

Date: 2nd April 2015

Dear Sir/Madam,

COUNCIL MEETING – 14TH APRIL 2015

Notice is hereby given that a meeting of the Newark and Sherwood District Council will be held in the Council Chamber, Kelham Hall on Tuesday, 14th April 2015 at 5.30pm.

Yours faithfully



A.W. Muter
Chief Executive

AGENDA

Pages

- | | | |
|----|--|--------|
| 1. | Apologies for absence | |
| 2. | Minutes of the meeting held on 10 th March 2015 | 1 – 20 |
| 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) | |

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|-----|--|---------|
| 9. | Co-opted Parish Representatives and Independent Member on the Standards Committee | 21 - 22 |
| 10. | Byelaws for the Regulation of Cosmetic Piercing and semi-permanent Skin Colouring Businesses | 23 - 30 |
| 11. | Notices of Motion (if any) | |
| 12. | Questions from Members of the Council | |

DELEGATED DECISIONS

- | | | |
|-----|--|------------------------------|
| 13. | (a) Policy & Finance Committee – 26 th March 2015 | PF1 – PF6 (PF7 – PF8 Exempt) |
| | (b) Economic Development Committee – 11 th March 2015 | ED1 – ED7 |
| | (c) Homes & Communities Committee – 23 rd March 2015 | HC1 – HC6 |
| | (d) Leisure & Environment – 17 th March 2015 | LE1 – LE6 |
| | (e) Planning Committee | |
| | (i) 25 th March 2015 | PL1 – PL9 |
| | (ii) 7 th April 2015 | To follow |
| | (f) Audit & Accounts Committee – 8 th April 2015 | To follow |
| | (g) Standards Committee – 11 th March 2015 | ST1 – ST3 |

NOTES:

- (1) The Conservative Group and Newark and Sherwood Independent Group will meet at 4.30pm in Room G23 prior to the Council Meeting.
- (2) The Labour Group will meet at 4.30pm in the Training Room G23 prior to the Council Meeting.
- (3) The Liberal Democrat Group will meet at 4.30pm in Room F20 prior to the Council Meeting.
- (4) The Independent Group will meet at 4.30pm in Room F19 prior to the Council Meeting.
- (5) Tea and coffee will be available in the Group Meeting Rooms.

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **NEWARK AND SHERWOOD DISTRICT COUNCIL** held in the Council Chamber, Kelham Hall, Newark on Tuesday, 10th March 2015 at 5.30pm.

PRESENT: Councillor Mrs R. Crowe (Chairman)
Councillor G.S. Merry (Vice – Chairman)

Councillors: N.R. Allsopp, T.S. Bickley, R.V. Blaney, J. Bradbury, R.L. Bradbury, Mrs B.M. Brooks, Mrs C. Brooks, G. Brooks, Mrs I. Brown, Mrs G.E. Dawn, P.C. Duncan, Mrs T. Gurney, J.E. Hamilton, G.P. Handley, P.R.B Harris, R.J. Jackson, D. Jones, R.B. Laughton, D.J. Lloyd, D.P. Logue, Mrs S.M. Michael, J.L. Osborne, D.R Payne, J.M. Peck, M. Pringle, A.C. Roberts, Mrs C. Rose, Mrs S.E. Saddington, M. Shaw, Mrs L.A. Shilling, R. Shillito, D. Staples, Mrs S. Soar, Mrs L.J.M. Tift, Mrs M. Tribe, Mrs A.A. Truswell, I. Walker, B. Wells, T. Wendels and Mrs Y. Woodhead.

APOLOGIES FOR ABSENCE: Councillors: Mrs M. Dobson, J. Middleton, F. R. Taylor and D. Thompson

54. MINUTES

AGREED that the minutes of the Meeting held on 10th February 2015 be approved as a correct record and signed by the Chairman.

55. DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

NOTED the interest declared as shown on the schedule circulated at the meeting.

56. 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.

57. REVENUE BUDGET AND COUNCIL TAX SETTING FOR 2015/16

The Council considered the joint report of the Leader of the Council and the Director – Resources relating to the Revenue Budget and Council Tax Setting for 2015/2016.

The report indicated that, in setting the level of Council Tax for 2015/2016, it was necessary to consider the requirements of the Council Tax Collection Fund for 2015/2016. This incorporated the District Council's Council Tax Requirement, Parish Council Precepts and the Council Tax requirements of Nottinghamshire County Council, the Nottinghamshire Police and Crime Commissioner and the Nottinghamshire Fire and Rescue Service.

The Policy & Finance Committee, at its meeting held on the 25th February 2015, recommended that the District Council's Council Tax Requirement for 2015/2016, excluding Parish Council precepts, should be £12,491,810 as detailed in the Council's Budget Book for 2015/2016. As part of the budget process, the views of the operational committees had been taken into account along with views of the Commercial Ratepayers through the statutory consultation.

It was reported that all Parish Council precepts had been received with the exception of Egmanton and Laxton and Moorhouse which had been anticipated at last year's level following discussions with the parishes. Parish precepts totalled £2,487,688.27 making a total Budget Requirement for the District Council of £14,979,498.17. Nottinghamshire County Council had set a precept on Newark & Sherwood District Council's Collection fund for 2015/2016 of £45,637,909.00, the Nottinghamshire Police & Crime Commissioner had set a precept on Newark & Sherwood District Council's Collection fund for 2015/2016 of £6,486,397.34 and the Nottingham and Nottinghamshire Fire and Rescue Service had proposed a precept on Newark & Sherwood District Council's Collection fund for 2015/2016 of £2,663,688.00.

Councillor R.V. Blaney moved and Councillor D.J. Lloyd seconded the recommendations as detailed in the report.

AGREED (unanimously) that:

1. the revenue estimates for 2015/2016 and the medium term plan for 2015/16 to 2019/20, as submitted in the Council's Budget book be approved;
2. it be noted that the following amounts have been determined for the year 2015/2016 in accordance with regulations made under Section 31(B) of the Local Government Finance Act 1992:-
 - (a) £36,770.96 being the amount calculated by the Council in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its Council Tax Base for the year;
 - (b) £38,522,066 being the net business rate yield after transitional arrangements and rate retention;
 - (c) Part of the Council's Area

	PARISH	TOTAL LOCAL TAX BASE
1	Alverton	22.97
2	Averham	109.89
3	Balderton	2,943.07
4	Barnby in the Willows	103.75
5	Bathley	118.21
6	Besthorpe	79.00
7	Bilsthorpe	834.47
8	Bleasby	381.74
9	Blidworth	1,055.44
10	Bulcote	136.42
11	Carlton-on-Trent	90.58
12	Caunton	193.45

13	Caythorpe	136.92
14	Clipstone	1,118.20
15	Coddington	538.56
16	Collingham	1,063.36
17	Cotham	42.47
18	Cromwell	98.01
19	Eakring	172.36
20	East Stoke	53.46
21	Edingley	180.28
22	Edwinstowe	1,645.28
23	Egmanton	127.71
24	Elston	267.89
25	Epperstone	247.00
26	Farndon	794.77
27	Farnsfield	1,086.82
28	Fiskerton-cum-Morton	416.20
29	Girton and Meering	49.20
30	Gonalston	48.81
31	Grassthorpe	24.25
32	Gunthorpe	310.56
33	Halam	191.47
34	Halloughton	38.31
35	Harby	107.02
36	Hawton	33.26
37	Hockerton	73.75
38	Holme	38.91
39	Hoveringham	168.20
40	Kelham	84.45
41	Kersall	21.58
42	Kilvington	13.66
43	Kirklington	165.73
44	Kirton	113.16
45	Kneesall	89.50
46	Langford	40.99
47	Laxton & Moorhouse	113.65
48	Lowdham	985.35
49	Lyndhurst	6.93
50	Maplebeck	46.33
51	Meering	-
52	Newark	7,798.43
53	North Clifton	72.47
54	North Muskham	392.44
55	Norwell	208.99
56	Ollerton and Boughton	2,490.74
57	Ompton	21.88
58	Ossington	39.90
59	Oxton	259.78
60	Perlethorpe-cum-Budby	73.46

61	Rainworth	1,732.80
62	Rolleston	149.29
63	Rufford	228.39
64	South Clifton	120.28
65	South Muskham	192.16
66	South Scarle	87.42
67	Southwell	2,785.76
68	Spalford	34.35
69	Staunton	26.73
70	Staythorpe	40.69
71	Sutton-on-Trent	489.75
72	Syerston	88.01
73	Thorney	95.04
74	Thorpe	33.86
75	Thurgarton	218.49
76	Upton	183.05
77	Walesby	414.31
78	Wellow	191.07
79	Weston	129.29
80	Wigsley	44.15
81	Winkburn	30.10
82	Winthorpe	283.44
83	Fernwood	870.90
84	Kings Clipstone	120.19
	Total Rounded	36,770.96

PARISHES GROUPED FOR PRECEPT PURPOSES

	Averham, Kelham, Staythorpe	235.03
	Kneesall, Kersall, Ompton	132.96
	Winthorpe, Langford	324.43
	East Stoke, Thorpe	87.32

being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as the amounts of its Council Tax base for the year for dwellings in those parts of its area to which one or more special items relate;

3. that the following amounts be now calculated by the Council for the year 2015/2016 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992:-
 - (a) £85,162,858.27 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) to (4) of the Act;

- (b) £70,183,360.00 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3)(a) to (d) of the Act;
- (c) £14,979,498.27 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with section 31A(4) of the Act, as its Council Tax requirement for the year;
- (d) £6,581,622.00 being the amount of Revenue Support Grant (£2,623,636) and net retained Business Rates (£3,957,986) which the Council estimates will be payable for the year into its general fund
- (e) £0.00 being the amount which the Council has estimated in accordance with regulations issued under Section 97(3) of the Local Government Finance Act 1988 as its proportion of the surplus on the Council Tax Collection Fund;
- (f) £228.38 being the amount at 3(c) above less the amount at 3(d) above less the amount at 3(e) above all divided by the amount at 2(a) above calculated by the Council in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year;
- (g) £2,487,688.27 being the aggregate amount of all special items referred to in Section 34(1) of the Act, the Council resolves there being no other special items;
- (h) £160.73 being the amount at 3(f) above less the result given by dividing the amount at 3(g) above by the amount at 2(a) above, calculated by the Council in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates.;
- (i)

	PARISH	BASIC TAX (£)
1	Alverton	160.73
2	Averham	*
3	Balderton	245.08
4	Barnby in the Willows	184.34
5	Bathley	172.28

6	Besthorpe	235.21
7	Bilsthorpe	229.22
8	Bleasby	188.24
9	Blidworth	225.59
10	Bulcote	182.72
11	Carlton-on-Trent	192.37
12	Caunton	185.28
13	Caythorpe	172.42
14	Clipstone	239.20
15	Coddington	186.26
16	Collingham	182.54
17	Cotham	160.73
18	Cromwell	163.28
19	Eakring	181.62
20	East Stoke	****
21	Edingley	182.92
22	Edwinstowe	227.31
23	Egmanton	173.65
24	Elston	220.46
25	Epperstone	194.25
26	Farndon	224.90
27	Farnsfield	218.70
28	Fiskerton-cum-Morton	177.31
29	Girton and Meering	185.61
30	Gonalston	160.73
31	Grassthorpe	160.73
32	Gunthorpe	213.72
33	Halam	199.90
34	Halloughton	169.87
35	Harby	188.64
36	Hawton	198.31
37	Hockerton	172.26
38	Holme	160.73
39	Hoveringham	231.27
40	Kelham	*
41	Kersall	**
42	Kilvington	160.73
43	Kirklington	189.09
44	Kirton	204.92
45	Kneesall	**
46	Langford	***
47	Laxton & Moorhouse	192.41
48	Lowdham	227.32
49	Lyndhurst	160.73
50	Maplebeck	160.73
51	Meering	160.73
52	Newark	263.56
53	North Clifton	173.84

54	North Muskham	200.21
55	Norwell	181.71
56	Ollerton and Boughton	280.75
57	Ompton	**
58	Ossington	160.73
59	Oxton	195.37
60	Perlethorpe-cum-Budby	179.24
61	Rainworth	191.03
62	Rolleston	202.59
63	Rufford	175.84
64	South Clifton	169.29
65	South Muskham	206.92
66	South Scarle	202.48
67	Southwell	231.72
68	Spalford	160.73
69	Staunton	160.73
70	Staythorpe	*
71	Sutton-on-Trent	204.20
72	Syerston	170.96
73	Thorney	182.19
74	Thorpe	****
75	Thurgarton	187.00
76	Upton	194.98
77	Walesby	235.55
78	Wellow	186.95
79	Weston	184.86
80	Wigsley	160.73
81	Winkburn	160.73
82	Winthorpe	***
83	Fernwood	235.78
84	Kings Clipstone	239.77

PARISHES GROUPED FOR PRECEPT PURPOSES

	Parish	Basic Tax (£)
*	Averham, Kelham, Staythorpe	173.49
**	Kneesall, Kersall, Ompton	177.22
***	Winthorpe, Langford	185.79
****	East Stoke, Thorpe	183.63

being the amounts given by adding to the amount at 3(h) above the amounts of the special item or items (if any) relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in parts of its area including those parts to which one or more special items relate.

Recommendation 3(j) shows the basic level of tax for all property Bands in each parish, including parish charges where appropriate. This is shown on the following two pages.

