

Date: 2nd November 2015

Dear Sir/Madam,

COUNCIL MEETING – 10TH NOVEMBER 2015

Notice is hereby given that a meeting of the Newark and Sherwood District Council will be held in the Council Chamber, Kelham Hall on Tuesday, 10th November 2015 at 6.00pm.

Yours faithfully



A.W. Muter
Chief Executive

AGENDA

Pages

- | | | |
|----|--|------------------|
| 1. | Apologies for absence | |
| 2. | Minutes of the Meeting held on 22 nd September 2015 | 1 – 3 (4 Exempt) |
| 3. | Declarations of Interests by Members and Officers | |
| 4. | Declaration of any Intentions to Record the Meeting | |
| 5. | Communications which the Chairman or the Chief Executive may wish to lay before the Council | |
| 6. | Communications which the Leader of the Council and Committee Chairmen may wish to lay before the Council | |
| 7. | Questions from Members of the Public | |
| 8. | In accordance with Rule No. 10 to receive Petitions from Members of the Council (if any) | |

| | | |
|-----|--|--------|
| 9. | Continued Absence – Councillor G. Brooks | 5 |
| 10. | Proposed Change to the Constitution | 6 - 7 |
| 11. | East Midlands Devolution Deal | 8 - 11 |
| 12. | Notices of Motion (if any) | |
| 13. | Questions from Members of the Council | |

DELEGATED DECISIONS

| | | |
|-----|---|-------------------------------|
| 14. | (a) Policy & Finance Committee – 5 th November 2015 | PF1 – PF8 (PF9 – PF13 Exempt) |
| | (b) Economic Development Committee – 21 st October 2015 | ED1 – ED8 |
| | (c) Leisure & Environment Committee – 27 th October 2015 | LE1 – LE6 (LE7 Exempt) |
| | (d) Planning Committee | |
| | (i) 6 th October 2015 | PL1 – PL7 |
| | (ii) 3 rd November 2015 | PL8 – PL12 |
| | (e) Audit & Accounts Committee – 4 th November 2015 | AA1 – AA5 |
| | (f) Councillors’ Commission – 20 th October 2015 | CC1 – CC3 |

NOTES:

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

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **NEWARK & SHERWOOD DISTRICT COUNCIL** held in the Council Chamber, Kelham Hall, Newark on Tuesday, 22 September 2015 at 6.00pm.

- PRESENT: Councillor I. Walker (Chairman)
Councillor A.C. Roberts (Vice-Chairman)
- Councillors: Mrs K. Arnold, D. Batey, R.V. Blaney, Mrs C. Brooks, Mrs I. Brown, M. Buttery, M. Cope, Mrs R. Crowe, R. Crowe, Mrs G.E. Dawn, Mrs M. Dobson, P.C. Duncan, G.P. Handley, 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. Thompson, Mrs L.J. Tift, Mrs A.A. Truswell, K. Walker, B. Wells and Mrs Y. Woodhead.
- APOLOGIES FOR ABSENCE: Councillors: Mrs B.M. Brooks, G. Brooks, D. Clarke, K. Girling, D. Staples and T. Wendels.

27. MINUTES

AGREED that the minutes of the meeting held on 21 July 2015 be approved as a correct record and signed by the Chairman.

28. DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

NOTED the interests declared as shown in the schedule circulated at the meeting.

29. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

30. COMMUNICATIONS FROM THE CHAIRMAN AND CHIEF EXECUTIVE

The Chairman advised Members that he had represented the District Council at two events over the past few weeks, the Southwell Music Festival and an Open Day at Rainbows Hospice.

In addition he advised that he had judged a competition for Lincoln College architecture students who had put forward models and drawings of their interpretations of how Newark Castle should look in the future. He advised that a presentation would be made to the winning student at 5.45pm prior to the start of the next Council Meeting on 10 November 2015 and encouraged all Members to attend.

31. COMMUNICATIONS FROM THE LEADER OF THE COUNCIL AND COMMITTEE CHAIRMEN

Councillor A.C. Roberts advised all Members that a further visit to the new Newark Leisure Centre had been arranged for Thursday 8 October at 2.00pm. He advised Members to contact Democratic Services if they wished to attend.

32. DELEGATED DECISIONS

- (a) Policy and Finance Committees – 28 July and 10 September 2015
- (b) Economic Development Committee – 9 September 2015
- (c) Homes & Communities Committee – 7 September 2015
- (d) Leisure and Environment Committee – 15 September 2015
- (e) General Purposes Committee – 3 September 2015
- (f) Licensing Committee – 3 September 2015
- (g) Planning Committees – 4 August, 11 August and 8 September 2015

In presenting the Minutes Councillor D. R. Payne advised that the Councillors' Commission had discussed means of reducing the number of additional Planning Committees and a subsequent report would be submitted to the next meeting of the Committee.

- (h) Audit and Accounts Committee – 9 September 2015
- (i) Standards Committee- 16 September 2015
- (j) Councillor's Commission – 15 September 2015

- (i) Minute No. 4 – ICT Equipment for Members

Councillor R.V. Blaney advised that the Councillors' Commission were likely to make a recommendation to Council that all Members be provided with a windows based device and that all Members must use their designated District Council email address to receive all electronic information issued by the Council.

Councillor Mrs G. Dawn stated that she had voted against the proposal by the Councillors' Commission as she was unable to receive an assurance that paper copies of agendas would still be made available to Members.

33. EXCLUSION OF 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 remaining delegated decisions 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.

Meeting closed at 6.38pm.

Chairman

COUNCILLOR G. BROOKS – CONTINUED ABSENCE

1.0 Purpose of Report

- 1.1 To consider approving Councillor G. Brooks continued absence as provided by Section 85 of the Local Government Act 1972.

2.0 Background Information

- 2.1 Councillor G. Brooks has been absent from Council meetings due to illness. His last attendance was at the meeting of the Homes & Communities Committee held on 15th June 2015.

- 2.2 Section 85 of the Local Government Act 1972 provides that:-

“..... if a Member of a local authority fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a Member of the authority.”

- 2.3 The six month period referred to in Section 85 of the Local Government Act expires on 15th December 2015. Other than the actual date of the expiry of the six month period, this is the last scheduled Council Meeting in this period.
- 2.4 Prior to the end of the six month period there are two further scheduled meetings of which Councillor G. Brooks is a member. These are the meetings of the Licensing & General Purposes Committees to be held on 10th December 2015 and the Homes & Communities Committee to be held on 30th November 2015.

3.0 RECOMMENDATION

That the Council consider whether to approve Councillor G. Brooks continued absence due to illness in accordance with Section 85 of the Local Government Act 1972.

Background Papers

Nil

For further information please contact Kirsty Cole on extension 5210.

Kirstin H Cole
Deputy Chief Executive

PROPOSED CHANGE TO THE CONSTITUTION

1.0 Purpose of Report

- 1.1 To approve a change to the Council Procedure Rules in respect of the substitution of Members on committees.

2.0 Introduction

- 2.1 The Councillors' Commission, at its meeting on 20th October 2015, considered possible changes to the rule around substitution of Members on committees.
- 2.2 Rule 33 of the Council's Procedure Rules deals with the substitution of Members at meetings of the Policy & Finance Committee, Economic Development Committee, Leisure & Environment Committee and Homes & Communities Committee.
- 2.3 Council Procedure Rule 33.6 clearly states that it is the responsibility of the ordinary Member who cannot attend to make arrangements for a substitute to be present in his/her place and to notify the Proper Officer of the proposed substitution at least 48 hours before the meeting concerned. However the Councillors' Commission considered that in practice it has been the Chairman of the relevant Committee or the Group Leader who has given the notice of the substitution rather than the Member concerned.
- 2.4 In addition the Commission considered that in some cases it was not always possible to give 48 hours' notice of a proposed substitution. As such the Commission were recommending that this be reduced to 24 hours' notice.

3.0 Proposal

- 3.1 The Commission are recommending that Council Procedure Rule 33.6 be revised to read as follows:

"33.6 The Ordinary Member who cannot attend, the relevant Group Leader, the relevant Committee Chairman or relevant Opposition Spokesperson have the responsibility to make arrangements for the substitute to be present in the place of the Member who cannot attend and to notify the Proper Officer of the proposed substitution at least 24 hours before the meeting concerned. Substitution must be for the whole of the meeting. The attendance of substitute Members should be recorded in the minutes of the meeting."

4.0 RECOMMENDATION

That the proposed change to Council Procedure Rule 33.6, as set out above and as recommended by the Councillors' Commission be approved.

Background Papers

Nil

For further information please contact Kirsty Cole on extension 5210.

Kirstin H Cole
Deputy Chief Executive

EAST MIDLANDS DEVOLUTION DEAL

1.0 Purpose of Report

- 1.1 To update Members on the current position on the devolution deal negotiations with Government.
- 1.2 To delegate authority to the Chief Executive in consultation with the Leader of the Council to continue negotiating with Government and to enter into an “in principle” agreement.
- 1.3 To note that final ratification of the devolution deal will need the approval of the Full Council as well as changes in legislation currently included in the Cities and Local Government Devolution Bill.

2.0 Introduction

- 2.1 On 4th September 2015, a joint bid on behalf of all 19 local authorities and the D2N2 Local Enterprise Partnership in the Derbyshire and Nottinghamshire area was submitted to Government for the devolution of more economic powers and resources and greater control over our own affairs. This followed on from discussions over the previous 12 months about the formation of Combined Authorities in Nottinghamshire and Derbyshire and a devolution prospectus which was sent to Government in March 2015.
- 2.2 Negotiations with the Government on a devolution deal for the area have now reached an advanced state with more detailed discussions on the detail of the powers that would be devolved. A delegation of senior members and officers, met with ministers on 19th October 2015.
- 2.3 Devolution deals have already been announced for the Greater Manchester and South Yorkshire Combined Authorities and most recently the North East and Tees Valley Combined Authorities. All of these require directly elected mayors with elections scheduled for May 2017. All devolution deals and the powers and funding attached to them will be subject to the Comprehensive Spending Review, consultation with residents in the area on the deal proposal and agreement from the local authorities. Deals will also be subject to enactment of the necessary legislation, including the Cities and Local Government Devolution Bill.
- 2.4 It is expected that those deals currently subject to extensive negotiations, including a Derbyshire and Nottinghamshire deal, will be announced in time for the Comprehensive Spending Review on 25th November 2015.
- 2.5 During the negotiations Government have commented that the name D2N2 is confusing and does not readily identify the areas covered by the deal. As a result of those concerns the Local Authority leaders have proposed that the deal should be renamed as “The East Midlands (Derbyshire Nottinghamshire) Deal” and all future publicity and correspondence on the deal would carry this nomenclature.

