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Our reference:
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Date: 18 December 2023

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, 3 January 2024 at 6.30 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>
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Yours sincerely



Gemma Dennis
Monitoring Officer

AGENDA

1. Apologies for Absence
2. Declarations of Interest
[Link to further information in the Council's Constitution](#)
3. Minutes of the Meeting held on 4 October 2023 (Pages 1 - 6)
4. Management of Open Spaces (Pages 7 - 26)
5. Sewerage Infrastructure and Discharge within Rushcliffe (Pages 27 - 32)
6. Work Programme (Pages 33 - 34)



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Membership

Chair: Councillor R Walker

Vice-Chair: Councillor L Way

Councillors: R Butler, K Chewings, J Cottee, S Dellar, C Grocock, P Matthews and D Soloman

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MINUTES OF THE MEETING OF THE GROWTH AND DEVELOPMENT SCRUTINY GROUP WEDNESDAY, 4 OCTOBER 2023

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

PRESENT:

Councillors R Walker (Chair), L Way (Vice-Chair), R Butler, K Chewings,
C Grocock, D Soloman, G Wheeler and N Regan

OFFICERS IN ATTENDANCE:

C Evans

Service Manager - Economic Growth
and Property

R Mapletoft

Planning Policy Manager

T Coop

Democratic Services Officer

APOLOGIES:

Councillors J Cottee, S Dellar and P Matthews

7 Declarations of Interest

There were no declarations of interest reported.

8 Minutes of the Meeting held on 19 July 2023

The minutes of the meeting held on 19 July 2023 were approved as a true record and were signed by the Chair.

9 Development and Infrastructure

The Chair reminded the Group that Councillor Clarke had submitted a Scrutiny Matrix topic 'how the Borough works with partners to plan for the infrastructure required to support growth' which was approved by the Corporate Overview Group to be discussed by the Growth and development Scrutiny Group.

The Planning Policy Manager delivered a presentation to explain how the Council works with infrastructure and service providers to identify and deliver infrastructure to support the delivery of new housing and growth.

The Group were advised that the National Planning Policy Framework (NPPF) states that new development should be supported by appropriate infrastructure to deliver sustainable developments and that Local Plans need early ongoing and effective engagement between plan-makers and the infrastructure

providers and operators.

The Group noted that new infrastructure is only justified to mitigate the impact of otherwise unacceptable development and is subject to three statutory tests:

necessary to make the development acceptable in planning terms;
directly related to the development; and
fairly and reasonably related in scale and kind to the development

The Planning Policy Manager explained that an Infrastructure Delivery Plan (IDP) is a significant part of Local plan preparation as it identifies what infrastructure is required, when it's required and how it will be funded and delivered to support a development. The Group were advised that an IDP involves extensive engagement with infrastructure providers/operators, including Nottinghamshire County Council, National Highways, healthcare providers and emergency services and in turn the IDP outcomes inform Local Plan policies and proposals.

In respect of planning applications and Section 106 agreements the Planning Policy Manager advised that there is extensive engagement with infrastructure providers and operators at the pre-application and planning application stages where required and the 'what, when and how' for new infrastructure is established in a Section 106 legal agreement between the developer and the Council.

With regard to Community Infrastructure Levy (CIL), this was introduced in October 2019 and is a financial charge levied on most new developments above 100sqm and on new dwellings. CIL is used to fund certain pre-defined infrastructure requirements, for example off-site secondary education. The group were advised that when preparing CIL infrastructure providers and operators also engage with the Council.

A specific question was asked with regard to the rational of the CIL levy charges and zones as illustrated in the officer's presentation. The Planning Policy Manager explained the charges were calculated on a sliding scale and takes into account land values and affordability. It was noted that the site at Fairham is not paying any CIL as this was approved before CIL had been adopted by the Council in October 2019.

The Group noted that a session specifically relating to CIL and S106 has been scheduled into the Councillor training program for 11 October 2023 and suggested more detailed explanations around CIL zones and charges and how these affect infrastructure improvements be covered in the training.

With regards to stakeholder engagement the Group asked whether Town and Parish Councils are contacted to provide their view on infrastructure needs, particularly when there has already been a large number of housing developments within a community and additional development comes forward creating a cumulative effect. Members of the Group expressed their frustrations at not having the understanding of infrastructure triggers, providing examples at Newton/Bingham and Cotgrave where variations to planning applications have been agreed with multiple developers and why a footbridge to connect

the two communities at Bingham and Newton and one in Cotgrave over the canal have not been built or agreements changed. The Group suggested a more transparent approach with some kind of tracking or enforcement process to ensure developers deliver the infrastructure required. The Planning Policy Manager explained that Parishes are consulted at the local plan stage, then more specific requirements are agreed at the planning application stage, with planning officers engaging with relevant bodies such as the highway authority. With regards to tracking and enforcement the Group were advised that the Council does already have a system in place which is monitored by the Officers.

The Chairman asked whether the Council's current system had the flexibility to adapt to change, whereby some planning applications are approved so far in advance of the development being built that circumstances and community needs have change, for example housing developments outside the local plan or fluctuations in population/birth rates increasing pressure on local schools. The Planning Policy Manager explained that the process is responsive to change in accordance to what is in the Local Plan, providing an example at Radcliffe on Trent where the provision of a new primary school was identified but is now no longer required. The Planning Policy Manager advised that the Council is not aware of detailed schemes until an application is received or the timing of delivery of housing, adding that infrastructure, such as a new school would not be built until there is a potential number of pupils identified.

The Group were advised that their comments would be fed back to planning officers for comment and a further item on infrastructure delivery be brought forward for a future meeting of the Growth and Development Scrutiny Group.

It was **RESOLVED** that the Growth and Development Scrutiny Group considered the contents of the report and whether there are further related matters that the Group wished to be considered at a future meeting.

10 **Review of Growth Boards**

The Service Manager – Economic Growth and Property delivered a presentation on the Review of the Growth Boards a process which presented findings from surveys and work completed and considerations and options for the future of the Growth Boards. The report and presentation focussed on the review itself and some proposed models for the Boards going forward.

The Group were provided with a brief background of the Boards from when they were established in 2015, reviewed in 2017 and 2019 and what the Boards had delivered during this period.

The Service Manager – Economic Growth and Property advised the group of more recent additional areas of work to provide broader context on economic growth related activity delivered by the Council.

