

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **POLICY & FINANCE COMMITTEE** held in Room G21, Kelham Hall, Newark on Thursday 10<sup>th</sup> September 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 Councillors: Mrs C. Brooks, P.C. Duncan, D.R. Payne and B. Wells.

ATTENDANCE:

35. APOLOGIES FOR ABSENCE

There were no apologies for absence.

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

There were no declarations of interest.

37. DECLARATIONS OF INTENTIONS TO RECORD THE MEETING

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

38. MINUTES FROM THE MEETING HELD ON 28<sup>TH</sup> JULY 2015

The minutes from the meeting held on 28<sup>th</sup> July 2015 were agreed as a correct record and signed by the Chairman subject to amending Minute No. 34 to confirm that it was 'up to' an additional £750,000 being added to the Capital Programme.

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

The Director- Resources presented a report which set out revised Anti-Fraud and Corruption Strategy and the Guidance for Dealing with Irregularities. The Director – Resources advised that the Audit & Accounts Committee had considered the revised policies at their meeting held on 9<sup>th</sup> September and had recommended both to the Policy & Finance Committee for approval.

AGREED (unanimously) that the revised policies for the Anti-Fraud and Corruption Strategy and the Guidance for Dealing with Irregularities be adopted.

Reason for Decision

To maintain up to date and appropriate policies.

#### 40. ENTERPRISE ZONE STATUS PROPOSAL

The Business Manager – Economic Growth and Tourism presented the report which was considered by the Economic Development Committee on 9<sup>th</sup> September 2015. The report provided information regarding the proposal to submit an application for Enterprise Zone status which included the Thoresby Colliery Site and a possible extension to the Sherwood Energy Village in New Ollerton. It was noted that the proposal was being co-ordinated through Nottinghamshire County Council and the Local Enterprise Partnership Board would make a decision on which proposals were submitted for further development by 18<sup>th</sup> September.

Four sites had been identified as part of the proposed Robin Hood Line Enterprise Zone; Summit Park, Ashfield; Berry Hill, Mansfield; Former Thoresby Colliery; and extension to the Sherwood Energy Village, Ollerton.

As Chairman of the Economic Development Committee, Councillor D.J. Lloyd advised that when supporting the proposal certain reservations were expressed by the Committee and as such an informal meeting to look at issues and impacts arising from the proposal was to be arranged.

AGREED (unanimously) that the Committee support the proposal to submit an Enterprise Zone proposal as identified in the report.

##### Reason for Decision

To provide support for growing business in the District and to create jobs in an area of the District where there is higher unemployment.

#### 41. COUNCIL'S ANNUAL BUDGET 2016/17- OVERALL STRATEGY

The Director - Resources presented a report which introduced the Annual Budget Strategy. The Council's Constitution required that the Council's Section 151 Officer present a report on the overall Budget Strategy to the Policy & Finance Committee. This report was to cover the form of budget presentation, levels of inflation for pay and prices and average level for increases in fees and charges. The report also considered the financial policies previously approved by the Cabinet.

The budget process would result in the setting of the budget and the Council Tax for 2016/17, together with the Medium Term Financial plan covering the next four years.

The report provided an update on the 2015/16 Revenue Budget, gave details of the updated Council's financial policies and gave some context in terms of the financial environment. The report also set out proposals for the 2016/17 budget including details of the amount of savings likely to be required, provision for inflation and increases in fees and charges.

In addition the Director – Resources invited the Committee to note the position in respect of the use surplus funds within the Business Rate pool. In accordance with the

Memorandum of Understanding it had been agreed that half of the surplus from last year be used for setting up the Combined Authority with the other half going back to individual local authorities for their own use.

AGREED (unanimously) that:

- (a) the overall budget strategy be approved;
- (b) the position in respect of the use of surplus funds from the Business Rate pool be noted; and
- (b) budget officers continue work on the assessment of various budget proposals affecting services for consideration in setting the Council's budget.

Reason for Decision

To enable the Councils budget process to proceed encompassing agreed inflation and salaries and wages rates for 2016/17 to 2020/21.

42. CAPITAL PROGRAMME MONITORING TO 31<sup>ST</sup> JULY 2015

The Director – Resources presented a report which monitored the progress of the overall capital programme since the last progress report to the Committee on 9<sup>th</sup> July 2015. The report appendices listed all the current schemes with expenditure to date, variations to the programme since the last report and the overall financing position. The report provided an update in respect of housing services and general fund schemes.

In presenting the report the Director – Resources highlighted the large refuse vehicle replacement programme.

AGREED (unanimously) that the variations listed in Appendix B to the report be approved and the Programme shown in Appendix C to the report be accepted as the last approved Capital Programme.

Reason for Decision

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

43. FINANCIAL REGULATIONS

The Director- Resources presented a report which sought approval for the adoption of revised Financial Regulations. The Council adopted its current Financial Regulations in 2013. The draft Financial Regulations, which were attached as an appendix to the report, had been fully reviewed and updated to cover new ways of working and other minor changes. The amendments made were highlighted in the report.

AGREED (unanimously) that:

- (a) the revised Financial Regulations be adopted; and
- (b) the Financial Regulations be revised in two years' time, or sooner if there are any significant changes in the way the Council manages its finances.

Reason for Decision

To provide a reviewed and updated set of Financial Regulations for the Council.

44. COMBINED AUTHORITY AND DEVOLUTION DEAL

The Chief Executive presented a report which updated the Committee on the Combined Authority proposals and Devolution Deal. The Combined Authority submission would be the subject of a statutory consultation by the Secretary of State for Communities and Local Government before Parliamentary Orders were laid. It was anticipated that a new Combined Authority could be in place by April 2016.

In parallel to the Combined Authority proposals, a devolution prospectus was produced in March 2015. Following the election, a series of conversations had now taken place with Government Ministers to explore the potential for a major devolution deal. A deal would apply to the whole of Nottinghamshire and Derbyshire (the D2N2 area). It was clear from discussions with Government that there would be around 6 to 8 major devolution deals which would focus on most of the core cities around England. Nottingham's status as a core city enabled the D2N2 area to be considered for a major devolution deal. However, such a deal would require new governance arrangements to be put in place. This would include a single D2N2 Combined Authority and a directly elected mayor who would hold the powers devolved from central government.

AGREED (unanimously) that the progress with the Combined Authority submission and the devolution deal be noted and that further reports are brought to the Committee as the details are resolved.

Reason for Decision

To keep Members informed of the progress with the Combined Authority and any devolution deal.

45. 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 item of business on the grounds that it 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.

46. FORMER MUNICIPAL BUILDINGS, 20 BALDERTONGATE, NEWARK

The Committee considered the exempt report presented by the Director – Resources in relation to the current position in respect of the disposal of the former Municipal Buildings. The report contained recommendations as to how the property should now be disposed of.

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

Meeting closed at 6.49pm.

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **ECONOMIC DEVELOPMENT COMMITTEE** held on Wednesday, 9<sup>th</sup> September 2015 in Room G21, Kelham Hall at 6.00pm

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

Councillors: D. Batey, R.V. Blaney (ex-officio), M. Cope, G.E. Dawn, G.P. Handley, P. Peacock, F. Taylor, B. Wells and T. Wendels.

11. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors: K. Girling and Mrs Y. Woodhead.

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

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

13. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

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

14. MINUTES OF THE MEETING HELD ON 24<sup>TH</sup> JUNE 2015

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

15. ENTERPRISE ZONE STATUS PROPOSAL

The Committee considered the report presented by the Business Manager – Economic Growth in relation to a proposal to submit an application for Enterprise Zone status which included the Thorsby Colliery Site and a possible extension to the Sherwood Energy Village in New Ollerton.

