

Dear Sir/Madam,

ANNUAL COUNCIL MEETING – 16 MAY 2017

Notice is hereby given that the Annual Meeting of the Newark and Sherwood District Council will be held in the Council Chamber, Kelham Hall on Tuesday, 16 May 2017 at 6.00pm.

Yours faithfully



A.W. Muter
Chief Executive

AGENDA

Pages

- | | | |
|----|---|--------|
| 1. | Apologies for absence | |
| 2. | Election of Chairman of the Council for 2017/18 | |
| 3. | Chairman to Sign Declaration of Acceptance of Office | |
| 4. | Election of Vice-Chairman of the Council for 2017/18 | |
| 5. | Vice-Chairman to Sign Declaration of Acceptance of Office | |
| 6. | Minutes of the meeting held on 9 March 2017 | 4 – 21 |
| 7. | Declarations of Interests by Members and Officers | |
| 8. | Declaration of any Intentions to Record the Meeting | |

9.	Communications which the Chairman or the Chief Executive may wish to lay before the Council	
10.	Communications which the Leader of the Council and Committee Chairmen may wish to lay before the Council	
11.	Questions from Members of the Public	
12.	In accordance with Rule No. 10 to receive Petitions from Members of the Council (if any)	
13.	Political Composition of the Council and Allocation of Seats on Committees to Political Groups	22 - 24
14.	To appoint the Leader and Deputy Leader of the Council, Committee Chairmen and Vice-Chairmen, Major Opposition Group Spokespersons, Members to Committees and Substitute Members to Committees	To Follow
15.	Appointment of Representatives on Outside Bodies and Council Owned Companies	25
16.	Rule No. 4.8 – Appointment of a Panel	26
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18.	Proposed Change to Financial Regulations	38 - 41
19.	Adoption of the Thurgarton Neighbourhood Plan	42 - 43
20.	Community Infrastructure Levy Review – Submission	44 - 84
21.	Reservation of Decision – Newark Lorry Park	85 - 102
22.	Notices of Motion (if any)	
23.	Questions from Members of the Council	

MINUTES FOR NOTING

24.	(a) Policy & Finance Committee – 6 April 2017	103 - 113 (Exempt) 114 - 117
	(b) Economic Development Committee – 29 March 2017	118 - 123
	(c) Homes & Communities Committee – 13 March 2017	124 - 127
	(d) Leisure & Environment – 21 March 2017	128 - 134
	(e) General Purposes Committee – 16 March 2017	135 - 136
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(g) Councillors' Commission – 27 April 2017	140 - 146
(h) Planning Committee	
(i) 7 March 2017	147 - 158
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(iv) 9 May 2017	170 - 176
	To follow
(i) Audit and Accounts Committee – 26 April 2017	To follow

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 Thursday 9 March 2017 at 6.00pm.

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

Councillors: Mrs K. Arnold, R.V. Blaney, Mrs B.M. Brooks, Mrs C. Brooks, Mrs I. Brown, M. Buttery, D.J. Clarke, M. Cope, Mrs R. Crowe, R.A. Crowe, Mrs G.E. Dawn, 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, Mrs S. Soar, D. Staples, D. Thompson, Mrs A.A. Truswell, I. Walker, K. Walker, B. Wells, T. Wendels and Mrs Y. Woodhead.

APOLOGIES FOR ABSENCE: Councillors: D. Batey, Mrs M. Dobson, and F. Taylor.

57. MINUTES

AGREED that the minutes of the Meeting held on 14 February 2017 be approved as a correct record and signed by the Chairman.

58. DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

There were no declarations of interest.

59. 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.

60. REVENUE BUDGET AND COUNCIL TAX SETTING FOR 2017/18

The Council considered the joint report of the Leader of the Council and the Business Manager and Chief Financial Officer – Financial Services relating to the Revenue Budget and Council Tax Setting for 2017/2018.

The report indicated that, in setting the level of Council Tax for 2017/2018, it was necessary to consider the requirements of the Council Tax Collection Fund for 2017/2018. This incorporated the District Council's Council Tax Requirement, Parish Council Precepts and the Council Tax requirements of Nottinghamshire County Council, the Nottinghamshire Police and Crime Commissioner and the Nottinghamshire Fire and Rescue Service.

The Policy & Finance Committee, at its meeting held on 23 February 2017, recommended that the District Council's Council Tax Requirement for 2017/2018, excluding Parish Council precepts, should be £11,996,190 as detailed in the Council's Budget Book for 2017/2018. As part of the budget process, the views of the operational committees had been taken into account along with views of the Commercial Ratepayers through the statutory consultation.

It was reported that all Parish Council precepts had been received and these totalled £2,709,712.94 making a total Council Tax Requirement for the District Council of £14,705,902.94.

Nottinghamshire County Council had set a precept on Newark & Sherwood District Council's Collection fund for 2017/2018 of £51,143,335.00. The Nottinghamshire Police & Crime Commissioner had set a precept on Newark & Sherwood District Council's Collection fund for 2017/2018 of £6,938,549.33 and the Nottingham and Nottinghamshire Fire and Rescue Service had proposed a precept on Newark & Sherwood District Council's Collection fund for 2017/2018 of £2,848,127.00.

Councillor R.V. Blaney moved and Councillor D.J. Lloyd seconded the recommendations as detailed in the report.

AGREED (with 23 votes for and 13 abstentions) that:

1. the revenue estimates for 2017/2018 and schedule of fees and charges, as submitted in the Council's Budget book be approved;
2. it be noted that the following amounts have been determined for the year 2017/2018 in accordance with regulations made under Section 31(B) of the Local Government Finance Act 1992:-
 - (a) 37,828.75 being the amount calculated by the Council in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its Council Tax Base for the year;
 - (b) £42,027,947 being the net business rate yield after transitional arrangements and rate retention;
 - (c) Part of the Council's Area

	PARISH	TOTAL LOCAL TAX BASE
1	Alverton	23.26
2	Averham	112.86
3	Balderton	3,008.81
4	Barnby in the Willows	104.15
5	Bathley	116.42
6	Besthorpe	80.09
7	Bilsthorpe	878.53
8	Bleasby	386.69
9	Blidworth	1,075.14
10	Bulcote	140.28
11	Carlton-on-Trent	88.41
12	Caunton	199.58
13	Caythorpe	143.95

14	Clipstone	1,242.15
15	Coddington	548.26
16	Collingham	1,095.14
17	Cotham	41.38
18	Cromwell	99.20
19	Eakring	181.27
20	East Stoke	53.16
21	Edingley	178.40
22	Edwinstowe	1,664.19
23	Egmanton	128.60
24	Elston	268.49
25	Epperstone	265.91
26	Farndon	800.71
27	Farnsfield	1,158.20
28	Fiskerton-cum-Morton	411.44
29	Girton and Meering	51.48
30	Gonalston	49.10
31	Grassthorpe	25.24
32	Gunthorpe	306.90
33	Halam	190.57
34	Halloughton	36.33
35	Harby	115.63
36	Hawton	34.45
37	Hockerton	84.64
38	Holme	39.01
39	Hoveringham	167.51
40	Kelham	86.82
41	Kersall	21.88
42	Kilvington	13.66
43	Kirklington	168.99
44	Kirton	114.54
45	Kneesall	89.30
46	Langford	40.89
47	Laxton & Moorhouse	111.18
48	Lowdham	996.83
49	Lyndhurst	6.93
50	Maplebeck	47.22
51	Meering	-
52	Newark	8,086.52
53	North Clifton	74.65
54	North Muskham	394.22
55	Norwell	211.17
56	Ollerton and Boughton	2,606.08
57	Ompton	21.98
58	Ossington	41.48
59	Oxton	267.20
60	Perlethorpe-cum-Budby	74.45
61	Rainworth	1,768.04

62	Rolleston	156.02
63	Rufford	232.06
64	South Clifton	121.18
65	South Muskham	196.02
66	South Scarle	87.12
67	Southwell	2,811.30
68	Spalford	34.75
69	Staunton	26.63
70	Staythorpe	42.37
71	Sutton-on-Trent	491.63
72	Syerston	88.31
73	Thorney	96.03
74	Thorpe	33.46
75	Thurgarton	224.23
76	Upton	188.79
77	Walesby	421.74
78	Wellow	192.55
79	Weston	133.65
80	Wigsley	44.95
81	Winkburn	31.48
82	Winthorpe	282.05
83	Fernwood	930.80
84	Kings Clipstone	122.07
	Total Rounded	37,828.75

PARISHES GROUPED FOR PRECEPT PURPOSES

	Averham, Kelham, Staythorpe	242.05
	Kneesall, Kersall, Ompton	133.16
	Winthorpe, Langford	322.94
	East Stoke, Thorpe	86.62

being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as the amounts of its Council Tax base for the year for dwellings in those parts of its area to which one or more special items relate;

3. that the following amounts be now calculated by the Council for the year 2017/2018 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992:-

(a) £79,704,642.94 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) to (4) of the Act;

- (b) £64,998,740.00 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3)(a) to (d) of the Act;
- (c) £14,705,902.94 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with section 31A(4) of the Act, as its Council Tax requirement for the year;
- (d) £5,583,090.00 being the amount of Revenue Support Grant (£1,048,590) and net retained Business Rates (£4,534,500) which the Council estimates will be payable for the year into its general fund;
- (e) £94,651.00 being the amount which the Council has estimated in accordance with regulations issued under Section 97(3) of the Local Government Finance Act 1988 as its proportion of the surplus on the Council Tax Collection Fund;
- (f) £238.66 being the amount at 3(c) above less the amount at 3(d) above less the amount at 3(e) above all divided by the amount at 2(a) above calculated by the Council in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year;
- (g) £2,709,712.94 being the aggregate amount of all special items referred to in Section 34(1) of the Act, the Council resolves there being no other special items;
- (h) £167.03 being the amount at 3(f) above less the result given by dividing the amount at 3(g) above by the amount at 2(a) above, calculated by the Council in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates.;

(i)

	PARISH	BASIC TAX (£)
1	Alverton	167.03
2	Averham	*
3	Balderton	253.29
4	Barnby in the Willows	193.43
5	Bathley	178.75

6	Besthorpe	241.95
7	Bilsthorpe	239.63
8	Bleasby	194.73
9	Blidworth	235.56
10	Bulcote	202.67
11	Carlton-on-Trent	201.06
12	Caunton	192.08
13	Caythorpe	187.87
14	Clipstone	263.52
15	Coddington	193.59
16	Collingham	203.56
17	Cotham	167.03
18	Cromwell	175.60
19	Eakring	187.22
20	East Stoke	****
21	Edingley	189.45
22	Edwinstowe	233.61
23	Egmanton	180.25
24	Elston	226.62
25	Epperstone	198.64
26	Farndon	230.72
27	Farnsfield	224.01
28	Fiskerton-cum-Morton	184.77
29	Girton and Meering	208.60
30	Gonalston	167.03
31	Grassthorpe	167.03
32	Gunthorpe	222.71
33	Halam	209.01
34	Halloughton	178.04
35	Harby	196.86
36	Hawton	203.31
37	Hockerton	202.47
38	Holme	167.03
39	Hoveringham	237.86
40	Kelham	*
41	Kersall	**
42	Kilvington	167.03
43	Kirklington	201.35
44	Kirton	210.68
45	Kneesall	**
46	Langford	***
47	Laxton & Moorhouse	208.40
48	Lowdham	236.85
49	Lyndhurst	167.03
50	Maplebeck	167.03
51	Meering	167.03
52	Newark	273.84
53	North Clifton	190.47

54	North Muskham	206.34
55	Norwell	189.52
56	Ollerton and Boughton	294.22
57	Ompton	**
58	Ossington	167.03
59	Oxton	202.58
60	Perlethorpe-cum-Budby	187.18
61	Rainworth	202.38
62	Rolleston	207.09
63	Rufford	185.71
64	South Clifton	179.41
65	South Muskham	216.95
66	South Scarle	216.73
67	Southwell	239.45
68	Spalford	167.03
69	Staunton	167.03
70	Staythorpe	*
71	Sutton-on-Trent	212.51
72	Syerston	171.11
73	Thorney	190.46
74	Thorpe	****
75	Thurgarton	194.01
76	Upton	201.51
77	Walesby	252.39
78	Wellow	195.59
79	Weston	195.09
80	Wigsley	167.03
81	Winkburn	167.03
82	Winthorpe	***
83	Fernwood	242.08
84	Kings Clipstone	244.85

PARISHES GROUPED FOR PRECEPT PURPOSES

	Parish	Basic Tax (£)
*	Averham, Kelham, Staythorpe	179.67
**	Kneesall, Kersall, Ompton	183.49
***	Winthorpe, Langford	193.56
****	East Stoke, Thorpe	195.89

being the amounts given by adding to the amount at 3(h) above the amounts of the special item or items (if any) relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in parts of its area including those parts to which one or more special items relate.

Recommendation 3(j) shows the basic level of tax for all property Bands in each parish, including parish charges where appropriate. This is shown on the following two pages.

3(j)

Part of the Council's area, being the Parishes of:-	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
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		£	£	£	£	£	£	£	£
1	Alverton	111.35	129.91	148.47	167.03	204.15	241.27	278.38	334.06
2	Averham	*	*	*	*	*	*	*	*
3	Balderton	168.86	197.00	225.15	253.29	309.58	365.86	422.15	506.58
4	Barnby in the Willows	128.95	150.45	171.94	193.43	236.41	279.40	322.38	386.86
5	Bathley	119.17	139.03	158.89	178.75	218.47	258.19	297.92	357.50
6	Besthorpe	161.30	188.18	215.07	241.95	295.72	349.48	403.25	483.90
7	Bilsthorpe	159.75	186.38	213.00	239.63	292.88	346.13	399.38	479.26
8	Bleasby	129.82	151.46	173.09	194.73	238.00	281.28	324.55	389.46
9	Blidworth	157.04	183.21	209.39	235.56	287.91	340.25	392.60	471.12
10	Bulcote	135.11	157.63	180.15	202.67	247.71	292.75	337.78	405.34
11	Carlton-on-Trent	134.04	156.38	178.72	201.06	245.74	290.42	335.10	402.12
12	Caunton	128.05	149.40	170.74	192.08	234.76	277.45	320.13	384.16
13	Caythorpe	125.25	146.12	167.00	187.87	229.62	271.37	313.12	375.74
14	Clipstone	175.68	204.96	234.24	263.52	322.08	380.64	439.20	527.04
15	Coddington	129.06	150.57	172.08	193.59	236.61	279.63	322.65	387.18
16	Collingham	135.71	158.32	180.94	203.56	248.80	294.03	339.27	407.12
17	Cotham	111.35	129.91	148.47	167.03	204.15	241.27	278.38	334.06
18	Cromwell	117.07	136.58	156.09	175.60	214.62	253.64	292.67	351.20
19	Eakring	124.81	145.62	166.42	187.22	228.82	270.43	312.03	374.44
20	East Stoke	****	****	****	****	****	****	****	****
21	Edingley	126.30	147.35	168.40	189.45	231.55	273.65	315.75	378.90
22	Edwinstowe	155.74	181.70	207.65	233.61	285.52	337.44	389.35	467.22
23	Egmanton	120.17	140.19	160.22	180.25	220.31	260.36	300.42	360.50
24	Elston	151.08	176.26	201.44	226.62	276.98	327.34	377.70	453.24
25	Epperstone	132.43	154.50	176.57	198.64	242.78	286.92	331.07	397.28
26	Farndon	153.81	179.45	205.08	230.72	281.99	333.26	384.53	461.44
27	Farnsfield	149.34	174.23	199.12	224.01	273.79	323.57	373.35	448.02
28	Fiskerton-cum-Morton	123.18	143.71	164.24	184.77	225.83	266.89	307.95	369.54
29	Girton	139.07	162.24	185.42	208.60	254.96	301.31	347.67	417.20
30	Gonalston	111.35	129.91	148.47	167.03	204.15	241.27	278.38	334.06
31	Grassthorpe	111.35	129.91	148.47	167.03	204.15	241.27	278.38	334.06
32	Gunthorpe	148.47	173.22	197.96	222.71	272.20	321.69	371.18	445.42

33	Halam	139.34	162.56	185.79	209.01	255.46	301.90	348.35	418.02
34	Halloughton	118.69	138.48	158.26	178.04	217.60	257.17	296.73	356.08
35	Harby	131.24	153.11	174.99	196.86	240.61	284.35	328.10	393.72
36	Hawton	135.54	158.13	180.72	203.31	248.49	293.67	338.85	406.62
37	Hockerton	134.98	157.48	179.97	202.47	247.46	292.46	337.45	404.94
38	Holme	111.35	129.91	148.47	167.03	204.15	241.27	278.38	334.06
39	Hoveringham	158.57	185.00	211.43	237.86	290.72	343.58	396.43	475.72
40	Kelham	*	*	*	*	*	*	*	*
41	Kersall	**	**	**	**	**	**	**	**
42	Kilvington	111.35	129.91	148.47	167.03	204.15	241.27	278.38	334.06
43	Kirklington	134.23	156.61	178.98	201.35	246.09	290.84	335.58	402.70
44	Kirton	140.45	163.86	187.27	210.68	257.50	304.32	351.13	421.36
45	Kneesall	**	**	**	**	**	**	**	**
46	Langford	***	***	***	***	***	***	***	***
47	Laxton & Moorhouse	138.93	162.09	185.24	208.40	254.71	301.02	347.33	416.80
48	Lowdham	157.90	184.22	210.53	236.85	289.48	342.12	394.75	473.70
49	Lyndhurst	111.35	129.91	148.47	167.03	204.15	241.27	278.38	334.06
50	Maplebeck	111.35	129.91	148.47	167.03	204.15	241.27	278.38	334.06
51	Meering	111.35	129.91	148.47	167.03	204.15	241.27	278.38	334.06
52	Newark	182.56	212.99	243.41	273.84	334.69	395.55	456.40	547.68
53	North Clifton	126.98	148.14	169.31	190.47	232.80	275.12	317.45	380.94
54	North Muskham	137.56	160.49	183.41	206.34	252.19	298.05	343.90	412.68
55	Norwell	126.35	147.40	168.46	189.52	231.64	273.75	315.87	379.04
56	Ollerton and Boughton	196.15	228.84	261.53	294.22	359.60	424.98	490.37	588.44
57	Ompton	**	**	**	**	**	**	**	**
58	Ossington	111.35	129.91	148.47	167.03	204.15	241.27	278.38	334.06
59	Oxton	135.05	157.56	180.07	202.58	247.60	292.62	337.63	405.16
60	Perlethorpe-cum-Budby	124.79	145.58	166.38	187.18	228.78	270.37	311.97	374.36
61	Rainworth	134.92	157.41	179.89	202.38	247.35	292.33	337.30	404.76
62	Rolleston	138.06	161.07	184.08	207.09	253.11	299.13	345.15	414.18
63	Rufford	123.81	144.44	165.08	185.71	226.98	268.25	309.52	371.42
64	South Clifton	119.61	139.54	159.48	179.41	219.28	259.15	299.02	358.82
65	SouthMuskham	144.63	168.74	192.84	216.95	265.16	313.37	361.58	433.90
66	South Scarle	144.49	168.57	192.65	216.73	264.89	313.05	361.22	433.46
67	Southwell	159.63	186.24	212.84	239.45	292.66	345.87	399.08	478.90
68	Spalford	111.35	129.91	148.47	167.03	204.15	241.27	278.38	334.06
69	Staunton	111.35	129.91	148.47	167.03	204.15	241.27	278.38	334.06
70	Staythorpe	*	*	*	*	*	*	*	*
71	Sutton-on-Trent	141.67	165.29	188.90	212.51	259.73	306.96	354.18	425.02
72	Syerston	114.07	133.09	152.10	171.11	209.13	247.16	285.18	342.22

73	Thorney	126.97	148.14	169.30	190.46	232.78	275.11	317.43	380.92
74	Thorpe	****	****	****	****	****	****	****	****
75	Thurgarton	129.34	150.90	172.45	194.01	237.12	280.24	323.35	388.02
76	Upton	134.34	156.73	179.12	201.51	246.29	291.07	335.85	403.02
77	Walesby	168.26	196.30	224.35	252.39	308.48	364.56	420.65	504.78
78	Wellow	130.39	152.13	173.86	195.59	239.05	282.52	325.98	391.18
79	Weston	130.06	151.74	173.41	195.09	238.44	281.80	325.15	390.18
80	Wigsley	111.35	129.91	148.47	167.03	204.15	241.27	278.38	334.06
81	Winkburn	111.35	129.91	148.47	167.03	204.15	241.27	278.38	334.06
82	Winthorpe	***	***	***	***	***	***	***	***
83	Fernwood	161.39	188.28	215.18	242.08	295.88	349.67	403.47	484.16
84	Kings Clipstone	163.23	190.44	217.64	244.85	299.26	353.67	408.08	489.70

Parishes joint for Precept purposes

*	Averham, Kelham, Staythorpe	119.78	139.74	159.71	179.67	219.60	259.52	299.45	359.34
**	Kneesall, Kersall, Ompton	122.33	142.71	163.10	183.49	224.27	265.04	305.82	366.98
**	Winthorpe, Langford	129.04	150.55	172.05	193.56	236.57	279.59	322.60	387.12
**	East Stoke, Thorpe	130.59	152.36	174.12	195.89	239.42	282.95	326.48	391.78

being the amounts given by multiplying the amounts at 3(i) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

4. it be noted for the year 2017/2018 that the Nottinghamshire County Council has stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below;

Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
£	£	£	£	£	£	£	£
901.31	1,051.53	1,201.75	1,351.97	1,652.41	1,952.85	2,253.28	2,703.94

5. it be noted for the year 2017/2018 that the Nottinghamshire Police and Crime Commissioner has stated the following amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below;

Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
£	£	£	£	£	£	£	£
122.28	142.66	163.04	183.42	224.18	264.94	305.70	366.84

6. it be noted for the year 2017/2018 that the Nottinghamshire Fire and Rescue Service has proposed the following amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below; and

Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
£	£	£	£	£	£	£	£
50.19	58.56	66.92	75.29	92.02	108.75	125.48	150.58

7. having calculated the aggregate in each case of the amounts at 3(j) and 4, 5 and 6 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amount of Council Tax for the year 2017/2018 for each of the categories of dwellings shown on the following pages:

Recommendation 7									
Part of the Council's area, being the Parishes of:-		Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H

		£	£	£	£	£	£	£	£
1	Alverton	1,185.13	1,382.66	1,580.18	1,777.71	2,172.76	2,567.81	2,962.84	3,555.42
2	Averham	1,193.56	1,392.49	1,591.42	1,790.35	2,188.21	2,586.06	2,983.91	3,580.70
3	Balderton	1,242.64	1,449.75	1,656.86	1,863.97	2,278.19	2,692.40	3,106.61	3,727.94
4	Barnby in the Willows	1,202.73	1,403.20	1,603.65	1,804.11	2,205.02	2,605.94	3,006.84	3,608.22
5	Bathley	1,192.95	1,391.78	1,590.60	1,789.43	2,187.08	2,584.73	2,982.38	3,578.86
6	Besthorpe	1,235.08	1,440.93	1,646.78	1,852.63	2,264.33	2,676.02	3,087.71	3,705.26
7	Bilsthorpe	1,233.53	1,439.13	1,644.71	1,850.31	2,261.49	2,672.67	3,083.84	3,700.62
8	Bleasby	1,203.60	1,404.21	1,604.80	1,805.41	2,206.61	2,607.82	3,009.01	3,610.82
9	Blidworth	1,230.82	1,435.96	1,641.10	1,846.24	2,256.52	2,666.79	3,077.06	3,692.48
10	Bulcote	1,208.89	1,410.38	1,611.86	1,813.35	2,216.32	2,619.29	3,022.24	3,626.70
11	Carlton-on-Trent	1,207.82	1,409.13	1,610.43	1,811.74	2,214.35	2,616.96	3,019.56	3,623.48

12	Caunton	1,201.83	1,402.15	1,602.45	1,802.76	2,203.37	2,603.99	3,004.59	3,605.52
13	Caythorpe	1,199.03	1,398.87	1,598.71	1,798.55	2,198.23	2,597.91	2,997.58	3,597.10
14	Clipstone	1,249.46	1,457.71	1,665.95	1,874.20	2,290.69	2,707.18	3,123.66	3,748.40
15	Coddington	1,202.84	1,403.32	1,603.79	1,804.27	2,205.22	2,606.17	3,007.11	3,608.54
16	Collingham	1,209.49	1,411.07	1,612.65	1,814.24	2,217.41	2,620.57	3,023.73	3,628.48
17	Cotham	1,185.13	1,382.66	1,580.18	1,777.71	2,172.76	2,567.81	2,962.84	3,555.42
18	Cromwell	1,190.85	1,389.33	1,587.80	1,786.28	2,183.23	2,580.18	2,977.13	3,572.56
19	Eakring	1,198.59	1,398.37	1,598.13	1,797.90	2,197.43	2,596.97	2,996.49	3,595.80
20	East Stoke	1,204.37	1,405.11	1,605.83	1,806.57	2,208.03	2,609.49	3,010.94	3,613.14
21	Edingley	1,200.08	1,400.10	1,600.11	1,800.13	2,200.16	2,600.19	3,000.21	3,600.26
22	Edwinstowe	1,229.52	1,434.45	1,639.36	1,844.29	2,254.13	2,663.98	3,073.81	3,688.58
23	Egmanton	1,193.95	1,392.94	1,591.93	1,790.93	2,188.92	2,586.90	2,984.88	3,581.86
24	Elston	1,224.86	1,429.01	1,633.15	1,837.30	2,245.59	2,653.88	3,062.16	3,674.60
25	Epperstone	1,206.21	1,407.25	1,608.28	1,809.32	2,211.39	2,613.46	3,015.53	3,618.64
26	Farndon	1,227.59	1,432.20	1,636.79	1,841.40	2,250.60	2,659.80	3,068.99	3,682.80
27	Farnsfield	1,223.12	1,426.98	1,630.83	1,834.69	2,242.40	2,650.11	3,057.81	3,669.38
28	Fiskerton-cum-Morton	1,196.96	1,396.46	1,595.95	1,795.45	2,194.44	2,593.43	2,992.41	3,590.90
29	Girton	1,212.85	1,414.99	1,617.13	1,819.28	2,223.57	2,627.85	3,032.13	3,638.56
30	Gonalston	1,185.13	1,382.66	1,580.18	1,777.71	2,172.76	2,567.81	2,962.84	3,555.42
31	Grassthorpe	1,185.13	1,382.66	1,580.18	1,777.71	2,172.76	2,567.81	2,962.84	3,555.42
32	Gunthorpe	1,222.25	1,425.97	1,629.67	1,833.39	2,240.81	2,648.23	3,055.64	3,666.78
33	Halam	1,213.12	1,415.31	1,617.50	1,819.69	2,224.07	2,628.44	3,032.81	3,639.38
34	Halloughton	1,192.47	1,391.23	1,589.97	1,788.72	2,186.21	2,583.71	2,981.19	3,577.44
35	Harby	1,205.02	1,405.86	1,606.70	1,807.54	2,209.22	2,610.89	3,012.56	3,615.08
36	Hawton	1,209.32	1,410.88	1,612.43	1,813.99	2,217.10	2,620.21	3,023.31	3,627.98
37	Hockerton	1,208.76	1,410.23	1,611.68	1,813.15	2,216.07	2,619.00	3,021.91	3,626.30
38	Holme	1,185.13	1,382.66	1,580.18	1,777.71	2,172.76	2,567.81	2,962.84	3,555.42
39	Hoveringham	1,232.35	1,437.75	1,643.14	1,848.54	2,259.33	2,670.12	3,080.89	3,697.08
40	Kelham	1,193.56	1,392.49	1,591.42	1,790.35	2,188.21	2,586.06	2,983.91	3,580.70
41	Kersall	1,196.11	1,395.46	1,594.81	1,794.17	2,192.88	2,591.58	2,990.28	3,588.34
42	Kilvington	1,185.13	1,382.66	1,580.18	1,777.71	2,172.76	2,567.81	2,962.84	3,555.42
43	Kirklington	1,208.01	1,409.36	1,610.69	1,812.03	2,214.70	2,617.38	3,020.04	3,624.06
44	Kirton	1,214.23	1,416.61	1,618.98	1,821.36	2,226.11	2,630.86	3,035.59	3,642.72
45	Kneesall	1,196.11	1,395.46	1,594.81	1,794.17	2,192.88	2,591.58	2,990.28	3,588.34
46	Langford	1,202.82	1,403.30	1,603.76	1,804.24	2,205.18	2,606.13	3,007.06	3,608.48
47	Laxton & Moorhouse	1,212.71	1,414.84	1,616.95	1,819.08	2,223.32	2,627.56	3,031.79	3,638.16
48	Lowdham	1,231.68	1,436.97	1,642.24	1,847.53	2,258.09	2,668.66	3,079.21	3,695.06
49	Lyndhurst	1,185.13	1,382.66	1,580.18	1,777.71	2,172.76	2,567.81	2,962.84	3,555.42
50	Maplebeck	1,185.13	1,382.66	1,580.18	1,777.71	2,172.76	2,567.81	2,962.84	3,555.42
51	Meering	1,185.13	1,382.66	1,580.18	1,777.71	2,172.76	2,567.81	2,962.84	3,555.42
52	Newark	1,256.34	1,465.74	1,675.12	1,884.52	2,303.30	2,722.09	3,140.86	3,769.04
53	North Clifton	1,200.76	1,400.89	1,601.02	1,801.15	2,201.41	2,601.66	3,001.91	3,602.30
54	North Muskham	1,211.34	1,413.24	1,615.12	1,817.02	2,220.80	2,624.59	3,028.36	3,634.04
55	Norwell	1,200.13	1,400.15	1,600.17	1,800.20	2,200.25	2,600.29	3,000.33	3,600.40

56	Ollerton and Boughton	1,269.93	1,481.59	1,693.24	1,904.90	2,328.21	2,751.52	3,174.83	3,809.80
57	Ompton	1,196.11	1,395.46	1,594.81	1,794.17	2,192.88	2,591.58	2,990.28	3,588.34
58	Ossington	1,185.13	1,382.66	1,580.18	1,777.71	2,172.76	2,567.81	2,962.84	3,555.42
59	Oxton	1,208.83	1,410.31	1,611.78	1,813.26	2,216.21	2,619.16	3,022.09	3,626.52
60	Perlethorpe-cum-Budby	1,198.57	1,398.33	1,598.09	1,797.86	2,197.39	2,596.91	2,996.43	3,595.72
61	Rainworth	1,208.70	1,410.16	1,611.60	1,813.06	2,215.96	2,618.87	3,021.76	3,626.12
62	Rolleston	1,211.84	1,413.82	1,615.79	1,817.77	2,221.72	2,625.67	3,029.61	3,635.54
63	Rufford	1,197.59	1,397.19	1,596.79	1,796.39	2,195.59	2,594.79	2,993.98	3,592.78
64	South Clifton	1,193.39	1,392.29	1,591.19	1,790.09	2,187.89	2,585.69	2,983.48	3,580.18
65	South Muskham	1,218.41	1,421.49	1,624.55	1,827.63	2,233.77	2,639.91	3,046.04	3,655.26
66	South Scarle	1,218.27	1,421.32	1,624.36	1,827.41	2,233.50	2,639.59	3,045.68	3,654.82
67	Southwell	1,233.41	1,438.99	1,644.55	1,850.13	2,261.27	2,672.41	3,083.54	3,700.26
68	Spalford	1,185.13	1,382.66	1,580.18	1,777.71	2,172.76	2,567.81	2,962.84	3,555.42
69	Staunton	1,185.13	1,382.66	1,580.18	1,777.71	2,172.76	2,567.81	2,962.84	3,555.42
70	Staythorpe	1,193.56	1,392.49	1,591.42	1,790.35	2,188.21	2,586.06	2,983.91	3,580.70
71	Sutton-on-Trent	1,215.45	1,418.04	1,620.61	1,823.19	2,228.34	2,633.50	3,038.64	3,646.38
72	Syerston	1,187.85	1,385.84	1,583.81	1,781.79	2,177.74	2,573.70	2,969.64	3,563.58
73	Thorney	1,200.75	1,400.89	1,601.01	1,801.14	2,201.39	2,601.65	3,001.89	3,602.28
74	Thorpe	1,204.37	1,405.11	1,605.83	1,806.57	2,208.03	2,609.49	3,010.94	3,613.14
75	Thurgarton	1,203.12	1,403.65	1,604.16	1,804.69	2,205.73	2,606.78	3,007.81	3,609.38
76	Upton	1,208.12	1,409.48	1,610.83	1,812.19	2,214.90	2,617.61	3,020.31	3,624.38
77	Walesby	1,242.04	1,449.05	1,656.06	1,863.07	2,277.09	2,691.10	3,105.11	3,726.14
78	Wellow	1,204.17	1,404.88	1,605.57	1,806.27	2,207.66	2,609.06	3,010.44	3,612.54
79	Weston	1,203.84	1,404.49	1,605.12	1,805.77	2,207.05	2,608.34	3,009.61	3,611.54
80	Wigsley	1,185.13	1,382.66	1,580.18	1,777.71	2,172.76	2,567.81	2,962.84	3,555.42
81	Winkburn	1,185.13	1,382.66	1,580.18	1,777.71	2,172.76	2,567.81	2,962.84	3,555.42
82	Winthorpe	1,202.82	1,403.30	1,603.76	1,804.24	2,205.18	2,606.13	3,007.06	3,608.48
83	Fernwood	1,235.17	1,441.03	1,646.89	1,852.76	2,264.49	2,676.21	3,087.93	3,705.52
84	Kings Clipstone	1,237.01	1,443.19	1,649.35	1,855.53	2,267.87	2,680.21	3,092.54	3,711.06

Parishes joint for Precept purposes

*	Averham, Kelham, Staythorpe	1,193.56	1,392.49	1,591.42	1,790.35	2,188.21	2,586.06	2,983.91	3,580.70
**	Kneesall, Kersall, Ompton	1,196.11	1,395.46	1,594.81	1,794.17	2,192.88	2,591.58	2,990.28	3,588.34
***	Winthorpe, Langford	1,202.82	1,403.30	1,603.76	1,804.24	2,205.18	2,606.13	3,007.06	3,608.48
***	East Stoke, Thorpe	1,204.37	1,405.11	1,605.83	1,806.57	2,208.03	2,609.49	3,010.94	3,613.14

8. determine that the Council's basic amount of Council Tax for 2017/18 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992 and that the referendum provisions in Chapter 4ZA do not apply for 2017/18.

As the billing authority, the Council has not been notified by a major precepting authority that its relevant basic amount of Council Tax for 2017/18 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992; and

9. determine that the Council should accept the DCLG offer to increase nationally set planning fees by 20% from July 2017.

In accordance with Procedure Rule No. 28a.1 a recorded vote was taken as follows:

Councillor	Vote
Mrs K. Arnold	Abstain
R.V. Blaney	For
Mrs B.M. Brooks	For
Mrs C. Brooks	Abstain
Mrs I. Brown	Abstain
M. Buttery	Abstain
D. Clarke	For
M. Cope	For
Mrs R. Crowe	For
R.A. Crowe	For
Mrs G.E. Dawn	Abstain
P. Duncan	For
K. Girling	For
G.P. Handley	For
Mrs L. Hurst	For
R.J. Jackson	For
B. Laughton	For
J. Lee	For
D.J. Lloyd	For
Mrs S. Michael	For
N. Mison	For
D.R. Payne	For
P. Peacock	Abstain
Mrs P. Rainbow	For
A.C. Roberts	For
Mrs S.E. Saddington	For
Mrs S. Soar	Abstain
D. Staples	Abstain
D. Thompson	Abstain
Mrs L.M.J. Tift	Abstain
Mrs A.A. Truswell	Abstain
I. Walker	For
K. Walker	For
B. Wells	Abstain
T. Wendels	For
Mrs Y. Woodhead	Abstain

61. CAPITAL PROGRAMME 2017/18- 2021/22

The Council considered the report of the Business Manager and Chief Financial Officer – Financial Services which set out the proposed Capital Programme for the period 2017/18 – 2021/22. Following the Policy & Finance Committee’s consideration of the Capital Programme at its meeting on 23 February 2017 and in accordance with Financial Regulation 6.2.3, the final programme was recommended to Council for approval. Attached as Appendix 1 to the report was the report submitted to Policy & Finance Committee held on 23 February 2017 which detailed the resources available, the Council’s existing committed programme and the priority schemes identified.

The Capital Programme for 2017/18 proposed investment of £81m (Housing Services £65.1m and General Fund £15.9m) over the five year period. The expenditure was financed by a combination of Government grants, third party contributions, capital receipts, revenue support (through the Major Repairs Reserve) and internal / external borrowing.

AGREED (with 23 votes for and 13 abstentions) that:

- (a) the General Fund schemes shown in Appendix A, the housing services programme in Appendix B and the vehicles, plant and equipment replacement programme in Appendix C be approved as committed expenditure in the Capital Programme;
- (b) the Capital Programme be managed in accordance with Financial Regulation 6.2.3;
- (c) in accordance with the delegation to the Section 151 Officer in the Council’s Constitution to arrange financing of the Council’s Capital Programme, the Capital Programme for the financial years 2017/18 to 2021/22 be financed so as to maximise the resources available, having regard to the provisions of the Local Government and Housing Act 1989 and subsequent legislation;
- (d) with effect from 11 March 2017, the appropriate Directors be authorised to incur expenditure in respect of all schemes included in the committed Capital Programme; and
- (e) any changes above the limit delegated to the Section 151 Officer (i.e. £10,000), either in funding or the total cost of the capital scheme, be reported to the Policy & Finance Committee for consideration.

