

Date: 1st February 2016

Dear Sir/Madam,

COUNCIL MEETING – 9TH FEBRUARY 2016

Notice is hereby given that a meeting of the Newark and Sherwood District Council will be held in the Council Chamber, Kelham Hall on Tuesday, 9th February 2016 at 6.00pm.

Yours faithfully



A.W. Muter
Chief Executive

AGENDA

Pages

- | | | |
|----|--|-------|
| 1. | Apologies for absence | |
| 2. | Minutes of the Meeting held on 15 th December 2015 | 4 – 7 |
| 3. | Declarations of Interests by Members and Officers | |
| 4. | Declaration of any Intentions to Record the Meeting | |
| 5. | Communications which the Chairman or the Chief Executive may wish to lay before the Council | |
| 6. | Communications which the Leader of the Council and Committee Chairmen may wish to lay before the Council | |
| 7. | Questions from Members of the Public | |
| 8. | In accordance with Rule No. 10 to receive Petitions from Members of the Council (if any) | |

9.	Housing Revenue Account Budget and Rent Setting 2016/17 – 2020/21	8 – 41
10.	Members Allowances Independent Remuneration Panel	42 – 54
11.	Community Governance Review – Caythorpe Parish Council	55 – 59
12.	Notices of Motion	

- (i) In accordance with Rule No 13.1, Councillor Mrs G. Dawn will move and Councillor Mrs I. Brown will second a motion to the following effect:

‘As Councillors will appreciate the Robin Hood Hotel has been an eyesore at a major gateway entrance to the town for too long. Members of the public are losing patience with the situation. It is difficult to ascertain whether a planning application is imminent or not.

Newark Town Council recently passed a motion that called upon Newark and Sherwood District Council to take all necessary enforcement action against the owners of the property to ensure that the building is wind, watertight and structurally sound and to enforce the now expired contract between Newark and Sherwood District Council and the site owners. The formal response from Newark and Sherwood District to the Town Council addressed none of the above issues.

Therefore we propose that the Council:

1. now take all necessary enforcement action to enforce the now expired contract between Newark and Sherwood District Council and the site owners; and
2. ensure that the building is wind, watertight and structurally sound.’

13. Questions from Members of the Council

DELEGATED DECISIONS

14.	(a) Policy & Finance Committee – 28 th January 2016	PF1 – PF8 (exempt) PF9
	(b) Economic Development Committee – 6 th January 2016	ED1 – ED7
	(c) Homes & Communities – 18 th January 2016	HC1 – HC4
	(d) Leisure & Environment Committee – 26 th January 2016	LE1 – LE5
	(d) Planning Committee	
	(i) 5 th January 2016	PL1 – PL6
	(ii) 2 nd February 2016	To Follow
	(e) Councillors’ Commission – 22 nd January 2016	CC1 – CC2

NOTES:

- (1) The Conservative Group will meet at 5.00pm in Room G21 prior to the Council Meeting.

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

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **NEWARK & SHERWOOD DISTRICT COUNCIL** held in the Council Chamber, Kelham Hall, Newark on Tuesday, 15th December 2015 at 6.00pm.

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

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

APOLOGIES FOR ABSENCE: Councillors: G. Brooks, M. Buttery Mrs M. Dobson, and D. Thompson.

Prior to the transaction of business the Council stood in silence in memory of Luca Cioci.

43. MINUTES

AGREED that the minutes of the meeting held on 10th November 2015 be approved as a correct record and signed by the Chairman, subject to an amendment to confirm that Councillor K. Girling was not present at the last meeting.

44. DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

NOTED: - (a) the list of interests declared as shown in the schedule circulated at the meeting; and
(b) the additional interest which was declared at the meeting as follows:-

<u>Member</u>	<u>Agenda Item No.</u>
Councillors D.R. Payne and Mrs R. Crowe	Agenda Item No. 14(a) - Delegated Decisions – Policy & Finance Committee – 3 rd December 2015 - Minute No. 75 – St Leonard’s Hospital Trust - Disclosable Pecuniary Interest for Councillor D.R. Payne and a Personal Interest for Councillor Mrs R. Crowe.

45. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

46. COMMUNICATIONS FROM THE CHAIRMAN AND CHIEF EXECUTIVE

The Chairman advised Members of the new office preparations event to be held on 27th January 2016.

47. IN ACCORDANCE WITH RULE NO. 10 TO RECEIVE PETITIONS FROM MEMBERS OF THE COUNCIL

In accordance with Rule. No 10, Councillor Mrs S. Saddington presented a petition to the Council on behalf of residents of Cromwell. This petition had been organised to evaluate the response from the residents to the possibility of a lorry park around Cromwell. All those signing the petition considered that Cromwell was not a suitable location for a lorry park. The petition, signed by 97 people, was presented to the Chairman.

48. SCHEDULE OF MEETINGS FOR 2016/17

The Council considered the report of the Chief Executive which sought to approve the proposed schedule of meetings for the 2016/17 Municipal Year. The proposed schedule was attached as an appendix to the report.

AGREED (unanimously) that the proposed schedule of meetings for 2016/17, as set out in the appendix to the report, be approved.

49. LOCALISED COUNCIL TAX SUPPORT SCHEME 2016/17

The Council considered the report of the Director - Resources which sought to confirm the continuation of the Council's Localised Council Tax Support Scheme, which had been implemented on 1st April 2013, for the 2016/17 financial year with minor changes. The changes sought were to uprate the income and disregard criteria in accordance with the annual uprating amounts applied by the Department for Works and Pensions.

The Local Government Finance Act 1992 required the Council to consider whether, each financial year, the scheme was to be revised or replaced, no later than 31st January. By making the proposed changes to uprate income and disregard criteria, it would demonstrate that the Council had continued to consider its obligations to vulnerable groups by maintaining the income disregards and premiums to protect families with children and claimants with disabilities.

AGREED (with 32 votes for , 2 against and 1 abstention) that the Council continues to adopt the existing Localised Council Tax Support Scheme for all potential claimants for the financial year 2016/17 and uprates the income disregards and premiums in accordance with the Department for Works and Pensions annual uprating criteria for 2016/17.

50. REVIEW OF STATEMENT OF GAMBLING POLICY

The Council considered the report of the Director - Safety which sought approval of the draft Statement of Gambling Policy which the Council was required to adopt under the Gambling Act 2005. In addition the Council was invited to consider making a 'no casino' resolution under Section 166 of the Gambling Act 2005.

The Council, as licensing authority under the Gambling Act 2005, was responsible for issuing premises licences for gambling premises, issuing permits in respect of gaming on licensed premises and for registering small society lotteries. In respect of carrying out these duties the Council was required to adopt and have in place a Statement of Policy relating to those duties. The Policy set out the principles which the Council would apply in considering and granting those licences and permits. The Act required that the Policy be reviewed at least every three years. The draft Policy had been subject to consultation and a small number of comments had been received. These were considered by the Licensing Committee, and where appropriate, changes to the Policy had been made.

In adopting its original Statement of Gambling Policy the Council considered a resolution under Section 166 of the Gambling Act that it would not issue any premises licences for casinos in the district. The 'no casino' resolution was agreed and confirmed for a further three years following the review of the Statement of Gambling Policy in 2009 and in 2012. Under the legislation the resolution only lasts for three years and therefore needed consideration again this year. It was noted that a single response had been received, from Newark Town Council, in support of the 'no casino' resolution.

The Licensing Committee had considered the draft Policy and the issue of the 'no casino' resolution and recommended that the Council to adopt the draft Policy and renew the resolution not to issue licenses for casinos in the District.

AGREED (unanimously) that:

- (a) the draft Statement of Gambling Policy be approved; and
- (b) the Council pass a resolution under Section 166 of the Gambling Act 2005 not to issue any premises licence for casinos in the District.

51. DELEGATED DECISIONS

- (a) Policy & Finance Committee – 3rd December 2015
- (b) Economic Development Committee – 25th November 2015

Minute No. 35 - Newark Lorry Park

Councillor Mrs Y. Woodhead referred to the projected loss of income from the lorry park arising from the decision to build the new Council office on the land next to the Castle Station and asked why Members had not been made aware of this loss of income at the time of taking the decision to relocate to this site.

Councillor D.J. Lloyd advised that the loss of income from the lorry park was known at the time of taking the decision however, since that time the growth in usage of the lorry park had exceeded estimates which was why the loss of income was projected to be higher. He added that a report would be considered by Committee at their meeting to be held in March 2016 which would set out the current facts in relation to the number of spaces which would be available in the lorry park, revised financial projections, the potential for other sites and a full assessment of the current service.

- (c) Homes & Communities Committee – 30th November 2015
- (d) Leisure & Environment Committee – 24th November 2015
- (e) General Purposes Committee – 10th December 2015
- (f) Licensing Committee – 10th December 2015
- (e) Planning Committee Meetings – 9th December 2015
- (f) Standards Committee – 3rd December 2015

Meeting closed at 6.37 pm.

Chairman

HOUSING REVENUE ACCOUNT BUDGET AND RENT SETTING FOR 2016/17

- 1.0 Under the Council's Constitution the Housing Revenue Account Self Financing Business Plan will be formulated and reviewed by the Policy & Finance Committee and recommended to Council for approval. A major element of the Business Plan comprises the annual Housing Revenue Account budget.
- 2.0 The annual Housing Revenue Account Budget for 2016/17 and financial plan to 2020/21 including proposals for rent levels for 2016/17 was considered by the Policy & Finance Committee at its meeting on 28 January 2016. Members of the Homes & Communities Committee were invited to attend in order for their views on the budget, financial plan and rent setting to be considered prior to any recommendations being made to this meeting of the Council.
- 3.0 **Rent Setting**
- 3.1 Policy & Finance Committee also considered the recommendations to adjust rent levels and service charges with effect from 4 April 2016. In the past these have been calculated in accordance with Government guidance which is in line with the rent setting policy amended by Policy and Finance on 29 January 2015. On 8 July 2015 the Government made an announcement that local authorities must reduce social rents by 1% each year for four years from 2016-17.
- 3.2 Following the publication of the Policy and Finance Committee report mentioned above, the Housing Minister, Brandon Lewis, advised in the House of Commons of a year-long exception to the rent cuts for supported housing providers. This will enable Government time to study the findings from its review into costs of providing supported housing, which is due to be completed in the spring.
- 3.3 The proposed exception to the rent cuts and the ongoing debate in the House of Lords over the provisions of the Welfare Reform and Works Bill was discussed at Policy and Finance Committee and members agreed to recommend to Council that rents of supported properties be increased by CPI plus 1%.
- 3.4 However, further details have now emerged that the Council's 'supported' housing stock may not qualify for the exception, as it would appear that the Government's proposed definition of 'supported housing' is in accordance with housing benefit regulations. This includes only accommodation that is termed as 'exempted' and the rent charge for such a property includes an element for support.
- 3.5 Until the Welfare Reform and Works Bill is enacted and the Government's review is completed, it is unlikely that the position relating to rent increases/decreases for supported housing will be clarified. However, if the Council's supported housing does not come within the defined exception as proposed within the Bill, any increase in rent approved by the Council for its supported housing could be the subject of a challenge.
- 3.6 It is therefore recommended that rents for all properties are reduced in line with the current information available about the Welfare Reform and Works Bill. The deadline for notifying tenants of the rent levels effective from 4 April 2016 is 7 March 2016, it is possible that the Bill will not have been enacted by that date. However, when the position becomes clear a further report could be presented to Members.

4.0 10% Rent Flexibility Level

4.1 The current national Rent Standard Guidance (April 2015) states the following, which is applicable to a property at re-let:

Rent Flexibility Level

Once formula rents have been calculated, registered providers have flexibility to set rents at up to +5% of the formula rent. For supported housing, the flexibility is +10% of the formula rent. This is intended to allow registered providers discretion in dealing with local factors.

4.2 Government policy, therefore, recognises that authorities should have some discretion over the rent set for individual properties in order to take account of local factors and concerns. This needs to be used in a flexible, balanced way and would imply that not all rents should be set at 5% (or 10%) above the formula rent.

4.3 In considering this flexibility the Council would need to determine what the 'local factors' are and as the Council presently can sustain a viable Housing Revenue Account Business Plan (HRA BP) this brings into question whether this flexibility is currently appropriate.

4.4 Due to the 1% social rent decrease over the next four years the Strategic Housing Liaison Panel is undertaking work to assess the impact of this on the HRA BP and future priorities concerning:

- Asset Management;
- Responsive Repairs;
- Housing Management;
- Development aspirations;
- Debt Repayment; and
- Any other considerations

4.5 It may, on completion on this work, mean that the 'rent flexibility level' guidance could then be considered by Members if there is adequate evidence to justify such an approach.

5.0 Housing Support Service Charges

5.1 Housing based support services are a core function provided by Newark and Sherwood Homes under the terms of its management agreement with the Council, Policy & Finance Committee on 28 January considered the Service Charges, the list below shows the services, the current charge and the proposed charges incorporating the increase of CPI plus 1% (0.9%) to the next 5p.

Service Name	Customer Group	Mandatory/Non Mandatory	Current Charge	Proposed Charge
Lifeline	Supported Housing Tenants	Mandatory	£1.50 Per week	£1.55 per week
Lifeline (no telephone line)	Supported Housing Tenants	Mandatory	£6.05 Per week	£6.10

Life Line	General Needs Tenants	Non mandatory	£1.50 Per week	£1.55 per week
Lifeline (no telephone line)	General Needs Tenants	Non mandatory	£125.50 set up costs £6.05 per week	£126.65 Per week £6.10 Per week
Lifeline (service received on a flexible basis)	General Needs Tenants	Non mandatory	£22.00 set up costs for each period £1.35 Per week	£22.20 set up costs for each period £1.40 Per week
Lifeline (service received on a flexible basis – no telephone line))	General Needs Tenants	Non mandatory	£125.50 set up costs £22.00 set up costs for each period £6.05 per week	£126.65 set up costs £22.20 set up costs for each period £6.10 per week
Life Line	Private Customers	N/A	£3.60 per week	£3.65 per week
Lifeline (no telephone line)	Private Customers	N/A	£125.50 set up costs £10.60 per week	£126.65 set up costs £10.70 per week
Lifeline (service received on a flexible basis)	Private Customers	N/A	£22.00 set up costs for each period £3.60 Per week	£22.20 set up costs for each period £3.65 Per week
Lifeline (service received on a flexible basis – no telephone line)	Private Customers	N/A	£125.50 set up costs £22.00 set up costs for each period £10.60 per week	£126.65 set up costs £22.20 set up costs for each period £10.70 per week
Additional Tenancy Assistance	Supported and General Needs	Non Mandatory	£4.50 (eligible for HB)	£4.55 (eligible for HB)
Additional Tenancy Assistance (service received on a flexible basis – no telephone line)	Supported and General Needs	Non Mandatory	£7.20 per week (eligible for HB)	£7.30 per week (eligible for HB)

Welfare Calls	Supported and General Needs	Non Mandatory	£10.10 Per week in addition to lifeline costs	£10.20 Per week in addition to lifeline costs
Welfare Calls (service received on a flexible basis)	Supported and General Needs	Non Mandatory	£12.80 Per week In addition to lifeline costs	£12.91 Per week In addition to lifeline costs
Welfare Calls	Private Customers	N/A	£15.00 Per week In addition to lifeline costs	£15.15 Per week In addition to lifeline costs
Welfare Calls (service received on a flexible basis)	Private Customers	N/A	£19.00 Per week In addition to lifeline costs	£19.20 Per week In addition to lifeline costs
Welfare Visits	Supported and General Needs	Non Mandatory	£55.00 per week	£55.50 per week
Welfare Visits (service received on a flexible basis)	Supported and General Needs	Non Mandatory	£57.70 Per week	£58.25 Per week
Welfare Visits	Private Customers	N/A	£81.00 Per week	£81.75 Per week
Welfare Visits (service received on a flexible basis)	Private Customers	N/A	£85.00 Per week	£85.80 Per week
Sensor Monitoring	Supported and General Needs	Non Mandatory	£1.30 Per week In addition to lifeline costs	£1.35 Per week In addition to lifeline costs
Sensor Monitoring (service received on a flexible basis)	Supported and General Needs	Non Mandatory	Upfront costs of £22.00 for the provision of the lifeline Plus £1.35 per sensor per week	Upfront costs of £22.20 for the provision of the lifeline Plus £1.40 per sensor per week
Sensor Monitoring	Private Customers	N/A	£2.00 Per week	£2.05 Per week
Sensor Monitoring (service received on a flexible basis)	Private Customers	N/A	Upfront costs of £22.00 for the provision of the lifeline Plus £2.00 per sensor per week	Upfront costs of £22.20 for the provision of the lifeline Plus £2.05 per sensor per week

Intensive Housing Management	Supported Housing Tenants, Vale View, Newark	Mandatory	£69.19 per week	£69.85 per week
Intensive Housing Management	Armstrong Gardens, Bilsthorpe	Mandatory	£89.19 Per week	£90.00 Per week

5.2 Other Service Charges

- 5.3 A number of tenants have heating and water/sewerage provided at their property, these charges are listed below, shown with the current charge and the proposed charges incorporating the increase of CPI plus 1% (0.9%). Newark and Sherwood Homes are currently working on providing the actual cost of the provision of these services.

Charge Type	No of Properties	Average Charge per week	Proposed Average Charge per week
Heating	46	11.66	11.76
Water	71	2.83	2.86
Service Charge	52	5.66	5.71

- 5.4 New properties built since 2010/11 are currently subject to a weekly service charge of between £3.62 and £6.03 covering the costs (where appropriate) of landscaping, lighting and drainage. It is proposed that these weekly charges are increased in line with September 2015 CPI +1%, i.e. 0.9%.
- 5.5 On 29 January 2015 the Housing Revenue Account Budget and Rent Setting 2015/16 report was taken to the Policy & Finance Committee. As part of this report, Members approved the implementation of a service charge at Seven Hill's Newark and Wellow Green, Ollerton. Approval of the level of the service charge was delegated to the Director – Resources following consultation with the Leader, Deputy Leader and Leader of the Opposition party. The service charge of £31.64 per week was duly agreed. The charge has yet to be implemented due to the testing on the Housing Benefit system and it is proposed that the charge now be implemented at the beginning of the financial year 2016/17.
- 5.6 It is proposed that these weekly charges are increased in line with September 2015 CPI + 1% i.e. 0.9%.

5.7 Garage Rents, Plots and Garage Ports

- 5.8 The 1% reduction in rent does not extend to garage rents, plots and garage ports. The current rent levels and proposed new charges incorporating the increase of CPI plus 1% (0.9%).

Type	Current charge	Proposed Charge
Garage	£7.84 per week	£7.91 per week
Garage plot	£40.01 per annum	£40.37 per annum
Garage port	£3.50 per week	£3.53 per week

6.0 The Council's Rent Setting Policy was revised by the Policy & Finance Committee on 28 January 2016 as part of the budget setting process.

6.1 The Policy and Finance Committee Report for Housing Revenue Account and Rent Setting for 2016-17 is attached as **Appendix 1**.