3(j)

Part of the Council's area, being the Parishes of:-	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
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		£	£	£	£	£	£	£	£
1	Alverton	107.15	125.01	142.87	160.73	196.45	232.17	267.88	321.46
2	Averham	*	*	*	*	*	*	*	*
3	Balderton	163.39	190.62	217.85	245.08	299.54	354.00	408.47	490.16
4	Barnby in the Willows	122.89	143.38	163.86	184.34	225.30	266.27	307.23	368.68
5	Bathley	114.85	134.00	153.14	172.28	210.56	248.85	287.13	344.56
6	Besthorpe	156.81	182.94	209.08	235.21	287.48	339.75	392.02	470.42
7	Bilsthorpe	152.81	178.28	203.75	229.22	280.16	331.10	382.03	458.44
8	Bleasby	125.49	146.41	167.32	188.24	230.07	271.90	313.73	376.48
9	Blidworth	150.39	175.46	200.52	225.59	275.72	325.85	375.98	451.18
10	Bulcote	121.81	142.12	162.42	182.72	223.32	263.93	304.53	365.44
11	Carlton-on-Trent	128.25	149.62	171.00	192.37	235.12	277.87	320.62	384.74
12	Caunton	123.52	144.11	164.69	185.28	226.45	267.63	308.80	370.56
13	Caythorpe	114.95	134.10	153.26	172.42	210.74	249.05	287.37	344.84
14	Clipstone	159.47	186.04	212.62	239.20	292.36	345.51	398.67	478.40
15	Coddington	124.17	144.87	165.56	186.26	227.65	269.04	310.43	372.52
16	Collingham	121.69	141.98	162.26	182.54	223.10	263.67	304.23	365.08
17	Cotham	107.15	125.01	142.87	160.73	196.45	232.17	267.88	321.46
18	Cromwell	108.85	127.00	145.14	163.28	199.56	235.85	272.13	326.56
19	Eakring	121.08	141.26	161.44	181.62	221.98	262.34	302.70	363.24
20	East Stoke	****	****	****	****	****	****	****	****
21	Edingley	121.95	142.27	162.60	182.92	223.57	264.22	304.87	365.84
22	Edwinstowe	151.54	176.80	202.05	227.31	277.82	328.34	378.85	454.62
23	Egmanton	115.77	135.06	154.36	173.65	212.24	250.83	289.42	347.30
24	Elston	146.97	171.47	195.96	220.46	269.45	318.44	367.43	440.92
25	Epperstone	129.50	151.08	172.67	194.25	237.42	280.58	323.75	388.50
26	Farndon	149.93	174.92	199.91	224.90	274.88	324.86	374.83	449.80
27	Farnsfield	145.80	170.10	194.40	218.70	267.30	315.90	364.50	437.40
28	Fiskerton-cum-Morton	118.21	137.91	157.61	177.31	216.71	256.11	295.52	354.62
29	Girton	123.74	144.36	164.99	185.61	226.86	268.10	309.35	371.22
30	Gonalston	107.15	125.01	142.87	160.73	196.45	232.17	267.88	321.46
31	Grassthorpe	107.15	125.01	142.87	160.73	196.45	232.17	267.88	321.46
32	Gunthorpe	142.48	166.23	189.97	213.72	261.21	308.71	356.20	427.44
33	Halam	133.27	155.48	177.69	199.90	244.32	288.74	333.17	399.80
34	Halloughton	113.25	132.12	151.00	169.87	207.62	245.37	283.12	339.74

35	Harby	125.76	146.72	167.68	188.64	230.56	272.48	314.40	377.28
36	Hawton	132.21	154.24	176.28	198.31	242.38	286.45	330.52	396.62
37	Hockerton	114.84	133.98	153.12	172.26	210.54	248.82	287.10	344.52
38	Holme	107.15	125.01	142.87	160.73	196.45	232.17	267.88	321.46
39	Hoveringham	154.18	179.88	205.57	231.27	282.66	334.06	385.45	462.54
40	Kelham	*	*	*	*	*	*	*	*
41	Kersall	**	**	**	**	**	**	**	**
42	Kilvington	107.15	125.01	142.87	160.73	196.45	232.17	267.88	321.46
43	Kirklington	126.06	147.07	168.08	189.09	231.11	273.13	315.15	378.18
44	Kirton	136.61	159.38	182.15	204.92	250.46	296.00	341.53	409.84
45	Kneesall	**	**	**	**	**	**	**	**
46	Langford	***	***	***	***	***	***	***	***
47	Laxton & Moorhouse	128.27	149.65	171.03	192.41	235.17	277.93	320.68	384.82
48	Lowdham	151.55	176.80	202.06	227.32	277.84	328.35	378.87	454.64
49	Lyndhurst	107.15	125.01	142.87	160.73	196.45	232.17	267.88	321.46
50	Maplebeck	107.15	125.01	142.87	160.73	196.45	232.17	267.88	321.46
51	Meering	107.15	125.01	142.87	160.73	196.45	232.17	267.88	321.46
52	Newark	175.71	204.99	234.28	263.56	322.13	380.70	439.27	527.12
53	North Clifton	115.89	135.21	154.52	173.84	212.47	251.10	289.73	347.68
54	North Muskham	133.47	155.72	177.96	200.21	244.70	289.19	333.68	400.42
55	Norwell	121.14	141.33	161.52	181.71	222.09	262.47	302.85	363.42
56	Ollerton and Boughton	187.17	218.36	249.56	280.75	343.14	405.53	467.92	561.50
57	Omp-ton	**	**	**	**	**	**	**	**
58	Ossington	107.15	125.01	142.87	160.73	196.45	232.17	267.88	321.46
59	Oxton	130.25	151.95	173.66	195.37	238.79	282.20	325.62	390.74
60	Perlethorpe-cum-Budby	119.49	139.41	159.32	179.24	219.07	258.90	298.73	358.48
61	Rainworth	127.35	148.58	169.80	191.03	233.48	275.93	318.38	382.06
62	Rolleston	135.06	157.57	180.08	202.59	247.61	292.63	337.65	405.18
63	Rufford	117.23	136.76	156.30	175.84	214.92	253.99	293.07	351.68
64	South Clifton	112.86	131.67	150.48	169.29	206.91	244.53	282.15	338.58
65	South Muskham	137.95	160.94	183.93	206.92	252.90	298.88	344.87	413.84
66	South Scarle	134.99	157.48	179.98	202.48	247.48	292.47	337.47	404.96
67	Southwell	154.48	180.23	205.97	231.72	283.21	334.71	386.20	463.44
68	Spalford	107.15	125.01	142.87	160.73	196.45	232.17	267.88	321.46
69	Staunton	107.15	125.01	142.87	160.73	196.45	232.17	267.88	321.46
70	Staythorpe	*	*	*	*	*	*	*	*
71	Sutton-on-Trent	136.13	158.82	181.51	204.20	249.58	294.96	340.33	408.40
72	Syerston	113.97	132.97	151.96	170.96	208.95	246.94	284.93	341.92
73	Thorney	121.46	141.70	161.95	182.19	222.68	263.16	303.65	364.38
74	Thorpe	****	****	****	****	****	****	****	****

75	Thurgarton	124.67	145.44	166.22	187.00	228.56	270.11	311.67	374.00
76	Upton	129.99	151.65	173.32	194.98	238.31	281.64	324.97	389.96
77	Walesby	157.03	183.21	209.38	235.55	287.89	340.24	392.58	471.10
78	Wellow	124.63	145.41	166.18	186.95	228.49	270.04	311.58	373.90
79	Weston	123.24	143.78	164.32	184.86	225.94	267.02	308.10	369.72
80	Wigsley	107.15	125.01	142.87	160.73	196.45	232.17	267.88	321.46
81	Winkburn	107.15	125.01	142.87	160.73	196.45	232.17	267.88	321.46
82	Winthorpe	***	***	***	***	***	***	***	***
83	Fernwood	157.19	183.38	209.58	235.78	288.18	340.57	392.97	471.56
84	Kings Clipstone	159.85	186.49	213.13	239.77	293.05	346.33	399.62	479.54

Parishes joint for Precept purposes

*	Averham, Kelham, Staythorpe	115.66	134.94	154.21	173.49	212.04	250.60	289.15	346.98
**	Kneesall, Kersall, Ompton	118.15	137.84	157.53	177.22	216.60	255.98	295.37	354.44
** *	Winthorpe, Langford	123.86	144.50	165.15	185.79	227.08	268.36	309.65	371.58
** **	East Stoke, Thorpe	122.42	142.82	163.23	183.63	224.44	265.24	306.05	367.26

being the amounts given by multiplying the amounts at 3(i) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

4. it be noted for the year 2015/2016 that the Nottinghamshire County Council has stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below;

Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
£	£	£	£	£	£	£	£
827.43	965.33	1,103.24	1,241.14	1,516.95	1,792.76	2,068.57	2,482.28

5. it be noted for the year 2015/2016 that the Nottinghamshire Police and Crime Commissioner has stated the following amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below;

Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
£	£	£	£	£	£	£	£
117.60	137.20	156.80	176.40	215.60	254.80	294.00	352.80

6. it be noted for the year 2015/2016 that the Nottinghamshire Fire and Rescue Service has proposed the following amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below; and

Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
£	£	£	£	£	£	£	£
48.29	56.34	64.39	72.44	88.54	104.64	120.73	144.88

7. having calculated the aggregate in each case of the amounts at 3(j) and 4, 5 and 6 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amount of Council Tax for the year 2015/2016 for each of the categories of dwellings shown on the following pages:

Recommendation 7								
Part of the Council's area, being the Parishes of:-	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H

		£	£	£	£	£	£	£	£
1	Alverton	1,100.47	1,283.88	1,467.30	1,650.71	2,017.54	2,384.37	2,751.18	3,301.42
2	Averham	1,108.98	1,293.81	1,478.64	1,663.47	2,033.13	2,402.80	2,772.45	3,326.94
3	Balderton	1,156.71	1,349.49	1,542.28	1,735.06	2,120.63	2,506.20	2,891.77	3,470.12
4	Barnby in the Willows	1,116.21	1,302.25	1,488.29	1,674.32	2,046.39	2,418.47	2,790.53	3,348.64
5	Bathley	1,108.17	1,292.87	1,477.57	1,662.26	2,031.65	2,401.05	2,770.43	3,324.52
6	Besthorpe	1,150.13	1,341.81	1,533.51	1,725.19	2,108.57	2,491.95	2,875.32	3,450.38
7	Bilsthorpe	1,146.13	1,337.15	1,528.18	1,719.20	2,101.25	2,483.30	2,865.33	3,438.40
8	Bleasby	1,118.81	1,305.28	1,491.75	1,678.22	2,051.16	2,424.10	2,797.03	3,356.44
9	Blidworth	1,143.71	1,334.33	1,524.95	1,715.57	2,096.81	2,478.05	2,859.28	3,431.14
10	Bulcote	1,115.13	1,300.99	1,486.85	1,672.70	2,044.41	2,416.13	2,787.83	3,345.40
11	Carlton-on-Trent	1,121.57	1,308.49	1,495.43	1,682.35	2,056.21	2,430.07	2,803.92	3,364.70
12	Caunton	1,116.84	1,302.98	1,489.12	1,675.26	2,047.54	2,419.83	2,792.10	3,350.52
13	Caythorpe	1,108.27	1,292.97	1,477.69	1,662.40	2,031.83	2,401.25	2,770.67	3,324.80
14	Clipstone	1,152.79	1,344.91	1,537.05	1,729.18	2,113.45	2,497.71	2,881.97	3,458.36
15	Coddington	1,117.49	1,303.74	1,489.99	1,676.24	2,048.74	2,421.24	2,793.73	3,352.48
16	Collingham	1,115.01	1,300.85	1,486.69	1,672.52	2,044.19	2,415.87	2,787.53	3,345.04
17	Cotham	1,100.47	1,283.88	1,467.30	1,650.71	2,017.54	2,384.37	2,751.18	3,301.42
18	Cromwell	1,102.17	1,285.87	1,469.57	1,653.26	2,020.65	2,388.05	2,755.43	3,306.52
19	Eakring	1,114.40	1,300.13	1,485.87	1,671.60	2,043.07	2,414.54	2,786.00	3,343.20
20	East Stoke	1,115.74	1,301.69	1,487.66	1,673.61	2,045.53	2,417.44	2,789.35	3,347.22
21	Edingley	1,115.27	1,301.14	1,487.03	1,672.90	2,044.66	2,416.42	2,788.17	3,345.80
22	Edwinstowe	1,144.86	1,335.67	1,526.48	1,717.29	2,098.91	2,480.54	2,862.15	3,434.58
23	Egmanton	1,109.09	1,293.93	1,478.79	1,663.63	2,033.33	2,403.03	2,772.72	3,327.26
24	Elston	1,140.29	1,330.34	1,520.39	1,710.44	2,090.54	2,470.64	2,850.73	3,420.88

25	Epperstone	1,122.82	1,309.95	1,497.10	1,684.23	2,058.51	2,432.78	2,807.05	3,368.46
26	Farndon	1,143.25	1,333.79	1,524.34	1,714.88	2,095.97	2,477.06	2,858.13	3,429.76
27	Farnsfield	1,139.12	1,328.97	1,518.83	1,708.68	2,088.39	2,468.10	2,847.80	3,417.36
28	Fiskerton-cum-Morton	1,111.53	1,296.78	1,482.04	1,667.29	2,037.80	2,408.31	2,778.82	3,334.58
29	Girton	1,117.06	1,303.23	1,489.42	1,675.59	2,047.95	2,420.30	2,792.65	3,351.18
30	Gonalston	1,100.47	1,283.88	1,467.30	1,650.71	2,017.54	2,384.37	2,751.18	3,301.42
31	Grassthorpe	1,100.47	1,283.88	1,467.30	1,650.71	2,017.54	2,384.37	2,751.18	3,301.42
32	Gunthorpe	1,135.80	1,325.10	1,514.40	1,703.70	2,082.30	2,460.91	2,839.50	3,407.40
33	Halam	1,126.59	1,314.35	1,502.12	1,689.88	2,065.41	2,440.94	2,816.47	3,379.76
34	Halloughton	1,106.57	1,290.99	1,475.43	1,659.85	2,028.71	2,397.57	2,766.42	3,319.70
35	Harby	1,119.08	1,305.59	1,492.11	1,678.62	2,051.65	2,424.68	2,797.70	3,357.24
36	Hawton	1,125.53	1,313.11	1,500.71	1,688.29	2,063.47	2,438.65	2,813.82	3,376.58
37	Hockerton	1,108.16	1,292.85	1,477.55	1,662.24	2,031.63	2,401.02	2,770.40	3,324.48
38	Holme	1,100.47	1,283.88	1,467.30	1,650.71	2,017.54	2,384.37	2,751.18	3,301.42
39	Hoveringham	1,147.50	1,338.75	1,530.00	1,721.25	2,103.75	2,486.26	2,868.75	3,442.50
40	Kelham	1,108.98	1,293.81	1,478.64	1,663.47	2,033.13	2,402.80	2,772.45	3,326.94
41	Kersall	1,111.47	1,296.71	1,481.96	1,667.20	2,037.69	2,408.18	2,778.67	3,334.40
42	Kilvington	1,100.47	1,283.88	1,467.30	1,650.71	2,017.54	2,384.37	2,751.18	3,301.42
43	Kirklington	1,119.38	1,305.94	1,492.51	1,679.07	2,052.20	2,425.33	2,798.45	3,358.14
44	Kirton	1,129.93	1,318.25	1,506.58	1,694.90	2,071.55	2,448.20	2,824.83	3,389.80
45	Kneesall	1,111.47	1,296.71	1,481.96	1,667.20	2,037.69	2,408.18	2,778.67	3,334.40
46	Langford	1,117.18	1,303.37	1,489.58	1,675.77	2,048.17	2,420.56	2,792.95	3,351.54
47	Laxton & Moorhouse	1,121.59	1,308.52	1,495.46	1,682.39	2,056.26	2,430.13	2,803.98	3,364.78
48	Lowdham	1,144.87	1,335.67	1,526.49	1,717.30	2,098.93	2,480.55	2,862.17	3,434.60
49	Lyndhurst	1,100.47	1,283.88	1,467.30	1,650.71	2,017.54	2,384.37	2,751.18	3,301.42
50	Maplebeck	1,100.47	1,283.88	1,467.30	1,650.71	2,017.54	2,384.37	2,751.18	3,301.42
51	Meering	1,100.47	1,283.88	1,467.30	1,650.71	2,017.54	2,384.37	2,751.18	3,301.42
52	Newark	1,169.03	1,363.86	1,558.71	1,753.54	2,143.22	2,532.90	2,922.57	3,507.08
53	North Clifton	1,109.21	1,294.08	1,478.95	1,663.82	2,033.56	2,403.30	2,773.03	3,327.64
54	North Muskham	1,126.79	1,314.59	1,502.39	1,690.19	2,065.79	2,441.39	2,816.98	3,380.38
55	Norwell	1,114.46	1,300.20	1,485.95	1,671.69	2,043.18	2,414.67	2,786.15	3,343.38
56	Ollerton and Boughton	1,180.49	1,377.23	1,573.99	1,770.73	2,164.23	2,557.73	2,951.22	3,541.46
57	Ompton	1,111.47	1,296.71	1,481.96	1,667.20	2,037.69	2,408.18	2,778.67	3,334.40
58	Ossington	1,100.47	1,283.88	1,467.30	1,650.71	2,017.54	2,384.37	2,751.18	3,301.42
59	Oxton	1,123.57	1,310.82	1,498.09	1,685.35	2,059.88	2,434.40	2,808.92	3,370.70
60	Perlethorpe-cum-Budby	1,112.81	1,298.28	1,483.75	1,669.22	2,040.16	2,411.10	2,782.03	3,338.44
61	Rainworth	1,120.67	1,307.45	1,494.23	1,681.01	2,054.57	2,428.13	2,801.68	3,362.02
62	Rolleston	1,128.38	1,316.44	1,504.51	1,692.57	2,068.70	2,444.83	2,820.95	3,385.14
63	Rufford	1,110.55	1,295.63	1,480.73	1,665.82	2,036.01	2,406.19	2,776.37	3,331.64
64	South Clifton	1,106.18	1,290.54	1,474.91	1,659.27	2,028.00	2,396.73	2,765.45	3,318.54
65	South Muskham	1,131.27	1,319.81	1,508.36	1,696.90	2,073.99	2,451.08	2,828.17	3,393.80
66	South Scarle	1,128.31	1,316.35	1,504.41	1,692.46	2,068.57	2,444.67	2,820.77	3,384.92
67	Southwell	1,147.80	1,339.10	1,530.40	1,721.70	2,104.30	2,486.91	2,869.50	3,443.40