62. TREASURY MANAGEMENT STRATEGY STATEMENT 2017/18

The Council considered the report of the Business Manager and Chief Financial Officer – Financial Services which sought approval for the Council’s Treasury Management Strategy Statement for 2017/18. In January 2010 the Council adopted the Chartered Institute of Public Finance and Accountancy’s Treasury Management in the Public Services: Code of Practice (the CIPFA Code), which required the Council to approve a treasury management strategy before the start of each financial year.

In addition, the Department for Communities and Local Government had issued revised Guidance on Local Authority Investments in March 2010 that required the Council to approve an investment strategy before the start of each financial year.

The Council had borrowed and invested substantial sums of money and was therefore exposed to financial risks, including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk were therefore central to the Council's Treasury Management Strategy. The proposed Strategy was considered by the Audit and Accounts Committee at their meeting held on 8 February 2017 who had recommended approval.

The report set out the external and local context; the Borrowing Strategy; the Investment Strategy and Treasury Management Indicators. The Authority was also obliged to include the following additional items in the Treasury Management Strategy: Policy on apportioning interest to the HRA; Minimum Revenue Provision Statement; Investment training; Investment advisers; and Investment of money borrowed in advance of need.

AGREED (unanimously) that:

- (a) the Treasury Management Strategy be approved;
- (b) the investment counterparty criteria listed in paragraph 5.4 of the report be approved;
- (c) the Treasury Management Indicators and Limits set out in paragraph 6 of the report be approved; and
- (d) the Minimum Revenue Provision statement set out in paragraph 7.3 of the report be approved.

63. PAY POLICY STATEMENT 2017/18

The Council considered the report of the Chief Executive which sought approval of the Pay Policy Statement for 2017/18. In accordance with Section 38 (1) of the Localism Act 2011 the Council was required to produce a Pay Policy Statement for each financial year. The Pay Policy Statement must set out the authority's policies for the financial year relating to:

- the remuneration of the authority's lowest-paid employees (together with a definition of "lowest-paid employees") and the reasons for adopting that definition;
- the relationship between remuneration of Chief Officers and that of other officers (pay multiples); and
- the remuneration of Chief Officers.

A copy of the Pay Policy Statement was attached as an appendix to the report. It was noted that the Pay Policy Statement included minor revisions to the 2017/18 statement as follows:

- the statement had been updated to reflect revisions to the Living Wage recommended by the Living Wage Foundation during November 2016 (increase from £8.25 to £8.45 per hour); and
- updates to salary scales to reflect recent pay awards;
- updates to Market Supplements paragraph to reflect national guidance;
- insertion of additional clause regarding arrangements for pay for officers engaged on JNC terms carrying out a corporate (as opposed to Business Manager) role at senior level below the post of Director.

The Policy & Finance Committee, at their meeting held on 23 February 2017, recommended the Pay Policy Statement to Council for adoption.

AGREED (unanimously) that the Pay Policy Statement for 2017/18 be approved.

64. PROPOSED CHANGES TO THE CONSTITUTION

The Council considered the report of the Deputy Chief Executive which set out proposed changes to the Constitution as recommended by the Councillors Commission at their meeting held on 22 February 2017.

The Commission were recommending a revised Code of Corporate Governance which reflected changes to the Council's priorities and recent guidance from CIPFA and SOLACE and the adoption of a Social Media Protocol for Members.

In addition the Commission sought to clarify the position in respect of Section 106 which it considered was a matter to be determined by the Policy & Finance Committee, but with officers having delegated powers to determine how monies should be applied or obligations fulfilled where the terms of the relevant Section 106 Agreement were considered to be sufficiently precise or where the relevant expenditure did not exceed £50,000. The Commission also considered that where necessary such matters could also be referred to the appropriate operational committee in the first instance and where officer delegation was to be exercised this should be following consultation with the relevant local Ward Members.

AGREED (unanimously) that:

- (a) the Council adopt the Code of Corporate Governance attached at Appendix A to the report to reflect the revised framework and guidance and its commitment to securing good governance;
- (b) the remit of the Policy & Finance Committee be amended to make clear that the determination of how Section 106 monies should be applied or obligations fulfilled falls within the remit of that Committee;
- (c) the scheme of Officer delegation be extended to give all the Chief Executive and Chief Officers delegated powers to determine how Section 106 monies should be applied or obligations fulfilled where the terms of the Section 106 Agreement are sufficiently precise or where the amount of the proposed expenditure does not exceed £50,000, following consultation with the appropriate local Ward Members;

- (d) the Policy & Finance Committee be tasked with annual monitoring of Section 106 expenditure; and
- (e) the Council formally approve and adopt the proposed Social Media Protocol for Members as attached as Appendix B to the report.

65. THURGARTON NEIGHBOURHOOD PLAN

The Council considered the report of the Deputy Chief Executive which sought approval to call a referendum on the Thurgarton Neighbourhood Plan. The Thurgarton Neighbourhood Plan had been through the required process of public consultation and was submitted for independent examination in the middle of February 2017. The examiners draft report concluded that, subject to minor modification, the plan met the Basic Conditions and could proceed to referendum.

AGREED (unanimously) that subject to the making of the required modifications, the Chief Executive, acting as Returning Officer, be authorised to arrange a referendum for the Thurgarton Neighbourhood Plan on 4 May 2017 with the poll being combined with the County Council election.

66. MINUTES FOR NOTING

- (a) Policy & Finance Committee – 23 February 2017
- (b) Councillors Commission – 22 February 2017

Meeting closed at 7.41pm.

Chairman

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

1.0 Purpose of Report

1.1 To consider proposals for the allocation of seats on Committees to Political Groups, as required by Council Procedure Rule No. 17.6.

2.0 Background Information

2.1 Section 15 of the Local Government and Housing Act 1989 requires the Council to consider the political composition of the Council at each Annual Meeting in respect of the new Municipal Year. The Act, together with Local Government (Committees and Political Groups) Regulations 1990, require local authorities to allocate seats on non-executive Committees of a local authority on a proportional basis, in accordance with the number of seats on the Council held by each political group.

2.2 The allocation of seats to political groups on Committees needs to be considered in light of the District Ward by-election for the Ollerton Ward which was held on 4 May 2017.

2.3 The result of the by-election was as follows:

Glenn Bardill (Conservative)	913 votes
Neal Mitchell (Labour)	1469 votes

2.4 As a result, the political composition remains unchanged, and is as follows: -

	<u>No. of Seats</u>
Conservative	24
Labour	12
Independent	3

2.5 The Constitution provides that the following Committees be appointed:-

<u>Committee</u>	<u>No. of Members</u>
Policy	7
Homes and Communities	12
Leisure and Environment	12
Economic Development	12
Audit & Accounts	6
Planning	15
General Purposes	15
Licensing	15
Mansfield and District Crematorium Joint Committee	3

2.6 Based on the Committee structure the following calculation can be made:-

a) No of seats on Council = 39

% of total seats held by each Group (rounded) =

	%
Conservative	61.54
Labour	30.77
Independent	7.69
	<u>100%</u>

b) Based on the existing Committee structure there will be a total of 97 seats on Committees which must comply with political balance rules.

The allocation of seats to each Group on these Committees would be:-

			<u>Rounded</u>
Conservative	97 x 61.54%	59.69	60
Labour	97 x 30.77%	29.84	30
Independent	97 x 7.69%	7.45	<u>7</u>
			<u>97</u>

c) The number of seats allocated on Committees to each Political Group is as follows:

Conservative	60
Labour	30
Independent	7

2.7 The proposed allocation of seats on Committees to each political group is set out in the matrix which is attached as **Appendix A** to the report.

2.8 Schedules of appointments to Committees have been forwarded to Group Leaders, based on the calculations made.

3.0 **RECOMMENDATION**

That the Council agree the allocation of seats to Political Groups in accordance with Appendix A to the report.

Background Papers

Nil.

For further information please contact Nigel Hill on 01636 655243.

A.W. Muter
Chief Executive

**ALLOCATION OF SEATS TO
POLITICAL GROUPS**

Committee	Conservative	Labour	Independent	Total
Policy and Finance	5	2	0	7
Homes and Communities	7	4	1	12
Leisure and Environment	7	4	1	12
Economic Development	8	3	1	12
Planning Committee	9	5	1	15
General Purposes	9	5	1	15
Licensing	9	5	1	15
Audit and Accounts Committee	4	1	1	6
Mansfield & District Crematorium Joint Committee*	2	1	0	3
Councillors' Commission	5	2	1	8
Gilstrap Trustees	3	2	0	5

* (includes other local authority members)

APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES AND COUNCIL OWNED COMPANIES

1.0 Purpose of Report

1.1 To make appointments to Outside Bodies for the 2017/18 Municipal Year and to the Boards of the Council's two wholly owned companies.

2.0 Background Information

2.1 The list of appointments has been reduced following a review by the Councillors' Commission at their meeting held on 27 April 2017.

2.2 Details of the proposed appointments to outside bodies will be circulated when these have been received from Political Groups.

3.0 RECOMMENDATIONS that:

- (a) the revised schedule of appointments, following the review by the Councillors' Commission be approved; and**
- (b) the appointments of representatives on outside bodies for 2017/18, as set out in the schedule to be circulated, be approved.**

Background Papers

Nil

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

A.W. Muter
Chief Executive

RULE NO. 4.8 – APPOINTMENT OF PANEL

1.0 Purpose of Report

1.1 In accordance with Rule No 4.8, the Council is required to appoint a Panel of at least 4 Members in order to be in a position to call an Extraordinary Meeting of the Council should the offices of Chairman and Vice-Chairman of the Council be vacant or both the Chairman and Vice-Chairman are unable to act for any reason.

1.2 In 2016/17 the Leader of the Council, Deputy Leader of the Council and the Leaders of the Labour and Independent groups on the Council formed the Panel.

2.0 RECOMMENDATION

That the Panel of Members to be appointed under Rule No. 4.8 be nominated at the meeting.

Background Papers

Nil

For further information please contact Nigel Hill on ext 5243.

A.W. Muter
Chief Executive

PROPOSED CHANGES TO THE CONSTITUTION

1.0 Purpose of Report

- 1.1 To consider changes to the Constitution recommended by the Councillors' Commission.

2.0 Background Information

- 2.1 The Councillors' Commission met on 27 April 2017 and recommended a number of changes to the Constitution as set out below:

3.0 Chief Officers Appointment Panel

- 3.1 Policy & Finance Committee at its meeting on 6 April 2017 considered the process for the appointment of Director – Resources and in so doing recommended that the Constitution be amended so that the Chief Officers Appointment Panel should have a clear remit to make Chief Officers appointments with the exception of the Head of Paid Service. This would considerably assist the appointment process as it would enable the timetable for appointments to be truncated.
- 3.2 The Councillors' Commission met on 27 April 2017 and considered the detailed changes to the Constitution which would be required.
- 3.3 It recommended that under the remit of the Council set out in Part 2 of the Constitution at paragraph 7 the wording be amended as follows *“confirming the appointment of the Head of Paid Service and confirming the dismissal of the Head of Paid Service, Monitoring Officer and Chief Financial Officer (Section 151 Officer)”*.
- 3.4 Effectively this change would delete the current requirement for the Council to confirm the appointment of the Monitoring Officer and Chief Financial officer but recognised the legislative requirement that the dismissal of any statutory officer must be confirmed by the Council.
- 3.5 The Councillors' Commission further recommended that the Constitution be amended in Part 2 as follows:

“Chief Officer Appointment Panel

The Officer Employment Procedure Rules in Part 3 of this Constitution and the Standing Orders relating to the appointment and dismissal of staff adopted pursuant to the Local Authorities (Standing Orders) (England) Regulations 2001 as amended by the Local Authorities (Standing Orders) (England) (Amendments) Regulations 2015 deal inter alia with the appointment of staff. The Policy & Finance Committee has responsibility for a range of staffing matters as set out in its remit. However, the appointment of staff below Deputy Chief Officer must be the responsibility of the Head of Paid Service or his nominee, in other words such appointments cannot be made by members.

In addition, the appointment of the Head of Paid Service must be approved by the Council. The role and function of the Chief Officers Appointment Panel is to make Chief Officer appointments with the exception of the Head of Paid Service where their remit is to interview candidates for the Head of Paid Service and to recommend an appointment to the Council.

Remit

To interview candidates for the Head of Paid Service and to recommend an appointment to the Council. To interview and appoint Chief Officers.

Membership

A panel the size and composition of which will be determined by either the Policy & Finance Committee or by Council from time to time to be drawn from the whole of the membership of the Council and to broadly reflect political balance”.

4.0 Disciplinary Procedures for Chief Officers

- 4.1 The Councillors Commission considered changes to the Constitution relating to disciplinary procedures for Chief Officers to reflect revised conditions of service published by the Joint Negotiating Committee for Local Authority Chief Executives in October 2016 which included model disciplinary procedures. It was noted by the Councillors’ Commission that this would require the establishment of a separate independent panel comprising not less than two independent persons appointed by the Council under the Localism Act 2011.
- 4.2 The Councillors’ Commission considered that the Investigating and Disciplinary Sub-Committee, which would deal with disciplinary matters in relation to chief officers and statutory officers, and the Chief Officers Appeal Sub-Committee, which would determine appeals against decisions of the Investigating and Disciplinary Sub-Committee relating to disciplinary actions against Chief Officers, (with the exception of a decision to dismiss in the case of a statutory officer where any recommendation of the Investigating and Disciplinary Sub-Committee was required to be referred to Council) should be drawn from a panel of members across the whole of the membership of the Council rather than being a standing committee. This better reflected the fact that such sub committees could potentially be required to meet at short notice and that their composition could be determined having regard to any potential conflicts of interest.
- 4.3 The Councillors’ Commission also recommended that the Officer Employment Procedure Rules be amended to delete the reference to investigations being conducted by a Designated Independent Person, which had been removed by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015, but which had been preserved in the case of the Chief Executive under his previously published conditions of service.
- 4.4 Members noted that the revised conditions of service removed the requirement for the appointment of a designated independent person. This had been replaced by the requirement for an Independent Panel to be established and to consider any recommendations of the Investigating and Disciplinary Sub-Committee to dismiss a statutory officer prior to a final decision being taken by Council.

4.5 The Councillors' Commission also noted that the JNC for Chief Officers was likely to introduce model procedures for chief officers which would mirror those contained in the JNC for Local Authority Chief Executives Handbook, and it was therefore sensible for the disciplinary procedures for the Chief Executive and Chief Officers to be broadly comparable.

4.6 It was therefore recommended by the Councillors' Commission that an amendment be made to the Constitution as set out in Appendix 1 and 2 attached to this report to amend the disciplinary procedures for the Chief Executive, Chief Officers and statutory officers (in the event of them not being chief officers as defined in the Constitution).

5.0 RECOMMENDATIONS that:

- (a) the proposed changes to the Constitution as set out in the body of the report be made to enable the Chief Officers' Appointment Panel to appoint all Chief Officers (including statutory officers) with the exception of the Head of Paid Service; and**
- (b) the constitutional changes relating to disciplinary procedures for the Head of Paid Service, Chief Officers and statutory officers, in the event of them not being chief officers as defined in the Constitution, as set out in Appendix 1 and 2 to the report be approved.**

Background Papers

Nil

For further information please contact Nigel Hill on 01636 655243.

A.W. Muter
Chief Executive

INVESTIGATING AND DISCIPLINARY SUB-COMMITTEE

To deal with disciplinary matters in relation to Chief Officers and Statutory Officers where they are not chief officers as defined in the Constitution

Remit

- (i) To determine whether, on receipt of the conclusion of any preliminary investigation, a detailed investigation should be carried out;
- (ii) To delegate to an investigating officer to be appointed by them responsibility for the conduct of that investigation;
- (iii) In respect of any matter relating to the Chief Executive and Head of Paid Service, where necessary and appropriate, to suspend the Chief Executive after it has conducted its initial assessment. In the event that it is necessary to suspend the Chief Executive prior to a meeting of the Investigating and Disciplinary Sub-Committee delegated authority to effect such suspension shall be exercisable by the Deputy Chief Executive or, in his or her absence, by any Chief Officer in consultation with the Leader and Deputy Leader;
- (iv) In the case of the suspension of any officer other than the Head of Paid Service, delegated authority shall be given to the Chief Executive/Head of Paid Service or their designated deputy to effect such suspension;
To review the continued suspension of the Head of Paid Service at not more than two monthly intervals.
- (v) To conduct a disciplinary hearing;
- (vi) At the conclusion of the disciplinary hearing to determine whether to:-
 - (a) Take no further action
 - (b) Exonerate the Chief Officer, or
 - (c) State their opinion as to whether (and if so the extent to which) the evidence they have obtained supports any allegation of misconduct against the Chief Officer
 - (d) To determine appropriate disciplinary action which may include:-
 1. Recorded oral warning
 2. Written warning
 3. Suspension on half pay or no pay for a specified period
 4. Relegation (ie a reduction in salary) for a specified period
 5. An invitation to resign or accept retirement
 6. Dismissal with notice* (Note: In the case of disciplinary action which may result in the dismissal of the Head of Paid Service, s151 Officer or Monitoring Officer, the Investigating and Disciplinary Sub-Committee has no delegated power to dismiss the relevant Officer but may only make a recommendation to Council regarding dismissal of the Officer subject to disciplinary proceedings). Before the taking of a vote at the relevant meeting on whether or not to approve such a dismissal meeting the Council must take into account any advice, views or recommendations of an Independent Panel, the conclusions of any investigation into the proposed dismissal and any representations from the relevant officer.
 7. Dismissal without notice* (See note above in relation to the proposed dismissal of the Head of Paid Service, S151 Officer or Monitoring Officer).

- (e) To determine alternatives including:
 - 1. Informal resolution or other appropriate procedures
 - 2. Early retirement
 - 3. Secondment
 - 4. Redeployment to a more junior post where there are issues relating to capability
- (f) To refer back to the Investigating Officer for further investigation and report;

NOTE:-

- 1. The quorum for the Investigating and Disciplinary Sub-Committee is three members;
- 2. The Sub-Committee will, so far as practicable, reflect political balance;
- 3. Delegated authority has been given to the Chief Executive (or his or her designated deputy) to appoint an Investigating and Disciplinary Sub-Committee from a panel comprising the whole of the membership of the Council as necessary and appropriate in consultation with the Leaders of all political groups entitled to make appointments to the Sub-Committee and to appoint an Advisor to the Sub-Committee;
- 4. In the event that it is necessary to convene an Investigating and Disciplinary Sub-Committee to consider any matter relating to the Head of Paid Service, the delegated authority shall not be exercisable by the Chief Executive but by their designated deputy or in his/her absence by any Chief Officer. In such a case, the Investigating and Disciplinary Sub-Committee shall have delegated authority to appoint an advisor who may be an officer of the authority or an external advisor.

Membership

Five members to be drawn from the whole of the membership of the Council.
(The quorum for the Investigating and Disciplinary Sub-Committee is three members).

CHIEF OFFICERS APPEAL SUB-COMMITTEE

Remit

To determine appeals against the decisions of the Investigating and Disciplinary Sub-Committee relating to disciplinary action against Chief Officers and appeals against sanctions imposed by the Investigating and Disciplinary Sub-Committee relating to Statutory Officers falling short of dismissal. In the case of the Investigating and Disciplinary Sub-Committee making a recommendation to dismiss a Statutory Officer, such recommendation will be made directly to Council whose decision shall be final.

NOTE:-

- 1. The quorum for the Chief Officers Appeal Sub-Committee is three members.
- 2. The Chief Officers Appeal Sub-Committee will, so far as practicable, reflect political balance.

Delegated authority has been given to the Chief Executive (or his or her designated deputy) to appoint a Chief Officers Appeal Sub-Committee from a panel comprising the whole of the membership of the Council as necessary and appropriate after consultation with the Leaders of the political groups entitled to appoint to the Sub-Committee and to appoint an Advisor to the Sub-Committee.

In the event that the appeal is lodged by the Head of Paid Service, such delegated authority is exercisable by their designated deputy or in his/her absence by any Chief Officer. In such appeals, the Chief Officers Appeal Sub-Committee shall have delegated authority to appoint an advisor who may be an officer of the authority or an external advisor.

The decision of the Chief Officers Appeal Sub-Committee will be final.

The Chief Officers Appeal Sub-Committee shall have the same powers, at the conclusion of the appeal hearing, as the Investigating and Disciplinary Sub-Committee as set out in paragraph (vi) of their remit and their decision shall replace that of the Investigating and Disciplinary Sub-Committee, save that any appeal against a recommendation of the Investigating and Disciplinary Sub-Committee to dismiss a statutory officer shall not fall within the remit of the Chief Officers Appeal Sub-Committee but shall rest with the Council with the decision of Council being final.

Membership

Five members to be drawn from the whole of the membership of the Council provided that the same members shall not sit on both the Investigating and Disciplinary Sub-Committee and the Chief Officers Appeal Sub-Committee. (The Chief Executive or his designated deputy has same delegated authority to constitute the Sub-Committee as they have in respect of the Investigating and Disciplinary Sub-Committee – see notes 3 and 4 under the heading “Investigating and Disciplinary Sub-Committee”).

INDEPENDENT PANEL

Remit

To offer the Council advice, views or recommendations on any proposal for the dismissal of a Statutory Officer.

The Panel, in so doing, will consider:

- The recommendation of the Investigating and Disciplinary Sub-Committee and the reasons in support of that recommendation.
- The report of the Independent Investigator.
- Any oral and/or written representations from the Statutory Officer.

Membership

At least 2 Independent Persons appointed under the Localism Act 2011

NOTE

1. The Council must invite Independent Persons to be appointed to the panel in the following priority order:
 - (a) A relevant Independent Person who has been appointed by the authority and who is a local government elector;
 - (b) Any other relevant Independent Person who has been appointed by the authority;
 - (c) A relevant Independent Person who has been appointed by another authority or authorities
2. The Council must appoint the Panel at least 20 working days before the Council meeting at which any vote is taken on whether or not to approve the dismissal of a Statutory Officer.

OFFICER EMPLOYMENT PROCEDURE RULES

1 Purpose

These Rules deal with the appointment and dismissal of staff.

2 Appointment, Dismissal and Disciplinary Action

Subject to paragraphs 3 and 7, the function of appointment and dismissal of, and taking disciplinary action against, a member of staff of the authority must be discharged, on behalf of the authority, by the officer designated under section 4(1) of the 1989 Act as the Head of Paid Service or by an officer nominated by him.

3 Provisions Relating to Head of Paid Service, Chief Officers, Deputy Chief Officers and Assistants for Political Groups

Paragraph 2 shall not apply to the appointment or dismissal of, or disciplinary action against:-

- (a) the officer designated as the Head of Paid Service
- (b) A statutory chief officer within the meaning of section 2(6) of the 1989 Act (politically restricted posts)
- (c) A non-statutory chief officer within the meaning of section 2(7) of the 1989 Act
- (d) A deputy chief officer within the meaning of section 2(8) of the 1989 Act; or
- (e) A person appointed in pursuance of section 9 of the 1989 Act (assistants for political groups).

4 Council Approval of Appointment of Head of Paid Service and Council Approval of Dismissal of Head of Paid Services, Chief Finance Officer and Monitoring Officer

Where a Committee, Sub-Committee or Officer is discharging, on behalf of the authority, the function of the appointment of an Officer designated as the head of the authority's paid service the authority must approve that appointment before an offer of appointment is made to him.

Where a Committee or Sub-Committee or Officer is discharging, on behalf of the authority the function of dismissal of an officer designated as the Head of Paid Service, Chief Finance Officer or Monitoring Officer the authority must approve that dismissal before notice of dismissal is given to him.

5 Member Involvement in Appeals

Nothing in paragraph 2 shall prevent a person from serving as a member of any committee or sub-committee established by the authority to consider an appeal by:-

- (a) another person against any decision relating to the appointment of another person as a member of staff of the authority; or
- (b) a member of staff of the authority against any decision relating to the dismissal of that member of staff.

6 Disciplinary Action Against Head of Paid Service, Monitoring Officer or Chief Finance Officer

1. In the following paragraphs:-
 - (a) “the 2011 Act” means the Localism Act 2011;
 - (b) “chief finance officer”, “disciplinary action”, “head of the authority’s paid service” and “monitoring officer” have the same meaning as in regulation 2 of the Local Authorities (Standing Orders) (England) Regulations 2001;
 - (c) “independent person” means a person appointed under section 28(7) of the 2011 Act;
 - (d) “local government elector” means a person registered as a local government elector in the register of electors in the authority’s area in accordance with the Representation of the People Acts;
 - (e) “the Panel” means a committee appointed by the authority under section 102(4) of the Local Government Act 1972 for the purposes of advising the authority on matters relating to the dismissal of relevant officers of the authority;
 - (f) “relevant meeting” means a meeting of the authority to consider whether or not to approve a proposal to dismiss a relevant officer; and
 - (g) “relevant officer” means the chief finance officer, head of the authority’s paid service or monitoring officer, as the case may be.
2. A relevant officer may not be dismissed by an authority unless the procedure set out in the following paragraphs is complied with.
3. The authority must invite relevant independent persons to be considered for appointment to the Panel, with a view to appointing at least two such persons to the Panel.
4. In paragraph 3 “relevant independent person” means any independent person who has been appointed by the authority or, where there are fewer than two such persons, such independent persons as have been appointed by another authority or authorities as the authority considers appropriate.
5. Subject to paragraph 6, the authority must appoint to the Panel such relevant independent persons who have accepted an invitation issues in accordance with paragraph 3 in accordance with the following priority order:-
 - (a) a relevant independent person who has been appointed by the authority and who is a local government elector;
 - (b) any other relevant independent person who has been appointed by the authority;
 - (c) a relevant independent person who has been appointed by another authority or authorities.
6. An authority is not required to appoint more than two relevant independent person in accordance with paragraph 5 but may do so.
7. The authority must appoint any Panel at least 20 working days before the relevant meeting.

8. Before the taking of a vote at the relevant meeting on whether or not to approve such a dismissal, the authority must take into account, in particular:-
 - (a) any advice, views or recommendations of the Panel;
 - (b) the conclusion of any investigation into the proposed dismissal; and
 - (c) any representations from the relevant officer.
9. Any remuneration, allowances or fees paid by the authority to an independent person appointed to the Panel must not exceed the level of remuneration, allowances or fees payable to that independent person in respect of that person's role as independent person under the 2011 Act.

7 Procedure for Recruitment and Appointment

(i) General Provisions Relating to Recruitment and Appointment

(a) Declarations:

- (i) The Council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing councillor or officer of the Council; or of the partner of such persons.
- (ii) No candidate so related to a Councillor or an officer will be appointed without the authority of the relevant chief officer or an officer nominated by him/her.

(b) Seeking Support for Appointment:

- (i) the Council will disqualify any applicant who directly or indirectly seeks the support of any councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- (ii) no Councillor will seek support for any person for any appointment with the Council.

(ii) Recruitment of Head of Paid Service and Chief Officers

Where the Council proposes to appoint a chief officer and it is not proposed that the appointment be made exclusively from among their existing officers, the Council will:

(a) draw up a statement specifying:

- (i) the duties of the officer concerned; and
- (ii) any qualifications or qualities to be sought in the person to be appointed;

(b) make arrangements for the post to be advertised in such a way as it is likely to bring it to the attention of persons who are qualified to apply for it; and

(c) make arrangements for a copy of the statement mentioned in paragraph (I) to be sent to any person on request.

(iii) Appointment of Head of Paid Service

- (a) The Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by a panel of Members of the Council.

(iv) Appointment of Chief Officers

- (a) "Chief Officers" means those Officers specified in the Council's Constitution namely the Chief Executive, Deputy Chief Executive and Directors. Chief Officers will be appointed by a panel of Members. The panel has delegated authority to make such appointments other than in the case of the Head of Paid Service where the appointment must be approved by the Council.

(v) Appointments below Chief Officer

- (a) Appointments below Chief Officer shall be the responsibility of the Head of Paid Service or relevant Chief Officer
- (b) In the case of Deputy Chief Officers, Chief Officers may consult members on such appointments, but are not required to do so.

(vi) Other Appointments

- (a) **Officers below Deputy Chief Officer.** Appointment of officers below Deputy Chief Officer (other than assistants to political groups) is the responsibility of the Chief Officer to whom the Officer will report or his/her nominee. Such appointments must not be made by Councillors.
- (b) **Assistants to political groups.** Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group.

(vii) Disciplinary Action

- (a) **Suspension.** The Head of Paid Service, Monitoring Officer, Chief Finance Officer and other Chief Officer(s) may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two months, without a review of such suspension first taking place.
- (b) Councillors will not be involved in the disciplinary action against any officer other than a Chief Officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, although the Council's disciplinary, capability and related procedures, as adopted from time to time, may allow a right of appeal to members in respect of disciplinary action resulting in dismissal only.
- (c) Deputy Chief Officers will be subject to the same disciplinary procedures as apply to other members of staff.

(viii) Dismissal

- (a) Councillors will not be involved in the dismissal of any officer below Chief Officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, although the Council's disciplinary, capability and related procedures, as adopted from time to time, may allow a right of appeal to members in respect of dismissals.

8 Statement of Pay Policy

A statement of the Council's pay policy will be published annually.

PROPOSED CHANGE TO FINANCIAL REGULATIONS

1.0 Purpose of Report

1.1 At their meeting held on 27 April 2017 the Councillors' Commission considered proposed changes to virement limits in the Council's Financial Regulations, and recommended these to Full Council for approval.

2.0 Proposals

2.1 **Appendix A** sets out the new wording and levels relating to virements that are proposed to be added to the Council's Financial Regulations.

2.2 **Appendix B** shows the original wording in Financial Regulations

2.3 The changes are:

- Virements between business units in a service area – cumulative annual limit increased from £25,000 to £30,000, authorised by the Business Manager
- Virements between business units in a service area between £30,001 and £50,000 – must now be authorised by the s151 Officer in consultation with the relevant Director. (Previously the appropriate Committee approval was required).
- Virements between business units in a service area over £50,001 – authorised by Policy and Finance Committee on being presented a report by the responsible Director; after consultation with the s151 Officer (previously the regulations only specified Policy & Finance Committee).

3.0 RECOMMENDATION

That the Financial Regulations be amended to include the wording as proposed in Appendix A to the report.

Background Papers

Nil.

For further information please contact Nicky Lovely on Extension 5317.

Nicky Lovely
Business Manager & Chief Financial Officer – Financial Services

Extract from Financial Regulations

6.3. Variation of Estimates

6.3.1 Virement - Revenue Expenditure

The purpose of this Rule is to avoid the transfer of estimates during the financial year. This is best achieved by sound and detailed estimating, accurate recording of expenditure and regular budget monitoring during the year to ensure that expenditure is incurred in accordance with the agreed budget.

Where, however, there is a business need to transfer funds between estimate heading during the financial year, the following procedures shall be adopted and the Section 151 Officer (or his/her representative) will be informed in every case, to effect the necessary transfers in the Council's Financial Management System:

(i) Between sub or detail codes within a particular main head.	Undertaken by Business Managers or their staff authorised by them to undertake virement through the Council's on-line Financial Management System. In each case the Business Manager or representative must inform the Financial Services Budget Officer designated to that particular business unit.
(ii) Between business units within a particular service area up to a cumulative limit of £30,000 within each financial year.	Undertaken by: Business Managers or their staff authorised to undertake virement through the Council's on-line Financial Management System. In each case the Business Manager or representative must inform the Financial Services Budget Officer designated to that particular business unit.
(iii) Between business units within a particular service area between a cumulative limit of £30,001 and £50,000 within each financial year.	Undertaken by: The s151 Officer in consultation with the Corporate Management Team member(s) responsible for the business unit, following a written request from the Business Manager or his/her representative.
(iv) Between business units within a particular service area over £50,001 within each financial year.	Undertaken by: The Council's Policy and Finance Committee on being presented a report by the responsible Corporate Management Team member(s); after consultation with the s151 Officer
(v) Between Committee Areas.	Subject to the appropriate authorisation of the s151 Officer, Chief Executive and the approval of the Policy and Finance Committee

6.3.2 In every instance, the Section 151 Officer (or the appropriate Accountant) must be consulted. No virement shall be undertaken with the purpose of utilising additional income for expenditure purposes without the express consent of the Section 151 Officer. No virement shall be undertaken out of savings on payroll codes without the express consent of the Section 151 Officer.

- 6.3.3 There shall be no carry forward of any underspending on budgets into the following financial year without the express authorisation of the Section 151 Officer. When considering any applications for carry forwards, the Section 151 Officer shall consider the overall budget position of the Council. All requests for carry forward will be reported by the s151 Officer to the Corporate Management Team and to Policy and Finance Committee. Council will approve all requests for carry forward as part of the approval of the year end outturn position.
- 6.3.4 The Section 151 Officer is authorised to introduce additional restrictions on virements.

Original Section of Financial Regulations re Virements**6.3 Variation of Estimates****6.3.1 Virement - Revenue Expenditure**

The object should be to avoid the transfer of estimates and this is best achieved by sound and detailed estimating together with the accurate coding of expenditure during the year in accordance with the provisions made.

Where it is desired to transfer funds between estimate headings, the following procedure shall be adopted and the Section 151 Officer informed in every case, to effect the necessary amendments in the Council's Financial Management System:

- | | | |
|-------|--|--|
| (i) | Between sub or detail codes within a particular main head | Authorised by the relevant Business Manager. Undertaken by Financial Services. |
| (ii) | Between business units within a particular service area up to a cumulative limit of £25,000 within each financial year. Over this, prior Committee approval is required for amounts up to £50,000 and for amounts above this limit the approval of Policy & Finance Committee is required. | Authorised by the relevant Business Manager. Undertaken by Financial Services. |
| (iii) | Between Committees Areas | Subject to the appropriate authorisation of the Section 151 Officer, Chief Executive and the approval of the Policy & Finance Committee. |

6.3.2 No virement shall be undertaken with the purpose of utilising additional income for expenditure purposes without the express consent of the Section 151 Officer. No virement shall be undertaken out of savings on payroll codes without the express consent of the Section 151 Officer.

6.3.3 There shall be no carry forward of any under-spending on budgets into the following financial year without the express authorisation of the Section 151 Officer. This includes budgets held on job codes. When considering any applications for carry forwards, the Section 151 Officer shall consider the overall budget position of the Council.

6.3.4 The Section 151 Officer is authorised to introduce additional restrictions on virements.

ADOPTION OF THE THURGARTON NEIGHBOURHOOD PLAN

1.0 Purpose of Report

- 1.1 To advise the Council of the result of the Thurgarton Neighbourhood Plan Referendum and to seek approval from Council for the ‘making’ of the Plan.

2.0 Background Information

- 2.1 Thurgarton Neighbourhood Area was designated in March 2015 and since that time the Parish Council has worked on the production of their Neighbourhood Plan, assisted by Officers. The first stage of public consultation was carried out on a draft plan between October and December 2016. Following consideration of responses this was developed into the version submitted to this Council in late December 2016.
- 2.2 Having established that the Plan met the necessary legal and procedural requirements, details of the Plan were made available on the Council’s and the Neighbourhood Plan’s website, at District and Town Council offices and at Southwell library for a period between 3 January and 13 February 2017 with representations being sought. The District Council also fulfilled its obligation to directly notify those who were notified by Thurgarton Parish Council at the draft consultation stage that the plan had been received.
- 2.3 With the agreement of Thurgarton Parish Council an independent examiner was appointed to undertake the examination of the Plan. Following consultation with the Chair and Vice-Chair of Economic Development Committee, the Chair of the Local Development Framework Task Group and the Member for Dover Beck Ward the District Council submitted its response, along with the 4 other responses received, to the examiner on 14 February 2017.
- 2.5 On 1 March 2017 the final version of the examiner’s report was received. This concluded that subject to the making of the Examiner’s single modification, the Plan met the Basic Conditions and should proceed to Referendum.
- 2.6 Thurgarton Parish Council confirmed that they wished the plan to proceed to referendum in accordance with the independent examiners recommendations. Consequently the 9 May 2017 meeting of this Full Council authorised the Chief Executive, acting as Returning Officer, to arrange a referendum for the 4 May 2017.

3.0 ‘Making’ the Thurgarton Neighbourhood Plan

- 3.1 ‘Making’ the Thurgarton Neighbourhood Plan would mean that it would become part of the Development Plan for Newark & Sherwood District, and so be used in the determination of planning applications within the Parish. Section 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that the Council must ‘make’ the Neighbourhood Plan if more than half of those voting in its referendum have voted in favour of the plan. Unless it considers that the making of the plan would breach, or would otherwise be incompatible with, any EU Obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

- 3.2 With the Examiner's recommended modification the Thurgarton Neighbourhood Plan meets the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with EU obligations and the Convention rights and complies with relevant provisions made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004 (as amended).
- 3.3 The referendum was held on Thursday, 4 May and posed the question, 'Do you want Newark and Sherwood District Council to use the neighbourhood plan for Thurgarton to help it decide planning applications in the neighbourhood area?' This resulted in a yes vote of 156, a no vote of 11. This represented a turnout of 46.15%.
- 3.4 The Neighbourhood Plan, and its preparation, has been assessed and is not considered to breach or be otherwise incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human rights Act 1998).