7.0 RECOMMENDATIONS that:

- (a) the Housing Revenue Account budget for 2016/2017 as set out in Appendix A to the report be approved;**
- (b) the Management and Maintenance Fee for 2016/2017 of £7,707,390 be noted;**
- (c) the weekly rents of all properties in the Housing Revenue Account be decreased by 1% in accordance with the Welfare Reform and Works Bill with effect from 4 April 2016;**
- (d) that Members consider the housing support charges listed in 5.1 of the report and in Appendix B and agree an increase of CPI plus 1% (0.9%) to the next 5p, with effect from 4 April 2016;**
- (e) other services charges should be increased by 0.9 %, in line with CPI plus 1%, with effect from 4 April 2016;**
- (f) garage, garage plot and garage port rents are increased by 0.9% in line with CPI plus 1%, with effect from 4 April 2016.**

Background Papers

None

For further information please contact Amanda Wasilewski on Extension 5738 or Rob Main on Extension 5930.

David Dickinson
Director – Resources

Karen White
Director – Safety

HOUSING REVENUE ACCOUNT BUDGET AND RENT SETTING 2016/17

1.0 Purpose of Report

- 1.1 To show actual outturn of the Housing Revenue Account for the year 2014/15 (column 2 of **Appendix A1**).
- 1.2 To examine the proposed income and expenditure on the Housing Revenue Account for 2016/17 (column 4 of **Appendix A1**) and, in accordance with Section 76 of the Local Government and Housing Act 1989, to make recommendations to avoid a deficit on the Housing Revenue Account.
- 1.3 To receive indicative figures of income and expenditure for the financial years 2017/18 to 2020/21 (columns 5 to 8 of **Appendix A1**).
- 1.4 The report makes recommendations to adjust rent levels and service charges with effect from April 2016. In the past these have been calculated in accordance with Government guidance which is in line with the rent setting policy amended by Policy and Finance on 29th January 2015. On 8th July 2015 the Government made an announcement that local authorities must reduce social rents by 1% each year for four years from 2016-17. It is recommended that the rent setting policy should be amended in line with the new guidance and rents reduced accordingly.
- 1.5 To determine these rent decreases having regard to the Welfare Reform and Works Bill 2015-16, which, amongst other things, requires that *“social landlords reduce their rents by 1% every year for four years”*.
- 1.6 To determine charges for garage rents, plots and garage ports.
- 1.7 To approve arrangements to determine housing support service charges.
- 1.8 To approve the annual management fee payable to Newark and Sherwood Homes, in accordance with the Management Agreement.

2.0 Introduction

- 2.1 The setting of the budget and the approval of rent levels at Council in February 2016 will allow the required time to notify tenants of proposed changes to rents in accordance with the legislation.
- 2.2 Members will be aware that since April 2012 the Housing Revenue Account is now self-financing and there is no longer any central government control though HRA subsidy. Other controls continue to exist such as the cap on overall HRA debt and the ring-fencing of the account.

2.3 The timetable for approval of the budget and rent setting to enable rents to be increased from the beginning of the financial year in April 2016 is restricted by external constraints, in that the correct notification of variation needs to be given to tenants.

2.4 The key dates in the budget setting timetable are detailed in the table below:

Council determination of HRA budget and rent setting	9 th February 2016
Newark and Sherwood Homes update of rent systems	By end of February 2016
Generation of rent cards and letters to notify tenants of variation of their rent levels (tenants are required to be given one month's notice by law of rent changes).	By end of February 2016

Any slippage from these key dates would jeopardize the implementation of rent decrease for 1 April 2016.

3.0 Background Information

3.1 Since April 2012, following the housing finance reforms the Housing Revenue Account has been operating within a 30 year self-financing Housing Revenue Account business plan. Council officers have been working with colleagues from Newark and Sherwood Homes to monitor and review the business plan which informs the 2016/17 budget process and medium term financial plan 2017/18 to 2020/21.

3.2 Under the new management agreement with Newark and Sherwood Homes, the Council's housing management company, which came into effect on 1st October 2013 there is a new methodology for calculating the management fee and this process has been followed for determining the fee for 2016/17. Details of the fee are shown in paragraphs 5.1 to 5.7 of this report.

3.3 The budget proposed in this report is based on the Government announcement made on 8th July 2015 that local authorities must secure that the amount of rent in the relevant year by a tenant of social housing is 1% less than the amount that was payable by the tenant in the previous 12 months. This 1% per year rent reduction is for four years.

4.0 National Policy and Impact

4.1 Further to the publication of the Housing & Planning Bill and Welfare Reform & Work Bill officers are continuing to assess the impact of the following Policy areas:

- year 1% rent reduction – Implementation April 2016 (as mentioned previously in the report)
- Pay to Stay – expected implementation April 2016
- Sale of High Value Council houses - expected implementation April 2017
- Ending of life time tenancies - expected implementation April 2017
- Introduction of Right to Buy to Housing Association properties.

4.2 Consideration is being given to the impact of the spending review and autumn statement that was announced on 25th November 2015.

- 4.3 Due to the status of the above policies, that currently lack specific detail around implementation frameworks, initial scenarios are being assessed but based on a range of financial assumptions. These will be set against the requirement to maintain a viable HRA BP.
- 4.4 Currently, this presents key challenges for the Council in being able to appropriately assess the ability of the HRA BP to deliver both its strategic housing priorities, including a programme of Council HRA housing growth, and in maintaining the current management and maintenance standards.

<p>Spending Review Nov 2015</p>	<p>The rate of housing benefit in the social sector will be capped at the relevant local housing allowance - in other words, the same rate paid to those in the private rented sector who receive the same benefit.</p> <p>'Shared accommodation rate' - the level of housing benefit that applies to single people in the private rented sector who are under 35 and do not have dependent children.</p> <p>The above will apply to new tenancies only signed after 1 April 2016, with housing benefit entitlement changing from 1 April 2018 onwards.</p>
<p>Housing & Planning Bill:</p> <p>Selling of High Value Homes</p> <p>Pay to Stay and relets at Social Rent.</p> <p>Ending Lifetime tenancies –</p>	<p>Formulae approach to be adopted to ensure equitable approach across all LA's and in effect this will be annual levy to the HRA BP</p> <p>Pay to Stay those tenant 'households' who earn above £30k to be charged market or near market rent – proposed policy implies that all new lets should be at social rent.</p> <p>Amendment now to be included in the H&P Bill for the mandatory inclusion of fixed term tenancies, this will have implications for all registered applicants</p>

5.0 Newark and Sherwood Homes Management Fee

- 5.1 Under the new management agreement, Newark and Sherwood Homes will be paid a fee in accordance with the framework detailed below. The activity of NSH is integral to the effective management and long term viability of the Housing Revenue Account (HRA) Business Plan. This gives rise to a requirement for the Management Fee to be considered within the context of the HRA as a whole.

Fee Elements

The annual management fee comprises:

- i. Service Fees – Core Housing Management Services - Tenancy sustainment and income recovery
- ii. Service fees – Core Housing Management Services – Repairs and maintenance

- iii. Service Fees – Core Housing Management Services – Core service support
- iv. Service Fees – Core Housing Management Services – Company

Additionally Newark and Sherwood Homes will receive income for managing the Housing Revenue element of the Council’s capital programme, i.e.

- v. Works fee – fee payable for the delivery of the Asset Management Programme. A fee of 8% is paid by the District Council for management of the capital programme and 5% for project managing the Council’s current house building programme. Both fees are calculated on the total level of spend during the financial year.

Payments will also be made where Newark and Sherwood Homes provide general fund Services to the Council:

- vi. Other NSH Work – Non HRA Core Services (Right to buy/Hostel management)

Finally, the company will be able to provide services to third parties such as rent income from properties that it has purchased or built.

- vii. Fee income from third party schemes/investments including the income from photovoltaic cells where solar panels are fitted to council properties. Approximately £0.5m income is received in the Housing Revenue Account annually and passported to Newark and Sherwood Homes.

5.2 The total management fee payable for 2014/15 was £7,637,600 for 2015/16 was £7,674,500, and 2016/17 is £7,707,390.

5.3 The payments are set for a 3 rolling year period. In the first year of the Agreement (2014/15) a ‘base line’ Management Fee was set. This was set for 3 years (subject to taking into account external factors including inflation and other aspects which are out of the control of the Company). For years 2 (2015/16) and 3 (2016/17) of the first three year period an efficiency target of 3% has been set for each year. At the end of year 3 there will be a further base line exercise carried out, again using the framework which sets out the fee elements. This will determine the Management fee for the next 3 year period, as well as efficiency targets for the second and third years within that second three year period and so on, etc.

5.4 The Company submitted a request for additional payments to be included in the 2016/17 management fee in early October 2015. The Management Agreement provides that budgets will be adjusted annually to take into account external factors and other aspects which are out of the control of the Company reflecting impact upon costs. Following discussions between the Council and Company finance officers to scrutinise the request from the Company, it was accepted that four of items involved costs increases that were outside the Company’s control. On this basis the following adjustments to the management fee were approved by the Council’s S151 officer.

Adjustment	Amount	Evidence
Court Fee Costs	£10,800	As a result of increased unit cost from £250 to £325

Increased costs to manage Legionella	£55,000	as a result of a legislative change around commercial testing
Increased Utilities costs	£32,900	Increase from base year 13/14
Increase in Pension Contribution	£64,000	Now fixed lump sum for back funded element

5.5 Officers from the District Council recommend that the management fee for 2016/17, after the adjustments above, inflation and the 3% efficiency figure have been applied, should be £7,707,390 as shown in Appendix A1 lines 9 and 10.

5.6 Under the terms of the new management agreement, the management fee is calculated in a way that is much more aligned to the estimated costs of the Company discharging the housing service. Newark and Sherwood Homes will retain any surpluses that they have accrued or meet any losses that may occur from their accounts; however clause 12 of the management agreement details how those surpluses should be applied:

12.1 Subject to Clauses 12.2-3 NSH shall be entitled to use any available surpluses or reserves following discussion with the Council in furtherance of the Council's strategic housing objectives/aims.

12.2 Surpluses and/or reserves shall only be deemed to be available for the purposes of Clause 12.1 if this is consistent with generally accepted accounting practice or specific confirmation from NSH's auditors and to the extent not required to maintain NSH's reserves in accordance with Schedule 8. (See paragraph 5.6 I to iv)

12.3 NSH shall keep the Council informed about the use of its surpluses and reserves.

5.7 A report on the Newark and Sherwood Homes annual delivery plan for 2016-17 was presented to the Homes & Communities Committee on 30th November 2015 for approval. This contains details of 2015/16 performance to September 2015 and indicates key areas for future improvements in performance and action plan for future years.

6.0 Rent Levels

6.1 As part of the self-financing settlement in 2012 the assumption was made that local authorities would continue to follow the Government's guidelines on annual rent setting i.e. that rents would continue to move towards convergence with other Registered Providers and that rent increases would be based on September RPI plus 0.5% with a cap on increases of RPI + 0.5% plus £2. As a result of this the self-financing settlement figure assumed a certain level of income in the business plan.

6.2 Cabinet considered the report on the Self-financing HRA in January 2012 and agreed a rent setting policy that rent levels should continue to be determined by following the Government's guidance as assumed in the self-financing settlement.

6.3 Further to this, the Government then actioned a consultation on the future rent setting policy for social housing. It proposed to end convergence with effect from 1st April 2015, and to increase rents in future by CPI + 1% rather than RPI +1%. There is an element of flexibility as the proposals allow for vacant properties to be relet at target (formula) rent. The rent setting policy was amended to reflect this change.

- 6.4 Members will be aware that on 8th July 2015 Government made an announcement that local authorities must reduce social rents by 1% each year for four years from 2016-17.
- 6.5 In line with the Government announcement and Welfare Reform & Work Bill the rent levels on all Council held stock have been calculated by applying a decrease of 1%. Any new lets during the year 2016/17 will be set at target rent as at 8th July 2015 less 1%.
- 6.6 Setting a rent decrease will have a detrimental impact on the long term HRA Business Plan as the debt settlement under self-financing was calculated on the assumed rent levels (i.e. converged rents) rather than actual rent income. Officers are currently working on the impact that this will have on the HRA Business Plan, along with the impact of all the other proposed changes affecting the HRA.
- 6.7 The Committee should note that the total rent rebate case load is 3,270 (61% of the total housing stock). The position related to benefits is now complicated by the under occupation charge which is applied after benefit is calculated – 2,233 (42%) tenants are currently on 100% benefit, with 1,037 (19%) claimants receiving partial benefit. Of the total number of claimants 706 (22%) have their benefit reduced due to an under occupation charge – these could be full or partial benefit cases.
- 6.8 Officers from Revenues and Benefits work closely with Newark and Sherwood Homes to ensure that Discretionary Housing Payment funds are committed to households in real need and to date this funding has benefited District Council tenants as follows:
- Funds already paid out £45,752
 - Committed payments £6,034
 - 128 households have been helped all due to under occupation
 - Of these 128 properties, 59 have been substantially adapted for the claimants needs; these are automatically renewed each year.

This financial support helps households to progress solutions aimed at enabling the long term sustainability of their tenancy and alleviates hardship.

7.0 Housing Support Service Charge

- 7.1 Housing based support services are a core function provided by Newark and Sherwood Homes under the terms of its management agreement with the Council.
- 7.2 The main support service provided is to tenants in the Council's supported accommodation, representing approximately 50% of the Council's housing stock.
- 7.3 All tenants living in designated supported housing are responsible for paying a mandatory lifeline service of £1.50 per week in line with the conditions of the tenancy agreement.
- 7.4 This charge has remained static for a number of years, but when looking at the actual cost of providing this service the cost has increased by 18%. If the 18% was to be applied to the support charge to cover the cost it would increase to £1.78 per week. An increase of CPI plus 1% would increase the charge to £1.51 per week. If the charge was increased by 10%, with a view to matching the cost of the service over a number of years, this would increase the charge to £1.65 per week. This charge is not covered by Housing Benefit.

- 7.5 The Company also offers the following support services, which are discretionary:
- a) An intensive housing management service to aid those tenants who need higher levels of involvement to sustain their tenancy, and
 - b) A range of additional services available to tenants and private customers, each attracting a varying charge.

(a full list of the current and mandatory and discretionary support charges is shown in appendix B)

- 7.6 In order for the cost of delivering the discretionary services to be recovered, the recharge would also have to be increased by 18%. It was agreed at Policy and Finance Committee on 28th January 2015 that the discretionary charges for 2015/16 would remain at the 2014/15 level. Prior to this it was agreed that the 2014/15 level would remain at the 2013/14 level.

- 7.7 It is proposed that all discretionary services provided to tenant and private customers should be increased by September CPI plus 1% (0.9%)

- 7.8 In the Company's 2016-17 Annual Delivery Plan the following activity has been set in order to ensure the support charge is equitable for all tenants in designated supported housing:

Review the age designation of supported accommodation and the link to the housing support charge, in the context of: the Council's Allocation Scheme and tenancy agreement; meeting housing need and demand; and the associated risks with any such review e.g. impact upon Right to Buy.

- 7.9 The results of this work will be presented to members once completed.

8.0 Other Service Charges

- 8.1 A number of tenants have heating and water/sewerage provided at their property with the costs of these being recharged through a weekly service charge. It is proposed that these weekly charges are increased in line with September 2015 CPI + 1% i.e. 0.9%.

- 8.2 New properties built since 2010/11 are currently subject to a weekly service charge of between £3.62 and £6.03 covering the costs (where appropriate) of landscaping, lighting and drainage. It is proposed that these weekly charges are increased in line with September 2015 CPI +1%, i.e. 0.9%.

- 8.3 In relation to service charges the following activity has been added to 2016-17 Annual Delivery Plan for the Company:

Support the Council in maintaining the viability of the HRA BP including where this is supported by: housing growth through new and innovative delivery mechanisms and housing products; supporting the costs analysis and impact.

- 8.4 On 29th January 2015 the Housing Revenue Account Budget and Rent Setting 2015/16 report was taken to the Policy and Finance Committee. As part of this report, Members approved the implementation of a service charge at Seven Hill's Newark and Wellow Green, Ollerton. Approval of the level of the service charge was delegated to the Director – Resources following consultation with the Leader, Deputy Leader and Leader of the Opposition party. The service charge of £31.64 per week was duly agreed. The charge has yet to be implemented due to the testing on the Housing Benefit system and it is proposed that the charge now be implemented at the beginning of the financial year 2016/17.
- 8.5 It is proposed that these weekly charges are increased in line with September 2015 CPI + 1% i.e. 0.9%.

9.0 Garage Rents, Plots and Garage Ports

- 9.1 The level of garage rents was raised in 2015/16, in line with the average rent increase, to £7.84 per week. (plus VAT if they are let to non-Council tenants).
- 9.2 The level of garage plot rents was raised in 2015/16, in line with the average rent increase, to £40.01 per annum with VAT payable for non-Council tenants.
- 9.3 The level of garage port rents was raised in 2015/16, in line with the average rent increase, to £3.50 per week with VAT payable for non-Council tenants.
- 9.4 Officers from both the District Council and Newark and Sherwood Homes have undertaken a review of the garage sites focusing on the following matters:
- Location
 - Condition
 - Investment required
 - Demand/availability
 - Customer preferences
 - Future options, e.g.: introducing differential rent levels for garages based on demand/condition, incentivising low demand garage sites, assessing a sites development potential.
- 9.5 Whilst it may be possible to increase rents for the more desirable garages, officers are aware that a large increase in rent will increase the expectations of tenants around improvements to the condition and security of the garages. Therefore it is not proposed to introduce differential rent levels at the current time.
- 9.6 Officers from both NSDC and NSH continue to identify existing and redundant garage sites which could be suitable for small scale new build projects should the Council decide on a policy of future growth.
- 9.7 The 1% reduction in rent does not extend to garage rents.

10.0 Financial Considerations

- 10.1 The Housing Revenue Account balances at 31st March 2015 were £2,000,000. Under self-financing, the risks previously met by the Government through housing subsidy have now been transferred to local authority HRAs therefore the self-financing HRA business plan assumes a minimum prudent general reserve of £2,000,000.

- 10.2 Once again it has been a very difficult year, with a significant amount of resources being used in the preparation of the Housing Revenue Account annual budget and self-financing business plan.
- 10.3 The budget includes costs that continue to fall to the HRA following the transfer of management of the housing stock to Newark and Sherwood Homes, for example property insurance, depreciation, and costs of financing the borrowing to fund the capital programme. The budget also includes costs of back funded superannuation (in respect of the service prior to 1st November 2004 of those staff who transferred to Newark and Sherwood Homes), external audit fees, and costs of central services which continue to fall to the HRA, for example a recharge from Financial Services for work done in respect of rent setting, servicing the Strategic Housing Liaison Panel, final accounts and budget processes etc.

Right to Buy

- 10.4 The number of properties sold under 'Right To Buy' sales in 2015/16 to December 2015 amount to 15. The District Council has signed up to the national 1-for-1 replacement policy whereby additional receipts can be retained in order to part fund the construction of new social housing.
- 10.5 Under the 1-for-1 replacement policy the Government states that every additional council home sold under Right to Buy will be replaced at a national level by an affordable rent home. The baseline is the number of Right to Buy property sales assumed in the self-financing settlement made prior to the recent policy invigoration (40,000 nationally in the first 10 years of self-financing).
- 10.6 The conditions for retaining 1-for-1 receipts are that they must constitute no more than 30% of the total amount spent on the provision of new affordable housing and that the full amount of spending on the scheme must be spent (work completed) within 3 years of the retained receipts. The remaining 70% of the scheme cannot be funded from public sector grant (e.g. HCA funding) or non RTB housing receipts.
- 10.7 1-for-1 receipts can be used for development costs of replacement homes at affordable rent which may be acquired or constructed and can be provided by a registered provider so long as the local authority has nomination rights. Development costs may include the cost of acquiring new land but not the value of land already owned by the authority.
- 10.8 Through the Housing Growth Strategy it is essential that Members consider a programme of new build or acquisition of properties to ensure that the conditions of retaining the receipts are met.