68	Spalford	1,100.47	1,283.88	1,467.30	1,650.71	2,017.54	2,384.37	2,751.18	3,301.42
69	Staunton	1,100.47	1,283.88	1,467.30	1,650.71	2,017.54	2,384.37	2,751.18	3,301.42
70	Staythorpe	1,108.98	1,293.81	1,478.64	1,663.47	2,033.13	2,402.80	2,772.45	3,326.94
71	Sutton-on-Trent	1,129.45	1,317.69	1,505.94	1,694.18	2,070.67	2,447.16	2,823.63	3,388.36
72	Syerston	1,107.29	1,291.84	1,476.39	1,660.94	2,030.04	2,399.14	2,768.23	3,321.88
73	Thorney	1,114.78	1,300.57	1,486.38	1,672.17	2,043.77	2,415.36	2,786.95	3,344.34
74	Thorpe	1,115.74	1,301.69	1,487.66	1,673.61	2,045.53	2,417.44	2,789.35	3,347.22
75	Thurgarton	1,117.99	1,304.31	1,490.65	1,676.98	2,049.65	2,422.31	2,794.97	3,353.96
76	Upton	1,123.31	1,310.52	1,497.75	1,684.96	2,059.40	2,433.84	2,808.27	3,369.92
77	Walesby	1,150.35	1,342.08	1,533.81	1,725.53	2,108.98	2,492.44	2,875.88	3,451.06
78	Wellow	1,117.95	1,304.28	1,490.61	1,676.93	2,049.58	2,422.24	2,794.88	3,353.86
79	Weston	1,116.56	1,302.65	1,488.75	1,674.84	2,047.03	2,419.22	2,791.40	3,349.68
80	Wigsley	1,100.47	1,283.88	1,467.30	1,650.71	2,017.54	2,384.37	2,751.18	3,301.42
81	Winkburn	1,100.47	1,283.88	1,467.30	1,650.71	2,017.54	2,384.37	2,751.18	3,301.42
82	Winthorpe	1,117.18	1,303.37	1,489.58	1,675.77	2,048.17	2,420.56	2,792.95	3,351.54
83	Fernwood	1,150.51	1,342.25	1,534.01	1,725.76	2,109.27	2,492.77	2,876.27	3,451.52
84	Kings Clipstone	1,153.17	1,345.36	1,537.56	1,729.75	2,114.14	2,498.53	2,882.92	3,459.50

Parishes joint for Precept purposes

*	Averham, Kelham, Staythorpe	1,108.98	1,293.81	1,478.64	1,663.47	2,033.13	2,402.80	2,772.45	3,326.94
**	Kneesall, Kersall, Ompton	1,111.47	1,296.71	1,481.96	1,667.20	2,037.69	2,408.18	2,778.67	3,334.40
***	Winthorpe, Langford	1,117.18	1,303.37	1,489.58	1,675.77	2,048.17	2,420.56	2,792.95	3,351.54
*** *	East Stoke, Thorpe	1,115.74	1,301.69	1,487.66	1,673.61	2,045.53	2,417.44	2,789.35	3,347.22

8. determine that the Council's basic amount of council tax for 2015/16 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992 and that the referendum provisions in Chapter 4ZA do not apply for 2015/16. As the billing authority, the Council has not been notified by a major precepting authority that its relevant basic amount of Council Tax for 2015/16 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992.

In accordance with Procedure Rule No. 28a a recorded vote was taken as follows:

Councillor	Vote
N.R. Allsopp	For
T.S. Bickley	For
R.V. Blaney	For
J. Bradbury	For
R.L. Bradbury	For
Mrs B.M. Brooks	For

Mrs C. Brooks	For
G. Brooks	For
Mrs I. Brown	For
Mrs R. Crowe	For
Mrs G.E. Dawn	For
P. Duncan	For
Mrs T. Gurney	For
J.E. Hamilton	For
G.P. Handley	For
P.R.B. Harris	For
R.J. Jackson	For
D. Jones	For
B. Laughton	For
D.J. Lloyd	For
D. Logue	For
G.S. Merry	For
Mrs S. Michael	For
J. Osborne	For
D.R. Payne	For
J.M. Peck	For
M. Pringle	For
A.C. Roberts	For
Mrs C. Rose	For
Mrs S.E. Saddington	For
M. Shaw	For
Mrs L.A. Shilling	For
R. Shillito	For
Mrs S. Soar	For
D. Staples	For
Mrs L.M.J. Tift	For
Mrs M. Tribe	For
Mrs A.A. Truswell	For
I. Walker	For
B. Wells	For
T. Wendels	For
Mrs Y. Woodhead	For

58. CAPITAL PROGRAMME 2015/6 – 2019/20

The Council considered the report of the Director – Resources which set out the proposed Capital Programme for the period 2015/16 – 2019/20. Following the Policy & Finance Committee’s consideration of the Capital Programme at its meeting on 25th February 2015 and in accordance with Financial Regulation 6.2.3, the final programme was recommended to Council for approval. Attached as Appendix 1 to the report was the report submitted to Policy & Finance Committee held on 25th February 2015 which detailed the resources available, the Council’s existing committed programme and the priority schemes identified.

AGREED (with 39 votes for and 3 votes against) that:

- a) the General Fund schemes shown in Appendix A, the housing services programme in Appendix B and the vehicles, plant and equipment replacement programme in Appendix C be approved as committed expenditure in the Capital Programme;
- b) the Capital Programme be managed in accordance with Financial Regulation 6.2.3;
- c) in accordance with the delegation to the Section 151 Officer in the Council's Constitution to arrange financing of the Council's Capital Programme, the Capital Programme for the financial years 2015/16 to 2019/20 be financed so as to maximise the resources available, having regard to the provisions of the Local Government and Housing Act 1989 and subsequent legislation;
- d) with effect from 11th March 2015, the appropriate Directors be authorised to incur expenditure in respect of all schemes included in the committed Capital Programme; and
- e) any changes above the limit delegated to the Section 151 Officer (i.e. £10,000), either in funding or the total cost of the capital scheme, be reported to the Policy and Finance Committee for consideration.

59. TREASURY MANAGEMENT STRATEGY STATEMENT 2015/16

The Council considered the report of the Director – Resources which sought approval for the Council's Treasury Management Strategy Statement for 2015/16. In January 2010 the Council had adopted the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice (the CIPFA Code), which required the Council to approve a treasury management strategy before the start of each financial year. In addition, the Department for Communities and Local Government had issued revised Guidance on Local Authority Investments in March 2010 that required the Authority to approve an investment strategy before the start of each financial year.

The Council had borrowed and invested substantial sums of money and was therefore exposed to financial risks, including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk were therefore central to the Council's Treasury Management Strategy. The proposed Strategy was considered by the Audit and Accounts Committee at their meeting held on 11th February 2015 who had recommended approval.

The report set out the external and local context; the Borrowing Strategy; the Investment Strategy and Treasury Management Indicators. The Authority was also obliged to include the following additional items in the Treasury Management Strategy: Policy on apportioning interest to the HRA; Minimum Revenue Provision Statement; Treasury Management Advisors; Training; and Investment of money borrowed in advance of need.

AGREED (unanimously) that the Council approves:

- (a) the Treasury Management Strategy;
- (b) the investment counterparty criteria listed in paragraph 5.4 of the report;
- (c) the Prudential Indicators and Limits set out in paragraph 6 of the report; and
- (d) the Minimum Revenue Provision statement set out in paragraph 7.3 of the report.

60. PAY POLICY STATEMENT 2015/16

The Council considered the report of the Chief Executive which sought approval of the Pay Policy Statement for 2015/16. In accordance with Section 38 (1) of the Localism Act 2011 the Council was required to produce a Pay Policy Statement for each financial year. The Pay Policy Statement must set out the authority's policies for the financial year relating to:

- the remuneration of the authority's lowest-paid employees (together with a definition of "lowest-paid employees") and the reasons for adopting that definition;
- the relationship between remuneration of Chief Officers and that of other officers (pay multiples); and
- the remuneration of Chief Officers.

A copy of the Pay Policy Statement was attached as an appendix to the report. It was noted that the Pay Policy Statement included minor revisions to the 2014/15 statement as follows:

- Amendments to pay and grading arrangements for Directors and for Business Managers graded at NS17;
- Changes to the Deputy Chief Officer grades engaged on NJC terms which had been amended to reflect the 2014 pay award and changes in grade that had occurred within the year under the approved job evaluation arrangements;
- Revisions to the Living Wage recommended by the Living Wage Foundation during November 2014;
- Insertion of additional paragraph which highlighted the need to review the Statutory Officer Honoraria Scheme in light of recent changes to the pay and grading arrangements for officers engaged on JNC terms, along with the mechanisms for doing so; and
- Amendment to pay multiple to reflect current arrangements.

The Human Resources Committee, at their meeting held on 12th February 2015, recommended the Pay Policy Statement to Council for adoption.

AGREED (unanimously) that the Pay Policy Statement for 2015/16 be approved subject to any necessary revisions.

61. QUESTIONS FROM MEMBERS OF THE COUNCIL

Details of the question put forward from Councillor J.E. Hamilton and the reply given are attached as Appendix A to these minutes.

62. DELEGATED DECISIONS

(a) Policy Committee – 25 February 2015

(i) Future Meetings

Councillor D.R. Payne questioned why meetings of the Policy and Finance Committee were still being held in the Carriage Court and asked if the Leader of the Council would consider using Room G21 for future meetings.

Councillor R.V. Blaney advised that the Policy and Finance Committee was open to all Members of the Council to attend but confirmed that he would consider a possible change in venue.

(ii) Minute No. 76 – Capital Programme – 2015/16 – 2019/20

Councillor P.R.B. Harris expressed his disappointment that the earlier announcement of £250,000 being put aside in reserves for flood grant schemes and flood protection measures did not form part of the committed Capital Programme.

Councillor R.V. Blaney advised that it would be for the next Council to determine if the amount set aside was appropriate.

(b) Audit & Accounts Committee – 11 February 2015

Minute No. 47 – Combined Assurance Report

Councillor P.R.B. Harris asked if the information requested by Members on recycling levels, particularly comparison data with other neighbouring authorities, could be circulated to all Members of the Council.

(c) Planning Committees - 10 February 2015 and 3 March 2015

(d) Human Resources Committee - 12 February 2015

Meeting closed at 6.39pm.

Chairman

Question from Councillor J.E Hamilton to the Chairman of the Policy & Finance Committee:

“With reference to the Delegation of services to Newark Town Council - I have studied the draft agreement, basically this gives a grant of £3.78 or £189K per annum (ratcheted up in the earlier years but reduced later on) against the total estimated annual cost to the Council of £449K per annum. The difference carried by Newark Town Council comes from two main sources the existing reserves found mainly from the sale of land by the town Council to NSDC and the remainder from increased housing that is estimated will take place within the enlarged Town Council Area. The Newark Growth point provides the largest single development in sight.

If the Growth Point fails to materialise within 5 years Newark may be unable to provide for the services transferred, given that the applications for the Growth Point are in the grant of NSDC, if 750 houses in the Growth point are not then built will the NSDC make a new offer to Newark Town Council and allow renegotiation of the agreement to increase the total grant so that Newark Town Council may continue to provide the transferred services?”

Reply from Councillor R.V. Blaney:

“As Councillor Hamilton says he has studied the Devolution Agreement, he will know that it provides the mechanism for the grant payment from the District Council to the Town Council to be adjusted year on year if the council tax base is less than that predicted in the figures set out in an attached appendix, subject to a maximum ceiling over a 20 year period of £3.78m.

Should there be a significant difference between the actual level of housing growth and that which has been estimated in order to profile the grant payments then this would clearly be a matter for the parties to consider at the relevant time with a view to re-negotiating the overall package.”

Supplementary Question from Councillor Hamilton:

“Does the Council agree that the agreement between Newark and Sherwood District Council and Newark Town Council is fundamentally flawed as it depends on an increase in the number of houses to be built which will be dependent upon future decisions of the District Council’s Planning Committee?”

Reply from Councillor Blaney:

“The draft agreement is subject to ongoing review. The number of houses to be built will be a decision of the local planning authority but any decision on a planning application is subject to appeal. Councillor Hamilton has previously raised concerns about the ability of the developer to actually undertake the development. He may be reassured to know that a statement was issued to the London Stock Exchange on 27 February announcing the acquisition of the Catesby Property Group by Urban and Civic. The principle reason given in the press statement for the acquisition was because of the intention to build out the Newark development. Urban and Civic have three large house building projects ongoing in Cambridgeshire.

I do not share Councillor Hamilton’s concerns of the ability of this project to go ahead. The time has come for this project and we will see development starting this year. In the press statement reference was made to demand in the Newark area recovering rapidly. I look forward to that being put into reality. I also look forward to seeing those homes and welcome the revenue which is not just going to accrue to Newark Town Council by way of additional precept but to the District Council as well.”

CO-OPTED PARISH REPRESENTATIVES AND INDEPENDENT MEMBER ON THE STANDARDS COMMITTEE

1.0 Purpose of Report

1.1 To consider extending the current term of the two co-opted parish councillor representatives and the independent member on the Standards Committee.

2.0 Background Information

2.1 The Standards Committee have recommended to Council that the terms of their two co-opted Parish Representatives, Councillors Ian Harrison and Paul Morris and the co-opted independent member Mrs Pam White, be extended until May 2016.

2.2 As Members will be aware the Localism Act 2011 introduced fundamental changes to the Standards regime. As a result those independent members who had been appointed to the Standards Committee ceased to hold office unless they were co-opted as members of the committee in an advisory capacity only.

2.3 Following previous recommendations of the Standards Committee, Council resolved that two of the existing parish representatives on the Standards Committee be co-opted as non-voting members of the Committee until May 2015 or until they cease to hold office as parish councillors and one of the existing independent members on the current Standards Committee be co-opted as a non-voting member of the Committee until May 2013. A further report to extend the term of office for the independent member was taken to the May 2013 Annual meeting of the Council, where a further two year term was agreed.

2.4 In respect of the appointments for the Independent Person, held by Mr. Richard Dix with Mrs Sharon Jones as Deputy, both positions expire at the date of the Annual Council Meeting in May 2016.