The additional work includes:

- Newton Community Partnership Board focusing on the Newton Strategic Urban Extension (SUE)

- Sharphill Stakeholder meetings focusing on the Sharphill development at Edwalton
- Fairham Growth Board
- Ratcliffe on Soar Parish Forum
- UK Shared Prosperity and Rural England Prosperity Funding
- Rushcliffe Business Partnership
- High Street and Town Centre Forums
- Bingham Car Parking Stakeholder meetings
- Big Business Carbon Club to support larger businesses to reduce their carbon emissions

It was noted the UK Shared Prosperity Funding has enabled additional business support activity and a comprehensive business support offer commissioned by the Council for businesses across the Borough.

With regards to the Growth Board surveys the Group were advised that Growth Board Members, Councillors and 2500 businesses were approached.

The result of responses were 14 responses from existing Growth Board members and Councillors and 69 responses from local businesses, resulting in the following feedback in descending order of priorities:

- Business support (28)
- Inward Investment (12)
- Sustainability/green growth (11)
- Employment and skills (11)
- High Street/town centres (11)
- Other (6)
- Accessibility (4)
- Tourism/place marketing (2)

Other feedback from the surveys included the following:

- Good at bringing organisations together and getting updates on big projects/key priorities in an area
- Need to review strategic objectives
- Need to engage with businesses more

Overall, it was noted the Growth Boards had some value, but based on the identified priorities and considering other areas of work it may be time to reconsider what are the right objectives and membership.

The Service Manager – Economic Growth and Property provided an illustrative example of the preferred option with the Strategic Growth Board overseeing three other threads of Groups/Work:

1. Development Boards at Fairham, Bingham, Newton, Sharphill and Gamston
2. Task and Finish Groups/Work e.g. high street forums, landlord engagement, inward investment, area focused activity
3. Meetings with the 6 largest Town/Parish Councils at Bingham, Cotgrave

Radcliffe on Trent, Ruddington, Keyworth and East Leake and WB local area forum

The Group were advised that the current Growth Boards would no longer meet as outlined above as issues or opportunities arise could be dealt with via more focussed groups for example, the soon to be established Bingham Car Parking Group supported by the Borough Council.

Councillor Wheeler as a member of the West Bridgford Growth Board expressed concern with regards to over ambitious and over promising ideas which were deemed unrealistic, unaffordable or would take a long time to deliver. This was echoed by other members of the Group.

The Group felt the review was taking an improved approach and appeared to be heading in the right direction. Questions were asked about the Council's role and the involvement of Town and Parish Council's and businesses and other private stakeholders. Comments were provided on including smaller parishes in some of the dialogue as these communities are affected by development and growth in their larger neighbouring communities.

The Chair asked whether there is a distinction between housing delivery and economic growth and how this might shape the Growth Board at Fairham which is predominantly housing. Councillor Grocock commented that both housing and economic need to exist within the structure of the Growth Boards, utilising Task and Finish Groups with additional expertise for more narrowed approach on specific tasks.

Members of the Group asked for more clarity around the new Development Boards and Task and Finish Groups and how these are distinguished from each other and where they sit in relation to the Strategic Growth Board. The Service Manager – Economic Growth and Property explained that there would be crossover and some flexibility would be required to respond to particular issues when they arise this could be health, education or parish lead as examples.

In conclusion the Group accepted the options being proposed but wanted the work streams to be clear on what was to be achieved by way of outcomes. The Group suggested more engagement with private external landlords and businesses, also the involvement of ward councillors and parish councillors where applicable.

It was noted that the structure of the Boards, Finish and Task Groups and Town and Parish meetings would be fluid and there is likely to be some cross over of work streams. Most important to the structure was to get the right people around the table to support businesses, growth and local communities.

It was **RESOLVED** that the Growth and development Group

- a) Considered the priorities, contained in the report (paragraph 4.20), for any future Boards and suggest areas of focus and any additional priorities
- b) Based on the preferred option (from paragraph 4.27) set out in the report the Group made a recommendation to Cabinet for the new structure of the

11 **Work Programme**

The Service Manager – Economic Growth and Property presented the Work Programme report which detailed the proposed Growth and development Scrutiny items for 2024. The Group noted that a representative from Nottinghamshire County Council and Severn Trent Water would attend the meeting in January to support the Sewerage Infrastructure and Discharge item.

The Service Manger proposed the infrastructure delivery item and possibly Economic Growth Strategy be discussed at the meeting in March to be discussed and agreed by Corporate Overview Group at its meeting in November.

Councillor Way commented on her visit to Rushcliffe Oaks Crematorium stating how she was apprehensive about the visit but came away with a better knowledge of the facility and expressed what a beautiful place it was and complimented the team. She also encouraged members to go and take a look at the facility for themselves the team would welcome and encourage it.

Councillor Chewings reminded officers of members expectations in respect of Rushcliffe Oaks business plan and the request for clarification on cost by the meeting in July when an update on the facilities progress will be discussed.

It was **RESOLVED** that the Work Programme detailed below be approved by Growth and Development Scrutiny Group.

3 January 2024

- Sewerage Infrastructure and Discharge within Rushcliffe
- Management of Open Spaces
- Work Programme

6 March 2024

- Infrastructure Delivery (TBC by Corporate Overview Group)
- Work Programme

Action Table – 4 October 2023

Min No.	Action	Officer Responsible
9	Member requested further detail in respect of the infrastructure triggers within a development and what measures are in place to track and enforce developers to deliver the infrastructure agreed when the application was approved.	Planning Policy Manager

The meeting closed at 8.57 pm.

CHAIR



Growth and Development Scrutiny Group

Wednesday, 3 January 2024

Management of Open Spaces in New Developments

Report of the Director of Development and Economic Growth

1. Purpose of report

- 1.1. This report sets out the Council's position with regards to the management of open spaces on new developments within the Borough, with a particular focus on concerns reported by Councillors and residents about the practices of private management companies.
- 1.2. The report sets out the issues as the Council understands them and considers what role the Council can play in improving the situation for residents. The report also sets out what is happening nationally to improve management company practices.
- 1.3. This issue was considered by the Growth and Development Scrutiny Group in January 2021 and by Cabinet in March 2021. Cabinet recommended that a letter be written to the Secretary of State highlighting the issues raised. This was done. Cabinet also supported the inclusion of guidance within a Supplementary Planning Document (SPD) to provide consistency to future Open Space schemes. The outcome of this is detailed below in the body of the report.
- 1.4. A presentation will be delivered to the Group to expand on the key elements of this report. In addition, a management company operating in the Borough, Greenbelt, will also be in attendance and will provide a 10-minute presentation setting out their approach to building positive and transparent relationships with their customers.
- 1.5. The matrix prepared for this Scrutiny item can be viewed in Appendix A.

