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Our reference:
Your reference:
Date: Thursday, 23 December 2021

To all Members of the Cabinet

Dear Councillor

A Meeting of the Cabinet will be held on Tuesday, 11 January 2022 at 7.00 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West Bridgford to consider the following items of business.

This meeting will be accessible and open to the public via the live stream on YouTube and viewed via the link: <https://www.youtube.com/user/RushcliffeBC>
Please be aware that until the meeting starts the live stream video will not be showing on the home page. For this reason, please keep refreshing the home page until you see the video appear.

Yours sincerely



Sanjit Sull
Monitoring Officer

AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Minutes of the Meeting held on 14 December 2021 (Pages 1 - 8)
4. Citizens' Questions
To answer questions submitted by citizens on the Council or its services.
5. Opposition Group Leaders' Questions
To answer questions submitted by Opposition Group Leaders on items on the agenda.

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Monday, Tuesday and Thursday
8.30am - 5pm
Wednesday
9.30am - 5pm
Friday
8.30am - 4.30pm

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NON-KEY DECISIONS

6. Procurement Strategy Update (Pages 9 - 30)

The report of the Director – Finance and Corporate Services is attached.

7. Hickling Parish Neighbourhood Plan (Pages 31 - 60)

The report of the Director – Development and Economic Growth is attached.

Membership

Chairman: Councillor S J Robinson

Vice-Chairman: Councillor A Edyvean

Councillors: A Brennan, R Inglis and G Moore

Meeting Room Guidance

Fire Alarm Evacuation: In the event of an alarm sounding please evacuate the building using the nearest fire exit, normally through the Council Chamber. You should assemble at the far side of the plaza outside the main entrance to the building.

Toilets: Are located to the rear of the building near the lift and stairs to the first floor.

Mobile Phones: For the benefit of others please ensure that your mobile phone is switched off whilst you are in the meeting.

Microphones: When you are invited to speak please press the button on your microphone, a red light will appear on the stem. Please ensure that you switch this off after you have spoken.

Recording at Meetings

The Openness of Local Government Bodies Regulations 2014 allows filming and recording by anyone attending a meeting. This is not within the Council's control.

Rushcliffe Borough Council is committed to being open and transparent in its decision making. As such, the Council will undertake audio recording of meetings which are open to the public, except where it is resolved that the public be excluded, as the information being discussed is confidential or otherwise exempt



MINUTES OF THE MEETING OF THE CABINET

TUESDAY, 14 DECEMBER 2021

Held at 7.00 pm in the Council Chamber, Rushcliffe Arena,
Rugby Road, West Bridgford
and livestreamed on the Rushcliffe Borough Council YouTube channel

PRESENT:

Councillors S J Robinson (Chairman), A Edyvean (Vice-Chairman), A Brennan,
R Inglis and G Moore

OFFICERS IN ATTENDANCE:

P Linfield	Director of Finance and Corporate Services
K Marriott	Chief Executive
S Sull	Monitoring Officer
H Tambini	Democratic Services Manager

APOLOGIES:

There were no apologies

40 Declarations of Interest

There were no declarations of interest.

41 Minutes of the Meeting held on 23 November 2021

The minutes of the meeting held on Tuesday, 23 November 2021, were declared a true record and signed by the Chairman.

42 Citizens' Questions

There were no questions.

43 Opposition Group Leaders' Questions

Question from Councillor Thomas to Councillor Robinson. Councillor Thomas was unable to attend the meeting, so her question was read out by the Chairman.

“Residents have huge concerns about nationally based, commercially driven companies managing their estates, the "extras" that they charge, and the lack of control over this. To what extent is Streetwise gearing up to take on the management of open space in new developments, and could this be a better option for the residents?”

Councillor Robinson responded by stating that there needed to be a management company in place and Streetwise was not in a position to be the management company. Streetwise did undertake work for management

companies; however, they had to bid for that, and the control for that work was all done through a management company.

Question from Councillor J Walker to Councillor Inglis. Councillor Walker was unable to attend the meeting, so her question was read out by the Chairman.

“Due to the long delay in the Environment Act - along with the growing frustration of our residents at not being able to recycle glass or food waste kerbside - what action will the Council take to explore the delivery of these services for local residents?”

Councillor Inglis responded by stating that the Council continued to liaise with DEFRA, the County Council as the waste disposal authority, and other district collection authorities via the Notts Joint Waste Management Committee, on the progress of the Act and its implications for waste collection arrangements in the County. It was hoped that national clarity would be provided by the Government early in the New Year, so the Council could work with key partners such as the County Council, as any nationally imposed change must be implemented at a ‘waste system’ level and not unilaterally, as the Council could not act as the disposal authority, and it must also act in the best interests of the Council taxpayer. Rushcliffe Borough Council was the highest recycling authority in the county and the bring site glass recycling scheme located across the Borough recycled more glass each year than some other kerbside schemes in the county, with that glass being made into new bottles.

Councillor J Walker asked the following supplementary question to Councillor Inglis.

“Will Cabinet push for more certainty regarding the Environment Bill as dates, timescales and costs to councils are still unknown?”

Councillor Inglis responded by stating that the Council would continue to press for clarity on the key waste reforms contained in the Act through a number of routes including the District Council Network, where recently the relevant Minister had been invited to attend.

44 Review of Investment Assets

The Cabinet Portfolio Holder for Business and Growth, Councillor Edyvean presented the report of the Director – Finance and Corporate Services providing an update on the performance of the commercial property estate, together with a methodology for the ongoing performance of the Council’s commercial assets.

Councillor Edyvean confirmed that the Asset Investment Strategy had been launched four years ago and advised that the report specifically referred to those assets, which formed part of an Investment Strategy, and were designed to generate income. Cabinet was reminded that it was important to review the investment portfolio, assess its ongoing performance, and future predicted performance. It was pleasing to note that the Council currently had no high risk investment properties, and ongoing monitoring would continue to ensure that continued.

Cabinet noted that the Council had always maintained an appropriate balance of properties, which generated an annual income of around £1.6m, with 35% of that income coming from some of the most recent acquisitions. The report confirmed that the property portfolio continued to perform well, with even those highlighted in the report as a medium risk generating about 7% returns. Generally, the medium risk properties were those identified as requiring relatively high future maintenance, which in itself was an investment to ensure that properties were fit for purpose, and Cabinet noted that the methodology for assessing the risk rating had been supported by the Governance Scrutiny Group, before being brought to Cabinet for consideration.

In seconding the recommendation, Councillor Moore thanked Councillor Edyvean for the comprehensive review, noted that the Council had 99 investment interests, covering a variety of uses, and acknowledged the importance of maintaining those assets

The Leader reiterated the importance of maintaining a balanced portfolio, particularly during the pandemic, and this had proved to be a particular strength to the Council. It was pleasing to note the good returns on the investments, and it was a compliment to the Council that it had such a strong, well-managed portfolio.

It was RESOLVED that:

- a) the methodology of assessing the Council's commercial property portfolio on an ongoing basis be supported; and
- b) a review of the commercial property portfolio be undertaken every two years, reporting back to the Governance Scrutiny Group and Cabinet.

45 Streetwise Annual Report 2021

The Leader, Councillor Robinson presented the report of the Chief Executive outlining the annual report of Streetwise Enterprises Ltd and Streetwise Enterprises Trading Ltd, both of which were wholly owned companies of Rushcliffe Borough Council.

The Leader advised that the annual report had been considered by the Governance Scrutiny Group, with details of the issues raised outlined in 4.1 of the report. Cabinet was advised that the Group had not raised any serious concerns regarding its governance or its status as a going concern, with the exception that its membership should be reviewed.

Cabinet noted that there was a core contract of £1.77m in place with the Council, and that would be up for renewal in the summer of 2022.

The Leader referred to the very challenging circumstances faced by the business over the past two years and acknowledged the work of the Managing Director and his team for keeping the business running and overcoming those challenges. Cabinet noted the Managing Director's report and detailed operational information outlined in the appendix, together with the audited

accounts for 2021.

In conclusion, the Leader reiterated that the Governance Scrutiny Group had acknowledged the excellent service that Streetwise had provided for this period, and with the contract due for renewal next year, Cabinet noted that this would be a very important period for Streetwise. There would be challenges ahead, such as reducing its carbon footprint and a review of assets, including its vehicle fleet, which it was acknowledged would be expensive.

In seconding the recommendation, Councillor Edyvean welcomed the positive feedback from the Governance Scrutiny Group, and that it had highlighted the need to strengthen Board membership, and the necessity for Streetwise to continue to deliver both as a financially sound entity and an essential service provider to the Council was noted.

It was RESOLVED that the Streetwise Annual report 2020-21 be approved and comments made by the Governance Scrutiny Group be considered.

46 **Ratcliffe on Soar Update**

The Leader, Councillor Robinson presented the report of the Chief Executive providing an update on the Ratcliffe on Soar site.

The Leader referred to the significant strategic importance of the site, to the Borough, the East Midlands and nationally, and advised that due to the nature of the projects being discussed for the site, the situation was constantly evolving.

The Leader focused on three key issues; the East Midlands Development Corporation (EMDC), the East Midlands Freeport (EMF) and the STEP (Spherical Tokamak for Energy Production), details of which were highlighted in part 4 of the report.

In respect of the EMDC, the Leader confirmed that it was recognised in the Government's IRP report that this would be the delivery vehicle, with further details expected in the forthcoming Planning Bill. Cabinet was advised that the current focus was on the recruitment of non-executive posts and to refresh the Alchemy Board. The Leader advised that collaborative working was taking place, on a number of themes and Cabinet would continue to be updated as work progressed.

The Leader reported a similar evolving situation in respect of the EMF, with an outline business case submitted to the Government in September, and following feedback, the final business case was due for submission at the end of January 2022. Cabinet noted that the Leader and Chief Executive were attending regular Board meetings, which covered an extensive range of challenging issues. Work to consider any alignment between the Freeport and the EMDC was also being undertaken.

In respect of the STEP, the Leader confirmed that the site had been shortlisted as one of five final sites to host the project, and as previously reported to Cabinet in March 2021, the UK Atomic Energy Authority was undertaking a

rigorous assessment of the site, to identify its final chosen site. The Leader referred to the significance of the HS2 major hub being located so close to this site and advised Cabinet that it would receive an update report on the progress and timelines of the project in February 2022. It was noted that the consultation would close on 24 December, and the County Council would prepare the feedback to the responses received.

In seconding the recommendation, Councillor Edyvean reiterated the importance of this significant site and was pleased to note that the Council was doing everything it could to ensure a successful redevelopment of the site. Cabinet was reminded how much the Borough could benefit from the proposed projects, and whilst none of the outcomes were guaranteed, it was essential that the Council continued its endorsement of those projects.

