

Date: 5 December 2016

Dear Sir/Madam,

**COUNCIL MEETING – 13 DECEMBER 2016**

Notice is hereby given that a meeting of the Newark and Sherwood District Council will be held in the Council Chamber, Kelham Hall on Tuesday, 13 December 2016 at 6.00pm.

Yours faithfully



A.W. Muter  
Chief Executive

**AGENDA**

**Pages**

- |    |  |        |
|----|--|--------|
| 1. | Apologies for absence  |        |
| 2. | Minutes of the Meeting held on 11 October 2016   | 3 - 11 |
| 3. | Declarations of Interests by Members and Officers  |        |
| 4. | Declaration of any Intentions to Record the Meeting  |        |
| 5. | Communications which the Chairman or the Chief Executive may wish to lay before the Council              |        |
| 6. | Communications which the Leader of the Council and Committee Chairmen may wish to lay before the Council |        |
| 7. | Questions from Members of the Public   |        |
| 8. | In accordance with Rule No. 10 to receive Petitions from Members of the Council (if any)                 |        |

|     |  |         |
|-----|--|---------|
| 9.  | Proposed Changes to the Constitution             | 12 - 14 |
| 10. | Appointment of Representatives on Outside Bodies | 15      |
| 11. | Schedule of Meetings for 2017/18                 | 16 - 21 |
| 12. | Localised Council Tax Support Scheme 2017/18     | 22 - 23 |
| 13. | Notices of Motion (if any)                       |         |
| 14. | Questions from Members of the Council            |         |

MINUTES FOR NOTING

|     |   |                                |
|-----|---|--------------------------------|
| 15. | (a) Policy & Finance Committee – 1 December 2016      | 24 - 32<br>(exempts - removed) |
|     | (b) Economic Development Committee – 23 November 2016 | 37 - 40                        |
|     | (c) Homes & Communities Committee – 7 November 2016   | 41 - 46                        |
|     | (d) Leisure & Environment – 15 November 2016          | 47 - 52                        |
|     | (e) General Purposes Committee – 24 November 2016     | 53 - 56<br>(exempts - removed) |
|     | (f) Licensing Committee – 24 November 2016            | 59 - 60                        |
|     | (g) Planning Committee                                |                                |
|     | (i) 1 November 2016                                   | 61 - 64                        |
|     | (ii) 6 December 2016                                  | 65 - 70                        |
|     | (h) Audit & Accounts Committee – 30 November 2016     | 71 - 75                        |
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NOTES:

- (1) The Conservative Group will meet at 5.00pm in Room G21 prior to the Council Meeting.
- (2) The Labour Group will meet at 5.00pm in Room G23 prior to the Council Meeting.
- (3) The Independent Group will meet at 5.00pm in Room F19 prior to the Council Meeting.
- (4) Tea and coffee will be available in the Group Meeting Rooms.

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **NEWARK & SHERWOOD DISTRICT COUNCIL** held in the Council Chamber, Kelham Hall, Newark on Tuesday 11 October 2016 at 6.00pm.

**PRESENT:** Councillor A.C. Roberts (Chairman)  
Councillor Mrs L.M.J. Tift (Vice-Chairman)

Councillors: Mrs K. Arnold, D. Batey, R.V. Blaney, Mrs B.M. Brooks, Mrs C. Brooks, Mrs I. Brown, M. Buttery, M. Cope, Mrs R. Crowe, R.A. Crowe, Mrs G.E. Dawn, Mrs M. Dobson, P.C. Duncan, K. Girling, G.P. Handley, Mrs L. Hurst, R.J. Jackson, R.B. Laughton, J. Lee, D.J. Lloyd, Mrs S.M. Michael, N. Mison, D.R Payne, P. Peacock, Mrs P. Rainbow, Mrs S.E. Saddington, D. Staples, F. Taylor, Mrs A.A. Truswell, I. Walker, K. Walker, B. Wells and T. Wendels.

**APOLOGIES FOR ABSENCE:** Councillors: D.J. Clarke, Mrs S. Soar, and Mrs Y. Woodhead. There were also apologies for late arrival from Councillors F. Taylor and Mrs A.A. Truswell.

The Chairman welcomed Councillor Mrs L. Hurst on to the Council following her by-election success on 21 July 2016.

30. MINUTES

**AGREED** that the minutes of the Meeting held on 12 July 2016 be approved as a correct record and signed by the Chairman.

31. DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

**NOTED:-** (a) the list of interests declared as shown in the schedule circulated at the meeting; and  
(b) the additional interest which was declared at the meeting as follows:-

| <u>Member</u>            | <u>Agenda Item No.</u>  |
|--------------------------|---|
| Councillor R.B. Laughton | Agenda Item No. 17(g)(ii) – Delegated Decisions – Planning Committee – 6 September 2016 – Minute No. 77 – Site at Springfield Bungalow, Nottingham Road, Southwell (15/01295/FULM) – Non disclosable pecuniary interest, as the applicant was known to him. |

32. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

Other than the Council recording in accordance with usual practice, there were no declarations of intention to record the meeting.

### 33. COMMUNICATIONS FROM THE CHAIRMAN AND CHIEF EXECUTIVE

The Chairman reminded Members that responses were still required for attendance at the Civic Service in Newark on Sunday, 16 October 2016. In addition the Chairman advised that he was seeking sponsorship for Children in Need for spending 8 hours overnight in the Undercroft at Newark Castle.

### 34. POLITICAL COMPOSITION OF THE COUNCIL AND ALLOCATION OF SEATS ON COMMITTEES TO POLITICAL GROUPS

The Council considered the report of the Chief Executive regarding the allocation of seats on Committees to Political Groups, as required by Council Procedure Rule No. 17.6. The allocation of seats to Committees was last considered at the Annual Meeting held on 17 May 2016. The allocation at that time was based on 38 Members given there was one vacancy. Following the District Ward by-election for the Balderton South Ward on 21 July 2016 a further allocation of seats was required.

The effect of the revised allocation of seats to each political group was that the Conservative Group took one seat from the Independent Group. It was proposed that this change be on the Mansfield and District Crematorium Joint Committee. This was reflected in the revised matrix which was attached as Appendix A to the report.

Given there had been a change in the political composition of the Council the political groups were invited to propose any changes in committee membership. These changes, which included changes to appointments within the Labour Group, were circulated at the meeting.

AGREED (unanimously) that:

- (a) the allocation of seats to political groups in accordance with Appendix A to the report be approved; and
- (b) the changes in appointments and committee membership, as circulated at the meeting, be approved.

(The revised appointments and committee memberships are attached as Appendix A to these minutes.)

### 35. APPOINTMENTS OF REPRESENTATIVE ON OUTSIDE BODIES

The Council considered the report of the Chief Executive which sought to change one District Council nomination on the Newark & Sherwood Health Forum. At the Council Meeting on 12 July 2016, Councillors Mrs Michael, Mison and Staples were all appointed to the Newark & Sherwood Health Forum. Following the Balderton South by-election the Conservative Group indicated that they wished to change one of their nominations on the Forum. It was proposed that Councillor Mrs L. Hurst replace Councillor Mrs S. Michael.

AGREED (unanimously) that Councillor Mrs L. Hurst replaces Councillors Mrs. S. Michael as one of the Council's representatives on the Newark and Sherwood Health Forum.

### 36. APPOINTMENT OF EXTERNAL AUDITORS

The Council considered the report of the Chief Executive which summarised the changes to the arrangements for appointing External Auditors following the closure of the Audit Commission and the end of the transitional arrangements at the conclusion of the 2017/18 audits.

The Council were required to consider the options available and put in place new arrangements in time to make a first appointment by 31 December 2017. The three options put to the Council were to make a stand alone appointment, set up a Joint Auditor Panel/Local Joint Procurement Arrangements, or to opt into a sector led body. The report recommended the Council opt into a Sector Led Body (SLB) appointed by the Secretary of State. It was considered that opting-in to a national SLB provided maximum opportunity to limit the extent of any increases in audit fees by entering in to a large scale collective procurement arrangement and would remove the majority of the costs of establishing an auditor panel.

AGREED (unanimously) that the Council opt into the National Appointment Arrangements with Public Sector Audit Appointments Limited, the transitional body set up by the Local Government Association.

(Councillor Mrs A.A. Truswell entered the meeting at this point).

### 37. ANNUAL TREASURY REPORT 2015/16

The Council considered the report of the Business Manager and Chief Financial Officer-Financial Services which provided a summary of the treasury management during 2015/16 in accordance with CIPFA requirements. The report confirmed that the Council had complied with its Prudential Indicators for 2015/16 and its Treasury Management Policy Statement and Treasury Management Practices.

AGREED (unanimously) that the Treasury outturn position for 2015/16 be noted.

(Councillor F. Taylor entered the meeting at this point).

### 38. CONTRACT PROCEDURE RULES

The Council considered the report of the Director - Safety which sought approval of revisions to the Council's Contract Procedure Rules (CPRs). The Council adopted its current CPRs in October 2013 and only minor amendments had been made in the interim. The CPRs had been fully reviewed and updated to cover changes introduced by the Public Contracts Regulations 2015 and to address recommendations made by Internal Audit following recent procurement audits. Furthermore, as the Council moves towards being more risk aware than adverse, consideration had been given to making the CPRs less restrictive by introducing an element of flexibility whilst maintaining adequate checks and balances. The key amendments to the CPRs were highlighted in the report. The revised CPR's were attached as an appendix to the report.

The Policy and Finance Committee reviewed the proposed revisions to the CPRs at their meeting held on 22 September 2016 and recommended that Council approve these with an appropriate framework for review.

AGREED (unanimously) that:

- (a) the revised Contract Procedure Rules, which form part of the Council's Constitution be approved; and
- (b) the Contract Procedure Rules be reviewed in two years' time, or sooner, if there are any significant changes in the way the Council manages its procurement and contracting activities resulting from legislative changes.

#### 39. ADOPTION OF THE SOUTHWELL NEIGHBOURHOOD PLAN

The Council considered the report of the Deputy Chief Executive which advised the Council of the result of the Southwell Neighbourhood Plan Referendum and sought approval from Council to formally adopt the Southwell Neighbourhood Plan as a Development Plan Document (DPD) and make appropriate changes to the policies map within the Newark & Sherwood Local Development Framework (LDF).

The Southwell Neighbourhood Plan referendum was held on 22 September 2016 with the question 'Do you want Newark and Sherwood District Council to use the neighbourhood plan for Southwell to help it decide planning applications in the neighbourhood area?' The result was 1351 yes and 109 no. In order for the neighbourhood plan to be 'made' it needed to be formally adopted by the Council. It was noted that once the plan was made it became part of the development plan for the district and its policies carry equal weight to those of the Core Strategy and Allocations and Development Management DPD in the consideration of planning applications and appeals.

AGREED (unanimously) that:

- (a) the Council adopt the Referendum Version of the Southwell Neighbourhood Plan as part of the Development Plan and Local Development Framework for Newark and Sherwood; and
- (b) appropriate amendments to the Policies Map be approved.

#### 40. MINUTES FOR NOTING

- (a) Policy & Finance Committee – 22 September 2016

##### Minute No. 34 – Corporate Peer Challenge

Councillor D.R. Payne referred to the article in the Newark Advertiser about Newark and Sherwood residents being the happiest in the country, according to a recent Office for National Statistics survey and asked if this was not known at the time of the Policy and Finance Committee.

Councillor R.V. Blaney advised this was not known at the time of the meeting of the Policy and Finance Committee.

(b) Economic Development Committee – 14 September 2016

(c) Homes & Communities Committee – 12 September 2016

Minute No. 69 - An Update on Flood Prevention Schemes in Newark & Sherwood

Councillor Mrs M. Dobson expressed her disappointment that Girton appeared to have missed out on flood relief funding due to only having a small number of residents.

Councillor R.B. Laughton advised that funding to the value of £10,000 had been provided by the Council to Nottinghamshire County Council to undertake the initial flood prevention work for Girton. In addition the Council held reserves which would be used for flood prevention schemes throughout the District.

Councillor D.R. Payne also confirmed that the Trent Valley Internal Drainage Board were supporting Girton with flood relief.

(d) Leisure & Environment Committee – 20 September 2016

(e) General Purposes Committee – 8 September 2016

(f) Licensing Committee – 8 September 2016

(g) Planning Committee Meetings – 2 August, 6 September, 13 September and 4 October 2016

In presenting the minutes of the Planning Committee the Chairman, Councillor D.R. Payne, expressed concerns about two planning appeals which had been lost by the Council, the Former Piano School, Mount Lane, Newark and The Plough, Main Street, Coddington. He suggested that the Local Government Association should be making representations to central government in respect of the power of Inspectors and their ability to apply their individual views on matters over the views of local Members, planning officers and in some cases statutory consultees such as the Highways Authority.

In respect of exempt Minute No. 98 – Urgent Item – The Plough, Main Street, Coddington – Councillor Mrs M. Dobson also expressed frustration with the decision of the Planning Inspector and suggested that the Planning Committee may wish to clarify the content of the resolution at their next meeting.

(h) Audit and Accounts Committee Meetings – 13 July and 7 September 2016

(i) Councillors' Commission – 31 May 2016

Meeting closed at 6.53pm.

Chairman

**MEMBERS APPOINTMENTS – 2016/17****COUNCIL**

|                               |                         |
|-------------------------------|-------------------------|
| Chairman of the Council       | Councillor Tony Roberts |
| Vice Chairman of the Council  | Councillor Linda Tift   |
| Leader of the Council*        | Councillor Roger Blaney |
| Deputy Leader of the Council* | Councillor David Lloyd  |

**CONSERVATIVE GROUP**

|               |                         |
|---------------|-------------------------|
| Leader        | Councillor Roger Blaney |
| Deputy Leader | Councillor David Lloyd  |

**LABOUR GROUP**

|               |                          |
|---------------|--------------------------|
| Leader        | Councillor David Staples |
| Deputy Leader | Councillor Paul Peacock  |

**INDEPENDENT GROUP**

|        |                      |
|--------|----------------------|
| Leader | Councillor Gill Dawn |
|--------|----------------------|

\* Council Procedure Rule 17.7 provides that the Leader of the Council will be appointed ex-officio as a member of the Economic Development, Homes & Communities and Leisure & Environment Committees and will be entitled to attend and speak at those committees. He will not be entitled to vote unless expressly appointed as a voting member of the Committee.

The Deputy Leader will be entitled to attend the Economic Development, Homes & Communities and Leisure & Environment Committees in an ex-officio capacity in the absence of the Leader except where the Deputy Leader is already a member of that Committee.



