

**ASHFIELD DISTRICT COUNCIL**



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

## **Agenda**

### **Cabinet**

Date: **Monday, 26th June, 2023**

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Time: **2.00 pm**

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

For any further information please contact:

**Lynn Cain**

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01623 457317

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# Cabinet

## Membership

**Chairman:** Councillor Jason Zadrozny

**Councillors:**

Samantha Deakin  
Tom Hollis  
Rachel Madden  
Matthew Relf  
John Wilmott

Vicki Heslop  
Christopher Huskinson  
Andy Meakin  
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**

## **Page**

1. To receive apologies for absence, if any.
2. Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests.
3. To receive and approve as a correct record the minutes of the meeting of the Cabinet held on 21 February 2023. 5 - 16
4. Corporate Plan Year-End Position 2022/23 and Complete 4 Year Outturn. 17 - 34  
  
**Key Decision**  
Councillor Jason Zadrozny – Leader of the Council
5. Corporate Risk Year-End Position 2022/23. 35 - 66  
  
**Non-Key Decision**  
Councillor Jason Zadrozny – Leader of the Council
6. Proposed Potential Land Exchange. 67 - 80  
  
**Key Decision**  
Councillor Tom Hollis – Deputy Leader and Executive Lead Member for Strategic Housing and Climate Change
7. New Parking Order. 81 - 146  
  
**Key Decision**  
Councillor Matthew Relf – Executive Lead Member for Growth, Regeneration and Local Planning
8. Social Housing White Paper. 147 - 166  
  
**Non-Key Decision**  
Councillor Andy Meakin – Executive Lead Member for Social Housing and Assets

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## CABINET

**Meeting held in the Council Chamber, Council Offices, Urban Road, Kirkby-in-Ashfield,**  
**on Tuesday, 21st February, 2023 at 10.00 am**

**Present:** Councillor Jason Zadrozny in the Chair;

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

**Officers Present:** Craig Bonar, Lynn Cain, Chris Clarke, Sarah Daniel,  
Ruth Dennis, Tammy Fox, Joanne Froggatt,  
Theresa Hodgkinson, Peter Hudson, Paul Parkinson,  
Chris Stephenson, Antonio Taylor and Shane Wright.

**In Attendance:** Councillors Christian Chapman and Councillor  
Daniel Williamson.

### **CA.55 Leader's Announcement**

Prior to commencement of the meeting, the Leader took the opportunity to advise Cabinet that a news announcement that morning had revealed that the City of Lincoln Council had confirmed its decision to scrap the Lincoln Christmas Market event after 40 years.

As a result of that announcement and the fact that Ashfield District Council continued to be an ambitious and welcoming Authority, the Council would be immediately considering options for developing a larger Christmas market event within Ashfield. Hopefully as part of this process and if successful, the Council could attract many of the stall holders who had previously been part of the Lincoln Christmas market event and were maybe now looking for an alternative event to trade.

### **CA.56 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests**

No declarations of interest were made.

### **CA.57 Minutes**

RESOLVED  
that the minutes of the meeting of the Cabinet held on 24 January 2023, be received and approved as a correct record.

(Prior to consideration of the items of business and in accordance with Council Procedure Rule 4 (Order of Business), the Leader advised that he would be considering agenda item 16 (Scrutiny Review: Dog Fouling and Littering) as agenda item 4. Cabinet Members concurred with this course of action.)

#### **CA.58 Scrutiny Review: Dog Fouling and Littering**

The Chairman of Scrutiny Panel B, Councillor Christian Chapman, presented the report and a set of recommendations for Cabinet Members to consider regarding outcomes from the scrutiny review of Dog Fouling and Littering.

Members considered the alternative option of declining to agree the recommendations as submitted by Scrutiny Panel B.

RESOLVED that

- a) the status of the Council's Neighbourhood/Environmental Charter be reviewed with Scrutiny Members being proactively engaged in the process;
- b) future resources continue to be targeted towards reducing dog fouling and littering across the District, including facilitating preventive education measures regarding responsible dog ownership and disposal of litter/waste management within primary and secondary schools as appropriate;
- c) Cabinet continue to explore all available options relating to environmental enforcement duties following the discontinuation of the previous Environmental Enforcement Contractor pilot scheme and proactively engage Scrutiny Members in the process;
- d) the possibility of undertaking a light touch review of local businesses and organisations within the Ashfield District be explored, to ascertain and ensure they continue to meet their obligations in respect of keeping sites/curtilages within their jurisdiction clean and free of litter;
- e) the gathering and utilisation of accurate locational data to identify hotspot areas in the District, to enable effective targeted action to be taken to reduce dog fouling and littering offences in these areas, be continued;
- f) it be noted that Cabinet, and the wider Teams engaged in the work, are commended by Scrutiny Panel B for the array of mitigation measures already being undertaken, to address the issue of dog fouling and littering within the District.

Reason:

To finalise the Dog Fouling and Littering review added to the 2022/23 Scrutiny Work Programme by the Overview and Scrutiny Committee in June 2022.

#### **CA.59 Corporate Plan Progress Update - April to December 2022**

Cabinet was updated regarding delivery of the Corporate Plan and the Council's Corporate Priorities including the April to December 2022 performance position against the associated Corporate Performance Scorecard.

As the report was for information only, Members did not have any alternative options to consider.

**RESOLVED**

that having reviewed the levels of performance achieved against the Corporate Plan and Corporate Scorecard from April to December 2022 and delivery against the Corporate Plan Priorities as presented, progress be received and duly noted.

**Reasons:**

1. The Council's ambitions for the period 2019 – 2023 are clearly identified in a set of revised and updated Corporate Priorities as presented in the Council's Corporate Plan. These were developed by Cabinet in 2019 and have since been reviewed and updated, with particular consideration of the impact of the pandemic and intended recovery activity.
2. Priorities for the future and the key projects and initiatives intended to be delivered, are then translated and cascaded through the Performance and Strategic Planning Framework, into specific Service Plans to facilitate focussed delivery. The report keeps Members up to date with performance progress.

**CA.60 Anti Social Behaviour Policy**

Cabinet was requested to review and approve the Council's new Corporate Anti-Social Behaviour Policy and associated procedural guidance.

Members considered the alternative option of declining to approve the new Policy, but this was not recommended as the document complies with Section 218A of the Housing Act 1996 which places a duty on social landlords to publish anti-social behaviour policies and procedures.

**RESOLVED that**

- a) the work undertaken to ensure lawful compliance and good governance in the management of Anti-Social Behaviour and Neighbourhood Nuisance by the Council, be received and noted;
- b) the proposed Corporate Anti-Social Behaviour Policy and associated procedural documents appended to the report, be approved.

**Reason:**

The Council does not have an updated corporate policy in line with current legislation, statutory guidance and inter-departmental responsibilities for the management of anti-social behaviour, neighbourhood nuisance and environmental crime across the District.

**CA.61 Funding Update**

Cabinet received a progress update regarding funding allocations and agreed programmes and were also requested to approve a five-year Green Space

and Public Realm Investment Plan whilst recommending to Council the addition of further Public Open Space Section 106 contributions to the Capital Programme.

Members considered the alternative options of declining to accept the £3.1 million funding from the Levelling Up Fund and to decline to approve the five-year Green Space and Public Realm Investment Plan including the recommendation for Council to approve the Section 106 Public Open Space income being added to the Capital Programme.

RESOLVED that

- a) progress in relation to the Future High Streets Fund (FHSF), Towns Fund, Levelling Up Fund and UK Shared Prosperity Fund (UKSPF) programmes, be received and noted;
- b) the Council's successful bid for Levelling up funding be noted and approval be given to the acceptance of the £3.1 million of funding;
- c) Council be recommended to approve the following:
  - the five-year Green Space and Public Realm Investment Plan, subject to receipt of funds;
  - following receipt of funds, that income from Social Value contributions, grants and/or Section 106 funding be included in the Capital Programme, as outlined in the report.

Reasons:

1. To ensure that Cabinet is kept updated on progress with the funding programmes.
2. To ensure that projects and spend within the funding programmes are delivered within the set timeframes and programme budget envelope.
3. To ensure funding is spent collaboratively and effectively.
4. To note the Council's successful bid for Levelling Up funding and to approve acceptance of the £3.1 million.
5. To ensure continued delivery of improvements in parks, green spaces and public realm with a rolling programme of investment.

## **CA.62 Updated Social Value Policy**

Cabinet was asked to note the progress and success of social value as it relates to procurement and to approve the updated Social Value Policy.

Members considered the alternative option of declining to approve the updated Policy but this was not recommended as it would result in the Council's non-compliance with the legal obligations contained in the Social Value Act 2012.

RESOLVED that

- a) the updated Social Value Policy, as presented, be approved;
- b) the success and benefits of the delivery of social and local economic value as stated in the summary of the report, be received and noted;
- c) the significant progress the Council has made in embedding social value into its activities, be also noted and welcomed.

Reason:

The Public Services (Social Value) Act 2012 came into force on 31 January 2013 and required people who commission public services to think about how they can also secure wider social, economic and environmental benefits. The updated Social Value Policy reflects the Council's ongoing commitment to those improvements.

#### **CA.63 Interim Corporate Health and Safety Report 2022/23**

(The Deputy Leader and Executive Lead Member for Community Safety and Crime Reduction, temporarily took the Chair.)

Cabinet was presented with details of the Council's corporate health and safety performance by means of an interim report covering the six-month period 1st April 2022 to 30th September 2022.

As the report was for information purposes only, Members did not have any alternative options to consider.

RESOLVED

that the Interim Corporate Health and Safety Report 2022/23, as shown at Appendix 1, be received and noted.

Reason:

To ensure Cabinet are informed on corporate health and safety performance across the Council, to provide assurance that the Council's statutory health and safety obligations are being met and to provide an understanding that the health and safety risks created by the Council's services and operations are being managed effectively, as required by law.

(During consideration of this item, Councillor Tom Hollis left the meeting at 11.55am.)

#### **CA.64 Corporate Risk Update**

(The Leader of the Council, resumed the Chair.)

Cabinet was requested to review the Corporate Risk Register, the analysis of movement in risk and any mitigating actions in respect of those risks.

As the item presented was for information purposes only, there were no alternative options for Members to consider.

RESOLVED

that the current significant items on the Corporate Risk Register, as presented be received and noted.

Reason:

To prioritise and manage the mitigation of Risk in order that the Council can achieve its objectives.

(During consideration of this item, the Chief Executive left the meeting at 12 noon.)

**CA.65 Annual Budget and Council Tax 2023/24 and Medium Term Financial Strategy Update**

Cabinet was presented with the Council's Annual Budget, the Council Tax proposals for 2023/24 and a Medium Term Financial Strategy (MTFS) update.

Members considered the alternative option of declining to apply an increase to Council Tax for the 2023/24 financial year, but this was not recommended due to significant inflationary increases to its pay, energy, fuel and contracts budgets in recent months, the estimated funding gap for 2024/25 and recognition of the recommendation in relation to Council Tax from the recent Local Government Association Finance Health check held in December 2021.

RESOLVED

that Council be recommended to approve the following:

- a) a £5.75 annual increase in the level of the District's own Council Tax for 2023/24, setting the Band D equivalent at £201.21. This represents a 2.94% increase compared with 2022/23;
- b) the proposed 2023/24 Revenue (General Fund) and HRA Budgets as set out in this report at (Sections 3 and 4);
- c) the proposed Capital Programme and associated borrowing 2022/23 to 2026/27 as set out in this report (Section 5);
- d) the 2022/23 Revised HRA and Capital Budgets as set out in the report (Sections 4 and 5);
- e) the precept figures from Nottinghamshire County Council, Nottinghamshire Fire and Rescue Authority, Nottinghamshire Police and Crime Commissioner and the two Parish Councils within the District be incorporated, when known, into the Council Tax recommendation to Council on 2nd March 2023;
- f) to note the estimated financial challenge in the Medium-Term Financial Strategy (MTFS) for 2024/2025 to 2026/27 and the planned approach to address the challenge (Section 6);

- g) the proposed use of reserves as set out in this report (Table 5 (General Fund) and Table 9 (HRA));
- h) to note and accept the comments and advice of the Corporate Finance Manager (Section 151 Officer), provided in compliance with Section 25 of the Local Government Act 2003, as to the robustness of the estimates included in the 2023/24 Budget and the adequacy of the reserves for which this budget provides (Section 7);
- i) to note that the proposed 2023/24 budgets reflect the agreed changes to Fees and Charges approved by Cabinet on 24th January 2023.

Reason:

In accordance with the Local Government Finance Act 1992 the Council must set its annual budget by 10th March in the preceding financial year.

#### **CA.66 Council Tax Discounts and Premiums**

Cabinet was requested to review and determine the level of Council Tax discounts to be applied for empty properties by the Council with effect from 1 April 2023, including agreement as to the proposed increases to Council Tax Premiums from April 2024 and the Council Tax Support (CTS) Scheme for 2023/24, as presented.

Members considered the alternative option of declining to approve the recommendations as presented, but this was not recommended as failure to apply new powers to Council Tax premiums (from April 2024) would result in premiums remaining at current rates, the reuse of empty properties not be incentivised and the potential for additional council tax income being foregone.

RESOLVED that

a) Council be recommended to approve the following:

##### Empty discounts –

- The current empty discount for Class C - Unoccupied/substantially unfurnished which is allowable for a maximum of 6 months remains at 100% discount for 1 month followed by 25% discount for 5 months.
- The current Class A - Second Homes, No one's sole or main residence/furnished – 28 days planning restriction remains at the current 0% discount.
- The current Class B – Second Homes, No one's sole or main residence/furnished – No planning restriction remains at the current 0% discount.
- The Class D Structural repairs (Unoccupied & substantially unfurnished) which is allowable for 12 months should be a 0% discount for the whole period.

#### Empty premiums -

- The Council continues to apply the maximum premiums allowable in legislation for Long Term empty properties as it currently does.

b) approval be given to the following in principle:

- the following additional Council Tax premiums be applied from 1 April 2024, or as soon as possible thereafter, subject to the required legislation being in place:

- 100% premium for properties which have been empty and unfurnished for a period of between 1 (previously 2) and 5 years

#### Council Tax Support Scheme -

- the Council in accordance with Schedule 1A Section 13A of the Local Government Finance Act 1992 (Council Tax Reduction Schemes) approves an unchanged scheme for Council Tax Support for 2023/24.

Reasons:

1. The retention of the same levels of Council Tax discount, for empty properties and second homes will continue to deliver additional Council Tax income for the Council without disadvantaging any vulnerable members of the community.
2. The council tax premiums for empty properties will continue to incentivise the occupation of empty property, allowing more homes to be available for occupation for local people. The additional premiums recommended for the 2024/25 year will further incentivise the occupation of empty properties and it may generate additional income for the District and precepting bodies, which facilitates the delivery of essential front-line services.
3. The Council's proposed Council Tax Support Scheme being unchanged will mean that the level of Council Tax Support provided to the District's working age claimants will effectively mirror that previously provided under the national Council Tax Benefit scheme and continue to support those with the lowest incomes and our most vulnerable customers. This is particularly important to maintain during the Cost-of-Living Crisis.

### **CA.67 Capital Strategy 2023/24**

Cabinet considered the Council's proposed Capital Strategy prepared in accordance with the Chartered Institute Public Finance and Accountancy (CIPFA) Prudential Code for Capital Finance in Local Authorities.

As it is a requirement of the CIPFA Prudential Code for all Local Authorities to have a Capital Strategy and a requirement of DLUHC Statutory Guidance on Local Government Investments to have an Investment Strategy covering non treasury management investments, Members did not have any alternative options to consider.

RESOLVED that

- a) the contents of the Capital Strategy (CS) for 2023/24 including the Annexes 1-3, as presented, be received and noted;
- b) Council be recommended to approve the following:
  - Capital Strategy
  - Commercial Property Investment Strategy
  - Commercial Property Indicators.

Reasons:

1. It is a requirement of the CIPFA Prudential Code for all Local Authorities to have a Capital Strategy approved by Council.
2. DLUHC Statutory Guidance on Local Government Investments require that the Council has an Investment Strategy that covers non-treasury management investments and includes quantitative indicators approved by Council.

#### **CA.68 Treasury Management Strategy 2023/24**

Members were requested to consider the Council's Treasury Management Strategy for the financial year 2023/24 comprising the following:-

Treasury Management Policy  
Treasury Management Strategy Statement (TMSS)  
Borrowing Strategy  
Annual Investment Strategy  
Minimum Revenue Provision Policy  
Prudential Indicators and Treasury Management Indicators  
Treasury Management Practices: Risk Management.

As it is a requirement of the CIPFA Treasury Management Code for all Local Authorities to have a Treasury Management Strategy (TMS) and a requirement of MHCLG (now DLUHC) Statutory Guidance on Local Government Investments to have an Investment Strategy, Members had no alternative options to consider.

RESOLVED that

- a) the contents of the Treasury Management Strategy (TMS) for 2023/24, including the changes to the Annual Investment Strategy, as presented be received and noted;
- b) Council be recommended to approve the Treasury Management Policy Statement incorporating the:
  - Treasury Management Strategy Statement (TMSS)
  - Borrowing Strategy
  - Annual Investment Strategy
  - Minimum Revenue Provision (MRP) Policy
  - Prudential Indicators and Treasury Management Indicators including new Liability Benchmark indicator

- Treasury Management Practices: Risk Management which now includes the Environmental, Social and Governance (ESG) update.

Reason:

In accordance with Financial Regulation C.31. Cabinet is responsible for providing effective scrutiny of the Treasury Management Strategy and Policies and recommending the same to Council for approval.

**CA.69 2022/23 Forecast Outturn for General Fund, Housing Revenue Account (HRA) and Capital Programme as at December 2022**

Cabinet received a summary of 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.

As the report was presented for information purposes only, Members did not have any alternative options to consider.

RESOLVED

that the current forecast outturn for the General Fund, Housing Revenue Account (HRA), Capital Programme and Prudential Indicators for 2022/23, as presented, be received and noted.

Reason:

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

**CA.70 Playing Pitch Strategy**

Cabinet was requested to approve a consultation exercise with stakeholders in relation to the Draft Playing Pitch Strategy, for a minimum of six weeks.

Members considered the alternative option of declining to approve the new Strategy but this was not recommended as it had been prepared as a requirement for the Emerging Local Plan and provided strategic direction for outdoor sports facilities.

RESOLVED that

- a) the Draft Playing Pitch Strategy, as presented, be approved to enable a consultation exercise to be undertaken with stakeholders for a minimum of six weeks following approval by Cabinet;
- b) delegated authority be granted to the Director of Place and Communities, in consultation with the Executive Lead Member for Leisure, Health and Wellbeing, to make any minor amendments to the Strategy following consultation and to complete the adoption process as required.

Reason:

The Playing Pitch Strategy is a supporting document and part of the evidence base for the Emerging Local Plan. The previous Strategy is now out of date

and it is good practice to have an up to date document to support the strategic development and improvement of outdoor sports facilities and funding applications.

#### **CA.71 Referral from Council: Notice of Motion relating to Street Naming**

In accordance with Council Procedure Rule 14.4 (the process for considering a motion that is the responsibility of the Cabinet), Members were requested to further consider a Notice of Motion moved by Councillor Chris Baron and seconded by Councillor Phil Rostance.

The Leader advised Cabinet that he had already been speaking with Adrian Sheldon's family and it had been provisionally agreed that a street forming part of a new development off Central Avenue, Kirkby in Ashfield would be named in his honour.

In addition, Members were advised that a new sports pavilion being built as part of the Papplewick Green development at Hucknall would be named after Jamie Brough, who had worked tirelessly to introduce and provide sporting opportunities for youngsters.

Members considered the alternative option of just noting the motion and its recommendations.

#### **RESOLVED**

that the following be received and duly noted:

- a) the Motion referred to it by Council on 2 February 2023 relating to street naming, as set out in the report;
- b) the existing policy and process for the naming of streets as appended to and detailed in the report;
- c) that the Leader of the Council is already working with the families mentioned in the motion, with a view to street names being named after the fallen soldiers in the future.

#### **Reasons:**

- 1. The motion was referred to Cabinet by the Council on 2 February 2023 as the function was an Executive one. The recommendations in the report are to enable Members to note the motion and the existing policy for the naming of streets in order and to ensure Members are aware of the legislation, the Council's duty and its process.
- 2. The Leader also wished Cabinet to be made aware that he is already working with the families of the fallen soldiers mentioned in the motion, with delegated authority already being previously granted to him to make decisions in relation to the naming of streets.

**CA.72 Recommendation to Cabinet: Local Plan Development Panel - Adoption of the Developer Guide to Biodiversity and Nature Conservation**

Cabinet was requested to consider and approve a recommendation from the Local Plan Development Panel meeting held on 17 January 2023.

Members considered the alternative option of declining the recommendation as presented to them.

Minute No. LP.22

Local Plan Development Panel – 17 January 2023

Adoption of the Developer Guide to Biodiversity and Nature Conservation

RESOLVED

that the Developer Guide to Biodiversity and Nature Conservation, as presented, be received and approved.

Reason:

To ensure all recommendations from the Council's committees and panels are duly considered by Cabinet, thus ensuring the business of the Council is progressed in a timely manner.

The meeting closed at 1.30 pm

Chairman.

<b>Report To:</b>	<b>CABINET</b>
<b>Date:</b>	<b>26<sup>TH</sup> JUNE 2023</b>
<b>Heading:</b>	<b>CORPORATE PLAN: YEAR-END POSITION 2022/23 AND COMPLETE 4 YEAR OUTTURN</b>
<b>Executive Lead Member:</b>	<b>LEADER</b>
<b>Ward/s:</b>	<b>ALL</b>
<b>Key Decision:</b>	<b>YES</b>
<b>Subject to Call-In:</b>	<b>YES</b>

## **Purpose of Report**

This report presents to Cabinet the progress updates regarding delivery of the final year of the current Corporate Plan 2019-2023 and the April 2022 to March 2023 performance position against the associated Corporate Performance Scorecard.

The report also presents key successes delivered over the four-year period of the Corporate Plan.

## **Recommendation(s)**

- 1. For Cabinet to consider and proactively review the levels of delivery achieved against the Corporate Plan Priorities.**
- 2. For Cabinet to consider and proactively review the levels of performance achieved against the Corporate Scorecard as of March 2023.**
- 3. For Cabinet to note that a new Corporate Plan 2023 – 2027 is being developed and will be presented to September Cabinet for approval.**

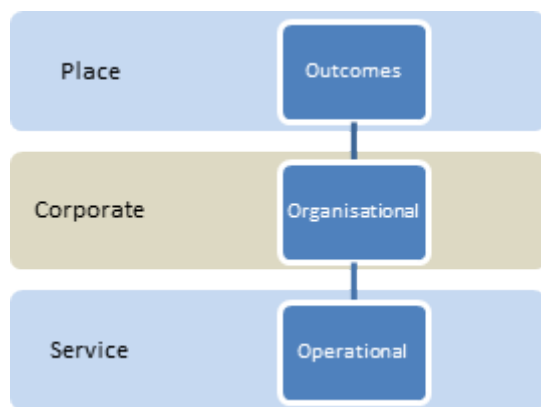
## **Reasons for Recommendation(s)**

The Council's ambitions for the period 2019 – 2023 are clearly identified in a set of revised and updated Corporate Priorities which are presented in our Corporate Plan. These were developed by Cabinet in 2019 and have since been reviewed and updated, with consideration of the impact of the pandemic and our intended recovery activity.

Our priorities for the future and the key projects and initiatives we intended to deliver, were then translated and cascaded, through our Performance and Strategic Planning Framework, into specific Service Plans to facilitate focussed delivery.

The Corporate Plan sits above a wider strategic context which includes the Corporate Project Management Framework, Corporate Performance Indicators and a range of strategic documents relating to the Council and its services, including the Strategic Direction.

Our performance framework incorporates balanced performance scorecards on three separate levels as indicated below.



Our Corporate Scorecard measures organisational performance, and as such, typical perspectives of a balanced scorecard have been adopted including Community and Customer, Funding the Future, Organisational Effectiveness and Our People. The Corporate Scorecard was aligned to our Corporate Priorities and key initiatives identified in the Corporate Plan 2019-2023.

The Council regularly engages with the Local Government Association (LGA) sector led improvement offer, for independent evaluation of the organisation, most recently (January 2023) a peer review of housing was completed. Key recommendations from the LGA support work have been integrated into the refresh of the Corporate Plan and Strategic Direction.

We are a Values based organisation whose purpose is to create a future where everyone has the chance of a better quality of life, as such we have also successfully developed our approach to measuring and understanding Social Value, and this has been incorporated into our Performance Management, Project Management and Procurement frameworks. This report also includes significant outputs as identified from our Social Value measurement.

The Corporate Plan 2019-2023 is now ready for a refresh. Together, the whole organisation has successfully delivered against our ambitious Corporate Priorities over the last four years despite external impacts such as the pandemic and cost of living crisis.

The Council remains ambitious, and as such, over the summer, Cabinet and Leadership team are considering the Council's future priorities so we can build a new Corporate Plan that best captures and reflects our ongoing ambitions for the next four years.

## **Alternative Options Considered**

To present a 'light touch' refresh of the existing Corporate Plan. A robust review of the Council's future priorities will ensure the new Corporate Plan best captures and reflects the strategic direction of the Council for the next four years.

## **Detailed Information**

The Council's Corporate Plan 2019 – 2023 was approved by Cabinet and endorsed by Full Council in September 2019. Subsequent iterations of the Corporate Plan have refreshed our priorities and the key projects and initiatives we intended to deliver.

The Corporate Plan sits above a wider strategic context which includes the Corporate Project Management Framework, Corporate Performance Framework and a range of strategic documents relating to the organisation and its services, including the Strategic Direction.

A balanced scorecard methodology enhances the organisation's performance framework and ability to understand how successfully the Corporate Priorities are being delivered, the approach providing a more rounded view on performance with a greater emphasis on customer satisfaction and quality.

The Corporate Plan was reviewed for its fourth and final year in light of the third year's progress and performance outturn, and also external factors impacting upon the Council such as recovery from the pandemic and responding to new legislation. The plan was refreshed in May 2022 to ensure alignment to the Council's future ambitions and Corporate Priorities for the four-year period of the plan (2019-2023).

Corporate Plan progress is monitored through both the effectiveness of successful delivery of key projects and initiatives and performance achieved against the Corporate Scorecard.

This report details progress against delivery of the Corporate Plan, for the period April 2022 to March 2023, as measured through our Corporate Scorecard and Corporate Performance Framework.

This report also captures key successes delivered against each Corporate Priority over the period of the plan 2019-2023.

### **Overall Position**

Overall, the corporate scorecard position for April 2022 to March 2023 indicates the following positive position: -

- 79% of measures achieving or exceeding target, or within 10% variance of target.
- 63% of measures indicating an improved position compared to the same period in the previous year, or within 5% of previous year's performance levels.

### **Comparison Over the 4 years of the Corporate Plan**

An assessment has been made across the Corporate Scorecard of out-turn performance at year-end 2018/19 compared to recent year-end out-turn for 2022/23 to understand performance trends over the life of the existing Corporate Plan.

In summary, 63% of measures indicating an improved position compared to 2018/19 out-turn or are within 5% of those performance levels. This is an extremely positive position given a significant period of the Corporate Plan was impacted by the pandemic.

It should be noted that Ashfield was the only local authority in Nottinghamshire that delivered all tier 1 and 2 critical services without interruption throughout the pandemic. The whole organisation worked effectively together as One Council, re-deploying staff into important roles outside of their normal duties to ensure continuance of critical services, whilst also delivering humanitarian services across the District.

We are extremely pleased with Corporate Plan key successes delivered both in 2022/23 and over the last 4 years:

## Health and Happiness

### KEY SUCCESSES 2019-2023

- Delivery of the £22.5m phase 1 Leisure Transformation Programme including the completion and formal opening of the new state-of-the-art Kirkby Leisure Centre and construction of the second pool at Hucknall Leisure Centre
- New 10-year Leisure Management contract
- Leisure centre attendances increased to the highest levels we have seen for the last 9 years.
- Launch of Feel-Good Families Programme in 2019 which has benefitted families across the District, including shared information on social media about local activities, advice, cookery tips and more, with over 1,400 followers.
- Significant community support throughout the pandemic, including co-ordination of over £120,000 of Covid Winter Grants (food vouchers) to vulnerable residents.
- Ongoing support to our communities through the Cost-of-Living Crisis
- Armed Forces Covenant Employers Gold Award
- Successful events programme including the introduction of 'Ashfield Day' in 2022 with around 12,000 people attending.

Specific deliverables in 2022/23: -

## Health and Happiness

- Arts, Culture and Events –
  - Ashfield Day was a huge success with around 12,000 people attending across the day. Planning is underway for the 2023 event, which will take place on 5th August.
  - The Food and Drink festival which took place in Hucknall in August was a great success again with approximately 4,000 in attendance.
  - Titchfield Park Centenary was also well attended by around 3,000 people.
  - Despite the weather, the Christmas light switch on events were a great success and hugely supported by our communities. Each event featured a stage with live entertainment from local acts, schools and performers with the lights being switched on by the Chairman and Vice-chairman of the Council.
  - There were 1,405 attendances through the Holiday Activities and Food (HAF) during the Easter, Summer, and October school holidays.
  - £9,950 worth of sponsorship and Councillor contributions was generated to support the events programme.
- Health & Wellbeing –
  - Better Care Fund (BCF) expenditure on Disabled Facilities Grants (DFGs) has remained on track throughout the year.
  - A review of the Ashfield Health and Wellbeing Partnership has taken place to strengthen the management group and merge several groups to achieve efficiencies.

- The Leamington Community Partnership has been relaunched, and the Broomhill/Butler's Hill and Coxmoor Community Partnerships are now meeting 6-weekly. Examples of projects include the setting up of a cycling scheme in Broomhill with Ridewise (£9,100), new sensory sessions for parents and young children, and better connections between food banks and clubs. The Council also delivered several community living rooms, family activity days and supported local organisations to access funding.
- Strategic Leisure—
  - Works are complete at the new Kirkby Leisure Centre except for a small number of snagging items and the works to the boundary wall on Station Street. The car park opened on 5th June with c.75% capacity whilst the boundary works are undertaken.
  - The new learner pool at Hucknall Leisure Centre will open in July with a celebration event planned for 15th July.
  - From April 2022 to March 2023 there were 1,348,688 attendances at our leisure centres (a 25% increase compared to April 2021 to March 2022), the highest levels of attendance we have seen in the last 9 years. The opening of the new Kirkby Leisure Centre saw attendances average 22,200 per month,
  - There are now 8,836 fitness members and 3,606 children and young people accessing swimming lessons.
  - A programme of free family activities is funded through the Star Foundation, to increase awareness of facilities such as soft play, fun climb, and TAG Active, whilst providing residents free access to support cost of living challenges.
  - We are now able to assess the value of the leisure facilities in meeting Social Value objectives such as GP reduced visits, hospital admissions, cancer, diabetes, education attainment and crime prevention. Between 1 April 2022- 31 March 2023 the Social Value across the sites and active communities programme totalled £4,868,870, compared with £3,572,215 during the previous financial year.
- Community Engagement –
  - The Council committed to funding four community sector organisations for 2023-24 to the value of £74,800.
  - The Volunteering Process and Policy is under review. A new system is being developed that will enable more volunteers to sign up with a streamlined online process. 124 volunteering enquiries were received during the year.
  - The Community Engagement team have supported 118 requests for support.
- Targeted Health Activities
  - Exercise Referral has continued to grow over the year, the scheme now supports on average, 70 people per month.
  - 60 Ukrainian refugees are accessing free gym, swim and class memberships.
  - Seated exercise classes have started in Willetts Court, Leamington, with an average of 8 – 12 attendances per week.
  - Workplace Health - 35 ADC employees completed the Mental Health First Aid course and are on hand to support staff. Two staff wellbeing days were organised promoting staff benefits, physio, backpain clinics, financial support and more.
- Regulation - between April 2022 and March 2023, environmental health has undertaken 705 inspections and responded to over 1200 service requests.
- Cost of Living – A 15-point Cost of Living Action Plan was developed with the following key successes: -
  - Information and engagement - development of a specific 'Cost of Living Hub' section on the Council's website including a directory developed jointly between the Council and Ashfield Voluntary Action. The Hub has had nearly 13,000 views since being launched.

- A special edition of Ashfield Matters magazine was produced in January 2023, as a non-digital tool to provide timely, up to date information on how residents can access support.
- Warm hubs were set up at the leisure centres and promoted widely.
- External funding of £10,000 was secured to extend the Food Coordinator role until September. All Council allotment holders have been contacted to link them to local food clubs/banks to share excess produce and reduce food waste.

## Homes and Housing

### KEY SUCCESSES 2019-2023

- Delivery of a significant affordable council housing development programme delivering a total of 120 units since 2019
- Leading work to secure £1m Rough Sleeper Initiative funding for improvement opportunities and support for rough sleepers and those threatened with rough sleeping across the County.
- Successfully bid for £4m funding to improve thermal efficiency ratings of domestic properties, both Council owned and private sector.
- Continuing to support around 1,000 tenants per year with money management advice and tenancy support which has meant, despite the pandemic and cost of living impacts, rent collection rates have remained at 2018/19 levels, with rent arrears reducing by 10% over the last 12 months.
- Installation of carbon monoxide detectors in 99.5% of our properties in just 11 weeks

### Specific deliverables in 2022/23: -

- Active affordable housing development programme is now in place in respect of properties to rent with a total of 11 sites delivering over 100 units, with more in the pipeline-
  - Froghopper Lane – 22 contemporary energy efficient homes were handed over to the Council by the Developer and are now fully occupied.
  - Sizeable new developments are under construction at Charlotte Gardens (Maun Valley), due 2023, and at Warwick Close, due 2024.
  - 53 acquisitions have been completed so far (mixture of s106 and market) with bids for a further 40 properties submitted to developers. Market acquisitions still underway, although rising property prices are making it increasingly difficult.
  - Review of land and assets is now complete and a pipeline affordable housing development programme is in place. There is an ongoing review of garage sites in readiness for potential disposal.
- Reducing and preventing homelessness –
  - Actions within Homelessness Strategy Action Plan are being implemented. Work to review the impact of the Strategy is ongoing. Positive and proactive work has seen the number of homelessness preventions throughout 2022 to 2023 increase significantly by 16% compared to April 2021 to March 2022. This is set against a backdrop of a very challenging housing market, with circa 40% of homelessness assessments due to the ending of an assured shorthold tenancy.
  - The pre-tenancy process now provided by the Money Management Advice Team has been reviewed to strengthen affordability checks and encourage a 'rent first' culture. 955 tenants, between April 2022 and March 2023, have been assisted with welfare and money management advice, and all tenancy support cases have been able to

successfully remain in their tenancy following targeted support. Support is promoted through the Tenant Magazine and in correspondence, conversations, and home visits. Housing's Money Advice and Tenancy Sustainment teams secured £108,798 in backdated benefits, additional benefits, and charitable donations during this financial year (April 2022 to March 2023).

