

Date: 14th September 2015

Dear Sir/Madam,

COUNCIL MEETING – 22ND SEPTEMBER 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, 22nd September 2015 at 6.00pm.

Yours faithfully



A.W. Muter
Chief Executive

AGENDA

Pages

- | | | |
|----|--|-------|
| 1. | Apologies for absence | |
| 2. | Minutes of the Meeting held on 21 st July 2015 | 1 – 7 |
| 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. Notices of Motion (if any)
10. Questions from Members of the Council

DELEGATED DECISIONS

11. (a) Policy & Finance Committee
 - (i) 28th July 2015 PF1 – PF4 (PF5 – P6 Exempt)
 - (ii) 10th September 2015 To follow
- (b) Economic Development Committee – 9th September 2015 To follow
- (c) Homes & Communities Committee – 7th September 2015 To follow
- (d) Leisure & Environment Committee – 15th September 2015 To follow
- (e) General Purposes Committee – 3rd September 2015 GP1 – GP3
- (f) Licensing Committee – 3rd September 2015 L1 – L3
- (g) Planning Committee
 - (i) 4th August 2015 PL1 – PL4
 - (ii) 11th August 2015 PL5 – PL12
 - (iii) 8th September 2015 To follow
- (h) Audit & Accounts Committee – 9th September 2015 AA1 – AA5
- (i) Standards Committee – 16th September 2015 To follow
- (j) Councillors' Commission – 15th September 2015 To follow

NOTES:

- (1) The Conservative Group will meet at 5.00pm in Room G21 prior to the Council Meeting.
- (2) The Labour Group will meet at 5.00pm in Room G23 prior to the Council Meeting.
- (3) The Independent Group will meet at 5.00pm in Room F19 prior to the Council Meeting.

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **NEWARK & SHERWOOD DISTRICT COUNCIL** held in the Council Chamber, Kelham Hall, Newark on Tuesday, 21st July 2015 at 6.00pm.

PRESENT: Councillor I. Walker (Chairman)
Councillor A.C. Roberts (Vice-Chairman)

Councillors: Mrs K. Arnold, R.V. Blaney, Mrs B.M. Brooks, Mrs C. Brooks, Mrs I. Brown, M. Cope, Mrs R. Crowe, R. Crowe, Mrs G.E. Dawn, Mrs M. Dobson, P.C. Duncan, K. Girling, 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. Staples, D. Thompson, Mrs L.J. Tift, Mrs A.A. Truswell, B. Wells, T. Wendels and Mrs Y. Woodhead.

APOLOGIES FOR ABSENCE: Councillors: D. Batey, M. Buttery, G. Brooks, D. Clarke and F. Taylor

16. MINUTES

AGREED that the minutes of the Annual Meeting held on 19th May 2015 be approved as a correct record and signed by the Chairman.

17. DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

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

18. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

The Chairman advised that the meeting was being recorded by the Council in accordance with the usual practice.

19. COMMUNICATIONS FROM THE CHAIRMAN AND CHIEF EXECUTIVE

The Chairman advised that his chosen charity for his year in office was Beaumont House Community Hospice. He also announced that the Annual Civic Service would be held at Elston Church in April 2016 and the Annual Carol Service would be held in Ollerton.

20. PETITIONS

In accordance with Council Procedure Rule No. 10, Councillor Mrs L.J. Tift presented a petition to the Council in respect of a planning application for a proposed gypsy and travellers' site in Wellow. The petition, signed by 136 residents, raised concerns about the increased number of sites in the Ollerton and Wellow area.

21. CHANGE IN COMMITTEE MEMBERSHIP

The Council considered the report of the Chief Executive concerning a change in

Committee membership. Following the appointments of Members on Committees at the Annual Meeting, the Labour Group had indicated that they wished to change one of their representatives on the General Purposes and Licensing Committees.

AGREED (unanimously) that Councillor Mrs L.J. Tift be appointed to the General Purposes and Licensing Committees in place of Councillor D. Thompson.

22. APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES

The Council considered the report of the Chief Executive which invited Members to appoint the appropriate number of representatives to the Newark and Sherwood CCG Stakeholder Reference Group Sub-Committee and the Newark and Sherwood Health Forum. These two bodies would be added to the full Schedule of Appointments to Outside Bodies.

AGREED (unanimously) that:

- (a) Councillor A.C Roberts (with Councillor D. Staples acting as substitute) be appointed as the Council representative on the Newark and Sherwood CCG Stakeholder Reference Group Sub-Committee for 2015/16; and
- (b) Councillors A.C Roberts, D. Staples and Mrs S.M. Michael be appointed as the Council representatives on the Newark and Sherwood Health Forum for 2015/16.

23. MEMBERS' ALLOWANCES INDEPENDENT REMUNERATION PANEL

The Council considered the report of the Director- Resources which sought to set up an Independent Remuneration Panel to undertake a review of the current Members' Allowance Scheme and make recommendations for a new scheme. The report also clarified approved duties for travel and subsistence allowance under the current scheme.

The current scheme of Members' Allowances was approved by the Council in May 2013 at the time when the committee system was introduced. It was considered appropriate to review the scheme given the full elections in May 2015 and the reduction to 39 Members as a result of the Further Electoral Review.

When considering Councillors' Allowances, each Council was required to have an Independent Remuneration Panel. The Panel must consist of at least three people whose purpose was to make recommendations about the allowances paid to elected members. The Council must "have regard" to the Panel's recommendations in setting its scheme. It was suggested that it would be appropriate to pay the Chairman of the Independent Remuneration Panel a sum of £2,000, which was in line with the amount paid to the Council's Designated Independent Person, and £500 to each of the other members of the Panel. Discussions had been undertaken with a retired senior local government officer with a view to him chairing the Panel.

It was proposed that the Panel meet over the summer period, and it was likely that

four meetings would be required. There would be an opportunity for any Councillors to meet with the Panel and for written representations to be made.

With regard to travel and subsistence allowances, it was clarified that Members could only claim for 'approved duties' as listed in the Local Authorities (Members' Allowances) (England) Regulations 2003. Examples of 'approved duties' included attending Council and Committee meetings and representation on outside bodies where the body didn't pay mileage. The report also sought to clarify the position in respect of Members attending meetings of parish councils in their ward. It was proposed to include attendance at parish council meetings as an approved duty in certain circumstances as detailed in the report.

AGREED (unanimously) that:

- (a) the Director - Resources sets up an Independent Remuneration Panel to review the Council's Scheme of Members' Allowances;
- (b) the remit of the Independent Remuneration Panel be as set out in section 4.2 of the report;
- (c) the Chairman of the Independent Remuneration Panel be paid a sum of £2,000 and the other members be paid a sum of £500, plus any expenses incurred;
- (d) the Independent Remuneration Panel's report be considered by Council in the autumn; and
- (e) Parish Council meetings be determined as an Approved Duty for the purposes of claiming mileage expenses in the following circumstances:
 - (i) if all or part of the parish or town council is within the ward of the District Council Member;
 - (ii) so long as they are not otherwise a member of that parish council; and
 - (iii) if the parish council has included on its agenda an item to receive reports from and raise issues (relating to the activities of the District Council) with its Ward Councillor.

24. ANNUAL TREASURY REPORT 2014/15

The Council considered the report of the Director – Resources which provided a summary of the treasury management during 2014/15 in accordance with CIPFA requirements. It was reported that none of the Prudential Indicators had been breached and a prudent approach had been taken in relation to investment activity with priority being given to security and liquidity over yield. The report also confirmed that during 2014/15 the Council complied with its Treasury Management Policy Statement and Treasury Management Practices.