The report highlighted that developers and partners in Nottinghamshire had long held ambitions for the regeneration of former industrial and coalfield sites in the County and for an extension to the successful Robin Hood Line from Mansfield to Ollerton. It was also reported that a new wave of Enterprise Zones had been announced in the June 2015 Budget with Enterprise Zone proposals to be submitted by 18<sup>th</sup> September.

The report noted that four sites had been identified as part of the proposed Robin Hood Line Enterprise Zone, these being: Summit Park in the Ashfield district; Berry Hill in the Mansfield district; and the former Thoresby Colliery, Edwinstowe and an extension to Sherwood Energy Village, Ollerton both within the Newark and Sherwood district.

The report provided information as to what the sites would deliver in terms of employment and industry, noting that the sites would be brought to the market in phases. Also contained within the report were comments in relation to the cost to the Council of an enterprise zone and the impact this would have on planning services.

Members queried whether the Council was in competition with other areas for the establishment of an enterprise zone. Officers advised that a number of bids were expected to be submitted within Nottinghamshire and Derbyshire.

Whilst welcoming the proposals, a Member of the Committee sought clarity as to why the recently decommissioned Thoresby Colliery site had been chosen, stating that both Clipstone and Rainworth areas had already been earmarked for employment use. He added that if the bid was successful, private businesses considering moving to the location would wait until it became effective, some three years in the future. The Business Manager – Economic Growth advised that the rationale behind the choice of Thoresby Colliery was the potential transport links e.g. an extension to the Robin Hood Line. The Member advised that the extension to the Robin Hood Line was the responsibility of Nottinghamshire County Council. They were developing a feasibility study and if this was found to be sound, some of the funding required to bring the project to fruition would be sourced from central government. It was noted that the cost to the Council in the loss of business rates from the closure of the colliery was in the region of £240,000 p.a.

It was noted that the Committee were being asked to support the proposal to submit a bid for an Enterprise Zone but that, at present, little of the detail was known and that some of the issues in terms of planning were listed within the report at paragraph 6.

Members raised concerns in relation to the phased approach of the Enterprise Zone, stating that both Ashfield and Mansfield's Zones being open for new business some three years before Newark and Sherwood was wholly unacceptable. Comment was made that the Council should confirm their position on this and that there was no valid reason as to why Ollerton could not be 'open' from the beginning.

Members also raised concerns in relation to the proposed development of the Thoresby Colliery site by the Welbeck Estate who wished to submit a planning application for some 1000 houses stating that there was a planning query as to whether these could be allocated from the Council's already agreed housing allocation plan. It was agreed that the area should be used for the potential development of businesses.

Members were informed that the Chief Executive had been asked to arrange an informal meeting that all elected Members and relevant partners could attend, to provide an explanation as to how the Enterprise Zone, the Sherwood Regional Park and the Sherwood Visitors' Centre would all link together.

AGREED (unanimously) that:

- (a) the Committee support the proposal to submit an Enterprise Zone
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- proposal as identified in the report; and
- (b) the Policy & Finance Committee be recommended to consider the proposal at their meeting to be held on 10<sup>th</sup> September 2015.

16. BUSINESS SUPPORT EVENTS UPDATE

The Committee considered the report presented by the Business Manager – Economic Growth in relation to details of business support events and their purpose. The report provided a list of dates of meetings and their specific purpose.

Members noted the proposed schedule of events. In particular they commented on the events to be held with schools and colleges, stating that a great deal of work was undertaken with businesses to identify gaps.

Particular discussion was held in relation to the business events to be held in Newark and Ollerton. Members were requested to promote the Ollerton event to be held on 24<sup>th</sup> September 2015 as, at present, there were only nine confirmed attendees. Unless this could be increased to approximately twenty, the event would have to be cancelled. It was noted that local Members and the County Councillor were all promoting the event, both verbally and by social media.

AGREED (unanimously) that:

- (a) the events planned be supported; and
- (b) Members encourage businesses and students to attend the relevant events.

17. PLAN REVIEW ISSUES PAPER

The Committee considered the report presented by the Business Manager – Planning Policy in relation to the proposed amendments to the Local Development Scheme (LDS) following review by the LDF Task Group, the proposed contents of a Plan Review Issues Paper for consultation and the proposed arrangements for finalising the consultation.

The report detailed the proposed amendments to the LDS and the benefits of combining the Plan Review and the Gypsy & Traveller Development Plan Document (DPD). The report also noted that a review of the CIL was also currently being prepared.

Also contained within the report was the purpose of the Plan Review and information as to the basis of the consultation. The report set out the context of the review and what matters would be addressed.

In relation to the balance of distribution of housing and employment, Members queried whether the current situation in Clipstone was considered to be balanced. Officers advised that the current situation was as a result of previous planning decisions, adding that subsequent changes to planning policies had left the Council



unable to sustain the previously agreed mix.

It was noted that the planning application for the Cavendish Park development in Clipstone had been granted contrary to Officer recommendations and that the developers had subsequently been back to the planning authority several times to vary their permission to provide housing only on the grounds that there was no demand for employment land.

Members discussed the recent change to the definition of gypsy and travellers for the purposes of planning. This change had resulted in a person only being defined as a gypsy or traveller if they continued to travel. Officers, however, added that it was still unclear as to how this would be verified.

Members queried whether, given the new definition, the Council now had sufficient allocated sites or, in fact, whether these could be reduced. Officers advised that all the information gathered so far had been based on whether a person was a gypsy or traveller and that it would now have to be re-evaluated. They added that the change had made the situation very difficult to administer and it was thought likely that there would be a challenge under the Human Rights Act. It was agreed that the situation warranted a great deal of consideration.

AGREED (unanimously) that:

- (a) the report be noted;
- (b) the amendments to the Local Development Scheme to reflect the proposal in Section 3 and Appendix 1 be approved;
- (c) it be noted that the amendments to the Local Development Scheme comes into force on 10<sup>th</sup> September 2015;
- (d) the Draft Issues Paper as set out in Appendix 2 be the basis for the formation of a finalised Issues Paper; and
- (e) the Deputy Chief Executive be given delegated authority, in consultation with the LDF Task Group, to consult on a finalised Issues Paper during October and November 2015.

## 18. WIND ENERGY DEVELOPMENT

The Committee considered the report presented by the Business Manager – Planning Policy in relation to the recent and proposed changes in national guidance and policy concerning wind energy development and the approach taken to providing financial support for its production. The report also sought Members' approval for the proposed approach to the issues identified.

The report detailed the Written Statement from the Secretary of State for Communities and Local Government which set out the new considerations to be applied to proposed onshore wind energy development together with how the

Energy Bill 2015-2016 was effected by this. Also contained within the report was the Council's proposed revised approach to wind energy development in the district.

Members debated the implications following the Written Statement with comment being made both for and against the provision of wind energy.

A Member of the Committee advised that the residents in their local area were very much against the continued erection of wind turbines and that this change would be likely to result in a reduction in the number of applications thereof. The farming community were under increasing pressure to produce food using environmentally sustainable methods and the fact that decisions could be made in the future by local communities was of concern.

In relation to solar farms, it was noted that there was likely to be a reduction in the subsidy for these also.

A Member of the Committee commented that the aforementioned change appeared to be an attack on renewable energy but that there did not appear to be a policy on how the country was to move forward with the provision of sustainable energy. A request was made for a briefing report on the wider implications of the Energy Bill and that as a rural district support should be given to renewable energy provision. It was noted that the Robin Hood Energy company had been established with Members requested that information be provided on the impact of this.

An alternative view was put forward by a Member of the Committee in that they supported the community led approach adding that the farming community received subsidies, as did the developers of wind energy and that any discussions surrounding subsidies was a discussion to be had with central government. The Member also added that this matter could be easily devolved to a local level.

Members agreed that the Written Ministerial Statement had been badly written and would result in challenges being made to decisions taken by local planning authorities.