3.0 What would a Devolution Deal deliver?

- 3.1 The D2N2 devolution prospectus, which was submitted to Government in March, outlined the type of powers and funding streams that partners would wish to be devolved in a deal in order to significantly improve economic growth. The five themes of the prospectus are Skills to Employment, Built Environment, Transport, SMART infrastructure and Enterprise. The March prospectus was reviewed and further detailed information and proposals have been negotiated and agreed across the 19 local authorities by leaders and chief executives and included as part of the September submission. The prospectus and September submission are available as background papers.
- 3.2 In addition to the five themes, and in line with proposals being developed in other parts of the country, public sector reform was added as a further theme for negotiation as part of the September submission. These reforms will be subject to further detailed negotiations. The deal is likely to simply state that these are possible options for future discussions. However early decisions will be required on the Police and Crime Commissioner responsibilities. If these are to be devolved to any newly created Mayoral role, it is likely that Government will postpone the 2016 PCC elections as a result.
- 3.3 Negotiations are continuing at pace with Government and details of the draft deal will be available in the coming days.

4.0 Governance

- 4.1 The Government has explicitly stated that significant powers would only be devolved if a directly elected mayor is created as they are of the view that this ensures clear accountability over powers, functions and funding that is devolved from national government to the local level.
- 4.2 The directly elected mayor would act as Chair to a single Combined Authority for the area. The mayor, in conjunction with the Combined Authority, would exercise the powers and functions devolved from Government. The earliest a mayoral election could take place is May 2017.
- 4.3 There is no intention to transfer existing powers from local authorities to the new Combined Authority. Combined Authority legislation allows for powers to be held concurrently by local councils and the Combined Authority and this is the preferred model for local councils across Derbyshire and Nottinghamshire. Local Government powers used by the Combined Authority are likely to be exercised by the local authority leaders rather than the mayor who will exercise powers devolved down from Government.
- 4.4 The mayor and the Combined Authority will be held to account by an Overview and Scrutiny Committee. He or she will be required to consult the Combined Authority on his or her plans, which the Combined Authority could reject if two-thirds of its members vote against the proposals. The Combined Authority would also examine the mayor's spending plans and could amend these if two-thirds or more of its members agree to do so.
- 4.5 Proposals for decision by the Combined Authority could be put forward by the mayor or any member of the Combined Authority. The mayor would have one vote as would other voting members.

5.0 Geography

- 5.1 Negotiations with Government have clarified that a significant devolution deal would require a single combined authority operating across Derbyshire and Nottinghamshire, giving the area sufficient scale to utilise the powers and resources available. The electorate for the areas of the constituent councils across Derbyshire and Nottinghamshire would elect the mayor.
- 5.2 The constituent members of the D2N2 area are Amber Valley Borough Council, Ashfield District Council, Bassetlaw District Council, Bolsover District Council, Broxtowe Borough Council, Chesterfield Borough Council, Derby City Council, Derbyshire County Council, Derbyshire Dales District Council, Erewash Borough Council, Gedling Borough Council, High Peak Borough Council, Mansfield District Council, Newark and Sherwood District Council, North East Derbyshire District Council, Nottingham City Council, Nottinghamshire County Council, Rushcliffe Borough Council and South Derbyshire District Council.

6.0 Timetable – next steps

- 6.1 The draft deal documentation is expected the week beginning 2nd November and an announcement on the deal, if it is agreed, will be made in line with the Comprehensive Spending Review on 25th November 2015.
- 6.2 A full implementation plan covering each policy agreed in the Deal would need to be developed that would include the timing and proposed approach for monitoring and evaluation of each policy.
- 6.3 Elections for a mayor could be held in May 2017 although this is subject to agreement and the implementation timetable.
- 6.4 As stated above a public consultation exercise will be required with residents of the D2N2 area before final confirmation of the deal.
- 6.5 It is important to note that whilst deals are on offer the Government cannot deliver on the deal requirements until changes in legislation are made. The Cities and Local Government devolution bill is currently awaiting its third reading in the House of Commons.
- 6.6 At this stage therefore approval is sought for delegated authority to the Chief Executive in consultation with the Leader of the Council to continue to negotiate with government to obtain the best deal possible for the Derbyshire and Nottinghamshire area and to sign any deal document prior to the expected 25th November announcements. It is important to note that any such document will be subject to ratification by all 19 Authorities full council as well as the required changes in legislation before it becomes binding on Authorities.

7.0 RECOMMENDATIONS That:

- (a) the Council notes the progress towards a devolution deal for Derbyshire and Nottinghamshire;**

- (b) delegated authority be given to the Chief Executive in consultation with the Leader of the Council to continue negotiations and to sign the devolution deal, subject to ratification of the deal by the Full Council;**
- (c) a further report to update Members be brought to the Policy & Finance Committee following the expected announcement on or before 25th November 2015; and**
- (d) a report to consider the final agreement of the deal be brought to Full Council after the necessary changes in legislation and conclusion of a detailed deal document.**

Background Papers

Devolution Prospectus
Bid documentation

For further information please contact Andrew Muter on ext. 5200.

Andrew Muter
Chief Executive

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **POLICY & FINANCE COMMITTEE** held in Room G21, Kelham Hall, Newark on Thursday 5 November 2015 at 6.00pm.

PRESENT: Councillor R.V. Blaney (Chairman)
Councillor D.J. Lloyd (Vice- Chairman)

Councillors: R.J. Jackson, R.B. Laughton, A.C. Roberts, D. Staples and Mrs A.A. Truswell.

ALSO IN ATTENDANCE: Councillors: P.C. Duncan and T. Wendels.

47. APOLOGIES FOR ABSENCE

There were no apologies for absence.

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

Councillor R.J. Jackson declared a personal interest in respect of Agenda Item No. 14 – Newark Livestock Market. Councillor A.C. Roberts declared a disclosable pecuniary interest in respect of Agenda Item No. 7a – Car Park Fees.

49. DECLARATIONS OF INTENTIONS TO RECORD THE MEETING

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

50. MINUTES FROM THE MEETING HELD ON 10 SEPTEMBER 2015

The minutes from the meeting held on 10 September 2015 were agreed as a correct record and signed by the Chairman.

51. MEMBER TRAINING AND DEVELOPMENT

The Committee considered the report of the Deputy Chief Executive which provided an overview of the arrangements for Member training and development and sought to agree a mechanism for approving funding requests to attend training and events.

The Member Training and Development Task & Finish Group, at its meeting held on 9 September 2015, made recommendations as to the arrangements for approving funding for future training and development. The Task & Finish Group strongly endorsed the East Midlands Councils Regional Training Programme and also considered that the LGA Conference should be the only approved conference/course for 2015/16. In addition they considered a mechanism in respect of the approval of one-off requests by Members to attend training and events. A proposed procedure for this was set out in the report.

AGREED (unanimously) that:

- (a) the only approved conference/course for 2015/16 be the LGA Conference (one Member only);
- (b) the mechanism set out in the body of the report for considering Member training requests be formally adopted;
- (c) Members be proactively encouraged to attend the East Midlands Councils Regional Training events under their Knowledge Based Programme;
- (d) if more than two Members wish to attend a particular event under the Knowledge Based Programme, the same approval mechanism be adopted as that for approval of one-off requests to attend training events; and
- (e) if Members wish to attend training hosted by East Midlands Councils which does not form part of the Knowledge Based Programme, the request would be considered using the same mechanism as for approval of one-off events.

Reason for Decision

To agree an approval mechanism for Members who wish to attend training and events and to determine any approved conferences to support 2015/16.

52. PROPOSALS TO EXTEND THE CURRENT GARDEN WASTE SCHEME

The Director - Communities presented a report concerning proposals to expand the garden waste collection service. Over the last 2 years the Council had introduced a garden waste collection service throughout much of the District. This had been introduced using existing resources and working in partnership with Rushcliffe and Mansfield District Councils to provide a service to the south and west of the District whilst using efficiency savings to grow the Council's own service in Balderton, Fernwood and parts of Newark.

It was considered that there was little capacity left within existing services for expansion and pressure on the existing refuse services was growing as more houses were built. Therefore the only realistic method of expanding the garden waste scheme was to provide an additional vehicle and crew. It was estimated that this would cost £114,250 per annum. However this figure would reduce as a result of new customers joining the scheme as had been the experience of Mansfield and Rushcliffe. Based on the experience of the Mansfield and Rushcliffe schemes operating in our District it was reported that the service should become cost neutral in the medium to long term but predicting when this would occur was dependent upon the pace of uptake of the service.

A budget commitment of £142,250, including marketing, would be required in the first year of the service but this may be partially offset by an income of around £78,000 from service users around £55,000 of which would be new income. In addition Nottinghamshire County Council had confirmed that they were prepared to make a revenue contribution of £30,000 as part of their partnership / incentivisation policy to assist the Council in the introduction of the proposed expansion of the garden waste scheme. This was to be welcomed and it would help offset some of the revenue cost of introducing the scheme particularly in the purchase of additional brown wheeled bins.

If an expanded service was to launch in April 2016 a decision was required at this meeting. The proposal to expand the service was recommended for approval by the Leisure & Environment Committee following their decision at their meeting held on 27 October 2015.

AGREED (unanimously) that the proposal for the expansion of the District Council's Garden Waste Service be approved.

Reason for Decision

To provide a consistent service to all residents across the District.

53. PAY TO STAY - FAIRER RENTS IN SOCIAL HOUSING

The Business Manager – Strategic Housing presented a report concerning the Department for Communities & Local Government (DCLG) consultation document - 'Pay to Stay: Fairer Rents in Social Housing'. The report summarised the contents of the consultation document and set out a proposed Council response. It was noted that the proposed regulations to implement this Policy featured in the Housing and Planning Bill which was published on 13 October 2015.

In presenting the report the Business Manager – Strategic Housing highlighted the issues around tapering, administering the scheme and the impact upon the Housing Revenue Account Business Plan.

Additional comments made by the Committee related to the proposals having no relationship to universal credit; that there was no attempt to look at the definition of social housing in planning policy; and the definition of household income was too low.

AGREED (unanimously) that:

- (a) the report be noted; and
- (b) the proposed responses to the 'Pay to Stay' consultation, set out in section four of the report, be approved together with the additional comments made by the Committee.

Reason for Decision

For the Council to consider the impact of the Housing and Planning Bill (October 2015) and in this instance the implementation of the 'Pay to Stay' Policy.

54. CAR PARK FEES

In accordance with Section 100(B)(4)(b) of the Local Government Act 1972, the Chairman agreed to take this item as a late item of business in order to enable the concessionary Christmas parking in Newark and amended car parking fees and charges in 2016/17 to be implemented.

The Director - Communities presented a report which sought to approve changes in car parking tariffs and Christmas car parking concessions in Newark for 2015. At their meeting held on 21 October 2015 the Economic Development Committee considered a report in relation to car parking. A copy of this report was attached as an Appendix. The report provided information in respect of the outcome of a six month revised tariff trial in Newark car parks and sought a determination of changes to the car, motor cycle and lorry tariffs and potential Christmas car parking concessions for Newark and Southwell. Appendix A to the Economic Development Committee report set out the proposed fees for 2016/17.