2.5 It is therefore proposed that the appointments of the two parish representatives, Councillors Ian Harrison and Paul Morris, subject to them continuing to hold office as parish councillors after May 2015, and Pam White as a co-opted independent member of the Committee be extended until May 2016. The three appointments would therefore continue beyond the May 2015 elections, providing some continuity to the Standards Committee.

3.0 RECOMMENDATION

That the appointments of the Parish Council representatives, Councillors: Ian Harrison and Paul Morris (subject to them continuing to hold office as parish councillors) and Pam White as co-opted independent member on the Standards Committee be extended until the date of the Annual Council Meeting in May 2016.

Background Papers – Nil

For further information please contact Nigel Hill on extension 5243.

Kirsty Cole
Deputy Chief Executive & Monitoring Officer

BYELAWS FOR THE REGULATION OF COSMETIC PIERCING AND SEMI-PERMANENT SKIN COLOURING BUSINESSES

1.0 Purpose of Report

- 1.1 To seek Council's approval on the adoption of model Byelaws for the control of cosmetic piercing and permanent skin colouring businesses.

2.0 Background Information

- 2.1 The power to make, amend, revoke, re-enact or adopt byelaws is reserved in the Council's constitution to the full Council.
- 2.2 General Purposes Committee as the appropriate regulatory Committee have received a report on this issue and their comments are given later in this report.

3.0 Introduction

- 3.1 The Local Government (Miscellaneous Provisions) Act 1982 provided powers to local authorities to regulate ear piercing, tattooing, acupuncture and electrolysis by requiring registration and observance of byelaws.
- 3.2 The District Council has previously adopted the Local Government (Miscellaneous Provisions) Act 1982 (the 1982 Act) with effect from 16th February 1984, the resolution of such adoption being advertised on 10th January 1984. This includes provisions to regulate acupuncture, tattooing, ear piercing and electrolysis businesses. The District Council made three sets of relevant byelaws which came into force 1st February 1985.
- 3.3 To reflect current trends and practices that involve piercing the skin the Local Government Act 2003 (the 2003 Act) has amended the 1982 Act by removing the term 'ear piercing' and replacing it with 'cosmetic piercing' (piercing of the body including the ear), and introducing the term 'semi-permanent skin colouring' (including micro pigmentation, semi-permanent make up and temporary tattooing).
- 3.4 To aid consistency on a national scale, model byelaws for cosmetic piercing and semi-permanent skin colouring have been drafted by the Department of Health. These byelaws have been reproduced in draft format with reference to Newark & Sherwood District Council and are attached as **Appendix A** to this report.
- 3.5 The new byelaws relate to the registration of premises and of persons operating premises, and to the cleanliness and hygiene of premises, practitioners and equipment. The purpose of the byelaws is to increase health protection and reduce the risk of transmission of blood borne virus infections such as HIV, Hepatitis B, Hepatitis C and other infections.
- 3.6 The Council is required to advertise a notice of the Council's intention to apply for confirmation of the byelaws for one calendar month prior to confirmation, which must be given in one or more local newspapers circulating the area to which byelaws will apply.
- 3.7 The Secretary of State must confirm the byelaws before they are in force.

4.0 Proposals

4.1 It is proposed to seek Council's approval to adopt the model byelaws as set out in Appendix A and authorisation for officers to carry out the necessary procedure and apply to the Secretary of State for confirmation.

5.0 Financial Implications

5.1 The cost of advertising the byelaws will be met from the existing Environmental Health & Licensing Business Unit budget. It is anticipated that the cost will be approximately £1,000. There is sufficient budget to cover these costs.

6.0 Comments from General Purposes Committee

6.1 The General Purposes Committee considered this item at their meeting on 15th January 2015. The committee supported the adoption of the byelaws.

6.2 It was suggested by the Committee that the guidance referred to within the byelaws at paragraph 2b and 2c (Cosmetic Piercing) and paragraphs 2d and 2e (Skin Colouring) should be included as an additional part of the byelaws. This suggestion was considered and the advice from the Council's Senior Legal Officer is that additional text is not usually added to the model byelaws and the guidance provided to such premises/operators is extensive. To include them as part of the byelaws would make them unwieldy for both operators and enforcers. It is proposed therefore to leave the byelaws as shown in Appendix A and to supplement these with standalone guidance which can be readily updated.

6.3 The Committee also raised query as to the age controls with regard to tattooing and piercing. The only activity that has a limit set in statute is tattooing. The Tattooing of Minors Act 1969 imposes a statutory minimum age of 18 years for tattooing. This is the enforcement responsibility of the police.

7.0 RECOMMENDATIONS that:

(a) the common seal be affixed to the byelaws; and

(b) Officers carry out the necessary procedure and apply to the Secretary of State for confirmation.

Background Papers

Nil

For further information please contact Alan Batty on Ext 5467

Karen White
Director – Safety

Cosmetic Piercing

Byelaws for the purposes of securing the cleanliness of premises registered under section 15 of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in those premises and of registered persons and persons assisting them and the cleansing and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the business of cosmetic piercing made by in pursuance of Section 15(7) of the Act.

1. Interpretation:

- a. In these byelaws, unless the context otherwise requires –
 - “The Act” means the Local Government (Miscellaneous Provisions) Act 1982;
 - “Client” means any person undergoing treatment;
 - “Operator” means any person giving treatment;
 - “Premises” means any premises registered under Part VIII of the Act;
 - “Proprietor” means any person registered under Part VIII of the Act;
 - “Treatment” means any operation in effecting cosmetic piercing;
 - “The treatment area” means any part of the premises where treatment is given to clients.
- b. The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.

2. For the purpose of securing the cleanliness of premises and fittings in such premises a proprietor shall ensure that –

- a. All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings are kept clean and in such good repair as to enable them to be cleaned effectively;
- b. All waste materials, and other litters, arising from the treatment should be handled and disposed of as clinical waste in accordance with relevant legislation and guidance as advised by the local authority;
- c. All needles used in treatment are single-use and disposable, as far as is practicable; and are stored and disposed of as clinical waste in accordance with the relevant legislation and guidance as advised by the local authority;
- d. All furniture and fittings in the premises are kept clean and in such good repair as to enable them to be cleaned effectively;
- e. All tables, couches and seats used by clients in the treatment area, and any surface on which the items specified in 3b below are placed immediately prior to treatment, have a smooth impervious surface which is disinfected immediately after use and at the end of each working day;
- f. Where tables and couches are used, they are covered by a disposable paper sheet which is changed for each client;

- g. No eating, drinking or smoking is permitted in the treatment area and a notice or notices reading “No Smoking”, “No Eating or Drinking” is prominently displayed there.
3. For the purpose of securing the cleansing and so far as is appropriate, the sterilization of instruments, materials and equipment used in connection with the treatment –
- a. An operator shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such article used in the treatment –
 - i. is clean and in good repair, and, so far as is appropriate, sterile;
 - ii. has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far as is appropriate, sterilized.
 - b. An operator shall ensure that any needle, metal instrument, or other item of equipment, used in treatment or for handling instruments and needles used in the treatment is in a sterile condition and kept sterile until it is used;
 - c. A proprietor shall provide –
 - i. adequate facilities and equipment for the purpose of sterilization (unless pre-sterilized items are used) and of cleansing, as required in pursuance of these byelaws;
 - ii. sufficient and safe gas points and/or electrical socket outlets to enable compliance with these byelaws;
 - iii. an adequate constant supply of clean hot and cold water readily available at all times on the premises;
 - iv. adequate storage for all items mentioned in byelaw 3 a and b above, so that those items are properly stored in a clean and suitable place so as to avoid, as far as possible, the risk of contamination.
4. For the purpose of securing the cleanliness of operators –
- a. A proprietor shall ensure that –
 - i. any operator keeps his hands and nails clean and his nails short;
 - ii. any operator wears disposable surgical gloves that have not previously been used with any other client;
 - iii. any operator of the premises wears a gown, wrap or protective clothing that is clean and washable, or alternatively a disposable covering that has not previously been used in connection with any other client;
 - iv. any operator keeps any open boil, sore, cut or open wound on an exposed part of his body effectively covered by an impermeable dressing;
 - v. any operator does not smoke or consume food or drink in the treatment area.
 - b. A proprietor shall provide;
 - i. suitable and sufficient washing facilities for the sole use of operators, including hot and cold water and sanitising soap or detergent;
 - ii. suitable and sufficient sanitary accommodation for operators.

COUNCIL'S SIGNATURE

COUNCIL'S SEAL

The foregoing byelaws are hereby confirmed by the Secretary of State for Health on
and shall come into operation on

Member of the Senior Civil Service
Department of Health

NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

- A. Proprietors must take all reasonable steps to ensure compliance with these byelaws by persons working on the premises. Section 16(9) of the Act provides that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any certificate of registration issued to him under Part VIII of the Act.
- B. Section 16(2) of the Local Government (Miscellaneous Provisions) Act 1982 provides that any person who contravenes any of these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale. If a person registered under Part VIII of the Act is found guilty of contravening these byelaws the Court may instead of or in addition to imposing a fine, order the suspension or cancellation of his registration and of the registration of the premises in which the offence was committed if such premises are occupied by the person found guilty of the offence. It shall be a defence for the person charged under sub-sections (1), (2), (8) or (10) of Section 16 to prove that he took all reasonable precautions and exercised all due diligence to avoid commission of the offence.
- C. Nothing in these byelaws extends to the practice of cosmetic piercing by or under the supervision of a person who is registered as a medical practitioner or to premises on which the practice of cosmetic piercing is carried on by or under the supervision of such a person.

Semi-Permanent Skin-Colouring

Byelaws for the purposes of securing the cleanliness of premises registered under section 15 of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in such premises and registered persons and persons assisting them and the cleansing and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the business of semi-permanent skin-colouring, NEWARK AND SHERWOOD DISTRICT COUNCIL made by . in pursuance of section 15(7) of the Act.

1. Interpretation:

- a. In these byelaws, unless the context otherwise requires –
 - “The Act” means the Local Government (Miscellaneous Provisions) Act 1982;
 - “Client” means any person undergoing treatment;
 - “Operator” means any person giving treatment;
 - “Premises” means any premises registered under Part VIII of the Act;
 - “Proprietor” means any person registered under Part VIII of the Act;
 - “Treatment” means any operation in effecting semi-permanent skin-colouring;
 - “The treatment area” means any part of the premises where treatment is given to clients.
- b. The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.

2. For the purpose of securing the cleanliness of premises and fittings in such premises a proprietor shall ensure that –

- a. All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings are kept clean and in such good repair as to enable them to be cleaned effectively;
- b. The treatment area is used solely for giving treatment;
- c. The floor of the treatment area is provided with a smooth impervious surface;
- d. All waste materials, and other litters, arising from the treatment should be handled and disposed of as clinical waste in accordance with relevant legislation and guidance as advised by the local authority
- e. All needles used in treatment are single-use and disposable, as far as is practicable; and are stored and disposed of as clinical waste in accordance with the relevant legislation and guidance as advised by the local authority;
- f. All furniture and fittings in the premises are kept clean and in such good repair as to enable them to be cleaned effectively;
- g. All tables, couches and seats used by clients in the treatment area, and any surface on which the items specified in 3b below are placed immediately prior to treatment, have a smooth impervious surface which is disinfected immediately after use and at the end of each working day;

- h. Where tables and couches are used, they are covered by a disposable paper sheet which is changed for each client;
 - i. No eating, drinking or smoking is permitted in the treatment area and a notice or notices reading "No Smoking", "No Eating or Drinking" are prominently displayed there.
- 3. For the purpose of securing the cleansing and so far as is appropriate, the sterilization of instruments, materials and equipment used in connection with the treatment –
 - a. An operator shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such articles used in the treatment –
 - i. is clean and in good repair, and so far as is appropriate, is sterile;
 - ii. has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far as is appropriate, sterilized.
 - b. An operator shall ensure that –
 - i. any needle, metal instrument, or other item or equipment, used in treatment or for handling instruments and needles used in treatment, is in a sterile condition and kept sterile until it is used;
 - ii. all dyes used for semi-permanent skin-colouring are sterile and inert;
 - iii. the containers used to hold the dyes for each customer are either disposed of at the end of each session of treatment, or are cleaned and sterilized before re-use;
 - c. A proprietor shall provide –
 - i. adequate facilities and equipment for the purpose of sterilization (unless pre-sterilised items are used) and of cleansing, as required in pursuance of these byelaws;
 - ii. sufficient and safe gas points and/or electrical socket outlets to enable compliance with these byelaws;
 - iii. an adequate constant supply of clean hot and cold water readily available at all times on the premises;
 - iv. adequate storage for items mentioned in byelaw 3 a and b above, so that those items are properly stored in a clean and suitable place so as to avoid, as far as possible, the risk of contamination.
- 4. For the purpose of securing the cleanliness of operators –
 - a. A proprietor shall ensure that –
 - i. any operator keeps his hands and nails clean and his nails short;
 - ii. any operator wears disposable surgical gloves that have not previously been used with any other client;
 - iii. any operator of the premises wears a gown, wrap or protective clothing that is clean and washable, or alternatively a disposable covering that has not previously been used in connection with any other client;
 - iv. any operator keeps any open boil, sore, cut or open wound on an exposed part of his body effectively covered by an impermeable dressing;
 - v. any operator does not smoke or consume food or drink in the treatment area.

- b. A proprietor shall provide -
 - i. suitable and sufficient washing facilities for the sole use of operators, including hot and cold water, sanitising soap or detergent;
 - ii. suitable and sufficient sanitary accommodation for operators.

COUNCIL'S SIGNATURE

COUNCIL'S SEAL

The foregoing byelaws are hereby confirmed by the Secretary of State for Health onand shall come into operation on

Member of the Senior Civil Service
Department of Health

NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

- A. Proprietors shall take all reasonable steps to ensure compliance with these byelaws by persons working on the premises. Section 16(9) of the Act provides that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any certificate of registration issued to him under Part VIII of the Act.
- B. Section 16 of the Local Government (Miscellaneous Provisions) Act 1982 provides that any person who contravenes any of these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale. If a person registered under part viii of the Act is found guilty of contravening these byelaws the Court may instead of or in addition to imposing the fine, order the suspension or cancellation of his registration and of the registration of the premises in which the offence was committed if such premises are occupied by the person found guilty of the offence. It shall be a defence for the person charged under sub-sections (1), (2), (8) or (10) of Section 16 to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- C. Nothing in these byelaws extends to the practice of semi-permanent skin-colouring by or under the supervision of a person who is registered as a medical practitioner or to premises on which the practice of semi-permanent skin-colouring is carried on by or under the supervision of such a person.

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **POLICY & FINANCE COMMITTEE** held in the Carriage Court, Kelham Hall, Newark on Tuesday 26 March 2015 at 5.30pm.

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

Councillors: Mrs T. Gurney, R.B. Laughton, A.C. Roberts, D. Staples and
Mrs A.A. Truswell.

ALSO IN ATTENDANCE: Councillors: T.S. Bickley, Mrs I. Brown, Mrs G.E. Dawn, J.E. Hamilton,
R.J. Jackson, M. Shaw and R. Shillito.

82. APOLOGIES FOR ABSENCE

There were no apologies for absence.

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

There were no declarations of interest.

84. DECLARATIONS OF INTENTIONS TO RECORD THE MEETING

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

85. MINUTES FROM THE MEETING HELD ON 25 FEBRUARY 2015

The minutes from the meeting held on Thursday, 25 February 2015 were agreed as a correct record and signed by the Chairman.