A Member stated that they were not against renewable energy but that it should not be at any cost and that the current subsidies for wind energy were too high for the tax payer. He added that many business would not operate within the market for sustainable energy if they did not receive such high subsidies.

In conclusion it was agreed that when the changes reached the 'White Paper' stage and were relevant to this Committee a further report would be submitted for consideration and that the aforementioned Robin Hood Energy company would be monitored.

AGREED (by 8 votes for with 2 against) that:

- (a) the contents of the report be noted; and
- (b) the proposed approach to wind energy development in the district

be approved.

19. EAT COAST MAINLINE LEVEL CROSSING CLOSURE PROGRAMME – UPDATE

The Committee considered the report of the Deputy Chief Executive in relation to the East Coast Mainline Level Crossing Closure Programme.

AGREED That the report be noted.

The meeting closed at 7.10pm

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **HOMES & COMMUNITIES COMMITTEE** held on Monday, 7<sup>th</sup> September 2015 in Room G21, Kelham Hall at 6.00pm.

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

Councillors: Mrs K. Arnold, Mrs I Brown, M. BATTERY, K. Girling, J. Lee (substitute for G. Brooks), Mrs S.M. Michael, Mrs P. Rainbow (substitute for Mrs B. Brooks), Mrs S. Soar (substitute for Mrs C. Brooks) and D. Thompson.

14. APOLOGIES FOR ABSENCE

Apologies for absence were submitted for Councillors: Mrs B. Brooks, Mrs C. Brooks and G. Brooks.

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

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

Councillor T. Wendels	Agenda Item No. 6 – CCTV – Shared and Relocation of Control Room (Personal Interest – Employee of Nottinghamshire Police Authority)
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Councillor R.B. Laughton	Agenda Item No. 6 – CCTV – Shared and Relocation of Control Room (Personal Interest – Spouse is Employee of Nottinghamshire Police Authority)
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16. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

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

17. MINUTES OF THE MEETING HELD ON 15<sup>TH</sup> JUNE 2015

AGREED (unanimously) that the Minutes of the meeting held on 15<sup>th</sup> June 2015 be approved as a correct record and signed by the Chairman.

18. ANTI-SOCIAL BEHAVIOUR POLICY

The Committee considered the report presented by the Business Manager – Community Safety in relation to the review undertaken of the Council's Anti-Social Behaviour (ASB) Policy following legislative changes. The report also sought Members approval for the revised Policy.

The report highlighted that the Council's Policy had been revised to align with the Government's change in legislation to ensure that the process was more 'victim' focussed. It was noted that the Policy also contained details of the Council's 'community trigger'. Also attached to the report was an appendix detailing the powers available under the new 2014 Act.

In response to a query relating to the multi-agency partnership working that took place to deal with specific cases and whether this included any involvement by elected Members, the Business Manager advised that due to the often indepth, personal and sensitive nature of discussions elected Members were not currently included. However, should an elected Member wish to attend, arrangements could be made to facilitate this.

A Member of the Committee raised concerns as to the ongoing costs of using CCTV cameras in the fight against ASB. They commented, that in their experience, when the Police were asked to investigate an incident they often responded that the images were too dark due to poor lighting or that trees close by had obscured the view of the camera. The Business Manager advised that CCTV was only one tool in tackling ASB. She acknowledged the comment in relation to trees and advised that sometimes it was a lengthy process to resolve the matter adding that the Member's comments would be considered.

In relation to the community trigger, Members queried if Officers anticipated whether this would be frequently used. In response, the Business Manager advised that it had been in operation since October 2014 and, to-date, it had not been used throughout the whole of Nottinghamshire.

AGREED (unanimously) that the Draft Anti-Social Behaviour Policy be approved.

19. CCTV – SHARED SERVICE AND RELOCATION OF CONTROL ROOM

The Committee considered the report presented by the Business Manager – Community Safety in relation to discussions that had taken place concerning the future development and relocation of the CCTV Service and control room.

The report provided the background to the Council's current operations with Ashfield District Council and Broxtowe Borough Council and that Gedling Borough Council had also expressed an interest in joining a shared CCTV Service. Also contained within the report were brief details of the proposed move to a new location and the anticipated costs thereof.

In noting the proposed move to the former Police Control Centre, Members queried where the Police were relocating to and whether it would be appropriate for the CCTV Control Room to be included with this. They were informed that the plans for a new Police Control Room building were already well advanced and that it was not possible to accommodate the CCTV control room within this building, however, the new location for the CCTV Control Room would be on the same site and in close proximity to that of the new Police's Control Room. Members were keen to be advised of the costs of preparing the proposed location at the Police HQ in Arnold once officers had done further work to ascertain these.

Members sought reassurance that the move to the new location would not have a detrimental impact on the service provision for the district. Concern was also expressed about the quality of images from some of the existing cameras and whether there was an programme of replacement scheduled. The Business Manager – Community Safety advised that although the service was to be relocated

at the Police HQ, it would still be managed by local authority employees and that there would be no loss of service provision. It was acknowledged that some of the existing cameras required replacement but that due to the present economic climate in local government there was, at present, no budget provision to facilitate this. The Director – Safety advised that the intention was to embed the current provision at its new location, following which work would commence on looking at how the service could move forward strategically. It was acknowledged that this might mean that Members would be asked to consider whether they wished to authorise a schedule of improvements which would require financial investment.

AGREED (unanimously) that:

- (a) approval be given for the Council to enter into a shared service for CCTV with Ashfield District Council and Gedling Borough Council (expanding the existing shared service with Broxtowe Borough Council) and delegated authority be given to the Director – Safety to finalise the terms of the agreement for the shared service;
- (b) Officers continue discussions with Nottinghamshire Police (and Gedling, Broxtowe and Ashfield Councils) with a view to agreeing terms and arrangements for moving the CCTV control room to the Police Headquarters at Sherwood Lodge, Arnold, Nottinghamshire; and
- (c) a further report be submitted to the Committee once the details and costings of the move were known, such report to also include information as to the quality and replacement timings for existing cameras.

## 20. REPRESENTATIVE ON OUTSIDE BODIES

The Committee considered the report presented by the Director – Safety in relation to how Members wished to receive feedback from representatives on outside bodies which fell within the remit of this Committee.

Members considered the list of organisations and those appointed and agreed that they wanted brief written reports summarising the work undertaken throughout the year to be presented to Committee on an annual basis. However, they requested alternative reporting mechanisms to be put in place for the following two organisations: Nottinghamshire Police and Crime Panel; and Newark and Sherwood Homes.

In relation to the Nottinghamshire Police and Crime Panel, they agreed that the Council's appointed representative be requested to either provide a written or verbal report twice yearly. In relation to Newark and Sherwood Homes, two of the appointed representatives should be requested to attend Committee on an annual basis to report on their representation on the Board of the Council's company.

AGREED: (unanimously) that

- (a) the Council's appointed representative on the Nottinghamshire Police and Crime Panel be requested to either provide a written or verbal report twice yearly;

- (b) two of the Council's appointed representatives on Newark and Sherwood Homes, be requested to attend Committee on an annual basis; and
- (c) brief written reports summarising the work undertaken throughout the year be presented to Committee on an annual basis for the remaining organisations that fall within the Committee's remit as detailed on the appendix to the report.

21. HOUSING ALLOCATION SCHEME REVIEW

The Committee considered the report presented by the Business Manager – Housing Options, Energy & Home Support which sought approval of a project plan for undertaking a full review of the Council's Housing Allocation Scheme, with the intention of implementing this in the Autumn of 2016.

The report noted that a desktop assessment and appraising options for change had been undertaken throughout 2014 with the findings being presented to Members in November 2014. It had subsequently been agreed in March 2015 that the project plan for the full review be presented to the Committee following the May elections. Attached to the report was a Project Initiation Document which gave a broad indicative timetable for progressing the review.