The Leader concluded by confirming that the Cabinet would continue to receive regular updates, as given the complexity and challenges of the site, there was a great deal of work to be done, and the huge employment and investment opportunities could not be underestimated. It was also important that everyone got involved and took part in the consultation, to help shape the future of this site.

It was RESOLVED that:

- a) the progress on the programmes in place to support the redevelopment of Ratcliffe on Soar be noted; and
- b) the Council's continued involvement in all programmes be endorsed.

47 Climate Change Strategy 2021-2030

The Cabinet Portfolio Holder for Communities and Climate Change, Councillor Brennan presented the report of the Director – Neighbourhoods outlining the new Climate Change Strategy 2021-2030.

In bringing this report to Cabinet, Councillor Brennan advised that this was the Council's overarching Strategy, which would be a public facing document, bringing policies and plans together that set out the Council's corporate ambitions and leadership role across the Borough. Cabinet noted that adopting the Strategy would provide a clear demonstration of how the Council would work with partners to deliver its ambition to make Rushcliffe a carbon neutral Borough by 2050, and for its operational services to be carbon neutral by 2030.

Councillor Brennan referred to recommendation b) in the report and reminded Cabinet that at the last Full Council meeting, the very strong commitment to deliver the Council's Nature Conservation Strategy had been reiterated. Cabinet noted that the Strategy contained a chapter on Biodiversity, which recognised the ecological crisis faced by the planet, and by reflecting on the discussion at the Council meeting, Councillor Brennan proposed that the wording to the introduction of the Strategy be amended. The amendment would recognise that there was both a climate emergency and an ecological crisis, and it would ensure that the commitments as set out in the Biodiversity

chapter received joint attention with the Council's climate change ambitions, as both were inextricably linked and had to be tackled together.

Councillor Brennan proposed the recommendations in the report and requested that the Director – Neighbourhoods be asked to amend the introduction of the Strategy to reflect the wording contained in the Biodiversity chapter related to the ecological crisis.

In seconding the recommendation, Councillor Inglis referred to the universal commitment of Councillors and officers to address the environmental and ecological challenges faced by the planet. Cabinet was reminded that the new Strategy would provide the framework for the Council's ambitious programme going forward, with dates in place to become carbon neutral, and it was hoped that with continued action and commitment, those targets could be achieved earlier than 2030 and 2050.

Councillor Inglis referred to the Council's excellent record in the delivery of numerous eco-friendly projects, including the construction of the new Bingham Leisure Centre and the Crematorium, together with the free tree scheme, and plans to reduce vehicle emissions by up to 90%.

In conclusion, Councillor Inglis reiterated the need to tackle the ongoing crisis facing the planet and welcomed the adoption of this Strategy, which would continue to be regularly reviewed by the Communities Scrutiny Group.

Councillor Moore reiterated the importance of everyone supporting this Strategy, confirmed that it had been built into the budget process and reminded Cabinet that there was a substantial £1m Climate Change Reserve budget, together with a £50k grant scheme approved for tree and wildflower planting. The Leader endorsed the comments made by Councillor Brennan, noting that the amendment would reflect the debate at Full Council, and highlighted a quote from the Strategy, which emphasised the importance of "us to repair, restore and rebuild our natural world", which summed up what was required.

In conclusion, the Leader referred to the importance of delivering this ambitious Strategy and ensuring that its ethos permeated through all of the Council's decision making processes. The Council must take leadership and lead by example, with individuals being able to make a difference going forward.

It was RESOLVED that:

- a) the Climate Change Strategy 2021-2030 be adopted as a Strategy of the Council;
- b) the Director – Neighbourhoods be granted delegated authority to make minor revisions to the Strategy to ensure it meets the Council's objectives; and
- c) the Council's commitment to work in partnership to ensure that the Borough of Rushcliffe will be Net Zero for its emissions by 2050 be confirmed, in line with National Government's Net Zero targets.

48 Revenue and Capital Budget Monitoring 2021/22 - Q2

The Cabinet Portfolio Holder for Finance and Customer Access, Councillor Moore presented the report of the Director – Finance and Corporate Services outlining the budget position for revenue and capital as of 30 September 2021.

Councillor Moore was pleased to confirm that this report provided the most positive news for some time, and it was hoped that the situation would not deteriorate due to the outbreak of the new variant. Cabinet noted that the Council had remained diligent, kept a tight control of its expenditure, and quickly identified any impact from external changes, whilst maintaining healthy reserves.

Cabinet was advised that the current budget had been set anticipating an adverse impact on the Council's finances, which had been a prudent step; however, Business Rates, Government funding and budget efficiencies had helped to significantly reduce that impact, leaving the Council with a budget efficiency of £673k. Councillor Moore confirmed that a request had been made for the approval to transfer £100k of that sum to boost the Strategic Growth Board budget for 2022/23. Cabinet noted that a further £1m of that sum was proposed to be utilised for vehicle improvement and replacement to ensure the Council's continued commitment to the carbon neutral agenda.

In respect of the Council's Capital Programme, Councillor Moore highlighted details of the carry forward, totalling £8.29m, which were due to slippage in two major schemes; however, the figures still emphasised the Council's commitment to those capital projects.

In conclusion, Councillor Moore emphasised that this was a very favourable report and highlighted the excellent work undertaken by officers, in both managing Covid and the recovery

In seconding the recommendation, Councillor Edyvean endorsed Councillor Moore's comprehensive comments and in particular welcomed the additional funds for the Strategic Growth Board and local businesses. The Director – Finance and Corporate Services and his team were thanked for their ongoing dedication, and their prudent management of the Council's finances was acknowledged.

The Leader confirmed that given the timing of the report, it had yet to reflect any impact from the new variant, and it was essential that the Council remained flexible going forward, as there could be implications ahead. Cabinet was reminded that due to the prudent management of its finances the Council had remained resilient, and had not needed to borrow money, whilst still being able to fund large projects internally. Given that the country had only come out of lockdown in July, it was pleasing to see how positive the Council's position was.

In conclusion the Leader reiterated the thanks given to the Director – Finance and Corporate Services and his team for their hard work and dedication during this challenging time and welcomed the very positive position outlined in the report.

It was RESOLVED that the report be approved, and the following be noted:

- a) the expected revenue budget efficiency for the year of £0.673m, incorporating the potential appropriation of £1m to a Vehicle Replacement Reserve (to be included in the Medium Term Financial Strategy report to Full Council in 2022);
- b) the use of £0.1m in budget efficiencies from 2021/22, to boost the Strategic Growth Board budget in 2022/23, to support the community recovery from Covid, at paragraph 4.4 of the report;
- c) the capital underspend of £10.204m, of which £8.420m is to be carried forward: £8.295m to the 2022/23 Capital Programme and £0.125m to the 2025/26 Capital Programme;
- d) the acceleration of £40k capital provision for Play Areas from 2022/23 to 2021/22 to meet commitments;
- e) the expected outturn position for Special Expenses of £10.2k deficit; and
- f) the planned use of reserves at paragraph 4.2 of the report.

The meeting closed at 7.31 pm.

CHAIRMAN



Cabinet

Tuesday, 11 January 2022

Procurement Strategy Update

Report of the Director – Finance and Corporate Services

**Cabinet Portfolio Holder for Finance and Customer Access,
Councillor G Moore**

1. Purpose of report

1.1. This report updates the Council's current Procurement Strategy and effectively resets and implements the Council's procurement objectives over the next four years from 2022 to 2025/26. Crucially, the Strategy sets out key principles, which will enable the Council to demonstrate its leadership with regards to procurement, its commitment to being commercial and adherence to social and environmental values; and also, a focus on engaging with local businesses.

2. Recommendation

It is RECOMMENDED that Cabinet:

- a) adopts the Procurement Strategy 2022 to 2025/26 (Appendix A); and
- b) that any changes to the Strategy until 2025/26 are delegated to the Director – Finance and Corporate Service, in consultation with both the Council's Monitoring Officer and Portfolio Holder for Finance and Customer Access.

3. Reasons for Recommendation

Approval of the Procurement Strategy will deliver a more proactive approach to procurement and a clear focus on social and environmental values, and procurement with local businesses. The Procurement Strategy also demonstrates the Council's commitment to continue to deliver value for money and ensure it retains its commercial focus.

4. Supporting Information

4.1. Much has changed in recent years not least the emphasis on climate change and also the impact of Covid on both the community and local businesses. The Procurement Strategy 2022 to 2025/26 (Appendix A) identifies key principles to ensure there is focus on both environmental sustainability and driving community benefits particularly in relation to local social and economic

well-being. This is consistent with the Government's National Procurement Strategy.

- 4.2. The revised Procurement Strategy responds to both local and national priorities to ensure that future spending decisions maintain good value for money for the taxpayer whilst delivering wider local economic, social and environmental benefits.
- 4.3. The Strategy is a high-level statement of principles and policies and is subject to the Council's Financial Regulations and Contract Standing Orders. The main principles are summarised as follows:
 - *Showing Leadership* - the importance of the role of Councillors, Senior Officers, strategic suppliers, and partners in procurement;
 - *Behaving commercially* - as the Council deals with the legacy of Covid and continues to balance its budget going forward the role of procurement is critical in either directly delivering budget efficiencies or enabling areas to be more efficient;
 - *Achieving Community and Environmental Benefits* - Social value is the wider financial and non-financial impact to the wellbeing of individuals, communities, and the environment from public sector contracts, over and above the delivery of services directly at no extra cost. This section also highlights the importance of engaging with local small medium enterprises and micro businesses.

The strategy identifies both areas of what we consider we do well at and those areas we aim to improve.

5. Risks and Uncertainties

The national procurement environment is one that is fast changing and as a Council we must be 'fleet of foot' to ensure our policies and procedures meet both our local needs and national procurement priorities.

6. Implications

6.1. Financial Implications

There are no direct financial implications from this report. Indirectly effective procurement decisions will secure value for money from Council expenditure as well as the delivery of wider economic and social benefits.

6.2. Legal Implications

Procurements must comply with legislation. Legal services support procurement, the drafting of contracts used and with the interpretation of Contract Standing Orders as required.

6.3. Equalities Implications

There are no equalities implications associated with this report.

6.4. Section 17 of the Crime and Disorder Act 1998 Implications

There are no crime and disorder implications associated with this report.

7. Link to Corporate Priorities

Quality of Life	Effective procurement effects all areas of the Council and all of the Council's corporate priorities.
Efficient Services	
Sustainable Growth	
The Environment	

8. Recommendation

It is RECOMMENDED that Cabinet:

- a) adopts the Procurement Strategy 2022 to 2025/26 (Appendix A); and
- b) that any changes to the Strategy until 2025/26 are delegated to the Director – Finance and Corporate Service, in consultation with both the Council's Monitoring Officer and Portfolio Holder for Finance and Customer Access.

