute to carbon reduction and mitigate against climate change. For planning applications this means that:

- a) Proposals for development should demonstrate an ambitious approach to the use of renewable energy, sustainable design and construction methods, with a high level of energy efficiency in new buildings.
- b) The measures set out in the Guidance need to be integrated into the design and layout of development within Ashfield, as climate change adaptation and mitigation will be considered in all development decisions.
- c) Applicants for planning permission should demonstrate how they have met the requirements set out in the Guidance.

The Guidance Note cannot introduce new targets that exceed current planning policy, but it provides practical guidance or direction on how to design and construct new development sustainably. It brings together local, and national good practice to illustrate practical interventions as part of the development management process. Therefore, it will facilitate the Council’s ambition for development to adapt and mitigate against climate change.

The Draft Guidance Note is set out in Appendix 1. It incorporates guidance on distinct aspects of sustainable design and construction, including sections on green infrastructure, flooding and water efficiency, building design and layout, low carbon and renewable energy and sustainable transport. It will also provide a checklist criteria to assist applicants in the process of demonstrating in their submission of planning applications how they are responding to climate change and related issues.

As a Council, we are taking a lead in meeting the challenge of climate change and ensuring the development is fit to meet future needs. The Guidance Note contributes towards achieving this objective.

Members of the Local Plan Development Panel have reviewed the Guidance Notes and have had the opportunity to propose changes. Members are requested to adopt the Planning Guidance Climate Change.

Implications

Corporate Plan: The purpose of the Guidance Note is to set out the Council's ambitions and expectations for developments in the District. The improvement to design and layout of buildings and the use of low carbon materials will contribute towards achieving the visions set out in the Corporate Plan in relation to Health and Happiness, Homes and Housing, Economic Growth and Cleaner and Greener. In relation to the Council's Strategic Direction 2022-2027 it delivers direct action to support the national target of net carbon zero emissions by 2050. It is reflective of the requirement in the Climate Change Strategy to act now to reduce the future impact of climate change.

Legal: The Guidance Note provides advice and guidance in relation to decisions on planning applications. It does not introduce new planning policies but is reflective of the emphasis placed by national policy and guidance and local policies in relation to the necessity to mitigate and adapt in addressing the impacts of climate change. [RLD 15/11/2022]

Finance: There are no financial implications arising as a result of this report. [PH 16/11/2022].

Budget Area	Implication
General Fund – Revenue Budget	None
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	None
Housing Revenue Account – Capital Programme	None

Risk:

Risk	Mitigation
There are no identified risks in relation to the Report.	

Human Resources: There are no direct Human Resource implications within the Report. [KB 21/11/2022]

Environmental/Sustainability: Sustainability is at the heart of planning and a key aspect of sustainability is adapting and mitigating the effects of climate change.

Equalities: There are no adverse equality, diversity or inclusion implications in this report. The Guidance Note does not introduce new policy but provides guidance on the implementation of existing planning policy and guidance.

Other Implications: Not applicable.

Reason(s) for Urgency: Not applicable.

Reason(s) for Exemption: Not applicable.

Background Papers: Not applicable.

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Planning Guidance Climate Change

October 2022



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ALPR	Ashfield Local Plan Review 2002
BGS	British Geological Survey
BNG	Biodiversity Net Gain
BRE	Building Research Establishment
BREEAM	Building Research Establishment Environmental Assessment Method
CH ₄	Methane
CHP	Combined Heat and Power
CIRIA	The Construction Industry Research and Information Association
CO ₂	Carbon Dioxide (CO ₂)

DEFRA	Department for Environment, Food & Rural Affairs
DER	The Dwelling Emission Rate
FSC	Forest Stewardship Council
GI	Green infrastructure
GPDO	General Permitted Development Order
GHG	Green House Gas
GWP	Global warming potential
IPCC	The Inter-governmental Panel on Climate Change
LED	Light-emitting diode
LEP	Local Enterprise Partnership (D2N2 LEP)
LPA	Local Planning Authority
LZC	Low and Zero Carbon
LULUCF	Land use, land use change and forestry
LLFAs	Lead local flood authorities
NO2	Nitrous Oxide
NOx	Nitrogen oxides
NPPF	National Planning Policy Framework.
PPG	Planning Practice Guidance
PV	Photovoltaic
SAP	Standard Assessment Procedure for the Energy Rating of Dwellings
SuDS	Sustainable Drainage Systems
UKCP	United Kingdom Climate Projection
WFD	Water Framework Directive



1.0 Climate Change and Ashfield

“Ashfield District Council recognises the scale and urgency of the global challenge from climate change. This Council recognises that local action on global warming can make a difference”.

“Reaffirm its commitment to doing everything possible to combat climate change including committing to a robust climate change strategy”.

1.1 The Council has produced this guidance to ensure that new development providing much needed homes and jobs positively contributes to carbon reduction. For planning applications this means that:

- a) Proposals for development should demonstrate an ambitious approach to the use of renewable energy, sustainable design and construction methods, with a high level of energy efficiency in new buildings.
- b) The measures set out in this Planning Guidance will need to be integrated into the design and layout of development within Ashfield, as climate change adaptation and mitigation will be considered in all development decisions.
- c) Applicants for planning permission should demonstrate how they have met the requirements set out in this Planning Guidance.

1.2 This Planning Guidance reflects that:

- Action is required **now** to meet national and local targets to reducing carbon emissions.
- Increasingly, flooding, overheating and other consequences of climate change have a major negative impact on places and communities. Consequently, there is an urgently need to tackle the climate crisis by future proofing development.
- Planning has a direct role to play in adapting to and mitigating the impacts of climate change, through practical nature-based solutions and design action promoting sustainable travel, urban cooling, natural flood defence and other steps, which will make a difference.
- Many of the actions proposed form an important part of creating well-designed and well-built places that benefit people and communities.

Why do we need to act now?

- 1.3 The evidence identifies that urgent action is required to tackle the impact of greenhouse gases, Figure 1. Climate change is resulting in more extreme weather events including extreme heat, droughts, flooding and wildfires. The adverse impacts of climate change have economic, social and environmental costs for local communities and for businesses with implications both for the natural and built environment.

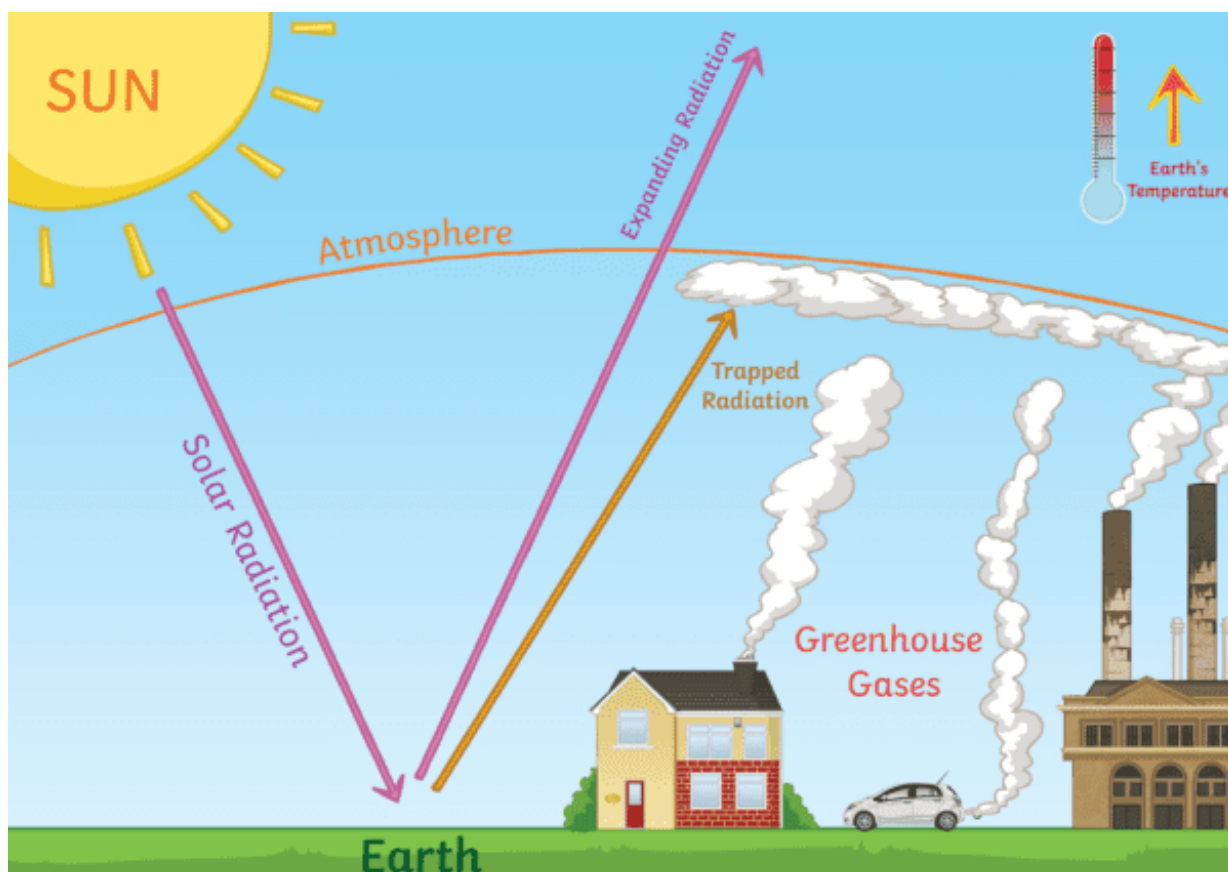
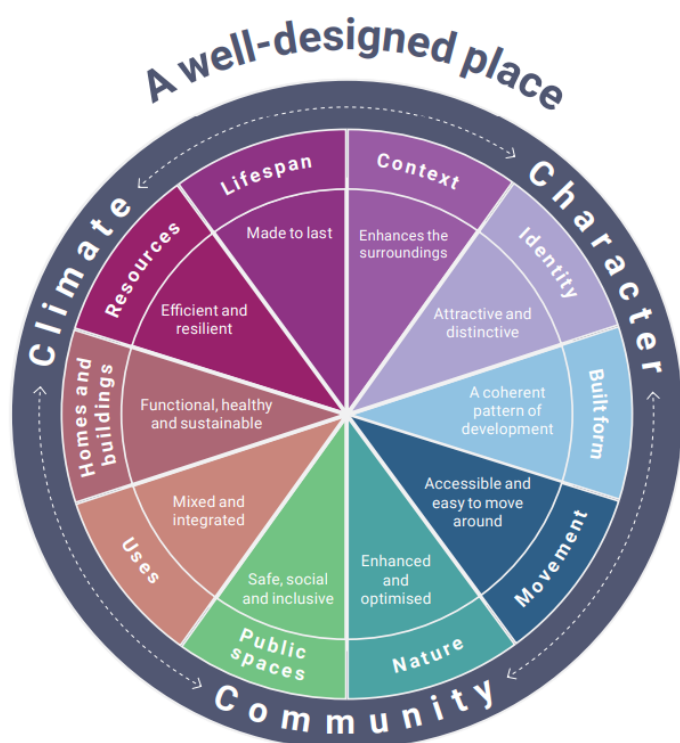


Figure 1: Climate Change – Greenhouse Gases

- 1.4 The Council's Climate Change Strategy identifies that it is key that action is taken as soon as possible to tackle the climate crisis at a local level. The Council has committed to reaching net zero, or closely to it as possible for the Councils Direct and Indirect (Scope1-2) emissions by 2030, and will work to minimise scope3 emissions (outside the Council's direct control) by 2050. The supporting evidence to the Strategy identifies that there is a need to reduce emission for the District at a greater rate if we are going to meet the Government's zero emissions by 2050.
- 1.5 Evidence on climate change reinforces the need to take steps now, Appendix 1.
- 1.6 The National Planning Policy Framework, Planning Practice Guidance, and the National Design Guide place an emphasis on the importance of responding to climate change. The National Design Guide 2021 identifies in relation to climate change:

“We expect continuing change as a consequence of climate change, changing home ownership models and technological changes. It is likely to emerge and embed in society rapidly. It will influence the planning, design and construction of new homes and places. So, for each of the ten characteristics, a Looking Forward box identifies some issues to consider as we are thinking ahead about our places. Both local planning policies and the design process need to take these into account.”



The ten characteristics are:

- Context – enhances the surroundings.
- Identity – attractive and distinctive.
- Built form – a coherent pattern of development.
- Movement – accessible and easy to move around.
- Nature – enhanced and optimised.
- Public spaces – safe, social and inclusive.
- Uses – mixed and integrated.
- Homes and buildings – functional, healthy and sustainable.
- Resources – efficient and resilient.
- Lifespan – made to last.

Figure 2: A Well Designed Place

Source: National Design Guide 2021 Planning practice guidance for beautiful, enduring and successful places.

1.7 Figure 2 emphasises that well-designed places have individual characteristics which work together to create its physical **Character**. The ten characteristics help to nurture and sustain a sense of **Community**. They work to positively address environmental issues affecting **Climate**. They all contribute towards the cross-cutting themes for good design set out in the National Planning Policy Framework.

1.8 Appendix 1, provides checklists for applicants, which should be used to inform a climate change statement to be submitted with the planning application, either as part of a Design & Access Statement, or standalone:

Note : Working in partnership with the Midlands Energy Hub and the D2N2 Local Enterprise Partnership, Nottinghamshire councils have jointly prepared planning guidance on low carbon development in order to help the relevant councils to achieve their stated objectives of reducing carbon emissions. The Ashfield Guidance Note on Climate Change takes account of the Nottinghamshire Guidance but it has been adapted to reflects the Council's local circumstances.

2.0 Green Infrastructure and Climate Change

- 2.1 Green infrastructure such as parks, open space and green walls/roofs makes a substantial contribution towards adapting to climate change and an important contribution towards mitigating climate change. There are also a range of other benefits to be gained through green infrastructure networks such as improved opportunities for walking and cycling, reduced carbon emissions and improved health and well-being of local communities. Such natural interventions are a desirable win-win approach combating climate change and delivering multiple other social, economic and environmental benefits.

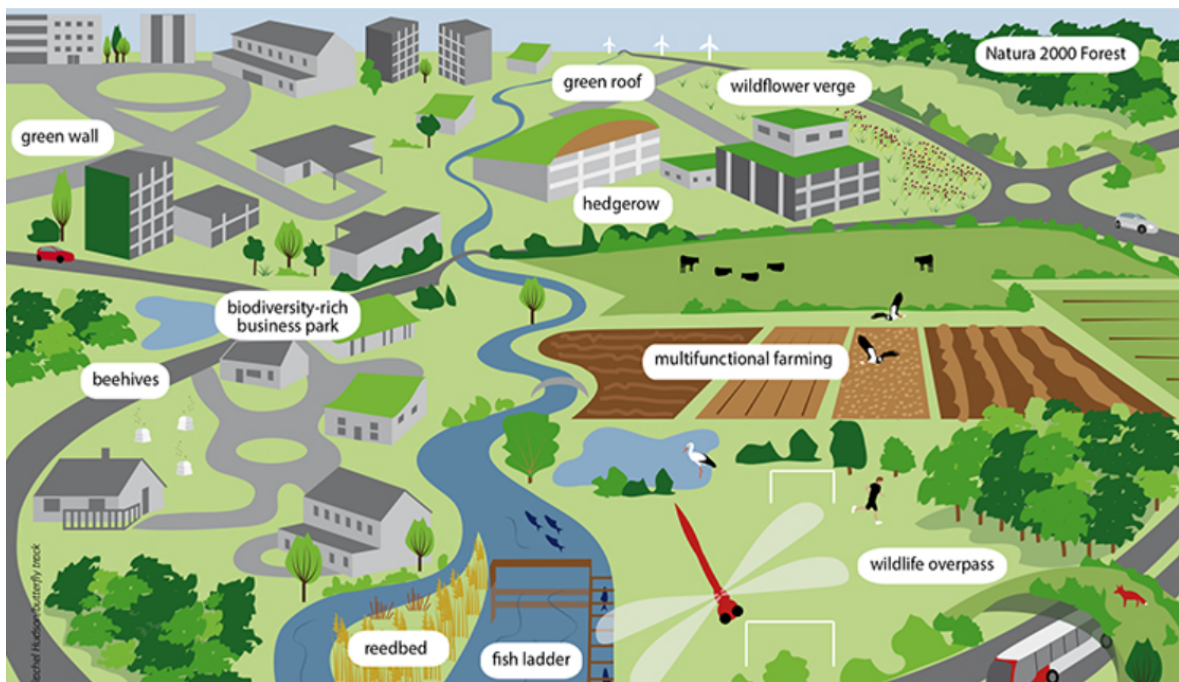


Figure 3: Potential components of green infrastructure

Source: European Commission 'The forms and functions of green infrastructure'.

- 2.2 Planning applications for development should integrate existing and new natural features into the multifunctional green infrastructure network including the provisions of natural play areas and the use of SuDS, Figure 4. Green infrastructure plays an important part of meeting biodiversity net gain which is required under the provisions of the NPPF and will become a mandatory requirement under the Environment Act 2021. Green corridors should be utilised to extend and enhance existing ecosystems.

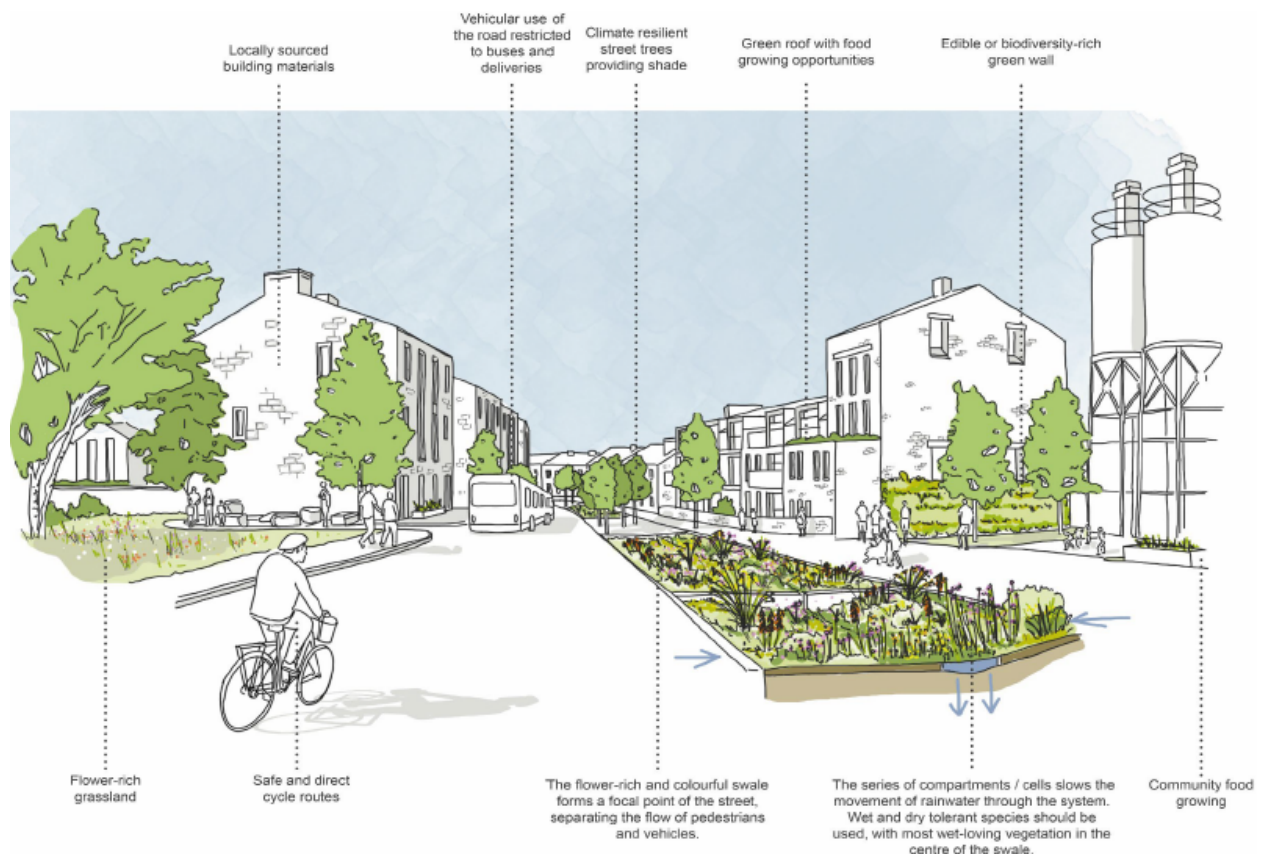


Figure 4: Application of green infrastructure and SuDS within the street scene

Sources: Waverley Borough Council Climate Change and Sustainability SPD 202

- 2.3 The Council's Green Infrastructure and Biodiversity Technical Papers ([Link to documents](#)) set out the strategic and local green infrastructure network which can be strengthened by connecting new development to the existing and planned cycleways and walking networks.
- 2.4 Green infrastructure should be considered at the earliest stages of design ensure that green infrastructure is integral to planning the layout and design of new buildings and development. In this context this includes:
- Taking into account climate change mitigation and adaption, integrating it into the planning, layout and design of buildings and developments. Figures 5 and 6.
 - The design of development should aim to reflect and enhance the area's locally landscape character. ([Link to supporting documents](#)). To achieve this, existing biodiversity features of environmental, historical or cultural interest, such as habitats of principle importance, ancient woodland and hedgerows, open spaces, and routes long used by local communities, should all be conserved and integrated into the design.



Figure 5: Sustainable design building incorporating green infrastructure elements

Sources: Southwark

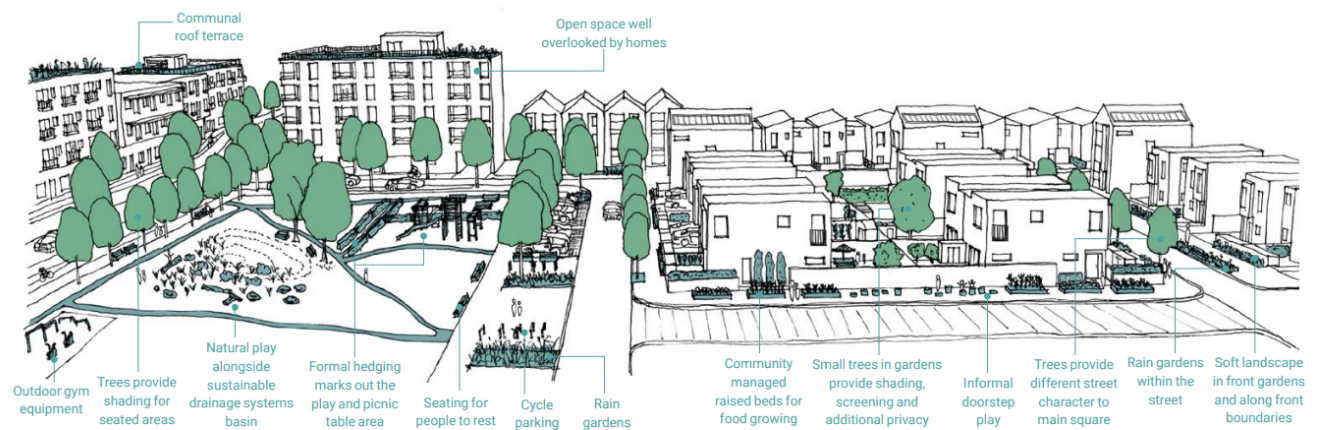


Figure 6: Provide a network of high quality, green open spaces with a variety of landscapes and activities, including play.

Source: National Design Guide 2018

- Deciduous trees should be planned as part of the scheme. In relation to climate change, trees and other green infrastructure help regulate air temperature, reducing the 'heat island effect' and protecting buildings from excessive summer heat through shading and from wind. Figures 7 and 8.
- Whenever possible, mature trees should be preserved as they have far greater benefit in lowering the Urban Heat Island effect than newly planted trees.

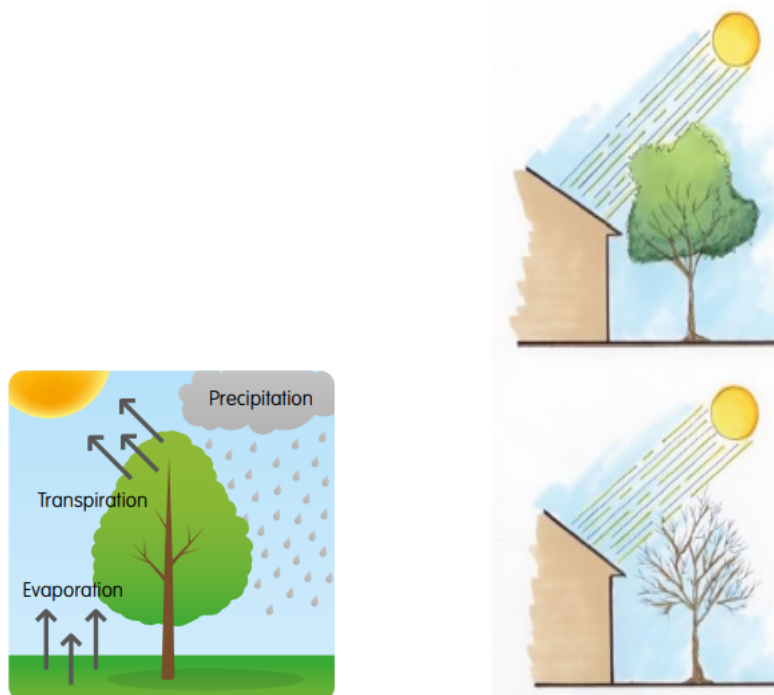


Figure 7: Trees regulate air temperature and deciduous trees provide natural shade in summer whilst allowing sunlight through in winter.



The urban heat island effect was clearly evident during the July 2021 heatwave. The Land Surface Temperature in Greenwich Park (measured using satellites), was up to 30% cooler than temperatures felt in nearby Isle of Dogs.

Figure 8: Urban heat island effect

Source: Environment Agency

- In public open space and outdoor seating areas provide trees for shade. Small trees should be planted in private gardens to provide shading. Figure 6.
- Plant street trees and other street planting to soften the impact of car parking, help improve air quality and contribute to biodiversity. Trees and hedgerows should be appropriate to local character, habitats and species.



Figure 9: Positive impact of street trees

Benefit of street trees include:

- Positive street scene with improvements to mental well-being.
 - Capture pollution, store CO₂, and give off oxygen.
 - A cooling and shading effect in summer.
 - Mitigate heavy rain by capturing some of it in their roots, leaves and branches
 - Creates a natural habitat.
-
- Where practical, green roof and living wall vegetation should be utilised. They can improve the energy performance of a building as they reduce energy heating but also cooling costs. They can contribute, to some degree, to reductions in surface water run-off and improve the local air quality and can be integrated on a variety of scales. They greatly add to the aesthetics, soften the urban form and provide net gains in biodiversity.
 - Plants that will be resilient to changing temperatures and native to the area should be utilised, for example, those that do not require a large amount of water with anticipated increase in drought conditions.
 - Where the scale of development permits, provide opportunities a local level for people to grow their own food. Allotments community gardens and orchards are important in helping to reduce food mileage, improve healthy lifestyle choices and support social interaction. Integrating community gardens and orchards within urban environments provides for healthy living and benefits local biodiversity.



Figure 10: Allotment garden

- 2.5 Green infrastructure requires management if it is to provide benefits and services in the long term. Consequently, how the management of green space is going to be funded needs to be identified as early as possible and factored into the design and implementation, balancing the costs with the benefits.

3.0 Managing Flood Risk, Drainage and Conserving Water

Water Conservation

- 3.1 Water conservation reflects using water efficiently to reduce unnecessary water usage. Water is a limited resource and conservation of water is critical both from a social, economic and environmental aspect. This reflects that:
- Energy is required to filter, heat and pump water to your home. Therefore, reducing water usage saves energy and reduces your carbon footprint.
 - Using less water, particularly during periods of drought, helps wetland habitats and helps maintain eco systems as by using water efficiently, less water is taken out of rivers and aquifers.
- 3.2 With climate change and a growing population, it is anticipated there will be more water shortages with an increased risk of drought. In this context:
- On the 1st July 2021, the Secretary of State for the Department for Environment, Food & Rural Affairs (DEFRA) determined that parts of the Midlands, including Ashfield as seriously water stressed areas. A letter from DEFRA of 1st September 2022 set out that *“recognising the clear need for immediate reduction in water use, we encourage Local Authorities to apply the tighter standard of 110 litres per person per day (l/p/d) set out in the ‘Housing: optional technical standards’ guidance and prescribed by regulation 36(2)(b) of the Building Regulations 2010’.”*
 - Severn Trent’s Water Resources Management Plan 2019, identifies that there will be a significant deficit between supply and demand for water over the medium terms unless it acts. It sets out that “Our assessment shows that without future investment, we face supply / demand shortfalls in our Strategic Grid, Nottinghamshire and North Staffordshire water resource zones.”
 - Local planning authorities must, in exercising their functions, have regard to River Basin Management Plans. The Humber River Basin Management Plan (page 46) recommend that Local Plans set out policies requiring homes to meet the tighter water efficiency standard of 110 litres per person per day.
- 3.3 A number of measures can also be utilised to secure greater economy in water use. This includes rainwater harvesting. At its simplest this can be rainwater collection tubs connected to a drainpipe. However, more sophisticated systems including storing of rainwater collected from the roof of the building, which can either be gravity fed or pumped, for purposes not requiring drinking water standards such as flushing toilets, washing machines or for watering the garden. (Grey water). Water can be harvested from green roofs although it is less clean and may have contaminants.
- 3.4 To conserve water, development within Ashfield will meet the requirement of 110 litres per person per day.

Mitigating and Adapting to Flood Risk.

- 3.5 Flood risk is an issue across Nottinghamshire and when it occurs it has a substantial impact on peoples' health and well-being, as well causing substantial economic damage. Climate Change is anticipated to increase the risk of flooding. Consequently, water management and reducing the risk of flooding from all sources is a key aspect of sustainable development.
- 3.6 The most common source of flooding is from watercourses. Water levels in rivers or streams rise and overtop their banks ('fluvial' flooding). However, flooding can also occur after short, intense downpours of rain which cannot be quickly enough evacuated by the drainage system or infiltrated to the ground (Pluvial flooding). There are limited areas within Ashfield that are within Flood Zones 2 and 3. Nevertheless there is a risk of flooding from watercourses in specific area, in particular, Hucknall and Jacksdale. The risk from surface water to properties and infrastructure in Ashfield is reflected in the Nottinghamshire Local Flood Risk Management Strategy 2021-27, see Table 1. The risk from surface water flooding is expected to increase with climate change.

Ashfield		High	Med	Low
Residential		881	2509	8733
Commercial & Industrial		114	241	546
Critical Infrastructure	Emergency Services	1	1	2
	Hospital	0	0	0
	Schools & Education	2	13	31
	Surgery or Health Care	2	2	7
	Residential Home	0	0	1
	Sewage Treatment	1	1	2
	Electricity Sub Station	3	12	43
	Sub Total	9	29	86
Other		233	482	1358
Total		1004	2779	9365

High – each year, the chance of flooding is greater than 1 in 30 (3.3%).

Medium – each year the chance of flooding is between 1 in 100 (1%) and 1 in 30 (3.3%)

Low – each year the chance of flooding is between 1 in 1000 (0.1%) and 1 in 100 (1%).

Very Low – each year the chance of flooding is less than 1 in 1000 (0.1%).

Table 1: Properties at risk of surface water flooding in Ashfield

Source: Nottinghamshire Local Flood Risk Management Strategy 2021-27. Appendix F

- 3.7 A Flood Map for Planning, is available through the Government's website. ([Link to website](#)), sets out information on flooding from various sources.
- 3.8 The priority for the Council is to avoid inappropriate development in areas at risk from flooding. Unless there are exceptional circumstances, it is not anticipated that development such as new homes in Flood Zones 2 or 3 or where the access is required through Flood Zones 2 or 3, will be permitted. This reflects that in Ashfield there will be sequentially other sites where development could be undertaken without giving rise to a flood risk from a watercourse. Where this is not possible, the Council will require flood resistance and flood resilience measures to be incorporated into the

design of buildings and other infrastructure so that the flood risk is managed and it does not increase the risk of flooding elsewhere.

- 3.9 The Council will apply national policy and guidance together with best practice in determine planning applications where there are any forms of risk from flooding with the aim of managing flood risk by directing development to areas with the lowest risk and to ensure that development does not increase the risk of flooding elsewhere.
- 3.10 A sequential approach to the location of development will be undertaken so that, as far as possible, development in current and future medium and high flood risk areas considering all sources of flooding including areas at risk of surface water flooding. A flood risk assessment will be undertaken which must have regard to a number of requirements. These include:
- flood hazards from all sources,
 - the probability of flooding including allowances for climate change,
 - flood risk management measures, including how SuDS will be incorporated into the design,
 - ensuing the development is safe from flooding during its lifetime,
 - safe access and egress,
 - off-site impacts,
 - residual risks,
 - opportunities to reduce flood risk and,
 - include a drainage assessment in accordance with the SuDS Manual or any updates or amendment.
 - assessing the impacts and demonstrate how mitigation measures have addressed them.

The assessment should demonstrate how flood risk will be managed now and over the development's lifetime, ensuring as a minimum that there is no increase in the risk of flooding to the development nor the surrounding area, taking climate change into account, and have regard to the vulnerability of future users.

- 3.11 National Planning Practice Guidance on Flooding and Coastal Change ([link to PPG](#)), sets out a hierarchy for the discharge of surface water:
1. into the ground (infiltration);
 2. to a surface water body;
 3. to a surface water sewer, highway drain, or another drainage system*;
 4. to a combined sewer.

Rainwater should be used as a resources, for example rainwater harvesting.

- 3.12 For applications which impact on Main Rivers, advice will be sought from the Environment Agency. Advice on other forms of flooding, including surface water, will be sought from the Nottinghamshire County Council as the Local Lead Flood Authority (LLFA). The LLFA aims to reduce the impact and likelihood of local flooding across the County. For major development, the LLFA requirements will include:

- Demonstrating that the proposals follow the discharge hierarchy with an emphasis on the use of SuDS in accordance with the NPPF paragraph 169.
- Using SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753, or any amendments.
- Limiting the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) to Qbar rates.
- Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- For all exceedance to be contained within the site boundary without flooding new properties in a 100 year + 40% storm.

It should be noted that:

- The LLFA does not consider oversized pipes or box culverts as sustainable drainage. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, with a preference for above ground solutions.
- Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management.
- Applicants should look to achieve greenfield run-off rates.
- Impermeable surfacing can have a substantial cumulative impact on surface water flood risk. Developments should prioritise permeable over impermeable surfaces to allow infiltration and reduce the amount of surface water runoff, for example driveways.

3.13 The Department for Communities and Local Government Improving the Flood Performance of New Buildings: flood resilient construction (2007) identified how to improve the resilience of new properties in low or residual flood risk areas using suitable materials and construction methods. ([Link to document](#)).

Sustainable Drainage Systems (SuDS)

3.14 The multifunctional aspects of SuDS are reflected in CIRIA four pillars for SuDS, Figure 11, with SuDS taking a variety of forms, Figure 12. Examples of types of SuDS include basins and ponds, permeable surfaces, filter strips and drains, swales, wetlands, rainwater harvesting and green roofs.

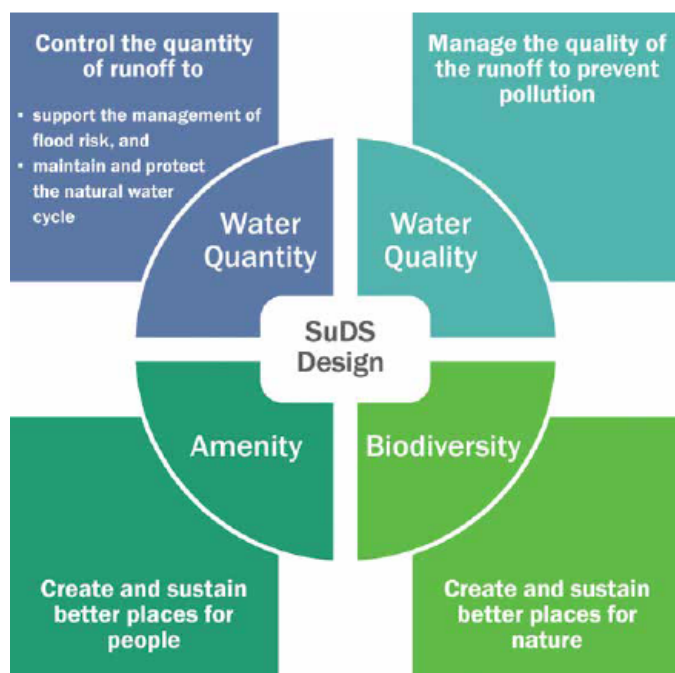


Figure 11: The four pillars of SuDS (CIRIA C753 The SuDS Manual)

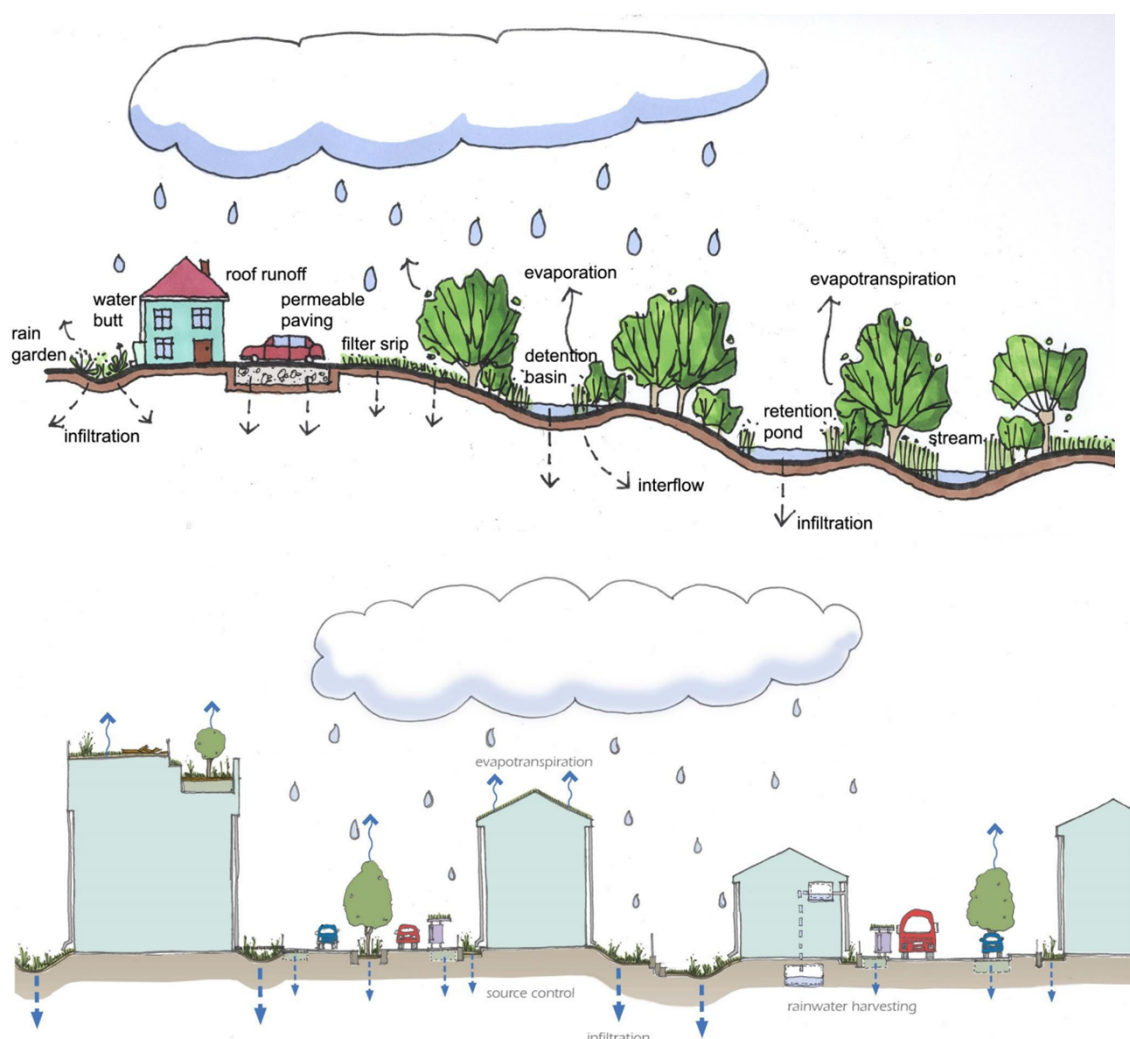


Figure 12: SuDS in a rural and urban environment

Source: Design of SuDS – key steps in the process. Trent Rivers Trust February 2018.

3.15 SuDS should incorporate green infrastructure which can help to protect against flash flooding and makes a significant contribution towards meeting biodiversity net gain. Trees intercept rainfall and slow the rate of run-off, while green space can be used as a temporary storage area for flood water. When positive water management is planned and delivered correctly, green infrastructure can greatly reduce the speed and volume of water reaching drains, sewers, and water courses, helping to conserve water and reduce the severity of flooding events.

3.16 In order to achieve positive water management, green infrastructure should be integrated into the drainage and wastewater management plans with the aims of providing:

- Making a positive contribution to the character of the area.
- Enhance public open space for a variety of recreational uses;
- Reduce flooding at catchment and local scales, working with natural processes;
- Provide water to create new or enhance existing wetland habitats and water courses;
- Minimise water pollution and improve water quality;
- Improve climate change resilience of freshwater habitats and species;
- Help connect recreational, natural green and blue spaces;
- Facilitate biodiversity, prioritising native species.

3.17 Blue infrastructure, such as rivers, canals and open water should be incorporated into the design of a scheme so that acts as a valuable corridor rather than a barrier for recreation and wildlife. Where practical, culverted watercourses should be opened up to form a natural open watercourse. Schemes such as that undertaken at Tichfield Park, Figure 13, create an environment for users to enjoy as well as benefiting biodiversity.



Figure 13: Tichfield Park. Stream culvert opened up and rewilded.

Source: Ashfield District Council

- 3.18 The Council will require the design of surface water drainage should be an integrated part of a well-designed development, which is considered at the earliest possible stages of the planning process
- 3.19 The Council will require SuDS water features that are integrated, contribute to well-designed places and positively address the character of the development. In this context, a wide variety of new water features should be integrated into the design of a development including swales, rain gardens, rain capture and other drainage water features.
- 3.20 The Council will require that any applications for development identify how surface water drainage will be managed and maintained for the lifetime of the development in the future.
- 3.21 The Council will require that opportunities are taken to facilitate blue infrastructure. Applicants should reinstating areas of watercourse meadows, restoring natural water courses and open up culverted water courses into a natural form.

4.0 Improving Building Design and Layout to Address Climate Change

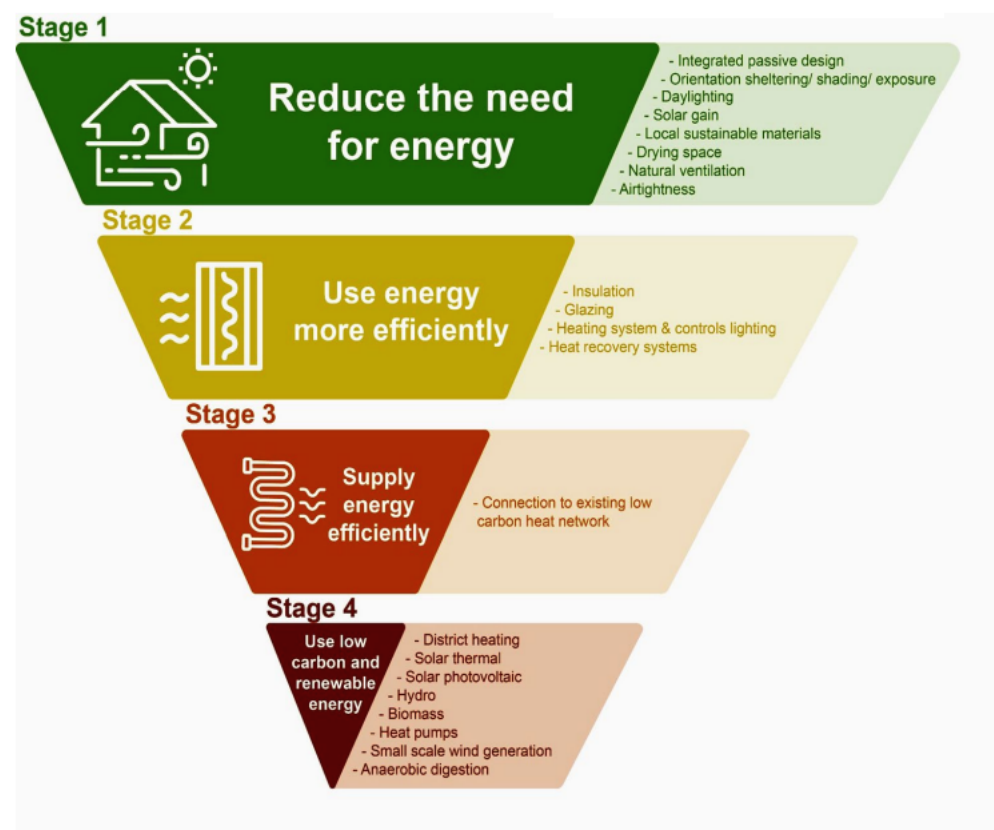


Figure 14: Energy hierarchy

- 4.1 The Energy Hierarchy, Figure 14, helps to guide decisions about which energy measures are appropriate in particular circumstances. Developers should aim to:

- Reduce the need for energy - the site layout and orientation of buildings can reduce the energy demand of buildings by capitalising on passive solar gain for heat and light.
- Use energy efficiently - there are a range of measures that can be incorporated which help save and efficiently use energy, including thermal efficient glazed windows, draught proofing, insulation, and energy efficient appliances (e.g. light fittings).
- Supply energy efficiently – Green House Gas (GHG) emissions can be significantly reduced by using existing energy supplies more efficiently e.g. by distributing waste heat energy via power networks or using Combined Heat and Power networks.
- Use renewable energy - incorporate technologies that obtain energy from natural sources such as the wind, water and sun (renewable energy sources).

Sustainable layout and design

4.2 Sustainability must be part of the whole design process from the very start with the objective of having an integrated approach to create "win-win" design solutions. The Government has produced National Design Guidance ([link to design guidance](#)) which is relevant in this context. Building for a Healthier Life also provides key principles for sustainable design. ([Link to Building-healthier-life](#)). Figure 15 identifies potential energy efficient measures that could be incorporated into new development.

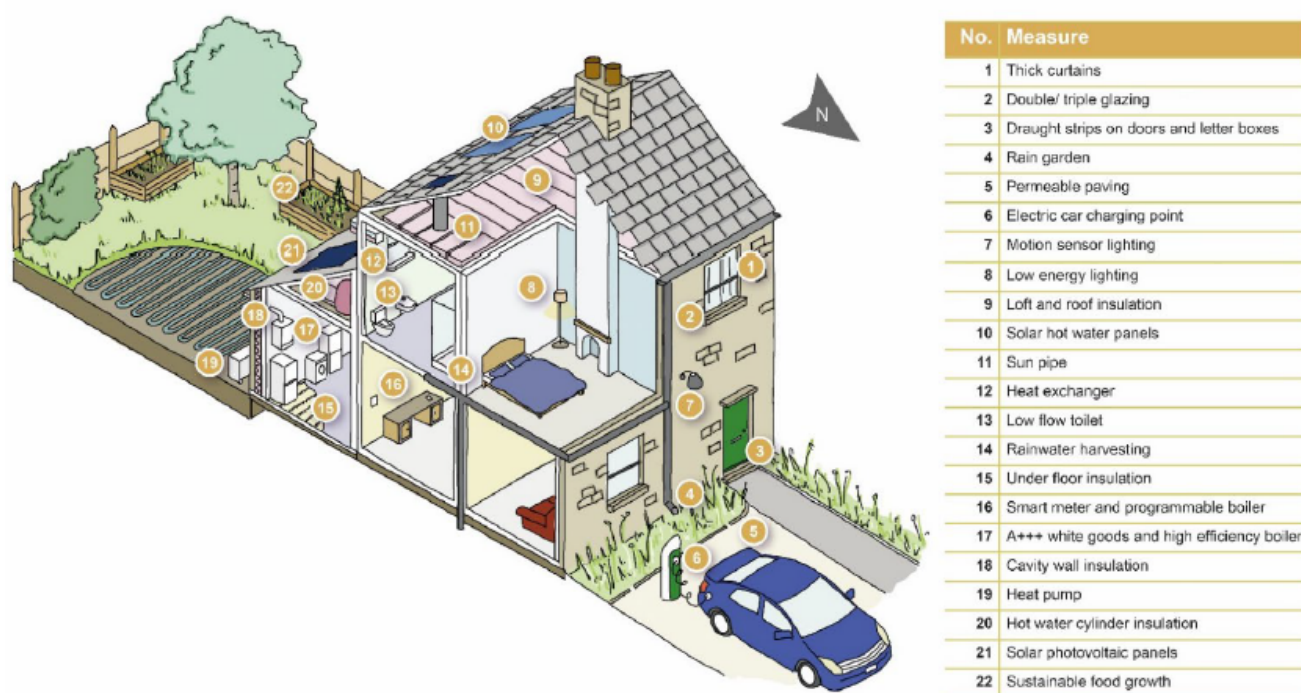


Figure 15: Common energy efficiency measures in new developments.

Source: Waverley Borough Council Climate Change and Sustainability SPD 2022

- 4.3 **Passive Solar Design** - Using the sun's energy and surrounding climate can achieve natural heating and cooling of a building. The orientation of buildings can significantly reduce overall energy consumption of a building. Buildings should be orientated to maximise solar gain during the high summer and low winter sun angles on southern exposures whilst minimising excessive solar gain on east and west exposures from low sun angles. This can significantly reduce the overall energy consumption of a building. Figure 16.

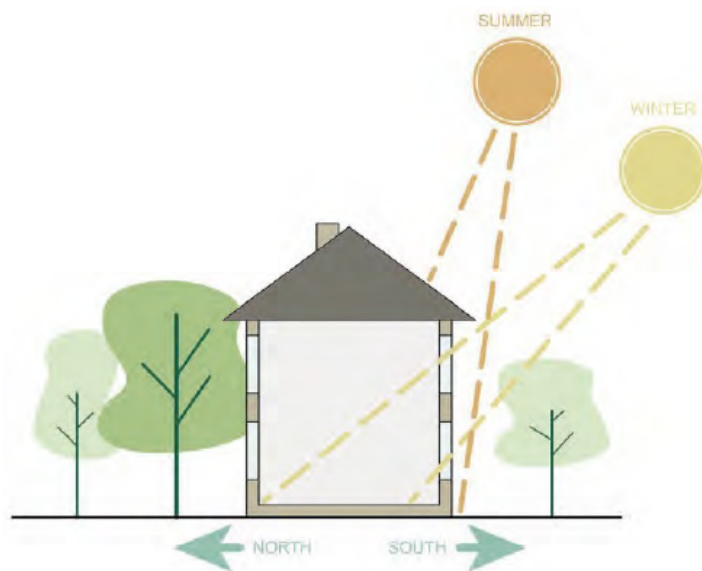


Figure 16: Solar orientation residential dwellings

Source: Derbyshire Dales Climate Change SPD.

- 4.4 **Overheating** - Climate change is expected to bring more extreme temperatures. The provision of natural shading such as building overhangs, balconies, grouping and trees is encouraged to reduce the risk of overheating during the summer and minimise heat loss in the winter.



Figure 17: Low energy housing with passive solar design, including shading to prevent overheating in summer, and highly insulated thermal mass construction. Great Bow Yard, Langport, Somerset

Source: National Design Guidance 2018.

- 4.5 **Densities** - Planning policies generally seek to ensure that new development does not create issues of overlooking, overbearing or overshadowing. Separation distances between residential units and their siting and orientation within the scheme relative to one another should seek to maximise solar gain across the scheme as a whole. The elevation with the most potential for solar gain should have a minimum distance of 11 m from the next building.
- 4.6 **Use Energy Efficiently** - There are a range of measures that can be incorporated, which help save and efficiently use energy, including thermal efficient glazed windows, draught proofing, insulation, and energy efficient appliances (e.g. light fittings).

Implications

- 4.7 Applicants should demonstrate how the energy hierarchy has been considered within the planning application to minimise carbon emissions.
- 4.8 When planning for and designing layouts, a number of aspects should be considered and reflected in the development:
- Use the layout, density and mix of development to support identified opportunities for decentralised energy.
 - Considering different layout options to achieve maximum solar gain and integration of solar panels.

- Consider the landform, layout, building orientation, tree planting, massing and landscaping to reduce likely energy consumption and increase resilience to increased temperatures;
- The design and integration of open spaces and green networks should reflect the opportunities for people, biodiversity, flood storage and carbon management provided by multi-functional green spaces and green infrastructure networks. This includes promoting urban cooling, shade and shelter, access to nature and healthy places.
- The use of low carbon technology.
- Support sustainable waste management by providing space for recycling and composting.

5.0 Low Carbon And Renewable Energy

Low or Zero Carbon Technologies

- 5.1 Renewable and Low and Zero Carbon technologies (LZC) integrated into the built environment at the community or individual building scale (sometimes known as micro-generation) will play a vital role in reducing carbon dioxide emissions. These can be undertaken on-site or in the immediate locality of the development.
- 5.2 Renewable energy technologies produce energy from natural resources that will not run out. The most common technologies are energy from wind (wind turbines), energy from the sun (solar panels), and energy from water (hydroelectricity). In addition, there is a growing sector of LZC technologies. These do not use purely renewable sources but instead have very limited (or even zero) carbon emissions. Examples include biomass fuelled boilers and ground source heat pumps.