The Council's budget process required that only the Policy & Finance Committee could vary the levels of fees and charges during the financial year and also that the fees and charges should not normally be varied during the financial year. It was necessary to seek approval at this time as the Council was required to carry out a revision of the Car Parking Order and statutory notification process and amend ticket machine software and signage, which could take upwards of 3 months before any changes to the car and lorry parking charges may be implemented.

AGREED (unanimously) that:

- (a) the car parking tariffs as set out in Appendix A (to the report to the Economic Development Committee) for 2016/17 be approved; and
- (b) the Christmas car parking concessions in Newark be approved – these being the four Sundays prior to Christmas commencing from the 29 November 2015.

Reason for Decision

To agree suitable car and lorry parking tariffs for Council car parks for 2016/17 and to determine car parking concessions for December 2015.

(Having declared a disclosable pecuniary interest in this item Councillor A.C. Roberts left the meeting during its consideration.)

55. MINUTES FROM THE MEETING OF THE STRATEGIC HOUSING LIAISON PANEL HELD ON 2-SEPTEMBER 2015

The Committee considered the minutes from the meeting of the Strategic Housing Liaison Panel held on 2 September 2015.

AGREED (unanimously) that the minutes be noted.

Reason for Decision

To ensure Members of the Policy & Finance Committee remain up to date and aware of issues considered by the Strategic Housing Liaison Panel.

56. MOVING AHEAD PROGRAMME UPDATE

The Programme Manager – Moving Ahead presented a report which provided an update in respect of the Moving Ahead Programme, specifically in the approach taken in relation to staff engagement. One element of the Programme was to ensure that all staff were fully engaged and prepared for the move to the new office. To facilitate this level of engagement a suite of ‘My’ themes had been designed. These comprised of ‘My’ Travel; ‘My’ Work; ‘My’ Customers; ‘My’ Office; and ‘My’ Colleagues. Further details about these themes were given in the report. Staff would be given an opportunity to join a small working group for each of these themes to look at the challenges the new ways of working and environment will bring and help to design the solutions to those challenges.

It was also understood that further engagement was required with Members. Whilst regular update reports would be brought to the Policy & Finance Committee, a wider engagement was needed to ensure all Members had the opportunity to engage with the project. It was therefore suggested that a ‘My’ Council theme was developed for Members.

AGREED (unanimously) that the report be noted and further progress reports on the Moving Ahead Programme be brought to all future meetings of the Committee.

Reason for Decision

To ensure that the Policy & Finance Committee are kept fully informed of the Moving Ahead Programme and all work undertaken towards delivering the new Council offices.

57. GENERAL FUND BUDGET PERFORMANCE REPORT TO 31 AUGUST 2015

The Assistant Business Manager – Financial Services presented a report which compared the General Fund Policy & Finance Committee net expenditure for the period ending 31 August 2015 with the profiled budget for the period. The appendices to the report detailed performance against budget for the period to 31 August 2015 for those budgets within the remit of the Policy & Finance Committee.

The total for direct service net expenditure showed an under spend of £1,200,442 against the profiled budget for the period to 31 August 2015. £962,000 of the apparent underspend relates to demand led budgets for rent allowances and rent rebates and will be offset by reduced government grant at the end of the financial year, therefore the underspend can be reduced to £238,521. The detailed performance figures were given in Appendix A to the report and the variations from the profiled budget to 31 August 2015 were detailed.

AGREED (unanimously) that the overall position of the Policy & Finance Committee net expenditure compared to budget at 31 August 2015 be approved and officers continue to look for additional savings throughout the financial year.

Reason for Decision

To advise Members of the draft outturn monitored against service budgets for the period ending 31 August 2015.

58. OVERALL GENERAL FUND BUDGET PERFORMANCE REPORT 31 AUGUST 2015

The Assistant Business Manager – Financial Services presented a report which compared the overall General Fund net expenditure for the period ending 31 August 2015 with the profiled budget for the period. The appendices to the report detailed performance against budget for the period to 31 August 2015 for all General Fund service budgets.

The total for direct service net expenditure showed an under spend of £1,856,738 against the profiled budget for the period to 31 August 2015 (£898,418 excluding the underspend on housing benefit payments which will be matched by reduced grant). Officers from Financial Services were working with service managers to ascertain where any further sustainable underspends could be achieved and ensure that these were built into the base budget for future years. The detailed performance figures were given in Appendix A to the report and the variations from the profiled budget to 31 August 2015 were detailed.

The Council's Financial Regulations required the approval of virements between Committee areas by the Council's Section 151 Officer and the Policy & Finance Committee. The report highlighted budgets where significant savings were predicted for the year and it was proposed that these should be vired into a central reserve. Details of the proposed virements were set out in paragraph 4.2.9 of the report. If the budgets later became necessary it was felt appropriate to enable these to be returned to the relevant Business Unit.

The Committee suggested that action needed to be taken in respect of the capacity of the existing lorry park. The Director – Communities advised that contingency arrangements were in place when the lorry park was full with vehicles being diverted to the Riverside. The Committee considered that another alternative could be the County Council owned land opposite the lorry park.

The Chairman of the Economic Development Committee further requested a report to his Committee about the capacity within Development Control to deliver a conservation area appraisal programme.

The Chief Executive advised that both of these matters would be subject of reports to the next Economic Development Committee.

AGREED (unanimously) that:

- (a) the overall position of the General Fund net service expenditure compared to budget at 31 August 2015 be noted;
- (b) the virements set out in paragraph 4.2.9 of the report be approved;
- (c) delegated authority be given to the Section 151 Officer to return the vired budgets to the appropriate Business Unit if this was considered necessary; and
- (d) officers continue to look for additional savings throughout the financial year.

Reason for Decision

To advise Members of the current net expenditure compared to service budgets for the period ending 31 August 2015.

59. 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.

60. NATIONAL CIVIL WAR CENTRE - FUTURE DEVELOPMENT

The Committee considered the exempt report presented by the Director – Customers in relation to the future development of the National Civil War Centre. The report contained budget estimates of the costs of future developments.

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

61. THE ATRIUM, LOMBARD STREET, NEWARK- RESTRICTIVE COVENANT

The Committee considered the exempt report presented by the Director – Resources in relation to the Atrium. The report contained commercially sensitive information.

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

62. NEWARK LIVESTOCK MARKET

The Committee considered the exempt report presented by the Chief Executive in relation to the Newark Livestock Market. The report contained commercially sensitive information.

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

Meeting closed at 7.52pm.

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **ECONOMIC DEVELOPMENT COMMITTEE** held on Wednesday, 21st October 2015 in Room G21, Kelham Hall at 6.00pm

PRESENT: Councillor D.J. Lloyd (Chairman)
Councillor P.C. Duncan (Vice-Chairman)

Councillors: D. Batey, G.E. Dawn, K. Girling, G.P. Handley, D.R. Payne, P. Peacock, T. Wendels and Mrs Y. Woodhead

SUBSTITUTES: Councillor D.R. Payne for Councillor M.G. Cope

ALSO IN ATTENDANCE: Councillor Mrs P. Rainbow

20. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors: M.G. Cope, F. Taylor and B. Wells

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

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

| <u>Member</u> | <u>Agenda Item</u> |
|---------------|--|
| D.R. Payne | Agenda Item No. 7 – Hawtonville Neighbourhood Study – Interim Report. (Personal Interest – Councillor Payne rents a garage from the Council) |

22. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

NOTED: that no recording were to be made of the meeting.

23. MINUTES OF THE MEETING HELD ON 9TH SEPTEMBER 2015

AGREED (unanimously) that the Minutes of the meeting held on 9th September 2015 be approved as a correct record and signed by the Chairman.

24. GENERAL FUND BUDGET PERFORMANCE REPORT TO 31ST AUGUST 2015

The Committee considered the report of the Director – Resources in relation to the General Fund Economic Development Committee net expenditure for the period ending 31st August 2015 and how it compared with the profiled budget for the period.

The report set out the proposals and provided performance comments on employee costs, premises costs, supplies & services and income.

AGREED (unanimously) that:

- (a) the overall position of the Economic Development Committee net expenditure compared to budget at 31st August 2015 be approved; and
- (b) Officers continue to look for additional savings throughout the financial year.

25. NEIGHBOURHOOD STUDIES

The Committee considered the report presented by the Business Manager – Strategic Housing in relation to information from the Bridge Ward Neighbourhood Study. The report also requested that Members explore the proposal to undertake the next study in Ollerton & Boughton.

The report provided a summary of the purpose of a Neighbourhood Study and also provided an update in relation to the latest position with the completed Bridge Ward Neighbourhood Study. In relation to the proposal to undertake a study in Ollerton & Boughton, the report provided Members with a number of issues for consideration.

Members commented on a number of issues in relation to the Bridge Ward Study, agreeing that these types of studies often raised that community's hopes and aspirations but subsequently, little was done to progress the identified projects. It was noted that this was due, in part, to the economic climate, coupled with the down turn in the housing market and reduction in new build completions.

It was noted that the completion of the Bridge Ward Study had overrun and that many residents had been unaware that it had been undertaken. Little interest had been shown by residents until there was discussion about the possible development of the playing fields, which had raised opposition. It was further noted that both the residents and Local Members had worked together in the ward and subsequently housing and roads had improved and incidents of anti-social behaviour were being addressed.

A Member suggested that no further resources be put into the actual Bridge Ward Study but that they should be directed into progressing the identified projects. It was further suggested that there should be no delay in commencing the Ollerton & Boughton Neighbourhood Study.

Members again reiterated that neighbourhood studies raised too many aspirations and that as Councillors, they were well placed to formulate projects for improvement to an area. It was suggested that achievable targets were required e.g. provision of parking bays; grass cutting; and provision of youth activities.

Members discussed the merits of delaying the commencement of the Ollerton & Boughton Study until the Hawtonville Neighbourhood Study had been finalised and

what the benefits of this course of action would be including learning lessons from the two studies that have been carried out so that these lessons could inform future studies.

AGREED (with 7 votes for, 2 against and 1 abstention) that:

- (a) the commentary on the Bridge Ward Neighbourhood Study be noted but that a further report providing more detail on implementation was required;
- (b) the commencement of the proposed Ollerton & Boughton Neighbourhood Study be delayed until the Hawtonville Neighbourhood Study had been completed; and
- (c) the findings from both the Bridge Ward and Hawtonville Studies be used to review and amend the way in which the Ollerton & Boughton Neighbourhood Study was to be undertaken.

26. HAWTONVILLE NEIGHBOURHOOD STUDY

The Committee considered the report presented by the Business Manager – Strategic Housing in relation to the Interim Report prepared by the consultant “Planning for Real”. The report provided Members with the opportunity to reflect on the progress to date and for them to consider the emerging range of possible options and proposals.