For more information contact:	Peter Linfield Director – Finance and Corporate Services plinfield@rushcliffe.gov.uk
Background papers available for Inspection:	2021 National Procurement Policy Statement – Government website
List of appendices:	Appendix A – Procurement Strategy 2022/23 to 2025/26

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RUSHCLIFFE BOROUGH COUNCIL PROCUREMENT STRATEGY

2022/23 – 2025/26

In partnership with:
Welland Procurement

Developed by:	
Approved by:	
Latest revision date:	December 2021
Review date:	December 2022, or earlier if required by changes in local or national Regulations/Rules
Review body:	

REVISIONS AND REVIEW INFORMATION

Version	Section/Number	Description of Change	Date approved
1	-	New Procurement Strategy approved	

DRAFT

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- 3.3 Working with Partners
- 3.4 Engaging Strategic Suppliers

4 Behaving Commercially

- 4.1 Creating Commercial Opportunities (Income Generation)
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1 **BACKGROUND**

1.1 **Welland Procurement Team**

Welland Procurement provides a procurement service to the public sector – managing procurements, managing risk and helping to deliver quality and value. Welland support multiple public sector organisations, and are hosted by Melton Borough Council.

The team manage procurements across all categories and values. They recognise the importance of high quality procurement at a time when many public sector organisations find it hard to fund an in-house procurement resource.

The team work across a number of Councils to ensure best practice, collaboration and cost efficiencies.

This Procurement Strategy has been written in conjunction with Welland Procurement.

The recent economic climate combined with national initiatives means that there is a continued focus on procurement to deliver high quality goods, services and works at the best possible value. This focus has resulted in a growing emphasis on streamlined, efficient and effective procurement processes that deliver whilst complying with relevant legislation and regulation.

1.2 **Context**

1.2.1 The National Procurement Strategy

The 2018 National Procurement Strategy focuses on areas that are now emerging priorities to local government:

- Showing leadership: engaging councillors and senior managers, working with partners and engaging strategic suppliers.
- Behaving commercially: creating commercial opportunities, managing contracts and relationships and managing strategic risk.
- Achieving community benefits: obtaining social value, engaging local SMEs, and enabling VCSE engagement.

This strategy sets out the Council's local ambition within each key area, as the National Procurement strategy recognises that a "one size fits all" approach does not reflect the local needs, visions and priorities. By using the National "Key Areas" as a framework for our strategy, this will ensure our approach to procurement can be tracked against nationally recognised standards.

This strategy also incorporates the national priorities as set out in the 2021 National Procurement Policy Statement, relating to social value; commercial and procurement delivery; and skills and capability for procurement.

It is recognised that the environment is fast-changing and that local and national developments, such as Brexit, may require changes in the strategy.

1.2.2 Transforming Public Procurement – Green Paper

The proposals in this Green Paper are intended to shape the future of public procurement in this country for many years to come.

The government's goal is to speed up and simplify the UK's procurement processes, place value for money at their heart, and unleash opportunities for small businesses, charities and social enterprises to innovate in public service delivery.

It is recognised that the environment is fast-changing and that local and national developments, may require changes in this Strategy. Reviews will be conducted on at least an annual basis, but if amendments to Procurement legislation are made prior to the next planned review date, this document will be reviewed to ensure it is in alignment.

1.2.3 COVID-19

A Procurement Policy Note (PPN) has been published by the Crown Commercial Service which sets out provisions under the Public Contracts Regulations 2015 available to organisations that need to make urgent arrangements for supplies, services and/or works during the Covid-19 pandemic. The Council must keep proper records of decisions and actions on individual contracts, as well as publishing appropriate award notices and entries on to the Council's contracts register.

Maintaining current service provisions by extending contracts may prevent disruption and allow Council Officers, Welland Procurement and suppliers to deal with the current situation. Delaying certain procurement processes will enable recovery plans to be established. It is unlikely that face to face events (such as market engagement, site visits, presentations and dialogue meetings) will be able to go ahead until the last quarter of 2021. There will be a greater need for the Council to switch to telephone conferences or virtual meetings beyond the end of this crisis, and adopt more resilient working practices.

Moving forward, the Council needs to ensure that strategic risk is considered as part of contract management, assessing the risks to the Council of future disruption and how to get back to 'business as usual'. Questions that should be addressed include:

- What are the biggest risks to the contract and the Council?
- What are the essential elements of the contract?
- What work can be done with suppliers to mitigate the risks?
- What are the fall back options for the contract? These may include identifying frameworks for direct award opportunities, assessing the ability for internal delivery or using Regulation 32 of the Public Contract Regulations for a direct award due to urgency
- Is there a business continuity plan in place, how regularly is it reviewed and what changes are being made to it in light of recent events?

2 INTRODUCTION

This strategy will promote effective procurement across the Council. Every aspect of the procurement process and practice must be aimed at delivering best value for the benefit of the people of the local area.

This strategy also sets out how the Council will adopt a strategic approach to sustainable procurement based on national and regional drivers, best practice and recommendations on sustainable procurement.

Local Authorities are required to deliver value for money public services and ensure continuous improvement in the way that activities are carried out, having regard to a combination of efficiency, economy and effectiveness. Procurement has a crucial role to play in delivering our strategic objectives and in improving the quality of the services delivered to our community. Government has highlighted that the development of a clear procurement strategy is a key step in achieving value for money and in delivering on the demanding efficiency targets that have become a part of central Government spending reviews.

In the context of this strategy and the procurement process, obtaining 'best value for money' means awarding a contract to a bid which provides the optimum combination of whole life costs and benefits to meet the customer requirements. This is not necessarily the lowest price bid and requires the evaluation of the ongoing resource/revenue costs as well as any initial capital investment. Consideration must be given to social, environmental, economic and other strategic objectives in evaluation of the bids.

Value for money and efficiency targets will not be achieved if the Council fails to approach competition positively, taking full account of the opportunities for innovation and genuine partnership. These are all available from working with others in the public, private and voluntary sectors. Where it can, the Council is committed to working with local suppliers, notwithstanding the achievement of a number of other procurement objectives.

This strategy document is a high-level statement of principles and policies and is subject to the Council's Financial Regulations and Contract Standing Orders and is supported by an internal Procurement Toolkit, which sets out in more detail the procurement methods and practices for staff.

3 SHOWING LEADERSHIP

3.1 Engaging Councillors

Councillors should be engaged in the leadership and governance of council procurement and commercial activity. This includes both the cabinet/portfolio holders and overview and scrutiny members.

When councillors are fully engaged with procurement and commercial matters, the quality of decision-making is better and oversight and accountability are improved. Among other things, councillor engagement leads to better project delivery and better outcomes for the local community.

National Procurement Strategy Principle the Council is working at				
Minimum Councillors Regard procurement and commercial issues as purely operational matters.	Developing The council is exploring the best approach to councillor engagement in procurement and commercial matters.	Mature Councillor engagement is delivering better results on some projects.	Leader Councillor engagement is delivering better results across all procurement and commercial activity.	Innovator Councillor engagement is contributing to the success of a combined authority/ group of councils project or another innovative project.

The Council currently meets this by:

- ensuring significant reports on projects and associated contracts go to Cabinet where required
- ensuring lead Members are involved in key procurement activity (often with delegated decisions)
- ensuring Members have the necessary skills to maintain oversight

This strategy does not look to the Council to be a Leader or Innovator within this area, as there is currently an appropriate balance between Councillor engagement, and ensuring a fair and transparent procurement process is run.

3.2 Engaging Senior Managers

It is key that Managers (at all stages of decision-making) benefit from procurement advice at early stages of a procurement process, ensuring a decisive impact on the outcome of a procurement exercise.

National Procurement Strategy Principle the Council is working at				
Minimum Senior management regard procurement and commercial issues as purely	Developing The council is exploring the best approach to obtaining procurement and commercial input into	Mature Senior managers engaged with procurement and commercial issues, routinely taking advice	Leader Council demonstrating better results from early procurement and commercial advice on projects.	Innovator Council procurement and commercial advice valued by leaders of combined authority/ group of

operational matters.	decision-making.	at key decision points.		councils projects or in connection with an innovative project.
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The Council currently meets this by:

- engaging with all internal stakeholders to ensure a good definition of the requirements
- engaging with Welland Procurement prior to any procurement process, and involving the Procurement Lead in key decisions and meetings
- encouraging staff to engage with Senior Managers at the planning phase of a procurement process
- engaging with Welland on significant projects such as the crematorium and Bingham Hub projects
- carrying out long term service planning with Welland Procurement
- holding training sessions with nominated staff/managers to ensure better engagement with procurement resulting in more informed decisions (covering aspects such as the Council's Standing Orders)
- early identification of procurement activity via annual service plans
- having specific key contacts within Welland Procurement, to establish open channels of communication

The Council is looking to improve its engagement with other authorities where appropriate. In some areas it has done this such as the acquisition of refuse vehicles with other Nottinghamshire authorities.

3.3 Working with Partners

The aim is to have a “one team” approach to the design and implementation of procurement processes. The Council should strive to work as a single team to make the best use of limited resources and with departments working together, this can lead to innovative solutions and better results.

National Procurement Strategy Principle the Council is working at				
Minimum There are teams but they work in isolation from commercial and procurement advisers.	Developing Council acknowledges the business case for a cross council approach to design and implementation of solutions and is seeking to encourage this.	Mature Designing and implementing solutions as a single team in high value/ high risk projects.	Leader Designing and implementing solutions as a single team is the council's normal way of working (policy).	Innovator Designing and implementing solutions as a combined authority or as a group of councils/ with health, fire, police, housing, VCSEs and other partners.

The Council currently meets this by:

- engaging with all internal stakeholders to ensure a good definition of the requirements
- working groups on significant projects enlist the support of a range of departments and expertise
- recognising the benefits of partnership working and the potential efficiencies
- seeking collaborative procurement opportunities with other members of Welland Procurement, particularly in relation to corporate contracts
- integrating the role of Procurement into the Council as standard practice
- having specific key contacts within Welland Procurement, to establish open channels of communication
- information being made easily accessible to staff via the Welland Procurement Portal (highlighted as part of training events) and internal communications
- the creation of simple guidance to accompany the Council's Standing Orders (internal Procurement Toolkit)

This Council will continue to look at other procurement opportunities via the process of long term procurement service planning and use of the Council's Contracts Register.

3.4 Engaging Strategic Suppliers

This is an important exercise for the Council, as this can help improve performance, reduce cost, mitigate risk and harness innovation. This should be carried out across the Council's various departments to be most effective.

