

# Public Document Pack

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**Our reference:**  
**Your reference:**  
**Date** 6 July 2021

To all Members of the Growth and Development Scrutiny Group

Dear Councillor

A Meeting of the Growth and Development Scrutiny Group will be held on Wednesday, 14 July 2021 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

A handwritten signature in black ink, appearing to read 'S Sull'.

Sanjit Sull  
Monitoring Officer

## AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Minutes of the meeting held on 21 April 2021 (Pages 1 - 6)
4. River Trent Footbridge (Pages 7 - 12)  
Report of the Director for Growth and Economic Development
5. Cycling Networks in the Borough (Pages 13 - 16)  
Report of the Director for Neighbourhood
6. Work Programme (Pages 17 - 18)  
Report of the Director for Finance and Corporate Services

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8.30am - 4.30pm

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Rushcliffe Arena  
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Nottingham  
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## Membership

Chairman: Councillor N Clarke

Vice-Chairman: Councillor R Butler

Councillors: M Barney, J Cottee, L Howitt, J Murray, A Phillips, J Stockwood and L Way

### **Meeting Room Guidance**

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

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**MINUTES  
OF THE MEETING OF THE  
GROWTH AND DEVELOPMENT SCRUTINY GROUP  
WEDNESDAY, 21 APRIL 2021**

Held virtually via Zoom at 7.00 pm in the

**PRESENT:**

Councillors N Clarke (Chairman), D Viridi (Vice-Chairman), S Bailey, L Howitt, A Phillips, J Stockwood, Mrs M Stockwood and L Way

**ALSO IN ATTENDANCE:**

**OFFICERS IN ATTENDANCE:**

L Ashmore  
C Evans  
A Pegram  
S Baker  
T Coop

Executive Manager - Transformation  
Service Manager - Transformation  
Service Manager - Communities  
Conservation Officer  
Democratic Services Officer

**APOLOGIES:**

Councillors N Begum and J Cottee

**33 Declarations of Interest**

There were no declarations of interest reported.

**34 Minutes of the meeting held on 20 January 2021**

The minutes of the meeting held on 20 January 2021 were approved.

**35 Conservation Areas**

A presentation to provide information and clarity over the purpose of conservation areas, the Borough Council's responsibility and duties in relation to these areas, the application and policy when considering planning applications and the impact on other planning functions was delivered to the Group.

The Conservation Officer explained the Council's Conservation Areas are areas which have been designated because of their special architectural or historic interest, their character or appearance of which it is desirable to preserve or enhance. The purpose of a conservation area is not to prevent development, but is a requirement that any development should preserve or enhance the character and appearance of the area, highlighting the Council's Statutory Duty to protect such areas as defined in Section 72 – Planning (Listed Buildings and Conservation Areas) Act 1990.

The Conservation Officer informed the Group that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less substantial harm to its significance as outlined in the National Planning Policy Framework (NPPF).

In addition, the Conservation Officer drew the Groups attention to the Rushcliffe Local Plan Part 1 Core Strategy - Policy 11: Historic Environment and the Rushcliffe Local Plan Part 2: Land and Planning Policies – Policy 28: Conserving and Enhancing Heritage Assets.

The Conservation Officer advised that Rushcliffe currently has 30 conservation areas each having an Appraisal and Management Plan document available to view on the website. The appraisals provide information on a settlements history, archaeology, industrial and building history. These Appraisals date from January 2009 and are being considered for review.

The Service Manager – Communities presented the Group with information in respect of the implications of Conservation Area designations on aspects of planning, referred to as Permitted Development.

The Service Manager – Communities explained that Permitted Development is defined by the Town and Country Planning (General Permitted Development Order 2015 (as amended) GPDO), which grants planning permission for a range of different types of development, both residential and commercial. Permitted Development imposes certain limitations, the Service Manager – Communities provided the Group with an extensive list of permitted development rights that do not apply or may be subject to restrictions within a Conservation Area.