- Homes with intensive support, specifically for rough sleepers, have been made available under the Next Steps Accommodation Programme (NSAP), having a significant positive impact on levels of street homelessness.
- Reinvigorated Sanctuary Scheme preventing homelessness by ensuring survivors of domestic violence can remain safe in their home.
- Active participation in the Homes for Ukraine Scheme and for other asylum and refugee resettlement schemes.
- Housing performance - Void re-let performance continues to improve significantly post pandemic, reducing by 20% from 29.8 days (April 2021 to March 2022) to 23.8 days (April 2022 to March 2023). The issue continues to be difficult to let bedsits in sheltered courts for which attempts are being made to promote, and without which void re-let times would be 20.73 days. The Council's void re-let performance was recognised as exemplary by the LGA Housing Peer Review team.
- Following the introduction of the Social Housing White Paper, multiple sections of the Council are working to ensure that the necessary compliance is in place to meet the new standards and regulations coming into force for the Council's social housing stock. For example, we have also carried out work to ensure the Council is compliant with all regulatory changes brought about by the Fire Safety Act 2021 and the Fire Safety (England) Regulations 2022
- Suitable Housing -
  - Improvements to the thermal efficiency of older private properties achieved through various 'Green Homes' schemes. Focus on fabric first, solid wall, loft and cavity wall insulation.
  - ECO4 scheme is now operational, the Council is working with installers and local private residents on a range of insulation-based measures.
  - On 29 July 2022 (along with all other social housing landlords) the Council was given the insurmountable task of installing a fully functioning Carbon Monoxide detector in all properties with a gas or solid fuel appliance by 1 October 2022. For the Council this involved 6,153 properties having a detector in place and working in the space of just 11 weeks. By the end of March 2023 all except 32 had been installed.
  - We have recently established a Damp and Mould Task Group to monitor and resolve any damp and mould issues, submitted our response to the Regulator and have also started writing a Damp and Mould Policy. Damp and mould are under the spotlight nationally and as a result the Council has witnessed a significant increase in contact from customers requesting inspections and reporting damp and mould.
- Tackling disrepair and poor housing - Implementation of our new Selective Licensing Scheme for private rented properties in parts of Sutton Central and Stanton Hill. Over 550 licence applications were received by end of March 2023.
- Achieving 'Council of the Year' for the East Midlands region in the 'Energy Efficiency Regional Awards' recognising successful insulation of 104 bungalows across the District over the past 12 months.

### KEY SUCCESSES 2019-2023

- Securing over £70million Towns Fund and Future High Streets Funding, with over half of the projects into delivery and progressing well.
- Securing a further £6.3m Levelling Up Funding and UK Shared Prosperity Funding
- Over £2.2m of social and economic value has now been delivered since measurement via the Social Value Portal commenced, with 122% of commitments made at contract stage being delivered, 60 equivalent local jobs and £654,000 equivalent of local spend. A further £4.9m Social Value has also been delivered through leisure transformation projects.
- The 2022 assessment of the District in relation to Prosperity, which includes detailed data on levels of institutional, economic, and social wellbeing, indicates a significant leap of 45 places, compared nationally out of 374 local authorities, comparative to our 2016 assessed position.

Specific deliverables in 2022/23: -

- Physical regeneration -
  - The four Future High Streets Fund projects are progressing well, with planning approvals in place. The renovation of 14 Low Street has been completed and leased to a new tenant. 9-11 Low Street is progressing towards a construction phase during the summer. The High Pavement House repurposing contract has been awarded and will be completed by the end of the year. A committee has been established to run the new Maker Space when it opens later in the year.
  - 17 Towns Fund project business cases have been completed and approved through the local assurance process. 16 of the projects are now in delivery: Civil Engineering Centre, Construction Centre, Walking and Cycling, Enterprising Ashfield, High Street Property Fund, Kirkby Sports Hub, Visitor Digital, Portland Square, Kings Mill Reservoir, Science Discovery Centre and Planetarium, Library Innovation Centres, Cornerstone Theatre, North Kirkby Gateway, West Kirkby Gateway, Green Ashfield and Sutton Lawn Sports Hub. The ADMC business case has been resubmitted to DLUHC.
  - £3.1m of match funding was secured from the Government's Levelling Up Fund for the Science Discovery Centre and Planetarium, the project is due to start on site later this year.
  - UK Shared Prosperity Fund - Work is ongoing to deliver the programme which includes tendering of the local business and skills themed projects with other District/ Borough Councils to achieve better value for money. Delivery of the communities and place theme projects has commenced with the Walking and Cycling for All project and Hucknall and Coxmoor Safer Streets projects being progressed.
  - The Levelling Up Fund bid for Hucknall will be revised and submitted to the third round of the fund if eligibility requirements can be met. We will also identify and where appropriate, bid for other potential funding sources.
  - There have been several successes this year and good progress made dealing with dilapidated buildings. There are still some sites coming forward that require significant interventions, the list is regularly updated, and work continues.
- Business Support –
  - All business support information has now been transferred on to 32 new Council web pages which includes our District offer and business news. The pages are regularly

updated. Use of media platforms has increased the number of new members. Business Information is distributed regularly and widely, averaging 14 new posts a week.

- Quarterly update meetings are held with a range of industry sector stakeholders and partners to discuss delivery of business support and inward investment goals across the District.
- Two Business Leaders Networking events – one on Transport & Logistics and a second on Global Trading & Technology have been delivered along with a third well received event in March 2023 showcasing the business benefits of apprenticeships. Two events are planned for 2022/23, Automation for You – highlighting the new ADMC – was held in May, 2023 and a further event will be held in November 2023 focussed on Green Business and Decarbonisation. These events also are part of the UKSPF Supporting Local Business delivery.
- International links with Mentor City International Trade Initiative in Ohio, US are being explored. A proposal is being finalised with the potential to run as a pilot programme for 6-months to encourage local inward investment opportunities, open new markets and strengthen supply chain bases for Ashfield businesses.
- The Economic Recovery Plan continues to deliver and includes Industrial Sector Support working with businesses and partners. The Business support team continues to connect with out of area businesses to promote investing in Ashfield and to promote 'innovation and sustainable growth' opportunities (Green Business Growth) across the District via a series of targeted email campaigns. This has included information in Business support directory and low carbon articles in the Discover Ashfield newsletter and Ashfield Matters magazine. Work will now commence on the commissioning of a new Economic Development Strategy to highlight next interventions.
- The Council's Education and Skills Improvement Plan (2022-2031) is being progressed with regular primary / secondary schools and adult skills partnership meetings. The adult skills partnership has representatives from the construction, manufacturing, healthcare, engineering, transport, and logistics sectors. Positive connections are being made with partners and local businesses to foster beneficial connections with local schools. The Council held a Careers Fair on 4th November at the new Kirkby Leisure Centre, involving key public and private sector partners, local businesses, training providers and the secondary school partnership. The event was a success bringing together over 720 individuals seeking job and training opportunities with 91 partners/businesses. A Careers Fair is planned for October 2023. The work on the Education and Skills Improvement Plan also supports the delivery of the UKSPF People and Skill strand.
- Town Centres –
  - Idlewells Market is at 94% occupancy with just a few stalls currently vacant and Moor Market is hosting community activities. We are working with partners on the potential longer-term uses within Moor Market.
  - Town centre vacancy rates are 9%, 11%; and 10% for Hucknall, Kirkby, Sutton respectively, below the East Midlands rate of 12% (nationally -11%).
- Infrastructure and transport – Proposals around Junction 27 of the M1 Motorway are progressing, with discussions with Highways England and Nottinghamshire County Council around improving the capacity of the strategic road network. Liaison continues with Nottinghamshire County Council to discuss bus access across the County as part of their Bus Service Improvement Plan with our particular focus looking at east-west links as well as Nottingham, and fare ticketing options for younger people / access to work. The Council is a member of the Nottinghamshire Enhanced Partnership Stakeholder Reference Group which works with the County Council to support the delivery of significant improvement in bus

services in Nottinghamshire. Discussions with partners have also continued around raising the profile of potentially reopening of the Maid Marian Line.

- The Local Plan – work has continued towards the next stage of consultation (Regulation 19) for the emerging Local Plan. Consideration is being given to new Government guidance around housing numbers flexibility and a revised National Planning Policy Framework. Work has continued completing the Local Plan evidence base with an emphasis on design quality, sustainable place shaping and transport / multi modal infrastructure. A number of supporting planning guidance documents - ADC Planning Guidance Climate Change October 2022 and ADC Developer Guide to biodiversity and Nature Conservation November 2022 have been produced to support this approach and to align with the Council's corporate approach and latest government guidance.
- Social Value – Excluding the Social Value from our leisure contracts, over £2.2m of social and economic value has now been delivered since measurement via the Social Value Portal commenced, with 122% of commitments made at contract stage being delivered, 60 equivalent local jobs and £654,000 equivalent of local spend.
- Discover Ashfield - We are continuing to promote and increase knowledge of Discover Ashfield.

## **Cleaner and Greener**

### **KEY SUCCESSES 2019-2023**

- Protecting the environment through the planting of 3,659 trees since 2019
- The delivery of the annual Big Ashfield Spring Clean now in its 6th year, with over 50,000 bulky items collected for free since it was launched
- The introduction of a free bulky collections for every single household
- Supporting schools with free litter picking packs, wormeries and planters
- Ongoing delivery of key services throughout the pandemic, including 4,500,000 bins emptied with no service interruption, along with additional collections to support residents
- Significant investment in our public open spaces and retention of six Green Flag Awards
- Successful funding to support decarbonisation projects to Council buildings of nearly £2m plus funding bids for Green Homes Grants and Social Housing Decarbonisation which are delivering £4m for works to improve the thermal efficiency of private sector and Council homes, and reduce energy demands thereby assisting in reducing the District's carbon footprint and helping to reduce fuel poverty.
- The second highest recycling rate in Nottinghamshire
- Introduction of a fleet of electric road sweepers, supporting the Council 's decarbonisation of its fleet

Specific deliverables in 2022/23: -

- Parks and open spaces –
  - The six Green Flag Awards for the main parks were retained this year and an application has been made for a seventh Green Flag Award for the Kings Mill Reservoir site. The outcome will be known later in 2023.
  - Implementation of the Green Spaces Programme has progressed, and a review has been undertaken of the Green Space and Public Realm investment plan for the next

five years. During 2022/23 £100k capital investment has been made into our parks and open spaces.

- Environmental sustainability –
  - Sudbury Drive, Sutton play area - design and procurement has been completed and the new equipment will be installed once the site adoption is complete. Selston Country Park phase one design is complete and is progressing through the procurement phase.
  - Footpath, access and walking and cycling improvements have been completed at Annesley on two open space sites.
  - During 2022/23 the Council planted circa 1,500 trees, significantly greater than its 1,000 annual commitments and up to £60k grant funding has been secured for further tree planting schemes over the next three years.
  - The Council's Climate Change Strategy and Carbon Management Plan were approved at Council in the summer 2022. Actions from the Council's Carbon Management Plan are now in delivery.
  - The Council has engaged specialist support to develop a Decarbonisation Plan for its non-domestic assets, looking at identifying measures to significantly reduce its carbon emissions. This work is nearing completion.
  - The Council has also successfully bid for funding under the Public Sector Decarbonisation Fund Phase 3, covering the decarbonisation of heating to the Council's Centralised Offices, and Hucknall Leisure Centre. The funding will total approximately £2m.
  - Other funding bids for Green Homes Grants and Social Housing Decarbonisation have also been successful and are delivering £4m for works to improve the thermal efficiency of private sector and Council homes, and reduce energy demands thereby assisting in reducing the District's carbon footprint and helping to reduce fuel poverty.
  - The Council continues to purchase zero carbon electricity and is certified under the Renewable Energy Guarantee of Origin (REGO) which provides transparency to customers that the electricity is supplied by renewable sources. Electricity is generated from wind, solar, hydro, landfill gas and biomass pellets.
- Street Cleanliness - Big Ashfield Spring Clean 2023 was a success with free bulky collections continuing to be provided across the District. The Council also ran 'flying skips' over the three weeks of the Spring Clean Event, collecting over 70 tonnes of waste from residents. Following on from donating litter pickers during 2022, 16 primary schools received upcycled planters handmade by Council staff using recycled wood and filled with donated compost.
- Waste and recycling - Ashfield continues to have the second highest recycling rate in Nottinghamshire. Recycling levels remain consistent (year-end figures are awaited and expected to be higher than 21/22), with general waste continuing to reduce. The Council continues to work with the County Council and other District Council's in Nottinghamshire on making it easier for residents to recycle their waste at home.
- Environmental Crime - A number of action and awareness days have been undertaken to address fly tipping, waste on land, littering and dog fouling across the District. The Council investigated 1,612 cases of environmental crime related reports during 2022/23, resulting in educational sessions and 318 notices being issued.

### KEY SUCCESSES 2019-2023

- In partnership, securing over 1.3m of Safer Streets funding to address longstanding community concerns relating to women's and girls' safety, violence, and the perception of crime in public spaces.
- Increasing public space CCTV cameras to 51 devices across the District, to help promote feelings of safety, detect, and deter crime and anti-social behaviour.
- Ashfield has seen a marked and sustained improvement in public trust and confidence in the Community Safety Partnership since 2020 largely driven by improvements in visibility (Operation Springboard) and local activity (Safer Streets Projects) to tackle issues that matter most to people in the area. Perception of feeling safe is overwhelmingly high.

### Specific deliverables in 2022/23: -

- Anti-social behaviour –
  - Throughout 2022/2023, the Community Safety Team received 4,807 Neighbourhood related reports pertaining to anti-social behaviour, environmental crime, and neighbourhood nuisance. Based on the reporting period for the previous year of 2021/2022, 5,754 reports were made to the service, this is a 16% reduction in reported demand over the course of the year.
  - Initiatives have been undertaken to address fly tipping, waste on land, littering and dog fouling across the District, resulting in 318 notices being issued. Additional work has included Anti-Social Behaviour beat surgeries, targeted partnership operations and engagement events to support prevention, educational and enforcement delivery.
  - Eight notorious alleyways across the District, which have become hotspots for drug dealing, fly-tipping and nuisance motorbikes, are now closed as a result of a new Public Spaces Protection Order which went live on 1st March 2023.
- Partnership working, complex cases and safeguarding –
  - Following delivery of the Home Office Safer Streets round 3 project, which secured £550,000 to undertake key interventions across Sutton-In-Ashfield throughout year 2021/2022 to promote feelings of safety across the town, a survey of 217 local residents has been conducted which has identified: -
    - 94% of females say they feel safe when out during the day in their local area.
    - 74% said that engaging with local residents and businesses about female safety makes them feel safer.
    - 82% said that creating safer spaces through CCTV installation and safe havens makes them feel safer.
    - 80% said that improvements to street lighting and the environment has made them feel safer
  - The Council and Police partnership initiative (Operation Springboard) continues to be undertaken to provide high visibility reassurance in neighbourhoods, town centres and public spaces through targeted patrols. This assists in obtaining local intelligence and taking positive action, resulting in the partnership successfully managing and tackling trends and emerging issues across the District.
  - From April 2022 to March 2023, 201 referrals were made to MASH (Multi-Agency Safeguarding Hub) and other support agencies to safeguard vulnerable adults and children and protect them from further harm or abuse.
  - The Council and Police launched a dedicated partnership vulnerable Adult Support Scheme with a primary aim of reducing crime, anti-social behaviour, and vulnerability

through person centred interventions. A cohort of up to 15 adults are managed at any one time. Individuals in the cohort often have complex support needs and are being diverted away from criminality/exploitation through wraparound support. This programme is being rolled out across Nottinghamshire with Ashfield being recognised as an 'exemplar' for supporting vulnerable people.

- The Complex Case Team has expanded and has recruited two additional Domestic Abuse Officers on a secondment basis from a domestic abuse charity named NIDAS (Nottinghamshire Independent Domestic Abuse Services) to support survivors of domestic abuse and manage violence against women related issues. All funding for this has been secured externally.
- Throughout October an early intervention Halloween and Bonfire initiative: Operation Safekeep was co-ordinated by Community Protection Officers and partner agencies to create awareness on fire safety and reducing on street anti-social behaviour. The operation was highly successful with over 50 shops and off-licences visited and over 40 incidents being responded to.
- The Council, alongside partners and the Office of Police and Crime Commissioner (PCC), was successful in securing £750,000 in August this year as part of the Safer Streets Round 4 Funding programme. The funding is being used to address longstanding community concerns relating to feelings of safety, neighbourhood crimes and the perception of crime and anti-social behaviour in public places. The Council also received total funding of £169,333 from the Shared Prosperity Fund, Home Office Prevent Fund and Police Crime Commissioner to address community safety issues across the District.
- The Community Safety Partnership works together to tackle crime and anti-social behaviour through the facilitation of neighbourhood meetings, community action days and joint patrols in neighbourhoods, town centre's and public spaces across the District. The framework enables the Council to have a co-ordinated approach to tackle trends and emerging issues across Ashfield.
- New policies have been devised and approved for key community safety and safeguarding themes, including modern slavery, hate crime and domestic abuse.
- CCTV –
  - The Council has increased its public space CCTV cameras to 51 devices across the District, to help promote feelings of safety, detect, and deter crime and anti-social behaviour. The new equipment installed comprises of dedicated safe point cameras in all our town centres which has intruder alert activation and communicates directly with the Police control room. The cameras are monitored from Nottinghamshire Police Headquarters 24 hours a day, 7 days per week.
  - In August of this year, over £63,000 was secured under the PCC's locality fund to support the development of Gating measures, CCTV, and a Safe Space Accreditation Scheme in Hucknall which has now been completed.
- Domestic Abuse – Ashfield District Council has been successful in extending its White Ribbon Accreditation until November 2025. The accreditation illustrates the Council's commitment to ending violence against women and girls. Over £90,000 has been secured to address domestic abuse in 2022/2023, which comprises of £33,761 for domestic abuse statutory duty funding for safe accommodation and £60,000 for support provision for survivors of domestic abuse and help deliver the Sanctuary and Serenity Scheme to prevent homelessness and provide safe accommodation.
- In October last year, it was confirmed that Sutton-in-Ashfield was one of only two places across the whole of Nottinghamshire to be successful for £20,000 Home Office funding to help prevent radicalisation. The work will build critical thinking and personal resilience with young people in the area as well as targeted intervention work with residents who are susceptible to being radicalised towards violent extremism.

### KEY SUCCESSES 2019-2023

- Significant support for residents and businesses throughout the pandemic through the administration of £30m of business grants, and £2m in test and trace grants.
- Ongoing support for those impacted by the cost-of-living crisis, administering over £8m of Energy Rebates.
- Delivering against our new digital transformation objectives and blueprint
  - 21% increase since 2019 of use of all digital payment channels with a significant 43% reduction (over 52,000 transactions) through Paypoint and Post Office which cumulatively saved over £50,000 in transaction fees to the Council.
  - Launching our own customer portal 'Ashfield 24/7' just over 12 months ago which now has 11,000 residents signed up.
  - Significant use of online forms – over 85,000 online forms completed since 2019/20
  - New website significantly improving the ability for visitors to find information without resorting to contacting the Council by telephone.
  - Approaching £3m cumulative cashable and cost avoidance benefits.
  - Over £1m cumulative efficiencies achieved through rationalisation of office space made possible by agile approaches and digital functionality.

### Specific deliverables in 2022/23: -

- Financial sustainability –
  - Business rates collection rates by end of March 2023 - have improved from 96.55% (April 2021 to March 2022) to 97.8% (April 2022 to March 2023) collection rate. Retail businesses continue to benefit from extended retail relief in 2023/24 which is a continuation of the COVID-19 support introduced in previous years.
  - The Council Tax Energy Rebate Scheme was successfully administered quickly at short notice, the £150 payments were made from April to November to a total of 54,754 households, the total amount issued was £8,183,915.
  - The core scheme for bands A to D was paid to 52,865 households by 48,954 BACs payments, 2,426 Post Office vouchers, 1,475 credits to council tax accounts, and 10 cheques. Where the Council had details from direct debits to make the BACs payment these could be easily done, a system was put in place to collect details from those customers where we did not hold the bank details.
  - The External Auditors have completed their work on the Council's 2021/22 Accounts and have again given an Unqualified opinion. The Value for Money arrangements were also confirmed on 8<sup>th</sup> June with no issues to report.
  - Commercial property occupancy remains positive at 92% as at the end of March 2023, with most vacant units in the process of being re-let and strong demand for industrial units.
  - A successful transition of procurement partners has resulted in not only securing ongoing specialist support, but also significantly minimising expected increases in cost.
- Customer experience and channel shift –
  - The level of take-up for making payments easily, using digital channels, continues to increase, with 88% of payments received between April 2022 and March 2023, being made either by direct debit, online 'e-store', automated telephone or recurring card

payment. Direct debit transactions have increased by 4% (April 2022 to March 2023, compared to April 2021 to March 2022), whilst Paypoint and Post Office transactions also continue to decrease with a further significant 13% reduction in the number of payment transactions over the same period.

- It is positive that we are continuing to see some increasing use of digital processes post pandemic, in particular our online portals. 20% of council tax and 80% of business rate accounts are now signed up to using the Revenues Customer Portal, with an additional 2,500 council taxpayers signing up in 2022/23. Over 22% of tenants are also signed up to the Tenants Portal, a 27% increase over the last 12 months.
- The new Customer Portal, Ashfield 24/7, which was launched in February 2022, now has over 11,000 residents signed up, which has nearly tripled since December 2022, and 8,582 requests raised to date, since April 2022, through the portal.
- Customers completed over 17,000 of our 'in-house' built online forms throughout 2022/23 and over 5,000 specialist online forms. The ongoing use of these online forms/ features is an indication of the impact of our digital developments on shifting customer demand to less costly channels.
- Customer experience of the Council's website continues to improve with a 6% ongoing increase in page views and 8% increase in average time spent on a page. Visitors resorting to visiting 'Contact us' page has reduced by a significant 28% in 2022/23 compared to 21/22 (2021/22 – 27,733, 2022/23 – 19,890) indicating that visitors to our website are finding information much easier.
- External accessibility assessment of the Council's website in January 2023 indicates an overall 93% accessibility score which is a significant improvement over the last 12-24 months, and comparatively excellent performance compared to neighbouring Councils.
- To support our residents, at the end February 2023, an 'online benefits calculator' was made available on the Council's website, especially important during the Cost-of-Living Crisis.

- Innovation –

- The Digital transformation programme has now delivered approaching £3m of financial benefits (cashable and cost avoidance) over the last five years.
- In-house digital development is now also leading more modern approaches in community projects, for example, a Safer Streets project has incorporated in-house development of a significantly less costly, digital proof of concept using QR codes on lamp posts so residents can easily report street lighting issues directly to the County Council. Working with waste and environment services we are now bolstering this concept for making it easy for our residents to 'Report an issue' or 'Find Information easily online' using dynamic, smart QR code methodology for litter bins and resident waste bins. We are aiming to have these implemented by the summer 2023. QR codes for resident bins are also now being printed into the physical lids of the bins so new bin roll outs will incorporate this more modern approach.
- Significant strides have been made in the ongoing modernisation of the Council's solutions architecture, with a particular focus on moving business solutions to the 'cloud' to improve accessibility, usability, and business continuity. For example, a project is now being delivered to replace our legacy Finance System with a wider local government specific One Council enterprise resource planning (ERP) platform, having the potential to reduce the number of systems which support the Council's back-office, simplify the user experience, remove many different silos of data, and minimise required complex integrations between systems. Implementation is expected to be complete by March 2024.

Also, to support the modernisation of our Revenues and Benefits and Planning functions, detailed discovery work has been completed to inform our technical requirements for procuring a modern solution.

Robust negotiations with technology suppliers have also enabled the Council to reduce or minimise solution spend, with one re-contract realising nearly £100,000 in negotiated discounts.

- Housing transformation has been making significant progress, with a Customer Contact Module going live in October 2022, followed by the development and go-live of key tenancy management processes within this module. Cleansing and improvement of the housing property asset and component data is almost complete, with a digital stock condition survey platform going live in January 2023.
- People
  - Average days sickness per full time equivalent for 2022-23 (10.93 days) has reduced by 4% when compared to 2021-22 (11.44 days), despite all sickness related to covid-19 being included since April 2022.
  - Employee satisfaction – 84% of employees surveyed in 2022 agree that the Council is a good employer to work for.
  - The percentage of the overall workforce which is made up of young people (under 25 years old) has risen slightly from 4.8% in 2021-22, to 5.1% in 2022-23.
- Partnering – At the end of March 2023 there was a successful transition to our new Procurement Partner (Nottinghamshire County Council) ensuring continued access to specialist support and minimising anticipated cost increases.

## **Areas for Improvement**

- Despite the processing of major planning applications exceeding target, planning performance in relation to processing of minor and other applications has slipped due to shortage of resource, increased application numbers, and backlogs. The team has done remarkably well to minimise the impacts on performance considering resource issues which have included vacant posts. Officers have reported that the handheld devices have made a real difference to them. The section is keen to press for further digitalisation particularly in the policy area and work has now commenced, led by the Digital Team, to identify technical business requirements,
- Council Tax collection rates are just 1% lower than 2021/22 year-end out-turn. Normal recovery action for the 2022/23 financial year had to be placed on hold until October 2022 due to processing of the Energy Rebate Grants for central government, customers had to be given the option of using the grant to reduce their Council Tax Liability, establishing the preference was a lengthy process for those customers where automatic payment couldn't be made. The team also conducted a Single Persons Discount Review toward the end of the financial year, this resulted in several accounts losing their entitlement to the discount and this has increased the collectable charge, this being towards the end of the year when charge payers have less time left to pay the amount back.
- Telephone call levels have increased by nearly 5%, with over 10,000 more calls in 2022/23 compared to 2021/22. The largest increases in telephone contact have been waste and environment (+17% or additional 6,100 calls) and housing repairs (+16% or an additional 6,500 calls). Increased demand has led to increased waiting times and abandoned calls on some lines with average call waiting time and call abandonment levels increasing when compared to the average rates for 2021-22. Average call waiting times have increased by 58% to 1 minute 8 seconds. Average call abandonment rates have increased to 5.3%. In-depth business analysis is currently being undertaken in waste and environment to identify

areas for improvement, particularly around digital automation and improved customer experience of using online channels.

## **Implications**

### **Corporate Plan:**

The report relates to the delivery of the Corporate Plan Priorities. The Corporate Plan sets out the Council's priorities for the period 2019 to 2023 and intended deliverables which were monitored and managed through the Corporate Performance Framework.

It covers performance for the period April 2022 to March 2023 and also provides a summary of key deliverables over the four-year period of the Corporate Plan.

### **Legal:**

The Council's new Corporate Priorities and strategic plans have been developed in consideration of current and forthcoming legislative requirements. [RLD 08/06/2023]

**Finance:** No direct financial implications arising from this report. [PH 07/06/2023].

<b>Budget Area</b>	<b>Implication</b>
General Fund – Revenue Budget	Financial performance is included within a detailed Corporate Scorecard reported to CLT and Scrutiny. Financial PI's form a key element of the balanced scorecard approach, reviewed to reflect future priorities in alignment with the Corporate Plan 2019-2023.
General Fund – Capital Programme	
Housing Revenue Account – Revenue Budget	
Housing Revenue Account – Capital Programme	Financial performance during the 4-year term of the Corporate Plan has been considered on a regular basis via financial monitoring reports to both Cabinet and Council.

### **Risk:**

<b>Risk</b>	<b>Mitigation</b>
Absence of a Corporate Plan would result in a lack of prioritisation and focus on delivering what matters	Agreed Corporate Plan every four years which is delivered via the organisation's project management framework and reviewed annually.
Poor performance would potentially result in inability to deliver the Corporate Priorities as specified in the Corporate Plan	Regular monitoring of performance and robust performance management through the authority's performance management framework.

### **Human Resources:**

The 'Innovate and Improve' Priority proposes key programmes and projects which will be focussed on delivering the People Strategy and developing employees.

High levels of performance can have a positive impact upon employee engagement and retention which in turn can enhance performance further.

## **Environmental/Sustainability**

The 'Cleaner and Greener' Priority proposes key programmes and projects which will be focussed on delivering environmental improvement.

## **Equalities:**

There are no direct implications on equality and diversity as a consequence of the proposals and recommendations outlined in this report.

## **Other Implications:**

Not applicable

## **Reason(s) for Urgency**

Not applicable

## **Reason(s) for Exemption**

Not applicable

## **Background Papers**

Not applicable

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<b>Report To:</b>	<b>CABINET</b>
<b>Date:</b>	<b>26<sup>TH</sup> JUNE 2023</b>
<b>Heading:</b>	<b>CORPORATE RISK – YEAR END POSITION 2022/23</b>
<b>Executive Lead Member:</b>	<b>LEADER</b>
<b>Ward/s:</b>	<b>ALL</b>
<b>Key Decision:</b>	<b>NO</b>
<b>Subject to Call-In:</b>	<b>NO</b>

## **Purpose of Report**

For Cabinet to review the Corporate Risk Register and the analysis of movement in risk and mitigating actions in respect of those risks.

## **Recommendation(s)**

- **To note the current significant items on the Corporate Risk Register and to consider whether any further immediate actions are necessary to mitigate those risks.**

## **Reasons for Recommendation(s)**

To prioritise and manage the mitigation of Risk in order that the Council can achieve its objectives.

## **Alternative Options Considered**

None. In accordance with the Corporate Risk Strategy, it is the role of Cabinet to monitor the Council's risk management and internal control arrangements, as part of the established quarterly monitoring and to recommend action where necessary.

## **Detailed Information**

All organisations are required to consider potential risks which may impede the delivery of corporate objectives. Effective risk management processes strengthen the ability of the Council to react to all

situations and protect its own interests and those of the District, ensuring essential service delivery, through actively managing and mitigating risk effectively and innovatively. The management of risk forms an integral part of the Council's business. Effectively managing our risks means that we can maximise opportunities and minimise the costs and disruption to the Council which may possibly be caused by undesired events.

All strategic risk at corporate and service level is incorporated into the Pentana performance system to enable quarterly updates at the same time as updating performance, therefore enhancing the consideration of risk in the delivery of services. All levels of risk are discussed bi-annually in detail with each Assistant Director as a standing agenda item for Performance Boards, led by the Chief Executive and Assistant Director – Policy and Performance.

In summary, overall, the current corporate risk position indicates the positive management of risk in 2022/23: -

- A total of seven risks have been removed from the Corporate Risk Register.
- Most (77%) of remaining corporate risks have been effectively managed without an increase in risk assessment rating this year.
- Positively, a third of corporate risks have been effectively managed and mitigated with a reduction in risk assessment rating this year.

### **Corporate Risk Register**

The Corporate Risk Register (position as at end May,2023) is appended to this report.

There is a continued review of our corporate risk in alignment with the Corporate Risk Strategy and Risk Appetite Framework, and as such, the following changes have been made to the Corporate Risk Register in the last 12-month period: -

- Business Rates – this risk has been moved to service level due to being assessed as a low-level risk.
- Introduction of Universal Credit- is now managed as business as usual and has remained a low risk for 12 months. This will therefore be monitored at operational level.
- Kirkby Leisure Centre – ability to complete project on time, within budget and within scope – due to the project phases now being complete, this risk has been removed.
- Discontinuation of the outsourced procurement unit (New 2022/23)– as a new agreement is now in place with Nottinghamshire County Council has been removed from the corporate risk register.
- Legal Services, lack of staffing resources and disruption caused by exiting shared service – This risk has been removed from the corporate risk register. The structure continues to be kept under close review to particularly keep in mind the level of resources needed to assist with the delivery of the Towns Fund and any other successful grant bids such as levelling up and UK prosperity fund. This risk has been transferred to service level for ongoing monitoring.
- HR Shared Service cessation (New 2022/23) -- During 2022/23 the two HR related risks were removed as the decision to maintain the shared service negated the existence of the risks.

### **Analysis of risks - Risk Rating Summary**

	2015/16 Qu4	2016/17 Qu4	2017/18 Qu4	2018/19 Qu4	2019/20 Qu4	2020/21 Qu4	2021/22 Qu4	2022/23 Qu 4
Significant	10	9	7	4	12	11	7	7
Medium	7	6	10	10	12	12	7	6
Low	5	2	3	6	4	10	2	0
Total	22	17	20	20	28	33	16	13

The total number of Corporate Risks had previously increased significantly throughout the pandemic (2019 – 2021); however, our level of corporate risk has reduced as we have come out of the pandemic.

Four new risks were added to the Corporate Risk Register in 2022/23, two relating to the HR shared service, one in relation to the Elections Act 2022 and one related to the cessation of the procurement service provided by Nottingham City Council. Three of these risks, as above, have now been removed from the Corporate Risk Register, and the risk relating to impact of the Elections Act has been reduced from significant to medium level. A Member Working Group will be established at the July Council meeting the scope of which will include a review of the ongoing risks (level of risk and ongoing monitoring) associated with the new requirements of the Elections Act 2022 and the impacts of embedding these into the election and electoral registration processes for future elections including funding.

Two further new corporate risks are currently being considered in relation to the council depot, and the potential impact of cost of living across Council services.

The current risk relating to the successful delivery of our regeneration programme will be reviewed during the next quarter period in light of audit findings.

Those risks which remain significant are: -

- Having an adopted LDF/Local Plan – This risk remains significant however likelihood assessment was lowered during 2022/23. With Cabinet approval of scenario B and a meeting with the Planning Inspectorate, work has continued towards the next stage of consultation. Consideration is being given to new Government guidance around more flexibility around housing numbers and a revised National Planning Policy Framework. Work continues completing the Local Plan evidence base documents, with an emphasis on design quality, sustainable place shaping and transport / multi modal infrastructure. Several supporting planning guidance documents have been produced to support this approach.
- Planning appeals - There has been no change to the assessment of this risk over the last 12 months. The position has slightly improved however there is limited room for manoeuvre.
- Ability to meet statutory obligation process timescales (e.g. gas servicing). There has been no change to the assessment of this risk over the last 3 years since raising to corporate level. The completion of the required inspections remains challenging and encounters numerous difficult access properties who are reluctant to provide access to their home for these essential services to be completed and we are encountering more situations where we are having to seek Court action. With regards to CO installations, there are a small number of installs outstanding despite numerous attempts to engage with the occupants.
- Ability to comply with the regulatory regime set out by the Regulator of Social Housing - assessment of this risk remains significant with increasing assessment of likelihood. The Housing Performance and Insight Officer (a key new post which is required to work on regulatory requirements) has been advertised with a market supplement 4 times, without success. A review of the market supplement is being undertaken by HR with a view to increasing this, so that the salary is comparable with other social housing landlords. The responsible Health and Safety Officer is now in place. Work is underway across Housing to meet the requirements of the Regulator of Social Housing. Additional resources (agency worker) are being sought to assist with the work required.

There has been recent increased regulatory interest in areas such as CO alarms and Damp and Mould which has identified that the data within the Assets database of the housing

system needs further refinement and greater accessibility, leading to re-prioritisation and focus of digital and data work in this area and development of an interim role to support the business with management of data.