In response to questions from Members the Director – Resources clarified the position in relation to the process of recovery of the Council’s investment held in the Icelandic Glitnir Bank. It was reported that in March 2012 approximately 82p in the £1 was recovered from the Council’s investment in Glitnir Bank. The remaining 18% was held in Icelandic Krona which the Council had not been able to access due to restrictions imposed by the Icelandic government. Deutschebank had offered to purchase Icelandic Krona from all affected Councils at a discounted rate and the Director - Resources had been given delegated authority to proceed with these negotiations. The Director – Resources advised that negotiations had not been concluded to date but it was anticipated that the remaining funds would be repaid before the next Council meeting. Once this transaction was complete the Council would have recovered 96.75% of its original investment.

AGREED (unanimously) that the Treasury outturn position for 2014/15 be accepted.

25. QUESTIONS RECEIVED FROM MEMBERS OF THE COUNCIL

Details of two questions put forward by Councillor Mrs G.E. Dawn and the replies given are attached as Appendix A to these minutes.

26. DELEGATED DECISIONS

(a) Policy and Finance Committees – 4th June and 9th July 2015

(i) Minute No. 19 - Housing Growth

Councillor G.P. Handley welcomed the proposal to prepare HRA sites for development given the importance of affordable housing but stated that the Council now required a dynamic strategy for housing growth covering the next four years.

(ii) Minute No. 25 - Funding for Enforcement Action

Councillor D.R. Payne suggested that the Council should have a high profile Litigation Committee to deal with cases such as the subject of exempt Item 25. This would enable the Council to deal with contentious enforcement issues promptly.

(b) Economic Development Committee – 24th June

(c) Homes & Communities Committee – 15th June 2015

(i) Minute No. 12 – Equality and Diversity

Councillor K. Girling welcomed the fact that the Council were looking to provide support for ex-military personnel but stated that wrap around services needed to be provided which were appropriate given the potential for post-traumatic stress disorder. He also referred to the Military Covenant Event being arranged by the County Council and

encouraged all Members to attend.

Councillor R.B. Laughton advised that the Homes and Communities Committee would look further at the services available for ex-military personnel.

- (d) Leisure and Environment Committee – 14th July 2015
- (e) General Purposes Committee – 11th June 2015
- (f) Licensing Committee – 11th June 2015
- (g) Planning Committees – 9th June and 7th July 2015
- (h) Audit and Accounts Committee – 24th June 2015

Meeting closed at 6.41pm.

Chairman

QUESTIONS BY MEMBERS - COUNCIL PROCEDURE RULE NO. 14

QUESTION ONE

Question from Councillor Mrs G.E. Dawn:

“Would Councillor P.C. Duncan, as the Council’s representative on the Nottinghamshire Building Preservation Trust, please update Members on the progress and results of the feasibility study carried out on behalf of the Trust regarding the derelict Robin Hood Hotel. Can he also advise when we will start to see some work on this site whether it be demolition or restoration?”

Reply from Councillor P.C. Duncan:

"In accordance with the timetable advised to the Council in April, the Architects appointed to carry out the Feasibility Study on the restoration of the Robin Hood Hotel have now reported their findings to the Council of Management of the Nottinghamshire Building Preservation Trust.

These are now being studied by the Council, whose response will be issued shortly to all interested parties.

Until that time, it is not possible to indicate what course of action may be followed in respect of the site."

Supplementary Question from Councillor Mrs G. E. Dawn

“Who are the interested parties referred to in the reply from Councillor Duncan?”

Reply from Councillor P.C. Duncan

“The interested parties are Strawson’s as land owners, the Heritage Lottery Fund and Newark and Sherwood District Council. I would expect the findings to be shared with these bodies in the next few weeks.”

QUESTION TWO

Question from Councillor Mrs G.E. Dawn to the Chairman of the Policy & Finance Committee:

“Would the Leader of the Council please give Members an update of the benefits the Bridge Ward, particularly Yorke Drive, has experienced as a result of the Bridge Ward Neighbourhood Study / Master Plan.”

Reply from Councillor R.V. Blaney

“The key output of the Bridge Ward Neighbourhood Study related to the transformational project focussing on the growth and regeneration of Yorke Drive; which includes proposals for delivering new homes on the Lincoln Road playing fields, along with enhancing the local sport and play provision offer and creating a Community Hub.

Due to economic climate on completion of the Study, coupled with the down turn of the housing market and reduction in new build completions, Cabinet at its meeting on 6th December 2012 resolved that the transformational project should be considered in the medium term for inclusion within the Council’s capital programme.

As noted at the meeting of the Policy & Finance Committee on 9th July 2015 work will now be progressing to review this key transformational project set against the current market and finances available.

The Study has also informed the development of key policies in the Council’s Allocations & Development Management Development Plan Document (adopted July 2013) supporting housing growth and regeneration in Newark, including a ‘Yorke Drive Policy Area’.

Subsequent to completion of the Study, which Nottinghamshire County Council officers were consulted on, the local Ward Members will note that the road network has been resurfaced on the Yorke Drive estate and traffic restriction orders are now in place for Brunel Drive. These matters were highlighted in the Study as concerns for the residents and business community in the Ward.”

Supplementary Question from Councillor Mrs G.E. Dawn

“Could Councillor Blaney advise why none of the actions which do not cost money, had not been undertaken and when do you intend to undertake these?”

Reply from Councillor R.V Blaney

“The study identified actions that could be undertaken by a number of partners not just the District Council. The resident’s concerns have been addressed and the actions identified in the study have been completed. It was likely that more elements were likely to move ahead in the coming months due to the improved economic climate.”

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **POLICY & FINANCE COMMITTEE** held in Room G21, Kelham Hall, Newark on Tuesday, 28th July 2015 at 6.00pm.

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

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

SUBSTITUTE: Councillor T. Wendels for R.B. Laughton.

ALSO IN ATTENDANCE: Councillors: Mrs C. Brooks, R. Crowe, P.C. Duncan and D.R. Payne.

26. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor R.B. Laughton.

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

There were no declarations of interest.

28. DECLARATIONS OF INTENTIONS TO RECORD THE MEETING

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

29. MINUTES FROM THE MEETING HELD ON 9TH JULY 2015

The minutes from the meeting held on 9th July 2015 were agreed as a correct record and signed by the Chairman.

30. NEW OFFICE ACCOMMODATION - RIBA STAGE D BUSINESS CASE AND DESIGN

The Director- Customers presented a report which updated Members on the proposed new offices and business case, following the completion of work on a detailed design and specification stage, the Royal Institute of British Architects (RIBA) Stage D. The business case, which was attached as an appendix to the report, addressed both the capital and revenue implications, giving comparative information so that Members could see the progression from RIBA Stage B to the current position at RIBA Stage D.

At RIBA Stage B it was predicted that the building would occupy 3643m². This design included ground floor space dedicated to a café. However, the Council commissioned a catering consultant to examine the feasibility of including a café within the new office and the subsequent report concluded that there would be insufficient footfall at the new site to make a café commercially viable. The area which previously incorporated a café area was now being utilised for the Department of Work and Pensions (DWP) which was committed to co-locate with the Council. The RIBA Stage D designs now showed a building of 3522m². The business case demonstrated that the return to the Council was significantly higher from the DWP's occupancy of that area, whilst

affording a better customer experience from co-location with the Council.

