

Date: 4 December 2017

Dear Sir/Madam,

COUNCIL MEETING – 12 DECEMBER 2017

Notice is hereby given that a meeting of the Newark and Sherwood District Council will be held in the Civic Suite, Castle House on Tuesday, 12 December 2017 at 6.00pm.

Yours faithfully



A.W. Muter
Chief Executive

AGENDA

Pages

- | | | |
|----|----------------------------------------------------------------------------------------------------------|-------|
| 1. | Apologies for Absence | |
| 2. | Minutes of the meeting held on 10 October 2017 | 4 - 8 |
| 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.	Schedule of Meetings for 2018/19	9 - 14
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14.	Notices of Motion (if any)	

In accordance with Rule No 13.1, Councillor R.V. Blaney will move and Councillor D. Staples will second a motion to the following effect:

“The Council continues to have complete confidence in the Chairman, Councillor Mrs L.M.J. Tift.”

15.	Questions from Members of the Council	
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MINUTES FOR NOTING

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NOTES:

- (1) The Conservative Group will meet at 5.00pm in Rooms F1 - F3 prior to the Council Meeting.
- (2) The Labour Group will meet at 5.00pm in Room G1 prior to the Council Meeting.

- (3) The Independent Group will meet at 5.00pm prior to the Council Meeting.
- (4) Tea and coffee will be available in the Civic Suite.

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **NEWARK & SHERWOOD DISTRICT COUNCIL** held in the Civic Suite, Castle House Newark on Tuesday, 10 October 2017 at 6.00pm.

PRESENT: Councillor Mrs L.J.M. Tift (Chairman)
Councillor K. Walker (Vice-Chairman)

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

APOLOGIES FOR ABSENCE: Councillors: D. Clarke, Mrs S. Soar and Mrs A.A. Truswell.

34. MINUTES

AGREED that the minutes of the Extraordinary Meeting held on 26 September 2017 be approved as a correct record and signed by the Chairman.

35. DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

NOTED:- (a) interests declared as shown in the schedule circulated at the meeting;
(b) the additional interests which were declared at the meeting as follows:-

<u>Member</u>	<u>Agenda Item No.</u>
Councillors Mrs A.C. Brooks, P.C. Duncan, G.P. Handley and D.R. Payne	Agenda Item No. 13 – Newark and Sherwood Homes Limited – Appointment to Outside Bodies and Governance – Disclosable Pecuniary Interests as Members of the Board of Newark and Sherwood Homes.

36. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

37. COMMERCIAL STRATEGY

The Council considered the report of the Director – Resources which sought approval of the Commercial Strategy. The Commercial Strategy followed on from key messages in the Council's Medium Term Financial Plan and set out how the Council could address and meet the funding challenges identified. The aim of the Strategy was to deliver positive financial returns to the Council's General Fund and would be delivered through a three tier approach: Business Units commercialisation; shared services and corporate investment and trading.

It was proposed that an internal Commercial Projects Development Team be formed in support of the commercial business plan framework and subsequent implementation and delivery. As this team would require upskilling and development a budget of £20,000 was sought to fund any external advice, training and mentoring.

The Strategy was considered by the Policy and Finance Community at their meeting held on 21 September who recommended adoption by the Council.

AGREED (unanimously) that:

- (a) the Commercial Strategy be approved; and
- (b) the establishment of a Commercial Support budget of £20,000, to be funded from the Change Management Reserve, be approved.

38. INVESTMENT PLAN

The Council considered the report of the Director - Resources which sought approval of the Investment Plan. The main objectives of the Investment Plan were to support the Council's Medium Term Financial Plan and Commercial Strategy; develop a balanced portfolio of investments which supported the Council's intention of enhancing financial resilience in the longer term; the creation of an Investment Advisory Board to provide advice to the Policy and Finance Committee; and to establish, subject to a full business case, a wholly owned Property Development Company.

The Plan was considered by the Policy and Finance Committee at their meeting held on 21 September who recommended adoption by the Council.

AGREED (with 34 votes for and 2 against) that:

- (a) the Investment Plan be approved; and
- (b) the establishment of the Investment Advisory Board be approved.

39. FARNSFIELD AND FERNWOOD NEIGHBOURHOOD PLANS

The Council considered the report of the Deputy Chief Executive which advised of the result of two Neighbourhood Planning Referendums and sought approval to formally adopt the Farnsfield and Fernwood Neighbourhood Plans as Development Plan Documents (DPD).

The two Neighbourhood Planning Referendums were held on 28 September 2017 with the question 'Do you want Newark and Sherwood District Council to use the neighbourhood plan (for Farnsfield / Fernwood) to help it decide planning applications in the neighbourhood area?' The result in Farnsfield was 620 yes and 45 no, and for Fernwood 295 yes and 48 no. In order for the neighbourhood plans to be 'made' they needed to be formally adopted by the Council. It was noted that once the plans were made they became part of the development plan for the district and its policies carry equal weight to those of the Core Strategy and Allocations and Development Management DPD in the consideration of planning applications and appeals.

AGREED (unanimously) that:

- (a) the report be noted; and
- (b) the Council 'make' the Referendum Versions of the Farnsfield and Fernwood Neighbourhood Plans confirming that they form part of the Development Plan for Newark and Sherwood District.

40. APPOINTMENT TO OUTSIDE BODIES – SHERWOOD AND NEWARK CITIZENS ADVICE BOARD

The Council considered the report of the Deputy Chief Executive which advised of the outcome of the request by the Council to appoint two representatives to the Sherwood and Newark Citizens Advice Board (CAB).

The request had been declined by the CAB as they wished to treat the whole of the district as a single, unified entity. Furthermore they were in discussion with two other north Nottinghamshire CAB's as to a possible merger. However the CAB advised that the previous Council representative had chosen not to become a full Board member and to serve in an observer capacity only. The CAB considered this enabled representatives to engage fully in discussions and put forward the views of the Council. Indeed, full membership in practice meant that any representative would become a non-executive director resulting in them having to act in the best interests of the company rather than to represent the views of the Council.

The advice back from the CAB was that whilst they would object to more than one representative attending Board meetings as non-executive directors they had no objection to having two representatives as observers.

AGREED (unanimously) that Councillors P. Peacock and Mrs P. Rainbow continue to represent the Council on Sherwood and Newark Citizen Advice Bureau in an observer capacity only.

41. NEWARK AND SHERWOOD HOMES LIMITED - APPOINTMENT TO OUTSIDE BODIES AND GOVERNANCE

The Council considered the report of the Director - Safety which updated Members in respect of appointments to the Board of Directors of Newark and Sherwood Homes Ltd and asked the Council to consider a number of requests received from the Company in relation to its governance arrangements.

The Board of Newark and Sherwood Homes had recently undertaken a comprehensive review to consider two key governance issues, recruitment and succession review, and executive and governance resilience. As a result of the review, a series of proposals in relation to the size of the Board, the quorum, the term of Directors of the board and payment of Directors had had been made for the Council to consider as its sole shareholder. The specific proposals were set out in the report and debated by the Council. It was noted that the proposal for a reduction in the size of the Board would result in the Council not having to make an appointment for a replacement for Councillor G.P. Handley whose term of office was to end in November 2017.

In accordance with Procedure Rule No. 26.4 Councillor D. Staples moved and Councillor P. Peacock seconded that the Council vote on each proposal as a separate item. On being put to the meeting this was declared lost with 12 votes for and 20 against.

AGREED (with 20 votes for and 12 against) that:

- (a) the following changes to the Constitution of Newark and Sherwood Homes Limited (subject to the restrictions imposed by the Local Government Companies Order 1995) be approved:
 - (i) to reduce the Board from 12 to 9 (with a temporary provision for 10 to take account of the tenure of one of the current independent members of the Board);
 - (ii) to amend the term for the Director of the Board to 3 Terms of 3 years (a maximum of 9 years) dependent on a satisfactory assessment at the end of each 3 year term;
 - (iii) to amend the requirement of a quorum to include 2 of the 3 constituent parts of the Board;
 - (iv) to introduce the facility to make an honorarium payment to Members of the Board to be determined by the Board from time to time subject to the Council's approval;
 - (v) to amend the honorarium arrangements in the Constitution to enable the Board to recommend to Council the amount as required to attract the calibre of the individual required to undertake the role; and

(The Labour Group requested that their vote against points (i) and (iii) above be noted.)

- (b) the proposal for an honorarium payment of £6,500 per annum to the current Chairman of the Board, be approved.

(Having declared disclosable pecuniary interests in this item Councillors Mrs A.C. Brooks, P.C. Duncan, G.P. Handley and D.R. Payne left the meeting during its consideration.)

42. MINUTES FOR NOTING

- (a) Policy & Finance Committee – 21 September 2017

Minute No. 30 – Southwell Flood Mitigation Scheme Funding

Councillor G.P. Handley welcomed the £220,000 Council funding for the Southwell Flood Mitigation Scheme which was appreciated by the local community. He added that Southwell Town Council were to consider their funding contribution next week.

- (b) Economic Development Committee – 13 September 2017

(c) Homes & Communities Committee – 11 September 2017

(d) Leisure & Environment Committee – 19 September 2017

(i) Minute No. 18 – Newark & Sherwood Playing Pitch Strategy

Councillor Mrs G.E. Dawn claimed that the minute was incorrect as football had not ceased on Lincoln Road with this site currently being used by Fernwood Football Club.

Councillor R.J. Jackson confirmed that the content of the minute would be reviewed at the next meeting of the Committee.

(ii) Minute No. 19 – Update on Recycling

Councillor Mrs Y. Woodhead asked how the messages about what can be recycled can be put over to residents.

Councillor R.J. Jackson confirmed that some promotional work would be undertaken with the aim of improving current recycling rates.

(e) General Purposes Committee – 7 September 2017

(f) Licensing Committee – 7 September 2017

(g) Audit & Accounts Committee - 26 July 2017

(h) Planning Committee Meetings – 8 August, 5 September, 14 September and 3 October 2017

(i) Minute Nos. 89 and 90 – Highfields School, London Road, Balderton (17/00357/FULM and 16/01134/FULM)

Councillor D.J. Lloyd thanked the Committee for the two decisions taken in respect of this site which had been welcomed by local residents.

(ii) Minute No. 92 – Land North and East of Fernwood, West and East of Hollowdyke / Spring Lane, South of A1 and West of Railway line, Fernwood (14/00465/OUTM)

In presenting the Minutes the Chairman of the Planning Committee, Councillor D.R. Payne, advised the Council that there had been an error in the committee report which was verbally corrected at the meeting but not recorded in the minutes. He advised that this would be clarified at the next meeting of the Committee.

Meeting closed at 7.19pm.

Chairman

SCHEDULE OF MEETINGS FOR 2018/19

1.0 Purpose of Report

1.1 To approve a Schedule of Meetings covering the period May 2018 to May 2019.

2.0 Background Information

2.1 A proposed schedule of meetings for 2018/19 is attached as an **Appendix** to the report.

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

2.0 RECOMMENDATION

That the proposed Schedule of Meetings for 2018/19 be approved.

Background Papers

Nil

For further information please contact Nigel Hill on extension 5243.

A.W. Muter
Chief Executive

MAY 2018 – MAY 2019

2018	Monday	Tuesday	Wednesday	Thursday	Friday
May		1	2	3	4
	7 BANK HOLIDAY	8 PLANNING	9	10	11
	14	15 ANNUAL COUNCIL	16	17	18
	21	22	23	24	25
	28 BANK HOLIDAY	29	30	31	
June					1
	4	5 PLANNING	6	7	8
	11 HOMES & COMMUNITIES	12	13	14 GP & LICENSING	15
	18	19	20 ECONOMIC DEVELOPMENT	21	22
	25	26 LEISURE & ENVIRONMENT	27	28 POLICY & FINANCE	29
July	2	3 PLANNING	4	5	6
	9	10	11	12	13
	16	17 COUNCIL	18	19	20
	23	24	25 AUDIT & ACCOUNTS	26	27
	30	31			

2018	Monday	Tuesday	Wednesday	Thursday	Friday
August			1	2	3
	6	7 PLANNING	8	9	10
	13	14	15	16	17
	20	21	22	23	24
	27 BANK HOLIDAY	28	29	30	31
September	3	4 PLANNING	5	6 GP & LICENSING	7
	10 HOMES & COMMUNITIES	11	12 ECONOMIC DEVELOPMENT	13	14
	17	18 LEISURE & ENVIRONMENT	19	20 POLICY & FINANCE	21
	24	25	26	27	28
October	1	2 PLANNING	3	4	5
	8	9 COUNCIL	10	11	12
	15	16	17	18	19
	22	23	24	25	26
	29	30	31		
November				1	2

2018/2019	Monday	Tuesday	Wednesday	Thursday	Friday
	5 HOMES & COMMUNITIES	6 PLANNING	7	8	9
	12	13 LEISURE & ENVIRONMENT	14	15 GP & LICENSING	16
	19	20	21 ECONOMIC DEVELOPMENT	22	23
	26	27	28 AUDIT & ACCOUNTS	29 POLICY & FINANCE	30
December	3	4 PLANNING	5	6	7
	10	11 COUNCIL	12	13	14
	17	18	19	20	21
	24	25 BANK HOLIDAY	26 BANK HOLIDAY	27	28
	31				
January		1 BANK HOLIDAY	2	3	4
	7	8 PLANNING	9	10	11
	14 HOMES & COMMUNITIES	15	16 ECONOMIC DEVELOPMENT	17	18
	21	22 LEISURE & ENVIRONMENT	23	24 POLICY & FINANCE	25
	28	29	30	31	
February					1

2019	Monday	Tuesday	Wednesday	Thursday	Friday
	4	5 PLANNING	6 AUDIT & ACCOUNTS	7	8
	11	12 COUNCIL	13	14	15
	18	19	20	21 POLICY & FINANCE (BUDGET)	22
	25	26	27	28	
March					1
	4	5 PLANNING	6	7 COUNCIL (TAX)	8
	11 HOMES & COMMUNITIES	12	13	14 GP & LICENSING	15
	18	19 LEISURE & ENVIRONMENT	20	21	22
	25	26	27 ECONOMIC DEVELOPMENT	28	29
April	1	2 PLANNING	3	4 POLICY & FINANCE	5
	8	9	10	11	12
	15	16	17	18	19 BANK HOLIDAY
	22 BANK HOLIDAY	23	24 AUDIT & ACCOUNTS	25	26
	29	30			
May			1	2 DISTRICT & PARISH ELECTIONS	3
2019	Monday	Tuesday	Wednesday	Thursday	Friday

	6 BANK HOLIDAY	7 PLANNING	8	9	10
	13	14 ANNUAL COUNCIL	15	16	17
	20	21	22	23	24
	27 BANK HOLIDAY	28	29	30	31

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

Planning Committee – 4.00pm

Audit & Accounts Committees – 10.00am

DRAFT

RECRUITMENT TO THE POST OF THE CHIEF EXECUTIVE AND TRANSITIONAL ARRANGEMENTS

1. Purpose of Report

- 1.1 To enable Members to consider arrangements to appoint a permanent replacement for the post of Chief Executive, to appoint a Chief Officers Appointments Panel to manage the recruitment process and to consider transitional arrangements.

2. Background

- 2.1 I gave notice of my resignation from the post on 2 November 2017 and will leave the authority on 4 February 2018 to take up a new position as Chief Executive of the States of Alderney.
- 2.2 The first part of this report deals with proposed transitional arrangements from the date of my departure to the date on which my successor to the permanent role would take up their post.
- 2.3 The second part of the report deals with the manner in which a recruitment process could be conducted.

3. Transitional Arrangements

- 3.1 Notwithstanding the need to consider a permanent appointment to the post of Chief Executive, transitional arrangements will need to be in place from 5 February 2018. Current deputising arrangements for the Chief Executive are undertaken by other members of the corporate management team with the primary responsibilities and deputising roles falling on the Deputy Chief Executive (Mrs Cole) and the Director - Resources and Deputy Chief Executive (Mr. Kohli). Within current arrangements, Mrs Cole focuses her deputising role on internal responsibilities and Mr. Kohli focuses on external responsibilities. Whilst this is by no means a hard and fast delineation, it is proposed that this arrangement could continue in the short term to ensure that there is continuity in the Council's operations.
- 3.2 The statutory role of Head of Paid Service must be filled. Therefore, I recommend that Mrs Cole takes on this role and the title of Acting Chief Executive. With regard to the appointment to the role of Acting Chief Executive, it is proposed that an honorarium of £896.50 is paid for each month that these transitional arrangements are in place. Mrs Cole would therefore need to relinquish her role as Monitoring Officer for the Council.
- 3.3 It is recommended that the role of Monitoring Officer is taken up by Mrs White who is currently Deputy Monitoring Officer. With regard to the appointment of Mrs White to the role of Monitoring Officer it is recommended that an honorarium of £416.66 is paid for each month that these transitional arrangements are in place. This is in line with the Council's statutory officer honorarium policy.

- 3.4 The Council will also need to nominate a replacement director for Active4Today and I recommend that Mrs Cole should be the Council's nomination. At its inception, Active4Today also had the Council's S151 officer as a nominated director. It is therefore recommended that Mr. Kohli should be nominated as a director for Active4Today.
- 3.5 It will also be necessary to increase the capacity supporting the corporate management of the Council over the transitional period and this can be achieved by allocating additional responsibilities to other senior managers in organisation. These arrangements will be put in place prior to 5 February by the current Chief Executive and Deputy Chief Executive. Honoraria relating to additional responsibilities will be proportionate to those already identified in this report and the total cost of all honoraria, any other capacity costs in the transitional period and any costs relating to the recruitment to the Chief Executive post will be met from savings made in the salary and on-costs of the vacant Chief Executive post.
- 3.6 The cost of these arrangements can be contained within the savings in salary and on-costs of the Chief Executive's post whilst it remains vacant during the transitional period.

4. Appointment of the Successor to the Permanent Role of Chief Executive

- 4.1 Members will first need to decide whether they wish to replace the post of Chief Executive following the resignation of the current postholder.
- 4.2 There has been, in recent years, some exploration of the potential for shared management arrangements with neighbouring authorities but there are no obvious opportunities for such an arrangement to be put in place. Experience of shared service arrangements suggest that some common values and culture between sharing organisations would be highly desirable. An agreement between Rushcliffe, Gedling and Newark & Sherwood has increased collaboration between the three authorities but it is evident that there has not been an appetite to move towards a shared Chief Executive or a shared management team.
- 4.3 Under Section 4(1) of the Local Government and Housing Act 1989 the Council is under a duty to designate one of their officers as the Head of Paid Service.
- 4.4 Whilst in law the roles of Head of Paid Service and Chief Executive are separate, the first being governed by public law and the second by private law, in reality whoever holds the designation as Head of Paid Service is effectively the most senior member of staff within the organisation who carries express responsibility for the organisation and management of the Council's staff, whatever title the Council may choose to give to the role.
- 4.5 Moreover, there are a number of statutory responsibilities which rest with the Head of Paid Service primarily in relation to overall corporate management and operational responsibilities including overall management responsibility for all staff and a duty to report to the Council on the way in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.
- 4.6 There are a small number of councils which operate without a designated Chief Executive role. These are all councils with either a strong executive leader or a mayoral model of governance.

- 4.7 Newark & Sherwood District Council has chosen to adopt a committee style of governance and the appropriate legislative provisions do not make any provision for executive powers to be given to individual members within a committee system. I therefore consider that it would be difficult within a committee style of governance to operate without a clearly designated Chief Executive Officer who holds the Head of Paid Service role.
- 4.8 Members will want to take into account the significant achievements of the Council under the current arrangements over the last 11 years and the focus on transformational change, delivery of major projects and achievement of the vision and strategic objectives set by the Council.
- 4.9 A collegiate approach is possible by sharing the leadership role among a number of senior posts. However, this approach has only been adopted by a small number of authorities, often as a transitional stage. Such an approach is unlikely to provide the strong and inspirational leadership necessary to continue with our journey of transformational change and is likely to restrict the authority to a 'business as usual' approach. Moreover, a collegiate approach becomes more complex within a matrix rather than a functional style of management. It could be considered that this would be a backward step for Newark & Sherwood District Council which has received demonstrable success in driving forward a number of key projects at the same time as effecting major transformational change.
- 4.10 My recommendation is therefore that I am confident that the proposed transitional arrangements will enable the authority to operate in the short term. I do not believe that they are sustainable in the medium or long term and I recommend that steps should be taken to secure the appointment of a permanent replacement to the post of Chief Executive and Head of Paid Service as soon as can reasonably be achieved.
- 4.11 The Council will need to consider whether the postholder should also assume responsibility as Returning Officer and Electoral Registration Officer. These roles are normally discharged by the Chief Executive and Head of Paid Service and I recommend that this arrangement should continue.

5. Procedural Requirements

- 5.1 The Constitution provides that a Chief Officers Appointments Panel should be constituted to manage the recruitment process and to interview candidates for the Head of Paid Service.
- 5.2 That Panel would then make a recommendation on the appointment to the Council as the designation of Head of Paid Service is a Council function which is non-delegable.
- 5.3 The Constitution provides that the size and composition of the panel may be determined either by the Policy & Finance Committee or by the Council from time to time and the Member panel can be drawn from the whole membership of the Council to broadly reflect political balance.
- 5.4 The composition of the Appointments Panel could mirror the composition of the panel when the Section 151 officer was appointed recently and comprise five members of the Council - three members of the Conservative group and two members of the Labour group.

I recommend that the remit of the Chief Officers Appointment Panel should expressly include the following delegations in order to carry out its role:-

- 5.4.1 To consider whether any adjustments to the terms and conditions attached to the Chief Executive and Head of Paid Service post should be made prior to advertisement and to make any adjustments it decides are required.
- 5.4.2 To determine whether or not to engage external recruitment consultants to assist in the recruitment process; to determine the level to which external support is required in that process - in particular whether they are required to assist with executive search, whether they should assist in addition in the long listing process of candidates, shortlisting and/or assessment.
- 5.4.3 If, under 5.4.2 it is determined that external support is required, to select the preferred recruitment consultant.
- 5.4.4 To determine how the post is advertised, the interview and assessment process and the arrangements to involve other members and stakeholders in the process.
- 5.4.5 To interview candidates for the Chief Executive and Head of Paid Service and to recommend an appointment to the Council.

5.5 It is further recommended that the Chief Officers Appointments Panel should convene their first meeting prior to Christmas to commence the recruitment process.

6. Timetable for Appointment

6.1 Members should consider how the recruitment process could be progressed expediently.

6.2 A timeframe, in which the appointment of the successful candidate could be achieved, is:

Mid/late December - Chief Officers Appointments Panel meets to determine the issues set out in paragraphs 5.4.1 and 5.4.2. RFQ issued to 3 relevant providers in the market place.

End of January 2018 - Chief Officers Appointments Panel meets to review proposals from relevant providers with a view to selecting the most appropriate recruitment consultant to assist in the process. Post advertised with closing date of mid-March.

End of March/early April - Long listing of candidates identified and reported to Chief Officers Appointments Panel.

Mid-April - Short listed candidates recommended to Chief Officers Appointments Panel and invited to participate in an assessment process including interview with the intention of identifying a successful candidate.