In considering the report Members raised the issue of ex-service personnel being able to register themselves for housing commenting that the process, at present, appeared to be difficult. It was suggested that provision should be made for those who were able to demonstrate a local connection to begin the process early as those being discharged from the services knew when they would require accommodation. The Business Manager advised that the current process did allow for their entry onto the scheme but a local connection must be demonstrated. It was noted that specific reference to the military covenant would be considered when the scheme was reviewed.

In considering the Project Initiation Document Members commented that the order of the Council's strategic priorities should be revised to place people as the number one priority and not prosperity. The Director – Safety advised that the Council's priorities and their order had been determined previously by Members but were due to be revisited later in the year when Members would be asked to review the Council's strategic priorities and set them for the period of the new administration..

AGREED (unanimously) that the Project Initiation Document be approved.

22. PROPOSED REVISION TO THE FIRST CONTACT SCHEME

The Committee considered the report presented by the Business Manager – Housing Options, Energy & Home Support which sought to inform Members of the proposed changes to the service and funding model for the First Contact Scheme and the implications thereof for the Council. The report provided background as to the current scheme and what the proposed changes would be.

Members commented that the report appeared to be positive of the proposed changes but sought assurances that people would not be overlooked as the scheme moved to a more digital service. In response, Members were advised that the telephone service would remain in place. They were also informed that each participating professional knew their areas and would inform the scheme provider of any potential gaps. The aim was to align all services and the operation of the scheme would be continually monitored to ensure delivery.

Members commented that the participating organisations could use improved technology to make the scheme more efficient both in terms of time taken to process a referral and to reduce running costs. Concern was expressed about vulnerable people being asked to complete forms and undertake telephone interviews, stating that this could be confusing and daunting.

AGREED (unanimously) that NCC's proposed changes to the First Contact Scheme be noted.

### 23. NOTTINGHAMSHIRE WARM HOMES ON PRESCRIPTION PROJECT

The Committee considered the report presented by the Business Manager – Housing Options, Energy & Home Support in relation to the innovative pilot and the excellent opportunity it provided to raise the Council's profile by leading the Nottinghamshire project and actively demonstrated the Council's commitment to tackling fuel poverty and health inequalities through effective partnership working.

The report provided Members with the background to the project and what the proposed Nottinghamshire pilot would entail. The report detailed that an externally funded Programme Manager was to be recruited by the Council to develop and co-ordinate the delivery of the Nottinghamshire-wide initiative and that the post holder would work with all 7 district/borough Councils to target eligible householders.

Members agreed that this was an excellent scheme and queried whether it would be means tested at all and whether it would be promoted. Officers advised that part of the scheme would be means tested and that in relation to its promotion, it was noted that its success depended on GPs and CCGs providing the relevant information.

It was noted that the scheme would be of particular benefit to individuals who suffered with respiratory diseases e.g. ex-miners.

Members queried how referrals could be made other than through GPs and CCGs. The Business Manager advised that the scheme was specifically targeted towards persons being referred by their GPs but if Members became aware of any cases they could refer them to the appropriate Business Unit in the Council.

AGREED (unanimously) that:

- (a) the report be noted; and



- (b) a capital funding bid to National Energy Action be supported.

24. UNIVERSAL CREDIT

The Committee considered the report of the Business Manager – Revenues & Benefits presented by the Business Manager – Housing Options, Energy & Home Support in relation to Universal Credit and its implementation within the district.

The report provided detailed information as to the way in which the scheme would be administered and how the Council would be involved. Also provided were comments from Newark and Sherwood Homes and the measures they were putting in place to mitigate the impact of the changes.

A Member of the Committee expressed their concern about the impact the changes would have on vulnerable people, noting in particular those who had existing rent or council tax arrears. Officers advised that a great deal of pre-tenancy work was already and would continue to be undertaken and that electronic payment of rents was being looked into. Whilst acknowledging this, the Member again expressed concern that the use of electronic payments was difficult if the account holder did not have regular payments into their bank account, adding that it was sometime difficult to get to speak to an individual within an organisation who could actually assist in resolving problems.

Members commented that part of their role was to visit constituents and, if necessary, bring their cases to the attention of the relevant organisation. The Business Manager advised that early warning signals were in place for when tenants began to fall into arrears in an attempt to stop the situation worsening.

AGREED (unanimously) that:

- (a) the contents of the report be noted and the arrangements being made for the introduction of Universal Credit to the Newark & Sherwood District from 5<sup>th</sup> October 2015;
- (b) the ongoing actions that Newark and Sherwood Homes were taking to prepare tenants for ongoing welfare reform and the roll out of Universal Credit be noted; and
- (c) a further progress report be brought to the Committee following the introduction of Universal Credit into the district.

The meeting closed at 7.05pm

Chairman

## **NEWARK AND SHERWOOD DISTRICT COUNCIL**

Minutes of the meeting of the **LEISURE & ENVIRONMENT COMMITTEE** held in Room G21, Kelham Hall, Newark on Tuesday, 15<sup>th</sup> September 2015 at 6.00 pm.

PRESENT: Councillor A.C. Roberts (Chairman)  
Councillor R.J. Jackson (Vice-Chairman)

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

### 12. APOLOGIES FOR ABSENCE

An apology for absence was received on behalf of Councillor J.D. Lee.

### 13. MINUTES OF THE MEETING HELD ON 14<sup>TH</sup> JULY 2015

AGREED that Minutes of the meeting held on 14<sup>th</sup> July 2015, be approved as a correct record and signed by the Chairman.

### 14. 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.

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

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

### 16. RECYCLING AND GREEN WASTE UPDATE

The Committee considered the report of the Director – Community which provided an update on recycling rates across Nottinghamshire, the progress of the Newark and Sherwood District Council Garden Waste Collection Service, including an update regarding the garden waste partnerships with Rushcliffe District Council and Mansfield District Council.

Members considered the report and the following points were raised.

The recycling of plastic was not as good as it should be. Plastic bottles had reduced in weight which was good; however there was an on-going issue as there was confusion regarding the recycling of plastic as the market place would not take certain waste plastics.

A Member commented that the residents of Bilsthorpe and Eakring would like the opportunity of recycling their waste. It was confirmed that Bilsthorpe was not in the area for collection by Mansfield District Council, however if Newark and Sherwood District Council decided to expand their collection, Bilsthorpe would be included due to its built

up area.

It was confirmed that green waste had the heaviest weight and therefore increased recycling figures. Green waste for the Council had kept the recycling figures stable.

A Member commented that the Council should be striving to reach a 30% recycling rate but there were no plans in place to show how that could be achieved. It was suggested that a plan be established to address that and a report be submitted to a future meeting of the Committee. The Director – Community confirmed that a report had been prepared and was being considered by the Policy and Finance Committee and would be presented to this Committee in due course.

The Green waste collection service in Newark was raised which focused on a specific collection route along London Road. A Member sought clarification as to why the roads off London Road were not included in the collection service, as there was a high level of interest in the green waste service. The Director – Community confirmed that the service eventually would be expanded to the whole of Newark. The collection routes at present had been established through computer modelling which had produced the most efficient collection round. The Member raised concern that no surveys had been undertaken regarding whether residents would be interested in the green waste service, so how did the Council know how many properties would require the service and therefore how efficient it would be to collect the waste.

Members sought clarification regarding how the percentage figures for recycling were calculated given the reduction in packaging by manufacturers. The Director – Community confirmed that the total amount of global waste as a country had reduced.

The level of composting was raised and clarification was sought as to the number of composting bins that were supplied to residents of the district. It was confirmed that the Council had distributed 17,000 composting bins over the last ten years. It was confirmed that DEFRA did not include composting in the percentile.