86. DEVOLUTION PACKAGE TO NEWARK TOWN COUNCIL

The Committee considered a report of the Deputy Chief Executive which advised Members of responses to public advertisements relating to the disposal of open space in connection with the proposed devolution package to Newark Town Council. As the devolution package from Newark & Sherwood District Council to Newark Town Council involved the transfer of areas of open space from the District to the Town Council, the District Council was required to give public notice of the proposed land disposal. It was noted that the closing date for any representations was 30 March 2015.

Following the first advertisement the Council received a number of enquiries but correspondents were reassured when it was explained that the transfer was from the District to the Town Council and that the proposal was to continue to use the land as open space. A supplementary report advised that two representations had been received in relation to the play area on the Autumn Croft Road Estate. The representations expressed concerns that if the land was sold to the Town Council it could be developed with housing. A reassurance had been sent to those who had

lodged the written representations advising them that this was part of a wider devolution package in which the freehold interest in the land would transfer from the District Council to the Town Council with the Town Council taking on responsibility for its future maintenance, but that the Town Council did not have any current intentions to change the use of the land. In those circumstances it was considered that the concerns expressed had been adequately addressed.

AGREED (unanimously) that delegated authority be given to the Chief Executive, following consultation with the Chairman and Opposition Spokesman of the Policy & Finance Committee, to consider any responses to the public notices regarding the proposed land transfers from Newark and Sherwood District Council to Newark Town Council as part of the devolution package prior to the land transfers being completed.

Reason for Decision

To enable consideration of any responses to the public notices regarding the proposed land transfers from the District Council to Newark Town Council as part of the devolution package.

87. POTTERDYKE REDEVELOPMENT SCHEME

The Committee considered a report of the Deputy Chief Executive concerning the Potterdyke development. Although the Potterdyke Redevelopment Scheme was substantially completed, the element of the scheme comprising the refurbishment of the former Robin Hood Cottages and the construction of retail units along the pedestrian link from the Asda Store to Cartergate remained incomplete.

Nottinghamshire Building Preservation Trust had secured £10,000 Heritage Lottery Funding to explore the feasibility of restoring the former Cottages. It was anticipated that it may take 3 to 4 months for the study to be concluded following which the Nottinghamshire Building Preservation Trust would then require further time to apply for funding for the restoration and renovation of the Cottages should it be considered that they could viably be restored.

Under the terms of the original Development Agreement, Strawsons were required to complete this element of the scheme by November 2015. In light that Strawsons still had until this date to complete the development the Committee were not minded to grant an extension of the timescale for completing the necessary works for a minimum period of 12 months as was recommended in the report.

AGREED (unanimously) that an update report be presented to any scheduled meeting of the Policy and Finance Committee in July 2015.

Reason for Decision

To enable the potential for the Robin Hood Cottages to be restored, to be fully explored.

88. ANNUAL REVIEW OF THE EXEMPT REPORTS CONSIDERED BY THE POLICY AND FINANCE COMMITTEE

The Committee considered a report of the Deputy Chief Executive which provided Members with a summary of the exempt business taken by the Committee for the period 13 May 2014 to date. The report included opinions from report authors as to if the information contained within the reports should remain exempt.

AGREED (unanimously) that:

- (a) that the report be noted;
- (b) the report concerning Management Roles and Remuneration be released into the public domain; and
- (c) the Director – Customers be requested to further review the status of the report on Leisure Centre Management Commissioning which went to the Committee on 3 July 2014 and be given delegated authority in consultation with the Chairman and Vice – Chairman of the Committee to release it into the public domain if considered appropriate.

Reason for Decision

To advise Members of the exempt business considered by the Policy & Finance Committee for the 2014/15 Municipal Year and to consider if any reports could be released into the public domain.

89. OLLERTON HALL UPDATE

The Director – Communities presented a report which provided an update on progress regarding exercising the option to repurchase Ollerton Hall. The Council decided to exercise its option to buy back Ollerton Hall in June 2011. Despite attempts to negotiate with the owner, it was not possible to agree the re-purchase and in April 2012 the matter was referred to an arbitrator. It was reported that the Arbitrator's decision had now been received. He had found in favour of the Council and had stipulated the purchase price for the property. The report advised that the purchase price should remain confidential given the Council's stated intention previously to dispose of the property on the open market once the buy back from the current owner had been secured / achieved.

AGREED (unanimously) that:

- (a) the progress report be noted; and
- (b) a further report be submitted to the Committee for its consideration once officers have had the opportunity to undertake feasibility work around the options to secure bringing this important listed building back into a good state of repair and use.

Reason for Decision

To keep Members updated on the current situation concerning Ollerton Hall.

90. URGENCY ITEM- SOCIAL MOBILITY FUND

In accordance with Section 100(B)(4)(b) of the Local Government Act 1972, the Chairman agreed to take this urgency item as a late item of business in order to publish the decision taken prior to the next scheduled meeting after May 2015.

The Committee noted the decision to submit a bid to the Department for Communities and Local Government Right to Buy Social Mobility Fund requesting a grant payment of £400,000 in 2015/16 for a local scheme to enable 20 Council house tenants to access home ownership on the open market.

AGREED (unanimously) that the report be noted.

Reason for Decision

To submit the bid prior to the 18 March 2015 deadline.

91. GENERAL FUND BUDGET PERFORMANCE REPORT TO 31 JANUARY 2015

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

The total for direct service net expenditure showed an under spend of £638,748 against the profiled budget for the period to 31 January 2015. Excluding demand led housing benefit payments which would be offset by grant payment at the end of the financial year, the under spend reduced to £353,978. The detailed performance figures were given in Appendix A to the report and the variations from the profiled budget to 31 January 2015 were detailed.

AGREED (unanimously) that:

- (a) the overall position of the Policy & Finance Committee net expenditure compared to budget at 31 January 2015 be noted; and
- (b) officers continue to look for additional savings throughout the financial year.

Reason for Decision

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

92. OVERALL GENERAL FUND BUDGET PERFORMANCE REPORT TO 31 JANUARY 2015

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

The total for direct service net expenditure showed an under spend of £2,456,534 against the profiled budget for the period to 31 January 2015. Officers from Financial Services were working with service managers to ascertain where any further sustainable underspends could be achieved and ensure that these were built into the base budget for future years. The detailed performance figures were given in Appendix A to the report and the variations from the profiled budget to 31 January 2015 were detailed.

AGREED (unanimously) that:

- (a) the overall position of the General Fund net service expenditure compared to budget at 31st January 2015 be noted; and
- (b) officers continue to look for additional sustainable savings which may be built into future years' budgets.

Reason for Decision

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

93. FUTURE COUNCIL ACCOMODATION UPDATE

The Director – Customers presented a report which updated Members with regard to the feasibility stage of the Council's new office accommodation in Newark. It was reported that the feasibility study was nearing completion. The costs of this phase had been £58,000, and whilst this was well within the limit previously approved by the Committee, it had resulted in a minor breach of the Council's Contract Procedure Rules which required a tendering process to be undertaken for contracts in excess of £50,000. At the time of market testing, it was considered that the initial feasibility work would not exceed £50,000, so a full tendering process was not undertaken.

The design development of the scheme would continue to progress with William Saunders Partnership up to the proposal being adequately detailed to allow an approach to the market with a view to engaging a main contractor to build the new offices. The proposed procurement route was to follow a single stage Design & Build contract with the design team being novated to the main contractor in keeping with the approach adopted for the construction of the new Leisure Centre. This approach transferred a significant degree of risk to the main contractor. Total design costs were anticipated to fall within the limits approved by the Policy Committee on 5 December 2013.

AGREED (unanimously) that the report be noted.

Reason for Decision

To keep Members updated in respect of the feasibility stage of the Council's new office accommodation.

94. EXCLUSION OF PRESS AND PUBLIC

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

95. FORMER MUNICIPAL BUILDINGS, 20 BALDERTONGATE, NEWARK

The Committee considered the exempt report presented by the Chief Executive in relation to the proposal to dispose of the above property. The report contained a summary of offers received for the property following a further market testing exercise.

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

Meeting closed at 6.33pm.

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **ECONOMIC DEVELOPMENT COMMITTEE** held on Wednesday, 11th March 2015 in Room G21, Kelham Hall at 5.30pm.

PRESENT: Councillor D.J. Lloyd (Chairman)

Councillors: R.V. Blaney, G.P. Handley, D. Jones, R. Shillito and T. Wendels.

SUBSTITUTES: Councillor Mrs Y. Woodhead for Councillor M. Pringle.

ALSO IN ATTENDANCE: Councillors: J. Bradbury and J.E. Hamilton

52. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs M. Dobson, M. Pringle, F.R. Taylor and D. Thompson.

53. 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.

54. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

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

55. MINUTES OF THE MEETING HELD ON 21ST JANUARY 2015

AGREED (unanimously) that the Minutes of the meeting held on 21st January 2015 be approved as a correct record and signed by the Chairman.

With the agreement of the Committee, the Chairman amended the running order of the Agenda to as follows:

56. NEIGHBOURHOOD PLANNING – AREAS FOR DESIGNATION & SOUTHWELL DRAFT NEIGHBOURHOOD PLAN

The Committee considered the report presented by the Business Manager – Planning Policy in relation to the current applications for Neighbourhood Area Designations. The report also sought approval from the Committee for the designation of Thurgarton Parish as a Neighbourhood Area and for approval of a new way to designate future areas. In relation to the Fernwood Neighbourhood Area Designation, a representation submitted by Persimmon Homes (East Midlands) was circulated. It was noted that the report was presented with the endorsement of the Local Development Framework Task Group.

Members were in agreement with the proposals for the Neighbourhood Area Designation as set out in Recommendations (a) and (b) but requested that Recommendation (a) be amended to include the wording “after consultation with the Chairman of the Economic Development Committee” after reference to the Deputy Chief Executive.

In relation to the Southwell Draft Neighbourhood Plan the Committee were advised that some technical work was required to the proposal and that paragraph 5.4 of the report highlighted issues which required further work.

A Member commented that the report demonstrated that the draft plan had been looked at in detail and that discussion and dialogue needed to be opened up with the Steering Group who had managed the production of the plan. The Business Manager advised that he was to attend a meeting with the Steering Group the following week to discuss the issues.

The Chairman permitted non-Committee Members and members of the public to address the Committee. Thanks were given to Officers from Planning Policy for their help and assistance given to the Steering Group during the production of the plan. It was noted that it was likely that several meetings would need to take place to resolve issues and to agree and make changes to the plan to ensure it reached an acceptable standard which would allow its adoption.

AGREED (unanimously) that:

- (a) delegated authority be given to the Deputy Chief Executive after consultation with the Chairman of the Economic Development Committee to designate Neighbourhood Areas for the purposes of Neighbourhood Planning. In circumstances where objections to the proposed designation have been received this should be in consultation with the Local Development Framework Task Group and local ward Members;
- (b) the Civil Parish of Thurgarton be designated as a Neighbourhood Area for the purposes of Neighbourhood Planning;
- (c) the comments set out in Section 5 of the report form the District Council’s response to Southwell Draft Neighbourhood Plan and basis for continuing dialogue with Southwell Town Council and Southwell Neighbourhood Plan Steering Group; and
- (d) District Council Planning Policy Officers seek to engage with Southwell Town Council and Southwell Neighbourhood Plan Steering Group in addressing the various issues raised by the District Council’s response.

57. EAST COAST MAIN LINE LEVEL CROSSING CLOSURE PROPOSALS

The Committee considered the report presented by the Business Manager – Planning Policy in relation to the Council’s proposed response to Phase 2 of the East Coast Main Line level crossing closure programme feasibility study. The report also sought the Committee’s endorsement of the proposed response. The report set out the proposed consultation response and the emerging issues arising therefrom. Attached at Appendix A was a note of the concerns raised by North and South Muskham Parish Councils and by District Councillor Mrs S.E. Saddington.

A note of the District Council’s proposed response was listed at Appendix B. Members proposed no changes to the responses in relation to: Grassthorpe Lane; Barrel Lane and Eaves Lane; Carlton; Flyfish Lane; Cromwell Lane; and Cromwell.

In relation to Norwell Lane; North Muskham; Bathley Lane; and Church Lane the Chairman permitted the Chairmen of both North and South Muskham Parish Councils to address the Committee. They advised that it was with some reluctance that the proposals in relation to Norwell Lane and Bathley Lane were accepted. However, they stated that both North Muskham and South Muskham would benefit from a road link. It was stated that if this was not developed there would be an increase in traffic adjacent to the local school. Members queried whether the development of a roundabout would address the concerns of the proposed dangerous road junction. They were informed that traffic issues were of grave concern on the B6325 as many HGVs used this route to avoid the Brownhills roundabout. Members agreed that they supported the concerns and proposed resolution of the Parishes for a roundabout and a road bridge.

In relation to Whitehouse Lane Members stated that they were unsure as to exactly what Network Rail were suggesting. They added that there should be no need to divert pedestrians to a potentially dangerous route. Officers advised that the Community Safety Officer had raised concerns about the use of an underpass in relation to anti-social behaviour. Members requested that the wording be strengthened to close the existing crossing but that pedestrians not be diverted to a dangerous route. They also requested that reference be made to the restoration of the riverside walk, citing that this was already working in Claypole

Members suggested that the issues surrounding Barnby and Bullpit Lane were linked. They acknowledged that the proposals might have implications for the forthcoming plan review, highlighting the potential for crossings to be closed leading to the ‘zig-zagging’ of traffic under the A1 and the possible downgrading of the crossing at Bullpit Lane to a bridleway.

AGREED (unanimously) that, subject to the inclusion of the above comments, Appendix B be approved as the District Council’s response to Phase 2 of the East Coast Main Line level crossing closure programme feasibility study.

58. GENERAL FUND BUDGET PERFORMANCE REPORT TO 31ST JANUARY 2015

The Committee considered the report presented by an Accountant from Financial Services that provided a comparison of the General Fund for the Economic Development Committee's net expenditure for the period ending 31st January 2015 with the profiled budget for the period.

Members noted with concern that Nottinghamshire County Council had not provided information which permitted the Council to invoice for income for Quarter 3 of 2014/2015, adding that the situation was unacceptable.

AGREED (unanimously) that the overall position of the Economic Development Committee net expenditure compared to budget at 31st January 2015 be approved and that Officers continue to look for additional savings throughout the financial year.

59. DEVELOPING A STRATEGIC APPROACH TO LICENSING AND THE NIGHT TIME ECONOMY

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing in relation to the aim of providing a framework for diversifying and improving the towns early evening and late evening economy.

The report provided Members with information as to recent activity in the night time economy within Newark and how the development and subsequent management of such an economy would be influenced by national and local policies. It also highlighted the challenges and the proposals to achieving a strategic and coherent approach to the management of the economy in Newark.

In response to the query of how this would move the economy forward, the Business Manager advised that an audit would be undertaken of what the area currently had and how it all interacted. A focus would be placed on specific hours with the possibility of achieving the purple flag being pursued.

Members agreed that they were supportive of the development of a Night Time Economy Strategy and Action Plan for Newark but were keen to expand the proposed partnership base in order to achieve this. They added that they would wish to see the reinstatement of the Newark Business Club in so far as it was an appropriate sub-group of that organisation. They also stated that they would like to include consultation with local action groups in the area e.g. Millgate Conservation Society.

AGREED that approval be given to the development of a Night Time Economy Strategy and Action Plan for Newark, subject to:

- (i) the inclusion of the appropriate sub-group of the Newark Business Club; and
- (ii) the inclusion of local action groups as consultees.