Late April - Special Council meeting convened to receive recommendation and confirm appointment of successful candidate.

July/August - Successful candidate takes up post.

6.3 It should be noted that the timescales included above are indicative and may be subject to change dependent on the method of advertising/recruitment adopted. In the event that an internal candidate was appointed the timescales could be reduced.

7. RECOMMENDATIONS that:

- (a) **Mrs Kirsty Cole be appointed to the role of Acting Chief Executive, including the statutory role of Head of Paid Service and the roles of Returning Officer and Electoral Registration Officer, from 5 February 2018 for the transitional period;**

- (b) Mrs Karen White be appointed to the role of Monitoring Officer from 5 February 2018 for the transitional period;**
- (c) Mrs Kirsty Cole and Mr. Sanjiv Kohli are nominated as directors of the Board of Active4Today;**
- (d) budget provision be made for the cost of transitional arrangements set out in this report and any costs relating to filling the Chief Executive post by using savings arising from the vacant Chief Executive post;**
- (e) the Council considers and confirms whether it wishes to appoint a permanent replacement to the post of Chief Executive;**

and that, subject to (v) (above);
- (f) a Chief Officers Appointments Panel be constituted comprising five members to be drawn from the whole of the Council with three being nominated from the controlling group and two from the major opposition group with the delegated remit set out in paragraph 5.4 of this report; and**
- (g) the Council approves the indicative timetable for the appointment to the permanent post of Chief Executive, and agrees to the arrangement of a special meeting of the Council, if necessary, to consider the recommendations of the Chief Officers Appointments Panel.**

Background Papers

Nil.

For further information please contact Andrew Muter on Extension 5200.

Andrew Muter
Chief Executive

NEWARK COMMUNITY GOVERNANCE REVIEW

1.0 Purpose of Report

- 1.1 To consider the terms of reference, timetable and process for a Community Governance Review of the Newark Town Council boundaries.

2.0 Background Information

- 2.1 In accordance with the Local Government and Public Involvement in Health Act 2007 the Council has the responsibility for undertaking community governance reviews.
- 2.2 Although the boundaries were considered in a similar review in 2014 Newark Town Council have made a further request to the Council to undertake a further in light of the recent detailed proposals for new housing development on land south of Newark.
- 2.3 In addition to reviewing land south of Newark the Town Council are requesting a review of the boundary between Newark and Balderton around the proposed new development site at Highfields School.
- 2.4 The Town Council had also requested a review of the boundary with Winthorpe which it feels should follow the line of the A1.

3.0 Proposals

- 3.1 The Local Government and Public Involvement in Health Act 2007 places a duty on the Council to have regard to the need to secure that any Community Governance Review reflects the identities and any interests of the local community and that it is effective and convenient. Relevant considerations which influence judgements against those two principal criteria include the impact on community cohesion and the size, population and boundaries of the proposed area.
- 3.2 If a decision is made to conduct a review at this time, the first stage of the Review as prescribed by the Local Government and Public Involvement in Health Act 2007, would be to establish Terms of Reference which will set out the matters on which the Review is to focus. A draft terms of reference is attached as **Appendix A** to the report. This document includes a timetable for the Review.
- 3.3 If the Council determine to proceed with the Review it is proposed to establish a working group of Members to oversee the review process. This working group would put forward recommendations to the Full Council in terms of the outcomes of the review. A suggested composition for any working party would be 3 Members from the Conservative Group and 1 Member from the Labour Group.

4.0 RECOMMENDATIONS that:

- (a) **the Council consider whether to conduct a Community Governance Review of the Newark Town Council boundaries in accordance with the draft terms of reference and timetable as set out in Appendix A to the report;**

- (b) if a decision is made to conduct such a review the draft terms of reference, subject to any required amendments, be approved for the first stage of public consultation; and**
- (c) a working group of Members be established (in accordance with paragraph 3.3 above) to oversee the review process and put forward recommendations to the Full Council in terms of the review.**

Background Papers

Guidance on Community Governance Reviews.

Letter from Newark Town Council to request a review.

For further information contact Nigel Hill on 01636 655243.

A.W. Muter
Chief Executive

Review of Parishes and Related Matters
Local Government and Public Involvement in Health Act 2007

Review of Newark Town Council Boundaries

Terms of Reference

1.0 Introduction

The Council will undertake a Community Governance Review of the Newark Town Council boundaries in light of the planning permission and site layout in respect of the development on land to the south of Newark.

In addition the Review will consider the boundary between Newark Town Council and Balderton Parish Council around the proposed new development site at Highfields School and the boundary with Winthorpe and Langford Parish Council.

In undertaking the Review, the Council will be guided by Part 4 of the Local Government and Public Involvement in Health Act 2007, the relevant parts of the Local Government Act 1972 and Guidance on Community Governance Reviews issued by the Department of Communities and Local Government and the Electoral Commission.

These Terms of Reference will set out the matters on which the Review is to focus.

2.0 Why is the Council Undertaking the Review?

The Review is being undertaken following the receipt of a request from Newark Town Council for a review of its boundaries in three areas.

3.0 What will the Review Consider?

The Review is to consider changes to parish boundaries arising from:-

- (a) the implication of the planning permission and site layout for the new housing development on land south of Newark;
- (b) the implication of the proposed new housing development known as the Highfields School site; and

In addition the Review will consider the boundary between Newark and Winthorpe and Langford parishes.

The Review will also need to consider the electoral arrangements including the number of Councillors to be elected and any warding arrangements of all the affected parishes.

4.0 Maps

The following maps have been produced to assist with the review process:

- Map 1 showing proposed parish boundary changes for land south of Newark
- Map 2 showing proposed parish boundary changes for the Highfields School site
- Map 3 showing proposed parish boundary changes between Newark and Winthorpe and Langford
- Map 4 showing existing parish warding arrangements for Newark and Balderton
- Map 5 showing new parish warding arrangements for Newark and Balderton that will be effective from the elections scheduled in May 2019

5.0 Further Information

Land South of Newark (Map 1)

The current boundary between Newark and Balderton parishes follows the former line of Bowbridge Lane. This road has now been realigned to move further west before it joins with the new southern link road. This results in the current parish boundary cutting through the new housing development. Newark Town Council consider that a more appropriate boundary would be to follow the line of the Sustrans route. This would result in the whole of the new development known as 'Middlebeck' falling within the Newark Town Council Boundary.

The Town Council also consider that the boundary should follow the Sustrans route until it meets with the existing boundaries with Balderton, Hawton and Fernwood.

Highfields School Site (Map 2)

The existing boundary between Newark and Balderton parishes cuts through the Highfields School site. Newark Town Council considers that the whole of the Highfields School site should fall within Balderton Parish along with numbers 92 – 102 London Road, Newark. Consideration will need to be given to address anomalies this would create with these properties potentially moving into Balderton Parish.

Boundary with Winthorpe Parish Council (Map 3)

Newark Town Council consider that the realignment of the boundary with the A1 should extend to South Muskham which will change the existing boundary with Winthorpe parish.

It is important to note that no properties are affected by this proposed boundary change.

6.0 Parish Governance within the District

The Council wants to ensure that there is clarity and transparency to the areas that parish councils represent and that the electoral arrangements are appropriate, equitable and readily understood by the electorate.

The Council is aiming to put in place strong and clearly defined boundaries.

In their White Paper, Strong and Prosperous Communities, the Government emphasised that "Ultimately, the recommendations made in a community governance review ought to bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services".

7.0 Who undertakes the Review?

The Council are to establish a working group of Members to consider the representations received during the review process and to recommend to the Council both draft and final recommendations. The working group will not have delegated powers other than to oversee the review process and will make recommendations directly to the Council.

8.0 How the Council proposes to conduct consultations during the Review?

In arriving at its recommendations in a Review, the Council will need to take account of the views of local people. The Local Government and Public Involvement in Health Act 2007 requires the Council to consult the local government electors for the area under review and any other person or body who appears to have an interest in the Review (for instance the local Member of Parliament and the County Council) and to take the representations that are received into account by judging them against the criteria in the Local Government and Public Involvement in Health Act 2007.

The Council will consult in an appropriate manner within the Review area ensuring that those most affected are given the opportunity to respond. Any decisions made and the reasons for those decisions will be published following the Review.

In accordance with the Local Government and Public Involvement in Health Act 2007, representations received in connection with the Review will be taken into account, and consultees will be informed of the outcome of the review. The mechanism for this will be through the Council's website, issuing press releases, personal communication where appropriate and through the lodging of key documents on deposit at parish council offices etc.

9.0 Timetable for the Review

12/12/17	Terms of Reference and Timetable for Review to be approved by the Council
18/12/17	Council to publish Terms of Reference Consultation begins with initial submissions being invited
09/02/18	Closing date for submission of initial submissions
Week commencing 12 February 2018	Member Working Party to consider submissions and recommend to Council Draft Proposals
08/03/18	Council to approve Draft Proposals
12/03/18	Council to publish Draft Proposals Consultation begins on Draft Proposals
20/04/18	Closing date for submissions on Draft Proposals
Week commencing 23 April 2018	Member Working Party to consider submissions on Draft Proposals and recommend final proposals to Council
15/05/18	Council to approve and publish final Recommendations
May/June 2018	Council to seek the consent of the Local Government Boundary Commission for England for any parish ward changes / changes in electoral arrangements

May/June 2018	Interested parties (including Electoral Commission informed of the outcome of the Review) Reorganisation Order is made
01/12/18	Publication of Register of Electors incorporating any boundary changes
May 2019	Elections to Parishes (under any new arrangements)

10.0 Electoral Arrangements

Present Structure of Relevant Parishes

Newark Town Council

Newark Town Council has 18 elected Members divided as follows:

Beacon Ward =	6 Members	Ratio to electors 1: 1,082
Bridge Ward =	4 Members	Ratio to electors 1: 1,203
Castle Ward =	2 Members	Ratio to electors 1: 1,233
Devon Ward =	6 Members	Ratio to electors 1: 1,112

Balderton Parish Council

Balderton Parish Council has 15 elected Members divided as follows:

North Ward =	8 Members	Ratio to electors 1: 484
South Ward =	7 Members	Ratio to electors 1: 550

Winthorpe and Langford Parish Council

Winthorpe and Langford Parish Council has 9 Members divided as follows:

Winthorpe Ward=	7 Members	Ratio to electors 1: 78
Langford Ward=	2 Members	Ratio to electors 1: 36

Electorate figures are taken from the register published on 1 December 2017.

The current Parish Warding arrangements are illustrated in Map 4.

Future Structure of Newark Town and Balderton Parish Councils

The Local Government Boundary Commission for England has conducted a Further Electoral Review of the County Council. The Final Recommendations have direct implications on the electoral arrangements for Newark Town Council and Balderton Parish Council.

With effect from the elections scheduled to take place in May 2019 the following new arrangements will apply:

Newark Town Council

Newark Town Council will retain 18 elected Members as present but divided as follows:

Beacon Ward =	4 Members
Bridge Ward =	3 Members
Castle=	2 Members
Devon=	5 Members
East=	1 Member
South=	1 Member
Magnus=	1 Member
Sleaford=	1 Member

Balderton Parish Council

Balderton Parish Council will retain 15 elected Members as present but divided as follows:

Milton Ward =	1 Member
North Ward =	4 Members
Rowan=	3 Members
South=	7 Members

These new Parish Warding arrangements are illustrated in Map 5.

Consideration of electoral arrangements will need to be determined in light of the changes made by the Further Electoral Review as described above.

11.0 Parish Precepts Illustrations for affected Parishes (for 2017/18)

Parish	Band A Precept	Band D Precept	Band H Precept
Balderton	£57.51	£86.26	£172.52
Newark	£71.21	£106.81	£213.62

12.0 Reorganisation of Community Governance Orders and Commencement

The Review will be completed when the Council adopts the Reorganisation of Community Governance Order. Copies of this Order, any maps which affect the order of the detail and the document which sets out the reasons for the decisions that the Council has taken will be deposited at Castle House and on the Council's website.

The Order would need to be effective as soon as practicable to ensure that when residents begin to occupy homes in the development areas they are located within the appropriate parish.

13.0 List of Consultees

Nottinghamshire County Council
All affected Parish Councils
Local government electors (via the District Council website etc)
Voluntary Organisations / Community Groups
Local Residents Associations

Newark and Sherwood Clinical Commissioning Group
Nottinghamshire Police and Crime Commissioner
Primary and Secondary Schools in Newark
Appropriate outside bodies

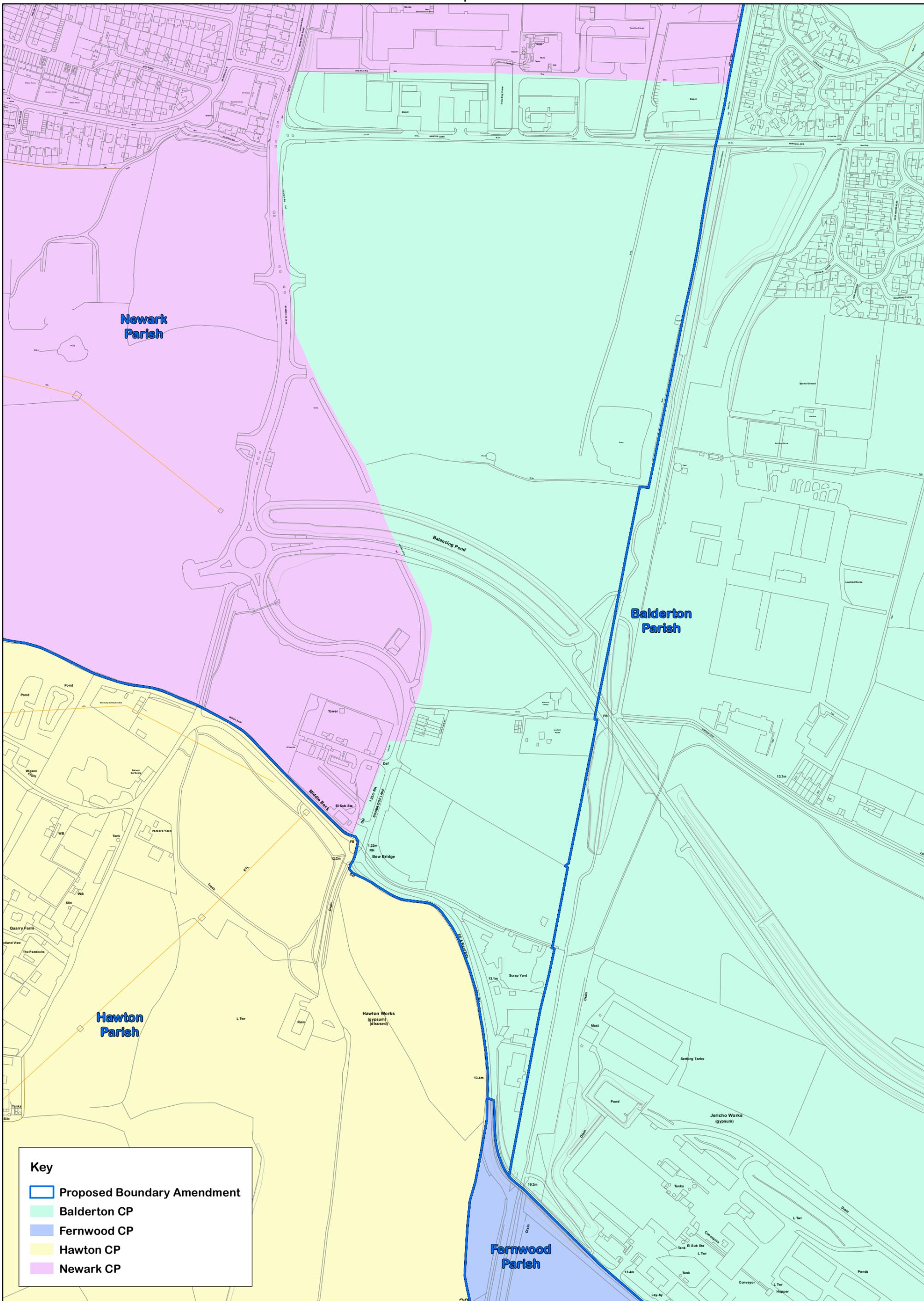
14.0 How to Contact Us

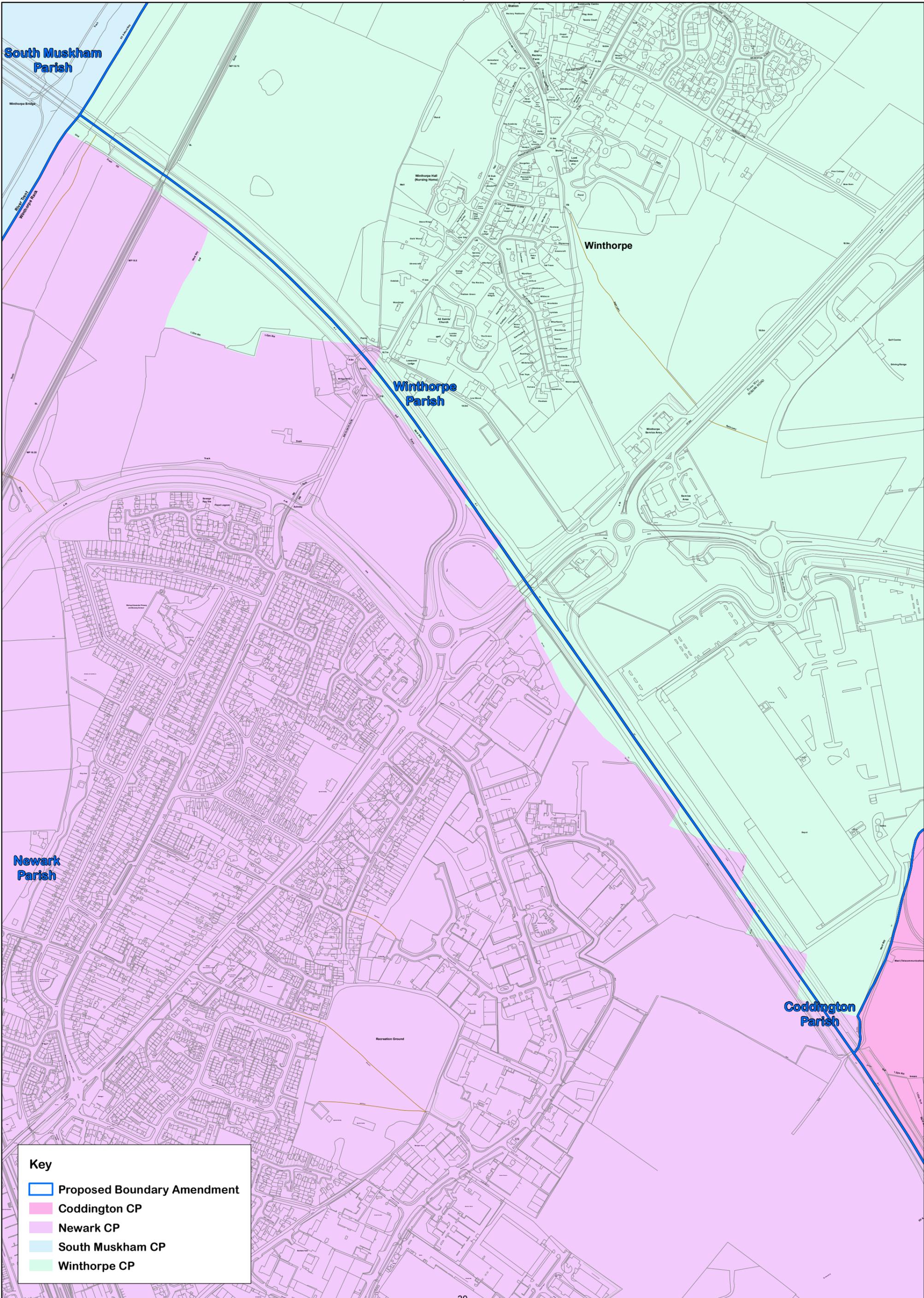
Contact details at the Council for the duration of the review are as follows:

Nigel Hill – Business Manager - Democratic Services Tel 01636 655243 Email nigel.hill@nsdc.info

15.0 Date of Publication of Terms of Reference

Terms of Reference due to be published 18 December 2017.