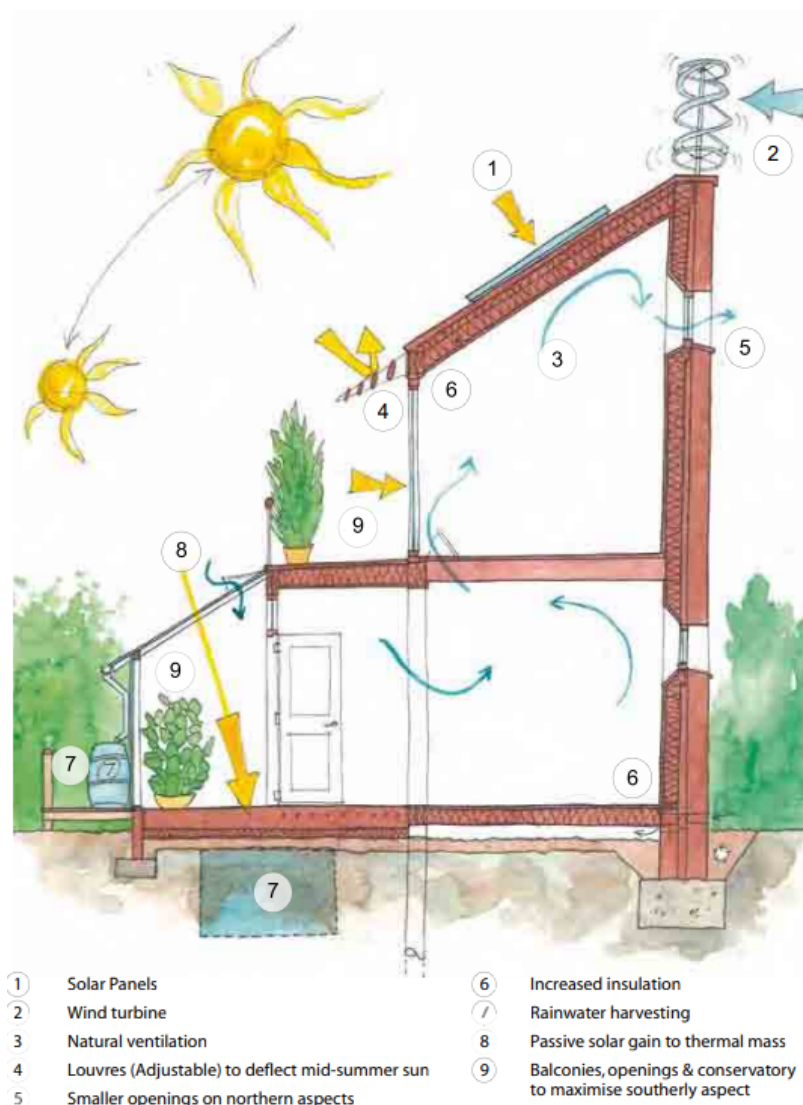


Figure 18: Sustainably design building

Source: Southwark Council

5.3 In broad terms, renewable and LZC can be seen to fall into three categories:

- Those that produce electricity;
- Those that produce heat, either for water or heating;
- Those that co-produce both electricity and heat.

Electricity Producing Technologies	Heat Producing Technologies	Combined Heat and Power Technologies
<ul style="list-style-type: none">• Photovoltaic solar panel• Wind turbines• Hydro-electric turbines	<ul style="list-style-type: none">• Solar hot-water collector• Ground source heat pumps• Water source heat pumps• Air source heat pumps• Biomass fuelled boilers• Biomass fuelled stoves• Anaerobic digesters (these can also produce electricity).	<ul style="list-style-type: none">• Combined Heat and Power Plants (CHP)

Table 2: Forms of LZC

- 5.4 Small-scale technologies such as solar PV, solar thermal, heat pumps and wind turbines can generate energy to meet some or all of the needs of a building. A single installation will produce a limited amount of energy but cumulatively these technologies will be an important element towards securing the future energy supply, and reducing energy costs for households and businesses.
- 5.5 The General Permitted Development Order (GPDO) (2015 as amended) grants the right to carry out certain limited forms of development without the need to apply for planning permission. The Planning Portal ([link to Planning Portal](#)) and the Energy Saving Trust ([link to Energy Saving Trust](#)) can provide guidance on the use of small scale technologies.

Heat Network

- 5.6 A heat network, sometimes called district heating, is a distribution system of insulated pipes that takes heat from a central source and delivers it to a number of domestic or non-domestic buildings. The heat source might be a facility that provides a dedicated supply to the heat network, such as a combined heat and power plant; or heat recovered from industry and urban infrastructure, canals and rivers, or energy from waste plants. Further information on the opportunities in this area is available on the Government's website. ([Link to website](#)).

Mine Water Heat

- 5.7 There are potentially opportunities for mine water heating for larger developments in Ashfield.

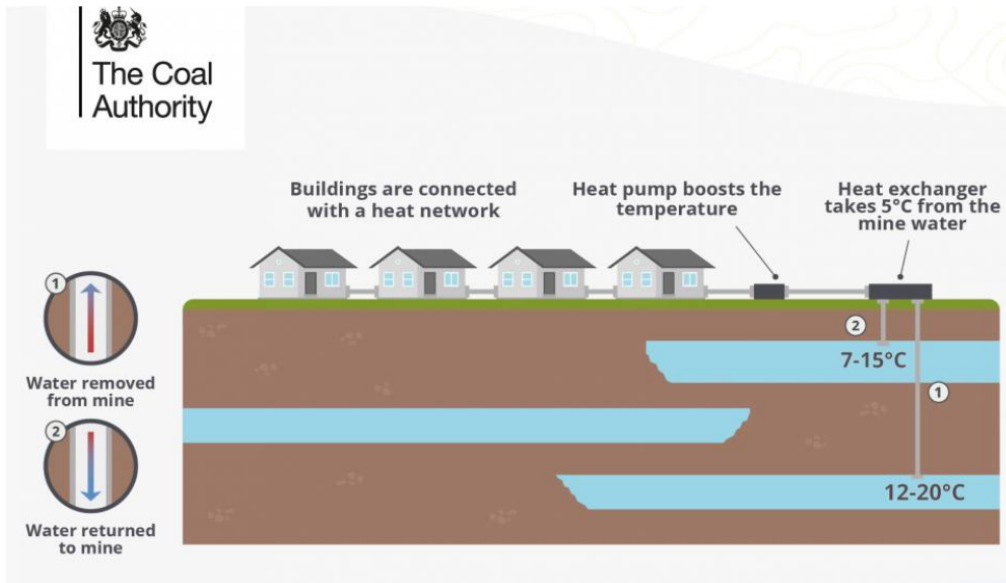


Figure 19: Mine Water Heat

Source: The Coal Authority

- 5.8 Mine water heat is an area where there are opportunities to provide heat for homes and businesses. Water within the mines is warmed by natural processes and can, if sustainably managed, provide a continuous supply of heat. Mine water temperatures are not affected by seasonal variations and subject to the right support, mine water can provide renewable, secure, low carbon heating for buildings in coalfield areas. In the case of a district heating network, this energy can be transferred to a pipe network using a heat exchanger, and then distributed to nearby homes. With heating accounting for 40% of energy use in the UK, mine water heat could improve the sustainability of the places while supporting a net zero future.
- 5.9 The Coal Authority business plan 2022 to 2025 July 2022 ([Link to Plan](#)) identifies that mine water: *“can provide heat for homes and businesses, while also delivering net zero carbon and levelling up outcomes for communities whose identity was built from coal and who could now benefit from low carbon, social and economic benefits from the warm water in the historic mining assets.”* The Coal Authority sets out its intention to work with a range of partners and to seek innovative funding mechanisms to enable this growth, partnering with public organisations and private sector companies.
- 5.10 British Geological Survey (BGS) and the Coal Authority have released maps that reveal the extent to which heat is stored in Britain’s abandoned coal mines. The map shows where the mines are and the extent by which temperatures increase with depth. ([Link to interactive map](#)).

6.0 Sustainable Transport – Reducing the Need to Travel

- 6.1 The ability to travel safely and reliably is essential for the economy and health and well-being. However, for Ashfield national data identifies that while carbon emission from industry and domestic have fallen significantly, transport has not seen the same level of reduction and as a percentage has increased from 26.95% of emissions in 2005 to 35.82% in 2018. ([Link to data](#)).
- 6.2 Department for Transport statistics extracted from the National Travel Survey confirm that a quarter of trips are under a mile in length, with almost half (46%) of trips under 2 miles in length. ([Link to data](#)). The majority of Ashfield's population live in the three towns of Hucknall, Kirkby-in-Ashfield and Sutton in Ashfield. Therefore, there are opportunities for an increased proportion of trips to be made on foot or by cycle within Ashfield's main settlements and larger villages.
- 6.3 Spatial planning can help shape the pattern of development and influence the location, scale, density, design and mix of land uses, which can in turn help reduce the need to travel and the length of journeys, and make it safer and easier for people to access jobs, shopping, leisure facilities and services by public transport, walking and cycling.
- 6.4 Transport for New Homes 2018, Foundation for Integrated Transport, ([link to doc](#)) considered the functioning of transport in relation to development based on various themes and a comparison to the Netherlands. It sets out a number of recommendations in relation to planning and transport. Poundbury is highlighted as an development where it has been successful in achieving higher rates of walking (32% of all trips).
- 6.5 A range of convenience retail and community should support large-scale residential developments uses in addition to providing local employment opportunities where possible, to reduce the need for residents to travel. The change to more agile working practices also reduces the potential need to travel and therefore, emissions generated by the travel mode. It also emphasised the need for development to include high-speed broadband to facilitate home working.
- 6.6 Major developments should be planned with respect to existing active travel and public transport networks. Developments should include active travel infrastructure throughout the site, and link to the existing external network and / or enhance the existing network wherever possible.
- 6.7 There is substantial emphasis on alternative forms on transport to the car set out in various national strategies:
- Decarbonising Transport: A Better Greener Britain in 2020. Department of Transport. The Plan includes clear actions to cut delivery traffic and make it low-carbon, including harnessing new technology and 'last-mile' delivery consolidation. It sets out the Government's commitments, actions and timings in relations to various forms of transport including cycling and walking, zero emission buses, and zero emissions fleets of cars, vans motorcycles and

scooters. Pages 9 to 11 sets out a summary of the commitments for decarbonise all forms of transport.

- The National Bus Strategy for England requires Local Transport Authorities to implement ambitious bus priority schemes and draw up Bus Service Improvement Plans. The Bus Service Improvement Plan for Nottinghamshire is available on the County Council's website. ([Link to Plan](#)).
- The Department for Transport sets a vision for cycling and walking within its Gear Change document ([link to gear change](#)) setting the following nine key principles. Applicants should seek to achieve the following principles:
 - Cyclists must be separated from volume traffic, both at junctions and on the stretches of road between them.
 - Cyclists must be separated from pedestrians.
 - Cyclists must be treated as vehicles, not pedestrians.
 - Routes must join together; isolated stretches of good provision are of little value.
 - Routes must feel direct, logical and be intuitively understandable by all road users.
 - Routes and schemes must take account of how users actually behave.
 - Purely cosmetic alterations should be avoided.
 - Barriers, such as chicane barriers and dismount signs should be avoided.
 - Routes should be designed only by those who have experienced the road on a cycle.
- Cycle infrastructure design (LTN 1/20) ([link to document](#)) Provides guidance and sets out good practice in relation to the design of cycling infrastructure to ensure that it is accessible to all.

6.8 The Government plans to stop the sale of new petrol and diesel cars by 2030. Consequently, there is a requirement to accommodate low or zero emission vehicles within new developments. As of June 15th, 2022, the building regulations require developers to ensure electric-vehicle (EV) charging points are installed within the following:

- New-build homes
- New-build workplaces
- Supermarkets
- Buildings undergoing major renovations.

The Regulations do not apply to work subject to a building notice, full plans application or initial notice submitted before that date, provided the work is started on site before 15 June 2023. ([Link to Building Regulations](#)).

6.9 A consideration in all planning applications will be that convenient pedestrian access should be provided to the nearest public transport facilities to promote the use of sustainable transport modes. This will need to meet the relevant standards for Nottinghamshire County Council, as the Highway Authority, which required major developments should be located between 250m and 400m maximum walk of the

nearest bus stops to promote public transport use in accordance with local and national planning policy. In rural areas the walking distance should not be more than 800m. (Nottinghamshire County Council's Highway Design Guidance, Part 3.1). Site accessibility reviews should be undertaken using actual walking distances rather than relying on radius measurements, with a commitment provided to implementing improvements to the local pedestrian network where required to support convenient access to local bus stops and rail stations.

6.10 Development should:

- Be located to maximise the opportunities for sustainable travel, promoting walking, cycling and public transport and offering a genuine choice of transport modes.
- Place an emphasis on cycling and walking. As part of a Transport Assessment, major development should undertake a comprehensive review of the surrounding highway network to identify, any shortfalls or deficiencies in connections to existing pedestrian and cyclist road crossings, cycle routes and pedestrian routes to local infrastructure such as schools, shops, community and leisure facilities. There will be a requirement to facilitate/improve access to local facilities through cycle and pedestrian route from new development.
- Providing dedicated traffic-free walk and cycle routes to key destinations such as schools, shops and leisure facilities (see minimum standards for cycle lanes and tracks set out in LTN 1/20 with extract below provided indicatively only).
- Providing safe, secure and convenient cycle parking in residential development, as well as in key destinations (see minimum standards for cycle set out in LTN 1/20). Particular consideration should be given to the need for secure storage of electric bikes (E-bikes).
- Supporting enhanced bus frequencies and off-site priority measures, such as priority at signals and bus lanes, from day one of occupation.
- Where practical delivering bus priority within sites, and work with bus operators to ensure the geometry of routes is suitable and stops are well located and designed.
- Consideration should be given to the diversion of existing, or provision of new bus services in association with large-scale sites to ensure that developments are accessible by public transport, and to reduce the level of trips generated by car.
- Increase the proportion of trips in the local area made by sustainable modes (particularly active travel modes), by:
 - giving comparative advantages to sustainable travel – for example by placing cycle parking closer to a main entrance than car parking (other than disabled parking);

- implementing travel plans (unless the scale of the development is small) so as to reduce greenhouse gas emissions;
 - requiring safe and attractive walking and cycling opportunities for all new developments, including secure cycle parking and, where appropriate, showers and changing facilities;
 - managing the provision of car parking, so that it is consistent with cutting greenhouse gas emissions, including the provision of electric vehicle charging infrastructure; and
 - improving public transport and utilising a travel planning approach.
- Vegetation along roads contributes to environment protection, in particular reducing noise and pollution, and can also have an adaptation function, for example protecting road from direct sunlight.
 - Support the rapid deployment of electric and plug-in hybrid vehicles and charging points.

Appendix 2: Climate Change Background Information.

- i. The earth's temperature is getting warmer. It is estimated that Green House Gas (GHG) emissions have increased by a third in the last 100 years resulting in a rise in the earth's temperature by one degree centigrade. With this, has come more unpredictable weather patterns causing flooding, high winds and drought which have financial, social and environmental costs ([link to met office predictions](#)). New development must help to reduce GHG emissions particularly Carbon Dioxide (CO₂) and designing in resilience to climate change.
- ii. Greenhouse gases in the atmosphere, including water vapour, carbon dioxide, methane, and nitrous oxide, absorb heat energy and emit it in all directions (including downwards), keeping Earth's surface and lower atmosphere warm. Adding more greenhouse gases to the atmosphere enhances the effect, making Earth's surface and lower atmosphere even warmer.

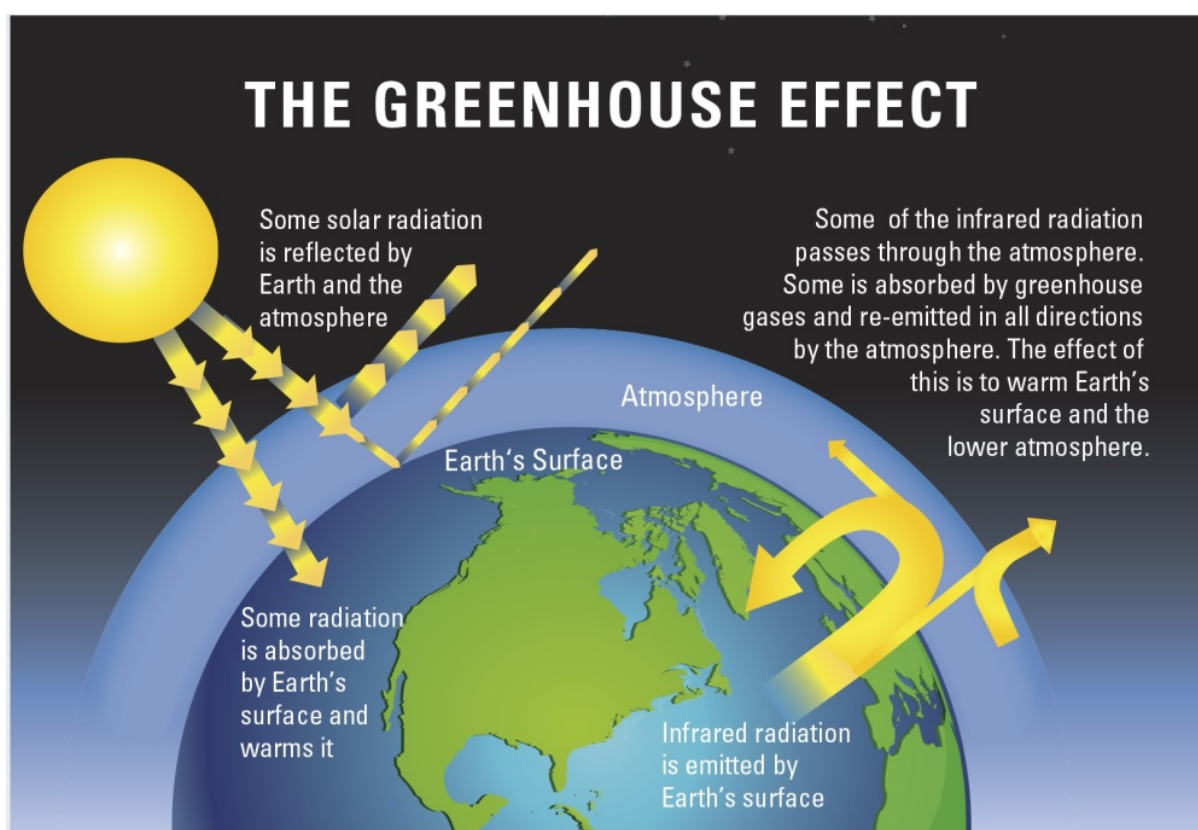


Figure 1: Impact of Green House Gases

Source: The Royal Society The Basics of Climate Change. Image based on a figure from US EPA

- iii. The Inter-governmental Panel on Climate Change (IPCC) issued its Fifth Assessment ([Link to Fifth Assessment](#)) which estimated that 50% of the increase in GHG emissions has occurred in the 40 years between 1970 and 2010. (Based on an assessment of a warming of 1.5°C and for comparison between global warming of 1.5°C and 2°C above pre-industrial levels). During the period, 2000 to 2010 annual emissions of GHGs also increased. The report estimates that due to human activities, a rise of around 1.5°C is likely to occur between 2030 and 2052, if current trends continue. The report concludes that this would result in even more extreme weather events including extreme hot spells and heavy rainfall. Rises in sea level are predicted to continue beyond the year 2100 under the various scenarios. Recent extreme weather events since the report was written enforce these findings.

- iv. To put this in perspective, the UKCP (UK Climate Projections) ([Link to document](#)) predicts that summer days could increase between 3.7- 6.8° C by 2070, including the frequency in which this occurs. Climate change has already increased the chance of seeing a summer as hot as 2018 to between 12-25%. With future warming, hot summers by mid-century could become even more common, near to 50%. Average winter precipitation is likely to increase by around a third. Whilst summer rain is predicted to be less, it will be heavier when it does rain. Overall, extreme rainfall events that typically occur every 2 years, will increase by around 25% in frequency. The Met Office UK Climate Projections 2018 study (UKCP18) provide information on how the UK's climate is expected to change. In the highest emissions scenario summer temperatures in the UK could be 5.4°C warmer by 2070 than the average summer temperature between 1981 and 2000. Average summer rainfall would, however, fall by 47% in this scenario. Winters could be up to 4.2°C warmer, with up to 35% more rainfall. ([Link to document](#)). The climate just tool ([Link to Climate Tool](#)) provides evidence on the vulnerability of local areas to both heat and flooding, which supports the need to address climate change.
- v. Through the Climate Change Act 2008 and as a signatory to international agreements, the Government has committed to:
- To bring all greenhouse gas emissions to net zero by 2050. Net zero means any emissions would be balanced by schemes to offset an equivalent amount of greenhouse gases from the atmosphere, such as planting trees or using technology like carbon capture and storage.
 - Contribute to global emissions reductions aimed at limiting global temperature rise to well below 2°C and to pursue efforts to limit temperatures to 1.5°C above pre-industrial levels.
- vi. The Climate Change Committee is an independent, statutory body established under the Climate Change Act 2008. Its purpose is to advise the Government and devolved governments on emissions targets and to report to Parliament on progress made in reducing greenhouse gas emissions and preparing for and adapting to the impacts of climate change. Their June 2022 Progress Report to Parliament ([link to Report](#)) identified:
- The UK Government now has a solid Net Zero strategy in place, but important policy gaps remain.
 - Tangible progress is lagging the policy ambition. With an emissions path set for the United Kingdom and the Net Zero Strategy published, greater emphasis and focus must be placed on delivery.
 - Successful delivery of changes on the ground requires active management of delivery risks. Not all policies will deliver as planned. Some may be more successful than expected, while others will fall behind.
 - Action to address the rising cost of living should be aligned with Net Zero. There remains an urgent need for equivalent action to reduce demand for fossil fuels to reduce emissions and limit energy bills.
 - Slow progress on wider enablers. The Net Zero Strategy contained warm words on many of the cross-cutting enablers of the transition, but there has been little concrete progress.

- The United Kingdom must build on a successful COP26. The UK presidency of the UN COP26 climate summit in Glasgow last November successfully strengthened long-term global ambition and introduced new mechanisms to support delivery. It should prioritise making those new mechanisms work in practice and strengthening global 2030 ambition, while preparing for a focus on climate finance and adaptation at COP27 in 2022 and COP28 in 2023.
- vii. The Government set out local authority and regional greenhouse gas emissions for the period from 2005 to 2020. These statistics allow local authorities to track their greenhouse gas emissions trends over time, and measure progress against any targets they have. ([Link to statistics on greenhouse gases](#)). Estimates of greenhouse gas emissions have been produced for each local authority and National Park in the United Kingdom from the following broad source categories:
- Industry (including electricity-related emissions)
 - Commercial (including electricity-related emissions)
 - Public sector (including electricity-related emissions)
 - Domestic (including electricity-related emissions)
 - Transport
 - Land use, land use change and forestry (LULUCF) (including removals of carbon dioxide from the atmosphere, so that net emissions from this sector can sometimes be negative)
 - Agriculture (including electricity-related emissions)
 - Waste management (distributed based on the waste arising in each local authority)
- viii. The Table below sets out the latest estimates of end-user greenhouse gas emissions for Ashfield. It includes carbon dioxide (CO₂) methane (CH₄) and nitrous oxide (NO₂). Greenhouse gas emissions have decreased but a factor will be the impact of the coronavirus (COVID-19) pandemic in reducing road traffic and business activity as a result of the restrictions.

	Industry Total	Commercial Total	Public Sector	Domestic Total	Transport Total	LULUCF Net Emissions	Agriculture Total	Waste Management Total	Grand Total
2018	116.3	34.3	33.4	185.4	218.7	-3.4	11.8	15.3	611.7
2019	102.9	31.5	31.7	183.2	224.8	-3.4	11.8	18.1	600.5
2020	90.9	32.2	27.5	177.3	190.3	-3.4	11.3	17.1	543.3

Table 1: UK local authority and regional greenhouse gas emissions national statistics: 2005-2020 for Ashfield .

Source: Table 1.1: Local Authority territorial greenhouse gas emissions estimates 2005-2020 (kt CO₂e) - Full dataset. (LULUCF - Land use, land use change and forestry).

- ix. Research data by the Tyndall Centre for Climate Change (Manchester University) sets out the Ashfield area has a carbon budget of 4 MtCO₂ (Metric tons of carbon dioxide equivalent) for emissions between 2020 and 2100. If Ashfield emissions continued on the historic trend, this budget would be used up during 2028. All emissions past this point

would be contributing to a dangerously warmer world. In order to keep emissions below this carbon budget and achieve net zero emissions by 2050 in line with national targets, annual emissions reduction rates must be in the region of 14% per year, from 2022 to 2050.

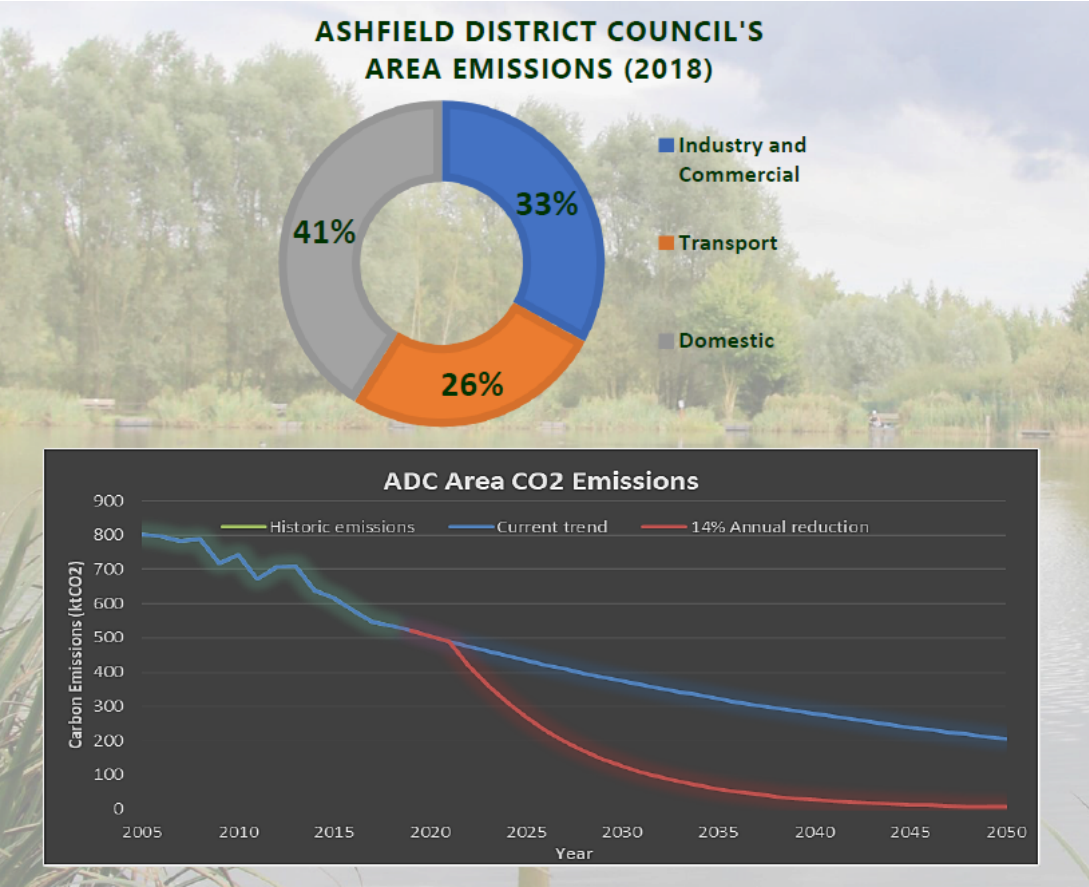


Figure 2: Ashfield climate change area emissions
Source: Ashfield Climate Change Strategy 2021 -2026

Appendix 3 – Climate Change Legislation and Policy

Legislation

- i. Various statutory requirements are in place in relation to climate change. These include:
- The Climate Change Act 2008, as amended, makes climate mitigation and adaptation central principles of plan-making. It includes a legally binding target to reduce the United Kingdom's greenhouse gas emissions to net zero by 2050.
 - The Planning and Energy Act 2008 allows Local Planning Authorities (LPAs) to set energy efficiency standards in their development plans policies that exceed the energy efficiency standards set out in the building regulations.
 - The Planning and Compulsory Purchase Act 2004 Section 19(1A) which requires
'Development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.'
 - The Environmental Assessment of Plans and Programmes Regulations 2004 includes the issue of climate change of one of the likely significant effects on the environment (Schedule 2).
 - Flood and Water Management Act 2010 addresses the threat of flooding and water scarcity. In relation to flooding, the Environment Agency is responsible for managing risk from main rivers, critical drainage areas and reservoirs. Nottinghamshire County Council as the lead local flood authorities (LLFAs) is responsible for surface water and ordinary watercourses.
 - Environment Act 2021 allows the United Kingdom to enshrine environmental protection into law. It offers new powers to set new binding targets, including for air quality, water, biodiversity, and waste reduction. It makes biodiversity net gain from development mandatory from an as-yet unconfirmed date in November 2023.

National Strategy/Policy

Net Zero Strategy: Build Back Greener, October 2021 HM Government

- ii. The Net Zero Strategy sets out how the UK will deliver on its commitment to reach net zero emissions by 2050. It sets out:
- Measures to transition to a green and sustainable future, helping businesses and consumers to move to clean power, supporting hundreds of thousands of well-paid jobs and leveraging up to £90 billion of private investment by 2030.
 - Reducing Britain's reliance on imported fossil fuels will protect consumers from global price spikes by boosting clean energy

It stresses the importance of the planning system to common challenges like combating climate change and supporting sustainable growth.

Heat and Buildings Strategy (2021) HM Government

- iii. The Government's Heat and Buildings Strategy (2021) ([Link to Heat & Building Strategy](#)) sets out how the United Kingdom will decarbonise homes, and commercial, industrial and public sector buildings. It guides the transition to high-efficiency low-carbon buildings. It

focuses on improving building energy performance and lists relevant current and planned activities for the 2020s including:

- Future Homes Standard: a 75 – 80% reduction in carbon emissions from new homes compared to current standards, from 2025, with low-carbon heating and very high fabric standards.
- Future Building Standard: pathway to highly efficient new non-domestic buildings which use low-carbon heat.
- Building Regulation Part L and F Interim Standards: increase of energy performance standards for domestic and non-domestic buildings ahead of the Future Homes Standard and Future Buildings Standard, effective from June 2022.
- Consultation on ending new gas connections in new dwellings: consulting as to whether it is appropriate to end gas grid connections to homes constructed from 2025, in favour of alternative low-carbon heat sources.

A Green Future: Our 25 Year Plan to Improve the Environment, 2018

iv. The Government's 25 Year Plan focus on a number of goals including:

- Access to green space in urban areas. Goal 6. Enhancing beauty, heritage and engagement with the natural environment including *"Making sure that there are high quality, accessible, natural spaces close to where people live and work, particularly in urban areas, and encouraging more people to spend time in them to benefit their health and wellbeing."*
- Mitigating and adapting to climate change. Goal 7. Green infrastructure is an integral part of good design and plays an important role in the District's resilience to climate change. It is an important tool for reducing the effects of climate change and can assist in adaptation and mitigations. Green infrastructure can also deliver a range of related benefits by improving opportunities to walk and cycle, which in turn reduces carbon emissions, and improving the health and well-being of local communities.

National Planning Policy and Guidance

National Planning Policy Framework (NPPF)

v. The NPPF sets out three objectives in relation to sustainable development. This includes an environmental objective which identifies the need to mitigate and adapt to climate change, including moving to a low carbon economy.

vi. Policies includes:

- The need to plan to mitigate climate change. (Paragraph 11).
- Identifying that access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change. (Paragraph 98).

- Transport issues should be considered from the earliest stages of plan-making and development proposals, so that [...] opportunities to promote walking, cycling and public transport use are identified and pursued. (Paragraph 104).
- The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (Paragraph 105)
- That trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible. (Paragraph 131).
- The planning system should support the transition to a low carbon future in a changing climate..... It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure. (Paragraph 152).
- Plans should take a proactive approach to mitigating and adapting to climate change. (Paragraph 153). Footnote 53 identifies 'in line with the objectives and provisions of the Climate Change Act 2008.'
- '... a proposed wind energy development involving one or more turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in the development plan; and, following consultation, it can be demonstrated that the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing.' (Paragraph 158, footnote 54).

Note:

Whether a proposal has the backing of the affected local community is a planning judgement. The courts have ruled that 'addressed' does not mean 'resolved' or 'eliminated'.

Planning Practice Guidance Climate Change

- vii. Planning Practices Guidance (PPG) identifies that addressing climate change is one of the core land use principles which the NPPF expects to underpin both plan making and decision taking. (Paragraph: 001 Reference ID: 6-001-20140306) The delivery of sustainable developments is heavily interlinked with the ability to address climate change impacts so that climate change must be a fundamental consideration throughout the planning process from planning policy through to decision-making of planning applications.
- viii. The PPG advised how to identify mitigation and adaption measures in the planning process to address the impacts of climate change. It includes how suitable mitigation and adaptation measures can be implemented in the planning process in order to address the impacts of climate change. This includes examples of mitigating and adapting to climate change.

Examples of mitigation include:

- Reducing the need to travel and providing for sustainable transport.
- Providing opportunities for renewable and low carbon energy technologies.
- Providing opportunities for decentralised energy and heating.
- Promoting low carbon design approaches to reduce energy consumption in buildings, such as passive solar design.

Examples of adapting to climate change include:

- Considering future climate risks when allocating development sites to ensure risks are understood over the development's lifetime.
 - Considering the impact of and promoting design responses to flood risk and coastal change for the lifetime of the development.
 - Considering availability of water and water infrastructure for the lifetime of the development and design responses to promote water efficiency and protect water quality.
 - Promoting adaptation approaches in design policies for developments and the public realm.
- ix. It stresses that adaption and mitigation approaches can be brought together with a win-win solutions, for example:
- by maximising summer cooling through natural ventilation in buildings and avoiding solar gain;
 - through district heating networks that include tri-generation (combined cooling, heat and power); or
 - through the provision of multi-functional green infrastructure, which can reduce urban heat islands, manage flooding and help species adapt to climate change – as well as contributing to a pleasant environment which encourages people to walk and cycle.
- x. Provisions in Planning Practice Guidance in other subject areas will also be relevant to tackling climate changes.

Local Policy

- xi. Ashfield District Council has set out a Climates Change Strategy 2021 to 2026. It emphasises that globally, climate change has become a cause for concern, with human activities dangerously increasing greenhouse gas emissions. To prevent this, we must cut CO 2 emissions drastically by 2030 and reach net zero emissions by 2050. The Council will:
- Work to reach net zero, or closely to it as possible for the Council's Direct and Indirect emissions by 2030,
 - Work to influence and assist the wider community emissions to reduce Ashfield's overall carbon footprint, whereby District wide emissions need to reduce significantly year on year from 2022 to 2050 in order to keep emissions below the carbon budget (the maximum carbon to be emitted by the District) and achieve net zero emissions by 2050, in line with national targets.

- xii. The current Development Plan for Ashfield comprises the Ashfield Local Plan Review 2002 (ALPR) and two neighbourhood plans. The ALPR has a number of policies which will be relevant in relation to climate changes. These include:
- Policy ST1 places an emphasis on development not adversely affecting the character, quality, amenity or safety of the environment as well as considering the capacity of the transport system.
 - Transport policies place an emphasis on cycling and pedestrians in relation to development. (Policies TR2 and TR3). Policy TR6 places identifies the need for contributions to improve the public transport infrastructure the cycling network and pedestrian facilities.
 - The importance role of nature and green infrastructure is reflected in Policies EV4, EV5, EV6, EV8, HG6, RC2, RC3, RC5, and RC8.
 - Climate change measures form part of good design and the ALPR stresses the importance of design, through Policies ST1, HG3, HG5, HG8 and SH8.
- xiii. The indicators for the Council's Planning Services in relation to climate change are set out in the Table.

Implement grey water recycling (where possible) within new and existing developments.
Ensure that there are developer contributions towards sustainable transport and infrastructure options.
Promote travel plans amongst partner organisations in the District.
Promote sustainable travel through planning.
Encourage and assist (where possible) increase of local, affordable and accessible low carbon and renewable energy generation across the Ashfield District Council area.

Table 1: Ashfield District Council Climate Change indicators for Planning Services.
Source: Ashfield DC.

- xiv. The JUS't Neighbourhood Plan 2017 -2032 set out in Policy NP1: Sustainable Development that "development that leads to economic, social and environmental benefits and minimises its environmental impacts will be supported." The Teversal, Stanton Hill and Skegby Neighbourhood Plan 2016 -2031 has a similar Policy NP1: Sustainable development which identifies that "development that leads to economic, social and environmental benefits is encouraged. Both neighbourhood plans place an emphasis on Good Design with Annex 3 of the Teversal Plan identifying that:

"Good design is about more than just aesthetics; well-designed places let people have better lives by making places safe, easy to move through, economically and socially vibrant, and robust against climate change."

Appendix 4 Glossary

Aerosols - are defined as microscopic liquid or solid particles that enter the atmosphere through natural and man-made processes. Aerosols are more complicated than the typical greenhouse gas.

Air Quality Management Areas - An area declared by a local authority to exceed the relevant air quality strategy objective.

Air tightness - Air leakage is measured as the rate of leakage per m² of external envelope per hour at an artificial pressure differential through the envelope of 50 Pa. i.e. x m³/hr/m²@50Pa.

Anaerobic Digestion - A process through which natural matter is broken down in a sealed space, without oxygen, to produce biofuel which is then used for heating or to generate electricity.

Ancient Woodland - An area of land in which there has been a continuous cover of trees since 1600.

Anthropogenic emissions - environmental pollution and pollutants originating in human activity such as anthropogenic emissions of sulphur dioxide.

Biodiversity Net Gain - An approach used to improve a sites biodiversity value. Sites completed to a 'net gain' standard will have a positive ecological impact and deliver improvements through habitat creation and enhancements.

BREEAM Standards - widely used means of reviewing and improving the environmental performance of buildings. BREEAM assessment methods generally apply to commercial developments (industrial, retail etc).

Building for Life - a tool for assessing the design quality of homes and neighbourhoods in England, comprising 20 criteria, to assess the design quality of new housing developments.

Building Regulations - building regulations in the United Kingdom are statutory instruments or statutory regulations that seek to ensure that the policies set out in the relevant legislation are carried out. Building regulations set out required standards for building work and materials and Building Regulations approval is required for most building work in the UK. Part L sets standards for the energy performance of new and existing buildings.

Carbon Footprint - The total amount of carbon dioxide released into the atmosphere as the direct result of activities of an organisation, individual, or community.

Carbon Neutral – Resulting in no net release of carbon dioxide into the atmosphere, particularly as a result of carbon offsetting. For a building it has zero net energy consumption, meaning the total amount of energy used by the building on an annual basis is roughly equal to the amount of renewable energy created on the site, or by renewable energy sources elsewhere. These buildings consequently contribute less overall greenhouse gas to the atmosphere than similar buildings. They do at times consume non-renewable energy and produce greenhouse gases, but at other times reduce energy consumption and greenhouse gas production elsewhere by the same amount.

Carbon Off-setting - Carbon offset means the increased carbon dioxide emissions from a new development are balanced by savings in carbon dioxide elsewhere, by making payment into a carbon offset fund.

Climate change - long-term changes in temperature, precipitation, wind and all other aspects of earth's climate. It is often regarded as a result of human activity and fossil fuel consumption.

Climate change adaptation - Adjustments to natural or human systems in response to the actual or anticipated impacts of climate change, to mitigate harm or exploit beneficial opportunities. This means altering our behaviour, systems, and—in some cases—ways of life to protect our families, our economies, and the environment in which we live from the impacts of climate change.

Climate change mitigation - Action to reduce the impact of human activity on the climate system, primarily through reducing greenhouse gas emissions. This means avoiding and reducing emissions of heat-trapping greenhouse gases into the atmosphere to prevent the planet from warming to more extreme temperatures.

Cumulative Effects - The likely effects that a development may have in combination with other relevant developments in its vicinity.

District Heat Networks - A distribution system of insulated pipes that takes heat from a central source and delivers it to a number of domestic or non-domestic buildings.

Dwelling Emissions Rate (DER) - The DER is the estimated carbon dioxide emissions per m² per year (Kg/CO₂/m²/year) for the dwelling, as designed. It accounts for energy used in heating, fixed cooling, hot water and lighting.

Embedded Carbon - Carbon dioxide emissions associated with the whole lifecycle of a building or piece of infrastructure, including emissions associated with building materials and the construction process. It has been estimated that approximately 20% of Green House Gases emissions are embodied in the construction sector.

Flood Plain - An area of land adjacent to a river that experiences flooding during periods of high discharge.

Full lifetime of development - Residential development should be considered for a minimum of 100 years unless there is specific justification for considering a shorter period.

Greater Nottingham - made up of the administrative areas of Broxtowe, Erewash, Gedling, Nottingham City and Rushcliffe Councils and the Hucknall part of Ashfield Council.

Green Corridors - Land that provides sufficient habitat to support wildlife and the movement of wildlife between two or more habitats.

Green and Blue Infrastructure - a network of multi-functional greenspace, water resources, urban and rural which is capable of delivering a wide range of environmental and quality of life benefits and can include parks, open spaces, playing fields, woodlands, wetlands, grasslands, river and canal corridors, allotments and private gardens.

Greenhouse gases - A gas that absorbs and emits radiant energy within the thermal infrared range, which causes the heating of the atmosphere, otherwise known as the greenhouse effect. The greenhouse effect is a warming of Earth's surface and the air above it. It is caused by gases in the air that trap energy from the Sun. These heat-trapping gases are called greenhouse gases. The most common greenhouse gases are water vapour, carbon dioxide, and methane.

Grey Water - Domestic wastewater that comes from showers, laundry, bath, and untreated spa water.

Infrastructure: facilities and services to meet the needs of the existing community and to meet the needs of new development. Includes transport infrastructure, public transport, education, health, affordable housing, open space, community facilities etc.

International Inter governmental commission on climate change: is the leading international body for the assessment of climate change, and a source of scientific information and technical guidance for Parties to the United Nations Framework Convention on Climate Change (UNFCCC), its Kyoto Protocol and Paris Agreement. The IPCC prepares comprehensive Assessment Reports about knowledge on climate change, its causes, potential impacts and response options. The fifth Assessment was published in 2014 and the Sixth is anticipated in 2022.

Local Plans: plans for the future development of the local area, drawn up by the local planning authority in consultation with the community. The current Aligned Core Strategies forms Part 1 of the Local Plan. Part 2 Local Plans include site allocations and development management policies.

Local Enterprise Partnership (LEP): a partnership body designated and established to determine economic priorities, drive sustainable economic growth and create jobs. Various funding streams are determined by the LEP. The D2N2 LEP covers Nottinghamshire and Derbyshire.

National Planning Policy Framework (NPPF): document setting out the Government's planning policies for England and how these are expected to be applied.

Net zero: The point at which the amount of greenhouse gases being put into the atmosphere by human activity in the UK equals the amount of greenhouse gases that is being taken out of the atmosphere

Paris Agreement - A legally binding international treaty on climate change, adopted on 12th December 2015.

Passivhaus - A leading international design standard for energy usage within buildings.

Renewable energy: includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and from biomass and ground heat.

Resilience: The capacity of people and places to plan for, better protect, respond to and to recover from flooding and coastal change [or other impacts of climate change].

Surface Water Runoff - The flow of water occurring on the ground surface when excess rainwater, stormwater, meltwater, or other sources can no longer infiltrate into the ground.

Standard Assessment Performance (SAP) - The Standard Assessment Procedure for the Energy Rating of Dwellings (SAP) was developed by BRE based on the BRE Domestic Energy Model (BREDEM) and was published by Building Research Establishment (BRE).

Sustainability Appraisal: examines the social, environmental and economic effects of strategies and policies in a local plan.

Sustainable development: The NPPF defines this as follows: “at a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.”

Sustainable urban Drainage systems (SuDS) - Systems and infrastructure that is designed to reflect a natural approach to manage the drainage of water.

Target Emission Rate – The **target CO2 emission rate** (TER) sets a minimum allowable standard for the energy performance of a building and is defined by the annual CO2 emissions of a

notional building of same type, size and shape to the proposed building. TER is expressed in annual kg of CO₂ per sq. m.

U Value - The U-value is a measure of how readily heat will flow through the structure, and describes how much energy in Watts (W) can pass through 1m² of material from inside to outside at a temperature differential of 1 Kelvin (K), or 1°C.

Wildlife Corridors - Green infrastructure that connects individual and sometimes isolated habitats, allowing wildlife to move freely and safely between these areas.

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Report To:	CABINET
Date:	13TH DECEMBER 2022
Heading:	EMERGING LOCAL PLAN – NEXT STEPS
Executive Lead Member:	COUNCILLOR SARAH MADIGAN - EXECUTIVE LEAD MEMBER FOR CUSTOMER SERVICES AND STRATEGIC PLANNING
Ward/s:	ALL WARDS
Key Decision:	YES
Subject to Call-In:	YES

Purpose of Report

Further to the Cabinet decision of 27th September 2022 to take forward Option C, to consider the implications of a third scenario recommended by the Local Plan Development Panel of 15th November 2022 and the next steps regarding the emerging Local Plan.

Recommendation(s)

It is recommended that:

- The Council takes forward a housing requirement reflecting Scenario 2 set out in the Local Plan Development Panel Report of 15th November 2022, Emerging Local Plan - Next Steps. This scenario reflects the standard method of housing need, provides a minimum of a 10-year housing supply and the new settlements in the Green Belt (Whyburn Farm) and Cauldwell Road are not taken forward in the Local Plan.
- As recommended by the Local Plan Development Panel of 15th November 2022:
 - Strategic Policy S3 Location of Development is reviewed to include a spatial strategy within the Policy.
 - SHELAA (SJU043) adjacent to an existing allocation at Underwood H1vg Land North of Larch Close is included in the Local Plan.
 - Changes are made to the Main Urban Area boundary at Skegby subject to a masterplan/design brief being developed to protect the setting of the listed building at Dalestorth House.

Reasons for Recommendation(s)

To move forward the emerging Local Plan for Ashfield as the Government has identified a target for all local authorities to have an up-to-date Plan in place by December 2023.

Alternative Options Considered

In relation to the decision taken by the Cabinet on 27th September 2022, the Report sets out a range of potential options which are available to Members based on progressing the Plan. The Local Plan Development Panel of 15th November Emerging Local Plan – Next Steps, considered a number of scenarios for taking the Plan forward and recommended an alternative option which officers have further investigated. Please note that the recommendation to Cabinet is different to that proposed by the Panel and has been based on further research.

Detailed Information

Local Plan Development Panel (LPDP) Emerging Local Plan – Next Steps Report, 15th November 2022

The Cabinet at its meeting of 27th September 2022 considered a range of options in relation to the emerging Local Plan. It resolved to take forward Option C to progressing the Plan. Option C is reflective of the Prime Minister's statements during the leadership campaign on future housing requirements and defending the Green Belt. The implication of Option C for the Ashfield Local Plan is that the impact on the Green Belt from proposed housing allocations should be reduced and a lower number of houses should be taken forward.

In this context, a Report, Emerging Local Plan – Next Steps was submitted to the Local Plan Development Panel of 15th November 2022. The Report is set out in Appendix 1. The Report considered the implications arising from the Draft Local Plan 2021, recommending some changes to the emerging Local Plan, and set out two scenarios for taking the Plan forward, reflecting the Cabinet decision of 27th September.

The scenarios are based on a requirement of 467 dwellings per annum, which reflect the Government's standard method for assessing housing need (NPPF para. 61) but look to proceed on the basis there are housing allocations identified to meet the need for a minimum period of 10 years with a buffer. In summary:

Scenario 1: No new settlement in the Green Belt - Include all housing site allocations with the exception of Whyburn Farm. Housing supply would be reduced by 1,600 dwellings located in the Green Belt.

Scenario 2: No new settlements in Ashfield - Include all housing site allocations but excluding both new settlements. Housing supply would be reduced by 1,915 dwellings. All but 315 dwellings would have been in the Green Belt.

The scenarios are set out in detail in the Local Plan Development Panel Report with supporting information. The figures for the two scenarios were set out in Appendix 1 and Appendix 2 to that Report.

At the Local Plan Development Panel meeting of 15th November, after a lengthy discussion by Members, a third scenario was proposed and recommended to be taken forward:

“No new settlements to be taken forward and the remaining allocated housing sites would meet the requirements for the housing need over a 15-year Plan period.”

This scenario has implications for the emerging Local Plan. Therefore, additional information is set out for the Cabinet to consider before making a decision on the approach to be taken to the emerging Local Plan.

Scenario 1 and Scenario 2

The basis of these scenarios is set out in the LPDP Report of 15th November 2022 with supporting information set out in Appendix 1 and 2 to the LPDP Report.

Positive Aspects

- Both these scenarios are based on the Government’s standard method of housing need. They provide a 10-year supply of sites with a 10% buffer and a longer period of supply if a buffer is not applied.
- Under National Planning Policy Framework (NPPF) para 61, the requirement for exceptional circumstances for a lower housing need does not arise.
- Both scenarios meet the requirements to have a specific, developable sites or broad locations for growth, for years 1 to 5 and 6 to 10.
- Both scenarios result in more affordable housing coming forward from private sector development than would be seen in Scenario 3.
- Both scenarios substantially reduce the impact on the Green Belt by not taking Whyburn Farm forward as part of the Plan.
- If the Plan is adopted, it will give certainty to the local communities, infrastructure providers and developers. Key aspects of an adopted Plan are:
 - It enables planning for infrastructure based on the sites in the Plan. This is not possible where permissions arise through application by developers on appeal.
 - By providing a five-year housing supply, it will substantially enhance the Council’s ability to defend non-allocated sites against developer led planning applications.
- Both scenarios are considered to reflect the provisions set out in the NPPF. However, if at the Examination, issues of soundness or legal compliance emerge that cannot be resolved within the usual Examination timetable, the Inspector will explore the potential for pausing the Examination, in whole or part, so they can be addressed.

Negative Aspects

- Both scenarios do not meet the NPPF requirements to have a specific, developable sites or broad locations for growth, where possible, for years 11-15 of the plan.
- At Examination, the Inspector may raise why sites or broad locations have not been identified for years 11 – 15 of the Plan. This has some risk as the Inspector may require, as a minimum, broad locations for growth to be identified.

Other Aspects

- If the New Settlement at Cauldwell Road was included in the Local Plan, it would slightly increase the supply of houses over the period 11 to 15 years.

Scenario 3

This scenario takes forward all housing sites currently identified in the Draft Local Plan other than the new settlements sites at Whyburn Farm and Cauldwell Road. However, the sites are anticipated to be delivered over a 15-year period of the Plan. Some additional market testing with consultants is being undertaken and a verbal update will be given at the meeting.

Positive Aspects

- Scenario 3 will reduce the housing 'demand' side figure set out in the Plan for the 15 years period of the Plan from adoption.
- Scenario 3 will substantially reduce the impact on the Green Belt by not taking Whyburn Farm forward as part of the Plan.

Negative Aspects

- The NPPF standard method formula for Ashfield results in a housing need of 467 dwellings per annum (dpa). For the Plan period of 2020 to 2038 (18-year plan period) , based on the supply of sites in the draft Local Plan (excluding Whyburn Farm and Cauldwell Road), sites with planning permission since 1st April 2022 and sites already developed, the housing supply would translate into a figure of 411 dpa. Consequently, it does not meet the NPPF housing need utilising the standard method.
- Section 20(2) of the Planning and Compulsory Purchase Act (The Act) specifically states that the local planning authority (LPA) must not submit the Plan unless they think it is ready for independent examination. Having considered the Regulation 19 consultation responses, the LPA should only submit a Plan if they consider it to be sound. There is no provision in the legislation which allows the LPA to replace all or part of the submitted Plan with a revised Plan during the examination. The Council has currently completed the Regulation 18 consultation stage.
- At the Local Plan Examination, the Inspector, based on the current NPPF 2021, would have no option but to raise the question (under NPPF paragraph 61) of what the exceptional circumstances are which justify an alternative approach to that identified in guidance and why the Council is not reflecting current and future demographic trends and market signals. If this could not be established, in terms of the test of soundness, the Plan would not meet the requirements for being positively prepared nor would it be consistent with national policy. Consequently, under The Act, the Plan should not be submitted for Examination. If it were submitted, it is considered likely that the Inspector would require it to be withdrawn shortly thereafter. Effectively, this would mean that a revised or new Local Plan would be required. The implications of this are anticipated to be:
 - Additional costs reflected in the withdrawn Plan from Examination, the potential updating of the evidence base for the Plan and undertaking additional consultation.
 - The assessment of the five-year housing supply has to reflect the NPPF standard method of assessing housing need and is reflected in the Housing Delivery Test (NPPF para.76) until such time as it is replaced by an adopted Local Plan.
 - There is no certainty for local communities, infrastructure providers and developers resulting in an uncoordinated approach to infrastructure such as education and transport requirements - which currently, can only be considered in relation to current planning permissions and not to sites allocated in a Local Plan.
 - Sites both in the countryside and the Green Belt remain at risk from ad hoc planning applications.

- The Local Plan would be delayed beyond the Government proposed deadline for Local Plan to be in place by December 2023.
- Local planning authorities are under a duty to cooperate with each other on strategic matters. (The Act, Section 33A). This aspect is demonstrated through a statement of common grounds documenting the cross-boundary matters being addressed. As Ashfield will not be meeting its housing need as set out by the standard method, any shortfall will need to be taken into account by neighbouring councils in assessing their housing needs. (NPPF paragraph 61). Under this scenario, it is likely that Ashfield's proposed housing figure will be contested by neighbouring councils both as part of the statement of common grounds and at any Examination Hearing.
- In practical terms, the sites identified to substantially bring housing forward in the years 11 to 15 were the new settlements, which would no longer form part of the Plan. Dependent on conditions in the housing market, the Local Plan trajectory anticipates that the remaining housing allocations would substantially come forward in the first 10 years. There is a strong possibility that sites would be developed so that in practice, the 411 dpa would be exceeded on an annual basis. This would mean that in practice, the supply of sites would not cover a period 15-year period. Under the NPPF paragraph 33, policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every 5 years and should then be updated, as necessary. Under these circumstances, the Council would have no option but to replace the Plan or fall back into a situation where NPPF para 11, the 'Tilting balance', applied.