- **Workforce planning** –inability to recruit and/or retain filled position to critical posts. Remains a significant risk due to ongoing challenges with recruitment and retention within an increasingly competitive market, reduced candidate pool, lifestyle changes.

A fundamental review of recruitment (by external consultant) within the Council is now completed and the recommendations and action plan with priority actions is now being implemented including:

Redesigning adverts and content to make more attractive to potential applicants.

Support is being given to managers in mitigating against recruitment challenges through 'grow our own', succession planning, career grading, use of graduates, apprentices, trainees. Support is also being given to managers to increase pool of applicants through identifying candidates with 'potential' to develop within role, given development support.

Use of market supplements ongoing where appropriate. External benchmark and assessment of pay and grading structure underway.

- **Level of central government funding 2022 onwards** - This risk has increased this financial year. The December 2022 Provisional Finance Settlement confirmed that Local Government Finance Reform will not now happen for at least the next two financial years which now provides greater core funding certainty for at least another two years (23/24 and 24/25). However, core funding level certainty beyond 2024/25 remains uncertain. The current and forecast level of inflation in the economy is also placing pressure on Council resources. The Council has healthy reserves which will help to mitigate funding pressures in the short term. Additionally, the Council's Outturn for 2022/23 is currently expected to be within budget. The next 2 years will be critical to identify recurrent savings to meet expected financial challenges beyond 2024/25 when core Government funding is expected to significantly reduce.
- **Loss / delays in receipt of key income sources** - The impact of increasing inflation in the economy is likely to result in some permanent reductions in some income sources and delays in income receipts. This is monitored on an ongoing basis and key impacts reported through to Strategic Leadership Team and Cabinet via Financial Monitoring reports. The Commercial Investment Working Group also receives regular update reports regarding Investment and Commercial Property income performance with twice yearly reports to Audit Committee. Funding has been set aside in a reserve to help meet the income losses arising from void periods. Should there be any significant permanent loss of income, this will be reflected in updates to the MTFS.

## **Other risks**

**Project related risks**- continued to be managed by both internal and external project managers and where the risk is close to or exceeding the tolerances acceptable then these are referred to the project sponsors for input. A risk register is required for each project and the project management framework is to be used as guidance for the management of all projects.

**Fraud Risks** – An Anti-Fraud and Corruption Project Group has been set up and is chaired by the Executive Director - Governance and has a selection of stakeholders from across the Council including a representative from The East Midlands Audit Partnership. The group has been set up to monitor and report on fraud related risks. The group meets every 3 months.

**Programme Risks** - The risks related to programs are managed by each program board that has been established. A separate Towns Fund risk register has been established and the Programme Risk Register will be reviewed by the Discover Ashfield Board.

**Service Level Risks** – These are managed by each individual Assistant Director/Service Manager and where there are tolerances expected to be exceeded beyond the levels set out in the Risk Appetite Framework then these are to be referred for discussion with the relevant Executive Director who will then decide if these need to be included in the Corporate Risk Register. It may be that additional measures can be implemented to manage the risk and reduce the likelihood and impact.

## **Implications**

### **Corporate Plan:**

Effective risk management will enable the delivery of corporate and service level priorities, particularly ensuring our people, structures, systems, processes and practices are ‘fit for purpose’ and remove barriers to improvement and growth.

### **Legal:**

No direct legal implications in respect of the recommendations in the report. Legal and Governance risks are outlined in the report and in the Corporate Risk Register. [RLD 07/06/2023]

### **Finance: [PH 31/05/2023].**

<b>Budget Area</b>	<b>Implication</b>
General Fund – Revenue Budget	No direct financial implications arising from this report. There may be resource implications to the improvement or mitigation of risk. Financial risks are incorporated into the Corporate Risk Register.
General Fund – Capital Programme	
Housing Revenue Account – Revenue Budget	
Housing Revenue Account – Capital Programme	

### **Risk:**

<b>Risk</b>	<b>Mitigation</b>
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<p>Lack of an effective risk management framework could result in the organisation having a poor understanding of the major obstacles or blockages that could potentially impact upon its ability to maximise the delivery of its objectives and provision of services to customers.</p>	<ul style="list-style-type: none"> <li>• Make risk management part of normal business and therefore incorporate within all decision-making processes, including key project delivery.</li> <li>• Integrate risk management into the culture of the Council and cascade awareness through all levels of leadership and beyond.</li> <li>• Ensure the organisation has a clear understanding of its risk maturity level and is taking steps towards improving this to a desired level.</li> </ul>
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## **Human Resources:**

There is a need to ensure that Assistant Directors are clear with regards to the Corporate Risk Strategy and the requirement to follow the consistent processes contained therein. Risk Management training is a priority and online refresher training has been designed and is currently being scheduled for Members and Officers.

## **Environmental/Sustainability**

No direct implications

## **Equalities:**

No direct implications

## **Other Implications:**

Not applicable

## **Reason(s) for Urgency**

Not applicable

## **Reason(s) for Exemption**

Not applicable

## **Background Papers**

Detailed Corporate Risk Register – Quarter 4 2022/23

## **Report Author and Contact Officer**

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# Corporate Risk Register

6<sup>th</sup> June 2023

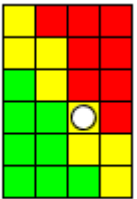
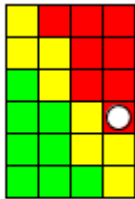



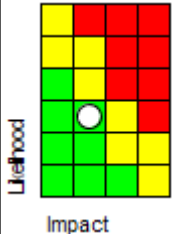
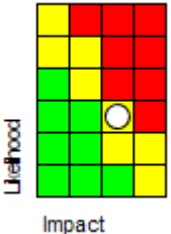
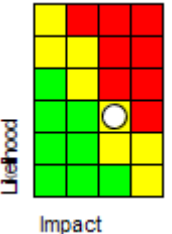
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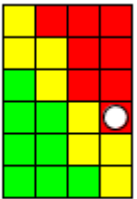
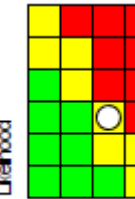
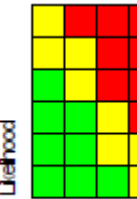
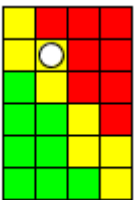

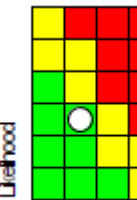
Annual Trend: Constant Decreasing 6 Increasing 3

Financial									
Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
Ability to identify savings required by MTFS	<p>Likelihood</p> <p>Impact</p>	<p>Likelihood</p> <p>Impact</p>	<p>Likelihood</p> <p>Impact</p>	Constant	<ul style="list-style-type: none"> <li>Council cannot fund full range of services in future</li> <li>Pressure on General Fund reserves</li> </ul>	CLT and Cabinet work together to identify savings and income generation opportunities and to consider use of reserves in setting the budget for each year	Pete Hudson	The Council will continue with its ongoing Service Review Programme, DST Programme and reviewing opportunities to generate additional or new income streams. These will continue to deliver efficiencies and savings going forward to help address future financial challenges. The December 2022 Provisional Finance Settlement confirmed	11-Apr-2023

Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
								<p>that Local Government Finance Reform will not now happen for at least the next two financial years which provides greater core funding certainty for at least another two years..</p> <p>The Council has set aside some funding in reserves to help cushion the impact of expected reductions in central government funding but this will be insufficient on its own without some significant cost efficiencies from service reviews, the DST programme efficiencies, procurement savings and additional income generation.</p>	

Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
Level of central government funding 2022 onwards	 <p>Likelihood</p> <p>Impact</p>	 <p>Likelihood</p> <p>Impact</p>	 <p>Likelihood</p> <p>Impact</p>	Increased from medium to significant over last 12 months	Negative impact a MTFS ; further savings required	The Council will contribute to any consultation when proposals are announced, emphasising the need for resources to be allocated to deprived areas.	Pete Hudson	<p>The December 2022 Provisional Finance Settlement confirmed that Local Government Finance Reform will not now happen for at least the next two financial years which now provides greater core funding certainty for at least another two years (23/24 and 24/25). However, core funding level certainty beyond 2024/25 remains uncertain.</p> <p>The current and forecast level of inflation in the economy is also placing pressure on Council resources. The Council has healthy reserves which will help to mitigate funding pressures in the short term.</p> <p>Additionally, the Council's Outturn for</p>	11-Apr-2023

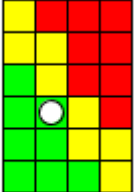
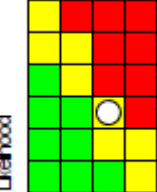
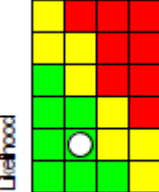
Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
								2022/23 is currently expected to be within budget. The next 2 years will be critical to identify recurrent savings to meet expected financial challenges beyond 2024/25 when core Government funding is expected to significantly reduce.	
Sustainability of HRA business plan and ability to invest in current and new stock				Reduced from significant to medium over last 12 months.	Inability to provide services and meet regulatory requirements Inability to build new housing stock Inability to cross fund general fund services	Regular review of HRA 30 Year Business Plan  White Paper Action Plan	Phil Warrington	Review conducted. Will continue to be ongoing pressures on the HRA from H&S related and carbon reduction obligations but under constant review and being managed effectively.	04-Apr-2023

Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
Ability to deliver Regeneration Programmes	 <p>Likelihood</p> <p>Impact</p>	 <p>Likelihood</p> <p>Impact</p>	 <p>Likelihood</p> <p>Impact</p>	Constant	<p>Opportunity lost to regenerate and re-purpose town centres and local centres</p> <p>Reputational damage</p>	<p>Specialists appointed to support business case development for Towns Fund and Future High Streets Funding projects ; Future High Streets Fund and Towns Fund delivery monitored through Pentana, Regen, Board and Discover Ashfield Board ; Team structure being reviewed to ensure sufficient resource</p>	Sarah Daniel	<p>Risk is generally reducing as all business cases have been completed and build projects are reaching later stages of RIBA. Project management arrangements have been reviewed to ensure projects progress at the required pace</p>	02-June-2023
Loss / delays in receipt of key income sources (Business Rates, Council Tax, Housing and Investment Property Rents)	 <p>Likelihood</p> <p>Impact</p>	 <p>Likelihood</p> <p>Impact</p>	 <p>Likelihood</p> <p>Impact</p>	Increased from medium to significant – increasing impact	<p>Loss of income – increased write offs.</p> <p>Delays in receiving income leading to potential cashflow issues. Increased debt management and recovery costs.</p>	<p>Government deferral of paying Central Business Rates contribution until end of June 2020. ; Reserve to cushion delays in payment of Investment Property income. Arrangements in</p>	Pete Hudson	<p>The impact of increasing inflation in the economy is likely to result in some permanent reductions in some income sources and delays in income receipts. This is monitored on an ongoing basis and key impacts reported</p>	11-Apr-2023

Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
					Potential impact on payment of preceptors and having sufficient income to meet cost obligations as they fall due.	place with some Investment Property tenants re agreed delays in rent income. (Exceptions basis only). Currently expected that all accounts will be up to date by 31/03/21. ; Healthy HRA balances to manage short term cashflow issues from reductions/delays in housing rent ; Option to scale back costs associated with non-critical functions.		through to CLT and Cabinet via Financial Monitoring reports. CIWG also receives regular update reports regarding Investment and Commercial Property income performance with twice yearly reports to Audit Committee. Due to the impact of the Covid pandemic the Hotel Investment Property will need some financial support in 2023/24 with the expectation that this financial support will be recouped over the remaining term of the lease. The Investment Property at Rotherham is now vacant and a new tenant is currently being sourced. Funding has been set aside in a reserve to help meet the income	

Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
								losses arising from void periods. Should there be any significant permanent loss of income, this will be reflected in updates to the MTFS.	

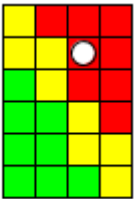

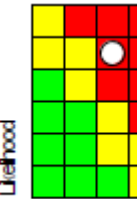
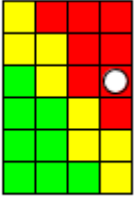

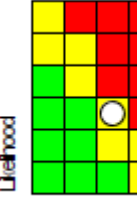
## Legal & Regulatory Risk

Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
<p>Ethical Governance – ability to implement changes to the Members' Code of Conduct and recommendations of the Committee on Standards in Public Life (CSPL) and Peer Challenge</p>	 <p>Likelihood</p> <p>Impact</p>	 <p>Likelihood</p> <p>Impact</p>	 <p>Likelihood</p> <p>Impact</p>	Constant	<ul style="list-style-type: none"> <li>• Significant resource to deal with implications of proposed Code of Conduct changes.</li> <li>• Significant resource to deal with implications of implementing the recommendation of the CSPL</li> <li>• Potential for negative perception of the Council which impacts upon the Council's reputation</li> <li>• Potential for adverse impact upon the</li> </ul>	<p>Ongoing work by the Standards and Personnel Appeals Committee in relation to the the Committee on Standards in Public Life – report on Local Government Ethical Standards ; Members received training regarding the Code of Conduct, their behaviours and roles and responsibilities as part of the induction in May 2019. In line with the Corporate Peer Challenge recommendation further training will be organised.</p> <p>; Present Quarterly Complaint</p>	Ruth Dennis; Michael Joy	<p>Quarterly Complaint Monitoring reports presented to Standards and Personnel (Appeals) Committee</p> <p>Numerous reports relating to the Committee on Standards in Public Life – report on Local Government Ethical Standards have been presented to Committee over the past 4 years.</p> <p>The Council at its AGM on 20 May 2021 approved the revised Code which incorporates elements of the LGA Model Code.</p>	19-May-2023

Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
					<p>workings of the Council</p> <ul style="list-style-type: none"> <li>Without new legislation does not provide holistic response to the recommendation of the CSPL</li> </ul>	<p>Monitoring reports to Standards and Personnel (Appeals) Committee ; Responding to the LGA's consultation on its draft Model Code of Conduct.</p>		<p>The Standards and Personnel Appeals Committee approves a work plan each municipal year. Items for approval for 2023/24 will be presented at the Committee meeting in June 2023. The proposed work plan for 2023/24 will include a piece of work reviewing the Members' Code of Conduct and related policies and procedure. An Internal Audit Review will be undertaken shortly to inform this work.</p> <p>The Corporate Peer Challenge team recommended training for Members and Officers in relation to the roles and responsibilities of</p>	

Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
								<p>Members and officers. A revised Members' Development Strategy was approved in December 2021. SOLACE has facilitated training with Cabinet Members regarding their roles and responsibilities.</p> <p>As part of the induction programme for Members after the elections in May 2023 ethical governance training will be provided to all Members which included the Code of Conduct and Members' roles and responsibilities; the LGA supported this training.</p>	

Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
Having an adopted LDF / Local Plan	<p>Likelihood</p> <p>Impact</p>	<p>Likelihood</p> <p>Impact</p>	<p>Likelihood</p> <p>Impact</p>	Remains significant with reducing likelihood	<ul style="list-style-type: none"> <li>• Diminish ability to stimulate economic growth</li> <li>• Increase likelihood of a developer lead approach to devt.</li> <li>• Maximises potential for a significant award of costs against the authority</li> <li>• Local Plan now at preferred approach. Need to publish next stage. Failure to achieve will set back timetable.</li> <li>• If plan requires subsequent revision, will add delays.</li> </ul>	Regular engagement with Members to bring them on board ; Keeping abreast of latest challenges; work with Planning Advisory Service and Planning Inspectorate ; Keeping a clear audit trail of engagements with developers and consultees ; work with Elected Members to address concerns ; Provide professional guidance	Christine Sarris	Uncertainty around government housing numbers and legislation/local political agenda	27-Apr-2023
Planning appeals	<p>Likelihood</p> <p>Impact</p>	<p>Likelihood</p> <p>Impact</p>	<p>Likelihood</p> <p>Impact</p>	Constant			Christine Sarris	The position has slightly improved however there is limited room for manoeuvre	27-Apr-2023

Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
Ability to meet statutory obligation process timescales (eg gas servicing, CO alarm installation)	 <p>Likelihood</p> <p>Impact</p>	 <p>Likelihood</p> <p>Impact</p>	 <p>Likelihood</p> <p>Impact</p>	Constant	Loss of life through explosion or carbon monoxide poisoning Reportable breach to Housing Regulator Govt intervention and/or corporate manslaughter	Following current Govt guidelines in terms of evidencing all 'refusals' Tenants provided with safety leaflet relating to CO Weekly report to Housing Regulator	Chris Clipstone; Richard Davis	<p>The completion of the PH&amp;SC/S still remains challenging and encounters numerous difficult access properties who are reluctant to provide access to their home for these essential services to be completed and we are encountering more situations where we are having to seek Court action.</p> <p>With regards to CO installations, there are a small number of installs outstanding despite numerous attempts to engage with the occupants.</p>	04-Apr-2023
Ability to comply with the regulatory regime set out by the Regulator of	 <p>Likelihood</p> <p>Impact</p>	 <p>Likelihood</p> <p>Impact</p>	 <p>Likelihood</p> <p>Impact</p>	Remains significant, probability has increased	<ul style="list-style-type: none"> <li>Health and Safety prosecutions.</li> <li>Appearing on the Regulator of Social housing's</li> </ul>	. Monthly updates at DMT against the Housing and Asset Corporate Risks to identify early warning indicators	Nicky Moss	The Housing Performance and Insight Officer (a key new post which is required to work on regulatory	30-May-2023

Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
Social Housing					<p>‘Watch List’.</p> <ul style="list-style-type: none"> <li>• Regulator Inspections.</li> <li>• Inspection downgrade following inspections.</li> <li>• Regulatory downgrade from current status.</li> <li>• Unlimited fines.</li> <li>• Removal of the Housing Stock.</li> <li>• Reputational damage to the Council.</li> </ul>	<p>and tolerances</p> <ul style="list-style-type: none"> <li>. Monthly review/updates against Social Housing White Paper Action Plan</li> <li>. Quarterly reports on performance on Complaints</li> <li>. Monthly updates to DMT on determinations from the Housing Ombudsman and failings from the Regulator of Social Housing for the sector</li> <li>. Quarterly updates on our position against Regulatory Consumer Standards</li> <li>. Quarterly key performance indicator report</li> <li>. Quarterly review of Tenant Satisfaction Measures</li> <li>. Quarterly FLEGAL</li> </ul>		<p>requirements) has been advertised with a market supplement 4 times, without success. A review of the market supplement is being undertaken by HR with a view to increasing this, so that the salary is comparable with other social housing landlords. The responsible Health and Safety Officer is now in place. Work is underway across Housing in order to meet the requirements of the Regulator of Social Housing. Additional resources (agency worker) are being sought to assist with the work required.</p> <p>There has been recent increased regulatory</p>	

Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
						update report		interest in areas such as CO alarms and Damp and Mould have identified that the data within the Assets database is incomplete and not readily available, leading to re-prioritisation of work on each occasion within IT and Assets – this is due to being under resourced in these areas.	
Ability to successfully implement the new legal requirements placed up on the Council as a result of the Elections Act 2022	<p>Likelihood</p> <p>Impact</p>	<p>Likelihood</p> <p>Impact</p>	<p>Likelihood</p> <p>Impact</p>	Reduced from significant to medium over the last 12 months	Risk of non-compliance with new legislation due to lack of timely clarity and detailed guidance from Government in relation to new requirements under the Elections Act 2022 and lack of information of new burdens	Service Review to implement new structure in accordance with Council process to ensure the Council has the right resources in place to meet existing and new service demands ; Develop and implement project plan for the	Ruth Dennis	The likelihood of failing to implement the new legal requirements brought about by the Elections Act 2022 has significantly reduced following the successful implementation of these during the District Elections in May 2023.	19-May-2023

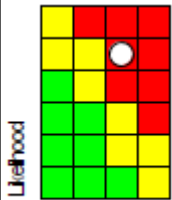
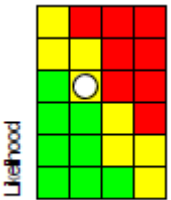
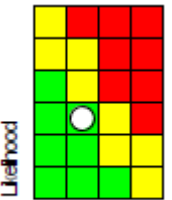
Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
					funding in order to plan resourcing accurately.	<p>implementation of the Election Act requirements.</p> <p>; Develop and keep under review detailed Risk Register as part of Project Plan</p> <p>; Regular project meetings with key staff across the Council</p> <p>; Communications / engagement plan as part of the project plan</p> <p>; Keep abreast of Government and sector guidance and advice.</p> <p>; Collaborate with peers</p> <p>Establish a Member Working Group</p>		<p>Voter authority certificate applications were processed by the Council in the lead up to the election. Due to the low numbers of applications, the resources the Council put in place were able to deal with these successfully The Council carried out its own varied communications plan to encourage people to make applications as early as possible which may have assisted with the flow and resourcing of applications.</p> <p>The Council has submitted required data collected on election day in respect of Voter ID, the used of Voter Authority Certificates, use of</p>	

Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
								<p>privacy areas and other accessibility measures.to DLUHC. The Government will reflect on the implementation of the new requirements and will publish findings in due course which might require changes to the Council's approached in future years.</p> <p>The Government has providing initial confirmation of grant funding for additional resources and equipment for 2022 and 2023. Detailed information regarding justification led bids for additional funding is also expected. The costs of the new legal requirements for the May 2023 elections and projections for</p>	

Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
								<p>elections scheduled in 2024 will be analysed following the election to assess against funding already received and expected with a view to maximising justification led bids as appropriate for costs incurred (or which we expect to incur) which are not covered already by grant funding.</p> <p>Lessons learnt from the elections in May 2023 will be taken in account for the preparation of the election risk register, integrity plan and project plan for elections due to take place in 2024.</p> <p>A Member Working Group will be</p>	

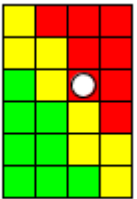
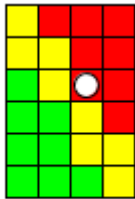

Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
								established at the July Council meeting the scope of which will include a review of the ongoing risks (level of risk and ongoing monitoring) associated with the new requirements of the Elections Act 2022 and the impacts of embedding these into the election and electoral registration processes for future elections including funding	

## Service Delivery

Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
Levels of sickness absence	 <p>Likelihood</p> <p>Impact</p>	 <p>Likelihood</p> <p>Impact</p>	 <p>Likelihood</p> <p>Impact</p>	Remains medium over the last 12 months with reducing impact and increasing probability	<ul style="list-style-type: none"> <li>• Productivity</li> <li>• Financial</li> <li>• Employee morale</li> <li>• Service delivery</li> <li>• Remaining staff placed under increased pressure</li> <li>• Reputational damage</li> </ul>	Robust management of sickness absence procedures by managers and robust procedures – Revised Absence Mgt Policy implemented ; Effective monitoring – monthly monitoring reports highlighting service area absence to assist CMG and managers in absence management ; Employee support mechanisms – Employee assistance programme implemented ; Appropriate occupational health support – Occupational Health	Nikki Morris; Rachel Ward	<p>Year to date absence is currently 9.62FTE which is over target by 0.87FTE, as of February 2023, March absence is still to be included. At this rate the estimated yearly outturn will be c.10.5 FTE. The main cause of absence is long term.</p> <p>A number of measures are being taken to address rising absence stats such as:</p> <p>1. Review of Attendance Management Policy to ensure a more streamline, fit for purpose policy is embedded</p>	02-May-2023

Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
						provision reviewed		<p>2. HR are undertaking training for new managers and refresher training current managers to help them apply AMP and manage absence. This is currently on an adhoc basis however there will be a full training program as part of the launch of the revised policy</p> <p>3. Ongoing robust management of absence cases and HR work closely with managers accordingly.</p> <p>4. Improved communications in regards to wellbeing support mechanisms in place to facilitate employees back in to the workplace or remain in work.</p>	

Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
								<p>5. Well Being day undertaken at Northern Depot and Council Offices which focussed on muscular skeletal, mental health and menopause</p> <p>6. Review of wellbeing initiatives and working with Health and Wellbeing to look at targeted interventions to raise awareness and signpost for support</p> <p>7. Continue to provide statistical data and information to CLT for discussion</p> <p>8. Absence data reviewed within HR for targeted actions.</p>	

Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
Workforce planning – ability to recruit and/or retain filled position to critical posts	 <p>Likelihood</p> <p>Impact</p>	 <p>Likelihood</p> <p>Impact</p>	 <p>Likelihood</p> <p>Impact</p>	Constant	Inability to provide critical service functions including statutory services whilst vacant Negative impact on delivery of critical functions that directly affect Corporate Plan priorities,, productivity, MTFS	Implementation of Workforce Plan ; Identify Critical Posts and implement strategic plan to mitigate against risks of failure to recruit/retain quality staff to these positions	Craig Bonar	<p>Remains a significant risk due to ongoing challenges with recruitment and retention within an increasingly competitive market, reduced candidate pool, lifestyle changes.</p> <p>Fundamental review of recruitment (by external consultant) within the Council now completed c/w recommendations and action plan. Consideration being given to implementing priority actions.</p> <p>Redesigning adverts and content to make more attractive to potential applicants</p> <p>Support to managers in mitigating against</p>	26-Apr-2023

Title	Original Matrix	Current Risk Matrix	Target Risk Matrix	Trend	Consequences	Mitigating Actions	Officer Responsible	Comments	Latest Assessment
								<p>recruitment challenges through 'grow our own', succession planning, career grading, use of graduates, apprentices, trainees.</p> <p>Support to managers to increase pool of applicants through identifying candidates with 'potential' to develop within role, given development support.</p> <p>Use of market supplements ongoing where appropriate.</p> <p>External benchmark and assessment of pay and grading structure underway.</p>	

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<b>Report To:</b>	<b>Cabinet</b>
<b>Date:</b>	<b>26<sup>TH</sup> JUNE 2023</b>
<b>Heading:</b>	<b>PROPOSED POTENTIAL LAND EXCHANGE</b>
<b>Executive Lead Member:</b>	<b>CLLR T HOLLIS – EXECUTIVE LEAD - STRATEGIC HOUSING AND CLIMATE CHANGE</b>
<b>Ward/s:</b>	<b>HUTHWAITE &amp; BRIERLEY, KINGSWAY AND SUTTON CENTRAL &amp; NEW CROSS</b>
<b>Key Decision:</b>	<b>YES</b>
<b>Subject to Call-In:</b>	

## **Purpose of Report**

To advise Members and seek approval, in principle, to the proposal to exchange Council owned (General Fund - GF) land at Hardwick Lane, Sutton in Ashfield and Central Avenue, Kirkby in Ashfield with Council owned (Housing Revenue Account - HRA) land at Clegg Hill Drive, Huthwaite for the purpose of potential future house building.

## **Recommendation(s)**

1. To note the content of the report and the need for new affordable homes to meet increasing levels of demand for housing from local residents.
2. To approve an application being made to the Secretary of State for Levelling Up, Housing and Communities (DLUHC) for consent to change the use of a small parcel of land on the edge of the Central Avenue allotment site. The land is currently designated as allotment land but has never been used for this purpose and is currently overgrown scrubland.
3. To approve consultation with local residents. To seek their views on a proposal to change the designation of Hardwick Lane rec from recreational (open space) to land suitable for development. The consultation will be in accordance with section 122(2A) of the Local Government Act 1972 and any objections will be brought back to Cabinet for consideration.
4. To note that officers are seeking further advice in respect of the financial regulations relating to the appropriation of land from the GF to the HRA and vice-versa
5. The following further recommendations only apply if points 2, 3 and 4 above are concluded satisfactorily, with no outstanding issues that Members need to consider;
  - To approve the proposed land exchange, with Council GF land at Central Avenue, KIA and Hardwick Lane, SIA, being exchanged for an equivalent sized parcel of HRA land at Clegg Hill Drive, Huthwaite.
  - To grant delegated authority to the Executive Director of Operations and the Corporate Resources Director to determine any additional financial adjustment needed to ensure the GF receives full value for the sites being exchanged.
  - To approve the proposal to develop the exchanged sites at Central Avenue, KIA and Hardwick Lane, SIA for affordable housing to meet local need.
  - To grant delegated authority to the Executive Director of Operations, in conjunction with the Corporate Resources Director, to negotiate and formalise final scheme costs, property mix, specification and delivery.
  - To grant delegated authority to the Executive Director of Operations, to procure and appoint a contractor to develop the site.
  - To grant delegated authority to the Executive Director of Operations to contract, on behalf of the Council, with Homes England, for the purposes of receiving subsidy to ensure that developments are viable and fall within a maximum payback period of 40 years.

## **Reasons for Recommendation(s)**

The Council has a corporate objective to ensure there is sufficient safe and appropriate housing for local residents and building new council homes is an important part of this.

The Council's land holdings have been reviewed and new Council homes built on appropriate sites.

Demand for affordable housing remains exceptionally high and the Council has reaffirmed its commitment to continue with the new build programme. With new sites being increasingly difficult to find and achieve financial viability, it is important that creative solutions are considered, hence the land exchange proposal.

## **Alternative Options Considered**

Not to consider a land exchange. This was rejected because the sites in question cannot be developed on their own for social housing purposes, using our existing methodology. The reason for this is that the cost of the HRA purchasing the land from the GF and the cost of building new homes and maintaining them over 40 years exceeds the expected rental income. The only way to make them financially viable is through the proposed exchange as this eliminates the bulk of the land purchase cost.

## **Detailed Information**

As outlined above, demand for affordable housing is high and rising. With properties being lost from the housing stock through the Right to Buy and few Registered Providers (Housing Associations) actively developing new homes in the District, it is important the Council seeks to address the issue of affordable housing supply and has an ambitious new build housing programme to help achieve this.

### **Site details**

- Central Avenue, KIA (GF)

The Council owned garage site on Central Avenue and the land immediately adjacent to the site is the area under consideration.

The title deeds show that the adjacent land is part of the neighbouring allotment site. However, the land has never been used as allotments and it would be too expensive to clear and cultivate the land for this purpose. No allotment holders would be affected, or allotments lost as a result of the proposal. Access to and from the existing allotment site would be maintained. To change the parcel of land in question from designated allotment land would require Secretary of State consent.

- Hardwick Lane, SIA (GF)

Hardwick Lane Rec as it is known is designated recreational (open space) land. On the Council's Strategic Housing and Economic Land Availability Assessment (SHELAA) it is identified as being developable land.

The Council is very conscious of the need to ensure residents have access to good quality open spaces and Hardwick Lane rec is under consideration as part of this

proposal only because there are a number of alternative parks and amenities in the local area.

The Council is duty bound to consult with local residents if we wish to consider changing the designated use of a site. The consultation will need to be in accordance with section 122(2A) of the Local Government Act 1972. The intention is to consult and consider the responses from local residents. If there is meaningful feedback opposing the change the matter will be brought back to Cabinet for further consideration and any other actions relating to the site will be put on hold.

- Clegg Hill Drive, Huthwaite (HRA)

The HRA site located off Clegg Hill Drive is land locked and is only accessible through a neighbouring parcel of land that sits within the GF. The value of the land is reduced as a result of the access issue. The entire site is circa 13.1 acres in size, with the HRA section being just under 10 acres.

## **Exchange proposal**

The following proposal is subject to actions identified above, namely an application to the Secretary of State to change the designation of the land at Central Avenue, KIA and the consultation with residents on the land at Hardwick Lane being concluded satisfactorily and without further issue.

The land in question at Hardwick Lane and Central Avenue totals approximately 3.51 acres. The proposal is to exchange this for an equivalent sized parcel of land at Clegg Hill Drive. As the HRA land at Clegg Hill Drive is considered to be of lower value because of the access issues, the intention is for the General fund to be compensated up to the value of any shortfall. Discussions and agreement on any shortfall will be based upon an independent site valuation and the financial advice currently being sought.

Officers have sought legal advice regarding the power to appropriate land from the GF to the HRA and vice-versa and determined there is a power of appropriation under section 122 of the Local Government Act 1972. In respect of appropriating land from the HRA to the GF this is conditional on the land not being needed for the purpose for which it is held. The land is not being held specifically for housing purposes as it is inaccessible, and not considered to be a viable site to deliver social housing due to the significant infrastructure costs that would be required to be able to undertake development. By undertaking the exchange, the Council is enabling housing to be delivered in a more cost effective and efficient way.

## **Future development**

The Council needs to have a pipeline of sites that are potentially suitable for development if it is to increase affordable housing supply and meet local housing need.

If the issues relating to Central Avenue, KIA and Hardwick Lane, SIA are concluded satisfactorily, and the land exchange proposal is approved this would make both sites suitable for potential future development.

Hardwick Lane could accommodate up to 30 new homes whereas the land at Central Avenue has the potential for 17. On the basis of current development costs, and assuming a Homes England

contribution, the sites are viable to develop as they payback within the required 40 years. If Homes England funding is not forthcoming, both sites become unviable.

As part of the recommendations within this report, assuming other outstanding issues are resolved, Members are being asked to support the development of new affordable housing on both sites, with further authority for the scheme composition and delivery being delegated to the Executive Director of Operations and the Corporate Resources Director.

The options for Clegg Hill Drive will be considered separately, these do not form part of this report.

## **Implications**

**Corporate Plan:** The Corporate Plan identifies a need to ensure there is sufficient housing available in the District of the right size, type and quality, ensuring an adequate supply of affordable housing.

**Legal:** The Council is able to appropriate land from the General Fund to the HRA and vice versa, but must do so in accordance with the powers under which the appropriations are to be made, and in compliance with wider public law decision making principles.

Section 19 of the Housing Act 1985 provides power to appropriate land from the General Fund into the HRA. Where land has at any time been acquired or appropriated for the use of allotments, then Secretary of State consent will be required to the appropriation. Section 122 of the Local Government Act 1972 provides the power for the Council to appropriate land out of the HRA and into the General Fund, and there is a requirement that the land is no longer required for the purpose for which it is held immediately prior to the appropriation. There are also open space notice requirements and the Council will need to make adjustments to its accounts to reflect the appropriations.

### **Finance:**

There are no direct financial implications arising from the in-principle support for the recommendations in this report. There will be a one-off cost of obtaining specialist financial advice which is yet to be determined but is not expected to be excessive and will be funded from the Economic Development and Place Reserve. [PH 07/06/2023].

<b>Budget Area</b>	<b>Implication</b>
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:**

<b>Risk</b>	<b>Mitigation</b>
Failure of the Secretary of State to approve the change of use of the land at Central Avenue from designated allotment land.	No further action relating to the proposed land exchange will take place until the outcome of any application to the Secretary of State is known.
Responses to the consultation on the designation of the land at Hardwick Lane to show strong support for retaining the land as open space	All consultation responses will be considered and where there is (negative) feedback to the proposal the consultation findings will be brought back to a future Cabinet Meeting for consideration.  No further action relating to the proposed land exchange will take place until the outcome of this is known.
Further financial and accounting advice reveals barriers and obstacles to the land appropriation.	The findings and options will be considered.  No further action relating to the proposed land exchange will take place until the outcome of this is known.
Escalating development costs	Any new development scheme is carefully costed before a commitment is given. A robust process will be followed and any development will only proceed if it is deemed economically viable. This includes access to Homes England funding.

**Human Resources:**

The are no HR implications.