The Service Manager – Communities explained how the Council as a Planning Authority assess harm when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

The Service Manager – Communities informed the group of the three levels of harm:

- No Harm – would preserve the character and appearance of the Conservation Area
- Substantial Harm – should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm.
- Less than Substantial Harm – harm should be weighed against the public benefits of the proposed including, where appropriate, securing its optimum viable use.

The Service Manager – Communities continued to explain that there is no statutory definition of harm and the degree of harm is a matter of judgement. Examples of harm may include (but not limited to); harm arising from works to the asset; loss of historic fabric; impact on important views into or out of the Conservation Area; loss of trees which contribute to the character of the area; loss of features identified as important to the character and appearance of the area; unsympathetic development.

The Service Manager – Communities provided examples of heritage benefits in a designated Conservation Area, these may include;

- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- Reducing or removing risks to a heritage asset
- Securing the optimum viable use of a heritage asset in support of its long term conservation

Examples of other benefits may include; economic, social and environmental benefits.

In concluding, the Service Manager – Communities highlighted the protection of trees within a Conservation Area, stating that trees are subject to the provisions of section 211 of the Town and Country Planning Act 1990. Which constitutes it is an offence to cut down, top, lop or uproot a tree, or to cut down or uproot a tree for the purpose of improving the growth of other trees as part of forestry operations. However, there are exceptions within section 211, where notice of the intended work has been served on the local Planning Authority and the work is authorised by the grant of planning permission.

The Chairman asked how Officers and Planning Committee members address potential harm when considering applications in Conservation Areas and in particular the cumulative impact and risk of small harms on the character of an area. The Service Manager – Communities advised that all development will have some impact in a community, which may not necessarily be harmful to an area and can be a matter of judgment or opinion. Adding that mechanisms are in place to monitor cumulative risk and a programme of condition surveys and reviews of Conservation Areas are regularly carried out.

Members asked specific questions regarding the mechanisms for implementing a designated Conservation Area and what constitutes a heritage asset. Members also questioned whether community involvement and public engagement were sought in the process. In addition, members highlighted the date of the current Appraisal and Management Plans and requested when these are likely to be reviewed. The Service Manager – Communities explained that Conservation Areas are driven by the community, all householders within the designated area are notified, sometimes an exhibition in the village hall is held and assistance from external bodies such as Historic England or English Heritage is usually sought. In respect of a review the Service Manager – Communities explained that it is the Council's duty to review the Boroughs Conservation Areas, but due to COVID restrictions, this has been placed on

hold. The Conservation Officer added that in designating an area as a Heritage Asset, officers are guided by planning policy, community interest and English Heritage, looking typically at buildings, land, open aspects, trees and hedgerows. The Conservation Officer advised the Group that East Leake, Cropwell Bishop, Aslockton and Normanton on Soar were in line for review.

Members questioned whether officers had enough resources to complement the conservation function and enforcement. The Service Manager – Communities advised that one conservation officer was adequate for the Boroughs activity, stating that all planning officers are able to assess the effect development has on conservation areas and the Conservation Officer provides more detailed advice when required.

Members asked officers specific questions relating to non-designated heritage assets and whether officers could provide a list for the group to consider. Members also asked whether there is likely to be any changes within the Government's new planning regulations that might affect development within Conservation Areas, and would officers provide members particularly those on Planning Committee with training to assist with planning decisions in Conservation Areas.

The Service Manager – Communities advised that the outcome of the Planning White Paper is under consultation and the results are unknown. Member training will form part of the Member Development Training Programme as recommended by the Member Development Group.

It was **RESOLVED** that:

- a) The Group noted the report, and requested a further report be considered at the meeting of the Group in October to:
  - address the review of Conservation Area Appraisals and encourage enhancements to Conservation Areas
  - Consider developing a list of non-designated heritage assets
- b) Training to be provided for Planning Committee members regarding the potential for cumulative impact of development in a Conservation Area.