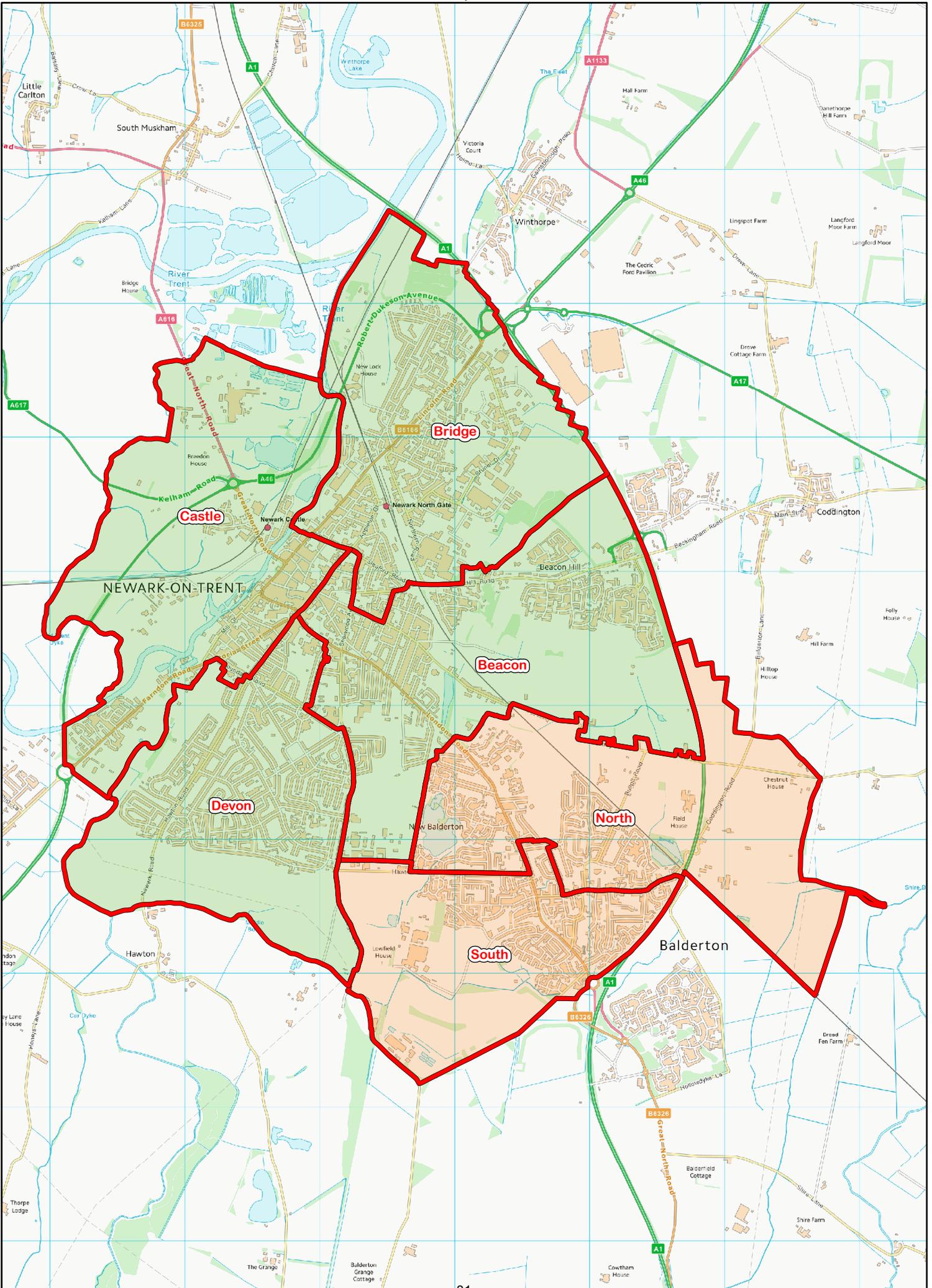




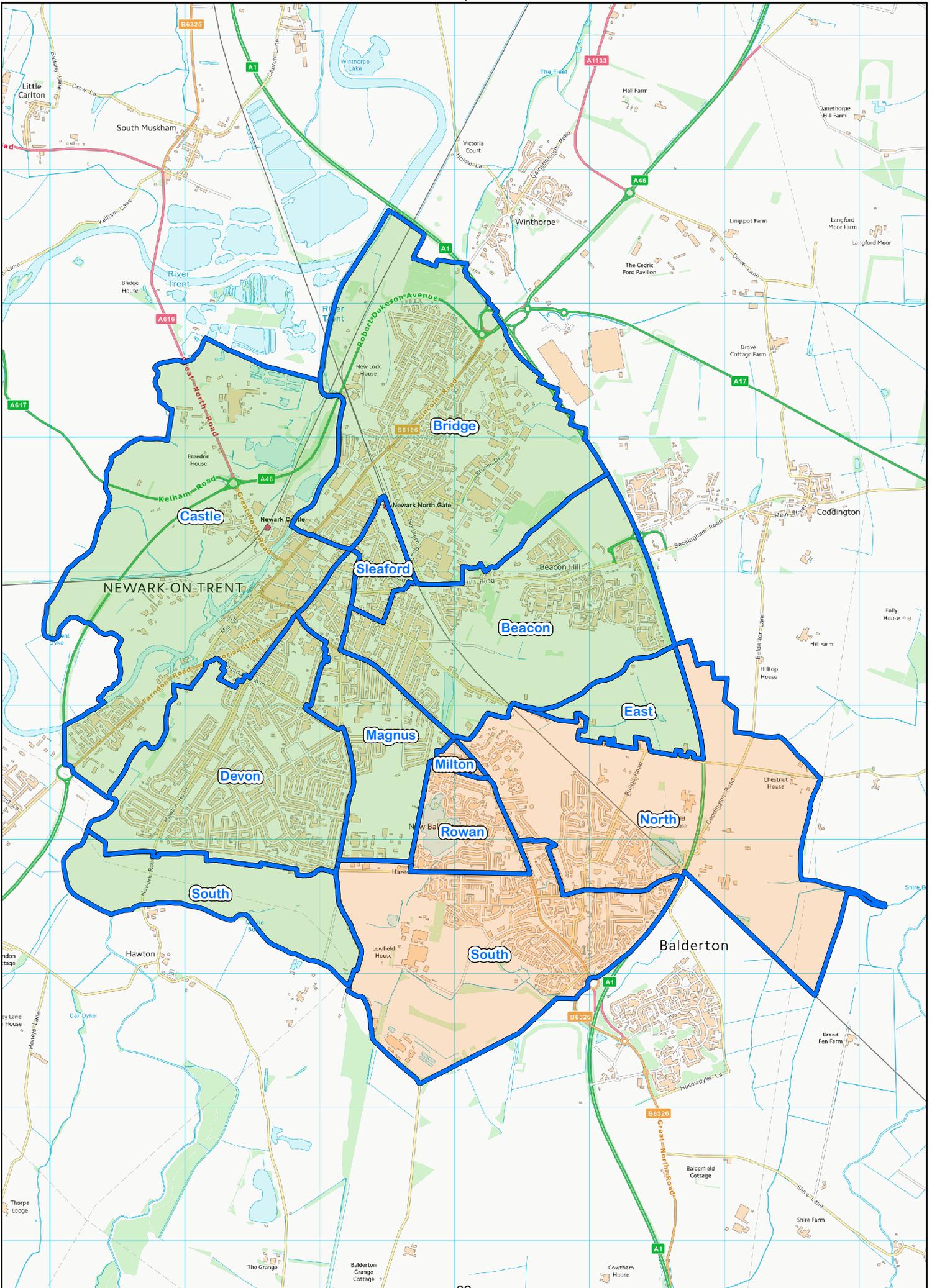
Key

- Proposed Boundary Amendment
- Coddington CP
- Newark CP
- South Muskham CP
- Winthorpe CP

Map 4



Map 5



COMMUNITY INFRASTRUCTURE LEVY REVIEW - ADOPTION

1.0 Purpose of Report

1.1 To present to Council the overall conclusions of the review of the Community Infrastructure Levy (CIL) and to recommend adoption of the Draft Charging Schedule as the Council’s CIL Charging Schedule to replace the 1 December 2011 CIL Charging Schedule.

2.0 Background

2.1 Full Council approved the submission of the Draft Charging Schedule and accompanying documentation at the Annual Council meeting on the 16 May 2017. The submission occurred on the 19 May 2017 and the Planning Inspectorate appointed Mr. Jameson Bridgwater PGDIPL MRTPI as the independent Examiner to carry out the Examination process. The Hearing Sessions were held on Thursday, 3 August 2017 at Kelham Hall. The independent Examiner submitted his report to the Council on the 17 October 2017. The independent Examiners report is available on the Council’s website:

<http://www.newark-sherwooddc.gov.uk/cil/communityinfrastructurelevyexamination2017/>

3.0 Results of the independent Examination

3.1 The Examiner concluded in the non-technical summary of the report that “This report concludes that the Newark and Sherwood District Council Community Infrastructure Levy Charging Schedule provides an appropriate basis for the collection of the levy in the area. The Council has sufficient evidence to support the schedule and can show that the levy is set at a level that will not put the overall development of the area at risk. I have recommended that the schedule should be approved in its published form, without changes.”

3.2 Specifically in response to the questions posed as part of the Examination process the Examiner concludes:

<p>Is the charging schedule supported by background documents containing appropriate available evidence?</p>	<p>The draft Charging Schedule is supported by detailed evidence of community infrastructure needs and economic viability. On this basis, the evidence which has been used to inform the Charging Schedule is robust, proportionate and appropriate.</p>
<p>Is the charging rate informed by and consistent with the evidence?</p>	<p>CIL Rates for Residential Development</p> <p>There may be a few cases where the proposed CIL rates would render a residential project unviable, but the analysis shows that this would not have a significant effect on the overall amounts of new housing to be delivered across Newark & Sherwood.</p> <p>CIL Rates for retail development</p>

	<p>Given that no substantive viability evidence has been presented to indicate otherwise, I am satisfied the proposed rate of £100sqm for retail development is justified on viability grounds.</p> <p>All other uses</p> <p>The Council’s decision not to charge a levy on Industrial (B1b, B1c, B2, B8), Office (B1a), Hotel (C1), Residential Institution (C2), Community (D1), Leisure (D2), Agricultural and Sui Generis is consistent with the evidence in the CIL Viability Assessment. This demonstrates that current market rents for these uses are too low to absorb any level of CIL. I am satisfied that for the reasons given in the Whole Plan and CIL Viability Assessment, dated March 2017 (CIL/005) setting a rate of £0sqm for these uses is evidence based and appropriate.</p>
<p>Does the evidence demonstrate that the proposed charge rate would not put the overall development of the area at serious risk?</p>	<p>The Council’s decision to set 4 different residential charging rates in the District, together with a single retail rate is based on reasonable assumptions about development values and likely costs. The evidence suggests that residential and commercial development will remain viable across most of the area if the charge is applied. Only if development sales values are at the lowest end of the predicted spectrum would development in some parts of Newark and Sherwood be at risk.</p>

4.0 Proposals

- 4.1 Given the positive result of the Examination it is proposed that the Council adopt the CIL Draft Charging Schedule as the final Charging Schedule. Attached at **Appendix 1** is the Charging Schedule in its finalised form – amendments have been made to remove reference to the ‘Draft’ nature of the document considered at Examination and to include the dates of adoption and implementation. It also includes the BCIS indexation figure of 276 (produced by RICS) which is the most up-to-date figure at the time of the publication of this report. It is proposed that if this figure changes before implementation occurs then the charging schedule will be adjusted to reflect the more up-to-date figure.
- 4.2 It is proposed that the new CIL Charging Schedule should come into force on the 1 January 2018 and replace the charging adopted in September 2011 which came into force in December 2011. It should be noted that Newark & Sherwood District Council is only the second authority to have undertaken such a review since the CIL process was introduced.
- 4.3 As part of the review process an updated Regulation 123 List of Projects which sets out elements of infrastructure which will be funded by CIL has been prepared; this was consulted upon as part of the Draft Charging Schedule consultation, amended to reflect the comments of the County Council and submitted alongside the Draft Charging Schedule for independent Examination. This Regulation 123 List must also formally come into force on the same day as the new Charging Schedule and a copy of the list which was presented to the 16 May Full Council meeting is included at **Appendix 2**.

5.0 RECOMMENDATIONS that:

- (a) the Charging Schedule attached at Appendix 1, subject to adjustment to reflect the most up to date indexation figure, be adopted as the Authority's Community Infrastructure Level Charging Schedule to come into force on the 1 January 2018; and**
- (b) the Regulation 123 List of Projects to be funded by CIL attached at Appendix 2 comes into force on the 1 January 2018.**

Background Papers

Report on the Examination of the Draft Newark and Sherwood District Council Community Infrastructure Levy Charging Schedule

For further information please contact Matthew Norton on extension 5852.

Kirstin H Cole
Deputy Chief Executive



**Newark and Sherwood
District Council**

**Community Infrastructure Levy
Charging Schedule
1st January 2018**

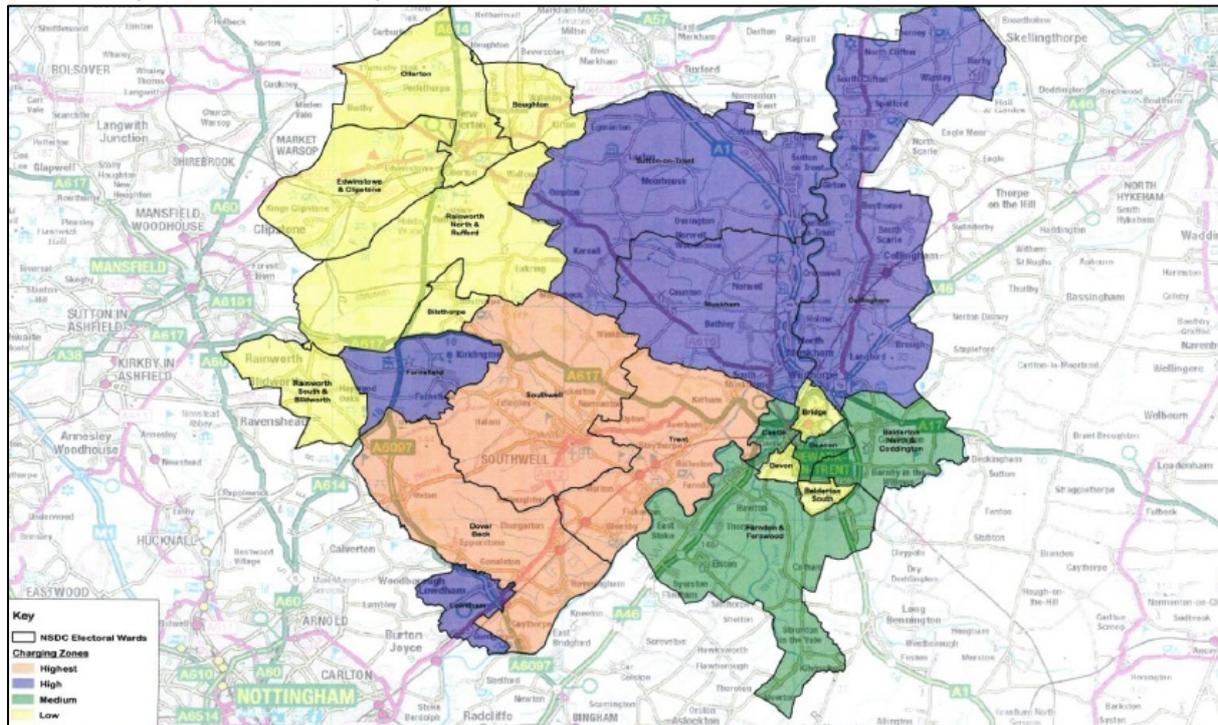
The CIL Charging Schedule has been approved and published in accordance with Part 11 of the Planning Act 2008 (as amended by the Localism Act 2011) and the Community Infrastructure Levy Regulations 2010 (as amended by the Community Infrastructure Levy (Amendment) Regulations of 2011, 2012, 2014 and 2015).

Name of Charging Authority	Newark and Sherwood District Council		
Date Approved by Full Council	12/12/2017	Date Charging Schedule takes effect	01/01/2018
Rates (£m²) at which CIL is to be Chargeable	CIL will be charged in Pounds Sterling (£) per square metre at differential rates according to the type of development and by location as set out in the Commercial and Residential Tables of this Schedule.		
Charging Zones	The Residential Charging Zones to which CIL will be applied are those as identified on Residential Map as set out within this Schedule. (Commercial will have one District Wide Zone)		
How the Chargeable Amount will be Calculated	<p>The District Council will calculate the amount of CIL chargeable to a qualifying development utilising the formula set out in Part 5 of the CIL Regulations.</p> <p>In summary the amount of CIL chargeable will be calculated as follows :</p> <p><u>CIL Rate x Chargeable Floor Area x BCIS Tender Price Index (at Date of Planning Permission)</u> <u>BCIS Tender Price Index (at Date of Charging Schedule)</u></p> <p>The Chargeable Floor Area makes allowance for previous development on the site. The net chargeable floor area amounts to the gross internal area of the chargeable development less the gross internal area of any existing buildings that qualify for exemption on the site.</p> <p>This summary does not take account of every aspect of the Regulations. The CIL Regulations are available to view at the District Council's website: www.newark-sherwooddc.gov.uk/cil or at the Council Offices at Castle House (open between 8:30am and 5:pm Monday to Friday)</p>		
BCIS Tender Price Index (at Date of Charging Schedule)	276		
Further Information	<p>Further information concerning:</p> <ul style="list-style-type: none"> • When CIL will be charged; • Who is Liable to pay CIL; • How CIL will be paid; • Relief/Exemptions from paying the CIL; and • Monitoring. <p>Is available on the Council's website which can be viewed at: www.newark-sherwooddc.gov.uk/cil</p> <p>Alternatively please telephone us on 01636 655540 Or E-mail: planning@nsdc.info</p>		

Commercial Community Infrastructure Levy Rates

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

Community Infrastructure Levy Zones –Residential



Residential Community Infrastructure Levy Rates

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

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

1. Introduction

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

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

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

2. Instalment Policy

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

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

3. Number, Proportion and Timing of Instalments

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

- a) Where the chargeable amount is less than £50,000**
 - Full payment will be required within 90 days of the commencement date¹ or on substantial completion of the liable development whichever is soonest;
- b) Where the chargeable amount is £50,000 - £250,000**
 - First instalment representing 25% of the chargeable amount will be required within 120 days of the commencement date or on substantial completion of the liable development whichever is soonest; and
 - The second instalment representing 75% of the chargeable amount will be required within 300 days of the commencement date or on substantial completion of the liable development whichever is soonest.
- c) Where the chargeable amount is over £250,000**
 - First instalment representing 25% of the chargeable amount will be required within 120 days of the commencement date or on substantial completion of the liable development whichever is soonest;
 - Second instalment representing 25% of the chargeable amount will be required within 210 days of the commencement date or on substantial completion of the liable development whichever is soonest;
 - Third instalment representing 25% of the chargeable amount will be required within 390 days of the commencement date or on substantial completion of the liable development whichever is soonest; and

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

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

Regulation 123 List of Projects to be funded by CIL



Newark and Sherwood District Council Community Infrastructure Levy (CIL)

Amended Regulation 123 List of Projects to be funded by CIL January 2018

Highway Projects				
Location	Estimated Cost	CIL/Other Public Contribution	Potential Improvement	Funding Source
A1 Overbridge widening, Fernwood, Newark	£5,200,000	£5,200,000	Widening of the A1 overbridge	
London Road, Portland Street Junction, Newark	£60,000	£60,000	Signal Control	
Barnby Gate, Sherwood Avenue Junction, Newark	£60,000	£60,000	Signal Control	
Lincoln Road, Brunel Drive Junction, Newark	£300,000	£300,000	Junction Improvements	
Lincoln Road, Northern Road Junction, Newark	£240,000	£240,000	Signal Control	
Castle Gate, Lombard Street Junction, Newark	£300,000	£300,000	Junction Improvements	
Beacon Hill Road, Northern Road Junction, Newark	£144,000	£144,000	Signal Control	
Sleaford Road / Friary Road Junction, Newark	£300,000	£300,000	Junction Improvements	
Northern Road / Brunel Drive Junction, Newark	£500,000	£500,000	Signal Control	
Queens Road / North Gate Junction, Newark	£240,000	£240,000	Junction Improvements	
Kelham Bypass	£15,000,000	£5,000,000	New bridge over the River Trent and a bypass to the village	33% CIL, 67% D2N2 LEP
A6097 / A612 Lowdham Junction	£1,500,000	£1,500,000	Junction improvements and Signal Control	
A614 Mickledale Lane	£300,000	£300,000	Junction	

Highway Projects				
Location	Estimated Cost	CIL/Other Public Contribution	Potential Improvement	Funding Source
Junction			Improvements	
A614, C1 Junction White Post Roundabout	£600,000	£600,000	Junction Improvements	
A614, C13 Eakring Road Junction	£120,000	£120,000	Speed reduction measures	
A614/A6097 Junction Oxtun	£1,500,000	£1,500,000	Junction improvements	
Education Projects				
Secondary Education Provision within the District	£11,339,820	£11,339,820	Provision of additional secondary school places	

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

TREASURY MANAGEMENT 2017/18 MID YEAR REPORT

1. Purpose of Report

- 1.1. This report provides an update on the Council's treasury activity and prudential indicators for the first half of 2017/18. It also seeks approval for a change to the Minimum Revenue Provision (MRP) policy. As indicated in the report none of the Prudential Indicators have been breached and a prudent approach has been taken in relation to the investment activity, with priority being given to security and liquidity over yield.

2. Background Information

- 2.1. This report was considered by the Accounts and Audit Committee meeting at their meeting held on 29 November 2017 who recommended to the Full Council approval of the change in the MRP policy.
- 2.2. The Council's Treasury Management Strategy has been underpinned by the adoption of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management 2011, which includes the requirement for determining a treasury strategy on the likely financing and investment activity for the forthcoming financial year.
- 2.3. The Code also recommends that members are informed of Treasury Management activities at least twice a year. This report therefore ensures that this Council is embracing best practice in accordance with CIPFA's recommendations.
- 2.4. Treasury Management is defined as: "The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks".

3. Economic Background

- 3.1. **Appendix A** gives a report on the economic background from our Treasury Consultants, Arlingclose.

4. Regulatory Updates

- 4.1. **MiFID II:** Local authorities are currently treated by regulated financial services firms as professional clients who can "opt down" to be treated as retail clients instead. But from 3rd January 2018, as a result of the second Markets in Financial Instruments Directive (MiFID II), local authorities will be treated as retail clients who can "opt up" to be professional clients, providing that they meet certain criteria. Regulated financial services firms include banks, brokers, advisers, fund managers and custodians, but only where they are selling, arranging, advising or managing designated investments. In order to opt up to professional, the authority must have an investment balance of at least £10 million and the person authorised to make investment decisions on behalf of the authority must have at least one year's relevant professional experience. In addition, the firm must assess that that person has the expertise, experience and knowledge to make investment decisions and understand the risks involved.

- 4.2. The main additional protection for retail clients is a duty on the firm to ensure that the investment is “suitable” for the client. However, local authorities are not protected by the Financial Services Compensation Scheme nor are they eligible to complain to the Financial Ombudsman Service whether they are retail or professional clients. It is also likely that retail clients will face an increased cost and potentially restricted access to certain products including money market funds, pooled funds, treasury bills, bonds, shares and to financial advice. The Authority has declined to opt down to retail client status in the past as the costs were thought to outweigh the benefits.
- 4.3. The Authority meets the conditions to opt up to professional status and intends to do so in order to maintain their current MiFID status.

5. Treasury Management Strategy Statement and Annual Investment Strategy Update

- 5.1. The Treasury Management Strategy Statement (TMSS) for 2017/18 was approved by Full Council on 9 March 2017. Officers felt the MRP policy within that report did not specifically identify the way that MRP should be charged. Below is a proposed change to the approved MRP Policy which is contained within the TMSS 2017/18.

Current MRP statement that was approved by Full Council on 9 March 2017:

MRP Statement: The Council is required to set an annual policy on the way it calculates the prudent provision for the repayment of General Fund borrowing. Local Authorities are required to ‘have regard’ to guidance on Minimum Revenue Provision (MRP) issued by the Secretary of State. This guidance suggests a number of options for calculating MRP but does not preclude other prudent methods that the Council may wish to adopt. This Council will continue to use the Asset Life Method, whereby MRP will be based on the estimated life of the asset for all capital expenditure funded from borrowing, subject to a maximum life of 50 years.

To be replaced with:

Minimum Revenue Provision (MRP) Policy Statement

The Council is required to pay off an element of the accumulated General Fund capital spend each year (the CFR) through a revenue charge (the minimum revenue provision - MRP), although it is also allowed to undertake additional voluntary payments if required (voluntary revenue provision - VRP).

CLG regulations have been issued which require the full Council to approve an **MRP Statement** in advance of each year. A variety of options are provided to councils, so long as there is a prudent provision.

For capital expenditure incurred before 1 April 2016 or which in the future will be Supported Capital Expenditure, the MRP policy will be:

Regulatory Method (Option 1)

This option provides for an approximate 4% reduction in the borrowing need (CFR) each year. However as the Council deems it more prudent MRP will be charged on a 2% straight line basis. This ensures that the debt will be repaid within 50 years.

From 1 April 2016 for all unsupported borrowing (including PFI and finance leases) the MRP policy will be:

- **Asset life method** – MRP will be based on the estimated life of the assets, in accordance with the regulations (this option must be applied for any expenditure capitalised under a Capitalisation Direction) (option 3);

This option provide for a reduction in the borrowing need over approximately the asset's life.

There is no requirement on the HRA to make a minimum revenue provision but there is a requirement for a charge for depreciation to be made (although there are transitional arrangements in place).