2. Recommendation

It is RECOMMENDED that the Growth and Development Scrutiny Group:

- a) Acknowledges the complexities of the management of open spaces and the multiple factors at play leading to no simple solution;
- b) Accepts the conclusions arrived at in section 5 regarding the financial risks to the Council in pursuing the adoption of open spaces or acting as the management company and supports the conclusion arrived at;

- c) Supports the proposal for the Council to take a more active role working with developers at the Planning stage to establish the Council's expectations regarding the service expected for its residents;
- d) Supports officers continuing to work through the emerging issues with developers, management companies and residents, with the aim of providing greater transparency and governance for future homeowners of new estates, whilst recognising the Council has no authority over the operation of management companies;
- e) Seeks to raise the general issues and concerns raised by residents on new housing estates with developers and management companies to raise the profile of the issues being experienced.

3. Reasons for Recommendation

- 3.1. As set out in the report, the practices of management companies and arrangements for the management of open space on new developments is a cause of concern for some residents and the Council has taken this on board in the thorough review of current practices. Rushcliffe Borough Council is not unique in the way open spaces are managed, with this approach adopted across the country.
- 3.2. The Council has explored a variety of options with regard to the future management of open spaces. Each of those options is detailed in the report, with an explanation as to the benefits and barriers to each.
- 3.3. While the Council historically adopted new open space, due to the increased complexity of open spaces and the risk to the Council's financial position, officers cannot recommend that the Council revert to adopting open spaces.
- 3.4. Since commencing this project, there has been a significant movement nationally to improve management company practices in the form of the forthcoming Leasehold and Freehold Reform Bill and the New Homes Quality Board. However, there is still a role for Rushcliffe to play in working with developers and management companies to promote good practice.
- 3.5. Recommendations c, d and e are supported by an actions table, see Appendix B.

4. Supporting Information

Background

- 4.1. Prior to 2000, the Council adopted all open space on housing developments with no cost to developers or residents of that development.
- 4.2. Between 2000 and 2011, the Council continued to adopt all open space on new housing developments but sought a commuted sum from the developer that covered the first 15 years of the costs associated with the maintenance

and management of the open space. After 15 years, the responsibility became a financial obligation for the Council.

- 4.3. In 2011, in consideration of the financial burden to the Council of increasingly complex and greater quantum of open space and associated infrastructure, the Council changed its position. Since 2011, developers have been required to submit an Open Space Scheme as part of the planning process which requires the method for securing the management and maintenance of the open space by an 'appropriate organisation' and that management and maintenance of the open space should be through a 'management company or by transfer to some other appropriate organisation', with suitable provision for funding the future management and maintenance. This process does not allow for the Council to have a say on who the management company should be. This process is now common practice among Local Authorities.
- 4.4. Since 2011, all new open space constructed as part of new housing developments has been the sole responsibility of the developer to provide, and then inspect and maintain post development. Most developers pass that maintenance responsibility onto a management company with the financial responsibility for paying the management company passed on to the residents of the new developments. Often the developer will retain a Director role on the Board of the management company.
- 4.5. In January 2021, the Council's Growth and Development Scrutiny Group reviewed a report which presented the findings of a review carried out by officers. The review sought to establish how many recently completed developments had a management company maintaining the open space. Fifteen developments were identified that had recently been occupied of a suitable size to require the maintenance of the open spaces and/or play areas and/or drainage facilities on them.
- 4.6. More recently officers have been working to better understand the operating practices of management companies, the concerns of Rushcliffe residents subject to them, the national picture and whether there is a greater role for Rushcliffe to play as part of this.

Residents' Concerns

- 4.7. Concerns have been reported, which can be broadly captured under the following three themes:
 - **Transparency and fairness** – While it appears that most residents are aware of a service charge upon buying their new home, a number have stated that they were not aware of the variety of charges they would be subject to which do not directly relate to the maintenance of open spaces. In some cases, homeowners are charged for external home improvements (e.g. erection of a shed, replacement windows, relaying the driveway). In other cases, permission of the management company is required, along with a fee, when a homeowner re-mortgages or sells their home, as a result of a covenant placed on the house deeds. It has been reported that

on one estate, the developer and management company removed this covenant after repeated requests from residents.

While all of this will have been included in contracts signed by the purchaser, it appears the information is not always presented in a sufficiently transparent and user-friendly way and that solicitors are not drawing attention to these fees and conditions as thoroughly as they could.

In addition, residents have reported dissatisfaction with the detail provided upon billing, with some bills being presented without a satisfactory breakdown of costs.

- **Quality of Maintenance** – A number of residents have reported dissatisfaction with the quality of maintenance work carried out, or reportedly not carried out in some cases. Examples have been shared of poor quality or careless work taking place, and also where work is not taking place in line with the agreed maintenance schedule.
- **Poor customer service with no right to challenge or hold to account** – Reports have been shared of poor customer service with regards to resolving complaints, however more significantly, residents have reported frustration that freeholders do not have the same rights as leaseholders, which means there is currently no access to redress schemes or mechanism for taking a case against a management company to tribunal or an ombudsman.

- 4.8. These concerns and reports are mirrored across the country and are being considered by Government with an intention to legislate to improve homebuyers' experience.

Rushcliffe Powers

- 4.9. From a planning perspective, the Council's powers are limited. As explained above, developers are required to secure the management and maintenance of an open space by an 'appropriate organisation'. This process does not allow for the Council to have a say on who that appropriate organisation should be. With regards to other planning powers, officers have considered the use of planning conditions and obligations.
- 4.10. A local planning authority should only grant permission subject to conditions where those conditions are required to make the development acceptable in planning terms. Most approvals have conditions relating to the time frame to start a development and materials to be used. Conditions must be fair, reasonable and practicable and tailored to tackle specific problems.
- 4.11. A planning obligation is a tool, in the form of a legal agreement otherwise known as a section 106 agreement which commits the developer to specific actions to minimise the impact of the development on the local community eg to carry out tasks which will provide community benefits and can include the payment of sums of money.

- 4.12. It is important to note that with either of these tools, there are tests to be met in order for it to be appropriate for officers/planning committee members to attach either a condition to a permission or impose a contractual requirement on the developer in the section 106 legal agreement. The National Planning Policy Framework makes clear that planning conditions should be kept to a minimum, and only used where they satisfy the following six tests: 1. necessary; 2. relevant to planning; 3. relevant to the development to be permitted; 4. enforceable; 5. precise; and 6. reasonable in all other respects.
- 4.13. It's important to consider how the Council would enforce any lack of compliance with a condition or obligation. The Council would have to pursue prosecution or a court injunction, action which the Council could not undertake lightly. The Council would be required to evidence a breach which would be a significant and costly undertaking which could be deemed disproportionate to the scale of the issue.
- 4.14. Neither conditions nor obligations are currently felt to be appropriate tools to bring to bear in response to concerns about management company practices.