**Environmental/Sustainability:**

The proposal to change the use of Hardwick Lane rec would mean the potential loss of an open space amenity, along with the flora and fauna associated with it. In making this recommendation we have taken account of other open space in the local area and balanced this with the need to meet local housing need.

In respect of the Central Avenue site, no allotments would be lost. The area in question is uncultivated scrubland.

**Equalities:**

No equalities issues have been identified.

**Other Implications:**

**Reason(s) for Urgency**

Not applicable

**Reason(s) for Exemption**

Not applicable

**Background Papers**

Not applicable

**Report Author and Contact Officer**

Phil Warrington

Assistant Director – Strategic Housing

[Phil.warrington@ashfield.gov.uk](mailto:Phil.warrington@ashfield.gov.uk)

01623 608893

**Sponsoring Director**

Paul Parkinson

Executive Director of Operations.

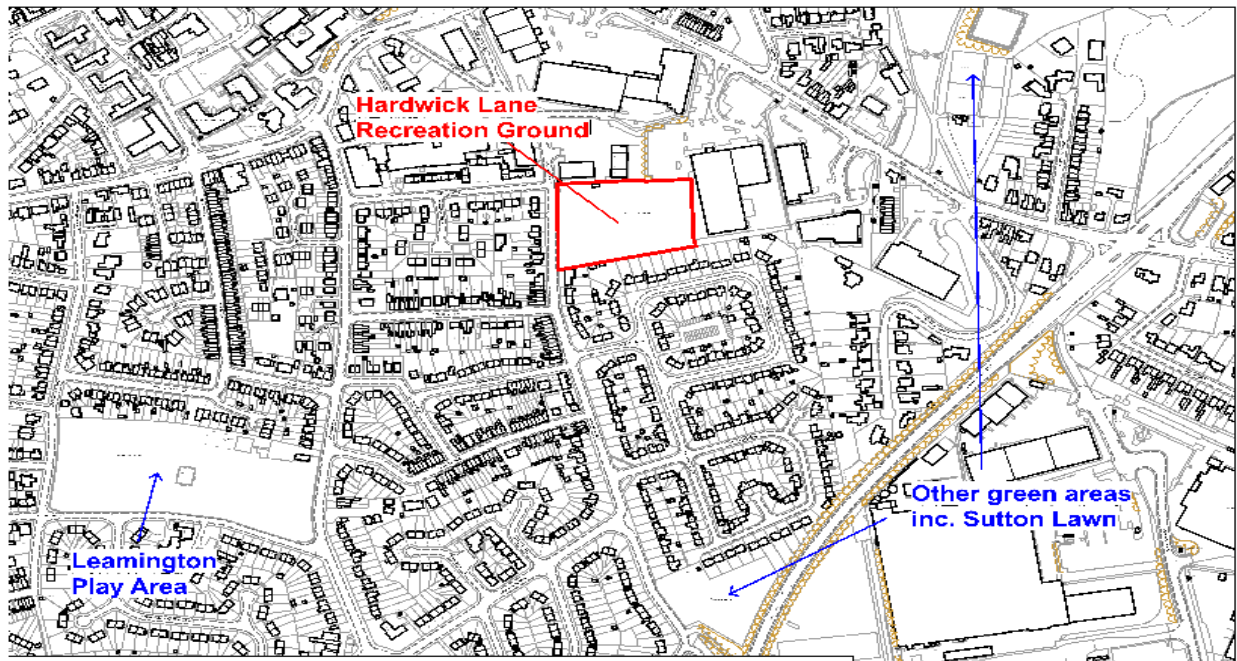
[Paul.parkinson@ashfield.gov.uk](mailto:Paul.parkinson@ashfield.gov.uk)

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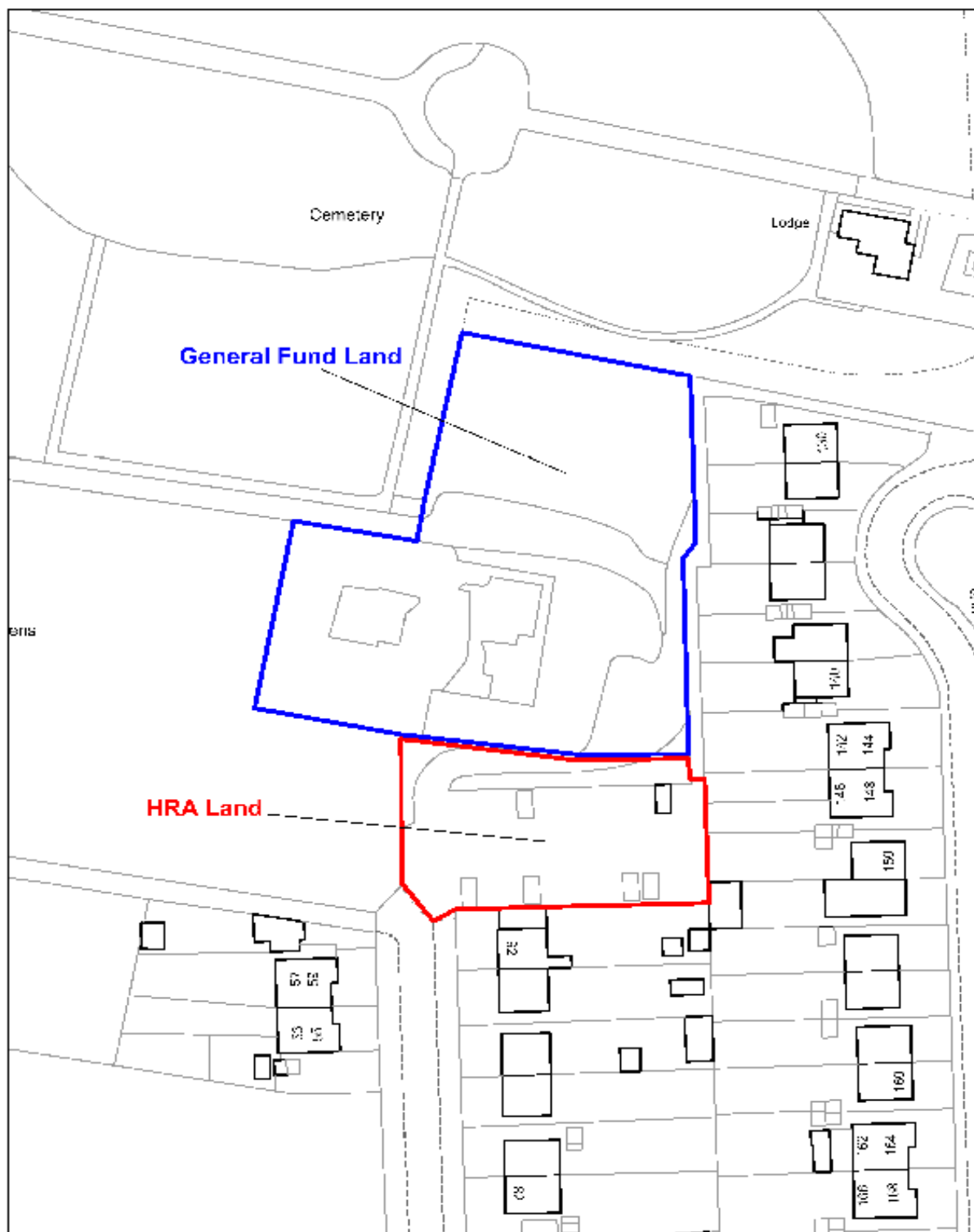
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## LAND EXCHANGE PROPOSAL - Appendix 1 – Site Plans

### Hardwick Lane, Sutton in Ashfield

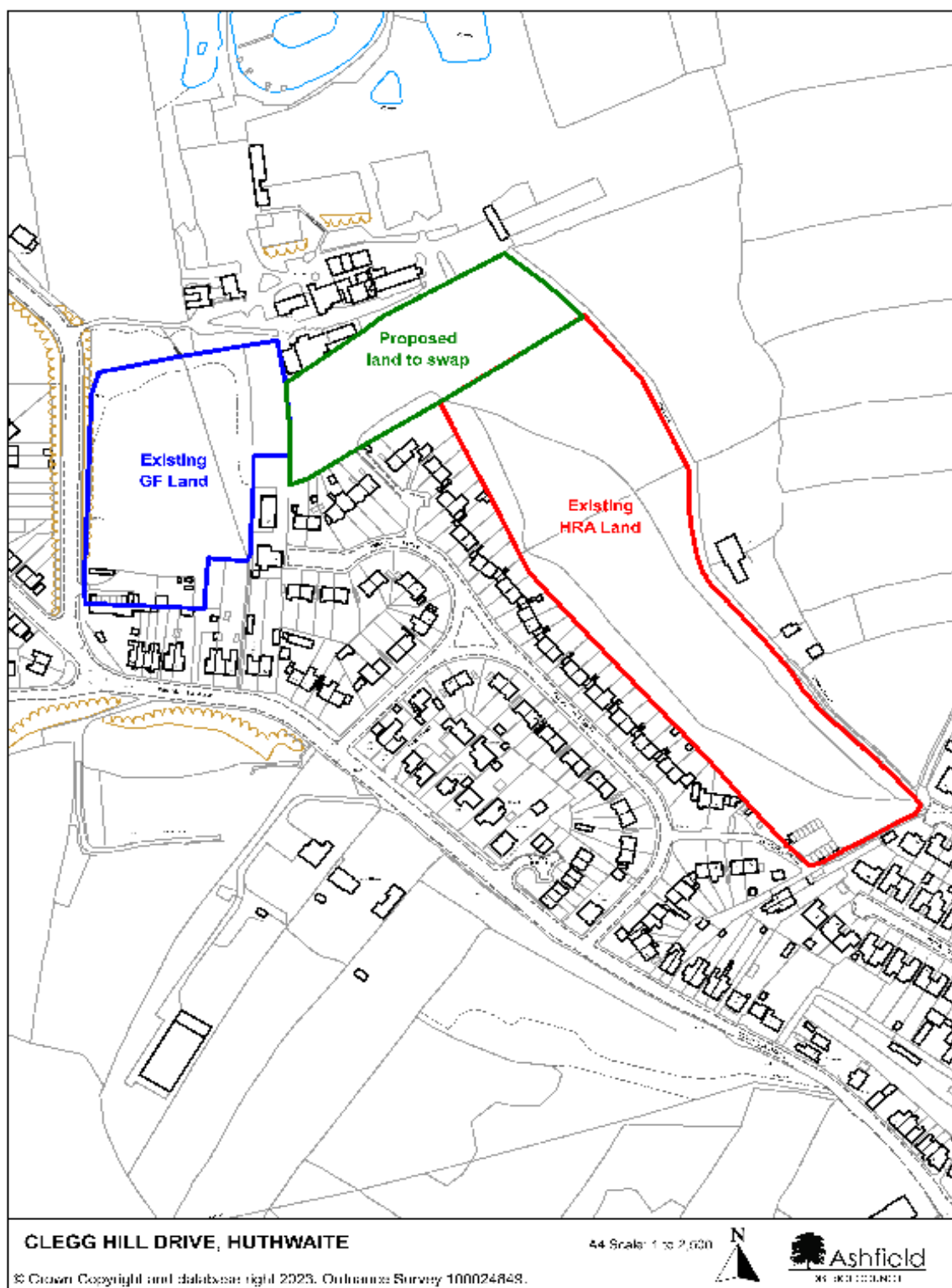


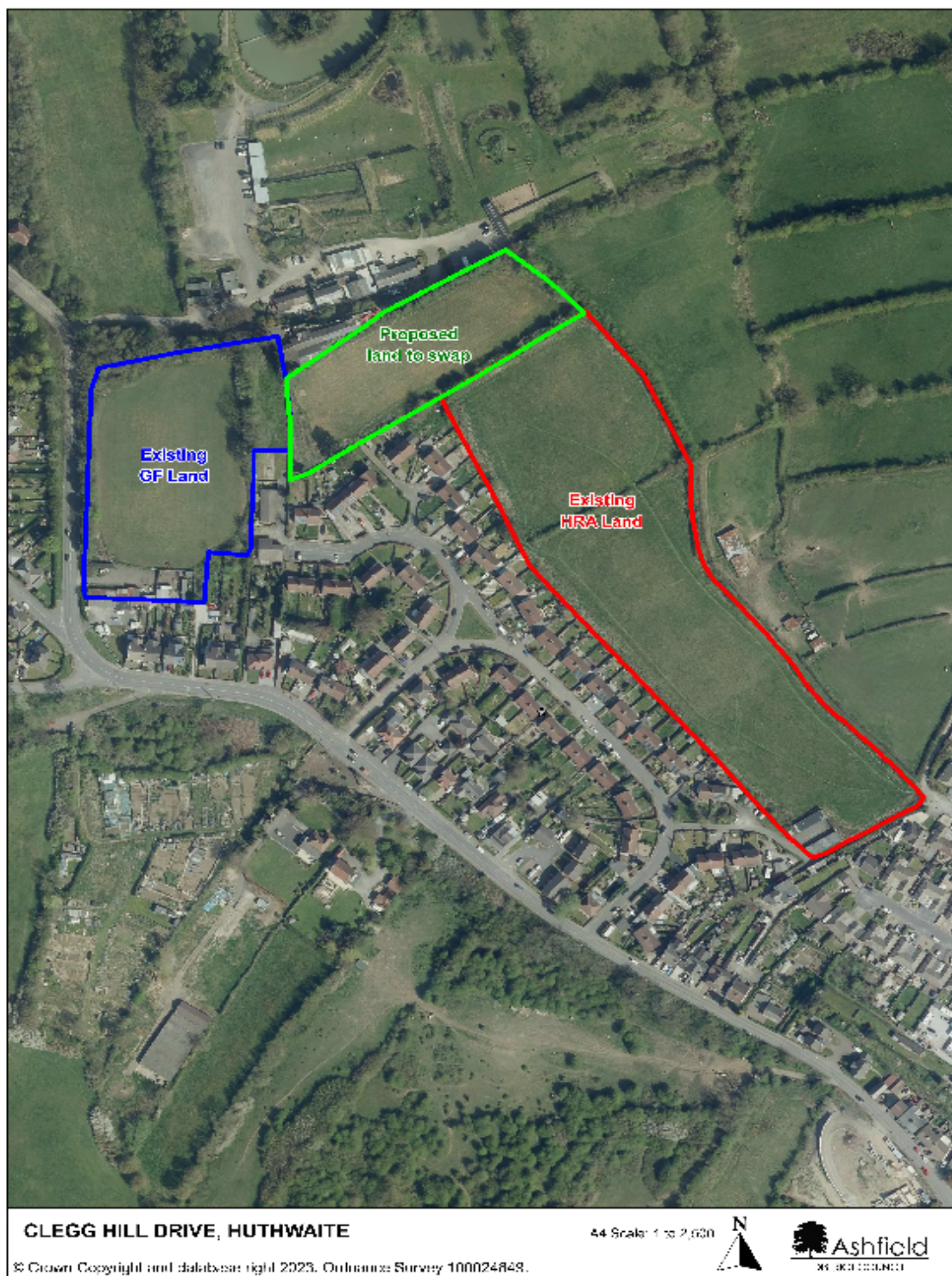
Central Avenue, Kirkby in Ashfield





**Clegg Hill Drive, Huthwaite**





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<b>Report To:</b>	<b>CABINET</b>
<b>Date:</b>	<b>26<sup>TH</sup> JUNE 2023</b>
<b>Heading:</b>	<b>NEW PARKING ORDER</b>
<b>Executive Lead Member:</b>	<b>CLLR MATTHEW RELF, EXECUTIVE LEAD MEMBER FOR REGENERATION AND PLANNING</b>
<b>Ward/s:</b>	<b>ALL WARDS</b>
<b>Key Decision:</b>	<b>YES</b>
<b>Subject to Call-In:</b>	<b>YES</b>

## **Purpose of Report**

To agree the proposals detailed in the report regarding changes to parking provision and charges and to approve officers undertaking the process necessary to make a new Ashfield District Council Civil Enforcement Off-Street Parking Places Order.

## **Recommendation(s)**

1. To agree the proposals detailed in the report regarding changes to parking provision and charges (and to note proposals agreed at December 2022 Cabinet).
2. To agree and approve officers undertaking the legal process to make a new Civil Enforcement Off-street Parking Order.
3. To agree the publication of the Ashfield District Council Civil Enforcement Off Street Parking Places Order 2023.
4. Delegate authority to the Executive Lead Member to enact the proposed future change(s) to the order as and when required and to make any minor amendments to the order, plans and other documents as required.

## **Reasons for Recommendation(s)**

To ensure that the Parking Order is up to date to reflect changes in parking provision and to provide flexibility for future changes which may be required.

## **Alternative Options Considered**

Not to revise the Parking Order. **Not recommended**; the Order needs to be revised due to changes in charges and car park provision.

## **Detailed Information**

The Council's current Parking Order came into operation on 7<sup>th</sup> August 2020 and a notice of variation of parking charges came into force on 7<sup>th</sup> September 2020. There are a number of changes required to the Order which are required to be implemented now, and a number required for the future which will remain dormant within the new Order until they are ready to be enacted.

### **1. Parking provision agreed at Cabinet 13<sup>th</sup> December 2022**

The following changes in parking provision were agreed at Cabinet on 13<sup>th</sup> December 2022 to support the town centres:

- a) Changes to Kirkby Leisure Centre car park (former Festival Hall site)
- b) Addition of Fox Street, Sutton car park
- c) Addition of Lammas Leisure Centre car park
- d) Addition of West Kirkby Gateway car park
- e) Alteration of boundary of Kings Mill Reservoir car park
- f) Addition of car park at Langton Road / New Street
- g) Addition of Papplewick Green Open Space car park
- h) Alteration to limits of stay and parking charges for Sherwood Place car park
- i) Incorporation of references to new legislation
- j) Reviewing of current fees and charges
- k) Hucknall Leisure Centre car park charging structure to be the same as Kirkby and Lammas Leisure Centres
- l) Any Council car parks that can accommodate Heavy Goods Vehicles, to offer overnight parking at a cost of £10 per night;
- m) All Town Centre car parks to offer overnight parking at a cost of £1 per night from 6pm

### **2. New Parking Order**

The following changes and additions are also recommended to be included within the new Parking Order, the proposed schedule for the new Parking Order is included at the end of this report.

#### **2.1 Kirkby Leisure Centre**

- a) To rename the Festival Hall car park as Kirkby Leisure Centre car park
- b) Incorporate the car park within the Parking Order and introduce charges as follows:

Up to 2 hours free  
Up to 4 hours £2

(Penalty charge applies for parking for longer than the maximum period allowed).

## **2.2 Fox Street car park**

- a) Incorporate the car park within the Parking Order and introduce charges as follows:

Up to 2 hours free

Up to 4 hours £2

(Penalty charge applies for parking for longer than the maximum period allowed).

- b) The cost of the works would be covered by the approved budget for the Future High Streets funded scheme.

## **2.3 Lammas Leisure Centre car park**

This car park cannot be included in the new Parking Order at this time as the legal process of removing the Trust from the site is still being progressed.

## **2.4 West Kirkby Gateway car park**

This car park cannot be included in the new Parking Order at this time as the legal process of ownership is yet to be completed.

## **2.5 Kings Mill Reservoir**

The area of land covered by the Parking Order at Kings Mill Reservoir will be increased to include the area of land made available through the demolition of the former sailing club building and redevelopment of the site.

## **2.6 New Street (Langton Road Junction) Sutton car park**

This area of land has been identified as a valuable addition to the long stay parking provision in the town, close to the existing car parks. It requires significant works including surfacing, line marking and ticket machine installation, signage and lighting. Design and costings work is due to commence shortly.

It is recommended that this site is included in the new Parking Order but remains dormant until the car park is brought into use.

## **2.7 Papplewick Green Pavilion**

It is recommended that Papplewick Green Pavilion car park is included in the new Parking Order with maximum period for which a vehicle may wait:

Maximum stay 12 hours

(Penalty charge applies for parking for longer than the maximum period allowed).

## **2.8 Sherwood Place, Sutton car park**

This car park is currently a short stay car park for up to four hours. With the future provision of additional short stay parking on Fox Street there is now the opportunity to increase long stay provision in the town at Sherwood Place.

It is recommended that Sherwood Place is included in the new Parking Order with the charges as follows:

Up to 2 hours free  
Up to 4 hours £2  
Over 4 hours £4

(Penalty charge applies for parking for longer than the maximum period allowed).

## **2.9 Incorporation of references to new legislation**

- a) The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 have been replaced by The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.
- b) The 2007 Regulations are mentioned twice within the Ashfield District Council Civil Enforcement Off-Street Parking Places Order 2020 and these references to the 2007 regulations need to be replaced by the 2022 Regulations.

## **2.10 Hucknall Leisure Centre car park**

Incorporate the car park within the Parking Order and introduce charges as follows:

Up to 2 hours free  
Up to 4 hours £2

(Penalty charge applies for parking for longer than the maximum period allowed).

The cost of the works (estimated at £12-£15k) would be funded by the Economic Development and Place Reserve with the funds paid back over time from income from the parking charges or through a capital project to increase the size of the car park.

## **3.0 Charges**

The potential for the introduction of overnight parking charges has been reviewed with an expert external adviser from a neighbouring authority. His advice is that it is too complicated to introduce charges; with the older ticket machines a two ticket option with separate buttons (one for the daytime and the other for evening) is required with both tickets needing to be displayed at the same time. From their experience people often pressed the wrong button and they have now removed the evening charge in their car parks due to complaints and the number of challenges to penalty notices.

The Council's car parks are limited to vehicles weighing under 2500kgs to prevent excessive wear and tear and damage to the car park infrastructure and parking surface. Vehicles using the car parks in an evening in excess of this weight can be issued a penalty charge notice.

It is therefore recommended not to offer either overnight parking to Heavy Goods Vehicles or to charge for overnight parking and that these proposals are not included in the new Parking Order.

## Season Tickets

Season tickets for long stay car parking are available providing a significant saving for regular users. Purchased in 13 week passes they represent a 46% saving on the day rate whilst a 52 week pass provides a saving of 52%.

	£	Season Ticket Price	Saving £	Discount %
Daily charge	4			
Weekly parking charge (5 days)	20			
13 week parking charge	260	140	120	46%
52 week parking charge	1,040	500	540	52%

### 4.0 Reference in parking schedule

The reference to 'Only in parking bays marked and signed accordingly' referred to the provision of red parking bays and has been removed.

### 5.0 Informal consultation

The Council received 14 written responses through the informal consultation. Eight responses related to concerns other than changes to the new Parking Order.

Six responses related to parking charges at the leisure centres and how they appear to penalise users. This is a valid concern however as was the practice at the Old Festival Hall site staff at the leisure centres can issue permits to users who will be accessing the leisure centre facilities for longer than two hours.

### 6.0 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.

### 7.0 Proposed timeframe and key dates

26<sup>th</sup> June 2023 – Cabinet to approve undertaking the formal consultation process

17<sup>th</sup> July 2023 – Start of formal consultation

18<sup>th</sup> August 2023 - End of formal consultation

18<sup>th</sup> September 2023 – Cabinet to consider any objections

3<sup>rd</sup> October 2023 – Sealing of the Civil Enforcement Off-Street Parking Places Order 2023

9<sup>th</sup> October 2023 – Advertisement of Civil Enforcement Off-Street Parking Places Order 2023

27<sup>th</sup> November 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:**

The relevant legislation is set out in the body of the report. If the recommendations are approved, Legal Services will work with relevant officers to undertake preparations for the commencement of the legal process for renewing the Parking Order in order to comply with the legislation. [RLD 08/06/2023]

### **Finance:**

No direct financial implications arising from this report. [PH 07/06/2023].

<b>Budget Area</b>	<b>Implication</b>
General Fund – Revenue Budget	Not applicable
General Fund – Capital Programme	As detailed in the report.
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

### **Risk:**

<b>Risk</b>	<b>Mitigation</b>
Reputational and management - the lack of enforcement powers for the Leisure Centres means that inconsiderate parking and use by non-leisure centre users cannot be addressed.	Implementing the new Order will address issues at Kirkby and Hucknall Leisure Centres and will allow for enforcement against inconsiderate parking and long-stay parking.

### **Human Resources:**

No issues identified.

**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.

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**ASHFIELD DISTRICT COUNCIL  
CIVIL ENFORCEMENT OFF-STREET PARKING PLACES ORDER 2023**

Ashfield District Council (hereinafter called “the Council”) in exercise of its powers under Sections 32, 35 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, as amended (“the 1984 Act”) and under the Traffic Management Act 2004 as amended (“the 2004 Act”) and of all other enabling powers, with the consent of the Nottinghamshire County Council in accordance with Section 39(3) of the 1984 Act and after consultation with the Chief Constable of the Nottinghamshire Constabulary in accordance with Part III of Schedule 9 to the 1984 Act hereby makes the following Order:

**PART I  
GENERAL**

Commencement and Citation

1. This Order shall come into operation on the            day of            2023 and may be cited as the Ashfield District Council Civil Enforcement Off-Street Parking Places Order 2023. The Ashfield District Council Civil Enforcement Off-Street Parking Places Order 2023 Plans (‘the Plans’) are incorporated into this Order.

Interpretation

2. In this Order, except where the context otherwise requires, the following expressions have the meanings respectively assigned to them:

“Bank Holiday” has the same meaning as described in the Banking and Financial Dealings Act 1971. The first Monday of May shall be treated as if it were a Bank Holiday for the purposes of this Order.

“Civil Enforcement Officer” means a person authorised by or on behalf of the Council to supervise the Parking Places and enforce the restrictions imposed by this Order.

“Charging Days”, means those days specified at each Parking Place and specified in the Schedule of Parking Places other than Christmas Day and Easter Sunday.

“Charging Hours”, means the period as specified at each Parking Place and specified in the Schedule of Parking Places or as amended by notice of variation to charges from time to time on all Charging Days.

“Council” means Ashfield District Council.

“Disabled Person’s Badge” means a badge issued by any Local Authority in accordance with the provisions of the Local Authorities’ Traffic Orders Exemptions for Disabled Person’s (England) Regulations 2000 as amended or a badge having effect under those regulations as if it were a Disabled Person’s Badge.

“Driver” in relation to a Parking Place means the person driving the Vehicle at the time it was left in the Parking Place.

“Expiry Time” is the time indicated on the Pay and Display Ticket, or Voucher and is the time by which the parking period for which the parking ticket, Voucher or Electronic Payment period has expired.

“Electronic Payment” means a cashless parking payment method of charges for use in a Parking Place where facilities at that Parking Place allow payment by telephone or electronic means, allowing Vehicles of such classes, in such positions, on such days, during such hours and for such period as are specified at each Parking Place and specified in the Schedule of Parking Places to be parked for the period of time for which Electronic Payment has been made. A transaction fee (convenience charge) may be incurred in addition to the scale of current charges as specified on site and specified in the Schedule of Parking Places, for the use of this Electronic Payment method.

“Electric Vehicle” means an Electric Vehicle or plugin hybrid a Vehicle that is powered entirely or partially by electricity and is capable of being recharged

from an Electric Charging Point or external electric power source. The Electric Vehicle must be licensed as private or private/light goods and not exceeding 2500kg in weight or 2 metres in height.

“Electric Charging Point” means apparatus installed within a Parking Place to facilitates the recharging of an Electric Vehicle by way of connection of a power lead from an Electric Charging Point

“Electric Vehicle Parking Bays” means any Parking Bay which has been designated or is at the Council’s discretion, hereafter designated for use by Electric Vehicles in order to recharge by using the Electric Charging Point adjacent to the Parking Bay designated for such use. An Electric Vehicle Parking Bay shall be defined as designated for such use by tarmac line markings and or symbols and signage adjacent to the Electric Vehicle Parking Bay indicating the Parking Bay is designated for the sole use of an Electric Vehicle.

“Free Period” means a period of parking for which a Voucher (free parking ticket) must be obtained but for which there is no charge as specified on site and which is specified in the Schedule of Parking Places as being at a charge of £0.00.

“Goods Vehicle” has the same meaning as that ascribed to it in Schedule 6 of the Road Traffic Act 1988 (‘RTA 1988’).

“Loading / Unloading” refers to when a Vehicle is parked wholly in a Parking Place or Parking Bay marked for that designated purpose on site, for the purpose of delivering or collecting goods or merchandise or loading or unloading the Vehicle at premises adjacent to the Parking Place or Parking Bay and the Vehicle does not park for more than twenty minutes or such longer period as a duly authorised officer of the Council may authorise.

“Loading Bay” means an area of a Parking Place which is provided for the temporary parking of Vehicles of a class specified and indicated by markings on

the surface of the Parking Place or signed or otherwise indicated by notices in the Parking Place for the purpose of Loading and Unloading of goods.

“Motorcycle” refers to a solo motorcycle only and excludes any motorcycle which has a side-car or trailer, or which has more than two wheels.

“Owner” in relation to a Vehicle means the person who is recorded as the registered keeper by the Driver and Vehicle Licensing Agency on the date on which the Vehicle was left in the Parking Place in question.

“Parking Bay” means an area of a Parking Place, which is provided for the leaving of a Vehicle of a class specified and indicated by markings on the surface of the Parking Place or signed or otherwise indicated by signs in the Parking Place.

“Parking Permit” means a season ticket, contract permit, business permit employee permit or resident’s permit of a type and design issued by the Council.

"Parking Place" means an area of land shown on the Plans and provided by the Council pursuant to Section 32(1) of the 1984 Act for the purpose of Vehicle parking and not closed (in part or in whole) by a notice sign or barrier erected or displayed thereon by authority of the Council in accordance with Article 12 of this Order.

“Parking Ticket” means a ticket receipt electronic or otherwise for payment of the appropriate parking charge (if any) purchased or obtained in accordance with Part III of this Order (‘CHARGES FOR PARKING’).

“Pay and Display” means for the purpose of this order a type of Parking Place where upon parking the Vehicle in a Parking Bay and prior to leaving the Parking Place a Pay and Display Ticket must be purchased or Electronic Payment must be made at the appropriate level of charge (if any) or a Voucher obtained for any Free Period in accordance with the scale of charges specified

at that Parking Place and specified in the Schedule of Parking Places, as described in Article 23 of this Order.

“Pay and Display Ticket” means a “parking device” in accordance with the RTRA 1984 Section 35 (3A)(b)&(3B) and for the purpose of this order a ticket either purchased or obtained for a period and issued by a Ticket Machine or electronic means by Electronic Payment (Virtual Ticket) located in the Parking Place in which the Vehicle has been left or a ticket issued by a person nominated by the Council and valid for a parking period as specified at that Parking Place and specified in the Schedule of Parking Places in accordance with Article 23 of this Order. The Pay and Display Ticket must be displayed prominently on the Vehicle or held electronically where Electronic Payment has been made, where appropriate, in accordance with Article 25 of this Order.

“Virtual Ticket” means a “parking device” in accordance with the RTRA 1984 Section 35 (3A)(b)&(3B) and for the purpose of this order a ticket either purchased or Voucher obtained for a parking period and issued electronically for a Parking Place location with a unique reference code for that Parking Place in which the vehicle has been left and valid for a parking period as specified at that Parking Place and specified in the Schedule of Parking Places in accordance with Article 23 of this Order. The Virtual Ticket must be held electronically where Electronic Payment has been made and where appropriate in accordance with Article 25 of this Order.

“Voucher” means a “parking device” in accordance with the RTRA 1984 Section 35 (3A)(b)&(3B) and for the purpose of this order a free parking ticket obtained for a Free Period and issued by a Ticket Machine or electronic means by Electronic Payment (Virtual Ticket) located in the Parking Place in which the Vehicle has been left or a free parking ticket issued by a person nominated by the Council and valid for a parking period as specified at that Parking Place and specified in the Schedule of Parking Places in accordance with Article 23 of this Order. The Voucher must be displayed prominently on the Vehicle, where appropriate, in accordance with Article 25 of this Order.

“Pay on Foot / Pay on Exit”: means a type of Parking Place where an entry ticket is taken at the entry barrier to access the Parking Place. Prior to leaving the Parking Place, this ticket is then inserted in to a Ticket Machine located in the Parking Place and the correct payment (if any) for time parked in the Parking Place is made. The Ticket Machine produces an exit ticket, which is then used to raise the barrier on exit.

“Penalty Charge” means the charge set by the Council under Section 77 of part 6 of Schedule 9 of the 2004 Act, which is to be paid to the Council following the issue of a Penalty Charge Notice and within the period notified on the Penalty Charge Notice from the date of issue of that notice.

“Penalty Charge Notice” means a notice issued by or served by a Civil Enforcement Officer pursuant to the provisions of The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

“Plans” means the Ashfield District Council Civil Enforcement Off-Street Parking Places Order 2023 Plans as numbered and annexed to this Order, which identify the Parking Places affected by this Order.

“Public Holiday” means Christmas Day, Good Friday and any other day designated by the Government as a public holiday.

“Relevant Position” means:

- (a) in respect of a Vehicle displaying a valid Disabled Person’s Badge -
  - (i) in the case of a Vehicle fitted with a dashboard or fascia panel, the badge is exhibited thereon so that Part 1 (the front of the badge), is legible from outside the Vehicle; or
  - (ii) in the case of a Vehicle not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position on the Vehicle so that Part 1 of the badge is legible from outside the Vehicle

- (b) in respect of a Vehicle displaying a Pay and Display Ticket, Voucher, or Parking Permit
- (i) the ticket, Voucher or permit is exhibited on the inside surface of the windscreen or in a clearly visible position so that it is facing forwards and can be easily seen and read, whereby the purchase amount, Expiry Time, date of purchase, and serial number should be visible on inspection from the front or side of the Vehicle; or
  - (ii) in the case of a Vehicle that is not fitted with a transparent windscreen, the ticket, Voucher or permit is exhibited on the front of the Vehicle facing forwards and clearly visible, whereby the purchase amount, Expiry Time, date of purchase, and serial number should be visible on inspection .
- (c) in respect of a Vehicle displaying a Hackney Carriage plate
- (i) the plate must be affixed to the Vehicle in accordance with the instructions given within the licence as issued by the Council

Relevant Position (b) (i) and (ii) does not apply if payment is made by the Electronic Payment method, the Electronic Payment (Virtual Ticket) will be automatically display electronically for inspection.

“Schedule of Parking Places” means a schedule of Parking Places, locations, times of use of the said Parking Places, parking tariffs and charges including Free Periods (if any) attached to and contained within this Order as may be amended or varied from time to time.

“Specified Proportion” means such proportion, applicable to all cases where a Penalty Charge Notice has been issued, as may be determined by the Local Authorities acting through the Joint Committee of the National Parking Adjudication Service or any such successor organisation carrying out the same function.

“Ticket Machine” means an apparatus of a type and design approved by the appropriate Minister for the purpose of this Order, being apparatus designed

to indicate the time by a clock and to issue Parking Tickets or Vouchers each of which permits the parking of a vehicle in the Parking Place for the period specified thereon.

“Vehicle” means any motorcar, Motorcycle, Electric Vehicle or other mechanically propelled automobile, licensed as private or private/light goods and not exceeding 2500kg in weight or 2 metres in height.