Repayments included in annual PFI or finance leases are applied as MRP.

6. **CIPFA Consultation on Prudential and Treasury Management Codes**: In February 2017 CIPFA canvassed views on the relevance, adoption and practical application of the Treasury Management and Prudential Codes and after reviewing responses launched a further consultation on changes to the codes in August with a deadline for responses of 30th September 2017.

6.1. The proposed changes to the Prudential Code include the production of a new high-level Capital Strategy report to Full Council which will cover the basics of the Capital Programme and treasury management. The prudential indicators for capital expenditure and the authorised borrowing limit would be included in this report but other indicators may be delegated to another committee. There are plans to drop certain prudential indicators, however local indicators are recommended for ring fenced funds (including the HRA) and for group accounts. Other proposed changes include applying the principles of the Code to subsidiaries.

6.2. Proposed changes to the Treasury Management Code include the potential for non-treasury investments such as commercial investments in properties in the definition of "investments" as well as loans made or shares bought for service purposes. Another proposed change is the inclusion of financial guarantees as instruments requiring risk management and addressed within the Treasury Management Strategy. Approval of the technical detail of the Treasury Management Strategy may be delegated to a committee rather than needing approval of full Council. There are also plans to drop or alter some of the current treasury management indicators.

6.3. CIPFA intends to publish the two revised Codes towards the end of 2017 for implementation in 2018/19, although CIPFA plans to put transitional arrangements in place for reports that are required to be approved before the start of the 2018/19 financial year. The Department of Communities and Local Government (DCLG) and CIPFA wish to have a more rigorous framework in place for the treatment of commercial investments as soon as is practical. It is understood that DCLG will be revising its Investment Guidance (and its MRP guidance) for local authorities in England; however there have been no discussions with the devolved administrations yet.

7. **Local Context**

7.1. At 31/3/2017 the Council's underlying need to borrow for capital purposes as measured by the Capital Financing Requirement (CFR) was £125m, while usable reserves and working capital which are the underlying resources available for investment were £43.3m.

The table below shows the revised estimates for capital expenditure and the changes since the capital programme was agreed at the Budget.

Capital Expenditure	2017/18 Original Estimate £m	Current Position £m	2017/18 Revised Estimate £m
General Fund Expenditure	12.39	4.39	14.24
HRA Expenditure	18.73	5.68	20.01
Total Capital Expenditure	31.12	10.07	34.25

The financing of the Capital Programme will be determined by the S151 Officer at the yearend based on best use of resources.

- 7.2. At 31/3/2017, the Council had £91m of borrowing and £27m of investments. The Council's current strategy is to maintain borrowing and investments below their underlying levels, referred to as internal borrowing.
- 7.3. The Council has an increasing CFR over the next 2 years due to the capital programme and there may be a requirement to borrow up to £7.7m over the forecast period. However, if reserve levels permit, internal borrowing will be considered.

8. Borrowing Strategy

- 8.1. At 30/9/2017 the Council held £90m of loans, as part of its strategy for funding previous years' capital programmes.
- 8.2. The Council does not expect to borrow in 2017/18.
- 8.3. **Borrowing Activity in 2017/18**

	Balance on 01/04/2017 £m	Balance on 30/09/2017 £m
Short Term Borrowing	3.92	3.34
Long Term Borrowing	87.12	87.12
TOTAL BORROWING	91.04	90.46
Other Long Term Liabilities	0.22	0.22
TOTAL EXTERNAL DEBT	91.26	90.68
CFR	125.0	125.00
Under / (over) borrowing	33.74	34.32

- 8.4. **PWLB Certainty Rate and Project Rate Update:** The PWLB introduced a 'Certainty Rate' for borrowing in 2013 which is 0.20% below the PWLB standard rate. The rate is made available for a 12 month period, in return for the Council providing advance information about its capital investment plans. In April 2017 the Council submitted its application to CLG along with the 2017/18 Capital Estimates Return to access this reduced rate for a further 12 month period from 01/11/2017.

- 8.5. **LOBOs:** The Council holds £3.5m of LOBO (Lender’s Option Borrower’s Option) loans where the lender has the option to propose an increase in the interest rate at set dates, following which the Council has the option to either accept the new rate or to repay the loan at no additional cost. All of the £3.5m of LOBOS had options during the last 6 months, none of which were exercised by the lender. The Council acknowledges there is an element of refinancing risk even though in the current interest rate environment lenders are unlikely to exercise their options.
- 8.6. **Internal borrowing:** For the Council, the use of internal resources in lieu of borrowing has continued to be the most cost effective means of funding of capital expenditure that has not been funded from grants and other resources. This has lowered overall treasury risk by reducing both external debt and temporary investments. However this position will not be sustainable over the medium term as the Council needs to use reserves for the purpose they were set aside for, and external borrowing may need to be undertaken.
- 8.7. **Debt rescheduling:** The premium charge for early repayment of PWLB debt remains relatively expensive for the loans in the Council’s portfolio and therefore unattractive for debt rescheduling activity. No rescheduling activity was undertaken as a consequence.

9. Investment Activity

9.1. The Guidance on Local Government Investments in England gives priority to security and liquidity and the Council’s aim is to achieve a return commensurate with these principles.

9.2. Investment Activity in 2017/18

Type of Investment	Balance on 01/04/2017 £m	Balance on 30/09/2017 £m	Average Interest Rate
Short term Investments:			
Fixed Term Deposits	10.00	9.90	0.52%
Money Market Funds	17.81	13.84	0.30%
Bank Call Account	0.05	5.00	
Total Short term Investments	27.86	28.74	
Long term Investments	0	0	
TOTAL INVESTMENTS	27.86	28.74	
Increase/(Decrease) in Investments		0.88	

9.3. Security of capital has remained the Council’s main investment objective. This has been maintained by following the Council’s counterparty policy as set out in its Treasury Management Strategy Statement for 2017/18.

9.4. New investments on an unsecured basis with banks and building societies over the 6-month period were made at an average rate of 0.52%. Investments in Money Market Funds generated an average rate of 0.3%.

- 9.5. The Bank Rate is expected to be cut further towards zero in the coming months, which will in turn lower the rates short-dated money market investments with banks and building societies. As all of the Authority's surplus cash continues to be invested in short-dated money market instruments, it will most likely result in a fall in investment income over the year.
- 9.6. **Appendix B** gives a report on the Counterparties from our Treasury Consultants, Arlingclose.

10. Prudential Indicators

- 10.1. The Council can confirm that it has complied with its Prudential Indicators for 2017/18, which was set on 9 March 2017 as part of the Council's Treasury Management Strategy Statement.
- 10.2. **Upper Limits for Fixed and Variable Interest Rate Exposure.** These indicators allow the Council to manage the extent to which it is exposed to changes in external interest rates.

£m	Approved 2017/18 £m	Actual to 30/09/2017 £m
Fixed		
Upper Limit for Exposure on Debt	124.2	87.1
Upper Limit for Exposure on Investments	-5	0
Net Fixed Exposure	119.2	87.1
Variable		
Upper Limit for Exposure on Debt	31	3.3
Upper Limit for Exposure on Investments	-37.3	-28.7
Net Variable Rate Exposure	-6.3	-25.4

- 10.3. **Maturity Structure of Fixed Rate Borrowing.** This indicator is to limit large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates.

	Upper Limit %	Actual at 30/09/17 £	Actual at 30/09/17 %	Compliance
Under 12 months	15%	£4.5m	5.2%	Yes
12-24 months	15%	£1.0m	1.1%	Yes
2-5 years	30%	£17.0m	19.5%	Yes
5-10 years	100%	£15.0m	17.2%	Yes
Over 10 years	100%	£49.6m	57.0%	Yes

- 10.4. **Principal Sums Invested for over 364 Days.** All investments were made on a short-term basis and there were no investments for more than 364 days.
- 10.5. **Authorised Limit and Operational Boundary for External Debt.** The Local Government Act 2003 requires the Council to set an Affordable Borrowing Limit, irrespective of their indebted status. This is a statutory limit which should not be breached. The Operational Boundary is based on the same estimates as the Authorised Limit but reflects the most likely, prudent but not worst case scenario without the additional headroom included within the Authorised Limit. The s151 Officer confirms that there were no breaches to the Authorised Limit and the Operational Boundary during 2017/18.

	Approved Operational Boundary 2017/18 £m	Authorised Limit 2017/18 £m	Actual External Debt 30/09/17 £m
Borrowing	141.8	155.2	90.4
Other Long Term Liabilities	0.4	0.6	0.2
Total	142.2	155.8	90.6

11. Outlook for the Remainder of 2017/18

11.1. **Appendix C** gives a summarised outlook for the rest of the current financial year from our Treasury Consultants, Arlingclose. **Appendix D** gives details of interest rates for borrowing and investments.

12. RECOMMENDATIONS that:-

- (a) the new MRP policy statement contained within the Treasury Management Strategy, as set out in Section 5 of the report, be approved;**
- (b) the treasury activity be noted; and**
- (c) the Prudential Indicators detailed in Section 10 of the report be noted.**

Background Papers

Nil

For further information please contact Tara Beesley, Accountant on extension 5328.

N. Wilson
Business Manager - Financial Services

External Context

Economic backdrop: Commodity prices fluctuated over the period with oil falling below \$45 a barrel before inching back up to \$58 a barrel. UK Consumer Price Inflation (CPI) index rose with the data print for August showing CPI at 2.9%, its highest since June 2013 as the fall in the value of sterling following the June 2016 referendum result continued to feed through into higher import prices. The new inflation measure CPIH, which includes owner occupiers' housing costs, was at 2.7%.

The unemployment rate fell to 4.3%, it's lowest since May 1975, but the squeeze on consumers intensified as average earnings grew at 2.5%, below the rate of inflation. Economic activity expanded at a much slower pace as evidenced by Q1 and Q2 GDP growth of 0.2% and 0.3% respectively. With the dominant services sector accounting for 79% of GDP, the strength of consumer spending remains vital to growth, but with household savings falling and real wage growth negative, there are concerns that these will be a constraint on economic activity in the second half of calendar 2017.

The Bank of England made no change to monetary policy at its meetings in the first half of the financial year. The vote to keep Bank Rate at 0.25% narrowed to 5-3 in June highlighting that some MPC members were more concerned about rising inflation than the risks to growth. Although at September's meeting the Committee voted 7-2 in favour of keeping Bank Rate unchanged, the MPC changed their rhetoric, implying a rise in Bank Rate in "the coming months". The Council's treasury advisor Arlingclose is not convinced the UK's economic outlook justifies such a move at this stage, but the Bank's interpretation of the data seems to have shifted.

In contrast, near-term global growth prospects improved. The US Federal Reserve increased its target range of official interest rates in June for the second time in 2017 by 25bps (basis points) to between 1% and 1.25% and, despite US inflation hitting a soft patch with core CPI at 1.7%, a further similar increase is expected in its December 2017 meeting. The Fed also announced confirmed that it would be starting a reversal of its vast Quantitative Easing programme and reduce the \$4.2 trillion of bonds it acquired by initially cutting the amount it reinvests by \$10bn a month.

Geopolitical tensions escalated in August as the US and North Korea exchanged escalating verbal threats over reports about enhancements in North Korea's missile programme. The provocation from both sides helped wipe off nearly \$1 trillion from global equity markets but benefited safe-haven assets such as gold, the US dollar and the Japanese yen. Tensions remained high, with North Korea's threat to fire missiles towards the US naval base in Guam, its recent missile tests over Japan and a further testing of its latent nuclear capabilities.

Prime Minister Theresa May called an unscheduled General Election in June, to resolve uncertainty but the surprise result has led to a minority Conservative government in coalition with the Democratic Unionist Party. This clearly results in an enhanced level of political uncertainty. Although the potential for a so-called hard Brexit is diminished, lack of clarity over future trading partnerships, in particular future customs agreements with the rest of the EU block, is denting business sentiment and investment. The reaction from the markets on the UK election's outcome was fairly muted, business confidence now hinges on the progress (or not) on Brexit negotiations, the ultimate 'divorce bill' for the exit and whether new trade treaties and customs arrangements are successfully concluded to the UK's benefit.

In the face of a struggling economy and Brexit-related uncertainty, Arlingclose expects the Bank of England to take only a very measured approach to any monetary policy tightening, any increase will be gradual and limited as the interest rate backdrop will have to provide substantial support to the UK economy through the Brexit transition.

Financial markets: Gilt yields displayed significant volatility over the six-month period with the appearing change in sentiment in the Bank of England's outlook for interest rates, the push-pull from expectations of tapering of Quantitative Easing (QE) in the US and Europe and from geopolitical tensions, which also had an impact. The yield on the 5-year gilts fell to 0.35% in mid-June, but then rose to 0.80% by the end of September. The 10-year gilts similarly rose from their lows of 0.93% to 1.38% at the end of the quarter, and those on 20-year gilts from 1.62% to 1.94%.

The FTSE 100 nevertheless powered away reaching a record high of 7548 in May but dropped back to 7377 at the end of September. Money markets rates have remained low: 1-month, 3-month and 12-month LIBID rates have averaged 0.25%, 0.30% and 0.65% over the period from January to 21st September.

Credit background: UK bank credit default swaps continued their downward trend, reaching three-year lows by the end of June. Bank share prices have not moved in any particular pattern.

There were a few credit rating changes during the quarter. The significant change was the downgrade by Moody's to the UK sovereign rating in September from Aa1 to Aa2 which resulted in subsequent downgrades to sub-sovereign entities including local authorities. Moody's downgraded Standard Chartered Bank's long-term rating to A1 from Aa3 on the expectation that the bank's profitability will be lower following management's efforts to de-risk their balance sheet. The agency also affirmed Royal Bank of Scotland's and NatWest's long-term ratings at Baa1, placed Lloyds Bank's A1 rating on review for upgrade, revised the outlook of Santander UK plc, and Nationwide and Coventry building societies from negative to stable but downgraded the long-term rating of Leeds BS from A2 to A3.

S&P also revised Nordea Bank's outlook to stable from negative, whilst affirming their long-term rating at AA-. The agency also upgraded the long-term rating of ING Bank from A to A+.

Ring-fencing, which requires the larger UK banks to separate their core retail banking activity from the rest of their business, is expected to be implemented within the next year. In May, following Arlingclose's advice, the Authority reduced the maximum duration of unsecured investments with Bank of Scotland, HSBC Bank and Lloyds Bank from 13 months to 6 months as until banks' new structures are finally determined and published, the different credit risks of the 'retail' and 'investment' banks cannot be known for certain.

The new EU regulations for Money Market Funds were finally approved and published in July and existing funds will have to be compliant by no later than 21st January 2019. The key features include Low Volatility NAV (LVNAV) Money Market Funds which will be permitted to maintain a constant dealing NAV, providing they meet strict new criteria and minimum liquidity requirements. MMFs will not be prohibited from having an external fund rating (as had been suggested in draft regulations). Arlingclose expects most of the short-term MMFs it recommends to convert to the LVNAV structure and awaits confirmation from each fund.

Counterparty Update

Various indicators of credit risk reacted negatively to the result of the referendum on the UK's membership of the European Union. UK bank credit default swaps saw a modest rise but bank share prices fell sharply, on average by 20%, with UK-focused banks experiencing the largest falls. Non-UK bank share prices were not immune although the fall in their share prices was less pronounced.

Fitch downgraded the UK's sovereign rating by one notch to AA from AA+, and Standard & Poor's downgraded its corresponding rating by two notches to AA from AAA. Fitch, S&P and Moody's have a negative outlook on the UK. S&P took similar actions on rail company bonds guaranteed by the UK Government. S&P also downgraded the long-term ratings of the local authorities to which it assigns ratings as well as the long-term rating of the EU from AA+ to AA, the latter on the agency's view that it lowers the union's fiscal flexibility and weakens its political cohesion.

Moody's affirmed the ratings of nine UK banks and building societies but revised the outlook to negative for those that it perceived to be exposed to a more challenging operating environment arising from the 'leave' outcome.

There was no immediate change to Arlingclose's credit advice on UK banks and building societies as a result of the referendum result. Our advisor believes there is a risk that the uncertainty over the UK's future trading prospects will bring forward the timing of the next UK recession.

The European Banking Authority released the results of its 2017 round of stress tests on the single market's 51 largest banks after markets closed on Friday 29th July. The stress tests gave a rather limited insight into how large banks might fare under a particular economic scenario. When the tests were designed earlier this year, a 1.7% fall in GDP over three years must have seemed like an outside risk. Their base case of 5.4% growth now looks exceptionally optimistic and the stressed case could be closer to reality. No bank was said to have failed the tests. The Royal Bank of Scotland made headline news as one of the worst performers as its ratios fell by some of the largest amounts, but from a relatively high base. Barclays Bank and Deutsche Bank ended the test with Common Equity Tier 1 (CET1) ratios below the 8% threshold, and would be required to raise more capital should the stressed scenario be realised. The tests support our cautious approach on these banks.

Moody's downgraded Deutsche Bank's long-term rating from Baa1 to Baa2 reflecting the agency's view of increased execution risks for the implementation of Deutsche Bank's strategic plan. Deutsche Bank has not been able to shake off the legacy of the global financial crisis. In September the US Department of Justice announced a \$14bn penalty claim against the bank whose share price has more than halved over the 12 months to September 2017. In March, on Arlingclose's advice, the Authority had suspended Deutsche Bank for new unsecured investments.

In June Moody's downgraded Finland from Aaa to Aa1 on its view that Finnish economic growth will remain weak over the coming years, reducing the country's ability to absorb economic shocks.

Fitch upgraded the long-term rating of ING Bank from A to A+ based on Fitch's view of the bank's solid and stable financial metrics and its expectation that that the improvement in earnings will be maintained.

Fitch also upgraded Svenska Handelsbanken's long-term rating from AA- to AA reflecting the agency's view that the bank's earnings and profitability will remain strong, driven by robust income generation, good cost efficiency and low loan impairments.

Outlook for Q3 and Q4 2015/17

The economic outlook for the UK has immeasurably altered following the popular vote to leave the EU. The long-term position of the UK economy will be largely dependent on the agreements the government is able to secure with the EU, particularly with regard to Single Market access.

The short to medium-term outlook has been more downbeat due to the uncertainty generated by the result and the forthcoming negotiations. Economic and political uncertainty will likely dampen or delay investment intentions, prompting lower activity levels and potentially a rise in unemployment. The downward trend in growth apparent on the run up to the referendum may continue through the second half of 2017, although some economic data has held up better than was initially expected, perhaps suggesting a less severe slowdown than feared.

Arlingclose has changed its central case for the path of Bank Rate over the next three years. Arlingclose believes any currency-driven inflationary pressure will be looked through by Bank of England policymakers. Arlingclose's central case is for Bank Rate to remain at 0.25%, but there is a 40% possibility of a drop to close to zero, with a small chance of a reduction below zero.

Gilt yields are forecast to be broadly flat from current levels, albeit experiencing short-term volatility.

	Dec-16	Mar-17	Jun-17	Sep-17	Dec-17	Mar-18	Jun-18	Sep-18	Dec-18	Mar-19	Jun-19	Sep-19	Dec-19
Official Bank Rate													
Upside risk	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.25	0.25	0.25	0.25	0.25	0.25
Arlingclose Central Case	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25
Downside risk	-0.25	-0.25	-0.25	-0.25	-0.25	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50

Global interest rate expectations have been pared back considerably. There remains a possibility that the Federal Reserve will wait until after November's presidential election, and probably hike interest rates in December 2017 but only if economic conditions warrant.

In addition, Arlingclose believes that the Government and the Bank of England have both the tools and the willingness to use them to prevent market-wide problems leading to bank insolvencies. The cautious approach to credit advice means that the banks currently on the Authority's counterparty list have sufficient equity buffers to deal with any localised problems in the short term.

APPENDIX D

Money Market Data and PWLB Rates

The average, low and high rates correspond to the rates during the financial year rather than those in the tables below.

Please note that the PWLB rates below are Standard Rates. Authorities eligible for the Certainty Rate can borrow at a 0.20% reduction.

Table 1: Bank Rate, Money Market Rates

Date	Bank Rate	O/N LIBID	7-day LIBID	1-month LIBID	3-month LIBID	6-month LIBID	12-month LIBID	2-yr SWAP Bid	3-yr SWAP Bid	5-yr SWAP Bid
01/04/16	0.50	0.36	0.36	0.39	0.46	0.61	0.88	0.78	0.83	0.98
30/04/16	0.50	0.36	0.36	0.38	0.47	0.62	0.90	0.86	0.95	1.13
31/05/16	0.50	0.35	0.37	0.39	0.46	0.61	0.89	0.82	0.92	1.09
30/06/16	0.50	0.35	0.36	0.39	0.43	0.55	0.80	0.49	0.49	0.60
31/07/16	0.50	0.15	0.45	0.42	0.52	0.64	0.77	0.47	0.47	0.54
31/08/16	0.25	0.11	0.18	0.18	0.38	0.54	0.69	0.42	0.42	0.48
30/09/16	0.25	0.10	0.25	0.45	0.51	0.61	0.74	0.43	0.42	0.47
Minimum	0.25	0.02	0.15	0.18	0.30	0.50	0.66	0.38	0.37	0.42
Average	0.43	0.26	0.37	0.42	0.52	0.66	0.83	0.61	0.64	0.75
Maximum	0.50	0.43	0.55	0.61	0.72	0.83	1.04	0.88	0.99	1.20
Spread	0.25	0.41	0.40	0.43	0.42	0.33	0.38	0.51	0.62	0.78

Table 2: PWLB Borrowing Rates – Fixed Rate, Maturity Loans (Standard Rate)

Change Date	Notice No	1 year	4½-5 yrs	9½-10 yrs	19½-20 yrs	29½-30 yrs	39½-40 yrs	49½-50 yrs
01/04/16	125/16	1.33	1.82	2.51	3.24	3.33	3.19	3.15
30/04/16	165/16	1.37	1.95	2.65	3.34	3.40	3.25	3.21
31/05/16	205/16	1.36	1.93	2.56	3.22	3.27	3.11	3.07
30/06/16	249/16	1.17	1.48	2.09	2.79	2.82	2.61	2.57
31/07/16	292/16	1.07	1.31	1.84	2.57	2.65	2.48	2.44
31/08/16	336/16	1.09	1.23	1.65	2.22	2.29	2.12	2.08
30/09/16	380/16	1.02	1.20	1.70	2.34	2.43	2.29	2.27
	Low	1.01	1.15	1.62	2.20	2.27	2.10	2.07
	Average	1.20	1.54	2.12	2.81	2.87	2.70	2.67
	High	1.40	2.00	2.71	3.40	3.46	3.31	3.28

Table 3: PWLB Borrowing Rates – Fixed Rate, Equal Instalment of Principal (EIP) Loans (Standard Rate)

Change Date	Notice No	4½-5 yrs	9½-10 yrs	19½-20 yrs	29½-30 yrs	39½-40 yrs	49½-50 yrs
01/04/16	125/16	1.50	1.86	2.54	2.99	3.25	3.34
30/04/16	165/16	1.59	1.99	2.68	3.11	3.34	3.42
31/05/16	205/16	1.58	1.97	2.58	2.99	3.23	3.30
30/06/16	249/16	1.24	1.51	2.11	2.55	2.79	2.86
31/07/16	292/16	1.13	1.34	1.87	2.31	2.58	2.67
31/08/16	336/16	1.12	1.25	1.67	2.02	2.23	2.31
30/09/16	380/16	1.05	1.22	1.72	2.13	2.36	2.44
	Low	1.03	1.17	1.64	2.00	2.20	2.28
	Average	1.30	1.57	2.15	2.58	2.82	2.89
	High	1.63	2.04	2.73	3.17	3.41	3.48

Table 4: PWLB Variable Rates (standard rate)

	1-M Rate	3-M Rate	6-M Rate	1-M Rate	3-M Rate	6-M Rate
	Pre-CSR	Pre-CSR	Pre-CSR	Post-CSR	Post-CSR	Post-CSR
01/04/16	0.61	0.65	0.67	1.51	1.55	1.57
30/04/16	0.61	0.65	0.67	1.51	1.55	1.57
31/05/16	0.65	0.66	0.70	1.55	1.56	1.60
30/06/16	0.64	0.62	0.62	1.54	1.52	1.52
31/07/16	0.55	0.48	0.45	1.45	1.38	1.35
31/08/16	0.38	0.41	0.48	2.18	1.31	1.38
30/09/16	0.38	0.40	0.48	1.28	1.30	1.38

LOCALISED COUNCIL TAX SUPPORT SCHEME 2018/19

1.0 Purpose of Report

- 1.1 Paragraph 5 of Schedule 1A to the Local Government Finance Act 1992 requires the local authority to consider whether each financial year the scheme is to be revised or replaced. The authority must make any revision to its scheme, or any replacement scheme, no later than 31 January in the financial year preceding that for which the revision or replacement scheme is to have effect
- 1.2 This report asks Members to confirm the continuation of the current Localised Council Tax Support Scheme implemented 1 April 2013 for the 2018/19 financial year with minor changes – that is to seek approval to uprate the income and disregard criteria in accordance with the annual uprating amounts applied by the Department for Works and Pensions.
- 1.3 The annual uprating of the income and disregard criteria will demonstrate that the Council has continued to consider its obligations to vulnerable groups by maintaining the income disregards and premiums to protect families with children and claimants with disabilities.