National Procurement Strategy Principle the Council is working at				
Minimum Firefighting. Ad hoc engagement with important suppliers usually when there is a problem to be resolved.	Developing Acknowledges business case for improved strategic supplier management and is piloting engagement.	Mature Delivering programme of engagement with strategic suppliers at council level.	Leader Playing a leading role in a programme of engagement with strategic suppliers at combined authority/ group of councils level.	Innovator Playing a leading role in programme of engagement with strategic suppliers at regional/ national level.

The Council currently meets this by:

- engaging with incumbents as well as the wider supplier base on some key projects
- ensuring there is easily accessible useful information available on the Council's website
- ensuring that effective contract management takes place, with every Contract having a named Council representative as the Contract Manager

The Council’s aim is to improve on this principle over the next four years, and will improve its programme of engagement with strategic suppliers by:

- ensuring that where appropriate, projects with a limited interest from bidders, have a pre-procurement market engagement phase with the objective of maximising level of competition as well as ensuring an appropriate service requirement is detailed in the specification and tender documentation

4 **BEHAVING COMMERCIALY**

4.1 **Creating Commercial Opportunities (Income Generation)**

As the Council deals with legacy of Covid and continues to balance its budget going forward the role of procurement is critical in either directly delivering budget efficiencies or enabling areas to be more efficient and either improving services or assist in the delivery of new services.

National Procurement Strategy Principle the Council is working at				
Minimum Focused on business as usual and compliance.	Developing Some high value/ high profile acquisitions examined for creating commercial opportunities.	Mature Clear understanding of the ways in which new revenue generation opportunities can be created across the commercial cycle. End-to-end policies and processes promoting this approach in place across the organisation.	Leader Revenue generation and potential wealth creation is a standard part of all contract review meetings. Procurement staff are encouraged to enhance commercial skills and demonstrate commercial behaviours.	Innovator Organisations work collectively to identify and exploit new commercial opportunities through market shaping, innovative service delivery and shared working with development with partners. Organisations see staff innovation and knowledge/ information utilisation as a commercial opportunity.

As both a former commercial and entrepreneurial council of the year the Council is well placed commercially but will not rest on its laurels. The aim is to adopt a more

commercial approach when reviewing Contracts. Some approaches that the Council will explore include:

- seeking collaborative procurement opportunities with other members of Welland Procurement and other authorities. This will be enabled by the long term service planning and use of the Council’s Contracts Register
- continue looking at options for new revenue streams or reducing costs. Examples include the Crematorium and Leisure Hub projects

4.2 Managing Contracts and Relationships

Contract and relationship management is the process by which all contracts and variations are managed effectively to control costs, secure the quality and timeliness of agreed outcomes and performance levels, and minimise the occurrence of risks. Poor contractor performance can seriously damage the Council’s reputation and its ability to deliver effective services and support to local communities.

National Procurement Strategy Principle the Council is working at				
Minimum Compliance driven. Reactive approach to contract and relationship management.	Developing Identified the need to change and improve. Basic policies, procedures and systems in place.	Mature All basic policies, procedures and systems in place to support contract and relationship management across the organisation and used in all departments.	Leader Well-developed policies, procedures and systems in place to support contract and relationship management. Used to drive forward planning, cost control and contractor performance.	Innovator Contract and relationship management recognised by the leadership team as being essential to driving ongoing improvement and better service outcomes. Systems, procedures and staff delivering consistently high results.

The Council currently meets this by:

- ensuring contracts have a named Contract Manager for the entirety of the Contract
- ensuring that risks are identified for significant Contracts and suitable contingency measures are put in place
- monitoring overall performance of the Contract to ensure any issues of underperformance are addressed, and any areas of added value are identified as soon as possible
- introducing a “Guide to Contract Management” for staff to access and use
- introducing “Contract Management Training” for staff to access and use

- having a dynamic electronic Contracts Register that is fully visible to the whole Council, with the benefits of:
 - o being able to be more pro-active in forward planning, so that there is sufficient review of Contracts
 - o central contacts within the Council to edit the Contracts Register
 - o fully visible to the public, with the ability to export information on current and expired Contracts
- ensuring variations to Contracts are reflected on the Contracts Register
- ensuring exemptions are captured centrally (by Legal Services) so that:
 - o spend against exemption value can be monitored
 - o cumulative value of exemptions can be monitored
 - o a central record for any FOI, audit or scrutiny requests can be used
 - o there is a record of transparency compliance in relation to the exemption (Contracts Finder Award Notice and Contract Register entry)

By continuing to keep the electronic Contracts Register up to date, the Council will be able to be more pro-active in service planning, so that there is sufficient review of Contracts and that a holistic Contract life cycle approach is taken throughout all departments for key projects.

The Council's aim is to improve on this principle over the next four years, by benchmarking contracts and processes against other Councils to ensure the market is sufficiently understood and that contract management is an enabler.

4.3 Managing Strategic Risk

The impact of external events (financial/reputational health of a supplier, changes to regulations/legislation etc.) should be mitigated against by the Council, to ensure the quality and continuation of services is not negatively affected.

National Procurement Strategy Principle the Council is working at				
Minimum Compliance driven. Doing enough to meet statutory requirements.	Developing Good awareness of issues involved and potential threats with basic systems in place to manage should they occur.	Mature Taking a proactive approach to strategic risk management with all vulnerable areas identified and mitigating policies and plans in place.	Leader All vulnerable areas identified and policies and plans in place and shared ownership, transparency and reporting with appropriate contractors.	Innovator Effective policies and plans in place in all areas, shared with contractors with contingency plans in place and active management of all strategic risks.

The Council currently meets this by:

- being a member of the Welland Procurement Unit, who:

- ensure that new Procurement legislation and regulations are circulated to officers, so that the Council can update and amend the Standing Orders
- ensure that their staff are kept up to date with knowledge and training in relation to Procurement regulations and legislation
- ensure that their staff can advise on a variety of procurement processes and options, to meet the expected outcomes of the Council
- ensure that guidance and templates are up to date to reflect best practice
- carrying out due diligence on preferred providers prior to Contracts being entered into (signed)
- monitoring spend on the Council's finance system against the Contracts entered onto the Council's Contracts Register, to mitigate the risk of off-contract spend
- ensuring systems are in place to target both financial loss and fraud with a proactive approach to issues such as irregular transactions, duplicate payments, and fake creditors/invoices
- understanding the possible impact on all high value/risk contracts and ensuring contingency plans are in place in the event of contract failure, including identifying "back-up suppliers"
- carrying out delivery model assessments (where relevant and proportionate to the contract and/or project), before deciding whether to outsource, insource or re-procure a service
- running pilots for new services (where appropriate to do so), so that the Council can understand the environment, constraints, requirements, risks and opportunities

5 ACHIEVING COMMUNITY AND ENVIRONMENTAL BENEFITS

5.1 Obtaining Social Value

Social value is the wider financial and non-financial impact to the wellbeing of individuals, communities and the environment from public sector contracts, over and above the delivery of services directly at no extra cost.

National Procurement Strategy Principle the Council is working at				
Minimum Compliant. Doing just enough to meet the conditions of The Act.	Developing Compliant but only proactively seeking social value in a few key contracts only.	Mature Taking a proactive approach to integrating social value into procurement and commissioning.	Leader Social value embedded into corporate strategy and have comprehensive frameworks for management and delivery.	Innovator Social value is a core operational metric, integrated into all directorates/ departments and activities with regular reporting against targets.

The Council currently meets this by:

- using Welland Procurement to deliver innovative procurement processes, where appropriate
- reporting on use of (and spend with) local providers, via the Council's Contracts Register and Finance system

The Council's aim is to improve on this principle over the next four years by:

- ensuring any procurement evaluation process considers areas such as localism, added value and/or sustainability factors and recognises the benefits of procuring from local small businesses, without compromising legal requirements
- ensuring soft market engagement takes into consideration what the market as a whole can offer, to ensure that the social value criteria within the Specification is proportionate and relevant to the Contract
- reserving service contracts (below public procurement threshold) to local/SME bidders (note this will be done on a case by case basis, as per the Council's Standing Orders)
- actively considering how much of each procurement decision should be assigned to social value considerations
- using procurement power to deliver social value across local communities, and invest in the local economy
- consider breaking down contracts into smaller lots wherever possible
- consideration of processes to simplify procurement to encourage bids from local/SME bidders
- considering the national priority outcomes alongside any additional local priorities (where it is relevant and proportionate to do so), including:
 - o creating new businesses, new jobs and new skills;
 - o tackling climate change and reducing waste; and
 - o improving supplier diversity, innovation and resilience

5.2 Engaging Local SMEs and Micro Businesses

Small Medium Enterprises (SMEs) are businesses with fewer than 250 employees, and a turnover of less than £50million. Micro-businesses are businesses with 0-9 employees, and a turnover of less than £2million.

These businesses play a major role in creating jobs and generating income for those on low incomes; they foster economic growth, social stability and are a source of innovation. Importantly as well the Council is committed to providing contracts to local employers, in and around the Borough. The Council will engage actively with suppliers and the third sector and use procurement to help deliver corporate objectives including any economic, social and environmental objectives.

Procurement legislation currently limits the Council's ability to favour local businesses and community groups, but there are ways in which it can help reduce the barriers facing local businesses and the third sector

National Procurement Strategy Principle the Council is working at				
Minimum Council does not see any	Developing SME organisations	Mature Taking a proactive	Leader SME engagement	Innovator SME engagement

benefits to be gained from SME engagement.	are engaged in a few key contracts only.	approach to integrating SME organisations into procurement and commissioning.	is embedded into corporate strategy.	is a core operational way of doing business, integrated into all directorates/ departments and activities with regular reporting against targets.
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The Council currently meets this by:

- being part of the East Midland Tender Portal, which ensures the Council's e-procurement system is effective, easy to use and matches those used by neighbouring Authorities
- breaking down Contracts into Lots, where it is appropriate to do so
- providing detailed, specific and timely feedback to all businesses that request it in order to improve a business's bidding capabilities
- maintaining an online Contracts Register, so that SMEs can approach current providers regarding sub-contracting opportunities, as well as being able to plan for re-procurement exercises

The Council's aim is to improve on this principle over the next four years by:

- ensuring that regular training opportunities and supplier pre-engagement activity is available for small businesses where appropriate i.e. for the provisions of 'below threshold' services where an SME or voluntary and community social enterprises (VCSE) has the technical expertise and capacity and does not present significant financial or reputational risks to the Council.
- providing further information on the Council's website on how to tender, how to write a bid and other useful guidance
- adding standard Clauses within Conditions of Contract, so that if a Provider were to sub-contract, this would need to be done as per the Council's Standing Orders i.e. seeking quotes from local suppliers
- against the Council's Standing Orders to ensure staff are approaching local suppliers where appropriate
- providing detailed, specific and timely feedback to all unsuccessful applicants, in order to improve a business's bidding capabilities
- pay invoices within 30 days as a minimum, and ensure that these terms are passed down the supply chain
- monitor spend with SMEs and payment performance, to ensure that targets and requirements are being met
- Sign-up for the Federation of Small Businesses (FSB) Charter which incorporates much of the above.