3. Except where the context requires otherwise, any reference in this Order to a numbered Article shall be construed as a reference to the Article bearing that number in this Order and any reference to a plan is a reference to the Plans incorporated into this Order.
4. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment. Unless the context otherwise requires words denoting the singular shall include the plural and vice versa and words denoting persons shall include either gender, bodies corporate, unincorporated associations and partnerships.
5. The Interpretation Act 1978 shall apply for the interpretation of this Order.

## **PART II**

### **DESIGNATION AND USE OF PARKING PLACES**

#### Designation

6. Each area of land or buildings, as shown on the Plans, may be used, subject to the provisions of this Order, as a place to leave Vehicles of such classes, in such positions, on such days, during such hours and for such period as are specified at each Parking Place and specified in the Schedule of Parking Places.

#### Class and position of Vehicle

7. Whereby notice at a Parking Place, a Parking Place is described as available for Vehicles of a specified class or Vehicles to be left in a specified location, no person shall permit a Vehicle to park in that Parking Place or as the case may be in any Parking Bay within the Parking Place:
- (i) unless it is of the specified class;
  - (ii) Where it exceeds the maximum height or weight specified in that Parking Place; except where a vehicle has been modified to accommodate a disability wheelchair or a mobility scooter and is parked in accordance with Article 7 (iii) and Article 8 of this Order
  - (iii) that is parked beyond the Parking Bay markings; or
  - (iv) in a position other than that specified.

#### Disabled person's parking bays

8. No person shall cause or permit a Vehicle to park in a Parking Bay marked and designated for disabled persons unless the Vehicle displays a valid Disabled Person's Badge (blue badge) in the Relevant Position and unless the Vehicle has been or is about to be used by the person(s) in respect of whom the Disabled Person's Badge (blue badge) has been issued either immediately before or immediately after the act of parking. Where required the Vehicle shall also display the Disabled Person's Badge clock in accordance with local regulations. A disabled persons Parking Bay shall be defined as designated for such use by tarmac line markings and or symbols indicating the Parking Bay is designated for use by a person holding a valid Disabled Persons Badge (blue badge)

#### Taxi Ranks

9. No person shall cause or permit a Vehicle to park in a Parking Bay marked for Taxis unless the Vehicle displays a valid Hackney Carriage plate issued by the Council in the relevant position.

#### Loading and Unloading Bays

10. No person shall cause or permit a Vehicle to park in a Parking Bay marked as a Loading Bay unless the Vehicle is being used for the purpose of Loading or Unloading.

#### Motorcycle parking bays

11. No person shall cause or permit a Vehicle to park in a Parking Bay marked for Motorcycles unless the Vehicle is a Motorcycle.

#### Power to close or suspend Parking Places

12. Nothing in this Order shall prevent the Council by notice, sign or barrier displayed in a Parking Place:
  - (i) from closing a Parking Place or any part thereof for any period; and/or
  - (ii) from suspending by setting aside a Parking Place or any part or parts thereof on all days or on certain days or during certain parts of days for use only by particular Vehicles or organisations.
13. Any person closing or suspending the use of a Parking Place or any part thereof in accordance with the provisions of Article 12 shall thereupon place or cause to be placed in or adjacent to that Parking Place or that part thereof a notice or sign indicating that the use of that Parking Place or that part thereof is closed or suspended and that parking by Vehicles is prohibited.
14. No person shall cause or permit a Vehicle to be left in a Parking Place or any part thereof during such periods that the use of that Parking Place or that part thereof is closed or suspended or during such period as there is in or adjacent thereto a notice or sign placed by or on behalf of the Council in pursuance of Article 13.

#### Use of Parking Place

15. No person shall while a Vehicle is in a Parking Place use the Parking Place for any purpose other than parking the Vehicle, boarding or alighting from the Vehicle or taking articles out of or into the Vehicle and in particular but without prejudice to the generality of the foregoing provisions of this Article no person shall:
  - (i) Carry out any work of construction overhauling cleaning or repair in respect of the Vehicle except as may be necessary to enable the Vehicle to be moved from the Parking Place;

- (ii) Use the parking place to make deliveries load or unload goods except where authorisation is granted by an authorised officer from the council
- (iii) Use a Vehicle while it is in a Parking Place in connection with the sale of any article (including the Vehicle itself) to persons in or near the Parking Place or in connection with the selling or offering for hire of his or another person's skills or services in any capacity, unless with the express written permission of the Council;
- (iv) Except with the permission of an authorised officer of the Council or Civil Enforcement Officer drive any Vehicle in a Parking Place other than for the purpose of leaving that Vehicle in the Parking Place or for the purpose of departing from the Parking Place in accordance with the provisions of this Order.

#### Maximum Period of Stay

16. Where a Parking Place is described by a notice displayed within it or specified in the Schedule of Parking Places as being available for use on specified days during specified hours or as being available for use for a maximum period of stay no person shall permit a Vehicle to park in that Parking Place on any day during such hours or for any period longer than that specified.

#### Period of no return

17. Where by notice on site or specified in the Schedule of Parking Places a Parking Place is described as having a period within which a Vehicle may not return no person shall permit a Vehicle to park in that Parking Place on any day during such period.

#### Parked with engine running

18. The Driver of a motor Vehicle using a Parking Place shall stop the engine as soon as the Vehicle is in position in the Parking Bay and shall not start the engine except when about to change the position of the Vehicle in or to depart from the Parking Place.

#### Parked causing an obstruction

19. The Driver of a Vehicle using a Parking Place shall not park the Vehicle in such a manner or place where it causes an obstruction to any other users of the Parking Place.

#### Electric vehicle parking bays

20. No person shall cause or permit a Vehicle to park in an Electric Vehicle Parking Bay within a Parking Place or wait for any period in a Parking Bay designated for such use unless the Vehicle is an Electric Vehicle connected by electric power lead to an adjacent Electric Charging Point consuming an electrical charge and is being charged or recharged continually throughout the period within which the Electric Vehicle is parked or waiting within that Parking Bay. Only Electric Vehicles shall be permitted to park in an Electric Vehicle Parking Bay.

### **PART III**

#### **CHARGES FOR PARKING**

##### Payment

21. The Driver of a Vehicle using a Pay and Display Parking Place shall upon parking the Vehicle in the Parking Place purchase or obtain a Pay and Display Ticket at the appropriate charge (if any) or make payment by Electronic Payment method at the level of charges in accordance with the scale of current charges as specified on site and specified in the Schedule of Parking Places. Where a Free Period of parking is specified on site and specified in the Schedule of Parking Places for which a Voucher (free parking ticket) is required a Voucher must be obtained but for which there is no charge as specified on site and which is specified in the Schedule of Parking Places as being at a charge of £0.00.

##### Pay On Exit / Pay On Foot Parking Place

21. The Driver of a Vehicle using a Pay On Exit / Pay On Foot Parking Place shall upon arriving at the Parking Place take a Parking Ticket from the Ticket Machine to establish the time of entry at the Parking Place and shall on return to the Vehicle prior to exit pay the appropriate fee (if any) at the Pay On Foot

Ticket Machine or pay the attendant or Civil Enforcement Officer on duty or a person nominated by the Council as the case may be at the exit point a parking fee at the level of charge and for the period required in accordance with the scale of charges specified at that Parking Place and specified in the Schedule of Parking Places.

#### Pay and Display Parking Places

23. The Driver of a Vehicle using a Pay and Display Parking Place, or any Parking Bay within the Pay and Display Parking Place shall upon parking the Vehicle in a Parking Bay and prior to leaving the Parking Place purchase or obtain a Pay and Display Ticket at the appropriate level of charge (if any), make payment by Electronic Payment method or obtain a Voucher for the period required, all in accordance with the scale of charges as specified at that Parking Place and specified in the Schedule of Parking Places.

#### Means of payment

24. The charges (if any) referred to in Articles 21 22 and 23 shall be payable in the manner as specified at that Parking Place and specified in the Schedule of Parking Places or by payment to a person nominated by the Council.

#### Display of Parking Ticket, Voucher or Virtual Ticket

25. Save for payment by Electronic Payment method, whereby a Virtual Ticket is purchased or obtained electronically and information is virtually displayed for inspection, once a Vehicle has been parked within a Pay and Display Parking Place the Driver of the Vehicle shall:
- (i) ensure that a valid Pay and Display Ticket, or Voucher has been obtained or Electronic Payment has been made (Virtual Ticket) and is displayed at all times the Vehicle is parked, to cover the entire period that the Vehicle is parked in the Parking Place  
and
  - (ii) display the Pay and Display Ticket or Voucher issued at that Parking Place in the Relevant Position on the Vehicle in respect of which it was issued.

Article 25 (i) and (ii) applies if payment is made by the Electronic Payment method, albeit that the Virtual Ticket will be automatically displayed for inspection.

Validity of Pay and Display Tickets, Voucher and Electronic Payments

26. A Pay and Display Ticket, Voucher and Electronic Payments (Virtual Tickets) are not transferable from one Vehicle to another and on transfer the ticket, Voucher or Electronic payment (Virtual Ticket) ceases to be valid.
27. A Pay and Display Ticket, Voucher or Electronic Payment (Virtual Ticket) is valid only in the Pay and Display Parking Place in which it was issued. This is defined by the reference code of the Ticket Machine or Electronic Payment reference code located in that Parking Place printed on the Pay and Display Ticket, Voucher or Electronic Payment transaction (Virtual Ticket).

Expiry of parking period

28. The expiry of the period of parking at a Parking Place (as specified at the Parking Place and specified in the Schedule of Parking Places) shall be indicated when there is exhibited on the Vehicle a Pay and Display Ticket or Voucher and the expiry date and time printed on the Pay and Display Ticket or Voucher is earlier than the date and time displayed on the clock of the issuing Ticket Machine or where payment has been made by the Electronic Payment method and the time period for which payment has been made and recorded is obtained and that period is earlier than the date and time displayed on the clock of the Ticket Machine .

No Pay and Display Ticket or Voucher displayed

29. If at any time while a Vehicle is left in a Pay and Display Parking Place no Pay and Display Ticket or Voucher is displayed on that Vehicle in the Relevant Position and in accordance with the provisions of Article 25, or where Electronic Payment is in operation and this system confirms non-payment or expiry of time purchased by Electronic Payment method it shall be deemed that the charge (if any) has not been paid or an appropriate Parking Ticket, Electronic Payment or Voucher has not been obtained.

30. If at the time when a Vehicle is left during the Charging Hours in a Pay and Display Parking Place and on the nearest Ticket Machine in that Parking Place there is a notice placed by any person duly authorised by the Council indicating that the said Ticket Machine is out of order then a Parking Ticket or Voucher shall be obtained from another Ticket Machine within the same Parking Place (where another Ticket Machine is so provided) or obtained from a person nominated by the Council to issue such tickets or by use of the Electronic Payment method (where this facility is available). Otherwise Article 29 shall prevail where there is no Ticket Machine or all Ticket Machines are out of order and no electronic payment can be made, whether signed as such or not, or where no person has been so nominated by the Council.
31. Where no valid Pay and Display Ticket, Voucher or Electronic Payment method can be obtained and or displayed pursuant to the circumstances described in Article 30, Vehicles may be left in a Parking Place but may not be left for longer than the maximum period of parking in that Parking Place specified at that Parking Place and specified in the Schedule of Parking Places.

#### Parking Permits

32. Parking Permits are available from the Council at the appropriate fee, for a Vehicle of a specific class and for a specific Parking Place subject to terms and conditions determined by the Council.
33. The Driver shall abide by the terms and conditions stipulated by the Council for the use of the Parking Permit.
34. A Parking Permit is only valid in the Parking Place in respect of which it was issued and up to the date of expiry shown on the Parking Permit.
35. A Parking Permit remains the property of the Council and must be surrendered on request. In such instances where a refund fee is appropriate this will be provided in accordance with the Council's policies.

#### Display of Parking Permit

36. The Driver of the Vehicle shall display the Parking Permit in the Relevant Position on the Vehicle in respect of which it was issued at all times during which the Vehicle is left in the Parking Place. Electronic permits are exempt from the need to display.

#### Replacement Parking Permits

37. Damaged or lost Parking Permits will be replaced on application to the Council and on payment of an administration fee. The damaged or lost Parking Permit will then become immediately invalid.

#### Surrender of Parking Permit

38. The holder of an annual Parking Permit shall on surrendering the Parking Permit be entitled to a refund based upon the number of complete months remaining un-expired from the beginning of the calendar month following the date on which the Council receives the surrendered Parking Permit. The refund will be one twelfth of the annual rate for each un-expired calendar month less an administration fee. The Council may accept the transfer of a Parking Permit to a new Vehicle on the surrender of the existing Parking Permit to the Council subject to the relevant administration fee and subject to the procedure stated in the conditions of holding such a permit.

#### Restriction on removal

39. When a Pay and Display Ticket, Voucher or Parking Permit has been exhibited on a Vehicle in the relevant position no person shall remove the Pay and Display Ticket, Voucher or Parking Permit from the Vehicle until the Vehicle is removed from the Parking Place.

### **PART IV**

#### **EXEMPTIONS FROM DAILY CHARGES**

40. No charge shall be payable in respect of:
- (i) a Vehicle for a period specified at that Parking Place and specified in the Schedule of Parking Places which displays in the Relevant Position a valid Disabled Person's Badge provided that the Vehicle has been used or is about to be used by the person(s) in respect of whom the

badge is issued immediately before or immediately after the Vehicle was parked in the Parking Bay; in accordance with the scale of charges as specified at that Parking Place and specified in the Schedule of Parking Places.

- (ii) a Motorcycle which is left in a Parking Bay specified for such Vehicles (if any); or
- (iii) a Vehicle left displaying in a Relevant Position a valid Parking Permit valid for that Parking Place or
- (iv) a Vehicle left displaying in a Relevant Position a valid Voucher valid for that Parking Place in accordance with Article 27 and used in association with a Free Period.
- (a) an exempt Vehicle may be left in a Parking Place without payment of a daily charge, but may not be left for longer than the maximum period of parking in that Parking Place specified at that Parking Place and specified in the Schedule of Parking Places

#### Absence of ticket machine

41. If at the time when a Vehicle is left in a Parking Place during the charging hours there is no Ticket Machine at the Parking Place, or all the Ticket Machines at that Parking Place carry notices placed upon them by a person duly authorised by the Council indicating that they are out of order, the Driver of that Vehicle shall be exempt from purchasing or obtaining a Pay and Display Ticket or Voucher. Otherwise Article 31 shall prevail where there is no Ticket Machine or all Ticket Machines are out of order whether signed as such or not.

## **PART V**

### **RELOCATION AND REMOVAL OF VEHICLES**

#### Emergencies

42. A Civil Enforcement Officer, a person authorised by the Council or a Police Constable in uniform may, using such measures as are appropriate, move or cause to be moved in the case of an emergency to any place he/she thinks fit, any Vehicle left in a Parking Place.

#### Safe keeping

43. Any person removing a Vehicle from a Parking Place under Article 42 shall make such arrangements as may be reasonably necessary to provide for the safe keeping of the Vehicle

### **PART VI**

#### **LIABILITIES / PENALTIES**

##### Liability

44. The Council accepts no liability for the loss or damage to Vehicles or other property left in any of the Parking Places to which this Order applies.

##### Wilful damage

45. Any person who with intent to defraud interferes with the Ticket Machine or operates or attempts to operate it by the insertion of objects other than undamaged and unaltered coins of legal tender and of the appropriate denomination, or other approved method of payment, shall be liable to prosecution.

### **PART VII**

#### **CONTRAVENTION AND PENALTY CHARGE**

##### Contravention

46. If a Vehicle is parked in a Parking Place without complying with the requirements of this Order a contravention shall have occurred and a Penalty Charge shall be payable. A Penalty Charge Notice showing the information required by the 2004 Act may then be issued by a Civil Enforcement Officer in accordance with the requirements of the 2004 Act or any subsequent applicable legislation

##### Penalty Charge Notice

47. In the case of a Vehicle in respect of which the Penalty Charge may have been incurred it shall be the duty of a Civil Enforcement Officer to either hand the Penalty Charge Notice to the Driver of the Vehicle, post the Penalty Charge Notice to the Owner of the Vehicle or attach the Penalty Charge Notice to the Vehicle in a conspicuous position

##### Restriction on removal of notices

48. A Penalty Charge Notice attached to a Vehicle in accordance with Article 46 shall not be removed or interfered with except by or under the authority of:
- (i) the Owner or person in charge of the Vehicle;
  - (ii) the Council for the Parking Place in which the Vehicle in question was found.

#### Manner of Payment of Penalty Charge

49. The Penalty Charge shall be paid in accordance with the instructions contained on the Penalty Charge Notice. The recipient of a Penalty Charge Notice may be eligible to make representations or appeal against the Penalty Charge Notice issued, as detailed on the Penalty Charge Notice and in accordance with the requirements and procedures set out in the 2004 Act and its subordinate legislation.
50. If the Driver fails to pay the Penalty Charge by the end of a period of 28 days a notice to the Owner may be served. If the charge is then not paid within a further 28 days, the charge may be increased by 50% on the issue of a charge certificate in accordance with the provisions of Section 21 of Part 5 of The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022, or such other percentage increase of charge as may be determined by amendments to the legislation from time to time. Continued failure to pay the Penalty Charge may result in a judgement in the County Court against the Owner to enable the Council to recover the payments due.
51. Payment shall be received not later than 16:00 hours on the 28<sup>th</sup> day following the day on which such Penalty Charge was incurred or the 14<sup>th</sup> day following the day on which the Charge was incurred if the Specified Proportion is paid.

#### Indications as Evidence

52. The particulars given in the Penalty Charge Notice attached to a Vehicle in accordance with this Order shall be treated as evidence in any proceedings relating to failure to pay such Penalty Charge.

## **PART VIII**

### **DISPOSAL OF VEHICLES**

#### Disposal of Vehicles abandoned in Parking Places

53. The Council may sell or otherwise dispose of a Vehicle which has been, or could at any time be, removed from a Parking Place pursuant to Article 42 if the Vehicle appears to have been abandoned, provided that this power of disposal shall not be exercisable unless the Council has taken such of the following steps as are applicable to the Vehicle in question, and there has elapsed a period of six weeks beginning with the taking of the first of those steps.
54. Where the Vehicle carries a registration mark the Council shall ascertain from the appropriate body the name and address of the person who is the Registered Keeper of the Vehicle pursuant to the Vehicles (Excise) Act 1971, unless the Council is satisfied that the true owner of the Vehicle has identified himself to them.
55. The Council shall, where by virtue of Articles 54, 56 and 57, it is aware of the name and address of a person who it appears may be the Owner of the Vehicle, send a notice to that person at that address stating that it is the intention of the Council to sell or otherwise dispose of the Vehicle (which shall be sufficiently described in the notice) on or after a specified date (which shall not be less than two weeks from the date of the notice and in any event not earlier than six weeks from the date of the first step taken by the Council under this Part of this Order) unless it is in the meantime removed by or on behalf of that person from such place as is specified by the Council in the said notice or from such place as may be subsequently notified in writing by the Council to that person.
56. If any person to whom a notice is sent in accordance with Article 55 informs the Council of the name and address of some other person who he/she alleges may be the Owner of the Vehicle, a notice stating the particulars mentioned in the last preceding Article shall be sent to that other person and to any further person who the Council may in consequence of the sending of

the notice to the said other person be led to believe may be the Owner of the Vehicle.

57. Where a Vehicle does not carry a registration mark the first step to be taken by the Council shall be to apply in writing to the Chief Officer of Police in whose area the Parking Place is situated enquiring whom that officer considers is the Owner of the Vehicle and the address of that person.
58. The Council shall then make such further enquiries as to ownership as it thinks fit.
59. Upon the sale of a Vehicle by the Council, the Council shall apply the proceeds of sale in or towards the satisfaction of any costs incurred by it in connection with the disposal thereof and of any charge or payment to which it is entitled.
60. In the event that any such costs incurred by the Council in connection with the disposal of the Vehicle are not satisfied by virtue of the last preceding Article, the Council may recover those costs from the person who was the Owner of the Vehicle immediately before it was removed from the Parking Place, provided that that person was sent by the Council a notice under Article 54.
61. Any sums received by the Council on the sale of a Vehicle shall, after deducting any sum applied by virtue of Article 58, be payable within a period of one year from receipt hereof to any person to whom, but for such sale, the Vehicle would have belonged and insofar as any such sums are not claimed within the said period they shall be paid into the General Rate Fund of the Council.
62. Where under the foregoing provisions of this Order a notice is required to be or may be sent to a person the notice shall be sent by recorded delivery post.

## **PART IX**

### **REVOCATIONS**

### Revocations

Ashfield District Council (Civil Enforcement Off-Street Parking Places) Order 2020 and any variations thereto attached to this previous order are revoked in their entirety as from the date this Order comes into operation.

**PART X**  
**SCHEDULE OF PARKING PLACES**

## SCHEDULE OF PARKING PLACES

### SCHEDULE OF PARKING PLACES, TARIFFS, TIMES AND CHARGES OF USE UNDER THIS ORDER

Category	Name of Parking Place	Position in which Vehicle may wait	Classes of Vehicle	Days of Operation of Parking Place	Charging Hours of Parking Place	Maximum Period for which a Vehicle may wait	Scale of Charges
	<b><u>Hucknall</u></b>						
<b>B</b> Page 112	Piggins Croft, Hucknall  Plan Ref: PC1A	Wholly within a parking bay	Motor vehicles licensed as private or private/light goods, solo motorcycles with sidecars, disabled persons vehicles and vehicles not exceeding 2500kg in weight, vehicles not exceeding 2 metres in height	Monday to Sunday (inclusive)	8:00am to 6:00pm Monday to Saturday except Bank Holidays but including Good Friday	Maximum stay 12 hours  No return within 3 hours	<b>Waiting period</b> Up to 2 Hours      £0.00* Up to 4 hours      £2.00 Over 4 hours      £4.00  <b><u>Blue badge holder</u></b> £0.00  *Only with a free Voucher from the parking machine within that parking place  One free period per day
	Market Place, Hucknall  Plan Ref: MP1	Wholly within a parking bay	Motor vehicles licensed as private or private/light goods, solo motorcycles with sidecars, disabled persons vehicles and vehicles not exceeding 2500kg in weight, vehicles not exceeding 2 metres in height	Monday to Sunday (inclusive)	8:00am to 6:00pm Monday to Saturday except Bank Holidays but including Good Friday	Maximum stay 2 hours  No return within 2 hours	<b>Waiting period</b> Up to 2 hours      £0.00*  <b><u>Blue badge holder</u></b> £0.00  *Only with a free Voucher from the parking machine within that parking place  One free period per day
<b>A</b>							

B	Yorke Street, Hucknall  Plan Ref: YS1	Wholly within a parking bay	Motor vehicles licensed as private or private/light goods, solo motorcycles with sidecars, disabled persons vehicles and vehicles not exceeding 2500kg in weight, vehicles not exceeding 2 metres in height	Monday to Sunday (inclusive)	8:00am to 6:00pm Monday to Saturday except Bank Holidays but including Good Friday	Maximum stay 12 hours  No return within 3 hours	<b>Waiting period</b> Up to 2 hours Up to 4 hours Over 4 hours	<b>Charge</b> £0.00* £2.00 £4.00
	<b>Blue badge holder</b>						£0.00  *Only with a free Voucher from the parking machine within that parking place  One free period per day	
E	Papplewick Green Pavilion  Plan Ref PG1	Wholly within a Parking Bay	Motor vehicles licensed as private or private/light goods, solo motorcycles with sidecars, disabled persons vehicles and vehicles not exceeding 2500kg in weight, vehicles not exceeding 2 metres in height	Monday to Sunday (inclusive)	24 hours Including Bank Holidays.	Maximum stay 12 hours  No return within 3 hours	<b>Waiting Period</b>  12 hours	<b>Charge</b>  £0.00

<b>F</b>	Hucknall Leisure Centre Linby Rd Hucknall  Plan Ref: HLC1	Wholly within a Parking Bay	Motor vehicles licensed as private or private/light goods, solo motorcycles with sidecars, disabled persons vehicles and vehicles not exceeding 2500kg in weight, vehicles not exceeding 2 metres in height	Monday to Sunday (inclusive)	8:00am to 6:00pm Monday to Saturday except Bank Holidays but including Good Friday	Maximum stay 4 hours  No return within 4 hours	<b>Waiting Period</b> Up to 2 hours £0.00* Up to 4 hours £2.00  <b>Blue badge holder</b> £0.00  *Only with a free Voucher from the parking machine within that parking place  One free period per day
	<b>Kirkby-in-Ashfield</b>						
Page 114 <b>B</b>	Hodgkinson Road, Kirkby-in-Ashfield  Plan Ref: HR1	Wholly within a Parking Bay	Motor vehicles licensed as private or private/light goods, solo motorcycles with sidecars, disabled persons vehicles and vehicles not exceeding 2500kg in weight, vehicles not exceeding 2 metres in height	Monday to Sunday (inclusive)	8:00am to 6:00pm Monday to Saturday except Bank Holidays but including Good Friday	Maximum stay 12 hours  No return within 3 hours	<b>Waiting period</b> Up to 2 hours £0.00* Up to 4 hours £2.00 Over 4 hours £4.00  <b>Blue badge holder</b> £0.00  *Only with a free Voucher from the parking machine within that parking place  One free period per day
<b>F</b>	Kirkby Leisure Centre Kirkby-in-Ashfield  Plan Ref: KLC1	Wholly within a Parking Bay	Motor vehicles licensed as private or private/light goods, solo motorcycles with sidecars, disabled persons vehicles and vehicles not exceeding 2500kg in weight, vehicles not exceeding 2 metres in height	Monday to Sunday (inclusive)	8:00am to 6:00pm Monday to Saturday except Bank Holidays but including Good Friday	Maximum stay 4 hours  No return within 4 hours	<b>Waiting period</b> Up to 2 hours £0.00* Up to 4 hours £2.00  <b>Blue badge holder</b> £0.00

							<p>*Only with a free Voucher from the parking machine within that parking place</p> <p>One free period per day</p>
<b>A</b>	<p>Market Yard, Kirkby-in-Ashfield</p> <p>Plan Ref: MY1</p>	Wholly within a Parking Bay	Motor vehicles licensed as private or private/light goods, solo motorcycles with sidecars, disabled persons vehicles and vehicles not exceeding 2500kg in weight, vehicles not exceeding 2 metres in height	Monday to Sunday (inclusive)	8:00am to 6:00pm Monday to Saturday except Bank Holidays but including Good Friday	<p>Maximum stay 2 hours</p> <p>No return within 2 hours</p>	<p><b>Waiting period</b> Up to 2 hours</p> <p><b>Charge</b> £0.00*</p> <p><b>Blue badge holder</b>      £0.00</p> <p>*Only with a free Voucher from the parking machine within that parking place</p> <p>One free period per day</p>
<p>Page 115</p> <p><b>A</b></p>	<p>Ellis Street, Kirkby-in-Ashfield</p> <p>Plan Ref: ES1</p>	Wholly within a Parking Bay	Motor vehicles licensed as private or private/light goods, solo motorcycles with sidecars, disabled persons vehicles and vehicles not exceeding 2500kg in weight, vehicles not exceeding 2 metres in height	Monday to Sunday (inclusive)	8:00am to 6:00pm Monday to Saturday except Bank Holidays but including Good Friday	<p>Maximum stay 2 hours</p> <p>No return within 2 hours</p>	<p><b>Waiting period</b> Up to 2 hours</p> <p><b>Charge</b> £0.00*</p> <p><b>Blue badge holder</b>      £0.00</p> <p>*Only with a free Voucher from the parking machine within that parking place</p> <p>One free period per day</p>

<b>D</b>	ADC Offices, Kirkby-in-Ashfield	Wholly within a Parking Bay	Motor vehicles licensed as private or private/light goods, solo motorcycles with sidecars, disabled persons vehicles and vehicles not exceeding 2500kg in weight, vehicles not exceeding 2 metres in height	Monday to Sunday (inclusive)	8:00am to 6:00pm Monday to Saturday except Bank Holidays but including Good Friday	Maximum stay 2 hours  No return within 2 hours	<b>Waiting period</b> Up to 2 hours  <b>Blue badge holder</b>  One free period per day	<b>Charge</b> £0.00*  £0.00
	<b><u>Sutton-in-Ashfield</u></b>							
<b>C</b>	Market Place, Sutton-in-Ashfield	Wholly within a Parking Bay	Motor vehicles licensed as private or private/light goods, solo motorcycles with sidecars, disabled persons vehicles and vehicles not exceeding 2500kg in weight, vehicles not exceeding 2 metres in height	Monday to Sunday (inclusive)	8:00am to 6:00pm Monday to Saturday except Bank Holidays but including Good Friday	Maximum stay 4 hours  No return within 4 hours	<b>Waiting period</b> Up to 2 hours Up to 4 hours  <b>Blue badge holder</b>  *Only with a free Voucher from the parking machine within that parking place  One free period per day	<b>Charge</b> £0.00* £2.00  £0.00
<b>B</b>	Sherwood Place, Sutton-in-Ashfield	Wholly within a Parking Bay	Motor vehicles licensed as private or private/light goods, solo motorcycles with sidecars, disabled persons vehicles and vehicles not exceeding 2500kg in weight, vehicles not exceeding 2 metres in height	Monday to Sunday (inclusive)	8:00am to 6:00pm Monday to Saturday except Bank Holidays but including Good Friday	Maximum stay 12 hours  No return within 3 hours	<b>Waiting period</b> Up to 2 hours Up to 4 hours Over 4 hours  <b>Blue badge holder</b>  *Only with a free Voucher from the parking machine within that parking place  One free period per day	<b>Charge</b> £0.00* £2.00 £4.00  £0.00

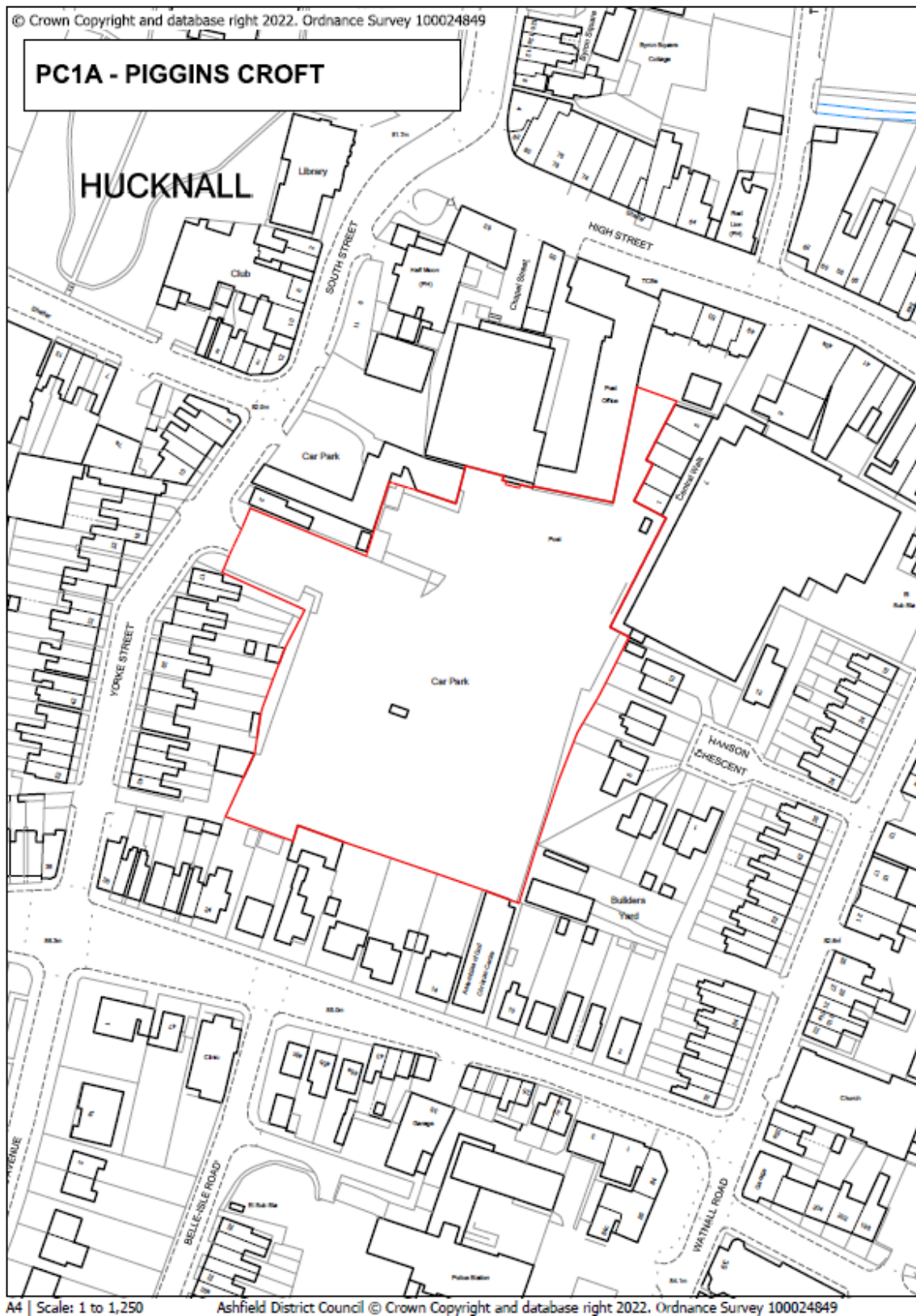
Page 117	<b>B</b>	Langton Road junction of New Street, Sutton-in- Ashfield  Plan ref LRJNS	Wholly within a Parking Bay	Motor vehicles licensed as private or private/light goods, solo motorcycles with sidecars, disabled persons vehicles and vehicles not exceeding 2500kg in weight, vehicles not exceeding 2 metres in height	Monday to Sunday (inclusive)	8:00am to 6:00pm Monday to Saturday except Bank Holidays but including Good Friday	Maximum stay 12 hours  No return within 3 hours	<b>Waiting period</b> Up to 2 hours      £0.00* Up to 4 hours      £2.00 Over 4 hours      £4.00  <b>Blue badge holder</b> £0.00  *Only with a free Voucher from the parking machine within that parking place  One free period per day
	<b>B</b>	New Street, Sutton-in- Ashfield  Plan Ref: NS1	Wholly within a Parking Bay	Motor vehicles licensed as private or private/light goods, solo motorcycles with sidecars, disabled persons vehicles and vehicles not exceeding 2500kg in weight, vehicles not exceeding 2 metres in height	Monday to Sunday (inclusive)	8:00am to 6:00pm Monday to Saturday except Bank Holidays but including Good Friday	Maximum stay 12 hours  No return within 3 hours	<b>Waiting period</b> Up to 2 hours      £0.00* Up to 4 hours      £2.00 Over 4 hours      £4.00  <b>Blue badge holder</b> £0.00  *Only with a free Voucher from the parking machine within that parking place  One free period per day
	<b>C</b>	Fox Street Sutton in Ashfield  Plan Ref FS1	Wholly within a parking bay	Motor vehicles licensed as private or private/light goods, solo motorcycles with sidecars, disabled persons vehicles and vehicles not exceeding 2500kg in weight, vehicles not exceeding 2 metres in height	Monday to Sunday (inclusive)	8:00am to 6:00pm Monday to Saturday except Bank Holidays but including Good Friday	Maximum stay 4 hours  No return within 4 hours	<b>Waiting period</b> Up to 2 hours      £0.00* Up to 4 hours      £2.00  <b>Blue badge holder</b> £0.00  *Only with a free Voucher from the parking machine within that parking place  One free period per day