4.0 Financial Implications

- 4.1 There are no costs associated with 'making' the Thurgarton Neighbourhood Plan. Costs already incurred in producing the plan and carrying out the referendum are covered by funds received from central government.

5.0 RECOMMENDATIONS that:

- a) **the report be noted; and**
- b) **the Council 'make' the Referendum Version of the Thurgarton Neighbourhood Plan, so that it forms part of the Development Plan for Newark & Sherwood District.**

Background Papers

Referendum Version of the Thurgarton Neighbourhood Plan – available to view on the Councils website at:

<http://www.newark-sherwooddc.gov.uk/planningpolicy/neighbourhoodplanning/>

For further information please contact Matthew Tubb on extension 5850.

Kirsty Cole
Deputy Chief Executive

COMMUNITY INFRASTRUCTURE LEVY REVIEW – SUBMISSION

1.0 Purpose of Report

- 1.1 To seek approval to submit the Draft Community Infrastructure Charging Schedule, for examination by the Planning Inspectorate and formally agree the Declaration required under Planning Act 2008, Section 212, Subsection 4 and 5.

2.0 Introduction

- 2.1 The District Council was the first local authority in the country to adopt a Community Infrastructure Levy (CIL) in September 2011. In order to ensure that the CIL is based on up-to-date information Economic Development Committee authorised a review of the levy and the supporting information to align with the work being undertaken on the review of the Development Plan.

3.0 CIL Review – Preparation and consultation

- 3.1 The Council appointed the National CIL Service to prepare a viability assessment and infrastructure funding assessment, this coupled with the updated Infrastructure Delivery Plan prepared by WYG to inform the review of the development plan, provided a sound basis for consulting on a Preliminary Draft Charging Schedule.

- 3.2 The Preliminary Draft Charging Schedule was consulted upon in between 28 October 2016 and 9 December 2016, in total 17 people responded. The District Council considered the responses and prepared a Draft Charging Schedule which was published for a period of six weeks to seek formal representations from the 2 March 2017 until the 13 April 2017. A copy of the Draft Charging Schedule is included at **Appendix A** to this report. In total 11 representors made 15 representations on the Draft Charging Schedule and attached at **Appendix B** is a summary of these responses. In total 2 respondents have requested that their objections be heard at formal hearing sessions.

- 3.3 Those who in there representations objected to the Draft Charging Schedule raised a number of issues but principally they fell within the following areas:

- Prematurity of the CIL Review;
- Objections to elements of the charge - namely those that are zero rated;
- Objections to elements of the methodology; and
- Objections to some elements of the geography used for charging zones.

It is the view of officers and the Council's consultants that the objections can be defended and the District Council's proposed responses to the representations are also included in Appendix B.

3.4 Nottinghamshire County Council, did not object, however they have raised two issues which need addressing. Firstly in terms of the Regulation 123 List of projects, they requested more detail on the nature of improvements to highway infrastructure and to clarify that funding for the Kelham Bypass would be via LEP funding and CIL monies only. An amended Regulation 123 List which addresses these concerns is attached at **Appendix C** (with additions underlined and deletions crossed out). Secondly they wished to highlight the need to work together on delivering CIL projects and suggest the need to create mechanisms for doing so. It is suggested that exploring this approach would be beneficial.

4.0 Proposals

4.1 It is therefore proposed that the District Council formally submit the Draft Charging Schedule un-amended for examination by the Planning Inspectorate. In relation to the Regulation 123 List it is proposed to submit the amended list as included at Appendix C. Under the requirements of the Planning Act 2008 Section 212, Subsection 4 and 5 a formal declaration approved by Full Council is also required to be submitted. The declaration sets out how the Council has met the various procedural requirements within the legislation and associated regulations. Included at **Appendix D** is the formal Declaration for approval and for formal signature by the Chief Executive.

4.2 Therefore the documents set out in paragraph 4.1 along with the following documentation will be submitted by the District Council in support of our CIL Review, these are;

- Draft Charging Schedule
- All Draft Charging Schedule representations made in accordance with Regulation 17
- Regulation 19 (b) statement relating to conformity of the formal representation procedure and summary of representations received
- Declaration required under Planning Act 2008, Section 212, Subsection 4 and 5
- CIL & Section 106 Statement
- Draft Regulation 123 List (as amended)
- Evidence base documents
 - Whole Plan and CIL Viability Assessment
 - Appendix 1 Valuation Report
 - Appendix 2 Construction Cost
 - Infrastructure Delivery Plan
 - Infrastructure Funding Gap Review

4.3 It is anticipated that the CIL Draft Charging Schedule will be submitted for examination before the end of May 2017, with the Examination Hearing taking place 10 weeks later, although this will be for the Planning Inspector to confirm. Following the Hearing the Inspector will write their report, with the final version being issued approximately 9 weeks later. Subject to the Inspector's Report recommending approval of the Charging Schedule, this will take place as soon as possible after the final report is issued to the District Council, although it should be noted that under Section 213 (2) of the Planning Act 2008, this must be done at a meeting of the authority, by a majority of votes of Members present. Under Regulation 12 (3) of the CIL Regulations 2010, the Charging Schedule presented for approval by Council will also be required to contain the date to which the Charging Schedule will take effect. It is anticipated that this matter will be considered at the October 11 Full Council.

5.0 RECOMMENDATIONS that:

- a) the Draft Charging Schedule, in Appendix A, and the Statement of Representations Received and District Council responses, in Appendix B is approved for formal submission to the Planning Inspectorate for examination; and**
- b) the Declaration required under Planning Act 2008, Section 212, Subsections 4 and 5 is formally agreed by Council and signed by the Chief Executive for submission alongside the Draft Charging Schedule.**

Background Papers

Nil

For further information please contact Matthew Norton on extension 5852.

Kirstin H Cole
Deputy Chief Executive



**NEWARK &
SHERWOOD**
DISTRICT COUNCIL

**Newark and Sherwood
District Council**

**Community Infrastructure Levy
Draft Charging Schedule**

March 2017

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Section 1

1.1 Introduction

Newark and Sherwood District Council adopted a Community Infrastructure Levy (CIL) Charging Schedule in September 2011, which came into force in December 2011.

Consideration has been given to the recommendations in the Community Infrastructure Levy Review report to Government released on 07/02/2017, however due to the timeframe recommended for CIL to be replaced it is considered appropriate to continue with the CIL review and implementation of a revised Charging Schedule a timetable has been set to adopt a revised Charging Schedule by Summer 2017.

Until such time that CIL is replaced it will continue to be the primary means by which the District Council secures developer contributions towards specific highway improvements and secondary education provision to mitigate the impact of strategic growth on the District Councils infrastructure. The existing Newark and Sherwood Charging Schedule will remain in operation until a revised one is adopted by Council.

The purpose of this document is to seek representation on the Draft Charging Schedule (DCS) which is the second stage in preparing a revised Charging Schedule. It has been produced following the outcome of consultation on the Preliminary Draft Charging Schedule (PDCS) that took place in October 2016. This document further sets out how the current Charging Schedule will be revised and how much levy will be charged

The District Council's timetable for producing an adopted revised CIL Charging Schedule is:

Consultation on Draft Charging Schedule	March/April 2017
Submission of Draft Charging Schedule for Examination	April 2017
Examination of Draft Charging Schedule	May/June 2017
Adoption of Charging Schedule	July 2017

1.2 Statutory Compliance

The District of Newark and Sherwood is a charging authority for the purposes of Part 11 of the Planning Act 2008 and may therefore charge the Community Infrastructure Levy (CIL) in respect of development in the District of Newark and Sherwood. The Council is also the collecting authority for its administrative area.

The Draft Charging Schedule has been prepared in accordance with Part 11 of the Planning Act 2008 and by the CIL Regulations 2010, which came into force in May 2010 and have since been amended by the CIL Regulations 2011,2012,2013,2014 and 2015. The Charging Schedule has also been prepared having regard to the CIL Guidance, published within the National Planning Practice Guidance.

In accordance with Regulation 14, in revising its CIL rates the District Council has aimed to strike what it considers to be an appropriate balance between:

- The desirability of funding from CIL (in whole or part) the actual expected estimated total cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding;

And

- The potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area.

1.3 Supporting Evidence Base

The rationale for revising the CIL Charging Schedule that has been in force since December 2011 was set out in the Council's Preliminary Draft Charging Schedule (PDCS) which was published for consultation in October 2016. The PDCS was supported by a number of evidence base documents that, where necessary, have been updated following consultation. In addition The Draft Infrastructure Delivery Plan has been updated post consultation.

A link to supporting documents is provided <http://www.newark-sherwooddc.gov.uk/cil/>

1.3.1 Affordable Housing Viability Testing

As a result of the changes to Affordable Housing Policy announced in the Government White Paper (February 2017) further testing has been completed to assess the viability of CIL against current affordable housing policy, contained within the Council's Core Strategy (Adopted in 2011). This is to ensure that if the Council decides not to take the approach that proposed in the Preferred Approach - Strategy document in July 2016, which reflected the requirements for 20% Starter Homes, then the CIL would continue to be viable. The additional testing shows that; subject to flexibility in the Low Zone in terms of split of affordable tenure mix that the Council's current policy continues to be viable. Therefore whichever policy route the Council choose as part of its' Plan Review should not be effected by the CIL Review.

1.3.2 Payment of CIL

The Regulations state that CIL becomes payable upon the commencement of development (defined by reference to section 56(4) of the TCPA 1990 and includes works of demolition and construction and preparatory works such as digging foundations and installing services. The Council have an adopted Instalment policy in place that was last updated on 1st May 2013. It is proposed that the existing instalment policy will remain in place and unchanged when the revised Charging Schedule comes into force (The Charging Schedule can be found at page 6 of the Draft Charging Schedule within Section 2 of this document).

1.3.3 Calculating the Charge

Newark and Sherwood District Council will calculate the amount of CIL payable (“chargeable amount”) in respect of a chargeable development in accordance with regulation 40 of the Community Infrastructure Levy Regulations 2010 as amended 2011,2012,2013,2014 and 2015.

Under Regulation 40, the CIL rate will be index linked with the Royal Institute of Chartered Surveyors “All in Tender Price Index”. The current “All in Tender Price Index” will be set at the time of adoption of the revised Charging Schedule.

1.3.4 Existing Floorspace on a Development Site

Regulation 40 provides that the total floorspace of any existing building on a development site should be subtracted from the floorspace of the chargeable development where the existing buildings have been in a lawful use for at least 6 months within the period of 3 years ending on the date of planning permission.

1.4 CIL Exemptions

The following forms of development are exempt from paying CIL:

- Buildings into which people do not normally go, or go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery
- Development of under 100 square metres that do not result in the creation of 1 or more additional dwellings

1.4.1 CIL Relief

The CIL Regulations provide for full relief from the CIL charge for any part of the development which is affordable housing (and includes social and affordable rent and shared ownership) Charity landowners with also benefit from relief provided that the development is to be used for charitable purposes. If a development is initially granted CIL relief then circumstances change, there is a clawback period of 7 years within which the development will become liable for CIL.

In addition to affordable housing and charitable relief, self-build exemption can be applied for householder extensions, annexes and new dwellings where the CIL self-build criteria are met. If a disqualifying event occurs the development will become liable for CIL.

All relief and exemptions must be applied for prior to any commencement of works as cannot be applied retrospectively.

The District Council does not have a Discretionary Relief Policy in place and does not propose to adopt one as part of the CIL review.

1.4.2 Relationship between CIL and Section 106 Agreements

Provision for Section 106 agreements will remain however under Regulation 123 that came into force in April 2014 the ability to pool contributions from developers via S106 to deliver larger items of infrastructure will be restricted to a maximum of 5 pooled contributions per specific infrastructure project.

A draft revised Regulation 123 List which updates and sets out the infrastructure that will be funded via CIL can be found at Appendix A. Infrastructure not specified on the list can continue to be funded through Section 106 Obligations if it is compliance with Regulation 123 and if it is necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in kind and scale to the development.

Section 2

The Draft Charging Schedule is published under Regulation 16 of the CIL Regulations 2010 (as amended) so that representations can be made prior to its submission to the Secretary of State. A Regulation 16 Statement of Representations Procedures is attached at Appendix 1. All representations will be considered alongside the submitted document, which will be examined by an independent inspector.

2.1: 2017 Draft Charging Schedule (DCL)

Name of Charging Authority	Newark and Sherwood District Council		
Date Approved by Full Council	**/**/2017	Date Charging Schedule takes effect	**/**/2017
Rates (£m²) at which CIL is to be Chargeable	CIL will be charged in Pounds Sterling (£) per square metre at differential rates according to the type of development and by location as set out in the Commercial and Residential Tables of this Schedule.		
Charging Zones	The Residential Charging Zones to which CIL will be applied are those as identified on Residential Map as set out within this Schedule. (Commercial will have one District Wide Zone)		
How the Chargeable Amount will be Calculated	<p>The District Council will calculate the amount of CIL chargeable to a qualifying development utilising the formula set out in Part 5 of the CIL Regulations.</p> <p>In summary the amount of CIL chargeable will be calculated as follows :</p> <p><u>CIL Rate x Chargeable Floor Area x BCIS Tender Price Index (at Date of Planning Permission)</u> BCIS Tender Price Index (at Date of Charging Schedule)</p> <p>The Chargeable Floor Area makes allowance for previous development on the site. The net chargeable floor area amounts to the gross internal area of the chargeable development less the gross internal area of any existing buildings that qualify for exemption on the site.</p> <p>This summary does not take account of every aspect of the Regulations. The CIL Regulations are available to view at the District Council's website: www.newark-sherwooddc.gov.uk/cil or at the Council Offices at Kelham Hall (open between 8:30am and 5:15pm Monday to Thursday and 8:30am to 4.45pm on Friday)</p>		
BCIS Tender Price Index (at Date of Charging Schedule)	000		
Further Information	<p>Further information concerning:</p> <ul style="list-style-type: none"> • When CIL will be charged; • Who is Liable to pay CIL; • How CIL will be paid; 		

	<ul style="list-style-type: none"> • Relief/Exemptions from paying the CIL; and • Monitoring. <p>Is available on the Council’s website which can be viewed at: www.newark-sherwooddc.gov.uk/cil</p> <p>Alternatively please telephone us on 01636 655855 Or E-mail: planningpolicy@nsdc.info</p>
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Table 1 Proposed Commercial Community Infrastructure Levy Rates

Non-Residential CIL	
Districtwide	
All Non-residential uses (excepting Retail)	£0sqm
Districtwide	
Retail A1-A5	£100sqm

Map 1 Proposed Community Infrastructure Levy Zones –Residential

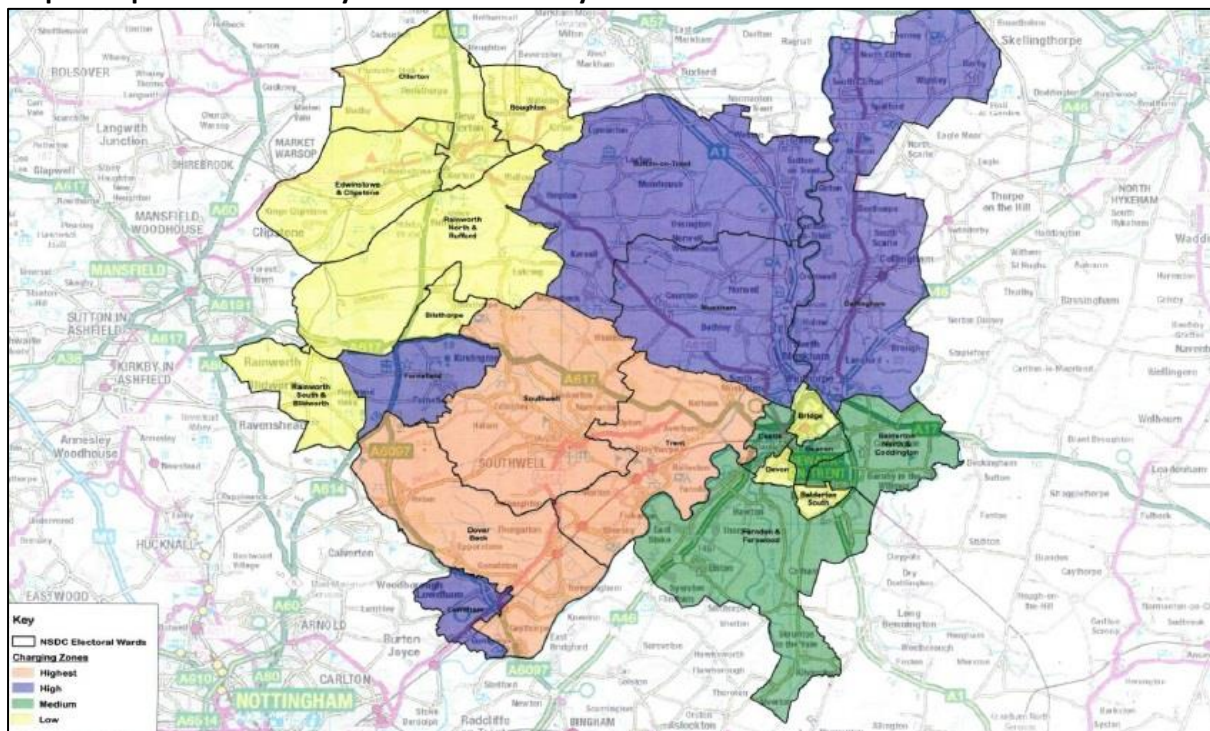


Table 2 Proposed Residential Community Infrastructure Levy Rates

Residential CIL	
Apartments (All Zones)	£0sqm
Housing Low Zone 1	£0sqm
Housing Medium Zone 2	£45sqm
Housing High Zone 3	£70sqm
Housing Very High Zone 4	£100sqm

Amended Newark and Sherwood Community Infrastructure Levy Instalment Policy – 1st May 2013

1. Introduction

Regulation 70 (7) of the Community Infrastructure Levy (Amendment) Regulations 2011 sets a default of full payment of the Levy within 60 days of the commencement of development. The Amendment Regulations also enable a Charging Authority to set an Instalment Policy that allows payments to be spread over longer periods. Within Newark and Sherwood it is considered reasonable that payment instalments are scheduled in proportion to the scale of development that is proposed.

The District Council have undertaken a review of its instalment policy. To provide greater flexibility and to give developers longer to pay CIL the policy has been amended by increasing each of the instalment periods.

For further information about the Newark & Sherwood Community Infrastructure Levy please visit <http://www.newark-sherwooddc.gov.uk/cil/>, e-mail planning@nsdc.info or telephone 01636 650000.

2. Instalment Policy

In accordance with Regulation 69b of The CIL Amendment Regulations, Newark and Sherwood District Council (The Charging Authority) will apply the following Instalment Policy to all development on which CIL is liable.

The Amended Instalment Policy came into effect on **1st May 2013** and the existing one ceased to have effect on the **30th April 2013**.

3. Number, Proportion and Timing of Instalments

The Community Infrastructure Levy will be payable by instalments as follows:-

- a) Where the chargeable amount is less than £50,000**
 - Full payment will be required within 90 days of the commencement date¹ or on substantial completion of the liable development whichever is soonest;
- b) Where the chargeable amount is £50,000 - £250,000**
 - First instalment representing 25% of the chargeable amount will be required within 120 days of the commencement date or on substantial completion of the liable development whichever is soonest; and
 - The second instalment representing 75% of the chargeable amount will be required within 300 days of the commencement date or on substantial completion of the liable development whichever is soonest.
- c) Where the chargeable amount is over £250,000**
 - First instalment representing 25% of the chargeable amount will be required within 120 days of the commencement date or on substantial completion of the liable development whichever is soonest;

¹ The commencement date is defined in CIL Regulation 7 and will as advised by the developer in their Regulation 67 Commencement Notice

- Second instalment representing 25% of the chargeable amount will be required within 210 days of the commencement date or on substantial completion of the liable development whichever is soonest;
- Third instalment representing 25% of the chargeable amount will be required within 390 days of the commencement date or on substantial completion of the liable development whichever is soonest; and

The fourth and final instalment representing 25% of the chargeable amount will be required within 570 days of the commencement date or on substantial completion of the liable development

Appendix A

1. Newark and Sherwood District Council Community Infrastructure Levy (CIL)

Draft Amended Regulation 123 List of Projects to be funded by CIL March 2017

Highway Projects			
Location	Estimated Cost	CIL /Other Public Contribution	Notes
A1 Overbridge widening, Fernwood, Newark	£5,200,000	£5,200,000	
London Road, Portland Street Junction, Newark	£60,000	£60,000	
Barnby Gate, Sherwood Avenue Junction, Newark	£60,000	£60,000	
Lincoln Road, Brunel Drive Junction, Newark	£300,000	£300,000	
Lincoln Road, Northern Road Junction, Newark	£240,000	£240,000	
Castle Gate, Lombard Street Junction, Newark	£300,000	£300,000	
Beacon Hill Road, Northern Road Junction, Newark	£144,000	£144,000	
Sleaford Road / Friary Road Junction, Newark	£300,000	£300,000	
Northern Road / Brunel Drive Junction	£500,000	£500,000	
Queens Road / North Gate	£240,000		
Kelham Bypass	£15,000,000	£5,000,000	33% CIL, 33% NCC, 33% D2N2 Funding Assumed
A6097 / A612 Lowdham Junction	£1,500,000	£1,500,000	
A614 Mickledale Lane Junction	£300,000	£300,000	
A614, C1 Junction White Post Roundabout	£600,000	£600,000	
A614, C13 Eakring Road Junction	£120,000	£120,000	
A614/A6097 Oxtun Bypass	£1,500,000	£1,500,000	
Education Projects			
Secondary Education Provision within the District	£11,339,820	£11,339,820	

2. Statement of Representations Procedure

Newark and Sherwood District Council intends to submit a revised Community Infrastructure Levy (CIL) Draft Charging Schedule (DCS) for examination, under Section 212 of the Planning Act (as amended by Section 114 of the Localism of the Localism Act 2011).

This Statement of Representations Procedure has been produced in accordance with Regulation 16 of the Community Infrastructure Levy Regulations (2010) As Amended

Under Regulations 16 and 17, Newark and Sherwood District Council is inviting representations on its revised Draft Charging Schedule for a six week period that will end at 5.15pm on Thursday 13th April 2017.

In accordance with the regulations, Newark and Sherwood District Council has published the following documents on its website <http://www.newark-sherwooddc.gov.uk/cil/>

- Community Infrastructure Levy: 2017 Amended Draft Charging Schedule
- Evidence to support the Community Infrastructure Levy Amended Draft Charging Schedule
- This Statement of Representations Procedure

Representation forms are available from Kelham Hall reception and all District libraries or can be printed from the District Council's website <http://www.newark-sherwooddc.gov.uk/cil/>

Representations on Newark and Sherwood's CIL Amended Draft Charging Schedule should be returned by email to planningpolicy@nsdc.info or by post to Infrastructure/S106 Officer Newark and Sherwood District Council, Development Management, Kelham Hall, Newark, NG23 5QX

Your representation should arrive no later than 5.15pm on Thursday 13th April 2017. Please also note your representation will be made available as public information.

Organisations and individuals making representations may request the right to be heard at the examination. Such a request must be made in writing and received and received within the specified period for making representations.

Representations may also be accompanied by a request to be notified, at a specified address, of any of the following:

- That the Draft Charging Schedule has been submitted to the examiner in accordance with Section 212 of the Planning Act 2008
- The publication of the recommendations of the examiner and the reasons for those recommendations
- The approval of the Charging Schedule by the Council



Statement of Representations received
following publication of the Newark and
Sherwood Community Infrastructure Levy
2017 Draft Charging Schedule

Summary of Main Issues

May 2017

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1.0 Introduction

- 1.1 On 14th February 2017 Newark and Sherwood District Council LDF Task Group gave authorisation to seek representation on the Newark and Sherwood Community Infrastructure Levy (CIL) 2017 Draft Charging Schedule for a period of 6 weeks that concluded on Thursday 13th April 2017.
- 1.2 In accordance with Regulation 19 (b) of the Community Infrastructure Levy Regulations 2010, this statement sets out how many representations were made on the Draft Charging Schedule and summarises the main issues the representations raised.

Representation Period

- 1.3 At the beginning of the representation period, and in accordance with Regulation 16 (1) (a) and (b), copies of the Draft Charging Schedule (that included guidance on the Newark and Sherwood District Council CIL), the evidence used to develop the Draft Charging Schedule, Representation Forms, Draft Regulation 123 List, Statement of Representations Procedure and Notice of Publication was made available for inspection by the Council at:
- District Council Offices at Kelham Hall;
 - On the Council's website www.newark-sherwooddc.gov.uk/cil
 - In addition copies of the Draft Charging Schedule (that included guidance on the Newark and Sherwood District Council CIL), Representation Forms, Draft Regulation 123 List, Statement of Representations Procedure, Notice of publication (that included link to evidence base documents) were available at all District libraries
- 1.4 Representations on the Draft Charging Schedule could be made electronically by filling in the electronic Representation Form on the Council's website, saving the document and attaching it to an email and sending it to planningpolicy@nsdc.info. Alternatively respondents could fill in a paper copy of the Representation Form and return it to the Council's Offices at Kelham Hall.
- 1.5 In accordance with Regulation 16 (1) (c), the District Council wrote to or emailed all of the Consultation Bodies providing electronic copies of the Draft Charging Schedule, the Appendix of which included the Draft Regulation 123 List, Regulation 16 Statement of Representation Procedures and the Draft Charging Schedule Representation Form. In addition those individuals and organisations who responded to the consultation on the Preliminary Draft Charging Schedule were contacted and informed of the consultation, the representation procedure and period and where the documentation could be viewed.

1.6 In accordance with Regulation 16 1 (d), the District Council placed a Public Notice in local newspapers, on its website, at Kelham Hall and in the District's libraries advertising the period of Representation. A copy of the notice can be found at Appendix 1.

2.0 Summary of Main Issues

2.1 The District Council received 15 responses from 11 consultees on the CIL Draft Charging Schedule and copies of these will be sent to the inspector in both paper and electronic format. Set out in Table 1 on pages 4 to 17 are summaries of the representations received as part of the 6 week period of representation. The table also sets out the Council's response to the representations that have been made, and whether any alteration to the Draft Charging Schedule to be submitted for Examination is required. Finally, the schedule lists any representor who has requested the right to be heard by the Examiner.

2.2 Those who in there representations objected to the Draft Charging Schedule raised a number of issues but principally they fell within the following areas:

- Prematurity of the CIL Review
- Objections to elements of the charge; namely those that are zero rated
- Objections to elements of the methodology
- Objections to some elements of the geography used for charging zones.

Table 1: CIL Draft Charging Schedule Consultation Summary

Consultee	Comments/Suggested Changes	Comments/Action
(1) Barton Wilmore on behalf of Urban and Civic	Due to the increased costings and future proofing the Southern Link Road (SLR) to ensure sufficient capacity of the proposed junctions to accommodate the other Strategic Urban Extensions in Newark, the Council should explore whether it is possible to include any of the SLR works on the Regulation 123 list	The District Council will explore the possibility of including SLR works (in part) within the Regulation 123 List and cannot rule out amending the list at a future time to include SLR works (in part). However at this time given the potential complex legal ramifications it is not possible to include the works on the list at this time.
(2) Collingham Parish Council	Request to be notified of further stages through to adoption of revised Charging Schedule	Comment Noted
(3) Farnsfield Parish Council	Support the changes proposed within the DCS, none of which appear to have a negative impact on the Parish Council	Comment Noted
(4) Fernwood Parish Council	Apartments should not be zero rated, but should be charged at the same rates as other residential development.	The proposed rates are based on the viability evidence which indicates that apartments (other than the Very High Zone) cannot stand a CIL charge and remain viable
(5) Highways England	H/E consider the removal of four highways schemes is appropriate given that the funding for a strategic improvement to the A46 at Newark is expected to be provided by Government	Comment Noted

(6) Lincolnshire County Council	The infrastructure needs as set out in the Draft IDP and Regulation 123 list, are significant and help to justify the case for CIL	Comment Noted
(7) Newark Town Council	Concerns remain as submitted for consultation at the Preliminary Draft Charging Schedule stage. Main concerns raised were zero rating of apartments and whether ward boundaries is the most appropriate method to define charging zones	The proposed rates are based on the viability evidence which indicates that apartments (other than the Very High Zone) cannot stand a CIL charge and remain viable. The District Council has considered various charging zone options and in a diverse District such as Newark and Sherwood whatever methods are used to divide it up there will always be anomalies created by the nature of administrative boundaries. Wards are the building blocks for much of the statistical information used to determine CIL levels and therefore represent the most appropriate method to split charging areas.
(8) Nottinghamshire County Council	<p>Primary education should continue to be collected via Section 106 Agreement.</p> <p>The County Council would wish to be involved with any review of the Developer Contributions and Planning Obligations SPD which may take place post CIL and Local Plan Review. In addition the County Council are currently reviewing their own Planning Obligations Strategy that they will consult upon in due course.</p>	<p>It is the intention of the District Council to continue to collect funding for Primary Education attributed to new development through Section 106 as set out in the current SPD and Infrastructure Delivery Plan.</p> <p>The District Council will consult and work closely with the County Council when reviewing its Developer Contributions and Planning Obligations SPD</p>

(8) Nottinghamshire County Council	Comments re public transport capital improvements	Noted -The District Council sought clarification from the County Council with regards to the representation made in respect of public transport capital improvements. The intention of the representation was to raise awareness for future schemes rather than suggest amendments to the Draft Regulation 123 List at this stage.
(8) Nottinghamshire County Council	<p>Request to include a brief description within the Regulation 123 List of what the highway improvement would involve.</p> <p>Location and description for two highway projects on the Regulation 123 List should be amended</p> <p>Suggesting split of funding for Kelham Bypass should be amended, to remove NCC and include D2N2 LEP as part fund provider with the District Council</p> <p>The IDP at Section 6.7.9 suggests that the improvement of the A614/A617 Ollerton roundabout should be added to the Regulation 123 List. NCC request clarification and that the IDP is corrected as it is their understanding that the scheme will be funded through Section 106 and other funding which is acceptable to them</p>	<p>Regulation 123 list amended to include brief description</p> <p>Regulation 123 list amended as suggested</p> <p>Regulation 123 list amended as suggested</p> <p>The County Council understanding is correct. The IDP informs the District Council decision making however in the particular circumstances of Ollerton roundabout it is felt that Section 106 and other funding is a more appropriate route to secure improvements. The Council explains this further in the Community Infrastructure Levy and Section 106 Statement.</p>

<p>(8) Nottinghamshire County Council</p>	<p>Clarification is sought on the following elements of the CIL's implementation:</p> <p>Mechanisms for prioritising the spend of CIL monies</p> <p>In terms of recipients of funds for secondary education and highways projects transfer of funds needs to be clearly understood</p>	<p>Noted – It is agreed that the District Council should work closely with the County Council to agree how CIL monies should be spent. This is particularly important now that levels of development are increasing and CIL monies may need to be spent in the short to medium term.</p>
<p>(9) Savills (on behalf of land owner)</p>	<p>Representation was made with regard to viability assumptions:</p> <p>High market value of affordable housing rent</p> <p>Social rent tenure not included in the viability scenarios</p> <p>Build cost assumptions should be reviewed to reflect likely incurred base construction costs</p>	<p>In formulating the scenarios for considering viability the District Council considered current practice in the affordable housing sector. Affordable rent tenure is assumed to be purchased by an RSL at 50% of open market value, therefore this was considered to be the most appropriate tenure to test.</p> <p>In formulating the scenarios for considering viability the District Council considered current practice in the affordable housing sector. Where as in the past social rent was the preferred product for the rent element of affordable housing the HCA and the District Council are more likely now to secure affordable rent, therefore this was considered to be the most appropriate tenure to test.</p> <p>There are many different build cost data sources. BCIS tends to be restricted to data from smaller bespoke housebuilders (volume housebuilders do not generally contribute to BCIS data) and as such is rates are considered to be significantly higher than those experienced by regional and volume housebuilders who are likely to deliver the majority of new houses in the District. As such the Council instructed Gleeds Cost Consultants to provide construction rates that were more reflective of the type of developer envisaged to deliver the majority of housing in the Plan Period</p>

	<p>External costs and servicing should be included within assumptions</p> <p>A 7 to 10% contingency should be applied to brownfield sites</p> <p>Abnormal costs should be applied to assumptions</p> <p>Section 106 assumptions are low compared to the market norm</p> <p>Developer profit should be assumed at 20% and not 17.5% Bench mark land value thresholds should be increased to reflect the examples of land transactions submitted as part of this representation.</p>	<p>The Gleeds build cost rates include allowance for external costs</p> <p>A 5% contingency is considered to be reasonable in all Appraisals</p> <p>Section 4.23 makes the points that if abnormal costs are identified these are likely to be deducted from the site purchase price in line with the majority of land purchase and option agreements. As such no abnormal cost allowance is considered necessary and it would be wrong to assume abnormal costs will be encountered on every site, particularly in this study where most delivery is anticipated from greenfield sites</p> <p>The allowance is based on an average S106 sum of £1249 collected for developments over the 5 year period since the introduction of CIL in the District in 2011. It is accepted there will be examples of developments with higher and lower contribution per dwelling rates than this average figure</p> <p>The appropriate developer profit has been arrived at following detailed consideration of local market circumstances in Newark and Sherwood. The land value threshold methodology is clearly explained in the Viability Report. The report does not use market transaction comparable as the primary indicator to establish a benchmark land values in the viability assessments. In order to establish a 'competitive return to the landowner' as required by the NPPF, the viability appraisals assess the gross residual value of the development being assessed with no policy impact (affordable housing/S106 contributions etc.). The existing use value is deducted from this gross value to determine the maximum uplift in value resulting from planning permission. This uplift is then split 50:50 between the landowner (as a competitive return) and the Local Authority (as a margin from which policy based</p>
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	<p>Fees, finance and tax assumptions have been omitted</p> <p>Request that further information is provided regarding viability evidence that includes a thorough review of both the methodology and assumptions used in appraisals</p>	<p>contributions can be delivered). The 'Shinfield Approach' to establish the competitive return to the landowner has been accepted in every CIL and Local Plan Examination that NCS have been involved with, including</p> <p>2011 Newark and Sherwood DC CIL, 2012 Bassetlaw DC CIL Newark and Sherwood Site Allocations and Development Management DPD 2014 Chesterfield BC CIL Worthing DC CIL 2015 Eastbourne BC CIL Crawley BC Local Plan Horsham DC Local Plan Lewes DC CIL Gedling DC Local Plan & CIL 2016 Newport CIL</p> <p>There is a significant viability buffer included in setting CIL rates against maximum potential charges that more than takes account over any minor differences of opinion on these assumptions</p> <p>A complete Viability report and detailed Viability Appraisals have been published which clearly set out the adopted assumptions and appraisal methodology in context with Statutory Guidance and no further explanatory information is considered to be necessary</p>
(10) Southwell Town Council	<p>Comments relating to road safety with regard to increase in traffic from two new developments enabling safe exit of traffic from Halloughton Road</p>	<p>Comment Noted</p>

	<p>and requirement for parent and pedestrian/wheelchair access from Workhouse Lane to Riverside</p>	
<p>(11) Town Planning.Co.UK. (Anthony Northcote)</p>	<p>It is premature to seek the review of CIL ahead of the Local Plan review. The Local Plan review is looking to reconsider key aspects including what the objectively assessed housing figure should be and spatial distribution of growth. As such the elements of infrastructure required to deliver the growth in the Local Plan review is likely to be different to that contained on the Regulation 123 List. The CIL Regulation 123 list is seeking to prejudice the outcome of the Local Plan</p> <p>Since the last Regulation 123 List was developed planning permission has been granted for urban extensions, therefore CIL contributions are secured or known. The widening of the A1 overbridge that has been added to the Reg123 List may be funded from other sources. In addition the emerging Highways England plans for the Newark</p>	<p>The CIL Regulations permit the review of a CIL Charging Schedule at any time provided the Development Plan is up to date, the Local Plan is currently being reviewed as part of this review infrastructure specialists have reviewed the infrastructure requirements of the District and produced an Infrastructure Delivery Plan that form part of the CIL evidence base. It is acknowledged that there have been changes to infrastructure provision since the original Regulation 123 list was prepared and that a number of projects have commenced. This is why it is considered a review is needed under the terms of CIL Regulation 14(1) (a).</p> <p>As previously identified when the CIL was first adopted by the Council in 2011, there is a very substantial infrastructure funding gap and CIL will only partially contribute to meet this gap with residual S106 contributions being sought to support CIL for infrastructure projects that are not identified by the Reg 123 List. This gap is highly unlikely to be bridged by changes identified by a review of the Local Plan to the extent that CIL charges would exceed the level of funding required to meet infrastructure needs.</p> <p>As set out in the Infrastructure Delivery Plan and Infrastructure Funding Gap Review Report that has been produced to inform the Local Plan and CIL review the infrastructure funding deficit exceeds the projected revenue from CIL by approximately £27.70m as such the Draft Charging Schedule accords with the CIL Regulations</p> <p>It is inconceivable that there would be such a shift in infrastructure funding requirements resulting from relatively minor changes in the Plan that would fundamentally change the Infrastructure Funding Deficit to the point that the CIL revenue resulting from the proposed would exceed the funding needed to meet a revised Regulation 123 List</p>