2.0 Background Information

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

3.0 Impact of the Changes

- 3.1 As at the end of November 2017, the number of working age claimants eligible for Council Tax Support was 4,020 and the number of pensioners eligible for Council Tax Support was 3,388. The comparative figures at November 2016 were 4,152 and 3,503.
- 3.2 The value of support awarded to date is £6.39m, in line with the forecast expenditure for the scheme.
- 3.3 There has been a noticeable increase in recovery work subsequent to the introduction of our localised council tax support scheme in 2013, (which was year 1 of the scheme).

	November 2017	November 2016	November 2015	November 2014	November 2013
1 st & 2 nd Reminder	13,144	14,184	16,121	15,215	16,697
Final Notice	6,282	5,948	5,981	5,268	7,835
Summons	3,894	4,079	4,435	3,613	4,361

4.0 Equalities Implications

- 4.1 An equality impact assessment was completed prior to the Localised Council Tax Support scheme being implemented in April 2013.
- 4.2 In consideration of the obligation to consider vulnerable groups within the design of a local scheme child benefit continues to be disregarded as income and the disability premiums within the council tax benefit calculation were retained to protect families with children and people with disabilities.
- 4.3 Each year the Department for Works & Pensions updates the income and disregard amounts to account for inflation. By applying the annual uprating of income and disregards to the 2018/19 scheme the Council will continue to demonstrate that it has considered its obligations to consider vulnerable groups within the design of its local scheme.

5.0 RECOMMENDATION

That the Council continues to adopt the existing Localised Council Tax Support Scheme for all potential claimants for the financial year 2018/19 and updates the income disregards and premiums in accordance with the Departments for Works and Pensions annual uprating criteria for 2018/19.

Background Papers - Nil

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

Sanjiv Kohli
Director – Resources
Section 151 Officer

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **POLICY & FINANCE COMMITTEE** held in the Civic Suite, Castle House, on Thursday, 30 November 2017 at 6.00pm.

PRESENT: Councillor R.V. Blaney (Chairman)

Councillors: R.J. Jackson, R.B. Laughton D.J. Lloyd, P. Peacock, A.C. Roberts and D.B. Staples.

ALSO IN ATTENDANCE: Councillor: T. Wendels.

33. APOLOGIES FOR ABSENCE

There were no apologies for absence.

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

Councillor D.J. Lloyd declared a personal interest in respect of Agenda Item No. 20 – Former Municipal Buildings as his employer owned the property.

35. DECLARATIONS OF INTENTIONS TO RECORD THE MEETING

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

36. MINUTES FROM THE MEETING HELD ON 21 SEPTEMBER 2017

The minutes from the meeting held on 21 September 2017 were agreed as a correct record and signed by the Chairman, subject to an amendment to Minute No. 23 – Housing Infrastructure to insert the word ‘bids’ in the first sentence as follows: “The Chief Executive presented a report which sought support for two bids to the Housing Infrastructure Fund...”

37. ESTABLISHMENT OF A DEVELOPMENT COMPANY

The Chairman advised that this item was withdrawn from the agenda and would be re-presented at the meeting scheduled to take place on 25 January 2018.

38. COMMUNITY AND ACTIVITY VILLAGE - NOTTINGHAMSHIRE COUNTY COUNCIL'S PROPOSALS FOR THE CREATION OF A CYCLE ROUTE ALONG SPARROW LANE

The Deputy Chief Executive presented a report concerning proposals by Nottinghamshire County Council to enhance the current right of way at Sparrow Lane, Newark, linking Bowbridge Road to Elm Avenue.

It was reported that following public consultation the County Council had revised their proposals which were now to create a cycle route along part of Bowbridge Road only, then directing cycles through Sparrow Lane to connect to London Road through Elm Avenue. District Council approval of the proposal was required given the District

Council owned Sparrow lane.

It was considered that the proposal would deliver direct benefits in that it would provide an enhanced access by bicycle to the Newark Sports and Fitness Centre and to the Community and Activity Village. The County Council would provide the capital funding to undertake the works to widen the footpath and the capital costs of providing lighting but would look to the District Council to meet future revenue costs in respect of the lighting and to be responsible for the future maintenance of the cycle path. If the scheme was to proceed the District Council would work with the County Council in determining the final specification for the work in order to have some control over revenue costs. The Deputy Chief Executive confirmed that the estimated cost of lighting was £65.67 per annum, if these were dimmed between 10pm and 7am.

AGREED (unanimously) that:

- (a) the County Council's proposals for the enhancement of Sparrow Lane in order to provide a designated cycle route linking Bowbridge Road to Elm Avenue be approved with the Deputy Chief Executive being given delegated authority to sign any necessary legal documentation to give effect to this accordingly; and
- (b) the District Council accepts responsibility for any future maintenance costs including lighting of the proposed route, with appropriate budget provision being made accordingly.

Reason for Decision

To approve the County Council's proposals to enhance Sparrow Lane in order to provide a designated cycle route and to improve accessibility to council facilities.

39. COMMUNITY AND ACTIVITY VILLAGE - ARRANGEMENTS WITH RHP SPORTS AND SOCIAL CLUB

The Deputy Chief Executive presented a report which advised that terms had been agreed with RHP Sports & Social Club in respect of their relationship with the Community and Activity Village.

Negotiations had been ongoing with the club regarding the use of the area of land immediately adjacent to the Sports & Social Club for the provision of staff parking for use by YMCA staff during the daytime, with the car parking then available for the Sports & Social Club in the evenings. The club would grant a vehicular right of way over their land into the Community and Activity Village. The club had also released covenants over the former sports field to enable the development to proceed.

The district council would sublease an area of land to the club at the front of their building and erect fencing at the back of the premises adjacent to Sparrow Lane. YMCA had also agreed to undertake various works as set out in the report.

It was reported that Heads of Agreement had now been agreed and the details of these were set out in the report. The terms agreed would bring positive benefits to

both the club and the Community and Activity Village.

AGREED (unanimously) that:

- (a) the Heads of Agreement entered into between RHP Sports & Social Club, YMCA and Newark & Sherwood District Council be noted and endorsed; and
- (b) the Deputy Chief Executive be given delegated authority to enter into detailed legal documentation to reflect the agreed terms accordingly.

Reason for Decision

To advise members of the Heads of Agreement entered into between the Council, RHP Sports and Social Club and the YMCA and to conclude the associated legal documentation.

40. COMMUNITY AND ACTIVITY VILLAGE - UPDATE ON CRICKET

The Deputy Chief Executive presented a report which advised of the progress on the provision of a second cricket pitch at Kelham Road, Newark and associated issues. The former RHP sports field, on which the proposed Community and Activity Village would be constructed, had previously included a cricket pitch used by Newark R&M Cricket Club. In order to enable the proposals for the Community and Activity Village to proceed, it was necessary to satisfy both Sport England and the English Cricket Board (ECB), that replacement facilities could be provided to replace the pitch which would be lost. To this end, an agreement was reached with Newark R&M Cricket Club to transfer land in the District Council's ownership to the Club at a peppercorn consideration, in order for them to provide a second pitch. It was also agreed to allocate Section 106 monies held by the District Council, up to a maximum of £40,000 to go towards funding the cost of providing the second pitch. In the medium/longer term it was also the aspiration of Newark R&M Cricket Club to enhance their existing changing facilities by the provision of new changing facilities at the Kelham Road site and to maximise the social uses of the existing pavilion to generate additional income to support the ongoing maintenance of their ground and the future sustainability of the club.

It was reported that discussions had been ongoing with the ECB who had offered their full support to Newark R&M Cricket Club. They had indicated, in principle, that they would be willing to provide funding towards both the provision of the second pitch and the new changing facilities. However, their clear advice was that the project should be delivered in two phases with the intention being that work on the provision of the second pitch would commence in May 2018 with work on the new changing facilities commencing in 2019, so that the new changing facilities would be constructed and available at the same time as the second pitch was suitable for play. Accordingly, the ECB would contribute grant funding towards the first phase of the project in 2018/19 and similarly the second phase of the project, namely the new changing facilities, in 2019/20.

The report gave an update in respect of potential costings, funding, design and

details of delivery of phase one of the scheme, the provision of a second pitch. ECB had advised that in order to secure VAT savings the district council should be responsible for seeking funding for phase 1 of the works from ECB and appointing a contractor to undertake the works. The club should then be given a leasehold rather than a freehold transfer of the land on completion of the works. This presented an increased risk to the Council but this was mitigated by the fact that the contractor would not be appointed until the club had entered into an agreement for lease in respect of the second pitch, ECB had given approval in principle to provide grant funding and the Town council had confirmed that they would meet any funding deficit.

AGREED (unanimously) that:

- (a) progress on the provision of the second pitch and new changing facilities at Kelham Road, Newark be noted;
- (b) subject to Newark R&M Cricket Club first entering into an agreement for lease and subject to confirmation of in principle funding from the ECB, approval be given for the District Council to retain ownership of the land which will comprise the second pitch until completion of the works to provide the second pitch, with the District Council being responsible, through its appointed consultants TGMS, for the appointment of contractors to undertake the works and for the carrying out of those works;
- (c) delegated authority be given to the Deputy Chief Executive to submit an application to the ECB for funding for the phase 1 works to create a second pitch at Kelham Road;
- (d) ownership of the land transfer to Newark R&M Cricket Club as soon as the works have been completed with the Club taking on responsibility for the second pitch for the consequent 12 month maintenance period; and
- (e) the costs be included in the Capital Programme as per the proposal.

Reason for decision

To facilitate the delivery of a second cricket pitch at Kelham Road.

41. COMMUNITY AND ACTIVITY VILLAGE - PROPOSED ACQUISITION OF A PARCEL OF LAND FROM SUSTRANS

The Deputy Chief Executive presented a report which sought approval to purchase a parcel of land from Sustrans to enhance the proposed Community and Activity Village and to enter into legal agreements with Sustrans to enable linkages to be made to the Sustrans route.

The parcel of land was immediately adjacent to the rear of the Community and Activity Village. This land was shown on the plan attached as an appendix to the report. As part of the Community and Activity Village proposals, it would be

necessary to divert the public footpath which currently crossed part of the site and create a new link from that path to the permissive path owned by Sustrans. The Council was also looking to acquire additional land from Tarmac in order to extend the Community and Activity Village, although formal terms have not yet been agreed. The intention was that the proposed cycle track would extend into the additional area of land to be acquired from Tarmac and as a second phase of their proposals, YMCA would erect a boat store with the intention to reach agreement with Balderton Parish Council to use Balderton Lake for water based activities. To this end it would be necessary to cross the Sustrans path in order to gain access from the boat store to Balderton Lake. Sustrans had indicated their agreement to granting the Council the right to extend the proposed footpath diversion over land in Sustrans ownership, to connect to the Sustrans route and to grant a Deed of Easement to the Council to cross land in Sustrans ownership in order to pass from the Community and Activity Village to Balderton Lake.

AGREED (unanimously) that:

- (a) delegated authority be given to the Deputy Chief Executive to enter into a Deed of Easement and other associated documentation within Sustrans/Railway Paths Ltd. to enable the proposed footpath diversion to be extended over land in Sustrans ownership to connect to the Sustrans route and, further to create a right to pass and re-pass from the proposed boat store to be erected at the Community and Activity Village to Balderton Lake on the terms set out in the body of the report;
- (b) the Deputy Chief Executive be given delegated authority to purchase a parcel of land from Sustrans adjacent to the Community and Activity Village, as shown on the plan attached to the report, at a nominal consideration, but with the Council meeting Sustrans legal and other associated costs; and
- (c) on the completion of the land transfer the land be included in the area to be leased to YMCA and any rights and easements granted to the Council by Sustrans be passed on to YMCA as the leasehold occupiers of the site.

Reason for Decision

To enable the enhancement of the proposed Community and Activity Village.

42. ICT STRATEGY

The Director – Customers presented a report which set out the new ICT Strategy. The report advised that since July 2011 the Council had been part of a shared services partnership for the provision of ICT and information management services with Rushcliffe and Broxtowe Borough Councils. It was noted that at the end of March 2017 the ICT Shared Service had generated £1.63M of cumulative savings across the three councils. In addition, the councils were benefiting from collaborative working in relation to business continuity and security, sharing knowledge, learning and

experiences.

The ICT Strategy, which was attached as an appendix to the report, had been developed in consultation with employees, managers, and the wider ICT shared service partnership. The Strategy provided five themes to support the strategic objectives namely: enabling efficiency; responding flexibly and with agility to customer needs; increase ability to work in effective partnerships; modern architecture supporting efficient and agile working culture; and robust arrangements for business continuity, information management and governance and security.

AGREED (unanimously) that the ICT Strategy be adopted.

Reason for Decision

The adoption of the Strategy will achieve the first truly common ICT strategy for the ICT shared service partnership, one of the strategic goals of the partnership.

43. DISQUALIFICATION CRITERIA FOR COUNCILLORS - GOVERNMENT CONSULTATION

The Deputy Chief Executive presented a report concerning a Government Consultation on proposed legislative changes to extend the criteria for disqualification of councillors. It was proposed to extend the disqualification criteria as detailed in the report.

Members expressed anxiety regarding the civil elements as these could be of a low level and as such it was felt that civil penalties should be excluded. However they did feel that disqualifications should be introduced for those convicted of benefit or Council Tax fraud. The Committee considered that only convictions issued by the courts should be relevant in this context, and should not include cautions.

AGREED (unanimously) that the Deputy Chief Executive respond to the DCLG consultation paper in accordance with the views put forward by the Committee.

Reason for Decision

To respond to the government proposals to extend the criteria for disqualification of councillors.

44. POLICY AND FINANCE COMMITTEE DRAFT REVENUE BUDGET 2018/19

The Assistant Business Manager – Financial Services presented a report which informed Members of the progress to date on the budget for 2018/19. At their meeting on 21 September 2017 the Policy & Finance Committee considered the preliminary report on the 2018/19 Budget and agreed the overall strategy including the appropriate basis on which the budget should be developed, including salaries, wages, general inflation, debt charges etc.

The Council had agreed policies on Budgeting and Council Tax, Reserves and

Provisions and also a set of Budget Principles, a Charging Policy and Value for Money Strategy which set out the approach to be taken to the budget process. These policies and principles had been reviewed and updated by the Policy & Finance Committee in September 2017.

Business Managers and service budget officers had been working with officers from Financial Services to determine a first draft General Fund budget and Medium Term Financial Plan. The budgets had been prepared in line with the strategy agreed by the Policy & Finance Committee on 21 September 2017. A summary of the figures to date for the Policy and Finance Committee were given in Appendix A to the report.

It was noted that the current draft budget showed an increase in 2018/19 primarily due to changes in National Insurance rebates and banding and the 2.5% pay award to employees, however it was now considered unlikely that a 2.5% pay award would be awarded. It was important for the Committee to continue to scrutinise and review its budget on order to achieve additional savings in future years.

AGREED (unanimously) that:

- (a) the Committee undertakes a review of fees and charges accordance with the Corporate Charging Policy;
- (b) the current draft Committee budget be incorporated into the overall service budget; and
- (c) the Business Manager – Financial Services, continues to formulate budget proposals for formal consideration at the Policy & Finance Committee meeting on 25 January 2018 for recommendation to Policy & Finance Committee on 22 February 2018.

Reason for Decision

To ensure that the preliminary figures for the budget are considered by Policy & Finance Committee and final budget proposals for 2018/19 are submitted to the Policy & Finance Committee on 17 January 2018 for recommendation to Policy & Finance Committee on 22 February 2018.

45. COUNCILS OVERALL DRAFT REVENUE BUDGET 2018/19

The Assistant Business Manager – Financial Services presented a report which informed Members of the progress to date on the budget for 2018/19. At their meeting held on 21 September the Policy & Finance Committee considered the preliminary report on the 2018/19 Budget and agreed the overall strategy including the appropriate basis on which the budget should be developed, including salaries, wages, general inflation, debt charges etc.

The individual Committees had met throughout November and had recommended that their current draft budgets should be reported to this meeting of the Policy & Finance Committee for further consideration. It should be noted that at this stage the Committee was considering only the budget and not the implications for Council Tax levels. The level of fees and charges would be considered by individual Committees

during January 2018 and these would be reported to Policy & Finance Committee on 22 February 2018.

A summary of the budget figures were set out in Appendix A to the report. Committee expenditure currently showed an overall increase of £833,070. This figure assumed a 2.5% increase in salary and wages costs overall in 2018/19. The Committee expenditure currently also included a number of items which were funded from reserves. These were detailed in the report.

Officers would continue to develop the budget and deliver strategic savings and functional Committees had been requested to look at opportunities for savings in 2018/19, and also any investment potentials which would increase and support revenue income levels, in order to reduce the projected burdens in future years. It was noted that there was considerable work to be undertaken before the budget was completed, however good progress had been made towards a balanced budget for 2018/19.

AGREED (unanimously) that:

- (a) the overall position on the 2018/19 budget be noted; and
- (b) the Business Manager – Financial Services continues to formulate budget proposals for formal consideration at the Policy & Finance Committee Meeting on 22 February 2018.

Reason for Decision

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

46. CAPITAL PROGRAMME MONITORING TO 30 SEPTEMBER 2017

The Capital Programme Accountant presented a report which monitored the progress of the overall Capital Programme since the last progress report to the Committee on 21 September 2017. Appendices A and B to the report provided details of the capital projects over their whole life to illustrate total budget, expenditure, progress and explanations for any amendments. Variations to the Capital Programme since it was last reported to the Committee on 21 September 2017 were detailed in Appendix C. It was advised that the current revised capital programme for 2017/18 for General Fund and HRA was £33,591,000.

AGREED (unanimously) that the variations listed in Appendix C of the report be approved.

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.

47. REVIEW OF PROGRESS ON CORPORATE PEER CHALLENGE ACTION PLAN

The Deputy Chief Executive presented a report which advised of progress on the Corporate Peer Challenge Action Plan. The agreed action plan which detailed the agreed actions, along with a note of progress made and revised target dates for completion of relevant actions, was attached as an appendix to the report.

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

Reason for Decision

To inform Members of progress against the Corporate Peer Challenge Action Plan.

48. GENERAL FUND PROJECTED OUTTURN REPORT TO 31 MARCH 2018 AS AT 30 SEPTEMBER 2017

The Assistant Business Manager – Financial Services presented a report which compared the General Fund Revised Budget for the period ending 31 March 2018 with the Projected Outturn forecast for the period based on half yearly performance information.

The appendices to the report detailed anticipated performance against budget for the period to 31 March 2018 for all general Fund service provision. The total for service net expenditure showed a projected shortfall of income and small overrun on expenditure totalling £165,190 against the revised budget for the period to 31 March 2018. The main variations from the revised budget were detailed in the report.

AGREED (unanimously) that the current projection of the Council's net expenditure compared to budget at 31 March 2018 be noted.

Reason for Decision

To advise Members of the projected outturn monitored against service budgets for the period ending 31 March 2018, as at 30 September 2017.

49. EXCLUSION OF THE PRESS AND PUBLIC

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

50. ELM AVENUE, NEWARK

The Committee considered the exempt report presented by the Deputy Chief

Executive in relation to the purchase of land at Elm Avenue, Newark.

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

51. KEEPERS COTTAGE, NEWARK

The Committee considered the exempt report presented by the Deputy Chief Executive in relation to the sale of Keepers Cottage, Newark.

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

52. HOPE HOUSE SCHOOL, NEWARK

The Committee considered the exempt report presented by the Deputy Chief Executive in relation to Hope House School.

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

53. FORMER MUNICIPAL BUILDINGS

The Committee considered the exempt report presented by the Deputy Chief Executive in relation to the former Municipal Buildings.

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

Meeting closed at 7.40pm.

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **ECONOMIC DEVELOPMENT COMMITTEE** held on Wednesday, 22 November 2017 in the Civic Suite, Castle House at 6.00pm

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

Councillors: R.V. Blaney (ex-officio), Mrs R. Crowe, P.C. Duncan,
N. Mitchell, P. Peacock (Opposition Spokesperson),
A.C. Roberts, T. Wendels and Mrs Y. Woodhead.

ALSO IN ATTENDANCE: Councillor D.R. Payne

17. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M.G. Cope and Mrs G.E. Dawn.

18. 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.

19. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

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

20. MINUTES OF THE MEETING HELD ON 13 SEPTEMBER 2017

AGREED (unanimously) that the Minutes of the meeting held on 13 September 2017 be approved as a correct record and signed by the Chairman.

21. COUNCIL'S DRAFT REVENUE BUDGET 2018/19

The Committee considered the report presented by the Assistant Business Manager – Financial Strategy & Performance in relation to the progress, to-date, on the budget for 2018/19.

The report set out the overall strategy of how the budget was to be developed and the timetable for this. The report provided information as to the current financial environment for local government. Information was also provided in relation to business rates and the move towards 100% of their retention with paragraph 5 of the report referring to income generation from fees and charges. The budget strategy was referred to in paragraph 6 and included reference to the base budget; staff costs; employer's superannuation; provision for inflation; and again, fees and charges. Details of the draft revenue budget proposals were set out in paragraph 7.