Supplementary Planning Document (SPD)

- 4.15. While the Council's Planning powers are limited, in March 2021 Cabinet took the decision that guidance should be included within a Supplementary Planning Document (SPD) to provide consistency to future open space schemes. The intention is to include appropriate guidance on open space provision, management and maintenance within a Developer Contributions SPD that is currently being prepared.
- 4.16. The SPD's purpose is to provide guidance for the direct provision of, or financial contributions towards, the different types of infrastructure required to support new development and to mitigate its impacts. In addition to open space, the SPD will cover the provision of new education facilities, healthcare facilities, social and local community infrastructure, highways and transport, sports and leisure facilities, flood mitigation and water infrastructure, and Blue and Green Infrastructure. The SPD will add further details to relevant policies already included in the Local Plan and matters over which the Council can control as the Local Planning Authority, as it is restricted by national policy from going any further than this.
- 4.17. The intention is to take a draft of the SPD to the Local Development Framework Group in early 2024 in order for the Group to consider and comment on its contents. Following which, it would be published for a period of statutory public consultation. The draft SPD, including any appropriate post-consultation amendments, would then likely be in a position to go to Cabinet in mid-2024 for it to be considered for adoption. Once adopted, the SPD would be used in the determination of relevant planning applications.

UK Government Position

- 4.18. In 2017, the Government announced an intention to legislate in this area, particularly with regard to freeholder rights.
- 4.19. Leaseholders who pay service charges in England and Wales have a statutory right to challenge unreasonable service charges and the standard of work carried out. Freeholders do not currently have an equivalent statutory right.
- 4.20. In November 2023, the Leasehold and Freehold Reform Bill was introduced to parliament. The Bill seeks to grant freehold homeowners on private estates the same rights of redress as leaseholders by extending equivalent rights to transparency over their estate charges and to challenge the charges they pay by taking a case to a Tribunal, just like existing leaseholders.
- 4.21. In February 2023, the Competition and Markets Authority (CMA), an independent non-ministerial department, launched a market study into housebuilding in England, Scotland and Wales, a significant focus of which has been on private management of public amenities on housing estates. In November 2023 the CMA published for consultation a working paper on this topic. The paper can be viewed here - [CMA market study](#). The goal of the consultation is to provide greater protection to households living under current private management arrangements.
- 4.22. The working paper suggests that emerging concerns could potentially be addressed by one or both of:
- (a) providing greater protection to households living under current private management arrangements; and
 - (b) reducing the prevalence of such arrangements (i.e. adoption by local authorities).
- 4.23. The CMA does acknowledge that: *“Although we consider that reducing the prevalence of private management arrangements would be the most direct route to address the root cause of our emerging concerns, we note that it could have a significant impact on local authority finances and resources at a time when local authority funding is already stretched”* (p75).
- 4.24. With regards to greater protection for households, the CMA suggests that in the complex landscape of *“housebuilders, local authorities, estate management companies, households and the legislative framework underpinning adoption and property law... only government action would enable additional consumer protection measures to be introduced as part of an overall coordinated action plan”* (p10).
- 4.25. The Council submitted a response to this consultation in support of providing greater consumer protection to households. The Council expressed concerns about the adoption of amenities by local authorities, as without additional

long-term funding, the burden is likely to impact on delivery of other services and could lead to severe financial strain. The Council's response did stress the importance of government legislation to regularise the management company market.

5. Options Considered

- 5.1. Any significant changes to management company practices will likely only come as a result of Government intervention. However, the Council is committed to exploring what can be done at a local level to improve the experience for residents affected and what the Council's role might be.

A. RBC Adoption of Open Spaces

- 5.2. Officers have considered whether the Council could reverse its position and revert to adopting public open spaces on new developments. This approach would provide the Council with control over the maintenance of open spaces. Residents would not be required to pay a fee to a management company and would have access to the Council's customer services and complaints procedure, which would likely be an improvement on private management company practices.
- 5.3. As stated above, historically the Council adopted public open spaces with a commuted sum agreed and paid by the developer. This commuted sum was intended to cover maintenance for 15 years, with the financial burden falling on the Council after this.
- 5.4. This commuted sum was calculated based on maintenance of hard and soft landscaping. This did not include a sum for sustainable drainage systems (SuDs), which introduces a significant additional cost and requirement for expertise which the Council does not currently have. This was also at a time when requirements for public open space were less extensive than they are now. National Planning Policy has led to an increase in the overall quantum of open space and complex nature of facilities on new housing estates than historically.
- 5.5. In exploring whether it would be appropriate for the Council to revert to adopting open spaces, officers have considered as an example the commuted sum that would be required were it to adopt the open space at the Fairham Development. Fairham will have 97ha of green infrastructure (excluding play provision, sports pitches, allotments). Based on the previous commuted sum calculation, taking into account the latest RPI index, the sum would be in excess of £11m. This is without the additional costs for watercourses and paths which would increase it further. This would be intended to cover maintenance for 15 years, after which time the Council would be responsible for maintenance which would present a significant financial liability.
- 5.6. To illustrate the challenge of raising the funds to be able to maintain public open space at Fairham once the commuted sum had run out – in 2022/23 if the Council were to raise Council Tax by 1%, this would generate an

additional income of approximately £77k pa. In order to maintain Fairham open space, the Council would need to generate approximately 10 times that sum. And this is just one example of the developments that are being completed across the borough.

- 5.7. It is important to note that while Fairham is currently the largest development forthcoming, Gamston SUE delivers a greater number of houses and combined, they only represent 50% of the housing growth expected across the borough by 2041. If the Council changed its position, it is difficult to see how this could be affordable.
- 5.8. The commuted sum for a smaller development of 180 homes would be in excess of £400,000. As above, this figure does not account for play provision, sports pitches or allotments, which would add additional cost.
- 5.9. It is important to note that the Council's commuted sum calculation is based on figures from when the Council did formerly adopt open spaces. Although the calculation does allow for RPI, it would need to be revised fully were the Council to decide to revert to adopting public space to allow for, among many things, the increased complexity of managing open spaces beyond grass cutting and hedge trimming, staffing and training costs associated with establishing a suitably qualified team. It's safe to say the above quoted numbers are a best-case scenario.
- 5.10. If the Council did decide to adopt open space, developers currently would be under no obligation to agree to this arrangement. Given that developers would be required to produce a significant commuted sum, it is unlikely that they would be willing to enter into an arrangement with the Council when they could hand the land over to a management company at no cost to the developer. Were the developer to agree to a commuted sum, it would affect viability of the scheme, offsetting other obligations, such as s106 and CIL contributions and affordable housing numbers being reduced.
- 5.11. As referenced at 5.4, the complexity of open spaces is far greater than maintaining soft landscaping and it would not be appropriate for the Council to consider accepting responsibility for key infrastructure that would better sit with other agencies, e.g., Local Lead Flood Authority, Severn Trent Water, NCC Highways.