	<p>bypass will materially affect the priority</p> <p>Seeking to undertake a review at this stage fails to adhere to the statutory requirements of Regulation 14 (1) (a) of the Community Infrastructure Levy Regulations 2010. We consider that a revised Regulation 123 List is required alongside the emerging Local Plan Review in order to satisfy the evidence requirements of Regulation 14 (5) of the Community Infrastructure Levy Regulations 2010 (as amended) and s211 (7A) of the Planning Act 2008. As such we are not convinced that a CIL review at this time is properly evidenced, whilst a draft Regulation 123 has been published it is unclear as to how the list of highway schemes and the amount of secondary school places directly relates to the emerging growth level and spatial distribution which is not yet determined.</p>	<p>It is a matter for the Authority to determine the appropriate balance in accordance with CIL Reg (14) (1) (a) of raising funds to support the infrastructure required to support development and the effects of the imposition of CIL on the economic viability of development across its area. This is what the CIL review is seeking to achieve.</p> <p>CIL Reg 14(5) states that for the purposes of section 211 (7A) of PA 2008 (1), a charging authority's draft infrastructure list is appropriate evidence to inform the preparation of their charging schedule. As such it is considered that the updated schedule of infrastructure requirements and costs prepared represents appropriate evidence to inform the review of the CIL Charging Schedule.</p> <p>In addition The Business Manager –Planning Policy contacted PINS to discuss the possibility of reviewing CIL ahead of Plan Review, advise was given setting out criteria that would make it appropriate to carry out a CIL review ahead of plan review:-</p> <p>Matters should be fairly straight forward with CIL rates being reasonably simple and not dependant on any appraisals in an emerging plan</p> <p>There shouldn't be any big infrastructure projects that might be questioned later in the Local Plan review</p> <p>CIL rates would need to be backed up by up to date evidence</p> <p>It has been concluded that on the tests set out by PINS, the Council is able to demonstrate that the CIL review can progress ahead of plan review</p>
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	<p>CIL proposals in terms of commercial rates are ill founded at this time, some types of commercial development such as B8 uses have a significant adverse impact on the local highway infrastructure and should make some element of contribution to that impact</p> <p>Do not support the use of a single districtwide CIL contribution rate for retail. Differential rates should be set between urban and rural areas</p> <p>Residential charging zones do not reflect the policy areas or the housing market areas utilised in the current LDF or the emerging Local Plan review which is considered confusing. Rates should be set based on spatial policy sub areas. Sub-parts of single settlements should not be differentiated from the remainder of the settlement. As such the identification of the Bridge, Dover and Balderton South Wards being prescribed as a low rate with the remainder of</p>	<p>The viability evidence indicates that charges on B8 development would not be economically viable</p> <p>There is no economic viability evidence submitted by the representor to support this proposal in the view of the Council new build retail facilities across the Authority will be capable of accommodating CIL charges based on the viability evidence</p> <p>It is considered that Differential Rate CIL Zones cannot be set in accordance with political or planning policy based boundaries. The Differential Zones are based on areas of differential economic viability in accordance with the Regulations and Statutory Guidance</p> <p>The Zoning of these areas are based on valuation evidence from the Land Registry that indicates differential economic circumstances in these parts of Newark and the view of the Council warrants a differential approach to CIL Charging based on the differential economic viability of development</p>
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	<p>Newark Urban Area being rated medium is not supported.</p> <p>Differential rates can reflect varying economic circumstances based on potential sale prices of property, land prices in the higher sale priced areas are substantially greater such that no greater profit element can necessarily be secured.</p>	<p>The Representor has not submitted any economic viability evidence to support this proposal</p>
<p>(11) Town Planning.Co.UK. (Anthony Northcote)</p>	<p>The viability assessment model is based on a number of assumptions which are ill founded and do not reflect actual project examples being undertaken within Newark and Sherwood. These assumptions include land only being 18.18% of the total project cost and construction only being 39.55% of the total project cost. The CIL and s106 element would then equate to 4.1% of total cost</p> <p>A site at Farnsfield (14/01576/OUTM) is for sale for in excess of £3million for 60 dwellings, on the same methodology which would mean that the land element would be at least 22.73%. On that</p>	<p>The land value threshold methodology is clearly explained in the Viability Report. The report does not use market transaction comparable as the primary indicator to establish a benchmark land values in the viability assessments. In order to establish a 'competitive return to the landowner' as required by the NPPF, the viability appraisals assess the gross residual value of the development being assessed with no policy impact (affordable housing/S106 contributions etc.). The existing use value is deducted from this gross value to determine the maximum uplift in value resulting from planning permission. This uplift is then split 50:50 between the landowner (as a competitive return) and the Local Authority (as a margin from which policy based contributions can be delivered).</p> <p>There are many different build cost data sources. BCIS tends to be restricted to data from smaller bespoke housebuilders (volume housebuilders do not generally contribute to BCIS data) and as such is rates are considered to be significantly higher than those experienced by regional and volume housebuilders who are likely to deliver the majority of new houses in the District. As such the Council instructed Gleeds Cost Consultants to provide construction rates that were more reflective of the type of developer envisaged to deliver the majority of housing in the Plan Period</p>

	<p>example scheme with the additional s106 requirements of £358,576 and CIL on the 42 market units would equate to a total CIL and s106 element actually being 5.03% of the total cost. In addition the viability model assumes that construction of a dwelling is only £870 per square metre. However BCIS is the Building Cost Information Service of the Royal Institution of Chartered Surveyors. In a report in August 2015 looking at small developments for the Federation of Small Builders it identified that average construction costs were £1,025 per square metre for a scheme over 10 units and up to £1,157 per square metre for small schemes of 1 to 5 units. A site of 60 units may not be developed by a national housebuilder but could realistically be developed by a regional building company who do not have access to the same buying power as the national companies.</p>	
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	<p>On these assumptions construction at the Farnsfield scheme construction costs would then be 46.6% of total cost. As such if all other costs were the same as in the viability assessment then profit would be reduced from 15.9% to only 3.37% taking account of the 12.53% higher construction, s106 and CIL and land costs. Thereby rendering the scheme completely unviable. The viability evidence has not taken into account the difference in the costs of a full range of size of proposals and the assumptions made do not appear to reflect local costs and prices. We note that Heb Property Consultants do not list residential land as being one of their specialisms; they are commercial agents as such we do not consider that they are suitably qualified to offer advice on residential valuations.</p> <p>Given that Heb and NSDC are in a formal commercial partnership regarding the Nationwide CIL Service the evidence produced</p>	<p>HEB are registered RICS Valuer and have extensive knowledge of the residential land market locally and regionally. HEB have sold substantial numbers of residential sites, as well as advising on the acquisition of others. HEB are in regular contact with the majority of house builders active in the region, many of whom contributed to the HEB report and verified the sales values suggested in the valuation report as a fair and appropriate tone. HEB's instructions from the council were to provide an honest and realistic appraisal of indicative sales values across the authority area, and not to attempt to follow any prescribed planning policy based initiative.</p> <p>The commercial partnership between NCS and Newark and Sherwood District Council to deliver CIL Consultancy services to other Local Authorities was dissolved in 2014. NCS now operates as a private commercial partnership between HEB Surveyors, Gleeds and WYG and the Council are no longer involved in the arrangement.</p>
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	<p>cannot be said to be impartial independent valuation advice.</p> <p>We note that a recently approved appeal scheme at Saxilby for 133 units where no CIL exists has an s106 contribution of only £709,525, and has a land sale value of only £3.25million. That scheme will have a significantly different viability as the sale price of a new 3 bedroom dwelling in Saxilby is £280,000 whereas the sale price of a new 3 bedroom dwelling in Farnsfield is £274,995. With Saxilby having an almost the same sale price but an effective land price which is half that of Farnsfield pro-rata per dwelling means that the use of a standardised viability model is not taking into account the necessary real differences in the land marketplace.</p>	<p>The Council is uncertain why sales evidence from a village in another County is relevant to the study or how the approach of another Authority (West Lindsey) is relevant to the approach proposed by Newark and Sherwood.</p>
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Representors requesting the right to be heard by the CIL Examiner

- Anthony Northcote -Town Planning.Co.Uk
- Chairman Barry Smith –Fernwood Parish Council

Appendix 1 – Notice of Publication

CIL Review

Consultation on the Draft Charging Schedule

The Council is currently reviewing its CIL and consulted on the Preliminary Draft Charging Schedule (PDCS) during October/December 2016. This was the first formal step required to adopt a revised Charging Schedule. Consultation Comments have been summarised and can be viewed on the Council's website under the heading Preliminary Draft Charging Schedule.

The second stage in preparing a revised Charging Schedule is the Draft Charging Schedule (DCS) that has been produced following the outcome of consultation on the PDCS. This document further sets out how the current Charging Schedule will be revised and how much levy will be charged.

The Council is now seeking representation on the DCS that includes a Statement of Representation Procedure and Draft Amended Regulation 123 List of projects to be funded by CIL. Copies of all documentation including relevant evidence are available for inspection at Kelham Hall Newark NG23 5QX.

In addition Copies of the DCS (that includes a Statement of Representation Procedure and Draft Amended Regulation 123 List of Projects to be Funded by CIL) Representation Form and information about where all the documentation relating to the Draft Charging Schedule can be viewed at all District libraries.

If you have any comments please complete the DCS Representation Form and send to Infrastructure/S106 Officer, Growth Directorate, Newark and Sherwood District Council, Kelham Hall, Newark, Notts, NG23 5QX. Alternatively you can email planningpolicy@nsdc.info If sending comments by email please include 'DCS CIL Representation' in the subject line. Please ensure that your comments reach us by **5.15pm on Thursday 13th April 2017.**

Draft Revised Regulation 123 List of Projects to be funded by CIL



Newark and Sherwood District Council Community Infrastructure Levy (CIL)

Draft Amended Regulation 123 List of Projects to be funded by CIL March 2017

Highway Projects				
Location	Estimated Cost	CIL /Other Public Contribution	<u>Potential Improvement*</u>	Funding Source
A1 Overbridge widening, Fernwood, Newark	£5,200,000	£5,200,000	<u>Widening of the A1 overbridge</u>	
London Road, Portland Street Junction, Newark	£60,000	£60,000	<u>Signal Control</u>	
Barnby Gate, Sherwood Avenue Junction, Newark	£60,000	£60,000	<u>Signal Control</u>	
Lincoln Road, Brunel Drive Junction, Newark	£300,000	£300,000	<u>Junction Improvements</u>	
Lincoln Road, Northern Road Junction, Newark	£240,000	£240,000	<u>Signal Control</u>	
Castle Gate, Lombard Street Junction, Newark	£300,000	£300,000	<u>Junction Improvements</u>	
Beacon Hill Road, Northern Road Junction, Newark	£144,000	£144,000	<u>Signal Control</u>	
Sleaford Road / Friary Road Junction, Newark	£300,000	£300,000	<u>Junction Improvements</u>	
Northern Road / Brunel Drive Junction, Newark	£500,000	£500,000	<u>Signal Control</u>	
Queens Road / North Gate Junction,	£240,000	£240,000	<u>Junction</u>	

Highway Projects				
Location	Estimated Cost	CIL /Other Public Contribution	Potential Improvement*	Funding Source
<u>Newark</u>			<u>Improvements</u>	
Kelham Bypass	£15000,000	£5,000,000	<u>New bridge over the River Trent and a bypass to the village</u>	33% CIL, 33% NCC, 33% D2N2 Funding Assumed 33% CIL, 67% <u>D2N2 LEP</u>
A6097 / A612 Lowdham Junction	£1,500,000	£1,500,000	<u>Junction improvements and Signal Control</u>	
A614 Mickledale Lane Junction	£300,000	£300,000	<u>Junction Improvements</u>	
A614, C1 Junction White Post Roundabout	£600,000	£600,000	<u>Junction Improvements</u>	
A614, C13 Eakring Road Junction	£120,000	£120,000	<u>Speed reduction measures</u>	
<u>A614/A6097 Junction Oxtou Bypass</u>	£1,500,000	£1,500,000	<u>Junction improvements</u>	
Education Projects				
Secondary Education Provision within the District	£11,339,820	£11,339,820	<u>Provision of additional secondary school places</u>	

***Please note the exact nature of many of the improvements will only be finalised once detailed design appraisals are carried out as part of any programme of works.**



**Newark and Sherwood District Council Community Infrastructure Levy
Declaration Required Under Planning Act 2008, Section 212,
Subsequent 4 and 5**

Declaration Required Under Planning Act 2008, Section 212, Subsequent 4 and 5

Newark and Sherwood District Council adopted a Community Infrastructure Levy (CIL) in September 2011 that came into force in December 2011 and is now seeking to adopt a revised CIL that will continue to be used to fund Strategic Infrastructure in this District. The Council defines this as:

“Improvements to the highway network and secondary school provision required because of the growth of the District up to 2033, and which cannot be attributed to the development of any site”

The District Council has produced a revised Draft Charging Schedule for submission for independent examination. As part of this process, Section 212, Subsection 4 of the Planning Act 2008 requires the Council to produce a declaration which demonstrates that:

“a) The charging authority has complied with the requirements of this Part and CIL regulations (including the requirements to have regard to the matters listed in section 211(2) and (4)),

b) The charging authority has used appropriate available evidence to inform the revised draft charging schedule, and

c) Deals with any matter prescribed by CIL regulations

Under subsection 5 this declaration must be approved:

(a) at a meeting of the authority; and

(b) by a majority of votes of members present.”

The following table sets out how the requirements of subsection 4 have been met.

A) The charging authority has complied with the requirements of this Part and CIL regulations (including the requirements to have regard to the matters listed in section 211(2) and (4))

Community Infrastructure Levy Regulations, 2010 (as amended)	
Regulation Number	Method of Compliance
12	The revised Draft Charging Schedule (DCS), which can be viewed on the Council’s website: www.newark-sherwooddc.goc.uk/cil contains the information required in Reg. 12 (1), (2a) and (2b) and the Charging Zones have been in the format prescribed under Reg. 12 (2) (c)
13	The Council has chosen to have Differential Residential Rates and Charging Zones. These have been developed following consideration of the various elements of evidence, the content of which is described in the response to part B below. The Charging Zones are set out in the revised

	Draft Charging Schedule in the format prescribed under Reg. 12 (2) (c)
14	<p>The Council has aimed to strike an appropriate balance between the partial funding of infrastructure required to support growth (taking account of other potential funding sources including planning obligation contributions, public sector funding and direct delivery by the private sector) and the potential effect of CIL on the economic viability of development across the District. The Council has undertaken a series of viability appraisals for all categories of development to ensure that the imposition of the proposed revised rates of CIL would not make development economically unviable.</p>
15	<p>A Preliminary Draft Charging Schedule (PDCS) was prepared and published for a 6 week period of consultation (28/10/2016 to 09/12/2016). The Preliminary Draft Charging Schedule, PDCS Representation Form, Evidence Base, Statement confirming that the PDCS had been published for representation and that the document, along with supporting evidence base documents were available for inspection (this included information about where the documents could be viewed, the consultation period and the process for making comments).</p> <p>Documents were made available at the following locations:</p> <ul style="list-style-type: none"> ➤ On the Councils website www.newark-sherwooddc.gov.uk/cil ➤ At the Council's main office at Kelham Hall ➤ Libraries within the District (All documents excluding hard copies of evidence base) <p>Each of the Consultation Bodies was sent in electronic or paper format:</p> <ul style="list-style-type: none"> ➤ Copy of the Preliminary Draft Charging Schedule ➤ Representation Form; and ➤ Information about where all the documentation relating to the Preliminary Draft Charging Schedule could be viewed ➤ In addition to the above, Town and Parish Councils and other consultees were sent a statement confirming that the Preliminary Draft Charging Schedule had been published for representation and that the document along with the supporting evidence base were available for inspection This included information about where they could be viewed, the consultation period and the process for making comments. <p>Representations were invited from the bodies and organisations set out in Regulation 15 (5) (a) and (b). Further information about the specific groups contacted is available on request.</p> <p>A local advertisement stating that the Preliminary Draft Charging Schedule, evidence base and other documentation were available for inspection, including information about where they could be viewed the</p>

	<p>consultation period and the process for making comments was published in:</p> <ul style="list-style-type: none"> ➤ Mansfield Chad ➤ Newark Advertiser ➤ Nottingham Evening Post <p>Prior to publishing the Draft Charging Schedule, the District Council considered each of the representations received on the Preliminary Draft Charging Schedule and produced a Statement on Consultation Responses. This summarised each of the responses received, the Council's responses and any actions emerging. This was placed on the Council's website.</p>
<p>16</p>	<p>The Draft Charging Schedule, Evidence Base to support the Draft Charging Schedule, Representation Form, Statement of Representations Procedure, and a statement that the Draft Charging Schedule and accompanying documentation had been published for inspection (including where, for how long and procedure for making representations) was made available for inspection for a period of 6 weeks (in accordance with Reg.17 (3)) at the following locations:</p> <ul style="list-style-type: none"> ➤ On the Council's website www.newark-sherwood.gov.uk/cil ➤ At the Council's main office at Kelham Hall; and ➤ Libraries within the District (All documents excluding hard copies of evidence base)
<p>17</p>	<p>Period for representation on the Draft Charging Schedule was 6 weeks between Thursday 2nd March 2017 and Thursday 13th April 2017</p> <p>Information about the period of representation, ways of making a representation and where the documentation relating to the Draft Charging Schedule could be viewed was made available:</p> <ul style="list-style-type: none"> ➤ In press notices <ul style="list-style-type: none"> ○ Mansfield Chad ○ Newark Advertiser ○ Nottingham Evening Post ➤ On the Council's website; ➤ At the Council's main office at Kelham Hall; ➤ Libraries within the District ➤ In the letters sent to the Consultation Bodies
<p>19</p>	<p>As part of the Submission of the Draft Charging Schedule, all the documentation referred to in 19 (1) has been sent to the Inspector in formats set out in 19(2).</p> <p>The Draft Charging Schedule, Statements of Representations received, copies of the representations, the CIL evidence base and a notice that the documents have been made available for inspection has been made available to view at the Councils main office at Kelham Hall, the Councils website and Libraries within the District.</p>

	<p>Notification of submission of the Draft Charging Schedule has been given to those who requested this under Reg.16</p>
Part 211	<p>The Council produced both a Preliminary Draft Charging Schedule and Draft Charging Schedule for consultation including the levels of CIL to be charged and how this will be worked out</p> <p>In setting the proposed rates, the Council have used evidence about the need for infrastructure and impact of the CIL on viability this can be viewed on the Councils website www.newark-sherwooddc.gov.uk/cil and has been sent to the inspector</p> <p>In setting the proposed rates, the Council has had regard to Part 211(4) of the Planning Act. Administrative expenses will be calculated as part of the annual monitoring and reporting process and will be taken from CIL receipts in accordance with the Regulations. The CIL system relies on a bespoke evidence base and with the exception of the Infrastructure Delivery Plan (IDP), does not rely on values, documents or processes produced for other statutory purposes. It is not proposed that the Charging Schedule will have effect for a limited time period.</p> <p>Within the Draft Charging Schedule and accompanying Guide to the CIL, the Council have set out how the amount of CIL chargeable will be calculated</p> <p>In preparing the Preliminary Draft Charging Schedule and Draft Charging Schedule the Council have complied with preparation requirements of CIL Regulations</p>
Part 212	<p>The Council have contacted the Planning Inspectorate to request an inspector be appointed to examine the Draft Charging Schedule. The Council are waiting to receive confirmation of the date of the examination. Once this is known they will publicise it and notify people as required on the CIL Regulations, Reg.21.</p> <p>As part of the above the Council have asked the Planning inspector if they wish to have an assistant to aid the inspector</p> <p>The Council have made it known that anyone who wishes to be heard by the examiner may do so (CIL Regulation 16 (2))</p> <p>The Draft Charging Schedule submitted to the examiner has been accompanied by a declaration confirming that the charging authority has complied with the requirements of Part 212 and CIL regulations (including the requirements to have regard to the matters listed in section 211 (2) and 4)) which has been approved at a Full Council Meeting and by a majority of votes of members present</p>

	The Council will comply with the other elements of this part of the Act following receipt of the inspectors report
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B) The Charging Authority has used appropriate available evidence to inform the Draft Charging Schedule

The revised Draft Charging Schedule was informed by the following pieces of evidence:

- Whole Plan and CIL Viability Assessment
- Appendix 1 Valuation Report
- Appendix 2 Construction Cost
- Infrastructure Delivery Plan
- Infrastructure Funding Gap Review

A paper and electronic copy of these documents has been submitted to the Inspector and can also be viewed on the Councils website: www.newark-sherwooddc.gov.uk/cil

C) Any other matter prescribed by CIL Regulations

The Council consider that all matters relating to the CIL Regulations, which the Council are required to comply with up to the submission of the Draft Charging Schedule have been discussed in its response to part a) above. Therefore they do not consider that there are any other matters that require discussion.

The above statement was presented and approved by a majority of votes of Members present at a meeting of the Council on 16th May 2017

Signed:

Name

Position:

Date:

RESERVATION OF DECISION – NEWARK LORRY PARK

1.0 Purpose of Report

1.1 At their meeting held on 6 April the Policy & Finance Committee considered a report which set out options in respect of the expansion and reinstatement of capacity to the Newark Lorry Park. A copy of the report considered by the Committee is attached as **Appendix A** to the report.

1.2 The decision of the Committee was as follows:

- (a) That the full lorry park expansion scheme with the concrete roadway and the required budget for this be approved;
- (b) That the submission of a planning application and the preparation of tender documents for the project be approved; and
- (c) That the approved scheme be included as part of the Council's Capital Programme.

1.3 Following the meeting, in accordance with Council Procedure Rule 22(1)(b), two Members of the Policy & Finance Committee, namely Councillors Mrs C.A. Brooks (acting as substitute) and D. Staples submitted a request to the Chief Executive, before 5.00pm on the next working day, asking for the decision of the Committee to be reserved to the Council for consideration.

2.0 RECOMMENDATION

That the Council considers the report and recommendations put to the Policy & Finance Committee in respect of the attached report on the Newark Lorry Park.

Background Papers

Nil

For further information please contact Nigel Hill on Extension 5243.

Kirsty Cole
Deputy Chief Executive

NEWARK LORRY PARK EXTENSION PROJECT

1.0 Purpose of Report

- 1.1 For Members to consider options for the expansion and reinstatement of capacity to the Newark Lorry Park.

2.0 Background Information

- 2.1 The new Council HQ project occupies land previously used for lorry parking. Currently this has resulted in a reduction from 160 spaces to 122 and ultimately if the land adjacent to Castle House is developed in the future there will be a total loss of some 60 spaces previously used by HGVs parking overnight.

- 2.2 The risk of income reduction with the loss of 60 spaces in the upperpart of the lorry park has been mitigated by the unexpected ability to still use some 22 HGV spaces in the upperpart. That, with the £1 increase in fees from 1 April 2016 has mitigated the predicted loss of income. However, when the total upperpart is lost there will be a reduction in income and whilst rate increases can reduce any loss the actual average number of vehicles using the facility has fallen from the levels experienced in 2015/16 possibly due to the difficulty in finding available spaces on the busy evenings of the week.

- 2.3 At such times of current full capacity on a Monday - Thursday evenings, there have been some incidents where vehicles have parked on Newark Livestock Market areas in front of the unloading pens causing issues with access for attending livestock deliveries and parking of HGVs on nearby roads in residential areas

- 2.4 The Council commissioned specialist consultants to identify various options to mitigate the loss of capacity and at its meeting on 30 March 2016 the Economic Development Committee considered these and agreed the following:

AGREED (unanimously) that Option A, to retain and expand the existing lorry park, be approved.

- 2.5 Detailed work on a scheme to expand the lorry park has now taken place and the design consultants have concluded that with expansion of the lorry park and provision of additional adequate hardstanding approximately 160 vehicles could be accommodated whilst still providing sufficient circulation space and adequate access and egress points. They have confirmed also that there is additional work required to protect a main water supply to British Sugar that passes through the site and divert an overhead electricity line.

- 2.6 The design consultants have worked with various stakeholders to develop a scheme that meets the requirements of the Council, the needs of the lorry park users and provides a safer more user friendly environment for all the lorry park users including the Newark Livestock Market.

- 2.7 The consultants estimate that the expanded site would cover an area of 13,350m² and have calculated the approximate cost for excavation, rolled stone construction with granular type 1 material and the recommended provision of a Geotextile membrane, landscaping and additional lighting. In addition they suggest that it is appropriate to allow an additional 10% for preliminaries and a contingency figure.

3.0 Items for Consideration

- 3.1 The consultants have continued to progress the preparation for the project, including consultation with various agencies and the Environment Agency and the carrying out of various ecology surveys. A specification for the work is now prepared and the project can be brought back into house and a planning application compiled for submission and determination, following which a procurement process will be implemented with an expected start date on site of September 2017.
- 3.2 The proposed extension will provide for an additional 67 spaces which would provide a lorry park with a capacity of 167. A plan showing the layout of the proposed lorry park is attached as **Appendix One**.
- 3.3 There are two options proposed for the construction. The first option provides for a concrete roadway and the second option for a roadway of compacted stone/gravel. The detailed costings for the scheme options are attached as **Appendix Two**. The total scheme costs for a concrete roadway are £792, 224 and for a compacted gravel roadway £747,571 a difference of £44,653.
- 3.4 Although there is an increased cost with providing a concrete road, this provides a longer term solution with a more hard-wearing road surface. The current lorry park has a concrete roadway with compacted stone parking areas. Maintaining a compacted stone roadway would increase the maintenance cost due to constant traffic movements. The average annual repair costs for the parking areas is approximately £4000 pa. If the roadway is also compacted stone, it is estimated that this could result in an annual repair cost of approximately £8000 p.a. If a concrete roadway was provided this would be to a high specification incorporating a re-enforced structure. As such little if any repair would be required in the first five to six years. From that point on 'patch' repairs would be likely on an annual basis due to wear and tear, costing around £1,500 per annum.
- 3.5 The other rationale supporting a concrete roadway is one of safety. A concrete roadway clearly differentiates between what is roadway and what is a parking area as in the current lorry park. If a compacted stone roadway option were chosen some means of identifying/differentiating between roadway and parking area would be necessary (concrete block set intermittently in the surface) and these as a result of their location would also require regular maintenance.
- 3.6 There is potential to deliver the project in two phases as the design is such that there are two distinct parts of the expansion.
- 3.7 The north east extension creates an additional 30 spaces but the provision of the new roadway to allow access would require the loss of 11 spaces from the current capacity and therefore there is a net gain of 19 spaces giving a total capacity of 119.

- 3.8 The north west part of the extension has a loss of 9 spaces to create the access road but provides for 57 new spaces giving net gain of 48 spaces giving a total capacity of 148.
- 3.9 The business model attached as **Appendix Four** indicates the potential income from the various options available and the potential payback period for each option.
- 3.10 The costs of delivering a phased scheme will be more than those for the single scheme. This is due to the fact that some costs will be present in both schemes. It should also be noted that completion either of the separate phased part extensions, with the additional spaces to the 100 already present on the lower lorry park will still provide a capacity below that which is often required on the busy nights of the week.

4.0 Comments of the Business Manager and Chief Financial Officer - Financial Services

- 4.1 I can confirm that the financial modelling shown in **Appendix Four** sets out the estimated capital costs and projected income of the four options. However, consideration also needs to be given to the revenue costs and whilst the maintenance cost of the different surfaces is considered at 3.4, this is only an estimate based on current costs and usage for stationary vehicles. The revenue impact could be higher or lower than this. Similarly capital costs could be higher or lower than estimated. These will not be known until the tendering process is completed.
- 4.2 The costs of the project have increased since the earlier estimate, due to the fact that it did not take full account of the costs of removal of excavated material from site. It was initially thought that some of this could be retained and used on site but this is no longer considered a viable option.
- 4.3 Income at the lorry park has remained buoyant due to increasing the tariff and being able to use spaces in the upper part of the lorry park which could be lost at a later date dependent on future plans for the site. Consideration should be given to the impact the different options could have on occupancy levels, income, and perception of users, whilst work is ongoing.
- 4.4 The figures provided in **Appendix Four** suggest that the option of extending to the northwest part of the site would bring income levels almost to those currently being forecast for 2017/18 with a new tariff in place, but with no works being carried out (the "do nothing" option). The northwest option also achieves income above the level forecast to be achieved in 2016/17. It should also be noted that this option with a compacted stone roadway provides the shortest payback period.
- 4.5 The Council currently has several large projects under consideration, and this one should not be looked at in isolation. Depending on which projects are brought forward and the funding applicable to them, it could become necessary for the Council to borrow. If this is the case, the revenue cost of borrowing is approximately £60k per year per £1million borrowed. For this project the revenue cost would therefore increase by approximately £48k if it is funded by borrowing. The decision on how to fund the capital programme is delegated to the Council's S151 Officer and is determined by many factors including the life of the asset.

5.0 Comments of Director - Communities

- 5.1 The current Lorry Park has seen a reduction in spaces from its original capacity of 160 down to a current capacity of 122 due to the construction of the new office building. The remaining 22 spaces on the upper lorry park will not be available in the near future leaving the lower lorry park containing 100 spaces available to the Council.
- 5.2 The loss of income from the initial reduction in capacity was mitigated by increasing the fee from £12.50 to £13.50 and still retaining 22 spaces on the upper lorry park. The loss of income when the remaining 22 spaces are no longer available will also be mitigated by the proposed fee increase from £13.50 to £14.50 for financial year 2017/18. However, this new tariff now places Newark Lorry Park in the upper quartile for fees charged. To increase the fee any further would probably have a negative impact of users and be counter-productive for income generation.
- 5.3 By extending the current lorry park it will be possible to increase income by being able to ensure there is sufficient capacity for drivers wishing to use the facility. It is essential that, if the lorry park is extended, steps are taken via marketing and communications to re-establish driver confidence that spaces are and will be available at the lorry park. Officers are confident that if the lorry park is extended, usage will return to the 2015/16 when the Council last had a 160 capacity lorry park and with an improved facility more drivers can be attracted to the site. This confidence is under pinned by the recent announcement that the Government are considering banning the parking of HGV's by the roadside, in lay-byes and on hard shoulders in an attempt to combat the growing problem of "fly parking" as it is described.

6.0 Equalities Implications

- 6.1 None identified.

7.0 Impact on Budget/Policy Framework

- 7.1 A detailed Capital project Appraisal is attached to this report as **Appendix Three** outlining the Business case for the expansion of the lorry park and associated costings. It should be noted that the costings are considered by the consultants to be in the upper quartile for prices and given that the majority of spoil to be removed from the site is of an "acceptable standard" it may be able to be re-used elsewhere. If so this has the potential to significantly reduce costs. The feasibility of this will be explored in the tendering process.
- 7.2 If the lorry park is extended it will enable the Council to continue to provide sufficient capacity to ensure that a secure facility is provided in a key strategic highway location and in so doing have the potential to reduce nuisance parking by lorries in the Town and surrounding communities.
- 7.3 Details of the financial modelling carried out to support the business case for extending the lorry park are attached to this report as **Appendix Four**.

8.0 Economic Development Committee

8.1 This report is to be considered by the Economic Development Committee at their meeting to be held on 29 March 2017. The decision of this Committee will be reported to the meeting for ratification by Policy & Finance.

9.0 RECOMMENDATION

That the Committee consider the recommendation of the Economic Development Committee.

Reason for Recommendation

To consider an extension to the Newark Lorry Park.

Background Papers

Nil

For further information please contact Alan Batty on Ext 5567

Andy Statham
Director - Communities

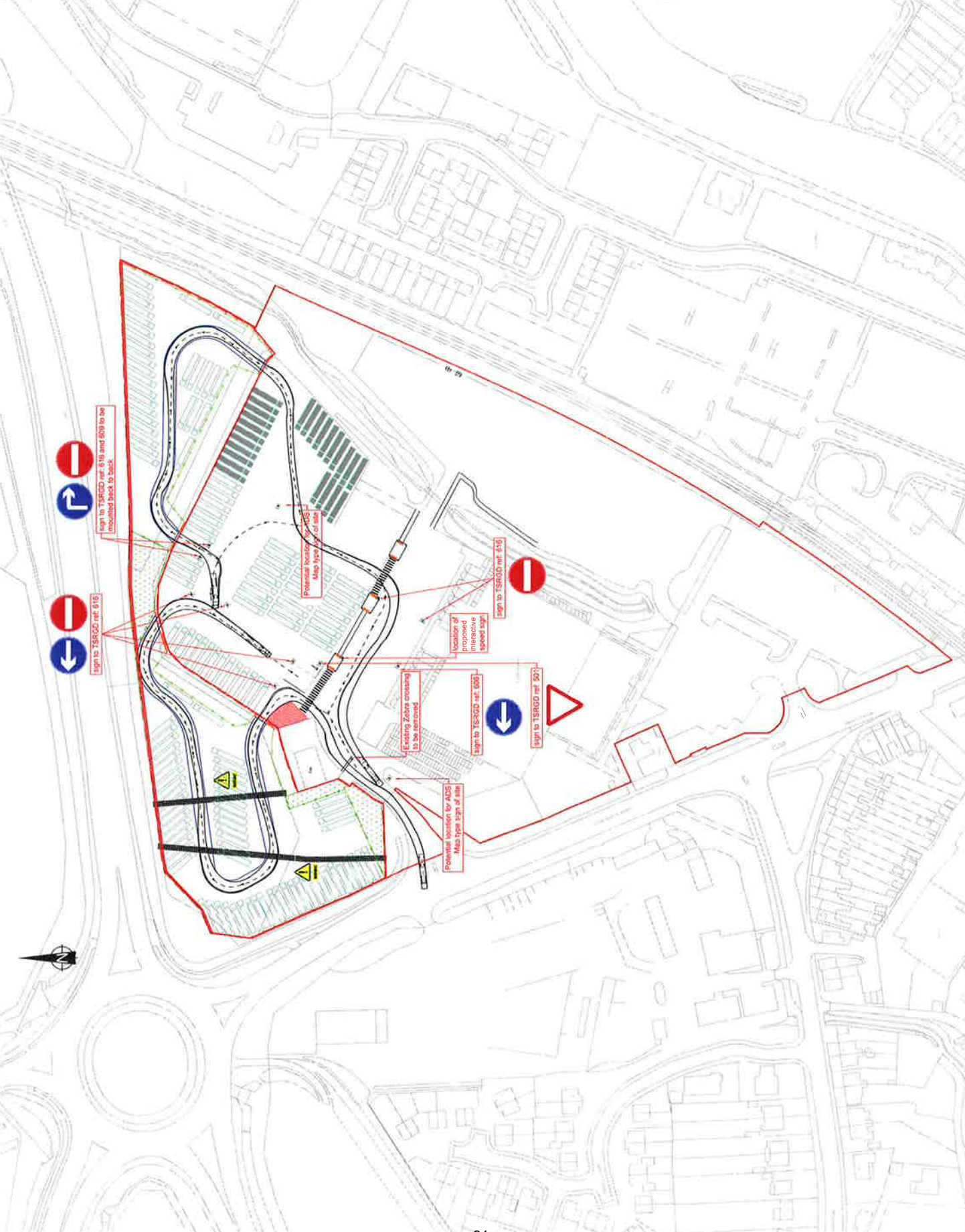
1. This drawing has been prepared in accordance with the current standards of the profession and is intended to be used for the purposes stated. It is the responsibility of the client to ensure that the drawing is used for the purposes stated and that it is not used for any other purpose.
2. All dimensions are in metres unless otherwise stated.
3. This drawing is to be read in conjunction with all other drawings and specifications which may be referred to in this drawing.
4. Only the professional engineer's signature is to be used for the purposes stated.
5. To maintain the continuity of the drawing, the new design shall be subject to the same standards as the existing design.
6. Design loads are to be as stated in the specification and shall be subject to the same standards as the existing design.
7. The design shall be subject to the same standards as the existing design.
8. The design shall be subject to the same standards as the existing design.
9. All works to be carried out shall be in accordance with the current standards of the profession.
10. The design shall be subject to the same standards as the existing design.
11. All existing structures shall be subject to the same standards as the existing design.
12. All existing services shall be subject to the same standards as the existing design.

Notes

1. All works to be carried out shall be in accordance with the current standards of the profession.
2. The design shall be subject to the same standards as the existing design.
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11. The design shall be subject to the same standards as the existing design.
12. The design shall be subject to the same standards as the existing design.