## MEMBERSHIP OF COMMITTEES

9

| <u>POLICY &amp; FINANCE COMMITTEE</u>      |                    |                   |
|--|--------------------|-------------------|
| CONSERVATIVE                               | LABOUR             | INDEPENDENT       |
| 1. Roger Blaney (C)                        | 1. Paul Peacock    |                   |
| 2. Peter Duncan                            | 2. David Staples*  |                   |
| 3. Roger Jackson                           |                    |                   |
| 4. Bruce Laughton                          |                    |                   |
| 5. David Lloyd (VC)                        |                    |                   |
| SUBSTITUTES                                | SUBSTITUTES        |                   |
| 1. Tony Roberts                            | 1. Celia Brooks    |                   |
| 2. Tim Wendels                             | 2. Linda Tift      |                   |
| <u>HOMES &amp; COMMUNITIES COMMITTEE</u>   |                    |                   |
| CONSERVATIVE                               | LABOUR             | INDEPENDENT       |
| 1. Betty Brooks                            | 1. Kathleen Arnold | 1. Irene Brown    |
| 2. Bob Crowe                               | 2. Celia Brooks*   |                   |
| 3. Keith Girling                           | 3. Mark Buttery    |                   |
| 4. Bruce Laughton (C)                      | 4. David Thompson  |                   |
| 5. Sylvia Michael                          |                    |                   |
| 6. Tony Roberts                            |                    |                   |
| 7. Tim Wendels (VC)                        |                    |                   |
| SUBSTITUTES                                | SUBSTITUTES        | SUBSTITUTE        |
| 1. David Clarke                            | 1. Sheila Soar     | 1. Gill Dawn      |
| 2. Penny Rainbow                           | 2. Linda Tift      |                   |
| <u>LEISURE &amp; ENVIRONMENT COMMITTEE</u> |                    |                   |
| CONSERVATIVE                               | LABOUR             | INDEPENDENT       |
| 1. Max Cope                                | 1. Sheila Soar     | 1. Gill Dawn      |
| 2. Peter Duncan (C)                        | 2. David Staples*  |                   |
| 3. Lydia Hurst                             | 3. Linda Tift      |                   |
| 4. Roger Jackson                           | 4. Ben Wells       |                   |
| 5. John Lee                                |                    |                   |
| 6. Neill Mison (VC)                        |                    |                   |
| 7. Keith Walker                            |                    |                   |
| SUBSTITUTES                                | SUBSTITUTES        | SUBSTITUTE        |
| 1. Rita Crowe                              | 1. Derek Batey     | 1. Irene Brown    |
| 2. Ivor Walker                             | 2. David Thompson  |                   |
| <u>ECONOMIC DEVELOPMENT COMMITTEE</u>      |                    |                   |
| CONSERVATIVE                               | LABOUR             | INDEPENDENT       |
| 1. Max Cope                                | 1. Derek Batey     | 1. Gill Dawn      |
| 2. Rita Crowe                              | 2. Paul Peacock*   |                   |
| 3. Keith Girling (VC)                      | 3. Yvonne Woodhead |                   |
| 4. Paul Handley                            |                    |                   |
| 5. David Lloyd (C)                         |                    |                   |
| 6. Tony Roberts                            |                    |                   |
| 7. Frank Taylor                            |                    |                   |
| 8. Tim Wendels                             |                    |                   |
| SUBSTITUTES                                | SUBSTITUTES        | SUBSTITUTE        |
| 1. Peter Duncan                            | 1. Kath Arnold     | 1. Maureen Dobson |
| 2. Neill Mison                             | 2. Ben Wells       |                   |

| <u>PLANNING COMMITTEE</u>  |                    |                   |
|--|--------------------|-------------------|
| <sup>10</sup> CONSERVATIVE   | LABOUR             | INDEPENDENT       |
| 1. Roger Blaney  | 1. Derek Batey     | 1. Maureen Dobson |
| 2. Bob Crowe   | 2. Celia Brooks    |                   |
| 3. Paul Handley (VC)   | 3. Linda Tift      |                   |
| 4. John Lee  | 4. Ben Wells       |                   |
| 5. Neill Mison   | 5. Yvonne Woodhead |                   |
| 6. David Payne (C)   |                    |                   |
| 7. Penny Rainbow   |                    |                   |
| 8. Sue Saddington  |                    |                   |
| 9. Ivor Walker   |                    |                   |
| <u>LICENSING COMMITTEE</u>   |                    |                   |
| CONSERVATIVE   | LABOUR             | INDEPENDENT       |
| 1. Betty Brooks  | 1. Kath Arnold     | 1. Irene Brown    |
| 2. David Clarke  | 2. Mark Buttery    |                   |
| 3. Max Cope  | 3. Sheila Soar     |                   |
| 4. Rita Crowe (C)  | 4. Linda Tift      |                   |
| 5. Sylvia Michael  | 5. Ben Wells       |                   |
| 6. David Payne   |                    |                   |
| 7. Sue Saddington  |                    |                   |
| 8. Ivor Walker (VC)  |                    |                   |
| 9. Keith Walker  |                    |                   |
| <u>GENERAL PURPOSES COMMITTEE</u>  |                    |                   |
| CONSERVATIVE   | LABOUR             | INDEPENDENT       |
| 1. Betty Brooks  | 1. Kath Arnold     | 1. Irene Brown    |
| 2. David Clarke  | 2. Mark Buttery    |                   |
| 3. Max Cope  | 3. Sheila Soar     |                   |
| 4. Rita Crowe (C)  | 4. Linda Tift      |                   |
| 5. Sylvia Michael  | 5. Ben Wells       |                   |
| 6. David Payne   |                    |                   |
| 7. Sue Saddington  |                    |                   |
| 8. Ivor Walker (VC)  |                    |                   |
| 9. Keith Walker  |                    |                   |
| <u>AUDIT &amp; ACCOUNTS COMMITTEE</u>                                    |                    |                   |
| CONSERVATIVE   | LABOUR             | INDEPENDENT       |
| 1. Bob Crowe   | 1. Ben Wells       | 1. Maureen Dobson |
| 2. Paul Handley  |                    |                   |
| 3. Sylvia Michael (C)  |                    |                   |
| 4. Penny Rainbow   |                    |                   |
| <u>MANSFIELD AND DISTRICT CREMATORIUM JOINT COMMITTEE</u>                |                    |                   |
| CONSERVATIVE   | LABOUR             | INDEPENDENT       |
| 1. Lydia Hurst   | 1. Sheila Soar     |                   |
| 2. David Payne   |                    |                   |
| <u>COUNCILLORS' COMMISSION#</u>  |                    |                   |
| CONSERVATIVE   | LABOUR             | INDEPENDENT       |
| 1. Roger Blaney (C)  | 1. Paul Peacock    | 1. Gill Dawn      |
| 2. John Lee  | 2. David Staples   |                   |
| 3. David Lloyd   |                    |                   |
| 4. Neill Mison   |                    |                   |
| 5. David Payne   |                    |                   |
| <u>BOARD OF TRUSTEES OF THE GILSTRAP CHARITY AND W.E. KNIGHT TRUST#^</u> |                    |                   |
| CONSERVATIVE   | LABOUR             | INDEPENDENT       |
| 1. Rita Crowe  | 1. Linda Tift      |                   |
| 2. Keith Girling   |                    |                   |
| 3. David Lloyd   |                    |                   |
| 4. David Payne   |                    |                   |

<sup>11</sup>  
**Notes:**

1. C = Chairman
2. VC = Vice-Chairman
- # The Councillors' Commission and Gilstrap Trustees do not need to reflect political balance
- \* Major Opposition Group Spokesperson
- ^ To include at least one local Member for the area of benefit of the said Charities (Newark as its boundaries existed in 1883 – Castle Ward)

**PROPOSED CHANGES TO THE CONSTITUTION****1.0 Purpose of Report**

- 1.1 To consider various amendments to the Council's Constitution as recommended by the Councillors' Commission at their meeting held on 26 October 2016.

**2.0 Background Information**

- 2.1 At their meeting held on 26 October 2016 the Councillors' Commission considered a number of issues which require changes to the constitution. A summary of these issues and the specific recommendations are set out here.

**1. SCHEME OF DELEGATION TO OFFICERS - ALTERNATIVE DISPUTE RESOLUTION (ADR) PROCEEDINGS**

The Commission are recommending extending delegated authority to Chief Officers to enter into and settle Alternative Dispute Resolution (ADR) Proceedings.

The Commission considered the mediation proceedings relating to Ollerton Hall and the arbitration proceedings relating to Newark Cattle Market at which there was an expectation that those parties entering into ADR proceedings would carry the executive authority to negotiate with the other party and to settle the matter at the close of those proceedings.

The Commission considered that it would be preferable if there were an expressed delegated authority to cover the particular circumstances given the likelihood that ADR would be used with increasing frequency in the future and was actively encouraged by the courts. The intention would be that whilst the relevant Chief Officer would have the delegated authority to settle those proceedings, it would generally be within parameters which had first been agreed informally by relevant members.

**RECOMMENDATION**

**That the Scheme of Officer Delegation be amended by adding paragraph 7.2.5 (iii) as follows:**

**"Enter into alternative dispute resolutions, to include mediation and arbitration proceedings, where appropriate and to have delegated authority to settle those proceedings on behalf of the Council. It would generally be within parameters which had first been agreed informally by relevant members."**

**2. SCHEME OF DELEGATION TO OFFICERS – HRA HOUSING DEVELOPMENT PROGRAMME – PLANNING APPLICATIONS**

The Commission considered the implications for the Planning Committee in respect of resourcing the planning side of the HRA housing development programme. The Council has a programme to build 360 housing units over the next five years. In order to deliver the first 70 units it is estimated that this will involve approximately 40 sites and subsequently 40 planning applications. Under the current delegation arrangements in the Constitution all such applications would need to go to the Planning Committee for determination.

The Commission are recommending that the remit of the Planning Committee be amended to enable the HRA housing development programme planning applications to be considered under delegated authority aside from the usual safeguards around reserving matters to the Planning Committee.

### **RECOMMENDATION**

**That under the remit of the Planning Committee after the words “2. Applications submitted on behalf of the Council or where the Council or where the Council has an interest in the development” the following words be added “save for any applications submitted on behalf of the Council or where the Council has an interest in the development as part of its HRA housing development programme which shall be determined in accordance with the Planning Committee scheme of delegation.**

### **3. SCHEME OF DELEGATION TO OFFICERS – EAST MIDLANDS BUILDING CONTROL**

The Councillors’ Commission are recommending an extension of the Scheme of Officer Delegation to reflect the establishment of the East Midlands Building Consultancy. For employment purposes officers engaged in the East Midlands Building Consultancy were now employed by South Kesteven District Council. The current Scheme of Officer Delegation included delegated powers to take all necessary action to administer building control functions including regulations and other enactments relating to building control, including individual determination of consent and enforcement action to include service of notices and enforcement proceedings and the right to apply for a warrant of entry. The delegated authority also included the power to authorise other officers to act on their behalf.

### **RECOMMENDATION**

**That the Scheme of Officer Delegation be amended as follows (to make it clear that the building control function, including dealing with dangerous structures may be undertaken through the East Midlands Building Consultancy through officers employed by South Kesteven District Council, as part of those service arrangements):**

**Under Paragraph 7.3.2 Powers and Functions Delegated to the Chief Executive and Chief Officers after “building regulations and other enactments relating to building control including individual determination of consents and enforcement action” the following words be added “for the avoidance of doubt such functions may be exercised by the East Midlands Building Consultancy on behalf of Newark and Sherwood District Council and the power of the Chief Executive and Chief Officers to authorise other officers to act on their behalf shall include such officers”.**

### **4. COMMITTEE REMITS**

The Commission considered an anomaly in the Constitution which meant that Health and Wellbeing matters were being reported to both the Leisure & Environment Committee and the Homes & Communities Committee. The Leisure & Environment Committee had within its remit “Developing and adopting policies and procedures in accordance with the Council’s Health and Wellbeing strategies including: Obesity and Health Strategy; Older Peoples Strategy and Children and Young People’s Strategy.” The Leisure & Environment

Committee was also currently designated to receive any reports from the Nottinghamshire Health and Wellbeing Board. However, currently decision making in respect of health and wellbeing falls within the remit of the Homes & Communities Committee. The Commission are recommending that the decision making in respect of health and wellbeing should move to the Leisure & Environment Committee.

### **RECOMMENDATION**

**That the Committee remits in the Constitution be amended to reflect that operational decision making for health and wellbeing matters falls under the Leisure & Environment Committee.**

### **Background Papers**

Agenda, Reports and Minutes from the Councillors' Commission meeting held on 26 October 2016.

For further information please contact Kirsty Cole on extension 5210.

Kirstin H Cole  
Deputy Chief Executive

**APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES****1.0 Purpose of Report**

- 1.1 To change the District Council nomination on the Greenwood Community Forest Partnership.

**2.0 Background Information**

- 2.1 At the Annual Council Meeting held on 17 May 2016, Councillor P. Peacock was appointed as the District Council representative on the Greenwood Community Forest Partnership.
- 2.2 The Labour Group has indicated that they wish to change their nomination on the Greenwood Community Forest Partnership from Councillor P. Peacock to Councillor Mrs Y. Woodhead.

**3.0 RECOMMENDATION**

**That Councillor Mrs Y. Woodhead replaces Councillor P. Peacock as the Council's representative on the Greenwood Community Forest Partnership.**

**Background Papers**

Nil.

For further information please contact Nigel Hill on Ext. 5243.

A.W. Muter  
Chief Executive

**COUNCIL MEETING – 13 DECEMBER 2016****AGENDA ITEM NO. 11****SCHEDULE OF MEETINGS FOR 2017/18****1.0 Purpose of Report**

1.1 To approve a Schedule of Meetings covering the period May 2017 to May 2018.

**2.0 Background Information**

2.1 A proposed schedule of meetings for 2017/18 is attached as an **Appendix** to the report.

2.2 All meetings are scheduled to start at 6.00pm with the exception of the Planning Committee which starts at 4.00pm and the Audit & Accounts Committee which are daytime meetings with a 10.00am start.

**2.0 RECOMMENDATION**

**That the proposed Schedule of Meetings for 2017/18 be approved.**

**Background Papers**

Nil

For further information please contact Nigel Hill on extension 5243.

A.W. Muter  
Chief Executive



MAY 2017 – MAY 2018

| 2017        | Monday                    | Tuesday                     | Wednesday                  | Thursday               | Friday |
|-------------|---------------------------|-----------------------------|----------------------------|------------------------|--------|
| <b>May</b>  | 1<br>BANK HOLIDAY         | 2                           | 3                          | 4<br>NCC ELECTIONS     | 5      |
|             | 8                         | 9<br>PLANNING               | 10                         | 11                     | 12     |
|             | 15                        | 16<br>ANNUAL COUNCIL        | 17                         | 18                     | 19     |
|             | 22                        | 23                          | 24                         | 25                     | 26     |
|             | 29<br>BANK HOLIDAY        | 30                          | 31                         |                        |        |
| <b>June</b> |                           |                             |                            | 1                      | 2      |
|             | 5                         | 6<br>PLANNING               | 7                          | 8                      | 9      |
|             | 12<br>HOMES & COMMUNITIES | 13                          | 14                         | 15<br>GP & LICENSING   | 16     |
|             | 19                        | 20                          | 21<br>ECONOMIC DEVELOPMENT | 22                     | 23     |
|             | 26                        | 27<br>LEISURE & ENVIRONMENT | 28                         | 29<br>POLICY & FINANCE | 30     |
| <b>July</b> | 3                         | 4<br>PLANNING               | 5                          | 6                      | 7      |
|             | 10                        | 11<br>COUNCIL               | 12                         | 13                     | 14     |
|             | 17                        | 18                          | 19                         | 20                     | 21     |
|             | 24                        | 25                          | 26<br>AUDIT & ACCOUNTS     | 27                     | 28     |
|             | 31                        |                             |                            |                        |        |

| 18<br>2017 | Monday                    | Tuesday                     | Wednesday                  | Thursday               | Friday |
|------------|---------------------------|-----------------------------|----------------------------|------------------------|--------|
| August     |                           | 1                           | 2                          | 3                      | 4      |
|            | 7                         | 8<br>PLANNING               | 9                          | 10                     | 11     |
|            | 14                        | 15                          | 16                         | 17                     | 18     |
|            | 21                        | 22                          | 23                         | 24                     | 25     |
|            | 28<br>BANK HOLIDAY        | 29                          | 30                         | 31                     |        |
| September  |                           |                             |                            |                        | 1      |
|            | 4                         | 5<br>PLANNING               | 6                          | 7<br>GP & LICENSING    | 8      |
|            | 11<br>HOMES & COMMUNITIES | 12                          | 13<br>ECONOMIC DEVELOPMENT | 14                     | 15     |
|            | 18                        | 19<br>LEISURE & ENVIRONMENT | 20                         | 21<br>POLICY & FINANCE | 22     |
|            | 25                        | 26                          | 27                         | 28                     | 29     |
| October    | 2                         | 3<br>PLANNING               | 4                          | 5                      | 6      |
|            | 9                         | 10<br>COUNCIL               | 11                         | 12                     | 13     |
|            | 16                        | 17                          | 18                         | 19                     | 20     |
|            | 23                        | 24                          | 25                         | 26                     | 27     |
|            | 30                        | 31                          |                            |                        |        |