The report set out how the baseline report had been compiled and provided a list of the key points and the initial appraisal of the built environment therein all of which had been previously reported to Committee. Also contained within the report was information as to the purpose of the interim report. It gave a summary of the consultation responses which had then been categorised as people and places. Under those headings the priorities had been set using short and medium term outcomes.

Members were also provided with information as to the resource implications of completing the final study and what the next steps to achieving this would be.

In considering the report, Members commented on a number of issues, some of which they believed could be achieved in the short term e.g. provision of allotments on the Cherry Holt Field.

In relation to the reference in the Interim Report to Community Leaders, a Member expressed concern stating that Councillors were in effect, Community Leaders. He added that given the number of studies undertaken by varying organisations, residents would likely be dissatisfied when little or no progress was made. Although the Study had established that there was much to be achieved the Council appeared to do little with the findings.

It was noted that Nottinghamshire County Council had provided a Community Leader in the Hawtonville Community Centre a number of years previously and this had worked well. It was also noted that the Nottinghamshire Community Housing

Association also provided a similar role and that this person assisted vulnerable residents with such things as facilitating discussions with the Council in relation to rent or council tax arrears. It was noted that whilst Councillors fulfilled such a role it was beneficial to have an alternative presence to a political representative.

Members agreed that there was little comparison between community life now and that of the past when much of the facilities had been initially provided and that to continue to put resources into little used facilities was misguided.

In conclusion, Members agreed that they would require the final report to include a form of prioritisation based on factors such as the level of local support, deliverability and cost. This would assist them to assess the short, medium and long term priorities. Also, consideration as to how the Hawtonville Estate was to be linked with the land south of Newark, earmarked for development, was required.

It was mooted that it may be beneficial to provide more information to the stakeholders about the cost to the Council of subsidising the Community Centre with a suggestion that if it was demolished, to provide an alternative, different responses may be received. Additional information for stakeholders could be that savings from such a demolition could be used to achieve some of the priorities identified within the Study.

Members also discussed Community Engagement Contracts and that these not only listed what the organisations involved were required to undertake but also what was expected of the residents. It was noted that such contracts had been in existence for a number of years but that this had been in isolation and that a cohesive approach was required.

The Business Manager – Strategic Housing advised that some of the work identified had already been completed and that some was ongoing. He acknowledged that further work was required on how to engage with Councillors on such studies in the future.

AGREED (unanimously) that the above comments be utilised by the Business Manager – Strategic Housing to assist Planning for Real when formulating the final report.

27. CAR PARKING

The Committee considered the report presented by the Business Manager – Markets & Car Parks in relation to the outcome of the 6 month revised tariff trial in Newark car parks. The report also sought a determination regarding proposals for changes to the car, motor cycle and lorry tariffs and potential Christmas car parking charging concessions for Newark and Southwell.

The report provided Members with information as to the income levels as at period 6 (end of September 2015) and that no adverse feedback had been received following the changes to the car park tariff structures in Newark. It was further reported that there would be a reduction in budgeted income in the region of £40,000pa when the

partnership arrangements for the Mount Street Car Park ceased in 2016. The report suggested that there be an amendment to season tickets to reflect the changes in pay and display tariffs and that there be an increase in the fees on the Newark Lorry Park. Finally, the report also proposed to remove the concession whereby motor cycles could park for free, the rationale for which was due to the scarcity of empty bays at peak times for cars.

Also contained in the report was the proposal to provide parking concessions during the Christmas period with an indication of the lost income provided at paragraph 3.5.

In relation to the Christmas concessions, Members commented that in previous years these had been granted for the long stay car parks. It was noted that there was anecdotal evidence to suggest that this encouraged shoppers to park in Newark and get the train through to Lincoln or Nottingham.

Members suggested that it would be favourable to help the small independent retailers, hostelrys and/or restaurants to have a better economic day and that this could be achieved by providing the Christmas car parking concessions on a Sunday.

A Member queried whether it would be possible to suspend the usual fee but then ask drivers to make a £1 donation to a charity. In response, Officers advised that there would be technical and legal difficulties in pursuing this course of action and that it would not be appropriate for the Council to give monies to a charity. It was also noted that many local charities already collect in the town centre in the run up to Christmas and any additional collections in car parks may detract from the amount shoppers donate.

It was noted that many of the suggestions put forward by the former Car Parks Task & Finish Group had been adopted and that the proposed changes in the report were 'fine tuning' the current arrangements.

Members were in agreement that the Christmas car parking concessions should be considered much earlier in the year to provide local businesses with the opportunity to plan their Christmas opening arrangements. It was suggested that any decision on this matter be made on a permanent basis to enable this to take place.

A Member of the Committee voiced concern about the loss of revenue, stating that they were not in favour of this course of action. Another Member, whilst acknowledging that the cost of providing free parking for the four Sundays up to Christmas would cost in the region of £7,400, it should be viewed as income not taken and that the decision was for the purpose of sustaining the economy in Newark.

(Councillor Mrs G.E. Dawn left the meeting at 7.10pm)

It was suggested that consideration be given to providing free car parking on Sundays throughout the year as this would encourage trade into the town. In response, it was noted that this had been considered previously but was not feasible at this time.

AGREED (by 6 votes for with 3 abstentions) that:

- (a) Council be recommended to adopt, with effect from 1st April 2016, the car parking tariffs as noted in Appendix A for 2016/2017; and
- (b) Christmas car parking concessions in Newark be approved. Such concessions to be on the four Sundays prior to Christmas, commencing from the Christmas Lights Switch On scheduled for 29th November 2015.

(Councillors D. Batey and G.P. Handley left the meeting at 7.25pm)

28. ECONOMIC GROWTH – REVIEW OF ACTIONS TO SUPPORT THE ECONOMIC DEVELOPMENT STRATEGY

The Committee considered the report of the Director – Community in relation to the options for discussion regarding actions to support the Economic Growth Strategy for the District.

The report set out the visions and objectives for the strategy and provided the proposed initiatives for moving the strategy forward. These were in relation to employability, skills and schools; transport to work; support for large inward investment projects; and business advice support, each of which had a measurement of success attached.

In relation to the measure of success for the employability, skills and schools initiative, Members queried whether there would be any recall on monies spent if a trainee did not take up an offer of employment at the end of the course. In response, Members were advised that a rigorous recruitment process would be undertaken with trainees being required to sign an eight week contract.

Members were supportive of the proposed pilot project to train HGV drivers with Officers adding that some of the larger organisation in Newark were current running with high agency costs as they could not recruit employees to fill their vacancies for these roles.

Whilst acknowledging that the transport to work initiative was beneficial, a Member voiced concerns in relation to how employees in outlying villages would get to the bus to be able to use the facility with the suggestion being proposed of using Ollerton as a hub. The Member also queried what, if any, assistance was being provided by Nottinghamshire County Council and what the Council's exit strategy was, if the scheme proved successful. In response, Members were informed that discussions had been held with the Department for Work and Pensions and some of the employers and that initial discussions had been held with NCC. It was noted that there was also the possibility of European funding but that that particular funding would take a while to be realised. In relation to the exit strategy, it was reported that a number of business appeared to be willing to take on the responsibility of the scheme, if successful.

In response to general queries raised in relation to the employability, skills and

schools initiative Members were informed that it was not possible to monitor the success of trainees remaining in employment past the eight week period due to resource implications. The Business Manager – Economic Growth & Tourism advised that some schools had difficulties in understanding what exactly was required by employers and that there was a mis-match from school to career.

In relation to the measurement of success for supporting large inward investment projects, it was noted that there had been a significant increase in interest of businesses wishing to locate in the district and that there was a requirement for sufficient internal resources to be available to facilitate enquiries.

AGREED (unanimously) that:

- (a) the proposed actions within the Economic Growth Strategy be approved;
- (b) the additional budget of £27,000 for a transport pilot to support businesses and job seeks in the district be approved;
- (c) an additional £15,000 consultancy for the Inward Investment activity be approved; and
- (d) an additional £20,000 for a pilot project for training HGV drivers be approved.

29. TOURISM REPORT

The Committee considered the report presented by the Business Manager – Economic Growth & Tourism in relation to the activities of the three Tourist Information Centres (TICs). The report also provided an outline plan for the coming year.

The report provided information as to: how each of the TICs operated; statistical data in relation to visitor numbers; income from sales; presence at local events; plans for the future; promotional activity; and information about twittersphere.

Members queried whether any consideration had been given to placing TICs in libraries throughout the district. It was noted that this had been considered in the past and that subsequently information in the form of leaflets were provided to libraries and also to Parish Councils. It was further noted that TICs sourced specific information for visitors by searching on the internet when specifically asked to do so.

It was suggested that information was sourced and passed on so easily by using the internet that a review as to how the TICs distributed their information be reassessed.

AGREED (unanimously) that the closure of the TIC Keeper's Cottage on all Sunday dates as from 1st November 2015 to 1st March 21016 be approved with Tourist Information being provided within the National Civil War Centre by TIC staff.

The meeting closed at 8.01pm

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the meeting of the **LEISURE & ENVIRONMENT COMMITTEE** held in Room G21, Kelham Hall, Newark on Tuesday, 27 October 2015 at 6.00 pm.

PRESENT: Councillor A.C. Roberts (Chairman)

Councillors: R.V. Blaney (Ex-Officio), R.A. Crowe, R. Crowe, Mrs G.E. Dawn, P.C. Duncan, B. Laughton (Substitute for R.J. Jackson) J.D. Lee, N.B. Mison, Mrs S. Soar, D.B. Staples and Mrs L.M.J. Tift.

24. APOLOGIES FOR ABSENCE

An apology for absence was received on behalf of Councillors R.J. Jackson and M.G. Cope.

25. MINUTES OF THE MEETING HELD ON 15 SEPTEMBER 2015

For clarity, the Committee were informed by the Business Manager- Waste, Litter and Recycling, that with regard to minute 16- Recycling and Green Waste Update, Bilsthorpe was originally included in the area that Mansfield District Council had considered including in their green waste collection, however, it was now to be included in the area that would be covered by Newark and Sherwood District Council.

AGREED that with two minor amendments, the Minutes of the meeting held on 15 September 2015, be approved as a correct record and signed by the Chairman.

26. 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.

27. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

28. PROPOSAL TO EXPAND THE CURRENT GARDEN WASTE SCHEME

The Committee considered the report of the Director – Communities regarding proposals to expand the existing garden waste collection service. Members heard details of the existing service which had been introduced across the District in the last two years, using existing resources and working in partnership with Rushcliffe Borough Council and Mansfield District Council. The Business Manager- Waste, Litter and Recycling was in attendance and explained that at this point the partners had no wish to expand their coverage within Newark and Sherwood District, so to increase coverage within the District, in line with the County Council draft Waste Reduction, Reuse, Recycle and Composting Plan 2015/16, and our own Waste Strategy, the most effective solution would be to provide an additional vehicle and crew.