Councillor R. Shillito left the meeting at 6.55pm.

60. HAWTONVILLE NEIGHBOURHOOD STUDY

The Committee considered the report presented by the Regeneration & Strategy Officer in relation to the progress of the Hawtonville Neighbourhood Study, including the appointment of a consultant to undertake the master planning assessment of the locality.

The report provided information as to the role of a Neighbourhood Study and gave more specific information as to the study for Hawtonville. It also provided information as to the completion of the baseline report and the key issues that had emerged from the review of that information. The baseline report also undertook an initial appraisal of the built environment: Hawtonville development; green space and facilities; and housing.

It was reported that, subject to tendering, a consultant was to be appointed to undertake the master planning element of the study and what the proposed next steps would be.

Members noted that the plan of the study area highlighted district ward boundaries. They suggested that these be removed altogether as they were now obsolete following the boundary changes.

AGREED (unanimously) that the contents of the report on the progress made to date to complete the Neighbourhood Study for Hawtonville be noted.

61. LOCAL DEVELOPMENT FRAMEWORK PROGRESS REPORT

The Committee considered the report presented by the Business Manager – Planning Policy in relation to progress of the various elements of the Local Development Framework (LDF) contained within the Local Development Scheme (LDS) timetable. The report also provided consultation responses received, any amendments which were required as a result of the consultation and also sought approval for the amended Statement of Community Involvement (SCI) to be adopted by the Committee. A late response in relation to the SCI had been received from Southwell Civic Society and this was circulated to Members.

AGREED (unanimously) that:

- (a) the progress towards meeting the timetable of the adopted Local Development Scheme be noted;
- (b) the proposed District Council responses to the Draft Statement of Community Involvement consultation responses be noted and endorsed; and
- (c) the Draft Statement of Community Involvement, as amended by the proposals in Appendix B to the report, be adopted as the Council's Statement of Community Involvement and becomes part

of the NSDC Local Development Framework.

62. OLLERTON OUTREACH SERVICE

The Committee considered the report presented by the Business Manager – Economic Development which provided information and recommendations regarding the outreach service that had been in operation for one year and was based in Ollerton & Boughton Town Hall.

The report provided information as to the concerns which had led to the establishment of the service which, in turn, had led to the commencement of its provision in January 2014. It also provided information as to the initial issues experienced with the launch of the service and the outcomes and statistical information moving forward.

Members stated that they welcomed the report but agreed that it was crucial that the partnership with the Department of Work & Pensions be continued.

AGREED (unanimously) that:

- (a) the Committee supports the continuation of the service, subject to the continued support of the Department of Work & Pensions;
- (b) a representative of the Committee meets with the Department of Work & Pensions representative to discuss and obtain agreement to the continuation of the Outreach Service;
- (c) the aims identified for 2015 in paragraph 3.4 of the report be agreed; and
- (e) the Committee support a review of the IT equipment and layout in order to establish whether options other than the current weekly set up and take down arrangements could be implemented.

63. THINK BIG LOAN FUND

The Committee considered the report presented by the Business Manager – Economic Development in relation to the performance and progress for the Growth Investment Fund (Think BIG) and sought to propose a recommendation that the option, in certain circumstances, for a convertible loan to be a path available to NSDC be progressed to full Council.

Prior to discussion, the Chairman, Councillor D.J. Lloyd proposed and Councillor G.P. Handley seconded that recommendations (d) and (e) be deferred.

A Member of the Committee stated that he could not support this proposal as he wished to resolve the matter of convertible loan options. In response, another Member agreed with the proposal to defer, stating that convertible loans would be a 'long stop' approach for the Council but any decision should be deferred until after

the new Council had been elected in May 2015.

On being put to the vote it was AGREED by 4 votes for with 2 against that Recommendations (d) and (e) be deferred.

The report provided information as to the general performance of the loan since it commenced in January 2013. It also provided commentary on the proposal regarding the future direction of the loan fund, the opportunities to support businesses and the status of the loan fund policy group agreed amendments.

Members highlighted a possible omission from the criteria for awarding a loan stating that, at present, a loan would not be granted to a business outside of the district. However, a loan could be awarded to a business who subsequently relocated outside of the district. It was suggested that a recommendation be made to say that all loans *may* be subject to repayment if the business moved outside of the district and that this recommendation, if agreed, became effective immediately.

AGREED (unanimously) that:

- (a) the contents of the report regarding the progress of the loan fund be noted;
- (b) an update regarding the start-up/early stage business pilot approach be presented to a future meeting of the Committee;
- (c) the continuation of the loan fund up to £1.5 million with a further review at this point by the Policy Group be supported; and
- (d) all loans *may* be subject to repayment if the business moved outside of the district and that this recommendation take immediate effect with the Loan Panel being notified accordingly.

64. ANNUAL REPORT DETAILING THE EXEMPT REPORTS CONSIDERED BY THE ECONOMIC DEVELOPMENT COMMITTEE

The Committee considered the report of the Director – Resources in relation to the exempt reports considered by the Committee during the previous year.

The report stated that the report in question, Newark Market Stalls, had been considered on 12th November 2014 and that the report author had confirmed that the information was now no longer considered to be confidential.

AGREED (unanimously) that the Newark Market Stalls report no longer be considered as exempt business.

The meeting closed at 7.30 pm

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **HOMES & COMMUNITIES COMMITTEE** held on Monday, 23rd March 2015 in Room G21, Kelham Hall at 5.30pm.

PRESENT: Councillor R.B. Laughton (Chairman)

Councillors: R.L. Bradbury, Mrs B.M. Brooks, G. Brooks, Mrs I. Brown, Mrs T. Gurney (Opposition Spokesperson), Mrs S.M. Michael, A.C. Roberts and B. Wells.

ALSO IN ATTENDANCE: Councillor R. Shillito

39. APOLOGIES FOR ABSENCE

Apologies for absence were submitted for Councillors: G.S. Merry, J. Middleton and D. Thompson

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

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

<u>Member/Officer</u>	<u>Agenda Item No.</u>
Councillors Mrs T. Gurney and B. Wells	Agenda Item No. 9 – Homeless Prevention Strategy 2013/2018 (Annual Update Report) – Representatives on Sherwood & Newark CAB – Personal Interest.

41. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

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

42. GENERAL FUND BUDGET PERFORMANCE REPORT TO 31ST JANUARY 2015

The Committee considered the report presented by an Accountant from Financial Services in relation to the net expenditure for the period ending 31st January 2015 with the profiled budget for the period. Contained within the report was performance commentary in relation to employee costs, supplies and services and major income streams.

In relation to the underspend identified on the Emergency Planning budget, Members queried whether this could have been used more effectively. Officers explained that the budget was a “reactionary” one to be drawn upon in the event of emergency incidents, which by their very nature, could not be forecast with any certainty. Therefore if there were none, or fewer emergency incidents occurring in any particular year, this budget was likely to be underspent. It was also acknowledged that the underspend had meant that it had been possible to allocate some of these funds support a flood alleviation scheme proposed for the Girton

area.

It was noted that following the flooding on the Somerset Downs a national fund had been set up by the Government that enabled those affected to apply for monies to assist them. However, the take-up of this had been poor which had resulted in monies being made available to other local authorities who had areas that were subject to flooding. The District Council had made a bid for and had been successful in receiving funds via this scheme for residents within the district who had suffered flooding damage.

AGREED (unanimously) that:

- (a) the overall position of the Homes & Communities Committee net expenditure compared to budget at 31st January 2016 be approved; and
- (b) Officers continue to look for additional savings throughout the financial year.

43. DISABLED FACILITIES GRANT

The Committee considered the report presented by a Senior Environmental Health Officer in relation to a report which sought approval for a standalone policy covering the administration and distribution of Disabled Facilities Grants (DFG).

The report set out that in the past the Council's policy relating to DFG's had formed part of the Private Sector Renewal Policy but that since the withdrawal of funding the policy had become obsolete.

It was reported that DFGs were mandatory grants and were designed to provide adaptations to a property to allow a disabled person to continue to live in their home. Grants were subject to a means test with some applicants having to pay a contribution towards the cost of the work. Referrals for the grants came from the Occupational Therapy team of the County Council.

It was considered that the formulation of a policy would provide a transparent approach for service users so they could clearly see the circumstances that might apply to their need. Contained within the policy was information as to the mandatory disabled facilities grant; the discretionary disabled facilities grants; general requirements and grant conditions; grant conditions following completion; installation of equipment and maintenance; contractual relationships; and complaints.

Members debated the issues relating to children whose parents were separated and the problems this potentially created if the child resided with both parents. It was noted that the usual practice would be to adapt the primary carer's property fully and that the other parent's property would be adapted to a lesser degree. The Senior EHO advised that the Occupational Health Therapist would require for both properties to be fully adapted. Members were further advised that if this was to be

adopted it would be necessary to cap the mandatory grant to £30,000 and that it would effect funding overall.

Members suggested that it may have been beneficial to receive more information on the issue prior to making a final decision, however, they were of the opinion that any delay would leave those wishing to make an application without an indication as to whether their application was likely to be successful.

Having debated the budget implications of awarding the mandatory and discretionary grants and adaptations to secondary properties and the costs thereof Members agreed on the amount to be awarded for adaptations on both one and two dwellings. It was also proposed that the time limit to be set on the repayment for adaptations undertaken to second properties (where that property was subsequently sold), be set at 10 years and that progress of the policy be reported back to committee after a period of 12 months.

AGREED (unanimously) that:

- (a) the draft Disabled Facilities Grant Policy and consultation comments received be noted;
- (b) the Disabled Facilities Grants Policy be approved, subject to the following amendments:
 - (i) adaptations to a single property be set at the mandatory maximum of £30,000 with a discretionary top up grant of £10,000 being available, if required;
 - (ii) adaptations to 2 properties be set at the mandatory maximum of £30,000 per property with no discretionary top up grant of £10,000 being available;
 - (iii) the time limit on the repayment for adaptations undertaken to a second property be set at a maximum of 10 years; and
- (c) progress of the implementation of the Disabled Facilities Grant Policy be reported back to the Homes & Communities Committee after a period of 12 months.

44. ALLOCATION SCHEME REVIEW

The Committee considered the report presented by the Business Manager – Housing Options, Energy & Home Support and the Business Manager – Strategic Housing in relation to feedback from the Council Member Workshop which took place in November 2014. The report also sought Members' views on how to progress the review of the Allocation Scheme.

The report set out the proposals for the 5 key areas discussed at the workshop, these being; managing access – extending restrictions; local connection; penalising refusals; direct offers for homeless; and changing places.

Members debated the implications of the proposed change to Section 14 – Suitability of Property Types, paragraph 14.2(d) thereby increasing the age of the

dependent children of differing sex expected to share a room from 7 to 10 years of age.

Officers advised that Housing Benefit Regulations criteria stipulated the age of 10 but, at present, the Council's policy set the age at 7. This had the effect that tenants were then deemed to under occupy their properties and did not receive sufficient benefits to cover their rent. This led to the build-up of arrears putting the family at risk of eviction for non-payment of rent.

All Members agreed that the current policy and proposed amendment led to situations that were unacceptable. Members noted that often children, more often females, reached the age of puberty at an early age and having to share a room with a child of the opposite sex was not acceptable. However, it was also noted that not to increase the age of the child to 10 to match that of housing benefit criteria could potentially lead to families being made homeless. It was agreed that representations to this effect be made to the Department of Communities and Local Government.

- AGREED: (a) (unanimously) that the contents of the report be noted;
- (b) (unanimously) that a report be submitted to a future meeting of the Committee, following the elections in May 2015, setting out a project plan for a full review of the Council's Allocation Scheme;
- (c) (by 7 votes for with 2 against) that the minor amendment to Section 14, paragraph 14.2(d) as set out in paragraph 3.2 of the report be approved; and
- (d) (unanimously) that a letter be forwarded to the Department of Communities and Local Government setting out the Council's concerns in relation to Housing Benefit Regulations criteria and the age that different sex children are expected to share a bedroom up to the age of 10 years.

45. HOME ENERGY CONSERVATION ACT (HECA) REPORT

The Committee considered the report presented by the Business Manager – Housing Options, Energy & Home Support in relation to the proposed Home Energy Efficiency Act (HECA) progress report recommended for adoption by the Council and submission to the Secretary of State, by 31st March 2015 deadline.

The report provided information as to the national agenda for Home Energy Efficiency and also gave an explanation as to how the HECA report had been produced and written.

AGREED (unanimously) that:

- (a) the HECA progress report be noted; and

- (b) the HECA progress report be approved for submission to the Secretary of State by 31st March 2015.

46. HOMELESS PREVENTION STRATEGY 2013/2018 – ANNUAL UPDATE REPORT

The Committee considered the report presented by the Business Manager – Housing Options, Energy & Home Support in relation to an update on the delivery of the Homelessness Prevention Strategy Action Plan against its core objectives.

It was reported that the action plan formed the backbone of the Council’s strategy and was a working document. Therefore, it was subject to change in order that the ever-changing needs of the district were reflected and that this enabled it to be aligned with legislation and government agendas.

Members agreed that the work of the Business Unit had resulted in fewer younger people becoming homeless and had led to a reduction in the amount of rough sleepers. It was also noted that some 112 households had been assisted to the point that homelessness had been prevented.

In relation to a query raised as to what actions were referred to in paragraph 5.2 of the report, the Business Manager advised that she would respond directly to the Member.

AGREED (unanimously) that:

- (a) the report and delivery of the Council’s Homelessness Prevention Strategy and Action Plan 2013/2018 be noted; and
- (b) a written response in relation to the query raised about actions referred to in paragraph 5.2 of the report be forwarded directly to the Member of the Committee.

47. REVIEW OF NSDC EMERGENCY PLAN

The Committee considered the report presented by the Business Manager – Community Safety in relation to the reviewed NSDC Emergency Plan. The report set out the changes that had been made to the plan and provided an overarching summary of what the roles, responsibilities and actions for management and staff were within the Council.

Members noted the review undertaken and discussed, in particular, the support given by staff to the Flood Risk Communities to ensure greater resilience in the case of any future flood. It was noted that the take-up of the Flood Grant Scheme had been excellent. The Chairman commended the staff involved for all their hard work to ensure that the applications received were dealt with without delay.

AGREED (unanimously) that the report and actions be noted.

48. HEALTH & SAFETY – UPDATE REPORT

The Committee considered the report presented by the Business Manager – Community Safety in relation to the latest position regarding health and safety

compliance within the Council. The report set out the work, projects and initiatives in relation to health and safety and provided a list of incidents. Also reported were the number of violent incidents for the period 1st January to 31st December 2014.

AGREED (unanimously) that the report be noted.

49. UPDATE PROVIDED BY CHAIRMAN

The Chairman advised the Committee that he had recently been invited to open the Scarborough Road, Bilsthorpe development with the local Member of Parliament for the Sherwood Constituency, Mark Spencer. Adjacent to this development was a garden area that had been named Armstrong Gardens in memory of the late Councillor Mrs Nora A. Armstrong. He further advised that Councillor Armstrong's family had been present at the opening and had expressed their pleasure at the name chosen for the gardens.

The meeting closed at 6.32 pm

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the meeting of the **LEISURE & ENVIRONMENT COMMITTEE** held in Room G21, Kelham Hall, Newark on Tuesday, 17th March 2015 at 5.30 pm.