| 2017/2018       | Monday                    | Tuesday                     | Wednesday                  | Thursday               | Friday |
|-----------------|---------------------------|-----------------------------|----------------------------|------------------------|--------|
| <b>November</b> |                           |                             | 1                          | 2                      | 3      |
|                 | 6<br>HOMES & COMMUNITIES  | 7<br>PLANNING               | 8                          | 9                      | 10     |
|                 | 13                        | 14<br>LEISURE & ENVIRONMENT | 15                         | 16                     | 17     |
|                 | 20                        | 21                          | 22<br>ECONOMIC DEVELOPMENT | 23<br>GP & LICENSING   | 24     |
|                 | 27                        | 28                          | 29<br>AUDIT & ACCOUNTS     | 30<br>POLICY & FINANCE |        |
| <b>December</b> |                           |                             |                            |                        | 1      |
|                 | 4                         | 5<br>PLANNING               | 6                          | 7                      | 8      |
|                 | 11                        | 12<br>COUNCIL               | 13                         | 14                     | 15     |
|                 | 18                        | 19                          | 20                         | 21                     | 22     |
|                 | 25<br>BANK HOLIDAY        | 26<br>BANK HOLIDAY          | 27                         | 28                     | 29     |
| <b>January</b>  | 1<br>BANK HOLIDAY         | 2                           | 3                          | 4                      | 5      |
|                 | 8                         | 9<br>PLANNING               | 10                         | 11                     | 12     |
|                 | 15<br>HOMES & COMMUNITIES | 16                          | 17<br>ECONOMIC DEVELOPMENT | 18                     | 19     |
|                 | 22                        | 23<br>LEISURE & ENVIRONMENT | 24                         | 25<br>POLICY & FINANCE | 26     |
|                 | 29                        | 30                          | 31                         |                        |        |

| 2018            | Monday                    | Tuesday                     | Wednesday                  | Thursday                           | Friday             |
|-----------------|---------------------------|-----------------------------|----------------------------|------------------------------------|--------------------|
| <b>February</b> |                           |                             |                            | 1                                  | 2                  |
|                 | 5                         | 6<br>PLANNING               | 7<br>AUDIT & ACCOUNTS      | 8                                  | 9                  |
|                 | 12                        | 13<br>COUNCIL               | 14                         | 15                                 | 16                 |
|                 | 19                        | 20                          | 21                         | 22<br>POLICY & FINANCE<br>(BUDGET) | 23                 |
|                 | 26                        | 27                          | 28                         |                                    |                    |
| <b>March</b>    |                           |                             |                            | 1                                  | 2                  |
|                 | 5                         | 6<br>PLANNING               | 7                          | 8<br>COUNCIL (TAX)                 | 9                  |
|                 | 12<br>HOMES & COMMUNITIES | 13                          | 14                         | 15<br>GP & LICENSING               | 16                 |
|                 | 19                        | 20<br>LEISURE & ENVIRONMENT | 21                         | 22                                 | 23                 |
|                 | 26                        | 27                          | 28<br>ECONOMIC DEVELOPMENT | 29                                 | 30<br>BANK HOLIDAY |
| <b>April</b>    | 2<br>BANK HOLIDAY         | 3<br>PLANNING               | 4                          | 5<br>POLICY & FINANCE              | 6                  |
|                 | 9                         | 10                          | 11                         | 12                                 | 13                 |
|                 | 16                        | 17                          | 18                         | 19                                 | 20                 |
|                 | 23                        | 24                          | 25<br>AUDIT & ACCOUNTS     | 26                                 | 27                 |
|                 | 30                        |                             |                            |                                    |                    |

| <sup>21</sup> 2018 | Monday             | Tuesday              | Wednesday | Thursday | Friday |
|--------------------|--------------------|----------------------|-----------|----------|--------|
| May                |                    | 1                    | 2         | 3        | 4      |
|                    | 7<br>BANK HOLIDAY  | 8<br>PLANNING        | 9         | 10       | 11     |
|                    | 14                 | 15<br>ANNUAL COUNCIL | 16        | 17       | 18     |
|                    | 21                 | 22                   | 23        | 24       | 25     |
|                    | 28<br>BANK HOLIDAY | 29                   | 30        | 31       |        |

All meetings will start at 6.00pm with the following exceptions:

Planning Committee – 4.00pm

Audit & Accounts Committee – 10.00am

**LOCALISED COUNCIL TAX SUPPORT SCHEME 2017/18****1.0 Purpose of Report**

- 1.1 Paragraph 5 of Schedule 1A to the Local Government Finance Act 1992 requires the local authority to consider whether each financial year the scheme is to be revised or replaced. The authority must make any revision to its scheme, or any replacement scheme, no later than 31 January in the financial year preceding that for which the revision or replacement scheme is to have effect
- 1.2 This report asks Members to confirm the continuation of the current Localised Council Tax Support Scheme implemented 1 April 2013 for the 2017/18 financial year with minor changes – that is to seek approval to uprate the income and disregard criteria in accordance with the annual uprating amounts applied by the Department for Works and Pensions.
- 1.3 The annual uprating of the income and disregard criteria will demonstrate that the Council has continued to consider its obligations to vulnerable groups by maintaining the income disregards and premiums to protect families with children and claimants with disabilities.

**2.0 Background Information**

- 2.1 As part of the 2012 Welfare Reform Act the national Council Tax Benefit scheme was abolished and in accordance with the Local Government Act 2013 local authorities were required to introduce Localised Council Tax Support schemes from 1 April 2013.
- 2.2 Government funding for the new schemes was reduced by approximately 10%, for Newark and Sherwood claimants this amounted to around £1m.
- 2.3 Support for Council Tax is now offered as reductions within the council tax system with claimants of state pension age receiving a discount of up to 100% thereby ensuring that they receive no reduction in support as a direct result of the reform.
- 2.4 Localisation provided local authorities with the flexibility to design Council Tax Support schemes for working age claimants taking into account the needs of vulnerable groups and the importance of supporting work incentives. Following a full consultation exercise, the Council agreed at their meeting of 29 January 2013 to adopt a scheme that:-
- a) Places a restriction of 80% of the maximum liability that Council Tax Support would cover.
  - b) Limits the maximum award of Council Tax Support to the equivalent of a council tax band A charge where this is lower than a) above.
  - c) No entitlement to Council Tax Support where claimants have in excess of £16,000 in capital.
  - d) Second Adult Rebate Scheme does not form part of the Localised Council Tax Support Scheme.
  - e) Non-dependant deductions were increased by 20%.
  - g) Entitlement to extended payments was increased from the four weeks to six weeks.

### 3.0 Impact of the Changes

- 3.1 As at the end of November 2016, the number of working age claimants eligible for Council Tax Support was 4,518 and the number of pensioners eligible for Council Tax Support was 3,836. The comparative figures at November 2015 were 4,312 and 4,012.
- 3.2 The value of support awarded to date is £6.32m, in line with the forecast expenditure for the scheme.
- 3.3 The current year collection rate for Council Tax is slightly higher compared to November 2015, equating to an increase in collection of £129,022.
- 3.4 There has been a noticeable increase in recovery work subsequent to the introduction of our localised council tax support scheme in 2013, (which was year 1 of the scheme).

|  | November<br>2016 | November<br>2015 | November<br>2014 | November<br>2013 | November<br>2012 |
|--|------------------|------------------|------------------|------------------|------------------|
| 1 <sup>st</sup> & 2 <sup>nd</sup> Reminder | 14,184           | 16,121           | 15,215           | 16,697           | 12,252           |
| Final Notice                               | 5,948            | 5,981            | 5,268            | 7,835            | 4,018            |
| Summons                                    | 4,079            | 4,435            | 3,613            | 4,361            | 3,341            |

### 4.0 Equalities Implications

- 4.1 An equality impact assessment was completed prior to the Localised Council Tax Support scheme being implemented in April 2013.
- 4.2 In consideration of the obligation to consider vulnerable groups within the design of a local scheme child benefit continues to be disregarded as income and the disability premiums within the council tax benefit calculation were retained to protect families with children and people with disabilities.
- 4.3 Each year the Department for Works & Pensions uprates the income and disregard amounts to account for inflation. By applying the annual uprating of income and disregards to the 2017/18 scheme the Council will continue to demonstrate that it has considered its obligations to consider vulnerable groups within the design of its local scheme.

### 5.0 RECOMMENDATION

**That the Council continues to adopt the existing Localised Council Tax Support Scheme for all potential claimants for the financial year 2017/18 and uprates the income disregards and premiums in accordance with the Departments for Works and Pensions annual uprating criteria for 2017/187.**

Background Papers - Nil

For further information please contact Phil Ward, Business Manager – Revenues & Benefits on extension 5347.

Karen White  
Director – Safety

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **POLICY & FINANCE COMMITTEE** held in Room G21, Kelham Hall, Newark on Thursday, 1 December 2016 at 6.00pm.

PRESENT: Councillor R.V. Blaney (Chairman)

Councillors: P.C. Duncan, R.J. Jackson, R.B. Laughton, P. Peacock and D. Staples.

SUBSTITUTE: Councillor A.C. Roberts for D.J. Lloyd.

ALSO IN Councillor: T. Wendels.

ATTENDANCE:

41. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor D.J. Lloyd.

42. DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS AND AS TO THE PARTY WHIP

There were no declarations of interest.

43. DECLARATIONS OF INTENTIONS TO RECORD THE MEETING

The Chairman advised that the proceedings were being audio recorded by the Council.

44. MINUTES FROM THE MEETING HELD ON 22 SEPTEMBER 2016

The minutes from the meeting held on 22 September 2016 were agreed as a correct record and signed by the Chairman.

45. CORPORATE PEER CHALLENGE

The Chief Executive presented a report which advised of the findings of the Corporate Peer Challenge following the publication of the final report. The key recommendations from the report were detailed and a draft action plan to progress the recommendations was attached as an appendix to the report.

AGREED (unanimously) that:

- (a) the feedback report of the Corporate Peer Challenge, from 19 – 21 July 2016, be noted; and
- (b) the proposed action plan be approved with an interim report being submitted to the April 2017 meeting and a full report to the June 2017 meeting as to progress on addressing the peer challenge team's key recommendations.



Reason for Decision

To consider the findings of the corporate peer challenge and produce and appropriate action plan to address the findings of the report.

46. MOVING AHEAD PROGRAMME

The Moving Ahead Programme Manager presented a report which provided an update on the initiative to 'shuffle up' at Kelham Hall in order to get staff used to working in an agile manner ahead of the move to the new office. The report also provided an update in respect of the decommissioning of parts of Kelham Hall and the efforts being made to reduce the levels of paper storage.

The Committee were also invited to consider possible names for the new office. The report suggested that Castle House offered the best alternative given the Castle was the most prominent landmark in the area and had been a feature of the Newark skyline for centuries.

AGREED (unanimously) that:

- (a) the progress with the Moving Ahead Programme be noted;
- (b) at this stage the proposed name for the new offices be Castle House, subject to any alternative name that had the support of the whole Council and partners moving into the new office; and
- (c) officers consult with the partners moving into the new office over the proposed name.

Reason for Decision

To ensure Members are kept informed of all work relating to the Moving Ahead Programme and to choose a name so that branding and signage relating to the building can progress.

47. INFORMATION REQUESTS, COMPLAINTS AND RIPA UPDATE

The Business Manager – Customer Services and External Communications presented a report which informed the Committee of the activity in relation to requests made to the Council during 2015/16 under the Data Protection Act 1998, Freedom of Information Act 2000 and Environmental Information Regulations 2004. The report also advised of the complaints made to the Local Government Ombudsman and the use by the Council of the Regulation of Investigatory Powers Act (RIPA) during 2015/16.

In respect of RIPA the report detailed the outcome of the inspection undertaken by the Office of Surveillance Commissioners and proposed two minor changes to the Council's policy on RIPA relating to the use of social media sites and to omit the Director – Resources from the list of Designated Authorising Officers.

AGREED (unanimously) that:

- (a) the report be noted; and
- (b) the proposed revisions to the Council's Regulation of Investigatory Powers Act Policy as detailed in paragraph 5.5 of the report be approved and the revised policy adopted.

Reason for Decision

To keep Members informed of activities in relation to various regulations.

48. LOCAL HOUSING DEVELOPMENT COMPANY VEHICLE

The Director - Safety presented a report concerning progress with the Council's proposals to establish a housing development company. The report referred to the number of different models to achieve such a company to develop new market housing within the district. These were direct delivery via a wholly owned council company or as a joint venture; a financial investment/special purpose vehicle; or contractual through a development agreement. The report also set some suggestions as to the various aims and objectives that the Council could seek to deliver through establishing a housing delivery vehicle.

In order to ensure due diligence it was proposed that the Committee undertake a detailed analysis of the options to set up a housing development company in the context of the aims and objectives that the Council wish to achieve and the strategic sites currently available to the Council. It was suggested that the most effective way of undertaking this work would be to set up a working party in order to hold a facilitated workshop to review the main aims and objectives that needed to be addressed through establishing a housing delivery vehicle and then to appraise the various delivery options against these objectives taking into account the Council owned strategic sites. The working party would then submit its recommendations to the Committee for consideration. The workshop would need to be facilitated by external specialist legal advice and it was proposed that an external legal firm with known experience and expertise in advising local authorities on establishing housing delivery models be commissioned to undertake this work.

AGREED (unanimously) that:

- (a) a working party, comprising of all members of the Policy & Finance Committee and the Vice Chairman and Opposition Spokesperson for the Homes & Communities Committee, be established to undertake a detailed analysis of the Council's aims and objectives in setting up a housing delivery vehicle, assess these against the Authority's strategic housing sites and the different housing delivery models available and report back to the Committee with its recommendations as to progressing the establishment of the most appropriate vehicle; and

- (b) budget provision of £20,000 be allocated to cover the cost of external expert legal advice to facilitate the work referred to in (a) above.

Reason for Decision

To progress the Council's strategic priority of establishing a development company to act as a vehicle for new housing development.

49. HOUSING GROWTH - HRA DEVELOPMENT PROGRAMME

The Business Manager – Strategic Housing presented a report which invited the Committee to consider the £500,000 capital sum made available from the Housing Revenue Account (HRA) reserves in order to prepare HRA sites for development and the designation of HRA finance to enable the acquisition of additional sites.

At its meeting on 9 July 2015, the Policy & Finance Committee approved an initial capital fund of £500,000 to be made available from HRA reserves to prepare HRA sites for development. Work had progressed on appraising all of the smaller HRA sites including garage areas, redundant land and infill sites to identify whether these had the potential for development, disposal or retention. Based upon this work a 5 year programme of Council housing development had been approved, which will deliver approximately 335 units. Work was now underway to complete site investigations, resolve any rights of way/access and submit full planning applications. Legal work was also required as part of this preparatory stage. Both the planning preparation and legal work involved a recharge to the HRA which must be treated as revenue rather than capital cost. As such an adjustment was now required to reallocate a proportion of the £500,000 as revenue budget.

The report also referred to the opportunities which may arise to acquire sites on the market that bring additionality to the current programme, for example where a site was located close to existing HRA sites and was earmarked for development, or where it increased the HRA land portfolio for future programmes. It was considered that the acquisition of such sites also had the potential to meet wider objectives, for example to intervene where a site was attracting anti-social behaviour. It was recognised that any site identified would need to be fully appraised prior to acquisition. This would include financial modelling, risk and liability assessments, legal and planning review, market intervention/competition, consideration of site location and housing need.

In respect of the development of the extra care scheme off Bowbridge Road, Newark, it was necessary, in order to avoid delays in the development programme, to name both the access road and the Scheme in order to provide the relevant utility companies with a full postal address to enable the timely installation of such services.

AGREED (unanimously) that:

- (a) £100,000 of the capital fund of £500,000 be reallocated as a revenue budget to be utilised in preparing Housing Revenue Account sites for development;

- (b) support be given to the principle of site acquisition as detailed in paragraph 3 of the report and a further report be submitted to the Committee to consider designating finance for a site acquisition fund on conclusion of the work by officers to appraise the available capacity within the Housing Revenue Account financial model; and
- (c) the access road leading off Bowbridge Road onto the Council owned land is called Pulford Way and the new build Extra Care Scheme on the site is named Gladstone House.

Reason for Decision

To ensure that the appropriate level and split of funding was available to deliver the HRA Housing Development Programme.

50. NEWARK & SHERWOOD HOMES - MANAGEMENT FEE 2017/18

The Business Manager – Strategic Housing presented a report which sought to approve the base fee to be paid to the Council’s housing management company, Newark and Sherwood Homes, for the 2017/18 financial year, along with agreeing the efficiency target for the following two financial years.