RBC Establishing a Management Company or New In-house Department

- 5.12. Officers have considered whether RBC could adopt public open spaces on new developments by establishing its own management company or creating a new in-house service.
- 5.13. The Council could consider establishing its own management company to take on open space from developers. This model would remove the requirement for a commuted sum, as the Council would charge residents directly (as management companies currently do).

- 5.14. This approach would provide the Council with control over the maintenance of open spaces and also billing. This would also provide residents with access to the Council's customer services and complaints procedure, which would likely be an improvement on private management company practices.
- 5.15. Setting up a company would involve additional administration and cost in having a company structure and it being integrated as part of the Council's accounts and recruitment of appropriately skilled staff. Streetwise as a company and now in-house service has demonstrated the challenges of creating an appropriately skilled workforce to deliver services.
- 5.16. Streetwise Environmental Ltd was dissolved as a company and returned to an in-house model of delivery by the Council in September 2022. Many factors contributed to this decision, but a significant consideration was a number of high-profile reports into Council-owned companies which gave rise to concern in government and the Chartered Institute of Public Finance Accountants (CIPFA) regarding the risks that council-owned companies can pose to the stability of a local authority. For example, Croydon and Slough are two councils where company failings were factors that contributed towards the issuing of s114 Notices. Whilst the Council is not in the same position as these authorities, these reports led to a shift in approach to local authority commercialisation and a change to CIPFA guidance which contributed to the decision to dissolve the company.
- 5.17. Management companies operate nationally and therefore benefit from economies of scale, unlikely to be accessible to a Council company or internal department. The Council would incur additional costs in establishing a company and due to the scale is likely to be more expensive to operate than the private sector. This could be balanced if the company did not seek to generate a profit. It's unlikely this model will provide a cost saving to residents, either for a company structure or internal department and this is provided in more detail later in the report.
- 5.18. The Council would have to accept the inherent financial risks involved with running a company, which would effectively result in transferring the risk from the private sector to the RBC taxpayer.
- 5.19. As with the above option, if the Council did decide to adopt open spaces, whether as an inhouse service or a management company, developers currently would be under no obligation to enter into an agreement with the Council. The Council would need to demonstrate that it had the skills and resources in place to maintain the open spaces to the required standard. The developer is likely to conduct a procurement exercise, so the Council would have to be competitive on price.
- 5.20. Some of the disadvantages would fall away if the Council created a new in-house department, such as the risks of creating a new company outlined above, along with the financial and administrative burden. And there are clear benefits, such as creating robust governance arrangements and a fair approach to extra charges. Whilst some risks fall away, others remain, such

as shifting the financial burden from the private sector to the Council. The non-recovery of fees, which could be over £2m pa poses a significant risk. In context, this is more than the income received from the Council's property portfolio.

- 5.21. As explained above, an old method of calculation has been used to provide a working example of the required commuted sum for Fairham for open space maintenance. This breaks back to £250 payable per household per year. However, this does not include the cost to maintain SuDS, watercourses, paths, play areas, allotments or woodlands, as the Council has historically not maintained these things. It has not been possible to calculate these elements for a variety of reasons, including not having a specification to review nor means to accurately assess the costs, not just for calculating the resources that would be required to carry out the works, but also the cost to establish this new department, the skilled workforce recruitment, purchase of appropriate equipment and premises location search and cost (Streetwise's depot is unlikely to be large enough to cater for the additional requirements). It's therefore likely that the costs incurred by the Council would lead to a higher recharge cost than most residents are currently charged, as it is likely to be significantly higher than the £250pa estimate calculated for Fairham. Anecdotally, one management company has told the Council their average bill to residents across the country is circa £260 pa.
- 5.22. The alternative to only charging the residents on new housing estates would be to redistribute the cost across the borough, this would in effect at least double most residents' Council Tax Contribution for borough services (which is currently just under 7% of the total council tax bill).
- 5.23. On balance, it's difficult to conclude that the Council should pursue setting up a company or inhouse department to deliver the function of the management company. Although there are very clear advantages to the residents in ensuring proper governance, quality of work, transparent costs and a clearly defined complaints procedure, the financial risk is too significant to ignore or suggest outweighs the benefits.

Alternative role for RBC

- 5.24. Consideration has been given to where the Council might more effectively use its influence to improve the situation for residents, where it lacks planning powers, or the finances to take a more active approach.
- 5.25. Officers have met with both management companies and developers this year to better understand their perspective in relation to the concerns raised by residents. This has been a constructive experience, with management companies and developers alike both keen to build good relationships with the Council and our residents to ensure they have a positive experience in their new homes.
- 5.26. Officers have been pleased to learn that the majority of developers are registered with The New Homes Quality Board (NHQB), an independent body

set up to create a framework to ensure new homes are built to a high standard and good customer service is provided by developers. Registered Developers agree to follow the New Homes Quality Code (NHQC) and to be subject to a New Homes Ombudsman Scheme. The NHQC replaces the previous Consumer Code for Home Builders and has a new emphasis on after-sales service for two years after a home is purchased. The NHQC is particularly relevant to transparency of estate management arrangements. Under the NHQC developers are required to:

- In describing the new home, properly inform and not mislead consumers including in relation to management services and service charges and any agreements or restrictions that may affect the consumer if they want to sell the property in future.
- Provide an affordability schedule of any costs that are likely to be directly associated with the tenure and management of the new home over the 10 years following the sale, and which the developer can reasonably be expected to be aware of. This information should bring to the customer's attention any service charges that may increase or be charged in the future as more facilities become available or sinking fund charges that may be introduced for repairs or maintenance.

5.27. While non-statutory, 90% of all large and medium housebuilders are signed up, and up to the 80% of all new builds in England, Scotland and Wales will be delivered under the requirements of the NHQC. By signing up to the Code, developers are also signing up to the New Homes Ombudsman Service – a new route for disputes.

5.28. The protections set out under the NHQC go a long way to addressing concerns raised from residents about transparency and access to an ombudsman service. The Council will be speaking to developers at planning stage and encouraging them to register with NHQB if they are not already.