An estimated cost of a vehicle and crew had been provided at £114,250 per annum plus Marketing costs of £28,000 in the first year. The estimated additional income for the first year of the service was £55,000 if 12% of residents requested the additional bin. Nottinghamshire County Council had also confirmed they would contribute £30,000 to assist with the introduction of the expanded scheme, which would help cover the cost of the new brown bins and some of the marketing. It was noted that once uptake of the service reached 18%, the service would be cost neutral, however, it was not possible to predict the rate of up-take and when this was likely to occur. The expansion would add £90,000 to the revenue budget for 2016/17.

The Committee considered the report, and it was clarified that the estimated costs had been based on one marketing campaign. The Business Manager- Waste, Litter and Recycling explained that services such as the green waste collection never reached 100% coverage unless they were a free service, and most commonly expanded through word of mouth rather than advertising. The proposal to purchase or hire a new vehicle would enable an uptake of up to 25% of the properties in the area covered by Newark and Sherwood District Council. At an 18% uptake, the service would become cost neutral and one additional vehicle would be sufficient.

One Member raised an issue with regard to the Windrow composting facility at Oxton, informing the Committee that he had received a number of complaints from residents regarding odour from the facility. It was also queried whether any of the green waste collected was sent to landfill. The Business Manager- Waste, Litter and Recycling answered that the County Council directed where any waste or recycling was taken, and he was not aware of any green waste being directed towards landfill. The Business Manager- Environmental Health and Licensing was also present, and would look at any complaints received with regard to the Windrow composting facility.

AGREED (unanimously) that Members support the proposal for the expansion of the District Council's Garden Waste Service and recommend to the Policy and Finance Committee the adoption of the Garden Waste Services, to commence on 1st April 2016.

29. THE INTRODUCTION OF SMOKE FREE VEHICLES LEGISLATION AND ITS ENFORCEMENT

The Committee considered the report presented by the Business Manager- Environmental Health and Licensing regarding the introduction of legislation relating to smoke free vehicles and enforcement. The Smoke-free (private vehicles) Regulations 2015 came into force on 1st October 2015, prohibiting people from smoking or having lighted tobacco products in a car or enclosed vehicle containing more than one person or if a person under 18 is present. The act also made it an offence for the driver to fail to present smoothing in the same circumstances. This did not include e-cigarette or vapour products.

There was a large base of public support for the legislation, and it was likely that most people would voluntarily comply with public and social pressure. The primary responsibility for detecting and dealing with offences against the legislation lay with the Police. However, the Council were also responsible for enforcing the regulation and officers authorised to do so could issue a fixed penalty notice to an offender. This was set within the regulations at £50, reduced to £30 if paid within 15 days.

It was proposed that the following officers be authorised to act under Chapter 1 of the Health Act 2006 (as amended by section 95 of the Children and Families Act 2014):

Business Manager - Environmental Health;
Assistant Manager - Licensing and Enforcement;
Senior/Environmental Health Officers;
Environmental Health Technical Officers; and
Licensing Enforcement Officers.

Whilst these officers would not have powers to stop a vehicle, which lay with the Police, any enforcement action would relate to stationary vehicles. However, it was proposed that officers work to support the building of general compliance through information and advice campaigns, alongside the work of the Police and issue fixed penalty notices, if appropriate, where a complaint had been received. During the Committee discussion, it was clarified that where a 17 year old person was smoking alone in the car, this would be an offence.

AGREED (unanimously) that:

- a) Members are asked to note the introduction of the Smoke-free (Private Vehicles) Regulations 2015 and;
- b) Authorise the following staff From the Environmental Health and Licensing Business Unit to act in matters under Chapter 1 of the Health Act 2006 (as amended by section 95 of the Children and Families Act 2014);
 - i. Business Manager - Environmental Health
 - ii. Assistant Manager - Licensing and Enforcement
 - iii. Senior/Environmental Health Officers
 - iv. Environmental Health Technical Officers
 - v. Licensing Enforcement Officers
- c) The enforcement approach set out in paragraphs 5.2 and 5.3 of the report be supported.

30. ACTIVE4TODAY DRAFT BUSINESS PLAN 2016/17

The Committee considered the report presented by the Director – Customers regarding the draft Business Plan for Active4Today and the performance framework. The Director Customers was in attendance to present the report, outlining the background for Members, and explaining the reasons behind the company’s request for an additional management fee in 2015/16.

The Committee noted that the most significant reason for a request for additional management fee was due to issues arising with VAT income which was £30,000 from 2015/16, and £111,000 for 2016/17. The reasons behind this issue were beyond the control of the company, and therefore the request for finance was not deemed unreasonable. The Director- Customers, who as the Authorised Officer, advised the Council on it’s relationship with the company, suggested that the Committee may wish to consider requesting the Company to absorb some of this cost within its own performance

through identifying savings and work to increase the membership base. Phased payment of the requested funding could also be considered.

The Managing Director- Active4Today was also in attendance and outlined the Draft Business Plan and performance information for the Committee. It was noted that some of the performance information were new indicators, and therefore no comparison could be included. However, despite the request for additional management fee, due to issues surrounding VAT, the Company was meeting performance against the targets set in the Business Plan. In response to a member, the Managing Director explained that the Company had taken forward the inclusivity policy of the Council, and offered discounts between 10%-40% to persons in receipt of benefit, to access services at the Leisure Centres. It was also clarified that the Company worked alongside the County Obesity Strategy to provide support for GP referrals. Information regarding these could be included in the Business Plan. Other members suggested that more quantifiable objectives be included within the Business Plan, alongside more details against the goals of the Company.

With regard to the Membership fees, there was some concern raised that a competitors membership fee was lower than Active4Today. In response, the Managing Director explained that although the basic fee may be lower, any enhanced packages would be more expensive than the offer from Active4Today. The offer from Active4Today represented good value for money, with access to sites across the District and a new purpose built leisure centre soon available. The Director-Customers also clarified that the timetable for development of the new leisure centre was not delayed.

AGREED (unanimously) that:

(a) the Committee approves the request for additional management fee in 2015/16 to ensure the company's cash-flow requirements can be met;

(b) the Committee approve that half of the extra funding requested for 2015/16 is paid now, with the remainder to be paid in early April 2016 once the full impact is known, or earlier should the need arise;

(c) the Committee consider where funding for the loss of income due to the late opening of the new leisure centre could be found from within its existing budget; and

(d) a Working Group of Leisure and Environment Committee Members comprising of the Chairman and Councillors Mrs R. Crowe, P. Duncan and D. Staples be established to review the company's draft business plan objectives, current performance framework and management fee requirement in 2016/17.

31. GENERAL FUND PERFORMANCE REPORT UP TO 31 AUGUST 2015

The Committee considered the report presented by the Assistant Manager- Financial Services, comparing the net expenditure for the period ending 31 August to the profiled budget for the same period. There was a net underspend of £72, 749, which was largely due to steady fuel prices, as it had been anticipated they would rise, and the opening of

Brunel Drive resulting in further fuel savings. It was anticipated that it result in more savings on vehicle repairs and tyres, but these could not be quantified at that stage. There were other small underspends within premises and supplies and services.

The Director- Customers informed the Committee that performance of the National Civil War Centre had been affected by on-going building works, and there was likely to be further impact on the Centre and the Palace Theatre as a result of the works to link the buildings. These would need to be forecast into the budget and a report would be brought to the Committee for the November meeting.

AGREED (unanimously) that the overall position of the Leisure and Environment Committee net expenditure compared to the budget at 31 August 2015 is approved. Officers continue to look for additional savings throughout the financial year.

32. UPDATE REGARDING THE NATIONAL CIVIL WAR TRAIL APP

The Committee considered the report of the Director – Customers regarding the National Civil War Trail App. Members considered download data, with 110 downloads per week, and whilst weekends were busiest, the Committee noted the increased figure on Mondays, due to the number of downloads which took place on bank holidays.

The Committee also noted the receipt of two silver awards from the Cannes Corporate film festival, for films made for the app, and congratulated the company for their vision and the achievement.

AGREED (unanimously) that the National Civil War Trail app progress report is noted and future reports brought to the Committee.

33. VICAR WATER COUNTRY PARK EVENTS AND ACTIVITIES

The Business Manager- Parks and Amenities was in attendance to present a report detailing events and activities held at Vicar Water Country Park in 2015, and those planned for 2016. A wide range of events and activities had taken place with a record number of school children taking part in education activities.

The Committee praised the efforts of the conservation volunteers, and the work of the Countryside Ranger, Matt Smith. It was noted that with regard to visitor numbers, only the main entrance to the park was monitored, which had recorded 46, 230 since January.

AGREED (unanimously) that the Committee noted the range and quality of events taking place at Vicar Water Country Park in 2015, customer satisfaction with the Park and planned events and projects for 2016.

34. HEALTH AND WELLBEING/HEALTH SCRUTINY

The Chairman provided a verbal update regarding the Health and Wellbeing Board that he had attended where the Fire and Rescue service had given a presentation at the meeting, highlighting their use of first aid at incidents. The Board had also heard of survey results indicating young people's willingness to discuss issues around sex and

teenage pregnancy with their parents, and of information relating to excessive deaths amongst older people over the winter months. Councillor Staples had attended a health forum regarding tobacco which was very useful, but under attended.

The Committee also noted the recent results for Sherwood Forest Hospitals which had been rated as inadequate by a recent Care Quality Commission report. The Trust would therefore remain in special measures. The Committee supported the work of the Trust to resolve this situation, noting this may result in a merger with a larger Trust. Many members of the Committee highlighted positive feedback they had received from people receiving services of the Trust, throughout the District, and in particular regarding the staff.

35. CHAIRMANS UPDATE

The Chairman had recently attended a meeting of the Newark Heritage Forum, which had included a presentation from a member of the South Holland Heritage Forum which was a sub-group of the Lincolnshire Heritage Forum. It was considered that a similar organisational mechanism would be appropriate for the Newark Heritage Forum, with the possibility of becoming a sub-group of the Nottinghamshire Heritage Forum. It was also proposed that a Sherwood Heritage Forum be created to cover the west of the District, which could include local groups such as the Bilsthorpe Heritage Group and Sherwood Landscape Partnership Group. The next meeting of the Newark Heritage Forum would be on 30 November.

36. 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 4 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

37. ACTIVE4TODAY BUDGET ISSUES

The Committee considered the report of the Director- Customers regarding issues surrounding the forecasted VAT savings to be achieved by the creation of Active4Today, alongside the Draft Business Plan, also considered by the Committee.

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

The meeting closed at 7.32pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **PLANNING COMMITTEE** held in the Council Chamber, Kelham Hall, Newark on Tuesday, 6th October 2015 at 4.00pm.

PRESENT: Councillor D.R. Payne (Chairman)
Councillor G.P. Handley (Vice-Chairman)

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

ALSO IN

ATTENDANCE: Councillor J.D. Lee

73. APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor D. Clarke.

74. MINUTES OF THE MEETING HELD ON 8TH SEPTEMBER 2015

AGREED that the Minutes of the meeting held on 8th September 2015 be approved as a correct record and signed by the Chairman.

75. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

NOTED that the following Members declared an interest in the items shown below:

| <u>Member</u> | <u>Agenda Item</u> |
|--|--|
| Councillors R.V. Blaney, I. Walker and B. Wells | Agenda Item No.10 – Field Reference 8913, Off Becks Lane, Elston (15/00484/FUL). Personal Interest as the Councillors are all Church Wardens and are known to the applicant. |
| Councillor Mrs S.E. Saddington | Agenda Item No. 5 – Kilvington, Nottinghamshire (14/02023/FULM). Personal Interest as the Councillor is known to the applicant. |

76. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

77. KILVINGTON, NOTTINGHAMSHIRE (14/02023/FULM)

The Committee considered the report of the Deputy Chief Executive, which sought the development of 34 self-catering holiday units, a 25 bed Inn building, watersports building, storehouse and outfitters along with a commercial and educational unit, nature trails, cycle trails, pathways and family facilities and the re-routing of a public right of way.

The Committee was informed that the application was deferred at the last Committee to allow further discussion to take place with the applicant regarding highways and transportation issues; the length of occupancy of the units on site; and the siting/screening of the buildings on site.

A schedule of communication was tabled at the meeting, which included correspondence received after the agenda was published from the following: Newark and Sherwood District Council's Legal Officer; Case Officer; Fisher German on behalf of CLH Pipeline System Ltd; Agent; and Applicant.

Councillor Mrs A. Pell, representing Rushcliffe Borough Council and Mrs A. McLean representing Alverton and Kilvington Parish Meeting spoke against the application in accordance with the Borough Council and Parish Meeting views.

Members considered the application and concerns were raised regarding road safety, urbanisation of the local area and light pollution from the hotel. Other Members commented that this was an industrial site in the past and this application would bring vast improvements to the site. Nottinghamshire County Highways had submitted no objections to the development.

AGREED (with 9 votes for and 5 votes against) that planning permission be granted subject to the conditions contained within the report, an additional amendments to secure the potential additional landscape buffering and an amendment to condition securing traffic calming to ensure that rumble strips are considered as a potential solution.

78. FORMER RAF FULBECK AIRFIELD, STRAGGLETHORPE LANE, FULBECK, LINCOLNSHIRE (15/01596/NPA)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought full planning permission for the erection of 25 year operation and subsequent de-commissioning of a wind farm consisting of 10 wind turbines, each up to 110m to the blade tip and associated infrastructure, including underground cable connections.

A schedule of communication was tabled at the meeting, which included correspondence received after the agenda was published from Coddington Parish Council; and a neighbouring resident.

The Business Manager, Development updated Members on recent appeal decisions on the issue of harm and the weighting of the Secretary of States Ministerial Statement and changes to the NPPG.

Members considered the application and it was commented that there was a typographical error on page 86 of the report, the date should read 19th August 2015 and not 2014. The new Ministerial Guidance would therefore have to be applied to this application. Members felt that this site was not suitable for wind turbines, the area had not been included in the local or neighbourhood plan for a site for wind turbines and the concerns of the local community had not been addressed.

AGREED (unanimously) that the Business Manager Development submit the Authority's objection to South Kesteven District Council as the formal response of Newark and Sherwood District Council. The objection should be on the grounds of

heritage harm, the lack of an identified site for turbines in the South Kesteven Development Plan and the clear absence of community backing (including a failure to address the identified harm).

79. THE OLD POST OFFICE, 21 MAIN STREET, CODDINGTON (15/00883/FUL)

The item was withdrawn from the agenda.

80. WILLOWDENE, 9 BECKINGHAM ROAD, CODDINGTON (15/01268/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought planning permission for a replacement dwelling.

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

Councillor J.D. Lee, local Member for Balderton North & Coddington and Councillor Mrs L. Cox representing Coddington Parish Council both spoke in support of the application.

Members considered the application and commented that the design of the house was good and the plot was large enough for the proposals. It was commented that the application was contrary to policy and the applicant had tried to mitigate this by placing the proposed dwelling on the foot print of the existing building. It was felt that the position of the building may be more beneficial if sited centrally on the plot.

AGREED (with 11 votes for and 3 votes against) that contrary to officer recommendation planning permission be approved subject to any reasonable conditions delegated to the Business Manager Development in consultation with the Planning Committee Chairman and Vice-Chairman.

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 | Against |
| D. Clarke | Apology |
| R.A. Crowe | For |
| Mrs M. Dobson | For |
| G.P. Handley | For |
| N. Mison | For |
| D.R. Payne | For |
| Mrs P.J. Rainbow | For |
| Mrs S.E. Saddington | For |
| Mrs L.M.J. Tift | Against |
| I. Walker | For |
| B. Wells | Against |
| Mrs Y. Woodhead | For |

81. UNIT 15, JESSOP WAY, NEWARK (15/01245/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought full planning permission for the change of use of the existing vacant industrial unit from Class B – Business/General Industry to Class D2 – Leisure, to enable the application to use the unit as a Cross Fit/personal training centre. No external alterations were proposed to the building with the exception of the installation of new signage.

Members considered the application and felt that the parking identified was not accurate as the parking was for the whole of the industrial units and not exclusively for the use of Unit 15, which may therefore have an impact on highway safety. They also considered the comments of Newark Town Council who had objected to the application on the grounds that the unit was on an industrial estate, not a retail park; the change of use was inappropriate for an industrial estate; and the area should be kept for industrial use and job creation and not used for recreational activities.

AGREED (with 11 votes for and 3 votes against) that contrary to officer recommendation planning permission be refused for the following reasons:

- (i) the unit was on an industrial estate, not used for recreational activities;
- (ii) there was no exclusive parking for customers and staff; and
- (iii) the site was inappropriate for the proposed use.

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 | Against |
| D. Clarke | Apology |
| R.A. Crowe | For |
| Mrs M. Dobson | For |
| G.P. Handley | For |
| N. Mison | For |
| D.R. Payne | For |
| Mrs P.J. Rainbow | Against |
| Mrs S.E. Saddington | For |
| Mrs L.M.J. Tift | Against |
| I. Walker | For |
| B. Wells | For |
| Mrs Y. Woodhead | For |

82. FIELD REFERENCE 8913, OFF BECKS LANE, ELSTON, NOTTINGHAMSHIRE (15/00484/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought full planning permission for a single 500kW three bladed wind turbine measuring 77 metres in height to blade tip and 50 metres in height to hub and with a rotor diameter of 54 metres.

A schedule of communication was tabled at the meeting, which included correspondence received after the agenda was published from RESIST (Residents of Elston Spurn Inappropriately Sited Turbines) and the Agent.

Councillor Key representing Elston Parish Council spoke against the application in accordance with the Parish Council views, which were contained within the report.

Members considered the application and raised concern regarding the impact on the heritage assets which had not been addressed. It was also commented that a proper pre-application consultation process had not been undertaken by the applicant. Other Members commented that the views surrounding the village were interrupted by power lines and pylons and felt that the wind turbine would have little impact.

AGREED (with 10 votes for and 4 votes against) that contrary to Officer recommendation full planning permission be refused on the grounds of harm to heritage assets, which have not been fully addressed and the lack of community backing given the levels of objection which identify planning issues and the failure to address them.

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 | For |
| Mrs C. Brooks | Against |
| D. Clarke | Apology |
| R.A. Crowe | For |
| Mrs M. Dobson | For |
| G.P. Handley | For |
| N. Mison | For |
| D.R. Payne | For |
| Mrs P.J. Rainbow | For |
| Mrs S.E. Saddington | For |
| Mrs L.M.J. Tift | Against |
| I. Walker | For |
| B. Wells | Against |
| Mrs Y. Woodhead | For |

(Councillors Mrs M. Dobson and Mrs L.M.J. Tift left the meeting at this point.)

83. BRINKLEY HALL FARM, FISKERTON ROAD, BRINKLEY (15/01395/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought planning permission for the replacement of industrial units with a new detached four bedroom, two storey house with attached double glazing.

AGREED (unanimously) that the application be deferred pending a site visit.

84. UNIT 3, ROBIN HOOD WALK, NEWARK (15/01243/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought a change of use from Class A1 (Retail) to a Gym falling within Class D2 (Assembly and Leisure).

Members considered the comments of Newark Town Council who had objected to the application on the grounds that the Retail Capacity Study that had been undertaken had identified that Newark did not have enough large retail units and one of the reasons for the original permission was to provide large retail units. Other Members felt that having a gym in the centre of the town would be beneficial to people who worked in the town centre.

AGREED (with 8 votes for and 4 votes against) that full planning permission be approved subject to the conditions contained within the report.

85. APPEALS LODGED

NOTED that the report be noted.

86. APPEALS DETERMINED

NOTED that the report be noted.

87. PROPOSED APPOINTMENT OF WORKING PARTY TO REVIEW THE SCHEME OF DELEGATION

In accordance with Section 100(B)(4)(b) of the Local Government Act 1972, the Chairman agreed to take this item as a late item of business in order to establish a working party as soon as possible.

The Committee considered the report of the Deputy Chief Executive, which sought approval to constitute a Working party of the Planning Committee to consider the Scheme of Delegation and other issues.

The Councillors Commission at its meeting on 15th September 2015 had recommended that the Planning Committee consider issues relating to the frequency of meetings of the Planning Committee; in particular consider whether to amend the Scheme of Delegation to officers.

AGREED

that:

- (a) a working party be established to consider an amendment to the scheme of Delegation to enable greater delegation to officers, to review the need for site visits to be undertaken and to review the current scheme of referrals of matters to Planning Committee by Members and to make recommendations to the Planning Committee; and
- (b) the composition of the Working Party be three Conservatives, two Labour and one Independent:
 - (i) Planning Committee Chairman, Vice Chairman and Councillor Blaney (Conservative);
 - (ii) Councillors B. Wells and Mrs Y. Woodhead (Labour);
 - (iii) Councillor Mrs M. Dobson (Independent).

The meeting closed at 7.27pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **PLANNING COMMITTEE** held in the Council Chamber, Kelham Hall, Newark on Tuesday, 3rd November 2015 at 4.00pm.

PRESENT: Councillor D.R. Payne (Chairman)

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

ALSO IN

ATTENDANCE: Councillor J.D. Lee

88. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors: G.P. Handley and Mrs Y. Woodhead.

89. MINUTES OF THE MEETING HELD ON 6TH OCTOBER 2015

AGREED that the Minutes of the meeting held on 6th October 2015 be approved as a correct record and signed by the Chairman.

90. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

NOTED that the following Members declared an interest in the items shown below:

| <u>Member</u> | <u>Agenda Item</u> |
|--------------------------------|--|
| All Members | Agenda Item No. 5 – Land Adjacent to the Cattle Market, Great North Road, Newark (15/01469/FULM) – Personal Interest as Elected Members of the Council (and the Council were the Applicant). |
| Councillor Mrs S.E. Saddington | Agenda Item No. 8 – South View, Crab Lane, North Muskham (15/01440/OUT). Personal Interest as the property was previously owned by Councillor Saddington’s family. |

91. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

92. LAND ADJACENT TO THE CATTLE MARKET, GREAT NORTH ROAD, NEWARK (15/01469/FULM)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought full planning permission for the erection of new offices and civic accommodation for Newark & Sherwood District Council.

A schedule of communication was tabled at the meeting which included correspondence received after the agenda was published from the Environment Agency, the Agent, the applicant and an Officer of the Council. The presenting Officer made clear that any decision taken must be based on planning issues and in having regard to all material available (including the planning application material, the NPPF, the Committee report and late items, the presentation, and the debate itself).

Members considered the application and the additional information contained within the schedule of communication. Whilst acknowledging that the decision had been taken a number of years previously that the Council would leave Kelham Hall a number of Members expressed their concern as to the chosen location and the perceived issues surrounding parking and traffic congestion. A number of Members stated that, although no objections had been received from Highways England or Nottinghamshire County Council (Highways Authority), they were of the opinion that an increase in traffic congestion would occur if the development was to go ahead. It was suggested that the existing car parking facilities was regularly full and that the development would exacerbate this situation.

In addition to the application being considered, Members noted that there was an application for planning permission for a retail supermarket in close proximity which, if approved, would further worsen the situation in relation to traffic congestion. Some Members of the Committee also commented that they disliked the design of the building, comparing it to that of a leisure centre or of an industrial design.

In response to the issue of the car park usage, Officers advised that an Existing Usage Survey had been undertaken on separate Wednesdays in the months of June, July, August and September, which is market day. Of these dates, the lowest spare capacity was rated at 56% with the highest being 76%. The Officer added that, in general, the location of the development was more sustainable in relation to transport facilities e.g. rail and bus networks and that a Travel Plan was to be undertaken. It was also confirmed that there was no objection from the Highway Authorities, including in terms of in combination effects with the pending retail supermarket nearby. The Officer also advised that sequentially the site was in the most appropriate location in retail and flood risk terms to serve the needs of the wider District (as detailed in Appendix 1). The Officer made clear that there would be benefits given the location of the development both given its proximity to the Town Centre and ability to serve the wider District. The Officer did not identify any concerns regarding the impact on Newark Town Centre but members were advised to have regard to this issue.

A Member of the Committee, having proposed that the Officer recommendation to approve be granted, stated that to refuse the application would require sustainable and clear planning reasons for doing so. If the decision was to refuse and the reasons given were due to traffic congestion issues this would be contrary to the professional opinion of Highways England and Nottinghamshire County Council as Highway Authority who had offered no objections to the development. Members were urged to reflect on how an appeal could proceed if it were not the Council as applicant.

In response to the issues raised in relation to parking, the Member of the Committee advised that a Traffic Enforcement Officer had stated on site that morning that the car park regularly only had 30 vehicles parked and that it was his opinion that there would be sufficient spaces provided for staff. He added that the majority of meetings attended by Members commenced at 6pm which was a time when staff would have vacated the car park.

In conclusion the Member commented that this was an important application for both the Council and its residents. The location of the new building would be more convenient for a greater number of residents and much easier for them to get there.

AGREED (by 7 votes for and 5 votes against with 1 abstention) that full planning permission be granted, subject to the conditions contained within the report and the schedule of communications, as tabled.

93. OFFICE COTAGE, 22 THE GREEN, COLLINGHAM (15/01707/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought full planning permission for the construction of a timber summer house. This application was a resubmission of an application that had been previously submitted and subsequently withdrawn.

Members considered the application and commented that the design of the proposed summer house would not be detrimental to the setting of the Grade II listed host building. They did, however, comment that they would wish the applicant to consider an alternative to the proposed roofing to give an improved and more natural appearance e.g. a wood shingle tile.

AGREED (unanimously) that, contrary to Officer recommendation, planning permission be approved, as applied for, with Officers being requested to discuss with the applicant the issue of using an alternative roofing material.

94. FIELD REFERENCE NUMBER 0145, EAGLE ROAD, SPALFORD

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought outline planning permission for the erection of 3 dwellings, an indicative plan of which had shown these to be 3 three bedroomed detached two storey dwellings with garaging with a maximum eaves height of 5.1m.

A schedule of communication was tabled at the meeting which included correspondence received after the agenda was published from a neighbour/interested party and Nottinghamshire County Council Highways Authority.

Members considered the application and noted that the site was subject to an existing Enforcement action in relation to the number of vehicles being parked at the location.

It was noted that the report referred to Spalford Parish Council with a Member of the Committee advising that this was incorrect as Spalford was a Parish Meeting. The Member requested information as to where the Parish Meeting had taken place when the decision to support the application had been taken.

AGREED (unanimously) that:

- (a) the planning permission be refused for the reasons as set out in the report; and
- (b) Officers be given delegated authority to take further legal action should the current Enforcement Action be unsuccessful.

95. SOUTH VIEW, CRAB LANE, NORTH MUSKHAM (15/01440/OUT)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought outline planning permission, with all matters reserved, for the erection of a three bedroomed dwelling on land measuring 500m² which currently forms part of the rear garden serving South View.

A schedule of communication was tabled at the meeting which included correspondence received after the agenda was published from the Agent who had agreed to amend the description of the proposal to 'Outline Application for the erection of a single storey three bedroomed dwelling'. Officers added that an additional condition was to be added that would restrict the accommodation to ground floor level only with no provision at an upper level.

Members considered the application noting that the development would fit into the existing street scene adding that any development must be that of a single storey dwelling.

It was noted that there was potential for another site to come forward which would meet the whole of the housing need for North Muskham. However, this land was equally subject to flood risk, outside the main built up area of the village and at a very early stage and therefore there was no certainty that it would come to fruition.

AGREED (by 9 votes for with 2 against and 1 abstention) that outlined planning permission be granted subject to the conditions contained within the report and the inclusion of an additional condition in relation to the restriction that the accommodation be at ground floor level only with no provision at an upper level.

96. BRINKLEY HALL FARM, FISKERTON ROAD, BRINKLEY (15/01395/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought planning permission for the replacement of industrial units with a new detached four bedroomed, two storey house with attached double garage.

Members considered the application noting that the Officer recommendation was for refusal due to the proposal failing to meet the criteria as set out in Policy DM8. Members agreed that the site was large enough to accommodate an appropriate residential dwelling and that the recommendation to refuse was not a 'blanket refusal'. It was noted that there were grounds to approve isolated dwellings in the countryside if there were special circumstances and the criteria for Policy DM8 were met.

AGREED (by 11 votes for with 2 against) that full planning permission be refused for the reasons as set out in the report.

97. APPEALS LODGED

Land at Highfields School, London Road, Balderton
Appeal Ref. APP/B3030/W/15/3133508

The Chairman of the Committee advised that the appeal for the above would be heard on 8th December and that any Member wishing to attend should advise him accordingly.

NOTED that the report be noted.

98. APPEALS DETERMINED

NOTED that the report be noted.

The meeting closed at 5.40pm

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the meeting of the **AUDIT & ACCOUNTS COMMITTEE** held in Room G21, Kelham Hall on Wednesday, 4 November 2015 at 9:30am.

PRESENT: Councillor Mrs S.M. Michael (Chairman)

Councillors: Mrs R. Crowe, R.A. Crowe, and D. Staples.

ALSO IN ATTENDANCE: David Dickinson (Director – Resources NSDC)
Nicky Lovely (Business Manager Financial Services NSDC)
Tara Beesley (Accountant NSDC)
Amanda Hunt (Principal Auditor (Audit Lincolnshire))
John Sketchley (Audit Manager (Audit Lincolnshire))
John Cornett (KPMG)
Helen Brookes (KPMG)

27. APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors Mrs M. Dobson, G.P. Handley and Lucy Pledge (Audit Lincs).

28. 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.

29. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

None.

30. MINUTES OF MEETING HELD ON 9 SEPTEMBER 2015

AGREED that the Minutes of the meeting held on 9 September 2015 be approved as a correct record and signed by the Chairman.

31. TREASURY PERFORMANCE- HALF YEARLY REPORT

The Committee considered a report detailing treasury performance and prudential indicators for the first half of 2015/16. None of the prudential indicators had been breached, and a prudent approach had been undertaken in relation to investment activity. Details of the economic background were appended to the report for Members.

The Council's overall borrowing had reduced by £2million, to £92 million, and it was noted that although there was no expectation to borrow in 2015/16, this was regularly reviewed as a result of the major capital projects the Council was undertaking in development of a new leisure centre and office buildings. The Council still undertook internal borrowing, however, this position was not sustainable over the medium term

as the Council would need to use the reserves for the purposes they were set aside for, and therefore external borrowing could be required. It was clarified that the Council was able to borrow in anticipation of defined capital expenditure.

There had been an increase of £2million in investments, all of which were short term and with interest rates that fluctuated on a daily basis. The Council had also now recovered 96.6% of the investment made with Icelandic banks, amounting to a loss of £62,158.

AGREED That:

- (a) The Treasury Activity be noted
- (b) The prudential indicators detailed in section 7 of the report be noted.

32. INTERNAL AUDIT PROGRESS REPORT

The Committee received a report detailing progress against the 2015/16 audit plan where, to date, 21 jobs had been completed set against the 33 jobs scheduled in the plan. 3 reports had been issued since the last meeting of the committee. The reports on Leisure Centres and ICT Applications (Uniform) had received assurances of some improvement needed/substantial. The third report was an advisory report in relation to the National Civil War Centre looking at processes in place and proposed for the key financial areas. An annual independent examination of the Gilstrap accounts had also been undertaken. Details of audits in progress were highlighted, as was performance information.

The Committee considered the information regarding outstanding recommendations from audits undertaken. Audits for Emerging Risks and Corporate Governance related to Procurement. The Director-Resources explained that these both related to development of the Procurement Policy. The procurement team within the Council was very small, with only one officer, and therefore the resources for development of the policy were limited against the substantial work that was currently required for the Councils large capital projects.

The Committee noted that a number of recommendations were overdue for implementation. There was a process whereby officers could extend implementation dates and the Committee requested that the report detailed all those revised dates. With regard to safeguarding, it was clarified that this was in relation to incorporating safeguarding principles within contract procedures. Initially, this could be raised with the Director-Safety, to be undertaken once the officer with responsibility for this area returned from long-term sick leave.

AGREED That the internal progress report be noted

33. ACCOUNTS AND AUDIT REGULATIONS 2015- CHANGES TO YEAR END TIMETABLE

The Business Manager- Financial Services presented a report detailing changes within the Audit and Accounts Regulations 2015 which came into force on 1 April 2015, the main impact of which was to bring forward the dates for the closure and publication of accounts. The new regulations revoked the Audit and Accounts Regulations 2011.