The Management Agreement was the overarching contractual agreement between the Council and Newark and Sherwood Homes. From 31 March 2014 a new Management Agreement was entered into. This provided for the management fee to be set on a three year rolling period. In year one (2014/15) the baseline for the management fee was set and then in years’ 2 and 3 inflationary factors and efficiency targets applied. In year 4 (2017/18) there was a ‘rebasings’ of the management fee and in years 5 and 6 inflation and efficiency targets were to be applied.

The report detailed the components of the core management service fee, the annual works fee the company receives, the additional fee income the company receives from services it provides to third parties and through investment activities and the project management fee to deliver the Council’s housing development programme.

AGREED (unanimously) that:

- (a) in accordance with the Management Agreement the Committee consider and approve the Base Fee of £7,959,513 and IT reserve adjustment of £139,000, giving a total Service Fee of £8,098,513 to be paid to Newark and Sherwood Homes for 2017/18, as detailed within the table at paragraph 3.10 of the report;
- (b) an efficiency target of 3% be set for 2018/19 and 2019/20 (years two and three of the three year rolling period);
- (c) the project management fee to be paid to Newark & Sherwood Homes for the Bowbridge Road extra care scheme development be revised to a maximum of £97,600; and

- (d) delegated authority be given to the Director – Safety, in consultation with the Chair and Vice Chair of the Policy & Finance Committee and Opposition Spokesperson, to set the project management fee for the 5 year HRA development programme on conclusion of the negotiation process with Newark and Sherwood Homes.

Reason for Decision

To fulfil the requirements of the Management Agreement between the Council and its Housing Management Company, Newark and Sherwood Homes.

51. POLICY & FINANCE COMMITTEE DRAFT REVENUE BUDGET 2017/18 - 2021/22

The Assistant Business Manager – Financial Services presented a report which informed Members of the progress to date on the budget for 2017/18 and future years. At their meeting on 22 September 2016 the Policy & Finance Committee considered the preliminary report on the 2017/18 Budget and agreed the overall strategy including the appropriate basis on which the budget should be developed, including salaries, wages, general inflation, debt charges etc.

The Council had agreed policies on Budgeting and Council Tax, Reserves and Provisions and also a set of Budget Principles, a Charging Policy and Value for Money Strategy which set out the approach to be taken to the budget process. These policies and principles had been reviewed and updated by the Policy & Finance Committee in September 2016.

Business Managers and service budget officers had been working with officers from Financial Services to determine a first draft general fund budget and medium term financial plan. The budgets had been prepared in line with the strategy agreed by the Policy & Finance Committee on 22 September 2016. A summary of the figures to date for the Policy and Finance Committee were given in Appendix A to the report.

Until the Local Government Finance Settlement was announced later this month all figures for government grants were based on internal estimates. Reductions in government grant were expected to continue for 2017/18.

It was reported that whilst there was always a need to improve efficiency and review existing budgets, the Council's budget gap in future years was already significant without the uncertainties detailed in the report, such as the result of the EU Referendum and changes to Business Rates retention and should principally be addressed through strategic measures. Savings from leisure commissioning, devolution and collaboration and savings following the move to the new offices and associated working practices had already been built into the Medium Term Financial Plan. These uncertainties would lead to the necessity to identify significant savings potentially for 2018/19 and for future years.

AGREED (unanimously) that:

- (a) the Committee undertakes a review of fees and charges in accordance with the Corporate Charging Policy;

- (b) the current draft Committee budget be incorporated into the overall service budget to be reported to Policy & Finance Committee later in this agenda; and
- (c) the Business Manager and Chief Financial Officer – Financial Services, continues to formulate budget proposals for formal consideration at the Policy & Finance Committee meeting on 26 January 2017 for recommendation to Policy & Finance Committee on 23 February 2017.

Reason for Decision

To ensure that the preliminary figures for the budget are considered by Policy & Finance Committee and that final budget proposals for 2017/18 to 2021/22 are submitted to the Policy & Finance Committee on 26 January 2017 for recommendation to Policy & Finance Committee on 23 February 2017.

52. COUNCIL'S OVERALL DRAFT REVENUE BUDGET 2017/18 - 2021/22

The Assistant Business Manager – Financial Services presented a report which informed Members of the progress to date on the budget for 2017/18 and future years. As part of the 2016/17 Local Government Finance Settlement the Government offered Council's the ability to take up a 4 year funding settlement to 2019/20 to provide funding certainty and stability to enable more proactive planning of service delivery and support strategic collaboration with local partners. Councils who wished to accept this offer were required to produce an efficiency plan. However this certainty of funding only applied to Revenue Support Grant and Rural Services Delivery Grant, which in 2019/20 would only amount to £113,000. Confirmation of the 4 year funding was received 16 November 2016. In practice, the final determination of the local government finance settlement for any given year cannot be made until calculations were completed taking account of the business rates multiplier which was based on the September RPI figure.

The 2015/16 budget outturn position identified sustainable under-spends in service expenditure which would be built into future budgets. These amounted to approximately £340,000 per year and had been built into the draft budget figures at Appendix A to the report. The budget presented took account of the move to the new offices in September 2017, however running costs and some employee costs for Kelham Hall had been included for a further 3 months in order to ensure that the decommissioning work was included in the budget. The savings accrued from devolving services to town and parish councils continued to be built into the budget as further devolution of services was undertaken. Savings achieved from moving leisure services into Active4Today Ltd had also been built into the budget.

The figures set out in the report were a first draft only and a substantial amount of work had yet to be completed before any conclusions could be drawn. The Council continued to consider the current level of service provision and there would be little or no room for service development. It was important that savings that could be identified in the current financial year were realised to ensure maximum flexibility in future years. It was also essential not only to consider the budget for 2017/18 but to give some consideration to the need for further savings in the following years as well.

AGREED (unanimously) that:

- (a) the overall position on the 2017/18 budget be noted and Members should consider the strategy for achieving a balanced budget in 2017/18 onwards; and
- (b) the Business Manager and Chief Financial Officer – Financial Services continues to formulate budget proposals for formal consideration at the Policy & Finance Committee Meeting on 23 February 2017.

Reason for Decision

To ensure that the Council's Budget is prepared in accordance with the necessary timescale.

53. BUSINESS RATES APPEALS - GP SURGERIES

The Chief Executive presented a report which set out the risks to Business Rates income in the district from appeals for a reduced rateable value made on behalf of GP surgeries. The current system of Business Rates collection and redistribution places the risk of losses which might arise through appeals about business rates onto Collection Authorities. A new rateable value list would apply from 2017 which in itself would bring new risks in terms of appeals. However, there was still a backlog of Business Rates appeals relating to the current list and many of those appeals would, if successful, require a repayment of part of the Business Rates to the appellant backdated to 2010.

A particular concern had arisen about the number of Business Rates appeals for GP Surgeries. It was reported that there were currently twelve outstanding appeals in Newark & Sherwood and if all were successful this would result in a loss of £1.1 million of business rates income in order to refund those surgeries back to 2010. The report proposed specific actions which could be taken in order to draw the risk to the attention of local surgeries, NHS England and the government.

AGREED (unanimously) that the actions to draw attention to and ameliorate the impact of GP Surgeries business rates appeals, as set out in paragraph 3.1 of the report, be approved.

Reason for Decision

To make Members aware of the risks to business rates income arising from any appeals from GP surgeries and to take appropriate action to address this issue now.

54. CAPITAL PROGRAMME MONITORING TO 30 SEPTEMBER 2016

The Financial Services Accountant presented a report which monitored the progress of the overall capital programme since the last progress report to the Committee on 22 September 2016. Appendices A and B to the report provided details of the capital projects over their whole life to illustrate total budget, expenditure, progress and

explanations for any amendments. Appendix C to the report listed any proposed amendments to the capital programmes since it was last approved on 22 September 2016. Appendix D to the report listed all the current schemes with expenditure to date against the latest budget approved by the Policy & Finance Committee on 1 December 2016 and the consequent overall financing position was shown at Appendix E to the report.

The Committee considered that as the scheme for the Lorry Park was still to be approved this needed to be removed from the Programme.

AGREED (unanimously) that the variations listed in Appendix C be approved and the Programme shown in Appendix D be accepted as the latest approved Capital Programme, subject to the removal of scheme TB6148 Lorry Park of £500,000 which was still to be submitted to the Policy & Finance Committee for consideration.

Reason for Decision

To enable the Capital programme to be amended to reflect changes to resources available and better clarity of the cost and phasing of projects.

55. EXCLUSION OF THE PRESS AND PUBLIC

AGREED (unanimously) that under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 3, 4 and 5 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

56. MARKETS AND CAR PARKS

The Committee considered the exempt report presented by the Deputy Chief Executive in relation to the future operation of markets and car parks.

(Summary provided in accordance with 100C(2) of the Local Government Act 1972).

57. LAND ADJACENT TO 157 BOUNDARY ROAD, NEWARK

The Committee considered the exempt report presented by the Deputy Chief Executive in relation to land adjacent to 157 Boundary Road, Newark.

(Summary provided in accordance with 100C(2) of the Local Government Act 1972).

58. SPORTS HUB, BOWBRIDGE ROAD, NEWARK

The Committee considered the exempt report presented by the Deputy Chief Executive in relation to the Sports Hub at Bowbridge Road, Newark.

(Summary provided in accordance with 100C(2) of the Local Government Act 1972).

Meeting closed at 8.17pm.

Chairman











NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **ECONOMIC DEVELOPMENT COMMITTEE** held on Wednesday, 23 November 2016 in Room G21, Kelham Hall at 6.00pm

PRESENT: Councillor D.J. Lloyd (Chairman)  
Councillor K. Girling (Vice-Chairman)

Councillors: D. Batey, Mrs R. Crowe, G.P. Handley, P. Peacock (Opposition Spokesperson), A.C. Roberts, T. Wendels and B. Wells (Substitute)

SUBSTITUTES: Councillor B. Wells for Councillor Mrs Y. Woodhead

91. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M.G. Cope, Mrs G.E. Dawn, F. Taylor and Mrs Y. Woodhead.

92. DECLARATION OF INTEREST BY MEMBERS AND OFFICERS AND AS TO THE PARTY WHIP

NOTED: that no Member or Officer declared any interest pursuant to any statutory requirement in any matter discussed or voted upon at the meeting.

93. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

NOTED: that an audio recording was to be made of the meeting by the Council.

94. MINUTES OF THE MEETINGS HELD ON 14 SEPTEMBER 2016

AGREED (unanimously) that the Minutes of the meeting held on 14 September 2016 be approved as a correct record and signed by the Chairman.

95. COUNCIL'S DRAFT REVENUE BUDGET 2017/18 – 2021/22

The Committee considered the report presented by the Assistant Business Manager – Financial Services in relation to the progress to date on the budget for 2017/18 and future years.

The report set out the overall strategy of how the budget was to be developed and the timetable for this. The report provided information as to the current financial environment for local government and that a 4 year funding settlement to 2019/20 to provide funding certainty and stability to enable more proactive planning of service delivery and support strategic collaboration with local partners was available as part of the 2016/17 Local Government Finance Settlement. However, this was only in relation to Revenue Support Grant and Rural Services Delivery Grant which in 2019/20 would equate to £113,000. Paragraphs 5.0 to 5.5 of the report noted the already approved budget strategy, and set out the estimated savings therefrom. Details of the Draft Revenue Budget Proposals were set out in Paragraph 6.0 to 6.8.

The Assistant Business Manager advised that the formulation of the draft budget for the current year had been difficult due to the amount of unknown factors in local government funding, adding that savings were still being sought.

A Member of the Committee queried whether the Council were in a worse or better financial position following the establishment of a building control partnership agreement with South Kesteven District Council. The Business Manager and Chief Financial Officer – Financial Services advised that the charges listed in the budget reflected the initial costs of embedding the partnership. Currently the Council's position showed a slight improvement and work was ongoing to improve the budget position going forward.

In relation to the budget provided for Heritage, Culture and Visitors a Member of the Committee commented that estimates had, in the past, been inaccurate and that the situation needed to be monitored to understand how the service was performing, adding that the amalgamation of the budgets did not provide Members with a clear picture of the situation. The Chief Executive advised that the amalgamation of the budgets provided a complete picture and gave a realistic position. Should the budgets be separated issues would be raised in relation to staffing costs etc. as these would need to be divided up and allocated proportionally across the budgets. He further advised that these issues would be discussed at the Committee's budget briefing to be held on 15 December 2016.

A Member of the Committee stated that it was difficult to ascertain what work had already been undertaken in relation to identifying budget savings. He noted that the previous year had resulted in an underspend of £700,000, some of which had been put into reserves and some into this year's budget and queried whether this action was sustainable. The Assistant Business Manager advised that budget adjustments had already been actioned where savings had already identified. She added that budgets had been reduced accordingly if it was known that a saving would be realised year on year.

The Chief Executive advised that Members' views and suggestions for potential budget savings were being sought but that Officers had already begun the process. He added that the biggest financial challenges to the Committee were from outside its remit and that further details would be discussed at the meeting to be held on 15 December 2016.

A Member of the Committee queried what the latest position was in relation to the devolving of responsibility for the Ollerton Car Park to Ollerton & Boughton Town Council. The Director – Communities advised that discussions had been held and that a formal response to the Council's offer was awaited. A Member of the Committee who also sits on the Town Council advised that he believed this to have been sent but would query the matter with the Town Clerk.

In relation to the increase in income for the Newark Lorry Park, a Member queried how this had occurred despite the predicted loss of spaces. The Director – Communities advised that the number of spaces lost had not been as many as initially thought and that coupled with the £1 increase in charges had enable the revenue stream to be maintained. He further advised that a report would be brought to a future meeting of the Committee.

AGREED that:

- (a) a review of fees and charges in accordance with the Corporate Charging Policy be undertaken;
- (b) the current draft Committee budget be incorporated into the overall service budget to be reported to the Policy & Finance Committee at its meeting to be held on 1 December 2016; and
- (c) the Business Manager & Chief Financial Officer – Financial Services continues to formulate budget proposals for formal consideration at the meeting of the Economic Development Committee to be held on 18 January 2017 for recommendation to the Policy & Finance Committee meeting to be held on 25 February 2017.

96. NEIGHBOURHOOD PLAN

The Committee considered the report presented by the Business Manager – Planning Policy in relation to the proposal which sought delegated authority for making comments on future Neighbourhood Plans with the district.

The report set out that in addition to the recently made Southwell Neighbourhood Plan, there were another six parishes that were at various stages in the production of their plans. Three of the six: Fernwood; Thurgarton; and Farnsfield were at, or approaching, the pre-submission consultation stage, after which their plans would be submitted to the Council for examination. The report noted that the Council were required to submit their own comments on draft plans to the parishes as part of the pre-submission consultation and that following submission, the Council were then required to carry out a further public consultation, appoint an independent examiner and to submit the plan and all the consultation responses for examination.

The proposal for Members to consider was that due to the number of plans likely to be submitted over the forthcoming months and the potential for more to come forward, Officers be authorised to make comments at both the pre-submission stage and the post submission stage, for submission to the independent examiner. All comments would be agreed with the Chairman of the LDF Task Group, the Chairman and Vice-Chairman of the Economic Development Committee and the local Ward Member(s). Should there be significant conflict with national or local policy, the Council's response would be reported to the next available Economic Development Committee for approval. The appointment of the independent examiner would continue to be arranged in conjunction with the relevant parish council.

AGREED (unanimously) that:

- (a) the report be noted; and
- (b) the delegated authority proposed in paragraph 3.1 of the report be approved.

97. NOTTINGHAMSHIRE PRE-DEVELOPMENT FUND (NPDF)

The Committee considered the report presented by the Business Manager – Economic Growth in relation to the bids submitted to the Nottinghamshire Pre-Development Fund on behalf of the Council.

The report set out that there were a number of funding streams including the Local Growth Fund and European Funds that were available to contribute to major investment schemes in transport infrastructure, economic development and regeneration but that discussions held within the D2N2 Local Enterprise Partnership and the Nottinghamshire Economic Prosperity Committee had identified that the securing of funding would be easier if potential projects were at a more advanced stage when bidding rounds were opened. Project proposals would need to be more advanced, for example, by having robust business cases, technical surveys, design work and economic viability assessments.

The report set out that against the background of the above, the Nottingham and Nottinghamshire Economic Prosperity Committee had established a fund drawn from surpluses in the Business Rates Pool to support the pre-development work of economic projects across the County with specific focus on feasibility studies and business case development.