## 36 **Work Programme**

It was **RESOLVED** that the Group consider its Work Programme and that the following items for scrutiny were agreed.

### **July 2021**

- Cycling Networks in the Borough
- Trent Footbridge
- Work Programme

### **October 2021**

- Covid-19 Business Recovery Update

- Conservation Areas – Review Part 2
- Work Programme

**January 2022**

- Tree Conservation
- Work Programme

**April 2022**

- Work Programme

The meeting closed at 9.04 pm.

CHAIRMAN

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## Growth and Development Scrutiny Group

Wednesday, 14 July 2021

### River Trent Footbridge

## Report of the Director - Development and Economic Growth

### 1. Purpose of report

- 1.1. To provide information on work being undertaken by Nottingham City Council on proposals for a new pedestrian and cycle bridge over the River Trent, and to provide comments on the proposals, which will be the subject of a consultation exercise in Autumn 2021.
- 1.2. Chris Carter, Head of Transport Strategy, and Paul Horn, Project Manager, from the City Council will deliver a presentation to the Group at the meeting.

### 2. Recommendation

It is RECOMMENDED that the Growth and Development Scrutiny Group:

- a) Notes the contents of the report and presentation to the Group
- b) Supports the principle of a new pedestrian and cycle bridge over the River Trent
- c) Provides comments on the proposals to be included in a response to the consultation exercise.

### 3. Reasons for Recommendation

- 3.1. In order that the Scrutiny Group can be informed on the proposals and provide comments that will be fed back to the City Council as part of the consultation exercise.

### 4. Supporting Information

- 4.1. In 2018, the Government launched the Transforming Cities Fund to support some of the largest city regions, aimed at driving up productivity through investments in public and sustainable transport infrastructure in some of England's largest city regions. The aims of the fund are to improve access to good jobs within English cities and encourage an increase in journeys made by low-carbon and sustainable modes of transport.
- 4.2. Nottingham City Council has been successful in securing funds from the programme to support/deliver a number of initiatives within the city. These

include the provision of a new pedestrian and cycle bridge over the River Trent.

### **Proposed location and appearance of bridge**

- 4.3. The City Council have identified three potential locations for the bridge, all generally to the east of Lady Bay Bridge. The most westerly location would span the river from the northern bank, close to Poulton Drive with other potential locations identified at Trent Basin and Trent Lane. All three options would land on the southern side of the river in the vicinity of the sports pitches at Lady Bay. Depending on the final location of the bridge, there would also be a need for work to be undertaken on both sides of the river to integrate the bridge into the local footpath/highway network. On the southern side of the river this may involve the creation of footpath links across land in the ownership of the Borough Council at The Hook.
- 4.4. There are two main potential design options for the bridge, a cable stayed bridge, which would require a tower on one side of the river from which cables would run to support the weight of the bridge deck, or a bow string arch bridge. The final option and detailed design of the bridge will be dependent on the chosen location and a number of other factors, including a requirement to maintain navigation clearance under the bridge for certain craft.
- 4.5. Work is ongoing to finalise the preferred location and design of the bridge. Further details of the potential locations for the bridge and options for the general appearance of the bridge will be included in the presentation to the Group.

### **Justification for and benefits of the bridge**

- 4.6. The project has already been the subject of a business case to the Department for Transport (DfT) which gave a strategic and economic justification for the bridge. This was accepted by both the DfT and the Treasury who have released funds for the delivery of the bridge. The delivery of the bridge would align with the aims of the Transforming Cities Fund in supporting improved access to job opportunities on both sides of the river, contributing to economic growth, and encouraging cycling and walking to reduce reliance on the private car and reducing carbon emissions. In addition, the proposal would support healthy lifestyles by facilitating/encouraging trips to be made by walking and cycling, and would also contribute to a reduction in traffic congestion and improvements in air quality. It also supports regeneration and housing growth sites both sides of the river and would support leisure activities including cycling and walking on the extensive footpath network on both sides of the river, as well as facilitating/encouraging trips by sustainable means for those travelling to and from the various sports grounds and clubs in the area.