The report set out the revenue costs/savings predicted at year one. It was reported that ongoing discussions with partners were showing significant increased revenue opportunities to those identified through a café at RIBA Stage B. The report also showed the RIBA Stage D predicted costs modelled over 5 years. This demonstrated a cumulative saving over 5 years of over £2.5m. The report also detailed the revenue implications of the planned provision at Southwell and showed the current provision at Ollerton.

A full review had been undertaken of the Council's statement of requirements for a new office between RIBA Stage B and RIBA Stage D. This review had enabled a set of clear benefits to be further clarified and this proposal offered the Council a clearer, beneficial financial and operational position.

During consideration of the Item Members requested to see details of any proposals for the use of solar panels and harvesting rainwater at the new building. In addition, Members requested officers to consider the implications of the new building on the lorry park.

AGREED (unanimously) that:

- (a) approval be given to the RIBA Stage D Business Case and design as set out in Appendix A to the report;
- (b) subject to (a) above, approval be given to submit a planning application to build the new offices;
- (c) subject to planning permission being granted, the Council enter into a competitive procurement process to identify a main building contractor; and
- (d) the new offices included within the Council's committed Capital Programme be amended to reflect the figures at RIBA Stage D, as detailed within the report.

Reason for Decision

To enable new purpose built offices to be built on the land adjacent to the Castle Station and deliver significant revenue savings for the Council, and to enable new offices to be built within the timescale required for vacation of Kelham Hall.

31. HOUSING GROWTH- ASHFIELD FARM, FARNSFIELD

The Director – Safety presented a report which outlined proposals to submit a tender bid to Barratt Homes for the acquisition of 16 new build affordable homes, forming part of the Section 106 affordable housing contribution at Ash Farm, Farnsfield.

One of the mechanisms to secure housing growth was through the acquisition of

Section 106 affordable housing units, enabling the Council to intervene in the market where it was appropriate and necessary in order to ensure the delivery of affordable housing. Traditionally Registered Providers had acquired Section 106 affordable housing units, however due to changes in housing finance for local Providers they do not have capacity within their current Business Plans to enter into negotiations for additional Section 106 units, which they had not already committed to, until 2018.

The Council was approached by Barratts in January 2015 indicating that they were unable to attract a firm offer for the social rented units from a Registered Provider. Three Registered Providers had prepared offers but these were withdrawn due to other confirmed commitments and for the reasons stated above. The Council had liaised with those Registered Providers who undertook an initial appraisal for the acquisition of the 16 social rented units and in confidence had provided the Council with outline details of their appraisals.

The report set out Barratt's estimated open market valuation, provided for community sum purposes, and an average of the various Providers' indicative offers for each unit type. Based on the average indicative offer plus a small contingency, Newark & Sherwood Homes were asked to undertake a financial appraisal to determine the return on the investment that this proposal would deliver, based on best estimates of the costs and income over a 30 year period. The outcome of this appraisal was detailed and showed a favourable return. It was noted that the acquisition of these units would meet evidenced local housing need and deliver against the Councils housing growth agenda. It would also ensure on site delivery of the Section 106 affordable housing units and negate the developer from entering into a commuted sum negotiation process.

It was proposed that the Committee consider approving, in principle, the submission of a transfer bid to Barratt Homes for the acquisition of the 16 new build affordable homes, which formed part of the Section 106 affordable housing contribution at Ash Farm, Farnsfield. The submission would be subject to on-going negotiations with Barratts, with the need to ensure that the Council achieved the best return for its investment along with maintaining a viable Housing Revenue Account Business Plan.

AGREED (unanimously) that:

- (a) the Committee approve in principle the submission of a transfer bid to Barratt Homes for the acquisition of 16 new build affordable homes, which form part of the Section 106 affordable housing contribution at Ash Farm, Farnsfield; and
- (b) subject to the completion of a satisfactory financial appraisal as detailed in paragraph 5.3 of the report, the Director – Resources/Safety be given delegated authority following consultation with the Chairman, Vice Chairman and Opposition Spokesperson of the Committee to progress the acquisition of the 16 units with Barratt Homes.

Reason for Decision

The acquisition of the Section 106 affordable homes at Ash Farm, Farnsfield will contribute to delivering housing growth, meet the wider

strategic priorities of the Council, meet locally evidenced housing need and help maintain a viable Housing Revenue Account Business Plan.

32. 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 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.

33. NEW OFFICE ACCOMMODATION - RIBA STAGE D BUSINESS CASE AND DESIGN

The Committee considered the exempt elements of the report, and business case, as presented by the Director – Customers which included financial information relating to estimated capital costs. It was considered that these should not be disclosed because the construction of new offices and spokes would be the subject of competitive tenders.

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

34. VISITOR INFORMATION CENTRE - PALACE THEATRE, NATIONAL CIVIL WAR CENTRE AND NEWARK TOURIST INFORMATION CENTRE INTERGRATION

The Committee considered the exempt report presented by the Director – Customers in relation to the integration of the Palace Theatre and National Civil War Centre – Newark Museum. The report contained details of the sums offered to complete the building works and the names of proposed contractors.

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

Meeting closed at 7.20pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the **GENERAL PURPOSES COMMITTEE** held on Thursday, 3rd September 2015 in Room G21, Kelham Hall at 6.00pm

PRESENT: Councillor Mrs R. Crowe (Chairman)
Councillor D.J. Clarke (Vice-Chairman)

Councillors: Mrs K. Arnold, Mrs I. Brown, M. Cope, J. Lee, Mrs S.M. Michael, D.R. Payne, P. Peacock, Mrs S. Soar, Mrs. L.M.J. Tift and I. Walker

7. APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors: Mrs B. Brooks, G. Brooks and M. Buttery.

8. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

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

9. DECLARATION OF INTENTION TO RECORD MEETING

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

10. MINUTES OF MEETING HELD ON 11TH JUNE 2015

AGREED that the Minutes of the meeting held on 11th June 2015 be approved as a correct record and signed by the Chairman.

11. REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE

The Committee considered the report presented by the Business Manager – Environmental Health in relation to the review of the temporary licence of Mr. David Flint to consider whether he was a fit and proper person to hold a Private Hire/Hackney Driver's Licence.

The matter had been considered at the previous meeting held in June 2015 when Members had agreed to grant Mr. Flint a temporary licence for a 3 month period. This was to allow Mr. Flint's appeal against his conviction for 4 counts of benefit fraud to be heard, following which the Committee would consider the application again. It was reported that Mr. Flint had subsequently sought legal advice and had been informed that it was unlikely that any appeal would be successful and therefore he was no longer seeking to appeal his conviction.

In considering the matter, Members were advised of items for consideration and what options were open to them in relation to this case.

In response to Members querying the reasons for the conviction, Mr. Flint who was present at the meeting, explained that he had not informed the appropriate people as to a change in his circumstances. He confirmed that in his present role he was not left alone with service users and that he was not required to handle payments. He added that his present employers were aware of the circumstances and that he could continue his employment with them if he was granted a Private Hire Ambulance Licence. They have invested in him already by way of training and were eager for this to continue.

In considering the options available, it was proposed and seconded that Mr. Flint's licence be amended to that of a Private Ambulance Driver, thereby limiting his licensed activities to only driving private ambulances where no fee was handled by the driver. This would mean that Mr. Flint would not be able to drive a taxi or a private hire vehicle. Members also agreed that Mr. Flint be advised that should it be necessary for him to come before Committee again on the same or similar matter, such a lenient approach would not be taken.