Paragraph 3 set out that 13 projects had been submitted for funding that impacted on the district, some being county wide, that had been successful at stage 1 of the process and had progressed to a full application. It was reported that the process was oversubscribed but that it was hoped that the successful bids would be known by the end of November 2016.

Members of the Committee queried as to how the decision on what projects were put forward to apply for funding from the business rates pool had been taken and by who. In response, Members were advised that the timescale to consider which projects had merited submission had been extremely tight and this had not afforded sufficient time to consult with Members of the Committee. When considering the projects, Officers had taken into consideration the council's current priorities. Members expressed concern that they had not been able to take part in the process and requested that a report be brought to a future meeting of the Committee as to what projects had been successful in their funding bids.

AGREED (unanimously) that the report be noted.

The meeting closed at 6.55pm

Chairman



NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **HOMES & COMMUNITIES COMMITTEE** held on Monday, 7 November 2016 in Room G21, Kelham Hall at 6.00pm.

PRESENT: Councillor R.B. Laughton (Chairman)  
Councillor T. Wendels (Vice-Chairman)

Councillors: Mrs K. Arnold, Mrs B.M. Brooks, Mrs. C. Brooks, M. Buttery, R. Crowe, K. Girling, Mrs P. Rainbow (substitute), A.C. Roberts and D. Thompson

SUBSTITUTES: Councillor Mrs P. Rainbow substituting for Councillor Mrs S.M. Michael

ALSO IN ATTENDANCE: Councillor Mrs L.M.J. Tift

75. APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors Mrs I. Brown and Mrs S.M. Michael

76. DECLARATION OF INTEREST BY MEMBERS AND OFFICERS AND AS TO THE PARTY WHIP

NOTED: that no Member or Officer declared any interest pursuant to any statutory requirement in any matter discussed or voted upon at the meeting.

77. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

NOTED: that there would be an audio recording of the meeting undertaken by the Council.

78. MINUTES OF THE MEETING HELD ON 12 SEPTEMBER 2016

AGREED (unanimously) that the Minutes of the meeting held on 12 September 2016 be approved as a correct record and signed by the Chairman.

79. SHERWOOD & NEWARK CITIZENS ADVICE – CORE SERVICE PERFORMANCE OUTTURNS 2015/16

The Committee considered the report jointly presented by the Business Manager – Housing & Safeguarding and Jackie Insley, Chief Officer (CAB) in relation to the performance targets in respect of core advice service provision as set out in the Service Level Agreement between the SNCAB and the Council, for which grant funding was awarded.

The Chief Officer, Jackie Insley, circulated to Members a document which summarised the lengthy Appendix to the report (the Annual Report). She acknowledged that whilst the majority of the targets had been met, some had not and this was due to the complexity of the issues presented. She advised Members of the work undertaken by the CAB, noting that they were heavily reliant on volunteers and that they were extremely appreciative of the financial assistance given to them by the Council which enabled them to continue their work in the district. She noted that the charity was undergoing significant changes on a national level and that every effort was being made to secure additional funding. She also advised that the SNCAB could assist the Council in a scrutiny role as they had a wealth of information which they could share.

Members noted that the targets set within the SLA were extremely challenging and that the SNCAB were to be applauded for the numbers of people assisted through the service that they provided. Although they added that ideally they would like to see the levels drop as this would indicate that there were less people in need of assistance. They also stated that the achievements of the SNCAB were a tribute to the late Councillor Stan Crawford, who had been instrumental in the initial stages of negotiations to establish the organisation.

The Chairman of the Committee asked Jackie Insley to pass both his and the Committee's thanks on to all the volunteers, since without their efforts the service could not be provided. He added that he was pleased to see that clients were being assisted with accessing the Severn Trent Water Big Difference Scheme and being assisted to switch their energy supplier, both of which could make a significant difference to their household outgoings.

AGREED (unanimously) that:

- (a) the contents of the report be noted, particularly the performance outturns and annual reports regarding the provision of core advice services to residents in the district by Sherwood & Newark Citizens Advice; and
- (b) the target outturn for the number of clients seen per year remain unchanged.

#### 80. SYRIAN VULNERABLE PERSONS RESETTLEMENT SCHEME

The Committee considered the report presented by the Business Manager – Housing & Safeguarding in relation to the proposed localised model for the resettlement of Syrian refugees in the district, which was in accordance with the requirements set out in the Government's Syrian Vulnerable Persons Resettlement Programme.

The report provided Members with background information on the Scheme and the Government's pledge to resettle (within the UK) up to 20,000 refugees who had fled Syria over a 5 year period. It provided information on funding from the Home Office and how the Scheme was being progressed within the East Midlands and within Nottinghamshire. Details of the proposal for the district were provided, including how this was being developed and actioned i.e. sourcing of accommodation and

community support. Members were also provided with information on other migratory pressures and details were given on the three major Government programmes that were currently in operation, these being: Syrian Resettlement (as per the report); Asylum Dispersal; and Unaccompanied Children Seeking Asylum.

Also in attendance at the meeting was Stephanie Webber (Manager of the Community Cohesion Team) from Nottingham City Council, which was the lead authority in this matter. She advised Members that the City Council had taken a large number of families for resettlement last year and were in a position to share their experiences with all the other local authorities within the district with whom they were working in partnership.

Members agreed that this Scheme was to be welcomed with one Member stating that he had travelled to Jordan some three years ago and had some experience, albeit limited, of the different cultures and conditions in the middle east. He added that it was nothing new for this country to welcome new people from different cultures and that every effort must be made to remove children from countries where they were at risk.

The Chairman of the Committee advised Members that all voluntary organisations were to be contacted with a view to assisting and facilitating the resettlement, orientation and integration into the community of the refugees. He added that if Members knew of any organisation which could assist with this he would be grateful if they could be asked for their support, whether it be with donations of furniture, food, clothing; befriending and mentoring; conversational English practice or even redecorating and furnishing properties in readiness for habitation.

AGREED (unanimously) that:

- (a) the Council's commitment to the Scheme be endorsed and the per capita figures of 40-45 individuals (approximately 10 households maximum) to be resettled in the district over the next 5 years, be approved;
- (b) the proposed delivery model to enter into a Memorandum of Understanding with Nottingham City Council as the accountable body for managing funds from the Homes Office and the commissioning of activities under a Casework Contract and Community Contract in accordance with their Contract and Procedure Rules and Data Protection Policy and Protocols, be approved; and
- (c) the letter attached as Appendix B to the report to mobilise community and voluntary sector partners to support and join a Newark & Sherwood Resettlement Partnership be approved and that Councillor R.B. Laughton, as Chairman of the Homes & Communities Committee be the figurehead for that letter.

*Councillor K. Girling left the meeting at this point and did not take part in any debate or voting on the following matters.*

81. CAPITAL WORKS AT TEMPORARY ACCOMMODATION – SEVEN HILLS, NEWARK

The Committee considered the report presented by the Business Manager – Housing & Safeguarding in relation to a scheme for some capital works required at the temporary accommodation at Seven Hills, Newark in order to address health and safety requirements.

The report set out that a strategic review of the Council’s temporary accommodation provision within the district had been commenced but the works as detailed in the capital appraisal project form attached as Appendix A to the report were necessary prior to the review being finalised in order to address the aforementioned health and safety responsibilities.

In response to when the outcome of the Review would be known, the Business Manager advised that this would be early in the new year. A Member of the Committee queried the cost of decoration within the appendix noting that the figure quoted in paragraph 2.3 was different to that within paragraph 2.4. The Business Manager advised that she would seek clarity on the matter.

AGREED (unanimously) that Policy & Finance Committee be recommended to allocate capital funding for the proposed capital works required urgently for the temporary accommodation at Seven Hills, Newark as detailed within the report and appendix.

82. COUNCIL’S DRAFT REVENUE BUDGET 2017/18 TO 2021/22

The Committee considered the report presented by the Assistant Business Manager – Financial Services to relation to progress made, to-date, on the budget for 2017/18 and future years.

The report set out the overall strategy of how the budget was to be developed and the timetable for this. The report provided information as to the current financial environment for local government. A four year funding settlement (to 2019/20) to provide funding certainty and stability which enabled more proactive planning of service delivery and support strategic collaboration with local partners was available as part of the 2016/17 Local Government Finance Settlement. However, this was only in relation to Revenue Support Grant and Rural Services Delivery Grant, which in 2019/20 would equate to £113,000. Paragraphs 5.0 to 5.5 of the report noted the already approved budget strategy, and set out the estimated savings therefrom. Details of the Draft Revenue Budget Proposals were set out in Paragraph 6.0 to 6.7.3.

The Assistant Business Manager advised that the formulation of the draft budget for the current year had been difficult due to the amount of unknown factors in local government funding and that details of the Committee’s fees and charges would be brought to the next meeting. She noted that it was challenging to reduce the budget for this particular Committee as many of the costs were of a statutory nature.

AGREED (unanimously) that:

- (a) a review of fees and charges in accordance with the Corporate Charging Policy be undertaken;
- (b) the current draft Committee budget be incorporated into the overall service budget to be reported to the Policy & Finance Committee at its meeting to be held on 1 December 2016; and
- (c) the Business Manager & Chief Financial Officer – Financial Services continue to formulate budget proposals for formal consideration at the meeting of the Homes & Communities Committee to be held on 16 January 2017 for recommendation to the Policy & Finance Committee meeting to be held on 25 February 2017.

83. HEALTH PROGRESS UPDATES ON:  
NOTTINGHAMSHIRE HEALTH & WELLBEING STRATEGY: HOUSING; AND  
NOTTINGHAM & NOTTINGHAMSHIRE SUSTAINABILITY TRANSFORMATION PLAN

The Committee considered the report presented by the Business Manager – Strategic Housing which provided information on the progress made in embedding housing into the Health & Wellbeing agenda and on the development of a Sustainability Transformation Plan (1016-2021) for Nottingham and Nottinghamshire.

The report detailed the importance of housing within the Health & Wellbeing Strategy and listed the positive contribution towards many of the Strategy's priorities in paragraph 3.2 of the report. In relation to the Nottingham & Nottinghamshire Sustainability Transformation Plan, the established five key areas were listed within the report together with details of the Housing and Environment Chapter which was proposed to support the aforementioned key areas.

Members agreed that the report highlighted the importance of housing for the health and wellbeing of the district's residents and that the improvement to the standards within peoples' homes was to be welcomed.

AGREED (unanimously) that the contents of the report be noted.

84. NEWARK AND SHERWOOD HOMES – ANNUAL DELIVERY PLAN

The Committee considered the report presented by the Business Manager – Strategic Housing in relation to the adoption of the Annual Delivery Plan with Newark and Sherwood Homes ("the Company") for the financial year covering 2017/18.

The report set out that the Company and the Council had worked together to ensure that the Company's key activities for that year reflected the Council's strategic priorities and work streams and these were listed at paragraph 3.3 of the report.

In considering the report, a Member stated that the targets were the same as in the previous year and suggested that these could have been amended to 'stretch' the Company

AGREED (unanimously) that:

- (a) the current progress of the key activities identified in the current Annual Delivery Plan (2016/17) be noted; and
- (b) the 2017/18 Annual Delivery Plan for the Council's housing company, Newark and Sherwood Homes, be approved and implemented.

The meeting closed at 6.50pm

Chairman

## **NEWARK AND SHERWOOD DISTRICT COUNCIL**

Minutes of the meeting of the **LEISURE & ENVIRONMENT COMMITTEE** held in Room G21, Kelham Hall, Newark on Tuesday, 15 November 2016 at 6.00 pm.

PRESENT: Councillor P.C. Duncan (Chairman)

Councillors: R.V. Blaney (Ex-Officio), M.G. Cope, Mrs L. Hurst, R.J. Jackson, J.D. Lee, N.B. Mison, Mrs S. Soar, D.B. Staples, Mrs L.M.J. Tift, K. Walker and B. Wells.

ALSO IN

ATTENDANCE: Councillors: D. Batey, Mrs R. Crowe, R. Crowe and I. Walker

### 25. APOLOGIES FOR ABSENCE

There were none.

### 26. MINUTES OF THE MEETING HELD ON 20 SEPTEMBER 2016

AGREED that the Minutes of the meeting held on 20 September 2016, be approved as a correct record and signed by the Chairman.

### 27. DECLARATION OF INTERESTS BY MEMBERS AND OFFICERS

NOTED that no Member or Officer declared any interest pursuant to any statutory requirement in any matter discussed or voted upon at the meeting.

### 28. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

The Chairman advised that the proceedings were being audio recorded by the Council.

### 29. ACTIVE4TODAY PRESENTATION

A presentation regarding Active4Today was provided by the Business Manager and Chief Financial Officer – Financial Services, Managing Director - Active4Today, Director of Communities and Director of Development (both Active4Today).

Following the presentation a question and answer session ensued as follows:

In answer to a Members question It was confirmed that Officers were working with all 186 clubs within the district at their locations.

A Member congratulated the team establishing the Newark Leisure Centre and commented that some of the issues for example 70% of people not doing activity should be addressed. It was suggested that other organisations could be contacted to engage with people.

A Member asked why there was a reduction in the use by the over 65's and 16-18 age group. It was confirmed that the over 65 performance indicator may need to be addressed as the age group 64 and under is counted within the general performance indicator.

It was confirmed that the increase in female membership was across all leisure centres.

AGREED (unanimously) that the presentation be noted.

30. ACTIVE4TODAY DRAFT BUSINESS PLAN 2017/2018

The Committee considered the report presented by the Business Manager and Chief Financial Officer – Financial Services and Managing Director - Active4Today, which sought Members consideration regarding the Active4Today Draft Business Plan 2017/18, which identified the Company's latest quarterly performance and appraised Members regarding the latest position in relation to the Company's previous requests for the payment of additional management fee.

A Member commented on the financing of the Southwell Leisure Centre and raised concern that there was no plan to reduce their funding. The Chairman commented that was being investigated at present and would be included in a future report to the Committee.

A Member sought clarification regarding the reported £750,000 in reserves and how the reserves were calculated. The Managing Director – Active4Today confirmed that the reserves were set for three areas: Repairs and Renewals; Contingency; and Development. The Managing Director confirmed that the Council had always held £250,000 in reserves to cover any repairs and renewals, some years this would be used in full, whilst in other years it would be rolled over for future year's developments. It was confirmed that the reserves covered all the Council's leisure centres.

A Member commented on the Accessible Facilities included within the Development Plan and Priorities and the development of an inclusion policy and looked forward to seeing how the concessionary members could be increased from the current 59. The Managing Director – Active4Today commented that this was a piece of focused work which the company were looking into.

A Member asked whether Active4Today were offering educational material regarding nutrition and how to get fit. The Managing Director – Active4Today confirmed that at the leisure centres the public were encouraged to undertake coaching activities and each sport had its own framework for development. Officers also worked within the community and through schools to provide support to groups, however there was a resource issue regarding how much work could be undertaken in this area. External funding was sought to support this function and £75,000 had previously been secured through Sports England who identified the target groups, where more focused work took place.

A Member asked whether Active4Today offered family membership to encourage younger people. The Manager Director – Active4Today confirmed that they did not offer family membership as a single membership due to difficulties with the BAC's regulations, in the event members of the family cancelled individually; however concessions were offered to young people and plenty of activities were provided for the whole family.



The Chairman commented on the Performance Indicator information contained within the report and the difficulty in reading and understanding this information. It was confirmed that the Managing Director – Active4Today would work with the Committee to address those problems.

AGREED (unanimously) that:

- (a) the Active4Today Draft Business Plan 2017/18 and Quarter 2 performance be noted;
- (b) the proposals for the additional management fee paid over in 2015/16 and the requested additional management fee in 2016/17 be noted pending a final decision by the Committee in January 2017 when Active4Today presents its Final Business Plan 2017/18 to the Committee; and
- (c) the Managing Director – Active4Today to address the reporting of the Performance Indicator information.

31. COUNCIL'S DRAFT REVENUE BUDGET 2017/18- 2021/22

The Committee considered the report presented by the Assistant Business Manager Financial Services, which informed Members of the progress to date on the budget for 2017/18 and future years.