## **Impact of Bridge**

- 4.7. The bridge will clearly have a visual impact on this part of the river, although it should be noted that the land to the north of the river is currently the subject of significant development whilst to the south of the river the land is more open. The structure is unlikely to have a significant impact on residential amenity within Lady Bay, with the closest dwellings set well back from the river with intervening open space and trees. Other impacts which will need to be considered through the relevant consenting processes include impact on flood risk and impacts on trees and the ecology of the area, particularly on the southern bank. In addition, the impact of the proposal on river users will need to be considered. In this respect, the height of the bridge deck above the river will require careful consideration to ensure that any impacts on navigation along the river by various different craft is not unacceptably impacted.
- 4.8. Any impacts arising from the proposals will need to be balanced with the benefits, including those identified above in paragraph 4.6.

## **Consenting process**

- 4.9. The construction of the bridge will require planning permission. The administrative boundary between the City and Rushcliffe Borough runs roughly along the centre of the river. Therefore, it will be necessary for a duplicate application to be submitted to both the City Council and Rushcliffe Borough Council. In addition to the requirement for planning permission, other consents/permits will be required, including but not limited to permits from the Environment Agency and for potential temporary footpath closures during the construction of the bridge and/or diversion orders if the location of the bridge impacts upon existing definitive footpaths. In addition, permission will be required from the respective land-owners whose land the bridge is situated, including the Canal and River Trust.

## **Delivery of the bridge and timescales**

- 4.10. A Steering Group has been established to progress the project which includes representatives from the City Council, Rushcliffe Borough Council, the County Council, Environment Agency and the Canal and River Trust. The Steering Group meet generally on a monthly basis to discuss progress of the project, provide updates and to identify any actions and responsible bodies.
- 4.11. It is proposed to undertake a public consultation exercise in the Autumn 2021, the format of which will be agreed by the Steering Group. Following consideration of responses from the consultation exercise, it is proposed to submit a planning application in December 2021/January 2022. If planning permission is forthcoming, work would commence on the bridge in Summer 2022 with a view to it opening in early 2023. The future maintenance arrangements/responsibilities for the bridge are yet to be determined through ongoing discussions.

## **5. Risks and Uncertainties**

- 5.1. The final location of the bridge is yet to be determined and as such the impact on any land owned by the Borough Council is yet to be determined. Similarly, the impacts on the wider area can only be assessed once the final location and design of the bridge has been determined. These impacts will be considered further once a planning application is submitted to the Borough Council.

## **6. Implications**

### **6.1. Financial Implications**

- 6.1.1. There are no financial implications associated with the consideration of this report and the bridge is being funded through the Transforming Cities Fund. Future maintenance costs will be a matter for Nottingham City and Nottinghamshire County Council to agree.

### **6.2. Legal Implications**

- 6.2.1. The need for any agreement arising from this project, including access over any land owned by the Borough Council will be reviewed by legal services.

### **6.3. Equalities Implications**

- 6.3.1 The final design of the bridge will be chosen with consideration for accessibility in mind.

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

- 6.4.1. There are no Section 17 Crime and Disorder implications associated with this report. The Police have been identified as stakeholders to be engaged in relation to the consultation on the bridge.

## **7. Link to Corporate Priorities**

Quality of Life	The provision of the bridge would facilitated/encourage travel by foot and bicycle, promoting a healthy lifestyle and thereby improving quality of life.
Efficient Services	Not Applicable
Sustainable Growth	The provision of the bridge would provide further alternative options for crossing the river as a pedestrian or cyclist, reducing the reliance on the motor vehicle and promoting sustainable means of transport.