Reflecting on Option C determined by Cabinet on the 27th of September and the discussion of Members at the Local Plan Development Panel of 15th November, it is recommended that neither new settlements at Whyburn Farm and Cauldwell Road are taken forward in the emerging Local Plan. However, Members are requested to consider the implications set out in the Report of Scenario 3 identified by the Local Plan Development Panel. It is recommended that Scenario 2 is taken forward, which is based on the standard method of housing need, reflects at least a 10-year housing supply (including a buffer) and excludes the new settlement sites of Whyburn Farm and Cauldwell Road.

It is stressed that any recommendations are subject to consideration of the proposals through the Sustainability Appraisal to consider the social, environmental, and economic effects of a Plan and inform the decision-making process. The Council is also under a legal duty to engage constructively on strategic cross boundary matters with neighbouring Local Planning Authorities and other bodies in the preparation of a Local Plan. Any amended strategy for the Local Plan, which potentially has cross boundary issues, will need to be reflected in changes to the Statement of Common Ground.

Implications

Corporate Plan: Planning, and the Local Plan has a cross cutting role to play in helping to meet and deliver the 6 priorities identified in the Corporate Plan. In particular, the Local Plan has a key responsibility in delivering the outcomes around the supply of appropriate and affordable homes, improving town centres, facilitating economic growth especially around transport hubs, improving parks and green spaces.

Legal:

The Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) sets out the legislative requirements in bringing a local plan forward. The Act includes a legal duty on local planning authorities, county councils and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters. Under Section 19, the Council is required to undertake a sustainability appraisal, which also take into account the requirements set out in the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations). Under Section 20, an authority must not submit a Local Plan unless they have complied with any relevant requirements contained in regulations under this Part, and they think the document is ready for independent examination. Whichever option is taken forward, it will be necessary to meet the statutory requirements set out in this legislation. [RLD 23/11/2022]

Finance: There are no direct financial implications arising as a result of this report. [PH 22/11/2022].

Budget Area	Implication
General Fund – Revenue Budget	None
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	None
Housing Revenue Account – Capital Programme	None

Risk:

Risk	Mitigation
<p>Scenario 3 This scenario reflects a very high risk as it does not meet the Government standard method of assessing housing need or identify exceptional circumstances justifying an alternative approach which also reflects current and future demographic trends and market signals. As identified in the Report, it is anticipated to result in a number of negative aspects. It is considered that the Scenario will not meet the tests of soundness, (NPPF paragraph 35) which form the basis of the Local Plan Examination.</p> <p>Scenario 1 and 2 The Draft Local Plan 2021 identified that risk stemmed from the Plan's strategy being heavily reliant on the release of Green Belt land in the vicinity of Hucknall and particularly</p>	<p>It is not anticipated that this risk could be mitigated unless it could be established that there are exceptional circumstances justifying an alternative approach which also reflects current demographic trends and market signals.</p> <p>In order to seek to address this risk, the strategy would need to optimise the density of development in line with the policies in NPPF chapter 11 including</p>

<p>a new settlement. Scenarios 1 or 2 reduce this risk by taking the new settlement out of the Plan, which substantially reduces the area of the Green Belt that would be developed. It is also takes account of the Regulation 18 consultation responses. Nevertheless, there are still inherent risks with the housing allocations and employment land in Green Belt but there is clear evidence of lack of supply for employment land for logistics at key transport corridors and hubs.</p> <p>There is a risk associated with providing sites for only a 10-year period. However, this approach provides certainty with specific sites for the 10 years and is in general compliance with the NPPF.</p>	<p>whether policies promote a significant uplift in minimum density standards in town centres and other locations well served by public transport, something which the Plan encourages.</p> <p>The Strategy will need to be justified with robust evidence, for example Green Belt and transport infrastructure constraints, with a commitment to an early review of the Local Plan.</p> <p>The proposed scenarios reflect a Plan which would reflect a supply of housing site for a period of 10 years and consideration should be given to trying to identify broad locations for growth for the years 11-15 of the Plan.</p>
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Human Resources: There are no direct Human Resource implications within the report. [KB 21/11/2022]

Environmental/Sustainability: Sustainability is at the heart of the planning system and the Plan has been prepared with the aim of delivering sustainable development in the District in accordance with the requirements of paragraphs 7 and 8 of the National Planning Policy Framework, 2021. The Local Plan is informed by a Sustainability Appraisal considering the economic, social and environmental objectives of sustainability.

Equalities: An equalities impact assessment of the Draft Local Plan was undertaken and was made available as part of the consultation documentation. The equalities assessment will be updated to take account of any changes proposed to the emerging Local Plan.

Other Implications: None.

Reason(s) for Urgency: Not applicable

Reason(s) for Exemption: Not applicable

Background Papers

The Draft Local Plan and consultation documents are available on the Council's website.

The evidence that supports the emerging Local Plan is available on the Council's website.

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Report To:	LOCAL PLAN DEVELOPMENT PANEL
Date:	15TH NOVEMBER 2022
Heading:	EMERGING LOCAL PLAN – NEXT STEPS
Executive Lead Member:	NOT APPLICABLE
Ward/s:	ALL WARDS
Key Decision:	NO
Subject to Call-In:	NO

Purpose of Report

Further to the Cabinet decision of 27th September 2022 to take forward Option C, to consider the next steps regarding the emerging Local Plan.

Recommendation(s)

In the context of taking forward Option C, and the Draft Local Plan Consultation Report, the Local Plan Development Panel recommends that:

- The Council takes forward a housing requirement which provide a minimum of a 10-year housing supply with a buffer.
- The new settlement in the Green Belt (Whyburn Farm) is not taken forward in the Plan. An alternative option for the LPDP to consider whether both new settlements (Whyburn Farm and Cauldwell Road/Derby Road) are removed from the Local Plan.
- Strategic Policy S3 Location of Development is reviewed to include a spatial strategy within the Policy.
- SHELAA (SJU043) adjacent to an existing allocation at Underwood H1vg Land North of Larch Close is included in the Local Plan.
- No changes are made to the Main Urban Area boundary.

Reasons for Recommendation(s)

To move forward the emerging Local Plan for Ashfield as the Government has identified a target for all local authorities to have an up-to-date Plan in place by December 2023.

Alternative Options Considered

In relation to the decision taken by the Cabinet on 27th September 2022, the Report sets out a range of potential options which are available to Members based on progressing the Plan.

Detailed Information

The Cabinet at its meeting of 27th September 2022, considered the options in relation to the emerging Local Plan, acknowledging the recommendation from the Local Plan Development Panel (LPDP) meeting held on 23 September 2022. It resolved that Option C be approved as a way forward for progressing the Council's emerging Local Plan. Option C is to take forward a revised Local Plan reflecting the recent national pronouncements on the Green Belt and housing numbers whilst continuing to emphasise the locational advantages of Ashfield for employment and the skills growth associated with the Plan.

The provision of new housing and economic growth to meet identified needs present major challenges to the Council. A significant part of the District is within the Green Belt and there are a range of environmental and historic constraints to development across the District. The urban areas of the towns and settlements have expanded with former colliery and textile sites, in appropriate locations, being developed for housing or employment purposes. This puts increasing pressure on the remaining countryside on the fringes of the urban areas where access is important for the health and wellbeing of local people.

Any recommendations of the Local Plan Development Panel will need to be considered through an assessment in the Sustainability Appraisal, taking into account the social, economic and environmental effects, before the Council reaches a decision on the emerging Local Plan which is taken forward. The Council is also under a legal duty to engage constructively on strategic cross boundary matters with neighbouring Local Planning Authorities and other bodies in the preparation of a Local Plan. Under National Planning Policy Framework (NPPF) paragraph 27, this is evidenced by a Statement of Common Ground. Any amended strategy for the Local Plan, which potentially has cross boundary issues, will need to be reflected in changes to the Statement of Common Ground.

Draft Local Plan 2021 Consultation.

In taking the Plan forward, Members must take account of the responses received to the Draft Local Plan 2021 Consultation under the provision of the Town and Country Planning (Local Planning)(England) Regulations 2012, as amended (the Regulations). The Consultation Report (Statement of Consultation) for the Draft Local Plan 2021 has been set out in a Report to the LPDP.

The Consultation Report sets out a summary of the responses received to the Draft Local Plan 2021 consultation. It summarises the reasons why sites have had support, have resulted in objections or have been commented on.

Policies

Policy S3 Draft Local Plan - A number of responses to the Draft Local Plan Consultation considered that it is unclear what the spatial strategy is in relation to the strategic policies set out in the Draft Local Plan. In this context, it is considered that Strategic Policy 3 should be reviewed to determine whether the Policy and its supporting text should incorporate the spatial approach to provide clarity on how the Council will deliver the Vision for the future of Ashfield.

Other Policies – Limited changes, as summarised in the Consultation Statement, are proposed to the policies and supporting text.

Site Allocations Representations

In relation to site allocations, summary responses are set out in the Report as follows:

- For the Strategic Sites at Whyburn Farm, Cauldwell Road/Derby Road and the sites at Junction 27 of the M1 in Section 6, Table 8.
- For the housing land allocations Section 6, Table 11a Policy H1 Housing Land Allocations.
- For the employment land allocations Section 6, Table 12a Policy EM2 Employment Land Allocations.

There were limited responses in relation to the employment land allocations. However, it should be noted that there has been significant activity in the commercial property market since the draft Local Plan went out to consultation, which relate to sites identified as employment allocations in the draft Local Plan. Castlewood Business Park is largely built out with only one plot remaining, Blenheim Park to the south of Hucknall is built out, planning applications have been submitted on land at Junction 27 and planning permission has been granted for a warehouse on land off Export Drive. Based on the findings of the Logistics Study 2022, this activity is being significantly driven by demand for warehouses along the M1 Motorway corridor in Nottinghamshire.

Key Themes

The themes that run through the responses to the strategic housing/mixed use sites and housing allocations include the follows:

- The impact of the amount of housing proposed and its location. This included Hucknall, Fackley and Skegby;
- Negative effects on health and wellbeing through the loss of greenspace;
- Infrastructure issues in the form of education, health and other facilities which would be overwhelmed by the housing growth;
- Detrimental impact on the natural environment;
- In specific cases, a need to understand the implication for heritage assets;
- Impact on the transport network;
- The use of brownfield sites instead of greenfield sites;
- Opposition to building on Green Belt land;
- Flooding;
- Air and noise pollution.

As is stressed in the Consultation Report, the Council liaises with infrastructure providers on the Local Plan proposals and looks to ensure that any housing proposals are reflected in the provision of infrastructure moving forward. At each stage of the Plan as more detailed information is available the Council will gain a better understanding of the implications for local infrastructure. However, certain aspects such as increasing the number of general practice doctors are outside the control of the Council and have to reflect a national approach to infrastructure provision. A Transport Study is currently being undertaken to understand the implications of the proposals on the highway network and what mitigations measure could be undertaken. Other evidence base studies such as the Whole Plan Viability Assessment, a Heritage Impact Assessment and a Habitat Regulations Assessment have also been commissioned. This is an on-going process as the proposals in the Plan gain greater emphasis before determining the final Plan the Council will take forward to Examination.

In relation to strategic and other sites allocated in the Draft Local Plan, Table 1 sets out the sites which received 10 or more responses in the Draft Local Plan Consultation. They include the five sites for which a petition was received opposing proposed development. The petitions in relation to Cauldwell Road and Whyburn Farm were submitted to the Council through the e-petition system as well as in a paper copy. The signatures reflect the total number from the electronic petition and the paper petition. Consequently, there could be some duplication.

Policy Ref.	Support	Objection	Comment	Petition Signatures	Potential Yield Plan Housing during Period	Site Type
Strategic Policy S6: Meeting Future Needs New Settlement: Land at Whyburn Farm, Hucknall	6	355	18	7,653	1,600 plus employment land. (3,000 in total)	Strategic Mixed-Use Site, housing and employment.
Strategic Policy S7: Meeting Future Needs New Settlement: Land at Cauldwell Road, Sutton in Ashfield	5	51	12	1,686	315 (1,000 in total)	Strategic Housing Site.
Strategic Policy S8: Meeting Future Needs Strategic Employment Allocation Junction 27, M1 Motorway, Annesley	4	3	9	n/a	-	Strategic Employment Sites.
H1Hb Linby Boarding Kennels, East of Church Lane, Hucknall	1	11	3	n/a	43	Housing allocation.
H1Hc Land north of A611 / South of Broomhill Farm, Hucknall (Located in the Green Belt)	3	46	1	n/a	633	Housing allocation.
H1Hd Land adjoining Stubbing Wood Farm, Watnall Road, Hucknall (Located in the Green Belt)	2	88	1	103	198	Housing allocation.
H1Kh Land Off Hucknall Road, Newstead (Located in the Green Belt)	0	63	3	n/a	47	Housing allocation.
H1Ki Annesley Miners Welfare Institute, Derby Road (The site has planning permission)	0	4	0	1,565	45	Housing allocation.
H1Si Rear Kingsmill Hospital, Sutton-In-Ashfield	2	6	2	n/a	264	Housing allocation.

Policy Ref.	Support	Objection	Comment	Petition Signatures	Potential Yield Housing during Plan Period	Site Type
H1Sj Clegg Hill Drive, Huthwaite	0	9	3	n/a	104	Housing allocation.
H1Sk Sunnyside Farm, Blackwell Road, Huthwaite	1	14	1	n/a	283	Housing allocation.
H1Va Land at Plainspot Farm, New Brinsley, Underwood (Located in the Green Belt)	0	23	2	39	42	Housing allocation.

Table 1; Draft Local Plan Sites receiving more than ten representations

Source: Ashfield District Council

H1Ki - In relation to Annesley Miners Welfare the objections related to the loss of the sports pitch. For clarification, the Local Plan does not propose that the sports pitch is developed as it forms part of the existing planning permission (V/2018/0393) which is being implemented.

H1Hd - For Stubbing Wood Farm, the information provided to the Council on the Strategic Housing and Employment Land Availability Assessment (SHELAA) was incorrect as it was identified that the land was in a single ownership. During the consultation it was brought to the Council's attention that the dwelling on site is in separate ownership and there are rights of access to other properties along the existing access drive. However, it is understood that the dwelling is subject to a covenant that provides a right for the bungalow to be purchased if planning consent is granted. If the site is taken forward, this would be a matter for the proposed developer of the site to resolve.

Alternative Sites promoted through Consultation

The Council received a number of representations regarding other sites, some of which had already been considered when determining which sites to take forward as part of the Draft Local Plan, other sites have been submitted to the SHELAA shortly before, or during the consultation, Table 2. These include both housing sites and additional employment land proposals which are located off the A38 near Castlewood Business Park and near Junction 27 of the M1 Motorway. Further information on the sites identified in Table 2 is set out in the Draft Local Plan Consultation Report in Section 6, Table 19.

Site name	Proposed Use	SHELAA Ref.	Comment
Ashfield House, Skegby.	Housing	SA040	Considered and not taken forward as part of the Draft Local Plan.
Land to the north of Common Lane, Hucknall	Housing	HK047 includes smaller sites HK001 & HK002	Considered and not taken forward as part of the Draft Local Plan. Site is located in the Green Belt.
Land to the west of Beck Lane, Skegby.	Housing	SA011 and SA078	Considered and not taken forward as part of the Draft Local Plan.
Ashland Road West, Sutton in Ashfield	Housing	SA004	Planning permission has been granted on appeal
Former Quantum Clothing, North Street, Huthwaite.	Housing	-	Not submitted for consideration through the SHELAA. Planning application now submitted for residential development.

Land at Leen Valley Golf Course, Wigwam Lane, Hucknall	Housing	HK045	Considered and not taken forward as part of the Draft Local Plan. Site is located in the Green Belt.
Land at Pleasley Road, adjacent to Station Farm, Teversal.	Housing	SA034	Considered and not taken forward as part of the Draft Local Plan. Planning application now submitted on the site.
Main Street, Nuncargate.	Housing	KA039	Considered and not taken forward as part of the Draft Local Plan. Site is located in the Green Belt.
Land to the East of Mill Lane Huthwaite.	Housing	SA018	Considered and not taken forward as part of the Draft Local Plan.
Land to the south of Newark Road and east of Lowmoor Road, Sutton in Ashfield/ Kirkby-in-Ashfield.	Housing	SA001	Considered and not taken forward as part of the Draft Local Plan.
Land to the East of Lowmoor Road, Kirkby-in-Ashfield	Housing	KA027	Considered and not taken forward as part of the Draft Local Plan.
Main Street Jacksdale.	Housing	SJU008	Considered and not taken forward as part of the Draft Local Plan. Site is located in the Green Belt.
Annesley Lane Selston.	Housing	SJU040	Considered and not taken forward as part of the Draft Local Plan. Site is located in the Green Belt.
Stoney Lane , Selston	Housing	SJU021	Considered and not taken forward as part of the Draft Local Plan. Site is located in the Green Belt.
Mowlands, Kirkby-in- Ashfield. Forms part of	Housing	KA021	Considered and not taken forward as part of the Draft Local Plan.
Land at Mansfield Road, Underwood	Housing	SJU029	Considered and not taken forward as part of the Draft Local Plan. Site is located in the Green Belt.
West of Beck Lane.	Housing	SA008	Considered and not taken forward as part of the Draft Local Plan.
Land West of Moor Road, Bestwood Village	Housing	HK046	Considered and not taken forward as part of the Draft Local Plan. Site is located in the Green Belt.
Sites not considered before the draft Local Plan Consultation			
Adjacent to proposed site H1Vg Land north of Larch Close, Underwood.	Housing	SJU043	Site submitted to the SHELAA during the Draft Local Plan Consultation. Site is located in the Green Belt.
Land north of Laverick Road, Jacksdale.	Housing	SJU044	Site submitted to the SHELAA after the Draft Local Plan Consultation. Site is located in the Green Belt.
Land to the south of Sherwood Business Park & north of Mansfield Road Annesley	Employment	KA054	Site submitted to the SHELAA after the draft Local Plan had been finalised for consultation. Site is located in the Green Belt.
Land to the east of Sherwood Business Park A611, Annesley	Employment	KA053	Site submitted to the SHELAA after the draft Local Plan had been finalised for consultation. Site is located in the Green Belt.
38ha of land to the East of Pinxton Lane and South of the A38, Sutton in Ashfield	Employment	SA086	Site submitted to the SHLAA after the draft Local Plan had been finalised for consultation.

Table 2: Draft Local Plan Sites Promoted through the Consultation.

Source: Ashfield District Council

One of the sites submitted to the SHELAA (SJU043) is adjacent to an existing allocation at Underwood H1vg Land North of Larch Close. Information supplied by NCC Highways department suggest that this site potentially could be combined with the land to the rear to form a new link road

between A608 and the B600 to reduce traffic 'rat running' along Sandhills Rd. Under these circumstances, officers recommend the site should be included within the existing allocation.

Additional Site Submitted to the SHELAA (Post consultation)

A number of sites have been submitted to the Council after the Draft Local Plan consultation closed. The sites are identified in Table 3.

Site name	SHELAA Ref.	ha	Proposed Use
Land north of Princess Street, Kirkby	KA055	1.05	Housing
Land at Howlish, Pleasley road Teversal	SA088	1.5	Housing
Land at Penniment House Farm, Skegby	SA089	24.28	Housing
Farley's Lane, Land south of Hucknall Bypass (A611) – Green Belt site	HK052	26	Employment

Table 3: Additional SHELAA Site submitted after the Draft Local Plan Consultation.

Source: Ashfield District Council

Main Urban Area Boundary

In relation to the defined Main Urban Area boundaries in the Draft Local Plan. Representations have been received questioning the boundary at Ashland House, Skegby, see Figure 1.

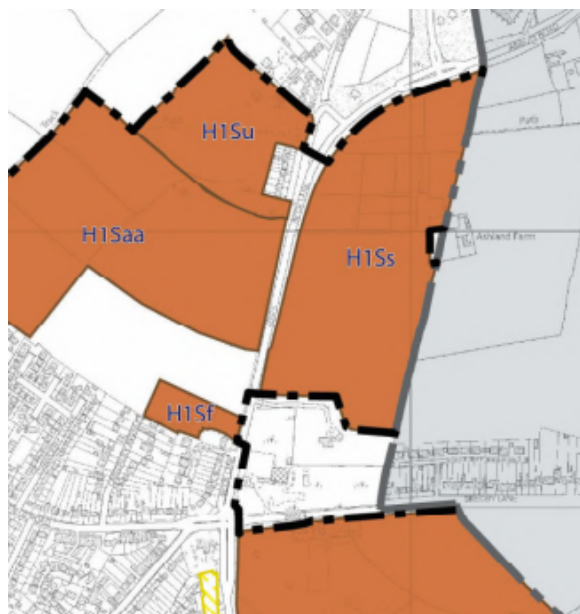


Figure 1: Main Urban Area Boundary Ashland House, Skegby

Source: Draft Local Plan Policies Map – North Sheet

Consideration should be given to whether any amendments should be made to the Main Urban Area Boundary? The implications of removing the area from 'Countryside' designation would change the policy emphasis from one of protection, to one where the principal development would be acceptable subject to suitability and detailed design. At this time, no changes are recommended.

Strategic Approach

The Draft Local Plan 2021

The Draft Local Plan 2021 reflected the following in relation to housing provision:

- A requirement of 457 dwellings per annum. However, under the Government's standard method formula for arriving at housing need, the requirement for Ashfield has risen to 467 dwellings per annum.
- A buffer of approximately 10% in the supply of housing sites to enable choice of sites, allow for non-implementation of allocations (not including those with planning permission), or to help address any future increase in the local housing need. It is considered that including a buffer is both best practice and is expected at Examination. No figure is set out in planning guidance for this, however 10% is widely used – different bodies will typically argue for more or less depending on their standpoint (e.g., Homes Builders Federation usually cites 20%, with some environmental groups and residents often arguing that no buffer is appropriate).

The spatial strategy for future development taken forward in the Plan was based on:

Two new settlements with one in Hucknall's Green Belt (approximately 3,000 dwellings – but with 1,600 dwellings within the Plan period to 2038) and one at Cauldwell Road (approximately 300 dwellings in plan period) with further moderate Green Belt release around Hucknall and more limited development in/adjoining Sutton and Kirkby, and existing rural settlements.

This reflected the look into the future, beyond the Plan period and the opportunities that could be achieved in relation to new settlements as emphasised in the NPPF. A significant implication was that one of the new settlements would be in the Green Belt to the north of Hucknall, taking advantage of its connection to Nottingham and the potential that could be delivered to transport infrastructure in combination with Gedling proposals that have been approved through the planning process. There was also recognition of the likely further use by Gedling of land for housing that has been safeguarded. Please see report elsewhere on the LPDP agenda.

Housing and the Green Belt

The Cabinet Decision of 27th September reflected the implication in Option C that both the housing numbers and the impact on the Green Belt should be reviewed moving forward.

The total area of the District of Ashfield is 10,960 ha of which 4,525 ha are within the Green Belt, (41.29%). The Draft Local Plan 2021 identifies a number of sites that are proposed to be removed from the Green Belt, Table 4. The Table does not take into account any minor changes identified to the Green Belt boundaries or any sites where planning permission has been granted as these sites remain in the Green Belt until such time as a Local Plan amends the boundary of the Green Belt.

Draft Local Plan 2021 Allocations (Reg 18)	Draft Local Plan Allocation Ref	Area ha
Housing		
Whyburn Farm	S6	202.25
Linby Boarding Kennels, East of Church Lane, Hucknall	H1Hb	3.33
Land adjoining Stubbing Wood Farm, Hucknall	H1Hd	8.85

Land north of A611/South Broomhill Farm, Hucknall	H1Hc	31.50
Beacon Farm, Kirkby-in-Ashfield	H1Ka	2.37
Land at Plainspot Farm, New Brinsley	H1Va	2.11
Land Adj the Bull & Butcher PH, Selston	H1Vc	6.62
Adj 149 Stoney Lane, Selston	H1Vd	0.20
Land off Park Lane, Selston	H1Ve	9.42
Between 106-132 Main Road, Underwood	H1Vf	0.32
Land north of Larch Close, Underwood	H1Vg	0.57
		267.54
Employment		
M1, Junction 27 - north east of the Junction	S8	20.54
M1, Junction 27 -south east of the Junction	S8	36.90
		57.44
Total		324.98

Table 4: Draft Local Plan 2021 Strategic Allocations and Site Allocations in the Green Belt.

Source: Ashfield District Council

As a percentage of the existing Green Belt in Ashfield, taking all the potential Green Belt allocated sites in the draft Local Plan forward, including Whyburn Farm would result in a reduction of the Green Belt by 7.18%. If taking Whyburn Farm out of the Plan the percentage figure would fall to 2.71%

The Draft Local Plan 2021 Consultation Report identifies that the proposed new settlement at Whyburn Farm, in the Green Belt to the north of Hucknall, received a large number of objections both individually and through a petition. Not taking the site forward would substantially reduce the impact on the Green Belt.

A further implication of new settlements is that the evidence indicates that they can take a significant period of time before they start to deliver new homes. A key aspect of the Examination will be that the Council has a rolling 5-year housing supply as defined in the NPPF. It also means that housing sites will need to feed through into the housing supply after the initial 5-year period. Consequently, the Council is reliant on smaller housing sites delivering in the initial plan period, and the period 6 to 10 years if the Council is not going to have issues in relation to the 'Tilting balance' set out in NPPF paragraph 11 shortly after any Plan is adopted.

In this context, a partial review has been undertaken to ascertain the position regarding housing requirement (based on the standard method) versus housing land supply. The latter includes sites with current planning permission and proposed site allocations in the Ashfield Draft Local Plan 2020-2038 (Reg 18). Appendices 1 and 2 set out the basis of the assumptions and calculations.

It should be noted that the supply figures are based on a partial review of April 2022 data. All new major permissions granted since that date are included, however, small site information, (or potential lapsed permissions) have not been updated.

Two scenarios have been evaluated and could form the basis for any new spatial approach taken forward by the Council:

1. Include all Regulation 18 housing site allocations with the exception of a new settlement strategic allocation located in Green Belt. (Whyburn Farm).

2. Include all Regulation 18 housing site allocations with the exception any new settlement strategic allocation in the District. (Whyburn Farm and Cauldwell Road/Derby Road)

The scenarios do not take into account any additional sites being taken out of the emerging Local Plan.

As set out in NPPF paragraph 68, local planning authorities should identify a supply of specific, developable sites or broad locations for growth for years 6-10 and, where possible, for years 11-15.

Planning Practice Guidance (Paragraph: 019 Reference ID: 68-019-20190722) sets out that Local Plans and spatial development strategies may be able to satisfy the tests of soundness where they have not been able to identify specific sites or broad locations for growth in years 11-15.

The scenarios are based on a requirement of 467 dwellings per annum and consider the implication is relation to the timescale of the Plan which ideally should cover a period of 15 years from adoption for arriving at the housing demand and the housing supply. (NPPF para. 22)

The scenarios are based on the Government's standard method for assessing housing need but look to proceed on the basis there are housing allocations identified to meet the need for a minimum period of 10 years with a buffer.

Scenario 1: No new settlement in the Green Belt.

This assumes that the housing supply will be reduced by 1,600 dwellings that would have come forward through the new settlement at Whyburn Farm. As Whyburn Farm is a mixed-use site, an approximately area of 13 ha of employment land would also no longer be included in the employment land supply.

With an under provision of 696 dwellings, supply is anticipated to fall below the requirement around 2036/37 - Year 14 from now, or Year 13 post adoption of the Local Plan. However, this does not include any 'buffer' in the supply side to allow for flexibility – this is standard practice but not set out in national policy.

When a 10% buffer is factored into the calculations, supply goes into deficit in financial year 2033/34 with an undersupply of 1474 dwellings. This would mean a bare 10 years' supply. However, this does not preclude any major windfall sites from coming forward as the plan progresses towards submission, and there is also potential to use a smaller buffer.

This scenario would substantially reduce the impact on the Green Belt.

Scenario 2: No new settlements in Ashfield

This assumes that the housing supply will be reduced by 1,915 dwellings that would have come forward through the new settlements at Whyburn Farm and Cauldwell Road/Derby Road.

A new strategic approach which does not rely on any high-risk new settlements gives a broadly similar trajectory graph to Scenario 1, although baseline supply would fall below

need a year earlier around financial year 2035/36, Year 12 post adoption with a deficit of 1011 dwellings.

With a 10% buffer, this would mean a deficit of approx. 1779 dwellings over the plan period, although the trajectory graph illustrates supply will go into deficit in the same year as scenario 1, i.e., 2033/34 with a bare 10 years' supply. This is due to the fact that the proposed non-Green Belt strategic site was only anticipated to commence delivery in the final 3 years of the plan period.

This scenario would substantially reduce the impact on the Green Belt. It would protect against the loss of further countryside pending any changes in the Government's policy for addressing future need. However, it would not assist in future proof the housing supply by planning for beyond the Local Plan period.

More detail with supporting figures can be found in Appendices 1 and 2.

Reflecting the Cabinet's decision to take forward Option C, the two scenarios in relation to the housing provision provide a route to progressing the Local Plan. They could provide a minimum of a 10-year housing supply with a buffer. This should provide sufficient housing numbers whilst the methods and approach to housing requirements and to the Local Plan process are being revised by Government. It would be intended to review the Plan early to pick up on any new legislation.

Under Scenario 1 the new settlement in the Green Belt, Whyburn Farm, is not taken forward in the Plan. Consequently, there would be a substantial reduction in relation to the impact on the Green Belt. On this basis officers would recommend that Scenario 1 is adopted.

A further option the LPDP may wish to consider is set out in Scenario 2, whereby no new settlements are taken forward in the Plan. As well as reducing the impact on the Green Belt it would also reduce the loss of the countryside. However, it also means that addition housing would be removed from the Plan, although this was not anticipated to come forward until the latter part of the Plan.

Strategic Spatial Approach

Vision - If the Development Panel determine that one or more of the new settlements are to be retained the Vision will need to be amended. This reflects that the NPPF, which came into force in July 2021 has been amended. Where large scale development, such as new settlements form part of the strategy for the area it requires that policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale of delivery. In these circumstances, it is anticipated that the Vision could be amended if either of the new settlements are retained by additional wording. *'New settlements will be self-sufficient and healthy places to live and will continue to provide homes, jobs, infrastructure and opportunities for the people of Ashfield beyond 2038.'*

Vision: 'Ashfield, a place to be proud of'

Ashfield is a District where people of all ages are proud to live, study, work, visit and aspire to stay.

High quality design and place making will shape the delivery of new development, responding to the infrastructure requirements of new and existing local communities and rising to the challenge of climate change.

New housing is responsive to local needs, enhancing the built environment and reflecting the distinctive characteristics of Ashfield's towns and villages. The lifestyle of the community will be enhanced by accessible health, leisure, and education opportunities.

Building on our transport links, a more diverse and thriving economy will encourage higher educational attainment, business enterprise, quality jobs and provide opportunities for a skilled workforce.

Figure 2: Draft Local Plan Vision.

Source: Ashfield District Council

Spatial Strategy Options – The Draft Local Plan sets out a spatial strategy option based on two new settlements. This reflected the opportunities that it was anticipated could be achieved in relation to new settlements and which were emphasised in the NPPF. If the Development Panel determine that one or both new settlements are not taken forward, this would necessitate a reconsideration of the spatial strategy options.

The alternative spatial strategy approaches considered and reflected in the SA are set out in Table 4.

1. Containment within existing settlements.
2. Urban Concentration within/adjoining existing settlements with no Green Belt release.

The above approaches were not taken forward as based on the identified housing need there were not enough sites available through the SHELAA process to meet the minimum housing required in the district.

3. Dispersed development (across the District) comprising of smaller sites, each with capacity for less than 500 dwellings (dwgs).
4. One large sustainable urban extension (SUE) adjacent Sutton/Kirkby (1000+ dwgs) with smaller sites (less than 500 dwgs) within and adjacent to existing settlements, with significant Green Belt release.
5. One new settlement (outside Green Belt), one large SUE adjacent Kirkby/Sutton and smaller sites in/adjacent existing settlements, including moderate Green Belt release in Hucknall and Rurals.
6. Two SUEs adjacent Kirkby/Sutton with smaller sites (less than 500 dwgs) in/adjacent existing settlements, with moderate Green Belt release.

7. One new settlement (approximately 3,000 dwgs) in Hucknall's Green Belt and smaller sites (less than 500 dwgs) in/adjoining Sutton and Kirkby, and moderate Green Belt release adjoining existing rural settlement.
8. Two new settlements (approximately 1,250 and 1,750 dwgs) and smaller sites (less than 500 dwgs) in/adjacent Sutton and Kirkby, moderate Green Belt release adjoining Hucknall and existing rural settlements.
9. Three new settlements (approximately 1,250, 1,750 and 3,000 dwgs) including one in Green Belt, with no other large sites over 500 dwellings.

Table 5: Spatial Strategy Options Draft Local Plan

Source: Ashfield Local Plan Sustainability Appraisal Consultation Draft Local Plan (Regulation 18) Sustainability Appraisal Report, September 2021 Wood.

Depending on the scenario taken forward, the Spatial Strategic Options would need to be reconsidered. It is anticipated that if no new settlements are taken forward the approach would reflect dispersed development (Option 3 above), but this would need to be reviewed through the SA in relation to the maximum number of dwellings on a site. If the new settlement at Cauldwell Road/Derby Road is retained, an additional SA spatial strategic option would need to be considered through the SA.

Housing Growth Options & Employment Options – The implications of any recommendations made by the Local Plan Development Panel decisions will need to be reviewed in relation to the Housing and Employment Options to determine whether any additional options need to be considered.

Next Steps

In the context of Option C, the Draft Local Plan Consultation Report and moving the emerging Local Plan forward, the Local Plan Development Panel recommends that:

- The Council takes forward a housing requirement which provide a minimum of a 10-year housing supply with a buffer.
- The new settlement in the Green Belt (Whyburn Farm) is not taken forward in the Plan. An alternative option for the LPDP to consider whether both new settlements (Whyburn Farm and Cauldwell Road/Derby Road) are removed from the Local Plan.
- Strategic Policy S3 Location of Development is reviewed to include a spatial strategy within the Policy.
- SHELAA (SJU043) adjacent to an existing allocation at Underwood H1vg Land North of Larch Close is included in the Local Plan.
- No changes are made to the Main Urban Area boundaries.

It is stressed that any recommendations from the LPDP are subject to consideration of the proposals through the Sustainability Appraisal to consider the social, environmental, and economic effects of a Plan and inform the decision-making process.

Implications

Corporate Plan: Planning, and the Local Plan has a cross cutting role to play in helping to meet and deliver the 6 priorities identified in the Corporate Plan. In particular, the Local Plan has a key responsibility in delivering the outcomes around the supply of appropriate and affordable homes, improving town centres, facilitating economic growth especially around transport hubs, improving parks and green spaces.

Legal: The Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) sets out the legislative requirements in bringing a local plan forward. The Act includes a legal duty on local planning authorities, county councils and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters. Under Section 19, the Council is required to undertake a sustainability appraisal, which also take into account the requirements set out in the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations). Whichever option is taken forward, it will be necessary to meet the statutory requirements set out in this legislation. [RLD 04/11/2022]

Finance: There are no financial implications arising as a result of this report.

Budget Area	Implication
General Fund – Revenue Budget	None
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	None
Housing Revenue Account – Capital Programme	None

Risk:

Risk	Mitigation
In relation to the recommended approach there is a high level of risk as the authority is not providing a 15-year housing land supply of identified sites. The Inspector may see this as not meeting requirements of legislation. It will need to be justified by a clear approach and an early review of the plan to consider	In order to seek to address this risk, the strategy would need to optimise the density of development in line with the policies in NPPF chapter 11 including whether policies

<p>clarity and legislation emerging from the Government. However, the greater risk is not to provide a strategic plan to guide development to create properly shaped places and to provide certainty for both residents and developers.</p> <p>The Draft Local Plan 2021 identified that risk stemmed from the Plan's strategy being heavily reliant on the release of Green Belt land in the vicinity of Hucknall and particularly a new settlement. The proposal for moving the Plan forward take the new settlement out of the Plan substantial reduces the area of the Green Belt which would be developed and thereby reduces risk. Nevertheless, there are still inherent risks with the housing allocations and employment land in Green Belt but there is clear evidence of lack of supply for employment land at key transport corridors and hubs.</p>	<p>promote a significant uplift in minimum density standards in town centres and other locations well served by public transport, something which the plan encourages.</p> <p>The Strategy will need to be justified with robust evidence, for example Green Belt and transport infrastructure constraints, with a commitment to an early review of the Local Plan.</p> <p>The proposed scenarios reflect a Plan which would reflect a supply of housing site for a period of 10 years and consideration should be given to identifying broad locations for growth for the years 11-15 of the Plan.</p>
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Human Resources: There are no direct Human Resource implications within the report.

Environmental/Sustainability: Sustainability is at the heart of the planning system and the Plan has been prepared with the aim of delivering sustainable development in the District in accordance with the requirements of paragraphs 7 and 8 of the National Planning Policy Framework, 2021. The Local Plan is informed by a Sustainability Appraisal considering the economic, social and environmental objectives of sustainability.

Equalities: An equalities impact assessment of the Draft Local Plan was undertaken and was made available as part of the consultation documentation. The equalities assessment will be updated to take account of any changes proposed to the emerging Local Plan.

Other Implications: None.

Reason(s) for Urgency: Not applicable

Reason(s) for Exemption: Not applicable

Background Papers

The Draft Local Plan and consultation documents are available on the Council's website.
The evidence that supports the emerging Local Plan is available on the Council's website.

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Housing Requirement

Annual minimum requirement for Ashfield is currently **467 dwellings per annum**

This is based on the **standard method** set out in NPPF and Planning Guidance which uses variables that change annually. Methods for identifying housing need at local authority level in future remains uncertain due to recent statements by the PM, however it is recommended that this figure is not challenged in the meantime.

1	Annual Local Housing Need at April 2022	467
2	Houses needed to meet requirement, 1/4/2020 to 31/4/2038 (18 years)	8,406
3	Net Houses delivered* 1/4/2020 to 31/3/2022	677
3a	Homes delivered through C2 residential institution development (dwelling equivalent) 1/4/2020 to 31/3/2022	48
4	Net requirement for Plan period 2022 - 2038	7,681

**Including losses and dwellings delivered under permitted development/prior approval*

Housing Supply

PLEASE NOTE ALL SUPPLY FIGURES ARE BASED ON A PARTIAL REVIEW OF APRIL 2022 DATA - ALL NEW MAJOR PERMISSIONS GRANTED SINCE THAT DATE ARE INCLUDED, HOWEVER SMALL SITE INFORMATION HAS NOT BEEN UPDATED.

This includes supply from all 'deliverable'¹ sources including Planning approvals for new build, conversions, change of use, permitted development, C2 schemes, and new proposed site allocations.

The anticipated supply applies:

- A non-implementation rate to planning permissions to account for potential non-delivery (considered to be best practice), and
- A windfall allowance to reflect small sites which may come forward beyond the first 5 years².

These calculations are based on historic performance over a period of 10 years to take account of peaks and troughs in the housing market. Further information on this aspect is set out in the Housing Background Paper 2021.

¹ Consistent with NPPF definition

² Planning Guidance sets out that Local planning authorities have the ability to identify broad locations in years 6-15, which could include a windfall allowance

Scenario 1 - All Reg 18 housing site allocations with the exception of the new settlement strategic allocation located in Green Belt

5	Houses deliverable on small sites	
	a) With planning permission (including new build, net conversions and change of use) at 1st April 2022	323
	b) Known permitted development/prior notification schemes not yet implemented at 1st April 2022	11
	c) Demolitions and other losses with planning permission at 1st April 2022	-3
	d) Deduction to account for potential lapsed permissions	-87
	e) Windfall allowance beyond 5 years - 1/4/2028 to 1/4/2038	660
6	Houses deliverable on large sites	
	a) With planning permission at 1st April 2022	1732
	b) Demolitions and other losses with planning permission at 1st April 2022	0
	c) Deduction to account for potential lapsed permissions	-50
	d) Potential delivery from proposed allocation site without planning permission	4393
7	Provision from C2 residential institutions (dwelling equivalent)	6
8	Scenario 1: Total housing supply 1/4/2022 to 31/3/2038	6985

Scenario 2 - All Reg 18 housing site allocations with the exception any new settlement strategic allocation

5	Houses deliverable on small sites	
	a) With planning permission (including new build, net conversions and change of use) at 1st April 2022	323
	b) Known permitted development/prior notification schemes not yet implemented at 1st April 2022	11
	c) Demolitions and other losses with planning permission at 1st April 2022	-3
	d) Deduction to account for potential lapsed permissions	-87
	e) Windfall allowance beyond 5 years - 1/4/2028 to 1/4/2038	660
6	Houses deliverable on large sites	
	a) With planning permission at 1st April 2022	1732
	b) Demolitions and other losses with planning permission at 1st April 2022	0
	c) Deduction to account for potential lapsed permissions	-50
	d) Potential delivery from proposed allocation site without planning permission	4078
7	Provision from C2 residential institutions (dwelling equivalent)	6
8	Scenario 2: Total housing supply 1/4/2022 to 31/3/2038	6670

How far can we meet identified housing need?

Given the decision of the Cabinet to pursue Option C as a way forward for the Local Plan, the following scenarios would meet need as follows:

Scenario 1 (No long term strategic Green Belt site included)

Baseline net Need	7,681
Supply*	6,985
Under Provision 2020-2038	-696

* including a non-implementation rate

The following trajectory graph illustrates that supply is anticipated to fall below the requirement around 2036/37 - Year 14 from now, or Year 13 post adoption of the Local Plan. The table supporting this graph can be found at Appendix 2.

However, this supply does not include any 'buffer' to enable choice of sites, non-implementation of allocations (not including those with planning permission), or in the event that the local housing need figure increases.

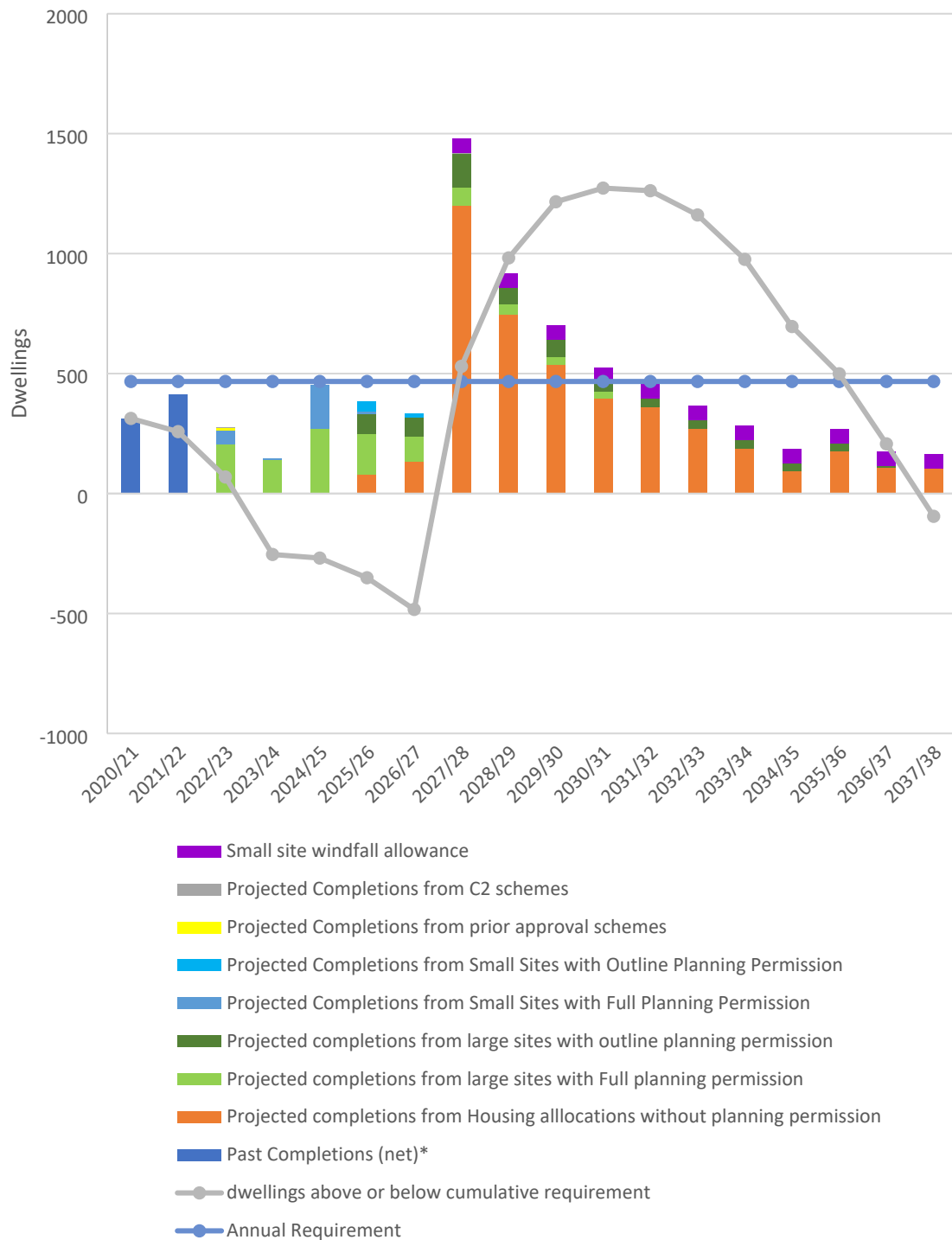
In light of this aspect, the Reg 18 Draft Plan included a buffer of approximately 11%. It is considered that including a buffer is both best practice and is expected. No figure is set out in planning guidance for this, however 10% is widely used – different bodies will argue for more or less depending on their standpoint (e.g., HBF usually cites 20%, with environmental groups and residents arguing for 0).

Including a 10% buffer to meet the remaining net need figure would require sufficient land to accommodate **8449** dwellings, meaning a deficit of **1464** dwellings over the plan period. When this is factored into the calculations, supply goes into deficit in financial year 2033/34. This would mean **a bare 10 years'** supply. However, this does not preclude any major windfall sites from coming forward as the plan progresses towards submission, and there is also scope to use a smaller buffer.

As set out in NPPF para 68, local planning authorities should identify a supply of specific, developable sites or broad locations for growth for years 6-10 and, where possible, for years 11-15. Planning Practice Guidance (Paragraph: 019 Reference ID: 68-019-20190722) sets out that Local Plans and spatial development strategies may be able to satisfy the tests of soundness where they have not been able to identify specific sites or broad locations for growth in years 11-15.

If this approach is taken, it will need to be justified with robust evidence, e.g., Green Belt and transport infrastructure constraints, with a commitment to review the Local Plan in 5 years, or earlier if necessary.

Ashfield Housing Trajectory - Draft Local Plan October 2022



Scenario 2 (No long term strategic sites included)

Baseline net Need	7,681
Supply*	6,670
Under Provision 2020-2038	-1011

** Including the non-implementation rate*

A new strategic approach which does not rely on **any** high risk new settlements gives a broadly similar trajectory graph to Scenario 1, although baseline supply would fall below need a year earlier around financial year **2035/36, Year 12 post adoption** with a deficit of **1011 dwellings**.

Again, if we add a 10% buffer, this will mean a deficit of approx. **1779** dwellings over the plan period, although the trajectory illustrates supply will go into deficit in the same year as scenario 1, i.e., 2033/34. This is due to the fact that the non-Green Belt settlement was only anticipated to commence delivery in the final 3 years of the plan period.

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Trajectory Table for Scenario 1

Housing Supply and Requirement (Dwellings)	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36	2036/37	2037/38	Total
Past Completions (net)*	313	412	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	725
Projected completions from Housing allocations without planning permission			0	0	4	80	133	1199	747	536	395	361	271	187	92	175	108	105	4,393
Projected completions from large sites with Full planning permission			206	140	265	170	105	75	42	35	31	0	0	0	0	0	0	0	1,069
Projected completions from large sites with outline planning permission			0	0	0	80	80	143	70	70	38	35	35	35	35	35	7	0	663
Projected Completions from Small Sites with Full Planning Permission			58	4	183	13	0	0	0	0	0	0	0	0	0	0	0	0	258
Projected Completions from Small Sites with Outline Planning Permission			0	0	0	42	17	0	0	0	0	0	0	0	0	0	0	0	59
Projected Completions from prior approval schemes			11	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	11
Projected Completions from C2 schemes			3	0	0	0	0	3	0	0	0	0	0	0	0	0	0	0	6
Small site windfall allowance			0	0	0	0	0	60	60	60	60	60	60	60	60	60	60	60	660
Cumulative Completions	313	725	1,003	1,147	1,599	1,984	2,319	3,799	4,718	5,419	5,943	6,399	6,765	7,047	7,234	7,504	7,679	7,844	7,844
PLAN - Annual requirement	467	467	467	467	467	467	467	467	467	467	467	467	467	467	467	467	467	467	8,406
PLAN - Cumulative requirement	467	934	1,401	1,868	2,335	2,802	3,269	3,736	4,203	4,670	5,137	5,604	6,071	6,538	7,005	7,472	7,939	8,406	8,406
MONITOR - No. dwellings above or below cumulative requirement	-154	-209	-398	-721	-736	-818	-950	63	515	749	806	795	694	509	229	32	-260	-562	-562
MANAGE - Requirement taking account of past/projected completions	8,093	7,681	7,403	7,259	6,807	6,422	6,087	4,607	3,688	2,987	2,463	2,007	1,641	1,359	1,172	902	727	562	562
MANAGE - Annual requirement taking account of past/projected completions	450	452	463	484	486	494	507	419	369	332	308	287	274	272	293	301	364	562	562

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Report To:	CABINET
Date:	13TH DECEMBER 2022
Heading:	NEW PARKING ORDER
Executive Lead Member:	CLLR SAMANTHA DEAKIN, EXECUTIVE LEAD MEMBER FOR PARKS, TOWN CENTRES AND ENVIRONMENTAL SERVICES
Ward/s:	ALL WARDS
Key Decision:	NO
Subject to Call-In:	YES

Purpose of Report

To seek approval for undertaking preparations to commence the legal process for making a new Ashfield District Council Civil Enforcement Off Street Parking Order to include carrying out an informal consultation.

Recommendation(s)

1. To approve officers undertaking preparations to commence the legal process for making a new Ashfield District Council Civil Enforcement Off Street Parking Order to include carrying out an informal consultation.
2. The variations include:
 - Changes to Kirkby Leisure Centre car park (former Festival Hall site)
 - Addition of Fox Street, Sutton car park
 - Addition of Lammas Leisure Centre car park
 - Addition of Hucknall Leisure Centre car park
 - Addition of West Kirkby Gateway car park
 - Alteration of boundary of Kings Mill Reservoir car park
 - Addition of car park at Langton Road / New Street
 - Addition of Papplewick Green Open Space car park
 - Alteration to limits of stay and parking charges for Sherwood Place car park
 - Incorporation of references to new legislation.
 - Reviewing the current fees and charges

Reasons for Recommendation(s)

A new Parking Order will be required to implement the changes required for several sites, including incorporating new car parks and to ensure effective enforcement action can be undertaken when necessary. A new order is also required to reflect recent changes to legislation and to review current fees and charges.

Alternative Options Considered

Not to revise the Car Parking Order - **Not Recommended**, the changes are needed to ensure that effective enforcement can be undertaken.

Not to incorporate the additional car parks and revise the car parking charges - **Not Recommended**, the changes are needed to ensure that effective enforcement can be undertaken.

Detailed Information

1. Kirkby Leisure Centre - Former Festival Hall Site, Kirkby-in-Ashfield

The alterations to the plan will incorporate the area of land currently occupied by the Festival Hall building. Once the building is demolished the car park for the new leisure centre will be built.

The proposed tariffs are:-

	2 Hour	4 Hour	12 Hour
Proposed charges subject to Consultation	Free	£2.00	£4.00

2. Fox Street, Sutton-in-Ashfield

The new Fox Street car park is part of the redevelopment of the Portland Square area. This creates a new car park and public space providing connectivity between Asda and Portland Square. The space can also be set up as an area for pop up stalls and markets and will include chargers for electric vehicles.

The proposed tariffs are:-

	2 Hour	4 Hour
Proposed charges subject to Consultation	Free	£2.00

3. Lammas Leisure Centre, Sutton-in-Ashfield

Currently parking is limited at the centre due to the car park being used as a long stay car park by non-users of the leisure centre facilities. Facilitating effective enforcement will help free up capacity especially at peak times.

The proposed tariffs are:-

	2 Hour	4 Hour	12 Hour
Proposed charges subject to Consultation	Free	£2.00	£4.00

4. Hucknall Leisure Centre, Hucknall

Including the car park in the new Order will set the parameters for users, such as weight limit, height and waiting period and will enable enforcement action to be undertaken to address issues with inconsiderate parking, e.g., parking in a disabled bay without displaying a Blue Badge.

The proposed tariffs are:-

	12 Hour
Proposed charges subject to Consultation	Free

5. West Kirkby Gateway (Lane End), Kirkby-in-Ashfield

Including the car park sets the parameters for users of the car park such as weight limit, height and waiting period. Currently parking is limited at the railway station due to the car park being used for long stay by non-users of the rail facilities. Facilitating effective enforcement will help free up capacity especially at peak times.

The proposed tariffs are:-

Proposed charges subject to Consultation	TBC

6. Kings Mill Reservoir, Sutton-in-Ashfield

The revised parking layout increases parking capacity and improved access arrangements for pedestrians by encompassing land made available through the new Mill Waters leisure development.

The proposed tariffs are:-

	1hour	2hour	4 hour	6hour	8hour	10hour	12hour
Proposed charges subject to Consultation	Free	£1.00	£2.00	£3.00	£4.00	£5.00	£6.00

7. Langton Road / New Street, Sutton-in-Ashfield

This area of land forming part of the gateway into the town centre from the west, is not currently included in the Parking Order. It will require some remedial works to bring it up to standard. Once complete it will increase the long stay capacity in the town centre.

The proposed tariffs are:-

	2 Hour	4 Hour	12 Hour
Proposed charges subject to Consultation	Free	£2.00	£4.00

8. Sherwood Place, Sutton-in-Ashfield

Making Sherwood Place a long stay car park will increase all day parking capacity in the town centre, easing demand on existing facilities.