The report set out the overall strategy of how the budget was to be developed and the timetable for this. The report provided information as to the current financial environment for local government and that a 4 year funding settlement to 2019/20 was available as part of the 2016/17 Local Government Finance Settlement. This was to provide funding certainty and stability; to enable more proactive planning of service delivery; and to support strategic collaboration with local partners. However, this was only in relation to Revenue Support Grant and Rural Services Delivery Grant which in 2019/20 would equate to £113,000.

Paragraphs 5.0 to 5.5 of the report noted the already approved budget strategy and set out the estimated savings therefrom. Details of the Draft Revenue Budget Proposals were set out in Paragraph 6.0 to 6.7.8. The report also noted that the Policy and Finance Committee at its meeting on 22 September 2016 had agreed that spending committees should scrutinise their budgets to look for opportunities for further savings and spend to save schemes where additional expenditure in the short term would bring increased revenue income in the future.

The report also detailed in the paragraph entitled 'Increases in Fees and Charges', that a review of charges was considered as part of the budget process each year and with that in mind it was proposed that a guideline figure for increases to fees and charges should be set at a minimum of 2% for each year of the medium term financial plan. It was also noted that fees and charges were considered within the framework set out in the Corporate Charging Policy that was included at Appendix D to the report. The Policy & Finance Committee had agreed that all charges be rounded to the nearest 5p with effect from 1 April 2017. The proposals for the increases in fees and charges would be brought to the 24 January 2017 meeting of the Leisure & Environment Committee for consideration and recommendation to the 26 February 2017 Policy & Finance Committee and 9 March 2017 Council.

The Assistant Business Manager Financial Services informed the Committee that the two year budget and performance report up to 30 September 2016 had been uploaded onto the Members Extranet. Members were also informed that the subjective summary included an increase in National Insurance for 2016/17; this was due to the changes to pensions. In the original approved budget this had been recorded centrally but had been moved to individual cost centres as individual costs became known.

Savings had also been made regarding domestic refuse collection and fuel although a cautious approach was being undertaken regarding fuel as the cost was on the increase. The Pest Control service would cease from 1 April 2017. A large saving had been made by Active4Today and Sports Development. The budget for Community Sports and Arts Development reflected savings from joint working however this was being reviewed and savings may be reduced. There had also been a change in the livestock market budget due to the change in income to be recovered from them. The Council overall was looking for savings.

A Member sought clarification regarding A11107 – Dog Control which had been increased from £48,000 to £64,000. It was confirmed that the vehicle cost had been moved into the Dog Control budget which had previously been included in the Pest Control budget. The management costs had previously been shared for Pest Control and Dog Control, the budget had been transferred over to dog control, in order that there would be funding in place to cover tender costs for Dog Control.

A Member sought clarification regarding A11101 - Public Conveniences and asked where those public conveniences were located and why they had not been passed over to the Town and Parish Councils through devolution. The Business Manager – Environmental Health & Licensing confirmed that there were two remaining public conveniences at the Gilstrap and at the visitor centre at Sconce and Devon Park, Newark, which would be maintained and cleaned with the agreement of Newark Town Council.

The Chairman sought clarification as to whether the half year forecasted savings of £240,000 would be achieved. If the savings were achievable that would cover the savings required for the 2017/18 budget. The Assistant Business Manager Financial Services confirmed that the savings currently identified in the Committees performance report to 30 September 2016 would be likely to be in the region of £80,000 plus any additional savings on the Active4Today management fee. This is as a result of known expenditure which was currently due for outstanding invoices, offset by income which would be due from the Livestock Market Company once their annual accounts had been audited.

AGREED (unanimously) that:

- (a) the Committee undertakes a review of fees and charges in accordance with the Corporate Charging Policy;
- (b) the current draft Committee budget be incorporated into the overall service budget to be reported to Policy & Finance Committee at its meeting on 1 December 2016; and

- (c) the Business Manager and Chief Financial Officer – Financial Services, continues to formulate budget proposals for formal consideration at the Leisure & Environment Committee meeting on 24 January 2017 for recommendation to Policy & Finance Committee on 23 February 2017.

## 32. HEALTH AND HOUSING

The Committee considered the report presented by the Business Manager - Strategic Housing, which provided information on the progress in embedding housing into the Health and Wellbeing agenda and on the development of a Sustainability Transformation Plan 2016-2021 for Nottingham and Nottinghamshire.

The report provided information regarding the Nottinghamshire Health & Wellbeing Strategy (2014 – 2017) and the importance of housing within the health agenda, which had been captured as a priority within the strategy to address the need for “sufficient and suitable housing, including housing related support, particularly for vulnerable people”. The Committee were advised of the process followed over the last 3 years to establish housing as one of the priorities in the Strategy, through the development of a Housing Chapter for the Nottinghamshire Joint Strategic Needs Assessment, creation of a Housing Delivery Plan and establishing a County wide Housing and Health Commissioning Group to take forward the actions of the Delivery Plan. A number of specific projects had also been developed to take forward the actions identified in the Plan as detailed within the report. The report provided information regarding how the Housing Delivery plan would be progressed and how the above matters had been driven by the district’s Strategic Housing Officers, who had invested a significant amount of resources to this important activity. The report however advised that this approach was not a sustainable option and the new position of a Nottinghamshire Health and Housing Programme Manager was then explained in detail.

Information was also provided to the Committee on the development of the Nottingham and Nottinghamshire Sustainability Transformation Plan (STP) 2016-2021, which was a NHS plan to show how local services would evolve and become sustainable over the next five years. It was noted that through the work of all Nottinghamshire districts the STP recognised the role district Councils play in the health agenda, resulting in the formulation of ‘Housing and Environment’ Chapter as a supporting work stream to the five key areas identified in the STP.

The Vice-Chairman of the Committee informed Members that the Sustainable Transformation Plan (STP) would be published by the end of November 2016.

A Member welcomed the report and commented that it was good to see district officers taking this forward. He hoped that the STP would provide improvements and that it was correct for Housing to take a significant place on the agenda.

The Business Manager - Strategic Housing informed Members that the Health and Housing Programme Manager position would be a one year contract, hosted by the County Council and would be offered as a secondment opportunity in the first instance.

*(Councillor R.J. Jackson left during consideration of the above item.)*

AGREED (unanimously) that the contents of the report be noted.

### 33. HEALTH AND WELLBEING UPDATE

The Vice-Chairman of the Committee informed the Members that the Nottingham & Nottinghamshire Sustainability Transformation Plan (STP) would be published at the end of November 2016. He had also attended a meeting of the Health and Wellbeing Board and a Stakeholder Reference Group meeting. Both meetings had focused on a five year plan for Nottinghamshire to connect agencies with people. A presentation had also been provided by the fire service which explained how they undertook fire safety visits within the home, which they could pick up any areas of concern not just regarding fire safety and pass on that information and also deliver a health message if the Health Authority required them to do so.

The opposition spokesperson also informed Members of The Sherwood Forest Hospital Foundation Trust AGM that he had attended. The Hospital was to date out of special measures. He commented that the factor of improvement for the hospital was the good relationship they had with the Nottingham University Hospital. There was no planned merger for the two hospital trusts at present.

AGREED (unanimously) that the verbal update be noted.

### 34. CLEANING OF NEWARK TOWN CENTRE

Further to the last Committee meeting presentation regarding waste, recycling and cleansing, the Director Community informed the Committee of an additional cleansing service that would be provided for Newark Town Centre. Resources were available within the waste, recycling and cleansing business unit which would be used to provide a litter collector within Newark Town Centre. This was a pilot scheme in partnership with Newark Town Council at a cost of £10,500 per year joint contribution, which would end on the 31 March 2017. A progress report would be brought to a future meeting of the Committee.

AGREED (unanimously) that the verbal update be noted.

### 35. TOUR OF DEPOT AND TRANSFER STATION

The Director Community invited Members of the Committee to attend a tour of the depot, which would include the transfer station and household waste recycling station. A 2.30pm start was suggested. The Democratic Services Officer would arrange a date for the event in consultation with Members.

AGREED (unanimously) that a tour of the depot and transfer station be arranged for Members of the Leisure and Environment Committee, to take place at 2.30pm, date to be confirmed.

The meeting closed at 7.50pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the **GENERAL PURPOSES COMMITTEE** held on Thursday, 24 November 2016 in Room G21, Kelham Hall at 6.00pm.

PRESENT: Councillor Mrs R. Crowe (Chairman)  
Councillor I. Walker (Vice - Chairman)

Councillors: Mrs K. Arnold, Mrs I. Brown, M.G. Cope, D.R. Payne,  
Mrs S.E. Saddington, Mrs S. Soar, Mrs. L.M.J. Tift, K.  
Walker and B. Wells.

15. APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors D.C. Clarke and Mrs S.M. Michael.

16. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

NOTED: that the following Member declared an interested in the item shown below:

Councillor Mrs S. Soar      Agenda Item No. 5 – Application for a Private  
Ambulance Driver’s Licence – Personal Interest –  
Applicant known to Councillor Mrs Soar.

17. DECLARATION OF INTENTION TO RECORD MEETING

NOTED: that there would be an audio recording of the meeting.

18. MINUTES OF MEETING HELD ON 8 SEPTEMBER 2016

AGREED that the Minutes of the meeting held on 8 September 2016 be approved as a correct record and signed by the Chairman.

19. EXCLUSION OF THE PRESS AND PUBLIC

AGREED (with 9 votes for and 2 against) that under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

20. APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER’S LICENCE

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing in relation to an application received for a Hackney Carriage/Private Hire Driver’s Licence.

(Summary provided in accordance with 100C(2) of the Local Government Act 1972)

21. APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE

This item was withdrawn from the Agenda.

22. IMPLICATIONS OF CORONER'S DECISION ON TAXI LICENSING FOLLOWING THE INQUEST INTO THE DEATH OF MARK BUCKLEY

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing in relation to the implications of the recommendations from a recent Nottinghamshire Coroner's Court decision following the inquest into the death of Mark Buckley who was killed by a taxi driver licensed by Mansfield District Council.

The report set out the details of the incident and that the driver, Mr. Kevin Wiesztort, had pleaded guilty to the charge of causing death by dangerous driving and was sentenced to 45 months imprisonment and disqualified from driving for 5 years on 2 February 2015. It was also reported that following the Crown Court Trial, the Coroner had been invited to consider resuming the inquest as further background matters had been brought to her attention. Paragraph 3 of the report set out the concerns and proposals of potential local actions with 4 issues and their solutions being listed. The proposal listed in the report was to amend the Taxi Licensing Policy to ensure that all the areas of concern were fully addressed. A copy of the Coroner's Report was attached as Appendix One to the report.

In considering the report and the verbal presentation of the Business Manager Members queried whether operators could be compelled to monitor the fitness to work of their drivers. The Business Manager advised that it was hoped to get all operators to adopt such a policy, however, in the case of Mr. Wiesztort and Aeron Cars, the Coroner had dismissed the operator's argument that the driver was self-employed, stating that the operator had a moral responsibility to ensure that drivers were fit to work.

Members noted that the passengers who Mr. Wiesztort had driven to Birmingham Airport had been so concerned about his ability to drive safely that they telephoned his employer to advise them of that, however, the call taker had not acted on the complaint. The Business Manager advised that during the hearing at the Coroner's Court it was felt that the call taker had been given prior legal advice and gave evidence that it was her understanding that the complaint only related to one specific incident when Mr. Wiesztort had removed his jumper whilst still driving, citing that this was the reason for her inaction. The Business Manager added that the Coroner had, at that point in the proceedings, reminded the operator and the call taker that they were both under oath with Members agreeing that the decisions taken by staff at Aeron Cars appeared to be based upon matters of finance and the health and safety of their driver or his passengers appeared to be of little consequence.

All Members expressed their deep concern over the impact the Deregulation Act 2015 was having which enabled cross border-hiring and offered no restriction on operators using drivers and vehicles outside of their own licensing area. In response to whether the Coroner was making representation about such matters to the Department of Transport, the Business Manager advised that she had stated that she felt that the standards in Nottinghamshire were as high as they could be but had not said that she would be making any representations herself.

The Business Manager advised Members that drivers from Wolverhampton were operating within the Newark & Sherwood district and provided them with details of how their vehicle testing compared to that of this Council. In considering this information Members agreed that every effort must be made to highlight the serious implications of the Deregulation Act.

AGREED (unanimously) that:

- (a) the comments of the Coroner be noted;
- (b) the amendments to the draft Taxi Licensing Policy be supported;
- (c) the new timetable for the implementation of the new Taxi Licensing Policy be approved; and
- (d) the Chairman of the General Purposes Committee write to:
  - (i) the Coroner, asking her to make representations to the Department of Transport highlighting her concerns about the Deregulation Act 2015;
  - (ii) the Chief Executive of the City of Wolverhampton District to raise concerns about how their standards in relation to private hire and hackney carriage licensing (both vehicles and drivers) were resulting in the lowering of standards for this district; and
  - (iii) both constituency MPs, Robert Jenrick (Newark) and Mark Spencer (Sherwood) to reiterate the concerns of the Council in relation to the impact and implications of the Deregulation Act 2015.

### 23. UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing in relation to the activity and performance of the Licensing Team together with details of current ongoing enforcement issues.

Information contained in the report related to the number of applications for the grants and renewals of licences for Hackney Carriage; Private Hire; and Ambulance Drivers together with those for Hackney Carriage and Private Hire Vehicles. Information was also provided in relation to Street Collections and House to House Collections. A note of ongoing enforcement activity was also listed with information as to what action had been taken to date.

It was noted that some of the returns in relation to Street Collections were listed with a zero return with Members suggesting that if a collection did not take place the appropriate Parish Clerk be informed as when permits were limited, this could have been allocated to another organisation.

A Member of the Committee advised that there had been some recent incidents of private hire vehicles plying for trade on the hackney carriage ranks. The Business Manager advised that this was not permitted and it was understood that the drivers in question were licensed from outside the district in Wolverhampton.

AGREED that the report be noted.

The meeting closed at 7.10pm

Chairman







NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the **LICENSING COMMITTEE** held on Thursday, 24 November 2016 in Room G21, Kelham Hall immediately following the meeting of the General Purposes Committee.

PRESENT: Councillor Mrs R. Crowe (Chairman)  
Councillor I. Walker (Vice - Chairman)

Councillors: Mrs K. Arnold, Mrs I. Brown, M.G. Cope, D.R. Payne,  
Mrs S.E. Saddington, Mrs S. Soar, Mrs. L.M.J. Tift, K.  
Walker and B. Wells.

17. APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors D.C. Clarke and Mrs S.M. Michael.

18. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

NOTED: that no Member or Officer declared any interest pursuant to any statutory requirement in any matter discussed or voted upon at the meeting.

19. DECLARATION OF INTENTION TO RECORD MEETING

NOTED: that there would be an audio recording of the meeting.

20. MINUTES OF MEETING HELD ON 8 SEPTEMBER 2016

AGREED that the Minutes of the meeting held on 8 September 2016 be approved as a correct record and signed by the Chairman.

21. MINUTES OF LICENSING HEARINGS

- (i) Jola Jola, 39a Cartergate, Newark
- (ii) The Venue (formerly known as Millgate Museum), Millgate, Newark

AGREED that the Minutes be noted.

22. THE WHITE HART, NEWARK – UPDATE FOLLOWING OUTCOME OF SUMMARY REVIEW OF PREMISES LICENCE

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing which provided Members with an update on the White Hart following the Summary Review of the premises.

The report set out the background leading to the Summary Review and the Review Hearing and the findings and decisions thereof. The report also set out that the Premises Licence Holder had lodged an appeal to the Magistrates Court against the decision of the Panel at the Review Hearing but that the initial appeal hearing had been adjourned by agreement with both parties to allow additional negotiations to take place.

The Business Manager advised that the appeal had been moved to April 2017 and that the Court had accepted the amended date. They were also advised that the situation with the management of the premises was not as it had been when the review hearing had taken place. The Premise Licence holder was seeking to remove the need for door supervisors and wanted an additional 30 minutes of operating time. It was agreed that given the nature of the previous issues the Premise Licence holder needed to prove to the Council acting as the Licensing Authority that they could run the premises in accordance with the conditions attached to the licence.

AGREED that the report be noted.

### 23. UPDATE ON QUARTERLY PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing in relation to the activity and performance of the Licensing Team together with details of current ongoing enforcement issues.