The Environment	The provision of the bridge would provide an alternative means for residents to cross the river and travel to work, reducing reliance on the motor vehicle and in turn reducing traffic congestion and improving air quality. Any impacts of the bridge, such as impacts on ecology, will require careful consideration and addressed through appropriate mitigation measures. Impacts on the flood plain will also be considered as part of the design.
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## 8. Recommendations

It is RECOMMENDED that the Growth and Development Scrutiny Group:

- a) Notes the contents of the report and presentation to the group
- b) Supports the principle of a new pedestrian and cycle bridge over the River Trent
- c) Provides comments on the proposals to be included in a response to the consultation exercise

<b>For more information contact:</b>	Leanne Ashmore Director of Development and Economic Growth  LAshmore@rushcliffe.gov.uk
<b>Background papers available for Inspection:</b>	None
<b>List of appendices:</b>	None

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## Growth and Development Scrutiny Group

Wednesday, 14 July 2021

### The Provision of Cycling Networks in the Borough

#### Report of the Director of Neighbourhoods

##### 1. Purpose of report

- 1.1. The purpose of the report is to provide the Growth and Development Scrutiny Group with information regarding the policy context which provides cycling provision in the Borough, to enable Councillors to consider the emerging issues related to cycling and to discuss the Borough's role in promoting further cycling usage.
- 1.2. The report follows a Councillor request for scrutiny in July 2020, regarding the provision of cycle paths in the Borough.
- 1.3. To assist discussion the Group will receive two presentations on the evening. The first will be from the Nottinghamshire County Council Team Manager for Local Transport Plans and Programme Development. The second will be from the Cycle Campaign Group for Nottingham 'Pedals' regarding the issues and opportunities for cycling in the Borough.

##### 2. Recommendation

It is RECOMMENDED that the Growth and Development Scrutiny Group:

- a) consider the information provided at the meeting
- b) make comments and recommendations on further actions regarding the provision of cycling in the Borough.

##### 3. Reasons for Recommendation

- 3.1. There is a substantive body of evidence regarding the many benefits of cycling, not just for the cyclist's health and wellbeing but for the wider quality of environment in which we live, work and spend our leisure time as well as for overall environmental sustainability and carbon neutrality.

##### 4. Supporting Information

###### Strategic Policy Context

- 4.1. In July 2020, the Department for Transport issued the policy paper 'Gear Change'. The plan describes the vision to make England a great walking and

cycling nation and it sets out the actions required at all levels of Government to make this a reality, grouped under four themes:

- Better streets for cycling and people
- Cycling and walking at the heart of decision-making
- Empowering and encouraging local authorities
- Enabling people to cycle and protecting them when they do.

### **Local Policy Context**

4.2. The Nottinghamshire Local Transport plan (LTP) sets out Nottinghamshire County Council's overarching transport strategy for Nottinghamshire and is supported by a cycling strategy delivery plan to complement the LTP in the delivery of both local and national objectives.

4.3. The Delivery Plan is a long-term strategy and sets out how the County Council, working with a number of local and national partners and stakeholders, aim to make cycling improvements that will deliver the LTP's goals and objectives; particularly those relating to improving the economy – access to jobs, reducing the impacts of congestion on the economy, and improving the visitor economy. The strategy delivery plan aims to:

- help focus resources and future cycling investment on improvements that will deliver the LTP's goals and objectives, particularly those relating to the economy and health
- help ensure that the County Council achieves value for money in its investment in cycling improvements
- assist the County Council in maximising external funding opportunities to help deliver the ambitions of this strategy.

### **Rushcliffe Planning Policy Context**

4.4. In terms of local planning policy and decisions on planning applications, the government sets out several requirements relating to cycling within the 2019 National Planning Policy Framework (NPPF).

4.5. The NPPF requires local planning policies to promote and support cycling in two main respects – from a health and active travel perspective and also from a sustainable transport perspective.