The proposed tariffs are:-

	2 Hour	4 Hour	12 Hour
Proposed charges subject to Consultation	Free	£2.00	£4.00

9. Papplewick Green Open Space, Hucknall

Including the car park in the new Order will set the parameters for users, such as weight limit, height and waiting period and will enable enforcement action to be undertaken to address issues with inconsiderate parking, e.g., parking in a disabled bay without displaying a Blue Badge.

The proposed tariffs are:-

	12 Hour
Proposed charges subject to Consultation	Free

Costs

The estimated cost of the changes for each car park is listed below:

	Materials	Estimated Costs	Funding Source
Kirkby Leisure Centre	Ticket machines & signage	£10,000	Kirkby Leisure Centre new build contract
Fox Street	Ticket machine & signage	£5,000	Future High Streets Fund
Lammas Leisure Centre	Ticket machines and signage	£12,000	Economic Development and Place Reserve (subject to ODR)
Hucknall Leisure Centre	New signage	£500	Hucknall Leisure Centre build contract
West Kirkby Gateway	Ticket machine(s) & signage	£10,000	Towns Fund allocation
Kings Mill Reservoir	Additional ticket machine & signage	£5,000	Towns Fund allocation
Langton Rd / New Street	Groundworks including resurfacing, line marking, knee rail boundary fencing New signage and ticket machine	Quotations to be sought for refurbishment works	TBC

Sherwood Place	Replace existing signage and upgrade ticket machine	£600	TBC
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10. Changes to Legislation

All references to The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 in the Order need to be replaced with The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

This amendment will make provision to comply with the new consolidated regulation amendments made by Government which affect the Ashfield District Council Civil Enforcement Off-Street Parking Places Order. In making these powers available, the regulation change intends to consolidate, under the Traffic Management Act 2004 Act, parking contraventions (England-wide currently under 2007 regulations made under the 2004 Act). This will create a cohesive civil enforcement regime, removing numerous inconsistencies which inherently arose due to the disparate enabling legislation, providing a more efficient regime administration.

11. Fees and charges

The fees and charges for parking will be reviewed as part of the process for creating a new Parking Order.

Parking Order Procedure

The procedure is set out in the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 SI 1996/2489 as amended. The procedure includes the requirement to carry out public consultation and a notice period prior to the changes coming into place. Provided no objections are received following the consultation and notice period, an order can be made which confirms the new charges. If objections are received, the authority is required to hold a public inquiry.

It is good practice to carry out an informal consultation process prior to the formal public consultation takes place; this report recommends that Cabinet approves an informal consultation process. A further report will be brought to Cabinet in February 2023, to consider the responses to the informal consultation and to seek authorisation to proceed to the formal consultation and implementation stages of the Parking Order process. It is anticipated that the new Parking Order will be published, and the various initiatives implemented in summer/autumn 2023.

Proposed timeframe and key dates

5 January 2023 – Start of informal consultation
16 February 2023 – End of informal consultation period
21 February 2023 – Cabinet to consider objections
February/May 2023 - On hold during pre-election period
June/July 2023 – Cabinet to approve undertaking the formal consultation process
July 2023 – Start of formal consultation
August 2023 - End of formal consultation
September 2023 – Cabinet to consider objections
September/October 2023 – Sealing of the Civil Enforcement Off-Street Parking Places Order 2023
September/October 2023 – Advertisement of Civil Enforcement Off-Street Parking Places Order 2023
November/December 2023 – New Civil Enforcement Off-Street Parking Places Order 2023 comes into force

Implications

Corporate Plan:

The renewal of the parking order will support the Corporate Plan priorities of Health and Happiness and Economic Growth and Place, including Key Projects, Programmes and Initiatives for the Leisure Transformation Programme and Town Centres.

Legal:

Relevant legislation and processes are detailed in the report. [RLD 15/11/2022]

Finance: The costs and income generation potential from the proposals set out in this report will be determined following the outcome of the consultation exercises. [PH 21/11/2022].

Budget Area	Implication
General Fund – Revenue Budget	To be confirmed
General Fund – Capital Programme	To be confirmed
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

Risk:

Risk	Mitigation
Reputational - the lack of enforcement powers for the Lammas Leisure Centre means that inconsiderate parking and use by non-leisure centre users cannot be addressed. This will also apply to Kirkby Leisure Centre when the new car park is opened.	Implementing the new order will address the current issues at the Kirkby and Lammas Leisure Centres and will allow for enforcement at Hucknall Leisure Centre where issues with inconsiderate parking occur.

Human Resources:

None

Environmental/Sustainability

No environmental/sustainability issues identified.

Equalities:

No equalities issues identified, free parking for disabled Blue Badge holders will be unchanged in the new parking order.

Other Implications:

Not applicable.

Reason(s) for Urgency

Not applicable.

Reason(s) for Exemption

Not applicable.

Background Papers

Not applicable.

Report Author and Contact Officer

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Report To:	CABINET
Date:	13TH DECEMBER 2022
Heading:	DISCOVER ASHFIELD – A NEW NARRATIVE
Executive Lead Member:	CLLR MATTHEW RELF, EXECUTIVE LEAD MEMBER FOR REGENERATION AND CORPORATE TRANSFORMATION
Ward/s:	ALL WARDS
Key Decision:	NO
Subject to Call-In:	YES

Purpose of Report

To note the work undertaken with the Local Government Association to refresh the Discover Ashfield place marketing.

Recommendation(s)

1. To note the contents of the report.

Reasons for Recommendation(s)

Work has been undertaken through the Local Government Association to review the place marketing of Discover Ashfield and to identify areas for improvement and development. This includes the development of the 'Ashfield Story' and an action plan.

Alternative Options Considered

Not to note the report's contents - **Not Recommended**, the work has been undertaken which will strengthen the work of the partnership.

Detailed Information

Background

Discover Ashfield is a place partnership, set up in 2017 which celebrates all that is best about living, visiting, studying, working and doing business in Ashfield. The partnership was set up to raise the

profile of the area, to identify what makes it a great place and to better promote it through the four themes of: Succeed in Ashfield; Love Where You Live; More to Discover and Be Healthy Be Happy.

The partnership brings together a wide range of business, community and public sector organisations including, universities, academies, and further education; the Local Enterprise Partnership – D2N2, Nottinghamshire County Council, the NHS and DWP; Inspire and Mansfield and Ashfield 2020, with community representation from Ashfield Citizens Advice and Ashfield Voluntary Action. The work of Discover Ashfield is facilitated and supported by a project officer employed by the Council.

The collective mission of Discover Ashfield is to:

- Promote Ashfield in a positive manner
- Develop pride and aspiration in our communities
- Encourage and promote inward investment with the support of businesses and educators
- Help people improve their health and wellbeing
- Support tourism and the visitor economy
- Through the Ashfield Ambassadors, lobby locally and nationally to improve the prosperity and success of the area.

Place Marketing Support

The Council was offered support through the Local Government Association (LGA) for up to six days' support to review and refresh the District's place marketing - the work did not include reviewing the Discover Ashfield partnership. Workshops were held with the theme leads and the chair and vice chair of Discover Ashfield, the Leader and the Executive Lead Member and Council officers.

From the work undertaken an 'Ashfield Story' was developed, as well as an 'elevator pitch' to strengthen the District's place marketing. The purpose of the elevator pitch is to provide a succinct description of the District, the 'Ashfield Story' seeks to capture the identity of the District and our ambitions for the future.

The elevator pitch

We are building on what's best about our communities and the area's heritage to carve out a great future for Ashfield. We've always been inventive, can-do, hardworking people and we're ready to make the most of this hidden gem.

Discovering Ashfield – good to great

It's the people that make Ashfield, and community is at our heart. Ours is a District where we are glad to **roll our sleeves up, get stuck in and help anyone.**

On a sunny August afternoon, you'll find us celebrating Ashfield Day. The District is alive with events and activities everywhere, families relaxing, enjoying the new leisure facilities, great parks and the great outdoors.

It's a celebration of who we are and where we come from. In a quiet way, we're changing and growing, thinking long-term, **ambitious for the future** – good jobs, facilities and surroundings will help us **all live happier, healthier, and longer lives.**

Across the towns of Sutton, Kirkby and Hucknall, and in our rural areas, we always find more in common than we might first think. We're more than the sum of our parts and that's important because **we're stronger together.**

There's more happening than ever with **major investments in our towns.** We're working together to make it clean and green, and out on the Teversal Trail where the countryside is outstanding, you'll notice there's space to breathe.

We're proud to be a hidden gem, and like our winter Light Night festival, there's an increasingly **confident** glow across our area.

Industry has always been part of our heritage - what we make today is different because we've **always adapted and grabbed the opportunities** that come our way, sometimes out of necessity but always with invention.

Now we're taking advantage of our excellent location between **Nottingham and Sheffield** and will be connecting global supply chains through our new **Automated Distribution and Manufacturing Centre.**

We've invested in **skills and learning**, so whether it's an apprenticeship, college or university, you don't have to leave to make your next move, Vision West Notts and **Nottingham Trent University's stunning new campus are on our doorstep.** People relocate here because we're generating good jobs and opportunities of all sorts.

We know there are **tough challenges ahead**, like many other places some families are struggling and need more help **to lead their best lives.** We are determined to provide the right kind of support for young and old and that's why we're harnessing our skills, energy and passion to deliver a brighter future for the District.

Everyone doing their bit is at the heart of what makes our families and communities thrive.

Like our fantastic **Sutton Observatory, which houses the biggest optical telescope in the country outside of Greenwich, we're raising our sights, looking to the stars.**

The action plan which will be used to further develop the story and the work of Discover Ashfield is included at Appendix 1.

Implications

Corporate Plan:

The place marketing work will support the Corporate Plan priority of Economic Growth and Place and the Key Projects, Programmes and Initiatives for Discover Ashfield: 1. Support and promote Discover Ashfield, including the Ambassador programme 2. Work with partners to deliver the Discover Ashfield themes.

Legal:

Relevant legislation and processes are detailed in the report. [RLD 15/11/2022]

Finance:

There are no direct financial implications arising from this report. [PH 17/11/2022].

Budget Area	Implication
General Fund – Revenue Budget	N/A
General Fund – Capital Programme	N/A
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

Risk:

Risk	Mitigation
No risks identified	

Human Resources:

No HR implications identified.

Environmental/Sustainability

No environmental/sustainability issues identified.

Equalities:

No equalities issues identified.

Other Implications:

Not applicable.

Reason(s) for Urgency

Not applicable.

Reason(s) for Exemption

Not applicable.

Background Papers

Not applicable.

Report Author and Contact Officer

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Appendix 1 – Action Plan

1 Strategic development

RECOMMENDATION	ACTION	TIMESCALE	LEAD(S)	PROGRESS/ NOTES
Gain awareness, engagement in and ownership of draft narrative/ recommendations	• Brief senior leadership team	Complete	Chief executive (CEO)	Current draft narrative needs to become Ashfield's
	• Brief and share with Leader (and other key Cabinet leads)	Complete	Cllr. Relf	Widen engagement and input to communicate and strengthen.
	• Share and test with key stakeholders e.g. Discover Ashfield board	Ongoing	CEO	
	• Report to Cabinet and Council	Dec. 2022	CEO/ Assistant Director - Corporate Services and Transformation (AD-CS/T)	
	• Share and test with employees at CEO briefings	Complete	CEO/Leader	
	• Brief new Director of Place and Communities	Complete	CEO	
Update and align Ashfield DC vision and narrative	• Identify core priorities and key messages from new Corporate Plan	Jan- June 2023	AD-CS/T	
	• Create core narrative script to run as golden rope thorough all comms.	Jan 2023	Communications lead	Need to be content that final version of overall narrative is shared and agreed.

RECOMMENDATION	ACTION	TIMESCALE	LEAD(S)	PROGRESS/ NOTES
Develop Discover Ashfield place marketing/ communications strategy and activity plan (initial six months)	<ul style="list-style-type: none"> Align with new narrative Develop alongside new Ashfield DC comms. strategy Involve public/private partners Develop campaign to launch new narrative, alongside partner/ stakeholder event Develop communications activity/events grid 	Jan- June 2023	Service Manager for Place and Wellbeing Communications lead AD-CS/T Communications lead	

2 External and internal communications (to embed narrative and support place marketing)

RECOMMENDATION	ACTION	TIMESCALE	LEAD(S)	PROGRESS/ NOTES
Establish strategic direction for Ashfield DC communications (linked to new Corporate Plan)	<ul style="list-style-type: none"> Develop internal and external communications strategy for council Link to DA place marketing strategy and narrative 	Jan- June 2023	AD-CS/T Communications lead	

	<ul style="list-style-type: none"> • Focus comms. resources around agreed strategic priorities • Integrated approach across all comms. and engagement disciplines • Review campaigns and comms. projects to reflect Discover Ashfield narrative 			
Establish district-wide DA partner communications group to share priorities and plans	<ul style="list-style-type: none"> • Establish group and diary meetings • Share communications strategy and include partner campaign 	Complete	Communications lead	
Place marketing event for key stakeholders and influencers	<ul style="list-style-type: none"> • Use opportunity to launch new narrative • Publish narrative on Council and DA partner channels • Mini-launches at Ashfield DC and DA partners' internal and external events 	Early 2023	Place and Wellbeing team	Not stand alone but part of wider strategy and plan
Regular promotion of and engagement in the narrative (and linked strategies/plan)	<ul style="list-style-type: none"> • Review DA branding and materials (in line with activity plan) 	Jan 2023 onwards	All partners	Must be part of planned activity programme

	<ul style="list-style-type: none">• Identify and work with narrative champions/ambassadors			
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Report To:	CABINET
Date:	13TH DECEMBER 2022
Heading:	REVIEW OF TENANCY CONDITIONS (COUNCIL HOUSING)
Executive Lead Member:	COUNCILLOR TOM HOLLIS, EXECUTIVE LEAD MEMBER FOR COUNCIL AND SOCIAL HOUSING
Ward/s:	ALL
Key Decision:	YES
Subject to Call-In:	YES

Purpose of Report

To update Cabinet on the progress of the review of the Council's social housing conditions of Tenancy.

To inform Cabinet of the feedback received from the consultation with tenants on the proposed updated tenancy conditions.

To recommend revised Tenancy Conditions and seek Cabinet's approval to vary the terms of all Council tenancies in February 2023.

Recommendation(s)

Cabinet is requested to:

- 1) Note the reasons for reviewing the Conditions of Tenancy and the outcome of consultation with tenants on the proposals.
- 2) Approve the proposed revised set of Tenancy Conditions attached as an appendix to this report.
- 3) Authorise the Director of Housing and Assets to take the necessary steps to implement the new tenancy conditions in February 2023 by undertaking the statutory process to vary the terms of the Council's tenancies.

Reasons for Recommendation(s)

- The existing tenancy agreement refers to Ashfield Homes Ltd which was disbanded in 2016. There are deficiencies in the existing agreement as a result of a number of legislative changes and updates are required to Council rights and obligations as a landlord, as well as the tenant's rights.
- If the proposed revised conditions are approved and implemented, tenants will have a clearer understanding of their obligations and of those of the Council.
- The agreement strengthens our ability to enforce conditions of tenancy against those who wilfully and/or persistently fail to abide by them.
- Fire Safety will be further strengthened and promoted.
- The changes must be consulted upon following a prescribed process.

Alternative Options Considered

To do nothing and to continue to operate using the existing, outdated tenancy agreement would mean that the Council will not have a modern, easily understandable, fit for purpose, tenancy agreement in place. This is not recommended.

Detailed Information

1. Background

- 1.1 It is important that a tenancy agreement is kept up to date in terms of legislative requirements. The current tenancy conditions for council housing tenants have been in force since 2015 and there are a number of clauses which could now benefit from change, in order to take into account changes in legislation, good practice and to ensure they are clear and in plain English.
- 1.2 The review of the conditions of tenancy aims to deliver an updated set of tenancy conditions which are clear and enforceable, emphasising the rights and responsibilities involved when accepting a Council Tenancy.
- 1.3 Whilst most of the proposed changes are around clarity and ability to enforce, they do include new conditions to enable better management of the tenancy. They also strengthen our rights and tenants' responsibilities in terms of fire and gas safety.
- 1.4 When revising the tenancy agreement, we consulted with Housing Staff, the Community Safety Team and Legal Services and held an elected Members briefing session, alongside undertaking the prescribed process.
- 1.5 Section 103 of the Housing Act 1985 prescribes the procedure to be adopted when varying the terms of secure and introductory tenancies.
- 1.6 The first stage is to issue a Notice of Variation on the tenant. However, before the Council can serve this Notice of Variation, the Council must firstly serve a Preliminary Notice which informs the tenant of the Council's intention to serve a Notice of Variation. The Preliminary Notice informs the tenant of the Council's intention to serve a Notice of Variation and is the

primary method of consulting each tenant to obtain their views on the changes proposed to the tenancy agreement.

- 1.7 The Notice must specify the proposed variation(s) and its effect(s) and invite the tenant to comment on the proposed variation(s) within a period considered reasonable by the Council. The Council must consider any comments made by tenants within the consultation period before deciding to serve the Notice of Variation.

2.0 Consultation

- 2.1 Consultation has now been undertaken with tenants in relation to the new proposed tenancy conditions. During week commencing 10th October 2022, a Preliminary Notice of Variation was posted to 6,494 tenants. This notice was the first stage of our consultation with tenants and provided them with an opportunity to give feedback over a 4-week period (17th October 2022 to 14th November 2022). Documents accompanying the Preliminary Notice of Variation also included:

- Frequently (FAQ) asked questions leaflet
- Summary of proposed changes

- 2.2 All new tenants who signed tenancy agreements during the consultation period were also given the opportunity to comment on the proposed changes.

- 2.3 A copy of the full proposed tenancy agreement was made available to tenants on the website or by requesting a copy.

- 2.4 Tenants were invited to give their comments in a variety of ways as follows:-

- By completing an online form on the Council's website
- By emailing comments to the tenancy agreement inbox
- By providing feedback over the telephone
- By writing
- By providing comments at a housing surgery or face to face consultation event at their respective sheltered housing court (for sheltered housing tenants only)

- 2.5 The Housing Management and Tenancy Services Section also sought to engage its known vulnerable tenants to explain the purpose of the consultation.

- 2.6 Consultation closed on the 14 November 2022.

3.0 Consultation feedback

- 3.1 We received 91 responses to the consultation. This included feedback from online forms, the tenancy agreement email inbox, telephone calls and drop-in sessions at sheltered housing courts.

- 3.2 Overall, the tenancy agreement was well received with less than 1% disagreeing with the proposed changes.

- 3.3 All feedback received has been carefully considered, when finalising the proposed revisions to the conditions. The most concerns/issues raised were in relation to the new social media clause. As a result, when the feedback is provided to tenants, we will emphasise that the

clause will be enacted on a proportionality basis where the acts are deemed to be at a criminal threshold and/or has a direct impact on the ability to manage the tenancy/property.

- 3.4 An issue was also raised about the taking and retention of photographs and specific mention of minors. The Council already asks for photographic ID at the housing 'offer' stage; therefore, this is not a new process and is line with tenancy fraud prevention. When we feedback to tenants, we can make this clear and also state that we will not be asking or taking photographs of minors.
- 3.5 The issue of drying clothes on radiators was also raised as an issue. We can feed back to tenants that the clause states that clothes should not be routinely dried on radiators, rather than a ridged approach. This new clause will help when we are dealing with reports of damp and mould in the property, as clothes drying is a potential cause where condensation is generated along with lack of ventilation.
- 3.6 Some feedback was raised about the new boundary marker clause. Changes have been made to this clause following this feedback to make it clearer that the boundary line should not be moved. This new clause has been added because there have been tenants who have moved the boundary fencing which has resulted in complaints from neighbouring properties. Please see Appendix 1 which shows the main comments and the amendment to the clause.
- 3.7 As a result of the positive feedback received, we do not propose to make any further key changes to the revised version of the Tenancy Agreement.
- 3.8 Feedback on how we have used this information and the results of the consultation will be reported back to tenants on the housing webpage. This information will also be available upon request for those tenants who do not have access to social media.
- 3.9 A revised tenancy agreement is attached at Appendix 2.

4.0 Next Stage

- 4.1 The next stage if the new conditions are approved by Cabinet is to introduce the new tenancy agreement. We will write to all tenants issuing them with a formal Notice of Variation. Enclosed with the Notice will be a copy of the new tenancy agreement. The Notice will give a date when the new tenancy agreement comes into effect, which will be at least 28 days' notice from the date of the Notice. We anticipate the new agreement coming into effect in February 2023, if approved.
- 4.2 Any new tenants offered either an introductory or secure tenancy from that date will sign up to the new terms and conditions.
- 4.3 Existing tenants will not have to sign the new tenancy agreement.

Implications

Corporate Plan:

The provision of good quality housing is a priority for the Council and there is a commitment to achieve this by managing our Council homes efficiently. A robust Tenancy Agreement which sets out the rights and responsibilities of tenants and the Council will enable efficient and effective management of our homes.

Legal:

The Housing Act 1985 provides that secure tenancies can only be varied by either agreement with the tenancy or by using the statutory procedure pursuant to s.103 of the Housing Act 1985 which sets out the process and time limits to be followed. The procedural requirements will be satisfied by the steps outlined in Section 4.0 of the report. [RLD 24/11/2022]

Finance: [PH 23/11/2022].

Budget Area	Implication
General Fund – Revenue Budget	N/A
General Fund – Capital Programme	N/A
Housing Revenue Account – Revenue Budget	All costs incurred will be met from within existing HRA Budgets. Updating the sections relating to service charges and rental arrears allows the Council to maximise rental income collection.
Housing Revenue Account – Capital Programme	N/A

Risk:

Risk	Mitigation
A tenancy agreement which does not provide clear detail on how we manage tenancies, risks loss of confidence and may leave us open to legal challenge and associated costs.	Reviews of the Tenancy Agreement to ensure it provides clear details to tenants.

Human Resources:

No adverse Human Resources implications have been identified

Environmental/Sustainability:

An effective Tenancy Agreement will contribute to the development of sustainable communities.

Equalities:

Feedback from the consultation has been used to finalise the Equality Impact Assessment (EIA) on the revised Tenancy Agreement. The development of the new Tenancy Agreement has been taken with due regard to equalities and diversity issues and the tenant profile and will be made available in a range of formats to meet tenants needs. No significant negative consequences from the new Tenancy Agreement related to groups with protected characteristics were identified.

Other Implications:

Workforce

In order to best support our staff in taking enforcement action the Tenancy Agreement must be reflective of current legislation and issues experienced on the ground.

Reason(s) for Urgency

Not applicable

Reason(s) for Exemption

Not applicable

Background Papers

Appendices:

Appendix 1: Summary of comments from tenants with recommended amendments

Appendix 2: Revised Tenancy Agreement

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Appendix 1

Summary of comments from tenants with recommended amendments

Of the 91 responses, 68 tenants agreed with the changes and 23 tenants disagreed with the changes.

Tenancy Clause	Comments from Tenants	Response
You, people living with you and any visitors to the property must not use social media or any other form of communication to make false statements, abuse, threaten, harass or be derogatory towards Council employees, contractors, agents or Councillors. Communication includes telephone calls, text messages, e-mails or posting comments on social media. This condition applies wherever the communication takes place.	Concerns about freedom of speech and whether comments on social media about the Council would be acted upon.	<p>Response: The clause will be enacted on a proportionality basis where the acts are deemed to be at a criminal threshold and/or have a direct impact on the ability of the Council to manage the tenancy and/or maintain the property in line with its duties and responsibilities.</p> <p>No amendment required.</p>
We will take photographs of all new tenants. Photographs help us prevent social housing fraud, and for us to help you in the case of an emergency, for example fire, flood etc.	Concerns about the storage of photographs.	<p>Response: – Photographic ID is already requested when a housing applicant signs up for a new tenancy to prevent tenancy fraud. We require a photo for the tenancy file. This in all instances excludes photos of minors. Photographs are stored in line with General Data Protection Regulations (GDPR) and Data Protection Act 2018.</p> <p>No amendment required.</p>
You are responsible for the upkeep of the boundary marker only, such as fencing or hedges and not for the boundary itself.	Clarity was requested on who is responsible for the repair and maintenance of fencing.	<p>Response: The Council is responsible for repair or maintenance of fencing where the Council has installed this, the exception is where tenants have installed this.</p> <p>Amend the wording to:</p>

		The Council is responsible for the demarcation of the boundary only. You must not move a demarked boundary.
You must not routinely dry clothes on radiators and ensure radiators are not obstructed	Concerns about not being able to dry clothes on radiators at all.	<p>Response: the clause states that clothes should not be <u>routinely</u> dried on radiators. This means that it is permissible but offers a common-sense approach to avoiding a potential source of damp and mould in the property.</p> <p>No amendment required.</p>

Tenancy Agreement

Foreword

We want you to enjoy living in your home and consider that it is important that we make it clear from the commencement of your tenancy, what you can expect from us and what we will expect from you. This document sets out your rights and responsibilities and also our responsibilities to you (as a landlord) under this Tenancy Agreement.

We are committed to ensuring that your home and the services we provide are of the highest standard possible. We want you to live in a peaceful, pleasant neighbourhood free from anti-social behaviour. We expect you will look after your home and treat your neighbours in the way you would expect to be treated yourself.

If we fail to meet our responsibilities under this Tenancy Agreement we expect you to tell us and provide us with the opportunity to put things right. If you breach this Tenancy Agreement we will tell you and may provide you with a chance to put things right.

If you fail to take up any opportunity provided to you to correct any breaches of this Tenancy Agreement then we may take legal action against you and you may lose your home. We consider this approach is fair and reasonable which will allow all our residents to live happily in their homes and communities.

Please remember you must pay your rent when it is due. If you are having difficulty in paying your rent please contact us immediately.

Please read this Tenancy Agreement carefully before accepting a tenancy. When this Tenancy Agreement is signed by you, the conditions within become legally binding on you as a tenant(s) and us as your landlord.

Paul Parkinson, Director of Housing and Assets/Deputy CEO
Ashfield District Council

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Definitions

In this Agreement, the following words have the meanings given below:

Anti-Social Behaviour	Acting in a manner that causes or is likely to cause, harassment, alarm or distress to one or more persons not of the same household.
Animal/Pet	Domestic animal - Including bird, insect, reptile, spider, fish.
Assignment	Passing the rights in full of your secure tenancy to somebody else where permitted by the Housing Act 1985.
Communal Areas	Areas which you share with other tenants such as stairs, entrance halls including door entry system, lifts, landings, balconies, access ways, paths, grassed open spaces, shared gardens or yards, parking areas, parking bays, or hard standings.
Communal Aerial System	This is an aerial system provided and maintained by us for blocks containing more than four flats and sheltered schemes.
Demotion	A tool to combat anti-social behaviour which results in reduced rights and less security from eviction.
Employees	Includes any contractor, agent or anyone employed by us.
Fixtures and Fittings	All appliances and furnishings (not removable) in the Property including those supplying or using gas, electric and water.
Garden	Ground enclosed within the boundary of the Property, including but not limited to, decking, flower beds, grass, hedges, lawns, paved yards, ponds, shrubs and trees.
Hardstanding	A driveway or paved area used for parking a vehicle
HHSRS	Housing Health and Safety Hazard Rating system.
Independent Advice	You can get independent advice about your tenancy and your rights from the Citizens' Advice Bureau and Shelter Housing Advice Centres.
Improvement	Any alteration or addition to the Property.

Introductory Tenancy	A tenancy which lasts for a trial period of up to 18 months which may then become a secure tenancy unless you have breached your tenancy conditions.
Introductory Tenant	A Tenant who has an introductory tenancy.
Injunction	A Court Order requiring a tenant or person to do, or refrain from doing specific acts.
Joint Tenancy	Joint Tenants are responsible, jointly and individually, for the rent, charges and obligations of the tenancy.
Local Area	In the locality of your home and/or elsewhere in the Ashfield District.
Lodger	A person who you allow to live in your home with or without payment.
Neighbours	Everyone living or working in the locality of your home.
Non Dependent	An adult living with you who is not their lodger or partner.
Notice of Seeking Possession	A legal document that is served by us prior to taking possession action against you.
Notice Period	The period of notice required by either party to bring the tenancy to an end. This is normally four weeks notice.
Notice to Terminate	The legal document you must complete to bring the tenancy to an end.
Partners	Members of a couple in a relationship (including same gender relationships), who are living together.
Property/Your Home	The housing accommodation and any garden, yard, outbuilding, garage, fence, or wall, owned by Ashfield District Council, let to you under the Tenancy Agreement.
Relatives	Parents, children, grandparents, grandchildren, brothers, sisters, uncles aunts, nephews, nieces, step relatives and adopted children.
Rent	The weekly charge payable by you to live in the accommodation.
Secure Tenant	A tenant who has a secure tenancy under the Housing Act 1985.
Sheltered Accommodation	Properties situated in a group setting and usually within the same building with communal facilities.

Sublet	Giving another person(s) the exclusive right to live in part of your home.
Tenant	The person(s) who signs the tenancy agreement.
Tenancy Agreement	This agreement containing the terms, conditions and obligations of your tenancy.
Tenancy Charges	Financial obligations arising from your tenancy which includes but is not limited to: rent arrears, recharges, heating, hot water, garage rent, lifeline in specialist 60+ designated properties, other service charges, and charges for property damage.
Utilities	Gas, electricity, water.
Vacant Possession	The Property is unoccupied and empty of possessions.
Visitors	People not living with you but who come to your home.
Vehicles	A car, bus, lorry, motorbike, boat, caravan, trailer, scooter, motorised transport or similar.
We, us and our	<p>The Landlord,</p> <p>Ashfield District Council of Council Offices, Urban Road, Kirkby-in-Ashfield, Nottingham NG17 8DA</p> <p>and</p> <p>Employees, contractors and everyone working on behalf of the above.</p>
Written Permission	A letter from us giving you permissions in response to a request you have made.
You and Your	The tenant, or in the case of a joint tenancy, tenants.

Terms of Tenancy

1. Introduction to the Tenancy Agreement

1.1 This agreement contains the terms, conditions and obligations of the tenancy between you, the tenant and Ashfield District Council. You should read this agreement carefully to ensure that you understand and accept its contents, as it contains important information about your tenancy. If you do not understand any part of this agreement we strongly recommend you ask for it to be explained to you before you sign it. You might consider consulting a solicitor, Citizens Advice Bureau or Housing Advice Centre before you proceed.

1.2 This tenancy agreement is used for:

- An Introductory Tenancy
- A Secure Tenancy

By signing this agreement, you are entering into a legal contract with us and will become either an introductory or secure tenant. Within this document we tell you whether your tenancy is an introductory or a secure tenancy. If you have an introductory tenancy, we also tell you the date it will become a secure tenancy. Table A below shows in brief the rights of introductory and secure tenancies.

Table A

Legal Rights of Tenants	Secure Tenants	Introductory Tenants
Right to succession of spouse/civil partner	Yes	Yes
Right to succession of family members	Yes in certain cases	Yes in certain cases
Right to Repair (Regulations)	Yes	Yes
Right to be consulted on housing management issues	Yes	Yes
Right to Assign	Yes	Yes
Right to Buy	Yes in most cases	No
Right to take in lodgers	Yes	No
Right to sub-let (part of your home)	Yes	No
Right to improve (with written permission)	Yes	Limited to certain items
Right to Mutually Exchange	Yes	No
Right to vote prior to transfer to new landlord	Yes	No
Right to be consulted on decision to delegate housing management	Yes	Yes
Right to participate in housing management contact monitoring	Yes	Yes

- 1.3 If you had a secure tenancy immediately before entering into this tenancy agreement you will remain a secure tenant. As a secure tenant you have the right to live in your home (right to possession) so long as you comply with this tenancy agreement. We will not interfere with your right to possession unless the court grants us permission. A Notice of Seeking Possession/Demotion must be served on you before any legal action could begin to end your secure tenancy.
- 1.4 An introductory tenancy is a tenancy for a trial period for for the first 12 months (or 18 months if it is extended).

Within that time, you must demonstrate to us that you are able to comply with the terms and conditions of the tenancy agreement, for example:

- You must not behave anti-socially or cause a nuisance or harass other people
- You must pay your tenancy charges on time.
- You must look after your home in a reasonable manner.
- You must allow access to our staff, agents or contractors for introductory tenancy reviews, property inspection visits and to undertake works to the property.

Your introductory tenancy will automatically become a secure tenancy after one year unless you breach any of the terms and conditions within this agreement. If you do breach the conditions we may serve you with a notice to extend the introductory tenancy period by six months. If the breach is serious, we will consider serving you with a notice of possession proceedings to end the tenancy altogether. As an introductory tenant, you will have fewer legal rights and if there are problems it is easier to evict you.

- 1.5 Legal action to evict you may mean you incur legal costs. You can ask us to review our decision to end or extend your introductory tenancy. If we apply to the court to end your introductory tenancy, the court will grant the order for possession providing we have followed the proper procedure.
- 1.6 If you have signed this tenancy agreement with someone else you are a joint tenant. In joint tenancies each tenant is jointly and individually responsible for the tenancy. If one tenant leaves the home both tenants remain responsible for adhering to the tenancy agreement. Your rights and responsibilities cannot be split or shared between you. If one of you ends your joint tenancy this will have the effect of ending the tenancy for each of the joint tenants.
- 1.7 Your tenancy starts on the date set out in this agreement. It continues from week to week until you or we end it.
- 1.8 As long as you pay your rent and keep to the terms and conditions of your tenancy agreement, we will not normally ask the court for a possession order. However there may be occasions, for example, when we need to move you to a new home if your home is to be demolished.

- 1.9 **If you have difficulty keeping to your tenancy agreement, you must contact us as soon as possible.** We can then provide you with support, advice or help to sort out any problems you may be experiencing. This may avoid us having to take legal action against you.
- 1.10 You must occupy your home as your only or main home. If you acquire another property, you must continue to live in your home which forms part of this tenancy agreement or you will cease to be a secure tenant. In such circumstances we may ask the court for a possession order.
- 1.11 We are committed to the prevention and detection of fraud and participate in data monitoring exercises for this purpose. We advise you that the data held by us in respect of your tenancy will be used for the prevention and detection of fraud. We may also share your data with others as permitted in law. We will take photographs of all new tenants. Photographs help us prevent social housing fraud, and for us to help you in the case of an emergency, for example fire, flood etc.

2. False Statement

- 2.1 You or someone acting on your behalf must not make a statement which you:
- Thought could be false, or
 - Be involved in anyway in supplying information which may deceive an officer of the Council in allocating you this property.

We will take legal action to obtain possession of your home in any such circumstance.

3. Payment of Rent and Charges

- 3.1 Payment of rent and other charges associated with your tenancy is one of your most important obligations under this Tenancy Agreement. Prior to you signing for the tenancy, we will inform you of the amount of rent and tenancy charges which are payable for the property.
- 3.2 The rent and other charges associated with your tenancy are due every Monday in advance. Rent payment and tenancy charges can be paid by a frequency other than weekly by prior arrangement. If you pay at any other interval than weekly, the rent must always be paid in advance and be cleared on your rent account in advance of the due date to ensure your rent account never falls in to arrears, to avoid recovery action taken against you.
- 3.3 You must pay the first week's rent and other tenancy charges when you sign for your tenancy agreement. You must not withhold your rent payments or any tenancy charges for any reason whatsoever.
- 3.4 There are occasional 'free' weeks when no rent is charged. If you owe us rent (called arrears) you must continue to pay your rent and other tenancy charges in these free weeks.

- 3.5 You must pay any debt outstanding to us in full e.g. unpaid rent, tenancy charges, and charges for damage to your home.
- 3.6 If you are joint tenants you are each responsible for the rent and tenancy charges, both jointly and separately. This means that we can recover arrears from you jointly or each of you individually. The Council can recover all arrears owed to it, as a result of the responsibility from either individual joint tenant. This means if one joint tenant leaves, the remaining tenant or tenants are responsible for the total of any arrears outstanding together with ongoing rent and tenancy charges.
- 3.7 If you have any difficulty paying your rent or tenancy charges, you must contact the Income Team immediately.
- 3.8 You are responsible for making any claims for benefits towards your housing costs.
- 3.9 If you do not pay your rent, rent arrears or tenancy charges and are in receipt of welfare benefits, we may seek payments directly from your welfare benefits towards the debt.
- 3.10 You must repay the Council any overpayment in Housing Benefit (or any other benefit that replaces it) which, by law the local authority (or whoever is responsible for processing this benefit) can claim back. The overpayment may be taken from your rent account.
- 3.11 If you do not pay your rent, rent arrears or tenancy charges, or you regularly miss payments or pay late the Council can take court proceedings to evict you from your home. These proceedings may incur additional charges such as legal fees and court costs which we will seek from you and which may then be added to the total debt outstanding together with ongoing rent and tenancy charges. The Council will also seek a Money Judgement to recover the debts.
- 3.12 We may vary the amount of rent or tenancy charges you have to pay. You will be notified in writing of any such variation four weeks before any change takes effect. Our usual practice is to change the rent and other tenancy charges annually in April. We can however, change the the annual date and vary charges at any time with the required notice. You can end your tenancy if you do not agree to the new amount of rent and/or tenancy charges.
- 3.13 When your tenancy ends, or legal action results in you having to leave your home, you must pay any outstanding charges to the Council in full straight away. If there are any unpaid sums at the end of the tenancy, we will continue to pursue them which could result in legal action through the Courts to reclaim this debt.
- 3.14 If you owe us any money for any former tenancy or any other debt related to your former property, it is a condition of this Tenancy that you pay that debt in addition to the current rent and tenancy charges.
- 3.15 Should you have any outstanding housing debt or credit from either a current or former tenancy with the Council, this debt or credit may be used to offset other current or former tenancy debts or credit you have with the Council. If a refund of rent is requested due to

there being a credit on the rent account, we reserve the right to retain the equivalent of one week's rent and tenancy charges on the rent account to ensure there is sufficient monies for the rent account to be in advance as stated in this agreement.

4. Use and Occupation of Your Home

- 4.1 You must live in the property as your main home and nowhere else .
- 4.2 If you intend to be away from your home for a period of longer than 28 days, you must inform us. You must provide us with a forwarding address and telephone number/and or the contact details of someone we may contact in an emergency. If you fail to inform us, we will assume that you no longer live in the property as your main home and will serve a Notice to Quit. Following the expiry of the Notice to Quit we will seek possession of the property via the Court.
- 4.3 The people who can live in your home are those you have told us about when you applied for the property. Before anyone can come to live with you for more than 4 weeks, you must get our permission. You must also tell us within 28 days if there are any changes to your household such as a new baby, adopted/fostered children, or anyone leaving your household.
- 4.4 You may take in lodgers as long as you are a secure tenant and the property does not become overcrowded. However, you must get our prior written permission before you take in lodgers. You must also provide details of their name, date of birth, gender, National Insurance Number and former address and details of the rooms that they will occupy. We reserve the right to refuse permission if the proposed lodger is found to be unsuitable in any way.
- 4.5 You must not, without our prior written permission, sub-let part of your home. You must not sub-let the whole of your home as you will no longer be a secure tenant. Introductory tenants will not be given permission to sublet part of their home.
- 4.6 You must not assign your tenancy without our prior written permission. Each request will be considered on a case-by case basis and will be considered in line with housing legislation at that time.
- 4.7 You must not run a business from the property without first obtaining our prior written permission. In granting any permission we will consider various factors. For example these could include planning issues, the amount of noise generated, nuisance likely to be caused to your neighbours and whether damage to the property may occur. If issues are reported, permission may be withdrawn.
- 4.8 You must not place or exhibit any notice board or notice visible from outside the premises advertising any profession, trade or business or any goods or services without our prior written permission.

- 4.9 You or anyone living with you must not use a room as bedroom accommodation where an open flue gas appliance is installed. Where this is identified, we may isolate the appliance until alternative sleeping arrangements have been made.
- 4.10 You or anyone living with you must not allow anyone to sleep in a loftspace, shed, outbuilding, summerhouse, other external construction or communal area in the locality of your home.
- 4.11 You must not store, hoard or keep a large or excessive number of items in the property, that could cause a health and safety, fire or other risk or damage to the property. This includes communal areas, sheds, outbuildings or other areas you may have access to.
- 4.12 You must notify us of any permanent changes in occupation in the tenancy including, for example,
- A new baby;
 - A new partner;
 - Someone leaving the property such as children moving to new homes;
 - Someone dies;
 - You become separated from your partner and they leave the property or;
 - If you hold a joint tenancy and one party vacates
 - Someone goes into care.
 - Someone else moves into the property
 - Upon marriage/civil partnership
- You must complete an Annual Tenancy Audit form on request.
- 4.13 You must not (either solely or jointly) own or rent any other residential property which it would be reasonable for you to live in as your home. You must tell us if you own, lease, inherit or rent any other residential property. Failure to declare an interest in any other residential property may lead to this tenancy being brought to an end.
- 4.14 You must not use the loft space in the property.
- 4.15 You must not place or hang any clothes or other articles on or from the outside of the windows or on or from the balconies of the property.
- 4.16 You are responsible for treating and removing any infestation of pests that occurs within the property or garden. You will be responsible for arranging treatment of the infestation and for payment of this. Pests include: ants, rats, mice, pigeons, fleas, bees, wasps, squirrels, bedbugs, silverfish, squirrels but are not limited to these.
- 4.17 You must not remove any adaptations to your home, such as a level access shower, without our consent.

- 4.18 The use of alternative combustible fuelled appliances for cooking or heating inside the property is strictly prohibited. This is due to the Health and Safety Risks associated with these appliances to you, your family and neighbours.

5. Access to your Home

- 5.1 You or anyone living with you must allow Council employees, their contractors, agents or statutory undertakers access to your home to carry out a regular inspection of the property and to complete our housing management responsibilities and to ensure you are complying with the conditions in this tenancy agreement. We will provide you with at least 24 hours notice in writing, (except in an emergency - see 5.4) setting out the reason why we require access and the date and time of our visit. If you refuse to allow us in, we may instead get a Court Order and you may be charged for our costs. You may also have to pay us the costs of any visits by contractors where you fail to keep an appointment that has been made.
- 5.2 We may require access, for example, to:
- Inspect the condition of the property;
 - Undertake repairs to/survey reported defects in a timely manner
 - Undertake a building/stock condition survey of the property
 - Inspect any damage to the property;
 - Carry out repairs;
 - Carry out improvements;
 - Service/ check or maintain equipment in line with regulations and legislation;
 - Facilitate any of the above to any adjoining premises e.g. party walls, flats, roofs etc.
 - Undertake accompanied viewings with prospective tenants of the property
 - Undertake Property Health and Safety Check/Service, inclusive of Gas Servicing and Maintenance, Solid Fuel Servicing and Maintenance, Electrical Checks and Maintenance, Smoke Alarm and Carbon Monoxide Alarm Installation and Servicing and any other necessary appliance and utility testing, in line with regulations and legislation.
- 5.3 In an emergency we or any person authorised by the Council may require immediate access in to your home without notice. In the event that such access is necessary and the property is unoccupied or access is denied, the Council may use reasonable force to gain entry to the property. We will take reasonable steps to contact a known key holder in your absence and upon completion of the works/and or inspection we will leave your home secure and rectify any damage caused. You may be recharged for the additional costs incurred in gaining access.
- 5.4 Examples of emergencies include, but are not limited to;
- Fire;
 - Flood;
 - Gas and Water leaks;
 - Threat or risk of personal injury;
 - Concern of wellbeing/death
 - Threat or risk to the structure of our property;

- Unsafe heating appliances (where annual checks are overdue);
- Electrical supply issues
- Suspicion of any of the above.

6. Repairs and Maintenance

- 6.1 You must look after the property in a reasonable manner and make sure your home remains in good condition at all times, to the satisfaction of the Council.
- 6.2 You or anyone living with you must inform us promptly if any repairs (or other matters that we are responsible for carrying out) come to your attention. This will enable us to arrange for inspection and/or the repair to be carried out. Should you identify any repairs you must take reasonable steps to prevent further damage to the property. If repairs are not reported promptly or access is not provided and further damage is caused as a result, you will be recharged for any additional repairs costs.
- 6.3 You must keep the inside of the property in a clean, tidy and hygienic condition, free from excessive accumulation of belongings or rubbish that could cause a health and safety or fire risk to you or anyone else, including other properties. In addition, all rooms must have clear access and exit routes and you must decorate all internal parts of the property as often as is necessary to keep in a good clean decorative order and to a reasonable standard that is acceptable to the Council.
- 6.4 You must allow 'clear' access for our employees, agents or contractors for inspection, maintenance or repairs to your home. This means that we must be able to get easily to all parts of the property that we need to inspect, repair or improve.
- 6.5 You or anyone living with you, or visiting your home must not deface or put graffiti on any part of the property.
- 6.6 You or anyone living with you must immediately report any damage, however it was caused to the property.
- 6.7 You and anyone living in or visiting the property (including animals) must not damage or destroy the following (including but not exhaustive):
 - The structure and outside of the property - including any glazing;
 - The fittings for the supply of gas, water and electricity;
 - Bathroom and toilet fittings;
 - Room heating systems;
 - Water heating systems;
 - Kitchen units and fittings;
 - Internal fixtures and fittings, e.g. doors and internal glazing; smoke alarms;
 - Sheds, garages, fencing, patios, paths, any part of the garden area, open plan space or communal walkways;
 - Any other installed element which the property benefits from.

- 6.8 We have a legal obligation to inspect and service certain installations in your home for the supply of gas (including flues) every 12 months. In accordance with Clause 5.1 (Access) we will give you written notice when we need access to your home for these purposes. In such circumstances, we may also take legal action to gain access to the property. Any costs incurred in doing so including legal costs will be recharged back to the tenant (s).
- 6.9 You are responsible for testing smoke and carbon monoxide alarms on a monthly basis and to promptly report any repairs or maintenance issues.
- 6.10 You are responsible for carrying out certain small repairs and replacing certain items of fixtures and fittings. These are listed in your Tenants Handbook.
- 6.11 You are responsible for the installation, repair, maintenance and replacement of any TV aerial/satellite dishes and tv installations serving your home except where it is provided via a communal aerial system. You will need to seek written permission for all installations including tv aerials and satellite dishes.
- 6.12 You are responsible for repairing any damage to any part of the property caused by the deliberate, accidental damage, careless actions or omissions by you, or by anyone living with you or visiting you (including animals). If you do not carry out the repairs, we may do the work and recharge reasonable costs (including any administrations costs) to you. If you have been a victim of crime and the property has been damaged, we may repair this damage if you provide a crime number.
- 6.13 You are responsible for repairing and maintaining any non standard alterations or improvements and fixtures and fittings to the property by you or those that have already been carried out to the property when you accepted your tenancy.
- 6.14 If during the lifetime of your tenancy, you require extensive aids and adaptations to the property above those that are provided as standard , we may ask you to pay for these.
- 6.15 We may return such alterations/improvements to our specification where such non standard alterations and improvements have come to the end of their economical useful life, such alterations/improvements form part of a planned programme of works, or if the alteration requires removal or partial removal in order to complete essential repairs.
- 6.16 If you make any improvements, alterations or additions to the property without our consent we may tell you to return the property back to its original condition. If you fail to do so we may carry out the work and charge the costs (including any administration costs) to you.
- 6.17 You or anyone living at or visiting the property must not steal any item of property from any dwelling, building or grounds owned by us.
- 6.18 You must use the utilities connected to the property responsibly to ensure that the property or any fixture and fittings are not damaged, fall into disrepair or cause a category 1 or 2 hazard under the HHSRS.

- 6.19 You or anyone living at or visiting the property must not interfere, with any of the utilities supplies or meters which are fitted or providing connection to the property. This includes, but is not limited to, the illegal abstraction of electricity or gas. If the meters installed at the property are capped, removed or damage is caused to the property or the property's fixtures or fittings, by failing to use utilities responsibly, we may recharge you for the costs of reconnection, reinstatement and supply of utilities to the property. We will also take enforcement action against you.
- 6.20 You must ensure that all rooms within the property are adequately heated and properly ventilated either by using a extractor fan (if fitted) or by opening windows (or both). You must not routinely dry clothes on radiators and ensure radiators are not obstructed.
- 6.21 Where the property comprises a flat and floor coverings are not provided by us, unless we provide you with written permission to do otherwise, wooden, laminate or any other type of dense hard flooring covering must not be installed in properties above ground level.
- 6.22 You must not sign up for the installation of solar panels. If the property has solar panels already installed or we install them at a future date, then additional terms will apply.

7. Insurance

- 7.1 The table below summarises who is responsible for repairs or loss. You are responsible for insuring the contents of your home (your furniture and belongings). You should consider obtaining insurance for accidental damage, contents and your belongings as we will only insure the structure and fabric of the building. Our insurance will not cover damage to or loss of your possessions or belongings, this includes damage through leaks and floods.

	Your Responsibility	Our Responsibility
Buildings Insurance (not including accidental damage)	No	Yes
Fair Wear and Tear	No	Yes
Criminal Damage (with a Police Crime Number)	No	Yes
Criminal Damage (with no Police Crime Number)	Yes	No
Accidental Damage	Yes	No
Malicious Damage	Yes	No
Contents Insurance	Yes	No

- 7.2 In situations where we carry out repairs which are not our responsibility we will charge you the cost of putting things right. For example, if you accidentally nail through a pipe, it is your responsibility to put this right. If you do not carry out the necessary repairs we may do so and recharge the cost of the repair to you. If you have your own contents insurance that covers accidental damage you should be able to reclaim the cost of this work.

8. Anti-Social Behaviour

- 8.1 You are responsible for your own behaviour and for that of anyone, including relatives and animals, living with you and visitors to your home, whether on a permanent or temporary basis.
- 8.2 You, your relatives or anyone living with you, your animals and your visitors must not cause, or act in a way which is likely to cause, nuisance, annoyance or disturbance to people living, visiting or working in the locality of your home or elsewhere in the Ashfield District. Examples of nuisance, annoyance or disturbance include but are not limited to;-
- Foul and abusive language, fighting, loud arguments, abuse, bullying, hate or threats
 - Loud music,
 - Loud noise - This includes but is not limited to using a television, hi-fi or musical instruments
 - Shouting and arguing, door slamming,
 - Revving of cars and motorcycles
 - Dog barking and fouling,
 - Behaviour associated with substance or alcohol abuse
 - Urinating in public,
 - Playing ball games close to someone else's home,
 - Causing damage or neglecting your home,
 - Lighting fires and or burning of toxic materials at the property,
 - Fly tipping and waste on land.
- “People working in the locality of your home includes”
- Our employees, contractors and other people engaged in lawful activity in the area e.g. postal workers.
- 8.3 You, your relatives or anyone living with you, your animals and your visitors must not cause or act in a way which is likely to cause people living, visiting or working in the locality of your home to feel harassed, abused or threatened by acting in a manner that causes or is likely to cause, harassment, alarm or distress to one or more persons not of the same household.
- 8.4 You, your relatives or anyone living with you, your animals and your visitors must not abuse, harass or threaten our agents, contractors, Councillors, our employees including but not limited to:
- Damage or threats of damage,
 - Writing threatening, abusive or insulting graffiti,
 - Due to a person's; sexuality, gender, race or any other protected characteristic.
 - Discrimination of any kind.
- 8.5 You, your relatives or anyone living with you, and your visitors must not make false or malicious complaints about the behaviour of another person.

- 8.6 You, people living with you and any visitors to the property must not use social media or any other form of communication to make false statements, abuse, threaten, harass or be derogatory towards Council employees, contractors, agents or Councillors. Communication includes telephone calls, text messages, e-mails or posting comments on social media. This condition applies wherever the communication takes place.
- 8.7 You, your relatives or anyone living with you, and your visitors:
- Must not use the property for any illegal or immoral act such as the production or cultivation of drugs, selling drugs, possessing drugs, and associated equipment, storing drugs or stolen goods or prostitution;
 - Must not undertake any illegal or immoral act such as selling drugs, possessing drugs, storing drugs or stolen goods or prostitution in the locality of your home;
 - Must not commit an arrestable offence in, or within the locality of your home or any of our premises;
 - Must not inflict domestic violence or threaten violence against any other person including using mental, emotional, financial or sexual abuse.
- 8.8 You, your relatives or anyone living with you and your visitors must comply with the law on smoke free premises and the Clean Air Act . You would be breaking the law by smoking in smoke free premises e.g. lifts, communal stair wells, communal areas, bin stores etc.
- 8.9 You, your relatives or anyone living with you, must not become a member of a gang or allow a member of a gang to visit your property.
- 8.10 You must make sure that you do not allow, incite or encourage other people living with you, relatives or visitors to your home to engage in behaviour as described in the clauses 8.2 - 8.8 above.
- 8.11 You, your relatives or anyone living with you, and your visitors must not;
- Use any machinery or DIY equipment in such a way or at such times (e.g. at night or early morning) that it causes a nuisance and annoyance to other people.
 - Interfere with the security or safety equipment for example door entry systems/fire alarms in multi storey flats, communal blocks, flats maisonettes or sheltered housing schemes.
 - Leave used needles or syringes (sharps) in areas where people in the local area may come into contact with them – you must dispose of them safely.
 - Keep illegal or unlicensed fire arms and any other offensive weapons including imitations within any part of the building or land owned by us.
 - Install or use any materials that may cause injury on the property (for example barbed wire or broken glass, carpet strips and other sharp items intended to cause injury).

9. Communal Areas

- 9.1 If you live in a property and have the use of a communal area as part of your tenancy the following will apply to your use of such communal areas.