A Member commented that the 28% of recycling and re-use as detailed within the report was not an accurate figure of the recycling that was actually being achieved by the Council, certain recycling such as composting and up-cycling through the furniture project was not taken into account and if those figures had been included the percentage would be much higher than that reported.

AGREED (unanimously) that:

- (a) the recycling rate performance of the Nottinghamshire Authorities, the progress with the Mansfield and Rushcliffe Garden Waste Partnerships, along with Newark and Sherwood District Council's own Garden waste collection service be noted;
- (b) the explanation of the need to further expand Newark and Sherwood District Council's services be noted; and
- (c) a further report as to how the Council will increase the recycling percentage be submitted to a future meeting of the Committee.

17. NOTTINGHAMSHIRE COUNTY COUNCIL (NCC) WASTE REDUCTION, REUSE, RECYCLING AND COMPOSTING PLAN 2015-16

The Committee considered the report of the Director - Community, which provided an update on the Nottinghamshire County Council (NCC) Waste Reduction, Reuse, Recycling and Composting Plan 2015-16.

The Director – Community informed Members of a meeting that would take place with Nottinghamshire County Council next week regarding what incentives the County had for the district to undertake an increase in recycling.

A Member commented on the procedure in place at one of the waste recycling centres in Nottingham and urged Nottinghamshire County Council not to turn non-residents away, but operate a free for residents and a charge for non-residents service. It was felt that the public should be encouraged to recycle/dispose of their waste properly, not turned away from a recycling centre.

AGREED (unanimously) that the details of the Nottinghamshire County Council (NCC) Waste Reduction, Reuse, Recycling and Composting Plan 2015-16 be noted.

18. THE INTRODUCTION OF SMOKE FREE PLAY AREAS IN NEWARK AND SHERWOOD

The Committee considered the report presented by the Director – Safety which provided an update on the introduction of smoke free play areas in Newark and Sherwood and to examine future options to expand the voluntary scheme.

Members considered the report and were supportive of the scheme. A Member asked whether the Parish Council could be approached regarding this. It was confirmed that the Council would be willing to work with Parish Councils that wanted to undertake voluntary schemes.

AGREED (unanimously) that:

- (a) the implementation of the smoke free play park scheme be noted;  
and
- (b) support the initiative to promote a voluntary ban in outdoor play areas at large family dining establishments.

19. MANSFIELD AND DISTRICT CREMATORIUM JOINT COMMITTEE – ANNUAL STATEMENT OF ACCOUNTS

The Committee considered the report of the Director – Resources which presented the Annual Statement of Accounts for the Mansfield and District Crematorium Joint Committee. A copy of the relevant minute's from the 22<sup>nd</sup> June 2015 meeting of the Mansfield and District Crematorium Joint Committee was also attached to the report.

AGREED (unanimously) that the Annual Statement of Accounts for the Mansfield

District Crematorium Joint Committee be noted.

20. NEWARK CASTLE EVENTS

The Committee considered the report of the Director – Community which provided an update on the events held at Newark Castle in 2015 and those planned for 2016.

The Chairman congratulated the Castle Warden for her hard work and requested that a letter of thanks be sent on behalf of the Leisure and Environment Committee and signed by the Committee Chairman.

A Member commented that he would like to see activities in the west of the district at venues such as Vicar Water and Sherwood Forest, in order to make better use of those facilities. The Director – Community commented that the warden at Vicar Water was providing a good job and events had taken place over the summer such as pond dipping. A report providing details of the work that had been undertaken at Vicar Water would be submitted to a future meeting of the Committee.

A discussion took place regarding King John's Palace which was also located west of the district. The palace was of historic interest and tied in to the districts tourist link.

AGREED (unanimously) that:

- (a) the range and quantity of events taking place at Newark Castle in 2015 and customer feedback to these be noted;
- (b) the submission of the expression of interest to bring the weeping window poppy sculpture to Newark Castle in 2016 be noted;
- (c) a letter of thanks be sent to the Castle Warden on behalf of the Leisure and Environment Committee and signed by the Committee Chairman; and
- (d) an update report on the activities of Vicar Water be submitted to a future meeting of the Committee.

21. NEWARK HERITAGE FORUM

The Committee considered the report of the Director – Community, which provided an update on progress aimed at establishing a Newark Heritage Forum.

The Chairman expressed his concern regarding the forum as no elected Member representatives had been invited to the first meeting of the forum. He raised concerns regarding the people who had been invited, as the Council through its elected Members should have been taking the lead role for this project and a structure should have been included with district Council gain. It was also suggested that the Chairman of this Committee should be offered the position of Heritage Forum Chairman.

Concern was also raised that applications for Heritage Lottery Funding may not be considered on merit. It was confirmed that the Committee Chairman and two Newark

Members had been invited and would attend the next meeting of the Forum. It was also suggested that an invitation should also be sent to Newark Town Council.

The Director – Community commented that the Heritage Lottery Fund (HLF) had suggested the formation of the Newark Heritage Forum which was therefore linked to the HLF bid. The HLF had been very enthusiastic about the Gate House project, but had asked that the application be delayed as the East Midlands Development Manager wanted to see the National Civil War Centre open and he also wanted to see heritage working collaboratively. This had been suggested by the HLF as there had been problems with High Peak Borough Council who had submitted their proposals to the HLF, which were followed by a number of applications from other groups. South Holland District Council which had an established Heritage Forum had been invited to attend the next meeting of the Forum to provide advice on how they had constructed their Forum.

The Chairman raised concern and suggested that the Forum be titled ‘Newark and Sherwood Heritage Forum’ given the previous discussion regarding King John’s Palace in the west of the district. He also raised concern regarding the planned extension of Rumbles Café at Sconce and Devon park, which was detailed in the report, the building was occupied by Rumbles, but was owned and controlled by the Council. The Member felt that a report should have been submitted to the Committee for consideration before Rumbles plans for expansion had been reported in the Newark Advertiser. An update report regarding Rumbles Café was requested for the October meeting of the Committee.

A Member raised concerns regarding the Sconce being adopted by Heritage England as there had been problems in the past with Heritage England regarding Ollerton Hall and the Clipstone Headstocks.

A Member confirmed that the Newark Heritage Forum had been given that title due to the HLF bid being specific to Newark.

AGREED (unanimously) that:

- (a) the progress made towards the creation of a Newark Heritage Forum be noted;
- (b) an update report be presented to the Committee following the 30<sup>th</sup> September 2015 meeting of the Newark Heritage Forum; and
- (c) an update report be presented to the 27<sup>th</sup> October 2015 meeting of the Committee regarding the plans to extend the Rumbles Café at Sconce and Devon Park.

## 22. HEALTH AND WELLBEING/HEALTH SCRUTINY

The Chairman provided a verbal update regarding the Health and Wellbeing Board that he had attended on 2<sup>nd</sup> September 2015. The meeting included presentations on Van Guard Sites; Health Watch Nottinghamshire – which were looking at new modules of care; Health and Equalities; and Implementation of a Health and Wellbeing Peer Challenge.

A Member updated the Committee regarding a Health Forum that he had attended which focused on air quality. The next Health Forum would be on tobacco which he commented was a serious issue in the west of the district.

23. CHAIRMANS UPDATE

The Chairman provided a verbal update regarding the Leisure and Environment Budget Working Party meeting that met on Tuesday 8<sup>th</sup> September 2015. The Working Party had resolved to look at the following services and requested up to date financial progress on figures and how close the Council was to their estimates/base budget.

AGREED that:

- (a) the Leisure and Environment Budget Working Party review the following services: Newark Leisure Centre and how it would progress including costings; Pest and Dog Control; Parks and Gardens; Domestic Waste and Recycling; Public Conveniences; Responsibilities for Graveyards (Walesby and Lowdham); and Environmental Health; and
- (b) up to date financial progress on figures showing how close the Council was to their estimates/base budget, be presented to a future meeting of the Leisure and Environment Budget Working Party.