Page 118	H	New Cross Street, Sutton-in-Ashfield  Plan Ref: NCS1	Wholly within a Parking Bay	Motor vehicles licensed as private or private/light goods, solo motorcycles with sidecars, disabled persons vehicles and vehicles not exceeding 2500kg in weight, vehicles not exceeding 2 metres in height	Monday to Sunday (inclusive)	8:00am to 6:00pm Including Bank Holidays	Maximum stay 12 hours  No return within 3 hours	<b>Waiting period</b> 12 hours	<b>Charge</b> £0.00
	G	Kings Mill Reservoir, Sutton-in-Ashfield  Plan Ref: KMR1	Wholly within a Parking Bay	Motor vehicles licensed as private or private/light goods, solo motorcycles with sidecars, disabled persons vehicles and vehicles not exceeding 2500kg in weight, vehicles not exceeding 2 metres in height	Monday to Sunday (inclusive)	24 hours Including Bank Holidays	Maximum stay 12 hours  No return within 3 hours	<b>Waiting period</b> Up to 1 hour £0.00* Up to 2 hours £1.00 Up to 4 hours £2.00 Up to 6 hours £3.00 Up to 8 hours £4.00 Up to 10 hours £5.00 Up to 12 hours £6.00  <u><b>Blue badge holder</b></u> £0.00  *Only with a free Voucher from the parking machine within that parking place  One free period per day	
	E	Robin Hood Line Sutton Parkway	Wholly within a parking bay	Motor vehicles licensed as private or private/light goods, solo motorcycles	Monday to Sunday (inclusive)	24 hours	Maximum stay 12 hours	<b>Waiting Period</b>	<b>Charge</b>

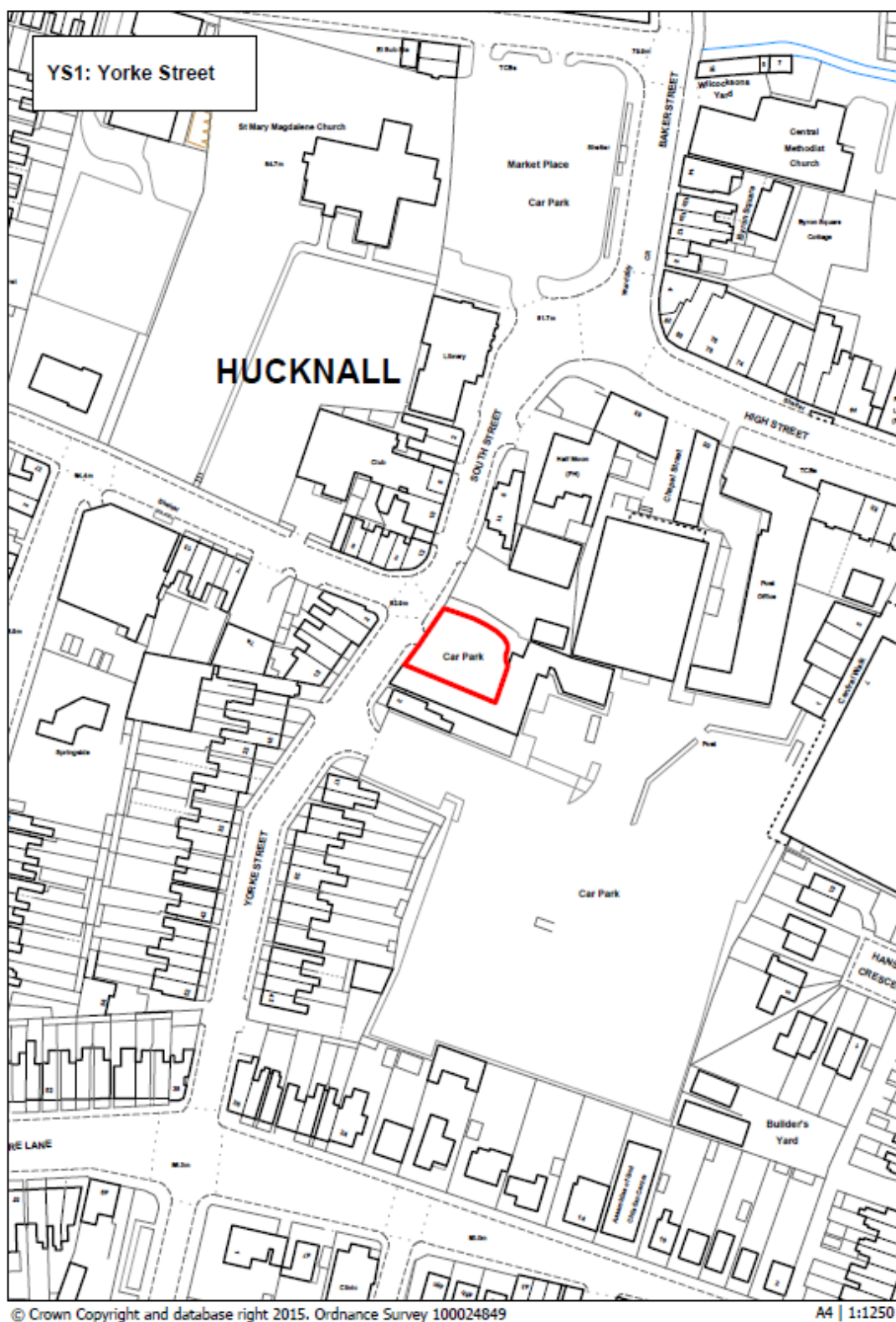
	East, Sutton-in-Ashfield Plan Ref: RHLE1		with sidecars, disabled persons vehicles and vehicles not exceeding 2500kg in weight, vehicles not exceeding 2 metres in height		Including Bank Holidays	No return within 3 hours	12 hours	£0.00
E	Huthwaite Market Place Huthwaite Plan Ref: HM1	Wholly within a parking bay	Motor vehicles licensed as private or private/light goods, solo motorcycles with sidecars, disabled persons vehicles and vehicles not exceeding 2500kg in weight, vehicles not exceeding 2 metres in height	24 hours Monday to Sunday (inclusive)	24 hours Including Bank Holidays.	Maximum stay 12 hours  No return within 3 hours	<b>Waiting Period</b>  12 hours	<b>Charge</b>  £0.00
	<b><u>Jacksdale</u></b>							
E	Jacksdale Village Jacksdale Plan Ref: JV1	Wholly within a Parking Bay	Motor vehicles licensed as private or private/light goods, solo motorcycles with sidecars, disabled persons vehicles and vehicles not exceeding 2500kg in weight, vehicles not exceeding 2 metres in height	24 hours Monday to Sunday (inclusive)	24 hours Including Bank Holidays	Maximum stay 12 hours  No return within 3 hours	<b>Waiting Period</b>  12 hours	<b>Charge</b>  £0.00

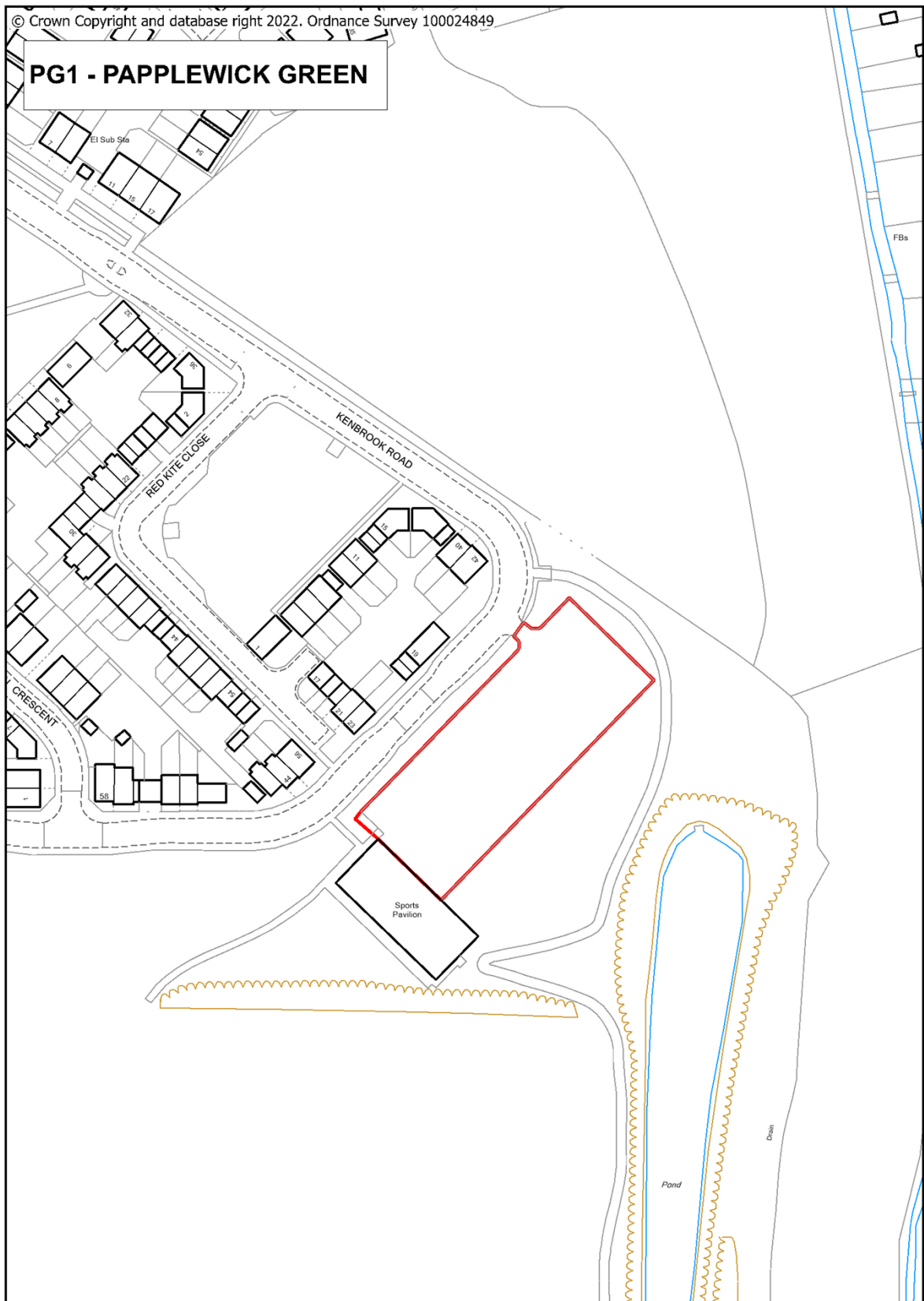
## **ANNEX 1**

### **PLANS**









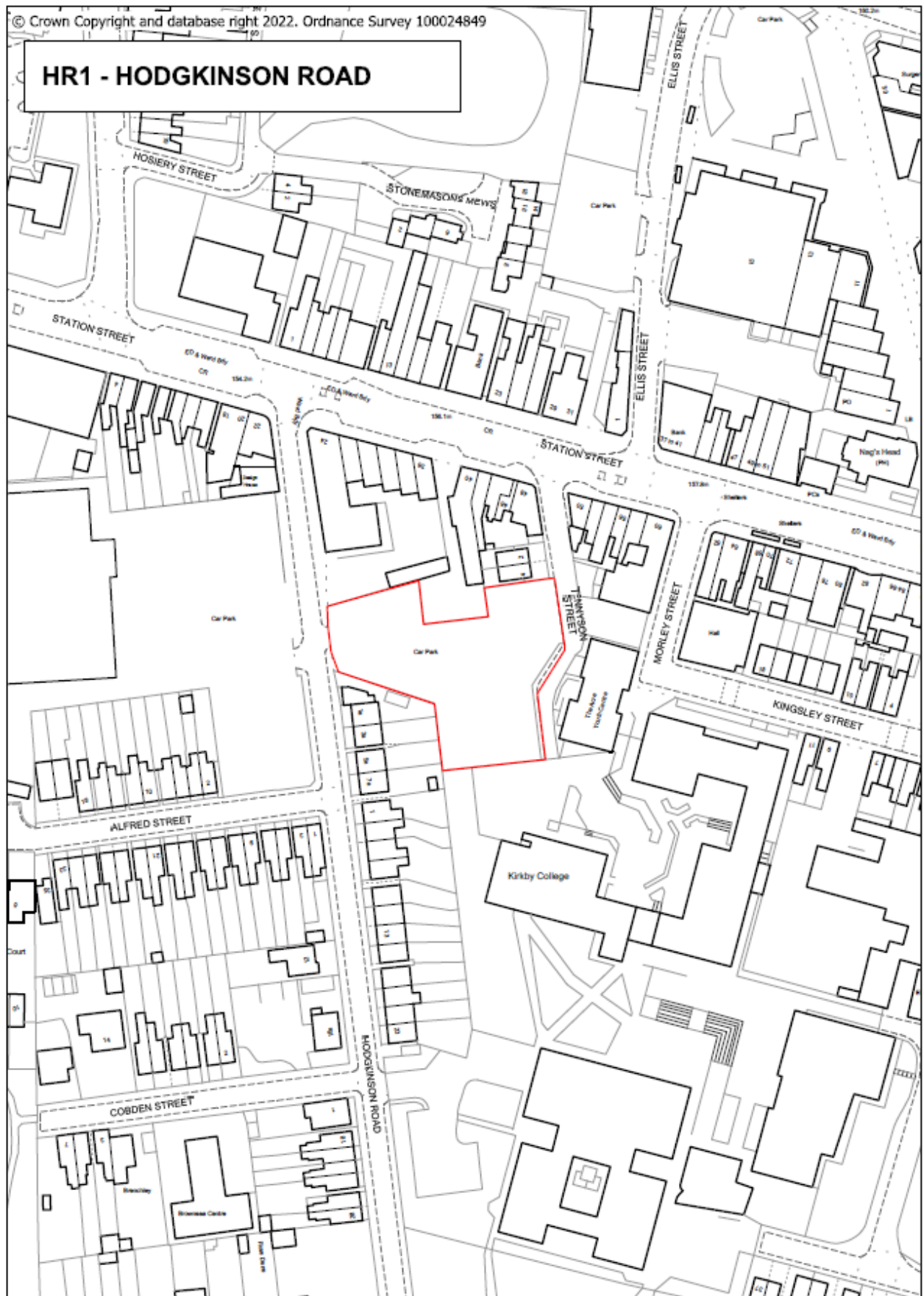
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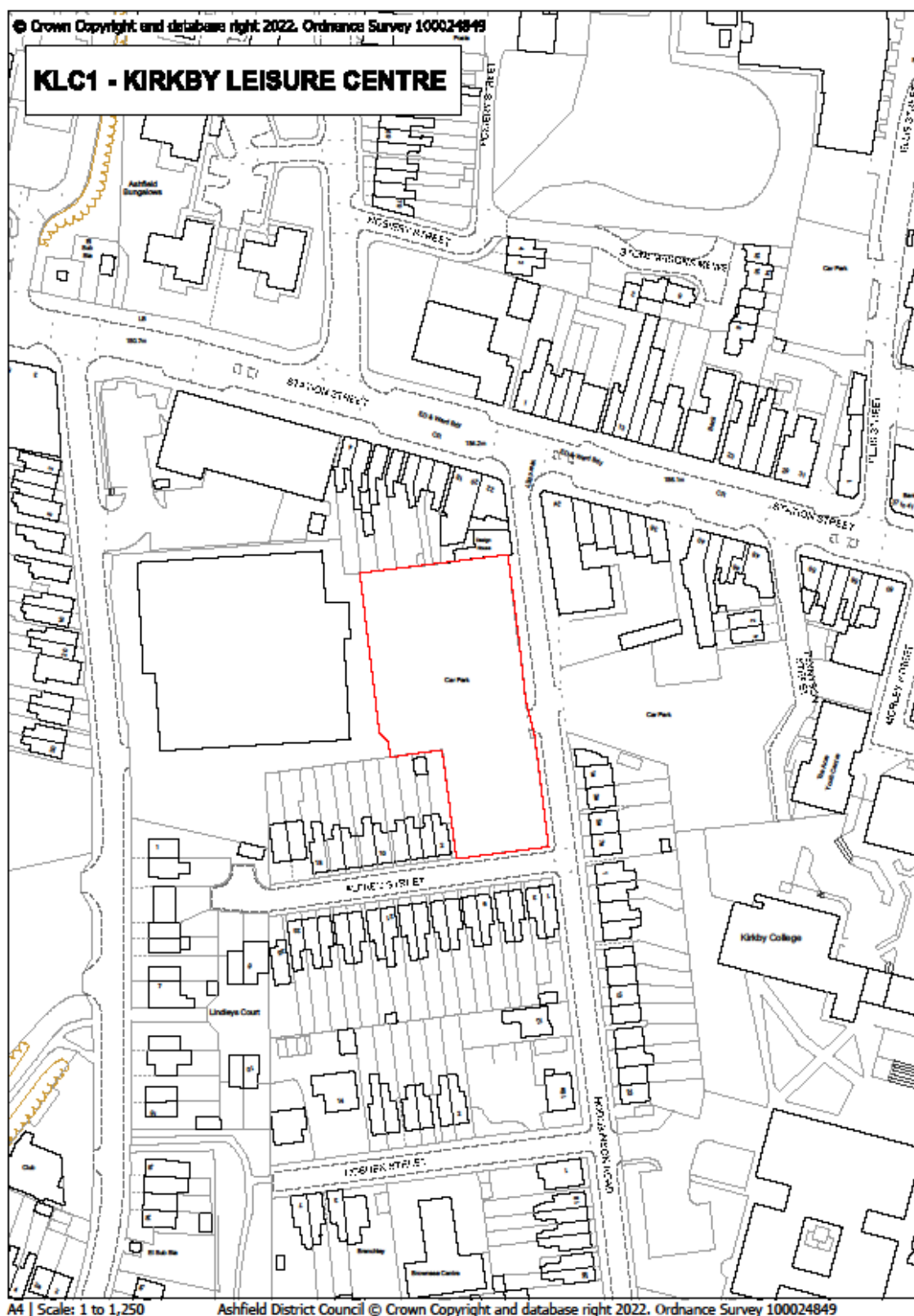
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## HLC1 - HUCKNALL LEISURE CENTRE