- 9.2 You, your relatives or anyone living with you, your animals and your visitors must not cause or act in a way which is likely to cause damage to communal areas.
- 9.3 You, your relatives or anyone living with you and your visitors must keep any communal area clean and tidy including outside the property and free from rubbish or furniture at all times.
- 9.4 You, your relatives or anyone living with you, your animals and your visitors must not dispose of waste items, fly tip on or misuse communal areas such as corridors, stairwells, shared entrances, access walkways and gardens/play areas. You must put all refuse in the appropriate bins/ bags and dispose of it in the chutes, containers or communal bins for this purpose, to refrain from over filling the bins. Where bin stores are provided these should not be used to dispose of large household and electrical items such as fridges, mattresses and sofas.
- 9.5 You must not keep a pet or any animal in a communal area. You must make sure that no pet/animal kept at your home (or that you are responsible for) causes any damage to a communal area;
- 9.6 If a communal area is considered to be in an unacceptable condition, due to a breach of any tenancy conditions, we may remove any rubbish or items, clean any unsanitary areas and may recharge you for all or a portion of the costs of any works undertaken. Items may be removed without notice, particularly if considered to be a health and safety risk such as flammable items, trip hazards or items blocking exits.
- 9.7 If you live in a property which requires access via internal communal areas, you, your relatives, visitors or anyone living with you must not bring, store and/or ride mopeds or motorbikes or any other mechanically propelled vehicle (with the exception of wheelchairs) into the property, indoor communal areas or in any communal lift.
- 9.8 If you live in a property which requires access via internal communal areas, mobility scooters (or similar) may only be stored in a designated mobility scooter storage area where a space has been allocated to you or parked in a designated area outside of the property, following our written permission. Mobility scooters must not be stored outside of these designated areas or within the external grounds of a block of flats.
- 9.9 You or anyone living with you or visitors to the property must not keep or use bottled gas, paraffin, petrol or any other dangerous substance or item at the property or in communal areas.
- 9.10 You, anyone living with you or visitors to the property must not congregate in communal areas and engage in criminal activity or anti-social behaviour.
- 9.11 You or anyone living with you or visitors to the property must not undertake works or alterations to the communal areas without our written permission.

- 9.12 You, or anyone living with you, must not leave communal flat doors open or insecure so as not to create a security or fire risk.
- 9.13 You must not interfere with any self-closing mechanism on communal flat doors or doors in your home.

10. Gardens

- 10.1 You must keep the garden to the property well maintained at all times. You are responsible for the upkeep of all parts of the garden to the property. This includes but is not limited to decking, flower beds, grass, hedges, lawns, paved yards, ponds, shrubs and trees.
- No waste or rubbish should be stored in the garden or outbuildings.
 - Occasional fires to dispose of garden waste are permitted when carried out in a suitable receptacle and in line with the Clean Air Act , provided they do not create a nuisance or dark/toxic smoke and ashes/debris are removed following the fire.
- 10.2 We will supply details of the boundaries that you are responsible for maintaining and in the case of flats, your designated garden and outbuildings. The Council is responsible for the demarcation of boundary only, you must not move a de-marked boundary.
- 10.3 If you do not carry out the necessary garden maintenance and the garden causes a health and safety risk, we may do the work and recharge reasonable costs (including any administration costs) to you, for example, overhanging branches, over grown trees, hedges encroaching onto the highway, waste and rubbish that could provide food or harbourage for vermin or pests. It is the tenant's responsibility to arrange for any pest control treatment within the property and curtilage of the property including the garden.
- 10.4 Boundary hedges should be trimmed and maintained on a regular basis and kept below two metres in height. You must not allow it to cause a nuisance or become unsightly.
- Shrubs, bushes and trees must be trimmed on a regular basis and kept to a manageable height and below 2 metres.
- 10.5 The grass must be cut regularly and not allowed to become overgrown.
- 10.6 The garden must be weeded regularly.
- 10.7 You must not dig in the garden to a depth of more than 0.5 metres without our written permission, for example fish ponds of a significant size.
- 10.8 Save for routine trimming and pruning, you must not remove, alter or replace any hedge, fence, wall or tree at the property without our written permission.
- 10.9 You must not allow trees or vegetation to grow so as to overhang public areas or the gardens of neighbouring properties.

- 10.10 You must not transfer or alter responsibility for garden areas or outbuildings without prior written permission. Any garden plans provided are indicative only and the Council's decision on boundaries in the case of a dispute is final.

11. Vehicles and parking

- 11.1 You, your relatives and anyone living with you, or visiting you, must not:
- Park or leave any motor vehicle, trailer, caravan or boat which may block access of emergency vehicles or anywhere on the property except where written permission has been granted for a properly constructed hard standing, dropped kerb and/or driveway.
 - Park or leave any vehicle on the property without the appropriate documentation required for use on the public highway for a period of more than 6 months. Any motor vehicle must have valid tax or be registered SORN with the DVLA.
 - Sell, rent or give away any parking space or garage which we provide to you.
 - Park in such a way that you obstruct other vehicles or pedestrian access.
 - Allow anyone to sleep in a caravan or other vehicle parked on or outside the property.
 - Use any garden or driveway to the property to store, load or unload vehicles, store scrap metal, or strip down vehicles or persistently repair any vehicle other than essential maintenance to a vehicle regularly used by yourself or someone living at the property.
 - Take or store motorcycles, mopeds, motor scooters or any other mechanically propelled vehicle(s) into your home and indoor communal areas including entrance halls, stairs and landings.
 - Abandon any vehicle on our property or land, for example in car parking areas provided for flats in your neighbourhood. If we consider your vehicles to be in a dangerous position or condition, we may remove it without notice. We will not be responsible for damage to the vehicle if we have to remove it and you will be recharged for the costs associated with the removal.
 - Park vehicles on any land or area which is not designated as a parking area.
- 11.2 You, your relatives and anyone living with you, or visiting you, must only drive across a kerb to access the property where it has been dropped in accordance with the regulations of the highway authority and not drive across or park on a grassed verge.
- 11.3 You must obtain our written permission before you build a garage, car hard standing, driveway or dropped kerb (You will also need to get planning permission and building regulation approval if appropriate). You will be responsible for the cost of the dropped kerb if permission is granted.
- 11.4 If you have shared use of a driveway, you and anyone living with or visiting you must give those that share the driveway (and their visitors) access to the driveway at all times. The driveway must not be blocked in any way e.g. by parking a vehicle or by fencing part of it off.

- 11.5 You may, subject to obtaining our written permission, keep a mobility scooter (or similar) inside the property. We will only grant permission in the following cases:
- For one mobility scooter powered by a “sealed and maintenance free” battery and;
 - Only where you have personal and direct access to your home without accessing via an internal communal area.
 - The property contains an approved battery/charging facility (fitted at your own expense), has adequate room to store the mobility scooter which must be serviced and maintained in accordance with the manufacturer recommendations.
 - If you live in Sheltered Accommodation, you or anyone living with you or visiting you must not bring, store or use a motorised scooter within the building, except in an area designated for such use e.g. Scooter Store.
- 11.6 You are responsible for any damage caused to the property or to persons including yourself, by storage and/or use of the mobility scooter in the property. You must ensure that storage or use of the mobility scooter within the property does not cause a nuisance or obstruction or fire risk.
- 11.7 Mobility scooters must not block access or egress routes to or in the property.
- 11.8 Mobility scooter chargers must have an annual Portable Appliance Test (PAT) carried out by a suitably qualified person. You are responsible for arranging and paying for such testing.

12. Keeping of Animals

- 12.1 You may only keep pets at the property with our prior written consent. Permission will not be unreasonably withheld. In making this decision we will take into account the location and property type.
- 12.2 Permission will not be given for certain pets in sheltered housings schemes which have communal corridors.
- 12.3 Prior to you signing your tenancy agreement, you must advise us of any animals/pets that you already have so that we can advise on their suitability. The lettings officer will raise this issue at the sign up meeting.
- 12.4 If you live in a house or bungalow, you have our consent to keep the following animals without our written permission:
- One domestic dog; and/or
 - One domestic cat; and/or
 - One domestic caged bird; and/or
 - Fish; and /or
 - Two small caged pets for example, gerbil, hamster or rabbit.

No other type of pet/animal may be kept without our prior written permission which will not be unreasonably withheld or delayed.

- 12.5 If you live in a house or bungalow and wish to keep any pet, animal or livestock, other than or in addition to those detailed in 12.1, you must obtain our prior written permission.
- 12.6 If you live in a flat or in sheltered accommodation where there are shared access areas you or anyone living with you may not keep a pet without our prior written permission. We will not unreasonably withhold permission but factors that will be considered will include the type of property you live in and the type of pet you wish to keep.
- 12.7 You are responsible for any pet that you, members of your household or visitors bring into your home, garden or communal areas.
- 12.8 You must not breed pet/animals at your home.
- 12.9 You must make sure that no animal you keep at your home (or that you are responsible for) causes nuisance, annoyance, to any:
- Tenant;
 - Neighbours;
 - Visitors to your home
 - Persons in the locality; or
 - Our employees, contractors, sub-contractors or agents.

Examples of nuisance include but are not limited to:

- Allowing your pet/animal to persistently foul in an inappropriate place
 - Failing to clean up fouling in a timely manner
 - Barking
 - Creating a foul smell
 - Not being kept under control
 - Creating any kind of danger or health hazard.
- 12.10 Permission to keep pets may be withdrawn at our discretion if we consider that the pet is causing a nuisance, and/or damaging the property or found to be intimidating, aggressive or dangerous. Permission will also be revoked if they are being kept in inappropriate, unclean or unhygienic conditions. You will be required to find another home for the pet/animal, normally within one calendar month which must not be another Council owned property. Failure to do so may result in further enforcement action being taken. In certain circumstances, where there may be a health and safety risk the notice period will be shorter.
- 12.11 You are responsible for putting right any damage attributable to your pets, or those pets/animals you are responsible for.

- 12.12 You, your relatives or anyone else living with you must ensure that no pets/animals kept at the property prevents our employees, our contractors or our agents gaining access to the property.
- 12.13 If you allow any animals/pets to foul any of our property including shared areas, footpaths, roads or play areas you must clean the affected area immediately.
- 12.14 You may only build any animal closures/pens with our prior written consent.
- 12.15 If we have concerns about the welfare of an animal then we may report this to the appropriate agency.

13. Written permission

- 13.1 With the exception of painting and decorating, you must not carry out alterations or additions either inside or outside your home without first obtaining our written permission.
- 13.2 You, your relatives or anyone living with you must obtain our written permission before installing or erecting any permanent and temporary structures or items such as, sheds, greenhouses, garages, garden ponds, satellite dishes or pigeon lofts. You will also need to obtain any other necessary approvals e.g. planning permission, building regulations approval.

Permission will not be granted if you have any debt owing to us.

- 13.3 Electrical work must only be undertaken by an approved contractor and with prior permission of the Council. Where permission is granted, copies of electrical installation certificates must be provided to the Council.
- 13.4 When deciding on whether it is reasonable to grant any written permission we will consider our legal obligations and the impact of the alteration or improvement on the surrounding properties and future maintenance responsibilities. Any permission we grant is subject to the work being carried out to an acceptable standard and complying with any requirements such as relevant specification(s), certification(s), legislation or legal permissions.

13.5 Secure Tenants

Secure tenants have the right to improve their home as long as they receive written permission from the Council first. Permission will normally be approved subject to a number of conditions and subject to the permission request being appropriate.

This includes but is not limited to:

- Building an extension
- Removing internal walls
- Changing the use of a room e.g. a living room to a bedroom

- Adding, changing or replacing the fixtures and fittings
 - Installing a water meter
 - Decorating the exterior of the property
 - Erecting an aerial or satellite dish;
 - Installation of CCTV and monitored door bells
 - Building a structure e.g. car port, garage, hard standing, driveway or shed
 - Create ponds and/or carrying out major landscaping
 - Removing any tree, hedge or boundary fence or wall
-
- Installation of hard/fixed flooring
-
- Electric charging points for vehicles

13.6 **Introductory Tenants**

Introductory tenants do not have the right to carry out alterations or improvements. However requests will be considered for alterations and improvements where they are not detrimental to the property, do not impact on major improvement works that have been completed or are improvements that could easily be dismantled, removed or made good should you leave.

Permissions may be granted for the following improvements (subject to the conditions within the Permissions Procedure or relevant Policy):

- Sheds
 - Greenhouses
 - Fences
 - Gates
 - Hard standings
 - TV aerial or Satellite Dishes (Subject to planning permission where required)
 - Adaptations to aid tenant where access is affected e.g. ramps/grab rails.
 - Laminate Flooring
 - Burglar Alarms
-
- Water Meter

Minor changes such as internal doors, balustrades, architraves etc. will not be granted permission during the introductory 12 month period as this is a minor decorative alteration, which can be given permission if/when the tenancy becomes secure.

Introductory tenants being granted permission for improvements during the introductory 12 month period are ineligible for compensation under the Right to Improve for improvements.

14. Recharging

14.1 You are responsible for paying any of the following costs if the damage was knowingly or recklessly caused by you, a person living with or visiting you:

- The cost of repair of any damage at your property
- The cost of replacement of property destroyed
- The cost of works carried out by default of the Council if you fail to remedy the damage
- Any cost incurred by the Council as a result of your breach of conditions in this agreement.

14.2 We reserve the right to recharge you for any repairs and maintenance we need to carry out on the property other than those which are classified as fair wear and tear.

Examples of recharges include:

- **Access** - Costs associated with accessing the property where reasonable access is denied
- **Rechargeable Repairs** – Where damage has been caused to the property or it's fixtures and fittings as a result of malicious, deliberate, accidental damage or careless behaviour by you or a member of your household including visitors and pets.
- **Unauthorised alterations** – Alterations to the property that have not received our prior written permission.
- **End of a tenancy** – Costs associated with any works required to re-let the property other than fair wear and tear. All properties should be left in a clean, tidy, safe and empty condition.

The above is not an exhaustive list and other recharges may be applied according to individual circumstances.

14.3 We may deduct any reasonable costs associated with recharges from any monies held by us, lawfully due to you.

14.4 Any unpaid costs incurred by the Council will be pursued as a debt and legal action may be taken against you to recover charges and court costs. Charges will also be recovered if you return to be Ashfield District Council tenant in the future.

15. Ending your Tenancy

15.1 If you want to end your tenancy, you must give us four weeks notice in writing. The notice must be signed and dated and in the case of joint tenants, notice from one tenant will end the tenancy for both tenants. You will be liable for payment of rent during this period. Please

note if you change your mind after giving notice to end your tenancy, we do not have to agree to withdrawing the notice. In certain circumstances, we may agree to end your tenancy earlier than the four weeks.

- 15.2 You must allow us to complete an inspection of your home before you leave and by appointment, permit us to show prospective tenants around your home.
- 15.3 You must provide us with a forwarding address in case we need to contact you at a later date.
- 15.4 You must make arrangements to re-direct your post. The Council will not be held responsible for any post after your tenancy has ended.
- 15.5 You must return all the keys to the property to us (including fobs, communal door entry keys and outbuilding keys) by 12.00 on the Monday after the tenancy ends on the Sunday. If you do not do this, you will be charged the equivalent to a further week's rent and any other reasonable costs. Keys should not be left with neighbours, friends or relatives.
- 15.6 If you submit the keys to the property to us or you vacate the property without giving written notice to end your tenancy, we may treat this as a lawful surrender and an end to your tenancy. You will be charged rent and other tenancy charges associated with your tenancy for a four week notice period and for changing the locks. If you remain in occupation at the end of the notice period, you will be charged use and occupation at the same rent as the rent.
- 15.7 If you do not return all of your keys to us, then we will change the locks to the property and will recharge you for the cost of doing so.
- 15.8 You must provide vacant possession of the property when your tenancy ends. We may take steps to evict anyone else who you have left in the property and will recharge you for any costs incurred in repossessioning and clearing the property.
- 15.9 You must leave the property (including the garden and outbuildings) in a clean and tidy condition. You must clear and dispose of all your belongings, furniture and personal effects including rubbish and debris from the property and gardens.
- 15.10 You or anyone living with you must make good any damage to the property, however caused before ending your tenancy. Any unauthorised alterations or additions that have been carried out to the property by you, your relatives or anyone living with you, without our written permission, must also be returned to their original condition prior to ending your tenancy. We may make a reasonable charge against you for any costs incurred if you do not leave the property as stated in this clause.
- 15.11 We may remove, store and if not collected within 1 calendar month sell or otherwise dispose of, any furniture, goods or personal items which you fail to remove from the property at the end of your tenancy either on surrender of the premises by abandonment, court order or termination by you. At any time, once the property has been vacated, we may immediately remove and dispose of any perishable goods or waste products that we consider would be unreasonable to store as stated above. This includes such items as food, rubbish, domestic

waste and goods damaged beyond economical repair. You will be responsible for all reasonable costs which we may incur in collection, storage and/or disposal of the above.

- 15.12 Unless required by law we will not be responsible for any damage or loss of goods/ belongings stored by us under clause 15.7 above.
- 15.13 When your tenancy ends, your rights as a tenant will end and you must vacate the property.
- 15.14 If you go to court because of a divorce, a domestic dispute or a relationship breakdown, the court will decide whether to order the transfer of the tenancy to one or other of the partners. The tenancy rights will end for the other person who must leave the property.
- 15.15 In the event of the death of a sole tenant or remaining survivor, the tenancy agreement will be held in the deceased tenant's estate. Further costs including rent and other tenancy charges will continue to accrue until the tenancy is effectively terminated. Four weeks' notice is required in all circumstances.
- 15.16 On termination of the tenancy no items, goods or belongings should be left within the property.

16. Consultation and Information

16.1 Right to Consultation

We will consult you on important matters to do with managing and maintaining the property. This includes:-

- Changing any part of this tenancy agreement. We will ask for your opinions and take them into account before deciding to make any changes. If we decide to go ahead with changes to your tenancy agreement, we will give you four weeks notice in writing
- Any substantial changes to housing management services that may affect you
- We will consult with you through whatever forms of consultation we consider appropriate

We do not have to consult you about changes to your rent or service charge but we will tell you in writing at least four weeks before any rent change or change to your service charge.

16.2 Right to Information

You have the right to see certain information that we have about you. However we will not be able to show you any third party information. You can get copies of relevant information but there may be a small charge. Further information is available to you via our website at www.ashfield-dc.gov.uk or following a specific request to us by you.

17. Notices

- 17.1 We may serve any notice on you at the property by putting the notice through the letterbox, by fixing the notice to the property, by leaving the notice with somebody for you at the property or by sending the notice by post to the property. We may also serve the notice on you in person.
- 17.2 If you wish to serve any notice in connection with legal proceedings or other notices e.g. Notice to Quit or permission requests they should be served on your landlord at:

Council Offices, Urban Road, Kirkby-in-Ashfield, Nottinghamshire, NG17 8DA.

18. Compliments, Complaints and Comments

- 18.1 Ashfield District Council is committed to providing excellent customer service. Comments, compliments and complaints enable you to feed your thoughts and ideas for improvements and changes to service delivery. Full details of our complaints policy and guide can be obtained by contacting us on directly on 01623 450000 or e-mail housingcomplaints@ashfield.gov.uk

19. Data Protection

- 19.1 We collect and process your personal information to allow us to allocate homes, manage your tenancy and improve our services.
- 19.2 Under the UK General Data Protection Regulations (GDPR) and Data Protection Act 2018 (DPA) the Council is a Data Controller for the information it holds about you. The lawful bases for processing your information are Public Task, Legal Obligation and Contract . We will safely manage protect and process any information we hold about you in accordance with the law. Where the law allows us and where it is relevant, we may share information we hold about you with other business partners, contractors or statutory agencies. This includes but is not limited to the following;

- To prevent and detect fraud and crime.
- To carry out essential works relevant to our functions.

The information provided by you may also be used for other functions carried out by the Council in accordance with GDPR and DPA.

- 19.3 By signing this agreement you are consenting to the use of your personal information in accordance with the GDPR/DPA. We may share your information with other departments or organisations, these include Housing Benefits, housing associations, Council Tax, The Benefits Agency, Probation Service, Police, Social Services, other local councils and utility providers. Examples of why personal information may be disclosed are for the purposes of preventing or detecting crime, preventing fraud, apprehending or prosecuting offenders or assessing or collecting tax.

- 19.4 As a Data Controller we have a duty to ensure our records are relevant, accurate and up to date. As part of this duty we require tenants to complete an Annual Tenancy Audit form.
- 19.5 It is a criminal offence to knowingly or recklessly make a false statement or withhold information in relation to the allocation of Housing Accommodation.
- 19.6 Subject to some legal exceptions, you have the right to request: a copy of the personal information the Council holds about you; to have any inaccuracies corrected; to have your personal data erased; to place a restriction on our processing of your data; to object to processing; and to request your data to be ported (data portability). More information about how the Council may use your data and further information about your rights is contained in the Council's Privacy Statement (www.ashfield.gov.uk/privacy).

Tenancy Agreement

This is a legal contract which sets out the terms and obligations of the tenancy. You should read it carefully to ensure that you understand each of the terms and obligations. If you do not understand this agreement you are advised to ask for it to be explained to you before signing. You may consider consulting a solicitor, Citizens Advice Bureau or Housing Advice Centre to assist or advise you.

This Tenancy Agreement made between Ashfield District Council and the tenant(s) known as:

Tenant 1

Tenant 2

The address of this property is:

Type of tenancy: Introductory
 Secure

Start date of tenancy:

Introductory Only – Possible start date of secure tenancy

The weekly rent and charges payable in respect of the property at the start date of this agreement shall be:

Rent £.....

Service Charge (Please specify)

1: f

2: £

3: £

4: £.....

5: £.....

Other

..... £

Weekly amount payable £.....

Please note that this amount is correct at the start of your tenancy, the amount may change. You will be given prior written notice of any variation to charges on the terms stated within this agreement.

Types and size of property:
(number of bedrooms house/flat/bungalow)

Garden: No garden/front garden/rear garden/side garden* - **Attached garden plan (please note these are indicative only)**

If you sign this tenancy agreement, it means you accept this tenancy agreement as binding.

I/We agree to accept the tenancy of the above property on the terms and conditions set out in this tenancy agreement which I/we have read and understood.

I/We acknowledge receipt of a copy of this tenancy agreement.

Tenant FULL NAME

Tenant FULL NAME

Signed for Ashfield District Council

Signed FULL NAME

Occupation Dated

Succession [For office use only]

Name of Successor: _____

Date of Succession: _____

I am aware there is only one succession allowed in law and that no further successions may take place on this tenancy.

I agree to accept the tenancy of the above property on the terms and conditions set out in this tenancy agreement which I/we have read and understood.

I acknowledge receipt of a copy of this tenancy agreement.

Successor signature(s)

Signed:Full Name:

Dated

Signed for Ashfield District Council

Signed: Full Name:

Occupation Dated

Meeting of the Cabinet
13 December 2022
Schedule of Recommendations

<u>Meeting:</u>	<u>Minute No:</u>	<u>Subject:</u>	<u>Recommendation(s):</u>
Local Plan Development Panel, 15 November 2022	LP.15	<u>Ashfield Green Infrastructure & Biodiversity Strategy</u>	Cabinet be requested to approve the draft Green Infrastructure and Biodiversity Strategy 2022-2032 document, as appended to the report, subject to its title being changed to 'Green & Blue Infrastructure and Biodiversity Strategy 2022-2032' (Report attached at Appendix A)
Audit Committee, 28 November 2022		<u>Treasury Management Mid Year Report 2022/23</u>	a) To note and recommend to Cabinet changes to the 2022/23 Prudential Indicators following in year changes to the 2022/23 Capital Programme. (Report attached at Appendix B)

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Report To:	LOCAL PLAN DEVELOPMENT PANEL
Date:	15TH NOVEMBER 2022
Heading:	GREEN INFRASTRUCTURE & BIODIVERSITY STRATEGY
Executive Lead Member:	NOT APPICABLE
Ward/s:	ALL WARDS
Key Decision:	NO
Subject to Call-In:	NO

Purpose of Report

For the Development Panel to review the Strategy before it is considered by Cabinet.

Recommendation(s)

Cabinet be recommended to approve the Green Infrastructure and Biodiversity Strategy

Reasons for Recommendation(s)

To update the evidence base for the Local Plan.

Alternative Options Considered

Not to approve the strategy but this would leave a gap in the evidence base for the emerging Local Plan.

Detailed Information

A Local Plan must be based on proportionate, relevant and up-to-date evidence (National Planning Policy Framework [NPPF] paragraph 31). The evidence needs to inform what is in a Plan and shape its development. All Local Plans are examined by a planning inspector in determining whether a

Plan is sound. The Inspector will consider whether a Plan is justified, considering the reasonable alternatives and based on proportionate evidence.

Green Infrastructure (GI) is the network of multi-functional green and blue spaces and other natural features, urban and rural, which are capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities, and prosperity. The Council has an important role to play in GI development and delivery with its broad environmental, health /social, economic, and planning responsibilities. The Council will aim to secure GI opportunities through the planning and development process and work towards implementing different management regimes on Council owned land where appropriate.

The Strategy update of the Ashfield Green Infrastructure and Biodiversity Technical Paper. It is now called Green Infrastructure and Biodiversity Strategy 2022-2032 and is set out in Appendix 1. It has updated references but the GI routes and original methodology remain as per the original Paper. The GI network for Ashfield links into the wider GI network across Nottinghamshire, Derbyshire, and other areas of the East Midlands. The network identifies strategically planned links between existing and proposed green spaces with the communities around them. Through the management, enhancement and extension of these networks, multi-functional benefits can be realised for local communities, businesses, visitors, and the environment.

Implications

Corporate Plan:

Planning, and the Local Plan in particular has a cross cutting role to play in helping to meet and deliver the six priorities identified in the Corporate Plan. In particular, the Local Plan has a key responsibility in delivering the outcomes around the supply of and design of homes, improving town centres, facilitating economic growth and improving parks and open spaces, health and wellbeing and alternative forms of access other than cars.

Legal: The Local Plan is brought forward under the legislative requirements set out under the provisions of the Planning and Compulsory Purchase Act 2004 (as amended) (The Act) and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended. Under Section 15 of the Act local planning authorities are required to keep under review the matters which may be expected to affect the development of their area or the planning of development. National guidance on these aspects is provided through the National Planning Policy Framework, National Planning Practice Guidance and Written Ministerial Statements. This includes the necessity for a plan to be supported by an up-to-date evidence base. [RLD 03/11/2022]

Finance: There are no financial implications from the report. [PH 03/11/2022].

Budget Area	Implication
General Fund – Revenue Budget	None.

General Fund – Capital Programme	None.
Housing Revenue Account – Revenue Budget	None.
Housing Revenue Account – Capital Programme	None.

Risk:

Risk	Mitigation
No specific risk arises from the report.	

Human Resources: There are no direct Human Resource implications from the report.

Environmental/Sustainability: The studies are required as part of the evidence base for the Local Plan, which must reflect sustainable development. Consequently, it contributes towards achieving the requirement for sustainable development set out in Section 39 of the Planning and Compulsory Purchase Act 2004 and the National Planning Policy Framework 2021.

Equalities: There are no diversity or equality implications from the report.

Other Implications: None.

Reason(s) for Urgency: Not applicable.

Reason(s) for Exemption: Not applicable.

Background Papers

- National Planning Policy Framework, available on the Government's website.
- National Planning Practice Guidance First Homes available, on the Government's website.

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Green Infrastructure and Biodiversity Strategy

2022 -2032

Connecting People, Places and Nature



September 2022



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Summary

Green Infrastructure (GI) is the network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities, and prosperity.

In the same way that transport infrastructure is made up of a network of roads, railways, and other elements, green infrastructure has its own set of components, including parks, rivers, street trees and gardens. Green infrastructure needs developing and expanding to serve communities in the same way that grey infrastructure (such as roads, sewers, and energy networks) is planned.

The Council has an important role to play in GI development and delivery with its broad environmental, health /social, economic, and planning responsibilities. The Council will aim to secure GI opportunities through the planning and development process and work towards implementing different management regimes on Council owned land where appropriate.

A Green Infrastructure network for Ashfield has been developed which links into the wider GI network across Nottinghamshire, Derbyshire, and other areas of the East Midlands (Figure 8.10). The network identifies strategically planned links between existing and proposed green spaces with the communities around them. Through the management, enhancement and extension of these networks, multi-functional benefits can be realised for local communities, businesses, visitors, and the environment.

“Multifunctionality can apply to individual sites and routes, but it is when the sites and links are taken together that we achieve a fully multifunctional green infrastructure network.” Green Infrastructure Guide, Natural England 2009.

Green Infrastructure and the Local Plan

The population of Ashfield was 119,497 in 2011, the mid 2020 estimate gives the population as 128,337 and therefore a significant number of new houses will be required to accommodate the expected growth. Green Infrastructure will need to be an integral part of planned development to help to achieve sustainable growth.

This Strategy will inform Ashfield’s emerging Local Plan and provide a framework to support the delivery of a well-used, well managed, high quality, multifunctional network of green / blue corridors and assets across Ashfield and beyond into neighbouring areas.

This Strategy complements the District’s Public Open Space Strategy 2016 - 2026 [Public Open Space Strategy 2016-2026](#) which was adopted in 2020 and The Nottinghamshire Biodiversity Opportunity Mapping Project Ashfield District 2016 [Nottinghamshire Biodiversity Opportunity Mapping Project Ashfield District 2016](#) . The Council’s Green Infrastructure and Biodiversity Technical Paper (2013) has been used as the source document for this

strategy. The original methodology has not been altered. Supporting strategy references have been updated and checked to ensure consistency of findings in the preparation of this document.

1.INTRODUCTION

Green Infrastructure is a network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities, and prosperity. (National Planning Policy Framework, 2021) [National Planning Policy Framework July 2021](#). “It contributes to reducing CO₂ and adapting to climate change. It forms an essential element in the development of successful and sustainable communities.” Green Infrastructure Guidance, Natural England.

“Green Infrastructure functions at a range of levels, from large rural landscapes and strategic corridors to local-scale green space in urban and rural settlements. Good quality Green Infrastructure (GI) has an important role to play in our urban and rural environments for improving health and wellbeing, air quality, nature recovery and resilience to and mitigation of climate change, along with addressing issues of social inequality and environmental decline”. Introduction to the Green Infrastructure Framework - Principles and Standards for England. Natural England 2022

Green Infrastructure includes parks, open spaces, playing fields, woodlands, allotments, cemeteries, private gardens, and river corridors, as well as agricultural land, country parks, private estates, and wasteland. They can be in public or private ownership. By linking these areas together, many benefits can be realised for both people (through the creation of accessible, attractive, and functional routes and spaces) and wildlife (through the provision of better, bigger, and interconnected habitats).

Biodiversity is an all-encompassing term to describe the variety of all life and natural processes on Earth. The International Union for Conservation of Nature IUCN – [The International Union for Conservation and Nature IUCN](#)

Department for the Environment, Fisheries and Agriculture (Defra) research shows that biodiversity is reducing at an increasing rate due to human activity, in particular development, agriculture, and forestry. The State of Nature 2019 report states that 41% of all UK species have declined in abundance. Habitats which have been particularly affected include hedgerows, meadows, and wetlands. In Nottinghamshire, grassland habitats are particularly at risk. “The biodiversity resource of the county is highly impoverished. For example;

- Just 1.5% of the area of Nottinghamshire is designated as nationally important wildlife sites, comparing poorly with a regional average of around 4.5% and a national (England) average of just over 8%.
- 97% of the county’s flower-rich meadows have been lost since the 1930s.
- 90% of heathland has been lost since 1922.
- Species such as grass of Parnassus, pearl-bordered fritillary and Nottingham catchfly have become extinct in the county.”
Nottinghamshire Minerals Local Plan Background Paper Biodiversity
January 2016

It is predicted that continued loss of biodiversity will result in rapid decline of the Earth's natural resources. Agricultural production could be adversely affected if bacteria and fungi, critical for soil fertility and breakdown of wastes disappear. Another example is healthcare where 15,000 species of medicinal plants are globally threatened. The International Union for Conservation of Nature IUCN – [The International Union for Conservation and Nature IUCN](#)

In recent years, awareness has grown of the need to safeguard and increase biodiversity, demonstrated through the county level Local Biodiversity Action Plans and the introduction of the duties on local authorities regarding biodiversity through the Natural Environment and Rural Communities Act of 2006.

Under the Act, the Council has a duty to have regard for the conservation of biodiversity in exercising its functions. The duty aims to raise the profile of biodiversity, to clarify existing commitments and to make biodiversity an integral part of policy and decision-making. In 2016, Ashfield District Council worked with the Nottinghamshire Biodiversity Action Group to produce a Biodiversity Opportunity Map (BOM) for Ashfield District, to link to neighbouring authorities BOMs with the aim of producing a county wide map [Nottinghamshire Biodiversity Opportunity Mapping Project Ashfield District 2016](#). The BOM maps indicate that Ashfield is a particularly important area for its biodiversity and supports a diverse range of habitat types. The broad habitats of woodland, heathland and acid grassland, other grassland and wetland are well represented within the District and concentrations of opportunities for each of these have been identified as part of the BOM process.



Bluebells at Portland Park

The Council will aim to secure biodiversity opportunities through the planning and development process and work towards implementing different management regimes on Council owned land where appropriate.

The Environment Act 2021 introduces a new system of spatial plans - Local Nature Recovery Strategies (LNRs) aiming to boost biodiversity and protect valuable habitats. Local Nature Recovery Strategies can also be used to identify how habitat for nature can deliver wider environmental benefits and, improve people's access to green space particularly in urban areas. All new developments will be required to deliver a ten per cent increase in biodiversity (Biodiversity Net Gain or BNG) after development, compared to the level before. The Environment Act 2021 identifies 10% as a minimum requirement which is anticipated to come into force in the winter of 2023. This can provide an investment mechanism for both on-site and off-site GI, which can be achieved by either enhancing existing habitats or creating new ones. BNG can therefore be used to both raise the quality of existing greenspace and provide new GI.

Ashfield's Public Open Space Strategy 2016 - 2026 (adopted 2020)

[Ashfield Public Open Space Strategy 2016- - 2026](#) evaluates green space provisions mainly in terms of the recreational opportunities it offers. It considers the distribution and quality of publicly accessible space and is used to assess whether communities have sufficient access to good quality recreational or amenity green space. The vision of the Public Open Space Strategy is “ a network of high quality green and open spaces, to improve health and wellbeing and provide focal points for vibrant communities. Bringing people together and providing opportunities for sport, exercise, and events.”

It provides a focus for the sustainable long-term management of public open spaces, the continued improvement of public spaces and the provision of new public open space and associated facilities through the development management process. It replaces the previous Ashfield Green Space Strategy, (2008) which was used to prepare the Green Infrastructure and Biodiversity Technical Paper (2013). The Public Open Space Strategy 2016 – 2026 has been checked against the Green Infrastructure and Biodiversity Technical Paper (2013) to ensure consistency of findings in the preparation of this document.



Hidden Valleys Footpath

In contrast, Green Infrastructure considers the wider multiple benefits that green and blue space, and their linkages offer. As well as considering the findings of the Public Open Space Strategy, the Green Infrastructure and

Biodiversity Strategy also considers a range of other benefits that green and blue space can provide. These are explored in more detail in Section 4. When considering these broader functions, it is sometimes appropriate to include private green space as well as the public space identified in the Public Open Space Strategy. Green Infrastructure also goes beyond the site-specific and considers the 'bigger picture', particularly in terms of how green and blue spaces work together and form strategic networks.

The Public Open Space Strategy 2016 – 2026 is an important informing document and the spaces it considers are a key component of Ashfield's overall Green Infrastructure. It is intended that the two documents complement and support each other to provide a comprehensive strategic approach.

The approach to developing the Green Infrastructure and Biodiversity Technical Paper (2013) was based on guidance and best practice demonstrated by completed Green Infrastructure (GI) Studies current as of 2013. The key stages were:

- Mapping and analysis of existing GI, within Ashfield and into neighbouring districts
- Identification of deficiencies and opportunities for GI creation and enhancement
- Review of relevant policy and other assessments, for example, Greater Nottingham Landscape Character Assessment (2009)
- Review of the district's previous Nature Conservation Strategy (2003)

The Green Infrastructure and Biodiversity Technical Paper (2013) has been used as the source document for this strategy. The original methodology as set out in Section 4 Methodology of this document has not been altered. Supporting strategy references have been updated and checked to ensure consistency of findings in the preparation of this document

2.0 POLICY CONTEXT OVERVIEW

2.1 NATIONAL POLICY

The concept of Green Infrastructure is supported through several national strategies and policy documents. Many key documents stress the importance of protecting green spaces for their contribution to quality of life such as “A Green Future: Our 25 Year Plan to Improve the Environment”, [A Green Future: Our 25 Year Plan to Improve the Environment](#) which sets out government action to help the natural world regain and retain good health. It aims to deliver cleaner air and water in our cities and rural landscapes, protect threatened species and provide richer wildlife habitats. It calls for an approach to agriculture, forestry, land use and fishing that puts the environment first.

The Environment Bill 2021 [The Environment Bill 2021](#) embodies this approach, setting environmental targets for resource use and biodiversity.

Natural England’s Green Infrastructure Framework is a commitment in the Government’s 25 Year Environment Plan. It supports the greening of towns and cities and connections with the surrounding landscape. Networks of green and blue spaces and other natural features can bring big benefits for nature and climate, health, and prosperity. At present access to green and blue spaces varies considerably across the country, and there are opportunities for these important assets to be better managed for the environment and to deliver a wider range of multifunctional benefits.



Larwood Housing development. With kind permission of W Westerman Ltd

The National Planning Policy Framework (NPPF) July 2021 supports and promotes biodiversity protection and the principles of Green Infrastructure. Part 15 of the NPPF specifically recognises the importance of the planning system and states that it “should contribute to and enhance the natural and local environment” and that local planning authorities should “take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.” Local Planning authorities should also minimise” impacts on and provide net gains for

biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”.

The National Planning Policy Framework (NPPF) July 2021 paragraph 179 also states that plans should

“a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national, and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration, or creation; and

b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”

In order to achieve nature rich and beautiful places, “at a strategic level GI should

- Aim to strengthen ecological networks and reduce fragmentation of habitats
- Help deliver Biodiversity Net Gain requirements
- Contribute to cross species objectives such as pollinator strategies
- Integrate with the Nature Recovery Network and Local Nature Recovery Strategies
- Help achieve targeted individual species recovery
- Maintain and enhance geodiversity assets
- Reduce soil degradation and loss
- Be designed to deliver multiple benefits including landscapes that have a distinct sense of place”. Natural England GI principles 2022

The National Planning Policy Framework (NPPF) makes clear that all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide 2021 [The National Design Guide](#) and the National Model Design Code July 2021 [The National Model Design Code July 2021](#) which reflect local character and design preferences. Design codes and guides should provide a framework for creating high-quality places. Green infrastructure forms part of the National Model Design Code (MHCLG 2021) , whereby Part 1 – The Coding Process states : “New development should contribute towards the creation of a network of green spaces and facilitate access to natural green space where possible”

National Planning Practice Guidance Natural Environment 2019 defines green infrastructure as “a natural capital asset that provides multiple benefits, at a range of scales. Paragraph: 005 Reference ID: 8-005-20190721.

It sets out the benefits such as food, water, flood and disease control and recreation (ecosystem services) for communities. It identifies that GI can help in:

- Building a strong, competitive economy
Achieving well-designed places
- Promoting healthy and safe communities
- Mitigating climate change, flooding, and coastal change
- Conserving and enhancing the natural environment: Paragraph: 006
Reference ID: 8-006-20190721

It notes that GI strategies or frameworks prepared at a district scale can support and inform other strategic policies and delivery plans. Paragraph: 007
Reference ID: 8-007-20190721.

The Biodiversity UK Action Plan (1994) lists habitats and species considered to be threatened nationally, with the Local Biodiversity Action Plan (LBAP) for Nottinghamshire (1998) [Local Biodiversity Action Plan](#) providing information at a more local level. The LBAP, adopted by Ashfield District Council provides a framework for partnership working with the Nottinghamshire Biodiversity Action Group to meet the Action Plan's targets for priority habitats and species.

2.2 LOCAL POLICY

This Strategy is part of the evidence base for informing future growth and infrastructure requirements in the emerging Local Plan. It has been informed by the Public Open Space Strategy and is a position statement of the Council's Green Infrastructure and Biodiversity priorities in support of the Local Plan. This Strategy is to be read in conjunction with the Biodiversity Opportunity Map (BOM) for Ashfield District 2016, which is based on Sir John Lawton's principles of bigger, better, and more connected as a landscape scale approach to conservation. The Lawton Review "Making Space for Nature" 24 September 2010.

The Ashfield Local Plan Review (Adopted 2002) aims to protect the Green Belt and open countryside with particular priority for Mature Landscape Areas and Nature Conservation Sites, including protected sites such as Sites of Special Scientific Interest, Local Nature Reserves and Sites of Interest for Nature Conservation (Policies EV1 to EV6). The Local Plan also identifies the need to protect Open Areas and Formal Open Spaces (Policies RC2 to RC4), Allotments (Policy RC5) and Recreational Routes (Policy RC8).

Ashfield's new Local Plan is being developed and once formally adopted, will replace the Local Plan (2002). In respect of Green Infrastructure protection and enhancement policies, it will contain the policies relating to Green Infrastructure identified in this document and will utilise Ashfield's Public Open Space Strategy recommendations for open space provision and associated standards. The Local Plan will also identify the key aspects of Green Infrastructure on a policies map.

Ashfield District Strategies

Due to the broad range of benefits Green Infrastructure and Biodiversity can deliver, this Strategy will contribute to several other council and partnership strategies and policies, including the Corporate Plan 2019 - 2023, [Ashfield](#)

[District Council Corporate Plan 2019 - 2023](#) , the Ashfield Health and Wellbeing Partnership Strategy Be Healthy, Be Happy 2021 - 2025 [Ashfield Health and Wellbeing Partnership Strategy Be Healthy Be Happy 2021 - 2025](#) , Playing Pitch Strategy 2017 - 2020 (in the process of being updated) , and the Local Development Framework Infrastructure Delivery Plan 2016. [Local Development Framework Infrastructure Delivery Plan 2016](#)

As stated in Natural England's GI Principles 2022, " health inequalities are also often compounded by poor housing, higher rates of crime, a lack of places for play and higher risks due to traffic. Due to population density, people on lower incomes can also have to share greenspaces with high numbers of people, making restorative or contemplative experiences more difficult. People on lower incomes may also not have the resources to visit greenspaces that are not close to home. Therefore, to be effective in addressing health needs, green and blue spaces need to be close to where people live and work, be good quality, safe, welcoming, provide the necessary facilities and be well-maintained.

In order to achieve active and healthy places, at a strategic level GI should:

- Reflect public health authority, health leads, health and wellbeing boards, or clinical commissioning group strategic priorities
- Help achieve area wide specific health targeting for particular illnesses and goals such as an increase in social prescribing.
- Align with health funding and support which can also deliver GI.
- Align with active travel plans".
- The table in Appendix 1 provides an overview of the policy context at national, regional, county, and local level.

Greater Nottingham Blue-Green Infrastructure (BGI) Strategy July 2021

The Greater Nottingham authorities have determined that a Blue-Green Infrastructure (BGI) Strategy July 2021 is required to inform both the Greater Nottingham Strategic Plan (Local Plan Part 1) and the development of policies and allocations within it. This strategic plan is being prepared by Broxtowe Borough Council, Gedling Borough Council, Nottingham City Council and Rushcliffe Borough Council. Ashfield District Council borders a number of these authorities and therefore has important GI connections. [Blue Green Infrastructure Strategy July 2021](#)

Greenwood Community Forest

Ashfield is within the Greenwood Community Forest, which covers 161 square miles of Nottinghamshire, from Mansfield in the north to Nottingham in the south.

Greenwood is a partnership of local organisations working together to enable Nottinghamshire's communities to create, improve and enjoy woodlands and other high quality accessible green spaces in a sustainable way that benefits the environment, landscape, and the local economy. Ashfield District Council is a member of the Greenwood Community Forest Partnership.

Annesley Art Features



3.0 GREEN INFRASTRUCTURE FUNCTIONS AND THEMES

The concept of 'Multifunctionality' is central to the Green Infrastructure (GI) approach, referring to the potential for GI to have a range of functions and to deliver multiple benefits. The following 8 main themes have been identified as being of relevance and importance to GI development in Ashfield.

3.1 BIODIVERSITY

Green Infrastructure provides habitat to support a wide variety of species and can play a key role in reversing the decline in biodiversity. Investing in GI can protect and enhance existing habitats, reverse habitat fragmentation through the creation of new green space (or the enhancement of existing green space) and increase biodiversity to support healthy ecosystems.

Species losses can have severe repercussions for the complex and often fragile ecosystems which connect all living things. Key threats have been the intensification of agriculture and the pressure for built development.

The importance of biodiversity is not an issue confined to rural areas. Nationwide wildlife surveys by the RSPB and others confirm that urban Green "Infrastructure is now critical for biodiversity, with species such as hedgehogs, frogs, songbirds, and butterflies thriving in the leafier parts of towns and cities." Grey to Green, CABI Space (2009)

Furthermore, by supporting urban ecosystems, a wider range of species will inhabit areas close to communities, providing greater access to nature. This access can promote a greater awareness and understanding of the importance of biodiversity. The value of green infrastructure for biodiversity is worthy of consideration and it is also important for the health and wellbeing of the human inhabitants. State of Nature (2019)



Wildflower meadows at Titchfield Park, Hucknall

3.2 ACCESSIBILITY AND SUSTAINABLE TRANSPORT

Green spaces have long been thought of as the “green lungs” of towns and cities, providing a network of restorative green space. To function in this way, it is vital that green spaces are well connected and easily accessible to as many people as possible.

Although green space is often thought of in terms of parks and open spaces, there are a range of linear green features, which provide important functions encouraging sustainable transport within and between communities.

Footpaths, cycle trails, river / canal corridors and tree-lined streets, provide pleasant environments which can encourage people to walk or cycle as a realistic alternative to using vehicular transport. These green and blue routes can connect larger areas of green and blue space and can also provide everyday routes between homes, places of work, schools, shops, and other local services.



Brierley Forest Park access improvements

At the larger scale, recreational trail networks can provide popular tourist attractions, bringing people into an area and encouraging communities to explore their surroundings and develop a closer relationship with the natural environment.

3.3 RECREATION

“Recreation and amenity is one of the more widely recognised functions of green space. “East Midlands Regional Assembly, Green Infrastructure Scoping Study. Parks and green spaces provide areas and facilities for physical recreation, such as children’s play and formal and informal sports. They also provide a setting for more passive forms of recreation, such as walking, socialising, and appreciating nature. Linear green infrastructure offers recreational opportunities such as walking, running, cycling and horse-riding as outlined in 3.2.

Recreational opportunities that are easily accessible and freely available can have a positive effect on both the physical and mental health of local communities (see 3.5). Without good quality green spaces, the opportunity for these activities can be severely limited.

3.4 CLIMATE CHANGE AND ENVIRONMENTAL QUALITY

As a result of climate change, it is predicted that there will be an increase in both frequency and strength of storms, floods, heat waves and droughts in the future which will incur significant economic, social, and environmental costs. Green Infrastructure (GI) is an important tool for reducing the effects of climate change and can assist in adaptation, including flood attenuation, water management, the migration of species, and drought tolerant landscapes.

The floods of 2007 caused £10 billion worth of property damage in the UK. “Subsequent flooding in 2016 caused £1.6 billion worth of property damage”. “Estimating the economic costs of the 2015-2016 winter floods (Jan 2018) Environment Agency. As climate change leads to more torrential rainstorms, GI can help to protect against flash flooding. Trees intercept rainfall and slow the rate of run-off, while green space can be used as a temporary storage area for flood water.

Green Infrastructure can contribute to the reduction of water pollution, through the natural processes of sedimentation, filtration, and biodegradation to remove pollutants. This can have a positive effect on the biodiversity of rivers and streams.

Tree canopies can contribute to reducing the ‘heat island effect’ (higher temperatures in urban areas caused by the amount of hard surfaces) thereby reducing the need for the use of cooling systems as well as water supply treatment. Carbon savings associated with this have been calculated to be considerably greater than the amount absorbed directly by urban trees through photosynthesis. The UK's new record-high temperature of 40.3°C at Coningsby, Lincolnshire in July 2022, has been confirmed by the Met Office. Average UK temperatures are predicted to rise by up to 4°C this century, but research by the University of Manchester shows that a 10% increase in the urban tree canopy cover would cancel out this increase. CAGE website: Grey to Green campaign

Species choice in public planting can reduce the need for watering during dry periods, cutting down water usage.

When positive water management is planned and delivered correctly, GI can greatly reduce the speed and volume of water reaching drains, sewers, and water courses, helping to conserve water and reduce the severity of flooding events.

Careful choice of aquatic and marginal planting can help trap, filter out or reduce contaminants released to the environment, thus helping to improve water quality. Blue infrastructure is important for recreational activities such as walking alongside rivers and streams, and active sports such as sailing. Biodiversity, GI, and blue infrastructure combine to create habitats for migratory species and aquatic life.

Sustainable Drainage Systems or SuDS often form part of new developments and are designed to slow the water flow after rain events, creating new habitats, reducing water pollution, and enhancing and creating recreational

opportunities. They can take the form of green roofs and walls, rain gardens, soakaways and permeable pavements .

In order to achieve positive water management, at a strategic level correct water management within GI should:

- Work as part of drainage and wastewater management plans
- Aim to reduce flooding at catchment and local scales, working with natural processes
- Protect groundwater from over exploitation, improve water supply and quality
- Provide water to create new or enhance existing wetland habitats and water courses
- Minimise water pollution and improve water quality
- Improve Climate Change Resilience of freshwater habitats and species

At a local level GI should:

- Help connect recreational, natural green and blue spaces
- Prioritise native species and ensure biosecurity principles are adhered to avoid spreading non -native invasive species and diseases
- Use water to enhance public open space for a variety of appropriate recreational uses, ensuring potential conflicts are managed
- Provide positive water management through Sustainable Drainage Systems (SuDS), ensuring responsibility for long term maintenance of SuDS is clearly identified. Natural England GI principles 2022

Rising energy costs mean that travel and food will continue to increase in cost. Attractive GI routes can encourage people to walk and cycle more, thereby reducing the use of cars and consequent CO2 emissions. Allotment sites provide the opportunity for local food production, also contributing to reduced emissions.

In 2017, urban green and blue space in Great Britain removed 27,900 tonnes of 5 key air pollutants. The avoided health costs were estimated at £162.6 million, with 70% of the avoided costs due to the positive effects of urban woodland Greenspace can also control the flow and distribution of air pollution. People's exposure can be substantially reduced through carefully positioned green infrastructure that incorporates the right type of vegetation, separates people from pollution by introducing barriers and extends the distance between the pollution source and individuals . Redesigning road and pavement layouts, delivering well-designed urban greening schemes, and providing active travel routes through greenspace all help reduce exposure to air pollution and improve health. [Improving access to greenspace 2020 review](#)

3.5 HEALTH AND WELL-BEING

There is a wealth of research which demonstrates the positive contribution that green surroundings can make towards improved physical and mental health.

Green space provides the opportunity for a range of physical activities (see 3.3), all of which can help to promote more active lifestyles and improve physical health. High quality green routes can encourage people to walk or cycle, rather than using the car, which can help combat the risks associated with a sedentary lifestyle. It has been shown that people who are physically active reduce their risk of developing major chronic diseases by up to 50% and the risk of premature death by up to 30%. NHS, 2018

Public Health England's Improving access to greenspace:2020 diagram below [Improving access to greenspace 2020](#) shows the ways in which greenspace and GI may be linked to positive health outcomes.



The review states “improving access to quality greenspace has the potential to improve health outcomes for the whole population. However, this is particularly true for disadvantaged communities, who appear to accrue an even greater health benefit from living in a greener environment. This means that greenspace also can be an important tool in the ambition to increase healthy life expectancy and narrow the gap between the life chances of the richest and poorest in society.”

Green infrastructure also offers other health benefits such as reduced incidences of respiratory illness, improved mental health and reduced stress. Natural spaces improve social cohesion and can help bring communities together. Research in the Netherlands found that city dwellers living near parks are healthier and suffer less depression than those not living near green space. The positive effect of green surroundings was greatest for people with low levels of education and income. Grey to Green campaign, CABI website.

A further health benefit can be achieved where Green Infrastructure resources are used to grow vegetables and other crops (whether in private gardens,

allotments, or community gardens/orchards) providing both exercise and a source of fresh food.

3.6 GROWTH AND INVESTMENT

Investment in Green Infrastructure can help to attract external investment and improve the performance of the local economy. Improvements to public spaces in town centres have been shown to boost commercial trading by up to 40%, while high-quality green spaces can increase resident property values by 5–7%. Grey to Green campaign, CABI website

“For residents, workers and businesses high quality environments can be a catalyst for regeneration and community ownership, a focus for education, training and volunteering and stimulate job opportunities by attracting investment and tourism. There is evidence that spending time in green space can also benefit employees and students as it is associated with improved motor skills, better academic performance, and increased concentration.”
Natural England GI principles 2022.

As well as affecting existing land values and businesses, the physical environment has a strong impact on external perceptions of an area and high-quality GI can encourage inward investment and help to create employment areas that are attractive to both businesses and potential employees. This impact on public perception can also be used to increase tourism (see 3.8).

3.7 SOCIAL

Green Infrastructure can provide a wide range of social benefits to local communities, through for example meeting friends and neighbours when out walking, sports provision, volunteering opportunities on green spaces and the use of allotments.

By providing space that is freely accessible to communities, social interaction is encouraged which can promote social networks and relationships, combating social exclusion and increasing the capacity of communities to support themselves and others.

Green spaces play an important role in hosting social events such as fairs, festivals, and fun days, which can bring communities together and provide positive celebratory occasions that can have a significant impact on perceived quality of life.



Mill Waters Harvest Festival Love Exploring Launch event

The relationship between residents and their local green spaces can often foster strong feelings of attachment, and improvements to Green Infrastructure can improve feelings of local pride and satisfaction. Conversely, the loss or neglect of open space can have severe negative effects on residents' perceptions of their neighbourhood.

Green Infrastructure can provide an important educational resource for children and adults to learn about biodiversity, understand their local environment and develop new practical skills. School grounds can offer a range of curriculum related activities, while public space can also act as an 'outdoor classroom' and a way for schools to engage with their wider community.

Spaces for play have an important educational role and activities can support the development of children's physical and social skills. Informal play opportunities provide a context for imaginary and creative play as well as developing an awareness of the natural environment. Play has a vital role in developing an understanding of personal risk, through activities that are challenging and social interaction.

3.8 LANDSCAPE AND CULTURE

The visual elements of Green Infrastructure are a fundamental element in defining the rich and varied character of landscape, as experienced by people. The effective use of Green Infrastructure can deliver landscape character enhancement, restoration, and re-creation. It is important to accommodate and managing change to retain the landscape characteristics and benefits that society and local communities value. This can contribute to creating a clear and distinctive sense of place which reinforces local identity and can help to foster belonging and attachment among communities. This can be of particular importance in areas such as Ashfield which have undergone significant economic change, resulting from the decline of coal mining, and quarrying followed by subsequent restoration work.