The Assistant Business Manager responded to a number of queries raised by Members of the Committee in relation to the information provided.

In relation to the budget announcement earlier that day, a Member of the Committee queried whether it was possible to offer assistance to SMEs to access Business Rate Relief. The Business Manager – Economic Growth advised that she would liaise with the Business Manager – Revenues & Benefits on this matter.

A Member of the Committee queried the increase in budget in relation to A10109 – Heritage, Culture & Visitors stating that there was also reference to exhibitions and displays in capital expenditure. The Member added that he was aware that there was an expectation at the Civil War Centre that approximately £200,000 of the capital expenditure would be spent on exhibitions in the coming year. In response, the Assistant Business Manager advised that the capital budget was set aside for larger scale exhibitions. The Chairman of the Committee added that the capital expenditure was to reconfigure the museum to enable permanent exhibitions within the Civil War Centre on the ground floor with temporary exhibitions being held on the first floor.

The Leader of the Council sought clarification of the costs in relation to the budget allocated for the set-up of the proposed development company.

In relation to paragraph 8.2 of the report, Members agreed that any increase for car parking should be made in increments of 50 pence and not the nearest 5 pence as referred to.

AGREED (unanimously) that:

- (a) a review of fees and charges in accordance with the Corporate Charging Policy be undertaken, but that any increase in relation to car parking be in increments of 50 pence;
- (b) the current draft Committee budget be incorporated into the overall service budget to be reported to the Policy & Finance Committee at its meeting to be held on 30 November 2017; and
- (c) the Business Manager – Financial Services continues to formulate budget proposals for formal consideration at the Economic Development Committee meeting to be held on 17 January 2018 for recommendation to Policy & Finance Committee at its meeting to be held on 22 February 2018.

With the agreement of the Committee, the Chairman changed the order of business and Agenda Items 6 and 7 were to be taken at the end of the agenda.

22. TOUR OF BRITAIN – ADDITIONAL BUDGET REQUEST

The Committee received a presentation from the Community Projects Manager in relation to the impact of the Tour of Britain within Nottinghamshire and considered a report in relation to a request for additional budget provision to cover the costs incurred by the Council in hosting the Stage 4 finish of the 2017 event. The report also sought to secure, in principle, agreement that the Council would support the Tour of Britain 2018 which would again take place in the county.

Members welcomed the feedback on the impact of the tour contained in the presentation noting that the figures of spend per group would have been more useful if they had been per head. Members also stated that the way in which the road closures were communicated to the public had had the effect of deterring some people from visiting their town centres or villages. It was suggested that should the Council and its partners host a stage of the tour in subsequent years, the way in which the road closures were communicated be given careful consideration.

AGREED (unanimously) that:

- (a) Policy & Finance Committee be recommended to approve the additional budget required, in the sum of £9,970, to cover the costs associated with hosting the Stage 4 Finish of the Tour of Britain 2017; and
- (b) in principle, the Council would work in partnership with Nottinghamshire County Council and support the Tour of Britain 2018 which would again take place in the county.

23. NEWARK CASTLE RAILING – ADVERTISING

The Committee considered the report presented by the Business Manager – Parks & Amenities which sought approval for the introduction of a new policy regulating the siting of advertisements on the railings surrounding Newark Castle & Gardens.

The report set out that the railings had been used to advertise local events through the attachment of banners and signs to the railings. It was reported that there had, to date, not been a policy covering the use of the railings but that a process had been implemented and followed by the Parks & Amenities Business Unit. The proposed policy was reported in paragraph 3 of the report together with the reasons for the proposal.

In considering the report, Members' welcomed the proposals but agreed that it should go further and that no attachments to the railings should be permitted at all. It was suggested that there were sufficient locations within the town for advertisements for events to be placed. It was noted that should the suggested 'no banners policy' be agreed, responsibility for the removal of unauthorised advertisements would fall to the Council. The Business Manager advised that its implementation could result in limiting the Council's ability to promote its own events being held at Newark Castle.

AGREED (with 8 votes for and 1 against) that:

- (a) the use of the railings surrounding Newark Castle for advertising purposes be prohibited; and
- (b) three noticeboards be erected adjacent to the Newark Castle railings. Such noticeboards to be utilised to advertise and promote events within Newark with priority being given to events being held at Newark Castle. Two of the noticeboards were to be erected at

the main entrances and one at the Gilstrap building.

24. OLLERTON & BOUGHTON NEIGHBOURHOOD STUDY

The Committee considered the report presented by the Business Manager – Strategic Housing which provided Members with an update on the work being undertaken to complete the Ollerton & Boughton Neighbourhood Study.

The report provided Members with an overview of a neighbourhood study and the delivery method; governance; and responsibility thereof. The report detailed the scope of the Ollerton & Boughton study and provided details of the consultant appointed to carry it out.

In considering the report Members were in agreement that all parties concerned were to be congratulated for the work undertaken to date. It was noted that the consultants had visited the housing estates to engage directly with residents. Members also noted that the absence of facilities was a theme that ran through the responses, and queried why this was given that the Dukeries Leisure Centre was in close proximity. In response, a Member of the Committee advised that cost prohibited some residents from using the Dukeries Leisure Centre but it was not just in relation to sports facilities. The lack of facilities was also in relation to doctors' surgeries and shopping facilities. There had also been a loss of a community centre in the area. The concern was that lack of facilities was not addressed prior to new housing being built.

AGREED (unanimously) that the findings from Work Package 1 (People) and the options being presented from Work Package 2 (Place), so to inform the drafting of the final Ollerton & Boughton Neighbourhood Study report, be noted and supported.

25. NEWARK CASTLE GATEHOUSE TRANSFORMATION PROJECT

The Committee considered the report presented by the Business Manager – Parks & Amenities which provided Members with an update on the progress of the Gatehouse project. The report set out the background to the project, the future proposals and the timetable for the project's completion.

In response to the financial commitments of the Council to the project, the Business Manager confirmed that the Council had provided funding of £25,000 for Phase One, the total cost of which had been £121,000, £84,000 of which had been secured from the Heritage Lottery Fund (HLF). The Council's proposed funding for Phase Two was in the region of £225,000, the total cost of which would be £1.2M with the HLF contribution being approximately £810,000. The Business Manager stated that the project would provide a new source of income and thereby lower the future costs to the Council for Newark Castle. He confirmed that a Business Plan was being developed and would be presented to Members prior to them finalising the Council's contribution for Phase Two.

In relation to the approximate annual income the project would yield the Business Manager advised that during Phase One this had been calculated using a number of

revenue generation scenarios. An approximate net amount had been in the region of between £10,000 to £40,000, this being the worst and best case scenarios. He also confirmed that this would be ring-fenced for use at Newark Castle.

AGREED (unanimously) that the progress that had been made towards the implementation of the development phase of the Newark Castle Gatehouse Transformation Project be noted.

26. LOCAL DEVELOPMENT FRAMEWORK – PROGRESS REPORT

The Committee considered the report presented by the Business Manager – Planning Policy in relation to the progress of the various elements of the Local Development Framework (LDF), including the Community Infrastructure Levy (CIL), contained within the Local Development Scheme (LDS).

The Business Manager advised he had been notified that the Amended Core Strategy was due to be examined at the end of January 2018 but that this had caused a slippage in the planned timetable. He confirmed that once details had been finalised he would inform Members thereof. He also confirmed that the CIL Review was due to be presented to full Council on 12 December for adoption with a planned implementation date of January 2018.

AGREED (unanimously) that the report be noted.

27. URGENCY ITEM – ADDITIONAL CHRISTMAS CAR PARK CONCESSIONS IN NEWARK

NOTED The decision that free parking be provided in Newark for an additional Sunday on 26 November 2017.

28. ECONOMIC DEVELOPMENT STRATEGY

The Committee considered the report presented by the Business Manager – Economic Development in relation to the revised objectives and high level work plan for the Economic Development Strategy following the workshop held with Members and the Committee meeting held on 13 September 2017.

The background to the report set out the vision and objectives for the strategy adopted in 2014. The proposals for the revised strategy were listed in paragraph 3 of the report and contained 12 objectives.

In relation to Objective 1: Schools & Businesses, a Member of the Committee commented that whilst it was appropriate to engage with primary school pupils he considered it would be beneficial to meet with pupils in secondary schools who were about to make their option choices. For Objective 2: Up Skilling for 18 – 24 Year Age Group Residents he queried whether it could be amended to include retraining. For Objective 3: Support for Businesses he queried how the Council assisted in helping the local economy. He stated that the amount of absent landlords and empty buildings resulted in them becoming dilapidated and queried whether it was possible to raise the business rates of the premises in an attempt to encourage them to put the building back into use.

In response the Business Manager advised that there was engagement with both primary and secondary school pupils but that schools which required more support

were targeted. She added that it was considered beneficial to engage with pupils in Years 5 and 6 as it was an opportune time to inspire them for their future years in education. It was also reported that a careers expo was held for students and businesses alike to attend.

In relation to adding training to Objective 2, the Chairman suggested and this be added to Objective 3 as Objective 2 was specifically targeted at the 18 – 24 age group.

In relation to Objective 3 the Business Manager advised that a policy had been introduced 4 years previously to promote local procurement by the Council. The figures for the effect this had had were available. In relation to absent landlords the Business Manager advised that she would liaise with the Business Manager – Revenues and Benefits to see what more could be done to help to alleviate the situation with empty buildings. Members asked that an update report on local procurement be provided to a future meeting of the Committee.

In relation to Objective 5 the Business Manager advised that she would continue to work towards improving developing business productivity.

In response to whether account had been taken as to the change in shopping habits, especially the younger generation, the Business Manager advised that in relation to Objective 9 the retail sector looked at the broad spectrum of what people wanted and was not solely in relation to a physical shop.

The Chairman queried the latest position was in relation to funding for projects and whether there was a need to bid for additional funding. The Business Manager advised that most projects would be deliverable within the existing and proposed budgets but that should additional funds be required a report would be brought to Committee for approval. The Chairman requested that, if possible, any additional funding request be made prior to the finalisation of the budgets for 2018/2019.

AGREED (unanimously) that:

- (a) the vision, objectives and high level work plan for the Economic Growth team from November 2017 to April 2019, subject to the above amendments, be supported; and
- (b) any request for additional budget provision be brought to Committee as appropriate.

29. GROWTH INVESTMENT FUND REVIEW

The Committee considered the report presented by the Business Manager – Economic Growth which provided recommendations following a workshop held on 12 October 2017 comprising members of the Policy Monitoring Group and the Growth Investment Fund Loan Panel to review the loan fund and identify future direction.

Members of the Committee, who had attended the workshop, stated that it had been interesting and informative. They suggested that workshops continue to be held to

allow Members to have an input into the direction of the loan fund. A Member queried the latest position was in relation to Pathfinders. The Business Manager advised that the continued economic uncertainty made it worthwhile to retain the Pathfinders aspect of the fund. It was only offered to early stage businesses and was of benefit if they could not get financial assistance elsewhere.

Members agreed that the fund needed to adapt to what was required and that they supported an annual review in order that it remained appropriate and targeted.

AGREED (unanimously) that:

- (a) the loan fund continues to operate over the coming years, with an annual review to ensure that it remained appropriate. The fund to be about job creation, job protection and helping/advising businesses;
- (b) the Economic Growth Team, with input from the Loan Fund Panel, review interest rates and fees to be charged for early stage start-up businesses;
- (c) the Economic Growth Team, with input from the Loan Fund Panel, review the processes for the loan fund in order to ensure the effectiveness of the operation of the fund;
- (d) the Committee are advised of the number of applications that result in advice being provided to support the business, but where a loan application is not pursued; and
- (e) a process be defined for decommissioning the loan fund in the event that it is required.

The meeting closed at 7.40pm

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **HOMES & COMMUNITIES COMMITTEE** held on Monday, 6 November 2017 in the Civic Suite, Castle House at 6.00pm.

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

Councillors: R.V. Blaney (ex-officio), Mrs B.M. Brooks, Mrs A.C. Brooks, Mrs I. Brown, M. Buttery, R. Crowe, K. Girling, Mrs S.M. Michael and Mrs P. Rainbow.

ALSO IN ATTENDANCE: Councillor P.C. Duncan

Prior to the commencement of the meeting the Director – Safety reported to Members that the Homes & Communities Agency (HCA) had invited the Council to submit a bid for funding to support its 5 year Council house building programme. It was noted that the bid needed to be submitted as a matter of priority and that this would have to take place prior to authorisation by the Policy & Finance Committee. The HCA had indicated that they would welcome the bid and that funding would be likely.

The Leader of the Council commented that he welcomed the comments of the HCA adding that it would have been unlikely to have received such favourable comments if the Council had not been viewed as an excellent organisation and actively engaged in house building.

23. APOLOGIES FOR ABSENCE

An apology for absence was received by Councillor N. Mitchell.

24. 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.

25. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

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

26. MINUTES OF THE MEETING HELD ON 11 SEPTEMBER 2017

AGREED (unanimously) that the Minutes of the meeting held on 11 September 2017 be approved as a correct record and signed by the Chairman.

27. COUNCIL'S DRAFT REVENUE BUDGET 2018/19

The Committee considered the report presented by the Assistant Business Manager – Financial Services to relation to progress made, to-date, on the budget for 2018/19.

The report set out the overall strategy of how the budget was to be developed and the timetable for this. The report provided information as to the continuing financial environment for local government. Reference was also made to the current situation in relation to business rates and the consultation on proposals to allow local government to retain 100% of business rates income locally. Also included in the report was information regarding income from fees and charges; the budget strategy, including base budget; staff costs; employer's superannuation; and provision for inflation. The report also set out that Committees needed to continue to scrutinise their budgets to look for opportunities for further savings with reference also being made to the proposed guideline figure for increases to fees and charges.

In considering the report, a Member queried whether there were any plans to move to using estimated outturns for the year as this would enable a more accurate budget to be set for the following year. In response, the Assistant Business Manager advised that such a report had been presented to the Corporate Management Team for consideration, following which it would be displayed on the Members' Extranet for scrutiny.

AGREED (unanimously) that:

- (a) a review of fees and charges in accordance with the Corporate Charging Policy be undertaken;
- (b) the current draft Committee budget be incorporated into the overall service budget to be reported to Policy & Finance Committee at its meeting on 30 November 2017; and
- (c) the Business Manager – Financial Services continue to formulate budget proposals for formal consideration at the Homes & Communities Committee meeting on 15 January 2018 for recommendation to Policy & Financial Committee on 22 February 2018.

28. NEWARK AND SHERWOOD HOMES LIMITED – PERFORMANCE

The Committee considered the report presented by the Director – Safety in relation to various issues raised at the last meeting of the Committee held on 11 September 2017.

The report advised that a representative from Newark and Sherwood Homes would attend the meeting to respond and provide further information on the issues raised by Members at the previous meeting, such issues being: Housing Register; Tenant Satisfaction; and Walkabouts.

Newark and Sherwood Homes' (the Company) Business Services Director and Assistant Director - Asset & Development Services were in attendance at the meeting and provided Members with information relating to tenant satisfaction; the allocations process; and walkabouts.

Tenant Satisfaction

It was reported that the overall trend over a number of years was upwards although it was noted that efforts were continuing to further improve tenant satisfaction. In relation to general enquiries, the aim was to deal with them both quickly and efficiently and this was a strong focus for the Company.

Another strong focus was that of customer care. It was noted that it was not always possible to achieve the outcome the tenant required but that the expectation of the tenant must be managed appropriately following which, it was hoped, that a positive response would be achieved.

Allocations

It was reported that following the implementation of the new Allocations Policy a review would be undertaken on the impact it had had. It was noted there had been a noticeable dip in satisfaction during May 2017 but following investigation this was attributed to complaints in relation to solar panels; rubbish in a garden; and a non-urgent toilet repair. It was further noted that the level of satisfaction was largely dependent on how issues were dealt with and how the complainant was communicated with.

Walkabouts

It was noted that some 36 walkabouts had taken place the previous year and that on average there had been 2.1 attendees, other than Officers from the Company. The schedule for the walkabouts was determined in January with the visits themselves taking place between March and October of that year. The schedule was also published on the Company's website.

During consideration of the above information a Member advised that she had attended a walkabout and highlighted a specific issue with the Officer who in turn had advised that they did not ordinarily engage in a face to face discussion with a tenant during a walkabout. This prompted the Member to query when the Company engaged with their tenants and whether it was possible to hold a surgery of some sort. She also noted the difficulties in securing tenant engagement and that this was particularly poor in the west of the district, asking what, if anything, could be done to improve the situation. In response Officers acknowledged the challenge of engaging with tenants and that they attempted to make contact with anyone who had shown an interest in becoming involved. It was also reported that regular surgeries had previously been held but due to poor attendance these had been stopped. However, it was noted that Officers of the Company often attended satellite locations and that these could be made more accessible to tenants by improving information in relation to how to contact Officers via social media e.g. twitter.

A Member asked if they could be provided with the schedule for the whole year for walkabouts so that they could be diarised. This was agreed. Also, that any responses and resolution to issues be circulated to all Members and not just those that had attended the walkabout.

A Member queried whether it was possible to be provided with any indicators as to the level of satisfaction from tenants of the application process. Officers advised that a survey could be carried out of either applicants or those who were already housed. In response it was reported, that if an applicant's expectations were not fully met this could cloud their response and the level of satisfaction experienced.

A Member of the Committee commented that the quality of the walkabouts had improved but added that tenants' satisfaction in relation to reported repairs was poor in her Ward. She further added that it was costing tenants money to continue to contact the Company to clarify when a repair would be carried out and that often tenants waited in for a repairman to call only for them not to keep the appointment. She stated that should the Company want information on individual cases she was able to supply it.

The Chairman of the Committee expressed his thanks to the Company for their efficient and smooth transition to the new Allocations Policy.

AGREED (unanimously) that the responses received from the representative of Newark and Sherwood Homes in relation to the issues set out in paragraph 2.1 of the report be noted.

29. NEWARK AND SHERWOOD HOMES – ANNUAL DELIVERY PLAN

The Committee considered the report presented by the Business Manager – Strategic Housing in relation to the adoption of the Annual Delivery Plan with Newark and Sherwood Homes ("the Company") for the financial year covering 2018/19.

The report set out that the Management Agreement was the overarching legal agreement between the Council and the Company and that one of its requirements was that an Annual Delivery Plan was formulated and agreed. The Delivery Plan detailed the main activities, standards or targets of the Company's operations for each financial year set against the Council's strategic priorities, its housing vision and outcomes and the need to sustain a viable Housing Revenue Account Business Plan.

In considering the report, a Member queried whether the Ollerton & Boughton Neighbourhood Study and the planned approach to health and social care were ongoing. The Business Manager confirmed that work was progressing on the Neighbourhood Study and that the health and social care was linked in with the Gladstone House Scheme. It was also reported that the level of Right to Buy applications remained stable.

The Chairman of the Committee again expressed his thanks for the update on the Council House Building Programme, adding that the Committee would continue to scrutinise its progress, to satisfy itself that it was on budget and being delivered on time.

AGREED (unanimously) that:

- (a) the current progress of the key activities identified in the current Annual Delivery Plan (2017/2018) be noted;
- (b) the 2018/2019 draft Annual Delivery Plan for the Council's housing company, Newark and Sherwood Homes, be approved and implemented; and
- (c) the current progress with delivery of the five year Housing Revenue Account Development Programme be noted.

The meeting closed at 6.45pm

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the meeting of the **LEISURE & ENVIRONMENT COMMITTEE** held in the Civic Suite, Castle House, Newark on Tuesday, 14 November 2017 at 6.00 pm.

PRESENT: Councillor R.J. Jackson (Chairman)

Councillors: M.G. Cope, Mrs G. Dawn, P.C. Duncan, Mrs L. Hurst, J.D. Lee, D.B. Staples, Mrs L.M.J. Tift, Mrs A.A. Truswell, I. Walker (substitute), K. Walker and Mrs Y. Woodhead.

ALSO IN

ATTENDANCE: Councillor K. Girling

21. APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillors N.B. Mison, Councillor I. Walker attended the meeting as his substitute.

22. DECLARATION OF INTERESTS BY MEMBERS AND OFFICERS

The following Members declared their interests.

<u>Member/Officer</u>	<u>Agenda Item No.</u>
Councillor Mrs A.A. Truswell	Item No. 6 – Active4Today – Draft Business Plan 2018/19 and Performance Update. Personal Interest as she was a Director of Active4Today.
Councillors: M.G. Cope and P.C. Duncan	Item No. 7 – Grounds Maintenance Service Level Agreement – Newark Town Council. Personal Interests as they were both Members of Newark Town Council.

23. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

The Chairman advised that the proceedings were not being audio recorded by the Council.

24. MINUTES OF THE MEETING HELD ON 19 SEPTEMBER 2017

AGREED that the Minutes of the meeting held on 19 September 2017, be approved as a correct record and signed by the Chairman.

25. DRAFT REVENUE BUDGET FOR 2018/19

The Committee considered the report presented by the Assistant Business Manager – Financial Services in relation to progress made, to-date, on the budget for 2018/19.

The report set out the overall strategy of how the budget was to be developed and the timetable for this. The report provided information as to the continuing financial environment for local government. Reference was also made to the current situation in relation to business rates and the consultation on proposals to allow local government to retain 100% of business rates income locally. Also included in the report was information regarding income from fees and charges; the budget strategy, including base budget; staff costs; employer's superannuation; and provision for inflation. The report also set out that Committees needed to continue to scrutinise their budgets to look for opportunities for further savings with reference also being made to the proposed guideline figure for increases to fees and charges.

The Assistant Business Manager also referred to the process for reporting performance, where business managers will be required to provide forecasts of year end outturn. The performance report to the end of September 2017 will be presented to the next Policy & Finance Committee. A Member thanked the Assistant Business Manager for the changes in reporting performance to the Committee. He requested that a minus sign be included rather than brackets for any income. Clarification was also sought regarding the proposed 'invest to save' initiative. The Assistant Business Manager confirmed that Members and Officers had been asked to look at all budget areas to make savings and to maximise income to enable the Council to meet financial pressures in future years.

AGREED: (unanimously) that:

- (a) the Committee undertakes a review of fees and charges accordance with the Corporate Charging Policy;
- (b) the current draft Committee budget be incorporated into the overall service budget be reported to Policy & Finance Committee at its meeting on 30 November 2017;
- (c) the Business Manager and Chief Officer – Financial Services, continues to formulate budget proposals for formal consultation at the Leisure & Environment Committee meeting on 23 January 2018 for recommendation to Policy & Finance Committee on 22 February 2017; and
- (d) a minus sign be included in the budget reporting rather than brackets for any income.

26. ACTIVE4TODAY – DRAFT BUSINESS PLAN 2018/19 AND PERFORMANCE UPDATE

The Committee considered the report presented by the Director Customers and the Managing Director - Active4Today, which presented the Active4Today Draft Business Plan 2018/19 and provided an update on the Company's latest quarterly performance.