Depreciation

- 10.9 On the advice of the Audit Commission, depreciation continues to be calculated based on the valuation of the Council stock rather than on a componential basis, however it is no longer reversed out of the HRA 'below the line'. It remains as a charge to the HRA transferring funds to the Major Repairs Reserve. There is an additional transfer from the HRA to the Major Repairs Reserve to ensure that there is sufficient funding for the capital programme during the life of the 30 year business plan. Officers from the Council and Newark and Sherwood Homes continue to scrutinise the capital programme on an ongoing basis to ensure that sufficient funding is available.

Balances

- 10.10 At the end of the financial year 2014/2015, the Housing Revenue Account added £1,006,061 to the Major Repairs Reserve (MRR). £3,400,911 was also added to the MRR from the HRA General Reserve to allow a prudent £2,000,000 in the general reserve and to allow for continuing repair and growth within the HRA.
- 10.11 Under current Council Policy the Housing Revenue Account debt level is not reducing, although as loans become due for repayment they are refinanced using internal borrowing from the General Fund. The budget set out in Appendix A1 indicates that towards the end of the 5 year medium term financial plan, large surpluses are accumulating within the Major Repairs Reserve. The revenue budget does not take account of any future growth and contributions which may be required either from revenue or to fund any additional borrowing (up to the HRA borrowing cap).

11.0 Proposals

- 11.1 The proposed budget for 2016/17 is attached at **Appendix A1**.
- 11.2 The proposed combined management and maintenance fee of £7,707,390 under the existing management agreement as stated in paragraph 5.2 should be noted.
- 11.3 Following a fundamental review of the support service provision, the Council implemented charges on a tiered service approach as shown in Appendix D, these charges have remained static for a number of years. It is recommended that these charges should be increased by 0.9% in line with CPI + 1% from 1st April 2016.
- 11.4 As stated in paragraphs 8.1, 8.2 and 8.6 it is proposed that all other services charges are increased by 0.9% in line with CPI + 1% from 1st April 2016.
- 11.5 That charges for garages, garage plots and garage ports are increased in line with the rent policy relating to garages with effect from 1st April 2016. The new weekly charges based on 0.9% - CPI + 1% will be:

	£	
Garage Rents	7.91	(plus VAT if they are let to non-Council tenants)
Garage Ports	3.53	(plus VAT if they are let to non-Council tenants)
Garage Plots	40.37	per annum (plus VAT if they are let to non-Council tenants)

12.0 RECOMMENDATIONS that:-

- (a) the Rent Setting Policy shown in Appendix C be revised to follow the new Government guidance in accordance with the Welfare reform and Works Bill on the rent reduction;
- (b) the following recommendations be made to Council at its meeting on 9th February 2016:
- i. the Housing Revenue Account budget for 2016/2017 as set out in Appendix A to this report be recommended to Council on 9th February 2016;

- ii. the Management and Maintenance Fee for 2016/2017 of £7,707,390 be noted;
- iii. the rent of all properties in the Housing Revenue Account be decreased by 1% in accordance with Welfare Reform and Works Bill;
- iv. that Members consider the support charges in Appendix B and agree an appropriate level for charges with effect from 1st April 2016;
- v. that other services charges should be increased by 0.9 % with effect from April 2016;
- vi. that garage, garage plot and garage port rents are increased by 0.9% in line with CPI + 1% with effect from 1st April 2016.

Reason for Recommendations

To enable the HRA budget for 2016/2017, the rent levels, garage rent, garage plots, garage ports and Housing Support Service Charge levels to be recommended to Council.

Background Papers

None

For further information please contact Amanda Wasilewski on extension 5738, Robin Clay on Extension 5332 or Rob Main on Extension 5930.

David Dickinson
Director - Resources

Karen White
Director - Safety

HOUSING REVENUE ACCOUNT - OUTFURN 2014/15 and BUDGET 2016/17 to 2020/21 - RENT DECREASE 1% ANNUALLY

LINE NO.	Col 1 SUMMARY	Col 2 2014-15 OUTTURN £	Col 3 2015-16 BASE BUDGET £	Col 4 2016-17 BASE BUDGET £	Col 5 2017-18 BASE BUDGET £	Col 6 2018-19 BASE BUDGET £	Col 7 2019-20 BASE BUDGET £	Col 8 2020-21 BASE BUDGET £
	INCOME							
1	Dwelling rents	20,814,674.78	20,507,260	20,369,540	20,165,840	19,964,180	19,764,540	20,357,480
2	Non dwelling rents	239,321.97	240,030	250,950	253,130	255,330	257,550	259,800
3	Charges for services	285,991.27	371,720	290,640	293,540	296,470	299,430	302,410
4	Contributions to expenditure	62,850.15	60,220	65,550	65,550	65,550	65,550	65,550
5	HRA Subsidy Grant	0.00	0	0	0	0	0	0
6	Other income	327,462.12	84,760	151,580	151,580	151,580	151,580	151,580
7	Sub Total - Income	21,730,300.29	21,263,990	21,128,260	20,929,640	20,733,110	20,538,650	21,136,820
	EXPENDITURE							
	Management & maintenance							
	Supervision & Management General:							
8	Management	4,313,150.43	576,890	576,610	586,260	593,160	601,820	609,290
9	Management Fee NaSH		3,784,460	3,796,920	3,683,010	3,572,520	3,465,340	3,361,380
10	Maintenance Fee NaSH	3,903,619.92	3,890,040	3,910,470	3,793,160	3,679,370	3,568,990	3,461,920
11	Rents, rates, taxes & other	0.00	0					
12	Government subsidies payable	0.00						
13	Depreciation - dwellings	2,214,015.14	2,218,260	2,294,860	2,294,860	2,294,850	2,294,850	2,294,850
14	Depreciation - others	385,160.66	376,720	393,550	393,550	377,490	362,190	362,190
15	Impairments of assets - dwellings	(7,578,328.47)						
16	Impairments of assets - others	150,761.79						
17	Debt Management Expenses	27,219.35	32,350	36,350	37,490	38,690	39,080	39,480
18	Sub Total - Expenditure	3,415,598.82	10,878,720	11,008,760	10,788,330	10,556,080	10,332,270	10,129,110
19	NET COST OF SERVICES	(18,314,701.47)	(10,385,270)	(10,119,500)	(10,141,310)	(10,177,030)	(10,206,380)	(11,007,710)
20	Profit/Loss on sale of HRA fixed assets	3,892,279.29						
21	Interest Paid	4,407,007.72	4,381,230	4,321,310	4,344,970	4,278,810	4,079,350	4,026,690
22	Interest Receivable	(24,449.64)	(27,240)	(36,330)	(45,410)	(45,410)	(45,410)	(45,410)
23	Income from Feed In Tariffs	(459,376.29)	(525,000)	(525,000)	(525,000)	(525,000)	(525,000)	(525,000)
24	Feed in Tariff to NSH	459,376.03	525,000	525,000	525,000	525,000	525,000	525,000
25	Provision for Bad Debt	122,324.01	0	0	0	0	0	0
26	Contribution to NSH Reserves	781,270.00	0	0	0	0	0	0
27	NET OPERATING EXPENDITURE	(9,136,270.35)	(6,031,280)	(5,834,520)	(5,841,750)	(5,943,630)	(6,172,440)	(7,026,430)
	APPROPRIATIONS							
28	Premiums on repaid debt	0.00						
29	Profit/Loss on sale of HRA fixed assets	(3,892,279.29)						
30	Employers Contribution NCC	260,000.00	260,000	260,000	260,000	260,000	260,000	260,000
31	Major Repairs Reserve Movement	7,970,683.29	5,771,280	5,574,520	5,581,750	5,683,630	5,912,440	6,766,430
32	Contribution to capital	771,290.98						
33	Impairments of assets - dwellings	7,578,328.47						
34	Depreciation	0.00						
35	Impairments of assets - others	(150,761.79)						
36	Repaid debt	0.00						
37	HRA (SURPLUS)/DEFICIT FOR YEAR	3,400,991.31	0	0	0	0	0	0
38	WORKING BALANCE B/F (excluding NSH efficiency gain)	(5,400,991.31)	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)
39	WORKING BALANCE C/F (excluding NSH efficiency gain)	(2,000,000.00)	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)

Major Repairs Reserve

Brought Forward	1,424,785.60	5,979,950	8,143,390	10,162,020	12,241,880	14,677,550	17,326,730
Contributions in year	10,569,859.09	8,366,260	8,262,930	8,270,160	8,355,970	8,569,480	9,423,470
Used to fund major repairs	(6,014,695.18)	(6,202,820)	(6,244,300)	(6,190,300)	(5,920,300)	(5,920,300)	(5,920,300)
Projected balance carried forward	5,979,949.51	8,143,390	10,162,020	12,241,880	14,677,550	17,326,730	20,829,900
External Debt carried forward	90,159,167.02	88,141,910	88,123,111	88,102,631	88,080,317	88,056,002	88,029,504
Internal Borrowing	14,015,640.90	16,032,898	16,051,697	16,072,177	16,094,491	16,118,806	16,145,304
Total debt carried forward		104,174,810	104,174,810	104,174,810	104,174,810	104,174,810	104,174,810

SUBJECTIVE SUMMARY

HOUSING REVENUE ACCOUNT

APPENDIX A2

CODE	SERVICE	2015/16 BASE BUDGET	2016/17 BASE BUDGET	MORE (LESS)	2017/18 BASE BUDGET	2018/19 BASE BUDGET	2019/20 BASE BUDGET	2020/21 BASE BUDGET
		£	£	£	£	£	£	£
114	EMPLOYEES							
	SUPERANNUATION	260,000	260,000	0	260,000	260,000	260,000	260,000
	EMPLOYEES SUB-TOTAL	260,000	260,000	0	260,000	260,000	260,000	260,000
	PREMISES RELATED EXPENDITURE							
211	REPAIRS & MAINTENANCE	3,890,040	3,910,470	20,430	3,793,160	3,679,370	3,568,990	3,461,920
214	RATES	0	0	0	0	0	0	0
	SUPPLIES & SERVICES							
451	CONTRACTUAL	3,784,460	3,796,920	12,460	3,683,010	3,572,520	3,465,340	3,361,380
452	PROFESSIONAL SERVICES	18,470	19,270	800	19,600	19,930	20,270	20,620
471	STAFF EXPENSES & FEES	1,500	1,500	0	1,500	1,500	1,500	1,500
482	SUBSCRIPTIONS	2,200	2,200	0	2,200	2,200	2,200	2,200
491	INSURANCES	203,370	189,940	(13,430)	198,800	202,520	208,000	212,160
492	TRANSFER TO MAJOR REPAIRS/GROWTH RESERVE	5,771,280	5,574,520	(196,760)	5,581,750	5,683,630	5,912,440	6,766,430
	TRANSFER PAYMENTS							
612	FEED IN TARIFF PAYABLE TO NSH	525,000	525,000	0	525,000	525,000	525,000	525,000
	CENTRAL DEPARTMENTAL EXPENSES							
712	CENTRAL DEPARTMENTAL SUPPORT	268,820	273,320	4,500	275,460	277,440	279,400	281,470
715	DEPARTMENTAL ADMINISTRATION	82,530	90,380	7,850	88,700	89,570	90,450	91,340
	RUNNING EXPENSES SUB-TOTAL	14,547,670	14,383,520	(164,150)	14,169,180	14,053,680	14,073,590	14,724,020
	CAPITAL FINANCING							
811	LOANS POOL	4,381,230	4,321,310	(59,920)	4,344,970	4,278,810	4,079,350	4,026,690
817	DEBT MANAGEMENT EXPENSES	32,350	36,350	4,000	37,490	38,690	39,080	39,480
821	CAPITAL CHARGES	2,594,980	2,688,410	93,430	2,688,410	2,672,340	2,657,040	2,657,040
	CAPITAL FINANCING SUB-TOTAL	7,008,560	7,046,070	37,510	7,070,870	6,989,840	6,775,470	6,723,210
	INCOME							
911	GOVERNMENT GRANTS	0	0	0	0	0	0	0
922	OTHER LA CONTRIBUTIONS	0	0	0	0	0	0	0
928	RECHARGE TO NON GENERAL FUND A/CS	(6,430)	(6,830)	(400)	(6,830)	(6,830)	(6,830)	(6,830)
932	FEED IN TARIFFS	(525,000)	(525,000)	0	(525,000)	(525,000)	(525,000)	(525,000)
932	FEES & CHARGES	(78,330)	(70,010)	8,320	(70,010)	(70,010)	(70,010)	(70,010)
933	RENTS	(21,119,010)	(20,985,870)	133,140	(20,787,250)	(20,590,720)	(20,396,260)	(20,994,430)
939	OTHER RECEIPTS	(60,220)	(65,550)	(5,330)	(65,550)	(65,550)	(65,550)	(65,550)
941	INTEREST	(27,240)	(36,330)	(9,090)	(45,410)	(45,410)	(45,410)	(45,410)
	INCOME SUB-TOTAL	(21,816,230)	(21,689,590)	126,640	(21,500,050)	(21,303,520)	(21,109,060)	(21,707,230)
	COMMITTEE TOTAL (SURPLUS)/DEFICIT	0	0	0	0	0	0	0
	WORKING BALANCE B/Fwd	(2,000,000)	(2,000,000)		(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)
	Excluding NSH EFFICIENCY PAYMENT	0						
	WORKING BALANCE C/Fwd	(2,000,000)	(2,000,000)		(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)

Service Specification and Pricing

APPENDIX B

Service Name	Service Descriptor	Customer Group	Charges	Mandatory/Agreement	Notice period
Lifeline	Provision of a Lifeline unit and, if not provided by the tenant, a telephone line and line rental. 24 hours a day 365 days a year monitoring of lifeline. Provision of advice and or contact of next of kin or emergency service if required on receipt of call	Supported Housing Tenants with a phone line installed	£1.50 per week	Mandatory for tenants in supported housing properties in line with condition of tenancy agreement	Not applicable
		Supported Housing Tenants who do not have a telephone line installed	£6.05 per week	Authority already in place through tenancy agreement for those currently receiving service Annual Charge on rent account	
		General Needs Tenants with a telephone line installed receiving the service on a permanent basis	£1.50 per week	Mutually agreed variation to tenancy agreement Payment for Set up cost taken in advance	4 weeks notice required to access the service. Note. There may be circumstances in relation to both the property and the individual which will enable the service to be provided within a shorter timescale
		General Needs Tenants who do not have a telephone line installed receiving the service on a permanent basis	Set up cost of £125.50 £6.05 per week	Annual Charge on rent account	
		General Needs Tenants with a telephone line installed receiving the service on a flexible basis	Setup costs of £22.00 for each period the tenant accesses	Mutually agreed contract with the tenant Can be subscribed to on an annual	

Service Name	Service Descriptor	Customer Group	Charges	Mandatory/Agreement	Notice period
			<p>the service</p> <p>£1.35 per week</p>	<p>basis or for any period in denominations of one week (7 days)</p> <p>Payment for Set up cost taken in advance</p> <p>Payment taken in advance for any period of service provision up to 8 weeks</p> <p>Where service provided for more than 8 weeks then tenant will be invoiced monthly in advance</p> <p>Tenant can move from temporary to permanent service but would not be reimbursed one off or upfront costs.</p>	
		<p>General Needs Tenants who do not have a telephone line installed receiving the service on a flexible basis</p>	<p>Set up costs of £125.50</p> <p>And setup costs of £22.00 for each period the tenant accesses the service</p> <p>£6.05 per week</p>		

Service Name	Service Descriptor	Customer Group	Charges	Mandatory/Agreement	Notice period
		Private Customers with a telephone line installed	£3.60 per week	Agreement through mutually agreed contract with customer	
		Private customers who do not have a telephone line installed receiving the service on a permanent basis	Set up cost of £125.50 £10.60 per week	Can be subscribed to on an annual basis or for any period in denominations of one week (7 days)	
		Private Customer with a telephone line installed receiving the service on a flexible basis	Setup costs of £22.00 for each period the tenant accesses the service And £3.60 per week	Payment for Set up cost taken in advance Payment taken in advance for any period of service provision up to 8 weeks	
		Private Customers who do not have a telephone line installed receiving the service on a flexible basis	Set up costs of £125.50 And setup costs of £22.00 for each period the tenant accesses the service And £10.60 per week	Where service provided for more than 8 weeks then tenant will be invoiced monthly in advance Customer can move from temporary to permanent service but would not be reimbursed one off or upfront costs.	