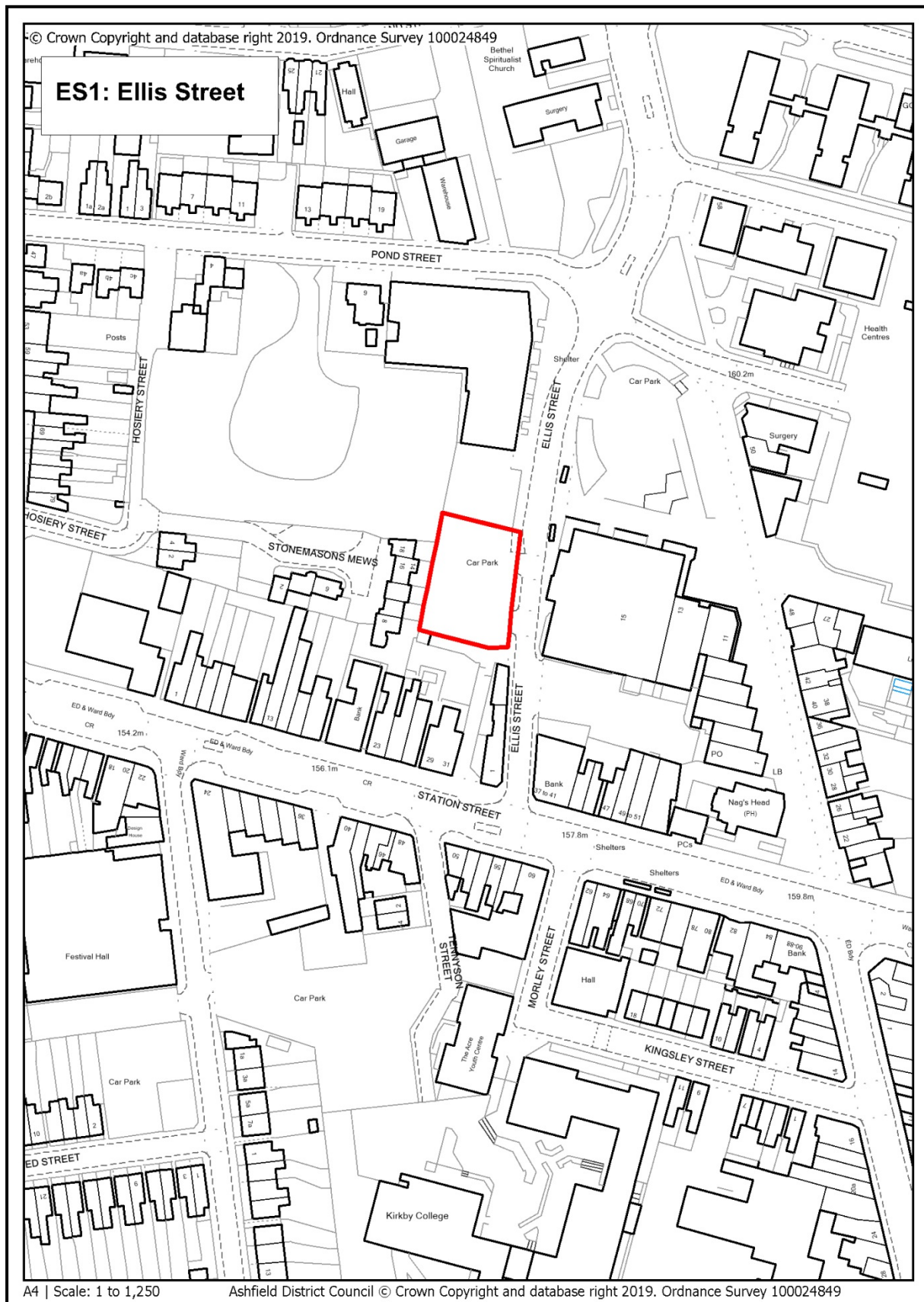


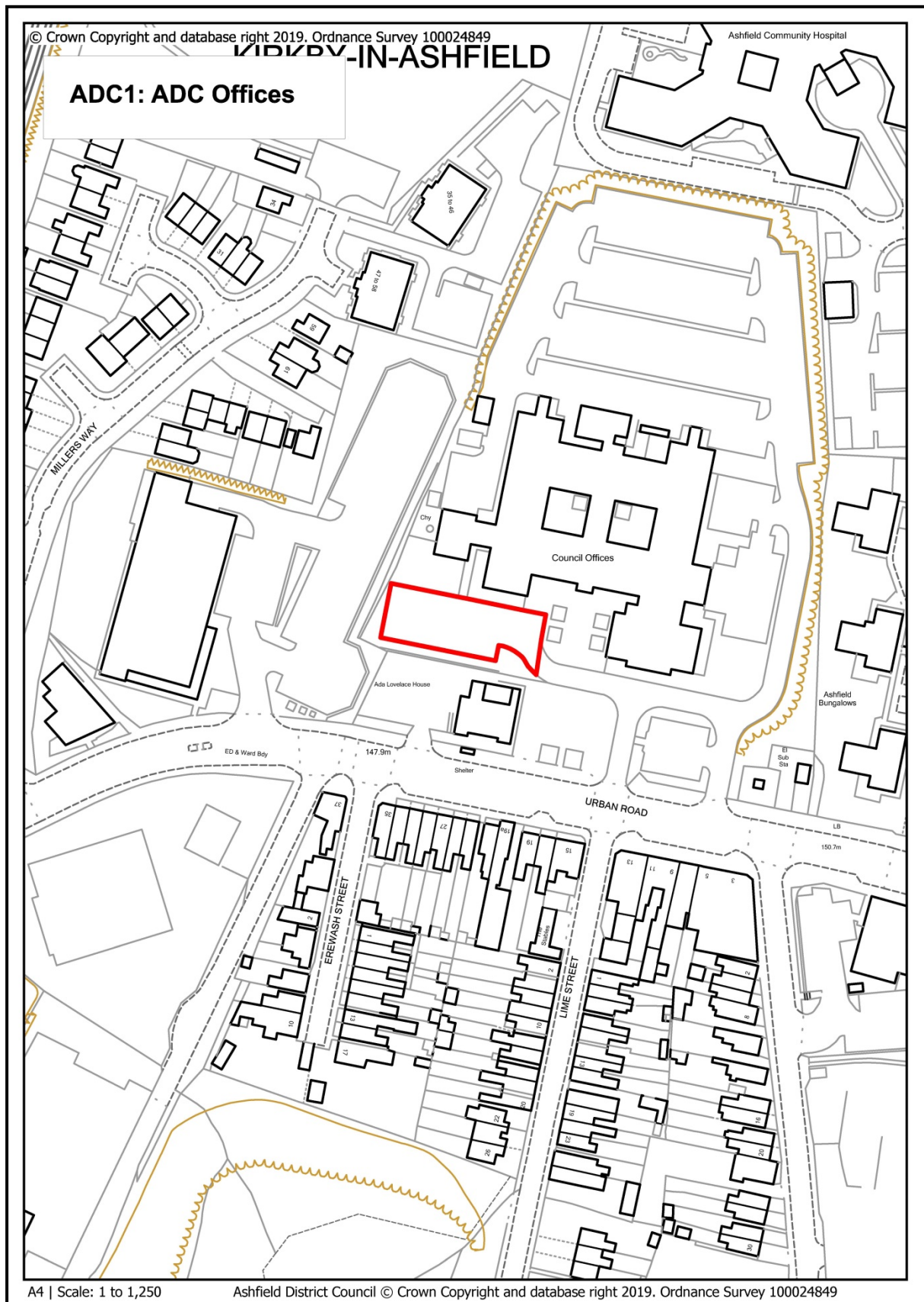
## HR1 - HODGKINSON ROAD



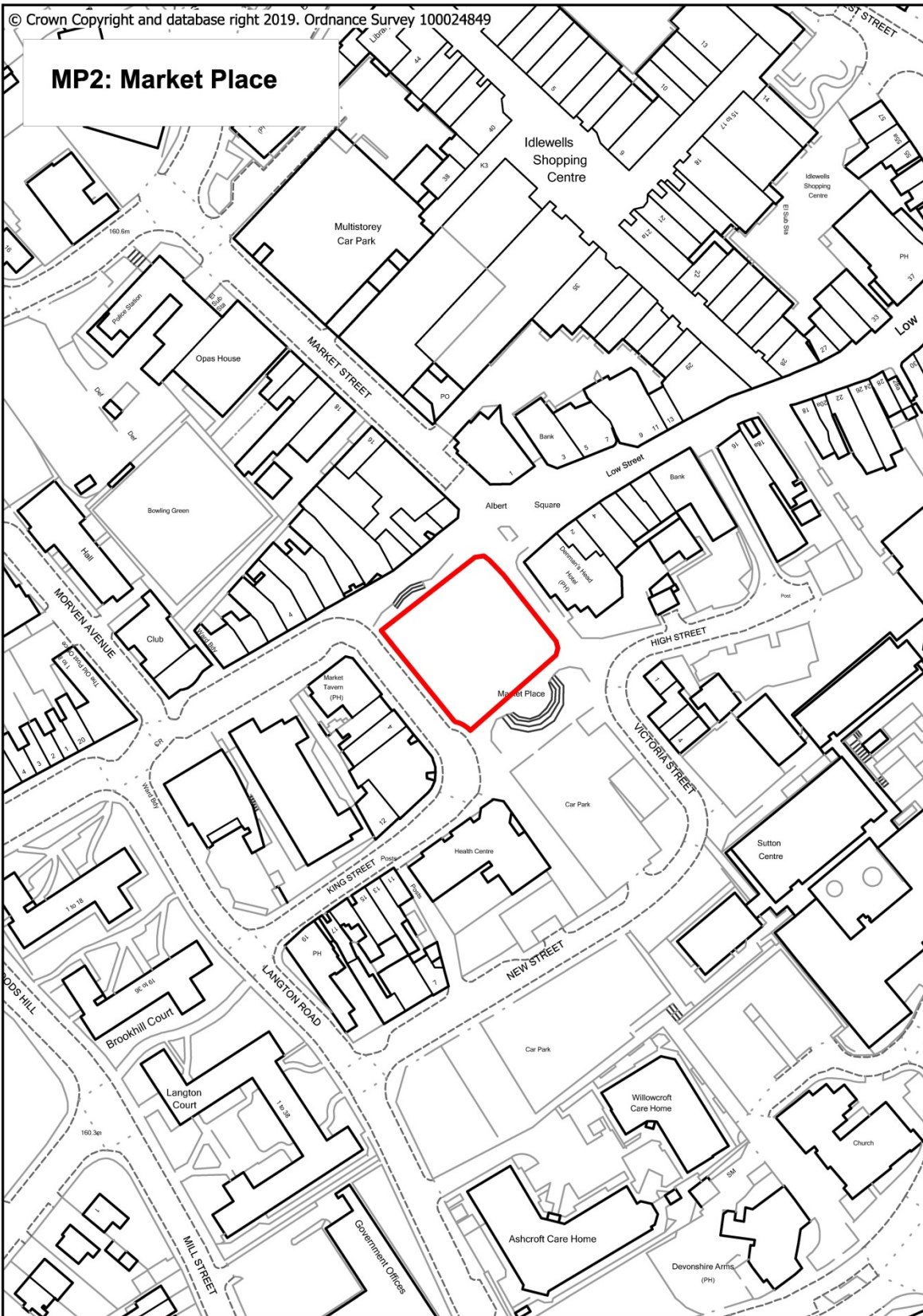


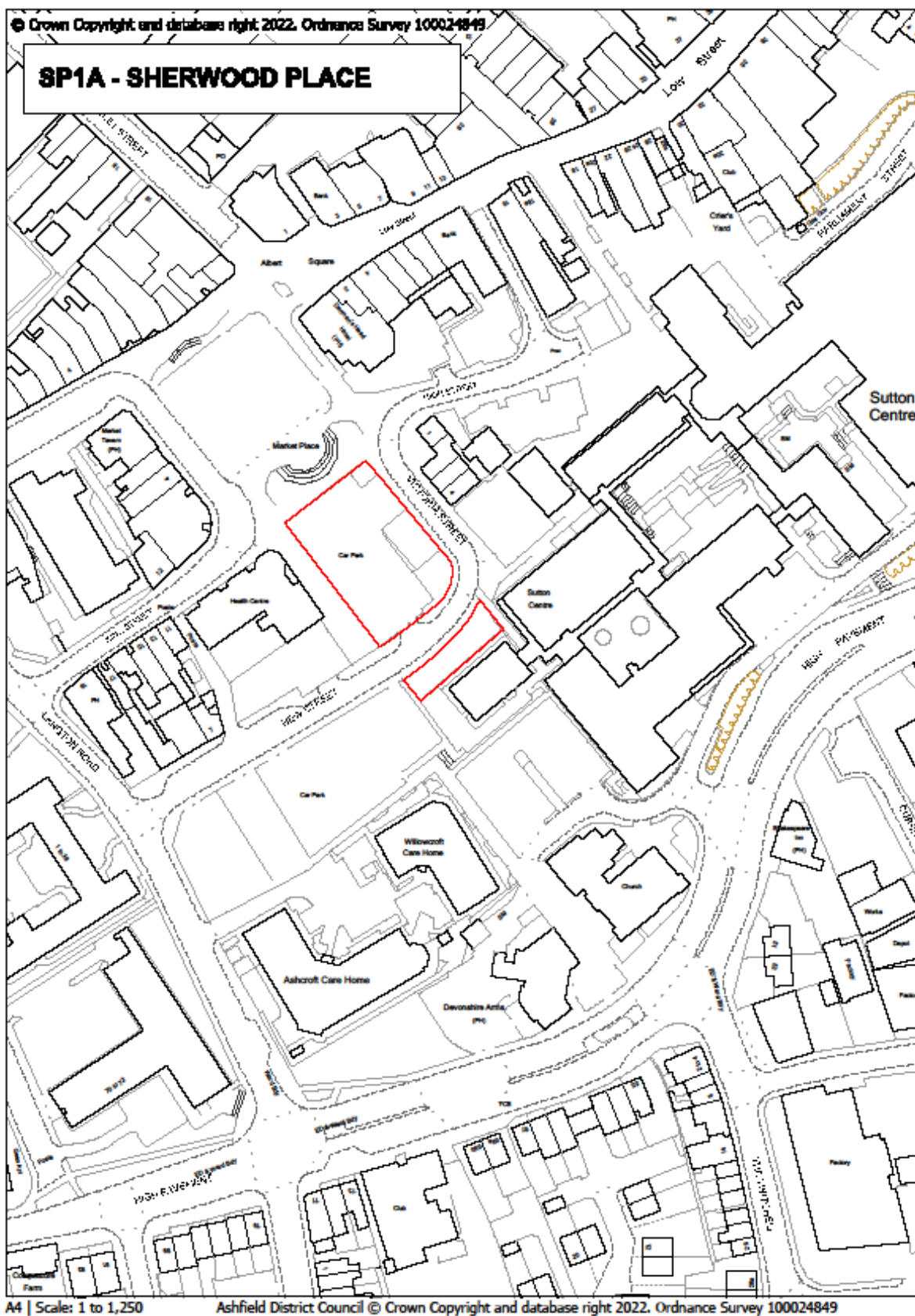




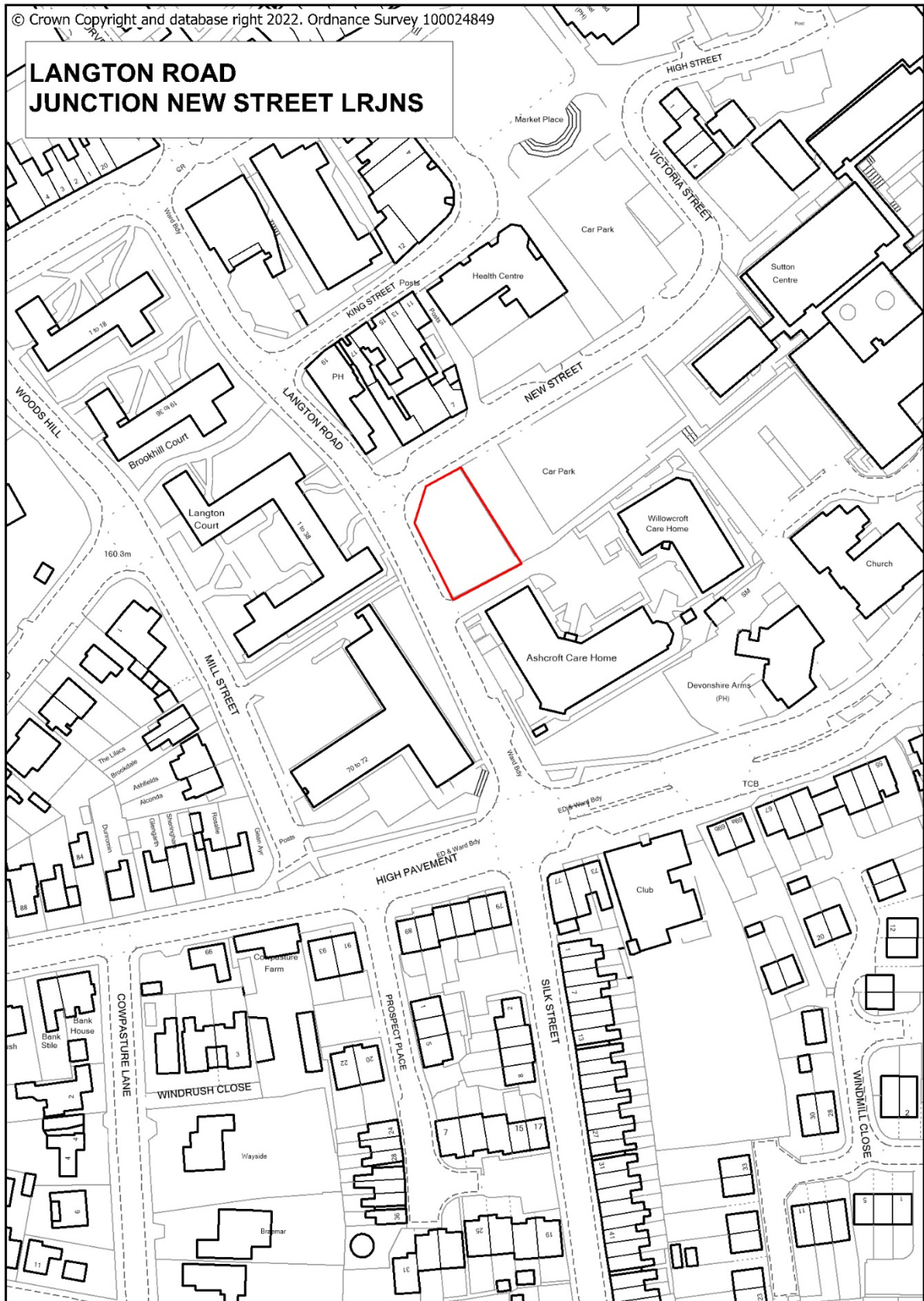


## MP2: Market Place





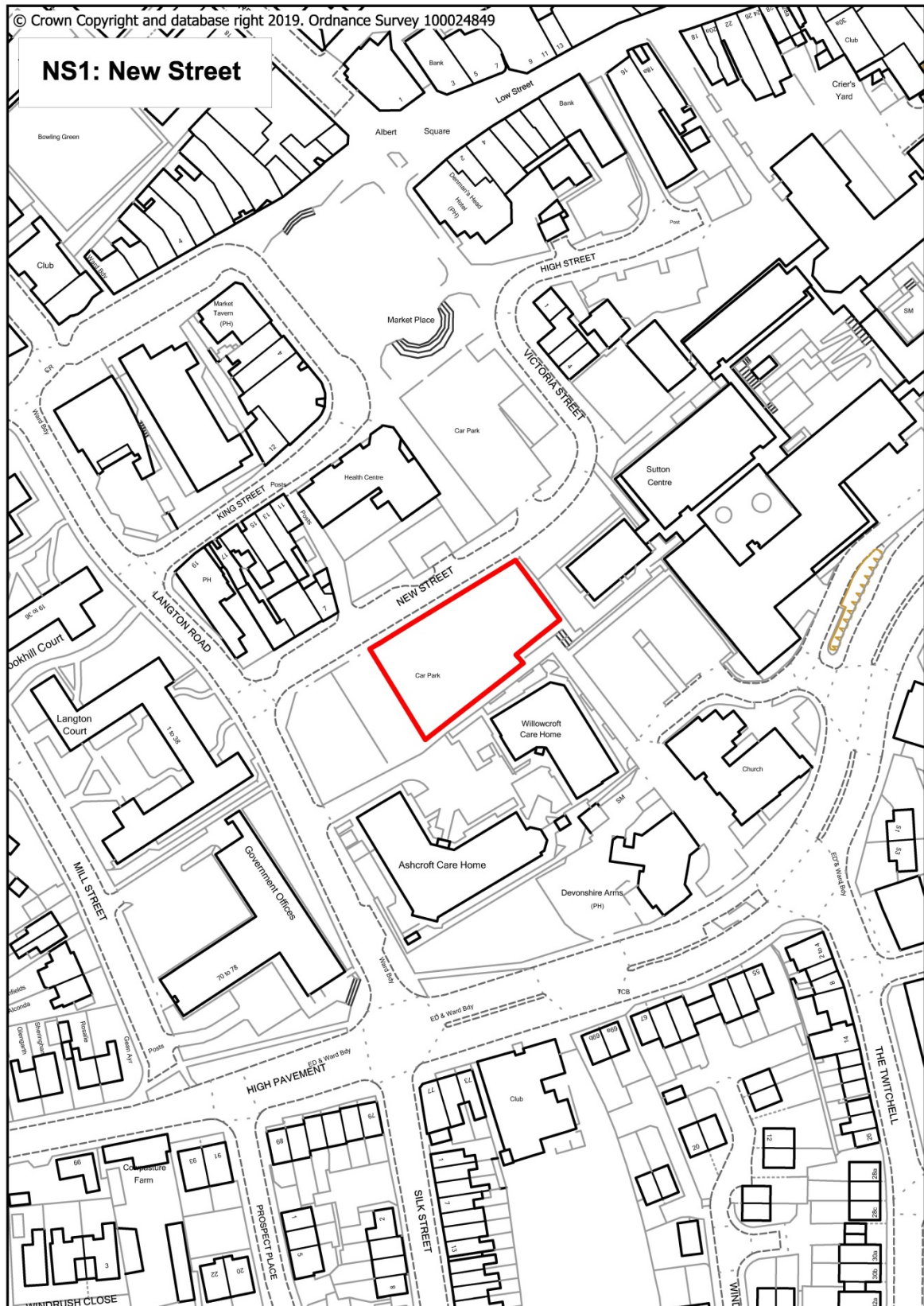
# **LANGTON ROAD JUNCTION NEW STREET LRJNS**

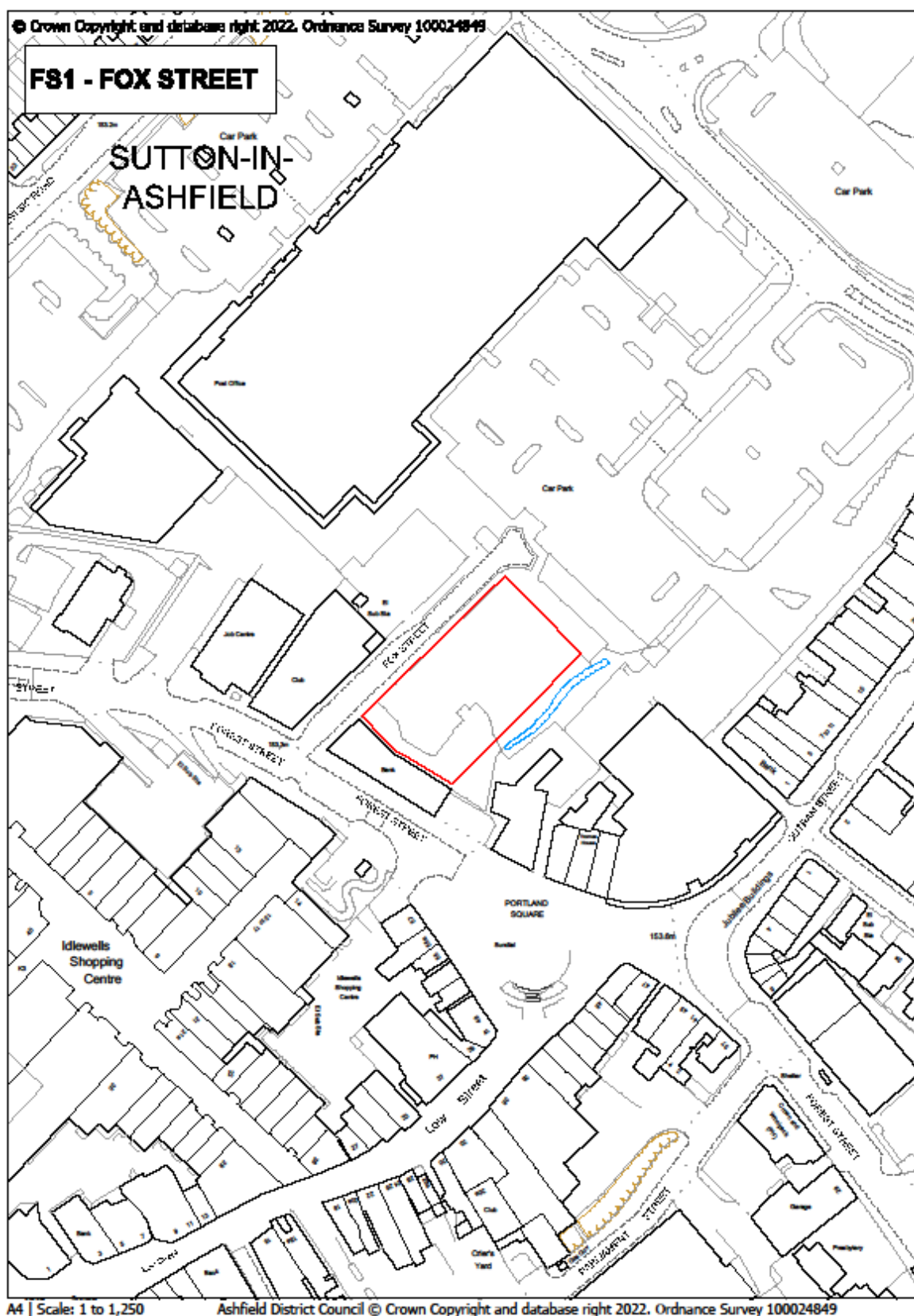


A4 | Scale: 1 to 1,250

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**NS1: New Street**

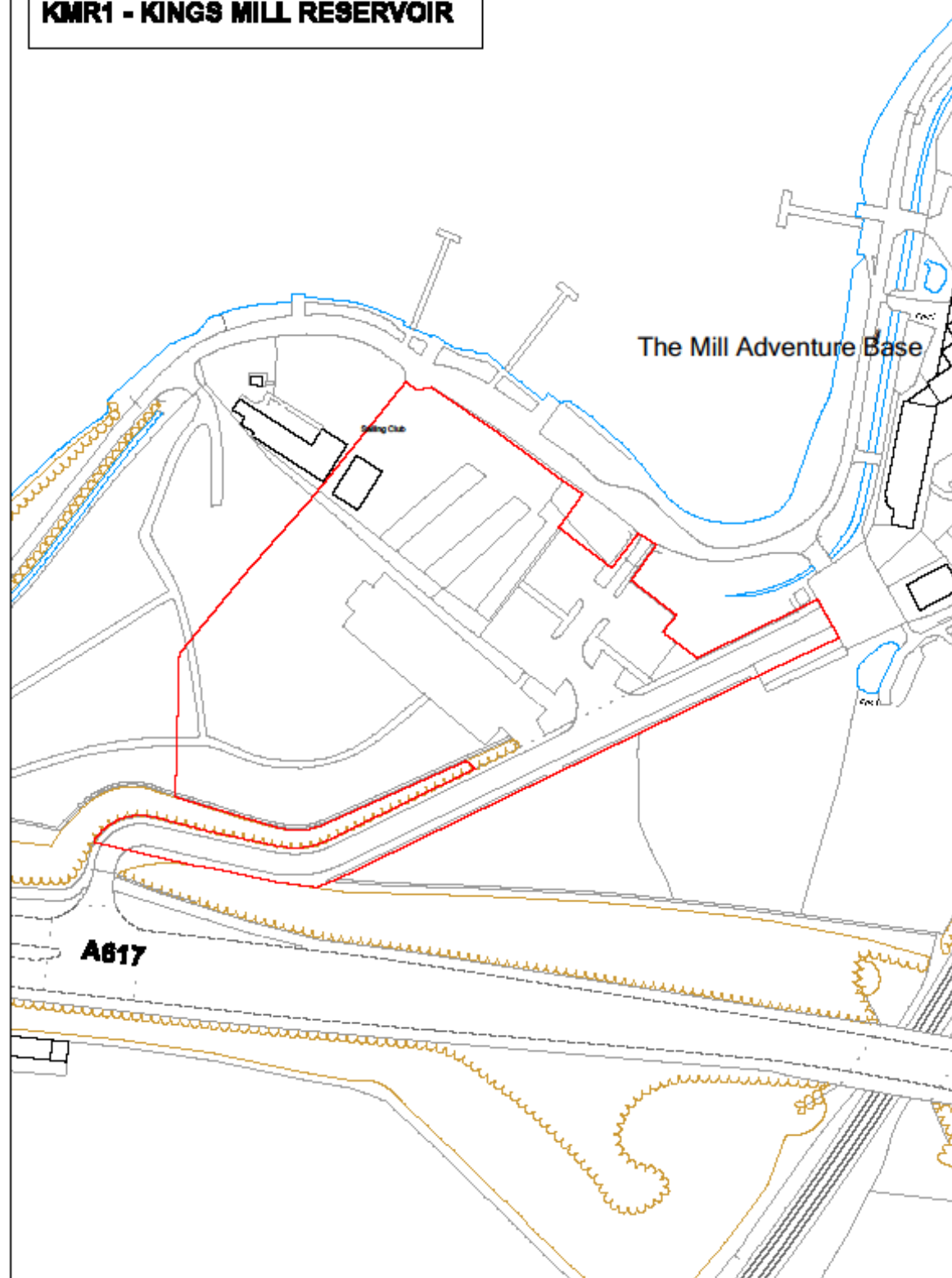




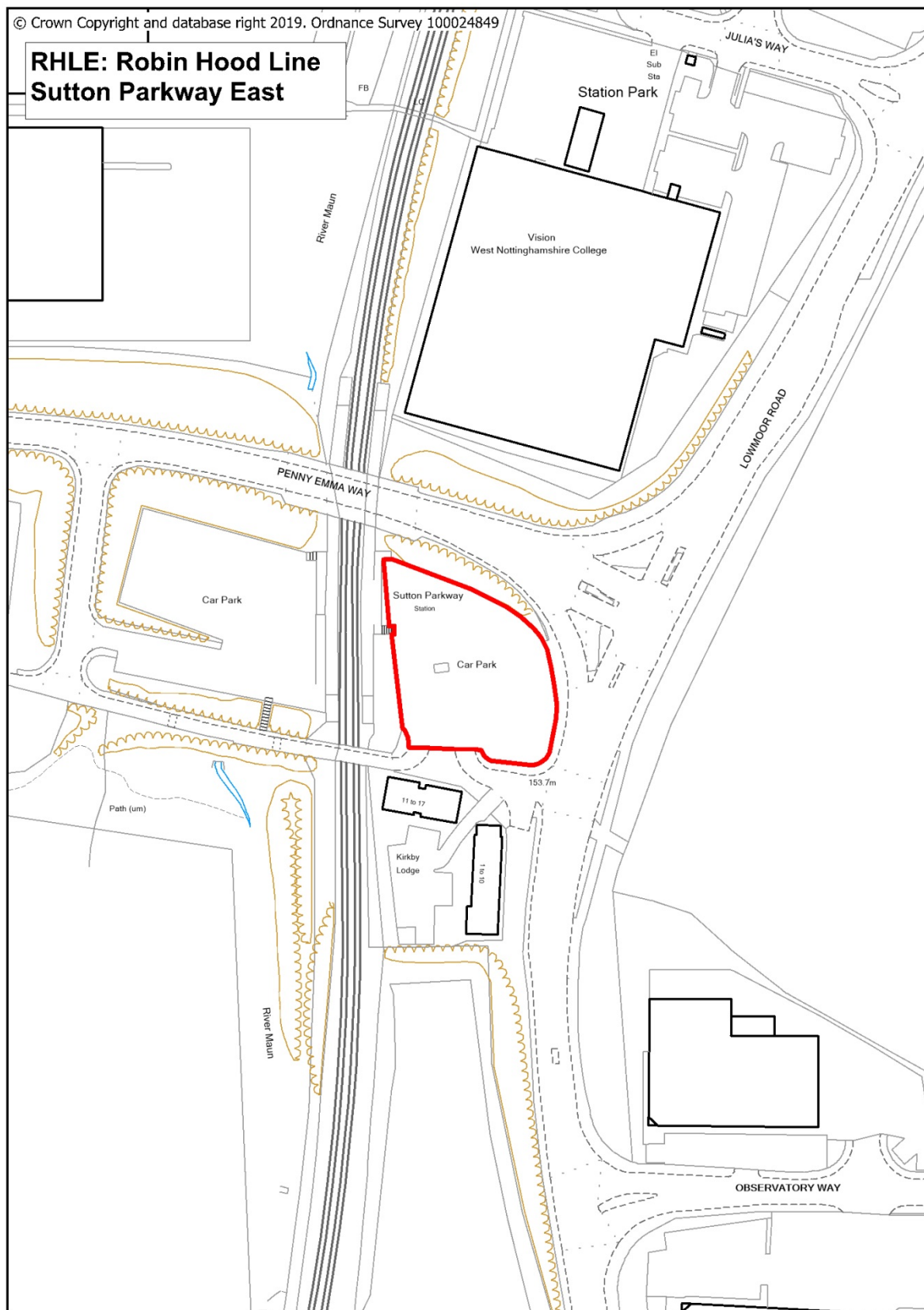
## NCS1: New Cross Street



# KMR1 - KINGS MILL RESERVOIR

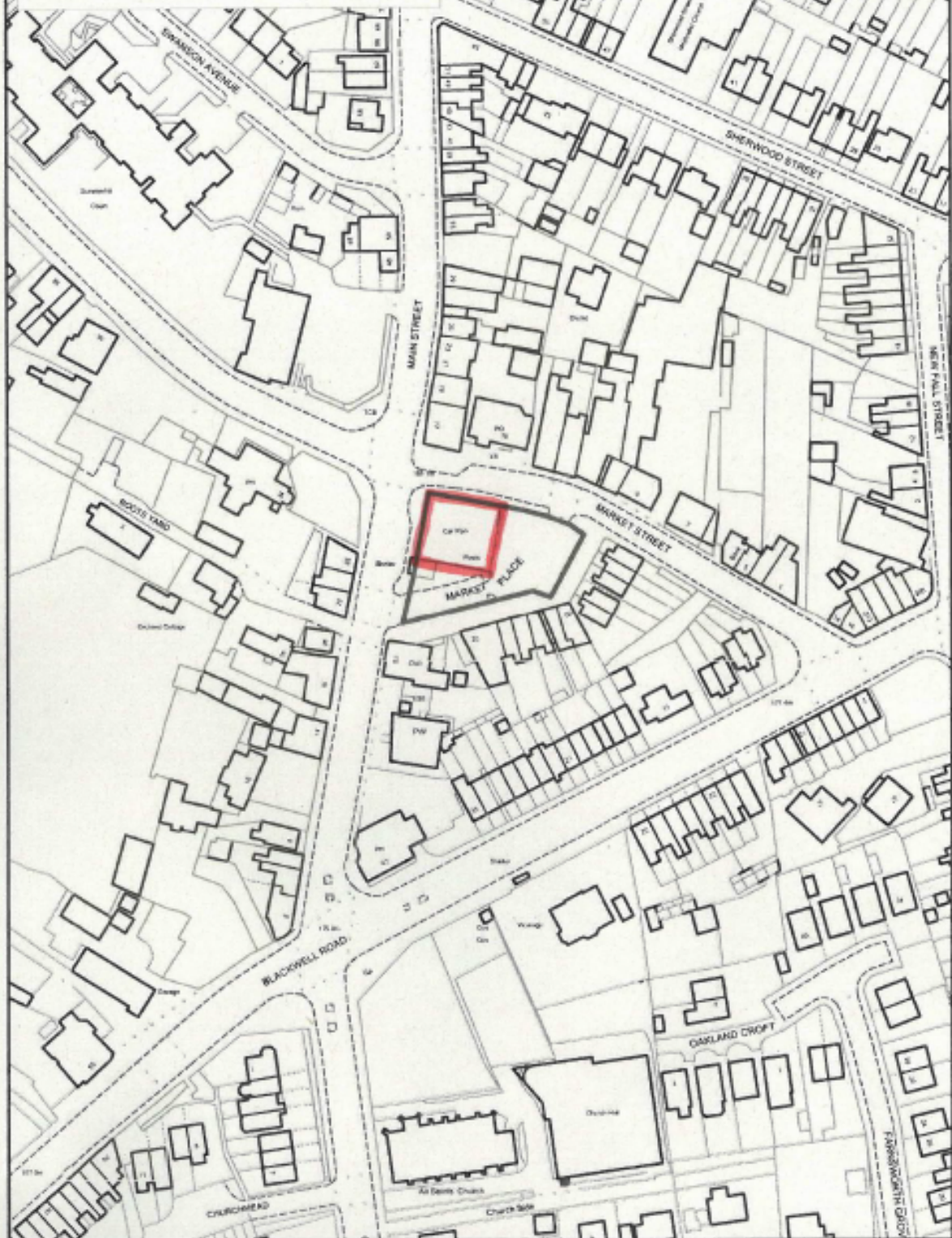


# **RHLE: Robin Hood Line Sutton Parkway East**



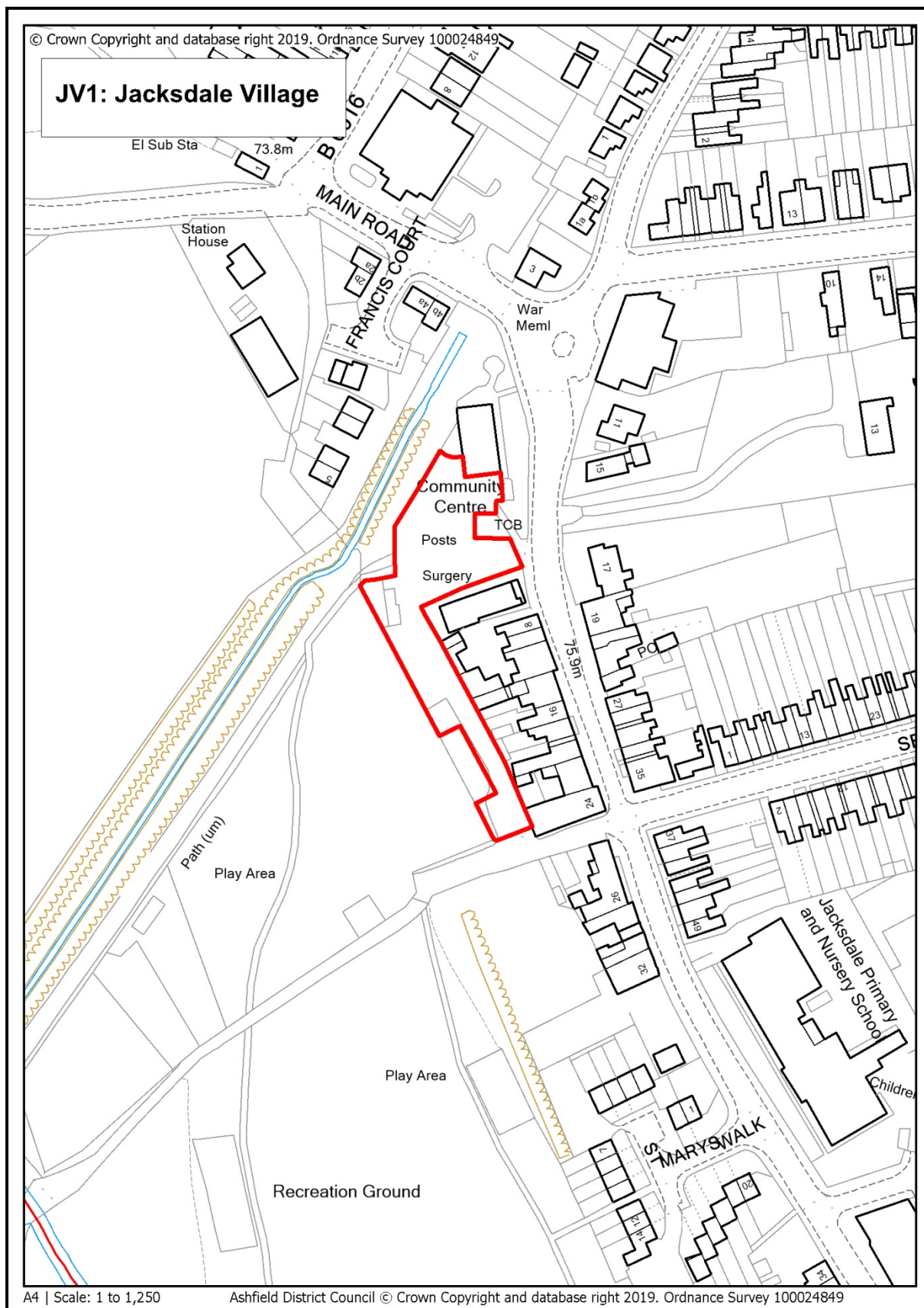
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## HM1: Huthwaite Market Place



A4 | Scale: 1 to 1,250

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Dated:                      day of                      2023

The Common Seal of

**ASHFIELD DISTRICT COUNCIL**

**EXECUTED AS A DEED**                      )  
by **ASHFIELD DISTRICT COUNCIL**                      )  
having affixed its common seal                      )  
to this deed in the presence of:-                      )

Chairman / Vice Chairman  
(\*delete as applicable)

Chief Executive / Deputy Chief Executive  
(\*delete as applicable)

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# **ASHFIELD DISTRICT COUNCIL**

## **NOTICE OF PROPOSALS**

### **PROPOSED ASHFIELD DISTRICT COUNCIL CIVIL ENFORCEMENT OFF-STREET PARKING PLACES ORDER 2023**

Ashfield District Council intends to make the above Order (“the Proposed Order”) under its powers contained in the Road Traffic Regulation Act 1984 as amended and under the Traffic Management Act 2004 as amended and all other enabling powers.

The Proposed Order relates to existing off-street parking places and proposed new parking places provided by the Council at the locations listed in the Schedule of Parking Places and Charges below and is intended to come into operation on 27<sup>th</sup> November 2023 (or as soon as possible thereafter).

The Civil Enforcement of Parking Contraventions (County of Nottingham) Designation Order 2008 brought civil parking enforcement into force in the relevant areas of the County of Nottinghamshire, including the District of Ashfield, on 12 May 2008.

The Council intend to revoke The Ashfield District Council Civil Enforcement Off-Street Parking Places Order 2020 and any variations thereto attached in their entirety.

Revoking the aforementioned Parking Places Order 2020 will give the Council the opportunity to encompass additional land owned/managed by the Council at the following locations:- Kirkby Leisure Centre Kirkby-in-Ashfield (former Festival Hall), Fox Street Sutton-in-Ashfield, Kings Mill Reservoir Sutton-in-Ashfield, Langton Road/New Street Sutton-in-Ashfield, Hucknall Leisure Centre Hucknall and Papplewick Green Pavilion Hucknall; to alter the limits of stay and parking charges at Sherwood Place Sutton-in-Ashfield; to revoke and amend the conditions and use of some existing parking places; to incorporate references to new legislation and to revise the existing fees and charges in accordance with the attached Schedule of Parking Places and Charges. The penalty charges for contraventions of the Proposed Order will remain the same as the penalty charges for the previous Orders, as described below.

#### **Proposed Penalty Charges**

<b>£70 (£35 where paid within 14 days; £105 if paid after service of charge certificate)</b>	<b>For contraventions in relation to parking in loading areas; designated disabled persons bays; a restricted area; a permit bay or a bay not designated for that class of vehicle; for using a vehicle in connection with the sale of goods; and for causing an obstruction. For parking in a permit bay without clearly displaying a valid permit.</b>
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<b>£50 (£25 where paid within 14 days; £75 if paid after service of charge certificate)</b>	<b>For parking for longer than the maximum period allowed; parking beyond the bay markings; returning to the same parking place on the same day within the specified period; parking when the parking place is closed; parking for a purpose other than that permitted; parking with the engine running where prohibited. For contraventions related to parking charges, including: parking without payment of the parking charge; parking after expiry of the paid time; parking without clear display of the relevant ticket(s),</b>
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voucher or parking clock; and parking without additional payment(s) to extend the parking stay.

## **SCHEDULE OF PARKING PLACES, TIMES AND CHARGES OF USE UNDER THE PROPOSED ORDER**

### **1. Pay and Display Car Parks, Category A:**

Market Place Hucknall, Market Yard Kirkby; Ellis Street Kirkby

<b>Waiting Period</b>	<b>Charge</b>
Up to 2 hours	£0.00*

**Blue badge holder** £0.00

**Permitted Times of Use:** Public parking Monday to Sunday between prescribed times Maximum stay 2 hours with a continuous period not exceeding 2 hours on all days. No return within 2 hour and only one free period per day. Except Bank Holidays but including Good Friday.

One free period per day  
**\* Only with a free Voucher from the parking machine within that parking place**

### **2. Pay and Display Car Parks, Category B:**

Piggins Croft Hucknall; Yorke Street, Hucknall; Hodgkinson Road Kirkby; Sherwood Place Sutton; New Street Sutton; Langton Road / Junction New Street Sutton.

<b>Waiting Period</b>	<b>Charge</b>
Up to 2 hours	£0.00*
Up to 4 hours	£2.00
Over 4 hours	£4.00

**Blue badge holder** £0.00

**Permitted Times of Use:** Public parking Monday to Sunday between prescribed time with no time limit and a continuous period not exceeding 12 hours on all days. No return within 3 hours and only one free period per day. Permit parking between prescribed times. Except Bank Holidays but including Good Friday.

One free period per day  
**\* Only with a free Voucher from the parking machine within that parking place**

### **3. Pay and Display Car Parks, Category C:**

Market Place Sutton; Fox Street Sutton

<b>Waiting Period</b>	<b>Charge</b>
Up to to 2 hours	£0.00*
Up to 4 hours	£2.00

**Blue badge holder** £0.00

**Permitted Times of Use:** Public parking Monday to Sunday between prescribed times Maximum stay 4 hours with a continuous period not exceeding 4 hours on all days. No return within 4 hours and only one free period per day. Except Bank Holidays but including Good Friday.

One free period per day  
**\* Only with a free Voucher from the parking machine within that parking place**

#### **4. Zero-Charge Car Parks, Category D:**

ADC Offices Kirkby

<b>Waiting Period</b>	<b>Charge</b>
Up to 2 hours	£0.00

**Permitted Times of Use:** Public parking Monday to Sunday between prescribed times Maximum stay 2 hours with a continuous period not exceeding 2 hours on all days. No return within 2 hours. Except Bank Holidays but including Good Friday.

**Blue badge holder £0.00**

#### **5. Zero-Charge Car Parks, Category E:**

Papplewick Green Pavilion Hucknall; Robin Hood Line East and Huthwaite Market Place Huthwaite and Jacksdale Village Jacksdale.

<b>Waiting Period</b>	<b>Charge</b>
Up to 12 hours	£0.00

**Permitted Times of Use:** Public parking Monday to Sunday between prescribed time with no time limit and a continuous period not exceeding 12 hours on all days. No return within 3 hours including Bank Holidays.

#### **6. Pay and Display Car Parks, Category F:**

Hucknall Leisure Centre Hucknall; Kirkby Leisure Centre Kirkby.

**Permitted Times of Use:** Public parking Monday to Sunday between prescribed times Maximum stay 4 hours with a continuous period not exceeding 4 hours on all days. No return within 4 hours and only one free period per day. Except Bank Holidays but including Good Friday.

<b>Waiting period</b>	<b>Charge</b>
Up to 2 hours	£0.00*
Up to 4 hours	£2.00

**Blue badge holder £0.00**

One free period per day  
\* **Only with a free Voucher**  
**From the parking machine within that parking place**

#### **7. Pay and Display Car Parks, Category G:**

Kings Mill Reservoir Sutton

<b>Waiting Period</b>	<b>Charge</b>
Up to 1 hour	£0.00*
Up to 2 hours	£1.00
Up to 4 hours	£2.00
Up to 6 hours	£3.00
Up to 8 hours	£4.00
Up to 10 hours	£5.00
Up to 12 hours	£6.00

**Permitted Times of Use:** Public parking Monday to Sunday between prescribed time with no time limit and a continuous period not exceeding 12 hours on all days. No return within 3 hour and

**Blue badge holder £0.00**

only one free period per day. Permit parking between prescribed times. Except Bank Holidays but including Good Friday.

One free period per day  
**\* Only with a free Voucher  
from the parking machine  
within that parking place**

#### **8. Zero charge car park category H**

<b>Waiting Period</b>	<b>Charge</b>
Up to 12 hours	£0.00

New Cross Street Sutton

**Permitted Times of Use:** Public parking Monday to Sunday between prescribed time with no time limit and a continuous period not exceeding 12 hours on all days. No return within 3 hours Including Bank Holidays.

**Any person may object or make representations relating to the making of this Proposed Order by 2pm on 18<sup>th</sup> August 2023**

**Objections and representations must be made in writing, stating the grounds on which they are made and must be sent to the Director of Place and Communities at the address given below or by email at [carparking@ashfield.gov.uk](mailto:carparking@ashfield.gov.uk)**

Documents giving more detailed particulars of the Proposed Order are available for inspection on Monday to Thursday between the hours of 08:45 and 16:45 and on Fridays between the hours of 08:45 and 16:15– at the Council Offices, Urban Road, Kirkby in Ashfield, Nottingham NG17 8DA or at the Council's website.

Dated: 17<sup>th</sup> July 2023

Jas Hundal

INTERIM EXECUTIVE DIRECTOR - PLACE  
Ashfield District Council  
Urban Road  
Kirkby in Ashfield  
Nottinghamshire  
NG17 8DA

**Signature:**

<b>Report To:</b>	<b>CABINET</b>
<b>Date:</b>	<b>26<sup>TH</sup> JUNE 2023</b>
<b>Heading:</b>	<b>SOCIAL HOUSING WHITE PAPER</b>
<b>Executive Lead Member:</b>	<b>CLLR A MEAKIN, EXECUTIVE LEAD MEMBER FOR COUNCIL AND SOCIAL HOUSING</b>
<b>Ward/s:</b>	<b>ALL</b>
<b>Key Decision:</b>	<b>NO</b>
<b>Subject to Call-In:</b>	<b>YES</b>

## **Purpose of Report**

To provide a summary update of actions undertaken as a result of the (then) Ministry of Housing, Communities and Local Government (MHCLG) Social Housing White Paper in line with recommendations since the original summary presented in January 2021 Cabinet and the subsequent updates presented in December 2021, June 2022 and January 2023 Cabinet meetings.