Key

Site Boundary
 Area of temporary works to be implemented
 Proposed Footway (Class 1) on drawing no. P18-145-MT-XX-00-DR-C-001
 Proposed Footway (Class 2) on drawing no. P18-145-MT-XX-00-DR-C-001
 Proposed Footway (Class 3) on drawing no. P18-145-MT-XX-00-DR-C-001
 Proposed Footway (Class 4) on drawing no. P18-145-MT-XX-00-DR-C-001
 Proposed Footway (Class 5) on drawing no. P18-145-MT-XX-00-DR-C-001
 Proposed Footway (Class 6) on drawing no. P18-145-MT-XX-00-DR-C-001
 Proposed Footway (Class 7) on drawing no. P18-145-MT-XX-00-DR-C-001
 Proposed Footway (Class 8) on drawing no. P18-145-MT-XX-00-DR-C-001
 Proposed Footway (Class 9) on drawing no. P18-145-MT-XX-00-DR-C-001
 Proposed Footway (Class 10) on drawing no. P18-145-MT-XX-00-DR-C-001
 Proposed Footway (Class 11) on drawing no. P18-145-MT-XX-00-DR-C-001
 Proposed Footway (Class 12) on drawing no. P18-145-MT-XX-00-DR-C-001
 Proposed Footway (Class 13) on drawing no. P18-145-MT-XX-00-DR-C-001
 Proposed Footway (Class 14) on drawing no. P18-145-MT-XX-00-DR-C-001
 Proposed Footway (Class 15) on drawing no. P18-145-MT-XX-00-DR-C-001
 Proposed Footway (Class 16) on drawing no. P18-145-MT-XX-00-DR-C-001
 Proposed Footway (Class 17) on drawing no. P18-145-MT-XX-00-DR-C-001
 Proposed Footway (Class 18) on drawing no. P18-145-MT-XX-00-DR-C-001
 Proposed Footway (Class 19) on drawing no. P18-145-MT-XX-00-DR-C-001
 Proposed Footway (Class 20) on drawing no. P18-145-MT-XX-00-DR-C-001



MT **morgan tucker**
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 PROJECT: NEWARK & SHERWOOD DISTRICT COUNCIL
 DRAWING: NEWARK LORRY PARK
 SHEET: PROPOSED ONE CIRCULATORY OPTION 1

P18-145-MT-XX-00-DR-C-007 P1

Gravel Access					
Highways - Cost Planning Tool			Project:		
Reference	Description	Quantity	Unit	Rate	Amount
Series 200 - Site Clearance					
	Rogue items				£0.00
	Vegetation clearance to surfaces sloping at 10 degrees or less to the horizontal.	13200	m ²	£11.00	£145,200.00
	"stated SPECIES of tree" cross-sectional width greater than 0.25m but less than 1.00m diameter, surfaces sloping at 10 degrees or less to the horizontal.	19	no	£191.00	£3,629.00
					£0.00
				Series 200 Total =	£148,829.00
Series 500 - Drainage and Service Ducts					
	Service Ducts				
	Machine Excavated Trenches for Service Ducts				
05.007.01	Single 100mm diameter service duct specified design D6 in trench in verge or footway, depth to invert not exceeding 1.0 metre, average depth to invert 0.7 metre. (Standard Detail ESD 3/48)	170	lin.m	£29.00	£4,930.00
					£0.00
				Series 500 Total =	£4,930.00
Series 600 - Earthworks					
	Excavation.				
06.001.01	Excavation of acceptable material Class 5A.	4000	m ³	£7.00	£28,000.00
06.002.01	Excavation of unacceptable material Class U1 in cutting and other excavation.	2000	m ³	£10.00	£20,000.00
	Disposal of Material				
06.005.01	Acceptable Material	4000	m ³	£20.00	£80,000.00
06.005.02	Unacceptable Material, Class U1A	2000	m ³	£25.00	£50,000.00
	Imported Fill, concrete and sub base				
06.006.01	Imported acceptable material Class 6F5 or similar in embankments and other areas of fill.	3960	m ³	£25.00	£99,000.00
	Compaction				
06.007.01	Compaction of Imported acceptable material in embankments and other areas of fill.	5500	m ³	£6.00	£33,000.00
	Geotextiles				
06.008.01	Geotextile Terram T1500, or approved equivalent.	13200	m ²	£0.80	£10,560.00
				Series 600 Total =	£320,560.00
Series 700 - Pavements					
	Sub-Base				

Reference	Description	Quantity	Unit	Rate	Amount
07.001.01	Granular sub-base Type 1 in carriageway, hardshoulder and hardstrip.	1980	m ³	£35.00	£69,300.00
	Saw cutting of Existing Pavements				
07.015.03	Saw cutting of existing flexible pavement exceeding 75mm deep but not exceeding 100mm deep.	60	lin.m	£5.00	£300.00
	Rogue items				
					£0.00
	Grade C20 concrete	72	m ³	£80.00	£5,760.00
	A39 Mesh	240	item	75.83	£18,199.20
					£0.00
		Series 700 Total =			£93,559.20
Series 1100 - Kerbs, Footways and Paved Areas					
	Timber Edging mounted on softwood pegs (Standard Details - ESD 4/9).				
11.009.02	150mm deep	1350	lin.m	£10.00	£13,500.00
		Series 1100 Total =			£13,500.00
Series 3000 - Landscape and Ecology					
	Ground Preparation and Cultivation				
30.001.01	Vegetation clearance to surfaces sloping at 10 degrees or less to the horizontal.	0	m ²	£11.00	£0.00
	Project Summary				
	Series 100 - Preliminaries				£0.00
	Series 200 - Site Clearance				£148,829.00
	Series 300 - Fencing				£0.00
	Series 400 - Road Restraint Systems (Vehicle and Pedestrian)				£0.00
	Series 500 - Drainage and Service Ducts				£4,930.00
	Series 600 - Earthworks				£320,560.00
	Series 700 - Pavement				£93,559.20
	Series 1100 - Kerbs, Footways and Paved Areas				£13,500.00
	Series 1200 - Traffic Signs and Road Markings				£0.00
	Series 1300 - Road Lighting Columns and Brackets				£0.00
	Series 1400 - Electrical Work for Road Lighting and Traffic Signs				£0.00
	Series 1700 - Structural Concrete				£0.00
	Series 2000 - Waterproofing				£0.00
	Series 2400 - Brickwork, Blockwork and Stonework				£0.00
	Series 2800 - Patching in footway or carriageway within a scheme				£0.00
	Series 3000 - Landscape and Ecology				£3,629.00
	Series 3100 - Traffic Control Equipment				£0.00
	Series 3700 - Dayworks				£0.00
	General Rogue Items				£0.00

Reference	Description	Quantity	Unit	Rate	Amount
				Total	£585,007.20
	Summary				
	Measured works			£585,007.20	
	Extra for lighting	1	item	£ 50,000.00	
	Risk allowance	10%		£58,500.72	
		Total of Cost Plan			£693,507.92

Concrete Road					
Highways - Cost Planning Tool			Project:		
Reference	Description	Quantity	Unit	Rate	Amount
Series 200 - Site Clearance					
	Rogue items				
	Vegetation clearance to surfaces sloping at 10 degrees or less to the horizontal.	13200	m ²	£11.00	£145,200.00
	"stated SPECIESof tree" cross-sectional width greater than 0.25m but less than 1.00m diameter, surfaces sloping at 10 degrees or less to the horizontal.	19	no	£191.00	£3,629.00
Series 200 Total =					£148,829.00
Series 500 - Drainage and Service Ducts					
	Service Ducts				
	Machine Excavated Trenches for Service Ducts				
05.007.01	Single 100mm diameter service duct specified design D6 in trench in verge or footway, depth to invert not exceeding 1.0 metre, average depth to invert 0.7 metre. (Standard Detail ESD 3/48)	170	lin.m	£29.00	£4,930.00
Series 500 Total =					£4,930.00
Series 600 - Earthworks					
	Excavation.				
06.001.01	Excavation of acceptable material Class 5A.	4000	m ³	£7.00	£28,000.00
06.002.01	Excavation of unacceptable material Class U1 in cutting and other excavation.	2000	m ³	£10.00	£20,000.00
	Disposal of Material				
06.005.01	Acceptable Material	4000	m ³	£20.00	£80,000.00
06.005.02	Unacceptable Material, Class U1A	2000	m ³	£25.00	£50,000.00
	Imported Fill, concrete and sub base				
06.006.01	Imported acceptable material Class 6F5 or similar in embankments and other areas of fill.	3300	m ³	£25.00	£82,500.00
	Compaction				
06.007.01	Compaction of Imported acceptable material in embankments and other areas of fill.	5500	m ³	£6.00	£33,000.00
	Geotextiles				
06.008.01	Geotextile Terram T1500, or approved equivalent.	13200	m ²	£0.80	£10,560.00
Series 600 Total =					£304,060.00
Series 700 - Pavements					

Reference	Description	Quantity	Unit	Rate	Amount
	Sub-Base				
07.001.01	Granular sub-base Type 1 in carriageway, hardshoulder and hardstrip.	2200	m ³	£35.00	£77,000.00
	Saw cutting of Existing Pavements				
07.015.03	Saw cutting of existing flexible pavement exceeding 75mm deep but not exceeding 100mm deep.	60	lin.m	£5.00	£300.00
	Rogue items				
					£0.00
	Grade C40 concrete	510	m ³	£110.00	£56,100.00
	Grade C20 concrete	72	m ³	£80.00	£5,760.00
	Dowel bars at 25mm dia, 600mm length	72	item	£11.81	£850.32
	A39 Mesh	240	item	75.83	£18,199.20
Series 700 Total =					£158,209.52

Series 1100 - Kerbs, Footways and Paved Areas					
	Timber Edging mounted on softwood pegs (Standard Details - ESD 4/9).				
11.009.02	150mm deep	600	lin.m	£10.00	£6,000.00
Series 1100 Total =					£6,000.00

Project Summary					
	Series 100 - Preliminaries			£0.00	
	Series 200 - Site Clearance			£148,829.00	
	Series 300 - Fencing			£0.00	
	Series 400 - Road Restraint Systems (Vehicle and Pedestrian)			£0.00	
	Series 500 - Drainage and Service Ducts			£4,930.00	
	Series 600 - Earthworks			£304,060.00	
	Series 700 - Pavement			£158,209.52	
	Series 1100 - Kerbs, Footways and Paved Areas			£6,000.00	
	Series 1200 - Traffic Signs and Road Markings			£0.00	
	Series 1300 - Road Lighting Columns and Brackets			£0.00	
	Series 1400 - Electrical Work for Road Lighting and Traffic Signs			£0.00	
	Series 1700 - Structural Concrete			£0.00	
	Series 2000 - Waterproofing			£0.00	
	Series 2400 - Brickwork, Blockwork and Stonework			£0.00	
	Series 2800 - Patching in footway or carriageway within a scheme			£0.00	
	Series 3000 - Landscape and Ecology			£3,629.00	
	Series 3100 - Traffic Control Equipment			£0.00	

Reference	Description	Quantity	Unit	Rate	Amount
	Series 3700 - Dayworks			£0.00	
	General Rogue Items			£0.00	
				Total	£625,657.52
	Summary				
	Measured works			£625,657.52	
	Extra for lighting	1	item	£ 50,000.00	
	Risk allowance	10%		£62,565.75	
		Total of Cost Plan			£738,223.27

**NEWARK & SHERWOOD DISTRICT COUNCIL
CAPITAL PROJECT APPRAISAL FORM**

COMMITTEE:	Policy & Finance
SERVICE AREA:	Car Parks & Markets
PROJECT OFFICER:	Business Manager Markets and Car Parks
1. PROJECT TITLE:	Newark Lorry Park Expansion

2. DESCRIPTION OF PROJECT
 A project to expand the extent of useable Lorry Parking space at Newark Lorry Park developing hardstanding to current areas of brash and wasteland, equivalent to 67 HGV spaces lost in the top part of the Lorry Park, as a result of the Council HQ development.

3. DEMONSTRATION OF NEED (Please include any supporting information at the end of this document e.g. references to legislation, results of surveys, extract from strategies)
 A lorry park survey undertaken in 2015 indicated strong support by drivers of the need to maintain the lorry park in its current position and maintaining capacity for approximately 160 vehicles. The Newark location is an essential stopping off and rest point for many HGVs travelling to and from southern and eastern ports and the north and west of the UK. This is supported by Highways England and Nottinghamshire Police who have confirmed that it is essential to provide adequate safe rest facilities in the area for HGV drivers but also to minimise the parking of HGVs on laybys and rural roads, which increases the risk of inquisitive crime including theft and robbery of loads.
 Importantly the expansion is needed to mitigate loss of 60 spaces in the top part of the lorry Park.

3a Detail how the project meets Regional and National Strategies (include details of any statutory obligations to undertake the scheme):
 Consultations have been carried out with Highways England and the Road Haulage Association, both of whom confirm that a lorry park in the vicinity of Newark is a vital asset with regard to enabling hauliers and their drivers to have access to an essential stop off facility. Newark is at a junction of two major truck roads and is therefore strategically important as a location.
 Recent indications from central government have indicated that the issue of ‘fly parking’ of lorries will be addressed by legislation and therefore demand for permanent facilities may increase.

3b Detail how the Project meets links to the Council’s Key priorities:
 Consultation with the police confirmed that theft from freight vehicles namely fuel and cargo is an ongoing problem in the Newark corridor of the A1. The provision of a secure overnight provision for these types of vehicles that can be reached within the time constraints of tachograph legislation is clearly beneficial from a policing perspective. The security provided by the Newark lorry park greatly assists in the reduction of inquisitive crime and has a direct impact on community safety.

3c Provide details of consultation undertaken with the Community: Lorry Driver survey undertaken in 2015. A planning application is currently being submitted and the appropriate consultations have/will be made as part of this process including the Newark Town Council.

<p>3d Describe the impact of this project on other Council Services:</p> <p>The expansion of the lorry park will enable the revenue stream to be sustained and grown from the lorry park for the medium to long term and the provision of a secure location will / does have a positive impact of the Councils community safety function. It is acknowledged that the Council needs to maintain and grow revenue streams. This project will have a positive impact on this ambition.</p> <p>The expansion of the lorry park on its lower ground level will allow for the development of the area of land that forms the higher lorry park behind Castle House.</p>
<p>3e Detail any outputs (quality) and outcomes (effects) the project will deliver in the short/long term:</p> <p>The lorry park in its current and extended form provides a secure location with quality services provided (café and showers and lorry wash) for drivers.</p> <p>A key outcome of the current /extended lorry park will be the provision of a secure lorry park in a key strategic highway location that consultees have acknowledged is an important and ongoing requirement. Another significant outcome will be the potential to reduce nuisance parking in the Town and surrounding communities.</p>
<p>3f Detail alternative strategies for meeting this need:</p> <p>At its meeting of the 30th March 2016 the Economic Development Committee received a report outlining regarding consultation undertaken, an option for extending the existing lorry park and options for relocating the lorry park to 5 different locations around Newark identified and costed in a consultant's report. The outcome of this meeting was that Members determined the option to retain and expand the current lorry park as the most appropriate option.</p>
<p>4 OTHER INFORMATION</p>
<p>4a Crime and Disorder CT 1998 (reduction and preventative measures):</p> <p>This project will assist in the management of inquisitive crime in the District by providing a suitable capacity of facility to enable HGVs to park safely within a fenced and CCTV monitored area rather than laybys and rural roads.</p>
<p>4b Planning Implications:</p> <p>Consultants have been engaged to seek pre application planning advice to consult with the relevant statutory undertakers and to submit a full planning application. The majority of this work is now complete and an application is to be submitted.</p>
<p>4c Listed Building Implications:</p> <p>None</p>
<p>4e Risk Assessment of planning/legal issues and financial/partnership funding uncertainties:</p> <p>Risks:</p> <p>1. Financial: An estimated income loss was calculated in late 2015 based on the loss of 60 lorry spaces equivalent to the capacity of the upper lorry park (this capacity loss to be mitigated by the proposed expansion). The worst case scenario is a loss of up to £85,000 per annum. Risk of this loss of income has been mitigated with the unexpected ability to continue with the use of part of the top part of the lorry park by some 25 vehicles each night. That with the £1 fee increase from 1 April 2016 is preventing loss. However this will not be feasible when the upperpart is lost to HGV parking. Notwithstanding recent difficulties on some nights for drivers to find available spaces the reputation and attractiveness of the facility for drivers remains high although there is some anecdotal evidence to suggest that the reduction in capacity and the uncertainty of being able to secure a vacant parking space has resulted reduction in the number of vehicles using the facility.</p>

The owner of the lorry park café has however seen a marked decline in trade since the project work started on the upper lorry park but this may be down to the changing profile and behaviour of drivers. Following a request he has been granted a reduction in his rent.

2. Reputational: Currently the facility is regarded by hauliers and drivers as a safe and reliable, and importantly an easily accessible overnight facility. Loss of the 60 spaces will result in loss of that reputation as vehicles entering late at night will struggle to find an available space. In addition there will be a greater number of vehicles parking in laybys and on busy evenings on industrial estates and residential areas causing annoyance and disturbance to residents as well as increasing the risk of acquisitive crime. When the reduced vehicle spaces have been full there has been an increased number of incidents where drivers are parking on the Newark Livestock market areas in front of their loading bays causing issues with their required deliveries for livestock deliveries.

3. Health and Safety: Without the extended hardstanding the remaining 100 spaces will quickly be filled on busy nights (Tues, Wed, Thurs) and this will result in lorry drivers parking inappropriately with an increasing potential collision risk but more importantly blocking access and egress routes for the vehicles which will result in tensions between drivers in the early hours of the morning.

4f Procurement. Has the Council’s procurement strategy been considered when developing the project. For example has the possibility of procuring the scheme with partners been considered and the issues raised in “rethinking construction in local government”

The Councils Procurement Officer and technical consultants will be engaged to develop the project post the full specification stage and planning consent; at which point the project will be brought back into the Council and an open tender process carried out in line with the Councils procurement strategy.

5 RESOURCE REQUIREMENTS

Please attach details of the basis of estimates and wherever relevant confirmation from technical services or third party of the costing.

See attached details.

5a Details of Land/Buildings (including current condition):

The actual lorry park is constructed of crushed and rolled aggregates. The proposed extension will be constructed in a similar manner. There is a café and shower facility on site which is in good condition. There is a lorry wash facility also on site which is run by a third party. There is also three large lighting gantries, all in good condition.

5b Estimated Capital Costs	Concrete Roadway	Compacted Roadway
Construction: £	£625,658	£585,070
Lighting £	£50,000	£50,000
Fees	£54,00	£54,00
Contingencies/prelims £	£62,566	£58,501
TOTAL £	£792,224	£747,571

6 FUNDING ARRANGEMENTS

External Finance	N/A	Status	N/A
Internal Finance	Required		C

Total Finance already identified:

Status = (A) Application in process, (B) Bid submitted or (C) Committed Funding
Internal Finance from existing Revenue Budgets will need Committee approval

7 REVENUE IMPLICATIONS (Detailed estimates have been prepared to support these figures)

£'000's (see notes)

Employee Costs
Running Costs
Other (please specify)
TOTAL
Income
NET REVENUE COSTS

VAT Status

Comments (see notes)

This project requires no additional revenue funding All current costs budgeted for the existing lorry park are appropriate and applicable to the proposed extension

8 ANTICIPATED TIMESCALE FOR COMMENCEMENT AND COMPLETION OF SCHEME:

Please detail key milestones for grant aid to be received and time for project to be completed and for full year effect of revenue consequences.

Planning Consent - April 2017

Out to tender – April 2017

Commence work – July 2017

Completion – September 2017

9 DATE FORM COMPLETED:

February 24 2017

10 APPROVED BY HEAD OF SERVICE

SIGNED

DATE 7 March 2017

Lorry Park Extension Income Modelling

Current Income

	Capacity	Low Occupancy	High Occupancy	Income	Tariff
Existing	122	40	101 (83)	£308,749	£13.50

Notes

Based on current budget performance over 10 months extrapolated to 12 month

Projected Income

Project	Capacity	Tariff	Income	Additional income after scheme	Cost of works concrete	Payback concrete (years)	Cost of works compacted	Payback compacted (years)
Do Nothing	122	£14.50	£359,484	N/A	N/A	N/A	N/A	N/A
Remove top of lorry park	100	£14.50	£264,636	N/A	N/A	N/A	N/A	N/A
Full extension	167	£14.50	£381,732	£117,096	£792,000	6.7	£748,000	6.4
NW extension	148	£14.50	£358,313	£93,677	£533,551	6.4	£507,958	5.4
NE extension	119	£14.50	£302,107	£37,471	£335,097	8.9	£295,975	7.8

Notes

1. Completing the extension in two phases increases the overall costs to £868,648 (concrete) and £803,933 (compacted)
2. Income modelled on 40 vehicles on 3 nights per week and 83% of capacity on 4 nights per week.
3. All future predictions based on £14.50 (£11.48 minus VAT and SNAP)
4. All modelling in based on top area of lorry park 22 spaces not being available

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **POLICY & FINANCE COMMITTEE** held in Room G21, Kelham Hall, Newark on Thursday, 6 April 2017 at 6.00pm.

PRESENT: Councillor R.V. Blaney (Chairman)

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

SUBSTITUTES: Councillor: Mrs C.A. Brooks for P. Peacock.

ALSO IN Councillors: Mrs I. Brown and Mrs G.E. Dawn.

ATTENDANCE:

80. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor P. Peacock.

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

There were no declarations of interest.

82. DECLARATIONS OF INTENTIONS TO RECORD THE MEETING

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

83. MINUTES FROM THE MEETING HELD ON 23 FEBRUARY 2017

The minutes from the meeting held on 23 February 2017 were agreed as a correct record and signed by the Chairman.

84. APPOINTMENT OF DIRECTOR - RESOURCES

The Chief Executive presented a report which sought to determine the appointment process for the Director - Resources and Section 151 Officer post. The post had been vacant since March 2016 at which time it was agreed that the Deputy Section 151 Officer would act as Section 151 Officer for a period of time so that the future requirements for a Director could be reviewed.

Consideration had been given to a shared role with neighbouring Councils but it was concluded that this was not a viable option given the specific circumstances of potential partner authorities and the requirements of strategic financial management at a time of significant change. The current capacity in the finance function over recent months had also been considered which had confirmed the requirement for a permanent role. The role would include strategic financial management, the Section 151 Officer role, as well as operating alongside other director roles in discharging a wider range of leadership functions.

The Committee would need to establish a Chief Officer's Appointments Panel to consider and oversee the appointment of the post. It was suggested that the Panel

compromise five members drawn from the whole of the Council which broadly reflected political balance.

The report also referred to the Council's Constitution which currently provides that the appointment of the Head of Paid Service, Monitoring Officer and Section 151 Officer must be approved by Council. The Committee were also asked to consider whether they wish to recommend to the Council that the Constitution be amended so the appointment of the Section 151 Officer and Monitoring Officer can be delegated to the Chief Officer's Appointments Panel which would be consistent with the Employment Procedure Rules.

AGREED (unanimously) that:

- (a) recruitment to the post of Director - Resources takes place as soon as possible;
- (b) a Chief Officer Appointment's Panel be constituted comprising three Members drawn from the controlling group and two Members from the major opposition group drawn from the whole of the Council to agree and undertake the recruitment process;
- (c) the Council be recommended to amend the remit of the Chief Officer's Appointment Panel to make it clear that:
 - (i) the Panel may be constituted by the Policy & Finance Committee or Council;
 - (ii) the Panel has delegated authority to appoint Chief Officers other than the Head of Paid Service whose appointment must be approved by Council; and
- (d) the Council be recommended that the delegated authority of the Chief Officer's Appointment Panel should include the appointment of the Section 151 Officer and Monitoring Officer.

Reason for Decision

To determine the process for the appointment of the Director of Resources and Section 151 Officer.

85. NEWARK LORRY PARK EXTENSION PROJECT

The Business Manager – Environmental Health presented a report which provided options for the expansion and reinstatement of capacity to the Newark Lorry Park. The new Council HQ project occupies land previously used for lorry parking resulting in a reduction from 160 spaces to 122 and if there was to be any future development of the land adjacent to Castle House there would be a total loss of 60 spaces previously used.

The risk of income reduction has been mitigated by the unexpected ability to still use

some 22 spaces in the upper part and a £1 increase in fees as from 1 April 2016. However, when the total upperpart was lost there would be a reduction in income and whilst rate increases could reduce any loss, the actual average number of vehicles using the facility had fallen from the levels experienced in 2015/16 possibly due to the difficulty in finding available spaces on the busy evenings of the week.

Therefore, the Council commissioned specialist consultants to identify various options to mitigate the loss of capacity and at its meeting on 30 March 2016 the Economic Development Committee considered these and agreed to pursue the option of retaining and expanding the existing lorry park. Detailed work on a scheme to expand the lorry park had now taken place and the design consultants had concluded that, with expansion of the lorry park and provision of additional adequate hardstanding, approximately 160 vehicles could be accommodated whilst still providing sufficient circulation space and adequate access and egress points. The design consultants had worked with various stakeholders to develop a scheme that met the requirements of the Council, the needs of the lorry park users and provided a safer more user friendly environment for all the lorry park users including the Newark Livestock Market.

The proposed extension would provide for an additional 67 spaces which would provide the lorry park with a capacity of 167 spaces. There are two options proposed for the construction, the first providing for a concrete roadway and the second for a roadway of compacted stone/gravel. Although there was an increased cost with providing a concrete road, this provided a longer term solution with a more hard-wearing road surface. A business model which indicated the potential income from the various options available and the potential payback period for each option was attached as an appendix to the report.

The report was considered by the Economic Development Committee at their meeting held on 29 March 2017 and they had recommended the full lorry park expansion scheme with the concrete roadway.

AGREED (with 5 votes for and 2 against) that:

- (a) the full lorry park expansion scheme with the concrete roadway and the required budget for this be approved;
- (b) the submission of a planning application and the preparation of tender documents for the project be approved; and
- (c) the approved scheme be included as part of the Council's Capital Programme.

Reason for Decision

To consider an extension to the Newark Lorry Park.

86. ALLOCATION OF SECTION 106 FUNDS TO SOUTHWELL TOWN COUNCIL

The Deputy Chief Executive presented a report which sought approval for the

transfer of Section 106 funding to Southwell Town Council. In January 2017 the Council received Section 106 funding to the value of £69,208.26 from the Miller Homes development on Nottingham Road, Southwell. These were generated by a Section 106 Agreement, AG966, which stated that in relation to open space there should be a financial contribution for the purposes of providing off-site open space for children and young people at the War Memorial Park on Bishop's Drive or on land in the vicinity of Southwell Leisure Centre.

Southwell Town Council, in partnership with the Friends of Southwell Parks group, was planning improvements to the play facilities for older children on the War Memorial Park and had requested that the District Council release the full amount of Section 106 open space funds from AG966 to allow it to progress this project. Prior to the funds being transferred the Town Council would be required to enter into a legal agreement which binds it to spending the funds in a manner which is consistent with the Section 106 Agreement. The Section 106 Agreement stated that the funds had to be spent within 10 years of receipt and it was advised that this would be included in the legal agreement.

AGREED (unanimously) that the transfer of the open space Section 106 funds totalling £69,208.26 arising from AG966 to Southwell Town Council be approved, subject to an appropriate legal agreement being entered into by the Town Council.

Reason for Decision

To ensure that the Section 106 funds are spent in an appropriate and timely fashion.

87. ALLOCATION OF SECTION 106 FUNDS TO FARNSFIELD PARISH COUNCIL

The Deputy Chief Executive presented a report which sought approval for the transfer of Section 106 funding to Farnsfield Parish Council. In March 2016 the Council received Section 106 funds to the value of £107,728.95 from the Barratt David Wilson Trading Limited development at Ash Farm Farnsfield. These were generated by a Section 106 Agreement, AG909, which stated that the community facilities contribution would be used for the provision or maintenance of a village hall, tennis, football and cricket facilities in the Parish.

Farnsfield Parish Council were planning improvements to its community facilities and had requested that the District Council release the full amount of Section 106 community facilities funds from AG909 to allow it to progress its projects. Prior to the funds being transferred, the Parish Council would be required to enter into a legal agreement which bound it to spending the funds in a manner which was consistent with the Section 106 Agreement. The Section 106 Agreement stated that the funds had to be spent within 5 years of receipt and it was advised that this would be included in the legal agreement.

AGREED (unanimously) that the transfer of the open space Section 106 funds totalling £107,728.95 arising from AG909 to Farnsfield Parish Council be approved, subject to an appropriate legal agreement being entered into by the Parish Council.

Reason for Decision

To ensure that the S106 funds are spent in an appropriate and timely fashion.

88. “FIXING OUR BROKEN HOUSING MARKET” – HOUSING WHITE PAPER

The Business Manager – Planning Policy presented a report concerning the Housing White Paper. On 7 February 2017 the Government published for consultation a much delayed White Paper on the housing crisis which was currently affecting England. The document set the context of the current housing crisis and set out a range of potential solutions in four chapters: Planning for the right homes in the right places; Building homes faster; Diversifying the market; and Helping people now.

The report set out the various elements of the White Paper which impacted upon the Council and the appendices set out proposed detailed responses to the 38 consultation questions.

AGREED (unanimously) that:

- (a) the report be noted; and
- (b) the proposed consultation responses as set out in the appendices to the report be approved subject to the additional comments made at the meeting.

Reason for Decision

To submit an appropriate Council response to the Government White Paper.

89. ESTATE REGENERATION FUND

The Business Manager – Strategic Housing presented a report which provided further detail on the recent ‘Capacity and Enabling’ funding bid submitted to the Department for Communities and Local Government’s (DCLG) Estate Regeneration Fund, which was designed to accelerate and improve estate regeneration schemes.

As reported to the Committee in January, a bid was submitted to the ‘Capacity & Enabling’ fund in order to give the Council the opportunity to appraise and refresh the key transformational project identified in the Bridge Ward Neighbourhood Study. The Council’s bid was for £686,799 enabling grant and £300,000 capacity building grant. On 24 March 2017 DCLG announced that the Council’s funding bid had been successful and work had been undertaken to timetable the key activities required to deliver the early stages of this estate regeneration scheme. DCLG require that a programme of spend was drawn up and the identified finances committed to this. An indicative timetable of activities was set out in the report.

The early deliverables around enhancing the commercial capacity of the Council and re-appraising the financial elements of the estate regeneration scheme were

essential to ensure that it was still a viable proposition and to then enable progression of the remaining deliverables, including engaging with residents, local stakeholders and importantly the localities Ward Members. In taking forward the delivery plan, reference would need to be paid to the three key requirements of the wider 'Estate Regeneration Fund', being able to demonstrate: viability; local authority backing; and community support.

AGREED (unanimously) that:

- (a) the indicative timetable and spending allocation as set out in the report be approved; and
- (b) the capital spending elements of the Estate Regeneration funding received for the Bridge Ward scheme be added to the Council's Capital Programme.

Reason for Decision

To progress the key outputs from the Bridge Ward Neighbourhood Study relating to the 'transformational project' focussing on the growth and regeneration of the Yorke Drive estate and Lincoln Road playing fields.

90. HOUSING GROWTH: ASH FARM, FARNSFIELD (PHASE TWO)

The Business Manager – Strategic Housing presented a report concerning the proposed acquisition of 3 new build affordable rented homes on Barratt Homes phase 2 development at Ash Farm, Farnsfield. Barratt Homes had now secured residential planning consent for an additional 18 dwellings at Ash Farm and details of this phase 2 development were set out in the report.

Barratt Homes approached the Council in January 2017 to enquire whether there was interest in acquiring the 3 additional affordable rented units due to local Registered Providers being unable to make a bid for these units. The Council had discussed the situation with Newark and Sherwood Homes and the Company have indicated their interest in acquiring these units.

The financial appraisal undertaken for the acquisition of the 16 units in phase one of the Ash Farm development offered the Council a satisfactory return from its initial investment, met evidenced local housing need and delivered against the Councils housing growth agenda. It also ensured on site delivery of the Section 106 affordable housing units and negated the developer from entering into a commuted sum negotiation process. It was reported that the same scenario now existed for the acquisition of 3 additional affordable rents units on phase 2. It was therefore proposed that the Committee consider approving the submission of a transfer bid to Barratt Homes for the acquisition of the 3 affordable rented units (1 x 2 bed house and 2 x 2 bed bungalows) forming part of the Section 106 affordable housing contribution. The submission would be subject to on-going negotiations with Barratts, with the need to ensure that the Council achieved the best return for its investment along with maintaining a viable Housing Revenue Account Business Plan. On completion of this activity it was proposed that the Director – Safety be given

delegated authority after consultation with the Chairman, Vice Chairman and Leader of the Opposition to progress the acquisition of the 3 units with Barratt Homes.

The Committee also noted that if Newark and Sherwood Homes' Board did not give approval to proceed with the acquisition of the 2 shared ownership units, then there would be potential for the Council to enter into negotiations with Barratts to consider an appropriate commuted sum for these 2 units.

AGREED (unanimously) that the submission of a transfer bid to Barratt Homes for the acquisition of 3 new build affordable rented homes, which form part of the Section 106 affordable housing contribution at Ash Farm, Farnsfield be approved.

Reason for Decision

The acquisition of the Section 106 affordable homes at Ash Farm, Farnsfield will contribute to delivering housing growth, meet the wider strategic priorities of the Council, meet locally evidenced housing need and help maintain a viable Housing Revenue Account Business Plan.

91. ESTABLISHMENT OF A DEVELOPMENT COMPANY

The Chief Executive presented a report which detailed the progress so far in considering the establishment of a wholly owned development company. The report sought approval to develop a business case for establishing a wholly owned development company and to make other preparations including land acquisition. The business case would include the rationale for setting up the company as was detailed in the report. The business case would also set out the governance arrangements and the financial case for setting up and operating a limited company.

In establishing the business case, a complete review of current council land holdings suitable for residential development would be carried out. Initial assessment suggested that additional land would be required over time and therefore appropriate land acquisition would need to be carried out. Given the need to be responsive in market acquisitions, it was proposed that such land acquisitions were delegated to the Chief Executive following consultation with the Chairman, Vice Chairman and Opposition spokesman of the Policy & Finance Committee where timescales did not allow for a decision to be taken by the Committee which was in line with the current urgency procedures.

AGREED (unanimously) that:

- (a) the Committee agrees in principle, subject to first undertaking the detailed business case, to the establishment of a wholly-owned Development Company to facilitate residential and commercial development;
- (b) a detailed business case should be brought to Committee for approval;
- (c) delegated authority be given to the Chief Executive following

consultation with the Chairman, Vice-Chairman and Opposition Spokesperson of the Policy & Finance Committee, to deal with appropriate land acquisitions where timescales do not allow for a decision to be taken by the Committee; and

- (d) the background to a Company and the evolving information around a business case should be considered through the Working Party established at the December meeting, before a final decision is taken by the Committee.

Reason for Decision

To initiate plans for the establishment of a development company.

92. RECOMMENDATIONS FROM OLLERTON HALL TASK AND FINISH GROUP

The Committee considered the report of the Deputy Chief Executive which advised that at the first meeting the Ollerton Hall Task & Finish Group it was agreed that Policy & Finance Committee be recommended to allocate a sum of up to £30,000 from reserves to finance the necessary expenditure in order to bring Ollerton Hall to market. The funding was required in order to cover the incidental expenses including keeping the site safe, secure and in wind and water tight condition; agents fees; the feasibility study, condition survey and viability assessment and heritage significance report; and the commissioning of a design and planning brief.

AGREED (unanimously) that a sum of up to £30,000 be allocated from reserves to finance the necessary expenditure in order to bring Ollerton Hall to market.

Reason for Decision

To cover costs needed in order to bring Ollerton Hall to market.

93. THE BEACON INNOVATION CENTRE

In accordance with Section 100(B)(4)(b) of the Local Government Act 1972, the Chairman agreed to take this late item of business in order to undertake relevant internal space reconfiguration at Newark Beacon Innovation Centre as soon as possible.

The Chief Executive presented a report which requested £75,000 be added to the Capital Programme for 2017/18 for the reconfiguration of some office space at the Newark Beacon Innovation Centre. Funding for this would be claimed from Nottinghamshire County Council acting as the accountable body for the Nottinghamshire Pre Development Fund.

Nottinghamshire County Council were successful in a bid to the Economic Prosperity Committee for support up to £75,000k for a programme of internal space reconfiguration at Newark Beacon which was currently operating at 76% occupancy and followed on from major tenants successfully graduating to larger premises. Despite a major digital marketing campaign, all demand evidence indicated that the

current room offer was too large. A full re-modelling and repricing exercise had been undertaken and this together with car parking adjustments and internal upgrades would address current and emerging risks to the successful operation of the Centre. The addition of this funding had been recommended by the Economic Development Committee.

AGREED (unanimously) that £75,000 be added to the Council's Capital Programme for the Newark Beacon Innovation Scheme.

Reason for Decision

To ensure that the reconfiguration of the Centre was undertaken early in the new financial year.

94. MOVING AHEAD UPDATE – AGILE WORKING

The Moving Ahead Programme Manager presented a report which updated the Committee on the successful implementation of agile working ahead of the occupation of Castle House.

AGREED (unanimously) that the progress made in respect of agile working be noted.

Reason for Decision

To keep Members updated on the implementation of agile working ahead of the move to the new Council offices.