Green Infrastructure resources can also form important elements of local cultural and historical heritage. Revealing and exploring these cultural values within spaces can further support the development of a strong sense of place, local identity and feelings of pride and respect.



Rural view in Selston

The cultural and landscape benefits of Green Infrastructure can be vital to the development of successful tourism investment, either directly through the promotion of high-quality green space destinations, or indirectly through their contribution to strong local identities which can be used to promote the area. This also has an incidental effect for other forms of investment as outlined in section 3.6.

Natural England's Green Infrastructure Principles 2022 state that "Comprehensive design for good GI should consider the following:

- Biodiversity/ nature recovery
- Health
- Carbon storage / sequestration
- Water - flood regulation, supply, and quality
- Soil protection and enhancement
- Air quality, noise, and temperature regulation
- Pollination
- Food production - community orchards, allotments, urban food
- Aesthetic value / sense of place
- Education
- Interaction with wildlife / access to nature
- Recreation / active travel

Understanding the landscape setting and character of a place is a key part of good design, and essential to ensure that new GI responds appropriately to place. Good quality GI needs strong governance and a long-term strategic approach to management, funding, monitoring, and evaluation. This means considering stewardship of GI from the outset and designing GI for long-term sustainability on site ”.

4.0 METHODOLOGY

4.1 AUDIT OF EXISTING GREEN INFRASTRUCTURE

To develop a spatial Green Infrastructure framework for the District, data and information was gathered from a variety of sources in 2013 to provide an accurate picture of the current state of Ashfield's Green Infrastructure. This comprised a mixture of written documents, mapped data, and consultation/stakeholder feedback.

Sources in 2013 included the following:

- Ashfield Green Space Strategy, (2008), Ashfield Play Strategy (2007) and Ashfield Playing Pitch Strategy (2008)
- Ashfield Nature Conservation Strategy, 2003
- 6C's GI Strategy, 2010
- Local Biodiversity Action Plan for Nottinghamshire, 1998.
- List of Local Sites, Nottinghamshire Biological and Geological records Centre, updated 2009.
- Greater Nottingham Landscape Character Assessment, TEP Consultants, 2009.
- Population & socio-economic data, ONS & IMD.
- Nottinghamshire Rights of Way Improvement Plan
- Mapping of existing GI assets across the district
- Information from neighbouring authorities

This information was mapped electronically and collated using Geographical Information System (GIS) existing Green Infrastructure resources on a range of themes, which could be contrasted and compared with each other by overlaying the mapped data. (See Figures 8.1 to 8.9)

As part of the preparation of this Strategy, the Public Open Space Strategy 2016 – 2026 (which replaced the Ashfield Green Space Strategy 2008) has been checked against the Green Infrastructure and Biodiversity Technical Paper (2013) to ensure consistency with the existing methodology and subsequent findings.

4.2 DEVELOPING A GREEN INFRASTRUCTURE FRAMEWORK

Vision

To provide a multi-functional network of green spaces for communities and wildlife, which will deliver economic, social, environmental and health benefits, helping to create a sustainable future for Ashfield.

Analysis of Green Infrastructure provision in Ashfield was undertaken based on the eight themes identified in Section 3.

Many Green Infrastructure strategies at a larger scale use a methodology of scoring land, based on a quantitative assessment of its multifunctionality. At a district level, it was felt that such an approach was inappropriate and that a more reflective approach was required. Many of the datasets available become less reliable at a smaller scale and overlook local detail and complexity which makes a purely quantitative analysis of the information impractical. Scoring methods also risk overlooking sites which are particularly valuable for specific themes (for example geographically remote SSSIs) and can underplay the local conflict between functions which can sometimes make increasing multifunctionality at a local level unfeasible.

Therefore, instead of using a scoring method, the information was analysed visually, in combination with site visits and local knowledge and experience.

The key aims of the spatial analysis were:

- To identify existing networks and connections between Green Infrastructure resources, which contribute to a cohesive Green Infrastructure framework
- To identify key areas of opportunity to enhance or strengthen this framework

The themes of biodiversity and access were used in the first instance to establish an outline framework, which was modified and refined as the remaining themes were considered against it.

The framework identifies specific areas where existing resources have the potential to enhance the network by widening the range of functions they offer. Most commonly this could be through increasing access to a natural green space, or by enhancing the ecological value of currently low-value spaces. These opportunities are often achievable by existing landowners, managers and stakeholders through physical improvements, changes in management practice and the engagement of existing and potential user groups.

The framework identifies areas with potential for new Green Infrastructure to complement or complete the existing network. These opportunities will be predominantly delivered through the development process and opportunities arising out of it (although may also be made possible through grant funding opportunities).

Alongside the spatial mapping analysis, working practices, policies and initiatives were also considered. This qualitative analysis was particularly valuable in identifying opportunities for enhancing the value of Green Infrastructure on a wider basis.

4.3 THE GREEN INFRASTRUCTURE FRAMEWORK

The Green Infrastructure Framework comprises a hierarchy of Green Infrastructure corridors which link GI resources together as well as connecting

to people and neighbourhoods. The corridors may either represent linear Green Infrastructure resources, such as rivers or cycle paths, or they may indicate a series of green accessible spaces which although not connected, form an identifiable 'chain' of green space along which passage is possible for either people or wildlife (or both).



Green path

Although not all GI functions are appropriate for consideration in terms of a network of corridors, the development of this framework is an important part of the Green Infrastructure Strategy, particularly in terms of biodiversity and public access.

As connections and networks were identified, it became clear that a hierarchy was appropriate to distinguish between the main strategic corridors that cross the district (connecting settlements or major GI resources and extending into neighbouring authorities) and the more local corridors in the urban areas, which link neighbourhoods with green spaces and connect them to the broader strategic network.

A fundamental consideration when developing the framework was ensuring that strategic resources and corridors were well connected with local communities via local links, to create a comprehensive network which directly benefits local communities as well as providing the wider scale benefits of GI.

Although corridors are ideal for connecting areas of green space for walkers and cyclists as well as allowing more mobile wildlife to migrate to new sites, they are of little value to less mobile species. For this reason, green spaces need to be as large as possible, with interesting or rare habitats and species identified, protected, and monitored. Specific areas within green spaces also need to be set aside to encourage greater diversity, allowing the build up of species and populations which will then allow them to migrate through connecting features such as hedgerows, rivers, and other green corridors.

Natural England GI Principles 2022 states that “at a local level GI should:

- Thread different types and sizes of spaces through local GI networks
- Create a variety of habitats and facilities to supplement larger initiatives
- Aim for variation in the density and layout of GI

Aiming for variety also has the added benefit of creating the right conditions for the wider involvement of interest groups and individuals in the planning and delivery of GI”.

5.0 ASHFIELD GREEN INFRASTRUCTURE IN CONTEXT

This overview has been developed through a review of relevant plans and documents and an audit of Ashfield's Green Infrastructure.

Each of the 8 themes identified in Section 3 are discussed within the context of the District, beginning with a description of the current position.

5.1 BIODIVERSITY

Ashfield is recognised as one of the most bio-diverse areas in Nottinghamshire, due largely to its varied geological context of Magnesian limestone, Triassic sandstone (to the east) and coal measures (to the west). It is an area heavily scarred by the industrial development of recent centuries, which has both damaged and fragmented habitats, while also creating new opportunities for wildlife in the form of disturbed and restored sites.



Brierley Forest Park: Brierley Waters

The District supports a broad range of habitats, including heathland, ancient woodland dumbles, calcareous grasslands (often on post-industrial sites) and fields rich in wildflowers. The west is characterised by small fields and streams, while the east and south contains large blocks of tree planting. The rivers and streams within the district provide habitat for significant populations of water vole and native crayfish.

5.1.1 Local Designations

The District contains several habitats and species types that are considered to be important, very important and unique in a County context.

Ashfield has nine Sites of Special Scientific Interest (SSSI), representing some of the County's richest habitats and covering 125 hectares. These are spread across the area, and are based on varied geology of limestone, coal measures and sandstone. SSSIs are protected by specific legislation which includes a requirement for positive management.

Local Wildlife Sites (LWS) formerly known as Sites of Importance for Nature Conservation (SINC) are locally designated wildlife sites incorporated into the planning system for protection. They represent sites that are of at least

County-wide importance and form a crucial framework of 'stepping stones' for the migration and dispersal of species. Sites are identified and surveyed by the local Biological and Geological Records Centre, based on criteria set by the Nottingham Local Sites Panel. [Nottinghamshire Biological and Geological Record Centre](#)

Local Nature Reserves (LNR) are sites under the control of the local authority, designated in consultation with Natural England to encourage public access and enjoyment of the natural environment. Ashfield currently contains four LNRs: Portland Park, the Teversal to Pleasley Railway, Brierley Forest Park and Kings Mill Reservoir as well as one on the boundary with Nottingham City (Bulwell Hall Park Meadows).

Local Geological Sites (LGS) are part of a national system to raise the profile and offer some protection to sites that contain important examples of the local geology and geomorphology. Ashfield has 12 of the 133 recognised LGS in the county which are currently protected as LWS. Nottinghamshire LGS Criteria Nottinghamshire Biological and Geological Sites Panel Feb 2018 [Nottinghamshire Biological and Geological Sites Panel LGS criteria](#). These sites are identified for future protection as part of the Ashfield Local Plan.

5.1.2 The Nottinghamshire Biodiversity Action Plan

Nottinghamshire Biodiversity Action Group is a partnership of voluntary, statutory and community groups working together to conserve and enhance the wildlife of Nottinghamshire.

The Local Biodiversity Action Plan (LBAP) for Nottinghamshire identifies the key priorities for species and habitat conservation in the County, focusing on habitats considered to be of conservation concern and priorities for protection, restoration, and re-creation. The priority habitats identified for Nottinghamshire are listed below.

Woodlands

Wet broadleaved woodland
Oak-birch woodland
Mixed ash dominated woodland
Planted coniferous woodland
Parkland and wood pasture

Waterways and wetlands

Reedbed
Fen, marshes, and swamps
Eutrophic standing waters
Mesotrophic standing water

Rivers and streams

Canals

Ditches

Grassland

Improved grassland

Lowland wet grassland

Lowland neutral grassland

Lowland dry acid grassland

Lowland calcareous grassland

Other

Ancient and/or species rich hedgerows

Farmland

Lowland heathland

Urban and Post-industrial habitats

All priority habitats have their own action plans to maximise the impact on the plants and animals that rely on them for food and shelter. Most of the species of conservation concern will benefit from these Habitat Action Plans.

However, a small number of species have their own action plans, chosen because of their specific needs, which may not be picked up under habitat work, or because of their popularity. The latter act as flagship species to help promote biodiversity and include otter, water vole and barn owl.

A list of species of conservation concern for Nottinghamshire can be found at: [Notts BAG website](#).

In 2008, the Nottinghamshire Biodiversity Action Group resolved to produce a Biodiversity Opportunity Map for the County. As of 2022, the map is nearing completion and will identify opportunities for improving habitat condition and connectivity across Nottinghamshire. The outcomes of the project will help to underpin the wider work of Nottinghamshire Biodiversity Action Group, which is the Local Biodiversity Action Plan partnership for Nottinghamshire. The mapping project is being undertaken in sub-areas of the county where funding has been made available. A biodiversity opportunity map has been created for Ashfield [Nottinghamshire Biodiversity Opportunity Mapping Project Ashfield District 2016](#) along with Broxtowe, Gedling, Rushcliffe, Sherwood, and the Trent Valley.

5.1.3 Local habitat characteristics

Ashfield contains a broad range of habitat types, including ancient woodlands, limestone grasslands, and the wetlands of the Erewash and Leen rivers.

- **Grasslands**

The District has the greatest concentration of remaining permanent grasslands in the County. However much of the grassland in Ashfield, as throughout Nottinghamshire, has been either converted to arable land or agriculturally improved through re-seeding or sprayed with herbicide. Within the county, unimproved lowland grassland is estimated to have suffered a loss of between 97% and 99% since 1930 (Nottinghamshire BAG, 1998).

Acidic grasslands in Ashfield represent a significant area of the total remaining of this type of habitat in Nottinghamshire. Sites such as Holly Hill, Selston are characterised by fine leaved grasses such as wavy hairgrass and sheep's fescue along with herbs such as heath bedstraw and sheep's sorrel. The continued presence of acid grassland is often threatened by a reduction in grazing (a traditional management technique), encroachment of scrub and bracken and nutrient enrichment caused by, among other things, dog fouling.

Ashfield is also an important area for Calcareous Grasslands / Magnesian Limestone, which is a nationally uncommon habitat type. This special type of limestone grassland is characterised by flowering herbs and grasses, such as Frog Orchid and Rockrose. The finest remaining grasslands are associated with scarps, former quarries, and embankments and many have been designated as sites of regional and county importance, such as Kirkby Grives and Annesley Woodhouse Quarry.

Several grasslands around Annesley, Bagthorpe, Stanley and Huthwaite retain plant communities characteristic of old unimproved neutral hay meadows and grazed pastures in concentrations of small fields and along streamsides. These support a characteristic rich flora and species of a high conservation value such as Yellow Rattle and Saw-wort.



Holly Hill Grassland

- **Woodland and hedgerows**

Ashfield has a broad diversity of woodland types from ancient woodlands to coniferous plantations, many supporting flora and fauna of high conservation interest.

Ancient Woodlands are defined as woods known to have been in existence since the year 1600. Ashfield has over 12% of the ancient woodland recognised within the county and some of the finest examples in Nottinghamshire are found in the district. These are centred on the northern ancient county boundary, the eastern Thieves Wood, the western Valley Woods and in the central and southern woods of Millington and Morning Springs.

Damp and wet woodlands are also important and support their own special communities of flora and fauna. They are found where the water table is close to the surface or next to streams and rivers. Relic areas of once typical Oak and Birch woodlands on sandstone also survive, and this reflects what were the western-most parts of the old Sherwood Forest.

Several large forestry plantations are found within the district, including Thieves Wood and Annesley Woods. The latter is promoted as a public site, offering an important opportunity for people to visit and experience local woodland habitats. At Thieves and Harlow Woods coniferous plantations support county important moth species such as Map-winged, Gold Swift, Cream Wave and Scorched Wing.



Thieves Wood

Hedgerows provide an important refuge for wildlife and act as corridors for animals and plants to move and live along. Some of the oldest hedgerows mark parish or estate boundaries, or the line of old highways. In Ashfield, they are an important feature of the landscape, especially in the west where there are several ancient examples. Hedgerows in parts of the District are steeply banked along narrow lanes which make them special within Nottinghamshire.

- **Water Habitats (Blue infrastructure)**

“Four major river systems begin in Ashfield, (The Erewash, Leen, Maun and Meden), and these form an essential ecological network of important wildlife sites across much of the County, and into Derbyshire.

Although Ashfield does not contain significant lengths of water courses, the River Erewash, and the River Leen are identified as sub-regional Green Infrastructure corridors”. Green Infrastructure Scoping Study, East Midlands Regional Assembly.

Tributaries for both rivers extend into the district forming a network of habitat corridors which often pass through urban areas and their communities (although often culverted). This offers a significant opportunity to connect people with these rich habitats and increase their potential where restricted by past development. The Leen and its tributaries are, for example, a habitat for native crayfish (a national priority species).

Naturally occurring bodies of water are otherwise uncommon in Ashfield. Where they occur, they support notable populations of amphibians and aquatic flora and fauna. Field flushes and drains support unusual plant communities such as Ragged Robin and Marsh Marigold and many rare species including sedges and fern, which have a restricted distribution in Nottinghamshire, and rare and protected species such as the Great Crested Newt.

Open water features such as King's Mill Reservoir, Brierley Waters and the lake at Sutton Lawn are important for wintering wildfowl. King's Mill Reservoir also supports a significant reed bed. Such habitats are uncommon in Nottinghamshire and are of notable conservation value, particularly for the survival of threatened species such as Water Vole.



Lake at Sutton Lawn

- **Disturbed sites**

Coal heaps, former quarries, railway land, post-industrial sites, and related open areas, provide some of the most valuable habitat for flora and fauna in the District. Often such sites are characterised by a rich diversity of

native and introduced species. Large numbers of plant species have exploited these sites and formed communities ranging from short ephemeral grassland to scrub, which in turn supports a wide range of invertebrates, mammals, and birds. Some of the sites in Ashfield support unusual communities and rare plants. Coal heaps may display Bee Orchid and Autumn Gentian, whilst providing a habitat for Grass snakes, Sky Larks, and Little Ringed Plover.

- **Lowland Heathland**

Lowland heathland is a nationally rare habitat, and a European priority habitat. In Nottinghamshire, over 90% has been lost since the 1920's. In Ashfield there are good examples of heathland in the east of the district where it forms a habitat mosaic with acidic grassland. Such habitats support rare species, particularly exceptional invertebrate fauna, and provide important and diverse breeding habitats for birds, including national BAP species such as Nightjar.

5.1.4 Other habitat areas

As well as the priority habitats within the Local Biodiversity Action Plan, there are other elements of Green Infrastructure which contribute to the network of habitats and natural spaces. In terms of achieving a cohesive GI network for wildlife these spaces can be particularly valuable, providing stepping stones or connections within densely populated urban areas and in many cases, providing the most accessible way of experiencing nature for communities.

- **Golf Courses**

Golf courses in Ashfield, such as Coxmoor and Hollinwell have often been designed around existing landscape features prior to significant agricultural improvement, and hence preserve semi-natural habitats. They therefore retain many original habitat features, and some are designated as LWS.

New courses that have been developed have provided additional areas of planting which, as they develop, will add to biodiversity. In many cases these plantations form important links between large blocks of established woodland.

Golf courses are usually privately owned, and do not always provide access to the public.

- **Churchyards and Cemeteries**

These sites may have relatively diverse grassland communities and bats may inhabit the church buildings.

- **School Grounds**

Most schools have some green space and although traditionally this has tended to be relatively sterile in terms of wildlife value, many are increasingly incorporating opportunities for habitat creation and

enhancement. This is often linked to the curriculum, along with areas for food production.

- **Private Gardens and Allotments**

These areas are particularly important within urban settings and have been shown to provide considerable wildlife interest. There has been a trend towards encouraging wildlife into gardens in recent years, typified by the popularity of media campaigns. In view of the limited amount of standing water within Ashfield, garden ponds can be vital for some populations of breeding amphibians.

Allotments have enjoyed a revival in recent years, with increasing demand. Allotment societies tend to encourage environmentally friendly or organic cultivation methods and allotments provide a rich food source and breeding opportunities for many bird species (particularly where hedge boundaries between plots have been retained).

Cumulatively gardens and allotments can provide significant areas of connected Green Infrastructure and form the most significant framework of green space in many of the urban areas of the district.



Felley Priory Gardens

In a few areas of the district, parts of gardens in suburban areas have been sold for house building. The issue of 'Garden-grabbing' can damage the character of an area, reduce the amount of green space, and potentially interrupt wildlife corridors. NPPF paragraph 71 advises that local policies should be in place to prevent this practice, where it is deemed to be a problem.

- **Parks and green spaces**

All parks and green spaces can help support and improve biodiversity. Examples of areas rich in biodiversity are the country parks; Brierley Forest Park and Portland Park, as well as areas within urban parks, for example the lake area and woodland within Sutton Lawn and the meadow areas at Titchfield Park, Hucknall.

Alternative management methods are increasingly being explored and trialled to increase the biodiversity value of these spaces which have been

traditionally maintained for recreation and public amenity, often to the detriment of biodiversity.

- **Wildlife Corridors**

These are particularly important in relation to connecting areas of wildlife interest as well as being habitats in their own right. Areas such as roadside verges, railway lines and footpaths form a network of wildlife habitat across much of the District. Verges, gardens, and street trees provide wildlife habitats which can provide important links through urban areas.

- **Railway Lines**

Railway lines have the potential to support species rich wildlife communities. Disused railway lines support some of the most diverse assemblages of native plant species in the District and can provide important wildlife corridors. Some of these now provide recreational routes, for example the Teversal Trails. The scale of operational and disused railway lines in the district which are remnants of the area's industrial past provide a considerable existing and potential source of biodiversity.

- **Buildings and Structures**

Many buildings and structures can provide opportunities for wildlife, such as bats, swifts, barn owls and kestrels. New buildings may offer opportunities for habitat creation through for example green roofs, or the provision of nesting areas or insect habitat.

- **Agricultural Landscapes**

Due to modern farming methods, such as the use of chemicals and removal of hedgerows to create larger fields, agricultural land tends to have low biodiversity. However, Countryside Stewardship grants have encouraged landowners to manage areas for nature which has resulted in greater biodiversity in some areas.

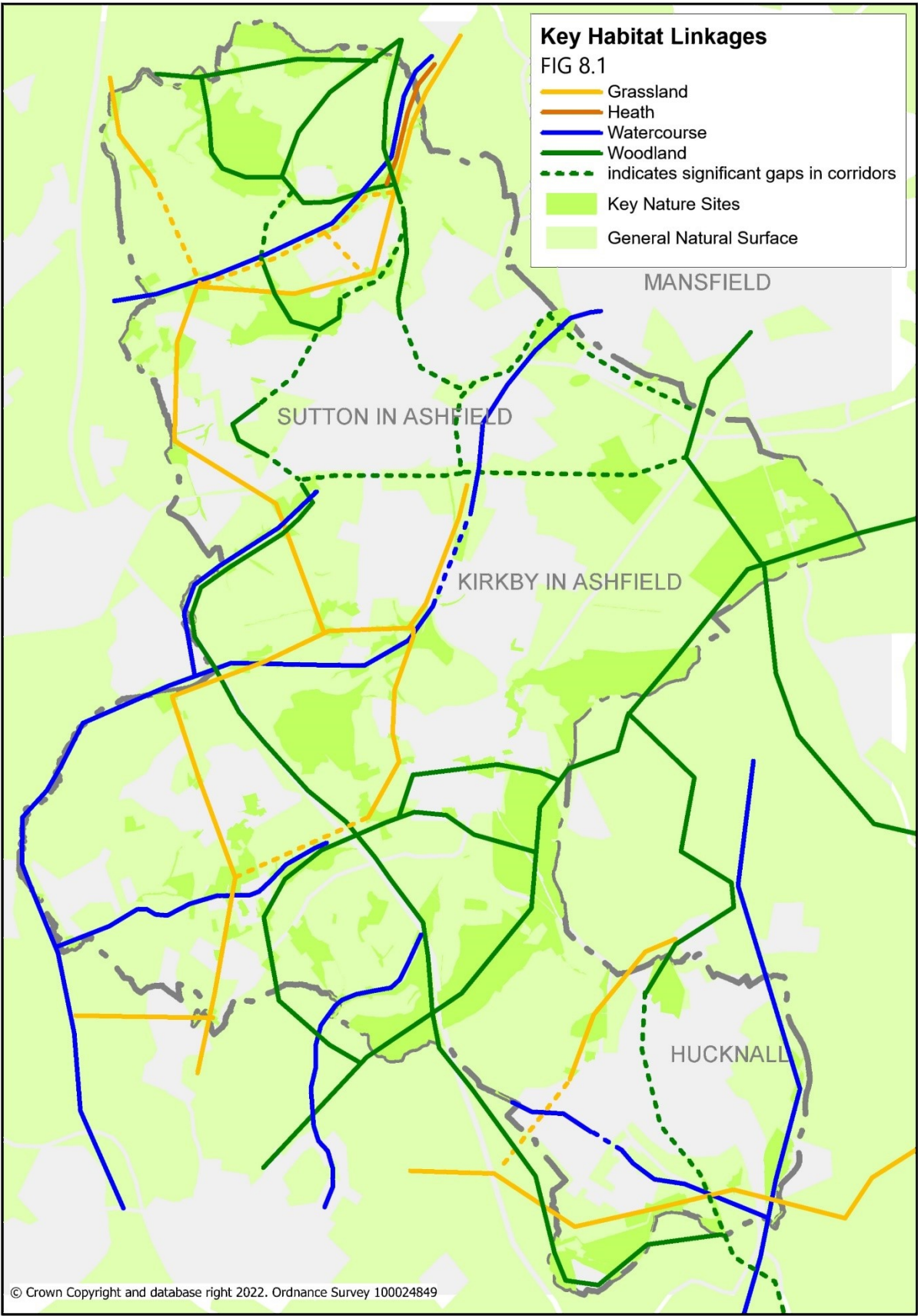


Figure 8.1 Key habitat linkages

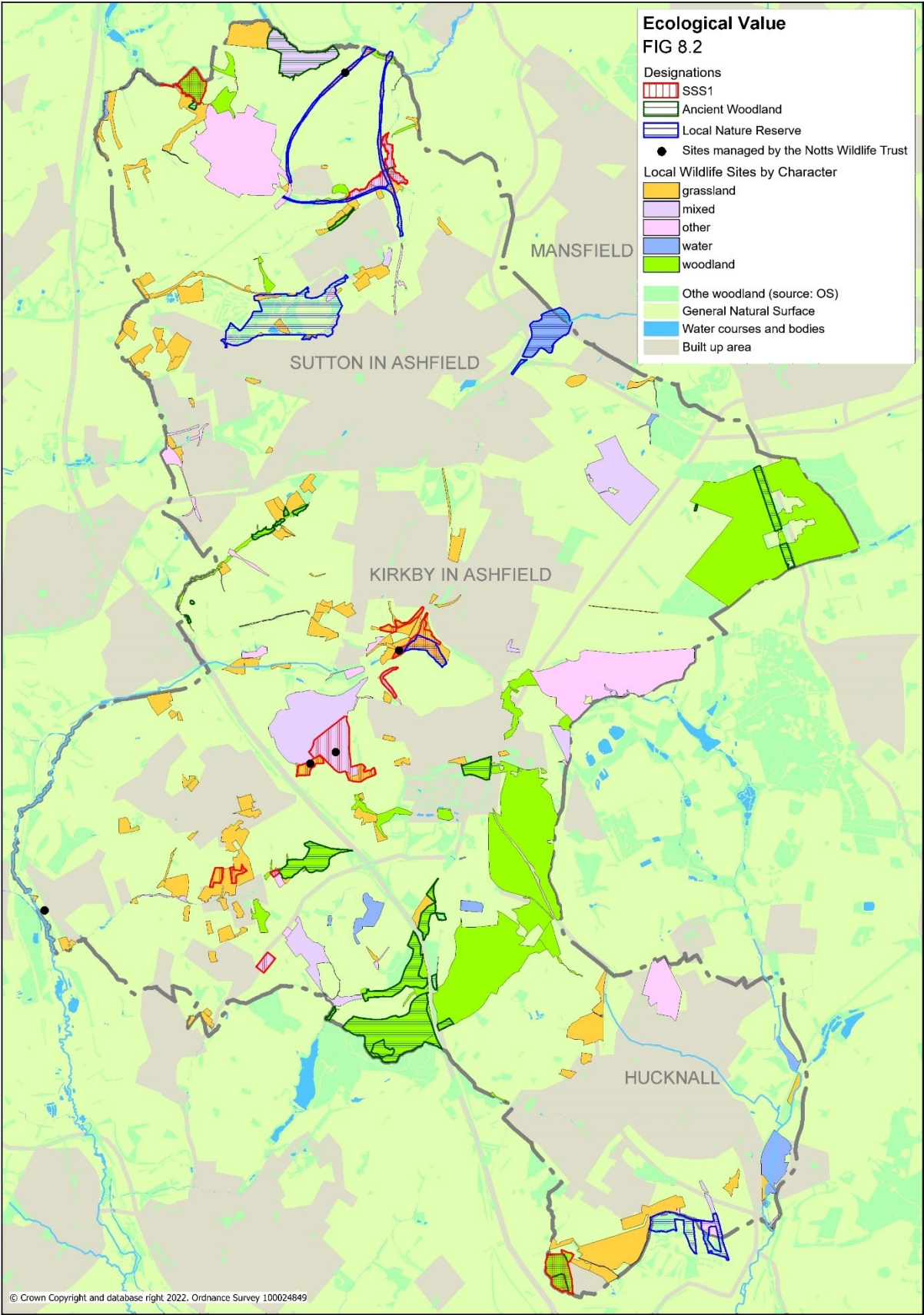


Figure 8.2 Ecological value

5.2 ACCESSIBILITY AND SUSTAINABLE TRANSPORT

There are relatively low levels of car ownership within the district in comparison to other areas in North Nottinghamshire, which means that good access to green space for pedestrians/cyclists (and via public transport) is of particular importance. North Nottinghamshire Accessibility Strategy (2006-2011).

There are several existing strategic and local off-road recreational routes which provide good cycling and walking opportunities and connect to green space and other route networks. Ashfield District Council and Nottinghamshire County Council have upgraded and created a significant number of routes around the District and worked with other partners to improve links into neighbouring areas. Examples include: the Brierley Branch route which links from the northern end of Brierley Forest Park into Derbyshire, the Teversal and Silverhill Trails and the Leen Valley.

These routes often follow former railway lines, a network of which cross the District and provide an excellent opportunity for developing linear green spaces, as well as contributing to a distinctive local character reflecting the areas industrial past. These are supported by a network of formal Rights of Way (see link below), some of which pass through or adjacent to green spaces.

The distribution of recreational routes is uneven across the District, with most formal recreational routes located in and around Sutton-in-Ashfield and Kirkby-in-Ashfield. These routes connect green spaces such as Silverhill, Kingsway Park and Portland Park and are also well connected to trail networks in neighbouring authorities, such as the Five Pits Trail into Derbyshire and the Lower Linear Route into Mansfield - see link below

[Ashfield and Mansfield Trails West](#)

In Hucknall, both strategic recreational routes and Rights of Way are less common, with the main exception of the National Cycle route which passes though the east of the town, although considerable stretches of this follow the highway rather than a green corridor. There are several large natural green spaces on the outskirts of Hucknall, but these are not well connected at present. There are several promoted routes in the countryside around Hucknall (the Robin Hood Way and the Hidden Valleys Trails), but again these are poorly connected to the existing green spaces of the town. Works to develop the Leen Corridor as a strategic recreational route were undertaken in 2011/12 to create stronger links to the rest of Hucknall, helping to address this deficiency.

Outside the main urban areas, there is a similar disparity in the distribution of Rights of Way. The rural areas around the villages of Selston, Underwood and Jacksdale are well served by a network of Rights of Way, but there is a notable lack of routes in the area to the east of Kirkby and Sutton (leaving Thieves Wood poorly connected to the residential areas of the District).



Mountain biking in Brierley Forest Park

The provision of a comprehensive network is limited by gaps and barriers, such as major roads, river corridors and railway lines. Overcoming these barriers and gaps is a priority in improving access across the district. Several important green infrastructure resources just outside the District also have the potential to be much better connected to the communities of Ashfield, including Hardwick Hall, Newstead Abbey, and the Erewash and Cromford Canals.

5.2.1 Nottinghamshire Rights of Way Improvement Plan

The Rights of Way Improvement Plan 2007-2012 (ROWIP) for the County, produced by Nottinghamshire County Council provided an assessment of how local Rights of Way meet the present and likely future needs of the public.

The aims of the ROWIP included protecting, maintaining, and enhancing the network; improving access, including for those with visual impairment and mobility problems; improving the safety and connectivity of the metalled road network with the Rights of Way network; increasing awareness of accessing the countryside and enhancing and increasing community involvement in managing and improving the network.

During consultation for the 2007-2012 ROWIP, several issues arose which are of particular relevance to the development of Green Infrastructure.

- There is a particular demand for circular walks and rides close to where people live.
- Walkers, riders, and cyclists primary requirement is a safe, traffic-free environment. Safe crossing where routes crossroads is a particular concern.
- Users face a range of problems that include poor signage, obstructions to the route (including stiles and gates), gaps in the network (or long stretches of road walking), poor off-road provision for cyclists and equestrians, and a lack of respect for the countryside (including littering and dog fouling).
- There is a need to promote the network (including permissive routes and open spaces) as people are often unaware of the access and recreation opportunities available.



Brierley Forest Park

As a result of a subsequent consultation with stakeholders towards the end of the 2007-2012 ROWIP plan period, the County Council decided to publish a revised and updated plan in order to provide a long term strategy for how Nottinghamshire's public rights of way network would be managed for the following eight years.

As a result of feedback from stakeholders and users of the ROWIP, the document was changed from Rights of Way Improvement Plan to Rights of Way Management Plan and is referred to as the Rights of Way Management Plan 2018-2026 or ROWMP2. [Nottinghamshire County Council Rights of Way Management Plan 2018 - 2026](#)

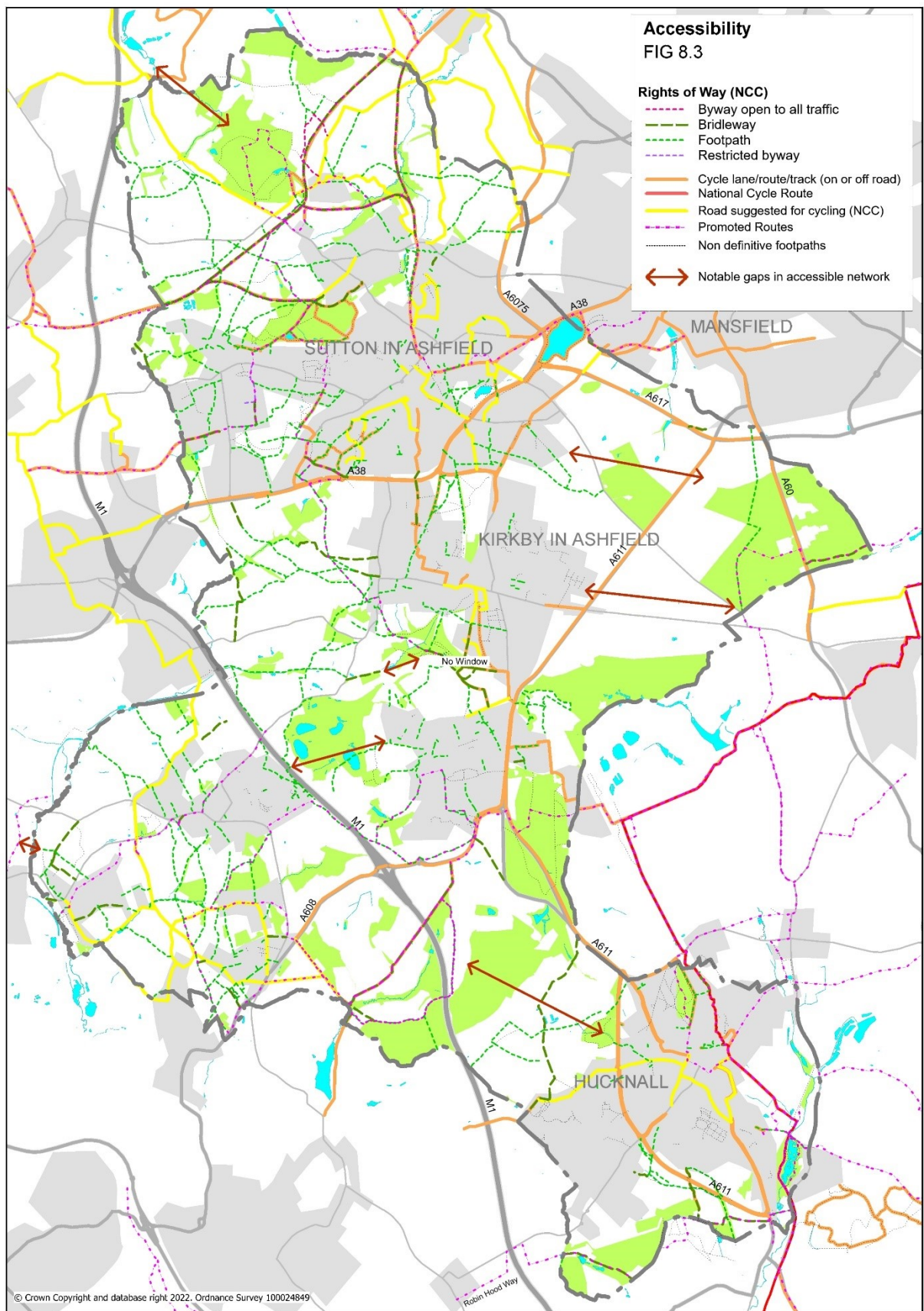


Figure 8.3 Accessibility

5.3 RECREATION

Recreation provision is one of the main areas of focus for Ashfield's Public Open Space Strategy 2016-2026. In 2013, Ashfield's Green Space Strategy 2008 analysed the provision of recreational green space across the district and provided guidance on areas of deficiency and oversupply, as well as an assessment of the quality of provision, based on the standards in place at that time. This strategy was supported by the Playing Pitch Strategy (2013) which considered the demand for formal sports pitches and opportunities for provision through the development planning process. The Green Space Strategy was replaced by the Public Open Space Strategy 2016 - 2026 which was adopted in 2020. The Playing Pitch Strategy (2013) was replaced by the Ashfield Playing Pitch Strategy 2017-20

Ashfield Standards for access to green space (Catchment areas).

Public Open Space Strategy 2016 - 2026

No person should live more than

- 480 metres (6-minute walk) from their nearest neighbourhood park / green space
- 1000m (12–13-minute walk) from their nearest destination park / green space
- 480m from their nearest area of natural green space

There is relatively good provision across the District, although there are opportunities to improve provision within Sutton, Hucknall and the Rurals. This issue is being addressed through the provision of several large areas of green space within new housing developments and should continue to be addressed through the Local Plan process.

The District has a good distribution of recreation grounds, large areas of open space usually with football pitches laid out, often including a play area and space for informal recreation. These provide a framework of recreational space, which is supported by more specific provision on main town parks (including cricket pitches, bowling greens and tennis courts) and private sports clubs.

The recreational value of many local green spaces has been greatly enhanced in recent years through the addition of new facilities, such as ball courts (also known as 'multi-use games areas' or MUGAs, suitable for five-a-side and basketball), kick walls, skate parks, outdoor gym facilities, trim trails, and BMX trails. The distribution of these facilities continues to be informed by Public Open Space Strategy 2016 - 2026 (which also considers recreational provision for teenagers).



Titchfield Park Skatepark

Facilities for specific sports are more difficult to locate, requiring larger areas of land, and often attracting larger numbers of users by car from a wider area. In terms of District Council owned facilities, there is recognition that combining multiple facilities on single sites is a more efficient means of provision, reducing the number of changing rooms required, which have considerable maintenance implications. At present many of the District's formal pitches are single pitches each with their own changing facilities. The provision and management of these facilities is guided by the Ashfield Playing Pitch Strategy 2017-20. Where opportunities arise, larger sites capable of co-locating several pitches are being developed.

While the provision for site-based recreation has already been considered by the Public Open Space Strategy 2016 - 2026, the Green Infrastructure and Biodiversity Strategy provides an opportunity for the consideration of more linear forms of recreation (such as walking, cycling and horse-riding).

Many spaces which have recreation as their primary function offer limited value in terms of other green space benefits. The mapping and analysis of Green Infrastructure has revealed a considerable opportunity to increase the multifunctionality of these spaces through changes to their design or management. Most of these spaces are within local authority ownership providing opportunities for flood mitigation and improvements to visual appearance and accessibility.

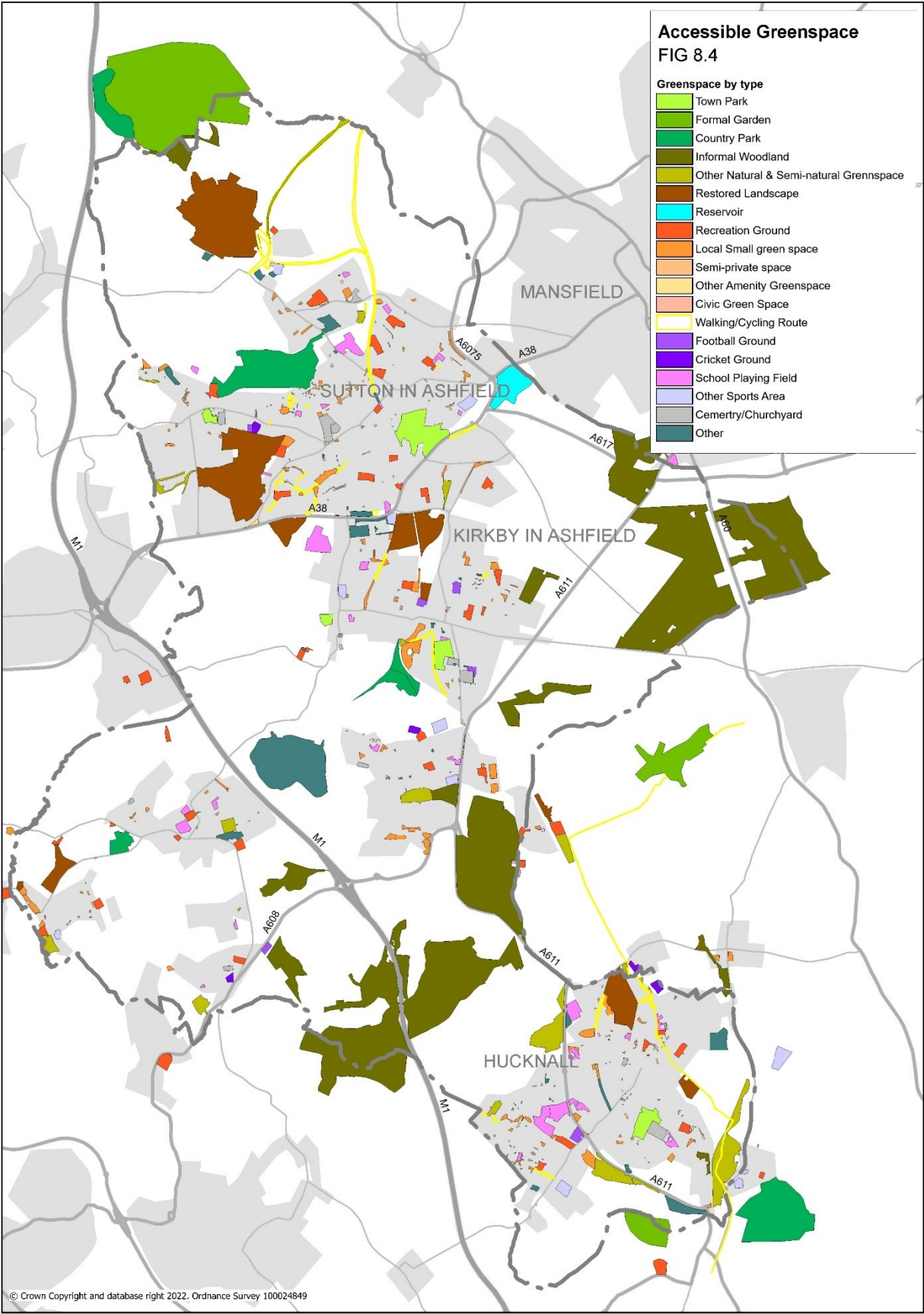


Figure 8.4 Accessible Green Space

5.4 CLIMATE CHANGE AND ENVIRONMENTAL QUALITY

The greatest risks to the District temperature increase, severe weather, and flooding. These remain constant climate change risks.

- **Temperature increases and reduced rainfall in summer**

Agricultural fields, parks, green spaces, and private gardens are likely to suffer during drier summers, with increased pressure on water supply. The Council will need to adapt the choice of plant species, using drought tolerant plants and reducing the amount of bedding plants which require frequent watering.

Homes, offices, and schools are likely to become uncomfortable in high temperatures, but this can be addressed, where practical, through the use of tree planting to provide shade and reduce internal temperatures.

- **Severe weather and high winds**

Extreme weather may damage buildings and facilities. Tree planting can help to alleviate some of these problems by creating wind breaks.

- **Flooding**

Flood damage in Ashfield was significant in June 2007 with serious flooding to some roads and homes. A number of houses and gardens throughout the District were flooded and major routes, including sections of the MARR (Mansfield and Ashfield Regeneration Route) were also hit by severe flooding. A study commissioned to assess the capacity of the current water infrastructure to accommodate growth without adversely affecting the environment, as part of preparation for the Local Plan (Outline Watercycle Study for Greater Nottingham & Ashfield), identified minor parts of Sutton in Ashfield, Annesley Woodhouse and Hucknall with medium to high probability of flooding. However, this principally reflects flooding from watercourses. The anticipated impact of climate change is an increase in the severity of storms. This increases the risk of flooding from surface water flowing off impermeable surfaces within urban areas. (Of the 55,000 properties damaged in the floods of the summer of 2007, two-thirds were flooded by surface run-off overloading drainage systems). There were also flooding events in 2020.

There are many ways in which pressure on drainage infrastructure can be alleviated through the design of green space and the modification of water courses. Projects such as the naturalisation of a formerly culverted section of the River Maun in 2004 and 2013, along with Titchfield Park Brook in Hucknall increase the capacity of the landscape to deal with flooding conditions, as well as creating bio-diverse environments for the public to enjoy.



Tichfield Park. Stream culvert opened up and rewilded.

There are a significant number of culverted water courses within the District, some of which run through existing green space, providing the potential for a similar approach. Other forms of Sustainable Urban Drainage Systems (SuDS) also have the potential to help address drainage issues, such as the system of overflow storage areas on residential estates in northwest Hucknall. These offer areas of green space which can store large amounts of water in storm conditions, but which also perform other green-space functions when not in use, for example for recreation and wildlife.

National planning policy and guidance requires that development incorporates SuDS, unless there is clear evidence that it would be inappropriate. SuDS aim is to mimic the natural environment's response to rainfall, usually by incorporating natural elements at the ground surface which reduce the flow of water offsite. It provides opportunities for creating and connect valuable areas of blue-green infrastructure. The Environment Act 2021 has introduced a requirement for new development to deliver at least a 10% increase in biodiversity net gain (BNG). This reflects an approach to development, and/or land management, which enhances the biodiversity value and SuDS can contribute considerably to BNG through a water enriched habitat.

5.5 HEALTH AND WELL-BEING

Poor health is an important issue within Ashfield, with average life expectancy lower than the regional and national averages and infant mortality significantly higher. Teenage conception rates are also higher than national averages.

The District falls below the national average for both higher education and income levels and has higher rates of ill health.

The District's Ashfield Health and Wellbeing Partnership Strategy Be Healthy, Be Happy, 2021 – 2025 is being implemented through a partnership approach to address health inequalities and encourage residents to lead more active lifestyles.

The Council is improving sports facilities on parks and open spaces, through refurbishing existing courts and pitches and encouraging more informal use, through the provision of multi use ball courts, skate parks, outdoor gym areas and play areas for younger children.

Free provision on parks and green spaces is a particularly important element of increasing activity in Ashfield due to the high levels of deprivation, poor health, levels of obesity and the below average salaries of working residents.

“Greener environments are also associated with better mental health and wellbeing outcomes including reduced levels of depression, anxiety, and fatigue, and enhanced quality of life for both children and adults. Evidence indicates that people who report feeling more ‘connected to nature’ tend to have a more positive outlook on life (positive affect), increased vitality, life satisfaction, feelings that life is worthwhile and of personal growth compared to those who feel less connected.” Improving access to greenspace - new review for 2020 Public Health England

Allotments can be a good way for people to enjoy the outdoors, increase exercise and eat more healthily. There are substantial waiting lists for allotment sites within Ashfield and additional sites need to be provided through new housing developments.

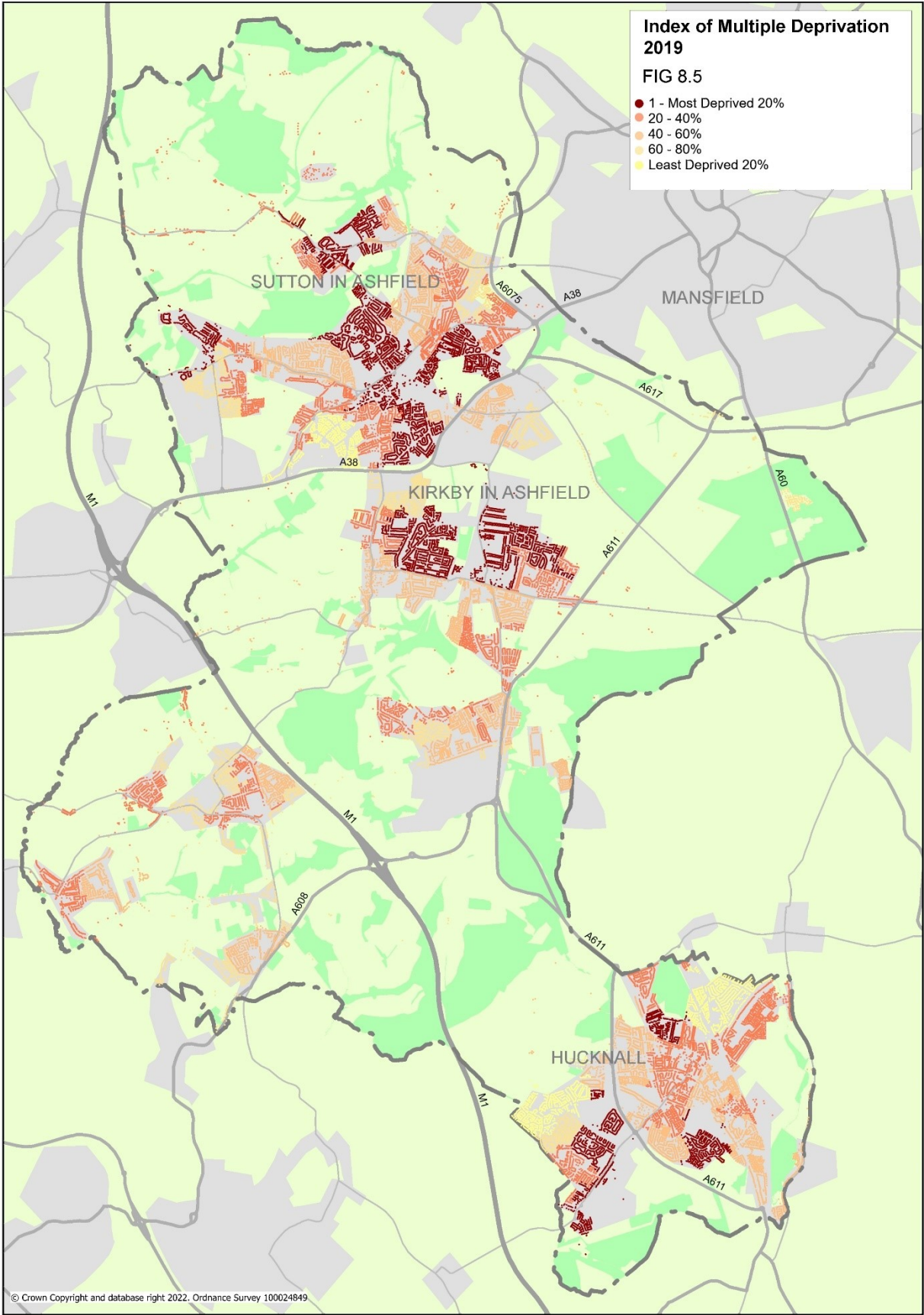


Figure 8.5 Deprivation in Ashfield

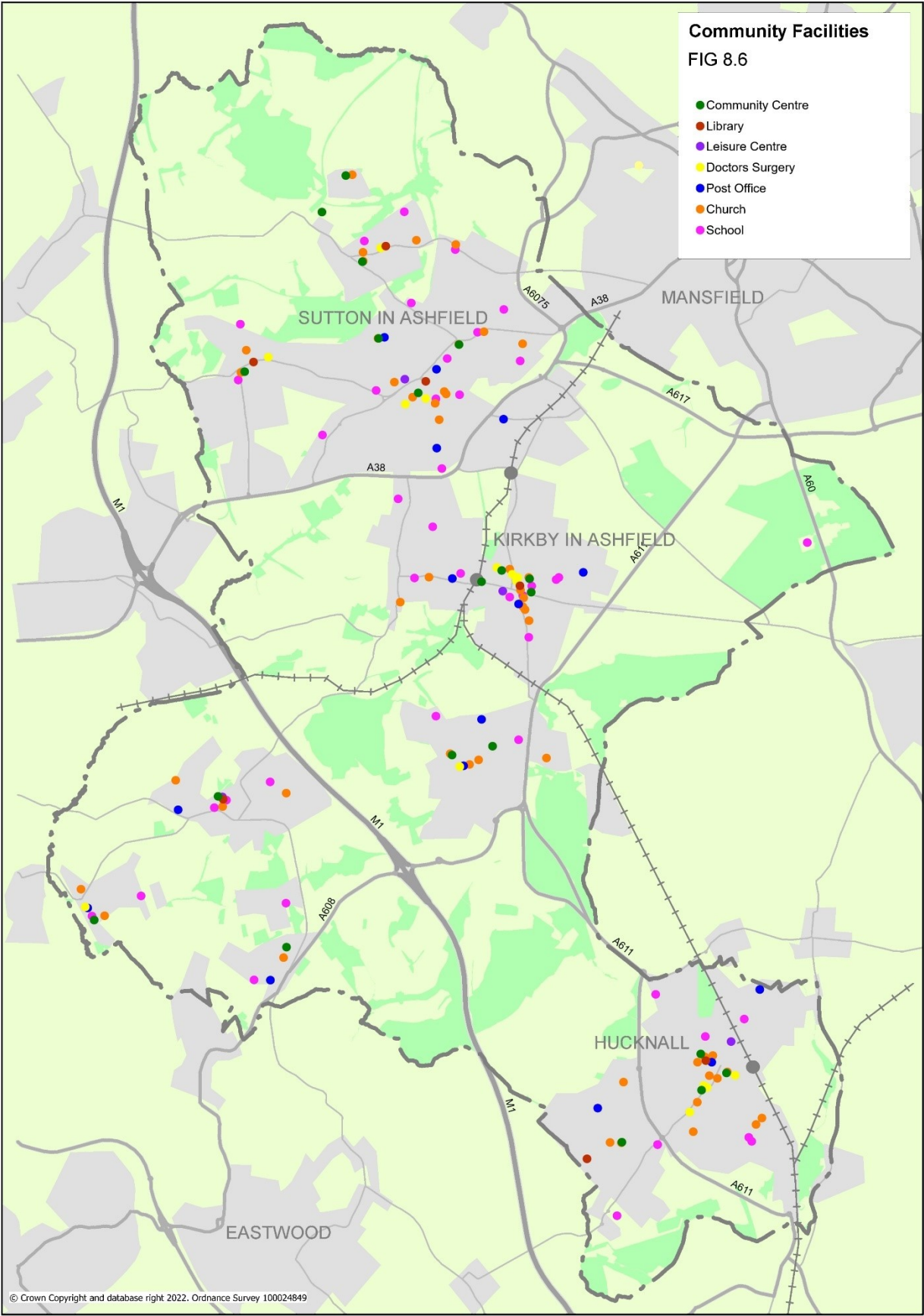


Figure 8.6 Community facilities

5.6 GROWTH AND INVESTMENT

Ashfield has a history of industrialised wealth from coal mining and textiles, but both industries declined in the 1980's creating high unemployment and widespread deprivation. Although new employment opportunities have grown, unemployment rates are higher, and earnings are significantly lower than regional averages.