AGREED (by 11 votes for with 1 against) that Mr. David Flint's licence be amended to that of a Private Ambulance Driver.

12. IMPACT OF THE DEREGULATION ACT 2015 ON THE DURATION OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS LICENCES AND ON THE DURATION OF PRIVATE HIRE OPERATORS LICENCES

The Committee considered the report presented by the Business Manager – Environmental Health in relation to the changes introduced by the Deregulation Act 2015 and the impact this would have on the Council's current policy of issuing all new drivers with a licence for one year and the policy of issuing operator licences for three years.

The report highlighted the changes that the Deregulation Act 2015 would have in relation to the Local Government (Miscellaneous Provisions) Act 1976. It was reported that the changes had been introduced to bring the national licensing regime into line with the position in London. It was further reported that the wording provided discretion for the Council to reduce the default period depending on the circumstance of each case. Paragraph 4 of the report highlighted the proposed changes to the Council's current policies to ensure that they were aligned to those of the Deregulation Act 2015 which was to come into effect on 1st October 2015.

AGREED (unanimously) that:

- (a) the Council's policy for Hackney Carriage and Private Hire Licensing be amended in relation to private hire operators to read: *'A private hire operator's licence is valid for five years on initial application and for the same period on renewal. A licence may be granted for a lesser period appropriate in the circumstances of the case'*;

- (b) the Council's policy for Hackney Carriage and Private Hire Licensing be amended in relation to private hire and hackney carriage drivers to read '*A private hire and/or hackney carriage drivers licence is valid for three years on initial application and for the same period on renewal. A licence may be granted for a lesser period appropriate in the circumstances of the case. A DBS check will be required to be submitted annually*';
- (c) the Council's policy for Hackney Carriage and Private Hire Licensing be amended in relation to private hire and hackney carriage drivers to read; '*A medical check will be required on initial application and every three years following the driver attaining the age of 45. Thereafter medical checks will be required every three years until the driver is 65 when medicals will be required every year. A licence renewal at age 65 will be for three years, however, a licence may be granted for a lesser period appropriate in the circumstances of the case*';
- (d) the conditions of licence attached to private hire and/or hackney carriage drivers licence be amended to include the requirement to subscribe to the annual DBS update service and to require drivers to submit an annual DBS check; and
- (e) the changes be implemented from the 1st October 2015.

13. UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report presented by the Business Manager – Environmental Health in relation to the activity and performance of the Licensing Team between 1st April and 30th June 2015. The report also provided details of current ongoing enforcement issues.

In considering the report, Members queried whether the organisations who carried out Street Collections and House to House Collections were pursued for their returns. In response, Members were informed that all outstanding returns were pursued and a report would be made to Committee in this regard.

Members also sought clarification in relation to the number of HC vehicles that had been checked and subsequently found to have minor defects. They requested that this information be provided in future reports.

AGREED (unanimously) that:

- (a) the report be noted; and
- (b) future reports provided information as to the number of returns from Street and House to House Collections together with the number of vehicles found to have minor defects during scheduled checks.

The meeting closed at 6.35pm

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the **LICENSING COMMITTEE** held on Thursday, 3rd September 2015 in Room G21, Kelham Hall immediately following the meeting of the General Purposes Committee.

PRESENT: Councillor Mrs R. Crowe (Chairman)
Councillor D.J. Clarke (Vice-Chairman)

Councillors: Mrs K. Arnold, Mrs I. Brown, M. Cope, J. Lee, Mrs S.M. Michael, D.R. Payne, P. Peacock, Mrs S. Soar, Mrs. L.M.J. Tift and I. Walker

7. APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors: Mrs B. Brooks, G. Brooks and M. Buttery.

8. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

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

9. DECLARATION OF INTENTION TO RECORD MEETING

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

10. MINUTES OF MEETING HELD ON 11TH JUNE 2015

AGREED that the Minutes of the meeting held on 11th June 2015 be approved as a correct record and signed by the Chairman.

11. VERBAL UPDATE

The Director – Safety provided Members with an update in relation to an issue raised at a previous meeting relating to the Atrium in Newark and the existing covenant on the premises.

The Committee were advised that the restrictive covenant was an asset and as such any consideration of it was within the remit of the Policy & Finance Committee and not the Licensing Committee. Following receipt press reports that the owners of the premises wished to extend their operating hours, a letter had been sent to them to reiterate the existing agreed hours. These were that the serving of alcohol and dancing were not permitted between the hours of 01:00 hours and 09:00am. It was acknowledged that this had been relaxed from the original commencement hours of 00:00 hours.

AGREED that the information as reported be noted adding that the existing covenant would need to be dealt with prior to any variation of the licensing hours being applied for and considered.

12. REVIEW OF STATEMENT OF GAMBLING POLICY – CONSULTEES RESPONSES

The Committee considered the report presented by the Business Manager - Environmental Health in relation to the outcome of the consultation exercise carried out in respect of the Statement of Gambling Policy required under the Gambling Act 2005.

It was reported that only one response to the consultation had been received from: Newark Town Council and that this was in relation to the 'no casino' resolution. The Town Council had stated their support for the continuation of the 'no casino' resolution.

AGREED (unanimously) that:

- (a) the draft Statement of Gambling Policy be approved and forwarded to full Council with a recommendation for adoption, subject to further amendment following receipt of any additional consultation responses and in consultation with the Chairman and Vice-Chairman of the Committee; and
- (b) full Council be recommended to renew the resolution not to issue any licences for casinos in the district.

13. LICENSING ACT TRAINING

The Committee considered the report presented by the Business Manager – Environmental Health in relation to providing feedback from the training provided on 3rd July 2015 on the Licensing Act 2003.

Members commented that as the training was an all-day event during the week it was difficult for working Members to attend. They requested that consideration be given to holding future training during the evening or on a Saturday.

It was noted that notes from the training would be circulated to those Members unable to attend.

AGREED (unanimously) that:

- (a) the report be noted; and
- (b) consideration be given to hold future training during the evening or on a Saturday.

14. COUNTYWIDE BEST BAR NONE SCHEME

The Committee considered the report presented by the Business Manager – Environmental Health in relation to the progress of the countywide Best Bar None Scheme.

The report provided a list of some of the things which the scheme would look to promote in order to raise standards in licensed premises. It also provided a summary of the current scheme and what the proposals were e.g. two levels of award were planned with a local award ceremony where all the premises achieving accreditation would be presented with their certificates. It was further reported that the top two premises would be put forward into the countywide finals. There would also be a judge's choice to acknowledge premises where judges felt that, whilst not necessarily scoring the highest in all categories, there was one element that stood out.

Members queried whether there was any planned publicity. They were informed that a press release had been drafted and it was hoped that this would be promoted by the local papers.

AGREED (unanimously) that:

- (a) the progress of the Nottinghamshire County Best Bar None Scheme be noted; and
- (b) proposals for both local and county wide award ceremonies be supported.

15. TEMPORARY EVENT NOTICES RECEIVED AND ACKNOWLEDGED BETWEEN 1ST APRIL AND 30TH JUNE 2015 INCLUSIVE

NOTED: the Temporary Event Notices received and acknowledged between 1st April and 30th June 2015 inclusive.

15. UPDATE ON QUARTERLY PERFORMANCE AND ENFORCEMENT MATTERS

NOTED: the activity and performance of the licensing Team between 1st April and 30th June 2015.