95. ANNUAL REVIEW OF THE EXEMPT REPORTS CONSIDERED BY THE POLICY & FINANCE COMMITTEE

The Committee considered the report of the Deputy Chief Executive which detailed the exempt business considered by the Committee between 24 March 2016 and 31 March 2017. The report identified which reports, in the opinion of report authors, could now be released into the public domain.

AGREED (unanimously) that the report be noted with those items which are no longer considered as exempt being released into the public domain.

Reason for Decision

To advise Members of the exempt business considered by the Policy & Finance Committee for the period 24 March 2016 to date and those items which can now be released into the public domain.

96. REVIEW OF PROGRESS ON CORPORATE PEER CHALLENGE ACTION PLAN

The Deputy Chief Executive presented a report which advised the Committee of progress on the Corporate Peer Challenge Action Plan. At the meeting held on 1 December 2016 the Committee considered a report on the findings of the Corporate

Peer challenge held in July 2016 and approved an action plan. It was further agreed that an interim report be submitted to this meeting with a detailed report being presented to the meeting in June 2017. The appendix to the report set out the approved action plan and agreed actions, together with a note of progress made and revised target dates for completion of relevant actions.

AGREED (unanimously) that progress on the Corporate Peer Challenge Action Plan be noted.

Reason for Decision

To inform Members of progress against the corporate peer challenge action plan.

97. 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 Paragraph 3 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

98. ACTIVITY AND COMMUNITY VILLAGE, BOWBRIDGE ROAD, NEWARK

The Committee considered the exempt report presented by the Deputy Chief Executive in relation to the Activity and Community Village at Bowbridge Road, Newark.

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

99. NEWARK LIVESTOCK MARKET

The Committee considered the exempt report presented by the Chief Executive in relation to the Livestock Market, Newark.

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

100. URGENCY ITEM – AUDIO VISUAL PROVISION AT CASTLE HOUSE

The Committee noted the exempt urgency item in relation to the provision of audio visual equipment at Castle House.

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

Meeting closed at 8.55pm.

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **ECONOMIC DEVELOPMENT COMMITTEE** held on Wednesday, 29 March 2017 in Room G21, Kelham Hall at 6.00pm

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

Councillors: M.G. Cope, Mrs R. Crowe, P.C. Duncan (substitute),
G.P. Handley, P. Peacock (Opposition Spokesperson),
A.C. Roberts, F. Taylor and B. Wells (substitute)

Substitutes: Councillors: P.C. Duncan for T. Wendels
Councillors: B. Wells for Mrs Y. Woodhead

ALSO IN ATTENDANCE: Councillor Mrs P. Rainbow

108. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors: T. Wendels and Mrs Y. Woodhead.

109. 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.

110. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

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

111. MINUTES OF THE MEETINGS HELD ON 18 JANUARY 2017

AGREED (unanimously) that the Minutes of the meeting held on 18 January 2017 be approved as a correct record and signed by the Chairman.

112. THE BEACON INNOVATION CENTRE

The Committee considered the report presented by the Business Manager – Economic Growth which provided an update on performance at the Beacon Innovation Centre (BIC) together with information regarding the current contract extension. Also contained within the report was further information in relation to the proposals for: extending the lease until 31 March 2018; re-configuring the internal space; the performance of the three centres for January 2017; and information about the Pioneer 10 Programme.

Members noted the current low occupancy figures at the BIC and acknowledged that this as partly due to the relocation of two successful businesses who had outgrown the Centre. Members agreed that despite this the Centre continued to be a success and offered fledgling companies a place to begin the businesses.

AGREED (unanimously) that:

- (a) the contents of the report be noted;
- (b) the re-configuration at Newark Beacon takes place following approval by Assessment within NSDC;
- (c) Policy & Finance Committee be recommended to add the scheme to the capital programme; and
- (d) the opportunity to re-tender the contract for the three Nottinghamshire Innovation Centres be progressed in a timely and considered manner.

113. OLLERTON OUTREACH SERVICE

The Committee considered the report presented by the Senior Project Officer – Economic Growth which sought to provide information and recommendations regarding the Outreach Service that had been in operation for three years and was based in Ollerton & Boughton Town Hall.

The report provided Members with details of the purpose of the Service and the offer made to its customers. Statistical information was provided as to the number and type of enquiries and customers who utilised the service together with some success stories of customers being able to find employment. A review of the work undertaken during 2016 and the aims for 2017 were listed within the report.

In response to a query of the cost of running the service for one day, the Business Manager – Economic Growth advised that it was difficult to calculate. The cost to NSDC was the attendance of the member of the Customer Services Team. A Member of the Committee commented that he had been to Ollerton & Boughton Town Council and commented how well the staff performed, adding that he was in support of the service being extended to two days per week. He also added that he would wish to see the service provided in a further location, closer to Mansfield unless the cost was prohibitive.

A Member of the Committee commented that there must be cost implications to the service provision. He also queried whether Nottinghamshire County Council (NCC) continued to provide a job club facility. In response the Business Manager advised that NCC no longer provided that service. She also advised Members as to the rationale behind the proposal to provide the service for two days.

AGREED (unanimously) that:

- (a) the continuation of the service be supported; and
- (b) the aims for the service provision for 2017, as highlighted in paragraph 3.4.2 of the report, be approved.

114. NEWARK LORRY PARK EXTENSION PROJECT

The Committee considered the report presented by the Director – Communities which provided options for the expansion and reinstatement of capacity to the Newark Lorry Park.

The report provided background information on the number of spaces at the lorry park and how this had been affected by the building of the new Council HQ. It also provided information for Members to consider in relation to the two options for the construction of the roadway and the costs associated thereof with Appendix Four detailing the lorry park extension income modelling.

In response to whether it was Officers' professional opinion that the extension to the lorry park be phased or undertaken all at once, Members were advised that the preferred choice would be to develop the extension all at once.

A Member of the Committee raised concerns about the figures quoted and how these differed greatly from those provided previously in March 2016, querying whether it was feasible to do no extension works and leave the capacity of the car park at its current level of 122. Officers advised that it was safe to assume that eventually some of the current area would be developed for alternative uses and the number of spaces would likely reduce to 100 with the effect of a reduction in income to the Council. There would also be a loss of business because drivers would not be assured of a space for the night. In relation to drivers booking online, it was noted that almost 50% utilised the facility but that this did not guarantee them a space when they arrived. Newark was a popular place to park due to its close proximity to the town centre and geographic position to transport links.

A Member of the Committee stated that in principle he was in agreement with the proposed full extension with a concrete roadway and that the projected returns from that were acceptable. He was however concerned that only having signed off the capital budget some two weeks previously additions were already being made adding that the potential revenue costs could differ and queried whether it was prudent to wait until the report had been considered by the Policy & Finance Committee. In response, Officers reported that contingency figures had been built into the financial predictions rather than speculating as to what they may be. It was also reported that unless the scheme was attached to the capital programme it could not be progressed.

AGREED (by 9 votes for and 1 abstention) that:

- (a) the lorry park expansion project be approved;
- (b) the full expansion scheme be approved with a concrete roadway with the required budget for the project being approved;
- (c) the above decision of the Committee be reported to the April meeting of the Policy & Finance Committee meeting for ratification;

- (d) the submission of a planning application and the preparation of tender documents for the project be approved, subject to the approval of the Policy & Finance Committee referred to in Recommendation (c) above; and
- (e) any approved scheme be included as part of the Council's capital programme.

115. SCONCE AND DEVON PARK – VISITOR CENTRE EXTENSION

The Committee considered the report of the Director – Communities which sought Committee's approval for the progression of a project to extend the Sconce & Devon Park visitor centre to create a new classroom/meeting room/café extension facility. The report provided background information in relation to the current facility and the benefits and opportunities the new extension would offer.

It was reported that based on typical costs per square metre for a visitor centre extension in the East Midlands, (as provided by the Building Cost Information Service) the cost of the extension had been estimated at £264,216. This included an allowance for inflation, external works, fitting out costs, professional fees and contingencies.

It was also reported that research had been undertaken into possible sources of partnership funding and significant opportunities have been identified. Initial approaches have been made to WREN and Veolia with respect to Landfill Communities funding and an Expression of Interest has been submitted to Sport England's Community Asset Fund. It was envisaged that partnership funding of £136,000 would be achieved, which represented over 50% of the total cost of the extension. The amount requested from Council resources was forecast to be £128,216.

In considering the report Members acknowledged the benefits of extending the visitor centre but considered that the scheme should be linked to the wider area. They also commented that the scheme, whilst desirable, was not essential and concern was expressed that the partnership funding was not in place.

A Member of the Committee stated that he had visited the visitor centre and agreed that the proposed extension was needed. He had discussed the issue of funding with the Business Manager – Parks & Amenities and it had been suggested that there was a possible source from Section 106 monies which would lessen the financial commitment of the Council.

Another Member of the Committee commented that he did not believe the scheme to be sufficiently ambitious and that he would wish to halt its progress and it be replaced with a more strategic scheme that linked in with the entire area which would, in turn, likely attract more external funding.

AGREED (unanimously) that Committee noted the progress of the potential project and its merits. However, the Committee feels that the interconnectivity with other local and heritage schemes cannot be fully assessed at this time and does not recommend that any further progress be made unless significant further funding be found to apply to the scheme.

116. BUILDING OUR INDUSTRIAL STRATEGY – GOVERNMENT GREEN PAPER

The Committee considered the report presented by the Chief Executive which sought to provide a summary of the current Government consultation relating to the development of the UK Industrial Strategy and to outline a response from Newark & Sherwood District Council to the draft strategy. The Economic Prosperity Committee agreed that responses from individual authorities would be the most appropriate approach to the consultation which was to close on 17 April 2017.

The draft report proposed ten pillars for Britain's Modern Industrial strategy and focused on strengthening the UK's position in the international arena. The ten pillars were listed as follows:

- Investing in science, research and innovation
- Upgrading infrastructure
- Improving procurement
- Delivering affordable energy and clean growth
- Driving growth across the whole country
- Developing skills
- Supporting businesses to start and grow
- Encouraging trade and inward investment
- Cultivating world-leading sectors
- Creating the right local institutions

The report listed the proposed general comments that should be made in response to the consultation together with the proposed comments that should be made on each of the ten pillars noted above. Paragraph 3.4 of the report provided five additional comments that would conclude the Council's response to the consultation.

A Member of the Committee commented that a good point had been made in Paragraph 3.3(a) but suggested that this be further strengthened before its submission.

In relation to the ten pillars noted above, a Member of the Committee queried whether there was a need to add comment about the impact of the UK leaving the European Union and whether there would be a gap to be filled in the commitment to the continuation of the level of support of the issues listed. In response the Chief Executive advised that it was his belief that the Government would say that this proposed Industrial Strategy was their response to Brexit and the implications thereof.

AGREED (unanimously) that the Industrial Strategy and proposed responses be considered and that the proposed responses to be Government consultation be agreed.

117. ANNUAL REPORT DETAILING THE EXEMPT REPORTS CONSIDERED BY THE ECONOMIC DEVELOPMENT COMMITTEE

The Committee considered the report of the Deputy Chief Executive in relation to the list of the exempt business considered by the Committee for the period 17 May 2016 to date. Members have the opportunity to review the exempt reports and request further information. The rule is defined in Paragraph 18 of the Constitution entitled 'Right of Members to Request a Review of Exempt Information'.

Paragraph 3.1 of the report listed the exempt business considered by the Committee during the aforementioned time period and whether the report author considered that the information could now be released into the public domain if such a request was made.

AGREED (unanimously) that:

- (a) the Tourism Report considered by Committee on 15 June 2016 could be released into the public domain; and
- (b) the Proposed Support for Local Business considered by Committee on 14 September 2017 remain as an exempt item of business.

118. URGENCY ITEMS - MINUTE OF DECISION

Enabling Commencement of Amendments to the Council's Car Parking Order

AGREED (unanimously) that the Urgency Item – Enabling Commencement of Amendments to the Council's Car Parking Order be noted.

The meeting closed at 7.25pm

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **HOMES & COMMUNITIES COMMITTEE** held on Monday, 13 March 2017 in Room G21, Kelham Hall at 6.00pm.

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

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

SUBSTITUTES: Councillors: Mrs P. Rainbow for Mrs B.M. Brooks

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

93. APOLOGIES FOR ABSENCE

An apology for absence was submitted by Councillor Mrs B.M. Brooks.

94. 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.

95. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

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

96. MINUTES OF THE MEETING HELD ON 16 JANUARY 2017

AGREED (unanimously) that the Minutes of the meeting held on 16 January 2017 be approved as a correct record and signed by the Chairman.

97. DCLG £40M HOMELESSNESS PREVENTION PROGRAMME

The Committee considered the report presented by the Business Manager – Housing & Safeguarding in relation to the outcome of two collaborative bids to the Department for Communities and Local Government (DCLG) Homelessness Prevention Programme and subsequent commissioning proposals for a new County-Wide Rough Sleeper Service.

The report set out the background to the DCLG Programme and provided Members with brief details of the Homelessness Prevention Trailblazer Bid and Rough Sleepers Bid. It also provided details of the DCLG response, bid outcomes and the commissioning proposals, noting that the Trailblazer Bid had been unsuccessful but that the Rough Sleepers Bid had been awarded an amount of £371,350.

Members agreed that it was excellent news that Framework Housing Association had committed £300,000 match funding for the Rough Sleepers Bid. They noted that the Scheme was countywide and queried how Newark & Sherwood District Council (NSDC) would ensure that they received a fair share of the funds. In response the Business Manager advised that a steering group was to be established with representatives from all the Nottinghamshire authorities to develop contract specifications, prepare data sharing agreements and to oversee commissioning and performance management arrangements.

A Member of the Committee queried how many rough sleepers were currently in the district. Members were informed that at the last count, taken in December 2016, there had been 10 and that the individuals in question were known to the Council. Members all agreed that there were many and often complex reasons as to why individuals became homeless and that it was very challenging for Officers to try and find the correct pathway for them to try and get them housed. Very often the individuals had mental health issues which further complicated their case.

AGREED that the proposal set out to establish a new Nottinghamshire Rough Sleeper Prevention Service utilising funds successfully secured through the Government's Homelessness Prevention Programme be supported.

98. COUNCIL HOUSING ALLOCATION SCHEME – IMPLEMENTATION UPDATE

The Committee considered the report presented by the Business Manager – Housing & Safeguarding in relation to an update on the implementation of the Council's Housing Allocation's Scheme and sought to recommend some minor amendments to the Scheme previously approved by the Committee on 12 September 2016 in readiness for its formal launch on 3 April 2017.

The report provided Members with the progress in working towards the implementation of the new Scheme with the proposed minor amendments being listed in paragraph 3.2 of the report. The Housing Allocation Scheme was attached as Appendix A.

Members noted that the decision to review the Scheme had involved a great deal of work by officers of both the Council and Newark and Sherwood Homes to ensure its timely implementation. However, once implementation was complete, it would ensure that all information about applicants on the waiting list would be accurate and up-to-date.

A Member of the Committee referred to the issue of statutory overcrowding, specifically the number and size of bedrooms in a property and how this affected the household. The Business Manager advised that there was a degree of flexibility and that officers would use their professional judgement in such cases. It was noted that it was not just the number of bedrooms which were taken into account in cases of potential overcrowding but the number of rooms overall, with the exception of bathrooms and kitchens. The Member asked that the size of bedrooms be taken into account as part of the Council's Housing Growth - HRA Development Programme.

AGREED that:

- (a) the progress being made to implement the new council Housing Allocations Scheme be noted; and
- (b) the proposed minor amendments and final Scheme be approved and delegated authority be given to the Director – Safety to approve any further minor amendments not requiring formal consultation, to ensure the Scheme continues to adhere to statutory requirements and operational practice.

99. HOMELESSNESS REDUCTION BILL

The Committee considered the report presented by the Business Manager – Housing & Safeguarding which sought to provide Members with an overview of the Homelessness Reduction Bill as it was considered by the House of Lords, and the ‘new burdens funding’ proposed for local authorities.

The report set out the background to the Bill and provided Members with an update of its passage through Parliament. It also set out that the main thrust of the Bill was to refocus efforts on preventing homelessness with twelve proposed measures being listed in the report. Members considered the impact that the measures would have and were informed about the current activities being undertaken by officers to prepare for the pending legislative changes.

AGREED: that the report be noted.

100. HOUSING GROWTH – HRA DEVELOPMENT PROGRAMME

The Committee considered the report presented by the Business Manager – Strategic Housing which sought to update Members on progress to deliver the Housing Revenue Account (HRA) development programme.

It was reported that the Policy & Finance Committee had approved that the Council and Newark and Sherwood Homes (N&SH) would work in partnership to take forward an initial 5 year programme of Council housing development to provide an indicative 335 additional units. The Homes & Communities Committee had been charged with monitoring the delivery of the programme. The report also briefed Members on how the appraisal of sites had been undertaken and how the development programme was to be achieved.

The report set out in detail the progress made to date, including: pre-construction; local investigations; member consultation; scheme/site design; planning permission; procurement process; and year one – site delivery. Further details were also provided in relation to the development of Gladstone House – a 60 apartment Extra Care Scheme.

A Member of the Committee queried whether the sites chosen for the development programme were vacant plots or whether they would require demolition or renovation works, querying specifically whether the redevelopment of existing council housing such as that on the Hawtonville estate (including the redevelopment of the Community Centre site) had been considered. In response the Business Manager advised that a large number of sites had been considered. He added that the regeneration of sites was more costly and at present there was insufficient financial capacity within the HRA to facilitate this type of development. He also noted that the programme was to provide additional/new homes and not the redevelopment of existing ones. The Director – Safety commented that sites had been chosen that were easily deliverable in order to achieve the first year of development but that this did not mean that in the future, redevelopment sites would not be considered.

Members noted that decisions taken in the past had resulted in the provision of housing that did not always encourage social progress. A Member also commented that she would seek to be reassured that the contractors to be used were of an acceptable standard. The Chairman sought to reassure the Member that all the contractors to be used would meet the required standards.

AGREED that the report on the progress to date in relation to the delivery of the HRA Development Programme be noted.

101. ANNUAL REPORT DETAILING THE EXEMPT REPORTS CONSIDERED BY THE HOMES & COMMUNITIES COMMITTEE

The Committee considered the report in relation Paragraph 18 of the Constitution entitled 'Right to Members to Request a Review of Exempt Information'. The report set out that only one item of exempt business had been considered by the Committee on 12 September 2016 in relation to the Update on the Review of CCTV.

AGREED that the report be noted.

The meeting closed at 6.31pm

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the meeting of the **LEISURE & ENVIRONMENT COMMITTEE** held in Room G21, Kelham Hall, Newark on Tuesday, 21 March 2017 at 6.00 pm.

PRESENT: Councillor P.C. Duncan (Chairman)
Councillor N.B. Mison (Vice-Chairman)

Councillors: D. Batey (substitute for S. Soar), Mrs G. Dawn, Mrs L. Hurst, R.J. Jackson, J.D. Lee, D.B. Staples, Mrs L.M.J. Tift, K. Walker and B. Wells.

ALSO IN

ATTENDANCE: Councillors: Mrs I. Brown

47. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors M.G. Cope and Mrs S. Soar.

48. MINUTES OF THE MEETING HELD ON 24 JANUARY 2017

The Chairman informed the Committee that a letter had been sent to Mr Jenrick MP, regarding the increase in penalty for the illegal dumping of waste. A letter had been received confirming that the matter had been raised with the appropriate Minister and an update would be provided to a future meeting of the Leisure & Environment Committee.

AGREED that the Minutes of the meeting held on 24 January 2017, be approved as a correct record and signed by the Chairman.

49. 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.

50. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

51. CLINICAL COMMISSIONING GROUP (CCG) PRESENTATION

A financial challenges update presentation was provided by the Clinical Commissioning Group (CCG). Amanda Sullivan – Chief Executive and Sally Dore – Better Together Engagement lead, Clinical Commissioning Group attended the meeting.

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

A Member asked what Members of the Committee could bring to the CCG and asked if the CCG knew who the Council contact was.

It was confirmed that there were areas of overlap with the Council, which was around housing and health. Both the CCG and Council were trying to help people to lead active and healthy lifestyles and commented that there were a lot of potential areas for joint working. It was confirmed that the CCG were clear regarding Council contacts.

A Member sought clarification regarding IVF funding. The Chief Executive (CCG) informed Members that consultation regarding IVF was undertaken in November 2016 to January 2017, which was in line with NHS processes. A lot of research had been undertaken throughout the country. Access to this treatment was different throughout the country as IVF was not a statutory care. The consultation results concluded that the general public wanted to restrict funding for IVF, although they did not want to completely stop funding. The decision of the consultation process was being taken through the CCG's Health Scrutiny Committee.

A Member commented that the cuts imposed due to targets expected to be reached would be heart breaking for some people. The NHS must be close to breaking point, how long would it be before breaking point.

The Chief Executive (CCG) confirmed that the NHS was required to be more creative and innovative and use funding differently. Health care therefore needed to be delivered differently. A lot of easy efficiencies had been undertaken. Emergency care had been changed to provide savings. The work of community nurses had also changed from that of three years ago. Nurses had a lot of expertise which would be utilised.

A Member commented that the use of agency staff and the cost incurred needed addressing.

The Chief Executive (CCG) confirmed that the use of agency staff was not consistent throughout the NHS and was a challenge in hospitals. At Sherwood Forest Hospital a lot of work had been undertaken to recruit nurses, instead of the use of agency nurses. A large proportion of medical staff however was locums or agency staff. The regulators were tightening the rules for Managers and also locums and agency staff.

A Member sought clarification regarding savings on PFI's and what was the total budget.

Total cost of the PFI had not changed, the strategy that they have is to use the PFI as much as they can. If there was an opportunity to use a non PFI building, to use that as much as they could to maximise the PFI.

A Member commented that the funding for the North Notts/Lincolnshire Rural support in Newark was being withdrawn and asked the CCG Chief Executive if she could look at that issue.

A Member commented that currently fourteen GP practices in Newark and Sherwood which had been consolidated into two hubs around Newark Hospital and Kings Mill Hospital, to try and achieve a better service at a lower cost. Would that provide a better service at a lower cost?

The Chief Executive (CCG) informed Members that the GP practices at present all operated as small businesses, which presented a lot of overlap. Work was being

undertaken to try and achieve collaborative working, in order for back office work including policy writing etc. to be shared. More time could then be invested in clinical work. It had also been proposed for GP practices to work in groups of 3 or 4 practices. One practice may undertake minor procedures and take on extra work, so practices would be accessible for other adjoining practice patients, rather than them using their own GP. Pharmacists would also be used to support GP's and undertake the routine management, they were considered as a valuable resource. Nurses could also be trained to obtain advance skills, although this was a lengthy education process at a big cost; however the benefits would be advantageous for the GP practice. Work was being undertaken to recruit GP's into the area which included being creative with roles to make GP roles more attractive.

Members commented that they had opportunities through Town and Parish Councils to address and help people to improve their lifestyles.

AGREED (unanimously) that the presentation be noted.

52. HEALTH AND WELLBEING/HEALTH SCRUTINY

The Leisure & Environment Committee Vice – Chairman provided a presentation regarding Health and Wellbeing. The presentation showed how the outside bodies, which included Newark & Sherwood CCG and Mansfield & Ashfield CCG Stakeholder Reference Group; Health Scrutiny Committee; and Nottinghamshire Health and Wellbeing Board fed into the Leisure and Environment Committee. The membership, responsibilities and the reporting mechanisms of the three outside bodies were also detailed.

AGREED (unanimously) that the presentation be noted.

53. INTEGRATING THE BETTER CARE FUND INTO THE HOUSING AND HEALTH AGENDA

The Committee considered the report presented by the Business Manager Environmental Health, which updated Members on the progress with the Better Care Fund and sought approval for an integrated delivery model.

Members were informed of the Better Care Fund Projects which had been considered by the Leisure and Environment Committee in 2016. In order to ensure that the services offered and delivered were equitable and available to as many householders as possible, officers had worked together to produce a Housing and Health based model that pulled together a number of grant-based schemes approved last year into a more integrated model to ensure that housing and health was at the centre of the model to deliver a range of preventative interventions to as many households as possible. The model that had been developed aimed to support disabled people and vulnerable households to remain living independently in a safe and healthy home. This was achieved by linking the existing funding sources and support to newly available sources of small grants, with the aim of facilitating essential repairs and renovations to the homes of people in need of support to live independently in their own homes.

The model has four strands each of which designed to assist in rectifying a specific housing need. Each element was described as follows, and the report provided in depth

detail regarding each one. Disabled Facilities Grants (DFGs); Safe and Healthy Homes; Warm Homes on Prescription; and Energy Company Obligation 2 Transition Funding (ECO2T).

It was proposed that the Housing and Health Independent Living Integrated Model formed the basis of Private Sector Housing Strategy and that the current strategy was reviewed and renewed to include the integrated approach. The integrated model did not require any additional funding over and above that which had been previously agreed as part of the Better Care Fund.

A Member commented that the Authority was being asked to come forward with proposals for projects and felt it was important that the Committee understood the criteria for the proposals. The Business Manager Environmental Health confirmed that Housing and Social Care had a broad criteria and he was not aware of the process to date. He confirmed that a report would be submitted to a future meeting of the Committee once the detail was known.

A Member commented that it would be useful for an annual report to be provided to the Committee providing a case study of what schemes had been successful in the past.

AGREED (unanimously) that:

- (a). the integrated approach to providing Housing and Health based interventions; and
- (b). the integrated delivery model for independent living being included as part of the private sector housing strategy be approved.

54. ORDER OF BUSINESS

With the agreement of the Committee, the Chairman changed the order of business and agenda item No. 9 – Hawtonville Community Centre, was taken as the next item of business. The agenda resumed its stated order.

55. HAWTONVILLE COMMUNITY CENTRE UPDATE

The Committee considered the report presented by the Director - Community, which updated Members on the current position of Hawtonville Community Centre and progress with the future management arrangements. Members were also provided with an update on current projects identified through the Hawtonville Neighbourhood Study, which related to the function of the community centre.

A Member commented on the success of the Bridge Community Centre and explained that part of their success was due to them having a part time Development Worker. The Community Centre was at the stage where it was turning bookings away as they were fully booked. It was suggested that some of the bookings could be transferred to the Hawtonville Community Centre, which would help to get it established. The Bridge Community Centre also had a small computer room which was open for the community to use.

A Member commented that although he supported Community Centres the Town and Parish Councils should manage them and if they were not viable they should be closed. The District Council should not be subsidising these centres.

Another Member commented that if the Community Centres were managed properly they could work effectively for the community, which was demonstrated at the Bridge Community Centre. This would be a major loss to the community if this centre was closed.

The Chairman requested that a further report be brought to a future meeting of the Committee, setting out in detail all the partnerships under consideration, including their expectations of the Council.

AGREED (unanimously) that:

- (a) the progress being made to secure the operational management function for the Hawtonville Community Centre to maintain a sustainable budget position be noted; and
- (b) a further report be brought to a future meeting of the Committee, setting out in detail all the partnerships under consideration, including their expectations of the Council.

56. UPDATE ON THE LITTER PARTNERSHIP AND CLEANSING PROPOSALS

The Committee considered the report presented by the Director - Community, which informed Members of the successful litter collection pilot project with Newark Town Council and additional cleansing initiatives.

It was reported that following a four month pilot the new provision had proved extremely successful. Recent inspector visits had shown that the town centre environment had improved with response times to "ad hoc" litter issues improving as well.

The Newark Town Council had been pleased with the results and had recently confirmed that following their budget setting process, money had been identified which would enable the project to continue into the 2017/18 financial year.

Officers had been undertaking detailed studies of Street Cleansing operations. Rescheduling of certain areas as well as route efficiencies had resulted in the unit being able to commit to the continuation of the town centre project. However in addition to that project a study had been undertaken into the areas of the district currently representing a higher percentage of complaints. Areas highlighted by the study were the Hawtonville Estate and the A1. Through the same efficiency work, the unit was able to fund the purchase of another street orderly barrow and a new post to operate the equipment on a full time basis on the Hawtonville Estate. Partnership working had also netted a storage area for the barrow when not in use (Newark Sports Centre curtesy of Active-4-Today) and operator welfare facilities for the member of staff concerned (Hawtonville Community Centre curtesy of Community, Sports & Art Development). Officers were hopeful that this new project would net similar results to that experienced

in the town centre. Officers were delivering training regarding the A1 collections and carrying out risk assessments to ensure that the Council met legislation requirements.

In order to reduce the impact of wind-blown litter the unit had also been able to fund a project that would introduce 240l litter bins into every A1 layby in the district. Efficiencies had also been utilised to ensure that all bins were emptied on a regular basis by utilising spare capacity on passing refuse freighters.

The recent study also highlighted the need for education throughout the district and this had led to the commitment of funds to run advertising/communication campaigns on the sides of refuse freighters. Artwork had been designed and the campaign would be rolled out before the beginning of April 2017. There were a number of designs that focused on fly tipping, littering as well as the Authority's garden waste schemes, bulky waste services and trade waste services. This was aimed at reducing littering and tipping, as Intel had showed a large amount of garden waste and commercial waste was ending up in hedgerows and laybys. It was reported that all of the changes and improvements had been made whilst remaining within current budgets.

The Director – Community confirmed that funding had been secured from the HRA budget for the Hawtonville Estate litter picker.

A Member commented on the selection process for the additional litter picking service and asked for this to be rolled out to the west of the district. The Chairman reminded the Committee that the Town Centre initiative was only three months old and that it was a decent interval for bedding down, which should be allowed before an extension of the service is considered. He also suggested that the provision of such a service be built into the Boughton Neighbourhood Plan now under consideration.

The Director – Community confirmed that additional litter picking was being pursued to clear the hedgerows. That work needed to be achieved before the spring growth.

A Member sought clarification as to whether there was any funding available for Parish Council's to undertake litter picking in their villages. The Director – Community confirmed that a scheme titled 'lengthman scheme' was available from Nottinghamshire County Council, which provided funding to Town and Parish Council's.

AGREED (unanimously) that:

- (a). the successful implementation of the litter partnership pilot be noted and support be continued with Newark Town Council; and
- (b). the proposals for the provision of a dedicated litter operative for the Hawtonville area be supported and noted.

57. PERFORMANCE INDICATORS

The Committee considered the performance reports for Environmental Health; Waste & Recycling; and Active4Today and Southwell Leisure Centre Trust.

AGREED that the performance indicators be noted.

The meeting closed at 7.45pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the **GENERAL PURPOSES COMMITTEE** held on Thursday, 16 March 2017 in Room G21, Kelham Hall at 6.00pm.

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

Councillors: Mrs K. Arnold, Mrs B.M. Brooks, D. Clarke, Mrs S.M. Michael, D.R. Payne, Mrs S.E. Saddington, Mrs. L.M.J. Tift, K. Walker and B. Wells.

24. APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors: Mrs I. Brown, M. Buttery, M. Cope and Mrs S. Soar

25. 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.

26. DECLARATION OF INTENTION TO RECORD MEETING

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

27. MINUTES OF MEETING HELD ON 24 NOVEMBER 2016

AGREED that the Minutes of the meeting held on 24 November 2016 be approved as a correct record and signed by the Chairman.

28. STREET COLLECTIONS 2017

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing which sought to update Members on the number of applications received for Street Collections for the forthcoming year. Attached at Appendix A to the report was the list of the charitable organisations wishing to make a street collection.

AGREED (unanimously) that:

- (a) the applications for Street Collections for 2017 within the District of Newark & Sherwood be granted; and
- (b) following consultation with the Chairman of the General Purposes Committee, the Director – Safety be authorised to approve and issue licenses for all additional applications received for street collections within the District of Newark & Sherwood during the year 2017.

29. 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.

In relation to paragraph 2.4 – House to House Collections, Members were informed that the Round Table Children’s Wish had informed the Licensing Team of their % return to the Charity following the publication of the Agenda. They were informed that the collection had raised some £387.00 of which only 20% was given to the Charity with the other 80% being used to off-set costs. Members requested that they be provided with a copy of the return so that they could scrutinise it further.

AGREED (unanimously) that:

- (a) the report be noted; and
- (b) a copy of the House to House Collection Return submitted by the Round Table Children’s Wish be forwarded to all Members of the General Purposes Committee.

The meeting closed at 6.13pm

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 B.M. Brooks, D. Clarke, Mrs S.M. Michael, D.R. Payne, Mrs S.E. Saddington, Mrs. L.M.J. Tift, K. Walker and B. Wells.

18. APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors: Mrs I. Brown, M. Buttery, M. Cope and Mrs S. Soar

19. 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.

20. DECLARATION OF INTENTION TO RECORD MEETING

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

21. MINUTES OF MEETING HELD ON 24 NOVEMBER 2016

AGREED that the Minutes of the meeting held on 24 November 2016 be approved as a correct record and signed by the Chairman.

22. LOCAL ALCOHOL ACTION AREAS (LAAAs)

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing which sought to update Members of the second round of Local Alcohol Action Areas.

The report set out the purpose of the LAAAs Project and listed its 3 core aims as: preventing alcohol related crime and disorder; reducing alcohol related health harms; and generating economic growth by creating a vibrant and diverse night time economy. Paragraph 2.4 listed the 5 core challenges which were focussed on preventing crime and disorder in the night time economy. The Business Manager advised that challenges 2 to 5 would be of significance to the Council.

A Member of the Committee commented that the proposed challenges were a direct result of the 2003 Licensing Act and that people had warned of the consequences at the time the Act was introduced and how the new licensing regime would affect the most vulnerable in society.

The Business Manager advised that one of the biggest issue that was not included was that of serving alcohol to customers who were already inebriated. He noted that it was the License Holders responsibility but that in doing so they were turning away trade. He further advised that a scheme had been undertaken in Liverpool whereby people had gone into a licensed premise, pretending to be inebriated, and in 80% of cases they had still been served with alcohol. Local authorities throughout Nottinghamshire were looking to take action on this issue.

Whilst discussing the matter, the Chairman advised Members of the Licensing Committee that a date had been arranged for them to attend a night time economy visit with the Police and Licensing Officers in Newark. This was to take place on Friday, 21 April 2017 and would commence at 22:00 hours. The aim of the visit was to enable Members to further understand the issues that the Police and Door Staff experience in the town. Members were asked to advise Democratic Services as to whether they intended to take part in the visit.

AGREED (unanimously) that:

- (a) the Local Alcohol Action Area Round 2 Themes be notes;
- (b) the proposals and Action Plan for delivering each of themes within Nottinghamshire be supported.

23. COUNTY WIDE BEST BAR NONE SCHEME

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing which provided Members with a final year report on the second year of the County Wide Best Bar None Scheme.

The report set out the work which had been undertaken throughout the first year and the premises which had won awards. It also gave information as to how the second year had progressed and who had received awards at a local level and who had then been forwarded to the county awards. Paragraph 4 of the report provided Members with information as to the future of the Scheme.

AGREED (unanimously) that:

- (a) the progress of the Nottinghamshire County Best Bar None Scheme be noted: and
- (b) the Scheme be supported in Years Four and Five.

24. TEMPORARY EVENT NOTICES RECEIVED AND ACKNOWLEDGED BETWEEN 1 OCTOBER AND 31 DECEMBER 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.

NOTED the Temporary Event Notices received and acknowledged between 1 October and 31 December 2016 inclusive.

25. 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 between 1 October and 31 December 2016 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 the above dates with the a note of the enforcement activity between the same two dates being listed at paragraph 2.3.

AGREED that the Chairman's update be noted.

The meeting closed at 6.31pm

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **COUNCILLORS' COMMISSION** held in the Leader's Office, Kelham Hall, Newark on Thursday 27 April 2017 at 4.00pm.

PRESENT: Councillor: R.V. Blaney (Chairman)
Councillors: D.J. Lloyd, J. Lee, N. Mison and P. Peacock.

APOLOGIES: Councillors: Mrs G.E. Dawn, D.R. Payne and D. Staples.

47. MINUTES OF THE MEETING HELD ON 22 FEBRUARY 2017

AGREED that the minutes of the meeting held on 22 February 2017 be approved as a correct record and signed by the Chairman.

48. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Kirsty Cole and Karen White declared personal interests in Agenda Item No. 7 - Disciplinary Procedures for Chief Officers.

49. SAFETY ARRANGEMENTS FOR COMMITTEES

The Director – Safety presented a report regarding safety arrangements for committees. The purpose of the report was to give Members an opportunity to consider and review the current arrangements in place to ensure the continued personal safety of those attending potentially difficult committee meetings.

The report set out risk control measures which could potentially be adopted if a specific risk was identified.

A suggestion had been made that Members should park in the rear car park rather than the front car park but it was considered that it was advisable for Members to continue parking in the front car park area given that there was better lighting and CCTV coverage.

It was noted that there would be more risk control measures when the Council moved to its new offices and following that move it would be timely to review and reinforce the safety measures currently implemented.

AGREED (unanimously) that the report be noted.

50. GOVERNANCE REVIEW

The Deputy Chief Executive presented a report which set out the proposed scope of a governance review to look at the Council's existing committee style of governance. The review was to consider whether the existing committee style of governance was fit for purpose or whether the Council should consider moving to a cabinet system.

Members were also asked to consider the wording of a questionnaire to be sent to all Members seeking their views to inform the governance review.

It was agreed that the scoping document and draft Members questionnaire attached as appendices to the report be approved subject to minor changes being made to the covering letter to be sent to Members.