Members considered the report and a Member commented that the work undertaken to reduce the subsidy to Southwell Leisure Centre was welcomed, the report however indicated that the Council donated a number of central services which roughly equated the same figure, which did not compare to how the Authority funded Active4Today. The Director – Customers confirmed that the central charges had been reviewed and a more reasonable sum agreed of around £55,000 - £65,000 per annum.

A Member commented on the pull through of data for user numbers which was not currently taking place as detailed in 3.1 (d) of the report and raised concern regarding this being an underestimate due to computer error. The deprived areas in the district were also raised as the report had stated that the deprived areas for the Dukeries Leisure Centre were under the post code of NG22. It was commented that this information was meaningless as affluent areas were included within that post code. Clarification was also sought regarding the accuracy of the information regarding 30 classes and programmes being facilitated through the programme providing access for over 1500 new customers.

The Managing Director - Active4Today confirmed that the information provided was from Sports England Guidance and mapped to Sports England information.

The Managing Director – Active4Today also confirmed that clarification regarding the classes Active4Today claimed to have delivered would be confirmed by the Sports Development Team and a written response would be provided to Members of the Committee.

Comment was also raised regarding the suggested outcomes at 4.2 – Proposed outcomes for the business plan, of the report. It was felt that they were not outcomes, they were processes. Outcomes should be measurable events.

The Managing Director – Active4Today used an example and informed the Committee that work was being undertaken regarding leisure in the west of the district. High level strategic objectives were trying to be achieved and these were captured within the proposed business plan. Other smaller objectives however, were in place under these, however, these were not reported on, as they were more operational and the focus of the Leisure and Environment Committee was of a strategic nature.

Clarification was sought regarding whether the Sports Development Team provided work within deprived areas. The Managing Director - Active4Today confirmed that this was captured within the appendix II of the report and examples included work with children with behavioural problems was being undertaken. Sport England development funding was also used for this work.

Clarification was sought regarding the Dukeries Leisure Centre and South Forest for the next twelve months and the joint working opportunity with the Newark Leisure Village.

The Managing Director - Active4Today confirmed that South Forest was currently a good news story. The transition for the leisure centre had gone well and had been welcomed by the local community. The membership was predominantly children based and had increased by approximately 40 to 500 over the period of the move. An update report regarding membership would be submitted to the January meeting of the Committee. The Newark leisure village was also discussed; Members were informed that discussions had taken place with the YMCA for joint working. YMCA had been looking at an offer for Cross Fit Training, an activity Active4Today were not currently providing; this may provide an opportunity for joint working with shared financial benefit.

AGREED (unanimously) that:

- (a) the Active4Today Draft Business Plan 2018/19 be considered;

- (b) the quarter 2 performance be noted;
- (c) Active4Today provides the January Committee meeting with its latest in-year financial position and full year forecast in order that the Committee can form judgements on the appropriateness of the management fee payable in 2018/19;
- (d) Active4Today provides the January Committee meeting with a breakdown of how it is proposing to spend the management fee in relation to Sports Development;
- (e) the proposed aim to reduce the management fee payable to Southwell Leisure Centre Trust to Zero by 2010/21 be approved; and
- (f) clarification regarding the classes Active4Today claimed to have delivered would be confirmed with the Sports Development Team and a written response would be provided to Members of the Committee.

27. GROUNDS MAINTENANCE SERVICE LEVEL AGREEMENT – NEWARK TOWN COUNCIL

The Committee considered the report presented by the Business Manager Parks & Amenities, which informed Members of the proposed renewal extension of the Service Level Agreement (SLA) with Newark Town Council for the grounds maintenance works of Town Council parks and open spaces.

The new SLA would run for a period of three years commencing on the 1 April 2018 and would be for the sum of £168,489 plus the percentage CPI as at September 2017. The increase in CPI for the period September 2016 to September 2017 was 2.2% and the SLA figure for 2018/19 would thus be £172,196. This sum would be uplifted by the percentage rate of CPI as at September each year, on an annual basis for the remaining period of the SLA. The operational detail and requirement of the new SLA remained the same as the previous agreement.

The Deputy Section 151 Officer had advised that should the SLA not be agreed, the Council would need to seek savings of £172,200.

AGREED (unanimously) that the establishment of a new Service Level Agreement with Newark Town Council for the Grounds Maintenance of its Parks and Open Spaces be approved.

28. PUBLIC SPACES PROTECTION ORDERS

The Committee considered the report presented by the Business Manager Environmental Health & Licensing which reported the findings of the District wide review of the 2007 Dog Control Orders.

The Committees approval was sought to revise the schedules created under the Dog Control Orders and formally publicise and consult on a scheme of revise controls with a view to amending the now Public Space Protection Orders under the new provisions of the Antisocial Behaviour Crime and Policing Act 2014.

Newark and Sherwood District Council utilised the Clean Neighbourhoods and Environment Act 2005 and adopted a scheme of Dog Controls Orders which were last revised on 30 March 2010. The Orders and schedules were provided in Appendix 1 to the report.

It was considered appropriate that the following controls were proportionate and could be adopted as Public Spaces Protection Orders.

Public Space Protection Order 2017, The Fouling of Land by Dogs (Newark and Sherwood District) (Relevant Locations Schedule 1) – The offence under this order would be failing to immediately remove dog feces from land.

Public Space Protection Order 2017, Dogs on Leads by Direction (Newark and Sherwood District) (Relevant Locations Schedule 2) - The offence under this order would be not putting, and keeping, a dog on a lead when directed to do so by an authorised officer, by way of verbal instruction or written request displayed upon the land.

Public Space Protection Order 2017 Dogs on Leads (Newark and Sherwood District) (Relevant Locations Schedule 3) - The offence under this order would be exercising a dog off the lead in certain areas (Churchyards, cemeteries and other areas in need of special consideration).

Public Space Protection Order 2017 Dogs Exclusion Areas (Newark and Sherwood District) (Relevant Locations Schedule 4) - The offence under this order would be permitting a dog to enter land from which dogs are excluded (Children's playgrounds).

Public Space Protection Order 2017 Allowing a dog to be out of control when exercised (Newark and Sherwood District) (Relevant Locations Schedule 5) - The offence under this order would be being unable to control a dog that is exercising off the lead by recalling it.

The report also provided details of the consultation process that had taken place and a timeframe for further consultation and implementation. It was also proposed that the controls and associated offences, which would be punishable by a fixed Penalty Notice set at the rate of £75.

Members considered the report and it was suggested that the formal consultation period proposed to take place on 1 December 2017, be amended to commence in January 2018, this would provide the opportunity for Town and Parish Council's to meet after the Christmas break. A proposed change to Recommendation C was also suggested for the fixed penalty notice of £75 to be reduced to £40 if paid within thirty days, rather than fourteen days as suggested. This would give the public a reasonable period of time to make payment.

Clarification was sought as to which Officers would be able to issue enforcement tickets and whether they would have chip and pin machines to identify the owner of the dog. The Business Manager confirmed that dog wardens, Environmental Health Officers, park wardens and any other employees that had undertaken training would all have the authority to issue fixed penalty tickets to offending people. They would not all carry chip and pin readers, however it was the person responsible for the dog at the time the offence took place, would be issued with the fixed penalty ticket, this person was not necessarily the pet owner. Training sessions were also taking place to train staff for problem areas, although catching the culprits was often difficult as dog fouling often took place early in a morning or late evening.

Clarification was sought regarding whether any of the orders covered horse fouling as that was an issue in Blidworth at the present time. The Business Manager confirmed that the orders currently only covered dog fouling, however the Public Space Protection Order could cover wider areas. Further work would be undertaken with the Police to see if there were any other areas of anti-social behaviour to be included into orders. A further report would be submitted to a future meeting of the Committee.

A Member sought clarification as to why the Castle grounds had been included within the category for dogs to be kept on leads and commented that this was an unnecessary addition. The Business Manager confirmed that the land owner/wardens would have been asked during a consultation exercise regarding this. The Castle grounds were Council owned and the warden would have asked for those grounds to be included in the order.

The Business Manager - Parks & Amenities confirmed that the Castle grounds were included within a uniform rule, which also included ornamental gardens and church gardens. A discussion took place as to whether the Castle grounds should be removed from the order. The Business Manager - Environmental Health & Licensing confirmed that the orders were out for consultation and any comments would be addressed within that formal process. The recommendation sought Committee approval for the Orders and for the consultation to take place.

AGREED (unanimously) that:

- (a) the automatic conversion of existing Dog Control Orders to Public Spaces Protection Orders from 20 October 2017 be noted;
- (b) Members support the proposed Public Spaces Protection Orders as set out in the consultation document and that a formal 6 week consultation period takes place starting on 1 December 2017; and
- (c) the charge applied to a fixed penalty Notice be £75 reduced to £40.00 if paid within 30 days.

(Councillor J. Lee left the meeting at this point).

29. THE FUTURE OF FOOD REGULATION

The Committee considered the report presented by the Business Manager - Environmental Health & Licensing which provided details about the plans for the Future of Food Regulation issued by the Food Standards Agency.

In December 2016 the Food Standards Agency (FSA) published a discussion paper entitled 'Regulating our Future' (RoF) which set out an ambition to review the current controls for food safety and regulation and developing new model. The FSA stated that 'The Regulating our Future programme will completely change the way food businesses are regulated and inspected across England, Wales and Northern Ireland. We aim to have a new system in place by 2020.'

Throughout 2017 the FSA had been holding a number of open workshops, Business Forums and publishing newsletters to seek opinions on their proposals and to flesh out how the proposals would work in practice. In July 2017 the FSA published its proposed model for the future. A copy of this was attached as Appendix 1 to the report. The report also set out a commentary on the key points contained on the document and the local impact that the changes may have for Newark and Sherwood.

Members considered the report and commented that dissolving responsibility to private companies would be a retrograde step. The Local Authority provided an independent service; there would be no guarantee with third party companies undertaking the role, as they would be working to the remit of the business and not to that of the Council. Members endorsed the comments of the Business Manager Environmental Health & Licensing and asked that the comments contained within the report be forwarded to the FSA and also include that Members of the Committee would urge for the service to be retained by the Local Authority.

AGREED (unanimously) that the comments of Business Manager - Environmental Health & Licensing contained within the report be endorsed by the Committee and a formal response be forwarded to the Food Standards Agency setting out those comments and stating that the Leisure and Environment Committee strongly disagree with FSA proposal and urge that the Environmental Health Service for Food Safety and Regulation be retained by the Local Authority.

30. MANSFIELD AND DISTRICT CREMATORIUM JOINT COMMITTEE – ANNUAL STATEMENT OF ACCOUNT

The Committee considered the report presented by the Business Manager - Financial Services, which presented the Annual Statement of Accounts for the Mansfield and District Crematorium Joint Committee. The relevant Minute from the 22 May 2017 meeting of the Mansfield and District Crematorium Joint Committee was also appended to the report for information.

A Member sought clarification as to whether residents of Mansfield received a discount for cremations. It was confirmed that a written response would be provided to Members of the Committee.

AGREED (unanimously) that:

- (a) the Annual Statement of Accounts for the Mansfield and District Crematorium Joint Committee be noted; and
- (b) clarification regarding whether residents of Mansfield received a discount for using the crematorium facility be provided in writing to Members of the Committee.

31. HEALTH AND WELLBEING

There were no items to report.

The meeting closed at 7.35pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the **GENERAL PURPOSES COMMITTEE** held on Thursday, 23 November 2017 in the Civic Suite, Castle House, Newark at 6.00pm.

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

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

17. APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors: M. Buttery, M.G. Cope, Mrs S. Soar and Mrs A.A. Truswell

18. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

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

19. DECLARATION OF INTENTION TO RECORD MEETING

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

20. MINUTES OF MEETING HELD ON 7 SEPTEMBER 2017

AGREED (unanimously) that the Minutes of the meeting held on 7 September 2017 be approved as a correct record and signed by the Chairman.

21. STREET COLLECTIONS 2018

The Committee considered the report presented by the Licensing Officer in relation to applications received for street collection permits throughout the district for the forthcoming year, 2018. To-date, 7 applications had been received and in accordance with the Council's policy, these had been reported to the relevant Town Council for comment and/or approval. At the time of the meeting, no responses had been received.

AGREED (unanimously) that:

- (a) the applications for street collections as contained in the report be granted for the forthcoming year, 2018; and
- (b) the Director – Safety, following consultation with the Chairman and/or Vice-Chairman of the General Purposes Committee, be authorised to approve and issue licences for all additional applications received for street collections within the district of Newark and Sherwood during the year 2018.

22. APPLICATION FOR A STREET COLLECTION – GATEWAY TO SOUTHWELL FOLK FESTIVAL LTD.

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing in relation to an application for a street collection from the Gateway to Southwell Folk Festival Ltd. for June 2018.

The report provided the application details together with background information from previous applications made by Gateway to Southwell Folk Festival Ltd. and a complaint received against them and their collectors during June 2017. It was reported that Southwell Town Council had been advised of the application but that they had not responded to the Council as to whether they would approve the collection. Members were advised that, to-date, no other application had been received for June 2018.

The Business Manager advised that in many local authorities decisions on whether to grant a Street Collection Permit was made at Officer level. If refused, an applicant could appeal to the relevant Committee to reconsider the application, however, in this instance there would be no appeal as the decision was to be made by the whole Committee.

In response to what grounds there were to refuse, the Business Manager advised that there were no grounds for refusal set down in the relevant legislation but Members could refuse if they considered that the previous history of the applicant and the complaint received against their collectors in June 2017 was sufficient to refuse their application for 2018.

Councillors D.R. Payne and Mrs S.E. Saddington entered the meeting part way through the discussion on this matter and did not take part in the voting thereon.

AGREED (by 3 votes against and 6 votes for) that the application for a Street Collection Permit from the Gateway to Southwell Folk Festival Ltd. to be held on 9 June 2018 be refused.

23. UPDATE ON LOCAL ISSUES FACING THE TAXI TRADE

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing which provided Members with an update on a number of issues.

Vehicles Licensed in Wolverhampton

The report set out the issues with the vehicles and their drivers which were now operating in Newark, Mansfield, Nottingham City and Charnwood. It was noted that the Licensing Manager from Nottingham City had been nominated to meet with the licensing staff from Wolverhampton to raise the concerns in an attempt to agree a solution to the problem. The Business Manager confirmed that, at present, the law did not permit enforcement action to be taken against a driver who had been licensed by another authority.

Joint Enforcement Protocol

The report set out that following the issues with drivers from Wolverhampton and not being able to take enforcement action against them, discussions had been held with licensing officers and legal officers from across the county to produce a Joint Enforcement Protocol. This was currently being developed and if approved would enable authorised licensing officers to take enforcement action against any driver or vehicle from an authority that had a reciprocal arrangement under the protocol.

In response to whether this would help to alleviate the situation with drivers and vehicles from Wolverhampton, the Business Manager advised that he was not aware that signing up to the protocol was being offered to Wolverhampton and if it was, he was doubtful they would agree to sign.

Request for Support from Alpha Drivers' Association

Attached to the report was a letter from the above Association and covered 3 main issues, namely: remote licensing; deregulation; and cross border hiring. The letter sought support from the Council with the aim of creating a single organisation/group to oversee and recommend changes for the future regulation of the taxi industry. Members were unanimous in their support for the Association's aim, adding that the Government's deregulation plans were ill advised given the recent issues with taxi drivers in Rotherham and UBER in London.

Parking Enforcement on the Taxi Rank in Castlegate, Newark

The report set out the problems arising from private vehicles parking on the above mentioned taxi rank and complaints received from taxi drivers and Members. The report provided detail of the times that the rank was in operation and that regular patrols by parking enforcement officers had commenced. It was noted that to-date 54 penalty notices had been issued and negotiations with the County Council were ongoing to improve the markings at the rank and examine whether the hours of operation could be amended.

Members agreed that more enforcement was required as the situation was not improving and queried whether, of the 54 penalty notices issued, any were repeat offenders. The Business Manager advised that he would request the information and report this back to Members. A Member commented that in his opinion there should be no parking in the vicinity at all and asked the Business Manager to give the matter some consideration, however, in the interim he was fully supportive of the removal of any unrestricted parking.

AGREED (unanimously) that:

- (a) the action being taken in relation to Wolverhampton licensed drivers and vehicles be supported;
- (b) in principle, the signing of a joint enforcement protocol, subject to a further report being considered by the Committee once a copy of the protocol is finalised, be supported;

- (c) the request from Alpha Taxi Association and the proposals therein be supported; and
- (d) the parking enforcement action in relation to Castlegate Taxi Rank be supported and that a further report providing alternative options available be presented to a future meeting of the Committee.

24. CONSULTATION ON PROPOSALS FOR CHANGES TO GAMING MACHINES AND SOCIAL RESPONSIBILITY MEASURES

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing which provided Members with an update of the newly published consultation for changes to gaming machines and social responsibility measures.

The report provided Members with background information as to the Gambling Act 2005 and outlined the main proposals put forward in the consultation. The consultation asked 16 questions with the proposed responses thereto being listed in paragraph 4.2 of the report.

It was noted that all Members would likely have slightly differing opinions on the responses but on the whole they were in agreement.

AGREED (unanimously) that:

- (a) the contents of the Consultation for Changes to Gaming Machines and Social Responsibility Measures be noted; and
- (b) the proposed responses to the consultation as noted in the report, be approved.

25. UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report presented by the Licensing Officer in relation to the activity and performance of the Licensing Team together with details of current ongoing enforcement issues.

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

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

26. EXCLUSION OF PRESS & 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 involves the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

27. MINUTES OF A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S SUB-COMMITTEE

NOTED the confidential minutes of a Hackney Carriage/Private Hire Driver's Sub-Committee held on 27 September 2017.

The meeting closed at 6.47pm

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the **LICENSING COMMITTEE** held on Thursday, 23 November 2017 in the Civic Suite, Castle House, Newark immediately following the meeting of the General Purposes Committee.

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

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

18. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

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

19. DECLARATION OF INTENTION TO RECORD MEETING

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

20. MINUTES OF MEETING HELD ON 7 SEPTEMBER 2017

AGREED (unanimously) that the Minutes of the meeting held on 7 September 2017 be approved as a correct record and signed by the Chairman.

21. COUNTYWIDE BEST BAR NONE SCHEME – YEAR THREE

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing in relation to progress of the above mentioned scheme.

The report set out the background to the introduction of the scheme and the main points and findings from Years One and Two. It was highlighted that Year Three had suffered a slow start in relation to the submission of applications despite its promotion at both Pub Watch and during licensing visits. It was also reported that the number of applications had decreased across the county. The proposals in the report set out that there would be a local awards ceremony at Castle House and a county awards presentation at a black tie awards ceremony later in 2018. The county scheme had attracted a lot of interest from all areas of the licensing industry and well as government departments as the only full county scheme running in the country.

AGREED (unanimously) that:

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

22. RESPONSE FROM THE GOVERNMENT ON THE FINDINGS OF THE HOUSE OF LORDS SELECT COMMITTEE ON THE LICENSING ACT 2003

The Committee considered the report of the Business Manager – Environmental Health & Licensing in relation to the response from Government of the findings of the House of Lords Select Committee on the Licensing Act 2003.

Paragraph 3 of the report provided a table of the House of Lords recommendations and the Government's response thereof with Members unanimously welcoming the Government's rejection of the majority of the proposals.

AGREED (unanimously) that the contents of the Government's response of the findings of the House of Lords Select Committee on the Licensing Act 2003 be noted.

23. UPDATE ON QUARTERLY PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing in relation to the activity and performance of the Licensing Team between 1 July and 30 September 2017 inclusive, together with details of current ongoing enforcement issues.

Information contained within the report related to the number of applications for the grant or variation of licences received between the above dates and the enforcement activity between the same two dates.

NOTED the information contained within the report.

16. TEMPORARY EVENT NOTICES RECEIVED AND ACKNOWLEDGED BETWEEN 1 JULY AND 30 SEPTEMBER 2017 INCLUSIVE

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing in relation to the notices received and acknowledged between 1 July and 30 September 2017 inclusive.

NOTED the Temporary Event Notices received and acknowledged between 1 July and 30 September 2017 inclusive.

The meeting closed at 6.56pm

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the meeting of the **AUDIT & ACCOUNTS COMMITTEE** held in the Civic Suite, Castle House, on Wednesday, 29 November 2017 at 10:10am.

PRESENT: Councillor Mrs S.M. Michael (Chairman)
Councillors: Councillor R.A. Crowe, and G.P. Handley.

ALSO IN

ATTENDANCE: Sanjiv Kohli - Director-Resources and S151 Officer
Nick Wilson - Business Manager - Financial Services (NSDC)
Andrew Snape - Assistant Business Manager - Financial Services (NSDC)
John Sketchley - Audit Manager (Assurance Lincolnshire)
Amanda Hunt – Principal Auditor(Assurance Lincolnshire)
Helen Brookes - Manager (KPMG)

14. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D.R Payne, B. Wells and Lucy Pledge (Audit and Risk Manager- Assurance Lincolnshire).

15. 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.

16. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

There were no declarations of intention to record the meeting.

17. MINUTES OF MEETING HELD ON 25 JULY 2017

AGREED that the Minutes of the meeting held on 26 July 2017 be approved as a correct record and signed by the Chairman.

18. TREASURY MANAGEMENT HALF YEARLY REPORT

The Assistant Business Manager- Financial Services presented an update on the Council's Treasury Activity and prudential indicators for the first half of 2017/18. None of the Prudential Indicators had been breached and a prudent approach had been taken in relation to the investment activity, with priority being given to security and liquidity over yield.

The Treasury Management Strategy Statement (TMSS) for 2017/18 was approved by Full Council on 9th March 2017. Officers felt the MRP (Minimum Revenue Provision) Policy within that report did not specifically identify the way that MRP should be charged. A new MRP Policy statement was proposed which better reflected practice of the authority.

The Director – Resources confirmed that the Council did not expect to need to borrow in 2017/18. Members noted that the Investment Strategy and Commercial Strategy had been approved by Full Council which had included the creation of an Investment Advisory Board. The Board did not have any decision making powers but would advise Policy and Finance Committee and Full Council on investment decisions.

AGREED (unanimously) that:

- (a) the new MRP policy statement contained within the Treasury Management Strategy as per section 5 be recommended to full Council on 12 December for approval;
- (b) the treasury activity be noted; and
- (c) the Prudential Indicators detailed in Section 10 of the report be noted.

19. INTERNAL AUDIT PROGRESS REPORT 2017/18

The Principal Auditor- Assurance Lincolnshire provided an update of progress made with the 2017/18 Audit Plan. Four audit reports had been issued during the period since the last update to members. Housing Benefits and Council Tax Support had received high assurance and a further three had been issued with substantial assurance which were: ICT database management; Partnership Active4Today; and Key Control Testing. There were five audits at the draft reporting stage. It was acknowledged that the plan was slightly delayed due to the office move to Castle House.

The Committee noted that the audit of the Visitor Centre- National Civil War Centre and Palace Theatre) was still with the auditors and had been awaiting response since May. The Committee were disappointed and felt that the delay was too long. They therefore requested that if the report was not returned by their next meeting, that the relevant officer be invited to attend the meeting to explain the delay.