Under the 2011 regulations the deadline for the presentation of the annual accounts was 30 June following the financial year end, which was now changed to 31 May, and for the accounts to be open for public inspection from 1 June. The publication of the approved annual accounts with an audit opinion and certificate was now no later than 31 July following the financial year end, where previously it had been no later than 30 September.

The changes to the regulations reduced the time available for officers to complete the year end processes by one month. Transitional arrangements had been put in place for the accounts for 2015/2016 and 2016/17, however, officers were now working on reviewing and streamlining the year end process with the aim of meeting the new deadlines prior to the regulatory requirement. The new deadlines were likely to mean that more estimates would be used within the closedown process, leading to more changes required between production and approval of the accounts.

In response to a query from a member of the Committee, the Business Manager explained that the changes may have resulted from the Government needing to have more time to collate the Whole of Government Accounts returns from all public sector bodies, in order that they had figures on which to base departmental budgets for the next financial year.

AGREED That the Committee noted the requirements of the Audit and Accounts Act Regulations 2015 relating to the earlier close down of the accounts.

34. EXTERNAL AUDITORS ANNUAL AUDIT LETTER

John Cornett (KPMG) was in attendance to present the External Auditors Annual Letter to the Committee. An unqualified opinion of the authorities financial statements and Value for Money Conclusion had been issued on 24 September 2015, concluding the audit for 2014/15. The audit fee for 2014/15 was £64,438 excluding VAT.

Members' attention was drawn to appendix 3 of the report, detailing audit fees. Mr Cornett explained to the Committee that a matter had come to light on which he was duty bound to report to the Committee. He explained that In April 2011 the Council engaged KPMG to provide services to assist with the recovery of VAT in respect of non-business sports claims. The fee agreed for these services was a performance related fee, of 20% of any amounts recovered from HMRC if the claim was ultimately successful. Subsequently, in April 2012, KPMG LLP was appointed as auditor for the Council for the 2012/13 year of account and subsequent financial years. As the Council's External Auditor, the APB Ethical Standards prohibited KPMG from providing services to the Council on a wholly or partly contingent fee basis where the outcome of those services was dependent upon the proposed application of tax law which is uncertain or had not been established. At that time, no work had been undertaken on the case and it was therefore agreed that a revised fixed fee of £30,000 was to be charged to ensure compliance with ethical standards. The figure included in the Annual Audit Letter was incorrectly stated as £42,500, which Mr Cornett confirmed would be amended and the letter reissued.

The matter had been considered by officers of the Council alongside KPMG and noted

that the amount of tax potentially recoverable was £0.4million, which was not material to the Council, and no fee had been paid to KPMG, as the matter had not yet been heard in court. Furthermore, the potential fee to KPMG of £79,000 was not material to KPMG. It was therefore concluded that the objectivity of the firm and any work undertaken on the accounts had not been compromised, and the issue had been an oversight on the part of KPMG.

It was noted that this meeting was the last at which Mr Cornett would be representing KPMG and he expressed his thanks to the Committee and finance team. The Committee expressed their thanks for his work and attendance at the meetings, and the Director- Resources expressed his thanks to Mr Cornett for a constructive and helpful relationship.

AGREED That the Committee noted the report.

35. COUNTER FRAUD ACTIVITY REPORT

The Business Manager- Financial Services presented a report informing the Committee of counter-fraud activity undertaken since 8 April 2015. The Council had identified and dealt with fraudulent benefit claims amounting to £72,626.87p through court prosecutions, administration penalties and cautions. Six other overpayments had been identified, which were not fraudulent but were errors on the part of the claimant and were recoverable. Where possible, the Council undertook action to recover any debts.

A review of expenses and additional payments made to staff over the three years from 2012/13 to 2014/15 had been undertaken. No fraudulent trends were detected. A Nottinghamshire county-wide Council Tax Single Persons Discount review had been completed, which uncovered 489 accounts within Newark and Sherwood, where the discount was claimed but where more than two people were listed as living at the property, amounting to £166,272. The final report from the National Fraud Initiative was expected in Spring 2016.

AGREED That the report be noted.

36. INFORMATION FOR MEMBERS AS IDENTIFIED BY THE KNOWLEDGE AND SKILLS QUESTIONNAIRE

The Business Manager- Financial Services presented a report containing information for the Committee, which had been highlighted as required through the recently completed knowledge and skills questionnaire. Information included: the Council's arrangements to uphold ethical standards; the Council's Whistleblowing arrangements; and the role of the Chief Financial Officers as required by CIPFA, and how the Council met those requirements.

The attention of Members was drawn to the Council's Code of Corporate Governance which detailed the Council's arrangements to uphold ethical standards, and the Council's Whistleblowing Policy, which was available on the Council's website within the Constitution. Members also considered in detail the role of the Chief Financial Officer and how the Director- Resources, who was defined at the Chief Financial

Officer, met the requirements of the role as set by CIPFA. It was noted that when the Chief Financial Officer did not report directly to the Chief Executive of an authority, it was necessary to disclose this fact in the Council's accounts.

AGREED That the report be noted.

37. ANNUAL REVIEW OF THE EFFECTIVENESS OF THE INTERNAL AUDIT FUNCTION

The Committee considered a report seeking to initiate the annual review of the effectiveness of the internal audit function, and the self-assessment of the Audit and Accounts Committee as required by the Audit and Accounts (England) Regulations 2011. This was usually undertaken by a working group of the Committee comprising the Chairman and one other Member, which then reported back to the Committee.

AGREED That:

- (a) The Chairman and Councillor Handley be appointed to a working group to undertake the review of effectiveness of internal audit. Should Councillor Handley be unable to take on this role, Councillor Staples would be appointed;
- (b) Task the group to undertake a review of the internal audit function against the PSIAS;
- (c) Task the group to carry out a self-assessment of the effectiveness of the Committee using the CIPFA checklist and considering the previous year's action plan; and
- (d) a date for the review to be carried out be considered by the appointed members.

38. RESPONSES TO QUESTIONS RAISED AT PREVIOUS MEETING

AGREED That the responses to questions raised at the previous meeting be noted.

39. AUDIT COMMITTEE WORK PROGRAMME

AGREED That Committee noted the work programme.

40. DATE OF NEXT MEETING

NOTED that the date of the next meeting was Wednesday 10 February 2016

The meeting closed at 10.37am

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **COUNCILLORS' COMMISSION** held in the Leader's Office, Kelham Hall, Newark on Tuesday 20th October 2015 at 4.00pm.

PRESENT: Councillor: R.V. Blaney (Chairman)
Councillors: Mrs G.E. Dawn, G.P. Handley, J. Lee, D.J. Lloyd, D.R. Payne and D. Staples.

APOLOGY: Councillor Mrs A.A. Truswell and Councillor D.J Lloyd for late arrival.

ALSO IN ATTENDANCE: Councillor Mrs M. Dobson

9. MINUTES OF THE MEETING HELD ON 15TH SEPTEMBER 2015

AGREED that the minutes of the meeting held on 15th September 2015 be approved as a correct record and signed by the Chairman.

10. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

There were no declarations of interest.

11. ICT EQUIPMENT FOR MEMBERS

Following their last meeting the Commission considered the report of the Director – Customers which gave the Members the opportunity of discussing further, proposals for each Member being given a Council owned Windows device on which to conduct Council business.

The Business Manager ICT advised that there were two key approaches, for Members to continue to purchase their own device or for the Council to provide an appropriate device on which Members would conduct Council business. A summary of the advantages and disadvantages of both were set out in the appendix to the report. The Business Manager ICT advised that the Council had standardised on Dell as a manufacturer of laptops and would therefore propose either a Dell tablet or small laptop for supplying to Members. It was reported that the cost for the provision of these would be between £425 and £490 per Member. For those Members that wished to continue to use their own device they would need to connect to the Council network via either the two factor authentication token or by having the Council's Mobile Device Management (MDM) software installed on their own device, provided the device met the Council's minimum requirements.

Concern was expressed by the Commission that some Members would still require paper copies of agendas at meetings if they weren't confident in using the technology provided. In addition some Members of the Commission expressed reservations about having to use the District Council designated email address and the Business Manager ICT was requested to circulate to all Members of the Commission details of the government's Public Sector Network requirements for local authorities.

AGREED (unanimously) that the Business Manager ICT be requested to establish if each Member wished to be supplied with an appropriate Council owned device or whether they wished use their own device on which to conduct Council business.

Once this initial exercise had been undertaken the Commission could further consider costings with a view to making a recommendation to Council as to the way forward.

12. SUBSTITUTION OF MEMBERS ON COMMITTEES

The Commission considered the report of the Deputy Chief Executive concerning proposed amendments to the Council's Procedure Rules relating to the substitution of Members on Committees. Council Procedure Rule 33.6 states that it is the responsibility of the ordinary Member who cannot attend to make arrangements for a substitute to be present in his/her place and to notify the Proper Officer of the proposed substitution at least 48 hours before the meeting concerned. However, in practice it had been the Chairman of the relevant Committee or the Group Leader who has given the notice of the substitution rather than the Member concerned. The report invited Members to consider if they wished to formally amend the Procedure Rules to provide that notice may be given by the Member, the relevant Group Leader, the Chairman or Opposition Spokesperson of the Committee where a substitution was proposed.

The Commission considered this addition to be appropriate and also considered that it would be more helpful to reduce the notice given to 24 hours before the meeting commenced.

AGREED (unanimously) that Council be recommended to amend Council Procedure Rule 33.6 to enable the Member, the relevant Group Leader, the relevant Committee Chairman or Opposition Spokesperson to give notice of the proposed substitution to the Proper Officer and for the notice period to be reduced to 24 hours from 48 hours.

(Councillor D.J. Lloyd arrived at this point during the meeting).

13. REMIT OF THE PLANNING AND ECONOMIC DEVELOPMENT COMMITTEES

The Commission considered a report concerning whether the remit of the Planning Committee should be widened to include the consideration and adoption of planning policy. The report stated that the remit of the Planning Committee was broadly to exercise regulatory functions in respect of planning, with planning policy being developed through the Local Development Framework Task & Finish Group with development plan documents and supplemental planning documents being approved through the Economic Development Committee. It was a Council function to approve the Local Development Framework.

It was noted that the committee style of governance was developed after extensive consideration by the Commission and consideration was given to including the adoption of planning policy within the Planning Committee's remit, but it was

considered that there were considerable benefits in the Committee's exercising regulatory functions broadly remaining unchanged from how they had operated within the cabinet style of governance.

The Commission considered that it may, at some point, be appropriate to extend the membership of the Local Development Framework Task & Finish Group, to possibly comprise more Members of the Planning Committee. However, at this stage no further action was proposed until such a time that the Planning Working Party, established to consider potential changes to the scheme of delegation adopted by the Planning Committee, site visits and other related matters, had concluded their deliberations.

AGREED (unanimously) that the remits of the Planning Committee and the Economic Development Committee remain unchanged at the present time.

Meeting closed at 4.57pm.

Chairman