AGREED (unanimously) that the draft scoping document for the governance review and proposed Member questionnaire be approved with completed questionnaires being considered by the Commission at their next meeting.

51. ESTABLISHMENT OF A REMUNERATION COMMITTEE

The Deputy Chief Executive presented a report proposing the establishment of a Remuneration Committee to review the pay and award package for the Chief Executive and Head of Paid Service.

The establishment of a Remuneration Committee was recommended as good practice by the Joint Negotiating Committee for Local Authority Chief Executives. Members were asked to consider the remit and composition of the Committee and whether it should have delegated authority to make decisions or whether it should report to the Policy & Finance Committee or Full Council.

Members were also asked to consider whether private sector representatives should be invited to be members of any such Committee in an advisory capacity.

The Commission questioned the need to establish such a Committee as they considered that any revisions to the Chief Executive's pay and reward package should come out of the appraisal process.

The view was also expressed that private sector representatives would not bring anything of value to the debate.

There was concern that if the Remuneration Committee was established as a standing committee it would need to be factored into the political matrix but was likely to meet infrequently.

It was suggested that the issue of pay and reward for the Chief Executive could be covered through the Pay Policy Statement.

AGREED (unanimously) that:

a Remuneration Committee should not be established but rather the Members of the Policy & Finance Committee should meet informally to discuss the pay and remuneration package of the Chief Executive including fixed salary and other benefits and make recommendations to the Policy & Finance Committee for approval; and

the Council should not invite representatives from the private sector to assist the informal meeting of the Policy & Finance Committee in their deliberations as no benefit was perceived by their inclusion.

52. CHIEF OFFICERS APPOINTMENTS PANEL

The Deputy Chief Executive presented a report concerning the remit of the Chief Officers Appointments Panel. Members were advised that the Policy & Finance Committee, at its meeting on 6 April 2017, had considered the process for the appointment of a Director – Resources and, in so doing, had recommended that the Constitution be amended so that the Chief Officers Appointments Panel should have a clear remit to make all Chief Officer appointments with the exception of Head of Paid Service.

The report to the Councillors' Commission set out the consequent constitutional amendments which would need to be made to reflect this including amending the remit of Council to exclude the requirement for Council to confirm the appointment of the Monitoring Officer and Chief Financial Officer (Section 151 Officer), an amendment to the section of the constitution establishing the Chief Officers Appointments Panel to clarify its remit including delegated authority to make chief officer appointments with the exception of the Head of Paid Service.

AGREED (unanimously) that it be recommended to Council that the constitution be amended as set out in the body of the report.

53. DISCIPLINARY PROCEDURES FOR CHIEF OFFICERS

The Deputy Chief Executive presented a report which advised Members that the disciplinary procedures for Chief Officers had been revised and updated in 2015 following the introduction of the Local Authorities (Standing Orders) (England) (Amendment) (Regulations) 2015 which removed the requirement to appoint a Designated Independent Person in the event of disciplinary action against statutory officers.

However, at the time the revised procedures had been introduced, the right to the appointment of a Designated Independent Person had been preserved in the case of the Chief Executive through his terms and conditions of service which, at that time, incorporated model procedures which included the requirement to appoint a designated independent person.

Members were advised that revised conditions of service had been published by the Joint Negotiating Committee for Local Authority Chief Executives in October 2016. These included revised model disciplinary procedures which reflected the 2015 Regulations and which removed the requirement for the appointment of a Designated Independent Person.

The model procedures applied automatically unless the Chief Executive expressly agreed to vary them for the reason that the JNC conditions of service and any revisions thereto were incorporated into his terms and conditions of employment.

The report therefore recommended that the disciplinary procedures be amended to remove the requirement for the appointment of a Designated Independent Person in the case of the Chief Executive.

Members were also reminded that the 2015 Regulations required the establishment of an independent panel comprising independent members appointed under the Localism Act 2011 which was required to meet at least 20 working days prior to a Council meeting considering a recommendation to dismiss a statutory officer.

The 2015 Regulations were unclear as to whether the independent panel should or should not include elected members.

The Council has previously resolved that the panel should include elected representatives and the Constitution currently provided that an Investigating and Disciplinary Sub-Committee, established to consider disciplinary action against the Chief Executive or statutory officers, should also include independent members.

However, the revised procedures published by the JNC for Local Authority Chief Executives made it clear that such an independent panel should comprise only independent persons and should therefore be a separate body from the Investigating and Disciplinary Sub-Committee.

It was understood that the JNC for Chief Officers was likely to produce model disciplinary procedures very shortly which would mirror those for Chief Executives.

It was therefore recommended that the constitution be amended to reflect the JNC for Local Authority Chief Executives model procedures by establishing an Investigating and Disciplinary Sub-Committee to comprise elected Members only with a separate independent panel comprising only independent members appointed under the Localism Act 2011.

Members were also asked to consider whether the Investigating and Disciplinary Sub-Committee and Chief Officer Appeals Sub-Committee should be standing committees, as recommended by the JNC for Local Authority Chief Executives. In this event they would need to be reflected within the political matrix. Alternatively they could comprise ad hoc sub-committees drawn from a panel of Members across the whole of the Council and broadly reflecting political balance but consequently not being reflected in the political matrix.

It was agreed that this would be a more pragmatic way forward as it would enable the Investigating and Disciplinary Sub-Committee and Chief Officer Appeals Sub-Committee to be convened at short notice and, where there were potential conflicts of interest, for this to be reflected in the composition of those sub-committees.

AGREED (unanimously) that:

- (a) Council be recommended that the Constitution be amended as set out in the report to the Councillors' Commission subject to the Investigating and Disciplinary Sub-Committee and Chief Officer Appeals Sub-Committee being drawn from a panel of Members from the whole membership of the Council and broadly reflecting political balance rather than being standing committees; and
- (b) the Officer Employment Procedure Rules be amended as set out in

the appendix to the report to delete reference to the Designated Independent Person.

54. POINTS OF ORDER AT COUNCIL MEETINGS

The Deputy Chief Executive presented a report which sought to clarify the correct use of 'Points of Order' at Full Council meetings. Members were advised that Council Procedure Rule 25.11 which related to 'Points of Order' was frequently being misinterpreted by Members and used as a means of disagreeing with facts as presented by another speaker rather than for its strict purpose which was to point out that a Council Procedure Rule or a statutory provision was not being followed.

After some discussion it was noted that there was some confusion on the part of Members as to the proper use of the Council Procedure Rules and in particular those relating to the conduct of meetings and it was considered that a short guidance note to be circulated to all Members, would be helpful.

AGREED (unanimously) that a guidance note on key provisions within the Council Procedure Rules, particularly relating to the conduct of meetings, be prepared with a view to this being circulated immediately prior to the July Council meeting.

55. SCHEME OF DELEGATION – PLANNING COMMITTEE

The Deputy Chief Executive presented a report recommending that the Scheme of Delegation in respect of planning matters be amended to allow delegated decisions with respect to gypsy and traveller applications in circumstances where the officer recommendation accords with the views of the Parish Council and further recommending that the scheme of delegation be amended to provide that any comments or objections from a Parish Council would only trigger a requirement for the matter to be referred to the Planning Committee where such an objection constituted a material planning consideration.

AGREED (unanimously) that:

- (a) the Councillors' Commission recommend to the Planning Committee that the Scheme of Delegation be amended as set out in the body of the report; and
- (b) the amendment to the Scheme of Delegation in respect of objections submitted by Parish Councils be communicated to Town and Parish Councils and that they be reminded as to what does and does not constitute a material planning consideration.

56. APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES

The Deputy Chief Executive presented a report concerning the Council's appointments to outside bodies. Members were reminded that one of the recommendations arising from the Corporate Peer Challenge was that the Council should review its membership of and attendance by Members and officers on outside bodies to determine their relevance. Given that the Council would be making annual

appointments to outside bodies at its Annual Meeting on 16 May 2017 it was timely to review whether the current list of appointments was appropriate.

It was suggested that a review be undertaken having regard to the following:-

- Did the outside body link to the strategic priorities of the Council?
- Was there a significant relationship between the outside body and the Council?
- Was there a direct benefit to the Council in continuing to appoint representatives to the relevant outside body?

In particular it was suggested that the Council review appointments to community centres where such representation was currently made on an ad hoc basis and consider whether the Council should continue to appoint to local branches of charities and similar groups with which the Council had no significant relationship.

It was also suggested that the Council may wish to review appointments to organisations which may be viewed as lobbying or special interest groups where there could be a conflict of interest on the part of District Council representatives between their role on that group and their role as a District Councillor.

Members considered the list of appointments to outside bodies for 2016/17 and agreed that it be recommended to Council that the Council no longer make appointments at the Annual Meeting to the following bodies:

Blidworth Community Centre Association
Bridge Community Centre
Coddington Community Centre
Management Committee of the Newark branch of MIND
Newark Homestart Management Committee
Ollerton & District Economic Forum
Rainworth Village Hall
Sherwood Childrens' Centre
Southwell Town Forum
Lilley and Stone School Charities
St Leonard's Hospital Trust
Bassetlaw, Newark & Sherwood Community Safety Partnership
Countywide Older Persons Forum
East Midlands Museum Service
Greenwood Community Forest Partnership
Municipal General Charity (it was noted that this was a 4 year appointment and it was therefore recommended that no further appointment be made at the expiry of the current term of office in 2020)
PATROL Adjudication Joint Committee
Nottinghamshire Building Preservation Trust

It was also suggested that it would be appropriate to have two representatives on the Sherwood and Newark Citizens Advice Bureau, one for Newark and one for Sherwood.

AGREED (unanimously) that it be recommended to Council that it no longer

appoint to the outside bodies detailed above.

57. PROPOSED CHANGES TO FINANCIAL REGULATIONS

The Commission considered the report of the Business Manager and Chief Financial Officer – Financial Services recommending that changes be made to the Council’s Financial Regulations relating to the approval of budget virements between different budget lines, Business Units or committees. The report advised that it was necessary to update the levels to reflect changing financial circumstances.

AGREED (unanimously) that it be recommended to Council that the Financial Regulations be amended to increase the budget virement limits within which virements could be made by the Section 151 Officer acting under delegated powers as set out in the Appendix to the report.

Meeting closed at 5.32pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **PLANNING COMMITTEE** held in the Council Chamber, Kelham Hall, Newark on Tuesday, 7 March 2017 at 4.00pm.

PRESENT: Councillor D.R. Payne (Chairman)

Councillors: D. Batey, R.V. Blaney, 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 and B. Wells and Mrs Y. Woodhead.

ALSO IN

ATTENDANCE: Councillors: Mrs I. Brown, Mrs R. Crowe, Mrs G. Dawn, P. Duncan and D. Lloyd

167. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor G.P. Handley.

168. 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>
Councillors D.R. Payne, I. Walker and B.Wells	Item 9 – Stilt House, Land North of Manor Farm, Great North Road, Cromwell (16/02034/FUL) – Personal Interest as members of the Trent Valley Internal Drainage Board, who were one of the consultees.
Councillor I. Walker	Item 11 – Land off Elston Lane, Elston (16/01881/FULM) - Disclosable Pecuniary Interest as he lives opposite the site.
Councillors Mrs C. Brooks and D.R. Payne	Item 12 – Garage Units Adjacent 15 – 17 Almond Grove, Farndon (16/02168/FUL) Item 13 – Land at the Willows, Farndon (16/02174/FUL) Item 14 – Garages, Grange Road, Newark (16/02164/FUL) Personal Interests for all three applications as Councillor D.R. Payne is the Director and Vice-Chairman of Newark and Sherwood Homes and Councillor Mrs C Brooks is a Director of Newark and Sherwood Homes.
Councillor D.R. Payne	Item 18(b) – Appeals Determined Land Adjacent to Old Farm House, Pingley

Lane, Staythorpe, Newark (16/00996/FUL)
The Plough, Main Street, Coddington
(16/00782/FUL)

Personal Interest as he was known to the applicants.

169. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

170. MINUTES OF THE MEETING HELD ON 7 FEBRUARY 2017

AGREED that the minutes of the meeting held on 7 February 2017 be approved as a correct record and signed by the Chairman.

171. SITE OF ROBIN HOOD HOTEL, 1 -3 LOMBARD STREET, NEWARK (16/00914/FULM AND 16/00915/LBC)

The Committee considered the report of the Deputy Chief Executive, which sought full planning permission and listed building consent for the complete demolition of the Robin Hood Hotel and the subsequent erection of a 66 bed hotel with three retail units at ground floor.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the Applicant, which was a letter addressed to the Planning Committee Chairman and was appended to the schedule of communication.

Councillor M. Skinner, representing Newark Town Council, spoke in support of the application in accordance with the views of Newark Town Council, as contained within the report.

Councillor P. Duncan, adjacent Ward Member for Devon, spoke against the application, although he welcomed the application, which would bring to an end the problem with this site. He spoke about what had been agreed for the site in 2008 and that the building was in the Newark Conservation area. He commented that the developer had developed the more lucrative part of the site first and had left the Robin Hood Hotel site, which was the more demanding heritage asset. Routine maintenance had been limited which had allowed the building to fall into disrepair. He commented that what was being offered by the developer was an off the shelf bog standard Travel Lodge. He commented on the views of the Conservation Officer which were contained within the report. He also commented on a façade development scheme which the developer had stated was not profitable. He felt that the developer should be asked to come back with a better scheme which addressed their legal and moral obligations under the original planning permission. He also asked the Committee not to make the decision to demolish a listed building, which had never been undertaken by Newark and Sherwood District Council before and would set a precedent for other listed buildings. He felt that Newark deserved better than what was being proposed.

Councillor D. Lloyd, adjacent Ward Member for Beacon Ward, spoke in support of the application. He felt that it was a very difficult decision to make; once the buildings were gone that it would amount to absolute harm and removal. He questioned whether the test regarding whether the alternative outweighed the loss was the correct test to take. The extent of the harm needed to be taken into account. It could be argued that the environmental enhancement would outweigh the loss for this development. He felt that there was very little left in terms of historical assets and some of the best bits had already been removed such as the old malt house. Partial demolition of the site had been granted and further demolition of the site may enhance the setting. He felt that the proposed travel lodge was not award winning in design, but was a hotel which had some link regarding what was currently in situ and had been indicated as a requirement for Newark in a recent survey. Developing this site would restore the area and would also have economic benefit. The footpath around the site would be widened which was dangerous at present. He felt that there appeared to be clear positive benefits towards the proposals and harm was outweighed by benefits.

The Business Manager Growth and Regeneration commented that if the Committee were minded to approve the application an amendment to recommendation three be made. Recommendation three would be more specific regarding the Section 106 agreement, to include the agreement to ensure the scheme is delivered as intended in respect of securing the overnight car park provision with NCP. Also securing that no works can take place (including demolition) unless and until a contract had been let to actually build the hotel.

Members considered the application and a Member commented that the Committee should take into consideration what the majority of people in Newark would like, which was to see this eye sore demolished.

A Member commented that in the report two phrases were reported, substantial harm to the listed building in a conservation area and national importance to the listed buildings. There would obviously be substantial harm to the listed building as the applicant had requested full demolition. It was noted that Newark had 13,087 listed buildings, with 27 listed buildings in 100 yards of the Robin Hood Hotel. It was felt that the Robin Hood Hotel was not the only listed building in situ in Newark, the majority of the town's listed buildings dated back to the eighteenth century, whilst the Robin Hood Hotel was described in the Planning Committee report as late eighteenth century, early nineteenth century and also late twentieth century observations. The chimney pot on building B had been demolished at some stage and a window in block A had been blocked up in the twentieth century. The proposed new hotel offering 66 bedrooms would be an asset to the town centre, bring in overnight accommodation, a £5.5 million investment, 62 extra jobs and other benefits such as visitors to Newark castle and the National Civil War Centre. It was felt that the proposed application would complete the Potterdyke development. It was further commented that the Section 106 agreement would cover the car parking arrangements and that no demolition would commence until a contractor had been secured. The application had attracted fifteen letters of objections from Newark residents. The Newark Advertiser had undertaken a poll in January 2017, which was worded: 'would you welcome a Travel Lodge on the Robin Hood Hotel site?' the result of the poll was, 68% said yes, with 29% saying no. This application would complete the Potterdyke development and would complete the pedestrian walkway up to Beaumont Cross.

Other Members commented on the past work that had been achieved to restore the districts listed buildings including Millgate in Newark, which had been proposed for a dual carriage way, Northgate brewery and Ollerton Hall. It was commented that the Authority should have done their job correctly and asked the developer to honour their agreement to restore the Robin Hood Hotel. A Member suggested that the façade could be retained and a hotel built behind it.

A Member also commented that the message to the developer over the years had been that the council would support them as there was a long history to this matter. The hotel would be an asset to Newark, which the town had tried to secure for years. It was further commented that the cottages in situ were small middle class town houses, of which there were no other examples within Newark. The Council however had a proud and unblemished conservation record, with only one other recorded demolition of a listed building in Sutton-on-Trent. An informative note was proposed by the Planning Committee Chairman, if the Committee were minded to approve the application, as follows:

This planning consent is without prejudice and independent of any claims the Council may have arising out of the agreement between the Council, applicant and another, dated 2 August 2010. All such matters relating to that agreement be referred to the Policy and Finance Committee.

AGREED (with 9 votes for and 5 votes against) that

- (a). full Planning Permission and listed building consent be approved, subject to:
 - (i) the conditions and reasons contained within the report,
 - (ii) the inclusion of an additional condition, that there shall be no adverts applied internally or externally to the vertical lantern light fronting Beaumont Cross; and
 - (iii) the following informative to the applicant:

Informative Note

This planning consent is without prejudice and independent of any claims the Council may have arising out of the agreement between the Council, applicant and another, dated 2 August 2010. All such matters relating to that agreement be referred to the Policy and Finance Committee.

- (b). the application be referred to the NPCU, as required, for them to decide if the application should be called in for determination by the Secretary of State; and
- (c). approval of the application are subject to a signed Section 106 agreement to ensure the scheme is delivered as intended in respect of securing of the overnight car park provision with NCP and securing that no works can take place (including demolition) unless and until a contract has been let to actually build the hotel

Councillors Mrs M. Dobson, J. Lee and Mrs S.E. Saddington asked that their vote be

recorded, against the application.

(Councillor R.A. Crowe left the meeting at this point).

172. LAND BETWEEN 67 – 69 FOREST ROAD, CLIPSTONE(16/01972/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought planning permission for the erection of eight residential properties, two, two bed properties and two, one bed flats to the site frontage and two, one bed flats and two, two bed properties to the rear. The dwellings were proposed social rented housing and the application had been made on behalf of Nottingham Community Housing Association.

Councillor Whittard representing Clipstone Parish Council spoke against the application in accordance with the views of the Parish Council, as contained within the report.

Members considered the application and it was felt that there was a high demand for additional housing in the district. The report had confirmed the need for additional one and two bedroom houses within this area. The development design was acceptable and the plot size appeared generous.

AGREED (with 10 votes for, 2 votes against and 1 abstention) that contrary to Officer recommendation full planning permission be approved, subject to appropriate conditions.

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

Councillor	Vote
D. Batey	For
R.V. Blaney	For
Mrs C. Brooks	Abstained
R.A. Crowe	Absent
Mrs M. Dobson	For
G.P. Handley	Absent
J. Lee	Against
N. Mison	For
D.R. Payne	For
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	Against

173. LAND BETWEEN 139 – 141, FOREST ROAD, CLIPSTONE (16/01973/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought planning permission for the erection of eight residential properties, two, two bed properties and two, one bed flats to the site

frontage and two, one bed flats and two, two bed properties to the rear. The dwellings were proposed social rented housing and the application had been made on behalf of Nottingham Community Housing Association.

Members considered the application and felt that the application was acceptable, which was contrary to Officer recommendation.

AGREED (with 10 votes for, 2 votes against and 1 abstention) that contrary to Officer recommendation full planning permission be approved, subject to appropriate conditions.

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

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

174. LAND BETWEEN 177 – 179, FOREST ROAD, CLIPSTONE (16/01974/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought planning permission for the erection of nine residential properties, four, one bed flats to the site frontage and five, two bed properties to the rear. The dwellings were proposed social rented housing and the application had been made on behalf of Nottingham Community Housing Association.

Members considered the application and felt that the application was acceptable, which was contrary to Officer recommendation.

AGREED (with 11 votes for, 1 vote against and 1 abstention) that contrary to Officer recommendation full planning permission be approved, subject to appropriate conditions.

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

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

(Councillor B. Wells left the meeting at this point).

175. RULE NO. 30 – DURATION OF MEETINGS

In accordance with Rule No. 30.1, the Chairman indicated that the time limit of three hours had expired and a motion was proposed and seconded to extend the meeting.

AGREED (unanimously) that the meeting continue.

176. GARAGE UNITS ADJACENT 15 – 17 ALMOND GROVE, FARNDON (16/02168/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought planning permission for the erection of one, two bedroom bungalow with a pitched roof design.

Councillor M. Baker, representing Farndon Parish Council, spoke against the application in accordance with the views of Farndon Parish Council, as contained within the report.

Members considered the application and felt something needed to be done regarding the car parking situation in order to prevent the bus service from being stopped for this area. Farndon Parish Council had commented that the bus service had informed them that services may have to be reduced as the bus driver was struggling at times to get access around the village, due to the number of parked vehicles. Members commented, that the removal of the garages, would only add to the car parking problem. It was suggested that a meeting should take place with Newark and Sherwood Homes to consider whether drop kerbs/hard standing could be provided at an affordable cost to the local residents, or the green areas could be utilised for car parking. It was also commented that only five of the twelve garages were used for car parking, the removal of those garages would therefore have only a small impact on parking. It was commented that if areas such as this one were not utilised, given the demand for houses, expansion into the open countryside would have to take place.

Members suggested that the item be deferred pending further investigation into car parking arrangements for the local residents.

A vote was taken to defer the application, which was lost with 5 votes for and 7 votes against.

AGREED (with 7 votes for and 5 votes against) that full planning permission be approved subject to the conditions contained within the report.

177. LAND AT THE WILLOWS, FARNDON (16/02174/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought planning permission for the erection of two dwellings.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the applicant; Nottinghamshire County Council Highways; and the Parish Council.

Members considered the application and suggested that District Councillors should undertake discussions with Newark and Sherwood Homes regarding parking solutions for Farndon, in terms of providing drop kerbs/hard standing for residents, to alleviate onsite parking issues.

Members suggested that the item be deferred pending further investigation into car parking arrangements for the local residents.

A vote was taken to defer the application, which was lost with 5 votes for and 7 votes against.

AGREED (with 7 votes for and 5 votes against) that full planning permission be approved subject to a revised layout plan showing satisfactory turning arrangements on The Willows and the conditions contained within the report.

178. GARAGES, GRANGE ROAD, NEWARK (16/02164/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought planning permission for the erection of five dwellings in a terrace.

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

Councillor M. Skinner, representing Newark Town Council, spoke against the application in accordance with the views of Newark Town Council, as contained within the report.

Members considered the application and felt the application was appropriate. A Member noted from the pictures presented to the Committee, that cars were parked on a wide pavement adjacent to the garages. It was therefore suggested that the car

parking arrangement on the pavement could be pursued to formalise car parking on the pavement, by painting a white line to clearly show where cars can park and define a section as a pedestrian foot path.

The Business Manager Growth and Regeneration suggested that a meeting could be undertaken with Newark and Sherwood Homes and Newark Town Council to pursue the car parking proposals.

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

179. STILT HOUSE, LAND NORTH OF MANOR FARM, GREAT NORTH ROAD, CROMWELL (16/02034/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought planning permission for the erection of a four bedroom, single storey dwelling on stilts.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the Planning Case Officer and the Applicant.

Members considered the application and commented on the appeal decision included in the schedule of communication, which had allowed a residential development in Flood Zone 2. Members felt that the proposal was innovative and was a great way of utilising land in a flood zone. It was also noted that Cromwell Parish meeting were flexible with their views. A Member suggested that if Members were minded to approve the application, that the front hedge be retained.

AGREED (unanimously) that contrary to Officer recommendation, full planning permission be approved, subject to appropriate conditions and a condition to retain the hedge to the front of the building.

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

(Councillor Mrs M. Dobson left the meeting at this point).

180. HALL FARM, SCHOOL LANE, EAST STOKE (16/01772/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 conversion, alteration and extension of existing agricultural buildings to form two dwellings, the demolition of existing buildings and the erection of three new houses.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the Planning Case Officer.

The Business Manager Growth and Regeneration sought Member approval for an amendment to Condition 13, to include any works including the reduction or removal of the wall. Members were also informed that Condition 6 was a pre-commencement condition and the development could not be started until the drainage plans for the disposal of surface water and foul sewage had been submitted and approved by the Local Planning Authority.

Members considered the application and commented that the wall in front of the properties would result in the occupants of 3, 4 and 5 having to go around the back of the properties. It was felt that the issue of the wall would need to be addressed. It was suggested the application be deferred to clarify the position of the wall.

(Councillor J. Lee took no part in the debate or vote as he left the room for a short period of time).

AGREED (unanimously) that the application be deferred pending clarification of the wall.

(Having declared a disclosable pecuniary interest on the following item, Councillor I. Walker left the meeting at this point and took no part in the debate or vote).

181. LAND OFF ELSTON LANE, ELSTON (16/01881/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 ten affordable dwellings to be sited around a new cul-de-sac arrangement.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the Lead Local Flood Authority and the Applicant.

Members considered the application and commented on the strong feeling from local residents against this scheme, with fifty residents against the scheme. Elston Parish Council had not objected to the application other than highway issues on Pinfold Lane. It was however reported that there had been only four members present at the Parish Council meeting which considered the item, the Chairman exercising his right to use his casting vote to approve the application. Concern was raised regarding highways issue on Pinfold Lane and the need for a footpath, which had been pursued but failed due to residents not allowing part of their gardens to be used to form the footpath. The development was in the open countryside which was considered inappropriate.

A Member commented that he felt that there were no planning grounds to refuse the application. A Parish need survey had been undertaken, which had proven a need for thirteen affordable homes. He felt that the layout was good.

A Member commented that this was the worst possible site for this development. The site had unbroken views of the countryside and across the river Trent and was the furthest distance from facilities.

AGREED (with 7 votes for and 3 votes against) contrary to Officer recommendation, full planning permission be refused on the grounds of character.

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

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

182. NEWARK NORTHGATE STATION, LINCOLN STREET, NEWARK (16/01036/LBC)

The Committee considered the report of the Deputy Chief Executive, which sought alterations to the station forecourt, demolition of part of the platform boundary wall to create a new gated access for servicing purposes, new cycle parking facilities and new fenced bin store.

Members considered the application and felt it was appropriate. Concern was raised regarding the proposed retail unit, which if accessible from the drop area, would add to the congestion problem that already existed.

AGREED (unanimously) that listed building consent be granted subject to the conditions and reasons contained within the report.

183. THE OLD BARN, MAIN STREET, EDINGLEY (16/02081/FUL & 16/02082/LBC)

The Committee considered the report of the Deputy Chief Executive, which sought planning permission for a single storey rear extension.

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

AGREED (with 9 votes for, 1 vote against and 1 abstention) that the application be deferred pending a site visit.

184. LAND WEST OF DROVE LANE, CODDINGTON (17/00107/CMA)

The application was deferred from the agenda at the Officer and Applicants request.

185. APPEALS LODGED

AGREED that the report be noted.

186. APPEALS DETERMINED

AGREED that the report be noted.

187. EXCLUSION OF THE PRESS AND PUBLIC

AGREED that under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of this 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.

188. FORGE HOUSE, WESTGATE, SOUTHWELL (ENFORCEMENT CASE No. 16/00222/ENF)

The report was deferred to the 22 March 2017 Planning Committee.

The meeting closed at 8.28pm

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **PLANNING COMMITTEE** held in the Council Chamber, Kelham Hall, Newark on Wednesday, 22 March 2017 at 4.00pm.

PRESENT: Councillor D.R. Payne (Chairman)

Councillors: R.V. Blaney, 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 Mrs Y Woodhead.

ALSO IN

ATTENDANCE: Councillor: Mrs S. Michael.

189. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs A.C. Brooks, D. Batey and B. Wells.

190. 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>
Councillor D.R. Payne	Item 11 & 12 – Springfield Bungalows, Nottingham Road, Southwell (15/01295/FULM & 16/01369/FUL) Non Disclosable Pecuniary Interest as Councillor D.R. Payne’s former business represented the applicant.
Councillor P.J. Rainbow	Item 11 & 12 – Springfield Bungalows, Nottingham Road, Southwell (15/01295/FULM & 16/01369/FUL) Personal interest as a family member uses the Reach service.
All Members of the Planning Committee	Item 14 – Hall Farm House, Church Lane, South Scarle, Newark (17/00140/LBC) Personal interest as the applicant is an elected Member.
Councillors G.P. Handley and D.R. Payne	Item 16 – Land at Gibson Crescent, Balderton (17/00217/FUL) Personal interests as Directors of Newark and Sherwood Homes.

191. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

192. MINUTES OF THE MEETING HELD ON 7 MARCH 2017

AGREED that the minutes of the meeting held on 7 March 2017 be approved as a correct record and signed by the Chairman.

193. ORDER OF BUSINESS

With the agreement of the Committee, the Chairman changed the order of business as follows: Agenda Items 7, 16, 11, 12, 5, 6, 9, 8, 13, 14, 17 and 18.

194. LAND AT LUNARIS, 16 HEMPLANDS LANE, SUTTON ON TRENT (17/00029/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 single detached two storey, three bedroom dwelling.

Councillor Mrs S.M. Michael, local Ward Member for Sutton-on-Trent, spoke against the application and supported Sutton-on-Trent Parish Council and residents of 16 and 18 Hemplands Lane, Sutton-on-Trent. She felt that the application was over development for the site. The adjacent property No. 16 was a bungalow and the proposed development would prevent light into the lounge area of the bungalow. The two storey brick wall, 8.1 metres away from the bungalow would also be unsightly from the lounge window. The rules regarding boundary lines were also raised. The property only having two parking places was considered unacceptable. The property was also opposite a doctor's surgery which had parking issues and was on a busy main road. It was felt that a modest bungalow may be acceptable.

Members considered the application and some Members commented that the plot was too small to accommodate the proposal and compromised the privacy of the neighbouring bungalow.

Other Members felt that the plot size was adequate and was larger than some of the surrounding properties.

A vote was taken and lost to approve the application, with 5 votes for and 7 votes against.

AGREED (with 7 votes for and 5 votes against) that contrary to Officer recommendation, full planning permission be refused for the reasons of privacy, traffic and highway issues and over intensification.

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

Councillor	Vote	
D. Batey	Absent	
R.V. Blaney	Against	
Mrs C. Brooks	Absent	
R.A. Crowe	For	
Mrs M. Dobson	For	

G.P. Handley	For	
J. Lee	For	
N. Mison	Against	
D.R. Payne	Against	
Mrs P.J. Rainbow	For	
Mrs S.E. Saddington	For	
Mrs L.M.J. Tift	For	
I. Walker	Against	
B. Wells	Absent	
Mrs Y. Woodhead	Against	

195. LAND AT GIBSON CRESCENT, BALDERTON (17/00217/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought planning permission for the erection of a pair of semi-detached, two storey, three bed properties, detailed on the application form to be social rented dwellings.

Councillor Mrs L Hurst, representing Balderton Parish Council, spoke against the application in accordance with the views of Balderton Parish Council, as contained within the report.

A Member asked for the application to be deferred, in order for a site visit to take place.

AGREED (with 11 votes for and 1 vote against) that the application be deferred pending a site visit.

196. LAND TO THE REAR OF LOWFIELD COTTAGES, BOWBRIDGE LANE, BALDERTON (15/01250/OUTM)

The application was withdrawn from the agenda at the Officers request.

(Councillors D.R. Payne having declared a Non Disclosable Pecuniary interest and Mrs P.J. Rainbow, having declared a personal interest, left the meeting for the duration of Minute No. 197 and 198).

Councillor G.P. Handley – Vice-Chairman, chaired the meeting for the duration of Minute No. 197 and 198.

The Business Manager - Growth & Regeneration gave a comprehensive presentation of both applications which Members then debated as individual items.

197. SPRINGFIELD BUNGALOWS, NOTTINGHAM ROAD, SOUTHWELL (15/01295/FULM)

The Committee considered the report of the Deputy Chief Executive, which sought a residential development of thirty eight dwellings and the conversion and extension of existing residential property to form twelve supported living units.

Councillor D Martin, representing Southwell Town Council, spoke against the application in accordance with the views of Southwell Town Council, as contained within the report.

The Business Manager - Growth & Regeneration proposed a change to the recommendation and asked that the S106 agreement include the detail regarding the Management Company, the Business Manager – Growth & Regeneration to determine the wording in consultation with the Leader of the Council and Planning Committee Vice-Chairman. The condition/clause in the S106 should be changed so that should any of the 12 Reach units not come forward a default contribution of £50,000 for each undelivered unit would be required.

Members considered the application and the ~~local ward Member~~ *Acting Chair* commented that it was likely that the S106 agreement would provide for a Management Company. In respect of this although the S106 agreement may provide pointers as to the Management Company, he felt that it needed noting that neither this Authority, nor ~~himself~~ *his* and the Leader of the Council's involvement could provide any ~~ongoing~~ guarantees as to the ongoing management or performance of the Management Company. Such matters and related matters would be between the buyers, the sellers and their various legal representatives. The following points were also raised:

- Not a critical site for achieving Southwell's housing requirements;
- Highways not adopting the site, which included adopting streets, road signs etc. appeared to be new;
- The Town Councillor spoke regarding the landscape buffer which appeared to have shrunk, Policy P02 – indicated that this should be enhanced as per the original application;
- Ground water, no-one understood to date how the water flowed;
- Complex arrangements for the transfer of Springfield Bungalow;
- The Management Company was comprehensive regarding how the whole operation would be managed;
- There was no track record for potential implications for buyers in terms of what they would have to pay; and
- This was a site not required to meet the housing figures for Southwell and should not be developed.

A Member commented on the Management Company agreement and suggested that within a year of the last house being built, that occupiers have the right to self-manage the site. Other Members urged for as much clarity as possible for the S106, so that purchasers have the information and can make an informed decision. It was suggested that given there were thirty eight properties, a time span of five years should be provided and then the option to self-manage.

After listening to the debate it was further suggested that after the first house is built the residents have the right to self-manage after one year. The Business Manager - Growth & Regeneration confirmed that a form of wording would be included into the S106 agreement to act as a trigger for the self-management provisions.

It was further commented that the 'Reach' bungalows did not have enough space in front of them, given their use for people with disabilities. Halloughton Road was renowned for flooding.

AGREED (with 9 votes for and 1 abstention) that full planning permission be granted subject to the following:

- (a) the conditions contained within the report; and
- (b) the signing and sealing of a Section 106 Planning Agreement to secure the provision of Springfield Bungalow being gifted to the Reach Project (including relevant pay back clause(s)), on-site affordable housing (2 no. units) and developer contributions for open space, community facilities, education and transport enhancements. Including the detail regarding the Management Company, the wording to be agreed by the Business Manager – Growth & Regeneration in consultation with the Planning Committee Chairman, Vice-Chairman and the Leader of the Council.

198. SPRINGFIELD BUNGALOWS, NOTTINGHAM ROAD, SOUTHWELL (16/01369/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought full planning permission for the alteration of the existing vehicular access to include the installation of kerb radii and the provision of a visibility splay which would measure 2.4m x 43m to serve the land to the rear of Springfield Bungalow.

Councillor D. Martin, representing Southwell Town Council, spoke against the application in accordance with the views of Southwell Town Council, as contained within the report.

Members considered the matters of land ownership and rights of way and highway adoption.

AGREED (with 8 votes for and 2 abstentions) that full planning permission be approved subject to the conditions contained within the report.

199. LAND AT QUIBELL ROAD, NEWARK (17/00003/FUL)

The application was withdrawn from the agenda at the Officers request.

200. LAND AT TRIUMPH ROAD, EAKRING, NOTTINGHAMSHIRE (16/01679/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 a terrace of five dwellings arranged around a front courtyard accessed from Triumph Road.

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

Members considered the application and it was commented that whilst this was a sympathetic development and met the needs of the community, it was felt that it was in the wrong place and would harm the environment.

AGREED (with 12 votes for and 1 abstention) that full planning permission be refused, for the reasons contained within the report.

201. THE OLD BARN, MAIN STREET, EDINGLEY (16/02081/FUL & 16/02082/LBC)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought planning permission for the erection of a single storey extension to create an additional living room and bedroom.

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

Members considered the application and felt that the proposal was acceptable.

AGREED (with 10 votes for and 2 abstentions) that contrary to Officer recommendation, full planning permission be approved, subject to appropriate conditions.

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

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

202. LAND ADJOINING BRAEMAR FARM, STATION ROAD, COLLINGHAM (16/01476/RMAM)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought reserved matters approval in respect of Phase 1, which related to the infrastructure phase. This included the provision of new accesses to the highway, spine road, footpath, foul and surface water drainage and associated strategic landscaping.

The comments of the Highway Authority was received just prior to the Committee meeting and Members were provided with a copy of these comments which confirmed that the submitted drawings were generally acceptable with any minor details to be agreed under a Section 38 Agreement should permission be granted. No specific conditions were suggested.