5.3 Enabling VCSE Engagement

Voluntary, Community Social Enterprise refers to organisations that include small local communities, voluntary groups, registered charities, foundations and trusts; otherwise referred to as third sector organisations.

National Procurement Strategy Principle the Council is working at				
Minimum Organisation does not see any benefits to be gained from VCSE engagement.	Developing VCSE organisations are engaged in a few key contracts only.	Mature Taking a proactive approach to integrating VCSE organisations into procurement and commissioning.	Leader VCSE engagement is embedded into corporate strategy.	Innovator VCSE engagement is a core operational way of doing business, integrated into all directorates/ departments and activities with regular reporting against targets.

The Council currently meets this by:

- ensuring that relevant Contracts utilise the Light Touch Regulations, so that procurement processes are adapted to be more flexible to the market needs as well as the intended outcomes for the service

5.4 Environmental Sustainability

The role of commissioning, procurement and contract management in delivering local and national priorities is set out in the '[National procurement strategy for local government in England](#)' and been reinforced in the UK Government Green Paper '[Transforming public procurement](#)' and the subsequent [National procurement policy statement](#).

This highlights the delivery of social value and sustainable procurement, including economic, social and environmental outcomes, such as:

- creating new businesses, new jobs and new skills in the UK
- improving supplier diversity, innovation and resilience
- tackling climate change and reducing waste.

Sustainable Procurement is a critical issue; we have to ensure our natural resources are used efficiently, waste is avoided, and carbon emissions are minimised wherever practicable. Our spending decisions are therefore an important instrument in tackling climate change both by reducing our emissions associated with purchasing goods or services and also ensuring that our buildings and infrastructure are resilient to climate change.

Contracts must meet the Council's needs for works, goods and services in a way that minimises damage to the environment, while achieving value for money. Any consideration in relation to sustainability must be relevant and proportionate to the contract/requirement being procured, and could include:

- reducing supply chain emissions
- reducing energy and resource consumption
- sustainable transport
- considering upcycling/recycling options as part of disposal at the end of a contract
- minimising the use of not previously exploited, cultivated, used material / maximum use of recycled materials
- including recognised environmental standards as part of the specification
- consulting with stakeholders and environmental managers

Rushcliffe Borough Council must meet its needs for goods, services, works and utilities in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the organisation, but also to society and the economy, whilst minimising damage to the environment.

When procuring goods or services that have (or could have) a significant negative impact on our carbon emissions either through significant energy or water use or the generation of waste, such as, but not limited to; large equipment, vehicles or refurbishment works you must build the potential carbon impact into the business case (seeking advice as appropriate from the Environment Team Manager who will ensure benefits are captured).

When appointing suppliers the following should be considered by contractors, that they:

- have calculated their own carbon footprint
- are accredited to an environmental standard (such as ISO14001 or ISO50001)
- are registered members of organisations such as the "[Supply Chain Sustainability School](#)"
- can provide a full life cycle assessment of their products

For smaller items, or where the impact is likely to be minimal and advice is not sought, the following should be considered:

- Minimise the purchasing of any single use plastic items, opting instead for sustainable alternatives such as paper, card or bamboo.
- Is there a more energy efficient alternative available on the market? Often lower energy use items have a longer product life which negates any additional upfront cost (for example; LED bulbs).
- Is there an option to purchase items which have been made from recycled material (such as paper items)?
- The impact of transportation – can the same item be purchased locally instead of shipped / flown in from another country?
- The packaging of the item;
 - Does the supplier have a packaging takeback scheme?
 - Can you order larger pack sizes to reduce the amount of packaging per unit?

- Collect and reuse packaging and protective materials where possible
- The use of sustainable wrapping where appropriate instead of plastic wrapping
- Can you buy products that are available in concentrated forms?
- Does the manufacturer use branded pallets to ensure clear ownership and encourage repatriation?
- Avoid polystyrene packaging as it cannot be easily recycled or reused

The Council will look to achieve the above by following the Local Government Association's toolkit for sustainable procurement (launched in November 2021). This is a response to the [National Procurement Policy Statement](#), which was published in June 2021.

6 SECURING VALUE FOR MONEY

As well as working to the Principles and Key Areas of the National Procurement Strategy, the Council is still committed to ensuring the value for money is embedded into the Council's procurement ethos.

Competition: legislation and the Council's own Standing Orders provide for competition at any value of procurement over £10,000. Even below that value there is a responsibility to ensure that value for money is considered. Whichever type of competition being used, it is conducted fairly, transparently, equitably and without discrimination.

E-Procurement: the use of an e-procurement system can help to streamline and simplify processes for both the Council and potential bidders. Over the next four years, the Council will work with Welland Procurement, looking at its existing systems, taking them further to ensure that the procurement process is fully online (online questionnaires, evaluation and audit record).

7 CONTACT DETAILS

If you have any questions or comments regarding this Strategy, please contact:

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Cabinet

Tuesday, 11 January 2022

Hickling Parish Neighbourhood Plan

Report of the Director – Development and Economic Growth

Cabinet Portfolio Holder for Business and Growth, Councillor A Edyvean

1. Purpose of report

The Examiner's report for the Hickling Parish Neighbourhood Plan was considered by Cabinet in October 2021, and it was decided to accept all but two of his recommended modifications to the Plan. The decision not to accept two of the modifications has been subject to consultation, which finished on 9 December 2021. It now needs to be decided whether, taking into account the consultation responses received, the Plan is able to proceed to a referendum of eligible voters in the Parish of Hickling.

2. Recommendation

It is RECOMMENDED that Cabinet:

- a) confirms the decision not to accept the Examiner's recommended modifications 09 and 10 to the Hickling Parish Neighbourhood Plan;
- b) approves the Hickling Parish Neighbourhood Plan Revised Decision Statement and its publication;
- c) approves the holding of a referendum for the Hickling Parish Neighbourhood Plan, with the area for the referendum being the Parish of Hickling; and
- d) delegates authority to the Director – Development and Economic Growth to make any necessary final minor textual, graphical and presentational changes required to the referendum version of the Hickling Parish Neighbourhood Plan.

3. Reasons for Recommendation

- 3.1. The submitted Hickling Parish Neighbourhood Plan has been assessed by an independent Examiner who concluded that, subject to a number of recommended modifications, the Plan should proceed to referendum. The Cabinet in October 2021 considered each of the recommended modifications and decided to accept them all with the exception of modification 09, which relates to Policy H11 (The Wharf), and modification 10, which would be a consequential amendment to Policy 10 (Housing Provision).

3.2. In accordance with relevant statutory requirements, the Borough Council has consulted on the proposed decision not to accept these two modifications. In total, five representations have been received. It now has to be decided, taking into account the consultation responses received, whether the decision not to accept the two modifications should be confirmed and the Plan should be put to referendum in the Parish of Hickling to determine if local people support it.

4. Supporting Information

4.1. The Hickling Parish Neighbourhood Plan has been produced by Hickling Parish Council, in conjunction with the local community. It was submitted to the Borough Council on 11 February 2021 and contains a number of policies which would form part of the statutory Development Plan and be applied to the determination of planning applications. The Borough Council is required by the Localism Act to assess whether the Plan and its policies meet certain criteria (the 'Basic Conditions' and other legal requirements). In order to assist in this process, the Borough Council is required to invite representations on the Plan and appoint an independent Examiner to review whether the Plan meets the Basic Conditions and other legal requirements.

4.2. The submitted Plan was publicised and representations were invited from the public and other stakeholders, with the period for representations closing on 3 May 2021. The Plan has been assessed by an independent Examiner and his report was published on 10 July 2021. It was his conclusion that, subject to a number of recommended modifications, the Plan should proceed to referendum.

4.3. The Cabinet, in October 2021, considered each of the recommended modifications and decided to accept them all with the exception of modification 09, which relates to Policy H11 (The Wharf), and modification 10, which would be a consequential amendment to Policy 10 (Housing Provision). It was considered that these two modifications are not necessary to meet the Basic Conditions and would make both policies less clear than the versions included within the submission draft of the Plan. The Council's decision in respect of each of the Examiner's recommended modifications, including the proposal not to accept modifications 09 and 10, and the reason for each decision, was set out in the Hickling Parish Neighbourhood Plan Decision Statement dated 12 October 2021.

4.4. In accordance with relevant statutory requirements, the Borough Council was required to consult on the proposed decision not to accept modifications 09 and 10. The consultation was undertaken over a six-week period ending on 9 December 2021. In total, five representations have been received and these are summarised at Appendix 1. The three representations from Historic England, The Coal Authority and Natural England do not raise matters directly relevant to the two modifications. The two representations from local residents are supportive of the proposed decision not to accept the two modifications.

4.5. The outcome of the consultation is that no issues have been raised that might alter the Borough Council's position that the Examiner's recommended

modifications 09 and 10 are unnecessary to meet the Basic Conditions and would make the policies less clear. It is therefore considered that the final decision should be not to accept these two modifications. This would mean that the Plan is now in a position to proceed to referendum to determine whether local people support the Plan and whether it should become part of the statutory Development Plan.

- 4.6. As agreed by Cabinet in October 2021, the referendum version of the Plan will include all the other modifications recommended by the Examiner. A draft revised Decision Statement, which reflects the decisions already taken at Cabinet in October 2021 and the latest recommendation not to accept modifications 09 and 10, is set out at Appendix 2.
- 4.7. The Borough Council is also required to consider whether the area for the referendum should be extended beyond the designated neighbourhood area (the Parish of Hickling). It is the Examiner's recommendation that the referendum area should not be extended, based on the conclusion that the Plan, incorporating the recommended modifications, would contain no policies or proposals that are significant enough to have an impact beyond the designated Neighbourhood Plan boundary. It was previously reported to Cabinet in October 2021 that this recommendation is considered reasonable and should be accepted.
- 4.8. The referendum would follow a similar format to an election. All electors registered to vote and eligible to vote in Local Government elections within the neighbourhood area (the Parish of Hickling) would be given the opportunity to vote in the referendum. In accordance with regulatory requirements, the ballot paper would have the following question: 'Do you want Rushcliffe Borough Council to use the Neighbourhood Plan for Hickling to help it decide planning applications in the neighbourhood area?' Voters would be given the opportunity to vote 'yes' or 'no'.
- 4.9. If more than 50% of those voting in the referendum vote 'yes', then the Borough Council is required to 'make' (adopt) the Neighbourhood Plan part of the Development Plan for Rushcliffe. If the result of the referendum is 'no', then nothing further happens. The Parish Council would then have to decide what it wishes to do.
- 4.10. If the Neighbourhood Plan is made part of the Development Plan then planning applications within the Parish would then have to be determined in accordance with both the Rushcliffe Local Plan and the Hickling Parish Neighbourhood Plan, unless material considerations indicate otherwise.