Service Name	Service Descriptor	Customer Group	Charges	Mandatory/Agreement	Notice period
Additional Tenancy Assistance	Activities to support the sustainment of a tenancy which may vary dependent upon the tenants requirements but will include:	Supported Housing or General Needs Tenants receiving the service on a permanent basis	<p>£4.50 per week</p> <p>This cost would be eligible for housing benefit</p>	<p>Mutually agreed variation to tenancy agreement</p> <p>Annual Charge on rent account</p>	<p>4 weeks notice required to access the service. Note. There may be circumstances in relation to both the property and the individual which will enable the service to be provided within a shorter timescale</p> <p>4 weeks notice to leave the service</p>
	<ul style="list-style-type: none"> i. An annual tenancy audit ii. Assistance in accessing welfare benefits including completing forms and liaison with other agencies iii. Assistance in obtaining more suitable accommodation in line with the tenants needs iv. Liaison with and referrals to other agencies 	Supported Housing or General Needs Tenants receiving the service for a period of 3 months or more but not permanently	<p>£7.20 per week</p> <p>This cost would be eligible for housing benefit</p>	<p>Mutually agreed variation to tenancy agreement</p> <p>Payment taken in advance for any period of service provision up to 8 weeks</p> <p>Where service provided for more than 8 weeks then tenant will be invoiced monthly in advance</p> <p>Customer can move from temporary to permanent service but would not be reimbursed one off or upfront costs.</p>	

Service Name	Service Descriptor	Customer Group	Charges	Mandatory/Agreement	Notice period
	<p>on behalf of the tenant to sustain the tenancy</p> <p>v. Assist tenants to demonstrate behaviours which would enable them to successfully sustain their tenancy</p> <p>An average of 1, 15 minute visit and 2 telephone calls will be made each week.</p>				

Service Name	Service Descriptor	Customer Group	Charges	Mandatory/Agreement	Notice period
Welfare Calls	<p>To receive this service tenants must also subscribe to the lifeline service.</p> <p>A daily 5 minute call made to the customer between the hours of 6am and 8pm within a mutually agreed time slot.</p> <p>Ensure the welfare of the customer, provide advice and or contact of next of kin or emergency service if required.</p>	Supported Housing or General Needs Tenants receiving the service on a permanent basis	In addition to lifeline costs £10.10 per week	Mutually agreed variation to tenancy agreement Annual Charge on rent account	<p>4 weeks notice required to access the service. Note. There may be circumstances in relation to both the property and the individual which will enable the service to be provided within a shorter timescale</p> <p>4 weeks notice required to exit service (if not subscribed on a weekly basis)</p>
		Supported Housing or General Needs Tenants receiving the service for flexible periods	In addition to lifeline costs £12.80 per week	Mutually agreed contract with the tenant Payment taken in advance for any period of service provision up to 8 weeks Where service provided for more than 8 weeks then tenant will be invoiced monthly in advance Tenant can move from temporary to permanent service	
		Private Customers receiving the service on a permanent basis receiving service permanently	£15.00 per week	Mutually agreed contract with the customer Customer invoiced in advance	

Service Name	Service Descriptor	Customer Group	Charges	Mandatory/Agreement	Notice period
	To receive this service tenants must also subscribe to the lifeline service.	Private Customers receiving the service on for flexible periods	£19.00 per week	<p>Mutually agreed contract with the customer</p> <p>Payment taken in advance for any period of service provision up to 8 weeks</p> <p>Where service provided for more than 8 weeks then tenant will be invoiced monthly in advance</p> <p>Tenant can move from temporary to permanent service</p>	

Service Name	Service Descriptor	Customer Group	Charges	Mandatory/Agreement	Notice period
Welfare Visits	15 minute face to face visit made to the customer between 8am and 6pm, Monday to Friday. Ensure the welfare of the customer, provide advice and or contact next of kin or emergency services if required.	Supported Housing or General Needs Tenants receiving the service on a permanent basis	£55.00 per week	Mutually agreed variation to tenancy agreement Annual Charge on rent account	4 weeks notice required to access the service. Note. There may be circumstances in relation to both the property and the individual which will enable the service to be provided within a shorter timescale 4 weeks notice required to exit service (if not subscribed on a weekly basis)
		Supported Housing or General Needs Tenants receiving the service for flexible periods	£57.70 per week,	Mutually agreed contract with the tenant Payment taken in advance for any period of service provision up to 8 weeks Where service provided for more than 8 weeks then tenant will be invoiced monthly in advance Tenant can move from temporary to permanent service	
		Private Customers receiving the service on a permanent basis	£81.00 per week	Mutually agreed contract with the customer Customer invoiced in advance	
		Private Customers receiving the service on for flexible periods	£85.00 per week	Mutually agreed contract with the customer Payment taken in advance for any period of service provision up to 8	

Service Name	Service Descriptor	Customer Group	Charges	Mandatory/Agreement	Notice period
				<p>weeks</p> <p>Where service provided for more than 8 weeks then tenant will be invoiced monthly in advance</p> <p>Tenant can move from temporary to permanent service</p>	

Service Name	Service Descriptor	Customer Group	Charges	Mandatory/Agreement	Notice period
Sensor Monitoring	<p>To receive this service tenants must also subscribe to the lifeline service.</p> <p>The provision of sensors and 24 hour a day, 365 days a year monitoring of the sensor.</p> <p>The sensors available are:</p> <ul style="list-style-type: none"> i. Smoke alarms ii. Carbon monoxide alarms iii. Flood alerts iv. Bed sensors v. Panic alarms vi. Fall detectors 	Supported Housing or General Needs Tenants receiving the service on a permanent basis	£1.30 per week	<p>Mutually agreed variation to tenancy agreement</p> <p>Annual Charge on rent account</p>	<p>4 weeks notice required to access the service. Note. There may be circumstances in relation to both the property and the individual which will enable the service to be provided within a shorter timescale</p> <p>4 weeks notice required to exit service (if not subscribed on a weekly basis)</p>
		Supported Housing or General Needs Tenants receiving the service for flexible periods	<p>Upfront costs of £22.00 for the provision of the lifeline each time the tenant requests the service</p> <p>Plus £1.35 per sensor per week</p>	<p>Mutually agreed contract with the tenant</p> <p>Payment taken in advance for any period of service provision up to 8 weeks</p> <p>Where service provided for more than 8 weeks then tenant will be invoiced monthly in advance</p> <p>Tenant can move from temporary to permanent service but would not be reimbursed one off or upfront costs.</p>	
		Private Customers receiving the service on a permanent basis	£2 per week	<p>Mutually agreed contract with the customer</p> <p>Customer invoiced in advance</p>	
		Private Customers receiving the service on for flexible periods	<p>Upfront costs of £22.00 for the provision of the</p>	Mutually agreed contract with the customer	

Service Name	Service Descriptor	Customer Group	Charges	Mandatory/Agreement	Notice period
			<p>lifeline each time the tenant requests the service</p> <p>Plus £2 per week</p>	<p>Payment taken in advance for any period of service provision up to 8 weeks</p> <p>Where service provided for more than 8 weeks then tenant will be invoiced monthly in advance</p> <p>Tenant can move from temporary to permanent service but would not be reimbursed one off or upfront costs.</p>	

Policy on Council Housing Rent Setting

1.0 Introduction

- 1.1 Each year the Council is required to set rent levels for all housing properties.
- 1.2 The Council sets its Annual Housing Revenue Account Budget and rent levels in February each year.

2.0 Background

- 2.1 Until March 2002 social landlords in different areas used slightly different ways of setting rent. This meant that it was not always possible to compare rents of different landlords, including those in neighbouring areas.
- 2.2 The Government wanted rents to be charged by all social landlords to be fair and affordable believing that rents should:
 - Remain affordable in the future.
 - Generally be well below those charged by private landlords.
 - Be linked to size, location and condition of the home.
 - Be similar to rents for other Council and Registered Social Landlords properties of a similar size, location and condition.
- 2.3 In 2002 the Government produced a formula for setting rents which takes into account the following:
 - The value of the property (based on January 1999 prices)
 - The number of bedrooms in the property
 - Local earnings
- 2.4 It would have been unfair for rents to have changed immediately when the new system was introduced; therefore the government set a deadline for what we call 'convergence' i.e. when all rents in the social housing sector would be comparable at their formula rent. Originally this was planned for 2012/13, but following a change to the formula, and a number of years where rent increases were capped this has now been moved to 2015/16, indeed for NSDC, complete convergence will not be achieved until around 2019/20.
- 2.5 This rent is called the 'formula rent' and has to be calculated for all properties owned by the District Council. The formula rent is increased by the previous September's rate of inflation (CPI) + 1.0% each year.
- 2.6 Prior to 1st April 2015, to ensure that tenants did not face unacceptably large rent increases in any one year the Government set a limit on rent increases as RPI + 0.5% plus £2. However from 1st April 2015 the guidance is for a flat rate increase of CPI + 1%.

- 2.7 The Government made an announcement on 8th July 2015 that local authorities must secure that the amount of rent in the relevant year by a tenant of social housing is 1% less than the amount that was payable by the tenant in the preceding 12 months. This 1% per year rent reduction is from 2016-17 for four years. The rent reduction is to be calculated against a base rent figure applicable on 8th July 2015.

3.0 Self Financing

- 3.1 Self-Financing was introduced from April 2012 and under self-financing risks transfer from the Government to Newark and Sherwood District Council regarding the financial management of the Housing Revenue Account. As part of the self-financing implementation the Council took on new debt to make the one off financial settlement to Government to exit from the current housing subsidy system. The additional debt allocated is based on the amount of debt the Government considers that the housing stock of Newark and Sherwood can support and is based on the Government's rent setting guidance.
- 3.2 When the Government calculated the affordability of debt they based income estimates on the basis that Local Authorities would follow the Government rent setting guidance. It is therefore important that a local rent setting policy is set at the implementation of Self Financing, providing assurances about income levels to be included within the business plan.
- 3.3 The base income level assumed in the Self Financing Housing Revenue Account Business plan (SFHRABP) is based on average rents assuming that the previous Government guidance was followed. This plan was affordable, had the ability to service debt requirements, invest in the housing stock to maintain the income stream, and provide prudent investment for growth.
- 3.4 An analysis of the impact of a year on year reduction in rent levels on the HRA business plan has been undertaken.

4.0 New Build Properties

- 4.1 New Build rents are set at full formula rents from initial let unless otherwise required by any grant giving body. These rents will have the 1% reduction applied for 4 years.

5.0 Acquired Properties

- 5.1 Where properties are acquired, usually as a result of buying back a property bought under the Right to Buy provisions the rent should be set at the full formula rent as at 8th July 2015 less 1% for the initial let. The rent will then decrease by 1% each year.

6.0 Converted Properties

- 6.1 Where former retail premises or existing council properties are converted into flats, or alternative types of accommodation to meet an identified need, the formula rent should be calculated from the current valuation of the property, determined by the Council's Asset Management Unit, discounted back to 1999 prices. The rent should be set at full formula rent as at 8th July 2015 less 1% for the initial let. The rent will decrease by 1% each year.

7.0 Relet Void Properties

- 7.1 Under Self Financing, supporting appropriate income levels which deliver the approved priorities of the business plan and protect and enhance the Councils ability to service debt are very important.
- 7.2 To support this approach, considerations will be undertaken to look at ways to maximise income opportunities, which will include letting properties at full formula rent as at 8th July 2015 less 1% for the initial let. The rent will decrease by 1% each year.
- 7.3 As part of any change process, tenants would be fully involved and risks and opportunities to the SFHRABP considered.

8.0 Service Charges

- 8.1 In accordance with the Councils agreed principle for the applicable of service charges to support the delivery of high quality services and identified investment needs, the consideration of the introduction of new charges is supported by this policy.
- 8.2 Any consideration would be progressed within the context of the financial benefits and challenges to the SFHRABP; support equitable charging levels and is in consultation with tenants and other appropriate customers.

9.0 Garage Rents

- 9.1 Garage rents were originally set based on the costs relating to maintenance and management charges with the provision to increase the charge annually by CPI + 1% in line with the increases on property rents.
- 9.2 As identified previously maximising appropriate income opportunities under Self Financing to contribute to the longer term financial viability of the Councils HRA is important and garages are a group of assets could increase income generating potential in the future.
- 9.3 This policy sets the approach for the future setting of garage rents, which provides the opportunity to enhance the linkage between costs and income and support a pricing structure which is more transparent and reflective of demand.
- 9.4 Through the detailed asset management work in preparation for self-financing there is enhanced information on asset costs which supports any future changes to updating the pricing structure.
- 9.5 When setting rents for garages the following points should be considered:
- Location
 - Condition
 - Demand/availability

10.0 Notification of Rent Changes

- 10.1 Rent changes are notified to tenants giving 4 weeks' notice of any changes in the amount of the rent due and giving the reasons for the rent change.

11.0 Housing Revenue Account Reserves

- 11.1 The income generation capabilities of the housing assets need to be managed effectively to service the priorities of the SFHRABP, deliver the approved debt approach and maintain the prudent levels of balances for the HRA which are reflective of the new risks of self-financing.
- 11.2 The Local Government Act 2003 requires all Councils to maintain adequate balances, reserves and provisions to help ensure that their activities are sustainable. This Act covers General Fund Balances and separate policies cover reserves and provisions and Housing Revenue Account balances.
- 11.3 In the first instance it is recommended that the Council aims to maintain its HRA balance at a minimum of £2,000,000, which will be subject to an annual review by the Council's Section 151 Officer.
- 11.4 The Major Repairs Reserve should be set at a level which allows future years major repairs to be fully funded over the lifetime of the Housing Revenue Account Business Plan.

12.0 Review of the Policy

- 12.1 On implementation of the SFHRABP a full review of it will be undertaken in year 5, at which time the impact of this Policy will be considered.

MEMBERS ALLOWANCES INDEPENDENT REMUNERATION PANEL

1.0 Purpose of Report

- 1.1 To inform Council of the report and recommendations of the Members' Allowances Independent Remuneration Panel.
- 1.2 To enable Council to set a scheme of Members' Allowances in accordance with the Local Authorities (Members' Allowances) (England) Regulations.

2.0 Background Information

- 2.1 The current Members' Allowances Scheme was approved by Council at its meeting on 8 March 2012. In order to review the allowances paid to members, an independent panel must be formed to advise the Council. A panel was therefore formed consisting of Peter Hurford (Chair), Dianne Handley and Neil Timms and the panel has now produced its report (**Appendix 1**) and recommendations to the Council.
- 2.2 The Regulations require local authorities to set a scheme of Councillors' Allowances prior to the start of each financial year for the basic allowance for the following year and to make provision for any of the following allowances that it intends to pay:
- Special Responsibility Allowances
 - Dependants' Carers' Allowance
 - Travelling and Subsistence Allowances
 - Co-optees allowance
- 2.3 There is specific provision in the Regulations to adjust allowances by reference to an index, but an Independent Remuneration Panel must review the level of allowances at least every 4 years.

3.0 Role of the Independent Remuneration Panel

- 3.1 Before a local authority sets a scheme of Councillors' allowances, it must "have regard" to recommendations made to it by an Independent Remuneration Panel ("the Panel").
- 3.2 The Panel may make recommendations in respect of the following:
- The amount of Basic Allowance
 - The amounts, if any, of:
 - Special Responsibility Allowances
 - Travelling and Subsistence Allowance
 - Co-optees allowance
 - Dependants' carers' allowance
- 3.3 The Council must consider the report of the Panel before it sets a scheme for payment of Councillors' Allowances and may decide whether or not to adopt the recommendations of the panel. The Report has been considered by the Councillors' Commission which has made the following recommendation to the Council:

that the full Council be recommended to adopt a new scheme of Members Allowances at their meeting to be held on 9th February 2016, in accordance with the recommendations of the Independent Remuneration Panel.

4.0 Proposals

4.1 The Panel's review draws on the extensive report carried out in 2012 and should be read in conjunction with the evidence and conclusions set out in that report.

4.2 The significant changes proposed include:

- Consolidation of the IT allowance into the Basic Allowance and a basic allowance of £4,700;
- Removing the restriction which limits any member to a single Special Responsibility Allowance
- Raising the allowance paid to the Leader of the Council to £13,000;
- Creating a Special Responsibility Allowance for the Deputy Leader of £2,600;
- Raising the Special Responsibility Allowance for the Main Opposition Group Leader to £4,500;
- Raising the Special Responsibility Allowances of the Chair and Vice Chair of the Planning Committee to £5,298 and £977 respectively

4.3 The reasoning for the proposals is shown in detail in the report of the Panel. In addition, the Panel drew attention to the potential for the Council to undertake its Standards work without a separate Committee. In the event that this change was carried out, a Special Responsibility Allowance for the Chair of the Standards Committee would not be required. The Councillors' Commission recommends that the Monitoring Officer should bring a report forward on the future operation of the Standards regime and that a decision on this should be deferred until that report is considered.

4.4 The Panel has taken account of the evidence submitted to it and a range of benchmarking information. A table comparing allowances across neighbouring authorities is included at **Appendix 2** to this report.

5.0 Financial Implications

5.1 The Panel's report shows that, if the recommendations are implemented in full, the cost of the Members' Allowances Scheme would be £2,105 less than the cost of the current scheme in 2013/14. An adjustment of £15,215 would need to be incorporated in the 2016/17 budget to cover the full year costs if the proposals are approved.

6.0 RECOMMENDATIONS that:

- (a) the Council considers the report of the Independent Remuneration Panel on Members' Allowances and the recommendation of the Councillors' Commission and**
- (b) the Council determines a scheme of Members' Allowances.**

Background Papers

Nil

For further information please contact Andrew Muter on extension 5200.

Andrew Muter
Chief Executive

Report of Independent Remuneration Panel on Members' Allowances at Newark and Sherwood District Council

January 2016

1 The Panel

- 1.1 We were asked to review the current level of allowances that were approved by the Council in May 2015, drawing on information from the previous independent review that took place in April 2013.
- 1.2 The Panel consisted of Peter Hurford (Chair) – formerly Assistant Treasurer, Nottinghamshire County Council and Treasurer of Nottinghamshire Fire and Rescue Authority; Dianne Handley, Director of Finance and Administration at Nottingham Trent University; and Neil Timms, formerly Director of Finance and Resources at Nottinghamshire Fire and Rescue Service and currently Treasurer of Nottinghamshire Fire and Rescue Authority.
- 1.3 The Panel met on four occasions in November 2015 and heard evidence and views from six elected members and a written submission from another elected member.
- 1.4 We received help and advice from Andrew Muter, David Dickinson and Nigel Hill at the Council and we are grateful for their assistance.
- 1.5 We understand that our suggestions need to be considered by the Council before it takes any decisions on the level of allowances to be paid to Members. We have drawn on the extensive work carried out by the last Panel Review in 2013/14 and our report should be read in conjunction with those findings.

2 The Basic Allowance

- 2.1 The Basic Allowance paid to all Members is currently £4,129 plus an IT allowance of £150 that was payable subject to certain conditions.
- 2.2 We received suggestions that the IT allowance should be consolidated into the basic allowance because the failure to meet the specified conditions might discriminate against those Members who were currently less confident with the use of IT. The Council might consider providing standard IT kit for Members needs but Members should choose and pay for their own broadband connection at home and consolidation of the IT allowance into the basic allowance would reflect this. We agree with the Council's policy to reduce the amount of printed material and suggest that consolidation of the IT allowance into the basic allowance should reinforce the expectation that all Members will make the best use of IT to support them in their roles as councillors. ***We therefore recommend that the IT allowance should be consolidated into the basic rate.***

- 2.3 We also received representations that the level of the basic allowance was a potential deterrent to younger candidates because taking on the responsibilities of being a Councillor could reduce earnings and would be likely to cause a significant fall in household income. Furthermore, it was felt that the basic allowance did not recognise the extra work that Councillors had to undertake with the new committee system (eg. reading more papers, attending more meetings) nor did it recognise the increased expectations on Members in parished areas in attending parish council meetings. Finally it was pointed out to us that the number of Councillors had been reduced from 46 to 39 at the May 2015 elections and this created extra work for the remaining Councillors.
- 2.4 The Panel felt that it would be impracticable to increase the basic allowance to a level that might be regarded as a “living wage” for the time commitment required, since, on the time assessments, this would require an allowance of about £10,000, which would place this Council out of line with other districts in the area. The Panel were also mindful that the term ‘allowance’ distinguishes the payment from a salary or wage.
- 2.5 The new Committee system has changed the pattern of work and obligations on individual Councillors, even though the overall governance of the Council (ie. the quantum of decision-making and oversight) is similar to the previous system. However, the Panel recognised that increasing workload for all Councillors resulting from a reduction in numbers and a change in the governance system does provide justification to raise the basic allowance.
- 2.6 Working with key community and stakeholder groups is an essential part of the role of being a Councillor. This includes parish councils and the Panel did not feel that specific obligations to attend parish councils were a specific reason to alter the basic allowance. The Panel noted that close liaison with parishes is desirable but would not consider that this constitutes an obligation on District Councillors to attend every parish council meeting in their ward.
- 2.7 However there should be some recognition of other increases in workload, including the effects of the reduction in the number of Councillors and so ***the Panel recommends a basic allowance of £4,700 (including the consolidated IT allowance)***. This reflects the clear evidence set out in previous Reviews and would result in allowance within 1% of the average for other Nottinghamshire districts and nearby districts in Lincolnshire.