5.29. As a result of this scrutiny project, the Council recognises historic practices in relation to management charges has been a mixed picture, with some poor services being delivered. The Council intends to work more proactively with developers and management companies at a much earlier stage than has been done historically, to establish our expectations regarding the service expected for our residents to receive. With regards to the Fairham development, the primary management company (subject to signing of contracts) has already accepted the Council's invitation to join the Fairham Growth Board. This will ensure that the Council can work collaboratively with the management company to ensure the best possible arrangement for residents. The Council will also be able to use its communication channels to improve residents' awareness of the arrangements and their obligations before they purchase their new home at Fairham. The management company for the Bingham development will also be invited to join the Bingham Development and Community Board.

5.30. While not all developments have growth/development boards, the Council intends to establish a similar approach for future developments; working

positively with developers and management companies at the outset rather than retrospectively.

- 5.31. Where the Council builds positive relationships with a management company in the context of a new development, it would expect to see benefit and improved service for existing Rushcliffe developments within their portfolio.
- 5.32. With regard to the concerns raised by existing residents, the Council intends to work with developers and management companies to highlight the issues that are being raised in order to seek better services for residents. Lessons can and are being learned from experiences across the borough where management companies have been in place for longer.
- 5.33. Appendix B highlights proposed actions the Council is looking to progress in the next phase of this project to seek to support the recommendations of this report.

Conclusions

- 5.34. Concerns around the management of public open spaces on new developments have been reported to the Council in recent years. It appears that the service received by residents is a mixed bag, although where issues have been reported, it is clear that they are having a significant impact on individuals.
- 5.35. This is a subject that is also being considered nationally. The Leasehold and Freehold Reform Bill clearly sets out an intention to legislate to provide freeholders on new estates greater powers and protections which would address many of the concerns reported by Rushcliffe residents.
- 5.36. Government has also indicated that the Levelling Up and Regeneration Act will address regulating the management company industry and the Council has responded to the recent CMA consultation that this is now imperative.
- 5.37. Whilst regulation and legislation need to come from Central Government, through undertaking this scrutiny project, the Council recognises it has a role in improving outcomes locally. Whilst the recommendations do not support the Council adopting open space at this time, it is clear the Council can play a much more active role at the outset of proposed developments to influence and encourage management companies to adopt fair and transparent processes and arrangements. Encouraging developers to register with NHQB will be a key part of this, as will encouraging management companies to join relevant development boards and forums, such as the Fairham Growth Board.
- 5.38. With regard to existing residents, the Council can raise the concerns to the developers and management companies in order to seek a better service for these residents.
- 5.39. Officers are continuing to work to understand exactly what the Council's role can be moving forward and what can be done locally to have the most impact

for residents. The recommendations set out in the report give a clear sense of the direction of travel, but there is clearly much more work to be done to determine what precise actions the Council will be taking. A number of actions have been set out in appendix B which give a high-level overview of the work that officers will be carrying out over the next 12 months. The scope of work will continue to grow and evolve as officers work more closely with developers and management companies and as greater changes occur nationally.

6. Risks and Uncertainties

- 6.1. The risks to the Council setting up a company or in-house department to act as the management company has been set out in the body of the report. Similarly, the financial risks of adopting the open spaces and infrastructure with a commuted sum. Due to the level of risk, these options have not been recommended.
- 6.2. Taking an approach to work with parties involved to improve the future arrangement of management companies aims to improve the outcome for residents. The risk to the Council of becoming more involved in a matter which is technically not its responsibility, is managing expectations in how much the Council can influence going forward and retrospectively.

7. Implications

7.1. Financial Implications

Given the information contained within the report (particularly paragraphs 5.2 to 5.23) the Council's S151 Officer cannot currently support the Council pursuing the adoption of open spaces with a commuted sum, nor setting up a company or new inhouse department to manage the open spaces of new developments due to the significant financial and operational risks they pose to the Council.

7.2. Legal Implications

The recommendations do not have any known legal implications.

7.3. Equalities Implications

The recommendation aims to improve the experience of new home owners in relation to management companies.

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

Not applicable.

7.5. Biodiversity Net Gain Implications

Not applicable.

8. Link to Corporate Priorities

The Environment	Well-managed open spaces on new developments have a positive impact on the environment, increasing the amount of green space in the Borough and improving biodiversity.
Quality of Life	The improvement in management company practices will have a significant positive impact of the quality of life of Rushcliffe residents living on new estates.
Efficient Services	Were the Council to adopt open spaces, this would have a significant impact on the Council's ability to deliver efficient services. By taking a more active role in working with developers and management companies, the Council will work to improve the experience for our residents without impacting on existing Council services.
Sustainable Growth	Ensuring the management companies operate fairly and transparently on new development is key to our commitment to sustainable growth.

9. Recommendations

It is RECOMMENDED that the Growth and Development Scrutiny Group:

- a) Acknowledges the complexities of the management of open spaces and the multiple factors at play leading to no simple solution;
- b) Accepts the conclusions arrived at in section 5 regarding the financial risks to the Council in pursuing the adoption of open spaces or acting as the management company and supports the conclusion arrived at;
- c) Supports the proposal for the Council to take a more active role working with developers at the Planning stage to establish the Council's expectations regarding the service expected for its residents;
- d) Supports officers continuing to work through the emerging issues with developers, management companies and residents, with the aim of providing greater transparency and governance for future homeowners of new estates, whilst recognising the Council has no authority over the operation of management companies;
- e) Seeks to raise the general issues and concerns raised by residents on new housing estates with developers and management companies to raise the profile of the issues being experienced.

For more information contact:	Leanne Ashmore Director of Development and Economic Growth lashmore@rushcliffe.gov.uk 0115 914 8578
Background papers available for Inspection:	Growth and Development Scrutiny Group - Jan 2021 - Management of Open Spaces in New Developments Cabinet - March 2021 - Management of Open Spaces in New Developments
List of appendices:	Appendix A – Scrutiny Matrix, Management of Open Spaces Appendix B – 2024 Actions

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Rushcliffe Borough Council – Scrutiny Matrix