5. Alternative options considered and reasons for rejection

It could be decided that, following the consultation, the Examiner's recommended modifications 09 and 10 should also be accepted and that Plan should proceed to referendum on this basis. However, the outcome of the consultation is that no issues have been raised that might alter the Borough Council's position that the Examiner's recommended modifications 09 and 10

are unnecessary to meet the Basic Conditions and would make the policies less clear.

6. Risks and Uncertainties

- 6.1 To not follow the legislation and regulations correctly could lead the Borough Council open to legal challenge. The circumstances whereby a legal challenge, through a claim for judicial review, can be raised are set out in the Town and Country Planning Act 1990, section 61N.
- 6.2 There is a risk of legal challenge to the Council's decision and this would be at a cost not budgeted for.

7. Implications

7.1. Financial Implications

Once it has been decided a referendum can be held, then £20,000 can be claimed from the Ministry of Housing, Communities, and Local Government once the date for referendum has been set. This financial support ensures that local planning authorities receive sufficient funding to enable them to meet their legislative duties in respect of neighbourhood planning. These duties include provision of advice and assistance, holding the examination and making arrangements for the referendum. Costs incurred to date on examiner fees (approximately £4,000) will be covered by the £20,000 payment as would the costs associated with the referendum.

7.2. Legal Implications

The Neighbourhood Plan, as proposed to be amended, is considered to meet the Basic Conditions which are set out in Schedule 4B of the Town and Country Planning Act 1990 (as amended). This is the view taken by the Examiner, as set out in his report. It is also considered that the Neighbourhood Plan meets all the relevant legal and procedural requirements. To not comply with the legislation and regulations correctly would expose the Borough Council to legal challenge. The circumstances whereby a legal challenge, through a claim for judicial review, can be raised are set out in the Town and Country Planning Act 1990, section 61N.

7.3. Equalities Implications

There are considered to be no particular equality implications that need addressing from matters arising from this report.

7.4. Section 17 of the Crime and Disorder Act 1998 Implications

There are no direct crime and disorder implications arising from matters covered in this report.

8. Link to Corporate Priorities

Quality of Life	The Neighbourhood Plan's vision seeks to sustain Hickling's rural character and improve the quality of the environment for residents and ensures new development respects the heritage of the village.
Efficient Services	The Neighbourhood Plan seeks to retain local services and facilities and protect valued community assets.
Sustainable Growth	The Neighbourhood Plan seeks to ensure housing development reflects local needs and acknowledges the village as a working community with farming roots, with a strong focus on good design of new development.
The Environment	The Neighbourhood Plan's environmental objective supports and protects green and open spaces in Hickling, preserving wildlife and enhancing biodiversity and safeguarding the character and beauty of the countryside.

9. Recommendation

It is RECOMMENDED that Cabinet:

- a) confirms the decision not to accept the Examiner's recommended modifications 09 and 10 to the Hickling Parish Neighbourhood Plan;
- b) approves the Hickling Parish Neighbourhood Plan Revised Decision Statement and its publication;
- c) approves the holding of a referendum for the Hickling Parish Neighbourhood Plan, with the area for the referendum being the Parish of Hickling; and
- d) delegates authority to the Director – Development and Economic Growth to make any necessary final minor textual, graphical and presentational changes required to the referendum version of the Hickling Parish Neighbourhood Plan.

For more information contact:	Richard Mapletoft Planning Policy Manager 0115 914 8457 rmapletoft@rushcliffe.gov.uk
Background papers available for Inspection:	Hickling Parish Neighbourhood Plan Submission Draft 2011 – 2028 www.rushcliffe.gov.uk/media/1rushcliffe/media/documents/pdf/planningandbuilding/neighbourhoodplans/hickling/1.%20Submission%20Plan.pdf Hickling Parish Neighbourhood Plan Decision Statement, 12 October 2021

	www.rushcliffe.gov.uk/media/1rushcliffe/media/documents/pdf/planningandbuilding/neighbourhoodplans/hickling/Decision%20Statement%2012%20October2021.pdf
List of appendices:	<p>Appendix 1 Summary of representations on the proposed decision not to accept the Examiner’s recommended modifications 09 and 10</p> <p>Appendix 2: Draft Hickling Parish Neighbourhood Plan – Revised Decision Statement, 11 January 2022</p>

Appendix 1: Summary of representations on the proposed decision not to accept the Examiner's recommended modifications 09 and 10

Summary of representations on proposed decision not to accept the Examiner's recommended modifications 09 and 10

Respondent	Summary of response
Historic England	<p>Historic England identifies that the area covered by the Neighbourhood Plan includes a number of important designated heritage assets. It advises that, in line with national planning policy, it will be important that the strategy for this area safeguards those elements which contribute to the significance of these assets so that they can be enjoyed by future generations of the area.</p> <p>Historic England advises where further advice can be obtained in this respect. It does not make any specific comments in respect of the proposal not to accept the Examiner's recommend modifications 09 and 10.</p>
The Coal Authority	<p>It has confirmed that it has no specific comments to make on the consultation.</p>
Natural England	<p>Natural England refers to its standard advice in respect of the production of neighbourhood plans. It does not make any specific comments in respect of the proposal not to accept the Examiner's recommend modifications 09 and 10.</p>
M and C Samworth	<p>The decision not to adopt modification 10 as part of the Hickling Neighbourhood Plan is strongly supported.</p> <p>They are of the view that to accept the modification would be to set Policy H11 (The Wharf) against other policies in the Plan, particularly H1 (Countryside), H2 (Important Local Views), H7 (Open Green Spaces) and H10 (Housing) which balance the desire for development with the protection of the village's heritage and social assets.</p> <p>It is also their view that extending the redevelopment footprint of the current Faulks site beyond the Limits to Development (Map 8) would harm the character of the Conservation Area and adversely affect the setting of important listed buildings and other heritage assets.</p> <p>They refer to the Local Planning Authority's Conservation Officer's response to 21/00047/OUT, an application to extend the site outside the Limits To Development. It is their view that the response made the above views quite clear, and community feedback has been consistently in step with this position through surveys and consultations around the Neighbourhood Plan and specific planning application consultations.</p>

Respondent	Summary of response
	<p>They also refer to the current replacement application (21/02922/OUT) for the site which is under consultation and delivers the same housing development without extending beyond the Limits To Development. It is their view that the Local Planning Authority is correct in rejecting modification 10 which, at its heart, allows a developer to argue that a development is not financially viable. They believe that 21/02922/OUT shows that development is viable on the site without extending into open countryside.</p> <p>Overall, they believe that the Examiner's proposed modification 10 disregards the harm that development beyond the Limits To Development at Faulks would do, and we support the LPA in not accepting it.</p>
P and A Playle	<p>They strongly support the decision not to adopt Modification 10 as part of the Hickling Neighbourhood Plan.</p> <p>They are of the view that to accept the modification would be to set Policy H11 (The Wharf) against other policies in the Plan, particularly H1 (Countryside), H2 (Important Local Views, H7 (Open Green Spaces) and H10 (Housing) which are designed to balance the desire for development with protection of the village's heritage and social assets.</p> <p>It is also their view that extending the redevelopment footprint of the current Faulks site beyond the Limits to Development (Map 8) would seriously jeopardise this aim and adversely affect the setting of important listed buildings and other heritage assets.</p> <p>They refer to the Local Planning Authority's Conservation Officer's response to 21/00047/OUT, an application to extend the site outside the Limits to Development, and make the point that it was in agreement with the above, and additionally community feedback, through surveys and responses to specific planning applications, has also supported this view.</p> <p>They make the point that it is significant that there is a current replacement application (21/02922/OUT) for the site which is under consultation, which aims to deliver the same housing development without extending beyond the Limits to Development. They believe this gives credence to the Local Planning Authority in rejecting</p>

Respondent	Summary of response
	modification 10, which essentially allows a developer to argue that a development is not financially viable. It is their view that clearly application 21/02922/OUT shows that the development is viable on the site without encroaching onto open countryside.

**Appendix 2: Draft Hickling Parish Neighbourhood
Plan Revised Decision Statement**



Hickling Parish Neighbourhood Plan

Revised Decision Statement

11 January 2022

Hickling Parish Neighbourhood Plan Revised Decision Statement

1. Summary

- 1.1 The draft Hickling Parish Neighbourhood Plan was examined by an independent Examiner, who issued his report on 10 July 2021. The Examiner recommended a number of modifications to the Plan and concluded that, subject to these modifications being accepted, it should proceed to referendum.
- 1.2 The Borough Council previously considered and decided on 12 October 2021 to accept all but two of the Examiner's recommended modifications (modifications 09 and 10). The two recommended modifications that the Council did not agree with do not relate to any of the Basic Conditions and therefore it was decided to propose not to accept these recommendations.
- 1.3 There was a requirement to publish and consult on the proposed decision not to accept these two modifications and the reasons why. The consultation was undertaken between 28 October and 9 December 2021. In total, five representations were received and none of the respondents objected to the proposed decision not to accept modifications 09 and 10.
- 1.4 The Borough Council, having considered the consultation responses received, confirms its decision not to accept modifications 09 and 10. This means that the Hickling Parish Neighbourhood Plan can now proceed to a referendum within the Parish of Hickling on the basis that it includes all the Examiner's recommended modifications except modifications 09 and 10.

2. Background

- 2.1 In 2017, Hickling Parish Council, as the qualifying body, successfully applied for its parish area to be designated as a Neighbourhood Area under the Neighbourhood Planning (General) Regulations 2012. The Parish of Hickling was designated as a Neighbourhood Area on 23 February 2017.
- 2.2 The plan was submitted to Rushcliffe Borough Council on the 11 February 2021 and representations were invited from the public and other stakeholders, with the six-week period for representations commencing in March and closing on 3 May 2021.
- 2.3 The Borough Council appointed an independent Examiner, David Kaiserman, to examine the Plan and to consider whether it meets the 'Basic Conditions' and other legal requirements, and whether it should proceed to referendum.