4.6. In respect of the first, the NPPF sets out that planning policies and decisions should enable and support healthy lifestyles by achieving development layouts that encourage both cycling and walking. In respect of sustainable transport, the NPPF sets out that transport issues should be considered throughout local plan-making and also as part of preparing and determining relevant development proposals in order to ensure that, alongside other matters, opportunities to promote cycling are identified and pursued. It is also required by the NPPF that planning policies should provide for high quality



walking and cycling networks and supporting facilities such as cycle parking, drawing on Local Cycling and Walking Infrastructure Plans prepared by local transport authorities.

- 4.7. While the latest NPPF post-dates preparation of the current Rushcliffe Local Plan, cycling is already promoted and supported by a number of Local Plan policies. Policy 14 of the 2014 Core Strategy, for example, identifies that the priority for new development is selecting sites already, or which can be made, accessible by cycling, walking and public transport. It also sets out that cycling provision should be prioritised, alongside walking and public transport, and ahead of measures to increase road capacity, in the delivery of transport networks to serve new developments. This includes, within Policy 14, an expectation that improvements to cycling facilities should be provided early in the build out period of new developments, and that these improvements should be sufficient to encourage sustainable modes of transport.
- 4.8. The site-specific policies within the Core Strategy for the plan's strategic allocations also set out a number of specific cycling related requirements. For example, for the Melton Road, Edwalton strategic allocation, it is required that there are improvements to cycling facilities through and beyond the site. In the 2019 Local Plan Part 2, cycling is promoted and supported most specifically by its Policy 39, which concerns the health impacts of development. The policy sets out that, where applicable, development proposals should support and enhance health by, alongside other provisions, providing new homes and employment developments in locations that promote walking and cycling.

## **5. Implications**

### **5.1. Financial Implications**

There are no specific financial implications arising directly from the report

### **5.2. Legal Implications**

There are no specific legal implications arising directly from the report

### **5.3. Equalities Implications**

There are no specific equality implications arising directly from the report

### **5.4. Section 17 of the Crime and Disorder Act 1998 Implications**

The promotion of safer cycling and the provision of secure storage and target hardening measures to reduce cycle theft should form a key strand of any future promotion of cycling in the Borough.

## 6. Link to Corporate Priorities

Quality of Life	The promotion of cycling has a significant impact on the health and wellbeing of a community.
Efficient Services	
Sustainable Growth	Sustainable travel is required to deliver sustainable housing growth to meet the current and emerging needs of all our communities
The Environment	To meet the challenges of climate change sustainable travel forms a key part of reducing carbon emission from our communities

## 7. Recommendations

It is RECOMMENDED that the Growth and Development Scrutiny Group:

- a) Consider the information provided at the meeting
- b) make comments and recommendations on further actions regarding the provision of cycling in the Borough

<b>For more information contact:</b>	Dave Banks- Director Neighbourhoods <a href="mailto:dbanks@rushcliffe.gov.uk">dbanks@rushcliffe.gov.uk</a>
<b>Background papers available for Inspection:</b>	Nil
<b>List of appendices:</b>	Nil



## Growth and Development Scrutiny

Wednesday, 14 July 2021

### Work Programme

## Report of the Director of Finance and Corporate Services

### 1. Summary

Members are asked to propose future topics to be considered by the Group, in line with the Council's priorities which are:

- Quality of Life;
- Efficient Services;
- Sustainable Growth; and
- The Environment

### 2. Recommendation

It is RECOMMENDED that the Group agrees the work programme as set out in the table below.

### 3. Reasons for Recommendation

#### October 2021

- Covid-19 business Recover Update
- CIL Update
- Work Programme

#### January 2022

- Tree Conservation
- Work Programme

#### April 2022

- Work Programme

**For more information contact:**

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0115 914 8349

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<b>Background papers Available for Inspection:</b>	None.
<b>List of appendices (if any):</b>	None.