The Business Manager- Financial Services explained that with regard to the audit of the Active4Today accounts, Officers had now agreed that this would be funded by Active 4Today.

Further information was included for Members on the CIPFA Audit Committee update and the National Audit Office- Cyber security and information risk guidance for Audit Committees.

AGREED (unanimously) that the Audit and Accounts Committee consider and comment upon the latest internal audit progress report.

20. EXTERNAL AUDITORS ANNUAL AUDIT LETTER 2016/17

Helen Brookes was in attendance to present the External Auditors Annual Audit Conclusion Letter. The External Auditors- KPMG had issued an unqualified opinion on the accounts and an unqualified conclusion on the Authority's arrangements for securing value for money on 28 September 2017.

AGREED (unanimously) that the Committee consider the External Auditor's Annual Audit Letter for 2016/17.

21. COUNTER FRAUD ACTIVITY REPORT

The Business Manager- Financial Services presented the County Fraud Activity report detailing activities undertaken since 1 April 2017. Members heard that during October 2017 an incident was identified whereby a payment for invoices was made to a fraudulent bank account. The Council had received notification from what looked like the supplier asking to change the bank details. Unfortunately this was a fraudulent request and hence the Council paid £15,210 incorrectly. The Council has liaised with its bankers, and the building society that the money was made to and there was a high chance of receiving the funds back. The issue had highlighted a failure in the process of changing bank details in the Accounts Payable system which had been addressed with a new procedure that has been implemented. The Business Manager- Financial Services updated the Committee and explained that he expected the repayment to be made by the end of the week.

The Committee heard that the National Fraud Initiative exercise for 2017/18 had 2,360 council tax single person awards to review. So far 20 awards had been processed with no fraud or errors found. The 2016/17 exercise had found 91 cases of suspected fraud out of 1,046 single person discounts, amounting to £26,819.

AGREED (unanimously) that Members note the content of the report.

22. AUDIT COMMITTEE WORK PROGRAMME

The Committee considered the work programme detailing items to be considered during their meetings throughout the municipal year. The draft Annual Internal Audit Plan was moved forward to the Committee meeting in February 2018.

AGREED that the Work Plan be noted.

23. DATE OF NEXT MEETING

NOTED that the date of the next meeting was Wednesday, 7 February 2018, at 10am in Civic 1, Castle House.

The meeting closed at 10.41pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **PLANNING COMMITTEE** held in the Civic Suite, Castle House, Newark on Thursday, 19 October 2017 at 4.00pm.

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

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

ALSO IN

ATTENDANCE: Councillor P. Peacock

112. APOLOGIES FOR ABSENCE

An apology was submitted on behalf of Councillor N.B. Mison.

113. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Member/Officer

Agenda Item

Councillor I. Walker

Agenda Item 8- Land off Elston Lane, Elston, Nottinghamshire (17/01351/FULM)- Disclosable pecuniary interest as he lived opposite the site.

Councillors D.R. Payne, P. Handley and Mrs A.C. Brooks

Agenda Item 8- Land off Elston Lane, Elston, Nottinghamshire (17/01351/FULM). The three Members were directors of Newark and Sherwood Homes and declared their interests on the grounds of potential bias. They left the meeting and took no part in the discussion or voting.

114. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

115. MINUTES OF THE MEETING HELD ON 3 OCTOBER 2017

The Committee agreed an amendment to Minute 92 from the meeting on 14 September 2017 as follows:

The Business Manager Growth & Regeneration informed the Committee that there was an error within the Committee report in respect of the affordable housing split which was published on page 266 of the Planning Committee agenda. It was confirmed that the application would provide for 11.5% affordable housing on a 52% (affordable rent) 48% (intermediate, split of which 25% shared ownership and 75% discounted open market units).

AGREED that subject to the above amendment the minutes of the meeting held on 3 October 2017 be approved as a correct record and signed by the Chairman.

116. ORDER OF BUSINESS

With the agreement of the Committee, the Chairman changed the order of business to the following – Agenda Item 5, 6, 9, 7, 8, 10 and 11.

117. FORMER THORESBY COLLIERY OLLERTON ROAD EDWINSTOWE (16/02173/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought outline planning permission with access to be considered (and all other matters reserved for subsequent approval) for a residential development of up to 800 mixed dwellings, a strategic employment site, a new Country Park, a local centre, containing a mix of leisure, commercial, employment, community, retail, health, and residential uses, a primary school site comprising circa 1.3 hectares located towards the southwestern boundary of the site, open space and green infrastructure, and associated access works including the details of the primary access junctions into the site from Ollerton Road. Members' attention was drawn to the Schedule of communication distributed at the meeting, which included the proposed conditions.

Councillor P. Peacock, Joint Local Ward Member addressed the Committee welcoming the proposed development which he felt would bring many positive benefits to the community. He emphasised the need for as much affordable housing as possible in the area, and community facilities in the area, including healthcare services and improving Ollerton Roundabout. He questioned the need for a proposed third school in the area as part of the development.

Councillor Mrs Brooks, Joint Local Ward Member agreed with the points raised by Councillor Peacock, but did welcome the provision of a new school and school places. She did feel that it was important to incorporate the proposed development into the village and not just for it to be next to the village.

Members considered the application and in discussion agreed that the development was attractive and could bring many positive benefits to the community. Members felt it was important to ensure sufficient links between the proposed development and the existing village and that scenario 2- affordable housing of 7.5% would be preferred to provide affordable housing for the area, but also to balance the provision across the District.

AGREED (unanimously) that planning permission be granted subject to the conditions detailed in the Schedule of Communications distributed at the meeting and the rewording of any conditions to be delegated to Business Manager Growth and Regeneration.

118. FIELD REFERENCE NUMBER 0790, TOP STREET, RAINWORTH, NOTTINGHAMSHIRE 17/00865/FULM (MAJOR)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought full planning permission for 56 dwellings and associated open space and other infrastructure.

Councillor Mrs L. Tift proposed to refuse planning permission on the basis of the design of the development. This was duly seconded. The issue lay with the parking, which was spread across the proposed site and not associated with each property. Members were in general agreement that this would cause parking issues as people preferred to park outside their house and would do so even in the absence of an allocated space. However, it was further proposed to defer the application, on the grounds of layout, to enable negotiation with the developer. This was duly seconded and Councillor Mrs Tift was in support of this motion. Members were in general agreement in their support of the principle of development on the site, but the layout, particularly in relation to siting and provision of parking areas, was not appropriate at that time.

AGREED (unanimously) that the application be deferred pending further negotiation with the developer in relation to the layout.

119. 110A HAWTON ROAD, NEWARK ON TRENT, NOTTINGHAMSHIRE 17/01490/FUL

The Committee considered the report of the Deputy Chief Executive, which sought Householder permission to demolish the existing conservatory and construct a single storey extension across the full width of the rear of the existing house. This item was being presented to the Planning Committee in accordance with the scheme of delegation as one of the applicants was a member of planning staff at the Council.

The Committee considered the application and agreed that it was acceptable in all aspects.

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

120. LAND OFF MAIN STREET, BALDERTON 17/00643/FUL

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought planning permission to construct a two storey building adjacent to Main Street, set back from Hollowdyke Lane to accommodate 6 one-bedroom apartments. There would be communal landscaped areas around the building with parking and turning areas concentrated around the vehicular access from Hollowdyke Lane.

A correct site plan was tabled at the meeting as the one contained within the agenda was incorrect.

Members considered the application, discussing the following issues: the difficulty of cars accessing Main Street from Hollowdyke; the layout of the site and the noise levels that would affect the properties; and the orientation of the parking and buildings on the proposed site. It was proposed and duly seconded to refuse planning permission against officer recommendation.

AGREED (13 For and 1 Against) that Planning Permission be refused for the following reason:

The application site is constrained by topography and proximity to the railway and A1, constraints which need to be mitigated as part of any development proposals. In the opinion of the Local Planning Authority the amount of development, and the layout required will result in a compromised and confused proposal that is detrimental to the character and appearance of the area and represents poor overall design. This is reflected in the poor legibility of the scheme relative to site frontages and the entrances to the individual units and the proposed parking areas. The proposal is therefore contrary to Policy CP9 of the Core Strategy and DM5 of the Allocations and Development Management DPD together with the National Planning Policy Framework (March 2012). There are no other material planning considerations that would outweigh the identified harm.

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

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

Councillor Walker left the meeting at this point.

Councillors D. Payne, C. Brooks and P. Handley left the room for the duration of this item and took no part in the discussion or vote. Councillor Blaney took the Chair.

121. LAND OFF ELSTON LANE, ELSTON, NOTTINGHAMSHIRE 17/01351/FULM (MAJOR)

The Committee considered the report of the Deputy Chief Executive, which sought 10 affordable dwellings to be sited around a new cul-de-sac arrangement. The Business Manager Growth & Regeneration explained that the application before Members was identical to one which the Planning Committee had previously refused and not yet successfully challenged. In considering an application the planning history was a material consideration and given previous committee resolution therefore, the officer recommendation was to refuse planning permission. He also noted that there were alternative sites available within the village boundary, one of which was under Newark and Sherwood Homes ownership. The presence of a potential alternative site was also capable of being material when considering a planning application.

The Committee considered the application and were in general agreement that the application would be more appropriate on a site within the village settlement.

AGREED (with 9 votes for and 1 vote against) that planning permission be refused for the reasons contained within the report.

Councillors D. Payne, C. Brooks and P. Handley re-joined the meeting and Councillor D. Payne resumed Chairman.

Councillor B. Crowe left during the consideration of the following item.

122. KELHAM HALL, MAIN ROAD, KELHAM, NG23 5QX 17/01021/FULM (MAJOR) and 17/01022/LBC

The Committee considered the report of the Deputy Chief Executive which sought planning permission and listed building consent for the conversion of Kelham Hall into Hotel and spa, extensions to the Hall to provide a hotel restaurant, new Entrance Court to the Dome and an enclosed spa pool, associated landscaping works to include new entrance gates, driveways, car parks, hotel frontages and the restoration of formal gardens.

Councillor Blaney, Local Ward Member, addressed the Committee in support of the application. He noted that most of the Parish Council objections related to the holiday lets which had been removed from the application. Some Members felt that the proposed works had potential to cause harm to the building, however in considering the application Members noted the need for more hotels in the area, the continued use of the building and potential tourist attraction the development could create in the District. Two Members questioned whether it was an appropriate time to consider the application, however, the Chair, on seeking legal advice confirmed that this would not be sufficient grounds to defer the application.

AGREED (with 8 votes for, 2 votes against and 2 abstentions) that Listed Building Consent be granted subject to the conditions detailed in the report.

(with 9 votes for, 2 votes against and 1 abstention) that Planning Permission be granted subject to the conditions detailed in the report.

123. RULE NO.30 – DURATION OF MEETINGS

During the minute below and in accordance with Rule No. 30.1, the Chairman indicated that the time limit of three hours had expired and a motion was proposed and seconded to extend the meeting by one hour.

AGREED (unanimously) that the meeting continue for a further one hour.

124. HOLLY FARMHOUSE, PROCTERS DRIVE, GIRTON, NG23 7JA 17/01005/FUL

The Committee considered the report of the Deputy Chief Executive, which sought full planning permission for the conversion of the existing barns to a single residential dwelling.

Members noted that the area was subject to flooding, however, the proposed conditions sought to mitigate the impact of flooding.

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

125. APPEALS LODGED

AGREED that the report be noted.

126. APPEALS DETERMINED

AGREED that the report be noted.

The meeting closed at 7.06pm

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **PLANNING COMMITTEE** held in the Civic Suite, Castle House, Newark on Tuesday, 7 November 2017 at 4.00pm.

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

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

127. APOLOGIES FOR ABSENCE

An apology for absence was received on behalf of Councillor I. Walker.

128. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

<u>Member/Officer</u>	<u>Agenda Item</u>
Councillor G.P. Handley	Agenda Item No. 12 – The Sawmill, Beacon Hill Road, Newark (17/01431/FUL). Disclosable pecuniary interest as he is a shareholder and other financial interests.
Councillors J.D. Lee and N.B. Mison	Agenda Item No. 14 – Rear of Chapel Farm, Newark Road, Wellow (16/01638/FUL). Personal interests as a friend of Cllr Lee and association with the applicant for Cllr Mison.
Councillor D.R. Payne	Agenda Item No. 15 – Little Hollies, The Close, Averham (17/01193/FUL). Personal interest as the applicant was a former client.

129. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

130. MINUTES OF THE MEETING HELD ON 19 OCTOBER 2017

AGREED that the minutes of the meeting held on 19 October 2017 be approved as a correct record and signed by the Chairman.

131. ORDER OF BUSINESS

With the agreement of the Committee, the Chairman changed the order of business and agenda item 14 was taken before agenda item 15. The agenda resumed its stated order thereafter.

132. CORNERWAYS, BECK LANE, BLIDWORTH, NOTTS (17/01692/RMA)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought to secure reserved matters in relation to outline consent in order to deliver four detached residential properties on the site with a single access from Beck Lane.

Members considered the application and it was agreed that the application was acceptable subject to conditions preventing the erection of any structures, including garden sheds/summer houses etc., in the gardens of plots 3 and 4, as the residential curtilage for those properties was in the green belt.

AGREED (unanimously) that full planning permission be approved subject to the conditions and reasons contained within the report and the additional condition requiring planning permission for the erection of any structures in the residential curtilage for plots 3 and 4.

133. WOODLANDS COTTAGE, STATION LANE, FARNSFIELD, NOTTS (17/01210/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought full planning permission for a one and a half storey four bed detached dwelling.

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

Members considered the application and felt that as the host dwelling and surrounding properties were red brick, the white rendering of the proposed dwelling was not in keeping with the character of the surrounding properties. It was therefore proposed that an additional condition should be included for the material to be red brick, given the character of the buildings surrounding the property. The removal of permitted development rights was also suggested to protect the neighbouring bungalows.

AGREED (unanimously) that full planning permission be approved subject to the conditions contained within the report and the following additional conditions:

- (i) The removal of permitted development rights; and
- (ii) The material of the property to be red brick, given the character of the buildings surrounding the property.

134. HOLLY COTTAGE, FISKERTON ROAD, BRINKLEY, NOTTS (17/01443/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought planning permission for the erection of a single storey residential annexe within the grounds of Holly Cottage.

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

Members considered the application and some Members felt that the proposed development was not an annexe as it was positioned away from the house. It was not linked to the main house in any way and therefore was a free standing separate house. Some Members felt that the design was inappropriate. Other Members felt that whilst you would expect an annexe to be attached to the host dwelling in some way, this was a large single storey building, designed to have a barn effect. The proposed use was for family use and it was acknowledged that the host property could not be easily extended to provide the desired accommodation. Credit was given to the applicant/architect regarding the design of the rear roof which would back onto the road and would be grass covered reducing the visual impact. Concern was also raised regarding the proposed floor space of 97 metres which was similar to that of a two storey semi-detached property.

Members also sought clarification regarding tying the use of the development to the applicant. The Business Manager Growth & Regeneration explained that there were ways to tie applicants into developments, however there were always opportunities for the applicant to break those ties. A Supplementary Planning document had been produced which dealt with planning permission relating to annexes. The document stipulated that the application must be treated as a house and required full planning permission.

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

135. SOUTHWELL RACECOURSE, STATION ROAD, ROLLESTON, NOTTS (17/01268/FULM)
(MAJOR)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought planning permission for the erection of 55 lighting columns to provide floodlighting to the racecourse to allow races to take place until 21:30hours.

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

A Member commented upon an inaccuracy within the report, as the report indicated that the Local Ward Member had referred the application to the Planning Committee for consideration when it was the adjoining Ward Member.

A Member also commented that the Clerk to Upton Parish Council had not been consulted regarding this application. Upton Parish Council however had no comments regarding the application. It was also noted that Rolleston Parish Council had also submitted no objection.

Members considered the application and commented that Southwell Racecourse was a well-run successful first class business and was of benefit to the tourism for Southwell. The proposed lighting would have limited impact and was essential for the development of the business.

AGREED (unanimously) that full planning permission be granted, subject to the applicant entering in to a S106 Agreement to provide an updated Transport Management Plan and the conditions contained within the report.

136. ASHLEIGH, GREAT NORTH ROAD, SOUTH MUSKHAM, NOTTS (16/01761/OUT)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought outline planning permission with all matters reserved for later determination for the erection of 3 no. dwellings rather than the 5 originally proposed.

Members considered the application and concerns were raised regarding the speed of the traffic using the highway even after that speed limit had been reduced from 40mph to 30mph. The height of neighbouring hedges was also discussed, at present the hedge heights were being kept at a height which helped visibility, concern was raised regarding visibility in the future should the hedge height be allowed to increase.

Concern was raised regarding the application being up to three properties and that there appeared to be surplus land beyond this which had formed part of the original application for up to five dwellings. It was suggested that given the application site remained as per the original application, to make it clear that planning permission was for a maximum of three properties on the whole site and not just on the front of the site. The Business Manager Growth & Regeneration confirmed that the red line would be confirmed as the whole site if the Committee were minded to approve the application.

AGREED (unanimously) that outline planning permission be approved subject to the following:

- (i) the conditions contained within the report; and
- (ii) the development be restricted to a maximum of three dwellings on the whole site. The Business Manager - Growth & Regeneration to ensure conditions amended accordingly.

137. FIELD REFERENCE NUMBER 0790, TOP STREET, RAINWORTH, NOTTS (17/00865/FULM) (MAJOR)

The Committee considered the report of the Deputy Chief Executive, which sought full planning permission for 56 dwellings and associated open space and other infrastructure.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the following: Nottinghamshire County Council Section 106 Officer; Nottinghamshire County Council – Highway Authority; the applicant; and local resident of Top Street.

The old site layout and new site layout was tabled to the Committee for information.

Members considered the application and it was felt that the application had been improved although further improvements could have been made. Concern was raised regarding the car parking arrangement for the residents of Top Street. It was suggested that the Committee be minded to approve planning permission subject to delegated authority being granted to the Business Manager Growth & Regeneration in consultation with the Planning Committee Chairman, Planning Committee Vice-Chairman and Local Ward Member, for an additional five car parking spaces to be made available (a minimum of eleven spaces in total) for residents of Top Street, using part of the public open space if required.

AGREED (with 13 votes for and 1 abstention) that the Planning Committee be minded to grant full planning permission subject to:

- (a) the conditions contained within the report;
- (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 within the report and to prevent any ransom strip being created along the southern boundary of the site and allow the whole allocation site to be potentially developed; and
- (c) delegated authority be granted to the Business Manager Growth & Regeneration in consultation with the Planning Committee Chairman, Planning Committee Vice-Chairman and Local Ward Member, for an additional five car parking spaces to be made available (a minimum of eleven spaces in total) for residents of Top Street, using part of the public open space if required.

138. THE OLD BARN, CHURCH LANE, BESTHORPE (17/01216/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought planning permission for a two storey extension to the existing house, proposed first floor in the roof space.

Members considered the application and thanked the Planning Case Officers for their work regarding this application and for the Architect for taking on board the Planning Authority's suggestions for this application. Members felt that all their concerns had been addressed and the proposal was acceptable.

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

(Having declared a Disclosable Pecuniary Interest on the following item, Councillor G.P. Handley left the meeting at this point).

139. THE SAWMILL, BEACON HILL ROAD, NEWARK (17/01431/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought the demolition of the existing Public House and the erection of two new units comprising of a Use Class A1 convenience retail unit and a Use Class A1 (Non-Food).

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

Members considered the application and welcomed the scheme as the facilities would be in walking distance for local residents. The opening hours were discussed and it was suggested that the Planning Case Officers recommendations as contained within the late item schedule be approved, with the revision to condition 6 to allow 7am to 11pm opening Monday to Saturday and 10am to 10pm on a Sunday.

AGREED (with 12 votes for and 1 vote against) that full planning permission be approved subject to the conditions contained within the report and the revision to condition 6 as follows:

Opening hours:
Monday to Saturday 7am to 11pm;
Sunday 10am to 10pm.

140. ROBIN HOOD VIEW CARAVAN PARK MIDDLE PLANTATION, BELLE EAU PARK, BILSTHORPE (17/01451/FUL)

The Business Manager Growth & Regeneration deferred this application from the agenda.

(Councillor Mrs L.M.J. Tift left the meeting at this point).

141. LITTLE HOLLIES, THE CLOSE, AVERHAM (17/01193/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought the demolition of the existing garage and the creation of a five bedroom house with a detached double garage and formation of a driveway for the existing dwelling at Little Hollies.

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

Members considered the application and requested that the application be deferred to request that a street scene elevation plan be submitted to demonstrate the height of the proposed dwelling against the neighbouring properties.

AGREED (with 12 votes for and 1 abstention) that the application be deferred in order for Officers to determine the roof height of neighbouring properties and provide Members of the Committee with the proposed street scene.

(Having declared personal interests on the following item Councillors J. Lee and N.B. Mison left the meeting at this point).

142. REAR OF CHAPEL FARM, NEWARK ROAD, WELLOW (16/01638/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought planning permission for the erection of buildings and change of use of existing buildings to form holiday let accommodation.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the following: the applicant; Nottinghamshire County Council Highway Authority; and an objector.

The Business Manager Growth & Regeneration informed the Committee that Members of the Planning Committee were not being asked to determination of the application given that an appeal against non-determination was pending. Rather, the Committee were being asked to offer a view as to the acceptability of the scheme if they were to have retained the power of determination. Depending on the resolution this would affect if and on what grounds any appeal would be progressed.

The Business Manager Growth & Regeneration advised Members that the applicant had informed the Planning Authority that they would enter into a Section 106 Agreement in order to ensure that there would be only one shared kitchen in the development. The Highways Authority had advised the Planning Authority that if they did not have the ability to control the implementation of further kitchens in the individual holiday lets, the application should be refused on the grounds of highway safety.

The Business Manager Growth & Regeneration had been given legal advice that the provision of kitchens could not be reasonably controlled by condition or through a Section 106 agreement and given the Highway Authority advice, he had no other option than to recommend refusal on the grounds of highway safety on the basis that the Highway Authority would appear with the Council in defending the appeal.

Members considered the application and a Member commented that the reason for refusal was on highway safety grounds. Nottinghamshire County Council Highways Authority had confirmed that they would defend the application on appeal. Members also commented that as stated in the report this development would also employ seventeen people and this would have an impact on the movement of staff traffic coming to the business. Traffic movement of staff should also be taken into account.

Members sought further clarification regarding the size of units and the Business Manager Growth & Regeneration confirmed that they had en-suite facilities and were large enough for a kitchenette to be installed in the future.

A Member commented on the condition of the road up to the proposed development which was nothing more than a cart track and felt that the application was not acceptable.

AGREED (unanimously) that the Planning Committee be minded to refuse full planning permission if they had been determining the application whilst live, for the reasons contained within the report.

143. APPEALS LODGED

AGREED that the report be noted.

144. APPEALS DETERMINED

AGREED that the report be noted.

The meeting closed at 6.38pm

Chairman