3 Special Responsibility Allowances

- 3.1 We received strong representations that the current rule that limits a Member to only one SRA should be removed.
- 3.2 We agree with these representations because we think that it should be a matter for the Council to determine who should undertake which roles and if this leads to a conclusion that a Member is capable of doing more than one role and that it is appropriate, so be it. As always, this is with the proviso that there are suitable procedures in place to ensure the effectiveness of Members in these roles and for the Council as a whole to hold them to account.
- 3.3 We considered whether a Member who was allocated a second (or more) SRA should have a reduction on the extra payment, but we did not support this because the allowance should be the amount assessed for that role, irrespective of who undertakes it. ***We therefore recommend that the rule restricting a Member to a single SRA should be removed and that the Council should determine which SRA's are to be awarded to Members.***

4 Leader/Chairman of Policy and Finance Committee

- 4.1 It was explained to us how the role of the Leader had expanded in recent years because of the requirement to play an increasingly complex role externally. For example, the Leader represents the district in devolution discussions with Government and other councils in Nottinghamshire and Derbyshire, is a Member of the Joint Economic Prosperity Committee and works with the Local Enterprise Partnership. This outward-facing role is likely to continue to develop with the type of loose integration and complexity required to meet the Government's objectives of devolving powers and responsibilities from Whitehall. We were also made aware of the significant disparity that had existed for some time between the SRA for the Leader of this Council compared to most others in the county and nearby districts in Lincolnshire. We felt that this Council should not under-value the important role that its Leader plays.
- 4.2 We consider that the Leader's SRA should be increased to £13,000, which would bring it into line with other Councils, placing it within 1% of the average for districts in Nottinghamshire and nearby districts in Lincolnshire. It is recognised that this is a significant increase from the current level of £9,774, but it is felt that, whilst there is never a "right time" to increase allowances, the current situation demands that the district's interests are best served by an appropriately experienced Leader whose allowance is not substantially lower than those of other districts and other councils with whom they are negotiating.
- 4.3 ***We therefore recommend a Leader's SRA of £13,000.***

5 Deputy Leader/Vice-Chair of Policy and Finance Committee

- 5.1 It was explained to us that the role of this post had expanded significantly because of the time commitments for the Leader in devolution and other partnership working. Hence the Deputy Leader has had to take an increased role in the day-to-day matters that arise. We felt that a strong case was made for this shared set of responsibilities which ensure that the Council can function in terms of day to day matters as well as dealing with complex external partnerships.
- 5.2 ***We recommend that there should be a new SRA of £2,600 for the Deputy Leader set at 20% of the Leader's SRA*** ie. slightly higher than the current relationship between Chairs and Vice-Chairs and based on the assumption in the last Panel report that the Deputy Leader is also a Functional Committee Chair.

6. Functional Committee Chairs and Vice-Chairs

- 6.1 The amounts of these allowances are towards the lower end of allowances paid by other districts to cabinet members. The Committee system ought to bring a greater degree of collective responsibility for all Committee Members in the decisions that are taken by these Committees. Committee Chairs and Vice-Chairs do not exercise the same degree of delegation as their counterparts in the Cabinet system. Therefore, we do not propose any variations and ***recommend that these allowances are maintained at their current level.***

7 Leaders of Opposition Groups and Opposition Spokespersons

- 7.1 We agree with existing policy that a group needs to have at least 4 members before any allowance is paid.
- 7.2 The Panel considered that leadership of the main opposition helps to ensure that the democratic process has challenge and dialogue. It therefore follows that the main Opposition Group Leader's role must, to some extent, shadow the role of the Leader of the Council to ensure that policy decisions about the external partnership environment are properly tested. ***The Panel therefore recommends that the main Opposition Group Leader's allowance should be set at £4,500.***
- 7.3 In line with our recommendation on Committee Chairs, we do not propose any variation to the allowances for Opposition spokespersons.

8 Planning Committee

- 8.1 We received strong representations about the heavy workload of the Planning Committee, under present arrangements. This meets at least 12 times a year and with site visits beforehand, it leads to a full day commitment which means that only Members who can offer that time commitment get involved. Nevertheless, it seems that there has not yet been a problem in finding sufficient Members to perform this role.
- 8.2 Furthermore we were advised about the nature of the Planning Committee process, its adversarial atmosphere and the added responsibility to ensure that effective chairing of the meeting can ensure that costly errors are avoided.
- 8.3 The role of the Chair can also extend, occasionally, to representing the Committee in an appeal process that follows a decision that was not acceptable to applicants. We consider that the scale and nature of Planning Committee responsibilities provides justification for the roles of its Chair and Vice Chair to be considered as broadly comparable to functional committee Chair and Vice Chair roles.
- 8.4 ***We recommend that the Chair and Vice-Chair of Planning Committee should receive SRA's of £5,298 and £977 respectively.***
- 8.5 We were also asked to consider an SRA for all Members of the Planning Committee because of the high time commitment required under present arrangements. We do not support this, for reasons given in the previous review of allowances, in that an SRA is supposed to be for extra responsibilities exercised by only a limited number of Members. This is supported by the statutory guidelines on SRA's and we were aware that no other councils pay an SRA to all their Planning Committee Members.
- 8.6 We recognise that Planning Committee membership can be onerous and suggest that the Council can continue to consider workload as a factor in distributing roles between Members. We do, however, support the continuation of the subsistence payment of £96 per annum for the attendance at site visits.

9. Chair and Vice-Chair of Licensing and General Purposes Committees

9.1 These allowances are lower than allowances for functional committees. We agree that this differential is justified and should continue but we were made aware that the licensing role is a relatively new responsibility and that if the workload were to increase then this might be looked at again in a future review. For the time being, we propose no variations to these allowances.

10. Chair of Audit and Accounts Committee

10.1 We propose no variation to the existing allowance of £1,795

11. Standards Committee

11.1 We are aware that this Committee does not meet frequently and that there is no longer a statutory requirement to have a Standards Committee. Whilst it is not within the Panel's remit to propose alternative Committee structures, we think that there would be merit in considering an alternative approach. For example, Standards work is primarily carried out through panels of Members who hear specific complaints. A pool of panel Members drawn from the existing Council Membership and exercising delegations from the Policy & Finance Committee could hear and decide on these complaints. An annual report could be made to Policy & Finance Committee or to the Full Council. This would enable the Council to maintain its strong commitment to ethical behaviour without the need for a specific committee. We therefore recommend that the Council should seek the advice of its Monitoring Officer about the merits of such an approach and, in the event that an alternative approach is agreed, we suggest that the allowance for a Standards Committee Chairman would no longer be required.

11.2 ***We recommend that, should the Monitoring Officer advise that an alternative approach to Standards work should be adopted, the SRA for a Standards Committee Chair is ceased.***

12. Childcare and Dependants Carers allowance

12.1 We support the continuation of a payment of up to £10 per hour for costs actually incurred, or more in exceptional circumstances. We agree that Members should only be required to produce receipts in support of their claim where production of receipts is normal business. In circumstances where more informal arrangements are used, Members should provide a statement as part of each claim showing what the allowance is being claimed for and who the provider of care is.

12.2 We felt that the availability of support for families might be important in securing a wider age-spread of elected members, particularly if this meant more use of evening meetings where practicable.

13. Newark and Sherwood Homes Directorships

13.1 The Council nominates 4 members to serve on the board of Newark and Sherwood Homes, as non-executive board members.

- 13.2 We received strong representations that this required a heavy commitment if the role was to be performed appropriately and evidence was given that this could be at least 7 days a year, which ought to be recognised in an SRA payment by the Council.
- 13.3 We agree that Members need to be aware of their statutory duties as a board member of a company but feel that any payment for these duties should be determined by the company, rather than by the Council.
- 13.4 There is a wider issue here, in that the same issues also apply to Members appointed as Directors of *Active4Today* and many Members are appointed to represent the Council on external bodies. We feel that the issue of remuneration for these appointments should be decided by the bodies themselves and not by the Council.

14 Indexation

- 14.1 We support the current practice of reviewing the allowance annually, in line with changes to spinal column point 49 for local government staff.

15 Affordability

- 15.1 Clearly, in the light of continuing constraints on the funding of local authorities, we are aware that our proposals need to be affordable and it might be argued that no variations should be made. However, the significant financial issues facing councils now and in the years to come, mean that Members need to be appropriately recompensed for the responsibilities they have. In our opinion, it would be wrong to defer any changes that it seems to us to be justified. Furthermore, we recognise the restraint that has been exercised by Members who would have been justified in raising allowances as a result of past reviews. We are also aware that the Council has implemented strong measures to ensure that its finances are under control and in such circumstances we believe that the Council would be acting appropriately if it decided to accept our recommendations.
- 15.2 A summary table of the allowances recommended in this report is set out at the end of this report, together with a summary of the proposals which were made in 2013/14 for comparison. This demonstrates a saving of £2,105 per annum in comparison with the 2013/14 proposals but as the 2015/16 budget has already taken account of the savings achieved through the reduction in the number of Councillors, additional budget provision of £15,215 would be required to cover the costs for a full year. Our proposals involve some increases in allowances, including the basic allowance which has the greatest impact, but they also ensure that the allowances paid are broadly comparable to other district councils.

16 Summary of Main Recommendations

- 1 We recommend that the IT allowance should be consolidated into the basic rate and we recommend a basic allowance of £4,700.**
- 2 We recommend that the rule restricting a member to a single SRA should be removed.**
- 3 We recommend a Leader's SRA of £13,000.**
- 4 We recommend that there should be a new SRA of £2,600 for the Deputy Leader.**

- 5 We recommend that the allowances for functional committees, Licensing and General Purposes Committees and Audit and Accounts Committee Chairs and Vice Chairs are maintained at their current level.**
- 6 We recommend that the main Opposition Group Leader's allowance should be £4,500.**
- 7 We recommend that the Chair and Vice-Chair of Planning Committee should receive SRA's of £5,298 and £977 respectively.**
- 8 We recommend that, subject to the Monitoring Officer's advice, the SRA for a Standards Committee Chair is ceased.**

Peter Hurford
Dianne Handley
Neil Timms

SUMMARY OF PANEL'S RECOMMENDATIONS 2015/16

Post	No of SRAs	Basic Allowance	SRA	Ratio to Leader	Total per Member	SRA Totals
Basic Allowance		£4,700				
SRAs Band One						
Leader/Chairman of Policy	1	£4,700	£13,000	100%	£17,700	£13,000
SRAs Band Two						
Deputy Leader	1	£4,700	£2,600	20%	£7,300	£2,600
SRAs Band Three						
Functional Committee Chairmen	3	£4,700	£5,298	41%	£9,998	£15,894
Chairman of Planning Committee	1	£4,700	£5,298	41%	£9,998	£5,298
SRAs Band Four						
Leader Main Opposition Group & Opposition Spokesperson on Policy	1	£4,700	£4,500	35%	£9,200	£4,500
SRAs Band Five						
Chairman Licensing & General Purposes Committee	1	£4,700	£3,129	24%	£7,829	£3,129
SRAs Band Six						
Chairman Audit & Accounts Committee *	1	£4,700	£1,795	14%	£6,495	£1,795
SRAs Band Seven						
Vice Chairmen Functional Committees	3	£4,700	£977	8%	£5,677	£2,931
Opposition Spokespersons**	3	£4,700	£977	8%	£4,977	£2,931
SRAs Band Eight						
Leader of Other Opposition Groups	0		£770	6%		
SRAs Band Nine						
Vice Chairman Planning Committee	1	£4,700	£977	8%	£5,677	£977
SRAs Band Ten						
Vice Chairman Licensing & General Purposes Committee	1	£4,700	£460	4%	£5,160	£460
Number of SRAs payable	17					
Total Basic Allowance payable	39	£183,300				
Total SRAs payable						£53,515
TOTAL						£236,815
* Audit & Accounts and Committee does not appoint a Vice Chair so no SRA applicable						
** There will be 4 Opposition Spokespersons but 1 will be Opposition Leader on Policy Committee						

ALLOWANCE SCHEME AGREED IN 2013/14

Post	No of SRAs	Basic Allowance	SRA	Ratio to Leader	Total per Member	SRA Totals
Basic Allowance (46)		£4,000				
SRAs Band One						
Leader/Chairman of Policy	1	£4,000	£9,469	100%	£13,469	£9,469
SRAs Band Two						
Deputy Leader & Chair of 1 Functional Committee	1	£4,000	£6,587	70%	£10,587	£6,587
SRAs Band Three						
Other Functional Committee Chairmen	2	£4,000	£5,133	54%	£9,133	£10,266
SRAs Band Four						
Chairman of Planning Committee	1	£4,000	£3,678	39%	£7,678	£3,678
Leader Main Opposition Group & Opposition Spokesperson on Policy	1	£4,000	£3,678	39%	£7,678	£3,678
SRAs Band Five						
Chairman Licensing & General Purposes Committee	1	£4,000	£3,032	32%	£7,032	£3,032
SRAs Band Six						
Chairman Audit & Accounts Committee *	1	£4,000	£1,739	18%	£5,739	£1,739
SRAs Band Seven						
Vice Chairmen Functional Committees	3	£4,000	£947	10%	£4,947	£2,841
Chairman Human Resources*	1	£4,000	£947	10%	£4,947	£947
Opposition Spokespersons**	3	£4,000	£947	10%	£4,947	£2,841
SRAs Band Eight						
Leader of Other Opposition Groups	1	£4,000	£770	8%	£4,770	£770
SRAs Band Nine						
Vice Chairman Planning Committee	1	£4,000	£576	6%	£4,576	£576
SRAs Band Ten						
Vice Chairman Licensing & General Purposes Committee	1	£4,000	£446	5%	£4,446	£446
Number of SRAs payable	18					
221,600						
Total Basic Allowance payable		£184,000				
Total SRAs payable						£46,870
IT ALLOWANCE	46				£175	£8,050
TOTAL						£238,920
* Audit & Accounts and Human Resources Committee do not appoint a Vice Chair so no SRA applicable						
** There will be 4 Opposition Spokespersons but 1 will be Opposition Leader on Policy Committee						

Appendix Two

Newark & Sherwood District Council Comparator Group: Basic Allowance + main SRAs												
	BA	Leader SRA	Total Leader	Deputy Leader	Cabinet/Cttee Chairs	V/Chrs	Planning Chair	Planning V/Chr	Lic'ng Chair	Lic'ng V/Chr	Audit Chair	Leader main OG
Ashfield	£6,588	£18,705	£25,293	£14,032	£11,227	£3,709	£7,426	£3,709	£3,709		£4,225	£7,426
Bassetlaw	£4,628	£13,558	£18,186	£8,918	£5,600	£600	£3,100	£1,100	£2,100	£400	£3,100	
Broxtowe	£3,741	£13,424	£17,165	£6,101	£4,745	£813	£3,391	£678	£2,712	£542	£1,342	£1,355
Gedling	£3,686	£9,982	£13,668	£8,314	£6,659		£3,323		£3,323		£3,323	£6,647
Mansfield	£6,187						£10,321		£10,321		£1,580	
Melton	£4,473	£12,283	£16,756	£3,464	£3,464		£3,464	£1,156	£3,464	£1,156		£2,465
North Kesteven	£4,550	£13,158	£17,708	£8,421	£6,316	£1,022	£4,497	£1,261	£2,200		£3,125	
Rushcliffe	£4,476	£12,206	£16,682	£7,551	£5,557	£1,148	£4,728	£2,364	£1,843			
South Kesteven	£4,380	£14,223	£18,603	£9,849	£8,754	£975	£3,942	£1,095	£2,193	£732	£3,285	
West Lindsey	£5,280	£11,747	£17,027	£4,237	£2,919	£1,382	£2,604	£1,250	£1,282	£1,250	£2,604	£3,737
Newark & Sherwood	£4,000	£9,469	£13,469	£6,587	£5,298	£947	£3,678	£576	£3,129	£460	£1,795	£3,678
Highest	£6,588	£18,705	£25,293	£14,032	£11,227	£3,709	£10,321	£3,709	£10,321	£1,250	£4,225	£7,426
Lowest	£3,686	£9,469	£13,469	£3,464	£2,919	£600	£2,604	£576	£1,282	£400	£1,342	£1,355
Mean	£4,726	£12,876	£17,456	£7,747	£6,054	£1,325	£4,589	£1,465	£3,298	£757	£2,709	£4,218
Median	£4,476	£13,158	£17,165	£8,314	£5,579	£1,022	£3,678	£1,156	£2,712	£732	£3,100	£3,737
IRP proposals	£4,700	£13,000	£17,700	£7,898	£5,298	£977	£5,298	£977	£3,129	£460	£1,795	£4,500

COMMUNITY GOVERNANCE REVIEW – CAYTHORPE PARISH COUNCIL

1.0 Purpose of Report

- 1.1 To approve draft proposals for the Community Governance Review of Caythorpe Parish Council.

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 The Council received a request from Caythorpe Parish Council on 19th October 2015 to undertake a Community Governance Review to increase the number of their parish councillors from five to six.
- 2.3 At their meeting held on 10th December 2015 the General Purposes Committee approved the terms of reference for such a review of Caythorpe Parish Council.
- 2.4 Consultation on the terms of reference opened on 14th December 2015 and closed on 22nd January 2016 in accordance with the review timetable. The full review timetable was set out in the terms of reference agreed on 14th December 2015.
- 2.5 One response was received during this consultation process from Caythorpe Parish Council and this was circulated to all members of the General Purposes Committee. This representation set out their reasons for wishing to increase their number of parish councillors from five to six.
- 2.6 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 principle criteria include the impact on community cohesion and the size, population and boundaries of the proposed area.

3.0 Proposals

- 3.1 The next stage of the review is to publish Draft Proposals for consultation and these are attached as **Appendix A** to the report.
- 3.2 Subject to any amendment by the Council, these draft proposals will be published for a further period of consultation which will open on 10th February and close on 29th February 2016.
- 3.3 The Members of the General Purposes Committee will be consulted on any representations received during this consultation period and final proposals will be recommended to the Council meeting to be held on 10th March 2016.

4.0 RECOMMENDATION

That the Council consider the draft proposals as set out in Appendix A and publish these in accordance with the review timetable.

Background Papers

Email representation from the Clerk to Caythorpe Parish Council

Guidance on Community Governance Reviews

Report and Appendices to the General Purposes Committee held on 14th December 2015

For further information contact Nigel Hill on 01636 655243.

A.W. Muter

Chief Executive



Community Governance Review of Caythorpe Parish Council

Draft Proposals

Contents

- 1.0 Background Information
- 2.0 Draft Recommendations
- 3.0 Statutory Consultation
- 4.0 Further Information

February 2016

1.0 Background Information

- 1.1 Caythorpe Parish Council made a request to the Council to undertake a Community Governance Review of Caythorpe Parish Council in respect of increasing their number of members.
- 1.2 The District Council approved Terms of Reference for the review on 10th December 2015 and embarked upon a community governance review of the parish arrangements. Comments on the Terms of Reference were sought from local residents and interested parties. Only one response was received from Caythorpe Parish Council and this was submitted to the members of the Council's General Purposes Committee with draft proposals then being put forward for approval by the Council.

2.0 Draft Proposals

- 2.1 Following consideration of the response by the members of the Council's General Purposes Committee, the District Council, at its meeting held on 9th February 2016, agreed draft proposals upon which we are now inviting comments.
- 2.2 The District Council's draft proposals are as follows: -
 - (a) That the numbers of Councillors on Caythorpe Parish Council be increased from five to six.
 - (b) That the electoral arrangements become effective as from May 2015 with the election for the new Council to be held on the 5th May 2016 in order to be combined with the Police and Crime Commissioner election.
 - (c) That the new electoral arrangements for Caythorpe Parish Council be in place for a period of three years, to expire in May 2019, when the ordinary parish council elections are due.