The meeting closed at 6.56 pm

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **PLANNING COMMITTEE** held in the Council Chamber, Kelham Hall, Newark on Tuesday, 4th August 2015 at 4.00pm.

PRESENT: Councillor D.R. Payne (Chairman)

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

29. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors: G.P. Handley, N.B. Mison and Mrs S.E. Saddington.

30. MINUTES – 7TH JULY 2015

Minute No. 20 – PA Freight Services Ltd, International Logistics Centre, Park House, Farndon Road, Newark (15/00292/FUL). The Minute should be clear that the support provided to PA Freight was to a find a more suitable location for the business and not financial support.

A Member also confirmed that she had abstained from voting; the vote was therefore 10 votes for and 1 abstention.

AGREED that, subject to the above amendments, the Minutes of the meeting held on Tuesday, 7th July 2015 be approved as a correct record and signed by the Chairman.

31. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

There were none.

32. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

33. 207 HAWTON ROAD, NEWARK (15/00036/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 20 detached market dwellings, which would be arranged around a new cul-de-sac, south of Cardinal Hinsley Close.

Members considered the application and it was commented that the design was good and that the location off-site was correct for affordable homes. A Member raised concern regarding the comments of the Highways Authority that the road would not be adopted and would remain private; the maintenance would therefore be an obligation on the homeowner. It was therefore suggested that additional wording be included in the informative notes in order to make clear that this issue was included in

any S106 agreement.

AGREED (unanimously) that full planning permission be approved subject to the conditions contained within the report and the completion of a S106 Agreement to secure the developer contributions set out in the Notes to Applicant (03) and the requirement of the County Council as Highways Authority as set out in (02) contained within the report.

34. PLOTS 1 - 10 Green Park, Tolney Lane, Newark (14/01640/FULM)

The Chairman informed the Committee that the item had been withdrawn from the agenda.

35. 10A BROOKLAND CLOSE, GUNTHOPRE (15/00709/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought full planning permission for the erection of a two storey dwelling with three bedrooms set broadly centrally within a modest plot with rear amenity space.

The Chairman informed the Committee that the local ward Member had asked if this could be deferred for a site visit. The Committee decided that a site visit was not necessary as they had visual photographs of the site.

Members considered the application and it was commented that the footings had been put in from an earlier reserved matters application, which was approved by the Planning Committee on 7th September 2004. It was suggested that an additional condition be included to the planning permission for the removal of permitted development rights.

AGREED (unanimously) that full planning permission be approved subject to the conditions and reasons contained within the report and the additional condition for the removal of permitted development rights.

36. COPT HILL FARM, RICKET LANE. BLIDWORTH (14/02169/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought planning permission for the installation and commissioning of a single 500kW wind turbine generator (hub height of 40m and tip height of 67m) minor alteration to planning permission 13/01651/FUL.

A schedule of communication was tabled at the meeting, which included correspondence received after the agenda was published from the Applicant in the form of a letter which was appended to the schedule of communication.

The Business Manager - Development informed Members that this application was considered and approved by the 7th April 2015 Planning Committee. Members at that meeting were minded to approve the application subject the applicant entering into a legal agreement not to implement the first permission.

The legal agreement was ready to be signed by the applicant, however on the 18th June the Government had issued a change to the planning policy with respect to wind

turbine development and that change was contained within the report. For applications submitted prior to the 18th June, which includes this current application transitional arrangements apply.

A legal opinion had been sought regarding the new turbine guidance in terms of transitional arrangements. Counsel had advised that the nature of local objection was, amongst other things, material. The Business Manager Development explained that there had been one objection from Blidworth Parish Council (albeit no planning grounds were promoted), but no other objection had been received from other Parishes. There were also 2 no. individual neighbour objections albeit no other grounds of objection were raised by various consultees. Given that Officers and the Committee have previously recommended approval, given that there has been independent landscape advice and given that objections on planning grounds were limited it was recommended that the application be approved.

Members considered the application and it was commented that planning permission should be granted for three reasons: natural justice; in light of the Ministerial guidance now published; and that there were no objections from other professional consultees or wider Parish Council's.

AGREED (with 10 votes for and 1 abstention) that full planning permission be approved subject to the conditions and reasons contained within the report.

37. FURLEYS COTTAGE, OLD EPPERSTONE ROAD, LOWDHAM (15/00986/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought to create an additional residential unit within the site through the conversion of an existing single storey outbuilding.

AGREED (with 10 votes for and 1 vote against) that full planning permission be approved subject to the conditions and reasons contained within the report.

38. LAND OFF WARSOP LANE, RAINWORTH (15/00522/FULM)

The Committee considered the report of the Deputy Chief Executive, which sought a residential development of 30 additional dwellings within the existing site boundary of Outline Permission 13/01256/OUTM.

This application was deferred at Planning Committee on 7th July 2015 with a request for further information relating to the extent of the landscaped buffers to the southern and western boundaries of the site and the likely density of future development on the remaining eastern half of the allocated land, which sat outside the application site. The report included further consultation responses received.

A schedule of communication was tabled at the meeting, which included correspondence received after the agenda was published from Newark and Sherwood District Council's Parks and Amenities Officer.

The Business Manager development informed Members that the emergency access from the site had been agreed in the outline consent and was a requirement by

condition restricting access. The applicant had been asked to clarify what the buffer would look like, a number of artist impressions were provided for Members. A thicker buffer would be established along the boundary, it was confirmed that the officers were satisfied with the proposed buffer.

Members considered the application and the concerns regarding the emergency exit were reiterated. A Member commented that the County Highways had accepted the access onto Warsop Lane and not through the existing estate. Disappointment was raised regarding the landscape buffer and it was considered that the developer had not done enough to increase the landscape buffer in depth and height in order for the houses to be concealed. Officers were asked to go back to the developer and further negotiate a more appropriate landscape buffer.

AGREED (unanimously) that the application be deferred to the 11th August 2015 Planning Committee, to allow Officers to further review the landscape buffer on Warsop Road with the developer.

39. LAND OFF WARSOP LANE, RAINWORTH (15/00523/RMAM)

The Committee considered the report of the Deputy Chief Executive, which sought approval for the reserved matters relating to the existing outline planning permission ref. 13/01256/OUTM for up to 130 dwellings. The detailed matters being sought were namely appearance, landscaping, layout and scale.

This application was deferred at Planning Committee on 7th July 2015 with a request for further information relating to the extent of the landscaped buffers to the southern and western boundaries of the site and the likely density of future development on the remaining eastern half of the allocated land, which sits outside the application site. The report included further consultation responses received.

A schedule of communication was tabled at the meeting, which included correspondence received after the agenda was published from Newark and Sherwood District Council's Parks and Amenities Officer; and a Neighbour comment.

AGREED (unanimously) that the application be deferred to the 11th August 2015 Planning Committee, to allow Officers to further review the landscape buffer on Warsop Road with the developer.

40. APPEALS LODGED

NOTED: that the report be noted.

41. APPEALS DETERMINED

NOTED: that the report be noted.

The meeting closed at 5.07pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **PLANNING COMMITTEE** held in the Council Chamber, Kelham Hall, Newark on Tuesday, 11th August 2015 at 4.00pm.

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

Councillors: D.M. Batey, R.V. Blaney, R.A. Crowe, M. Dobson, P.J. Rainbow, I. Walker and Y. Woodhead.

42. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors: Mrs C. Brooks, N.B. Mison, Mrs S.E. Saddington, Mrs L.M.J. Tift and B. Wells.