PRESENT: Councillor A.C. Roberts (Chairman)

Councillors: R.V. Blaney (Ex-Officio), C. Brooks (substitute for J. Bradbury), G. Brooks, P.C. Duncan, R.J. Jackson, Mrs C. Rose, M. Shaw, Mrs L.A. Shilling, D. Staples, Mrs L.M.J. Tift, D. Logue and T. Wendels.

ALSO IN Councillors: Mrs R. Crowe, R. Shillito, and Mrs S. Soar.

ATTENDANCE:

72. **APOLOGIES FOR ABSENCE**

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

73. **MINUTES OF THE MEETING HELD ON 13TH JANUARY 2015**

AGREED that Minutes of the meeting held on 13th January 2015, be approved as a correct record and signed by the Chairman.

74. **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.

75. **DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING**

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

76. **NEWARK CIVIL WAR CENTRE EVENTS**

The Committee considered the report presented by the Business Manager National Civil War Centre – Newark Museum which informed Members regarding the intended launch activity around the opening of the National Civil War Centre – Newark Museum in May 2015. A presentation was also provided to the Committee by the Business Manager National Civil War Centre – Newark Museum, which provided an update regarding the progress with the building site and the trail.

Following questions and comments from the Committee, the following information was provided.

It was confirmed that the car parking arrangements for opening of the National Civil war Centre over the 3rd and 4th May Bank Holiday weekend had been considered. The performers parking would be kept away from the public car parks, leaving sufficient car parking in the public car parks.

It was reported that over one hundred volunteers had expressed an interest in working on the project and interviews had taken place. It was confirmed that the Friends of Sconce Park had not been invited to help with the Centre at this stage due to time constraints, they would however be contacted in due course.

It was confirmed that the Education Officers had delivered and tested pilots to approximately twelve schools. It was noted that there would be plenty of activities for children which was part of the family activities.

A Member suggested that all six films should be played throughout the day and not just two which was proposed in the presentation. This would give visitors the chance to see them all in one day, especially visitors that had travelled some distance. It was confirmed that this could be reviewed.

AGREED (unanimously) that the presentation and report be noted.

77. GRANT AID PROGRAMME

The Committee considered the report presented by the Director - Community which updated Committee on the proposed changes to the Grant Aid Scheme following an internal Audit of the scheme. Approval was sought to make changes to the scheme and criteria reflecting the recommendation of the Audit with effect from 1st April 2015.

Members sought clarification as to why the panel required a non-political chairman, as the Chairman had no real vote or casting vote. The Audit report also hadn't provided why this was necessary. It was therefore suggested that an amendment be made to the Terms of Reference in order for the role of Chairman to be taken by an elected Member to the Grant Aid Panel.

The Director – Community confirmed that the Leisure and Environment Committee had determined the money in the budget for the Grant Aid programme. The Council had previously been criticised for not having a matrix, which had now been rectified. It was the role of the panel chairman to put forward grants to the elected Members. The Audit panel were trying to achieve a fair and transparent non-political system.

A Member suggested that additional wording be included at the end of the second paragraph of the Grant Aid Scheme - Overall Aim as follows:

'In order to be successful the applicant must be able to demonstrate how the project, event or activity will make a positive contribution to the strategic priorities and will benefit the wider community **by engaging more people, particular underrepresented groups and hard to reach groups.**'

An amendment was also suggested for the Terms of Reference to include an additional bullet point after the list in 2. Principles, as follows:

- To ensure expenditure is reasonable in the context of the Council and communities resources.

AGREED (unanimously) that:

- (a). the proposals identified in points 3.6 to 3.9 within the report and as follows, be approved and implemented subject to the amendments as follows in (b):
 - (i) A policy statement (Overall Aim) has been drafted to outline the purpose of the grant scheme and how the awarding of grants to organisations and individuals supports the Councils priorities. (Appendix A to the Report);
 - (ii) All Panel meetings are now formally minuted to ensure transparency of decisions and in addition a scoring matrix is applied to each application in order to assist Panel Members with decision making. (Appendix B to the Report);
 - (iii) A Terms of Reference document has been written for the panel which addresses the key components of managing the decision making process. (Appendix C to the Report); and
 - (iv) Only completed applications will be submitted to Panel for consideration and an application deadline will be communicated to all applicants via the website which will be two weeks prior to the panel. Officers will assess and score applications and present to the Panel for a formal decision.
- (b). the following amendments be undertaken and a copy of the appendices be forwarded to the Leisure and Environment Chairman and Members of the Grant Aid Panel :
 - (i) the Terms of Reference be amended, in order for the role of Chairman to be undertaken by an elected Member to the Grant Aid Panel;
 - (ii) additional wording be included to the end of the second paragraph of the Grant Aid Scheme - Overall Aim as follows:
'In order to be successful the applicant must be able to demonstrate how the project, event or activity will make a positive contribution to the strategic priorities and will benefit the wider community by engaging more people, particular underrepresented groups and hard to reach groups'; and
 - (iii) the Terms of Reference to include an additional bullet point after the list in paragraph 2. Principles, as follows:
 - To ensure expenditure is reasonable in the context of the Council and communities resources.

78. DELIVERING A HEALTH IMPROVEMENT PROGRAMME FOR NEWARK AND SHERWOOD

The report had been withdrawn from the agenda.

79. GENERAL FUND BUDGET PERFORMANCE REPORT TO 31ST JANUARY 2015

The Committee considered the report presented by the Assistant Business Manager Financial Services, which compared the General Fund Leisure & Environment Committee net expenditure for the period ending 31st January 2015 with the profiled budget for the period.

It was reported that the total for direct service net expenditure showed an under spend of £505,178.99 against the profiled budget for the period to 31st January 2015.

Variations from the profiled budget to 31st January 2015 were itemised and included Employee Costs; Premises; Transport; Supplies and Services; and Income. At the end of 31st January 2015 there were no significant variances on income streams falling within the remit of the Leisure and Environment Committee.

AGREED (unanimously) that the overall position of the Leisure and Environment Committee net expenditure compared to budget at 31st January 2015 be approved.

80. ANNUAL REPORT DETAILING THE EXEMPT REPORTS CONSIDERED BY THE LEISURE AND ENVIRONMENT COMMITTEE

The Committee considered the report of the Director - Resources which provided the Committee with a list of the exempt business considered by the Leisure and Environment Committee for the period 13th May 2014 to date. Members had the opportunity to review the exempt reports and request further information. The rule was defined in paragraph 18 of the Constitution entitled 'Right of Members to Request a Review of Exempt Information.'

The following reports were considered no longer to be confidential:

- Leisure Centre Management Commissioning – considered at the 17th June 2014 Committee (exempt paragraph 4)
- Leisure Commissioning Appendix D to the report – considered at the 13th January 2015 Committee (exempt paragraph 3&4)

The following reports were considered to still be commercially sensitive:

- Feasibility Report into Integration Opportunities at the Palace Theatre, National Civil War Centre – Newark Museum and Tourism Information Centre – considered at the 2nd September 2014 Committee (exempt paragraph 3); and
- RIBA Stage D Report into Integration Opportunities at the Palace Theatre, National Civil War Centre – Newark Museum and Tourism Information Centre – considered at the 13th January 2015 Committee (exempt paragraph 3)

The Director Customers confirmed that he would check whether the report entitled 'Proposals to include Sports Development in the Leisure Centre NEWCO' (exempt paragraph 4) was still confidential.

AGREED (unanimously) that:

- (a). the following reports were considered no longer confidential:
 - Leisure Centre Management Commissioning – considered at the 17th June 2014 Committee (exempt paragraph 3)
 - Leisure Commissioning Appendix D to the report – considered at the 13th January 2015 Committee (exempt paragraph 3&4)
- (b). the Director Customers to check whether the report entitled 'Proposals to include Sports Development in the Leisure Centre NEWCO' (exempt paragraph 4) was still confidential.

81. WORK ACHIEVED BY THE LEISURE & ENVIRONMENT COMMITTEE

The Committee considered the report of the Directors' - Customers and Community, which informed Members of the work achieved by the Leisure and Environment Committee over the life of the current Council.

AGREED (unanimously) that the Report be noted.

82. HEALTH AND WELLBEING/HEALTH SCRUTINY AND CHAIRMAN'S UPDATE

A Member provided a verbal update from the Health and Wellbeing Board, which he had recently attended. One of the key issues was a report from the Nottinghamshire Safe Guarding Adults Board which considered abuse allegations on adults. There had been 4,751 referrals in 2014/15, 2,006 of those referrals were investigated, 235 of those were based in care homes. It was commented that this was a worrying statistic, which was being looked into, 3 of the 235 were in local authority care homes. They also looked into urgent emergency care.

A Member also provided an update to the Committee on a visit he had attended at the East Midlands Ambulance Services (EMAS) control centre. He commented on how impressed he was with the experience of the control centre staff especially with the despatching of ambulances. A number of calls taken whilst he was on the tour provided concern to the Member on how isolated some individuals within their community were becoming. He commented on the difficulty of getting people out of hospital once they had been admitted which was often due to the patient having to wait for their care packages being put together. He felt that an increase in first responders should be developed in the community.

The main item of Health Scrutiny was Child and Adolescent Mental Health Services (CAMHS), a restructure had taken place within this service which was discussed. The Care Quality Commission (CQC) was undertaking the first inspection of GP practices, Newark being one of them. Dental Services were also going to come under an inspection process.

There was also a stroke pathway development which had resulted in a 24 hour service per day being provided at Kings Mill Hospital. Transport for kidney patients was also being dealt with by the joint Health Scrutiny Forum; a report would be submitted to a

future meeting.

The Chairman provided an update regarding the Newark and Sherwood Health Forum which he had attended. The forum had discussed the future programme and prioritisation which was as follows: Mental Health; Homelessness; Frail, old and lonely people; Helping people to help themselves, self-care work. The Forum had also considered their terms of reference and governance.

The date of the next Newark and Sherwood Health Forum was Wednesday 1st April 2015 at 2pm at Edwinstowe House; the meeting would discuss mental health.

The meeting closed at 7.00pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **PLANNING COMMITTEE** held in the Council Chamber, Kelham Hall, Newark on Wednesday, 25th March 2015 at 4.00pm.

PRESENT: Councillor D.R. Payne (Chairman)
Councillor B. Wells (Vice-Chairman)

Councillors: T.S. Bickley, R. V. Blaney, J. Bradbury, Mrs C. Brooks,
J.E. Hamilton, G.P. Handley, D. Jones, G.S. Merry,
Mrs S.E. Saddington, M. Shaw, Mrs L.M.J. Tift
and I. Walker.

ALSO IN

ATTENDANCE: Councillors: P.R.B. Harris, R. Jackson and R. Shillito.

163. APOLOGIES FOR ABSENCE

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

164. MINUTES – 3RD MARCH 2015

AGREED that the Minutes of the meeting held on Tuesday, 3rd March 2015 be approved as a correct record and signed by the Chairman.

165. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

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

<u>Members</u>	<u>Agenda Item</u>
Councillors G.P. Handley and B. Wells	Agenda Item No. 13 and 14 – Garages at Coronation Street, Balderton (15/00209/FUL) and Garage Courts between 98 and 100 Wolfit Avenue, Balderton (15/00031/FUL) - Personal Interest as they are Directors of Newark and Sherwood Homes.

166. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

The Chairman informed the Committee that the Council was undertaking an audio recording. A district Councillor also in attendance of the meeting indicated that he was undertaking an audio and visual recording of the meeting.

167. ORDER OF BUSINESS

The Chairman with the permission of the Committee changed the order of business on the agenda. Agenda item No. 7 was taken as the first item, followed by items 5, 6, 8 and 10. Items 13, 14 and 15 were then taken, followed by items 9, 11 and 12. The agenda then resumed its stated order.

168. 55, 57, 59, 61 PORTLAND WAY, CLIPSTONE (14/01974/FUL)

The item was deferred to allow the Allotment Association sufficient time to clarify proof of ownership.

169. LAND AT NOTTINGHAM ROAD, SOUTHWELL (13/00689/FULM)

The Committee considered the report of the Deputy Chief Executive, which sought full planning permission for the erection of 34 dwellings, comprising 8 one-bed apartments, 10 two-bed houses, 4 three-bed houses, 10 four-bed houses and 2 five-bed houses. 10 of the dwellings would be provided as affordable housing. The 8, one-bed apartments would be for affordable rent and 2, two-bed houses would be shared equity. The dwellings would all be two-storey, providing a mix of detached, semi-detached, three unit terraces and four unit apartment blocks.

At the Planning Committee on the 15th December 2014, it was resolved to defer the decision on this application for three reasons, which were flood risk, maintenance of the proposed balancing pond and retention of landscaping screening. An update response to each of those issues was provided within the report.

A schedule of communication was tabled at the meeting which included correspondence, received after the agenda was published, from the following: Environment Agency; Case Officer; and Southwell Civic Trust.

Councillor P.R.B Harris, local Member for Southwell West Ward, spoke against the application on the following grounds. Councillor Harris was disappointed after making a formal request, that he had not been invited to the meeting with the developer, which may have mitigated some of the concerns raised. He commented that in 2007 there was a breach of the Pottwell Dyke onto this land by 10 and 15 metres. He commented that flooding occurred on the site at a greater frequency than 1 in 100 year intervals. The Business Manager Development clarified that the model had indicated that the base line model produced by URS was 1 in 100 years.

Councillor Harris commented that the main point was the issue with the model. Nottinghamshire County Council (NCC) had not published the model as it was now under a peer review. He commented that we could not talk about what the issue was as the model had not to date been published. Neither had the Miller Homes flood analysis been published. There had been no community or local Member view as there were no results published. The Council had therefore taken the view of the developer and Miller Homes.

At the flood forum meeting a member of the committee heard that the model may be amended due to the peer review and suggested that Members should not take NCC and ACOMS view that the model was fit for purpose. He questioned what effect the development would have downstream. The model was due to be published in June 2015 and Councillor Harris asked the Committee to wait until it was published. He commented that if the Committee were minded to approve the application there were other issues as NCC Highways Authority opposed the entrance on Halloughton Road. He informed Members that NCC had just adopted a scheme to alter the traffic flow significantly on Halloughton Road, so that there was no right turn off West Gate

onto Halloughton Road. NCC's objection came prior to the change in pattern flow. He requested that condition 2 be amended to allow local Members to be involved with light patterns and ecology issues. The land had always been subject to development and whilst he was supportive of the development, down stream of this site needed to be mitigated and reduced, which at this moment and the current state of the model would not happen.

The Committee considered the application; one Member asked that the application be deferred until the NCC model was available and raised concern regarding the upstream water which would be addressed by the model. The application was considered to be piecemeal and the flood mitigation plan was being changed because of this development. Other Members commented that this scheme would alleviate flood flows and depth of floodwater.

The Business Manager Development reaffirmed that there was no requirement for NCC to run the scheme through the model as requested by Members in December 2014. The Applicant requested that their proposal be run through the model and AECOM (formerly URS) had advised in writing that the model was not the appropriate mechanism. The most appropriate mechanism was the flood risk assessment as contained within the report. The County Council as Lead Local Flood Authority had reviewed the content of the AECOM letter and update to Members and raised no objection to its content. They had advised that the proposed development would not generate increased flood risk (and was likely to improve flood risk due to onsite mitigation measures proposed).

A Member commented that the site in question had always been earmarked for development and there was no urgency to go ahead now.

The Business Manager Development advised that should the application be deferred or refused, the Applicant was likely to appeal and the Council would be at risk of costs being awarded.