3.0 Statutory Consultation

- 3.1 The Local Government and Public Involvement in Health Act 2007 sets out the procedure for conducting community governance reviews.
- 3.2 The consultation period on the draft proposals being put forward will end on 29th February 2016.
- 3.3 Copies of these draft recommendations have been placed on deposit at the District Council Offices at Kelham Hall, Kelham and will also be available from the Clerk of Caythorpe Parish Council.
- 3.4 Notices detailing the draft recommendations will also be circulated the parish.
- 3.5 Comments from interested parties are invited before 29th February 2016.

Comments on the draft proposals should be forwarded to: -

Mr A.W. Muter
Chief Executive
Newark & Sherwood District Council
Kelham Hall,
Kelham
Newark
NOTTS
NG23 5QX

Or by email to voting@newark-sherwooddc.gov.uk or nigel.hill@newark-sherwooddc.gov.uk

- 3.6 In accordance with the terms of the reference for the review, the District Council, at their meeting to be held on 10th March 2016, will publish final proposals, having taken into account all representations received.
- 3.7 The Council will inform interested parties, including the Electoral Commission, of the outcome of the community governance review and make any Reorganisation Order that may be required.

4.0 Further Information

- 4.1 For further information on the proposals contained with this document, please contact: -

Nigel Hill (Business Manager - Democratic Services) – 01636 655243

- 4.2 In addition to the information contained in this document the following information is also available: -

- Terms of Reference for the Review.
- Previous reports submitted to the General Purposes Committee and Full Council meetings.
- The representation received during the first stage of the Review.

This information is also available on the Council's website at www.newark-sherwooddc.gov.uk

A. W. Muter
Chief Executive

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **POLICY & FINANCE COMMITTEE** held in Room G21, Kelham Hall, Newark on Thursday 28 January 2016 at 6.03pm.

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

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

SUBSTITUTE: Councillor Mrs C. Brooks for Mrs A.A. Truswell.

ALSO IN Councillors: P.C. Duncan, Mrs P. Rainbow and T. Wendels.

ATTENDANCE:

76. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mrs A.A. Truswell.

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

Councillor R.B. Laughton declared a personal interest in relation to Agenda Item No. 6 – Proposed Sports Hub Development, Bowbridge Road, Newark – as his children play for Newark Hockey Club.

78. DECLARATIONS OF INTENTIONS TO RECORD THE MEETING

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

79. MINUTES FROM THE MEETING HELD ON 3 DECEMBER 2015

The minutes from the meeting held on 3 December 2015 were agreed as a correct record and signed by the Chairman.

80. HOUSING GROWTH: SECTION 106 ACQUISITION - WELLOW ROAD, OLLERTON

The Business Manager – Strategic Housing presented a report which outlined proposals to acquire the freehold interest of eight new build dwellings that formed part of the Section 106 (S106) affordable housing contribution at Wellow Road, Ollerton. The proposal was in line with the Council's housing growth programme with one mechanism being to secure housing growth through the acquisition of S106 affordable units.

Details of the Wellow Road development and the proposal, including the financial and risk appraisals, were set out in the report. It was proposed that the Council accept the offer made by Avant Homes to acquire eight x 2 bed four person houses at a price of £1 per unit in addition to receiving a commuted sum contribution of £40,000 in relation to the development at Wellow Road. This was because the offer gave a

positive investment return to the Housing Revenue Account Business Plan, would contribute towards meeting evidenced housing need, assist in delivering the Council's housing growth agenda and bring additional affordable housing units to the Council's housing stock. It was noted that the offer made would form a revised S106 affordable housing contribution on the development at Wellow Road, Ollerton, seeing a reduction from the original planning permission approval of twenty two affordable housing units to eight.

The Committee considered how best to maintain the properties as affordable social housing accommodation into the future and whether these should be held by the Council's housing company.

During the debate on this item Councillor D. Staples proposed and Councillor Mrs C. Brooks seconded a proposal that officers be requested to negotiate with Avant Homes with a view to purchasing all 22 units on an affordable housing basis. This proposal was lost with 2 votes for and 5 against.

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

- (a) the acquisition of the freehold interest in the eight new build affordable homes for the sum of one pound only from Avant Homes, in addition to receiving a commuted sum payment of £40,000 be approved, forming a revised Section 106 affordable housing contribution for the development at Wellow Road, Ollerton; and
- (b) subject to the satisfactory completion of the further work as set out in paragraph 4.8 of the report, the Director - Resources/Safety be given delegated authority to enter into a contract with the developer to acquire the freehold interest in the eight new build affordable homes and, if possible, the properties to be held within the Council's wholly owned housing company, Newark and Sherwood Homes, in order to secure their long term availability as affordable social housing.

Reason for Decision

The acquisition of the freehold interest in Section 106 affordable homes at Wellow Road, Ollerton, will provide affordable social housing, contribute to delivering housing growth, meet the wider strategic priorities of the Council, meet locally evidenced housing need and help maintain a viable Housing Revenue Account Business Plan.

81. PROPOSED SPORTS HUB DEVELOPMENT AT BOWBRIDGE ROAD, NEWARK

The Committee considered the report of the Deputy Chief Executive which provided an overview of progress on the proposed sports hub development at Bowbridge Road, Newark and sought approval of a feasibility study and entering into a Partnership Agreement with Newark Town Council and Newark Sports Association (NSA).

Initially it was envisaged that NSA would take a lead role in developing and operating and managing the sports hub site. This was reflected in the terms of a Partnership Agreement which were approved by the Council, but which were never executed. The Council had however, subsequently received advice that the project was unlikely to receive funding from Sport England and the National Governing Bodies unless the project was seen as being led by the District Council which was a fundamental change in the nature of the District Council's role in bringing forward the development. It was clear that significant external funding would be required in order to ensure that the project would be delivered, as there was currently no capital commitment towards the project from the District Council.

The District and Town Council jointly commissioned LK2 to undertake a feasibility study on the provision of a sports hub at the Bowbridge Road site. The feasibility study looked at the optimum facilities mix for the site, having regard to existing provision within the area, potential funding opportunities and an analysis of future management and operational structures. The feasibility study had been the subject of discussion and clarification at Project Steering Group meetings which had been established to progress the project. It was considered that the feasibility study would be important in supporting any funding bids to Sport England and to relevant National Governing Bodies.

The Town Council, District Council and NSA had agreed a Partnership Agreement which it was hoped would satisfy the funding partners. Essentially this would provide for NSA to act as the accountable body in delivery of the first phase of the project, namely the cycle track, with the District Council acting as the accountable body on the delivery of the remainder of the facilities.

It was reported that if a decision was taken that the District Council should act as accountable body for Phase 2 of the Project it was likely that Sport England and the National Governing Bodies would require the District Council to act as guarantor for any funding which was awarded. At this stage it was difficult to quantify the risk to which the Council might be exposed. However these could potentially include both a risk of capital overruns in project delivery and a revenue deficit in the future operation and management of the facility. To mitigate these potential risks, the intention would be, if necessary, to reduce the range of facilities to be provided on the site to reflect the capital funding available.

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

- (a) the feasibility study for the proposed sports hub development at Bowbridge Road, Newark, noting the need to ensure access from the Sustrans Route to the new leisure centre, be approved;
- (b) the Deputy Chief Executive, in consultation with the Chairman and Major Opposition Spokesperson of the Policy & Finance Committee, together with the Chairman and Major Opposition Spokesperson of the Leisure & Environment Committee, be given delegated authority to conclude a Partnership Agreement between Newark & Sherwood District Council, Newark Town Council and Newark Sports Association

relating to the delivery of the sports hub project and in relation to its future operation and management, with such agreement recognising the District Council's role as accountable body in the delivery of phase 2 of the Sports Hub project and the potential financial risks that may arise as a consequence. The Partnership Agreement will reflect the document attached as Appendix 1 to the report, with such amendments as may be necessary to satisfy the relevant funding bodies;

- (c) a further report be brought to the Policy & Finance Committee on 30 June 2016 after detailed budgets, a detailed business plan, an associated programme of use and a project risk register have been developed for the project;
- (d) approval be given to the allocation of appropriate S106 monies towards the overall project; and
- (e) the Chairman of the Policy & Finance Committee be appointed to represent the District Council on the Partnership Strategic Group.

Reason for Decision

To progress the development of a sports hub at Bowbridge Road, Newark.

82. POLICY & FINANCE COMMITTEE REVENUE BUDGET 2016/17-2020/21

The Assistant Business Manager – Financial Services presented a report which informed Members of the budget and scale of fees and charges for the areas falling under the remit of the Policy & Finance Committee for 2016/17 and future years. A summary of the current budget proposals were attached at Appendix A to the report together with a schedule of fees and charges pertaining to the Committee which were attached as Appendix B. A revised Appendix A was circulated to the Committee which reflected the adjustment in the grounds maintenance budget as agreed by the Leisure & Environment Committee.

The current draft budget showed a reduction in 2016/17 and the report gave details of how the reduction was calculated. It was reported that the budget would reduce further during the financial year as strategic savings were agreed and implemented. Also shown were the major variances between 2015/16 and 2016/17.

AGREED (unanimously) that:

- (a) the final Committee budget as shown in the revised Appendix A to the report be recommended to the Policy & Finance Committee at its meeting on 25th February 2016 for inclusion in the overall council budget; and
- (b) the scales of fees and charges as shown at Appendix B to the report be recommended to the Policy & Finance Committee at its meeting on 25 February 2016 and Council on 10 March 2016.

Reason for Decision

To ensure that the final budget proposals for 2016/17 to 2020/21 and the level of fees and charges for 2016/17 are recommended to the Policy & Finance Committee on 25 February 2016.

83. HOUSING REVENUE ACCOUNT BUDGET AND RENT SETTING 2016/17

The Assistant Business Manager – Financial Services presented a report in relation to the Housing Revenue Account Budget and rent setting for 2016/17. The report showed the actual outturn of the Housing Revenue Account for the year 2014/15; examined the proposed income and expenditure on the Housing Revenue Account for 2016/17; and in accordance with Section 76 of the Local Government and Housing Act 1989, made recommendations to avoid a deficit on the Housing Revenue Account. The report also set out indicative figures of income and expenditure for the financial years 2017/18 to 2020/21.

The report also made recommendations to adjust rent levels and service charges with effect from April 2016. These had been calculated in accordance with Government guidance which was in line with the rent setting policy agreed by the Policy & Finance Committee on 29 January 2015. On 8 July 2015 the Government announced that local authorities must reduce social rents by 1% for each year for four years as from 2016/17. It was therefore recommended that the rent setting policy should be amended in line with the new guidance and rents reduced accordingly.

The report also sought to determine charges for garage rents, plots and garage ports, housing support service charges and the annual management fee payable to Newark and Sherwood Homes in accordance with the Management Agreement.

The setting of the budget and the approval of rent levels at the Council Meeting in February 2016 would allow the required time to notify tenants of proposed changes to rents in accordance with the legislation. It was noted that since April 2012 the Housing Revenue Account had been self-financing and there was no longer any central government control though Housing Revenue Account subsidy. Other controls continued to exist such as the cap on overall Housing Revenue Account debt and the ring fencing of the account.

In presenting the report the Assistant Business Manager – Financial Services advised of the implications of the Housing and Planning Bill and Welfare Reform and Work Bill which were still being debated in Parliament, as such there were still no final details. She informed Members that details regarding the provisions of the Bill were still emerging and that the overall position was unclear however only yesterday the House of Lords had recommended, and the Government's Minister for Housing had appeared to accept, that the rents for supported housing accommodation should be excepted from the required 1% reduction in rents. There was still clarity awaited about the definition of "supported housing", but current information suggested that this would include the Council's designated supported housing. Clearly, if this was the case, this would help with the viability of the HRA Business Plan.

AGREED (unanimously) that:

- (a) the Rent Setting Policy shown in Appendix C to the report be revised to follow the new Government guidance in accordance with the Welfare reform and Works Bill on the rent reduction (to also reflect the proposed exceptions to the required rent reduction in relation to supported housing); and
- (b) the following recommendations be made to Council at its meeting on 9 February 2016:
 - i. the Housing Revenue Account budget for 2016/2017 as set out in Appendix A to the report be recommended to Council on 9 February 2016;
 - ii. the Management and Maintenance Fee for 2016/2017 of £7,707,390 be noted;
 - iii. the rent of all general needs properties in the Housing Revenue Account be decreased by 1% in accordance with Welfare Reform and Works Bill, and the rent of all supported housing properties covered by the exception under the Bill to be increased by CPI + 1%;
 - iv. that the support charges in Appendix B to the report should be increased by 0.9% in line with CPI + 1%, rounded up to the nearest 5 pence;
 - v. that other services charges should be increased by 0.9 % with effect from April 2016;
 - vi. that garage, garage plot and garage port rents are increased by 0.9% in line with CPI + 1% with effect from 1 April 2016;
 - vii. that I to vi above are to take effect as from 1 April 2016; and
 - viii. the rent of all new lets of supported housing properties be increased by 10% on the first occasion that they are re-let after 1 April 2016.

Reason for Decision

To enable the HRA budget for 2016/2017, the rent levels, garage rent, garage plots, garage ports and Housing Support Service Charge levels to be recommended to Council.

84. REQUEST TO INCREASE THE LEISURE EQUIPMENT BUDGET LINE WITHIN THE CAPITAL PROGRAMME

The Director - Customers presented a report which sought to increase the budget for fitness equipment within the Council's Capital Programme. The current Programme contained a budget of £518,000 for procurement of new fitness equipment in 2016/17. However the capital cost of the new equipment for the three leisure centres owned by the Council was £663,407, a difference of £145,407. The reasons for this difference were set out in the report.

AGREED (unanimously) that £145,407 be added to the Council's Capital Programme.

Reason for Decision

To enable the procurement of up to date, technologically advanced equipment, to ensure the competitiveness of the Council's leisure offer.

85. UPDATE ON NEW OFFICES - BUILD

The Moving Ahead Programme Manager presented a report which provided an update on the current progress with appointing a contractor to undertake the build of the new Council offices. It was reported that fourteen contractors had submitted a pre-qualification questionnaire and of these five had been shortlisted to submit a tender. Subsequently two of the shortlisted companies declined to proceed to the tender stage. The Council's project managers and cost consultants Gleeds, advised that the next two highest scoring contractors did not meet the requirements and therefore it was decided to proceed with the remaining three contractors to avoid delay.

In presenting the report the Moving Ahead Programme Manager advised that two of the contractors had requested a two week extension of the deadline for the submission of tenders which had been agreed as this did not result in any delay in the process. It was still anticipated that work would commence on site in March 2016.

AGREED (unanimously) that:

- (a) the update report be noted; and
- (b) Members be informed of the appointed contractor at the conclusion of the procurement process.

Reason for Decision

To ensure Members are updated with progress in building the new council offices.

86. PERFORMANCE MANAGEMENT MID YEAR UPDATE 2015/16

The Business Manager – Policy and Performance presented a report which provided the Members with a selection of performance information falling under the remit of the Committee.

As Chairman of the Economic Development Committee, Councillor D.J. Lloyd requested that a number of the performance indicators should be referred to the Economic Development Committee given their content.

AGREED (unanimously) that the report be noted.

Reason for Decision

To keep Members informed of the latest performance information relating to the Policy & Finance Committee.

87. MINUTES FROM THE MEETINGS OF THE STRATEGIC HOUSING LIAISON PANEL HELD ON 25 NOVEMBER 2015

The Committee considered the minutes from the meeting of the Strategic Housing Liaison Panel held on 25 November 2015.

AGREED (unanimously) that the minutes of the Strategic Housing Liaison Panel held on 25 November 2015 be noted.

Reason for Decision

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

88. URGENCY ITEM - PALACE THEATRE HEATING SOLUTION

The Committee noted the decision to instruct RG Carter to Palace Theatre boilers in line with the strategy outlined in the urgency item.

AGREED (unanimously) that the urgency item be noted.

Reason for Decision

The boiler system at the Palace Theatre was no longer fit for purpose and posed a significant financial and reputational risk to the business.

89. 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 Paragraphs 1, 2 and 3 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

90. OUTCOME OF OMBUDSMAN INVESTIGATION

The Committee considered the exempt report presented by the Director – Safety in relation to the outcome of a recent ombudsman investigation.

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

91. URGENCY ITEM – SECTION 151 OFFICER

The Committee noted the urgency item in respect of the Section 151 Officer.

(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, 6th January 2016 in Room G21, Kelham Hall at 6.00pm

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

Councillors: D. Batey, R.V. Blaney (ex-officio), M.G. Cope, Mrs G.E. Dawn, K. Girling, G.P. Handley, P. Peacock, F. Taylor, T. Wendels and Mrs Y. Woodhead

ALSO IN ATTENDANCE: Councillor D.R Payne

40. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor B. Wells.

41. 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.

42. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

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

43. MINUTES OF THE MEETING HELD ON 25TH NOVEMBER 2015

Minute No. 35 – Newark Lorry Park

In response to whether further information was available in relation to the above matter, the Director – Community advised that a report would be presented to Committee at the March meeting. This would contain information relating to costs and number of spaces.

AGREED (unanimously) that the Minutes of the meeting held on 25th November 2015 be approved as a correct record and signed by the Chairman.

44. ECONOMIC DEVELOPMENT COMMITTEE REVENUE BUDGET 2016/2017 – 2020/21

The Committee considered the report presented by the Assistant Business Manager – Financial Services which provided information on the budget and scales of fees and charges for the areas that fell within the remit of the Committee for 2016/2017 and future years.

Members were advised that the budget would be presented to Policy & Finance Committee with any comments or recommendations. They were further advised that the budget would be reviewed throughout the year with likely budget variations being noted for the Newark Lorry Park and the possible devolution of responsibilities to Southwell Town Council, together with other potential variations.

AGREED (unanimously) that:

- (a) the final Committee budget as shown in Appendix A to the report be recommended to Policy & Finance Committee at its meeting on 25th February 2016 for inclusion in the overall Council Budget; and
- (b) the scales of fees and charges as shown in Appendix B to the report be recommended to Policy & Finance committee at its meeting on 25th February 2016 and Council on 10th March 2016.

45. IMPROVEMENTS TO WORKSHOPS

The Committee considered the report presented by the Director – Community in relation to a proposed scheme to carry out improvements to the Council’s light industrial workshops.

The report set out that despite regular maintenance, the Council’s light industrial workshops had deteriorated with the joinery requiring replacement. It was noted that some replacements had already taken place the previous year, photographs of which were appended to the report.

It was reported that the proposed scheme, based on the works carried out the previous year, would cost approximately £111,100 and that overall this would be cost neutral as savings would be accrued from both the Repairs & Renewals and the Repairs & Maintenance Budgets.

In response to who would carry out the works, Members were informed that current policy was to let the tender to the most appropriate contractor and that efforts were made to keep this within the Council’s locality.

AGREED (unanimously) that the Scheme be approved.

46. DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT (DCLG) COMMUNITY INFRASTRUCTURE LEVY (CIL) REVIEW

The Committee considered the report presented by the Business Manager – Planning Policy in relation to the above mentioned DCLG Review of the CIL.

The report set out that the purpose of the review was to assess the extent to which CIL provided an effective mechanism for funding infrastructure and to formulate recommendations on possible changes that would improve its operation in support of the Government’s wider housing and growth objective. Attached to the report was the Council’s draft reply to the Review.

In considering the item, Members had an in-depth discussion and made suggestions as to possible amendments to the draft reply as follows:

Q1a – The response should emphasise that the Council were the first Local Planning Authority in the country to adopt a CIL and were consulted considerably by the DCLG on regulations and how they could be changed. It was felt that the Council ought to be consulted more than other authorities because of their past experience.