Information contained within the report related to the number of applications for the grant or variation of licences received between 1 July and 30 September 2016. Listed at paragraph 2.3 was a note of enforcement activity between the same two dates.

AGREED (unanimously) that the reported be noted.

### 16. TEMPORARY EVENT NOTICES RECEIVED AND ACKNOWLEDGED BETWEEN 1 JUNE AND 30 SEPTEMBER 2016 INCLUSIVE

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing in relation to the notices received and acknowledged between the above-mentioned dates.

Members of the Committee commented on the number of events held within Newark Castle grounds and that the Premise Licence was for each day of the year until the early hours of the morning.

NOTED the Temporary Event Notices received and acknowledged between 1 July and 30 September 2016 inclusive.

### 17. NOTTINGHAMSHIRE LICENSING GROUP

Prior to closing the meeting the Chairman provided Members with an update of a recent meeting she had attended of the above Group.

Matters discussed related to: safeguarding children; fire service concerns; multi-agency work undertaken with the Police Authority; update from the Health Service as to drinking habits and trends; and the selling of counterfeit tobacco.

The Committee were advised that a suitable date for the planned night time economy visit was still being sought.

AGREED that the Chairman's update be noted.

The meeting closed at 7.32pm

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **PLANNING COMMITTEE** held in the Council Chamber, Kelham Hall, Newark on Tuesday, 1 November 2016 at 4.00pm.

PRESENT: Councillor D.R. Payne (Chairman)

Councillors: Mrs C. Brooks, R.A. Crowe, Mrs M. Dobson, J. Lee, N.B. Mison, Mrs P.J. Rainbow, Mrs S. E. Saddington, Mrs L.M.J. Tift, I. Walker, B. Wells and Mrs Y. Woodhead

ALSO IN

ATTENDANCE: Councillor: D.J. Lloyd

99. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors: R.V. Blaney and G.P. Handley.

100. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

There were none.

101. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

The Chairman informed the Committee that the Council was undertaking an audio recording of the meeting.

102. MINUTES OF THE MEETING HELD ON 4 OCTOBER 2016

Minute No. 98 – Urgent Item of Business – The Plough, Main Street, Coddington

The Chairman commented that he had left the meeting prior to the matter being debated and therefore the minutes should be amended to reflect that it was the Vice-Chairman who had agreed to accept the item as an urgent item of business.

AGREED that, subject to the above amendment, the minutes of the meeting held on 4 October 2016 be approved as a correct record and signed by the Chairman.

103. THE RED LION PUBLIC HOUSE, HIGH STREET, SOUTH CLIFTON (16/01052/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought full planning permission for a material change of use of a public house to a dwelling, removal of a prefabricated garage and single storey extensions and also to form a new garden from land formerly part of the Old Farm House.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the applicant and the Red Lion Reloaded Group.

Councillor E. Swain representing South Clifton Parish Council spoke against the application stating that the nearest alternative public house was 4 miles away and could not, therefore, be viewed as part of the village community. He also stated that if the premises were trading as a community public house it would be financially viable. He added that it was the intention of the Red Lion Reloaded Group to purchase the building and run it as such a facility but this could only be achieved if the application was refused.

In considering the application, Members commented that the site visit had been of benefit adding that the objectors concerns about losing a village public house were understandable. However, it was noted that any decision by the Committee must be based on planning law and guidance and that many of the objections received did not comply with that. Members agreed that the village had an openness to it and therefore the proposed height of the wall should be reduced and that, if possible, the siting of the garage within the plot be revised by negotiation with the applicant. The Chairman advised that should the Committee be minded to grant the application, an additional condition could be added in relation to the height of the wall but that the siting of the garage within the plot could not be secured. However, if the applicant were willing to engage that could be subject to separate negotiation between the applicant and Planning Officers.

AGREED (with 12 votes for and 1 abstention) that full planning permission be approved subject to the conditions contained within the report and the following additional conditions:

- (i) restrict the height of the wall; and
- (ii) Further negotiation outside of this application to consider the re-siting of the garage or achieving greater animation with the blank wall fronting the road.

104. FORMER SQUINTING CAT PUBLIC HOUSE, MANSFIELD ROAD, CLIPSTONE (15/01153/FULM)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought planning permission for a change of use from the current vehicle sales site for redevelopment for 5 no. houses and 4 no. shop units with flats.

Members considered the application, raising concerns about current parking issues on the adjacent Central Drive. It was noted that the existing vehicle sales added to this by parking vehicles on double yellow lines and that although several enforcement orders had been issued, these had been ignored. Members also commented that if the application was approved, deliveries to the shop units must be closely restricted to avoid any disruption.

AGREED (unanimously) that full planning permission be approved subject to the conditions contained within the report and subject to an amendment to condition 8 to include a requirement for clear delineation of the direction of traffic within the site.

105. ALLOTMENT GARDENS, BARNBY ROAD, NEWARK ON TRENT (16/01245/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought approval for the erection of a detached dwelling and detached garage.

Councillor D.J. Lloyd, Local Ward Member, spoke against the application, referring to the comments in the report of the Nottinghamshire Wildlife Trust. He stated that the proposed development area was the last piece of land and open space used for habitat and foraging for the registered common toad and grass snakes. He asked Members to consider refusing the application and to include an additional condition stating that the site would never be approved for development. Officers advised that an additional condition could be added in relation to loss of character.

AGREED (with 12 votes for and 1 against) that full planning permission be refused for the reasons contained within the report and the following additional condition:

- (i) refusal relating to the impact on the character of the area given the site forms the last open space.

*Councillor Mrs M. Dobson left the meeting at this point and did not take part in the debate or voting for any of the following items.*

106. SHERWOOD FOREST HOLIDAY VILLAGE, OLD RUFFORD ROAD, RUFFORD (16/01195/FULM)

The Committee considered the report of the Deputy Chief Executive, which sought full planning permission for 28 new lodges and additional parking including re-planning Of the driving range and creation of new woodland.

Members considered the application and were in agreement that the applicant had created significant employment in the area and had also increased tourism which brought with it added economic benefits to the area. They agreed that the Parish Council's objections in relation to over intensification of the site and increased traffic were incorrect. It was stated that traffic congestion had been largely eradicated by the installation of the traffic lights on the A614.

AGREED (unanimously) that full planning permission be approved subject to the conditions contained within the report.

107. 6 DALE LANE, BILDWORTH (16/01343/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought full planning permission to construct a detached 4 bed house with garage and off street parking and turning for 3 vehicles.

Members considered the application and raised concerns about the siting of the house and garage within the plot, adding that it appeared to be too close the rear boundary.

AGREED (unanimously) that full planning permission be refused for the reasons contained within the report.

108. LAND OFF PRIVATE DRIVE, LOWER KIRKLINGTON ROAD, SOUTHWELL (16/01388/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought full planning permission for a phased development of 4 no. detached dwellings and alternations to existing access and driveway.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from Southwell Town Council.

AGREED (unanimously) that full planning permission be approved subject to the conditions contained within the report and subject to an amendment to condition 5 to clearly define that the access constitutes the first phase of development and that this should be completed prior to commencement of development on any housing plots.

109. APPEALS LODGED

AGREED that the report be noted.

110. APPEALS DETERMINED

Members noted the outcome of the Appeal in relation to The Old Vicarage, Church Lane, South Scarle (15/02125/FUL) which had been allowed.

The Business Manager – Growth & Regeneration advised that following notification of the decision he was to hold discussions with the Deputy Chief Executive and the Chairman of the Planning Committee with a view to writing to the Planning Inspectorate Quality Assurance Unit and the Local Government Association about this matter and previous decisions taken.

AGREED that the report be noted.

The meeting closed at 6.03pm

Chairman



NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **PLANNING COMMITTEE** held in the Council Chamber, Kelham Hall, Newark on Tuesday, 6 December 2016 at 4.00pm.

PRESENT: Councillor D.R. Payne (Chairman)

Councillors: D. Batey, R.V. Blaney, Mrs C. Brooks, R.A. Crowe, Mrs M. Dobson, G.P. Handley, J. Lee, N.B. Mison, Mrs P.J. Rainbow, Mrs S. E. Saddington, Mrs L.M.J. Tift, I. Walker and B. Wells

ALSO IN

ATTENDANCE: Councillor: R.J. Jackson

111. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mrs Y. Woodhead

112. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

NOTED that the following Members declared interests in the items shown below:

| <u>Member/Officer</u>                                  | <u>Agenda Item</u>  |
|--|---|
| All Members  | Agenda Item No. 10 – Site adjacent to the Old Grain Store, Old Epperstone Road, Lowdham (16/01271/FUL) – Personal interests as the applicant was a fellow Councillor.   |
| Councillors D.R. Payne, I. Walker and B. Wells         | Agenda Item No. 11 – Dixons Retail Plc, Distribution Centre, Long Hollow Way, Winthorpe (16/01505/FULM) – Personal interests as members of the Trent Valley Internal Drainage Board who were one of the consultees. |
| Councillors Mrs C. Brooks, G.P. Handley and D.R. Payne | Agenda Item No. 12 – Land North of Belle Vue Lane, Blidworth (16/01144/FULM) – Personal interests as Directors of Newark & Sherwood Homes given this was an application submitted by the company.                   |

113. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

The Chairman informed the Committee that the Council was undertaking an audio recording of the meeting.

114. MINUTES OF THE MEETING HELD ON 1 NOVEMBER 2016

AGREED that the minutes of the meeting held on 1 November 2016 be approved as a correct record and signed by the Chairman.

115. LAND ADJACENT CHERRY VIEW, BILSTHORPE ROAD, EAKRING (16/01745/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought full planning permission for the construction of a pair of semi-detached residential cottages. The properties would have a floor space of approximately 95m<sup>2</sup> each split over two floors.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the applicant in response to points raised by an objector and providing supporting plans demonstrating the location of the proposed development in relation to the recently refused eco-homes scheme. There were also further communications from Eakring Parish Council and a District Council housing officer.

In determining the application, Members considered whether the application site was located within the main built-up area of the village or in the open countryside and whether the character and appearance of the proposed development was appropriate.

AGREED (with 12 votes for and 2 against) that, contrary to officer recommendation, full planning permission be refused on the following grounds:

The site was considered to be outside the main built up area of Eakring; the proposal would be harmful to the rural hinterland and the setting of the conservation area and given the design of the existing properties and their frontage onto Bilsthorpe Road, the application was considered to be inappropriate back-land development.

In accordance with paragraph 12.5 of the Planning Protocol, as the motion was against Officer recommendation, a recorded vote was taken.

| <b>Councillor</b>   | <b>Vote</b> |
|---------------------|-------------|
| D. Batey            | For         |
| R.V. Blaney         | For         |
| Mrs C. Brooks       | For         |
| R.A. Crowe          | For         |
| Mrs M. Dobson       | For         |
| G.P. Handley        | For         |
| J. Lee              | Against     |
| N. Mison            | For         |
| D.R. Payne          | Against     |
| Mrs P.J. Rainbow    | For         |
| Mrs S.E. Saddington | For         |
| Mrs L.M.J. Tift     | For         |
| I. Walker           | For         |
| B. Wells            | For         |
| Mrs Y. Woodhead     | Absent      |

116. LAND OPPOSITE DARWIN COURT, DARWIN DRIVE, SHERWOOD ENERGY VILLAGE, OLLERTON (16/00902/FULM)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought full planning permission for the erection of 24 two bedroom apartments and 27 three bedroom houses with associated amenity space, access and parking.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the applicants agent which set out revised landscape drawings; Ollerton & Boughton Town Council objecting to the proposal; and the Highways Authority and the case officer which suggested additional conditions to be put on any granting of planning permission.

Councillor R. Shilling representing Ollerton & Boughton Town Council spoke against the application stating that the application went against the original concept of the Sherwood Energy Village and there were more appropriate sites in the area for a residential development of this nature.

In determining the application, Members considered the proximity of the skate park to the proposed development and whether the Sherwood Energy Village had met its original objective in terms of employment opportunities and the overall availability of employment land within the District. In addition the Members also referred to the outline permission granted in 2001 which did include a provision for housing on the site.

AGREED (with 10 votes for, 3 against and 1 abstention) that planning permission be approved subject to:

- (i) the conditions contained within the report and those detailed on the late items schedule;
- (ii) the inclusion of the Highways Authority requested conditions as detailed in the late item schedule and the amendment to the landscaping schedule also as detailed on the late item schedule; and
- (iii) the completion of a S106 Agreement to secure the developer contributions set out in the report and requiring a management company be established for maintenance of communal areas and adjacent swales.

117. ANNEXE BURGAGE COTTAGE, BURGAGE LANE, SOUTHWELL (16/01424/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought full planning permission for the erection of an extension to the existing annexe to create a new 4 bedroomed dwelling and erection of a new garage.

In determining the application, Members considered accessibility issues and the impact the proposal would have on the conservation area and the residential amenity of surrounding properties.

AGREED (with 13 votes for and 1 abstention) that full planning permission be refused for the reasons contained within the report.

118. ORCHARD END, BISHOPS DRIVE, SOUTHWELL (16/01563/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought full planning permission for the demolition of the existing property and a replacement detached dwelling.

Members considered that demolition had already taken place in the conservation area which meant that an offence could have been committed.

AGREED (with 10 votes for, 3 against and 1 abstention ) that:

- (a) full planning permission be approved subject to the revised conditions as specified by officers; and
- (b) as the demolition of the former building had been undertaken without any consent, officers from the legal section be asked to determine if it was in the public interest to pursue a prosecution.

119. LAND ADJACENT BROOKFIELD, EPPERSTONE ROAD, LOWDHAM (16/01504/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought full planning permission for the erection of three two-bedroomed dwellings and two four-bedroomed dwellings.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the case officer which suggested two additional conditions to be put on any granting of planning permission.

AGREED (unanimously) that full planning permission be granted, subject to the conditions contained within the report and the two additional conditions as detailed on the late items schedule.

120. SITE ADJACENT 'THE OLD GRAIN STORE', OLD EPPERSTONE ROAD, LOWDHAM (16/01271/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought retrospective planning consent for the use of the land and existing building for a fuel production business in connection with the agricultural business. The application also sought retrospective consent for a metal storage container, biomass boiler and woodchip clamp. Such use had been in operation from February 2015.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the Councils Environmental Health Officer. This representation reflected a change in advice given ongoing complaints about smoke nuisance affecting nearby properties and reference to the height of the chimney.

Members considered the application and whether the application was appropriate and proportionate given it was in the greenbelt. Members also considered the operating hours and if there were any issues with wood chippings blocking the watercourse.

AGREED (unanimously) that the Committee were minded to grant approval and the Business Manager - Development be given delegated authority to approve subject to:

- (i) the conditions set out in the report;
- (ii) a chimney stack assessment and if necessary, an air quality assessment (being completed before permission is granted) that attracts no objection from the Council's Environmental Health Officer;
- (iii) the chimney to the biomass boiler being raised no higher than 10 meters;
- (iv) the applicant being invited to submit a revised block plan to include the new lean to building already on site; and
- (vi) an amendment to condition 5 restricting the operating hours on Saturday from 07:00 to 12:00 and any reasonable condition relating to the maintenance of the watercourse.

*(Councillor R.J. Jackson withdrew from the meeting during consideration of this item).*

121. DIXONS RETAIL PLC, DISTRIBUTION CENTRE, LONG HOLLOW WAY, WINTHORPE (16/01505/FULM)

The Committee considered the report of the Deputy Chief Executive, which sought full planning permission for the erection of a new warehouse building adjacent to the existing distribution building 2. The new building would be used for the storage of cardboard prior to its recycling and machinery in connection with the cardboard bailing process.

AGREED (unanimously) that full planning permission be approved subject to the conditions contained within the report.

122. LAND NORTH OF BELLE VUE LANE, BLIDWORTH (16/01144/FULM)

The Committee considered the report of the Deputy Chief Executive, which sought full planning permission for residential development of the site to include a total of twenty one residential units (fifteen two-bedroom and six one-bedroom flats/maisonettes).

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the County Council Policy Team and Highways.

AGREED that full planning permission be granted, subject to:

- (i) the conditions contained within the report;
- (ii) any reasonable conditions as requested to be imposed by the Highways Authority; and
- (iii) the signing and sealing of a Section 106 Agreement to secure the matters summarised in the table forming the Note to Applicant No. 4 as detailed in the report.