The meeting closed at 7.25pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **PLANNING COMMITTEE** held in the Council Chamber, Kelham Hall, Newark on Tuesday, 8<sup>th</sup> September 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, D. Clarke, 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 R.J. Jackson

56. APOLOGIES FOR ABSENCE

There were none.

57. MINUTES OF THE MEETING HELD ON 11<sup>TH</sup> AUGUST 2015

AGREED that the Minutes of the meeting held on 11<sup>th</sup> August 2015 be approved as a correct record and signed by the Chairman.

58. 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 Mrs C. Brooks	Agenda Item No. 7– Land South off Ollerton Road, Edwinstowe (15/00875/FULM). Personal Interest as she is Chairman of Edwinstowe Parish Council.
	Agenda Item No. 8 – Land adjacent to 11 and 13 Boy Lane, Edwinstowe (15/00652/FUL). Personal Interest, as she is a Director of Newark and Sherwood Homes.
Councillors D. Payne and G.P. Handley	Agenda Item No. 8 – Land adjacent to 11 and 13 Boy Lane, Edwinstowe (15/00652/FUL). Personal Interests, as they are both Directors of Newark and Sherwood Homes.
Councillor Mrs S.E. Saddington	Agenda Item No. 5 – Land North West Manor Farm, Ollerton Road, Little Carlton (14/02133/FUL). Personal Interest as the applicant is known to her.



Councillor I. Walker

Agenda Item No. 5 – Land North West Manor Farm, Ollerton Road, Little Carlton (14/02133/FUL). Personal Interest, as he is the Honorary Vice-President of Nottinghamshire Wildlife Trust.

Councillor B. Wells

Agenda Item No. 6 – Land adjacent Lodge Farm Bungalow, Potter Lane, Wellow (15/01086/FUL). Disclosable Pecuniary Interest, as he is the Church Warden.

59. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

60. ORDER OF BUSINESS

The Chairman changed the order of business on the agenda. Agenda Item 10 followed item 8, item 9 then followed, the agenda resumed its stated order thereafter.

The Committee was also informed of a late verbal update, regarding the former Potterdyke site in Newark, which would be taken as the last item of business.

61. LAND NORTH WEST MANOR FARM, OLLERTON ROAD, LITTLE CARLTON (14/02133/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 erection of a single three bladed (maximum) 500kW wind turbine with a maximum hub height of 75 metres, rotor diameter of 54 metres and a tip height of 102 metres. The proposal also sought consent for associated infrastructure consisting of an electricity substation and transformer cabinet.

A schedule of communication was tabled at the meeting, which included correspondence received after the agenda was published from Nottinghamshire Wildlife Trust and Neighbouring/Interested parties.

Members were also informed that two letters of support had been received subsequent to the production of the schedule of communication.

Members considered the application. The local ward Member informed the Committee that South Muskham Parish Council had decided not to attend the Committee meeting as they had objected in the past to all three existing wind turbines and felt that the Committee had not taken notice of their views. All surrounding Parish Councils had also submitted their objection to the application. Members noted the new Ministerial Guidance for wind turbines required them to listen to the eight Parish Councils which had raised objection. The Member therefore suggested that the application be refused on the grounds of cumulative effect; over intensification; detriment to the landscape and that the scheme lacks local community support.

AGREED (unanimously) that contrary to Officer recommendation planning permission be refused for the following reasons:

- (i) Cumulative effect;
- (ii) Over intensification;
- (iii) Detriment to the landscape; and
- (iv) Does not have local community support.

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

<b>Councillor</b>	<b>Vote</b>
D. Batey	For
R.V. Blaney	For
Mrs C. Brooks	For
D. Clarke	For
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	For
I. Walker	For
B. Wells	For
Mrs Y. Woodhead	For

*(Having declared a Disclosable Pecuniary Interest Councillor B. Wells left the meeting at this point).*

62. LAND ADJACENT LODGE FARM BUNGALOW, POTTER LANE, WELLOW (15/01086/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 a paddock adjacent to Lodge Farm Bungalow to form an extended churchyard to serve St Swithins Church.

Members considered the application and commented on the forward thinking approach of the church council.

AGREED (unanimously) that full planning permission be granted subject to the conditions and reasons contained in the report.

63. LAND SOUTH OFF OLLERTON ROAD, EDWINSTOWE (15/00875/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 to construct a 4.64MW solar farm, to include the installation of solar photovoltaic panels

with transformer inverters, substations, security fence and gate and other associated infrastructure.

The Chairman sought clarification from Members that they had all read the letter, which had been sent to them from the applicant's agent.

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

Members considered the application and the local Member commented that the former colliery site, which was adjacent to this site, had been landscaped and redesigned with nature trails. The proposed application site would be visible from the top of the former colliery site and would not enhance the tourist area, which the site was within. Another Member commented that the land was lower than the road and ran parallel with the road and the proposed site also flooded. It was felt that the Nottinghamshire County Council landscape assessment was correct and the application should be refused.

AGREED (with 12 votes for and 3 votes against) that planning permission be refused for the reasons contained within the report.

64. LAND ADJACENT TO 11 AND 13 BOY LANE, EDWINSTOWE (15/00652/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought to create six off street parking spaces on existing grass land on the western side of the close to improve current parking arrangements, with the land on the opposite side of the close also covered in tarmac but designated as an area for no parking to allow vehicles to manoeuvre and exit the parking bays on the opposite side of the close facing forward.

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

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

65. LAND AT BRANDON CLOSE, BALDERTON (15/00657/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought to create eleven off street parking spaces on existing grass land within the close to improve current parking arrangements. There would be two blocks of four spaces and one block of three.

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

66. CEDAR LODGE, BURGAGE CLOSE, SOUTHWELL (15/01055/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 demolition of the existing bungalow, garage and swimming pool and the erection of a two-storey dwelling to form a five bedroom property with attached double garage.

A schedule of communication was tabled at the meeting, which included correspondence received after the agenda was published from the Agent; Southwell Town Council; and Neighbour/Interested party.

Members considered the report and the following comments were raised. A Member commented that the planting scheme was good, the design of the house was complementary to the important site and the dormer window on the house broke up the roofline. Another Member commented that the house sat well on the plot, but would like to suggest native species for the landscaping. A further Member commented on the sloping nature of the site and the impact of the development on the neighbouring property 'Willows'. It was commented that the proposed landscaping may not address the impact on the 'Willows' and suggested that planting should include thick leafy foliage to reduce the impact of the development on the neighbouring property. The loft and storage space above the garage was also discussed and concerns were raised, as this space had been identified as storage space even though dormer windows were proposed for both areas. The report confirmed that CIL was chargeable on habitable space and not for storage space. It was therefore suggested that a condition be imposed for the first floor above the garage and the loft space within the house to be used for storage purposes only.

(Councillors Mrs C. Brooks and Mrs S.E. Saddington had left the meeting during the debate of the item and therefore took no part in the vote on their return).

AGREED (with 13 votes) that planning permission be approved subject to the following:

- (i) conditions contained within the report with the amendment to condition 6 as detailed in the schedule of communication and the inclusion of evergreen foliage within that condition in order to block the impact of the development on the neighbouring property 'Willows';
- (ii) amendment to condition 15 to include Schedule 2 part 40 of the GDPO; and
- (iii) a condition restricting the use of the first floor above the garage and the loft space within the house as storage space only.

67. 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 tearoom.

The application was deferred at the last meeting of the Planning Committee in order for Officers to advise how the operators and/or the goods to be sold could be controlled in the event that planning permission was granted. A schedule of communication was tabled at the meeting, which included correspondence received

after the agenda was published from the Planning Case Officer, which detailed suggested conditions should the Committee be minded to approve.