Q2 – Possibly reword the response to emphasise that the LPA were seeking to fund specific highway improvements that were contained within the Council’s 123 List and that CIL monies were continuing to be collected for these.

Members were informed that the 123 List specified what infrastructure the LPA would provide through CIL. The list currently contained approximately 25 projects and would be reviewed as part of the Council’s own current CIL Review and was available for viewing on the Council’s website.

Members suggested that there was a need to highlight inadvertent perverse consequences of the 123 List, using a recent retail development application as an example.

Q4 – Remove the final paragraph on the proposed response.

Q5 – Amend the spelling of complementary.

Q6 – It was noted that the response to the second part of the question “Is there a difference between authorities which have adopted CIL and authorities which have not adopted CIL?” would be amended to highlight the issue of why the Council were undertaking their own CIL Review. It was noted that initially CIL had been intended to be chargeable across all authorities but only very few charged the levy. It was noted that this had little impact on housing delivery but did have an impact on commercial delivery and job creation. If a developer was faced with the choice of establishing a business in an area like Newark that charged CIL or going to Sleaford when no such charge was levied then it was obvious that the CIL Regime put the charging authority at a disadvantage. Members felt that it was crucial that this be expanded on to demonstrate another perverse effect of introducing the scheme. It was also noted that the CIL scheme had an impact within the authority as it was not charged district wide.

Q9/Q10 – Members agreed that the response to these two questions should be ‘yes’.

Q11 – It was noted that there was a significant issue in respect of land value as the LPA were not permitted to take this into account when undertaking a Land Viability Assessment. It remained that a developer could overpay for land and that the local community would lose out as the LPA were unable to extract the sufficient monies to fund necessary infrastructure. Members noted that there needed to be a mechanism whereby the value of land could be assessed or a proportion of the uplift in value could be ensured and invested in the necessary infrastructure to support development that was brought forward. Members agreed that there should be a mechanism to permit LPA to claw-back contributions not provided.

Q13 – Members discussed examples of non-viability and that there were more than two examples of sites within Newark where permission had been granted for retail development but subsequently became undeliverable as developers had omitted to take CIL payments into account. It was agreed that retail and employment examples be included.

Q14 – It was noted that there was no response indicated and Members agreed that this should be ‘yes’, CIL was impacting on affordable housing provision with a narrative being included as to the reasons why as previously stated.

Q15 – It was again noted that there was no response indicated. Members agreed that the response should be ‘yes’.

Q16 – The response to the question requires completion.

Q17 - The Chairman of Planning Committee addressed the Committee, stating that the candid responses to all the questions was to be welcomed. He added that the Council’s responses should be more credible than any other local authority given that CIL had been adopted very early. He commented that one of the problems encountered was the lack of a level playing field. Specifically in relation to Q17 he stated that the ability to review the charging schedule at set times would provide the ability to once again create an un-even playing field. When CIL legislation was initially introduced it was thought that there would be no discretion, as all LPAs would be required to implement a scheme, however, this had not proved to be the case which had put LPAs who have introduced a scheme at a disadvantage. This had resulted in developers choosing to locate in areas where no charges were made.

Q18 – A Member noted that the narrative appeared to contradict the response of ‘yes’ to the question. In response, the Business Manager – Planning Policy provided an explanation and gave an example of why a partial review should be permitted.

Q20 – A Member stated that the response to the question should be ‘yes’ and not, ‘don’t know’. He added that the percentage parish councils received took money away from identified, proven infrastructure needs. He stated that if this was an automatic payment it should be linked to some form of strategic plan. He noted that the adoption of a neighbourhood plan by a parish attracted additional funds of a further 10%, adding that any amount should be linked to a form of neighbourhood plan or similar criteria.

Q22 – Members debated the response to the question and whether it should be ‘no’ and not ‘don’t know’ citing that they were not aware of any parish that had supported development for housing in their area. There had been many cases where parishes had registered their objections but had readily taken the 15% CIL payment. It was stated that the money should remain with the LPA to use it to invest on infrastructure that communities regularly requested. Members commented that the narrative to the response should be that there was absolutely no evidence of CIL encouraging communities to support development.

It was, however, noted that some parishes whose areas were not included in the charging scheme would use the money for improvements within their area and to say an overall ‘no’ was incorrect. In response, it was acknowledged that a parish not in the charging scheme would not receive the automatic 15% but the overall CIL monies collected by the LPA could be used for the whole of the district and was not specific to the area where the development had taken place.

Members noted that the payment of Section 106 monies and CIL payments influenced parish councils about developments in their areas when they were formulating their response to the LPAs consultation for submitted applications.

A Member commented that whilst it was encouraging to know of the 123 List, a developer would be concerned that no monies had been spent to-date on infrastructure, noting that it was costing the authority to manage the scheme. In response the Business Manager – Planning Policy advised that that it had taken a considerable amount of time to accrue the monies and that various infrastructure developments were being worked on. These included highways and also the provision of secondary education.

It was noted that the projects on the 123 List appeared to be the responsibility of the county council with a Member querying whether the LPA should include more amenity based developments instead. The Business Manager advised that it was not a question of responsibility but that of delivery. Section 106 monies had to be spent on projects that were site specific whereas CIL monies were for specific projects within the whole district.

Members noted that when CIL was first introduced it was assumed that it would replace or restrict the implementation of Section 106 agreements but this had not been the case. In relation to the discussions that had taken place, it was noted that the responsibility for the CIL monies lay with the Economic Development Committee and that the 123 List had been formulated and approved by full Council some two or three years previously. Members requested that they be provided with a report giving information as to: the projects on the 123 List; what the estimated costs were for the projects listed; how much money was currently in the CIL pot; and what were the Officer recommendations on the spending of the money.

Members were advised that the current 123 List and amount of CIL monies collected (approximately £1.2/£1.3m) was publically available on the Council's website. In relation to the 123 List Members expressed concern that if a project was costed at a figure and entered onto the list this would likely have risen by the time it came to proceed. They also queried whether such costs were checked against industry standards. Officers acknowledged that this was a challenge when infrastructure planning. Members noted the comments of Officers and suggested that perhaps this could influence the response to Q25.

In relation to the 123 List Members queried whether they could have the relevant information for the next meeting in order that they may begin the process of prioritising the work or the process of work. They were advised that the list would be reviewed as part of the current CIL Review. Work would be undertaken to provide figures as to the cost of projects at that time and what their future cost may be.

Q25 – Members agreed that the 'don't know' response remain unchanged.

Following the above discussion, Members requested that information be forwarded to them in relation to the governance of the CIL Scheme together with information as to the one scheme from the 123 List that was being brought forward and on whose authority. It was also suggested that work on this matter be referred to the LDF Task Group, the findings of which to be reported back to the Economic Development Committee.

AGREED (unanimously) that the response to the formal CIL Review be amended as proposed in the comments of the Committee noted above.

Councillor Mrs Woodhead left the meeting at this point.

47. NATIONAL PLANNING POLICY FRAMEWORK – GOVERNMENT CONSULTATION

The Committee considered the report presented by the Business Manager – Planning Policy in relation to proposed changes to national planning policy.

The report set out the areas which the consultation covered with the consultation document and the proposed response attached as appendices to the report. The areas covered were:

Broadening the definition of affordable housing, to expand the range of low cost housing opportunities;
Increasing the density of development around commuter hubs, to make more efficient use of land in suitable locations;
Supporting sustainable new settlements, development on brownfield land and small sites and delivery of housing agreed in local plans;
Supporting delivery of starter homes; and
Transitional arrangements.

Members offered a number of differing opinions in relation to affordable housing with one Member stating that in relation to the proposed response to Q1 he was not supportive, either factually or politically. Another Member of the Committee noted that it was very difficult for people to get on the housing ladder and that the figures quoted for the average income were incorrect, adding that there was disparity between income and house prices with a third Member stating that the definition of affordable housing required extending in the law.

The Business Manager advised that the Council were not averse to other housing products but they needed to be able to acquire the type of housing required. Members noted that in many cases starter homes, especially in rural locations, were built and then subsequently extended meaning they were no longer starter homes. It was suggested that policies needed to be adopted to enable the LPA greater power to refuse applications for extensions. It was further noted that although many starter homes were in existence, the buy to let market led to an escalation of their value which in turn prevented young people from purchasing that type of housing.

An alternative opinion was put forward by a Member in that a proportion of any development should be taken by the Council for their tenants and that not everyone wished to buy a property and be subject to the payment of a mortgage.

Members were supportive of the responses to the consultation subject to the reference of 'the Government' in Q22 being amended to DCLG.

AGREED (unanimously) that the proposed consultation response, subject to the amendment to the response to Q22 as noted above, be endorsed as the District Council's response to public consultation on changes to national planning policy.

48. PERFORMANCE MANAGEMENT UPDATE – 2015/2016 MID-YEAR UPDATE

The Committee considered the report presented by the Business Manager – Policy & Performance in relation to performance information falling under the remit of the Economic Development Committee. The report set out the performance information using a traffic light indicator with additional narrative provided by the relevant Business Manager.

Members noted that some of the contents of the report were more for information purposes rather than that of performance statistics suggesting that this would be more useful if presented on an annual basis as a reflection of the economy.

It was proposed that the performance information as contained within the report be removed and that alternative performance measures that had been developed within the Economic Development Strategy be reported.

AGREED (by 8 votes for with 3 against) that:

- (a) the report be noted; and
- (b) the performance information as contained within the report be removed and that alternative performance measures, that had been developed within the Economic Development Strategy, be used.

The meeting closed at 7.25pm

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **HOMES & COMMUNITIES COMMITTEE** held on Monday, 18th January 2016 in Room G21, Kelham Hall at 6.00pm.

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

Councillors: Mrs K. Arnold, Mrs B.M. Brooks, Mrs. C. Brooks, Mrs I. Brown, M. Buttery, K. Girling and Mrs S.M. Michael.

ALSO IN ATTENDANCE: Councillors: P.C. Duncan and Mrs P. Rainbow

36. APOLOGIES FOR ABSENCE

Apologies for absence were submitted for Councillors: G. Brooks, D. Thompson and K. Walker.

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

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

Councillor Mrs S.M. Michael Agenda Item No. 7 – Affordable Housing Delivery (Disclosable Pecuniary Interest – Joint Landowner of site in Caunton which is subject to a future rural scheme for affordable housing).

38. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

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

39. MINUTES OF THE MEETING HELD ON 30TH NOVEMBER 2015

AGREED (unanimously) that the Minutes of the meeting held on 30th November 2015 be approved as a correct record and signed by the Chairman.

40. HOMES & COMMUNITIES COMMITTEE REVENUE BUDGET 2016/17 – 2020/21

The Committee considered the report presented by the Assistant Business Manager – Financial Services which provided information on the budget and scales of fees and charges for the areas that fell within the remit of the Committee for 2016/2017 and future years.

It was reported that the final budget would be presented to the Policy & Finance Committee in February together with any comments or recommendations from this Committee. Members were advised that there had been little change to the budget proposals since they had last considered them in November 2015. Members noted that the overall saving to the Council, as a result of devolution, was £440k

AGREED (unanimously) that:

- (a) the final Committee budget be recommended to Policy & Finance Committee at its meeting on 25th February 2016 for inclusion in the overall Council budget; and
- (b) the scales of fees and charges be recommended to Policy & Finance Committee at its meeting on 25th February 2016 and Council on 10th March 2016.

41. CHANGE TO OPERATIONAL PROCEDURES FOR HOUSEHOLDS IN TEMPORARY ACCOMMODATION

The Committee considered the report presented by the Business Manager – Housing Options, Energy & Home Support in relation to the proposed change in operational procedures taking into account recent case law from the UK Supreme Court, which no longer required Local Housing Authorities (LHA) to seek court orders to remove the provision of temporary accommodation for households who, under Section 188 of the Housing Act 1996, were considered not to be owed the main housing duty.

The report set out the legislative threshold for determining whether the local housing authority had a duty to provide temporary accommodation and the current operational procedures when those duties had ceased. The report also provided statistical information as to the number of cases where court action had been taken over the previous 2 years.

Members noted that not having to apply to the Courts for an Order to evict was to be welcomed and queried what the revised process would be. In response, they were advised that the applicant/household would be given a date by which they must vacate the premises and failure to do so would result in the Council instructing bailiffs. This was similar to the current process but the application to the Courts had been removed as this was not now necessary. Members were also informed as to the criteria that must be met to enable an applicant/household to be offered temporary accommodation and also the various reasons why the agreements were terminated.

In relation to whether a case would ever arise where no period of notice was given, Members were advised that it would have to be an extreme case to warrant that approach and it was the Council's intention to maintain the 28 day notice period, adding the Council also operated an internal appeal process available to the applicant/household.

AGREED (unanimously) that:

- (a) the contents of the report be noted; and
- (b) the Committee support the proposed change in operational procedures.

Councillor Mrs S.M. Michael left the meeting during discussion of the following item having declared a Disclosable Pecuniary Interest.

42. AFFORDABLE HOUSING DELIVERY

The Committee considered the report presented by the Business Manager – Strategic Housing in relation to an update on affordable housing delivery across the district and to advise on the pending changes to national housing and planning policies.

Contained within the report was the current policy and strategic background that enabled the delivery of affordable housing to meet the evidenced housing need across the district. Also contained within the report was information in relation to housing need; affordable housing delivery; national policy; and development costs.

It was noted that the Council had developed 77 new Council homes across the district, over a period of 5 years.

In relation to the Right to Buy, it was noted that legislation set out that a tenant must be resident for a period of 3 years before they could apply to buy their property.

Members agreed that the information in the report was to be welcomed but there was still insufficient affordable housing to meet the need within the district. It was noted that the Government's proposed 4 year 1% rent reduction would impact greatly on Council finances. Officers advised that reports would be presented to a future meeting of the Committee once full details had been provided.

A Member of the Committee referred to the affordable housing scheme for 71 units on Sleaford Road, Newark. Whilst in support of the application the Member queried why the Ward Members had not been aware of the application and why it had been determined under delegated powers to Officers with the Member seeking assurances that this would not occur again in the future.

AGREED (unanimously) that the information supplied relating to the affordable housing delivery in the district be noted.

43. PERFORMANCE MANAGEMENT UPDATE – MID-YEAR UPDATE 2015/2016

The Committee considered the report presented by the Business Manager – Policy & Performance in relation to performance information falling under the remit of the Housing & Communities Committee. The report set out the performance information using a traffic light indicator status with additional narrative provided by the relevant Business Manager.

Members agreed that they had reviewed recently the information contained within the appendix to the report and wished to continue to receive information on the chosen basket of performance indicators.

AGREED (unanimously) that the report be noted.

44. ROUGH SLEEPERS IN NEWARK & SHERWOOD

The Committee considered the report presented by the Business Manager – Housing Options, Energy and Home Support in relation to the increase in rough sleeping in the Newark & Sherwood area and the local provision of services and support available for the vulnerable individuals involved.

The report provided information as to the estimated number of rough sleepers in the district during 2015 and the methodology used to calculate the figure which had been ascertained to be 10. Also provided were details of the local provision made for rough sleepers in severe weather. Details of a personalised pilot approach being undertaken by the Community Safety Partnership (CSP) were provided alongside the broader picture of what challenges were ahead and how the Housing & Planning Bill 2015, the Welfare to Work Bill 2015/16 and the further roll out of Universal Credit might impact on homelessness and rough sleeping.

Members noted the number of cases of rough sleepers that were difficult to house. A Member advised that he was aware of an individual that had been sleeping in a car since October 2015 and because of that he was unable to secure employment as he had no permanent address. He also advised that his health was suffering as a consequence of his situation. In response, the Business Manager requested that the Member provide her with further details in order that she could look into the matter and see whether this individual was known to the Council.

A Member queried whether there would be an issue with single occupancy discounts for Council Tax being withdrawn should someone offer accommodation to a rough sleeper. The Business Manager advised that she would look further into the issue.

Members agreed that the volunteers who assisted when the Severe Weather Emergency Protocol (SWEP) was activated and those involved with the Individual Mentoring Partners and Churches Together (IMPACT) were to be congratulated and that the CSP Pilot looked to be worthwhile. They asked that they be kept informed of the progress of this.

Members noted that IMPACT had approached the Council requesting them to consider whether a small donation to support its work could be given with all Members in agreement that they would support this request.

AGREED (unanimously) that:

- (a) the report be noted; and
- (b) a small one off donation to IMPACT be provided in order to recognise and support their work to the increasing numbers of rough sleepers in the district.

The meeting closed at 6.45pm

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the meeting of the **LEISURE & ENVIRONMENT COMMITTEE** held in Room G21, Kelham Hall, Newark on Tuesday, 26th January 2016 at 6.00 pm.

PRESENT: Councillor A.C. Roberts (Chairman)

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

48. APOLOGIES FOR ABSENCE

An apology for absence was received on behalf of Councillor Mrs G. Dawn.

49. MINUTES OF THE MEETING HELD ON 24TH NOVEMBER 2015

AGREED that, subject to the amendment above, the Minutes of the meeting held on 24th November 2015, be approved as a correct record and signed by the Chairman.

50. DECLARATION OF INTERESTS BY MEMBERS AND OFFICERS

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

51. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

52. ORDER OF BUSINESS

The Chairman with agreement of the Committee changed the order of business on the agenda. Agenda item No. 7, National Civil War Centre – Room Hire Rates, was taken as the first item of business, the agenda resumed it stated order thereafter.

53. NATIONAL CIVIL WAR CENTRE – ROOM HIRE RATES

The Committee considered the report presented by the Business Manager National Civil War Centre, which updated the Committee regarding formalising the current rates of room hire at the National Civil War Centre, reflecting the rates at the Palace Theatre.

AGREED (unanimously) that the pricing schedule be approved as part of the adopted fees and charges document.

54. LEISURE AND ENVIRONMENT COMMITTEE REVENUE BUDGET 2016/17-2020/21

The Committee considered the report presented by the Assistant Business Manager Financial Services, which informed Members of the budget and scales of fees and charges for the areas falling under the remit of the Leisure and Environment Committee for 2016/17 and future years.

The current draft budget showed a reduction in 2016/17. Direct service expenditure including deferred and capital charges, and all central services recharges currently showed an overall decrease of £308,490 against 2015/16 budget. When central recharges and capital were excluded the saving increased to £379,030. The budget figure included an average of 2% inflation on expenditure and income. It also assumed a 1% increase in salary and wages costs overall in 2016/17 and future years. Major variations between 2015/16 and 2016/17 were itemised in the report.

The Assistant Business Manager informed the Committee of savings that could be achieved from the Grounds Maintenance budget through devolution to Newark Town Council. The Council currently had a two year contract, which may end through the devolution agreement. Employees would TUPE across to Newark Town Council and £170,000 could be removed from the budget.

A Member sought clarification regarding the total cost 2018/19 for Active4Today being reported as £481,000, which is an increase from £378,800 and asked if an answer could be provided regarding those differences. The Assistant Business Manager confirmed that the management fee to Active4Today was £285,270 with other costs (insurance, legal, CMT) of £ 27,870 making a direct cost of £313,140 to which are added £168,330 capital charges.

A Member asked whether there was Government guidance regarding charges for Dog Breeding. The Director – Community confirmed that when the Government bring in a requirement the fee would be based on Government guidance.