The Local Plan makes provision new homes. Using GI as a planning tool will help to ensure that this planned level of growth can be delivered in a sustainable manner.

Green Infrastructure can play an important role in helping to improve perceptions of the district and to attract investment. For example, Sherwood Business Park, developed in the late 1990's adjacent to Junction 27 of the M1 has been designed around a Green Infrastructure, comprising lakes, wooded areas, and footpaths with good public transport links around the park. The business park also provides an important gateway into the District. These type of gateway sites provide opportunities to improve the overall appearance of the district, creating a positive image and helping to attract further investment.



Sherwood Business Park

The 'Ashfields' residential estate in Sutton is designed around green routes and open spaces with ponds and other habitat, creating an attractive environment for people to live and encouraging walking and cycling.

Strategic development of Green Infrastructure can contribute towards the District's tourism offer, enhancing the area's overall image as an attractive destination. Specific benefits include the potential development of nature-based and activity-based tourism utilising an enhanced network of high-quality green routes. An example is the trails network which has been developed linking Brierley Forest Park with trails into Derbyshire. This link into an established tourist destination has helped to attract visitors to the park from outside the District.

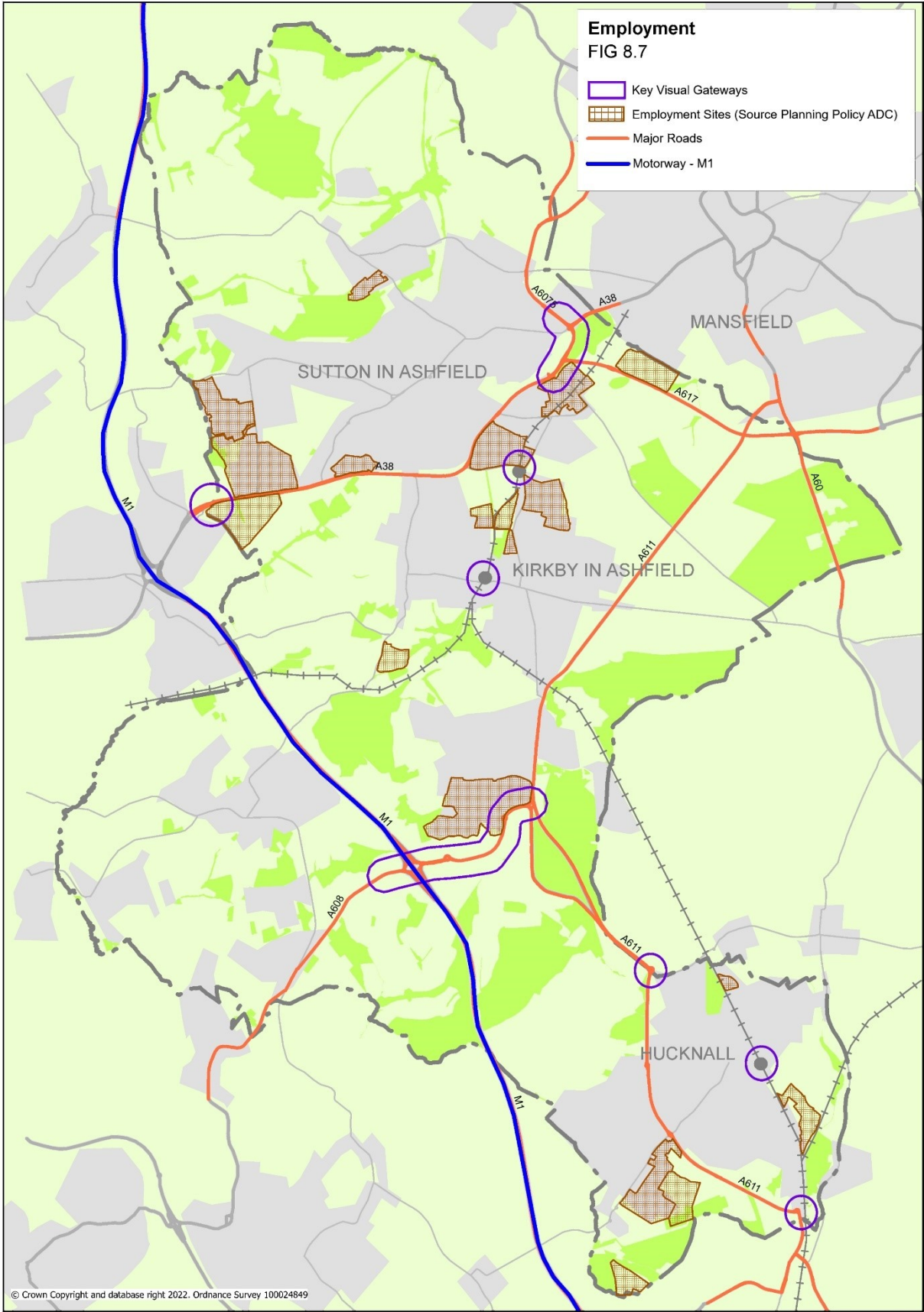


Figure 8.7 Growth and Investment

5.7 SOCIAL

Ashfield is an area with considerable inequalities among its residents. Within the District there are pockets of considerable deprivation, largely attributed to the decline of the mining industry. Deprivation is accompanied by typical societal characteristics, such as low education attainment, low car ownership and poor health. Green Infrastructure offers a unique, free opportunity to help address many of these issues through the range of benefits it can provide.

Ashfield is also an area which has experienced considerable change in recent decades as inward migration to new housing developments in the main settlements has expanded the population considerably. Green Infrastructure offers a means to help encourage social cohesion between existing and new communities, providing public realm space for events, celebrations, activities, and socialising.

5.7.1 Community groups and events

Ashfield District Council has undertaken an extensive community mapping exercise to identify the extent of community activity in the District. Many of the groups identified are associated with Green Infrastructure in some form and can be broadly grouped as; friends groups, residents groups, volunteer groups, interest/campaign groups, activity groups, support groups, asset management groups and educational organisations.

In addition to relationships between formal community groups and Green Infrastructure, there are also a number of more informal ways that the community benefits socially from GI in Ashfield.

Parks and green spaces provide a key venue for events, on land owned by the authority, including festivals, fairs, concerts, and fun-days.

5.7.2 Play

Spaces for play offer an important social function for child development. Ashfield District Council manages 49 play areas across the District's open spaces and maintains a further 13 in the rural areas owned by parish councils. The Public Open Space Strategy 2016 – 2026 aims to improve the quality of play areas and to promote their organised use and promotion.

5.7.3 Local Pride

Green Infrastructure plays a vital part in the way people view their neighbourhood. Along with street cleaning, it is one of the main ways that the public judge the quality of their local environment. Ashfield holds 6 Green Flag Awards (the national standard for green space management) for the main parks and open spaces in the District. The Council has committed to further improvements to secure the seventh park to meet the Green Flag standard and the hope is, 2023 will bring seven awards for the District.



Green Flag Award : Brierley Forest Park

5.7.4 Education

GI sites form an important educational resource, providing opportunities for learning about the natural environment and there are a range of opportunities which could be provided at other sites across the District, particularly within the country parks and main town parks.

5.8 LANDSCAPE AND CULTURE

5.8.1 Landscape

The District has been shaped by a combination of underlying geology, its industrial past and management of the land over centuries. A Landscape Character Assessment for Greater Nottingham was undertaken in 2009 and identified 3 main distinctive landscape types within Ashfield (Appendix 2):

- **Nottinghamshire Coalfields**

An area heavily influenced by industrial activity with landscape features such as former spoil tips. A complex mix of built-up areas, industrial land, dereliction and farmed open countryside, with substantial areas of intact agricultural land, many areas of woodland and semi-natural vegetation. A generally low landscape, with variable hills, escarpments, and broad valleys.

Exceptionally important Coal Measures grasslands occur at Huthwaite, Bagthorpe and Selston. The wet areas support locally important populations of Water Vole, Grass Snake and Great Crested Newt.

- **Magnesian Limestone Ridge**

Sandy Limestones and marls form a ridge that ascends the country from near Nottingham through Ashfield District, where it is very obvious and outcrops to the east of the M1. This is of major geological importance in its own right and in regard to the impact that it has on habitats. Ancient woodland on the Magnesian Limestone is rich in woody species with Bird Cherry, Whitebeam, Wild Service-tree, and Yew. There is a diverse ground-flora in these woods including BAP species such as Bluebell, Herb Paris, Toothwort, and the only site in the county for Mountain St John's Wort. Many of the older hedgerows are rich in shrubs with Buckthorn, Spindle, and wild Berberis. Magnesian Limestone supports a rare type of grassland classed together with those of the Cotswold and Northamptonshire/Lincolnshire Oolitic Limestones. In Ashfield, it occurs where steep natural banks make it difficult to plough and on post-industrial land especially disused railway embankments and cuttings. Both the limestone and the Coal Measures are well-watered with numerous small streams.

- **Sherwood Region**

Located to the east of the Magnesian Limestone Ridge, this area comprises Permo-Triassic sandstones which rise as low hills along the eastern edge of the ridge. This sandstone formation is visible throughout the Sherwood Region at points where it is exposed in cuttings, sites of mineral extraction and natural breaks in the landform such as rivers. Here the soils are dry, poor, light, and pebbly and susceptible to windblow.

As part of the Landscape Character Assessment, recommendations for actions were provided for each local character area, which provide guidelines for protecting or enhancing the distinctive landscapes of the district. The landscape character of the district is also divided into more local character areas (Appendix 2).

The majority of the Landscape Character Assessments identified the Landscape Strength as moderate to good (with some poor). Almost all recommendations were to 'enhance' the existing. The Ashfield Local Plan Review (Adopted 2002) policy related to landscape is mature landscape areas Policy EV4 ALPR 2002.

5.8.2 Culture

Ashfield has a rich industrial and cultural heritage which contributes greatly to its overall character and local values. Notable themes and people include textiles, mining and engineering, D. H. Lawrence, Lord Byron, Ada Lovelace, the composer Eric Coates, the bare-knuckle fighter Ben Caunt and England cricketer Harold Larwood.



Ada Lovelace: Mathematician and writer

A number of landscapes in Ashfield have recognised historical significance, with nine scheduled ancient monuments and two Registered Historic Parks and Gardens, together with six conservation areas and a significant number of listed buildings and local heritage assets.

With the exception of the listed buildings and local heritage assets, the majority of these features are publicly accessible, providing opportunities to link to the Green Infrastructure network and providing informal recreation and enjoyment of open space. Although not always GI resources themselves, Ashfield's cultural assets were included in the mapping, to ensure that connections and access to them are improved as part of the GI network.

Examples of cultural assets that form an integral part of the GI network include:

- Restored pit sites – Ashfield's mining history has left a distinctive landscape of spoil heaps throughout the District. Many have been restored to accessible natural green space over the past thirty or so years and form an important and distinctive element of the overall local Green Infrastructure. Features such as reclaimed pit-wheels and commissioned art works evoke a sense of their past role in the local community, for example at Brierley Forest Park.
- Skegby Hall Gardens - an important example of Georgian 18th century Picturesque style garden design largely developed from 1797 onwards. Many of the original features of the garden have been lost such as the water garden, boathouse, and Temple of Peace, but the ponds and a significant proportion of the original tree planting survive.
- The River Leen – this river corridor connecting Hucknall to the City of Nottingham has a strong association with the cotton industry in the late eighteenth and early nineteenth centuries, with remnants of cotton mills to be found along the eastern edge of Hucknall, including the restored Papplewick Dam at Moor Pond Wood, just outside the district.

Other cultural assets within the district include Annesley Old Church (Grade I Listed Building) and Annesley Hall (Grade II Listed Building), both of which are set in Annesley Hall Park and Garden (Grade II* Listed), St. Mary Magdalene Church, Hucknall (Grade II* Listed Building) - where Lord Byron is buried, Church of St. Katherine, Teversal (Grade I Listed Building) and the wharf area on the Erewash corridor in Jacksdale where coal from the local

collieries was loaded from the railways onto barges for shipment on the Cromford Canal.



Annesley Old Church

As well as protecting and enhancing, there are also a number of important cultural sites just outside the boundary of the District, including two Grade I Historic Parks and Gardens: Hardwick Hall to the north and Newstead Abbey to the east, as well as Codnor Castle to the west. Opportunities exist for improving both physical and visual connections with these sites, to connect them more strongly to Ashfield's communities and GI network.

As well as protecting specific landscapes of historical value, the wider Green Infrastructure also offers potential for reinforcing, celebrating, and exploring local cultural themes among communities. Recent GI projects in the District have emphasised this rich cultural heritage through, for example interpretation panels, artworks, and guided walks.

The 'Hidden Valleys' is a good example of promoting GI as a tourism opportunity and developing a sense of place. Miles of rural walks, cycle paths and bridleways north of Hucknall, encompass the villages of Jacksdale, Underwood, Bagthorpe, Selston, Annesley, Ravenshead, Newstead, Linby and Papplewick (and crossing district boundaries). The routes and their promotion have helped to create a distinctive and cohesive identity for this area, with sites of natural, industrial, and cultural heritage along the routes including Newstead Abbey, Papplewick Pumping Station, Annesley Hall, and Felley Priory.

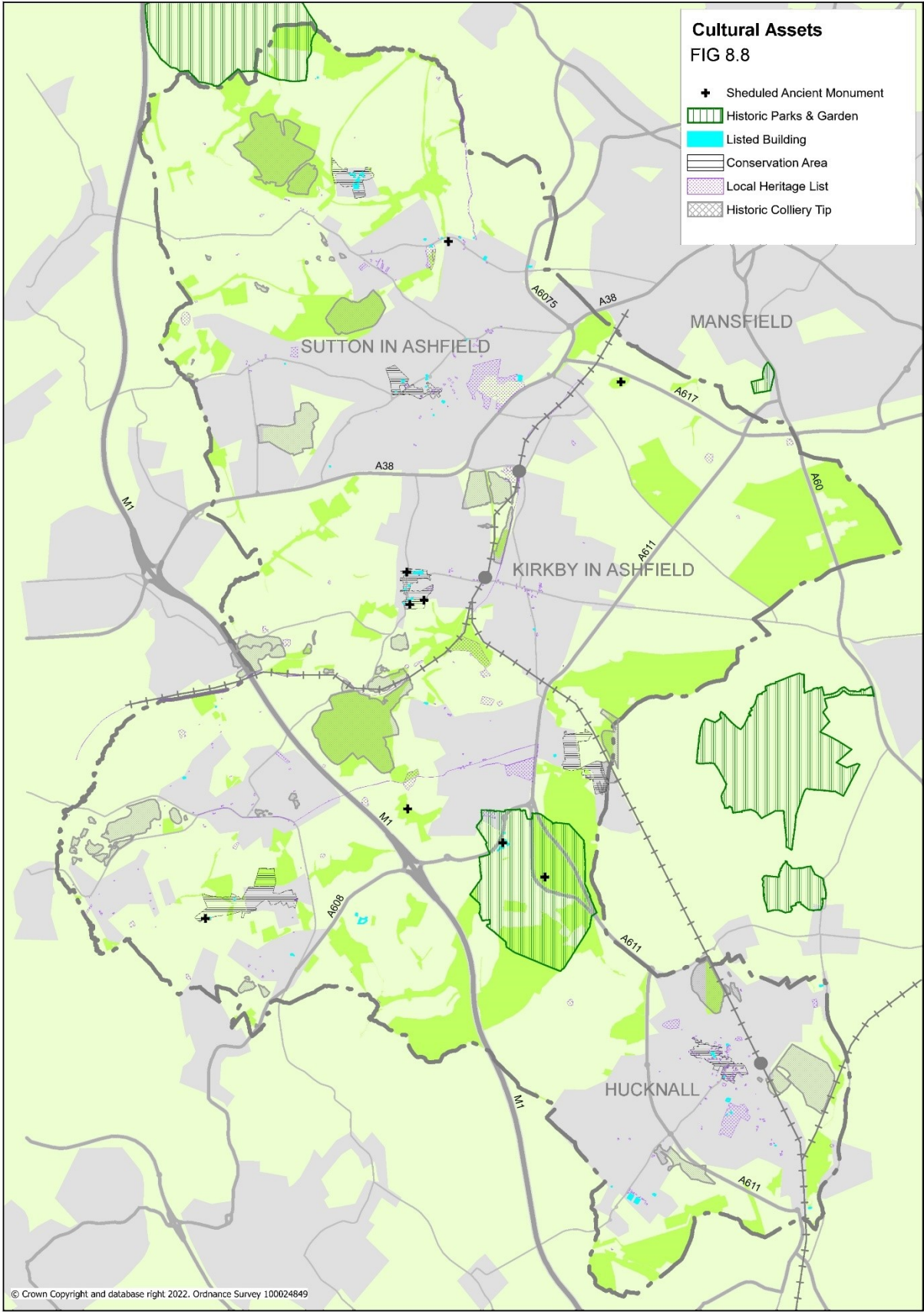


Figure 8.8 Cultural Assets

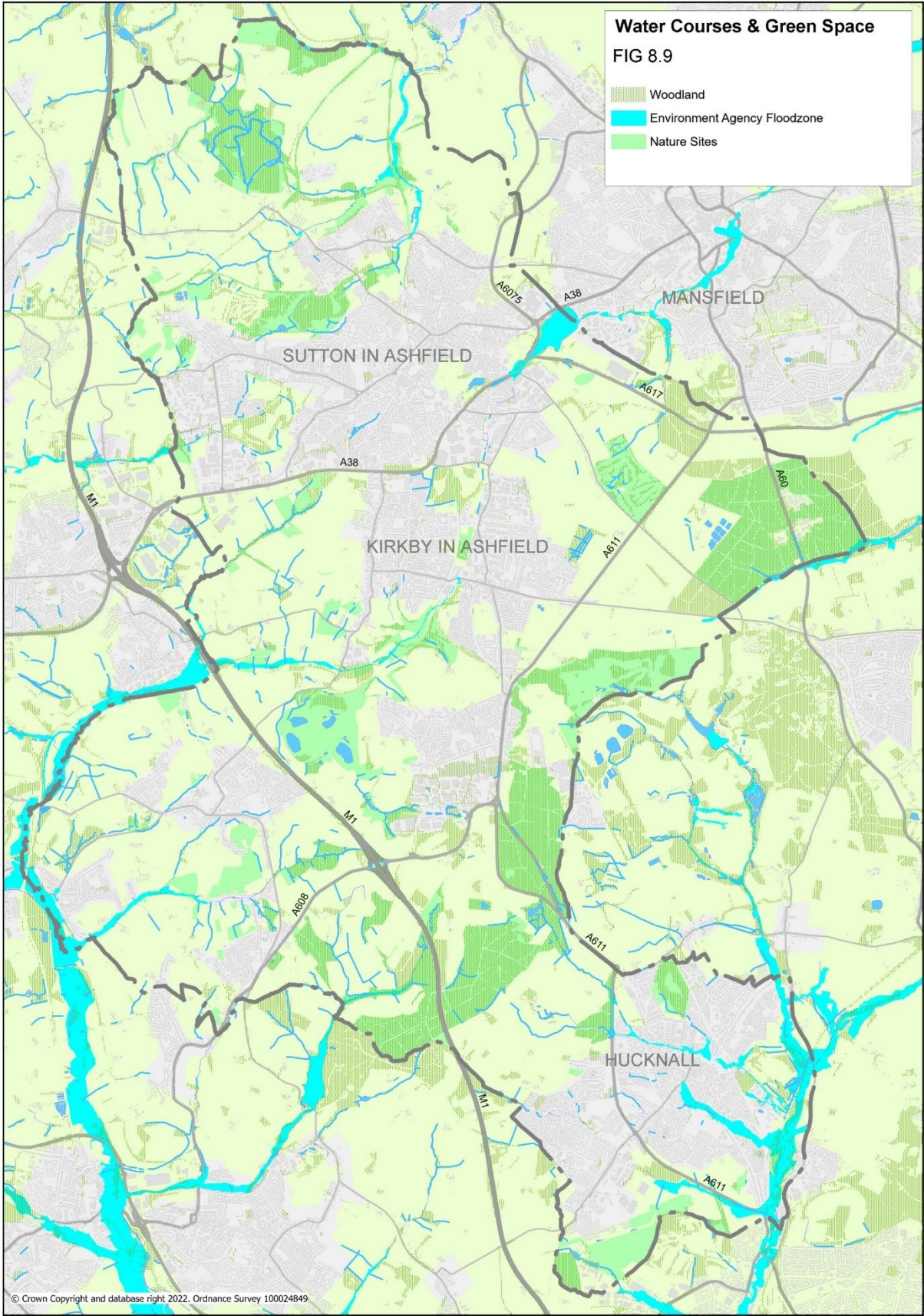


Figure 8.9 Water courses and green space

6. A GREEN INFRASTRUCTURE FRAMEWORK FOR ASHFIELD

6.1 STRATEGIC CORRIDORS

A Green Infrastructure Framework has been developed which identifies key corridors and networks of green spaces.

The framework has been split into strategic corridors and local corridors. Strategic corridors connect key Green Infrastructure resources and/or run between settlements and across district boundaries. Local corridors connect smaller green spaces and/or link neighbourhoods to the strategic network.

The strategic framework is presented at a District level, with a description of each corridor including:

- the key GI resources of the corridor,
- any key physical barriers to access which may limit development or require addressing (for example major road and railway lines),
- any significant 'Green Gaps' (stretches of the corridor with limited green character, or which may significantly limit the movement of wildlife)
- a description of any notable opportunities.

Local corridors are detailed for each of the four main areas of the district with a short description for each (Sutton, Kirkby, Hucknall and the Rural area), again highlighting key opportunities.

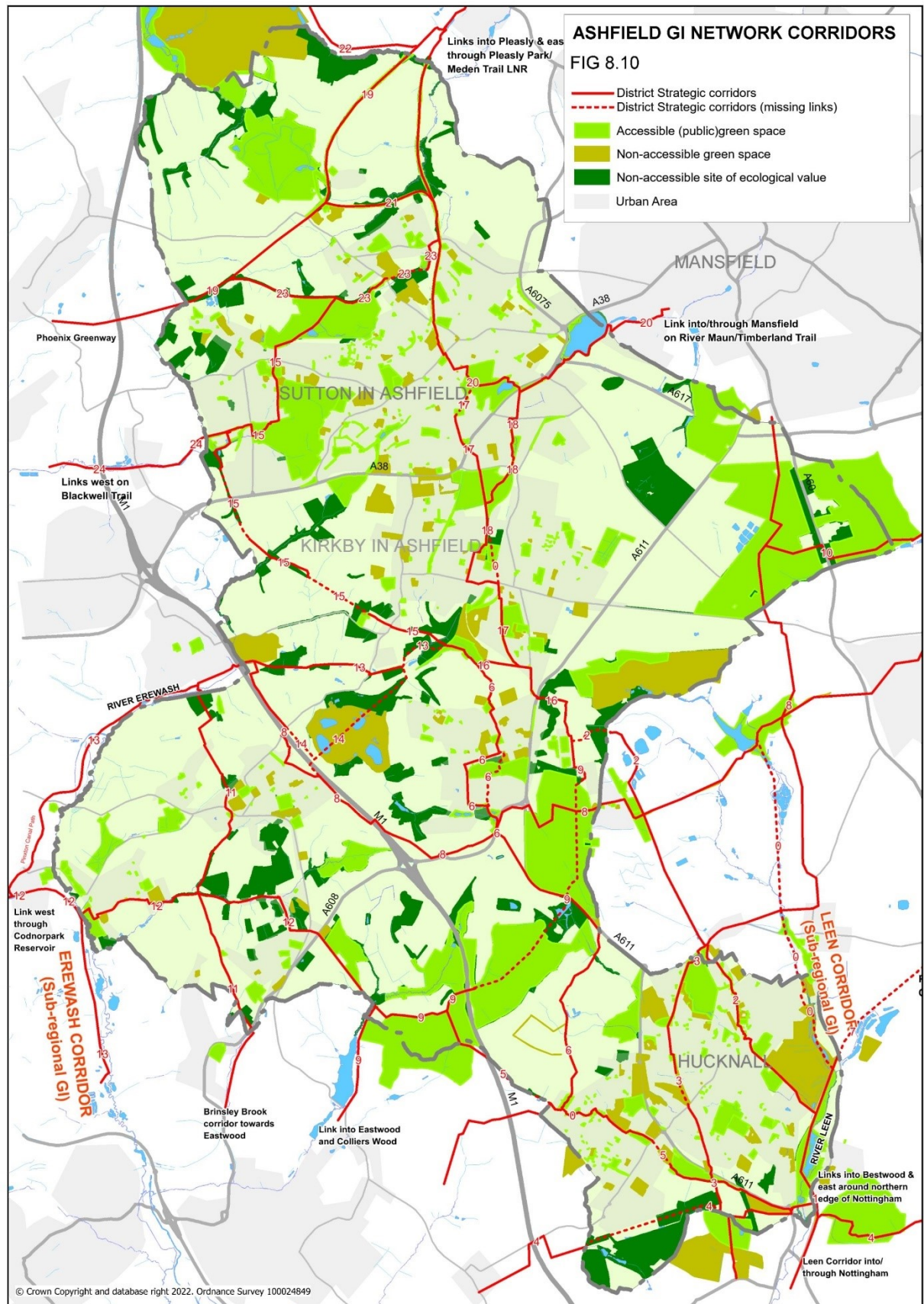


Figure 8.10 Green Infrastructure Network for Ashfield

GI-1: LEEN CORRIDOR

Identified as a sub-regional corridor in the 6Cs GI Strategy, this corridor is part of the larger Leen Valley which extends south through Nottingham City and connects to the River Trent. The corridor follows the river course north from Bulwell, between Hucknall and Bestwood Village, past the major new housing development on Papplewick Lane and towards Newstead Abbey. The National Cycle Route then continues east through Ravenshead.

Key GI resources: Long stretches of the River Leen are classified as LWS sites - Moorbridge Pond Nature Reserve, Mill Lakes, Moor Pond Wood, and the grounds of Newstead Abbey (Grade II Listed). The route also links to Bestwood Country Park in Gedling, one of Nottinghamshire County Council's main country parks. The corridor incorporates part of National Cycle Route 6, out of Nottingham City and into Mill Lakes, as well as stretches of the Robin Hood Way and Hidden Valleys trail.

Key physical barriers: The corridor only runs as far as the north of Mill Lakes at present, pending the adoption of the open space associated with the Papplewick Lane housing development. There is increasingly limited accessibility from Moor Pond Woods north, in terms of narrower footpaths and restrictions to access of the Newstead Estate.

Green gaps: There are limited areas of lesser green value until the Leen enters Bulwell and passes through a series of industrial estates.

Key opportunities: A crossing of the River Leen and Calverton Rail Line has recently been achieved, opening the way to continue access north through the Papplewick housing estate, and along the Calverton Rail Line (see GI-7). Major potential as a sustainable route to work between east Hucknall and Nottingham.

GI-2 ANNESLEY-HUCKNALL-BESTWOOD

This corridor leaves the Leen corridor at Hucknall and runs northwest through north Hucknall, past Linby Village and Newstead Village (both in Gedling District) and enters Annesley at Annesley Rows.

Key GI resources: Mill Lakes LWS, Hucknall Leen Valley Golf Course, Leen Mills Recreation Ground, Linby-Newstead disused railway LWS and Newstead Country Park LWS. The corridor incorporates part of National Cycle Route 6, between Mill Lakes and Newstead Country Park, and connects to the main tram and train station in Hucknall. It also includes parts of the Hidden Valleys Trail. Identified as a City-Scale Green Infrastructure Corridor in the 6Cs GI Strategy.

Key physical barriers: Connections into Annesley from Newstead Country Park (across the railway line) are unclear at present.

Green gaps: Areas of lesser green value include Bestwood Village and Wigwam Industrial Estate.

Key opportunities: The Country Park at Newstead provides a valuable new resource and connecting this to neighbouring communities is a major opportunity to increase access to natural green space, as well as increasing

access to the National Cycle Route from Annesley and the north of the District.

GI-3: HUCKNALL NORTH- BULWELL

Connects Bulwell (in the north of Nottingham City) to the centre of Hucknall and north through Papplewick Village to the Leen Corridor.

Key GI resources: Bulwell Hall Park LWS Farleys Lane Green Space, parts of the former railway line through Hucknall, Washdyke Recreation Ground, The Ranges (a restored colliery spoil heap and LWS) and the Mill Pond Plantation LWS. The corridor incorporates stretches of the Hidden Valleys trail and connects with proposed cycle links in Nottingham. It also runs close to Hucknall Town Centre. Identified as a City-Scale Green Infrastructure Corridor in the 6Cs GI Strategy.

Key physical barriers: The A611 bypass (passable) and an inaccessible stretch of the former railway between Watnall Road and Garden Road.

Green gaps: Areas of lesser green value include the residential stretch of Farleys Lane, and the stretch between Wood Lane and Washdyke Recreation Ground, although both are to a degree connected by private gardens (for wildlife benefit).

Key opportunities: The former railway between Garden Road and Watnall Road is a key opportunity to increase green space in an area of low provision and connect the GI networks of north and south Hucknall.

GI-4: SOUTH HUCKNALL

Connects the north of Bestwood (Nottingham City) with the south of Hucknall and west towards Eastwood.

Key GI resources: Bestwood Country Park LWS, Bulwell Hall Park (LWS including a tributary of the Leen), areas of the Rolls Royce estate (LWS) and Bulwell Hall Wood (a SSSI). The corridor incorporates stretches of the Robin Hood Way. Identified as a City-Scale Green Infrastructure Corridor in the 6Cs GI Strategy.

Key physical barriers: The railway crossing into Hucknall (Mill Lane) is restricted to pedestrians. Capacity of the route is limited to the west as it passes to the south of Rolls Royce.

Green gaps: Areas of lesser green value are limited.

Key opportunities: Major improvements to the route and biodiversity enhancement were carried out in 2011/12, including a new direct link from Bestwood Country Park to Mill Lane. An improved link east has been provided through Merlin Park (part of planned development of the Rolls Royce site).

GI-5: HUCKNALL EAST to MORNING SPRINGS

Connects the south and west of Hucknall to the countryside between Hucknall and Underwood, where it connects with several other corridors.

Key GI resources: A green corridor through Hucknall following Farleys Brook (a tributary of the River Leen) which connects Farleys Lane Open Space, Nabbs Lane Recreation Ground, Holgate School Grounds, the flood prevention system around Polperro Lagoon and Common Farm; Misk Hills and Morning Springs Woodland (LWS and Ancient Woodland). The corridor incorporates stretches of the Hidden Valleys trails. It also passes close to Felley Priory (Grade II listed) with public gardens (limited opening) and the grounds of Hucknall Town Football Club.

Key physical barriers: There is no direct route between Nabbs Lane Recreation Ground and Farleys Lane green space. The accessible route deviates significantly from the main ecological corridor for a section as it leaves Hucknall to the west (Watnall Coppice East).

Green gaps: Areas of lesser green value include culverted sections of Farleys Brook and low value amenity green space (such as Nabbs Lane Recreation Ground). The corridor passes through an industrial area south of Nabbs Lane, which lacks a direct, accessible route (currently via stiles).

Key opportunities: Creation of better link between Farleys Lane Green Space and Nabbs Lane as part of any future development. Biodiversity improvements along Farleys Brook through west Hucknall, and on Nabbs Lane.

GI-6: HUCKNALL EAST- PORTLAND PARK

Connects Eastwood to the western edge of Hucknall and north through Sherwood Business Park, Annesley to Portland Park in Kirkby-in-Ashfield.

Key GI resources: Watnall Brickyard (in Broxtowe, LWS), Common Farm, Wighay Wood (LWS), Annesley Park ponds (inaccessible LWS), Annesley Hall (Grade II listed), Sherwood Business Park grounds, Forest Road Nature Area, Acacia Avenue and Nuncargate Recreation Grounds and Portland Park (SSSI). The southern part of the corridor is identified as a City-Scale Green Infrastructure Corridor in the 6Cs GI Strategy.

Key physical barriers: Annesley Estate (which forces the route onto the busy A611 along narrow paths). Access into/through the Forest Road Nature Area (from north and south - existing accessible routes takes a less direct route to the east).

Green gaps: Areas of lesser green value include Annesley (comprising low-value recreational space and small gardens). Arable areas between woodland are currently reasonably well connected by hedgerows.

Key opportunities: Improving access through Forest Road Nature Area. Improving biodiversity value of recreation grounds. Improving the overall quality of the link between Annesley and Hucknall. Upgrades planned as part of the Towns Fund programme of works.

GI-7: HUCKNALL CALVERTON RAILWAY

A potential future link that would connect the east of Hucknall to Calverton along a disused railway line.

Key GI resources: Mill Lakes (LWS) and Bestwood Duckponds, as well as the line itself. The corridor incorporates a stretch of the Robin Hood Way, and would also connect to the Leen corridor, continuing into Nottingham. Identified as a City-Scale Green Infrastructure Corridor in the 6Cs GI Strategy

Key physical barriers: The line is not currently open to the public. Only a small part of this corridor would fall within the district boundaries.

Green gaps: Limited green gaps due to the linear nature of the line

Key opportunities: The line has been purchased by Nottinghamshire County Council and an access ramp constructed from Mill Lakes, providing the ideal starting point for continuing the 'rail trail' to Calverton when funds allow.

GI-8: PINXTON - THIEVES WOOD

A corridor running east-west across the district from Pinxton, past Selston across to Newstead Park in Gedling, and back into the district at Thieves Wood, linking further north into Mansfield.

Key GI resources: The planted embankments of the M1, Icehouse Wood (Annesley), and the LWS sites of Annesley Forest, Annesley Pit, Newstead Park, and Thieves Wood. Much of the eastern stretch of the corridor follows stretches of the Robin Hood Way and Hidden Valleys trails. There are limited public green spaces along the western stretch between Pinxton and Annesley, where the corridor follows the line of the M1.

Key physical barriers: The M1 motorway limits access to the corridor from Selston to key points.

Green gaps: Areas of lesser green value include the land to the south of Sherwood business park (arable farmland) and Newstead Village (including low value recreational land).

Key opportunities: Limited immediate opportunities.

GI-9: ANNESLEY – EASTWOOD

A linear collection of woodland areas running from Eastwood north across the district (continues north along corridor GI-8)

Key GI resources: a number of Forestry Commission sites (such as Morning Springs, Park Forest, and Annesley Forest), the grounds of All Saints Church, Annesley Recreation Ground and Robin Hood Hills (LWS).

Key physical barriers: Although many of the resources along the corridor are accessible, formal access between them is poor and/or unclear, therefore the corridor is primarily an ecological asset at present.

Green gaps: Well-connected corridor.

Key opportunities: Establishing and formalising accessible routes through the woodland.

GI- 10: THIEVES WOOD TO BLIDWORTH

The route follows the Robin Hood Way through Thieves Wood and the adjoining Harlow Wood before crossing the district boundary into Mansfield District and continuing along the trail.

Key GI resources: The woodland and established trails.

Key physical barriers: Need to cross the A60, but otherwise established trails through the woodland and beyond.

Green gaps: No major gaps within the district.

Key opportunities: The majority of the route is outside the district.

GI-11: PINXTON- EASTWOOD

Connects Selston to Pinxton to the north (and the Erewash Corridor) towards Eastwood to the south.

Key GI resources: New Selston and Greenwell Recreation Grounds, the green break between Selston and Selston Green (including LWS site, Rosemary Hill pastures), grounds of Selston Parish Council and Selston Arts and Community College, the valley of the Bagthorpe Brook to the south of Selston and Bagthorpe Conservation Area. The corridor leads into the Brinsley Brook to the south. The corridor incorporates sections of the Hidden Valleys Trail. Although most of the route can be followed, footpaths and rights of ways deviate from the green corridor at several points through Selston and New Selston, particularly where the corridor passes through institutional grounds in Selston.

Key physical barriers: Limited capacity, relying on standard rural footpaths for much of the corridor.

Green gaps: Areas of lesser green value include the large fields to the north of Selston and the amenity grassland of recreation and school land.

Key opportunities: Improving accessibility of rural paths.

GI-12: MORNING SPRINGS - CODNOR PARK RESERVOIR

Continues from Corridor GI-5, running north west through Underwood and Jacksdale and out of the District into Codnor Park reservoir and further west towards Ripley, Derbyshire.

Key GI resources: Morning Springs (LWS and Ancient Woodland), Underwood Plantation (LWS), Bagthorpe Plantation (LWS), Bagthorpe Grasslands (LWS), Bagthorpe Brook, Jacksdale Nature Reserve and Wharf area, the Cromford Canal and Codnor Park Reservoir.

Key physical barriers: much of the green areas in Bagthorpe are inaccessible (necessitating routes along roads). The only access across the canal towards the reservoir is via stepping stones.

Green gaps: Areas of lesser green value include much of the route through Jacksdale (although some hedgerow follows the corridor).

Key opportunities: Improving links across the district boundary towards the reservoir and the green spaces to the west. A bridge at Wharf Green is required to cross the canal. Improving accessibility of rural paths.

GI-13: EREWASH CORRIDOR

Follows the course of the River Erewash and connects the south of Kirkby to the outlying rural areas in the west of the district, Pinxton, Jacksdale, and south towards Heanor (Derbyshire).

Key GI resources: the Erewash river corridor, Portland Park (Part of Kirkby Grives SSSI/LWS/ LNR), Kirkby Grives Grassland (LWS), Bentinck Colliery (LWS), Langton Marshy Grassland, Hall Green Meadow (LWS), Pye Hill Marshy Grassland (LWS), Wharf Green, Jacksdale Nature Reserve, and Jacksdale/Erewash Meadows (LWS and Nottinghamshire Wildlife Trust Site). The corridor links to, and incorporates a stretch of, the Pinxton Canal Path. The southern part of the corridor is identified as a sub-regional corridor in the 6Cs GI Strategy

Key physical barriers: Although rights of way follow the corridor for the majority of its length, most of these are some distance from the river itself. At times, significant deviations from the corridor are required (for example at Pye Bridge). There is also a significant gap in accessibility between Portland Park and Mill Lane to the south west, which prevents the Erewash corridor from reaching this key Ashfield site.

Green gaps: Areas of lesser green value include the industrial areas as the corridor passes through Pinxton.

Key opportunities: Creating a link along the Erewash corridor between Mill Lane and Portland Park. Increasing access to the river along the corridor.

GI-14: BENTINCK LINK

Connects Selston to Somercotes, Derbyshire.

Key GI resources: Bentinck Void and Bentinck Colliery (both LWS)

Key physical barriers: no direct public link across Bentinck site at present

Green gaps: The soil heap of Bentinck Void forms a 'green gap' in its unrestored form but does hold valuable conservation value as a site supporting a butterfly species of high conservation value (hence LWS status in its current form). Corridor bisected by M1, but links to embankment planting belt of the motorway.

Key opportunities: To secure a good quality public link through any proposed development, linking to Selston, Kirkby Woodhouse and GI Corridor 13 (to Portland Park).

GI-15: BRIERLEY FOREST PARK TO PORTLAND PARK

Connects Portland Park to the southwest of Kirkby and onward to the eastern edge of Sutton-in-Ashfield, following a former railway line.

Key GI resources: Portland Park, Kirkby Grives SSSI and LWS, Springfield Cottage Grassland (LWS), long stretches of disused railway (containing several LWSs), Nunn Brook, Rookery Park, Huthwaite Welfare Park and Cemetery, and Brierley Forest Park. The corridor passes through Kirkby Cross Conservation Area . It also links into the Blackwell Trail at Huthwaite (see GI-24).

Key physical barriers: Inaccessible stretches of the former railway line to the west of Kirkby-in-Ashfield. Slight detour along roads and through an industrial estate between Rookery Park and Nunn Brook, including crossing Common Road – route not clear on the ground. The footpath system of Rookery Park has yet to be fully completed to the east, limiting direct links from Sutton-in-Ashfield.

Green gaps: Areas of lesser green value include stretches of the railway converted to agriculture.

Key opportunities: Major project opportunity to secure access to the disused railway line between Kirkby and Nunn Brook, Huthwaite. Smaller scale opportunity to improve visibility of trail links from Common Road and improve connections at this point. Works potentially to be included in Towns Fund programme.

GI-16: PORTLAND PARK- ANNESLEY ROWS

Connects Portland Park to Annesley Rows and the GI Corridors to the east of the district.

Key GI resources: Portland Park (SSSI/LWS), Robin Hood Hills (LWS)

Key physical barriers: Good access. Some informal footpaths east of Derby Road, however.

Green gaps: Largely an access link at the moment with limited biodiversity value between Portland Park and Robin Hood Hills.

Key opportunities: Creation of woodland blocks to better connect the habitats of the two woodland and increase the green character of the route.

GI-17: KIRKBY SOUTH – SUTTON LAWN

Connects the south-east of Kirkby (and Annesley) with the east of the town and onwards north into Sutton-in-Ashfield.

Key GI resources: Kingsway Park (and the adjacent footpath on the disused railway line), West Park (and neighbouring plantation), Kirkby Wasteland (LWS), Kirkby Summit and Kirkby Hardwick Summit (restored spoil heaps). Taylor Crescent and Hardwick Lane Recreation Grounds and Sutton Lawn.

Key physical barriers: Kirkby town centre causes a significant detour from the corridor due to buildings and the railway which bisects the town. There is no current link between Hardwick Lane and Sutton Lawn.

Green gaps: Areas of lesser green value include the centre of Kirkby-in-Ashfield, Penny Emma Way industrial estate, the recreation grounds of Sutton, and Hardwick Lane (although private gardens provide some habitat linkage).

Key opportunities: Increasing the biodiversity value of recreation ground land; upgrading the bridleway between the two summit sites; securing a more direct green link through Kirkby town centre. Works potentially to be included in the Towns Fund programme.

GI-18: KIRKBY HARDWICK SUMMIT – SUTTON LAWN

Offers an alternative green route between these two points, following the River Maun.

Key GI resources: Kirkby Hardwick Summit, the River Maun Valley, Orchid Drive open space and Sutton Lawn. The corridor passes Sutton Parkway railway station, and the historic estate of Kirkby Hardwick (private).

Key physical barriers: The route across the spoil heap is informal and access into and out of the Maun Valley is indirect.

Green gaps: The link between Maun Valley and Sutton Lawn (limited to patches of private gardens).

Key opportunities: Creation of a direct route into Maun Valley site from both Sutton Parkway station (south) and Station Road (north). Formalisation of routes over Kirkby Hardwick summit (a Nottinghamshire County Council site). Works potentially to be included in the Towns Fund programme.

GI-19: PLEASLEY- TIBSHELF

Connects Pleasley to Teversal, Fackley, the north west tip of Huthwaite and out into Derbyshire towards Tibshelf.

Key GI resources: the Teversal Trails network (a restored disused railway and SINCE including areas designated as SSSI), the restored Silverhill colliery, other sections of the disused railway network including Whiteborough Railway (LWS), and Tibshelf Ponds. The corridor incorporates sections of the Teversal Trails, Five Pits Trail and Phoenix Greenway and leads into the Meden Trail to the north.

Key physical barriers: Established as a major green recreational route – no major barriers.

Green gaps: As a former railway provides good linear habitat without major breaks. Less value along southern stretch between Teversal and Huthwaite. Works potentially to be included in the Towns Fund programme.

GI-20: PLEASLEY- KINGSMILL RESERVOIR

Connects Pleasley with Skegby via the popular Teversal Trails and into the centre of Sutton-in-Ashfield, then onwards east into the south of Mansfield.

Key GI resources: the Teversal Trails (LWS), Teversal Pastures (SSSI), the Stoneyford Trail, Quarrydale Recreation Ground (including a disused quarry designated a LWS), Stoneyford Road Recreation Ground, Priestsic Road Recreation Ground, Sutton Lawn, the Maun Way (a section of disused railway adjacent to the A38), Kings Mill Reservoir, and the River Maun leading into

Mansfield. The corridor incorporates sections of the Teversal Trails (leading to the Meden Trail) and the 'Lower Linear Route' through Sutton-in-Ashfield.

Key physical barriers: Although accessible, the route between Priestsic Road and Sutton lawn through the centre of Sutton is not clear on the ground. Some busy roads bisect the strong linear trail between Sutton and Pleasley.

Green gaps: Areas of lesser green value include the centre of Sutton, from the end of the Stoneyford Trail to Sutton Lawn, with limited private gardens space to help bridge the gap.

Key opportunities: A stronger link between the southern tip of the trail at Northern View/Priestsic Road and Sutton Lawn, potentially secured through development. Works potentially to be included in the Towns Fund programme.

GI-21: TEVERSAL-SKEGBY

Connects Teversal to Skegby along a stretch of the Teversal Trails.

Key GI resources: Teversal Grange Sports Ground, Coppy Wood (LWS), the Trail itself and Teversal Pastures (SSSI).

Key physical barriers: Part of an established trail network- no major barriers.

Green gaps: Well-connected linear corridor.

Key opportunities: Key opportunities already realised as part of successful Teversal Trail network.

GI-22: ROWTHORNE TRAIL

Leads north out of the district from the tip of the Teversal Trails into Bolsover (Derbyshire).

Key GI resources: Rowthorne Trail LN.

Key physical barriers: Part of an established trail network-no major barriers

Green gaps: Well-connected linear corridor.

Key opportunities: Outside Ashfield district.

GI-23: SKEGBY-HUTHWAITE

Links Skegby and Healdswood with the green space network to the west, and recreational trails into Derbyshire.

Key GI resources: Skegby Hall Gardens (LWS and notable historic landscape), Stanton Hill Grasslands (LWS), Skegby Brook, Brierley Forest Park (LNR and 4 LWS's) and Stubbinghill Farm Meadow (LWS). The corridor leads into the Five Pits Trail and Phoenix Greenway (into Derbyshire).

Key physical barriers: Lack of formal links between Skegby Hall Gardens and Brierley Forest Park.

Green gaps: There are limited areas of lesser green value.

Key opportunities: Securing an accessible green link through Skegby quarry/Stanton Hill Grasslands potentially through development.

GI-24: BLACKWELL TRAIL

Leads west from Huthwaite into South Normanton, Derbyshire, along a former railway line.

Key GI resources: The Nunn Brook and former railway sidings around it (LWS sites), and the Normanton Brook on the Derbyshire side.

Key physical barriers: Established trail – no major barriers. Awareness may be limited due to location of trail entrance within industrial estate.

Green gaps: Former rail line – good continuous green corridor.

Key opportunities: Increasing visibility of trail entrance from Common Road.

6.2 LOCAL CORRIDORS

HUCKNALL

H1 Blenheim Lane

Important link from Watnall Road into Bulwell in Nottingham City and part of Robin Hood Way. Opportunities to link into potential development on Rolls Royce site.

H2 Blenheim Lane – Bulwell Hall Park

Gateway into Bulwell Hall Park from the west and part of Robin Hood Way. Opportunities to improve gateway into the park and to upgrade path as part of potential Rolls Royce development.

H3 Rolls Royce site south

Potential link as part of new development to better connect west Hucknall to Nottingham city and the Blenheim Lane business park

H4 Rolls Royce site north

Another link through potential development to provide local circular routes and link proposed housing to the eastern Bulwell Hall Park entrance. Links into west Hucknall via existing bridleway onto Daniels Way.

H5 Hazelgrove link

Connects Hazelgrove neighbourhood with the potential Rolls Royce development site and south towards Bulwell Hall Park. Opportunities to improve the quality of narrow existing Right of Way.

H6 Titchfield Park – Bestwood Village link

Follows a tributary of the River Leen from Watnall Road, through the main town park and east towards Bestwood Village and the River Leen Valley.

Opportunities for improved signage but limited opportunity to create a continuous green route due to existing built areas.

H7 Farleys Lane former colliery lines

An alternative route south following former colliery rail lines, providing well used circular routes, and providing access to natural green space for Broomhill neighbourhood. Recently upgraded.

H8 Potential future link into development site on Nottingham Road

H9 Rolls Royce – Bolingey Way

Provides a connection from western end of Rolls Royce potential development site north to the western Hucknall neighbourhood. Opportunity to link into the Rolls Royce site through development plans. (outside district).

H10 Eelhole Wood

Potential link west through Eelhole Wood if access can be secured (outside district).

H11 Link to Dob Park

Footpath connecting neighbourhoods of north Hucknall to Dob Park. Opportunities to enhance gateways into Dob Park and formalise routes through fields south of Arrow Centre.

H12 North Hucknall – Watnall Coppice

East-west route connecting the National Cycle route in the east of Hucknall to north Hucknall neighbourhoods and east past Washdyke Recreation Ground into Dob Park and beyond towards the countryside footpaths east of Hucknall. Opportunities to enhance the environment through George Street neighbourhood and to improve legibility of links to Hucknall Leisure Centre in particular. Potential to link to National Cycle route limited by rail crossings.

H13 The Ranges

Links residential estates off Linby Road with the Ranges open space and to the central Hucknall GI route (GI-3). Also links to National Cycle Route. Potential to link to cycle route limited by rail crossing.

H14 Leen corridor link through Papplewick estate

Link secured as part of Papplewick Lane housing development, linking central Hucknall and the train/tram station with the River Leen Valley.

H15 North Hucknall – Annesley Woods

Footpath connecting north Hucknall communities with the footpath network around Annesley Woods and beyond.

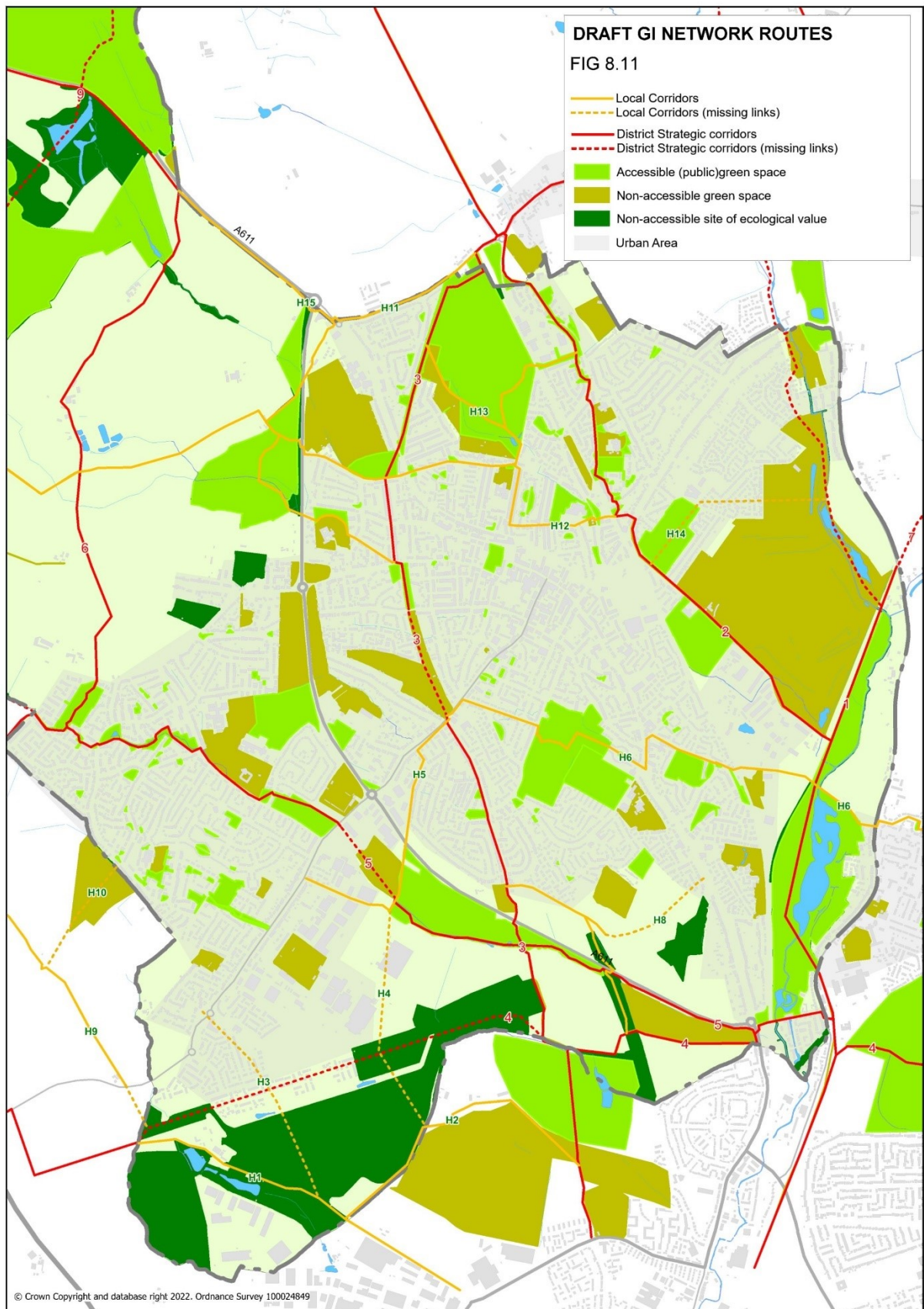


Figure 8.11 Green Infrastructure Network for Ashfield - Hucknall

SELSTON, JACKSDALE AND UNDERWOOD

R1 Jacksdale Wharf - Jubilee

Follows a line of green spaces along the course of the River Erewash and north into the village of Jubilee.

R2 Underwood - Jacksdale

Route linking the west of Underwood village with Jacksdale and further west to the River Erewash and Pinxton Canal. Poor links west out of the district which could be improved.

R3 Underwood links

Path connecting neighbourhoods in Underwood with GI-11 and GI-12.