A Member further commented that the need for the two-stage watercourse was not explicitly referred to in the AECOM letter. Reassurance that this would be built by competent engineers was required. Condition 17 should refer to outcomes of the 3rd March 2015 ecology, meeting.

The NCC project was twelve months behind schedule and the concerns were causing an issue. There was a lack of confidence from Southwell residents with this application and confidence had to be rebuilt quickly. The Leader said that he would send a letter to NCC to advise of these concerns and the Planning Committee Chairman said that he would support that.

AGREED (with 11 votes for, with 2 votes against and 1 abstention) that planning permission be granted subject to:

- (i) the management of open space/balancing pond/Potwell Dyke to be included within the S.106 Agreement and also to include the definition of landscape boundaries;

- (ii) the conditions contained within the report subject to the following amendments and additional condition as follows:
 - (a) the additional condition relating to levels as set out in the schedule of communication; and
 - (b) an amendment to condition 4 to include the requirement for a site walkover with relevant ecology consultees to establish which trees should be retained;
 - (c) condition 17 should refer to outcomes of ecology meeting of 3rd March 2015;
 - (d) completion certificates of competent engineers need to be provided.

170. LAND AT A6075/A616/A614 ROUNDABOUT, WORKSOP ROAD, OLLERTON (14/01797/FULM)

The Committee considered the report of the Deputy Chief Executive, which sought the demolition of the existing building and the erection of a pub/restaurant on land at the A6075/A616/A614 roundabout.

The application was presented to the Planning Committee for determination in line with the Council's Constitution as the Council had an interest in the development in that it currently owned part of the application site (the building).

A schedule of communication was tabled at the meeting, which included correspondence, received after the agenda was published from the following: Notts Ramblers; Natural England; Applicants; Notts Wildlife Trust; and Ollerton Village Residents Association.

Councillor R. Shilling, representing Ollerton and Boughton Town Council spoke in support of the application with the amendments included. This was an important application as it was essential that this application did not jeopardise the road-widening scheme for the roundabout in the future and the Town Council was pleased that the application had included the need for the future road-widening scheme. Concern had been raised in the past regarding the car park but that had been eradicated and five car parking spaces would be made available for the public to use.

Members considered the application and felt that the Highways Authority was clear that the amended application would not cause any problem with any future plans for improvements to the roundabout.

AGREED (with 13 votes for and 1 vote against) that full planning permission be approved.

171. THE HOLLIES, RAINWORTH (14/02098/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought full planning permission for the erection of two single storey, three bedroom dwellings served by a shared driveway from The Hollies.

Members considered the application and some Members felt that the development would have a significant impact for neighbouring properties; other Members felt that the proposals fitted in with the current estate.

AGREED (with 9 votes for, 4 votes against and 1 abstention) that planning permission be refused for the reasons contained within the report.

172. HAWTON HOUSE, CHAPEL LANE, EPPERSTONE (14/02150/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought full planning permission for the demolition of the existing two storey detached dwelling and the construction of a replacement three storey dwelling.

Councillor R. Jackson, local Member for Lowdham District Ward spoke in support of the application. There was no objection from Epperstone Parish Council. The plot was very large and the house would blend in well and did not restrict any views. The garage had a small footprint. There was a similar house that had been granted planning permission in Epperstone on a smaller plot of land. There was a need for modern houses in certain areas.

Members considered the application and it was commented that the proposed building would be imposing. There were a number of objections including that of the Conservation Officer. Other Members commented that the proposals were against the Council's policy.

AGREED (with 9 votes for and 5 votes against) that planning permission be refused for the reasons contained within the report.

173. GARAGES AT CORONATION STREET, BALDERTON (15/00209/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought full planning permission to demolish the garages on site and erect four, two bedroomed and two, one bedroomed flats with associated car parking and curtilage. The proposed flats would be managed by Newark and Sherwood Homes Ltd and would provide 100% affordable housing.

This application was presented to the Planning Committee for determination in line with the Council's Constitution as the Council had an interest in the development in that it owned the land in question. The Parish Council's objection also necessitated the application to be determined by the Planning Committee.

A schedule of communication was tabled at the meeting, which included correspondence received after the agenda was published from the Case Officer and Strategic Housing.

Councillor Mrs L. Hurst, representing Balderton Parish Council spoke against the application in accordance with the Parish Council views, which were contained within the report.

Members considered the application and concerns were raised regarding the narrow road and the loss of the garage sites, which would make existing on street parking problems worse. It was suggested that the application be deferred in order for Officers to request further information from Newark and Sherwood Homes Ltd including the use of the current garages and whether they were used for storage purposes or whether they were large enough to park modern cars. Could they assist in the provision of further off street parking and had a residents parking scheme/restrictive parking been considered.

AGREED (unanimously) that the application be deferred to the 7 April 2015 Planning Committee in order for Officers to request further information from Newark and Sherwood Homes Ltd, including whether the garages were used for storage purposes or whether they were large enough to park modern cars. Could they assist in the provision of further off street parking and had a residents parking scheme/restrictive parking been considered.

174. GARAGE COURTS BETWEEN 98 AND 100 WOLFIT AVENUE, BALDERTON (15/00031/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought full planning permission for the erection of four, two bedroom apartments with associated parking and external works, which would be managed by Newark and Sherwood Homes Ltd and would provide 100% affordable housing.

This application was presented to the Planning Committee for determination in line with the Council's Constitution as the Council had an interest in the development in that it owned the land in question.

A schedule of communication was tabled at the meeting, which included correspondence received after the agenda was published from the Case Officer, which recommended an amendment to Condition 6 as the wrong landscape implementation condition had been recommended. The correct wording was as follows: The approved landscaping shall be completed during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the local planning authority. Any trees/shrubs, which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless otherwise agreed in writing by the local planning authority. Reason: To ensure the work is carried out within a reasonable period and thereafter properly maintained, in the interests of visual amenity and biodiversity.

AGREED (with 11 votes for and 1 abstention) that full planning permission be approved subject to the conditions and reasons contained within the report and the incorporation of the amendment to condition 6 as contained in the schedule of communication and in the minute.

(Councillors T.S. Bickley and D. Jones left the meeting at this point.)

175. LAND AT VICARS COURT, CLIPSTONE (15/00035/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought full planning permission for the erection of six two-storey dwellings comprising three semi-detached pairs. Four of those dwellings would be three bedroom dwellings whilst plots five and six towards the east of the site would be two bedroomed.

A schedule of communication was tabled at the meeting, which included correspondence received after the agenda was published from Nottinghamshire County Council Highways Authority. Taking on board the Highways Authority's comments, it was recommended that condition 7 within the report be omitted and the recommendation be updated to incorporate two suggested conditions plus the note to the applicant with the additional words in bold text, which would require the parking to be retained also.

Members considered the application and it was felt that as Clipstone Parish Council's objection had now be addressed by the amendment to the conditions, there was no reason not to grant the application.

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

- (i) the removal of condition 7 within the report;
- (ii) the addition of two highways conditions and the note to the applicant as contained within the schedule of communication; and
- (iii) the remaining conditions and reasons contained within the report,

176. UNIT 1, BURMA ROAD, BLIDWORTH (15/00097/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting. The application was retrospective and sought full planning permission for the material change of use of the site from a business use falling within Use Classes B1 (Business) and B8 (Storage and Distribution) to the current use for the display, storage and scale of cars/vehicles which was considered Sui Generis (meaning a use class of its own) within the planning regime and as such planning permission was required.

Members considered the application and one Member commented that heavy lorries used the road, which was narrow where the business was operating, and felt that this location was not suitable. It was also suggested that the business had been sold subject to a condition for industrial and not for retail use.

The Council's legal advisor confirmed that there were no restrictive covenants prohibiting industrial use.

The Senior Planning Officer confirmed the parking arrangements on the site, with thirty cars for sale, six customer car parking spaces and two staff parking spaces. A condition was included for those spaces to be clearly marked. A Member asked that a disabled space be included into the parking arrangements.

AGREED (with 10 votes for and 2 votes against) that planning permission be approved subject to the conditions contained within the report and an amendment to the planning condition requiring on site parking provision to include the provision of a disabled parking space.

177. SARACENS HEAD HOTEL, MARKET PLACE, SOUTHWELL (15/00145/LBC) & 15/00146/ADV)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought Listed Building Consent for the erection of signage which was a re-submission of application 14/01762/LBC and advertisement consent for the erection of signage which was a re-submission of application 14/01761/ADV.

AGREED (unanimously) that listed building consent and advertisement consent be approved subject to the conditions and reasons contained within the report.

178. PALACE THEATRE, 16 APPLETON GATE, NEWARK (15/00166/FUL & 15/00167/LBC)

The Committee considered the report of the Deputy Chief Executive, which sought full planning permission for the integration of front of house areas of the Palace theatre with the National Civil Ware Centre. Enhancing of the existing Box Office, Foyer, Function Room, Bar area and WCs. Improvements of catering facilities.

A Member commented that the Authority's Leisure and Environment Committee and Policy and Finance Committee had also considered this project. The application would bring the Palace Theatre and the National Civil War Centre together and was an exciting project for Newark.

AGREED (unanimously) that the application be referred to the Secretary of State with a recommendation that full planning permission and listed building consent be granted subject to the conditions and reasons contained within the report.

179. AVIEMORE, OLD GREAT NORTH ROAD, SUTTON-ON-TRENT (14/01541/OUT)

The Committee considered the report of the Deputy Chief Executive, which sought outline consent for the erection of a single residential dwelling with all matters reserved.

This application had been considered and deferred at the 3rd March Planning Committee meeting in order to seek clarification from Planning Policy colleagues as to the extent of the defined existing employment area. It had been confirmed that the site was within the existing employment area as defined by the Proposals Map for Sutton on Trent and as such the application was presented to Members on an identical basis to that which was presented at the 3rd March meeting.

A Member commented that this site had been confirmed as an employment area, which was an anomaly for the Core Strategy. Common sense said that this site was an infill site as either side was residential.

AGREED (unanimously) that contrary to Officer recommendation, planning permission be approved subject to reasonable conditions delegated to the Business Manager Development in consultation with the Planning Committee Chairman and Vice-Chairman.

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

Councillor	Vote
T.S. Bickley	Absent
R.V. Blaney	For
J. Bradbury	For
Mrs C. Brooks	For
Mrs G.E. Dawn	Absent
J.E. Hamilton	For
G.P. Handley	For
D. Jones	Absent
G.S. Merry	For
D.R. Payne	For
Mrs S.E. Saddington	For
M. Shaw	For
Mrs L.M.J. Tift	For
I. Walker	For
B. Wells	For

180. LAND SOUTH OF NEWARK, BOWBRIDGE LANE, BALDERTON (15/00082/FUL)

The Committee were advised that this item had been withdrawn.

The meeting closed at 7.30pm

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the meeting of the **STANDARDS COMMITTEE** of Newark & Sherwood District Council held in Room G21, Kelham Hall, Newark on Wednesday 11th March 2015 at 10.00am.

PRESENT: District Councillors: D. Jones, D. Logue,
Mrs S.E. Saddington and M. Shaw, B. Wells

Parish Councillor: I. Harrison and P. Morris

Co-opted
Independent Person: Mrs P. White

46. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors T.S. Bickley, J. Middleton, Mrs C. Rose, Independent Person - Mr R. Dix and Deputy Independent Person Mrs S. Jones.

47. DECLARATION OF INTERESTS BY MEMBERS AND OFFICERS

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

<u>Members</u>	<u>Agenda Item</u>
Councillor I. Harrison	Agenda Item No. 6 – Co-opted Parish Representatives and Independent Member - Disclosable Pecuniary Interest. Agenda Item No. 7 – Code of Conduct Complaint Relating to a Planning Matter at North Muskham – Personal Interest.
Councillor P. Morris	Agenda Item No. 6 – Co-opted Parish Representatives and Independent Member - Disclosable Pecuniary Interest.
Councillor Mrs S.E. Saddington	Agenda Item No. 7 – Code of Conduct Complaint Relating to a Planning Matter at North Muskham – Personal Interest.
Mrs P. White	Agenda Item No. 6 – Co-opted Parish Representatives and Independent Member - Disclosable Pecuniary Interest.

48. DECLARATIONS OF ANY INTENTIONS TO RECORD THE MEETING

There were none.

49. MINUTES

AGREED that the Minutes of the meeting held on 20th October 2014 be approved as a correct record and signed by the Chairman.

50. STANDARDS COMMITTEE PROGRESS REPORT 1ST OCTOBER 2014 TO DATE

The Committee considered the progress report from 1st October 2014 to date.

AGREED that the progress report be noted.

(Having declared a Disclosable Pecuniary Interest on the following item, Mrs P. White and Councillors I. Harrison and P. Morris did not take part in the debate or vote and left the meeting at this point.)

51. CO-OPTED PARISH REPRESENTATIVES AND INDEPENDENT MEMBER

The Committee considered the report of the Deputy Chief Executive and Monitoring Officer which sought approval to extend the terms of office until May 2016 for the two co-opted Parish Representatives, Councillors I Harrison and P. Morris and the co-opted independent member to the Standards Committee, Pam White.

AGREED (unanimously) that a recommendation be made to the 2015 Annual Meeting of Council that the appointments of the Parish Council representatives Councillors Ian Harrison and Paul Morris, subject to them continuing to hold office as parish councillors and Pam White as co-opted independent member on the Standards Committee be extended until May 2016.

(Having declared a Personal Interest on the following item, Councillors I. Harrison and Mrs S.E. Saddington did not take part in the debate or vote and left the meeting at this point.)

52. CODE OF CONDUCT COMPLAINT RELATING TO A PLANNING MATTER AT NORTH MUSKHAM

The Committee considered the report of the Deputy Chief Executive and Monitoring Officer, which advised the Committee of a complaint regarding the conduct of two members of Newark and Sherwood District Council and a member of North Muskham Parish Council relating to the determination of a planning application at North Muskham.

The complainant had complained that the local member referred the matter to the planning committee, rather than it being dealt with under delegated powers, on the grounds that the parish council had objected notwithstanding that there was no objection from the parish council. The complainant also complained about the conduct of the local member in questioning her personal integrity and seeking to influence the decision. Regarding the second member of the district council, the complaint was that he requested a s106 agreement to be entered into when the matter was first considered by the committee to control derelict farm buildings on the site. The complainant also complained about the conduct of the Chairman of the Parish Council but did not provide any substantive evidence to support that. In consultation with the Independent Person and after a preliminary investigation into

the background of the complaint, it had been resolved that no breach had occurred and no further action should be taken.

AGREED that the report be noted.

53. CODE OF CONDUCT COMPLAINT – SUTTON ON TRENT PARISH COUNCIL

The Committee considered the report of the Deputy Chief Executive and Monitoring Officer which advised the Committee of a code of conduct complaint received in respect of members of Sutton on Trent Parish Council in relation to certain planning matters. In consultation with the Independent Person, it was resolved that a formal investigation should not be conducted but rather that correspondence be sent directly to one of the parish councillors concerned, and to the parish clerk, setting out the requirements of Sutton on Trent's Code of Conduct, and the law generally relating to bias and predetermination, and highlighting to the parish clerk procedural irregularities in the way that the meetings concerned had been conducted.

AGREED that the report be noted.

54. DATE OF NEXT MEETING

It was noted that the next meeting of the Committee was scheduled for Wednesday, 16th September 2015 at 10.00am.

The meeting closed at 10.20 am.

Chairman