A Member commented on the good service provided by Environmental Health Pest Control and felt that the price for the service could be increased.

Members discussed the charge for collection of stray dogs and whether that was too expensive. The Director – Community confirmed that the Government insisted that all Local Authorities charge a minimum fee of £25 and also expected the Council to recover reasonable costs; £83 was considered a reasonable fee for this service. Members were informed that on average a dog a day was being collected.

The Chairman thanked the Assistant Business Manager and her team for all their work in preparing the budget.

AGREED (unanimously) that:

- (a) the Grounds Maintenance budget be adjusted for the three years 2018/19 to 2020/21 to reflect both costs and income under the devolution agreement;
- (b) the final Committee budget as shown at Appendix A be recommended to Policy & Finance Committee at its meeting on 25th February 2016 for inclusion in the overall Council budget; and
- (c) the scales of fees and charges as shown at Appendix B be recommended to Policy & Finance Committee at its meeting on 25th February 2016 and Council on 10th March 2016.

55. PPROPOSED SPORTS HUB DEVELOPMENT AT BOWBRIDGE ROAD, NEWARK

The Committee considered the report presented by the Deputy Chief Executive which provided an overview of progress on the proposed sports hub development at Bowbridge Road, Newark.

The Leader of the Council commended the report and commented on the huge amount of work that had been undertaken by Newark Town Council, the Deputy Chief Executive and the former Chairman of Lincoln Football Club. He expressed his confidence in the leadership of Newark Sports Association and the partnership agreement appended to the report. Having a sport hub adjacent to the new leisure centre was a great opportunity which needed to be delivered in a way which was sustainable. It was commented that the proposals had already been changed due to funding and may change again to involve Active4Today regarding the booking system.

A Member commented on the work that had been undertaken to protect the Newark cricket club and that the report clearly set out the importance of cricket, the additional pitch at the Kelham Road site and the enhancement of the existing club facilities.

A Member raised concern regarding the potential risk to the Council as role of guarantor and the current costs incurred in terms of significant officer time. He agreed with the desire to see this project happen, however felt that this project was for the benefit of the Newark community and hoped future projects would be rolled out to other parts of the district. It was also commented that there was nothing included in the partnership agreement regarding the need to engage with deprived areas within the district or equal opportunities and therefore no obligation on that partnership which was unsatisfactory.

The Deputy Chief Executive confirmed that at this stage the Council was not asking for any capital or revenue costs, but was trying to define the relationship of the partners and set out the funding. If funding was required a report would be submitted for consideration, although it was hoped that there would be no cost implication as the funding would be achieved from a community share offer, where clubs and organisations would contribute. A sustainable business plan would engage people and young children.

AGREED (unanimously) that:

- (a) the feasibility study for the proposed sports hub development at Bowbridge Road, Newark be noted and approved;
- (b) a recommendation to the Policy and Finance Committee that the Deputy Chief Executive, in consultation with the Chairman and Major Opposition Spokesperson of the Policy and Finance Committee together with the Chairman and Major Opposition Spokesperson of the Leisure and Environment Committee, be given delegated authority to conclude a Partnership Agreement between Newark & Sherwood District Council, Newark Town Council and NSA relating to the delivery of the sports hub project and in relation to its future operation and management, with such agreements recognising the District Council's role as accountable body in the delivery of phase 2 of the Sports Hub project and the potential financial risks that may

arise as a consequence. The Partnership Agreement will reflect the document attached at Appendix 1 to the report, with such amendments as may be necessary to satisfy the relevant funding bodies; and

- (c) a further report be brought to the Leisure and Environment Committee on 28 June 2016 after a detailed business plan has been developed for the project.

56. ACTIVE4TODAY BUSINESS PLAN 2016/17

The Committee considered the report presented by the Director of Communities Active4Today, which sought Committee consideration regarding the Active4Today Business Plan and Performance Framework.

The Active4Today 2016/17 Business Plan, Performance Framework and Management Fee had been considered by the Working Party with the Company making revisions to the relevant documents. The additional management fee request for 2016/17 was £124,876, excluding Southwell Leisure Centre Trust.

Members raised concern regarding the price increases and also the drive to increase the number of customers having direct debit. It was felt that people on benefits may feel excluded if they could not commit to the direct debit scheme due to financial constraints and the report had indicated a decline in attendance from people on benefits.

The Director for Communities Active4Today confirmed that the decline in attendance was seasonal and there were offers available to low income groups. Active 4Today had secured 4,600 members and were striving to achieve 5,000 members on Active cards, paying by direct debit, in order to achieve their predicted budget. The Active card scheme also provided key information regarding the customer.

AGREED (unanimously) that

- (a) the Active4Today 2016/17 Business Plan, Performance Framework and the request for additional management fee in 2016/17 of £124,876 to ensure the company's cash-flow requirements can be met, be approved; and
- (b) the additional management fee be paid on a phased basis.

57. PERFORMANCE MANAGEMENT UPDATE – MID YEAR UPDATE 2015/16

The Committee considered the report presented by the Business Manager Policy & Commissioning which provided the Committee with a selection of performance information falling under the remit of the Leisure and Environment Committee.

A Member sought clarification as to why there was no information regarding the number of paying visitors – National Civil War Centre for September to January 2016. The Business Manager confirmed that an answer would be provided to the Committee.

AGREED (unanimously) that:

- (a) the report be noted; and
- (b) the information regarding the number of paying visitors – National Civil War Centre for September to January 2016 be provided to the Committee.

58. HEALTH AND WELLBEING/HEALTH SCRUTINY

The Chairman provided an update on the Health and Wellbeing Board he attended on the 6 January 2016. The meeting included the following: an update regarding the Care Act 2014; Report on the Nottingham Wellbeing Award Scheme; Report from the Health and Wellbeing Implementation Group; Joint Health and Wellbeing workshop update; and a Report on devolution in Nottinghamshire.

A Member provided an update on the Health Scrutiny meeting that he had attended on the 18 January 2016. The key item on the agenda was the work of the Health and Wellbeing Board and the importance of community involvement in achieving improvement to health. It was urged for the District Council to engage with Town and Parish Councils regarding health and wellbeing, in order for Members to be actively involved in trying to promote healthier life styles.

The meeting had also discussed Road Traffic Accidents in the district, mortality rates being twice the national average for Nottinghamshire. The meeting had concluded that no further work would be undertaken regarding this issue. The Member commented that further work was required in schools regarding this.

The meeting closed at 7.40pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **PLANNING COMMITTEE** held in the Council Chamber, Kelham Hall, Newark on Tuesday, 5th January 2016 at 4.00pm.

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

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

ALSO IN

ATTENDANCE: Councillors: K. F. Girling and J.D. Lee

115. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors R.V. Blaney, Mrs M. Dobson and Mrs L.M.J. Tift.

116. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

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

<u>Member/Officer</u>	<u>Agenda Item</u>
Councillors R.A. Crowe and I. Walker	Agenda Item No. 6 – Former Piano School, Mount Lane, Newark (15/01260/FULM). Personal interest as they are representatives of the Council for St. Leonards Trust.
Councillor D.R. Payne	Agenda Item No. 6 – Former Piano School, Mount Lane, Newark (15/01260/FULM). Personal interest as his professional partner is Clerk to St. Leonards Trust which is operated through his office.

117. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

118. MINUTES OF THE MEETING HELD ON 9TH DECEMBER 2015

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

119. BALDERTON HYDRO POOL, GILBERT WAY, FERNWOOD (15/00846/OUT)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought outline planning permission for the residential development of the site with all matters reserved.

Members considered the application and it was raised that, due to objections from residents regarding the location and massing of the proposed development, an informative note should be provided to the applicant advising that a 1 metre distance to the neighbouring property would be a material matter for consideration when approval of reserved matters was sought.

AGREED (unanimously) that outline planning permission be granted subject to the conditions contained within the report and an informative note to the applicant to make clear that a 1 metre distance to the neighbouring property would be a material factor in considering the approval of reserved matters.

120. FORMER PIANO SCHOOL, MOUNT LANE, NEWARK ON TRENT (15/01260/FULM)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought full planning permission for the conversion of the existing buildings to form a residential development comprising 15 no. rooms with shared kitchen facilities and some shared bathroom facilities, 6 no. self-contained studio, 2 no. 1 bedroom apartments and a 1 no. 2 bedroom apartment.

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

Councillor K.F. Girling, local Member for Newark Castle Ward spoke against the application for the following reasons: He had never known an application to have so many objections. The proposed development was over intensification. He was surprised that the Fire Authority had not commented due to there only being one access into the building. He commented that the report suggested that the accommodation would be for professionals whom he felt would not want shared facilities and raised concern that the accommodation would be more suitable for students or sheltered housing, which may raise concern with neighbouring properties. Clarification was sought as to who would manage the development if there were problems. Concern was also raised regarding the waste arrangements and storage for the site. He suggested that the building be developed for luxury accommodation for professionals.

Members considered the application and it was commented that the proposals would be sympathetic to the building, keeping the original windows and features. The proposals would also prevent the building from falling into disrepair. Concern was raised regarding the area already having problems with anti-social behaviour. The question as to who would be responsible for management of the building was also raised. It was also commented that the development was over intensified and may increase car parking problems within Newark. It was suggested that the development should have less bedrooms allowing for rooms to have their own facilities. Concern

was also raised regarding fire safety as Members felt that one access was not adequate for the number of residents within the proposed building and potential anti-social behaviour. It was also commented that the police Authority had not submitted their comments.

The Business Manager Development suggested that the condition for waste management as contained within the report could be amended to cover the management of the building; however that could not be specific to any person.

A vote was taken to grant planning permission including the additional condition for the management of the building which was lost with 3 votes for and 9 votes against.

Members proposed that the item be deferred to clarify a number of points detailed below.

AGREED (with 8 votes for and 4 votes against) that the application be deferred to the 2nd February 2015 Planning Committee, to clarify the following:

- (i) To ascertain if the applicants would be willing to reduce the overall number of units;
- (ii) How far out in percentage terms the self-contained units are from being policy compliant;
- (iii) Confirm that the fire and police have no objections;
- (iv) Confirm details of the waste scheme;
- (v) Explain why there are no postal deliveries/addresses; and
- (vi) Provide examples of where arrangements have operated successfully with particular examples of how management/supervision operates in similar scenarios.

121. LAND TO THE SOUTH EAST OF FORMER A46, SYERSTON (15/00912/FULM)

The Committee considered the report of the Deputy Chief Executive, which sought full planning permission for two agricultural storage buildings.

Members considered the application and it was commented that the scale and size of the two proposed sheds was required due the large machinery and grain that needed to be stored. The large sheds would not impact on the battle of Syerston site or on Syerston Hall. Concern was however raised regarding the size of the two sheds on the proposed site in the open countryside.

The Chairman commented that he had requested that the application be considered by the Planning Committee due to the employment aspect.

Members asked whether any other sites had been considered for the sheds. It was confirmed that there was difficulty with other sites in the applicant's ownership due to the Syerston battlefield, flood zone and closer proximity with Eden Hall.

Another Member commented on the need for farmers and food and that the Committee should support the application.

A vote was taken to grant planning permission and was lost with 6 votes for and 6 votes against. The Chairman did not exercise his right to use his casting vote.

A further vote was taken to refuse planning permission and was lost with 5 votes for, 6 votes against and 1 abstention. Due to the Planning Committee being unable to determine the application, the application was deferred to the 2nd February 2016 Planning Committee, where the application would be considered again by Members of the Committee.

AGREED that the application be deferred to 2nd February 2016 Planning Committee, where the application would be considered again by Members of the Committee.

122. UPDATE ON PLANNING COMMITTEE WORKING PARTY

The Committee considered the Planning Committee Working Party Minutes. Members discussed the recommended actions from the Minutes and the following discussion and proposals were made.

The Deputy Chief Executive informed Committee that the intention of the Planning Committee Working Party was to review the planning process as there had been an increase in the number of applications, particularly major applications and therefore an increase in the volume of work being undertaken by the Planning Business Unit and Planning Committee. The Working Party's role was to review and make suggestions as to how that work could be efficiently managed. In terms of minor applications and the right of Town and Parish Councils able to refer them to Committee, if their response was contrary to the officer recommendation the Working Party had recommended that this right be removed on a trial basis with a full explanation to Town and Parish Councils of the proposed changes. The right for Members to refer an application to Committee would remain.

Members were advised that substitution was not available for all Committees; under the Council's Constitution substitution was only currently available for the operational committees. The Council could lawfully operate substitution for any committee provided the Constitution was amended to provide for it; however that would be a matter for the Council and not for the Planning Committee to decide. The Planning Committee could make a recommendation to the Councillors' Commission which could in turn make a recommendation to Council. Members were further advised that the Council had previously used substitution as a means of preserving political balance on the operational committees. The purpose of the Planning Committee was to make decisions based on the planning merits of an application and not to operate, or be perceived to operate in a political way.

The Business Manager Development informed the Committee that planning applications had increased by circa 10-12% in overall terms, major applications had increased by 55%, which was a positive indicator that the building industry was moving. The Government had made two changes in the last few years, the first being a target that 'minor' and 'other' applications being determined within 8 weeks, unless an extension of time was agreed by the applicant. The second was that at present only performance in determining 'major' applications was monitored nationally.

However the Housing Bill had stipulated that monitoring of the levels of performance would be extended to 'minor' and 'other' applications. This would be introduced in October 2016. The Planning Authority therefore needed to ensure they could deliver the statutory planning service, which would be monitored retrospectively on a two year basis. When an application was submitted, the Authority needed to have the capacity to react, which would have an impact on Planning Officer's and Democratic Services time.

The Chairman disagreed with the change to the proposed arrangements for Town and Parish Council's. He felt that the proposal may place a Member in a one Member ward in a difficult position as they may not agree with the Town or Parish Council on a matter and may be asked to refer an application for Committee consideration where they did not personally disagree with the officer recommendation. Members of the Planning Committee may also be compromised by calling in an item.

The Deputy Chief Executive confirmed that there was not an automatic right for a Member to refer an item to Planning Committee. The request would be considered by the Business Manager Development or the Deputy Chief Executive in consultation with the Chairman of the committee to determine if there were valid grounds for referral. It may assist if Members first discussed their concerns with the planning case officer before referring a matter to committee.

Some Members commented that there was no need for any major change to the scheme of delegation. The Authority was currently meeting their targets and when major applications were submitted to the Council a special meeting of the Planning Committee could be convened. It was suggested that Members should all be briefed/trained to promote awareness of the weekly planning list as it was important for them to get involved at an early stage. The planning officer's committee presentations were considered too lengthy and could be condensed as Members had a comprehensive reports circulated to them before the meeting. It was further commented that there was no need to have additional scheduled meetings as it could not be predicted when they would be required. The introduction of substitutes was also raised and it was commented that the Planning Committee membership was constituted according to political balance and the introduction of substitutes would be maintaining that status quo.

It was suggested that the principle of appointment of substitutes to Planning Committee be discussed by the political groups.

AGREED (unanimously) that:

- (a) all Members of the Council be made aware of the current scheme of delegation including the weekly lists (which should be split to make clear which applications were major and which were minor);
- (b) Members be encouraged to liaise with the relevant Town or Parish Council and with the planning case officer before requesting that an item be referred to the Planning Committee;

- (c) where appropriate the Planning Officers presentation to the Planning Committee be shortened to include reference to key issues only; and
- (d) the principle of appointment of substitutes to the Planning Committee be referred to the political Groups for further discussion and debate.

123. APPEALS LODGED

NOTED that the report be noted.

124. APPEALS DETERMINED

NOTED that the report be noted.

The meeting closed at 6.38pm

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **COUNCILLORS' COMMISSION** held in Room G21, Kelham Hall, Newark on Friday 22nd January 2016 at 3.00pm.

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

APOLOGY: Councillor Mrs G.E. Dawn.

14. MINUTES OF THE MEETING HELD ON 20TH OCTOBER 2015

AGREED that the minutes of the meeting held on 20th October 2015 be approved as a correct record and signed by the Chairman.

15. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

There were no declarations of interest.

16. MEMBERS ALLOWANCES INDEPENDENT REMUNERATION PANEL

The Commission considered the report of the Chief Executive which advised Members of the report of the Members Allowances Independent Remuneration Panel. The Commission were invited to consider the findings of the report of the Independent Panel ahead of this being submitted to the Full Council meeting on 9th February 2016 for consideration and adoption of a new scheme.

The Chief Executive detailed the main recommendations within the Panel report which were as follows:

- 1 *"We recommend that the IT allowance should be consolidated into the basic rate and we recommend a basic allowance of £4,700.*
- 2 *We recommend that the rule restricting a member to a single Special Responsibility Allowance (SRA) should be removed.*
- 3 *We recommend a Leader's SRA of £13,000.*
- 4 *We recommend that there should be a new SRA of £2,600 for the Deputy Leader.*
- 5 *We recommend that the allowances for functional committees, Licensing and General Purposes Committee and Audit and Accounts Committee Chairs and Vice Chairs are maintained at their current level.*
- 6 *We recommend that the main Opposition Group Leader's allowance should be £4,500.*
- 7 *We recommend that the Chair and Vice-Chair of Planning Committee should receive SRA's of £5,298 and £977 respectively.*
- 8 *We recommend that, subject to the Monitoring Officer's advice, the SRA for a Standards Committee Chair is ceased."*

The Commission confirmed that they would not wish to propose any changes to the recommendations given that the report had been compiled by the Independent Panel. However comments on the report were put forward as follows.

There was a view that the role of the Deputy Leader of the Major Opposition Party was not sufficiently recognised within the scheme. It was suggested that the role of the Leader of the Major Opposition Party could be formally recognised in the Constitution and taken into account in the next Independent Review.

The recommended increase in the Basic Allowance was welcomed as it was considered that this may attract new Members and a wider demographic representation. The Commission also welcomed the proposal to remove restriction of only one SRA payable per Member as it was felt this would make the Council more flexible.

In respect of the Planning Committee the Commission expressed some disappointment that no additional SRA was to be payable due to the time commitment required. It was felt that there may be a danger of only retired or non-working members putting themselves forward to sit on the Planning Committee (or indeed the Licensing Committee in respect of hearings) due to the time commitment. However reference was also made to the ongoing debate about how the Planning Committee currently operates and the scope to make changes.

The Commission also considered the position in respect of the SRA payable to the Chairman of the Standards Committee which the Panel were suggesting should be ceased subject to the advice of the Monitoring Officer. It was agreed that the Monitoring Officer should prepare a report for a future meeting of the Councillors' Commission which gave different options as to how the standards regime could operate in the future. As such any decision on the SRA payable to the Chairman of the Standards Committee should be deferred.

It was acknowledged that the proposed scheme would make the District Council more comparable with comparator authorities and the Commission suggested that when preparing the report for the Full Council reference was made to the comparison data given to the Panel and the previous report of the Independent Remuneration Panel in April 2013.

It was also suggested that in future the Councillors' Commission should consider the content of any existing scheme prior to an Independent Panel being convened.

AGREED (unanimously) that the full Council be recommended to adopt a new scheme of Members Allowances at their meeting to be held on 9th February 2016, in accordance with the recommendations of the Independent Remuneration Panel.

In respect of the proposal to cease the payment of a SRA to the Chairman of the Standards Committee, it was recommended that any decision on this be deferred until such time that the Council have considered the future operation of the standards regime for which the Monitoring Officer will bring forward options for consideration.

Meeting closed at 4.20pm.

Chairman