- 2.4 The Examiner completed his examination of the Plan and his report was provided to Rushcliffe Borough Council on the 10 July 2021. He concluded that, subject to the implementation of the modifications set out in his report, the Plan meets the prescribed Basic Conditions and other statutory requirements and that it should proceed to referendum.
- 2.5 Having considered all of the Examiner's recommendations and the reasons for them, the Borough Council has decided to make modifications to the draft Plan, as set out at Appendix A, in order to ensure that the Plan meets the Basic Conditions and other legal requirements. All but two of the recommended modifications have been accepted by the Borough Council. It is the decision of the Borough Council that modification 09 and modification 10 should not be accepted. This decision follows a six-week period of consultation, which finished on 9 December 2022, to seek views on the appropriateness of not accepting the two modifications.
- 2.6 Following the decision to proceed to referendum, the modifications identified within Appendix A will be made to the submitted Neighbourhood Plan prior to the referendum taking place.

3. Decisions and Reasons

Recommended Modifications

- 3.1 Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 requires the local planning authority to outline what action it intends to take in response to each of the Examiner's recommendations. Appendix A sets out each of the Examiner's recommendations and the Borough Council's response to each.
- 3.2 In summary, the Examiner recommended 18 modifications, including:
- Less prescriptive wording in relation to noise impact for Policy H3 (Tranquillity) and H18 (Grantham Canal and Hickling Basin) which identifies that activities will only be permitted where it can be demonstrated that they will not result in any significant loss in local tranquillity;
 - More positive wording in relation to renewable energy (specifically wind turbines)
 - Less prescriptive and onerous requirements in regard to loss of trees;
 - Further description of the local green spaces;
 - Inclusion of rural exception site development as an appropriate development in the countryside;

- Rewording of Policy H11 (The Wharf) to allow for potential development on a “small” part of the greenfield element of the site beyond the Limits to Development, “where it has been demonstrated that this is required to facilitate the successful relocation of the business” and consequent amendments to Policy 10 (Housing Provision);
- Deletion of criterion requiring the improvement of the immediate setting and character of the area for Policy H13 (Replacement Dwellings);
- Deletion of criterion requiring the rural buildings to be converted to be of architectural or historical interest under Policy H12 (Residential Conversion of Rural Buildings)
- The renaming of Policy H12 and H13.

3.3 The Examiner concluded that, with the inclusion of the modifications that he recommends, the Plan would meet the Basic Conditions and other relevant legal requirements. Examiners can only recommend modifications to a neighbourhood plan that are necessary for the plan to meet the legal tests required if the plan is to proceed to referendum.

3.4 The Borough Council considers the Examiner’s Report to be comprehensive and it addresses the relevant issues raised through the Examination process in relation to the Basic Conditions and legal compliance. The Borough Council is of the view that the majority of his recommendations are needed to satisfy the Basic Conditions and legal requirements. However, two of his recommended modifications (modification 09 and modification 10) are not in the Borough Council’s view necessary to meet these tests. This is the modifications which relate to Policy H10 (Housing Provision) and Policy H11 (The Wharf).

3.5 In respect of Policy 11, paragraph 66 of the Examiner’s report states that “my view of this policy does not raise any issues as far as the basic conditions are concerned”. As the role of the examination is to assess accordance with the Basic Conditions, it is not considered that there is justification for making the change proposed by the Examiner. Further to this, the wording proposed by the Examiner is not considered to improve interpretation of the policy and would hamper effective decision-making. Specific concern is the Examiner’s use of the term “small” in respect of the area of land outside of the Limits to Development. This term is not defined or described in any more detail which would make effective decision making in respect of a potential future planning application problematic. It is also unclear what type of circumstances would justify requiring the successful relocation of the business. It is assumed by the Borough Council that this means financial viability and the requirement to release additional land to raise finance for a relocation but this is not clearly set out.

- 3.6 The Borough Council therefore decided on 12 October 2021 to propose that recommended modifications 09 and 10 not be accepted and the submission draft wording for Policy 11 (The Wharf) should be retained instead of the alternative wording suggested by the Examiner.
- 3.7 As the Borough Council's view in respect of recommended modifications 09 and 10 differs to that of the Examiner, there was a requirement to publicise and consult on the proposal not to accept these two modifications. The consultation was undertaken for a six-week period between 28 October and 9 December 2021. The Borough Council was required to notify the following people or groups of the proposed decision (and reason for it) and invite representations: the qualifying body (i.e. Hickling Parish Council), anyone whose representation was submitted to the examiner and any consultation body that was previously consulted.
- 3.8 In total, five consultation responses were received and there were no objections to the proposal not to accept the two modifications. The outcome of the consultation is that no issues have been raised that alter the Borough Council's view that the Examiner's recommended Modifications 09 and 10 are unnecessary to meet the Basic Conditions and would make the policies less clear. Therefore, the Borough Council's final decision is not to accept these two modifications.
- 3.9 Beyond those recommended modifications by the Examiner that have been accepted, the Borough Council does not consider that it is appropriate to make any additional modifications. The Borough Council is satisfied that issues raised at Regulation 16 stage that have not resulted in a proposed modification are not required to be addressed by a modification in order for the relevant policy to meet the Basic Conditions.

Referendum

- 3.10 As the Plan, with those modifications set out at Appendix A, meets the Basic Conditions, in accordance with the requirements of the Localism Act 2011 a referendum will now be held which asks the question:

“Do you want Rushcliffe Borough Council to use the Neighbourhood Plan for Hickling to help it decide planning applications in the neighbourhood area?”

- 3.11 The Borough Council has considered whether to extend the area in which the referendum is to take place, but agrees with the Examiner that there is no reason to extend this area beyond the Neighbourhood Plan area (the Parish of Hickling)

Date 11 January 2022

Appendix A: Proposed Modifications to the draft Hickling Parish Neighbourhood Plan

Mod Ref	Examiner's report paragraph	NP ref	Examiner's Recommendation	Accept or Do not accept	Proposed Modification	Reason
01	34	Policy H2	<ul style="list-style-type: none"> Add reference to important views being shown on Map 3 Add viewpoint 2 to Map 3 	Accept	<ul style="list-style-type: none"> Amend Map 3 to include viewpoint 2 referred to in appendix 1. Amend the first sentence of Policy H2 as follows: "Development should safeguard and, where possible, enhance the following important views and vistas (as shown on the Policies Map <u>and Map 3</u> and set out in Appendix 1)..." 	Agree with Examiner and accept proposed change. This is needed to ensure policy meets the Basic Conditions (conformity with strategic policy).
02	37	Policy H3	<ul style="list-style-type: none"> Reword policy as suggested 	Accept	<ul style="list-style-type: none"> Amend Policy H3 as follows: Delete the following text: "Development that reduces local tranquillity will not be supported. The following will be discouraged: A Industrial, commercial, large-scale agricultural developments, leisure, recreation and sporting proposals that introduce sources of noise, particularly night-time noise, above Lowest Observed Adverse Effect Level; and B Developments requiring floodlights, security lights 	Agree with Examiner and accept proposed change. This is needed to ensure policy meets the Basic Conditions (conformity with strategic policy).

Mod Ref	Examiner's report paragraph	NP ref	Examiner's Recommendation	Accept or Do not accept	Proposed Modification	Reason
page 49					<p>and streetlights that cause excessive, misdirected or obtrusive uses of light.</p> <p>And replace with the following text:</p> <p><u>“Planning applications for industrial, commercial, large-scale agricultural, leisure or recreation and sporting activities will only be permitted where it can be demonstrated that they will not result in any significant loss in local tranquility. Development requiring floodlights, security lights and street-lights resulting in excessive, misdirected or obtrusive uses of light will not be permitted.”</u></p>	
03	40	Policy H4	<ul style="list-style-type: none"> Replace last sentence of policy as suggested 	Accept	<ul style="list-style-type: none"> Amend Policy H4 as follows: <p>“...Ground-mounted solar photovoltaic farms will only be supported where:</p> <p>A They are on previously developed (brownfield) or non-agricultural land;</p> <p>B Their location is selected sensitively and well planned so that the proposals do not impact on any features of local heritage or wildlife interest;</p> <p>C The proposal's visual impact has been fully</p>	Agree with Examiner and accept proposed change. This is needed to ensure policy meets the Basic Conditions (conformity with strategic policy and national policy).

Mod Ref	Examiner's report paragraph	NP ref	Examiner's Recommendation	Accept or Do not accept	Proposed Modification	Reason
page 50					<p>assessed and addressed in accordance with Planning Practice Guidance on landscape assessment (Planning Practice Guidance ref: 5-013-20150327); and</p> <p>D The installations are removed when no longer in use.</p> <p><u>Wind turbines will not be supported. Proposals for the development of wind turbines will only be supported where these are compatible with environmental, heritage, landscape and other planning considerations.</u></p>	
04	44	Policy H6	<ul style="list-style-type: none"> amend policy as suggested 	Accept	<ul style="list-style-type: none"> Amend Policy H6 as follows: <p>“Planning applications <u>involving the potential loss of significant affecting</u> trees or hedgerows should be accompanied <u>either (a)</u> by a tree survey that establishes the health and longevity of any affected trees and hedgerows as well as their role in the local ecosystem-; <u>or (b) by a statement explaining why such a survey is not thought necessary, having regard to the scale or character of the proposals and the overall objectives of this policy.</u></p>	Agree with Examiner and accept proposed change. This is needed to ensure policy meets the Basic Conditions (conformity with national policy).