43. MINUTES OF THE MEETING HELD ON 4TH AUGUST 2015

AGREED that the Minutes of the meeting held on 4th August 2015 be approved as a correct record and signed by the Chairman.

44. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

NOTED that the following Members declared an interest in the item(s) shown below:

<u>Member</u>	<u>Agenda Item</u>
Councillors D.R. Payne and I. Walker	Agenda Item Nos. 6 & 7 – Land Adjacent to Cover Point, Halloughton (15/01023/FUL) and Cover Point, Southwell Road, Halloughton (15/00676/FUL). (Non-Disclosable Pecuniary Interest – Members of Trent Valley Drainage Board)
Councillor Mrs P. Rainbow	Agenda Item No. 5 – High Gables, Lower Kirklington Road, Southwell (15/00475/OUTM) (Disclosable Pecuniary Interest – Pre-determination and bias in relation to this application)

45. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

The Chairman of the Committee advised those present that Agenda Item Nos. 12–19 would be discussed as one but that the vote for each item would be taken individually.

Councillor Mrs P. Rainbow withdrew from the meeting during the following item and did not take part in the debate or voting thereon.

46. HIGH GABLES, LOWER KIRKLINGTON ROAD, SOUTHWELL (15/00475/OUTM)

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 a maximum of 12 dwellings (8 market houses and 4 affordable houses) on 0.71 hectares of land to the north of Southwell within the defined built up part of the town. The application site contained High Gables, a 2 storey dwelling fronting Lower Kirklington Road and a field bound in the most part by hedgerows to the rear.

Councillor P. Storer, representing Southwell Town Council, with the permission of the Chairman, circulated to the Committee an extract of a map showing the housing allocation site So/Ho/5. Councillor Storer spoke against the application, reiterating the comments contained within the report. He also commented that the Southwell Neighbourhood Plan considered that financial contributions for an off-site open space area was unacceptable as it would not be suitable for younger children.

Members considered the application and raised a number of issues. It was noted that whilst there was a desire to look at the whole of the allocated development site there was a risk to waiting for a significant development to come forward with the whole site having an allocation of 60 no. dwellings. It was further noted that the siting of the mini-roundabout would make the second access to the development safer as traffic would be required to slow down.

Members noted that the application was for, at this stage, an outline permission with a maximum number of 12 dwellings. This figure could not be exceeded through reserved matters, rather it would require a separate application. A lower density would meet the policy requirement to ensure a character transition from the open countryside and would also set a material marker down for the wider allocation to similarly respect character. The application achieved the affordable housing requirement for the site. Part of the development was for the erection of bungalows and it was proposed that this be included as a condition should the application be approved. It was also proposed that the issues raised by the County Highways, referred to in the report, be included as part of a Section 106 Agreement.

AGREED (by 7 votes for with 1 against) that outline planning permission be granted subject to:

- (a) the conditions and reasons contained within the report with the inclusion of an additional condition to ensure that bungalows were predominately provided adjacent to Orchard Close in the interests of preventing overlooking; and
- (b) the signing and sealing of a Section 106 Planning Agreement to control the matters set out in the table contained within the Summary Developer Contributions section of the report together with the inclusion of the issues raised by County Highways.

47. LAND ADJACENT TO COVER POINT, HALLOUGHTON (15/01023/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought the erection of a new dwelling with separate garage and associated works to trees.

During consideration of the application, a Member commented that there appeared to be a loss of mature trees and that the current access to the site was unsightly. Officers indicated that the removal of some trees was required to allow the development to progress and that the scheme required landscaping and boundary treatments to be discussed.

It was noted that there appeared to be a discrepancy between the plans for this application and that of the following one on the agenda. Officers confirmed that they would seek clarification on this issue.

AGREED (by 7 votes for with 1 abstention) that, subject to clarification of the boundaries between this application and the following one (15/00676/FUL) full planning permission be granted subject to:

- (a) the conditions and reasons contained within the report; and
- (b) the Lead Flood Risk Authority confirming that there are no insurmountable drainage matters and that any further requirements can be adequately dealt with by condition.

48. COVER POINT, SOUTHWELL ROAD, HALLOUGHTON (15/00676/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought the demolition of an existing 3 bedroom 1970s property including double garage and outbuildings and the construction of a new 4 bedroom house with double garage.

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

During consideration of the application it was noted that the modern design of the construction had been granted on appeal.

AGREED (unanimously) that, subject to clarification of the boundaries between this application and the previous one (15/01023/FUL) full planning permission be granted subject to:

- (a) the conditions and reasons contained within the report; and
- (b) the Lead Flood Risk Authority confirming that there are no insurmountable drainage matters and that any further requirements can be adequately dealt with by condition.

49. EXISTING BUILDINGS TO THE REAR OF NOS. 1 & 2 CHURCH LANE, MORTON (15/00505/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought a change of use for existing buildings to form a separate dwelling.

During consideration of the application, it was noted that Fiskerton Parish Council had initially objected to the proposal but had subsequently submitted a comment of support.

AGREED (with 8 votes for with 1 abstention) that full planning permission be approved, subject to the conditions and reasons contained within the report.

50. YEARSLEY GROUP, BELLE EAU PARK, BILSTHORPE (15/01135/FULM)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought permission for the variation of conditions 2, 4, 6, 16-19, 23-25 and 29 attached to planning permission 14/01782/FULM – erection of a total of 26,200m² floorspace (GIA) for B8 use (storage and distribution) including 1,500m² ancillary office space (Use Class B1), the construction of a ground mounted solar farm totalling 2.2ha in size and associated works with the rationale being to allow amendments to the solar farm element of the Scheme.

A schedule of communication was tabled at the meeting, which included correspondence received after the agenda was published from: Trent Valley Internal Drainage Board; NSDC – Environmental Health; Agent Drainage Consultants; and Environment Agency.

AGREED (unanimously) that full planning permission be approved, subject to the conditions and reason contained within the report and subject to the amendments as noted in the schedule of communication.

51. LAND AT 60 MAIN STREET, CODDINGTON, NEWARK (15/01038/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought permission for the erection of 3 no. dwellings.

A schedule of communication was tabled at the meeting, which included correspondence received after the agenda was published from Nottinghamshire County Council's Highways Officer.

The Business Manager – Development informed Members that this was an 'on-balance' application and, if approved and delivered in its entirety, would bring about genuine heritage enhancements through an improved setting for the Conservation

Area. He also advised that, if approved, any 'watering down' of the quality of the scheme (including in design, fenestration and materials) would be resisted.

In consideration of the application it was proposed that an additional condition be included to restrict the commencement of the scheme until the access and turning point for the host and new properties was completed and this was to ensure that off-street parking was available.

AGREED (by 7 votes for with 2 against) that full planning permission be approved, subject to the conditions and reasons contained within the report and subject to the inclusion of an additional condition that would restrict the commencement of the scheme until the access and turning point for the host property was completed.

52. MAXEYS FARM SHOP, HOCKERTON ROAD, KIRKLINGTON (15/00745/FUL)

The Committee considered the report of the Deputy Chief Executive which sought permission for the extension to the existing farm shop and a tea room.

The Business Manager – Development advised Members that he had been made aware that they had received correspondence from the applicant and that contained within this was narrative that disputed the figures contained in the report. He commented that if the figures contained within the letter were used this would still represent an increase of 143% which Officers would maintain was still disproportionate. He added that Members would need to consider the additional employment opportunities, should the application be approved, but noted that this could not be conditioned.