Members considered the application and commented that rural businesses such as this should be supported. There were no objections from the Parish Council and as the Authority was a large rural district, the application should be supported subject to the suggested Officer conditions as it was considered that it enhanced the area.

AGREED (with 13 votes for and 2 votes against) that contrary to Officer recommendation, planning permission be approved subject to the conditions contained in the schedule of communication.

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

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

68. FORMER GARAGE SITE, WOLFIT AVENUE, BALDERTON (15/01093/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought a retrospective application for the variation of Condition 2 attached to application 15/00180/FUL, four, one bedroom flats and associated external works and parking.

A schedule of communication was tabled at the meeting which included correspondence received after the agenda was published from the Highways Authority and Severn Trent Water.

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

69. 15 HUTCHINSON ROAD, NEWARK (15/01325/FUL)

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

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

70. APPEALS LODGED

NOTED that the report be noted.

71. APPEALS DETERMINED

NOTED that the report be noted.

72. LATE ITEM – POTTERDYKE DEVELOPMENT, NEWARK

The reason for the urgency of the report was to advise Members of the Planning Committee that an exempt report had been put into the public domain.

The Deputy Chief Executive provided a verbal update to the Committee regarding information that had been requested through a freedom of information request and subsequently released by the Council.

The Planning Committee held on the 8<sup>th</sup> November 2011 had received an exempt report, which had provided background information in relation to the Potterdyke development in Newark. A request was made by a member of the public under the Freedom of Information Act for this information. The Authority initially refused to disclose the information on the grounds of its commercial sensitivity. The member of the public had the right of review, which was undertaken internally by another Officer and which resulted in the decision not to release being reaffirmed. The member of the public then lodged an appeal to the Information Commissioner. If the Authority had still refused to disclose the information the case would have gone to a tribunal hearing. As the report was essentially a summary report relating to the Development Agreements in respect of the Potterdyke development it was decided, in consultation with the Chairman of the Planning Committee and Leader of the Council to disclose the report. Unfortunately part of the report was incorrect.

The report stated that there was an option to re-purchase the undeveloped parts of the Robin Hood Hotel, if the development was not completed by a specified deadline. This was not correct as the council only had the right to re-purchase those parcels of land which it had originally owned (essentially the former Potterdyke car park).

The Deputy Chief Executive apologised for the error contained within the report.

The Leader of the Council commented that the information provided at 8<sup>th</sup> November 2011 Planning Committee was for background information only and that the content of the report had not been a material planning consideration in determining the application at that time.

AGREED that the report of the Deputy Chief Executive be noted and the minute rectified to clarify that the Council does not have an option to repurchase the undeveloped parts of the former Robin Hood Hotel in the event that this part of the development is not completed within the timescales set out in the Development Agreement.

The meeting closed at 6.07pm.

Chairman

## **NEWARK AND SHERWOOD DISTRICT COUNCIL**

Minutes of the meeting of the **STANDARDS COMMITTEE** of Newark & Sherwood District Council held in Room G21, Kelham Hall, Newark on Wednesday 16<sup>th</sup> September 2015 at 2.30pm.

PRESENT: District Councillors: M. Buttery, N. Mison, Mrs P. Rainbow,  
Mrs S.E. Saddington and B. Wells

Parish Councillor: P. Morris

Co-opted

Independent Person: Mrs P. White

Independent Person: Mrs S. Jones

### 01. APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Independent Person - Mr R. Dix.

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

There were none.

### 03. DECLARATIONS OF ANY INTENTIONS TO RECORD THE MEETING

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

### 04. MINUTES

AGREED that the Minutes of the meeting held on 11<sup>th</sup> March 2014 be approved as a correct record and signed by the Chairman.

### 05. STANDARDS COMMITTEE PROGRESS REPORT 1<sup>ST</sup> MARCH 2015 TO DATE

The Committee considered the progress report from 1<sup>st</sup> March 2015 to date. Further to the Standards training included on the report, the Committee was informed of the Annual Parish Council scheduled for 5<sup>th</sup> October 2015, which would hold a workshop relating to Parish Council Governance, including frequently asked questions by parish clerks to the Council's Democratic Services Business Unit.

AGREED that the progress report be noted.

### 06. ANNUAL REPORT FOR THE PERIOD 1<sup>ST</sup> APRIL 2014 TO 31<sup>ST</sup> MARCH 2015

The Committee considered the report of the Deputy Chief Executive and Monitoring Officer which included an introduction by Councillor Mrs S.E. Saddington, the Chairman of the Committee for the period 1<sup>st</sup> April 2014 to 31<sup>st</sup> March 2015.



AGREED that the report be noted.

07. REGISTER OF MEMBERS' INTERESTS – DISTRICT AND PARISHES

The Committee considered the report of the Deputy Chief Executive and Monitoring Officer which informed the Committee of the number of Register of Members' Interests forms which had been received for the District and Parish Councillors. All 39 forms from District Councillors had been received and were held on file in the Democratic Services Office and on the Council's website. There were currently 88 forms outstanding from Parish Councillors, out of a total of 441 Parish Councillors. Members were informed that Officers had contacted all Parish Clerks where forms were outstanding to remind Members that the forms needed to be completed and returned to the District Council.

Members raised concern regarding the number of register of members' interest forms to date still outstanding from Parish Councils and resolved that a firmer letter be sent to all the Parish Clerks where interest forms had not been received, the letter to be sent on behalf of the Standards Committee and signed by the Standards Committee Chairman.

AGREED (unanimously) that:

- (a) the current position with regards to the Register of Members' Interests forms be noted; and
- (b) a firmer letter be sent to all the Parish Clerks where interest forms had not been received, the letter to be sent on behalf of the Standards Committee and signed by the Standards Committee Chairman.

08. GENERAL DISPENSATION

The Committee considered the report of the Deputy Chief Executive and Monitoring Officer which advised Members of the request for a general dispensation for Members of the Council.

Members raised concern regarding granting the general dispensation as presented in the report as they felt that it was too open to interpretation and ambiguous and that without further guidance it was easy for an error of judgement to be made by Councillors in what could be a difficult and contentious area. It was suggested that a further report providing guidance notes and further examples of what would and would not be included by the general dispensation, be presented to the next meeting of the Committee, with the aim of the guidance notes being distributed to all Members of the Council. It was commented that given the need for the general dispensation for the Council tax setting in March 2016, an additional meeting of the Standards Committee be arranged for the end of the year to consider this item.

The Director – Safety and Deputy Monitoring Officer provided examples of where Members would not be included by the general dispensation.

AGREED (unanimously) that the report be deferred and presented to an additional meeting of the Standards Committee to be held at the end of the year. The report to provide guidance notes on further examples of what would and would not be included by the general dispensation, with the aim the guidance notes being distributed to all Members of the Council.

#### 09. CODE OF CONDUCT COMPLAINTS

The Committee considered the report of the Deputy Chief Executive and Monitoring Officer, which advised the Committee of two complaints received since the last meeting of the Standards Committee.

The first complaint related to a particular word put in a question to Council by a District Councillor which described the actions of District Council Officers and which the complainants considered suggested wrong doing on the part of those officers. In consultation with the Independent Person it was decided that the complaint warranted formal investigation. However after a discussion with the Councillor concerned, an offer was made by him and a public statement was issued by the Chief Executive on behalf of the Councillor concerned, at the Council meeting on 14<sup>th</sup> April 2015, withdrawing the use of the word to which the objection had been made, offering an apology for any offence caused and making it clear the Councillor concerned had not intended to suggest any impropriety on the part of the officers. In consultation with the Independent Person, it was considered that this constituted a satisfactory resolution of the matter.