Mod Ref	Examiner's report paragraph	NP ref	Examiner's Recommendation	Accept or Do not accept	Proposed Modification	Reason
page 51					Development that damages or results in the loss of ancient trees, or hedgerows or trees of good arboricultural and amenity value, will not only be supported <u>in principle where the benefits of the development are considered to outweigh the harm involved.</u> Instead, proposals should be designed to retain ancient trees, or hedgerows or trees of arboricultural and amenity value as they help to define the character of the area. Where trees or hedgerows of lower arboricultural and amenity value are to be lost, In these circumstances, then native species replacements should be planted in locations where they would have the opportunity to grow to maturity, increase canopy cover and contribute to the local ecosystem.”	
05	48	Policy H7	<ul style="list-style-type: none"> modify Appendix 3 to include a description and photograph of each LGS 	Accept	<ul style="list-style-type: none"> Amend Appendix 3 as described. 	Agree with Examiner and accept proposed change. This is needed to ensure policy meets the Basic Conditions (conformity with national policy).
06	51	Policy H8	<ul style="list-style-type: none"> remove discrepancy 	Accept	<ul style="list-style-type: none"> Amend the text included at appendix 4 under the description of step 2 as follows: 	Agree with Examiner and accept proposed

Mod Ref	Examiner's report paragraph	NP ref	Examiner's Recommendation	Accept or Do not accept	Proposed Modification	Reason
			between the policy and Rushcliffe Local Plan Policy 28		"Must possess qualities that contribute positively towards the amenities of its locality, i.e. have at least one <u>two</u> of criteria C3 – C8"	change. This is needed to ensure policy meets the Basic Conditions (conformity with strategic policy).
07	56	Policy H10	<ul style="list-style-type: none"> reword criterion (a) as suggested to make clear the decisions should have regard to the other policies in the plan 	Accept	<ul style="list-style-type: none"> Amend Policy H10 as follows: "Housing development within the Hickling Limits to Development, as defined on the Policies Map, will be supported. Outside the Hickling Limits to Development, permission for housing development will be limited to: A. The development of previously used (brownfield) land that is well-related to the settlement of Hickling Pastures, <u>in principle, having regard to the other policies in the neighbourhood plan</u>; 	Agree with Examiner and accept proposed change. This is needed to ensure policy meets the Basic Conditions (conformity with national policy).
08	58	Policy H10	<ul style="list-style-type: none"> insert additional criterion (G) into the policy 	Accept	<ul style="list-style-type: none"> Amend Policy 10 as follows: "...E. Replacement dwellings in accordance with Policy H13 (Replacement Dwellings); and F. Rural worker accommodation in accordance with 	Agree with Examiner and accept proposed change. This is needed to ensure policy meets the Basic

Mod Ref	Examiner's report paragraph	NP ref	Examiner's Recommendation	Accept or Do not accept	Proposed Modification	Reason
					Policy H17 (Rural Worker Accommodation)-: <u>and G. Rural exception site development where need has been demonstrated through an up-to-date housing needs survey.</u> "	Conditions (conformity with national policy and strategic policy).
09 page 53	67	Policy H11	<ul style="list-style-type: none"> delete existing policy and replace as suggested in the report (repeated below): <p>"Policy H11: The Wharf, Main Street, Hickling The Parish Council intend to work constructively with AE Faulks Ltd to achieve a successful relocation of their existing plant-hire business at The Wharf and the redevelopment of the</p>	Do not accept	No change and retain the wording of the policy as included in the Submission draft of the plan.	Paragraph 66 of the Examiner's report states that "my view of this policy does not raise any issues as far as the basic conditions are concerned". As the role of the examination is to assess accordance with the Basic Conditions, it is not considered necessary to make this change. Further to this, the wording proposed by the Examiner is not considered to improve interpretation of the

Mod Ref	Examiner's report paragraph	NP ref	Examiner's Recommendation	Accept or Do not accept	Proposed Modification	Reason
			<p>land for housing. The scale, extent and mix of any housing scheme will be a matter of detailed discussion with the company and consultation with local residents, but the guiding principles behind the project will include:</p> <ul style="list-style-type: none"> • acceptance in principle for the development of as much of the site as lies within the defined Limits to Development; • the inclusion of an additional small area of land beyond the 			<p>policy and would hamper effective decision making. Specific concern is the Examiner's use of the term "small" in respect of the area of land outside of the Limits to Development. This term is not defined or described in any more detail which would make effective decision making in respect of a potential future planning application problematic. It is also unclear what type of circumstances would justify requiring the successful relocation of the business. It is assumed by the Borough Council that</p>

Mod Ref	Examiner's report paragraph	NP ref	Examiner's Recommendation	Accept or Do not accept	Proposed Modification	Reason
page 55			<p>defined Limits to Development, but only where it can clearly be demonstrated that this is required to facilitate the successful relocation of the business;</p> <ul style="list-style-type: none"> • the incorporation, where feasible, of additional parking space for visitors to Hickling Basin; and • acknowledgement that regard will be had to all other relevant policies in this Plan, including the mix of any housing to be provided.” 			<p>this means financial viability and the requirement to release additional land to raise finance for a relocation but this is not clearly set out.</p>

Mod Ref	Examiner's report paragraph	NP ref	Examiner's Recommendation	Accept or Do not accept	Proposed Modification	Reason
10	68	Policy H10	<ul style="list-style-type: none"> insert additional criterion (H) into the policy 	Do not accept	<ul style="list-style-type: none"> No change and retain the wording of the policy as included in the Submission draft of the plan. 	<p>This is as a consequence of the recommendation not to accept Modification 09. The principle of releasing a small area of land in the vicinity of Faulks depot is not considered appropriate in the context of Policy 11 therefore is should not be referred to under Policy 10.</p>

Mod Ref	Examiner's report paragraph	NP ref	Examiner's Recommendation	Accept or Do not accept	Proposed Modification	Reason
11	70	Policy H12	<ul style="list-style-type: none"> delete criterion A 	Accept	<ul style="list-style-type: none"> Amend Policy H12 as follows: "Policy H12: Residential Conversion of existing Rural Buildings <u>rural buildings situated beyond the Limits to Development</u> Where planning permission is required for the <u>The</u> re-use and adaptation of redundant or disused rural buildings for residential use, <u>this</u> will be supported where: A. The building is of architectural and historical interest; AB. <u>AB.</u> The building is structurally sound and capable of conversion without significant rebuild or alteration; C. B. <u>C. B.</u> The development will maintain the character of the building, including the retention of important features; D. C. <u>D. C.</u> The use of the building by protected species is surveyed and mitigation measures are approved where necessary; and E. D. <u>E. D.</u> Any proposed extension(s) or alterations are proportionate to the size, scale, mass and footprint of the original building and situated within the 	Agree with Examiner and accept proposed change. This is needed to ensure policy meets the Basic Conditions (conformity with strategic policy).
12	71	Policy H12	<ul style="list-style-type: none"> reword preamble as suggested 	Accept	<ul style="list-style-type: none"> re-use and adaptation of redundant or disused rural buildings for residential use, <u>this</u> will be supported where: A. The building is of architectural and historical interest; AB. <u>AB.</u> The building is structurally sound and capable of conversion without significant rebuild or alteration; C. B. <u>C. B.</u> The development will maintain the character of the building, including the retention of important features; D. C. <u>D. C.</u> The use of the building by protected species is surveyed and mitigation measures are approved where necessary; and E. D. <u>E. D.</u> Any proposed extension(s) or alterations are proportionate to the size, scale, mass and footprint of the original building and situated within the 	Agree with Examiner and accept proposed change. This is needed to ensure policy meets the Basic Conditions (conformity with strategic policy).
13	72	Policy H12	<ul style="list-style-type: none"> amend title of policy as suggested 	Accept	<ul style="list-style-type: none"> re-use and adaptation of redundant or disused rural buildings for residential use, <u>this</u> will be supported where: A. The building is of architectural and historical interest; AB. <u>AB.</u> The building is structurally sound and capable of conversion without significant rebuild or alteration; C. B. <u>C. B.</u> The development will maintain the character of the building, including the retention of important features; D. C. <u>D. C.</u> The use of the building by protected species is surveyed and mitigation measures are approved where necessary; and E. D. <u>E. D.</u> Any proposed extension(s) or alterations are proportionate to the size, scale, mass and footprint of the original building and situated within the 	Agree with Examiner and accept proposed change. This is needed to ensure policy meets the Basic Conditions (conformity with strategic policy).

Mod Ref	Examiner's report paragraph	NP ref	Examiner's Recommendation	Accept or Do not accept	Proposed Modification	Reason
					original curtilage.”	
14	73	Policy H13	<ul style="list-style-type: none"> delete criterion A 	Accept	<ul style="list-style-type: none"> Amend Policy H13 as follows: “Policy H13: Replacement <u>of existing Dwellings dwellings situated beyond the Limits to Development</u> Proposals for the demolition and rebuild of an existing dwelling will be supported where: A. It leads to an enhancement of the immediate setting and general character of the area; BA. It does not lead to a reduction in the stock of smaller or single-storey dwellings; C. B. The new dwelling is proportionate to the size, scale, mass and footprint of the original dwelling and situated within the original curtilage.” 	Agree with Examiner and accept proposed change. This is needed to ensure policy meets the Basic Conditions (conformity with strategic policy).
page 15 58	74	Policy H13	<ul style="list-style-type: none"> amend title of policy as suggested 	Accept	<ul style="list-style-type: none"> Amend Policy 14 as follows: “Applicants for the development of new dwellings will need to demonstrate how their proposals will meet the housing needs of older households and/or the need for smaller, affordable homes for sale or 	Agree with Examiner and accept proposed change. This is needed to ensure policy meets the Basic Conditions (conformity with strategic policy).
16	76	Policy H14	<ul style="list-style-type: none"> reword policy as suggested 	Accept	<ul style="list-style-type: none"> Amend Policy 14 as follows: “Applicants for the development of new dwellings will need to demonstrate how their proposals will meet the housing needs of older households and/or the need for smaller, affordable homes for sale or 	Agree with Examiner and accept proposed change. This is needed to ensure policy meets the Basic Conditions (conformity with strategic policy).

Mod Ref	Examiner's report paragraph	NP ref	Examiner's Recommendation	Accept or Do not accept	Proposed Modification	Reason
					rent. The development of housing with more than three bedrooms will <u>normally</u> only be supported if it is necessary to make best use of a redundant or disused rural building in accordance with Policy H12 (Residential Conversion of Rural Buildings) (<u>Residential conversion of existing rural buildings situated beyond the Limits to Development</u>).	with strategic policy).
17 page 59	81	Policy H18	<ul style="list-style-type: none"> reword criterion A as suggested reword criterion B as suggested 	Accept	<ul style="list-style-type: none"> Amend Policy 18 as follows: "Policy H18: Grantham Canal and Hickling Basin 	Agree with Examiner and accept proposed change. This is needed to ensure policy meets the Basic Conditions (conformity with strategic policy and national policy).
18	82	Policy H18	<ul style="list-style-type: none"> amend criterion D as suggested 	Accept	<p>The restoration of the Grantham Canal to make it navigable for boats is supported. Only development that is compatible with the quiet, recreational enjoyment of the Grantham Canal and Hickling Basin, will be supported where:</p> <p>A. Proposals have appropriate regard for the significance of the heritage assets of the canal, basin and their setting, <u>and do not prejudice future restoration of the canal to navigable status</u>;</p> <p>B. Proposals <u>protect and</u> enhance the ecological value of the canal and its landscape features;</p>	Agree with Examiner and accept proposed change. This is needed to ensure policy meets the Basic Conditions (conformity with strategic policy and national policy).

Mod Ref	Examiner's report paragraph	NP ref	Examiner's Recommendation	Accept or Do not accept	Proposed Modification	Reason
					<p>C. Traffic implications are fully assessed and addressed. Related measures that will need to be considered include traffic management and car parking improvements; and</p> <p>D. Residential amenities are protected, <u>with full account being taken of the need to protect tranquillity, in accordance with Policy H3.</u> Overall noise exposure should be no greater than the lowest observed adverse effect level.</p>	