In considering the application, Members commented that every effort must be made to support British Farmers.

Contrary to Officer recommendations it was proposed and seconded that the application be granted and that Officers impose suitable conditions.

A Member of the Committee commented that the proposed tea room would be substantially greater than the farm shop and that the figures contained within the letter did not equate. The proposal would result in a dramatic increase of the property in a rural setting and also increase the amount of traffic through the access which was off a public highway with a speed limit of 50mph.

In response, the Business Manager – Development advised that there appeared to be two key issues. In relation to the tea rooms, he advised that this could not be controlled with the use of planning conditions in terms of patronage. In relation to the farm shop, an open A1 use would be granted if no restrictions are promoted. The Business Manager suggested that Officers may need further time to consider whether a planning condition or Section 106 agreement could be utilised to restrict the operators and/or the goods to be sold.

In considering the above information, the proposer and seconder agreed to amend their proposal and proposed instead that the matter be deferred pending

reconsideration at the following meeting.

AGREED (unanimously) that the application be deferred to 8th September 2015 Planning Committee to allow Officers to advise how the operators and/or the goods to be sold can be controlled.

53. (i) ST. MARKS PLACE SHOPPING CENTRE, ST. MARKS PLACE, NEWARK (15/00599/FUL)
(ii) ST. MARKS PLACE SHOPPING CENTRE, ST. MARKS PLACE, NEWARK (15/00600/FUL)
(iii) 40 & 41 MARKET PLACE, NEWARK (15/00601/LBC)
(iv) 43 & 44 MARKET PLACE, NEWARK (15/00603/LBC)
(v) 46 MARKET PLACE, NEWARK (15/00604/LBC)
(vi) 47 MARKET PLACE, NEWARK (15/00605/LBC)
(vii) 24 STODMAN STREET, NEWARK (15/00607/LBC)
(viii) 31 STODMAND STREET, NEWARK (15/00608/LBC)

The Committee considered the above reports of the Deputy Chief Executive as one item. The applications sought approval for the following:

(15/00599/FUL) – A shopping centre rebrand with public realm improvements including new painted facades, signage, painting, lighting, planting and seating;

(15/00600/FUL) – New signage and advertisement lighboxes forming part of a rebrand of St. Marks Place.

(15/00601/LBC) – Re-paint of existing painted facades of 40 & 41 Market Place forming the access to Saracens Head Yard with new St. Marks Place branding and signage.

(15/00603/LBC) – Signage to façade forming access to Clinton Arms Yard.

(15/00604/LBC) – Re-paint of existing painted façade forming access to Eggleston's Yard with new St. Marks Place branding and signage.

(15/00605/LBC) – Re-paint of existing painted façades of 47 Market Place with new St. Marks Place branding and signage.

(15/00607/LBC) – Re-paint of existing painted façade with new St. Marks Place branding.

(15/00608/LBC) – Attachment of overhead steel/aluminium sign forming part of new St. Marks Place branding.

A schedule of communication was tabled at the meeting which included correspondence received after the agenda was published from Newark Town Council in relation to the applications (i) to (vii) as denoted above.

Circulated to Members and in addition to the report, were details of the design process and the proposed development. This provided a visual indication of how the scheme would look once completed. The Business Manager – Development assured Members that the colour scheme denoted in the papers had not yet been formally agreed.

Members commented that their concerns in relation to the proposed colour scheme

had been allayed but sought assurance that the materials to be used, in particular at the location near to the Marks & Spencer establishment, would be such that they would be resistant to and deter graffiti.

AGREED (unanimously) in relation to the following that:

(15/00599/FUL) – full planning permission be approved, subject to the conditions and reasons contained within the report.

(15/00600/FUL) – advertisement consent be approved, subject to the conditions and reasons contained within the report.

(15/00601/LBC) – listed building consent be approved, subject to the conditions and reasons contained within the report.

(15/00603/LBC) – listed building consent be approved, subject to the conditions and reasons contained within the report.

(15/00604/LBC) – listed building consent be approved, subject to the conditions and reasons contained within the report.

(15/00605/LBC) – listed building consent be approved, subject to the conditions and reasons contained within the report.

(15/00607/LBC) – listed building consent be approved, subject to the conditions and reasons contained within the report.

(15/00608/LBC) - listed building consent be approved, subject to the conditions and reasons contained within the report.

54. LAND OFF WARSOP LANE, RAINWORTH (15/00522/FULM)

The Committee considered the report of the Deputy Chief Executive, which sought a residential development of 30 additional dwellings within the existing site boundary of Outline Permission 13/01256/OUTM.

This application was deferred at Planning Committee on 7th July 2015 with a request for further information relating to the extent of the landscaped buffers to the southern and western boundaries of the site and the likely density of future development on the remaining eastern half of the allocated land, which sat outside the application site. The report included further consultation responses received. The matter was again deferred at Planning Committee on 4th August 2015 with a request for Officers to further review the landscape buffer on Warsop Road with the developer.

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

An information pack was circulated to Members in addition to the report from the Planning Committee held on 4th August which sought to put forward key items of information in an attempt to assist Members with their consideration of the application.

Members agreed that the applicant's proposals in relation to the landscape buffer and open space schemes was welcomed as was their offer to plant larger and more mature trees within the buffer area.

AGREED (unanimously) that the residential development of 30 additional dwellings within the existing site boundary of Outline Permission 13/01256/OUTM be approved subject to:

- (a) the conditions and reasons as contained within the report; and
- (b) the completion of a S106 Agreement to secure the developer contributions set out in figure 2 in the Committee Report and requiring the spine roads shown on the wider approved plan (within the control of the applicant) to be completed in their entirety before any of the additional dwellings being considered under this application are first occupied.

55. LAND OFF WARSOP LANE, RAINWORTH (15/00523/RMAM)

The Committee considered the report of the Deputy Chief Executive, which sought approval for the reserved matters following outline approval Ref. 13/01256/OUTM for up to 130 dwellings with associated access.

This application was deferred at Planning Committee on 7th July 2015 with a request for further information relating to the extent of the landscaped buffers to the southern and western boundaries of the site and the likely density of future development on the remaining eastern half of the allocated land, which sits outside the application site. The report included further consultation responses received. The matter was again deferred at Planning Committee on 4th August 2015 with a request for Officers to further review the landscape buffer on Warsop Road with the developer.

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

Circulated to Members and in addition to the report from the Planning Committee held on 4th August, was an information pack provided by the applicant which sought to put forward key items of information in an attempt to assist Members with their consideration of the application.

Members agreed that the applicants proposals in relation to the landscape buffer and open space schemes was welcomed as was their offer to plant larger and more mature trees within the buffer area.

AGREED (unanimously) that the application for a residential development of up to 130 dwellings with associated access be approved subject to:

- (a) the planting of large more mature trees in the buffer zone; and
- (b) the conditions and reasons contained within the report.

The meeting closed at 6.30pm.

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the meeting of the **AUDIT & ACCOUNTS COMMITTEE** held in Room G21, Kelham Hall on Wednesday, 9 September 2015 at 10:00am.

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

Councillors: Mrs R. Crowe, R.A. Crowe, G.P. Handley and D. Staples.

ALSO IN ATTENDANCE: David Dickinson (Director – Resources (NSDC))
Nicky Lovely (Business Manager Financial Services NSDC)
Nicola Pickavance (Asst. Business Manager- Financial Services NSDC)
Amanda Hunt (Principal Auditor (Audit Lincolnshire))
John Sketchley (Audit Manager (Audit Lincolnshire))
John Cornett- (KPMG)

13. APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillor Mrs M. Dobson.

14. 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.

15. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

It was noted that there would be an audio recording of the meeting.

16. MINUTES OF MEETING HELD ON 24 JUNE 2015

The Director- Resources explained that with regard to Minute 6 and recovering money from the Icelandic Glitnir Bank, the documents would shortly be signed to finalise the deal for the Council to recover a total of 96.75% of the original investment.

AGREED that the Minutes of the meeting held on 24 June 2015 be approved as a correct record and signed by the Chairman.

17. EXTERNAL AUDIT ANNUAL GOVERNANCE REPORT

John Cornett (KPMG) was in attendance to present the External Auditors Annual Governance Report for 2014/15. The External Auditor proposed to issue an unqualified opinion on the 2014/15 Statement of Accounts.

The Auditor was also satisfied that the Council was meeting the Value for Money (VFM) criterion. It was anticipated that the opinions would be issued prior to 30 September 2015 on the Authority's financial statements and VFM conclusion.

A number of presentational and disclosure adjustments were required to the accounts,

and a number of errors in the compilation of the property, plants and equipment notes and classification issues were noted. These were detailed within the report and it was noted that they did not affect the outturn position of the accounts.

Members raised concern over the adjustments that had been required, and officers explained that the errors highlighted by the audit were within the most technical part of the accounts. Changes in timetabling to produce the accounts earlier had meant additional time pressure and the classification errors had not been picked up by officers. The Committee acknowledged that the errors did not affect the reported outturn or financial position, and officers assured the Committee that the processes used for producing the accounts would be reviewed.

Mr Cornett, in response to a query from a member of the Committee clarified that Kelham Hall was not listed as an asset for disposal, as it was not due to be disposed in the next 12 month period. This would be relevant for the 2015/16 accounts.

Finally, Mr Cornett wished to express his thanks to the finance team for their professional, supportive and partnership based approach to the audit. The Committee also expressed their thanks to the finance team for their hard work.

AGREED That:

- (a) The Committee receives the External Auditors Annual Governance Report for 2014/15;
- (b) The Committee noted the adjustments to the financial statements set out on pages 4 of the report; and
- (c) The letter of representation signed by the Director- Resources be approved.

18. STATEMENT OF ACCOUNTS AND ANNUAL GOVERNANCE STATEMENT

The Committee received the Statement of Accounts for approval in accordance with the Accounts and Audit Regulations 2011.

A number of changes were made to the Statement following the External Audit, including material errors within the Property, Plant and Equipment note. However, the errors were in respect of property valuation and classification and did not impact on the Council's surplus for the year. The Annual Governance Statement was also presented for approval. The Committee considered the report, noting the following:

- Council tax collection rates, since it was introduced in 1993, were at 99.25%. Some amounts were written off, usually where a person had died or moved from the area and was untraceable. Where possible, the Council would trace people in Council tax arrears;
- The levels of usable reserves were detailed within the accounts and it was clarified that these were held for specifically identified purposes, as opposed to the Council's level of general reserves;
- A query was raised by the Committee with regard to the budget and spending of the Economic Development Committee in the foreword to the accounts. Officers

agreed to seek further detail for the Committee, and in future to list variances on a Committee basis;

- The Committee acknowledged that the presentation of the accounts was not easily accessible to the public and many Councillors. However, Members understood that legislative requirements dictated the presentation and content; and
- With regard to the Annual Governance Statement, it was agreed that consideration of the draft would be undertaken to give an opportunity for the Committee to have a greater input into the draft Annual Governance Statement.

The Director- Resources and the Committee expressed their thanks to those officers involved in producing the Statement of Accounts.

AGREED That:

- (a) Members approve the Annual Governance Statement for the financial year ended 31 March 2015; and
- (b) Members approve the Statement of Accounts for the financial years ended 31 March 2015.

19. INTERNAL AUDIT PROGRESS REPORT

Amanda Hunt and John Sketchley - Audit Lincs, were in attendance to present the Internal Audit Progress report. Six audit reports had been issued since June, with two having Some Improvement Needed/Substantial levels of assurance, which were Contract Management and the Palace Theatre. It was noted that the assurance levels had been changed to High, Substantial, Limited and Low following feedback from clients.

Regarding outstanding recommendations, the Committee suggested that if these were not implemented by the next meeting of the Committee, or a revised date agreed they be included in the report and a response from officers be sought. Members also sought detail on what improvements were required as a result of the audits in Contract Management and the Palace Theatre.

AGREED that the latest internal audit progress report be noted.

20. REVISION OF POLICIES- ANTI-FRAUD AND CORRUPTION STRATEGY AND GUIDANCE FOR DEALING WITH IRREGULARITIES

The Business Manager- Financial Services presented two policies which had been revised. The Anti-Fraud and Corruption Strategy and the Guidance for Dealing with Irregularities had been previously reported to the Committee in 2012. The Committee considered the revised policies and noted that they would go onto the Policy and Finance Committee for approval.

AGREED That:

- (a) Members consider the revised Policies; and

(b) the Committee recommend to the Policy and Finance Committee the approval of the Anti-Fraud and Corruption Strategy and the Guidance for dealing with Irregularities.

21. FRAUD RISK ASSESSMENT

The Committee considered a report regarding work undertaken to update the fraud risk register during August 2015. All of the services provided by the Council had been considered to understand where fraud may occur, and the types of fraud had also been considered to determine any new risks to the Council. Twenty areas of Council activity were considered to be at risk of fraud, and no new areas or types of fraud had been identified. Details of the changes to the risk ratings was included in the report, alongside the reasoning for the change. Further actions to be undertaken to mitigate the fraud risks were also detailed.

The Committee noted that the Strategic Risks would be considered separately, likely at their meeting in February and the Counter Fraud activity report was received bi-annually. Members requested details on any written guidance or practice regarding reporting fraud activity to the Committee.

AGREED That the report be noted.

22. REVISION OF POLICIES- ANTI- MONEY LAUNDERING POLICY

The Committee considered the revised Anti Money Laundering Policy, which had been previously reviewed in 2010. There was general agreement that despite the fact that the policy was not used frequently, it was very important that the Council had a policy in place.

AGREED that the revised Anti-Money Laundering Policy be approved.

23. CONCLUSIONS FROM KNOWLEDGE AND SKILLS QUESTIONNAIRE

The Business Manager- Financial Services presented the responses and conclusions from the Knowledge and Skills Questionnaire, which had been recently undertaken by Members of the Committee. No areas of urgent training were identified, but there were a number of areas highlighted where further information would enhance Members' ability to support the Council's governance arrangements.

AGREED That the Committee:

- (a) Noted the areas where further information would be provided;
- (b) Attend a Treasury Management training session after the Committee meeting held on 4 November; and
- (c) Note that further information would be provided in a report to be brought to the November meeting of the Committee.

24. RESPONSES TO QUESTIONS RAISED AT PREVIOUS MEETING

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

25. WORK PLAN

AGREED that, subject to the External Auditor's Certification of Grant Claims and Returns report being moved to the February meeting, the Work Plan be noted.

26. DATE OF NEXT MEETING

NOTED that the date of the next meeting was Wednesday, 4th November 2015 at 9:30am. A Training session with the Council's Treasury Management Advisors Arlingclose, would take place at 11am, following the meeting.

The meeting closed at 11.25am

Chairman