Members considered the application and concern was raised regarding the location of the swale next to the road and footpath. It was also felt that the development may form a rat run. A cul-de-sac design was suggested as an improved road network.

The Business Manager - Growth & Regeneration was asked to comment on expectations for future phases in terms of design and layout, who confirmed that this proposal would set the scene for the minimum expectations for what development should achieve.

AGREED (with 10 votes for, 1 vote against and 1 abstention) that reserved matters be approved, subject to the conditions contained within the report.

203. PHASE 2 LAND OFF STATION ROAD/SWINDERBY ROAD, COLLINGHAM (16/01807/RMAM)

The Committee considered the report of the Deputy Chief Executive, which sought reserved matters approval for forty dwellings, together with associated parking/garages, internal roads and an area of public open space to the south.

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

A Member commented that this would have been an opportunity to have achieved something special with the design for this development and felt disappointed with the proposal. It was noted that Collingham Parish Council also shared the same view.

Members also raised concern regarding the use of a Management Company and requested that a deed of variation be included into the Section 106 agreement, stating that the Management Company be offered to the residents after a period of five years.

The Business Manager - Growth and Regeneration confirmed that the options for the levels of engagement could be researched; a defined timetable for residents to take over maintenance of the internal roads however would be difficult to impose.

AGREED (with 10 votes for and 2 abstentions) that reserved matters be approved subject to the following:

- (a) the signing and sealing of a Deed of Variation to secure the future maintenance of the internal roads within this phase through a management company; and
- (b) the conditions contained within the report.

204. HALL FARM, SCHOOL LANE, EAST STOKE (16/01772/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought full planning permission for the conversion, alteration and extension of existing agricultural buildings to form two dwellings, the demolition of existing buildings and the erection of three new houses.

Members considered the application and felt that the proposal was acceptable.

AGREED (unanimously) that full planning permission be approved, subject to the conditions contained within the report and any other reasonable conditions as recommended by the Highways Authority.

205. HALL FARM HOUSE, CHURCH LANE, SOUTH SCARLE, NEWARK (17/00140/LBC)

The Committee considered the report of the Deputy Chief Executive, which sought listed building consent to erect stud wall divisions within two existing attic rooms, to create two bedrooms, each assessed off a newly created corridor and each with an en suite.

The application had been referred for determination by the Planning Committee as the applicant was a Member of Newark and Sherwood District Council.

Members considered the application and felt that the proposal was acceptable.

AGREED (unanimously) that listed building consent be approved, subject to the conditions and reasons contained within the report.

206. ANNUAL REPORT DETAILING THE EXEMPT REPORTS CONSIDERED BY THE PLANNING COMMITTEE

The Committee considered the report of the Deputy Chief Executive listing the exempt items considered by the Committee for the period 5 April 2016 to date.

The Committee agreed that the report considered on 5 April 2016 relating to Highfield Appeal Information, should remain confidential.

The report considered on 4 October 2016 regarding The Plough, Main Street, Coddington, should remain confidential.

The report deferred from the 7 March 2017 Planning Committee, relating to Forge House, Westgate, Southwell, should also remain confidential.

The Committee were also advised of Enforcement Case No. 12/00400/ENF, relating to Land off Moor Lane, South Clifton, Nottinghamshire, which had been considered at the 7 July 2015 Planning Committee. This report had been considered for the previous Annual Report period 2015/16, at the 5 April 2015 Planning Committee, where it was agreed that the report should remain confidential. The Chairman advised the Committee that as legal proceedings were still being undertaken regarding this

enforcement action, the report should remain confidential.

AGREED that:

- (a) the report considered on 5 April 2016 – Highfield Appeal Information and the report considered on 4 October 2016 – The Plough, Main Street, Coddington, remain confidential and exempt;
- (b) the report deferred on 7 March 2017 - Forge House, Westgate, Southwell, remain confidential and exempt; and
- (c) the report considered on 5 April 2015 - Enforcement Case No. 12/00400/ENF, relating to Land off Moor Lane, South Clifton, Nottinghamshire, remain confidential and exempt.

207. EXCLUSION OF THE PRESS AND PUBLIC

AGREED that under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of this 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.

208. FORGE HOUSE, WESTGATE, SOUTHWELL (ENFORCEMENT CASE No. 16/00222/ENF)

The Committee considered the report of the Deputy Chief Executive. The Planning Committee had refused the application at 25 January 2017 meeting. The Planning Committee were therefore asked to consider the enforcement options available, which were detailed within the report.

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

The meeting closed at 7.00pm

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **PLANNING COMMITTEE** held in the Council Chamber, Kelham Hall, Newark on Tuesday, 4 April 2017 at 4.00pm.

PRESENT: Councillor D.R. Payne (Chairman)
Councillor G.P. Handley (Vice-Chairman)

Councillors: R.V. Blaney, Mrs A.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: Councillors: Mrs L. Hurst and R.J. Jackson

209. APOLOGIES FOR ABSENCE

None submitted. All Members in attendance.

210. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Member/Officer

Agenda Item

Councillors: Mrs A.C. Brooks, G.P. Handley and D.R. Payne
Agenda Item Nos: 6 – Land at Gibson Crescent, Balderton (17/00217/FUL); 7 – Land Opposite 40-46 Wolfit Avenue, Balderton (17/00196/FUL); 10 – Land to the Rear of 12-16 Central Avenue, Blidworth (17/00194/FUL); and 11 – Land adjacent to 1 Whittaker Road, Rainworth (17/00193/FUL) Personal Interests as Directors of Newark and Sherwood Homes.

Councillor D.R. Payne
Agenda Item No. 14 – Land Adjacent to Newark R&M Cricket Club, Sports Ground, Kelham Road, Newark (16/02163/FULM) Personal Interest as Chairman of the Gilstrap & W.E. Knight Trustees.

Councillor J. Lee
Agenda Item No. 5 – Land to the Rear of Lowfield Cottages, Bowbridge Lane, Balderton (15/01250/OUTM) Personal Interest as family member had submitted an objection to the application.

211. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

212. MINUTES OF THE MEETING HELD ON 22 MARCH 2017

Minute No. 197 – Springfield Bungalows, Nottingham Road, Southwell (15/01295/FULM)

It was proposed and seconded that the following amendment be made to the fourth paragraph of the above minute.

First Line

Delete the wording “local ward Member” and replace with the wording “Acting Chair”

Fifth Line

Delete the word “himself” and replace with the word “his”

Delete the word “ongoing”

AGREED that, subject to the above amendment, the minutes of the meeting held on 22 March 2017 be approved as a correct record and signed by the Chairman.

(Having declared a Personal Interest in the following item, Councillor J. Lee left the meeting for the duration of Minute No. 213.)

213. LAND TO THE REAR OF LOWFIELD COTTAGES, BOWBRIDGE LANE, BALDERTON (15/01250/OUTM)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought outline planning permission with all matters reserved for residential development of the site for 35 dwellings.

A schedule of communication was tabled at the meeting, which clarified that the error in the previously submitted Viability Table had been rectified and that a revised table had been circulated after the agenda had been published.

Councillor Mrs L. Hurst, representing Balderton Parish Council, spoke against the application in accordance with the views of Balderton Parish Council, as contained within the report.

Members considered the application with some Members commenting that they were unable to support it as there was not a need for the development given recent five-year housing land supply updates. It was noted that the proposed development did not include any affordable housing element, or the other essential developer contributions towards infrastructure. Some members commented that if the development was for commercial purposes they may be more supportive. There were concerns that new build form should not be permitted south of the new link road, which was determinative of the extension of Newark’s urban area.

AGREED (with 11 votes for, 1 vote against and 1 abstention) that, contrary to Officer recommendation, outline planning permission be refused, for the reasons that the Council is confident of its 5-year housing land supply position in terms of the weighting to be attributed to its OAN and the delivery of housing to date. The proposed development was south of the new Southern Link Road to Newark and outside the residential and employment areas as defined in NAP2 of the adopted Local Plan. It was contrary to policies SP3 in respect of rural area development and also Police DN8. The development would not provide for appropriate infrastructure required to mitigate the impacts of the scheme given the clearly very marginal viability position.

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

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

214. LAND AT GIBSON CRESCENT, BALDERTON (17/00217/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought planning permission for the erection of a pair of semi-detached two storey 3 bed properties detailed on the application form to be social rented dwellings.

Councillor Mrs L. Hurst, representing Balderton Parish Council, spoke against the application in accordance with the views of Balderton Parish Council, as contained within the report, referring to the size of the proposed dwellings and whether they could be reduced.

The Chairman of the Committee acknowledged the comments of Councillor Mrs Hurst and advised that the Committee could only consider the application as presented but that he would discuss the issue with the applicant.

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

215. LAND OPPOSITE 40–46 WOLFIT AVENUE, BALDERTON (17/00196/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 three single storey dwellings comprising of a pair of semi-detached bungalows and one detached.

Councillor Mrs L. Hurst, representing Balderton Parish Council, spoke in favour of the application in accordance with the views of Balderton Parish Council, as contained within the report. She commented that there was concern in relation to access for the emergency services but that overall the Parish Council did not object.

In considering the application, Members discussed the issues surrounding the location of the proposed dwellings. Some Members commented that the site was suitable for development and would not be detrimental to existing dwellings. Other Members commented that the proposed site would lead to a loss of greenspace and that the layout was cramped and would represent overdevelopment of the area.

A vote was taken and lost to approve the application with 5 votes for, 8 votes against and 1 abstention.

AGREED (with 8 votes for, 5 votes against and 1 abstention) that full planning permission be refused for the reasons of loss of greenspace and overdevelopment.

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

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

216. ROBIN HOOD VIEW CARAVAN PARK, MIDDLE PLANTATION, BELLE EAU PARK, BILSTHORPE (17/00147/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought retrospective planning permission to undertake works to the west of the existing caravan park in order to facilitate the siting of a maximum of 15 additional touring caravans.

Councillor Radford representing Kirklington Parish Council was in attendance at the meeting and sought clarification on a number of issues that were of concern to the Parish Council. He advised the Committee that there was an ongoing issue with the disposal and leaking of sewage into a field adjacent to the site; both the reception and Site Manager's caravans were for sale which would indicate that there would be no on-site supervision in the future; the distance between the pitches was closer than that recommended by the Caravan Club; and the provision for some of the caravans indicated that they were for permanent caravans and not tourers.

Members considered the application and were in agreement that there were a number of issues which required further clarification. These were in relation to the leakage of sewage and its control (with reference to the EA permit which was in force); whether there was a restriction on the original permission in terms of no. of caravans stored (as opposed to being there for holidays); whether there was a condition on the 1996 consent relating to landscaping as the hedgerow has been removed; whether external lighting on the site required planning permission; and whether the current permission or proposed conditions would allow for caravans to be permanently on-site (currently the proposed condition controls occupation not the fact that caravans could be there).

AGREED (unanimously) that the application be deferred pending clarification on the above matters.

217. LAND ADJACENT TO DALE HOUSE, 4 DALE LANE, BLIDWORTH (17/00124/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought planning permission for the erection of a two storey dwelling.

A schedule of communication was tabled at the meeting, which detailed a proposed additional condition in relation to boundary treatments to be agreed with the LPA with the boundary treatment being installed on site prior to first occupation.

In considering the application Members raised no issues or points of clarification.

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

218. LAND TO THE REAR OF 12 – 16 CENTRAL AVENUE, BALDERTON (17/00194/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 demolition of the existing garage and the erection of one, two bed bungalow to be made available for the social rented (affordable) market.

A Member of the Committee commented that the proposed dwelling did not appear to make the best use of the site and requested that, as referred to previously in Minute No. 214, the Chairman pass the comments on to the applicant.

AGREED (with 13 votes for and 1 against) that full planning permission be approved subject to the conditions contained within the report.

219. LAND ADJACENT 1 WHITTAKER ROAD, RAINWORTH (17/00193/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 demolition of the existing garage court and the erection of two, one bed bungalows to be made available for the social rented (affordable) market.

A schedule of communication was tabled at the meeting, which detailed a proposed additional condition in relation to required land levels (existing and proposed) to be agreed given the slope on site.

In considering the application some of the Members commented that the proposed location on Whittaker Road was not suitable. The road was not of a standard width and was frequently already to capacity with parked cars. There was little or no opportunity for residents to erect garages of their own and some of the properties were too small to accommodate a vehicle being parked on their front gardens.

One Member asked how many of the 13 garages proposed for demolition were being used to park a vehicle. In response, Members were informed that 10 of the 13 garages were used in this way. Members noted that no comments had been received from the Highways Authority.

A Member of the Committee considered that the location of the proposed scheme was adequate and that the application should be granted in line with Officer recommendations.

A vote was taken and lost to refuse the application with 6 votes for, 6 votes against with 2 abstentions.

A vote was taken and lost to approve the application with 5 votes for, 7 votes against with 2 abstentions.

AGREED (with 12 votes for and 2 votes against) that the application be deferred pending further information on the number of garages that were occupied by NASH tenants or sub-let; the number of off-street spaces already provided for at houses along the street; and further comments from the highway authority to confirm that they are aware that up to 10 no. vehicles will be displaced onto the public highway.

220. BILLERICAY, 124 HIGH STREET, COLLINGHAM (17/00283/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought full planning permission for the erection of two detached two-storey dwellings on garden land currently associated with the residential property Billericay.

In considering the application Members commented that there was cause for concern in relation to the access to the proposed development. Members were advised that the existing access had been revised to ensure that there was an acceptable sightline.

AGREED (with 12 votes for, 1 vote against and 1 abstention) that full planning permission be approved subject to the conditions contained within the report.

221. SUNRISE, 63 MAIN STREET, GUNTHORPE (17/00300/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 to re-design and extend the current property.

Councillor R.J. Jackson, representing Gunthorpe Parish Council, spoke against the application in accordance with the views of Gunthorpe Parish Council, as contained within the report.

In considering the application some Members of the Committee commented that whilst the site required renovation the proposed design was not in keeping with the character of the neighbourhood. A differing opinion was put forward by a Member of the Committee, commenting that the property could act as a demarcation between the traditional character of properties in the location and those of a more modern character.

AGREED (with 9 votes for, 4 votes against and 1 abstention) that full planning permission be approved subject to the conditions contained within the report.

222. LAND ADJACENT TO NEWARK R&M CRICKET CLUB, SPORTS GROUND, KELHAM ROAD, NEWARK (16/02163/FULM)

The Committee considered the report of the Deputy Chief Executive which sought a change of use of agricultural land to recreational use to form a cricket pitch to be used in association with the existing pitch and pavilion.

A Business Manager informed Members that the proposal was for a new pitch and therefore Sport England were not a statutory consultee. The new pitch was agreed with the Cricket Club as a front loaded replacement provision given the potential loss of the cricket pitch at Bowbridge Road as a consequence of the proposed sports hub development.

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

223. APPEALS LODGED

AGREED that the report be noted.

224. APPEALS DETERMINED

AGREED that the report be noted.

The meeting closed at 6.40pm

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **PLANNING COMMITTEE** held in the Council Chamber, Kelham Hall, Newark on Tuesday, 9 May 2017 at 4.00pm.

PRESENT: Councillor D.R. Payne (Chairman)
Councillor G.P. Handley (Vice-Chairman)

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

ALSO IN

ATTENDANCE: Councillor: M. Buttery

225. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors J. Lee and B. Wells.

226. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Member/Officer

Agenda Item

Councillors: Mrs A.C. Brooks,
G.P. Handley and D.R. Payne

Agenda Item Nos: 5 – Land Rear of 76-78 Preston Road, Rainworth (17/00200/FUL); 8 – Garage Courts, Adj. 27-29 Almond Grove, Farndon (17/00042/FUL); 10 – Land to the Rear of 46-52 Windsor Close, Collingham (16/02175/FUL); and 13 – Whittaker Road, Rainworth (17/00193/FUL). Personal Interests as Directors of Newark and Sherwood Homes

Councillor R. Blaney

Agenda Item No. 14 – Gable House, Morton (17/00382/FUL), Personal Interest as the applicants parents are known to him.

227. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

228. MINUTES OF THE MEETING HELD ON 4 APRIL 2017

AGREED that the minutes of the meeting held on 4 April 2017 be approved as a correct record and signed by the Chairman.

229. ORDER OF BUSINESS

With the agreement of the Committee, the Chairman changed the order of business as follows: Agenda Items 6, 7, 9, 5, 8, 10, 13, 12, the agenda resumed its stated order thereafter.

230. BOUNDARY HOUSE, 2 SANDY LANE, EDWINSTOWE (17/00376/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site

visit prior to the meeting, which sought planning permission for the erection of a detached single storey bungalow on the land to the side of No. 2 Sandy Lane.

Members considered the application and concern was raised regarding the proximity of the house to the boundary hedgerow. The proposed house completely filled the plot. Concern was also raised regarding traffic as the road was a small adopted lane, which serviced thirteen houses.

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

231. BROOKLYN, LOWER KIRKLINGTON ROAD, SOUTHWELL (17/00383/OUT)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought outline planning permission for the erection of three new dwellings with access for approval and all other matters reserved.

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

Members considered the application and it was commented that the whole area was slowly being developed with housing. The Allocations and development options report specifically rejected this site as unsuitable for housing development. The site was close to housing development sites So/Ho/4 and So/Ho/5. The Franklyn site which was reported to be also adjacent to the site was also a speculative site for a development of four houses. It was felt that there would be a potential cumulative effect if this gateway site was approved. The proposals were also contrary to the Southwell Neighbourhood Plan, which stipulated the need for small houses. The application was in outline form, for three large detached houses and there was a clear indication in the report that smaller houses of two bedrooms or less would not be acceptable. It was commented that the Council had a five year housing supply with the allocated sites and it was felt that the application did not comply with Council policy.

AGREED (with 8 votes for, 3 votes against and 1 abstention) that contrary to Officer recommendation, full planning permission be refused for the following reasons:

- (i) Principle of development, greenfield site surrounding ad hoc residential and no proven need given the 5 year land supply position;
- (ii) Character, open space, piecemeal development, and ecological loss;
- (iii) Matters of inappropriate mix.

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

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

232. LAND AT GREEN LANE, NEWARK (16/01978/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought the change of use from an overgrown unused allotment, to construct a new dwelling.

Members considered the application and supported the Officer recommendation to refuse planning permission. Members agreed with the Nottinghamshire County Council Highways objection and felt that the character preservation of this area was essential. The application would also have a detrimental effect on the neighbouring properties.

(Councillor Mrs Y. Woodhead was not present for the duration of the Officer presentation and did not take part in the vote).

AGREED (with 11 votes for) that outline planning permission be refused, for the reasons contained within the report.

Having declared personal interests, the Chairman, Vice-Chairman and Councillor Mrs A.C. Brooks took no part in the discussion in relation to Minute Nos. 233, 234, 235, and 236. The Chairman sought Planning Committee approval, which was agreed unanimously for Councillor R.V. Blaney to act as Chairman for the duration of Agenda Items 5, 8, 10 and 13.

233. LAND TO THE REAR OF 76 -78 PRESTON ROAD, RAINWORTH (17/00200/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought planning permission for the erection of two, one bedroomed bungalows following the demolition of fifteen garages.

The Business Manager Growth & Regeneration informed the Committee that the two visitor parking spaces in front of the development had been removed as they were too tight for parking. The size of the garages was also confirmed which were smaller than the industry standard of 3 x 5 metres, although the Business Manager was not implying

that a car could not be parked within the garage. It was also confirmed that two of the garages were rented by social housing tenants with the remainder being privately rented.

Councillor M. BATTERY, local ward Member for Rainworth North & Rufford, spoke against the application on the grounds of parking issues created by the removal of the fifteen garages. It was commented that the garages contained asbestos and bats were also in habitation.

Members considered the application and commented that a bat survey would need to be undertaken if there was credible evidence of their presence. The asbestos removal would be removed in compliance with regulations. Members commented that the removal of the garages would increase on-street parking and traffic congestion. Concern was also raised regarding whether two one bedroom bungalows was the best use of the land or whether a pair of semi-detached houses would be more in keeping and would have a smaller footprint. A Member commented that there should be incentives for residents to put in drop kerbs in order for them to park their vehicles on their gardens. Concerns were also raised regarding the tall boundary wall which would be required when the garages were removed.

The Business Manager Growth & Regeneration confirmed that condition 4 would deal with the boundary issue, when removal took place of the shared wall. The housing stock also required one bedroomed bungalows in this location. A two storey house, whilst the footprint would be slightly smaller, would have a greater impact on the surrounding properties.

AGREED (with 7 votes for and 2 votes against) that full planning permission be approved, subject to the conditions contained within the report.

234. GARAGE COURTS, ADJ 27 – 29 ALMOND GROVE, FARNDON (17/00042/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought planning permission for the erection of a pair of semi-detached two bedroom bungalows with a pitched roof design.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the Planning Case Officer which identified that there was a Housing Needs survey for Farndon, which had not been addressed in the officer report.

The local ward Member informed the Committee that fourteen garages were being used to park vehicles and by removing the garages, would cause major parking issues within this area. He informed the Committee of a planning application that had been submitted for a development of houses a small distance away from the application, at Staveley Court and suggested that the item be deferred to allow Officers to consider that application and also to consider alternative solutions to car parking at the Almond Grove location.

It was suggested that the two local ward Members hold a meeting with the Planning Case Officer and Newark and Sherwood Homes to explore off street parking for this

location.

A vote was taken and lost to approve the planning permission, with 2 votes for and 7 votes against.

AGREED (unanimously) that the application be deferred pending the opportunity to explore additional off street parking provision with Newark and Sherwood Homes.

235. LAND TO THE REAR OF 46 – 52 WINDSOR CLOSE, COLLINGHAM (16/02175/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought planning permission for the erection of three, two bedroom dwellings. The proposed dwellings would be two storeys with a dual pitch roof design.

Members considered the application and considered the proposal was acceptable.

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

236. GEORGE STREET, NEWARK (16/02090/FULM)

The application had been withdrawn from the agenda and dealt with under delegated powers as the objection lodged by Newark Town Council had been withdrawn.

237. LAND ADJACENT 1 WHITTAKER ROAD, RAINWORTH (17/00193/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought full planning permission for the demolition of the existing garage court and the erection of two, one bed bungalows, to be made available for the social rented (affordable) market.

Councillor M. Buttery, local ward Member for Rainworth North & Rufford, spoke against the application on the grounds of parking issues that would be created by the removal of the fourteen garages, ten of which were currently being used to park vehicles. It was commented that the Planning Committee site visit bus could not get down the road to access the site due to the heavily congested parking on the road. It was commented that the parking problem was even worse at weekends. Concern was also raised regarding the increase in height to the proposed retaining wall, which would look unsightly. It was also commented that the residents did not want a replacement car park, they were happy with the garages. It was commented that £12,000 had been invested in felting the flat garage roofs, which would be a waste, especially if Newark and Sherwood Homes had been aware of the proposal for the redevelopment of the garages.

Members considered the application and concern was raised regarding where residents of Whittaker Road would park as on street parking was not achievable due to a slope and narrowness of the road.

AGREED (with 8 votes for and 1 vote against) that contrary to Officer recommendation, full planning permission be refused for the following reasons:

- (i) Difficult to access given narrowness of road, with vehicles parked on it at busy periods of time also being mindful of displacement of parking from the proposal;
- (ii) Topography, slope and position of proposed properties to surroundings having an undue visual impact and loss of amenity to neighbouring residents.

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

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

(Councillors Mrs A.C. Brooks, G.P. Handley and D.R. Payne returned to the meeting. Councillor D.R. Payne resumed Chairman).

238. ROBIN HOOD CARAVAN PARK, BILSTHORPE (17/00147/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought planning permission to undertake works to the west of the existing caravan park in order to facilitate the siting of a maximum of fifteen additional touring caravans.

The Business Manager Growth & Regeneration informed the Committee of the issue of sewage on the site. There were two septic tanks on the site and the current application did not require an additional septic tank. The contamination issue had been passed over to the Environmental Health Business Unit, which was pursuing the problem. The Business Manager informed Members that it was within their gift to ask for a management record to be maintained by way of condition.

Members considered the application and queried whether it was appropriate to agree planning permission for additional pitches when they were aware of a contamination issue on the fields.

The Business Manager Growth & Regeneration confirmed that the contamination was not a planning matter and should be dealt with separately.

A Member commented that there was obviously a problem with the septic tanks and that they were perhaps not being emptied as often as they should, or that they were leaking. Another Member commented that the contamination problem needed to be addressed before any further planning permission for pitches was allowed.

A Member commented that the Committee had been provided with current photographs showing human waste and associated toilet paper deposited on surrounding land and informed the Committee that he would refuse the application for that reason. If the applicant was minded to appeal the application, the Authority would inform the Planning Inspector that the applicant was spreading human waste on local fields. He felt that the Council should not condone these actions and should test the applicant on this matter.

A vote was taken and lost to approve planning permission, with 3 votes for, 8 votes against and 1 abstention.

AGREED (unanimously) that the application be deferred pending a report from the Environmental Health Business Unit, to the 6 June 2017 Planning Committee, with a note from the Planning Committee to the Director – Safety asking for this to be given urgent attention.

239. GABLE HOUSE, MORTON (17/00382/FUL)

The Committee considered the report of the Deputy Chief Executive which sought the erection of a four bedroom dwelling to the rear of Gable House.

A Member asked for the application to be deferred, in order for a site visit to take place.

AGREED (unanimously) that the application be deferred pending a site visit.

240. RULE NO. 30 – DURATION OF MEETINGS

In accordance with Rule No. 30.1, the Chairman indicated that the time limit of three hours had expired and a motion was proposed and seconded to extend the meeting.

AGREED (unanimously) that the meeting continue.

(Councillor Mrs A.C. Brooks left the meeting during the presentation of the following minute).

241. JANANDRA, HARBY (17/00280/OUT)

The Committee considered the report of the Deputy Chief Executive which sought outline planning permission for the erection of three bungalows on former agricultural land.

A schedule of communication was tabled at the meeting, which detailed

correspondence received after the agenda was published from the Agent.

Councillor Mrs J. Rose, representing Harby Parish Council, spoke in support of the application in accordance with the views of Harby Parish Council.

Members considered the application and it was felt that Harby was very successful in keeping their community services, which most other communities had lost. They had undertaken a community led plan, which had indicated the need for further housing in the village, as families had left the village, due to there being a shortage of family houses. The village was an SP3 village, but had a pub, shop, school and church. A voluntary car sharing scheme and mobile shop was also in place. It was commented that the report had indicated that the proposed dwellings would be in a flood zone; however there had been no reported flooding in the past. A Member commented on the characteristics of the street scene as the other properties along the main road faced the road. He felt uncomfortable with the private driveway off the main road, which would service the three properties and felt that the scheme would be more in keeping if the application was reduced to two dwellings and the properties could be positioned facing the road. Another Member commented on the need for the houses in the village and suggested that as the application was for outline planning permission, the arrangement of the properties could be altered.

The Business Manager Growth & Regeneration advised the Committee that the application before them was for three dwellings.

It was therefore suggested that the application be deferred for a site visit and to allow time for negotiations to take place with the applicant on behalf of the Committee to negotiate a reduction in site area (to remove the part of the site in the Flood zone and to restrict development to being sited along the frontage) and to seek a reduction in the number of proposed dwellings from three dwellings down to two dwellings for further consideration.

AGREED (with 10 votes for and 1 abstention) that the application be deferred pending a site visit.

242. SCHEME OF OFFICER DELEGATION FOR PLANNING APPLICATIONS FOR GYPSY AND TRAVELLER SITES

The Committee considered the report of the Deputy Chief Executive which considered amending the scheme of delegation to allow delegated decisions with respect to Gypsy and Traveller applications in circumstances where the Officer recommendation accords with the views of the Parish Council. They were also asked to consider amending the scheme of delegation in order to ensure that any comments from a Parish Council that would trigger a requirement to go to Planning Committee constitute a material consideration.

The current Planning Committee Scheme of Delegation, reproduced at Appendix A to the report, did not allow for Officer delegation to determine planning applications relating to Gypsy and Traveller sites, irrespective of whether the Officer recommendation was agreed by all consultees involved, including the relevant Town or Parish Council. Delegated decision making in respect of Gypsy and Traveller pitches

was expressly excluded in section 1.

Section 2 of the Scheme of Delegation allowed Officer delegation in certain circumstances, including where the recommendation was in accordance with the views of the relevant Town or Parish Council. Gypsy and Traveller applications, (which were categorised for the avoidance of doubt as DCLG code 17) were not included. This was not the case for all other residential development whereby Officers could exercise delegated authority if their recommendation was in accordance with the views of the relevant Parish or Town Council. The reasons for the exclusion of Gypsy and Traveller applications from this section were unknown albeit this had been the case for at least 10 years given that previous DCLG codes were referred to.

It was recommended that the scheme of delegation be revised in order to ensure that planning applications for Gypsy and Traveller pitches were treated the same way as any other residential planning application in that Officers be permitted to determine the application under delegated powers in circumstances where that decision was in accordance with the wishes of the relevant Town or Parish Council. Suggested changes to the current scheme of delegation were detailed at Appendix A to the report, using underlined text.

With respect to Parish or Town Council comments, the current scheme of delegation required that certain planning applications be determined by the Planning Committee in circumstances where the Officer recommendation was different to the views of the relevant Town or Parish Council. The vast majority of Town or Parish Council comments did focus on material planning considerations, albeit this was not always the case (e.g. the parish do not want any more houses, or the parish felt that there was a better alternative use for a site). Elected Members were required to cite a material planning reason in order to reserve a particular application to a Planning Committee. It was recommended that Parish and Town Councils should be required to do the same, as detailed in the bold text detailed in Appendix A to the report.

AGREED (unanimously) that:

- (a) the scheme of delegation be amended as detailed at Appendix A of the report; and
- (b) the proposed amendment to the scheme of delegation in respect of comments/objections from Parish Councils be communicated to Parish and Town Councils and that the Business Manager – Growth & Regeneration writes to all Town and Parish meetings to explain the changes and to set out examples of what can and cannot be considered as a material planning consideration as set out in Appendix B of the report.

243. APPEALS LODGED

AGREED that the report be noted.

244. APPEALS DETERMINED

AGREED that the report be noted.

The meeting closed at 7.08pm

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the meeting of the **AUDIT & ACCOUNTS COMMITTEE** held in Room G21, Kelham Hall on Wednesday, 26 April 2017 at 10:00am.

PRESENT: Councillor Mrs S.M. Michael (Chairman)

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

ALSO IN

ATTENDANCE: Nicky Lovely - Business Manager & Chief Financial Officer - Financial Services (NSDC)
John Sketchley - Audit Manager (Assurance Lincolnshire)
Lucy Pledge (Audit and Risk Manager (Head of Internal Audit) Assurance Lincolnshire)
Jonathan Gorrie - Director (KPMG)
Helen Brookes - Manager (KPMG)
Nicola Pickavance - Assistant Business Manager - Financial Services (NSDC)

50. APOLOGIES FOR ABSENCE

Apologies for absence were received from G.P. Handley.

51. 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.

52. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

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

53. MINUTES OF MEETING HELD ON 8 FEBRUARY 2017

AGREED that the Minutes of the meeting held on 8 February 2017 be approved as a correct record and signed by the Chairman.

54. STATEMENT OF ACCOUNTING POLICIES

The Assistant Business Manager- Financial Services presented a report detailing updates made to the Council's accounting policies in relation to the closedown of the 2016/17 financial year. The changes were detailed in the report to Members, and the amended policies would be used to produce the figures in the Statement of Accounts.

Minor amendments have been made to

- IFRS 11 Joint Arrangements
- IAS 19 Property, Plant and Equipment
- IAS 38 Intangible Assets

- IAS 19 Employee Benefits

A new policy, 1.9 Employee Benefits Payable during Employment, had been included within the Council's policies for 2016/2017. The policy described the process by which the Council accrued for the cost of untaken leave at the end of the financial year. The policy was in accordance with IAS 19 Employee Benefits.

Another new policy, 1.21 Council Tax and Non Domestic Rates had been introduced to clarify the Council's position in respect of how it accounted for both Council Tax and NDR. The Policy had not been introduced as a result of any code changes but rather following the review of policies in the lead up to the 2016/2017 year end.

AGREED (unanimously) that Members approve the amended Statement of Accounting Policies for 2016/17.

55. IAS19 UNDERLYING PENSION ASSUMPTIONS FOR 2015/16 STATEMENT OF ACCOUNTS

The Assistant Business Manager- Financial Services presented a report relating to the assumptions made by the pension fund actuary in calculating the IAS 19 figures (International Accounting Standard 19- Employee Benefits) to be reported in the 2016/17 Statement of Accounts. Members' attention was drawn to some updated figures for financial assumptions and demographic assumptions.

The Council used the calculated costs and the underlying assumptions based on the advice of the actuary of the Nottinghamshire County Council Pension Fund, Barnett Waddingham, and the administering authority, Nottinghamshire County Council.

AGREED (unanimously) that Members note and approve the assumptions used in the calculation of pension figures for 2016/17.

56. PROPOSED STATEMENT OF ACCOUNTS TRAINING SESSION

The Committee considered a date for a training session to cover their role in approving the annual Statement of Accounts. It was currently a statutory requirement for the Statement of Accounts to be approved and published by 30 September each year.

AGREED (unanimously) that the Statement of Accounts training session be held Thursday 20 July 2017, at 9:30am.

57. INTERNAL AUDIT PROGRESS REPORT 2016/17

The Audit Manager (Assurance Lincolnshire) presented the Internal Audit Progress report. Of the 24 audits included, 14 were complete, 7 at draft stage, 1 audit had been agreed but then delayed, and the remainder postponed until 2017/18. Members were informed that the plan was now 91% complete.

Members were informed that the delayed audit was for Emergency Planning, and a date to complete the audit had not been arranged. One of the postponed audits also related to the same Business Unit as well as two overdue actions. The Committee agreed that the Director- Safety be requested to attend the next meeting of the

Committee to update them on any issues within the Business Unit.

Of the outstanding recommendations, all had work on-going and revised dates had been implemented. The report also detailed a piece of consultancy work undertaken in relation to Business Continuity Planning that had been undertaken.

AGREED (unanimously) that the report be noted and the Director-Safety be invited to the next meeting of the Committee.

58. EXTERNAL AUDIT PROGRESS REPORT AND TECHNICAL UPDATE

Jonathan Gorrie and Helen Brookes (KPMG) presented the External Audit Progress Report and Technical Update. The progress report detailed the work undertaken since the meeting of the Committee in February 2017 and work due to commence over the next quarter. The technical update detailed developments and issues that may impact the authority including Business Rates Retention, which was rated as medium impact, but the result of this was not yet certain.

AGREED (unanimously) that the report be noted.

59. EXTERNAL AUDIT PLAN 2016/17

Jonathan Gorrie and Helen Brookes (KPMG) presented the External Audit Plan which included the financial statements audit planning detailing the risk assessment and significant audit risks. The risk identified two standard risks for all organisations which were management of override controls and fraudulent revenue recognition. Significant audit risks were identified as significant changes in the pension liability due to LGPS Triennial Valuation and provision for business rates appeals. The plan also detailed the review of value for money arrangements and significant value for money risks.

Other matters detailed within the plan were whole of government accounts, elector challenge and the audit fee which was unchanged.

AGREED (unanimously) that the report be noted.

60. INITIATING THE ANNUAL REVIEW OF THE EFFECTIVENESS OF THE INTERNAL AUDIT FUNCTION

The Business Manager & Chief Financial Officer - Financial Services presented a report outlining the process for undertaking the review of the effectiveness of the Internal Audit function. The review had last been undertaken in 2015 and was undertaken biennially.

AGREED (unanimously) that

a) a joint Member/Officer Working Group be convened to undertake the review of effectiveness of internal audit comprising the Chairman, Councillor Handley and the Business Manager & Chief Financial Officer - Financial Services.

b) the group be tasked to undertake a review of the internal audit function against the PSIAS;

c) the group carry out a self-assessment of the effectiveness of the Committee using the CIPFA checklist and considering the previous action plan;

d) agree that the meeting of the Working Group be held on Wednesday 10 May 2017, 9:30am.

61. COUNTER FRAUD ACTIVITY REPORT

The Business Manager and Chief Financial Officer- Financial Services presented a report detailing counter fraud activity, explaining that expected Court costs since October 2016, were around £20,000. The committee heard that it was not possible to assign exactly which court costs related to which recovery, as recovery payments were often made over a period of time. The Committee also heard information relating to the Fighting Fraud Locally Strategy and a recent internal review which had given substantial assurance to the Councils counter fraud arrangements. The Committee also noted that work was ongoing to identify future proactive counter fraud projects that could be undertaken, using information obtained during the refresh of the fraud risk register. This would be undertaken by Assurance Lincolnshire.

AGREED (unanimously) that the report be noted.

62. AUDIT COMMITTEE WORK PROGRAMME

The Committee considered the work programme detailing items to be considered during their meetings throughout the municipal year.

AGREED that the Work Plan be noted.

63. DATE OF NEXT MEETING

NOTED that the date of the next meeting was Wednesday, 26 July 2017, at 10am in G21.

The meeting closed at 10.48am.

Chairman