123. APPEALS LODGED

AGREED that the report be noted.

124. APPEALS DETERMINED

AGREED that the report be noted.

The meeting closed at 6.48pm

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the meeting of the **AUDIT & ACCOUNTS COMMITTEE** held in Room G21, Kelham Hall on Wednesday, 30 November 2016 at 9:30am.

PRESENT: Councillor G.P. Handley (in the Chair)

Councillors: R.A. Crowe, P.J. Rainbow and B. Wells.

ALSO IN ATTENDANCE: Nicky Lovely- (Business Manager and Chief Financial Officer  
- Financial Services- NSDC)  
John Sketchley (Audit Manager (Audit Lincolnshire))  
Amanda Hunt (Principal Auditor (Assurance Lincolnshire))  
Tara Beesley (Accountant NSDC)  
Helen Brookes (Manager KPMG)

21. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mrs Michael.

22. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS AND AS TO THE PARTY WHIP

NOTED: that no Member or Officer declared any interest pursuant to any statutory requirement in any matter discussed or voted upon at the meeting.

23. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

The Chairman informed the Committee that the Council was undertaking an audio recording of the meeting.

24. MINUTES OF MEETING HELD ON 7 SEPTEMBER 2016

AGREED that the Minutes of the meeting held on 7 September 2016 be approved as a correct record and signed by the Chairman.

25. ORDER OF BUSINESS

With the agreement of the Committee, the Chairman took the agenda items in the following order- Items 4, 6, 7, 8, 5, 9, 10, 11, and 12.

26. REVISED INTERNAL AUDIT CHARTER

The Audit Manager from Assurance Lincolnshire presented a revised Internal Audit Charter, a key policy document in support of the Council's audit arrangements. The Charter set out the nature, role, responsibilities and authority of the Internal Audit Services at the Council, which was delivered by Assurance Lincolnshire. The Charter had been revised to ensure conformance with the revised UK public sector Internal Audit Standards published in April 2016.

The Committee considered the Charter, particularly noting the key responsibilities of the Audit and Accounts Committee in relation to the internal audit function and how the Committee fulfilled these. It was noted that a 'private' meeting between the Committee and the Head of Internal Audit had been scheduled for February 2017. The Committee confirmed that the revised Charter would be considered by CMT.

AGREED (unanimously) that the revised Internal Audit Charter be approved.

## 27. INTERNAL AUDIT PROGRESS REPORT

The Principal Auditor - Assurance Lincolnshire presented the Internal Audit Progress report which covered the period up to 31 October 2016. The Committee heard that three reports had been issued during the period, all with substantial assurance, covering Anti-social behaviour and Domestic Violence, Property and Plant Equipment and Financial Key Controls. Overdue audit recommendations were detailed in Appendix Two to the report.

The Committee considered the outstanding recommendations for CCTV and ICT-Uniform. The Principal Auditor informed the Committee that the Business Manager-CCTV had expressed their intention to implement the outstanding recommendations by the end of the year. Two of the five outstanding recommendations for ICT-Uniform had been implemented; however, the Committee agreed that the Business Manager for ICT-Uniform should be invited to a meeting of the Committee regarding the three further outstanding recommendations.

The Audit Manager - Assurance Lincolnshire informed the Committee that an additional 'pool' of auditors had been created to manage the workload to help prevent delay on the Internal Audit Plan. Whilst there had been an effect on the workload of Business Managers, due to the Moving Ahead project, this had not significantly impacted on the work of the internal audit. The Business Manager and Chief Financial Officer- Financial Services informed the committee that performance indicators were monitored quarterly and therefore any delay against the audit plan could be flagged up in good time.

AGREED (unanimously) that:

- 1) the report be noted; and
- 2) that the Business Manager responsible for the Uniform system be invited to the next meeting of the Committee.

## 28. RESULTS OF THE EXTERNAL QUALITY ASSESSMENT OF ASSURANCE LINCOLNSHIRE

The Committee considered the results of the external quality assessment of Assurance Lincolnshire. The Public Sector Internal Audit Standards required that an external assessment was undertaken at least once every five years as part of the Internal Audit Quality Assurance Framework and Improvement Plan. The external assessment was undertaken by CIPFA.



The overall conclusion was that there were no areas of non-compliance that would affect the overall scope or operation of the internal audit activity, nor significant areas of partial non-compliance. There were two recommendations, which had been accepted and implemented. These were to include details of resources on the audit plan and to ensure that the planned ethical audit was undertaken. Nine suggestions had also been included, which had been considered by Assurance Lincolnshire, and all but two of these had also been implemented, or were scheduled for implementation.

The Committee welcomed the positive report, particularly noting the comments at 5.2 of the report to Members, and the praise received from CIPFA for the excellent work undertaken by Assurance Lincolnshire.

AGREED (unanimously) that:

- 1) the External Quality Assessment of Assurance Lincolnshire be noted;
- 2) the Committee are assured over the quality and effectiveness of the Council's Internal Audit Services provider- Assurance Lincolnshire; and
- 3) the Quality Assurance and Improvement Plan be noted.

#### 29. TREASURY MANAGEMENT 2016/17 MID YEAR REPORT

The Committee considered the Treasury Management 2016/17 Mid-Year report which detailed the Council's Treasury Activity and prudential indicators for the first half of 2016/17. None of the prudential indicators had been breached and a prudent approach had been taken in relation to the investment activity, with priority given to security and liquidity over yield.

As at 30 September 2016, the Council had £92.5m loans, an increase of £0.5m from March 2016. The Council borrowing was still under the Capital Financing Requirement (CFR), however, it was note that the CFR may increase over the next two years due to the capital programme. Where possible, internal borrowing would be considered. The planned spending could also reduce levels of investments.

Members heard that in June, Barclays Bank had informed the Council that it would cancel all embedded options within LOBO loads, effectively converting £13m of the Council's loans to a fixed rate loans.

The Committee also considered details of the Council's investments, noting the reduction in interest rates and the information provided by the Council's Treasury Management Advisor, Arlingclose, regarding the Counterparty list. The Accountant confirmed that most of the Councils investments were short term investments which could be moved as required, and officers carefully monitored the counterparty advice.

AGREED that:

- (a) the treasury activity be noted; and

(b) the Prudential Indicators detailed in Section 7 of the report be Noted.

29. EXTERNAL AUDITORS ANNUAL AUDIT LETTER AND PROGRESS REPORT 2015/16

Helen Brookes was in attendance to present the External Auditor's Annual Letter and Progress report, summarising key findings from the external audit work undertaken in 2015/16 including the Statement of Accounts and Value for Money conclusion.

Unqualified audit opinions for both the Statement of Accounts and Value for Money conclusion had been issued on 29 September 2016 and the Annual Governance Statement was reviewed and found to be consistent with the Auditor's understanding. The audit fee was in line with the planned fee at £48,329, excluding VAT.

The Committee heard that KPMG were proposing to shorten the time between field-work and issue of the audit report, to help improve the audit process overall.

AGREED that the Committee considered the External Auditor's Annual Audit Letter for 2015/16.

30. COUNTER FRAUD ACTIVITY REPORT

The Business Manager and Chief Financial Officer- Financial Services presented a report detailing counter fraud activity undertaken since 27 April 2016.

On 1 December 2015, the Housing Benefit fraud team transferred to the Fraud and Error service, and since that time 36 cases had been referred for investigation. The NFI Council tax single person discount exercise was now conducted every year, with 1,275 cases investigated this year, resulting in the cancellation of 31 single person discounts to date, totalling £23,452. Court costs charged to the Council since April 2016 were £13,058, and were recovered from claimants where possible. The Committee requested a report be brought to a future meeting detailing Council tax collection rates and write-offs.

An attempt at executive fraud had been made against Active4Today in March but was intercepted by staff before any money was lost. In this case the officer had telephoned the manager to confirm the purchase order number, and it was discovered that there had been no genuine request for funds. The Council also has additional controls in place to independently check any changes in bank details which would have intercepted any payment. All staff of the Council were emailed after the attempt to raise awareness against any future attempted frauds against the organisation.

Work was ongoing to procure a third party to carry out a refresh of the fraud risk register and deliver further counter fraud work identified as a result.

AGREED that the report be noted.

31. RESPONSES TO QUESTIONS RAISED AT PREVIOUS MEETING

The Business Manager and Chief Financial Officer- Financial Services presented a report which detailed the answer to a question raised by the Committee at their previous meeting relating to the progress with attaining the Procurement Card Industry Data Security Standard. It was reported that progress in attaining the standard was slow, due to competing workloads within the ICT Business unit, including the Moving Ahead project and it was noted that a significant amount of work was required to

demonstrate compliance with the standard.

Officers were therefore investigating an alternative payment card solution from a provider that offered a hosted merchant service that was already compliant with the Standard. If viable and cost effective, it would be implemented as soon as possible, removing the need for the work to be undertaken in house.

AGREED that the report be noted.

### 32. AUDIT COMMITTEE WORK PROGRAMME

The Committee considered a report presented by the Business Manager and Chief Financial Officer – Financial Services which advised Members of the future Work Plan for the period 30 November 2016 – July 2017.

In considering the workplan, the Committee queried whether it was appropriate to include a review of the Housing Revenue Account (HRA). Members were aware of plans for significant housing development and the additional risk that this may bring to the viability of the HRA. The Business Manager and Chief Financial Officer- Financial Services clarified that the Committee regularly considered the strategic risk register, which included the HRA as a risk. Members considered details including trigger events, their impact, and the measures in place to monitor and mitigate the risks. The risk was reviewed by officers on a quarterly basis. It was also noted that the HRA Business Plan was re-modelled as needed and was within the remit of the Policy and Finance Committee.

AGREED that the Work Plan be noted.

### 33. DATE OF NEXT MEETING

NOTED that the date of the next meeting was Wednesday, 8 February 2017, at 10 in G21.

The meeting closed at 10.52am.

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **COUNCILLORS' COMMISSION** held in the Leader's Office, Kelham Hall, Newark on Wednesday, 26 October 2016 at 3.00pm.

PRESENT: Councillor: R.V. Blaney (Chairman)  
Councillors: J. Lee, N. Mison, D.R. Payne and D. Staples.

APOLOGIES: Councillors: Mrs G.E. Dawn, D.J. Lloyd and P. Peacock.

31. MINUTES OF THE MEETING HELD ON 31 MAY 2016

AGREED that the minutes of the meeting held on 31 May 2016 be approved as a correct record and signed by the Chairman.

32. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

There were no declarations of interest.

33. DELEGATION TO CHIEF OFFICERS TO SETTLE ALTERNATIVE DISPUTE RESOLUTION (ADR) PROCEEDINGS

The Commission considered the report of the Deputy Chief Executive concerning extending delegated authority to Chief Officers to enter into and settle Alternative Dispute Resolution (ADR) Proceedings. The report referred to the mediation proceedings relating to Ollerton Hall and the arbitration proceedings relating to Newark Cattle Market at which there was an expectation that those parties entering into ADR proceedings would carry the executive authority to negotiate with the other party and to settle the matter at the close of those proceedings.

The report suggested that it would be preferable if there were a specific delegated authority to cover the particular circumstances given the likelihood that ADR would be used with increasing frequency in the future and was actively encouraged by the courts. The intention would be that whilst the relevant Chief Officer would have the delegated authority to settle those proceedings, it would generally be within parameters which had first been agreed informally by relevant members.

It was recommended that paragraph 7.2.5 of the Scheme of Officer Delegation be amended by the addition of the following:-

- (i) Enter into alternative dispute resolutions, to include mediation and arbitration proceedings, where appropriate and to have delegated authority to settle those proceedings on behalf of the Council.

The Commission considered that the wording "it would generally be within parameters which had first been agreed informally by relevant members" should be added as an additional safeguard.

AGREED (unanimously) that the Council be recommended to amend the Scheme of Officer Delegation by amending paragraph 7.2.5 as follows:

- (i) Enter into alternative dispute resolutions, to include mediation and arbitration proceedings, where appropriate and to have delegated authority to settle those proceedings on behalf of the Council. It would generally be within parameters which had first been agreed informally by relevant members” should be added as an additional safeguard.

#### 34. COMMITTEE REMITS - HEALTH AND WELLBEING

The Commission considered the report of the Deputy Chief Executive concerning an anomaly in the Constitution which meant that Health and Wellbeing matters were being reported to both the Leisure & Environment Committee and the Homes & Communities Committee.

It was reported that the Leisure & Environment Committee had within its remit “Developing and adopting policies and procedures in accordance with the Council’s Health and Wellbeing strategies including: Obesity and Health Strategy; Older Peoples Strategy and Children and Young People’s Strategy.” The Leisure & Environment Committee was also currently designated to receive any reports from the Nottinghamshire Health and Wellbeing Board. However currently decision making in respect of health and wellbeing fell within the remit of the Homes & Communities Committee.

The Commission considered that the decision making in respect of health and wellbeing should move to the Leisure & Environment Committee but also felt that it was necessary for the Leisure & Environment Committee to cross refer to other committees when appropriate.

AGREED (unanimously) that the appropriate recommendation be made to the Council to amend the Committee remits accordingly.

#### 35. HRA HOUSING DEVELOPMENT PROGRAMME- PLANNING APPLICATIONS

The Commission considered the report of the Deputy Chief Executive which set out the implications for the Planning Committee in respect of resourcing the planning side of the HRA housing development programme.

The Council has a programme to build 360 housing units over the next five years. Proposals are based around developing on small infill and old garage sites. In order to deliver the first 70 units it is estimated that this will involve approximately 40 sites and subsequently 40 planning applications. Under the current delegation arrangements in the Constitution all such applications would need to go to the Planning Committee for determination. The Commission were invited to consider the implication of resourcing this planning application process and come to a view about whether there could be some changes to the current Scheme of Delegation to enable such applications to be determined by officers.

AGREED (unanimously) that the Council be recommended to consider a change to the current Scheme of Officer Delegation to enable the HRA housing development programme planning applications to be considered under delegated authority aside from the usual safeguards around reserving matters to the Planning Committee.

36. ROLE OF THE LEADER OF THE MAIN OPPOSITION GROUP

The Commission considered the report of the Deputy Chief Executive which invited members to consider the role of the Leader of the Main Opposition Group. During consideration of the Members Independent Remuneration Panel recommendations in January 2016 there was a view expressed that the role of the Deputy Leader of the Major Opposition Party was not sufficiently recognised within the scheme. It was also suggested at that time that the role of the Leader of the Major Opposition Party could be formally recognised in the Constitution and taken into account in the next Independent Review.

The Commission noted that there was little reference to the role of specific members in the Constitution which the Chief Executive advised was generally the case. However it was considered that it would be helpful to have key member roles recorded in some way which could then be presented to future Remuneration Panels when they consider recommendations about levels of allowances

AGREED (unanimously) that the Chief Executive draw up some role descriptions for the key member roles in the Council, including the Leader of the main opposition group.

37. EXTENSION OF SCHEME OF OFFICER DELEGATION TO INCLUDE EAST MIDLANDS BUILDING CONSULTANCY

The Commission considered the report of the Deputy Chief Executive which sought to extend the current Scheme of Officer Delegation to reflect the establishment of the East Midlands Building Consultancy.

It was reported that for employment purposes officers engaged in the East Midlands Building Consultancy were now employed by South Kesteven District Council. The current Scheme of Officer Delegation included delegated powers to take all necessary action to administer building control functions including regulations and other enactments relating to building control, including individual determination of consent and enforcement action to include service of notices and enforcement proceedings and the right to apply for a warrant of entry. The delegated authority also included the power to authorise other officers to act on their behalf.

For the avoidance of doubt the report suggested that a note be added to the officer scheme of delegation to make it clear that such authorisation to other officers may be extended to include officers in the East Midlands Building Consultancy employed by South Kesteven District Council. It was also recommended that it was made clear that this included delegated authority to deal with dangerous structures taking such action as was considered necessary and appropriate.

AGREED (unanimously) that Council be recommended that the Scheme of Officer Delegation be amended to make it clear that the building control function including dealing with dangerous structures may be undertaken through the East Midlands Building Consultancy through officers employed by South Kesteven District Council as part of those shared service arrangements.

38. DATE OF NEXT MEETING

To be arranged.

Meeting closed at 4.10pm.

Chairman