Councillor Request for Scrutiny	
Councillor C Thomas in conjunction with officers following a motion at Council	
Proposed topic of scrutiny	Management of open spaces within new developments
I would like to understand (key lines of enquiry)	<p>There is concern from Councillors about the current arrangements for the management of Open Spaces within new housing developments. This has been considered by Growth and Development scrutiny but based on recent concerns raised it is time to review this again. Concerns include:</p> <ul style="list-style-type: none"> • Lack of consistency with regards to resident fees for maintaining open spaces • Lack of control over fee inflation year on year. • Concern over the perceived fairness of residents paying for the maintenance for public spaces, accessible to everyone. <p>Councillors would therefore like to understand:</p> <ul style="list-style-type: none"> • The current position in Rushcliffe with regards to management of open spaces within new housing developments. Including where there is good practice/frameworks in place. • The scope of 'open spaces' within new housing developments e.g. private gardens, parks, allotments. • The current government legislation with regards to open spaces within new housing development and the associated fees levied on residents. • Understanding what, if anything, other local authorities do. • Is there a role for Council with regards to Management of open spaces within new

	developments and what the implications of that are?
I think this topic should be scrutinised because (please tick)	<input type="checkbox"/> Poor Performance Identified
	<input type="checkbox"/> Change in Legislation or Local Policy
	<input checked="" type="checkbox"/> Resident Concern or Interest
	<input type="checkbox"/> Cabinet Recommendation
	<input type="checkbox"/> Links to the Corporate Strategy
	<input type="checkbox"/> Other (please state reason)

Officer Consideration of Councillor Request for Scrutiny

Officer Feedback (please tick)

- Issue already being addressed	<input checked="" type="checkbox"/>	Issue of a complaint investigation	<input checked="" type="checkbox"/>
- Issue has already been considered in the last 2 years?	<input checked="" type="checkbox"/>	Issue is a staffing matter	<input checked="" type="checkbox"/>
- Issue is a legal matter	<input checked="" type="checkbox"/>	There is an alternative way of dealing with the issue	<input checked="" type="checkbox"/>
Is there sufficient capacity ...			
- Scrutiny Work Programme?	<input checked="" type="checkbox"/>		
- Officer Resources?	<input checked="" type="checkbox"/>		
Recommendation	Schedule for scrutiny		

Consideration of Request for Scrutiny at COG

Public Involvement / engagement?	
Expert witnesses?	
Portfolio holder?	
Lead Officer?	Leanne Ashmore
Proposed Timescale for Scrutiny and Scrutiny Group	January 2024 – Growth and Development Scrutiny Group

Action	Comments
<p>Officers to develop a Supplementary Planning Document, which will include guidance on open space provision, management and maintenance.</p>	<p>Draft of the SPD to be reviewed by the Local Development Framework Group in early 2024.</p> <p>The draft SPD will then be published for a period of statutory public consultation. Draft SPD, including any appropriate post-consultation amendments, would then likely be in a position to go to Cabinet in mid-2024 for it to be considered for adoption. Once adopted, the SPD would be used in the determination of relevant planning applications.</p>
<p>Officers to look into developing a 'Good Practice Code', which developers could be asked to sign up to. This would set out the Council's expectations around the developer's appointment of an appropriate management company.</p>	<p>While the NHQC serves this purpose, Officers can explore whether there is value in creating a local code which reinforces the NHQC and adds additional expectations based on the experiences which have been reported to Officers e.g. extraneous fees unrelated to the management of open spaces. The Council will not be able to insist that developers sign up to a code and would not be able to refuse Planning Permission on this basis, but developers would be expected to explain if they were unwilling to sign.</p>
<p>Management companies to be invited to join Growth/Development Boards.</p>	<p>This has already taken place for the Fairham and Bingham Developments. The relevant management companies will join the development boards, ensuring that RBC can establish expectations at an early stage and hold management companies to account more effectively moving forward.</p> <p>Where Growth/Development Boards are not in place, Officers will engage relevant management companies at the earliest opportunity to build positive relationships and establish expectations.</p>
<p>The Council to make contact with management companies on behalf of existing residents' groups with concerns or disputes, and where appropriate convene a meeting with a view to achieving positive resolution.</p>	<p>There is activity happening nationally and locally which is expected to improve the situation significantly for house buyers moving forward. However it is clear that there have been historic issues which may not necessarily be addressed or resolved.</p> <p>The Council cannot commit to acting as an advocate for residents on an individual case by case basis. However, the Council can seek to make contact with management companies on behalf of residents' groups representing estates, and convene a meeting with resident representatives and management company representatives to try and resolve historic issues.</p>

<p>The Council to make contact with other agencies e.g. Nottinghamshire County Council in their role as Highways and Local Flood Authority</p>	<p>While the terms 'open spaces' is used throughout the report, the spaces referred to include not only green open space, but also hard surfaces, footpaths, waterways, sustainable drainage systems and other infrastructure.</p> <p>There is clearly a role for other agencies and authorities to be working collaboratively with the Council to advocate for best practice in the management and maintenance of relevant infrastructure.</p>
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Growth and Development Scrutiny Group

Wednesday, 3 January 2024

Sewerage Infrastructure and Discharge within Rushcliffe

Report of the Director – Neighbourhoods

1. Purpose of report

- 1.1. At Growth and Development Scrutiny in September 2022, representatives from Severn Trent Water and the Environment Agency attended to inform Councillors about their respective roles and how they worked with relevant departments at the Borough Council on sewage infrastructure and discharge.
- 1.2. At that meeting it was resolved that further scrutiny related to the issue be brought back to a future meeting of the Group. Councillors were particularly interested in the role that Nottinghamshire County Council plays as Lead Local Flood Authority.
- 1.3. Councillors were also interested to obtain a response from Severn Trent Water and the Environment Agency on the request to establish an action plan for preventative measures in respect of new developments to assist Officers and Councillors when applying conditions to planning applications. An Officer from the Environment Agency will attend the meeting to provide an update. Despite numerous attempts no response has been received from Severn Trent Water to requests to attend the meeting.

2. Recommendation

It is RECOMMENDED that the Growth and Development Scrutiny Group:

- a) review the scrutiny matrix and notes of the previous meeting (21 September 2022) and ask questions of the expert witnesses
- b) identify if there are any areas where further work or further updates are required e.g. communications or engagement between organisations.

3. Reasons for Recommendation

- 3.1. The purpose of the report and supporting presentation from Nottinghamshire County Council is to support the Group in their understanding of the role of different organisations in relation to sewage infrastructure and discharge and planning for the growth of the Borough. This will enable Councillors to better respond to residents' concerns and questions on this issue, and to identify areas where further work is required.