R4 Underwood-Bagthorpe

Provides a circular route for walkers between Underwood and Bagthorpe.

R5 Bagthorpe-Selston (east)

Provides an off-road link from Underwood to Wood Nook and links east to GI-6.

R6 Bagthorpe-Selston (central)

Connects Bagthorpe with the community centre of Selston.

R7 New Selston links

Connects New Selston with the Erewash Valley (G-13) and south to Bagthorpe Brook (GI-11). Also links to Selston Golf Course.

R8 Mansfield Road – Selston Leisure Centre

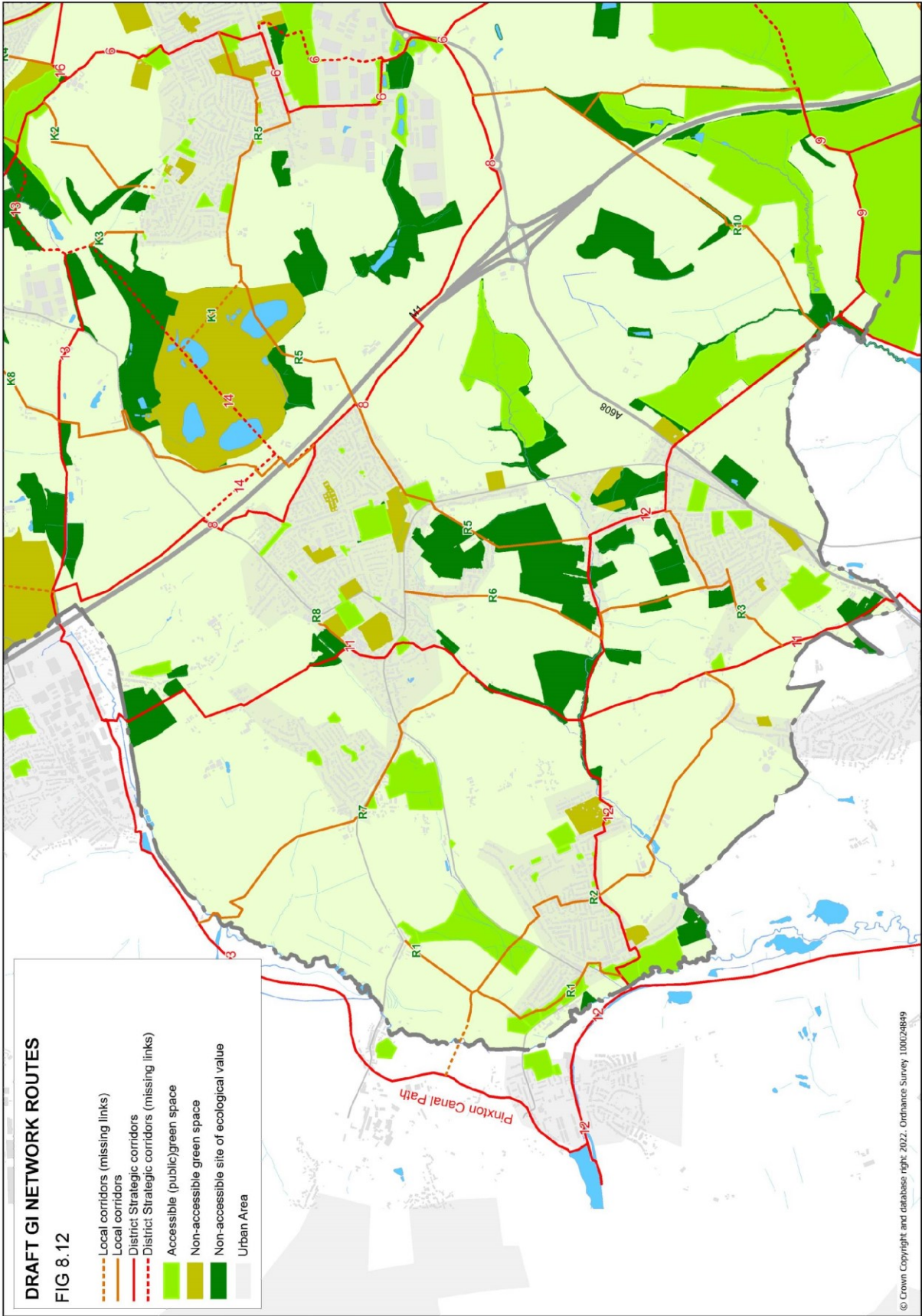
Short link connecting Selston communities to the Leisure Centre, School, and Library, and to the main GI corridor north and south from the village (GI-11).

R9 Bentinck West

Existing rights of way connecting the east of Selston with the Erewash Valley (GI-12). Potential to enhance as part of any restoration of the Bentinck Void site.

R10 Felley Mill – Annesley Hall

A bridleway forming a link between these two historic estates. Also links south to Morning Springs and GI-9.



**Figure 8.12 Green Infrastructure Network: Rural Area
KIRKBY IN ASHFIELD**

K1 Bentinck Void – Annesley

A potential future link to connect residents of Annesley to any future green space resource on the Bentinck Void site. Connects to the centre of Annesley and Acacia Avenue Recreation Ground via various footpaths and cut-throughs. Potential to enhance green character of the corridor through Annesley to better connect individual sites.

K2 Main Road – Portland Park

Footpath connecting the west of Annesley with this key GI resource. Lacking a direct link to Main Road, which may be a future opportunity to create a clearer gateway to the countryside.

K3 Annesley – Mill Lane

A short link which would become more important if access along GI-14 was secured, as it would provide a direct link between this and residents in the west of Annesley.

K4 Lindleys Lane

Provides an important direct link between Kirkby residents and Portland Park, passing through a major new housing development. Some green value retained in the form of boundary hedges.

K5 Lane End links

A green route into Portland (although less direct than K4), following a former rail line, and requiring the crossing of a stepped bridge. Lane End recently enhanced as an open space for people and wildlife. Potential to enhance routes into Portland Park through the planned future extension of the park.

K6 Kirkby West - Kingsway Park

A greener route to Kingsway Park than following Victoria Road/Urban Road but involves steps to cross the railway. Potential to formalise footpath through Studfold Farm as part of green space provision of neighbouring development.

K7 Laburnum Avenue – A38

Mainly rural footpaths which offer a link from the Conservation Area of Kirkby Cross, north towards Sutton-in-Ashfield.

K8 Titchfield Park – Kirkby Summit

A long corridor which provides access to key GI resources for residents in the west of Kirkby. The corridor includes a green link all the way from Kirkby Summit down to Chapel Street. The link from this point to Titchfield Park is via roads and has little green value. Opportunities to address this may be limited but would have a positive effect on this streetscape. The gateway to Titchfield Park also has scope for enhancement.

K9 Northeast Kirkby

A series of small neighbourhood spaces along the northern edge of this neighbourhood, which is otherwise lacking in green space, including David Street ('The Landing') and Beacon Drive ('Holiday Hill'). There are no rights of

way into the countryside in this area, and there may be potential to continue the corridor into the countryside via Coxmoor plantation and link north to Cauldwell Wood.

K10 Kirkby – Thieves Wood

Although little more than a verge, this corridor is the main link between Kirkby-in-Ashfield and the major GI resource of Thieves Wood. Access is currently very poor, with no roadside pavement for much of the route and enhancements could help to address poor access to natural green space from this area of Kirkby.

KIRKBY-SUTTON LINKS

KS1 Central Kirkby-Sutton link

This route provides a key link between Kirkby west and Sutton, along an established bridleway. There is potential to enhance the route along Sutton Middle Lane as part of any development of this site, and Clare Road has potential as a more inviting gateway site. Much of the route north into Sutton is on roads, which limits potential, but any opportunity to 'green' this corridor would be beneficial. The route also continues south towards West Park, again on roads and cut-throughs.

KS2 Western Kirkby-Sutton link

A potential further link between the two towns, making use of the A38 bridge, which crosses to the industrial sites north of the A38 and also continuing as a green corridor north into the Calladine estate (secured through development). The bridge has poor connections to the south at present and any opportunity to link into the residents of west Kirkby would greatly increase its value.

SUTTON IN ASHFIELD

S1 Rookery Park – Sutton Lawn

This provides a corridor through the heart of Sutton-in-Ashfield, and links communities to the natural green spaces of Rookery Park and Calladine Pond. Completion of Rookery Park should provide links to GI-15. The Calladine estate offers substantial green corridors, but links further east to Sutton Lawn are less attractive, following High Pavement for a section. Connecting to Sutton Lawn would rely on securing the necessary connection described in GI-17 (at the back of Hardwick Recreation Ground). Any scope to enhance High pavement to provide greater GI benefit would be positive and create a much stronger green link across the town.

S2 Rookery Park path

A footpath link between residents in the north of Huthwaite and the employment opportunities of the industrial areas to the south and southwest. Upgraded in 2012.

S3 Huthwaite Welfare – Peveril Drive

A green route of rural character on the very edge of Huthwaite and linking into Sutton close to the Lammas Leisure Centre. Connects the key GI resources of Huthwaite Welfare Park and Rookery Park.

S4 Sutton Meadows – Brierley Forest Park

A north-south corridor linking Brierley Forest Park to Rookery Park, via green housing estate links, and continuing south (mainly via roads) to Sutton Meadows. Limited green value around Alfreton Road.

S5 Brierley Forest Park- Stoneyford Road trail

Connects GI-15 through Brierley Forest Park with the residential area of the Oval. Has the potential to link to the Stoneyford Trail, which would provide access to the wider Trails network and Sutton Lawn, if access through Stoneyford Road allotments could be achieved. Enhancing green 'islands' along the route would benefit wildlife links in the absence of a public link.

S6 North Huthwaite Links

A series of footpaths which provide access to the major Trails network to the north, and Brierley Forest Park to the east.

S7 Meden Bank footpath

A Right of Way west out of Meden Bank which provides a link to the major trails network (GI-19).

S8 Healdswood – Silverhill

Of limited green value but provides an important link between Healdswood communities and the Silverhill colliery site – a major local GI resource. Also continues west into Derbyshire along rural footpaths. Unavoidably follows Fackley Road for much of its length save for a footpath linking through to Healdswood Recreation Ground. Ecological links continue south towards Skegby Quarries, but public access is not possible at this time. This could be explored as part of any future development in this area.

S9 Silverhill - Hardwick

A strong ecological link north out of the district, but currently without public access. Such a link would connect Hardwick Park with the Trails networks of Ashfield and Derbyshire.

S10 Skegby north

A series of footpaths that connect residents of this part of Skegby to the neighbouring Teversal Trails and also to St Andrews churchyard. Green space provision in the area could be enhanced by improving access to the Skegby Quarries site next to the churchyard.

S11 Skegby - Mansfield

A rural footpath which links Skegby, and the Teversal Trail route, with Mansfield in the east. Also provides direct access to the Teversal Trail (GI-20) for residents in this area of Skegby.

S12 Maun Valley – Coxmoor Golf Course

A link east for residents around Kirkby Folly Road, and also the business parks of Penny Emma Way. Links to GI-18 and Sutton Parkway train station.

S13 Kirkby Folly Road – Cauldwell Wood

The creation of the MARR route rendered this road a dead end and provides potential for development as a green corridor connecting the east of Sutton with Cauldwell Wood and the Cauldwell Brook (and the south of Mansfield). Linear green space around Kirkby Folly Road provides a green finger into the built up area.

S14 Kingsmill – Cauldwell Wood

An existing link along the new MARR road connecting Kingsmill reservoir (and GI-20) to the east towards Cauldwell and Thieves Wood. Potential to enhance the ecological connections along this stretch and also enhance the green character for those travelling along it.

S15 Bleak Hills Lane

A green route leading from Kingsmill reservoir into Mansfield, through a large business park (outside the district).

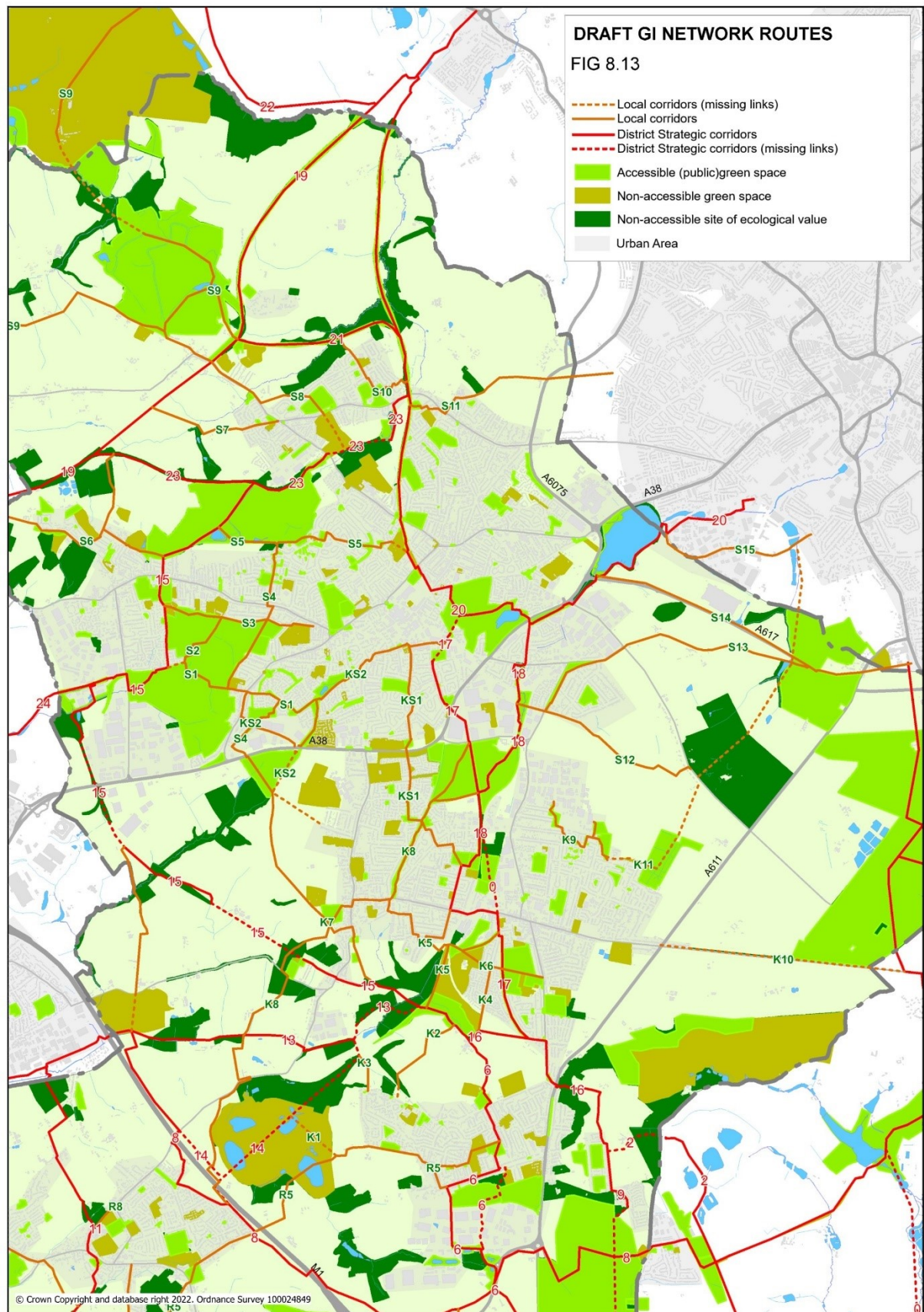


Figure 8.13 Green Infrastructure Network: Kirkby and Sutton

6.3 DELIVERY

An Infrastructure Delivery Plan (IDP) is being developed as part of the Local Plan process and will assist the Council to identify infrastructure and service requirements (including GI) which will be required to ensure that growth is sustainable. The IDP will also support funding bids and engagement with infrastructure providers. Creation of some GI corridors will be much longer term, as they rely on larger housing development sites being designated and brought forward through the Local Plan process. Other funding sources which can support the delivery of GI are likely to be the Local Transport Plan (via the County Council), Levelling Up Fund and other grant sources for example health programmes.

Masterplanning of future development sites provides an opportunity to deliver GI. Development briefs can be used to ensure that GI is delivered by the developer which is currently achieved through Section 106 agreements.

Masterplanning can also be used to maximise the environmental opportunities and address the constraints of the site and its surroundings, with protection and enhancement of existing environmental assets and the creation of new ones a priority for Ashfield.

The planning process provides considerable potential to promote and deliver GI through:

- “The protection, restoration, and enhancement of existing green infrastructure, increasing functionality
- The creation of new Green Infrastructure
- The linking of Green Infrastructure assets where developments coincide with or adjoin existing green space”. Green Infrastructure Guidance, Natural England.

Design and access statements are used to verify that applicants have considered the surrounding area and how a proposed development has been informed by what already exists. A key part of the statement is an explanation of how local context, including landscape character, biodiversity, and heritage, has influenced the design. Statements can provide an opportunity to ensure key Green Infrastructure assets on and adjoining a site, are protected, and enhanced through the development management process.

8.0 APPENDICES

Appendix 1: Policy context

Policy Documents

National Level

- National Planning Policy Framework, 2021
- Planning Practice Guidance Natural Environment, 2019
- A Green Future: Our 25 Year Environment Plan to improve the Environment, 2018
- Natural Environment & Rural Communities Act ,2016
- UK 30 x 30 target, 2019
- Introduction to the Green Infrastructure Framework - Principles and Standards for England. Natural England ,2022
- National Design Guide, 2021
- National Model Design Code, 2021
- The Biodiversity UK Action Plan, 1994
- Grey to Green, CABI Space 2009
- State of Nature, 2019
- Improving access to greenspace: A new review for 2020 (Public Health England), 2020

County / Greater Nottingham Level

- 6Cs Green Infrastructure Strategy, 2010
- Greater Nottingham Landscape Character Assessment, 2009
- Nottinghamshire County Council Rights of Way Management Plan, 2018
- The Nottinghamshire Biodiversity Opportunity Mapping Project Ashfield District, 2016
- Greater Nottingham Blue-Green Infrastructure (BGI) Strategy, 2021
- Local Biodiversity Action Plan in Nottinghamshire,1998

Ashfield District Council Level

- Ashfield Climate Change Strategy 2021 - 2026
- Strategic Flood Risk Assessment (ADC), 2009
- Ashfield Playing Pitch Strategy 2017 -2020 (ADC)
- Active Lifestyles Strategy for Ashfield 2017 - 2021(ADC)
- Ashfield Health and Wellbeing Partnership Strategy Be Healthy, Be Happy, 2021 – 2025
- Ashfield Public Open Space Strategy 2016 – 2026 (ADC)
- Ashfield Corporate Plan 2019 - 2023
- Ashfield Local Development Framework Infrastructure Delivery Plan 2016
- Ashfield Local Plan Review,2002

Appendix 2- Local Landscape Character Areas

Character Area (DPZ): NC03 – Selston and Eastwood Urban Fringe Farmland

Description: Strong undulating landform, the coal measures underlying the area have had a significant impact on the land use in the past, which is still visible in restored landscapes and coal mining relics. Many smaller settlements in the area giving it an urban fringe character, land use is agricultural with field sizes being medium to large and geometrically shaped. Partially woodland appearance with new woodland planting on restored mineral workings.

Accessibility: A network of roads and public rights of way bisect the area.

Landscape Strength: Moderate (enhance).

Character Area (DPZ): NC04 – Moorgreen Rolling Woodland

Description: Rolling landform which includes enclosed valleys, steep slopes, and wooded plateaus. Rural character, agricultural with arable farming on the valley slopes and plateaus. Pockets of farmland are nestled between large woodland blocks. Fields sizes are larger on the slopes and plateaus and smaller and narrower along the valleys. Well wooded area with coniferous and mixed woodland blocks.

Accessibility: Limited access is provided by roads and rights of way.

Landscape Strength: Moderate-Good (conserve and enhance).

Character Area (DPZ): NC05 – Kirkby Coalfield Farmlands/ Kirkby Vales

Description: Strong undulating landform, semi-rural in character, agricultural land use. Field sizes are medium to large and geometrically shaped, with the boundaries mostly hedgerows. Woodland is typically linear and follows the base of slopes, watercourses, and a dismantled railway. Built form is typically restricted to scattered farms although the area extends to the urban fringes of Kirkby-in-Ashfield. Overhead lines and major road are prominent.

Accessibility: Little of the character area is accessible with the exception of the few public rights of way.

Landscape Strength: Moderate (enhance).

Character Area (DPZ): NC06 – Fulwood Restored Works

Accessibility: Small, enclosed area of undulating land, deeply sloping in places. Largely comprises an area of former industry and landfill site. Urban fringe character influenced by adjoining development. Mixture of rough grassland, farmland, and vacant and derelict land. Field boundaries are predominantly mature hedgerows. Woodland is typically young plantations on restored land.

Accessibility: Majority of area is publicly accessible by many rights of way.

Landscape Strength: Poor (restore/ create).

Character Area (DPZ): NC07- Stanley and Silverhill

Description: Strong undulating ground with prominent hills and ridges, distinctive woodland covered domed hill on spoil heap at Silverhill. Field pattern of mostly modern origin, field boundaries are mostly hedgerows.

Agricultural landscape of rural character where urban areas and villages are infrequent.

Accessibility: Little of the character area is accessible with the exception of Silverhill.

Landscape Strength: Moderate – Good (conserve and enhance).

Character Area (DPZ): NC08 – River Meden Valley

Description: Gently sloping narrow valley landform, predominantly rural character in the north, extending to urban fringes in the south of the area. Land use is a mixture of arable and pasture with some pockets of woodland. Built form is sparse and typically restricted to scattered farmstead and the urban fringes of Stanton Hill and Skegby.

Accessibility: Limited access with few public rights of way.

Landscape Strength: Good (conserve).

Character Area (DPZ): ML16 – Nuthall Lowland, Wooded Farmland

Description: Low lying undulating landform, small ponds scattered throughout. Urban fringe character, however, pockets of land with uninterrupted rural character also exists. Land use is predominantly arable farming with field sizes generally large and irregular. Medium sized blocks of woodland are common through the area.

Accessibility: Limited access with few public rights of way.

Landscape Strength: Moderate (enhance).

Character Area (DPZ): ML17 – Linby Wooded Farmland

Description: Flat to gently undulating natural land, although restored mineral working sites create artificial elevations in the landform. Urban fringe farmland character but urban fringe of Hucknall does not have a strong influence in the area despite its close proximity. Large woodland block, field sizes are medium to large with fragmented hedgerows.

Accessibility: Limited access with few public rights of way.

Landscape Strength: Moderate (enhance).

Character Area (DPZ): ML18 – River Leen Corridor

Description: Low lying land with gently undulating landform, area located between the urban fringes of Hucknall and north Nottingham, but woodland hedges filter the views to the urban edges. Land use is predominantly mixed farming, areas of recreation land are also common. Historic field pattern has been lost.

Accessibility: Little of the character area is accessible with the exception of the few public rights of way.

Landscape Strength: Moderate (enhance).

Character Area (DPZ): ML19 - Kirkby Quarry, Portland Park, and Rise Hill

Description: The area is strongly associated with limestone quarrying; landform is disturbed in part by past quarry activity. Landform is typically strong undulating with steep slopes, landscape influenced by urban elements and has urban fringe character. Field boundaries are mostly hedges.

Accessibility: Area is publicly accessible by many rights of way.

Landscape Strength: Poor (restore/ create).

Character Area (DPZ): ML20 – Kirkby Plateau

Description: Flat broad plateau adjacent to the urban fringes of Kirkby and Sutton. Land falls sharply at the edge of the plateau to south and west, predominantly arable farming, eroded field patterns which are irregular. No significant woodland.

Accessibility: Area is mainly publicly accessible by rights of ways.

Landscape Strength: Poor – Moderate (enhance and restore).

Character Area (DPZ): ML21 – Brierley Forest Park

Description: Prominent man-made landform of restored former colliery with 'engineered' slopes. Primarily recreation and large areas of immature woodland plantation and grassland. Absent field pattern. Enclosed by urban areas of Sutton, Stanton Hill and Huthwaite.

Accessibility: Publicly accessible.

Landscape Strength: Moderate (enhance).

Character Area (DPZ): ML22 – Sutton and Teversal Plateau

Description: Gently rolling landform rising to a broad plateau with an open character. Agricultural landscape with infrequent urban elements. Past mining features are notable, field boundaries comprise hawthorn hedges. Woodland blocks are prominent.

Accessibility: Little of the character area is accessible with the exception of the few public rights of way.

Landscape Strength: Good (conserve).

Character Area (DPZ): ML23 – Skegby Plateau

Description: Area of farmland, predominantly rural character but influenced by urban elements, field pattern varies throughout the area and are medium to large in size, bounded by hawthorn hedges. Built development is limited in the area.

Accessibility: Little of the character area is accessible with the exception of the few public rights of way.

Landscape Strength: Good (conserve).

Appendix 3: Designated sites

Sites of Special Scientific Interest (Policy EV5 – Ashfield Local plan Review 2002)

- Ra Bulwell Wood, Hucknall
- Rb Friezeland grassland, Underwood
- Rc Bagthorpe meadows
- Rd Annesley Woodhouse quarry
- Re Bogs Farm Quarry, Annesley Woodhouse
- Rf Kirkby Grives, Kirkby
- Rg Teversal pastures, Teversal
- Rh Teversal to Pleasley Railway
- Ri Dovedale Wood, Hardwick

Mature Landscape Areas (Policy EV4 – Ashfield Local Plan Review 2002)

- Ra South of Hucknall
- Rb Misk Hills
- Rc Underwood
- Rd Bagthorpe
- Re Jacksdale
- Rg Annesley
- Rh Kirkby Park
- Ri Hollinwell
- Rj Dumbles
- Rl Coxmoor/Kings Mill
- Rm Huthwaite/Springwood
- Rn Skegby Bottoms
- Ro Teversal
- Rp Dovedale/Hardwick Park
- Rq Papplewick

Ancient Woodland Sites (Policy EV8 – Ashfield Local Plan Review 2002)

EV8/1 Bulwell Wood

EV8/2 Morning Springs

EV8/3 Park Springs

EV8/4 Millington Springs

EV8/5 The Dumbles

EV8/6 Healds Wood

EV8/7 Dawgates Wood

EV8/8 Dovedale Wood

EV8/9 Norwood

9.0 REFERENCES

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19. Ashfield District Council Playing Pitch Strategy 2017 – 2020
20. Ashfield District Council Local Development Framework Infrastructure Delivery Plan 2016
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Report To:	AUDIT COMMITTEE
Date:	28TH NOVEMBER 2022
Heading:	TREASURY MANAGEMENT MID YEAR REPORT 2022-23
Executive Lead Member:	EXECUTIVE LEAD MEMBER FOR FINANCE, REVENUES AND BENEFITS – CLLR DAVID MARTIN
Ward/s:	ALL
Key Decision:	NO
Subject to Call-In:	NO

Purpose of Report

This mid-year report has been written to comply with the Chartered Institute of Public Finance and Accountancy (CIPFA) Treasury Management Code of Practice and covers the following:

- An economic update for the 2022/23 financial year as at 30 September 2022;
- The Council's capital position (including prudential indicators);
- The Council's investment portfolio for 2022/23;
- The Council's borrowing position for 2022/23.

Recommendation(s)

- 1) To note and recommend to Cabinet changes to the 2022/23 Prudential Indicators following in year changes to the 2022/23 Capital Programme; and,
- 2) To note the contents of the report.

Reasons for Recommendation(s)

In accordance with Financial Regulation C.31. The Audit Committee is responsible for providing effective scrutiny of the Treasury Management Strategy and policies.

In accordance with Financial Regulation C.30 Cabinet are responsible for the implementation and regular monitoring of Treasury Management policies and practices and are to receive, as a minimum, each year reports setting out the Annual Treasury Management Strategy and Plan for the coming year; a mid-year review and an annual Treasury Management Performance Report.

Alternative Options Considered

No other options have been considered as it is a requirement of Council's Financial Regulations that Treasury Management Performance is reported.

Detailed Information

1 Background

- 1.1 The Council aims to operate a balanced budget, which broadly means cash raised during the year will meet its cash expenditure. Part of the treasury management operations ensure this cash flow is adequately planned, with surplus monies being invested in low risk counterparties, providing adequate liquidity initially before considering optimising investment return.
- 1.2 The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer-term cash flow planning to ensure the Council can meet its capital spending commitments. This management of longer-term cash may involve arranging long or short-term loans, or the use of longer-term cash flow surpluses, and on occasion, any debt previously drawn may be restructured to meet Council risk or cost objectives.
- 1.3 Accordingly, treasury management is defined as:
"The management of the local authority's borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."

2 Economics and interest rates to date and the outlook for 2022/23

- 2.1 The second quarter of 2022/23 saw:
 - Gross Domestic Product (GDP) revised upwards in Q1 2022/23 to +0.2% q/q from -0.1%, which means the UK economy has avoided recession for the time being. Q2 2022/23 GDP growth has recently been released which indicates a fall of 0.2%.
 - Signs of economic activity losing momentum as production fell due to rising energy prices;
 - CPI inflation eased to 9.9% y/y in August from 10.1% in July, having been 9.0% in April, but domestic price pressures showing little sign of abating in the near-term;
 - The unemployment rate fell to a 48-year low of 3.6% due to a large shortfall in labour supply;
 - Bank Rate rise by 100bps over the quarter, taking the Bank Rate to 2.25%. On November 3rd the Bank of England raised base rates by 0.75% to 3.00% with further rises still expected;
 - Gilt yields which is the interest paid on Government debt has surged and sterling has fallen following the "fiscal event" of the new Prime Minister and Chancellor on 23rd September. The Council's main source of borrowing is the Public Works Loan Board (PWLB); PWLB interest rates are set at a rate of 0.80% above gilt yield. Therefore, any increase in gilt yields represents an increase in future borrowing costs to the Authority, should there be a need to borrow.
- 2.2 There are signs of higher energy prices creating more persistent downward effects in economic activity.

- 2.3 The labour market remained exceptionally tight. Data for July and August provided further evidence that the weaker economy is leading to a cooling in labour demand.

3 The Council's Capital Position (including Prudential Indicators)

Prudential Indicators

3.1 Capital Programme

- 3.1.1 Table 1 below shows the revised estimates for capital expenditure considering the changes since the Capital Programme was agreed by Council on 29th September 2022.

Table 1 – Capital Programme 2022/23

Capital Expenditure by Service	2022/23 Original Estimate £m	2022/23 Revised Estimate £m
General Fund	20.313	29.038
Area Schemes	0.054	0.501
HRA - Decent Homes	12.580	13.189
HRA – Other	11.814	12.013
Total capital expenditure	44.761	54.741

- 3.1.2 The main reasons for the increase in the General Fund capital expenditure is due to the addition of slippage of £11.85m on the 2021/22 Capital Programme, slippage of £2m of Future High Street Schemes from 2022/23 to 2023/24 and a £0.7m reduction in Green Homes Grants. The change in the HRA - Decent Homes Schemes and HRA - Other is mainly due to 2022/23 slippage. The increase in Area Schemes is due to slippage from 2021/22.
- 3.1.3 Table 2 below draws together the main treasury management strategic elements of the capital expenditure plans (above), highlighting the original and the revised estimated financing arrangements of this capital expenditure.

Table 2 – Capital Expenditure Funding

Capital Expenditure	2022/23 Original Estimate £m	2022/23 Revised Estimate £m
Total capital expenditure	44.761	54.741
Financed by:		
Capital receipts	3.616	4.263
Capital grants	8.468	9.248
Capital reserves	19.645	18.870
Total financing	31.729	32.381
Borrowing requirement	13.032	22.360

3.1.4 The borrowing requirement for 2022/23 has increased largely because of the expenditure slippage from 2021/22, which was largely funded by borrowing.

3.2 Capital Financing Requirement, Operational Boundary and Authorised Limit

3.2.1 Any changes to borrowing in the Capital Programme affect the Capital Financing Requirement (CFR). The CFR represents the Council's underlying need to borrow for capital expenditure. The CFR increases by the amount of capital expenditure funded by borrowing and reduces by making revenue charges for the repayment of debt (the Minimum Revenue Provision).

Table 3 – Capital Financing Requirement (CFR)

	2022/23 Original Estimate £m	2022/23 Revised Estimate (Adjusted for Slippage) £m
Prudential Indicator – Capital Financing Requirement		
CFR Non-Housing	105.303	106.657
CFR – Housing	80.061	80.061
Total CFR	185.364	186.718
Prudential Indicator – the Operational Boundary for external debt		
Borrowing	188.000	188.000
Other Long Term Liabilities	0.000	0.000
Total debt 31st March	188.000	188.000
Prudential Indicator – the Authorised Limit for external debt		
Borrowing	217.000	217.000
Other Long Term Liabilities	0.000	0.000
Total debt 31st March	217.000	217.000

3.2.2 The 2022/23 Capital Financing Requirement has increased due to the inclusion of in District regeneration schemes on to the CFR.

3.3 Estimate of ratio of financial cost to net revenue stream for the current year split between the Housing Revenue Account and General Fund

3.3.1 For the HRA this is calculated by dividing the HRA capital financing costs by the total estimated Council Dwelling Income. For the General Fund this is calculated by dividing the General Fund capital financing costs by the estimated Council Tax Receipt plus Central Government Grants.

Table 4 - Estimate of ratio of financial cost to net revenue stream

	Original 2022/23 Estimate %	Revised 2022/23 Estimate %
Housing Revenue Account	13.92	11.58
Non HRA (General Fund)	21.49	22.48

3.3.2 The Housing Revenue Account's revised estimates is lower due to interest receivable being higher than originally forecast. The Non HRA (General Fund) has increased slightly due to interest payments on fund balances being higher than previously anticipated.

3.4 **Estimate of the Incremental impact of capital investment decisions on the Council Tax and Rent Levels**

3.4.1 These indicators have been prepared using the revised Capital Programme, approved by Council on the 29th of September 2022. For the General Fund this is calculated by dividing the estimated capital financing costs by the estimated Council Tax Band D equivalents. There is no borrowing planned for the Housing Revenue Account (HRA) therefore these ratios are nil. If in future years, there was to be HRA borrowing, the ratio would be calculated by dividing the estimated capital financing costs by the estimated number of council dwellings.

Table 5 - Incremental impact of capital investment decisions on the Council Tax and Rent Levels

	Original 2022-23 Estimate £	Revised 2022-23 Estimate £
General Fund (Band D)	19.88	24.51
HRA (52 Weeks)	0	0

3.4.2 The incremental impact of capital investment on the General Fund is higher due to slippage on the 2021/22 Capital Programme into 2022/23.

4. **Prudential Indicators for Treasury Management**

4.1 **Interest rate exposure**

4.1.1 Local authorities are required to set limits for the upper limits on exposure to the effects of changes in interest rates. The indicators relate to both fixed and variable rate interest and are net of any investments.

4.1.2 Depending on the level of interest rates and their expected movement in the year, the Council may take up all of its new borrowings in the form of either fixed or variable rate debt. The figures in Table 6 compares the Actual level of debt to the operational boundary which is the prudent limit for debt, this is split between exposure to fixed and variable interest rates.

Table 6 - Interest Rate Exposure

Principal Outstanding	2022/2023 30th September 2022 Actual	2022/2023 Original
	£m	£m
Fixed Rates	97.0	188.0
Variable Rates (No more than 40% of the operational boundary).	15.0	75.2

4.2 Maturity Structure of borrowing

4.2.1 The authority is required to set both lower and upper limits for the maturity structure of its borrowing. This indicator relates only to fixed rate debt and is therefore a measure of the longer-term exposure to interest rate risk.

4.2.2 Table 7 shows the proposed lower and upper limits, given the current structure of the Council's debt portfolio:

Table 7 - Maturity Structure of Debt

Maturity Structure of Fixed Rate Borrowing	Actual Position for 30/09/2022	Lower Limit %	Upper Limit %
Under 12 Months	7.73%	0%	5%
Under 24 Months	11.05%	0%	10%
Under 5 years	15.14%	0%	20%
Under 10 Years	24.46%	0%	25%
Under 20 Years	37.86%	0%	40%
Under 30 Years	43.01%	0%	50%
Under 40 Years	77.02%	0%	80%
Under 50 Years	100.00%	0%	100%
50 Years and Above	0.00%	0%	0%

4.2.3 Whilst the mid-year position is showing the upper limits have been exceeded for under 12 months and under 24 months, this will be addressed by the end of the year. There are currently two loans totalling £6.5m maturing at the end of the financial year; there will not be a requirement to re-finance these loans during the 2022/23 financial year, therefore the ratio for loans under 12 months on 31st March 2023 will reduce to 1.10% and the ratio for loans under 24 months will reduce to 4.67%.

4.3 Principal sums invested for more than 364 days

4.3.1 Where a local authority invests or plans to invest for periods of more than 364 days it must set an upper limit for each year for the maturity of such investments. The purpose of setting this

limit is to contain any exposure to losses, which might arise in the event of having to seek early repayment of the investment and / or adverse movements in shorter-term interest rates.

- 4.3.2 The strategy for 2022/23 set a limit of a maximum of £5m in each of the next three years to be placed in longer-term investments. The Authority currently does not have any long-term investments.

5. **Investment Portfolio 2022/23**

- 5.1 In accordance with the Code, it is the Council's priority to ensure security of capital, liquidity and to obtain an appropriate level of return, which is consistent with the Council's risk appetite. Table 8 provides a summary of the Council's total investments as of 30th September 2022.

Table 8 – Summary of Investments

Borrower	Balance at 30/09/22 £000's
Call Accounts	1,664
Money Market Funds	20,000
Notice Account	0
Fixed Term Deposits	19,000
Total	40,664

5.2 **Call Accounts**

- 5.2.1 In total, the Council held £1.664m of call account investments (see table 9 below) as of 30 September 2022 (£5.1m on 31 March 2022) and the average investment portfolio yield for all investments in the first six months of the year is 0.42%.

Table 9 – Call Accounts

Borrower	Balance at 30/09/22 £000's
Barclays Bank	1,564
Handelsbanken	100
Total	1,664

5.3 **Notice Accounts**

- 5.3.1 The Council currently has nil balances in notice accounts (£5m on 31st March 2022). The balance in the Santander 35 Day Notice Account was withdrawn 30th August 2022. The average interest rate received from this account during 2022/23 whilst it was open was 0.71%.

Table 10 – Notice Accounts

Borrower	Balance at 30/09/22 £000's
Santander 35 Day Notice Account	0

5.4 Money Market Funds

- 5.4.1 The Council currently has four Low Volatility Net Asset Value (LVNAV) Money Market Funds. This means that the value of the shares that the Council holds in these funds may go down as well as up. However, it is unlikely that there will be a change in the price of the Money Market Fund shares between the prices paid and monies received when the shares are sold. In accordance with the Council's approved Strategy no more than £5m is placed with any one institution.

Table 11 – Money Market Funds

Borrower	Balance at 30/09/22 £000's
Aberdeen Standard Liquidity	5,000
Insight Investments	5,000
Federated Hermes	5,000
Aviva	5,000
Total	20,000

The average interest rate for Money Market Funds (MMFs) is 1.15% which has generated MMF interest of £103k for the first half of the financial year.

5.5 Fixed Term Deposits

- 5.5.1 At the end of September 2022, the Council had £19m in fixed term deposits with Nationwide Building Society, Clydesdale Bank, Landesbank, Skipton Building Society and UK Government Debt Management Office (DMO). This compares to £16.0m as at the 31st March 2022. There have been multiple term deposits with Nationwide Building Society and the DMO, for various periods between 1st April and 30th September 2022, represented by the level of new investments and repayments in the table below.

Table 12 – Fixed Term Deposits

Opening Balance £000's	New Investments £000's	Repayments £000's	Closing Balance £000's
16,000	45,000	42,000	19,000

- 5.5.2 The comparison below shows the performance of these fixed term deposit investments against the current Sterling Overnight Index Average (SONIA) rate.

Table 13 – Fixed Term Deposits Comparison to Bank of England base rate

SONIA Rate as of 30th September	Average SONIA rate 1st April 2022 to 30th September 2022	Council Performance	Investment Interest Earned £000's
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2.19%	1.24%	1.04%	£88k
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5.6 Interest Receivable Budget

5.6.1 The Council's budgeted investment return for 2022/23 is £5k and performance for the half year to 30 September 2022 is £215k, which comprises £88k from term deposits, £103k from Money Market Funds, £15k from Notice Accounts and £9k from call deposits. The estimated full year outturn is expected to be approximately £600k. The main reasons for the increase are the budget was estimated for 2022/23 when the Bank of England Base Rate was only 0.25% it has now increased to 2.25% and investment balances are higher partly due to capital programme slippage and greater working capital.

6 Borrowing

6.1 There have been no borrowing activities undertaken during the year to 30 September 2022 as summarised below:

Table 14 – Council's borrowing activities to 30th September 2022

Type of Loan	As at 31 March 2022 £'000	Borrowed £'000	Repaid £'000	As at 30 Sept 2022 £'000
Fixed PWLB	62,536	0	0	62,536
Private Placement Loans – LOBO	19,500	0	0	19,500
Private Placement Loans – Fixed	15,000	0	0	15,000
Total External Debt	97,036	0	0	97,036

7 Investment Properties

7.1 As of the 1st of April 2022 the Council had spent £61.810m on investment properties funded by prudential borrowing. These investment properties are expected to generate £4.548m gross rental income per annum which is a gross yield of 7.4%. The impact of investing in investment properties funded by prudential borrowing is that CFR increases by the cost of the investment properties, this cost is then charged to the revenue account over the asset life through MRP charges. Further information on investment property performance is included in the investment property performance report.

Glossary of Terms

bps

Basis points - 1 basis point equals 1/100 of 1% or 0.01%.

Call Accounts

Is a bank account for investment funds it has no fixed deposit period, provides instant access to funds, and allows unlimited withdrawals and deposits.

Consumer Price Index (CPI)

The official measure of inflation of consumer prices of the United Kingdom.

Federal Reserve (Fed)

The central banking system of the United States of America.

Gross Domestic Product (GDP)

This is the monetary value of all the finished goods and services produced by a country within its borders in a specific time period, usually a year.

Gilts

Gilts are UK Government Bonds which offer a very low risk of default and a corresponding low rate of return.

LIBID

The London Interbank Bid Rate, that is, the interest rate at which banks bid to take short-term deposits from other banks.

Monetary Policy Committee (MPC)

This is a committee of the Bank of England which decides the official interest rate in the UK (the Bank of England Base Rate) and also directs other monetary policy such as quantitative easing and forward guidance.

Public Works Loan Board (PWLB)

The PWLB is a statutory body operating within the UK Debt Management Office to lend money from the National Loan Fund to local authorities and to collect the repayments.

q/q

The change from previous the previous quarter.

Quantitative Easing (QE)

An unconventional form of monetary policy where a Central Bank creates new money electronically to buy financial assets, like government bonds. This process aims to directly increase private sector spending in the economy and return inflation to target.

SONIA

SONIA (Sterling Overnight Index Average) is the effective overnight interest rate for unsecured transactions in the British sterling market.

y/y

The change from previous year.

Implications

Corporate Plan:

Effective treasury management and investment in properties is providing an income stream to support delivery of the key services within the Corporate Plan.

Legal:

Requirement to adhere to the CIPFA Prudential Code. Ensures compliance with Financial Regulations. [RLD 15/11/2022]

Finance: [PH 16/11/2022].

Budget Area	Implication
General Fund – Revenue Budget	No significant implications
General Fund – Capital Programme	No significant implications
Housing Revenue Account – Revenue Budget	No significant implications
Housing Revenue Account – Capital Programme	No significant implications

Risk:

Risk	Mitigation
Risk that the investment properties become void or fall in value	Spread of assets within the portfolio and a reserve to cushion any void periods.

Human Resources:

No implications.

Environmental/Sustainability

No implications.

Equalities:

No implications.

Other Implications:

No implications.

Reason(s) for Urgency

Not Applicable

Reason(s) for Exemption

Not Applicable.

Background Papers

Link Asset Services – Treasury Management Strategy Statement and Annual Investment Strategy
Mid-Year Review Report 2022/23

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Economics and interest rates

1.1 Economics update

- The second quarter of 2022/23 saw:
 - GDP revised upwards in Q1 2022/23 to +0.2% q/q from -0.1%, which means the UK economy has avoided recession for the time being;
 - Signs of economic activity losing momentum as production fell due to rising energy prices;
 - CPI inflation ease to 9.9% y/y in August, having been 9.0% in April, but domestic price pressures showing little sign of abating in the near-term;
 - The unemployment rate fell to a 48-year low of 3.6% due to a large shortfall in labour supply;
 - Bank Rate rise by 100bps over the quarter, taking Bank Rate to 2.25% with further rises to come;
 - Gilt yields surge and sterling fall following the “fiscal event” of the new Prime Minister and Chancellor on 23rd September.
- The UK economy grew by 0.2% q/q in Q1 2022/23, though revisions to historic data left it below pre-pandemic levels.
- There are signs of higher energy prices creating more persistent downward effects in economic activity. Both industrial production (-0.3% m/m) and construction output (-0.8% m/m) fell in July 2022 for a second month in a row. Although some of this was probably due to the heat wave at the time, manufacturing output fell in some of the most energy intensive sectors (e.g., chemicals), pointing to signs of higher energy prices weighing on production. With the drag on real activity from high inflation having grown in recent months, GDP is at risk of contracting through the autumn and winter months.
- The fall in the composite PMI from 49.6 in August to a 20-month low preliminary reading of 48.4 in September points to a fall in GDP of around 0.2% q/q in Q3 and consumer confidence is at a record low. Retail sales volumes fell by 1.6% m/m in August, which was the ninth fall in 10 months. That left sales volumes in August just 0.5% above their pre-Covid level and 3.3% below their level at the start of the year. There are also signs that households are spending their excess savings in response to high prices. Indeed, cash in households' bank accounts rose by £3.2bn in August, which was below the £3.9bn rise in July and much smaller than the 2019 average monthly rate of £4.6bn.
- The labour market remained exceptionally tight. Data for July and August provided further evidence that the weaker economy is leading to a cooling in labour demand. Labour Force Survey (LFS) employment rose by 40,000 in the three months to July (the smallest rise since February). But a renewed rise in inactivity of 154,000 over the same period meant that the unemployment rate fell from 3.8% in June to a new 48-year low of 3.6%. The single-month data showed that inactivity rose by 354,000 in July itself and there are now 904,000 more inactive people aged 16+ compared to before the pandemic in February 2020. The number of vacancies has started to level off from recent record highs but there have been few signs of a slowing in the upward momentum on wage growth. Indeed, in July, the 3my/y rate of average earnings growth rose from 5.2% in June to 5.5%.
- CPI inflation eased from 10.1% in July to 9.9% in August, though inflation has not peaked yet. The easing in August was mainly due to a decline in fuel prices reducing fuel inflation from

43.7% to 32.1%. And with the oil price now just below \$90pb, we would expect to see fuel prices fall further in the coming months.

- However, utility price inflation is expected to add 0.7% to CPI inflation in October when the Ofgem unit price cap increases to, typically, £2,500 per household (prior to any benefit payments). But, as the government has frozen utility prices at that level for two years, energy price inflation will fall sharply after October and have a big downward influence on CPI inflation.
- Nonetheless, the rise in services CPI inflation from 5.7% y/y in July to a 30-year high of 5.9% y/y in August suggests that domestic price pressures are showing little sign of abating. A lot of that is being driven by the tight labour market and strong wage growth. CPI inflation is expected to peak close to 10.4% in November and, with the supply of workers set to remain unusually low, the tight labour market will keep underlying inflationary pressures strong until early next year.
- During H1 2022, there has been a change of both Prime Minister and Chancellor. The new team (Liz Truss and Kwasi Kwarteng) have made a step change in government policy. The government's huge fiscal loosening from its proposed significant tax cuts will add to existing domestic inflationary pressures and will potentially leave a legacy of higher interest rates and public debt. Whilst the government's utility price freeze, which could cost up to £150bn (5.7% of GDP) over 2 years, will reduce peak inflation from 14.5% in January next year to 10.4% in November this year, the long list of tax measures announced at the "fiscal event" adds up to a loosening in fiscal policy relative to the previous government's plans of £44.8bn (1.8% of GDP) by 2026/27. These included the reversal of April's national insurance tax on 6th November, the cut in the basic rate of income tax from 20p to 19p in April 2023, the cancellation of next April's corporation tax rise, the cut to stamp duty and the removal of the 45p tax rate, although the 45p tax rate cut announcement has already been reversed.
- Fears that the government has no fiscal anchor on the back of these announcements has meant that the pound has weakened again, adding further upward pressure to interest rates. Whilst the pound fell to a record low of \$1.035 on the Monday following the government's "fiscal event", it has since recovered to around \$1.12. That is due to hopes that the Bank of England will deliver a very big rise in interest rates at the policy meeting on 3rd November and the government will lay out a credible medium-term plan in the near term. This was originally expected as part of the fiscal statement on 23rd November but has subsequently been moved forward to an expected release date in October. Nevertheless, with concerns over a global recession growing, there are downside risks to the pound.
- The MPC has now increased interest rates seven times in as many meetings in 2022 and has raised rates to their highest level since the Global Financial Crisis. Even so, coming after the Fed and ECB raised rates by 75 basis points (bps) in their most recent meetings, the Bank of England's latest 50 basis points hike looks relatively dovish. However, the UK's status as a large importer of commodities, which have jumped in price, means that households in the UK are now facing a much larger squeeze on their real incomes.
- Since the fiscal event on 23rd September, we now expect the Monetary Policy Committee (MPC) to increase interest rates further and faster, from 2.25% currently to a peak of 5.00% in February 2023. The combination of the government's fiscal loosening, the tight labour market and sticky inflation expectations means we expect the MPC to raise interest rates by 100bps at the policy meetings in November (to 3.25%) and 75 basis points in December (to 4%) followed by further 50 basis point hikes in February and March (to 5.00%). Market expectations for what the MPC will do are volatile. If Bank Rate climbs to these levels the housing market looks very vulnerable, which is one reason why the peak in our forecast is lower than the peak of 5.50% - 5.75% priced into the financial markets at present.
- Throughout 2022/23, gilt yields have been on an upward trend. They were initially caught up in the global surge in bond yields triggered by the surprisingly strong rise in CPI inflation in the US

in May. The rises in two-year gilt yields (to a peak of 2.37% on 21st June) and 10-year yields (to a peak of 2.62%) took them to their highest level since 2008 and 2014 respectively. However, the upward trend was exceptionally sharply at the end of September as investors demanded a higher risk premium and expected faster and higher interest rate rises to offset the government's extraordinary fiscal stimulus plans. The 30-year gilt yield rose from 3.60% to 5.10% following the "fiscal event", which threatened financial stability by forcing pension funds to sell assets into a falling market to meet cash collateral requirements. In response, the Bank did two things. First, it postponed its plans to start selling some of its quantitative easing (QE) gilt holdings until 31st October. Second, it committed to buy up to £65bn of long-term gilts to "restore orderly market conditions" until 14th October. In other words, the Bank is restarting QE, although for financial stability reasons rather than monetary policy reasons.

- Since the Bank's announcement on 28th September, the 30-year gilt yield has fallen back from 5.10% to 3.83%. The 2-year gilt yield dropped from 4.70% to 4.30% and the 10-year yield fell back from 4.55% to 4.09%.
- There is a possibility that the Bank continues with QE at the long end beyond 14th October or it decides to delay quantitative tightening beyond 31st October, even as it raises interest rates. So far at least, investors seem to have taken the Bank at its word that this is not a change in the direction of monetary policy nor a step towards monetary financing of the government's deficit. But instead, that it is a temporary intervention with financial stability in mind.
- After a shaky start to the year, the S&P 500 and FTSE 100 climbed in the first half of Q2 2022/23 before falling to their lowest levels since November 2020 and July 2021 respectively. The S&P 500 is 7.2% below its level at the start of the quarter, whilst the FTSE 100 is 5.2% below it as the fall in the pound has boosted the value of overseas earnings in the index. The decline has, in part, been driven by the rise in global real yields and the resulting downward pressure on equity valuations as well as concerns over economic growth leading to a deterioration in investor risk appetite.

1.2 Interest rate forecasts

The Council has appointed Link Group as its treasury advisors and part of their service is to assist the Council to formulate a view on interest rates. The PWLB rate forecasts below are based on the Certainty Rate (the standard rate minus 20 bps) which has been accessible to most authorities since 1st November 2012.

The latest forecast on 27th September sets out a view that both short and long-dated interest rates will be elevated for some little while, as the Bank of England seeks to squeeze inflation out of the economy, whilst the government is providing a package of fiscal loosening to try and protect households and businesses from the ravages of ultra-high wholesale gas and electricity prices.

The increase in PWLB rates reflects a broad sell-off in sovereign bonds internationally but more so the disaffection investors have with the position of the UK public finances after September's "fiscal event". To that end, the MPC has tightened short-term interest rates with a view to trying to slow the economy sufficiently to keep the secondary effects of inflation – as measured by wage rises – under control, but its job is that much harder now.

Our PWLB rate forecasts below are based on the Certainty Rate (the standard rate minus 20 bps, calculated as gilts plus 80bps) which has been accessible to most authorities since 1st November 2012.

Link Group Interest Rate View 27.09.22												
	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25
BANK RATE	4.00	5.00	5.00	5.00	4.50	4.00	3.75	3.25	3.00	2.75	2.75	2.50
3 month ave earnings	4.50	5.00	5.00	5.00	4.50	4.00	3.80	3.30	3.00	2.80	2.80	2.50
6 month ave earnings	4.70	5.20	5.10	5.00	4.60	4.10	3.90	3.40	3.10	3.00	2.90	2.60
12 month ave earnings	5.30	5.30	5.20	5.00	4.70	4.20	4.00	3.50	3.20	3.10	3.00	2.70
5 yr PWLB	5.00	4.90	4.70	4.50	4.20	3.90	3.70	3.50	3.40	3.30	3.20	3.20
10 yr PWLB	4.90	4.70	4.60	4.30	4.10	3.80	3.60	3.50	3.40	3.30	3.20	3.20
25 yr PWLB	5.10	4.90	4.80	4.50	4.30	4.10	3.90	3.70	3.60	3.60	3.50	3.40
50 yr PWLB	4.80	4.60	4.50	4.20	4.00	3.80	3.60	3.40	3.30	3.30	3.20	3.10