The second complaint was regarding the conduct of a Councillor who was a member of both Clipstone Parish Council and Newark and Sherwood District Council in respect of a planning application for the change of use of 'scrub land' to garden land at Clipstone. The complaint was that the Councillor spoke at the Planning Committee without declaring an interest; that she spoke as a representative of Clipstone Parish Council but there was no minute of the parish council authorising her to speak on their behalf. The complainant was advised that it was for the member concerned to determine whether she had a non disclosable pecuniary interest or a personal interest in the matter but even if she had determined that she had such an interest it did not prevent her from speaking or voting. The complainants were also advised that in fact she addressed the Planning Committee as the local ward member in accordance with paragraph 11.8 of the planning protocol. In that capacity she was entitled to express her personal views which did not necessarily need to reflect the views of the Parish Council. One of the complainants also complained that they had been given no right to speak at the Planning Committee. They were advised that applicants and objectors to planning applications had no right to speak at the Planning Committee. There was also a further complaint that a Member of the Planning Committee spoke to the Councillor concerned and a representative of Clipstone Allotment Society prior to the meeting and should not therefore have participated in the determination of the planning application as they clearly knew those parties. The complainants were advised that the fact that the Councillor concerned may have been acquainted with the parties did

not constitute either a disclosable pecuniary interest a non disclosable pecuniary interest or a personal interest and did not prevent her from speaking and voting.

The Director – Safety and Deputy Monitoring Officer provided the Committee with a verbal update of two further complaints that had been received subsequent to the printing of the agenda. Both complaints related to the same Parish Councillor and had been referred to the Independent Person who had agreed in consultation with the Monitoring Officer that both complaints warranted investigation.

Members asked whether training would be provided regarding Standards Hearings given the number of new Members on the Standards Committee. It was confirmed that training could be provided at the end of the additional Standards Committee meeting to be held at the end of the year.

AGREED that:

- (a) the report be noted; and
- (b) a short training session on conducting Standards Hearings be included at the additional Standards Committee to be held at the end of the year.

The meeting closed at 3.15 pm.

Chairman

## NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **COUNCILLORS' COMMISSION** held in the Leader's Office, Kelham Hall, Newark on Tuesday 15<sup>th</sup> September 2015 at 4.00pm.

PRESENT: Councillor: R.V. Blaney (Chairman)

Councillors: Mrs G.E. Dawn, P. Handley, D.J. Lloyd, D.R. Payne, D. Staples and Mrs A.A. Truswell.

APOLOGIES: Councillor J. Lee.

### 1. MINUTES OF THE MEETING HELD ON 23<sup>RD</sup> APRIL 2015

AGREED that the minutes of the meeting held on 23<sup>rd</sup> April 2015 be approved as a correct record and signed by the Chairman.

### 2. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

There were no declarations of interest.

### 3. ISSUES ARISING FROM THE LAST MEETING

The Commission considered three issues which were raised at the last meeting.

Renaming of the Policy & Finance Committee following the disbandment of the Human Resources Committee – it was agreed that the current title for the Committee remained appropriate.

Review of the size of Committees following the reduction to 39 Members – it was agreed that the current numbers on Committees were appropriate.

Consideration of where planning policy should sit under the new committee system – it was agreed to consider this matter at the next meeting of the Commission.

### 4. ICT EQUIPMENT FOR MEMBERS

The Commission considered the report of the Deputy Chief Executive which set out the position in respect of the ICT allowance and the principle of moving to a paperless Council by 2015. In addition the Commission considered a supplemental report which informed Members of the views of the Member Development Task and Finish Group. The Task and Finish Group requested the Commission to consider the feasibility of the Council purchasing windows devices for all Members. It was considered that windows devices would be compatible with the software used by the Council and would constitute a 'trusted device' in the context of government security.

The first point the Commission considered was the use by all Members of the designated Council email address. The Chief Executive advised that all Members needed to migrate to using their designated Council email addresses in order to meet the requirements of the government's PSN (Public Sector Network). He added that when using the designated Council email address all communication was protected by

the Council's firewall.

The Commission felt that the use of the designated Council email address was linked to the possible provision of devices to all Members and as such a date for this full migration was still to be determined.

The Commission debated the use of devices at meetings, if windows devices should be provide to all Members and if any Council owned devices should be restricted to council business only. Further information was required on these issues at the next meeting of the Commission. These issues were also discussed in the context of relying less on the use of paper copies of agendas at meetings.

In addition the Commission considered the current provision in respect of allowances payable to Members including the current ICT allowance. It was suggested that this needed to be considered by the Independent Remuneration Panel (IRP) in light of any future decision about the provision of devices. The Director – Resources advised that reports and minutes from these meetings can be submitted to the IRP in order for them to draw appropriate conclusions in respect of future ICT allowances / basic allowance payments to Members.

AGREED (with 4 for, 1 against and 2 abstentions) that it be recommended to a future council meeting that all Members be required to use the designated NSDC email address for all electronic communication on a date to be determined;

(with 6 for and 1 against) that ICT be asked to bring a report to the next meeting which sets out proposals for each Members being given a Council owned windows device on which to conduct council business.

In addition this report was to set out possible options for those Members who wished to use their own device for council business – including a possible code of practice.

#### 5. MEMBERS TRAVEL ALLOWANCES

The Commission considered the report of the Director – Resources which sought to clarify the circumstances in which Members could claim mileage allowances for Council business. The report set out the specific duties for which mileage allowances could be claimed. The Commission noted the position in respect of attending parish council meetings which was agreed by the Council at their meeting held on 21<sup>st</sup> July 2015.

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

#### 6. PROVISION OF REFRESHMENTS FOR MEMBERS

The Commission considered the report of the Deputy Chief Executive which advised of the position in respect of refreshments at meetings. It was noted that previously tea, coffee, water and biscuits had been provided to Members before committee meetings. However following the changes in meeting rooms due to the leasing of

parts of the building to Kelham Hall Ltd, arrangements were now in place for Members to utilise the hot drinks machine in the Members' Room and the water coolers in the ground floor meeting rooms.

The Commission expressed concerns that the hot drinks machine in the Members Room was frequently under stocked and not maintained on a regular basis. It was suggested that alternative options were considered for providing refreshments prior to meetings however the Chief Executive confirmed that an outside provider could not be brought into Kelham Hall.

It was proposed that officers resolve the current issues with the hot drinks machine with a view to continuing the current provision with a review in six months' time, however this proposal was lost with 3 votes for and four against.

AGREED (with 4 votes for and 3 against) that the provision of tea, coffee and biscuits through Kelham Hall Limited be re-introduced for all Committee meetings with immediate effect.

#### 7. MEETINGS OF THE PLANNING COMMITTEE

The Commission considered the report of the Deputy Chief Executive which invited the Members to consider the current position in respect of the meetings of the Planning Committee. Members had expressed concerns about the number of additional meetings of the Planning Committee and the fact that on occasion these have started before the usual 4.00pm start time.

It was noted that the reason for the additional meetings was in part due to the increase in applications submitted to the Council – over the last 12 month period there had been an 10.5% increase over the corresponding period in the previous year - and in part because of the complexity of those applications (over the last 12 month period there has been a 54% increase in major applications). The report suggested that the scheme of delegation and the mechanism for referral of items could be reviewed by the Planning Committee to see whether it was possible to delegate more minor applications.

The Commission debated a number of issues in respect of the mechanics of the Committee as follows: if presentations of reports by officers could be shortened or indeed if they were required for all items; scheduling provisional meetings; the merits of having a sub-committee to determine Member referrals; and the amount of site visits prior to meetings.

AGREED (unanimously) that the Business Manager – Development Control prepare a report for the next meeting of the Planning Committee covering the issues raised with a view to putting options forward to Members to consider.

#### 8. DATE FOR THE NEXT MEETING

AGREED that the next meeting be held on Tuesday 20<sup>th</sup> October 2015 at 4.00pm.

Meeting closed at 5.50pm.

Chairman

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