## **Recommendation(s)**

**To note the key implications and priorities for Ashfield District Council arising from the then Ministry of Housing, Communities and Local Government (MHCLG) Social Housing White Paper and the resulting identified actions.**

**To note the progress of the Social Housing (Regulation) Bill through the House of Commons and the House of Lords.**

**To note progress against the reported action plan.**

**To note the commencement of the regulatory requirement for the Authority to collect and report the findings of Tenant Satisfaction Measures for the 2023/24 financial year, and annually thereafter.**

**To note the plan for the Authority's collection of the Tenant Satisfaction Measures.**

**To note the performance information contained within the report to provide assurance of regulatory compliance.**

## **Reasons for Recommendation(s)**

To update elected Members on how Ashfield District Council meets the Regulatory regime for Council Housing and complies with the expectations of the Regulator. To keep elected Members informed of our progress towards meeting the statutory and regulatory requirements. To update elected Members with the progress of the development of the Social Housing (Regulation) Bill. To promote the fact that Cabinet are ultimately responsible for ensuring regulatory compliance of the Council's social housing activities.

## **Alternative Options Considered**

No alternative – the White Paper sets out forthcoming changes and legislation as to how Council Housing will be regulated by the Regulator of Social Housing. To not adhere to the regulations may carry both unlimited sanctions (including the removal of the housing stock), fines, health and safety risks to tenants and reputational damage for the Council.

## **Detailed Information**

### **Background**

The Social Housing White Paper was published by the (then) Ministry of Housing, Communities and Local Government (MHCLG) on 17th November 2020. It is the follow up to the Social Housing Green Paper that was published in August 2018, both of which are part of the Government's response to the Grenfell Tower tragedy and the Hackitt Review of building safety and fire safety.

There remains a commitment from the current Government that the Social Housing (Regulation) Bill is still expected to receive Royal Assent during the current parliamentary term, thus meaning that many of the current actions contained within the White Paper, which are reliant upon the relevant legislation being produced, will become enshrined in the near future. It is still anticipated that an implementation date from the start of the 2024/25 financial year will apply. The Bill was detailed as strengthening the powers of the Social Housing Regulator, giving tenants greater rights to have better homes and hold their Landlord to account.

The White Paper sets out 7 core commitments that social housing residents should be able to expect from their landlord:

1. To be safe in your home
2. To know how your landlord is performing
3. To have complaints dealt with promptly and fairly
4. To be treated with respect – backed by improved consumer standards and regulation
5. To have your voice heard by your landlord
6. To have a good quality home and neighbourhood to live in
7. To be supported to take your first step to home ownership

### **Tenant Satisfaction Measures**

Since the last update report to Cabinet in January 2023 the Council has become subject to the regulatory requirement to collect and report on the Tenant Satisfaction Measures (TSMs) for the 2023/24 financial year. The Regulator of Social Housing ("the Regulator") has published their

Tenant Satisfaction Measures Standard, to set out their expectations to landlords in this area, along with draft reporting guidance and a number of other guidance documents, which set out the collection requirements. The collection and reporting of TSMs is now a mandatory requirement for all Social Housing Landlords (with a stock greater than 1,000 properties). TSM survey results will need to be collected and reported on an annual basis to both the Regulator and to our Tenants, with the first submission due Spring 2024.

TSMs will be used as a measure of performance and tenant satisfaction, consisting of 10 performance management areas (which are being collected and monitored as KPIs) and 12 tenant perception areas and are likely to be used by the Regulator to inform and prioritise their inspection timetable.

The tenant perception areas of the TSMs will require tenants to be surveyed on an annual basis to seek their level of perceived satisfaction in the prescribed areas.

The TSMs comprise of:

<b>Theme</b>	<b>Code</b>	<b>Issue</b>
<b>Overall satisfaction</b>	TP01	Overall satisfaction
<b>Keeping Properties in Good Repair</b>	RP01	Homes that do not meet the Decent Homes Standard
	RP02	Repairs completed within target timescale
	TP02	Satisfaction with repairs
	TP03	Satisfaction with time taken to complete most recent repair
<b>Maintaining Building Safety</b>	BS01	Gas safety checks
	BS02	Fire safety checks
	BS03	Asbestos safety checks
	BS04	Water safety checks
	BS05	Lift safety checks
	TP04	Satisfaction that the home is well maintained
	TP05	Satisfaction that the home is safe
<b>Effective Handling of Complaints</b>	CH01	Complaints relative to the size of the landlord
	CH02	Complaints responded to within Complaint Handling Code timescales

Theme	Code	Issue
<b>Respectful and Helpful Engagement</b>	TP09	Satisfaction with the landlord's approach to handling of complaints
	TP06	Satisfaction that the landlord listens to tenant views and acts upon them
	TP07	Satisfaction that the landlord keeps tenants informed about things that matter to them
	TP08	Agreement that the landlord treats tenants fairly and with respect
<b>Responsible neighbourhood management</b>	NM01	Anti-social behaviour cases (ASB) relative to the size of the landlord
	TP10	Satisfaction that the landlord keeps communal areas clean, safe and well maintained
	TP11	Satisfaction that the landlord makes a positive contribution to neighbourhoods
	TP12	Satisfaction with the landlord's approach to handling of anti-social behaviour

A pilot of the collection of all elements of the TSMs took place, in the autumn of 2022, the results of which have been fed back to senior housing managers and used to influence the approach for the first live collection in 2023/24.

Response rates to the pilot tenant perception survey was limited, but not dissimilar to other transactional satisfaction surveys at 17.1% and did provide a broadly statistically representative sample. The survey was conducted using a wholly digital model. Based on feedback from tenants, a more personalised approach to the surveying methodology will be adopted for the live collection, with the focus on dedicated resources making outbound telephone contact with a randomly selected sample, with a lesser percentage being drawn via digital and paper based means in order to achieve greater inclusivity. A prize draw is also being offered to tenants who complete the survey, to incentivise their participation.

The Regulator expects survey responses are 'profiled' against the landlord's tenant base. An analysis has taken place of the characteristic data held on tenants, which has been reported to senior housing managers. An action plan is to be put in place to identify the work required to ensure this data is accurate, accessible and is reviewed at regular intervals. Resource discussions are taking place with the Digital Transformation Team, to ensure that this project moves forward.

In order to promote and remind tenants of why the survey is taking place a mini 'Housing Matters' magazine has recently been distributed to tenants. A further full 'Tenant Matters'/housing annual report is scheduled to be published in Autumn 2023.

From 2023/24, the Housing Regulator will request social housing landlords submit the percentage of respondents that were either 'very satisfied' or 'satisfied' or who 'strongly agree' or 'agree' with each of the perception questions.

A snapshot of key outcomes from the pilot satisfaction survey are:

**The highest levels of satisfaction were:**

- Overall satisfaction with the service provided (70.0%)
- Overall satisfaction with repairs (69.9%)
- Condition of property or building (68.6%)
- My landlord treats me fairly and with respect (68.1%)

**The lowest levels of satisfaction were:**

- Making a positive contribution to the neighbourhood (53.5%)
- Listening to views and acting upon them (50.9%)
- Approach to anti-social behaviour (47.8%)
- Approach to complaints handling (31.1%)

These are broadly in line with other Housing providers who conducted a fully digital pilot survey however further work (and action) has been undertaken to understand those perception results which sit below the median.

**2022/23 year-end performance for TSM related KPIs are as follows:**

Repairs completed within target timescale	Emergency – 99.76% Non-Emergency – 94.70%
Gas safety checks	99.98%
Fire safety checks	100%
Asbestos safety checks	100%
Lift safety checks	100%
Complaints relative to the size of the landlord (per 1,000 properties)	Stage One – 11.16 Stage Two – 1.21
Complaints responded to within Complaint Handling Code timescales	Stage One – 100% Stage Two – 100%
Anti-social behaviour cases (ASB) relative to the size of the landlord (per 1,000 properties)	48.55

The KPI results are in general upper quartile with the exception being ASB cases which is bottom quartile. Again, work and action has been undertaken to address this issue.

Additionally due to the complex nature of these indicators and the data required for these, the respective teams are working with the Digital Transformation Team to undertake works to Capita OpenHousing to enable performance in these areas to be reported directly from the system, rather than requiring a considerable amount of manual officer intervention to produce performance in some of these areas. These projects are in the latter stages and system reporting should be fully functional in the near future.

In line with the requirements set out in the Social Housing White Paper, the Council's website has been updated to incorporate a performance report, linked to Pentana, to report 'real time' performance information to tenants.

## **Social Housing (Regulation) Bill**

The Social Housing (Regulation) Bill will become the key legislation to facilitate the additional powers for the Regulator, to deliver the requirements of the regulatory regime set out in the Social Housing White Paper.

The Bill has progressed through all stages within both parliamentary houses and is tabled on the agenda for the House of Lords to consider the proposed amendments to the Bill put forward by the House of Commons on 27 June 2023. Once all amendments have been agreed the Bill will be passed for Royal Ascent.

Key amendments proposed to date include:

- The inclusion of requirements around the level of professional housing qualification for senior housing managers (or those managers within the Council who perform those functions on behalf of housing)
- Four yearly routine 'Ofsted' style short notice inspections
- The inclusion of 'Awaab's Law' to "crackdown on damp and mould" and ensure that landlords investigate and fix serious issues within strict time limits.

## **Consumer Regulation**

Once the Social Housing Bill has received Royal Ascent, the DLUHC will provide the Regulator with refreshed directions for their focus and approach moving forward. The Regulator has advised that following the refreshed directions, they intend to commence consultation with stakeholders, around the revision/addition of the Consumer Standards.

The Regulator has been clear that during the consultation period, Social Housing Landlords will be expected to fully comply with the existing Consumer Standards as well as working at the levels and assurance expressed in the consultation proposals, until such time that the consultation has concluded and any new or amended Consumer Standards have been implemented.

The Regulator is committed to a regime of 'Ofsted style' short notice inspections of Social Housing Landlords. Timetabled routine inspections are expected to commence around Summer 2024. The Regulator is currently undertaking a second round of pilot inspections, to inform their approach to landlord inspections. It is however clear that levels of compliance will need to be demonstrated, evidenced and open to scrutiny.

The Regulator will continue to have the power to inspect landlords, at their discretion. The Housing Ombudsman Service ("the Ombudsman") are continually increasing their interventions into landlord services, with a number of reports into potential systemic failure, including those in the media such as Rochdale Boroughwide Housing, and Catalyst Housing along with a number of English Councils. The Ombudsman has the ability to refer concerns to the Regulator, as will tenants and leaseholders of the Authority.

The Council has, as a forerunner to inspections, requested an LGA Peer Review of its Housing Service to identify, on an informed basis, the strengths and weaknesses of the service and proactively learn and improve from the experience. The review took place in January 2023 and the final full report is expected imminently.

## Housing Ombudsman Service/Complaints

The Ombudsman continues to be a key partner to the Regulator around the regulation of social housing, reporting concerns to the Regulator where they identify potential systemic failings within landlords, through their complaint handling resolution investigations.

The Council is currently compliant with the Housing Ombudsman's Complaint Handling Code. The existing self-assessment against the Code is being reviewed by the Tenant's Gateway Panel, to verify the position set out in the self-assessment reflective of the Council's approach to complaint handling, based on the Council's approach/tenant experience. A further report will be submitted to Cabinet in the future to consider the contents of the self-assessment, before this is re-published on the Council's website prior to 1<sup>st</sup> October 2023, in line with our requirements to annually assess against the Code.

Complaints continue to be a high-profile subject for the social housing sector with the Ombudsman continuing to take an active role in holding landlords to account for service failure. The Ombudsman continues to actively publicise their judgements and have recently instigated their powers to undertake 'special investigations' into specific landlords, where there are concerns about potential systemic or endemic failings, including an investigation into Rochdale Boroughwide Housing, following the inquest findings in to the death of Awaab Ishaq.

During March 2023 DLUHC launched their "Make Things Right" campaign, which promoted and prompted social housing tenants to make complaints to their landlords, where they feel they are experiencing poor service.

During 2022/23, we experienced a significant increase in the volume of complaints at all levels, as demonstrated in the table below. Increased complaint volumes are not necessarily a reflection that the quality of service provision has declined, resulting in increased dissatisfaction, but may also be impacted by the increased publicity and accessibility of the complaints process. Increasing complaint volumes do however have a significant impact on resources, often investigations are lengthy and time consuming, which will take officers/managers and directors away from other day to day duties for considerable periods.

	2021/22		2022/23		Variance of case volume %
	Number of Complaints	% upheld (incl. partially)	Number of Complaints	% upheld (incl. partially)	
Stage One	46	46%	77	52%	67% increase
Stage Two	4	50%	8	13%	100% increase

As part of all complaint investigations, the investigating officer will consider any learning from the complaint, including where complaints have not been upheld, to ensure that wherever possible improvements are made to service provision and the customer experience. Learning Outcomes are monitored for implementation and reported to Senior Managers, Elected Members and Tenants. Complaint trends are also monitored to ensure that service improvements can be implemented, where required.

We continue to see increasing interactions and escalations of complaints to the Ombudsman, before, during and after the complaints process has been exhausted. The involvement of the Ombudsman in the investigation of complaints presents a potential reputation and financial risk to the Council. Findings against landlords are published and are often accompanied by an award of compensation, as redress.

During 2022/23 three complaints were referred to the Ombudsman, at the tenants request, the outcomes are broken down, as follows:

- 1 – No Service Failure identified on behalf of the Council
- 1 – Service Failure by the Council and £200 compensation
- 1 – Currently under investigation

### **Responsible Officer for Health & Safety**

Following the outcome of the LGA backed Decision Making Accountability (DMA) implementation Scott Tilley, Assistant Director - Corporate Health & Safety has been named as responsible officer for health and safety requirements for the Council, in relation to our social housing stock. In line with the requirements set out within the Social Housing White Paper, Scott's details have been published on the Council's website to ensure that Scott is accessible to tenants with health and safety concerns.

Following assessment of the requirements set out in the Fire Safety (England) Regulations 2022, which came into force on 23 January 2023 and the previous self-assessment, the Council was found to be compliant with our obligations. Actions identified to continue with this position have been undertaken, including writing to all tenants living in blocks of flats (with communal areas) regarding fire safety.

The continued engagement with tenants around health and safety, and the activities we conduct in this area is currently being reviewed and will form part of the wider tenant engagement strategy.

### **Damp and Mould**

Following the inquest findings following the death of Awaab Ishak, damp and mould has continued to be a high profile topic within the sector. On 22 November 2022 the Regulator wrote to all Social Housing Landlords to seek assurance on the addressing of risks relating to damp and mould in tenants' homes. A robust review of the Council's approach to reports of damp and mould within our social housing stock has taken place and the information was provided to the Regulator.

On 22 February 2023 the Regulator published their initial findings in relation to the submissions, advising that further contact would be made with landlords, whose submissions had been assessed as "poor" or lacked sufficient data to support their position. The Council has not received any further contact regarding our submission.

The findings of the Regulator's request for information found the following levels of damp and mould within the country's social housing stock (approx. 4 million properties):

- 120,000 - 160,000 properties – category three hazards (notable damp and mould)
- 40,000 – 80,000 properties – category two hazards (serious damp and mould)
- 8,000 – category one hazards (threat to health)

Our return to the Regulator noted that there is only a nominal presence of damp and mould within our stock. The Repairs and Maintenance Team continue to take the management of damp and mould within our stock very seriously. We take all necessary steps to address and rectify any issues reported/identified, as quickly as possible, offering support and advice to tenants, where there are no evident building defects attributing to the issue.

A new repair “job” has been created within the housing management system to capture additional information during reports of damp and mould issues, along with helping to track the prevalence and progress of the matters, ensuring that the repair is not closed until the issues are successfully resolved. Damp and mould cases are reviewed regularly by the management team, to assist with identifying any potential patterns and will be used to inform the major works programme, where identified.

Additional resources in the shape of a dedicated Damp and Mould Inspector is currently being recruited to, to assist with the rapid assessment and treatment of damp and mould issues to limit the impact on tenants.

We will continue to review our processes and procedures, including applying learning from the actions of other landlords, to ensure that damp and mould issues are dealt with as swiftly and comprehensively as possible.

### **Carbon Monoxide Alarms**

On 27 July 2022 the Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022 were published, which stipulated the requirement for properties within the Council’s stock to be equipped with a carbon monoxide alarm in any room used as living accommodation that contains a fixed combustion appliance. Upon publication the widely anticipated deadline for compliance of 01 April 2023, was set to the significantly reduced 1 October 2022. Failure to comply with the Regulations would have required the Council to ‘self-refer’ to the Regulator of Social Housing, for a breach of the regulatory requirements.

Following considerable efforts by the repairs and maintenance team, the vast majority of alarms were installed prior to the deadline, with only a small number of properties being outstanding, where access had been refused.

A robust plan to install the last remaining alarms was developed, which has resulted in approximately 25 installations being required. Efforts are continuing to attempt to engage with the tenants to facilitate installation, the ultimate backstop being alarms will be fitted whilst the annual gas service check takes place.

### **Compliance**

It is essential that there continues to be a Council wide understanding of the implications of non-compliance and close monitoring of early warning indicators of breaches. The Regulator and the Ombudsman continue to publish their actions taken against housing providers and the advice remains consistent; that the direction of travel is clear with regards to the required outcomes and that providers should not wait for legislation to adhere to compliance. Legislation is expected to be finalised imminently.

With a view to this, the current HRA budget contains provision for additional staff to assist with the compliance process, as regulatory judgements and learning continues. Key areas of additional resources are technical support for review of the assets database/housing management system, a dedicated surveyor for damp and mould, support for complaints and tenant involvement.

The Health and Safety elements of regulation, which sit under the ‘Home Standard’, is a particular priority for the Regulator and as well as their own investigations, a number of landlords continue to self-refer concerns regarding the accuracy or shortfalls in their data around the relevant health and safety checks. Whilst the operational work of the Providers concerned have been questionable, it is

also the lack of assurance and governance that the Board or Council receives from up to date and confident data, that raises concerns from the Regulator.

The Ombudsman is currently undertaking an investigation into record keeping within the Social Housing Sector, which is likely to bring recommendations for amendments to our record keeping practices, which could create further resource requirements, to assist with system/procedural changes.

## **Inspections**

The Regulator is clear that 'Ofsted' style inspections will form a key feature of their regulatory regime. However, it remains unclear what format these will take and when the Council is likely to receive its first inspection.

The Regulator is currently undertaking a second wave of pilot inspections with a small group of Providers, to inform their decision making around the structure of the inspection regime.

The Regulator has indicated that they anticipate inspections to commence from April 2024 and for landlords to be routinely inspected at four yearly intervals.

The Regulator will have the ability to inspect at short notice and on an emergency basis.

## **Tenant Engagement**

Tenant engagement/involvement is a key feature and expectation of the regulatory regime. The Council is expected to actively engage with our tenants, in order that they can inform the direction of the service provided to them.

Tenant engagement has declined over a number of years with fewer tenants seemingly wishing to engage with the Council about housing services and this was highlighted as an area for improvement in the recent LGA housing peer review.

An additional resource is to be recruited to bolster the active promotion of the Council's tenant engagement framework, to increase the number of engaged tenants and the avenues available to engage with the Council.

The current position in terms of tenant engagement is as follows:

### Tenants Gateway

The Tenants Gateway is a group of tenants who meet with Senior Housing Managers to discuss issues about the management and delivery of landlord services.

The group is made up of a quota of tenants from the respective areas of the District, based on stock levels in the respective area as follow:

Sutton	– 6 positions – currently 2 vacancies
Hucknall	– 4 positions – currently 2 vacancies
Kirkby	– 4 positions – currently 3 vacancies
Rural	– 2 positions – currently 2 vacancies

## Tenant Scrutiny Panel

The Tenant Scrutiny Panel is a group of trained volunteer Council tenants who review the services delivered by us. The Panel work as a team to review our services and suggests improvements to the way we do things in the form of an action plan.

Currently no tenants have expressed an interest in joining the Scrutiny Panel, a recruitment drive is being prepared.

## Customer Opinion and Influencing Network (COIN)

COIN members can tell us about their experience of the housing services they have received and give their opinion on how things could be improved. This may include giving feedback via our website, email, face to face or by telephone.

Currently we have very few contacts from tenants through COIN.

## Ashfield Tenants and Residents Forum

This forum is made up of and led by Council tenants from across Ashfield. The forum has a focus on their local neighbourhoods and how they can help support their communities. It meets every 3 months to discuss District-wide issues affecting tenants and to discuss the services received from us.

## Formal Consultation

The latest formal consultation with tenants took place with tenants in October 2022, which related to the review of the new proposed tenancy conditions. 91 tenants responded to the consultation, which equated to 1.4% of the tenants consulted.

## **Elected Members Role**

The Regulator of Social Housing clearly stipulates that tenants should be at the heart of decision making for their housing service (and come inspection time this input in decision making will need to be evidenced). Moving forward key reports which go to Cabinet or Council which involve changes to the delivery of services to tenants (as tenants) will include the views of tenants in relation to those change(s). Elected Members will be expected to consider these views and articulate their consideration of them when reaching a final decision.

## **Next Steps**

- Review the final legislation around the Social Housing Regulation Bill and ensure that measures are in place to demonstrate compliance within the required timescales.
- Collect and report on progress the 2023/24 Tenant Satisfaction Measures, reporting to the Regulator and tenants annually thereafter.
- Report regularly to senior managers and Cabinet on recommendations, where required, including associated risk of achieving target and compliance, including benchmarking performance of services (both quantity and quality) against peers.
- Continue to work alongside Learning & Development for continuous learning for staff and Councillors on key areas identified by gap analysis.

- Continued developments of Capita OpenHousing/other housing IT systems and data inputting procedures to improve the accuracy, extraction, manipulation of statistical information and publication/reporting of performance information.
- Recruit a resource to assist with the provision of tenant engagement activities to increase and diversify the base of tenants actively engaging with the Council, including Tenant Scrutiny Panel, consulting with Tenants/Tenant Groups and capturing tenant views for democratic reports which change or affect services to tenants.
- Develop service standards/policies around the quality of homes/neighbourhoods.

## **Implications**

### **Corporate Plan:**

- To provide good quality value for money services
- To act strategically and plan for the future
- Review and improve tenant co-regulation, engagement and scrutiny in line with the regulatory framework for social housing in England and any new regulatory standards that are introduced.

### **Legal:**

There are no significant legal issues specifically in relation to this report. Current and proposed legislation is detailed in the report. Legal advice and assistance will be provided in relation to the impacts of new legislation and regulations at the appropriate time, including any consequential Constitutional issues or amendments. The delegation of Proper Officers in respect of Social Housing Regulation was approved at the Council AGM on 25 May 2023 in readiness. [RLD 26/05/2023]

### **Finance:**

There are no direct financial implications arising from this report. The report makes reference to additional resources. These were included in the HRA budget for 2023/24 to implement the additional requirements arising from these Regulations. [PH 25/05/2023].

<b>Budget Area</b>	<b>Implication</b>
General Fund – Revenue Budget	Not applicable
General Fund – Capital Programme	Not applicable
Housing Revenue Account – Revenue Budget	Not applicable
Housing Revenue Account – Capital Programme	Not applicable

### **Risk: suggested as per previous report**

<b>Risk</b>	<b>Mitigation</b>
Failure to adhere to regulatory requirements could lead to unlimited fines, compliance notices, direct intervention and/or	<ul style="list-style-type: none"> <li>• Robust methods of control must be put in place.</li> <li>• Action plan to be overseen and signed off by SLT</li> </ul>

significant reputational damage to the Council	Executive Lead Member and Cabinet briefed accordingly and approvals sought as required.
Negative Inspection report (consequences as above)	(a) Ensure adequate resources are in place to document and ensure compliance (b) Prepare an 'Inspection Plan' and consider 'mock' inspection.

### **Human Resources:**

As detailed in the report the whitepaper will require some on-going upskilling of employees, which has been identified in the report. At this stage there is no other direct HR implications contained within the report. [KH – 26/5/2023]

### **Environmental/Sustainability:**

No environmental implications at this point

### **Equalities:**

No equalities implications at this point

### **Other Implications:**

None

### **Reason(s) for Urgency**

Not Applicable

### **Reason(s) for Exemption**

Not Applicable

### **Background Papers**

Appendix 1 – Social Housing White Paper Action Plan

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## Outstanding Actions

	Action	Status	Deadline	Update/Comments
<b>Safety</b>	Incorporate tenant engagement on health and safety into the overarching tenant engagement strategy	Outstanding	31/12/23	Work can progress now nominated officer is in post
<b>Performance</b>	Complete collection of first year's tenant perception Tenant Satisfaction Measures	Outstanding	31/3/24	Task and finish group moving project forward. Collection anticipated to commence June 2023 over period of 12 weeks
<b>Performance</b>	Submit first year's Tenant Satisfaction Measures data to the Regulator of Social Housing	Outstanding	1/6/24	Submission date TBC. Draft guidance received.
<b>Tenant voice</b>	Conduct the first tenant scrutiny investigation	Outstanding	30/9/22	Promotional materials with comms for finalisation. Terms of reference etc are in place. Training sourced, once recruitment has concluded. Additional resource for tenant engagement approved and to be recruited.
<b>Home and neighbourhood</b>	Review the findings of the MHCLG allocations review and make recommendations to DMT	Outstanding	31/3/23	Awaiting government consultation
<b>Consumer Regulation</b>	Respond to consultation by DLUHC on review of directions to RSH	Outstanding	30/9/23	Awaiting government consultation
<b>Consumer Regulation</b>	Respond to the RSH Consumer Standards Consultation	Outstanding	30/9/23	Awaiting government consultation
<b>Complaints</b>	Respond to share consultation by HOS and LGSCO on the introduction of a shared complaint handling code	Outstanding	30/9/23	Awaiting consultation
<b>Complaints</b>	Amend Complaints and Compliments Policy, along with other associated complaint documents to ensure compliance with new combined complaint handling code and publish self-assessment	Outstanding	31/3/24	Awaiting outcome of consultation and relevant documents
<b>General</b>	Review the Social Housing (Regulation) Act/revised direction to RSH from DLUHC and update action plan	Outstanding	30/4/23	Awaiting Bill receiving Royal Ascent and directions being set by DLUHC

## Actions currently in progress

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	Action	Status	Deadline	Update/Comments
<b>General</b>	Training programme for all applicable staff, Councillors & tenants to ensure appropriate knowledge of regulation and compliance	In progress	31/3/23	All Member briefing was delivered by the Executive Director on 15/05/23
<b>Performance</b>	Report regularly to senior managers, Cabinet and tenants on performance against the tenant satisfaction measures	In progress	1/4/22	Progress reported through management meetings, updates to Cabinet and Gateway meetings
<b>Performance</b>	Address weakness in compilation, manipulation and reporting of data and benchmarking information relating to performance, customer profiling, assists components, H&S and costs	In progress	1/4/23	Falling short of regulator expectations and audit concerns regarding data. Digital Transformation Team have undertaken a review and are working with service areas to implement system and process changes to improve this.
<b>Performance</b>	Review all current performance and tenant satisfaction data collection, including why it is collected, the methodology, how it is used and where it is reported.	In progress	1/4/23	Outcomes and analysis to form basis of future actions required in this area.
<b>Performance</b>	Review data collection methods to ensure systems and procedures are robust and appropriate	In progress	31/3/23	Ongoing review and development of systems and processes between departments and Digital Transformation Team.
<b>Performance</b>	Develop a prototype report on HRA expenditure which breaks down management costs and executive remuneration	In progress	30/9/22	High level report included in annual report 2021/22. Benchmarking data reviewed to assess this area and information is already published publicly. Granular detailed of management costs to be produced for 2023 housing annual report. Requirements for annual report contents currently being reviewed by Regulator.
<b>Complaints</b>	Develop e-learning for all tenant facing staff and their managers on housing service standards and dealing with a housing complaint	In progress	31/3/22	Meetings held to discuss and housing provided feedback on existing ELA course to AD – customer experience, who is leading on this authority-wide.
<b>Consumer regulation</b>	Regularly audit evidence of compliance with existing regulatory standards and report findings and recommendations to senior managers, Cabinet and tenants	In progress	31/10/21	Evidence is currently being gathered. Reporting frequencies Monthly, Quarterly and 6 monthly depending on reporting group.
<b>Consumer regulation</b>	Put in place a procedure for reporting regulatory breaches internally and to the Regulator	In progress	31/3/22	Procedure agreed and Procedure drafted. Managers aware of processes for reporting.

<b>Tenant voice</b>	Review ADC's position against the CIH Professional Standards Framework when launched and make recommendations to DMT and SLT to enhance professionalism of relevant teams, including mental health support offer	In progress	31/3/22	Awaiting finalisations of the standards and outcome of consultation around professional standards
<b>Home and neighbourhood</b>	Develop an internal suite of measures to monitor the quality of ADC homes and neighbourhoods	In progress	31/3/22	Service Standards being reviewed internally and with tenants. Satisfaction survey of communal cleaning produced and to be implemented. Estate inspections to take place Spring 2023.
<b>Home and neighbourhood</b>	Monitor and engage with the Decent Homes Review and report to DMT, CLT and Cabinet on implications for ADC	In progress	31/3/23	Awaiting government consultation

## Actions that are ongoing (continuous)

	Action	Status	Deadline	Update/Comments
<b>Safety</b>	Commence writing to tenants in blocks with communal areas, annually, in line with the requirements of the Fire Safety (England) Regulations 2022	Ongoing		First full batch of letters have been sent, this will be an ongoing task
<b>General</b>	Establish a cross-council task and finish group to implement the requirements of the White Paper	On going		Social Housing Regulatory Board established and meeting every 4 weeks.
<b>General</b>	Agree a reporting framework for regulatory compliance, assurance and risk including frequency of reporting	On going	31/3/22	High level version complete. Frequencies agreed in principle.
<b>Complaints</b>	Identify a lead officer to review publications by the Housing Ombudsman and make recommendations to DMT on improvements required or risks that should be considered	On going	28/2/21	Complete Feb-21 -reports to DMT Members on a bimonthly basis starting in March 2021.
<b>Complaints</b>	Identify a lead officer to monitor complaint trends and effective implementation of service improvements	On going	28/2/21	Complete Feb-21 - a quarterly report to DMT on complaints, quarterly to CLT and annually to Cabinet
<b>Complaints</b>	Regularly monitor social media comments for dissatisfaction, complaints and compliments – report regularly to DMT and tenants	On going	28/2/21	Complete Feb-21
<b>Complaints</b>	Complete annual Complaint Handling Code self-assessment	On going	31/12/21	Revised complaint handling code self-assessment ratified by Cabinet and published 1/10/2022. Next review required by 1/10/2023.
<b>Complaints</b>	Support teams that work with tenants with ADC's role as 'landlord' to respond effectively to housing enquiries	On going	31/3/22	As part of training and development
<b>Consumer regulation</b>	Brief Cabinet on the key implications of the White Paper for ADC	On going		Cabinet has regular updates
<b>Consumer regulation</b>	Review regularly current compliance with existing consumer and economic regulations and report findings and recommendations to DMT, CLT, Cabinet and tenants	On going	31/3/22	Finalisation ongoing
<b>Consumer regulation</b>	Respond to any consultation opportunities on the future consumer regulation and inspection regime	On going		Ongoing work within departments
<b>Consumer regulation</b>	Put in place a framework to identify any risk of a regulatory breach to enable preventative action	On going	31/3/22	Moved from Pentana, following manager feedback. Monthly reports to DMT
<b>Tenant voice</b>	Report regularly to DMT, CLT, Cabinet and tenants on the current tenant engagement position, achievements and opportunities for improvement	On going	30/10/21	Regular updates provided. Additional tenant engagement resource to be recruited to bolster tenant engagement activity.

<b>Home and neighbourhood</b>	Review and implement regime for cleaning of communal areas	On going	1/6/22	Service charge in place and regime/standard established. To be refined by officer inspection. Tenant satisfaction survey created, surveys to be undertaken.
<b>Safety</b>	Put in place a compliance framework to provide assurance to DMT, CLT, Cabinet and tenants that health and safety risks are being managed effectively	On going	31/3/22	Embed Housing safety risks within Corporate Risk Framework reporting to all relevant risk meetings. Monthly 'Big 6' reported to DMT and Bi-annually to CLT and Cabinet. Assistant Director – Corporate Health and Safety to receive periodic invites to Tenant Gateway meetings.
<b>Safety</b>	Install carbon monoxide alarms in all ADC properties as required by updated regulation	On Going	31/3/22	Dedicated resource for installation and programme commenced. Remaining installs are result of non-engagement by tenant and are very low in number. 10 yr replacement programme. Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022 stipulated compliance by 1 <sup>st</sup> October 2022

## Actions completed

	Action	Status	Deadline	Update/Comments
<b>Safety</b>	Nominate a senior person responsible for complying with statutory health and safety requirements (publish their contact details and their role)	Completed	30/3/23	Nominated via DMA and details published on website 30/03/2023
<b>General</b>	Develop a job description for a general compliance officer to bring together the dispersed regulatory activity carried out	Completed	1/9/21	In post from 01/09/2021
<b>Performance</b>	Nominate a senior person responsible for complying with the Consumer Standards (publish their contact details and their role)	Completed	31/3/22	Director of Housing of Assets will undertake role. Await legislation to change council constitution.
<b>Performance</b>	Develop a technology solution through the DST programme to publish online performance data in real time	Completed	30/3/23	Link to performance information live on website 30/03/2023, linked directly to Pentana.
<b>Complaints</b>	Update complaints policy following removal of democratic filter	Completed	1/10/22	Complete 01/10/2022
<b>Complaints</b>	Align complaint handling policy with new Housing Ombudsman's complaint handling code	Completed	1/10/22	Complete 01/10/2022
<b>Complaints</b>	Publish revised complaint handling code self-assessment	Completed	30/9/22	Complete 01/10/2022
<b>Complaints</b>	Develop compensation policy	Completed	31/3/22	Complete May-22
<b>Complaints</b>	Identify options to publish complaints policy as widely as possible	Completed	28/2/21	Complete Feb-21
<b>Complaints</b>	Review all written communication with tenants to ensure details of how to seek redress is included	Completed	28/2/21	Complete Feb-21
<b>Tenant voice</b>	Complete TPAS National Engagement Standards self-assessment	Completed	30/9/21	TPAS self-assessment which has been drafted, currently being reviewed
<b>Tenant voice</b>	Introduce the Customer Opinion and Insight Network (COIN)	Completed	30/9/21	COIN has been launched. developing this through customer phone surveys and adding new tenants to pool of engaged tenants.
<b>Tenant voice</b>	Understand scope of corporate community engagement strategy	Completed	30/9/21	
<b>Home ownership</b>	Confirm requirement to include shared ownership properties on HE funded developments	Completed	1/9/21	LA homes currently exempt
<b>Performance</b>	Respond to the tenant satisfaction measures consultation	Completed	1/1/22	Government have consulted Response submitted by ADC Outcome of consultation anticipated Summer 2022
<b>Home and neighbourhood</b>	Submit request for assurance data to RSH around prevalence of damp and mould in housing stock	Completed	1/6/22	Service charge in place and regime/standard established. To be refined by officer inspection. Tenant satisfaction survey in development.
<b>Home and neighbourhood</b>	Review progress implementing the domestic abuse strategies and DAHA action plan	Complete	1/12/22	Strategy/policy updated