4. Supporting Information

- 4.1. As outlined in the scrutiny matrix (Appendix A), and in previous discussions at scrutiny in September 2022, Councillors are concerned about sewage infrastructure and unlawful discharges in the Borough, and the impact on the environment, humans and wildlife locally. At the meeting in September 2022, Councillors heard from Severn Trent Water (STW) and the Environment Agency (EA) on:
- Both agencies role in relation to strategic planning and planning
 - Overview of the sewage system
 - The role and responsibilities of each organisation
 - STW Drainage and Wastewater Management Plan (published in December 2022).
- 4.2. During discussions at the meeting Councillors raised concerns in respect of surface water flooding, and the relationship between the water authority, the Environment Agency and the local flood authority. It was therefore identified that as the lead local flood authority, Councillors would like to invite Nottinghamshire County Council to attend a meeting of the Group, to provide an overview of their role with regard to Sewerage Infrastructure and Discharge within Rushcliffe and to set out their relevant plans for the coming year. Officers from Nottinghamshire County Council will be at the meeting in January 2024 and will be delivering a presentation for Councillors.
- 4.3. Officers from the Environment Agency will attend the meeting to provide an update since the last meeting and to share an overview of their recently published Adaptive Investment for Growth document.
- 4.4. Councillors also noted problems with public access to information and being able to report areas of concern and flood occurrences. STW and EA both identified that this can be complex however it was identified that if more information was publicly available Councillors would be in a better position to provide advice. STW and EA were keen that concerns from residents continue to get reported to them so they are able to respond as required but agreed that more publicly available data may assist with awareness and when to report.
- 4.5. Following the meeting, to highlight the above concerns, a letter was sent to STW and EA which requested that an action plan for preventative measures in respect of new developments be developed, which would assist Officers and Councillors when applying conditions to planning applications. To date no response has been received to the letter and Severn Trent Water were also invited to the meeting in January but have yet to respond to these requests.

5. Risks and Uncertainties

- 5.1. There are no risks associated with this report and presentation as it is for Councillors information to support understanding of the role of the Lead Local Flood Authority.

6. Implications

6.1. Financial Implications

6.1.1. There are no financial implications associated with this report.

6.2. Legal Implications

6.2.1. There are no legal implications associated with this report.

6.3. Equalities Implications

6.3.1. There are no equalities implications associated with this report.

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

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

6.5. Biodiversity Net Gain Implications

6.5.1. There are no biodiversity net gain implications associated with this report.

7. Link to Corporate Priorities

Quality of Life	Having the right infrastructure in place for our local communities and businesses is important to support their quality of life.
Efficient Services	It is important to understand the role of different agencies to ensure the Council is working effectively with partners to deliver efficient services to residents.
Sustainable Growth	The Borough is accommodating a lot of housing growth and this has an impact on the capacity of all infrastructure. It is important to ensure the right processes and solutions are in place to respond to this growth.
The Environment	The requirements for sewage and infrastructure in the Borough are impacted by changes in the climate and these need to be considered as part of plans for the future and new developments in the Borough.

8. Recommendations

It is RECOMMENDED that the Growth and Development Scrutiny Group:

- a) review the scrutiny matrix and notes of the previous meeting (21 September 2022) and ask questions of the expert witnesses
- b) identify if there are any areas where further work or further updates are required e.g. communications or engagement between organisations.

For more information contact:	Dave Banks Director Neighbourhoods dbanks@rushcliffe.gov.uk
Background papers available for Inspection:	Sewage infrastructure and discharge report to Growth and Development Scrutiny Committee – 21 September 2022 Minutes of Growth and Development Scrutiny Committee – 21 September 2022
List of appendices:	Appendix A: Scrutiny Matrix

Rushcliffe Borough Council – Scrutiny Matrix

Councillor Request for Scrutiny		
Councillors Barney, Brennan, Clarke, Combellack, Dickman, and Upton		
Proposed topic of scrutiny ...	Sewerage Infrastructure and Discharge within Rushcliffe	
I would like to understand ... (key lines of enquiry)	<p>Councillors are concerned about sewage infrastructure and unlawful discharges in the Borough and the impact on the environment, humans and wildlife locally.</p> <p>Councillors need to be in a position to reassure residents that sewage is fully treated before any discharge to water courses; a better understanding of the sewage system and controls within the Borough and how the situation can be addressed would therefore be helpful.</p> <p>At Growth and Development Scrutiny in September 2022, representatives from Severn Trent Water and the Environment Agency attended to inform Councillors about the situation in Rushcliffe regarding sewage infrastructure and unlawful discharges and their respective roles. At that meeting it was resolved that further scrutiny, related to the issue be brought back to a future meeting of the committee.</p> <p>As the lead local flood authority, Councillors would like to invite Nottinghamshire County Council to attend a meeting of the committee, to provide an overview of their role with regards to Sewerage Infrastructure and Discharge within Rushcliffe and to set out their relevant plans for the coming year.</p>	
I think this topic should be scrutinised because ... (please tick)	<input type="checkbox"/>	Poor Performance Identified
	<input type="checkbox"/>	Change in Legislation or Local Policy
	<input checked="" type="checkbox"/>	Resident Concern or Interest
	<input type="checkbox"/>	Cabinet Recommendation
	<input type="checkbox"/>	Links to the Corporate Strategy
	<input type="checkbox"/>	Other (please state reason)

Officer Consideration of Councillor Request for Scrutiny		
Officer Feedback (please tick)		Officer Comment
- Issue already being addressed	x	
- Issue has already been considered in the last 2 years?	✓	
- Issue is a legal matter	x	
- Issue of a complaint investigation	x	
- Issue is a staffing matter	x	
- There is an alternative way of dealing with the issue	x	
Is there sufficient capacity ...		
- Scrutiny Work Programme?	✓	
- Officer Resources?	✓	
Recommendation	Growth and Development Scrutiny Group	
Lead Officer	Catherine Evans	
Proposed Timescale for Scrutiny and Scrutiny Group	January 2024	

 <p>Rushcliffe Borough Council</p>	<p>Growth and Development Scrutiny Group</p> <p>Wednesday, 3 January 2024</p> <p>Work Programme</p>
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Report of the Director of Finance and Corporate Services

1. Summary

- 1.1. The work programme is a standing item for discussion at each meeting of the Communities Scrutiny Group. In determining the proposed work programme due regard has been given to matters usually reported to the Group and the timing of issues to ensure best fit within the Council's decision making process.
- 1.2. The table does not take into account any items that need to be considered by the Group as special items. These may occur, for example, through changes required to the Constitution or financial regulations, which have an impact on the internal controls of the Council.
- 1.3. The future work programme was updated and agreed at the meeting of the Corporate Overview Group on 5 September 2023, including any items raised via the scrutiny matrix.

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.

6 March 2024

- Connectivity and Communications
- Work Programme

xx July 2024

- Review of the Crematorium
- Work Programme

xx October 2024

- Infrastructure Delivery
- Work Programme

3. Reason for Recommendation

To enable the Council's scrutiny arrangements to operate efficiently and effectively.

For more information contact:	Pete Linfield Director of Finance and Corporate Services 0115 914 8349 plinfield@rushcliffe.gov.uk
Background papers Available for Inspection:	None.
List of appendices (if any):	None.